

## **2) Plans for harmonisation with the *acquis communautaire***

### **a) Plans with regard to the remaining necessary harmonisation of the national legislative framework with the *acquis communautaire***

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### **b) An overview of the measures and activities to be undertaken in order to establish or strengthen institutional structures and administrative capacities**

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### **c) Planned measures to achieve full compliance with the EU *acquis***

Serbia will continue to actively promote opportunities for the cultural and creative sector within the EU programmes. Serbia's participation in the *Creative Europe Programme* is strategic objective and Serbia is dedicated to this task.

When Serbia becomes a member of the EU, it will be dedicated to participating in the *European Heritage Label Programme*, which promotes cultural monuments and localities that symbolize European values and ideals and common history, thus contribute to the strengthening of intercultural dialogue and better understanding among young people.

## 3.27. ENVIRONMENT

### **3.27.1. State-of-play**

In December 2016, the negotiating group 27 received the Screening Report for Chapter 27 and was asked to submit a negotiating position for this chapter without initial criteria.

In July 2017, on the basis of the Law on Ministries ("Official Gazette of the Republic of Serbia", No. 44/14, 14/15, 54/15 and 96/15 - other law), an independent Ministry of Environmental Protection was formed. The Ministry of Environmental Protection is the leading institution for Chapter 27, while responsibilities for certain regulations have been assigned to the Ministry of Agriculture, Forestry and Water Management, while some regulations have remained within the competence of ministries in which they were previously (Ministry of Construction, Transport and Infrastructure, Ministry of Interior, Ministry of Mining and Energy, Ministry of Health, Ministry of Justice).

The administrative capacities required for the effective transposition and implementation of legislation will be assessed within the IPA 2013 project "Further Strategy for Environmental Approximation". Within the project, an Action Plan for development of administrative capacities at all levels will be prepared. It is planned that the project will last until 2018.

### **3.27.2. Horizontal Legislation**

#### **1. Overview of consistency status/ State-of-play**

##### ***1) Environmental Impact Assessment: Directive 2011/92/EU amended by Directive 2014/52/EC***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

Directive 2011/92/EU has been almost fully implemented through the following legal acts:

- The Law on the Ratification of Amendments to the ESPOO Convention, Decision II/14 and Decision III/7 ("Official Gazette of the RS", No 04/2016)
- Law on Environmental Impact Assessment ("Official Gazette of the RS", No 135/2004, 36/2009);
- Law on Environmental Protection ("Official Gazette of the RS", No 135/2004, 36/2009 и 72/2009, 014/2016);

- Law on General Administrative Procedure (“Official Gazette of RS”, No 18/16) Regulation establishing a list (I) of projects for which impact assessment is mandatory, and a list (II) of projects for which an impact assessment may be required (“Official Gazette of the RS”, No 114/2008);
- Law ratifying the Convention on Environmental Impact Assessment in a Transboundary Context (“Official Gazette of the RS”, No 102/07);
- Law on Ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (“Official Gazette of the Republic of Serbia”, No 38/09);
- Law on Free Access to Information of Public Importance (“Official Gazette of the RS”, No, 120/04, 54/07, 104/09 и 36/10)
- Law on Planning and Construction (“Official Gazette of the RS”, No 72/09, 132/14 and 145/14).

The only provisions of Directive 2011/92/EU that still need to be transposed into national legislation are Article 7 and Annexes I and II of the Directive.

The amendments introduced by Directive 2014/52/EC have not yet been transposed into national legislation.

Currently being drafted:

1. The Law on the Confirmation of the Multilateral Agreement of the Southeast European Countries in the Transboundary Context (the draft law has been prepared, all opinions of other competent ministries have been obtained, but the procedure for obtaining opinions should be repeated due to the Law on Amendments to the Law on Ministries ("Official Gazette of RS", no. 62/17) – the deadline for adoption is the first quarter of 2018.

2. The new Regulation which prescribes the list of (i) projects for which impact assessment is mandatory and the list of (ii) projects for which an impact assessment may be required with the aim of full compliance with the Annexes of the Directive (the draft Regulation has passed the procedure for obtaining the opinion of the other competent ministries, but it must be repeated due to the Law on Amendments and Amendments to the Law on Ministries ("Official Gazette of RS", No. 62/17) - the deadline for adoption is the fourth quarter of 2018.

3. Drafting of the Law on Amendments to the Law on Environmental Impact Assessment is in progress - the deadline for adoption is the fourth quarter of 2018.

**Note:** The proposal for amendments to the Law on Strategic Environmental Assessment and the draft amendments to the Law on Amendments to the Law on Environmental Impact Assessment are presented in the framework of the UNDP project to the representatives of local self-governments within the 4 workshops organized at the regional level, including a round table with private companies that deal with impact assessment studies on the topic “How to improve environmental impact assessment procedures in Serbia “.

No.	Location	Date	Subject	No. of participants (without MEP and UNDP)	No. of female participants	Percentage of female participants (%)	Total number of participants
1	Belgrade	19/06/2017	Seminar on SEIA and EIA for local self-governments	17	13	76.47	24

2	Novi Sad	20/06/2017	Seminar on SEIA and EIA for local self-governments	35	21	60.00	39
3	Niš	26/09/2017	Seminar on SEIA and EIA for local self-governments	27	19	70.37	32
4	Čačak	03/10/2017	Seminar on SEIA and EIA for local self-governments	28	24	85.71	34
5	Belgrade	18/10/2017	Round table with private companies "How to Improve Environmental Impact Assessment Procedures in Serbia"	16	10	62.50	26
				123	87	70.73	155

Also, organized by REC (Regional Environmental Centre), in the period from 16-18 October 2017, in Srebrno Lake, a two-day workshop was held, at which the civil society organizations within the CSOnnect programme (Program for Support to Civil Society Organizations in Serbia in the field of Environment) were presented with the draft amendments to the Law on Environmental Impact Assessment with a special focus to the Regulation on the acceptability assessment in the context of the future NATURA 2000 network.

**b) Institutional structures and the state of administrative capacities**

The structures for the implementation of the Environmental Impact Assessment Directive have been established at the national, provincial and local levels.

In the Department for Impact Assessment with new systematization, 9 employees are envisaged instead of the current 8.

There are currently 7 people in the Department (due to the departure of one retired employee, and an additional reduction is expected for 1-2 people in the coming period, for the same reason).

New systematization envisages a new organizational unit - the Department for the assessment of the impact of projects and activities on the environment including two organizational units:

Group for strategic impact assessment – 3 employees and the Department to assess the impact of projects and activities on the environment – 9 employees

In October 2017, a study visit to Spain was held as part of the TAIEX Study Visit on Climate Change, organized in cooperation with the Spanish Ministry of Agriculture, Food and Environment. Among other things, the participants had the opportunity to gain insight into the various effects of SO<sub>2</sub> emissions and measures for their mitigation, all related to the requirements of the Impact Assessment Directive related to the climate change aspect, which must be presented through the impact assessment.

### **c) Other undertaken measures and activities**

The environmental impact assessment procedure is almost fully compliant with the provisions of Directive 2011/92/EC. Amendments introduced by Directive 2014/52/EC have not yet been transposed into national legislation.

## **2) Strategic Environmental Impact Assessment: Directive 2001/42/EC**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is partially harmonised with the Directive through the following laws:

- Law on Strategic Environmental Impact Assessment (“Official Gazette of the RS”, No 135/2004 and 88/2010);
- Law on Environmental Protection (“Official Gazette of the RS”, No 135/2004, 36/2009 and 72/2009);

Law amending the Law on Environmental Protection (“Official Gazette of the RS”, No 014/2016)

- Law on the Confirmation of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention).
- Drafting of the Amendments to the Law on Strategic Environmental Assessment is in progress, and its adoption is foreseen for the IV quarter of 2018.

### **b) Institutional structures and the state of administrative capacities**

Structures for the implementation of the Strategic Environmental Impact Assessment Directive have been established at the national, provincial and local levels.

There are currently 3 employees in the Strategic Impact Assessment Group.

### **c) Other undertaken measures and activities**

Presentations and consultations with local self-governments in Belgrade, Novi Sad, Niš and Čačak have been performed.

## **3) Public Access to Environmental Information: Directive 2003/4/EC**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive has been almost completely transposed through the following laws and by-laws:

- Law amending the Law on Environmental Protection (“Official Gazette of the RS”, No 014/2016)<sup>56</sup>
- Law on Environmental Protection (“Official Gazette of the RS”, No 135/04, 36/09, 72/09 and 43/11).
- Law on Free Access to Information of Public Importance (“Official Gazette of the RS”, No, 120/04, 54/07, 104/09 and 36/10).
- Law on General Administrative Procedure (“Official Gazette of the FRY”, no. 18/16)

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<sup>56</sup>The Law amending the Law on Environmental Protection envisages both passive and active information flow. More detailed information is given in the Post Screening Document [www.pregovarackagrupa27.gov.rs](http://www.pregovarackagrupa27.gov.rs).

- Law on Ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (“Official Gazette of the Republic of Serbia”, No 38/09)

- Regulation on the content and manner of keeping an environmental information system, methodology, structure, common bases, categories and levels of data collection, as well as the content of information on which the public is regularly and necessarily informed (“Official Gazette of RS”, no. 112/09).

**b) Institutional structures and the state of administrative capacities**

The structures for the implementation of this directive have been established. The responsible bodies responsible for the implementation are: Ministry of Environmental Protection; Environmental Protection Agency; Commissioner for Information of Public Importance and Protection of Personal Data; National, regional and local authorities responsible for environmental protection; Aarhus centres. Working procedures regarding passive and active information flows have been established.

**c) Other undertaken measures and activities**

In the course of 2015 and 2016, the Environmental Protection Agency, the Department of the National Pollution Register, has developed a special website for data on air and water emissions and waste management where all data is available to the public: <http://77.46.150.211/TeamsPublic/teamssr.aspx?FormName=AirEmissionsperYearForm>; <http://77.46.150.211/TeamsPublic/teamssr.aspx?FormName=WaterEmissionsperYearForm>;

<http://77.46.150.211/TeamsPublic/teamssr.aspx?FormName=WasteGeneratedperYearForm>.

During 2016, the Agency prepared a special internet portal for PRTR companies in accordance with the requirements of the PRTR protocol with the Aarhus Convention. This portal is available at <http://prtr.sepa.gov.rs/>

**4) Public Participation: Directive 2003/35/EC**

**a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is partially harmonised with the Directive through the following laws:

- Law amending the Law on Environmental Protection (“Official Gazette of the RS”, No 014/2016)

- Law on Ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (“Official Gazette of the Republic of Serbia”, No 3)

- Law on Environmental Protection (“Official Gazette of the RS”, No 135/04, 36/09, 72/09);

- Law on Environmental Impact Assessment (“Official Gazette of the RS”, No 135/04, 36/09);

- Law on Integrated Prevention and Control of Environmental Pollution (“Official Gazette of the Republic of Serbia”, No 135/2004).

**b) Institutional structures and the state of administrative capacities**

The structures for the implementation of this directive have been established.

The responsible authorities responsible for the implementation are:

- Ministry of Environmental Protection: Waste Management Department; Department of Air Protection;

Ministry of Agriculture, Forestry and Water Management: Water Directorate;

- Provincial authorities and local self-government bodies are responsible for the preparation and modification or revision of plans and programmes developed at the regional and local level and for the protection of the environment;

- Judicial bodies - Administrative Court of Serbia.

**c) Other undertaken measures and activities**

Representatives of the Ministry of Environmental Protection, in cooperation with the Regional Environmental Centre, held training on the third pillar of the Aarhus Convention "The right to legal protection in environmental matters for representatives of the judiciary" in Budva, September 2017.

Upon the Public Call for co-financing of projects of associations and other civil society organizations in the field of environmental protection in 2017, Ministry of Environmental Protection co-financed the projects of Aarhus Centre in Subotica, Aarhus Centre of South and East Serbia and other civil society organizations aimed at implementing the Aarhus Convention.

#### **5) Liability for Damage to the Environment: Directive 2004/35/EC**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Environmental Liability Directive is in the initial phase of transposition. Transposition has been carried out through the following legal acts and by-laws:

- Law on Environmental Protection ("Official Gazette of the RS", No 135/04, 36/09, 72/09, 43/11);

- Law on Nature Protection ("Official Gazette of the RS", No 91/10);

- Water Law ("Off. Gazette of the RS", no. 33/10);

Law on Integrated Prevention and Control of Environmental Pollution ("Official Gazette of the Republic of Serbia", No 135/04);

- Law on Waste Management ("Official Gazette of the RS", No 36/09);

- Rulebook on habitat types, criteria for selection of habitat types, sensitive, endangered, rare and priority for the protection of habitat types and protection measures for their conservation ("Official Gazette of the RS", no. 35/10);

- Regulation on the programme for systematic monitoring of soil quality, indicators for assessing the risk of land degradation and the methodology for the development of remediation programs ("Official Gazette of the RS", no.88/10);

- Regulation on placing under control the use and trade of wild flora and fauna ("Official Gazette of the RS", No. 31/05, 45/05, 22/07 and 38/08);

- Rulebook on compensation measures ("Official Gazette of the RS", No 20/10).

The Draft Law on Liability for Damages to the Environment

##### **b) Institutional structures and the state of administrative capacities**

The competent authorities proposed for the implementation of the Environmental Liability Directive are:

Ministry of Environmental Protection and other national authorities responsible for the environment at the national level; Environmental Protection Agency; Regional and local authorities responsible for the environment.

##### **c) Other undertaken measures and activities**

A study visit to the EU Member State (Madrid, October 2017) was held for the members of the Working Group for Drafting the Draft Law on the topic of capacity building of environmental bodies at regional and local levels, related to the requirement to transpose the Directive on environment liability to the into the domestic legislation, the development of financial security mechanisms; the development of a methodology for assessing environmental damage, and the experience of Member States in terms of environmental damage assessment.

#### **6) Directive on the protection of the environment through criminal law: Directive 2008/99/EC**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

Directive 2008/99/EC (on environmental offenses) has been partly transposed into domestic legislation through provisions of the Criminal Code ("Official Gazette of the Republic of Serbia", No. 85/05, 88/05-correction, 107/05-correction, 72/09, 111/09, 121/12, 104/13, 108/14

and 94/16), the Law on the Liability of Legal Persons for Criminal Offenses ("Official Gazette of the Republic of Serbia", No. 97/08) and the Law on Nature Protection ("Official Gazette of the RS", no.36/09, 88/10, 91/10).

**b) Institutional structures and the state of administrative capacities**

Criminal charges for criminal offenses may be filed by any person or inspection service to the competent prosecutor's office.

The competent prosecutor is authorized to initiate prosecution of criminal offenses, ex officio (prosecutor of the Basic Prosecutor's Office and Prosecutor of the Higher Prosecutor's Office). The courts of general jurisdiction (primary and higher courts of first instance and Appeal court in the second instance) conduct criminal proceedings.

One person is in charge of the regulation, employed in the Group for the Coordination of the Implementation of the National Anti-Corruption Strategy.

**c) Other undertaken measures and activities**

- The manual "Legal instruments for environmental protection - civil-legal and criminal-legal protection" is published in 2016.

- Statistical data on environmental crimes were collected for the period from 01/01/2015 until 30/09/2017 (the table is given in the Annex of the document).

- The Ministry became a member of the IMPEL network in 2017.

**7) Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The Law on State Survey and Cadastre ("Official Gazette of the Republic of Serbia" No. 72/09, 18/10, 65/2013, 15/2015 - Constitutional Court decision and 96/2015, 47/2017 - authentic interpretation) prescribes the legal framework for the establishment of the NIGD in the Republic of Serbia, which is partially complied with the Directive INSPIRE 2007/2/EC.

The complete transposition of the Directive will be effected by the adoption of the Law on the National Infrastructure for Geospatial Data. In accordance with the Public Discussion Program, a public debate in the form of a round table was organized in Belgrade (November 2016), after which the Working Group for drafting the Draft Law drafted the text of the Draft Law. The draft law was adopted by the Government of RS in July 2017 and sent to the National Assembly for adoption by an urgent procedure. It is expected that the Law on NIGD will be passed by the end of 2017.

**b) Institutional structures and the state of administrative capacities**

The coordination structure is defined by the Law on State Survey and Cadastre, according to which the National Geospatial Data Infrastructure Council (NGDI) and working groups have the following responsibilities:

1. NGDI Council – manages the development of institutions and the technical framework for establishing a common geo-information infrastructure at the national level, by formulating clear guidelines and means to achieve this goal;
2. Working groups - have operational responsibility for the implementation of thematic issues of specific components such as: technical infrastructure, standards, metadata and spatial data, cooperation between entities, legal framework, financing models, research, education, etc.

The current members of the NGDI Council are representatives of Republic Geodetic Authority (Chair), Ministry of Construction, Transport and Infrastructure, Ministry of State Administration and Local Self-Government, Ministry of Defence, Ministry of Energy and Mining, Ministry of Environmental Protection, Ministry of Finance, Republic Institute for Statistics and Republic Hydro-meteorological Institute.

The members of the working groups are representatives of ministries and other state bodies, local government, public companies, provincial secretariats, research and educational institutions, as well as private companies.

A new Rulebook on the systematization of jobs of the Republic Geodetic Authority was adopted, where a total of 12 job positions for the establishment and development of the NGDI were systematized, which is an increase of 5 job positions.

### **c) Other undertaken measures and activities**

The Republic Geodetic Authority, together with representatives of the NGDI entities, is working on the preparation of the NGDI Strategy for the period 2018-2022. The plan is to complete the Draft Strategy by the end of 2017, after which it will be submitted to the NGDI Council for adoption.

In the period from November 2016 to October 2017, a metadata catalogue and metadata profile that conforms to the INSPIRE directive were created, and a web editor for entering metadata via the Internet was enabled. There are currently 74 sets of metadata.

A digital platform of the National Geospatial Data Infrastructure was made and published on 1 October 2017. The platform unites all spatial data at the state level. It is possible to download vector data. The crowd sourcing function is enabled. The data of the Republic Geodetic Authority, PC "Roads of Serbia", the Republic Hydrometallurgical Institute, and the Republic Institute for Statistics, the Provincial Institute for Nature Protection, the Republic Seismological Institute, the Nature Protection Institute of Serbia, and CORINE were uploaded. Improvement of technical infrastructure for free public access to spatial data sets has been carried out. The process of data alignment continued with alignment of data and services of digital orthophoto and geographic names. The alignment of the topics address register, spatial unit registry and model development for parcels and facilities is in progress.

An alpha version of the INSPIRE monitoring tool has been developed.

Active participation of the Government of the Republic of Serbia in the Working Group for Open Data

National workshops on the Law on NGDI and drafting by-laws were held, as well as on developing systems for monitoring and reporting, development and use of national geo-portal, service development, etc. National workshops were attended by members of NGDI working groups, as well as representatives of institutions of NGDI entities. The NGDI Council held regular meetings.

Meetings were held and technical assistance was provided.

## **2. Plans for harmonisation with the *acquis communautaire***

### ***1) Environmental Impact Assessment: Directive 2011/92/EU amended by Directive 2014/52/EC***

#### **B) Plans for strengthening institutional structures**

##### **In the period until the end of 2020, it is planned:**

-Training of civil servants, at the provincial and local level, responsible for the environmental impact assessment procedures related to the new amendments proposed in the Law on Environmental Impact Assessment;

-Training of civil servants at the provincial and local level responsible for issuing project approvals related to the new amendments proposed in the Law on Amendments to the Law on Environmental Impact Assessment;

-Improvement of the mechanism for providing and exchanging information and data between the Ministry of Environmental Protection and the authorities responsible for the implementation of the Law on Amendments to the Law on Environmental Impact Assessment at the local, provincial and national level;

-Workshops on the experience of Member States on the quality of the environmental impact assessment report;

- Training of representatives of the judicial system regarding the right to legal protection in relation to the environment.

-The foreseen activities will be carried out by the Ministry of Environmental Protection with the support of the OSCE and TAIEX.

**c) Measures planned to achieve full compliance with the EU acquis**

-A planned study tour to Italy (TAIEX) related to the implementation of projects from List 2, for which an impact assessment may be required (Annex 2 of the Directive). The purpose of the tour is to transfer the experience of the EU countries when it comes to projects for which the impact assessment is not mandatory and which criteria are used for decision-making and what protection measures are prescribed when deciding that, for example, no impact assessment is required.

- Study visit (TAIEX) related to the implementation of the acceptability assessment (future Natura 2000 network) and impact assessment.

**2) Strategic Environmental Impact Assessment: Directive 2001/42/EC**

**b) Plans for strengthening institutional structures**

**The following has been planned for the period until the end of 2020:**

-Maintaining consultations with the authorities and organizations involved in the process and bodies responsible for the implementation of the Law on Amendments to the Law on Strategic Environmental Assessment (bodies responsible for environmental protection and development of plans/programmes) at the national, provincial and local level on drafts amendments to the Law on Strategic Environmental Assessment;

-Improvement of the settings for providing and exchanging information between the Ministry of Environmental Protection and the authorities responsible for the implementation of the Law on Amendments to the Law on Strategic Environmental Assessment at the local, provincial and national levels;

- Training of bodies responsible for the implementation of the Law on Amendments to the Law on Strategic Environmental Assessment at the local, provincial and national levels in relation to the procedural steps that the Law foresees;

- Training of organs and organizations involved in the process at the local, provincial and national levels regarding the content of the environmental report;

- Training of non-governmental organizations on ways of informing and consulting with the public;

- Workshops on the experience of Member States on the process of assessing significant environmental impacts due to the implementation of plans and programmes;

- Training of the bodies responsible for monitoring at local, provincial and national level on the process of assessing significant environmental impacts due to the implementation of plans and programmes;

- Workshops on the experience of member states in relation to measures aimed at improving the quality of the environment report;

The foreseen activities will be carried out by the Ministry of Environmental Protection, with the support of TAIEX.

**c) Measures planned to achieve full compliance with the EU acquis**

It is planned to establish a working group responsible for amending the Law on Strategic Environmental Assessment in accordance with the Directive 2001/42/EC.

**3) Public Access to Environmental Information: Directive 2003/4/EC**

**B) Plans for strengthening institutional structures**

**The following has been planned for the period until the end of 2020:**

- Capacity building of environmental authorities in relation to the active dissemination of environmental information;
- Capacity building of information officers in other state bodies regarding the active dissemination of environmental information;
- Capacity building of environmental protection bodies regarding passive flows - 2017-2018;
- Capacity building of information officers in other state bodies regarding passive flows - 2017-2018;
- Training of Judicial Representatives on the right to legal protection regarding environmental information - 2017-2018;
- Training of public authorities at the national, provincial and local level on the development of electronic databases easily accessible to the public through public telecommunication network - 2017-2020

The foreseen activities will be carried out by the Ministry of Environmental Protection with the support of the OSCE and the Office of the Commissioner for Access to Information of Public Importance.

**c) Measures planned to achieve full compliance with the EU acquis**

- Annual updating of the PRTR register and improvement of reporting for the PRTR register;
- Annual updating of the Eco-Registry and strengthening the capacity of the Environmental Protection Agency to expand the scope of reporting.

**4) Public Participation: Directive 2003/35/EC**

**B) Plans for strengthening institutional structures**

**The following has been planned for the period until the end of 2018:**

- Capacity building of environmental authorities at the regional and local level;
- Capacity building of the bodies responsible for the preparation and modification or revision of plans and programmes developed at national, regional and local level;
- Capacity building of environmental authorities at the regional and local level - 2017-2018;
- Capacity building of the authorities responsible for the preparation and modification or revision of plans and programs developed at national, regional and local level - 2017-2018;
- Workshops for NGOs on Public Participation Procedures during the Preparation and Modification or Revision of Plans and Programmes - 2017-2018;
- The foreseen activities will be carried out by the Ministry of Environmental Protection. Some activities will be carried out with the support of Aarhus centres.

**c) Measures planned to achieve full compliance with the EU acquis**

Information campaigns in cooperation with Aarhus Centre in relation to the procedures for public participation during the preparation and modification or revision of plans and programmes - 2017-2018.

**5) Liability for Damage to the Environment: Directive 2004/35/EC**

**B) Plans for strengthening institutional structures**

**The following has been planned for the period until the end of 2020:**

- A workshop to bring insurance companies closer to the requirements of the Environmental Liability Directive;
- Capacity building of environmental authorities at the regional and local level related to the requirement of the Law to transpose the Directive on Environmental Liability into the domestic legislation - 2017-2020;
- Workshops for NGOs regarding requirements of the Law to transpose the Directive on Environmental Liability into Domestic Legislation - 2017-2020;
- Workshops for operators regarding the requirements of the Law to transpose the Directive on Environmental Liability into Domestic Legislation - 2017-2020;

Workshops for insurance companies related to the elaboration of financial security instruments - 2017-2020;

Workshop on case studies on the type of remedial measures (i.e. the combination between primary, complementary and compensatory remediation) for damage to water, protected species or natural habitats - 2018;

Workshop on case studies on the type of remedial measures (i.e. a combination between primary, complementary and compensatory remediation) for damage to land - 2018;

Workshop on legal protection in cases of damage to the environment or imminent danger of such damage - 2018-2019;

Workshop on the experience of Member States in assessing imminent threat of damage - 2019;

Workshop on the experience of member states regarding the establishment of a causal relationship between the damage and the activity of individual operators in cases of pollution of diffuse character - 2019.

The foreseen activities will be carried out by the Ministry of Environmental Protection. Some activities will be implemented with the support of TAIEX projects.

**c) Measures planned to achieve full compliance with the EU acquis**

Study visit to the Member State on the development of financial security mechanisms;

Development of methodologies to assess the damage caused to the environment - 2020;

**6) Directive on the protection of the environment through criminal law: Directive 2008/99/EC**

**B) Plans for strengthening institutional structures**

**The following has been planned for the period late 2018- late 2020:**

Capacity building for environmental authorities responsible for the implementation of environmental legislation (end 2018);

Workshops on the experiences of member states regarding the establishment of special departments of courts dealing with environmental issues (end of 2018).

The foreseen activities will be carried out by the Ministry of Environmental Protection, supported by the Ministry of Justice, the OSCE and the Judicial Academy.

It is envisaged that the capacity building of the representatives of the judicial system will continue even after the implementation date.

**c) Measures planned to achieve full compliance with the EU acquis**

Implementation of the requirements of the Directive is related to the further transposition of the provisions of the Directive and the efficiency of the work of the courts, the public prosecutor's office and competent inspection services. It is planned to continue training with representatives of the judicial system responsible for the implementation of the Criminal Code.

**7) Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)**

**B) Plans for strengthening institutional structures**

**The following has been planned for the period until the end of 2018:**

The NGDI Council will determine the responsible actors of the NGDI by a special act, within one year from the date of entry into force of the Law on NGDI, which will identify and appoint the responsible public authorities for the thematic areas of the INSPIRE Directive for Annexes I, II and III. A description of the topics will be determined by the NGDI Council by a special act, within six months from the date of entry into force of the Law on NGDI.

The draft Law on the National Geospatial Data Infrastructure foresees that the public authority, which is the responsible NGDI entity, by sub-legal acts systematise the appropriate number of

jobs that will also have the tasks of establishing and maintaining the NGDI in the job description. In addition, strengthening the administrative capacity of the Republic Geodetic Authority is necessary for the efficient implementation of the Directive.

The draft Law also prescribes the dynamics of the adoption of bylaws, which will introduce the implementation rules of the INSPIRE Directive, by-laws for:

- Metadata - one year from the entry into force of the Law on NGDI
- Interoperability - two years from the entry into force of the Law on NGDI
- Network services - two years from the entry into force of the Law on NGDI
- Access to geo-database sets and services, including public access and exchange of information between public authorities - two years from the entry into force of the NGDI Act
- Monitoring and reporting - one year from the entry into force of the Law on NGDI

**c) Measures planned to achieve full compliance with the EU acquis**

**The following has been planned for the period until the end of 2018:**

- Drafting of the NGDI Strategy for the period from 2018 to 2022;
- Identification and appointment of responsible public authorities for the thematic areas of the INSPIRE Directive for Annexes I, II and III;
- Collection of metadata for spatial data sets and services from Annex I;
- Improvement of technical infrastructure for free public access to spatial data sets through search and review services at the national level, as well as the provision of uninterrupted and unlimited exchange of data and services between public authorities;
- Establishment of a monitoring and reporting infrastructure for the Commission in line with the requirements of European environmental legislation related to the implementation of the INSPIRE Directive;
- Development of business model NGDI (model of financing, price policy, coordination structure, spatial data distribution and distribution among entities, licensing, cost and profit analysis, provision of spatial data and services for managing risks of disasters). In particular, the model should develop mechanisms to ensure the availability of reference datasets as open data in order to maximize the possible reuse of geo-information without limitation.
- Development of a technical platform in accordance with the technical specifications for the implementation of INSPIRE network services for finding, reviewing and downloading;
- Connecting national services with the EU INSPIRE geo-portal in order to provide services for finding spatial data sets and services at central, at EU level;
- Implementation of the project "Improving the Land Administration in Serbia" (2015-2020) financed from the World Bank loan.

**The following has been planned for the period from late 2018 to late 2020:**

- Collection of metadata for spatial data sets and services from Annexes II and III;
- Compliance of data for newly collected or extensive restructured geo-database sets and services for Annexes I, II and III in order to comply with INSPIRE specifications. Coordination of the provision of spatial data sets and services between institutions;
- Monitoring and reporting of the Commission on the implementation of the Directive;
- Compliance of data for thematic areas within Republic Geodetic Authority competence in accordance with INSPIRE specifications.

**The following has been planned for the period after 2021:**

- Extension of the technical platform in accordance with the technical specifications for the implementation of INSPIRE network services for transformation and connection;
- Compliance of data for existing geo-database sets and services for Annexes I, II and III in order to comply with INSPIRE specifications;
- Ensuring sustainable conditions for the continuous provision and updating of metadata, spatial data sets and services for the needs of national authorities and the EU institution;

Monitoring and reporting to the Commission on the implementation of the Directive. The Republic Geodetic Authority (RGZ) has been appointed to the institution responsible for cooperation with the Commission regarding this Directive.

Within the IPA 2014 project "Further development of approximation of EU acquis in the field of environment - air, chemicals and horizontal issues", a specific implementation plan for the INSPIRE Directive will be drafted, which will provide a proposal for a transitional period for this regulation.

## **Air Quality**

### **1. Overview of consistency status/ State-of-play**

#### ***1) Directive EC/2008/50 and Directive EC/2004/107***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

Directive EC/2008/50 (Air Framework Directive - CAFÉ) has been partially transposed into national legislation through the Law on Air Protection ("Official Gazette RS", No. 36/09 and 10/13), the Regulation on Monitoring Conditions and Air Quality Requirements ("Official Gazette RS", No. 11/10, 75/10 and 63/13), Rulebook on Contents of Air Quality Plans ("Official Gazette RS", No. 21/10) and Rulebook on the Contents of Short-Term Action Plans ("Official Gazette RS" number 65/10).

Directive EC/2004/107 ("4th daughter Directive") has been partly transposed into national legislation through the Law on Air Protection ("Official Gazette of RS", No. 36/09 and 10/13) and the Regulation on the Monitoring Conditions and Air Quality Requirements ("Official Gazette RS", No. 11/10, 75/10 and 63/13).

With the aim of aligning with EU directives on air quality (EC/2008/50, EC/2004/107 and EU/2015/1480 replacing several Annexes of Directive EC/2008/50 and EC/2004/107), with the expert support provided through the PLAC II project in 2017, the Ministry carried out an assessment of the degree of compliance of the existing legislation with certain provisions of the mentioned directives and drafted a proposal for amendments to certain provisions of the existing national legislation.

##### ***b) Institutional structure and the state of administrative capacities***

The Ministry of Environmental Protection is in charge of establishing a network for monitoring the quality of air (Air Quality Control Program in the state network), authorization for air quality measurement, determination of zones and agglomerations, giving consent to air quality plans and short-term action plans, cooperation with other countries and of implementation of the Law on Air Protection. Three employees with shared responsibilities in the Department of Air Protection and Ozone Layer are working on the transposition and implementation of EU directives regarding the quality of air.

The Environmental Protection Agency is in charge of implementing the requirements of the Directive regarding the air quality monitoring, air quality assessment, establishment, maintenance and operation of the state network for automatic air quality monitoring, including procedures for quality assurance and quality control of reference methods for air quality monitoring, coordination of quality assurance programmes, reporting at the state level and towards the European Agency for Environmental Protection. At the Agency, eight persons (3 technicians, 1 engineer and 4 experts with a university degree) work on air quality monitoring, data analysis and reporting (including analytical laboratory and calibration laboratory).

The accreditation body of Serbia is in charge of ensuring the accuracy of measurement using the accreditation of measurement methods.

The Provincial Secretariat for Urban Planning and Environmental Protection is responsible for monitoring the quality of air in the local network and for informing the public and relevant organizations, as well as for preparing air quality plans and short-term action plans, and for undertaking measures for achieving target values.

Local self-government is responsible for monitoring the quality of air in the local network and for informing the public and relevant organizations, as well as for preparing air quality plans and short-term action plans, and for undertaking measures for achieving target values.

**c) Other undertaken measures and activities**

Data from the national network for automatic air quality monitoring are available on the website of the Environmental Protection Agency (in real time). These data are used to prepare an annual report on the state of air in the Republic of Serbia, while part of the data is used to report to the European Environment Agency (EEA) within the European Environment Information and Observation Network (EIONET). Also, the Agency is involved in reporting on European air quality in real time.

At the beginning of 2017, the line for reparation of the air quality monitoring system in the Republic of Serbia was allocated in the state budget, and since April, it is actively working on the necessary maintenance and renewal of the network of measuring stations. It is expected that by the end of the year about 60% of all network problems will be resolved.

**2) Directive on national emission ceilings for certain atmospheric pollutants EC/2001/81 (NEC)**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Directive EC/2001/81 on national maximum emission will be repealed on 1 July 2018 and replaced by Directive EU/2016/2284 on the reduction of national emissions of certain pollutants into the air.

Directive EC/2001/81 on maximum national emissions has been partly transposed through the Law on Air Protection ("Official Gazette RS", No. 36/09 and 10/13), the Regulation on Limit Values of Emissions of Pollutants in the Air from Stationary Pollutants, except the combustion plant ("Official Gazette of RS", No. 111/15) and the Regulation on the methodology for the preparation of emission inventories and projections of pollutants in the air ("Official Gazette RS", No. 3/16), which transposes provisions related to preparation and annual updating of inventories and projections of emissions and methodology applied within the Convention on Long-Range Transboundary Air Pollution – CLRTAP.

The legal basis for the adoption of regulations on maximum national emissions for relevant pollutants is based on the Law on Air Protection ("Official Gazette RS", No. 36/09 and 10/13).

**b) Institutional structure and the state of administrative capacities**

The Ministry of Environmental Protection - Department of Air Protection and Ozone Layer, is responsible for transposition and monitoring the implementation of the NEC Directive, for determining the maximum national emissions / national emission reduction commitments and the ratification of the Gothenburg Protocol, for the preparation of the National Air Pollution Control Program in cooperation with other competent authorities. Three employees with shared responsibilities in the Department of Air Protection and Ozone Layer work on the transposition and implementation of EU directives regarding the air quality field.

The Environmental Protection Agency is responsible for enforcing the requirements of the Directive regarding the conduct of national inventories and projections of emissions and for fulfilling the reporting obligation toward CLRTAP. To ensure that these activities could be carried out by the said plan, it is necessary to ensure the employment of new civil servants.

Competence for issuing integrated permits has been divided between the Ministry of Environmental Protection – Department of Integrated Permits, the Provincial Secretariat for Urban Planning and Environmental Protection and local self-government bodies responsible for environmental protection.

The Republic Directorate for Water, the Directorate for Agricultural Land and the Department for Plant Protection within the Ministry of Agriculture, Forestry and Water Management are

responsible for adopting regulations that determine the agricultural measures relevant for the implementation of the NEC.

The Environmental Inspectorate, as well as the agricultural inspection at the republic, provincial and local level, is in charge of monitoring the implementation of regulations related to the NEC.

Other competent bodies for implementing the requirements of the directive are the ministries responsible for energy and transport, the provincial authorities - the Secretariat for Urban Planning and Environmental Protection, the Secretariat for Agriculture, Water Management and Forestry and local self-government.

### **c) Other undertaken measures and activities**

In terms of implementation, the total national emissions for all pollutants according to the Nomenclature for Reporting (NFR) established under the LRTAP Convention, as required by the EU / 2016/2284 Directive, are regularly calculated and reported for the established time series by the Environmental Protection Agency. Also, Informative Inventory Report (IIR) is submitted each year with inventory.

The Republic of Serbia is continuously working to improve the inventory of emissions by applying the EMEP / EEA methodology 2013 ver. 2016, the European Environment Agency and the LRTAP Convention. Emission Inventories of the Republic of Serbia are available on CEIP's website (Centre for Emission Inventory Projection). For reporting purposes in 2017, the Agency updated the inventory of emissions for the period 1990-2015

### **3) VOC Petrol Directives EC/94/63 and EC/2009/126 - Directives on Stage I and II petrol vapour recovery**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

The VOC Petrol Directives have been partly transposed into national legislation through the Law on Air Protection ("Official Gazette RS", No. 36/09 and 10/13) Regulation on Technical Measures and Requirements Relating to Permissible Emission Factors for Volatile Organic Compounds Originating from the Process of Storage and Transportation of Petrol ("Official Gazette of RS", No. 1/12, 25/12 and 48/12) (abbreviated: VOC Petrol Rulebook), thus achieving a high degree of transposition.

#### **b) Institutional structure and the state of administrative capacities**

The Ministry of Environmental Protection is the body responsible for the transposition and implementation of legislation in the field of VOC Petrol Directive. Within the Ministry - Department of Air Protection and Ozone Layer, one civil servant with shared responsibilities is working on the transposition and implementation of EU legal acts in relation to Phases I and II collection of petrol vapour (VOC Petrol Directive), as well as in relation to plants and activities using organic solvents (Chapter V of the Directive of Industrial Emissions - DIE).

The Environmental Inspection at all levels (republic, provincial and local) is responsible for the control and supervision of the application of regulations.

The Environmental Protection Agency is responsible for the inventory of emissions, management of the environmental information system and reporting.

The Ministry of Mining and Energy in cooperation with the Ministry of Environmental Protection is responsible for the transposition of regulations. The Energy Agency is in charge of keeping a register of issued and withdrawn licenses for the performance of the energy activity of storing petroleum products and trade in motor and other fuels at the vehicle supply stations. The Environmental Inspector's report is required in the process of obtaining an energy license; Ministry of Civil Engineering, Transport and Infrastructure - The Department for the Transport of Dangerous Goods is responsible for keeping the register of issued certificates of approval for vehicles for transport of certain dangerous goods on the basis of data received from the appointed bodies authorized for the assessment of conformity;

The Provincial Secretariat for Urban Planning and Environmental Protection is responsible for implementing regulations at the level of the Province;

Local self-government is responsible for implementing regulations at the local level.

**c) Other undertaken measures and activities**

The implementation of both directives has begun. The competent authorities have been identified.

The lack of capacities at the local level and the adequate knowledge of environmental inspectors have been identified as one of the main obstacles to the further implementation of the requirements arising from the directives. With the support of the PLAC I project, in 2016, training of part of the republic, provincial and local environmental inspections was carried out, and in 2017, in accordance with the VOC Petrol Rulebook, the environmental inspection has prepared a "Checklist for petrol stations".

In order to provide assistance in the implementation of the planned second phase of the training for inspection, with the support provided through the PLAC II project, the Ministry prepared the ToR "Support in the implementation and control of the meeting the obligations arising from Chapter V of the Directive of Industrial Emissions EU/2010/75 and VOC Petrol Directives EZ/94/63 and EC/2009/126, through training of inspections at central and local level. The deadline for submitting applications based on the published ToR is end of October 2017.

Further implementation of the directive implies the strengthening of existing administrative and institutional capacities at all levels.

**4) Directive EC/1999/32 relating to a reduction in the sulphur content of certain liquid fuel, which has been replaced by Directive EU/2016/802**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The scope of sulphur content in certain liquid fuels, as well as other elements of the Directive EU / 2016/802, has been partially transposed into the RS legislation, through the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the Republic of Serbia", No. 36/09 ), Rulebook on Technical and Other Requirements for Liquid Petroleum Fuels ("Official Gazette of the Republic of Serbia", No. 111/15, 106/16, 60/17), Law on Energy (Official Gazette of the Republic of Serbia, No. 145/14), Regulation on monitoring the quality of oil derivatives ("Official Gazette of the Republic of Serbia" No. 97/15, 5/17 and 8/17), Consumer Protection Law ("Official Gazette of the Republic of Serbia" No. 73/10, 6/16), The Law on the Confirmation of the 1997 Protocol on Amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the Protocol of 1978 relating to it, supplementing Annex 6 (Regulation of the Prevention of Air Pollution from Ships) The Convention ("Official Gazette of the Republic of Serbia" No. 36/09), Maritime Law ("Official Gazette of the Republic of Serbia", No. 87/11, 104/13), Law on Standardization ("Official Gazette of RS", no. 36/09, 40/15), Law on Accreditation ("Official Gazette of the Republic of Serbia", No. 73/10).

In the period from November 2016 to date, the following acts have been adopted:

1. Regulation on amendments to the Regulation on monitoring the quality of petroleum and bio fuel derivatives ("Official Gazette of the RS", No. 5/17);
2. Rulebook on the content and method of implementation of the annual programme for monitoring the quality of oil derivatives and bio fuels for 2017 ("Official Gazette of the Republic of Serbia", number 30/17);
3. Rulebook on amending the Rules on Technical and Other Requirements for Liquid Fuels of Oil Origin ("Official Gazette of the Republic of Serbia", number 60/17);

**b) Institutional structure and the state of administrative capacities**

Competence over this Directive is shared by:

Ministry of Mining and Energy - responsible for passing regulations regulating the quality of petroleum products;

Ministry of Trade, Tourism and Telecommunications - responsible for quality control of goods placed on the market of RS;

Ministry of Environmental Protection - performs administrative tasks related to environmental protection;

Ministry of Civil Engineering, Transport and Infrastructure - performs administrative tasks in the field of railway, road, water and air transport, as well as international affairs in the field of transport;

The Institute for Standardization is in charge of adopting standards.

Accreditation body of Serbia performs activities related to accreditation.

### **c) Other undertaken measures and activities**

The Energy Development Strategy of RS for the period up to 2025 with projections until 2030, as one of the basic strategic objectives in the field of oil, recognized the provision of safe supply of domestic market with petroleum products whose quality meets the highest EU standards. So far, more than 500 million Euros have been invested in modernization of refinery capacities, making the quality of white derivatives (petrol, diesel) fully compliant with the highest EU standards. Bearing in mind that the provisions of Directive EU/2016/802 also apply to the quality of black derivatives or oil for heating, the determination of the deadline for the implementation of Directive EU/2016/802 in the RS is influenced by several important factors:

- Compliance of regulations in the field of energy, environmental protection and water transport in order to fully transpose the Directive EU/2016/802 into domestic legislation.
- Implementation of a new investment cycle in the refinery plant, which will raise the level of quality of "black" derivatives.

## **2. Plans for harmonisation with the *acquis communautaire***

### **1) Directive EC/2008/50 and Directive EC/2004/107**

#### **b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Coverage, it is planned that three employees will work on the transposition and coordination of the implementation of EU legal acts in the field of air quality.

With the aim of further efficient implementation of the requirements in the field of air quality, it is necessary to carry out further activities that will contribute to the strengthening of the administrative capacities of the competent authorities.

#### **c) Measures planned to achieve full compliance**

For the purpose of air quality management, the determination of air quality categories in zones and agglomerations is planned: continuous monitoring of air quality at the level of the Republic of Serbia, preparation of the report with the assessment of air quality and determination of air quality categories in zones and agglomerations on the territory of the Republic of Serbia. Air quality categories are determined once a year for the previous calendar year;

Following the approval of the Ministry, it is expected that the air quality plan for the agglomeration "Pančevo" will be adopted. In the period 2018-2021, the continuation of activities related to the preparation and adoption of the remaining air quality plans is planned.

With the support of the IPA 2014 project, in the period 2018-2020, further implementation steps are expected regarding the development and adoption of the Air Protection Strategy, the preparation of the Implementation Plan of the Framework Directive on Air and 4 daughter Directives, the revision of zones and agglomerations, as well as the reassessment of the air quality monitoring system

## **2) Directive on national emission ceilings for certain atmospheric pollutants EC/2001/81 (NEC)**

### **a) Implementation Plan**

Bearing in mind that the new Directive 2016/2284/EU has replaced Directive 2001/81/EC and the fact that EU members have a certain deadline for transposition from the moment of its entry into force, as well as a proposal for Serbia to set commitments to reduce emissions in accordance with the new directive taking into account the logical link between the new and the old directive, in the forthcoming period, it is necessary to carry out a detailed analysis of the degree of transposition of the new Directive into national legislation in order to accordingly adjust the next steps towards further compliance of national regulations.

In this regard, within the framework of the ENVAP 3 project, a foreign expert for conducting training was selected in order to introduce the system so-called "Gains model" used to define emission reduction commitments. Since this is a process requiring a longer period of time and involving a large number of different sectors and competencies, the proposed training will provide assistance in defining future transposition and implementation plans.

### **b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Coverage, it is planned that three employees will work on the transmission and coordination of the implementation of EU legal acts in the field of air quality.

It is necessary to further strengthen the administrative capacities of those competent authorities through TAIEX and other available projects financed from EU funds, in the form of seminars, expert workshops, expert missions and study visits.

### **c) Measures planned to achieve full compliance**

In the forthcoming period, the activities will continue to be focused on improving the existing air emission inventory, in accordance with the recommendations of the Centre for inventories and projections of emissions / Working Group for inventories and projections of emissions within the CLRTAP, in order to ensure and maintain a high level of transparency, accuracy, completeness, comparability and consistency. The development and improvement of precise emissions inventories and emission projections is the basis for determining real national emission reduction commitments in line with the new approach adopted by the European Commission and the Council of the EU with regard to the new NEC directive.

Compliance of reporting according to CLRTAP and UNFCCC in order to use the same input data for the same activities;

Through the PLAC II project, two activities are planned that will contribute to the improvement of the implementation of obligations defined by the Directive and the LRTAP Convention. At the end of 2017, it is planned to start the activity of strengthening administrative capacities in order to provide assistance in the preparation of emission projections and implementation of emission projection model according to the LRTAP methodology (EMEP/EEA methodology), with a focus on two key categories of emission sources in the Republic of Serbia (energy and agriculture). Implementation of other activities is planned for the beginning of 2018 - the revision of the document "National Action Plan for the Implementation and Ratification of the Gothenburg Protocol" of 2010, which will provide assistance to the Republic of Serbia to plan steps towards the implementation and ratification of the amended Protocol.

With the support of the IPA 2014 project, in the period 2018-2020, further steps are expected to be taken on the implementation of: the development and adoption of an Air Defence Strategy with an Action Plan that includes the objectives of the UNECE Gothenburg Protocol and the definition of long-term emission reduction measures from different sectors relevant to the Directive, as well as the preparation of the Implementation Plan for a new directive that will

provide a detailed analysis of the provisions and determine the next steps for implementation, as well as determine national emission reduction commitments for certain pollutants.

After analyzes, it is planned to establish a working group composed of representatives of the competent authorities at the state, provincial and local level and other stakeholders whose task will be to develop the National Program for the Control of Air Pollution. The objective of this national programme will be to limit the emissions of certain polluting substances of anthropogenic origin in order to achieve defined emission reduction commitments at the national level. Taking into account the measures defined by the National Program for the Control of Air Pollution, the revision of the Action Plan with the Air Protection Strategy will be carried out, and after the adoption of all necessary legislative measures for the complete transposition of the Directive, the ratification of the Gothenburg Protocol will be made to the Convention on Long-range Transboundary Air Pollution.

**The following has been planned for the period after 2021:**

Implementation of the National Program for the Control of Air Pollution;

Implementation of reporting obligations to the European Commission.

**3) VOC Petrol Directives EC/94/63 and EC/2009/126 - Directives on Stage I and II petrol vapour recovery**

**b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Coverage, it is planned that three employees will work on the transmission and coordination of the implementation of EU legal acts in the field of air quality.

In order to fulfil the responsibilities of the Agency, it is necessary to engage a permanent employee in data collection activities in relation to the requirements of the VOC Petrol Directive relating to terminals and petrol stations, which may simultaneously be engaged in the collection of data regarding the requirements of Chapter V of the Directive of Industrial Emissions.

For the purpose of efficient implementation and further implementation of the required directives, it is necessary to strengthen the existing administrative capacities at all levels.

**c) Measures planned to achieve full compliance**

Continuous update of the terminal, mobile reservoir and gas station database

Improvement of inspection control of operators in order to ensure enforcement of the existing regulations; The second phase of the environmental training for inspection is planned with the support of the PLAC II project in the period ending 2017 - half of 2018.

Collecting as precise technical information as possible and assessing compliance with the requirements of the directives for the purpose of developing the Specific Plan for the implementation of the Directives of Phase I and II collection of petrol vapour with the support of the IPA project "Further development of the approximation of EU acquis in environmental areas - air, chemicals and horizontal issues" in the period 2018-2020.

A further plan to improve implementation depends on the preparation of the Specific Plan for the implementation of the Directives EC/94/63 and EC/2009/126 (Directives of Phase I and II collection of petrol vapour).

**4) Directive EC/1999/32 relating to a reduction in the sulphur content of certain liquid fuel, which has been replaced by Directive EU/2016/802**

**c) Measures planned to achieve full compliance**

**The following has been planned for the period 2018-2021:**

- Preparation of the Detailed Plan for the implementation of the EU/2016/802 Directive from IPA 2014;

- Strengthening administrative and institutional capacities;

-Analysis of the situation and implementation of the appropriate recommendations from the Detailed Plan for the implementation of the Directive EU/2016/802.

### 3.27.3. Waste Management

#### 1. Overview of consistency status/ State-of-play

##### 1) *Waste Framework Directive 2008/98/EC*

###### a) **The level of harmonisation of domestic regulations with key EU regulations**

The Waste Framework Directive 2008/98/EC is partly transposed by the Law on Waste Management ("Official Gazette of the Republic of Serbia" No. 36/09 and 88/10, 14/16) and the bylaws deriving from the said Law.

###### b) **Institutional structures and the state of administrative capacities**

The Ministry of Environmental Protection is responsible for transposition and planning the implementation of the Directive. Other relevant institutions are the Environmental Protection Agency of Serbia, the competent authority of the autonomous province, the local self-government unit, as well as the expert organizations for waste testing.

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that 12 people will be employed in the Waste Management and Waste Water Sector, and they will be responsible for the transposition and implementation of this regulation.

Currently, there are 5 persons with shared responsibilities.

###### c) **Other undertaken measures and activities**

Draft of the new Law on Waste Management was drafted. The bylaws that need to be adopted in accordance with the new Law on Waste Management will be supported by activities within the PLAC project.

The National Waste Management Strategy, the National Waste Management Plan, as well as the Waste Prevention Programme will be developed with the support of the Twinning Project "European Union IPA Programme for Serbia, Waste Management Policy Support SR13/IPA/EN/04 16", which has started in 2017 and will last for 2 years.

Issued permits for waste management in the period October 2016-October 2017:

- New permits for collection and transport - 199
- Support for new collection and transport permits - 65
- Storage and treatment permits - 14
- Support for storage and treatment permits - 18
- Permits for storage and treatment of medical waste - 17
- Extended permits for collection and transport - 47
- Additional requirements for extended collection and transport permits - 32
- Consents and Opinions on waste management - 98

Historical Waste: The Ministry responsible for environmental protection planned the financial support of the budgetary Republic of Serbia for the continuation of activities for dislocation, treatment and final disposal in an adequate and appropriate manner in facilities in the Republic of Serbia, and some types of hazardous waste that cannot be treated and finally disposed in some facilities in Serbia will be ready for export. The obligation to finance dislocation and final disposal of hazardous waste in company statements is carried out in accordance with the Government Decision. The Ministry plans to propose further application of hazardous waste treatment through the budget of the Republic of Serbia and IPA funding.

Development of the Specific Implementation Plan for the Waste Framework Directive is ongoing through the IPA 2013 project "Further Implementation of the Environmental Approximation Strategy". This plan will define the financial needs, sources of funding and deadlines for the full implementation of this Directive.

## **2) Directive 94/62/EC on packaging and packaging waste**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

Directive 94/62/E3 on packaging and packaging waste is completely transposed by the Law on Packaging and Packaging Waste ("Official Gazette of RS" 36/09) and the accompanying by-laws.

Directive 2015/720/E3 amending the Packaging and Packaging Waste Directive with regard to the reduction of the use of light plastic bags was not transposed into Serbian legislation.

National targets for reuse and recycling of packaging waste are defined by the Regulation on the establishment of the Packaging Waste Reduction Plan for the period from 2015 to 2019.

### **b) Institutional structure and the state of administrative capacities**

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that the Waste and Waste Water Management Sector will employ 5 executives who will be responsible for the transposition and implementation of this regulation.

Currently, there is 1 person with shared responsibilities.

### **c) Other undertaken measures and activities**

The objectives of recycling and reuse were transposed to the RS regulations, as shown in Table 2, below (Regulation on determining the packaging waste reduction plan for the period 2015-2019, ("Official Gazette" No. 144/2014). National targets for 2015 and 2016 have been met.

Table "Recycling and processing goals in accordance with RS regulations":

2015			2016	2017
Re-use	[%]	38.0	44.0	50.0
Recycling	[%]	31.0	36.0	42.0
Specific goals		2015	2016	2017
Paper and cardboard	[%]	38.0	42.0	47.0
Plastic	[%]	14.0	17.0	19.0
Glass	[%]	19.0	25.0	31.0
Metal	[%]	23.0	29.0	34.0
Wood	[%]	11.0	12.0	13.0

## **3) Directive 2006/66/EC on batteries**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive is partly transposed by the Rulebook on the manner and procedure for the management of waste batteries and accumulators ("Official Gazette of RS", No. 86/2010), the Law on Waste Management in the part on the permit system and the creation of possibilities for performing inspection supervision and the Regulation on products that become special waste streams after the use, the form of daily records on the quantity and type of manufactured and imported products and annual reports, the manner and deadlines for submitting the annual report, the payers of the fee, the criteria for calculation, the amount and manner of calculation and payment of compensation.

### **b) Institutional structure and the state of administrative capacities**

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that the Waste and Waste Water Management Sector will employ 5 executives who will be responsible for the transposition and implementation of this regulation.

Currently, there is 1 employee with shared responsibilities.

### **c) Other undertaken measures and activities**

The Directive on batteries and accumulators and waste from batteries and accumulators is in the initial implementation phase. The implementation of this Directive is being considered together with the implementation of the Waste Framework Directive, especially bearing in mind the objectives set by the Waste Framework Directive.

#### ***4) Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Waste Electrical and Electronic Equipment Directive has been partially transposed into national legislation through the Law on Waste Management ("Official Gazette of RS", No. 36/09 and 88/10) and the Rulebook on the List of Electrical and Electronic Products, Measures for the Prohibition and Restrictions on the Use of Electrical and Electronic Equipment Containing Hazardous Substances, Ways and Procedures for the Management of Waste from Electrical and Electronic Products ("Official Gazette of RS", no. 99/10).

##### ***b) Institutional structure and the state of administrative capacities***

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that the Waste and Waste Water Management Sector will employ 5 executives who will be responsible for the transposition and implementation of this regulation.

Currently, there is 1 employee with shared responsibilities.

#### ***5) Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS II)***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

RoHS Directive 2002/95/EC has been partly transposed into national legislation through the Law on Waste Management ("Official Gazette of the RS", No. 36/09 and 88/10), the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the Republic of Serbia", number 36/09) and the Rulebook on the List of Electrical and Electronic Products, Measures for the Prohibition and Restrictions on the Use of Electrical and Electronic Equipment Containing Hazardous Substances, Ways and Procedures for the Management of Waste from Electrical and Electronic Products ("Official Gazette of RS", number 99/10).

##### ***b) Institutional structures and state of administrative capacities***

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that the Waste and Waste Water Management Sector will employ 5 executives who will be responsible for the transposition and implementation of this regulation.

Currently, there is 1 employee with shared responsibilities.

#### ***6) Directive 1999/31/EC on on the landfill of waste***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

RS has transposed the Landfill Directive through the Law on Waste Management ("Official Gazette of the Republic of Serbia" No. 36/09, 88/10 and 14/16) and the Regulation on the Disposal of Wastes to Landfills ("Official Gazette of RS", number 92/10). The directive is largely complied.

##### ***b) Institutional structures and the state of administrative capacities***

The Ministry of Environmental Protection has general competence for the transposition and implementation of the Directive. The Ministry of Environmental Protection is also responsible for issuing permits for the operation of landfills. The Autonomous Province is responsible for issuing permits for the operation of landfills on its territory, and cities and municipalities for

issuing permits for the operation of landfills in their territories (disposal of inert and non-hazardous waste).

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that Waste and Waste Water Management Sector will employ 7 employees who will be responsible for the transposition and implementation of this regulation. At the moment, there are 2 employees with shared responsibilities.

#### **c) Other undertaken measures and activities**

The Landfill Directive is one of the directives requiring large financial investments ("investment-demanding directive"). Implementation of the Landfill Directive shall be considered together with the implementation of other conditions for waste management, especially taking into account the objectives set by the Waste Framework Directive and the Packaging and Packaging Waste Directive. The implementation of these directives affects the way of collecting and treatment of municipal waste, as well as the amount of waste that will be diverted to another type of treatment, and which will be disposed in landfills.

In the period January-February 2017 within the PLAC 2 project an analysis of the Regulation on the Disposal of Waste to Landfills was carried out in accordance with the Law on Amendments to the Law on Waste Management, which came into force on 1 March 2016 (the first analysis of the regulation is done through PLAC 1 project in 2014). The aim of the analysis is compliance of national legislation with the legislation of the European Union and its effective implementation.

The construction of a regional centre in Subotica with a regional sanitary landfill is ongoing, and it is expected to be completed by the end of 2017.

### ***7) Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCBs & PCTs), with amendments (EC) 596/2009***

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive is partly transposed by the Law on Waste Management and the Rulebook on the Treatment of Devices and Waste containing PCBs.

#### **b) Institutional structures and the state of administrative capacities**

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that Waste and Waste Water Management Sector will employ 3 employees who will be responsible for the transposition and implementation of this regulation. Currently, there is 1 employee with shared responsibilities.

#### **c) Other undertaken measures and activities**

The Ministry of Environmental Protection, with the support of the project "Updating the National Implementation Plan for the Implementation of the Stockholm Convention on Persistent Organic Pollutants (POPs)", in cooperation with UNEP, and with the financial support of the Global Environment Facility, produced the preliminary inventory of POPs (PCB). On the basis of these inventories, implementation measures and action plans were made in the original NIP, including measures needed to establish a legal framework for the management of PCBs in Serbia.

The activities on the project "Proper management and final disposal of PCBs" has started, and it will be implemented in the period 2015 - 2019. The project is in its third phase of implementation (out of 8 planned) within which the following activities were carried out:

- A round table was held to present the proposal of the Technical Guide for the management of RSV, as well as the Manuals for Safe Handling and Sampling and Analysis;
- Activities on the development of an electronic register for RSV in cooperation with the Agency for Environmental Protection have started;

- A tender for selecting the best bidder for the service of analysis of 1100 transformer samples was announced.

**8) Regulation (EC) No 1013/2006 on shipments of waste and Regulation (EC) No 1418/2007**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Most of the provisions of this Regulation have been compliant since the RS is a signatory to the Basel Convention. National procedures, prescribed by the Law on Waste Management and by-laws on waste delivery, as well as the Law on Amendments to the Law on Waste Management ("Official Gazette of the Republic of Serbia" No. 14/2016) are further compliant with Regulation 1013/2006/EC and other relevant EU acquis.

**b) Institutional structures and the state of administrative capacities**

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that 6 persons will be employed in the Section for Transboundary Movement of Waste, who will be responsible for compliance and implementation of this regulation.

Currently, there is 1 employee with shared responsibilities.

**c) Other undertaken measures and activities**

Most of the obligations prescribed by the regulation are being implemented due to the fact that the RS is a signatory to the Basel Convention. National Waste Disposal Procedures are additionally aligned with Regulation 1013/2006/EC and other relevant EU acquis.

**9) Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Transposition of the Directive is still in its early stages. It is planned to transpose the Directive into domestic legislation by adopting the following bylaws: Rulebook on the conditions to be fulfilled by a company, or enterprise or other person in terms of technical and professional capacities for testing hazardous and harmful substances in agricultural land and irrigation water; Rulebook on permitted quantities of dangerous and harmful substances in agricultural land and water for irrigation and the method of their testing; Programme for testing agricultural land and irrigation water in order to determine the amount of hazardous and harmful substances. Adoption of the aforementioned Rulebooks is planned for the period from the IV quarter of 2018 to the third quarter of 2020

**b) Institutional structure and the state of administrative capacities**

- The Ministry of Agriculture, Forestry and Water Management is responsible for the protection of agricultural land as a good of general interest for the Republic of Serbia;
- Ministry of Environmental Protection - protection of land as a resource;
- Water Directorate - Regulation on Limit Values of Emissions of Pollutants in the Water and Deadlines for their Achievement ("Official Gazette of RS No. 67/2011 and 48/2012).

**10) Directive 2006/21/EC of the European Parliament and of the Council on the management of waste from the extractive industries, as well as relevant Commission decisions to the Directive (2009/335/EC, 2009/337/EC, 2009/358/EC, 2009/359/EC and 2009/360/EC**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Main principles and priorities in Directive 2006/21/EC on waste management from extractive industries, as well as relevant Commission decisions in the development of the Directive, (2009/335/EC, 2009/337/EC, 2009/358/EC, 2009/359/EC and 2009/360/EC) have been transposed through the Law on Mining and Geological Exploration ("Official Gazette of RS" No. 101/15).

The Law on Mining and Geological Exploration has created the legal basis for the adoption of a bylaw that will regulate key issues related to the criteria and procedures for issuing waste management licenses, and enable full compliance with the EU directives and decisions of the Commission in relation to the implementation of the directive regarding waste management from mining activities.

The Government Decree, as a by-law regulating the conditions and procedure for issuing waste management permits, as well as the criteria, characterization, classification and reporting on mining waste, was adopted on 29 May 2017, with 1 January 2020 as the date of application. Adoption of by-law has established full compliance with the EU Directive on the mining waste management.

**b) Institutional structures and the state of administrative capacities**

The Ministry of Mining and Energy is responsible for the implementation of relevant regulations related to the management of waste from the extractive industries and for issuing permits in the field of waste management, except in the case of waste generated due to geological exploration and exploitation of mineral resources in the area of the autonomous province, the issuing of permits is under the authority of the provincial authorities.

Ministry of Mining and Energy, Department of Geology and Mining: - 3 employees, 5 planned.  
Provincial authority - 1 - employee, planned - 2.

**11) Regulation (EU) No 1257/2013 on ship recycling**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Regulation (EU) No 1257/2013 on ship recycling has not been transposed into the legislation of the Republic of Serbia.

**b) Institutional structure and the state of administrative capacities**

Competence from the said regulation will be shared between the Ministry of Construction, Transport and Infrastructure and the Ministry of Environmental Protection, in accordance with the recommendations made within the PLAC project, by the end of 2017.

**12) Directive 2000/53/EC on end-of life vehicles (ELVs)**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The Waste Vehicle Directive has been partly transposed through the Law on Amendments to the Law on Waste Management ("Official Gazette of RS", No. 36/09 and 88/10, 14/16), the Rulebook on the Manner and Procedure for the Management of Waste Vehicles (" Official Gazette of RS ", No. 98/10) and other relevant regulations.

A draft by-law was drafted for the establishment of a system of incentive instruments for reuse, processing and recycling of waste vehicles (so-called economic instruments).

**b) Institutional structure and the state of administrative capacities**

In the period 2016-2017, administrative capacity building was carried out through the implementation of training of administration in institutions and bodies responsible for planning, control and monitoring (training with the support of the IPA 2013 Twinning Project implemented in Belgrade, Jagodina and Niš).

The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages that 3 persons will be employed in charge of the transposition and implementation of this regulation.

Currently, there is 1 employee with shared responsibilities.

**c) Other undertaken measures and activities**

The Directive is in its initial stage of implementation. The Waste Vehicle Directive is one of the directives that require large financial investments for the private sector. The implementation of this directive is being considered together with the implementation of the Waste Framework Directive, especially in view of the objectives set by the Waste Framework Directive.

In 2016-2017, an analysis of the implementation of the Directive was made through the preparation of the National Waste Management Plan.

This plan defined measures to be taken to implement (regarding the reuse / processing of components), by establishing mechanisms for the withdrawal of waste vehicles from the vehicle registration system, and defined the costs and mechanisms of financing with deadlines for the full implementation of the directive.

## **2. Plans for harmonisation with the acquis communautaire**

### **1) Framework Directive 2008/98/EC on waste**

#### **b) Plans for strengthening institutional structures**

It is planned to increase the number of employees in the Ministry who will work on the implementation of the Waste Framework Directive, at least 2 employees who will be in charge of the transposition and 10 who will be in charge of the implementation of this regulation.

-Training of bodies responsible for implementation of the Law on Waste Management and regulations in this area at the national, provincial, local level and economic entities with regard to the legal meaning and application of the provisions of national regulations, in particular the provisions transposed by the provisions of the Directive 2008/98.

-Strengthening of inspection capacities and control and supervision capacity.

#### **c) Measures planned to achieve full compliance**

##### **The following has been planned for the period from 2018 to late 2020:**

- Drafting and adoption of a new Waste Management Strategy (with the support of the IPA 2013 twinning project "Support to the development of a strategic framework in waste management areas") for the period 2019-2024, which includes analysis and assessment of waste management state, national waste management objectives and National Waste Management Plan

-Drafting and adoption of the Waste prevention programme.

- Determination of the conditions for separation of the dry and moist fraction at the site of production;

- Development of the Specific Implementation Plan for the Waste Framework Directive with the support of the IPA 2013 project;

- Development of a set of economic instruments to support the implementation of waste management objectives and waste hierarchy (IPA 2014);

- Revision of the waste management financing system, in order to ensure cost recovery and sufficient resources for the implementation of waste management plans (local and regional);

- Adoption of Regional Waste Management Plans.

##### **Plans for the period after 2021:**

- Implementation of the Waste Management Strategy;

- The establishment of waste management facilities network (2032-2034);

- Implementation of the practice of separate collection and treatment of hazardous waste from households and industry;

-Development of a system for fulfilling recycling rate of packaging waste of at least 55% and processing of at least 60% of packaging waste by 2025;

-Establishment of a system for achieving the recycling rate of municipal waste of at least 50% by 2030;

- Establishment of a system for the management of special waste streams (waste tires, waste batteries and accumulators, waste oils, waste vehicles, waste from electrical and electronic equipment) in order to achieve a quantity of 4 kg per inhabitant of separately collected waste from electrical and electronic equipment from households by 2023 and at least 45% of batteries and accumulators by 2026.

### **2) Directive 94/62/EC on packaging and packaging waste**

#### **c) Measures planned to achieve full compliance**

The goals of recycling and reuse have been transposed to the regulations of the RS, as shown in the table below (Regulation on determining the packaging waste reduction plan for the period 2015-2019. ("Official Gazette of the RS", number 144/2014

Table "Recycling and processing goals in accordance with RS regulations":

		2018	2019
Processing	[%]	55.0	60.0
Recycling	[%]	48.0	55.0
Specific goals			
		2018	2019
Paper and cardboard	[%]	53.0	60.0
Plastic	[%]	21.0	22.5
Glass	[%]	37.0	43.0
Metal	[%]	39.0	44.0
Wood	[%]	14.0	15.0

**The following has been planned for the period 2018- late 2021:**

- Determination of the conditions for separating the dry and moist fraction at the site of formation. Dry fraction should include packaging waste;
- Development of the Specific Implementation Plan for the Packaging and Packaging Waste Directive (2018, supported by the IPA 2013 project);
- Implementation of the Waste Management Strategy and setting goals for recycling and processing;
- Establishment of the system for return / collection and recycling / processing of used packaging and packaging waste, according to identification from the national strategy;
- Improvement of information base for packaging placed on the market, produced, collected, recycled and processed packaging waste;
- Improvement of economic instruments to support the achievement of objectives;
- Strengthening inspection and control and supervision capacity;
- Introduction of separation at the place of origin in 17 municipalities (with the support of IPA 2017 project "Establishment of primary separation of municipal waste in four regions for waste management: Duboko, Srem-Mačva, Pančevo and Pirot");
- Organizing a public information campaign on separation at the place of origin and recycling (with the support of the IPA 2017 project "Establishment of primary separation of municipal waste in four regions for waste management: Duboko, Srem-Mačva, Pančevo and Pirot");
- Achieving recycling targets for packaging waste and processing (2020).

**3) Directive 2006/66/EC on batteries**

**c) Measures planned to achieve full compliance**

Further analysis of the implementation activities that will be achieved through the development of the Specific Implementation Plan for the Batteries and Accumulators Directive (through IPA 2013 "Further Implementation of the Strategy for Environmental Approximation"). This plan will define the deadline for the full implementation of the Directive on batteries and accumulators and batteries and accumulators waste.

Performed analysis of deficiencies followed with recommendations for strengthening the national legislative framework (including economic instruments defined for Serbia), with the support of the Twinning project "Support to the development of a strategic framework in the field of waste management", which has started in 2017 and will last for 2 years. The application of the "producer responsibility" principle may be a link between this Directive and the Directive on electrical and electronic waste.

Adoption of the Waste Management Plan for waste batteries and accumulators, prepared with the support of the Twinning project "Strengthening Institutional Capacity for Hazardous Waste Management" (2010-2013). This Plan is an integral part of the Integrated Management Plan for Hazardous Waste, which is part of the National Waste Management Plan, or part of the new Waste Management Strategy, in 2019.

**Plans for the period from 2019 to late 2020:**

- Adoption of the Waste Management Strategy;
- Establishing a regional system and procedures for manufacturers / importers of batteries and accumulators;
- Development of the reporting system on putting batteries and accumulators to market;
- Development of economic instruments in support of the implementation of requirements;
- Establishing a system for collection of waste batteries and accumulators;
- Strengthening of inspection and control and supervision capacities.

**Plans for the period after 2020:**

- Achieving targets for batteries and accumulators.

For the full implementation of this Directive, a transitional period will be required.

**4) Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS II)**

**c) Measures planned to achieve full compliance**

Directive 2011/65/EU shall be implemented by 2021.

**5) Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)**

**c) Measures planned to achieve full compliance**

Council Directive 2012/19 / EU on Waste Electrical and Electronic Equipment (WEEE) is one of the directives requiring large financial investments. Implementation of the Waste Electrical and Electronic Equipment Directive is being considered together with the implementation of the Waste Framework Directive, especially in view of the objectives set out in the Waste Framework Directive. The implementation activities will be detailed in the Specific Implementation Plan for the Waste Electrical and Electronic Equipment Directive, which is being developed (IPA 2013 "Further implementation of the Strategy for approximation in the field of environment").

This plan will define measures to be taken with a view to implementation, costs and funding mechanisms, as well as deadlines for the full implementation of this Directive.

Performed analysis of deficiencies followed with recommendations for strengthening the national legislative framework (including economic instruments defined for Serbia), with the support of the Twinning project "Support to the development of a strategic framework in the field of waste management", which has started in 2017 and will last for 2 years. The application of the "producer responsibility" principle may be a link between this Directive and the Directive on waste batteries and accumulators.

Adoption of the Waste Management Plan for electrical and electronic equipment, prepared with the support of the Twinning project "Strengthening Institutional Capacity for Hazardous Waste Management" (2010-2013). This Plan is an integral part of the Integrated Management Plan for Hazardous Waste, which is part of the National Waste Management Plan, or part of the new Waste Management Strategy, in 2019.

**Plans for the period 2018- late 2021:**

- Development of the Specific Implementation Plan for the waste electrical and electronic equipment Directive (WEEE) (through IPA 2013 "Further Implementation of the Environmental Approximation Strategy");
- Organizing public information campaigns in support of achieving objectives regarding the waste from electrical and electronic equipment;

- Development of the Waste Management Plan for Electrical and Electronic Equipment, as part of the National Waste Management Plan, which is an integral part of the Waste Management Strategy, in accordance with the amendments to the Law on Waste Management.
- Introduction of a register of electrical and electronic equipment on the market, produced, collected, recycled and processed waste from electrical and electronic equipment;
- Implementation of regional infrastructure projects, including the establishment of recycling yards to support the collection of waste from electrical and electronic equipment in at least 3 regional collection centres;
- Establishing a network of collecting all types of waste from electrical and electronic equipment that would cover the whole territory, as well as solving legal, financial and technical issues in order to achieve the objectives of collection defined by law;
- Introduction of a market-based system for collecting waste from electrical and electronic equipment by establishing economic instruments in support of achieving objectives for waste from electrical and electronic equipment;
- Modification of the operation permits for the treatment plants for electrical and electronic equipment waste, so as to include the obligation to achieve minimum processing requirements;
- Organizing public information campaigns in support of achieving objectives for waste from electrical and electronic equipment;
- Strengthening the capacity to control and supervise the implementation of laws;
- Training of bodies responsible for implementation of the Law on Waste Management and regulations in this area at the national, provincial, local level and economic entities with regard to the legal meaning and application of the provisions of national regulations, in particular the provisions transposed by the provisions of the Directive 2012/19.

**Plans for the period after 2021:**

- Increase the amount of WEEE collected separately from households;
  - Get minimum 4 kg per inhabitant of WEEE from households;
  - WEEE processing, in accordance with the minimum requirements set out in Annex V of the Directive;
  - Achieving recycling targets for electrical and electronic equipment by 2030.
- For the full implementation of this Directive, a transitional period will be required.

**6) Directive 1999/31/EC on on the landfill of waste**

**b) Plans for strengthening institutional structures**

Strengthening inspection and control and supervision capacity;

- Training of bodies responsible for implementation of regulations in this area at the national, provincial, local level and economic entities with regard to the legal meaning and application of the provisions of national regulations, in particular the provisions transposed by the provisions of the Directive 1999/31.

**The following has been planned for the period 2018- late 2020:**

- Development of the Specific Implementation Plan for the Landfill Directive (end 2017, with the support of SIDE - EISP II).
    - Implementation of a new Waste Management Strategy and setting objectives for biodegradable waste management and disposal to proper landfills;
  - Improvement of economic instruments in support of the shifting of waste from landfills;
- Development of National Strategy for Reducing Biodegradable Waste Disposed at Landfills and Incorporating Strategy into National Waste Management Plan;
- Implementation of regional infrastructure projects, including the establishment of proper landfills in 2 regional centres;

Introduction of separation at the place of origin in 17 municipalities (IPA 2017 "Establishment of primary separation of municipal waste in four regions for waste management: Duboko, Srem-Mačva, Pančevo and Pirot");

**Plans for the period after 2021:**

- Establishment of a network of waste management facilities, including the construction of landfills in accordance with Directive 1999/31/EC.
- Transitional periods will be required for Directive 1999/31/EC.

**7) Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCBs & PCTs), with amendments (EC) 596/2009**

**b) Plans for strengthening institutional structures**

It is envisaged that the Ministry of Environmental Protection will become the competent authority for the implementation of the PCB Regulation. The Environmental Protection Agency of Serbia keeps a register of PCBs in equipment in use. The person performing the collection, decontamination of PCBs or the disposal of waste containing PCBs must have a valid permit; keep records of collected, treated or disposed quantities, and to submit all data to the Environmental Protection Agency of RS.

**c) Measures planned to achieve full compliance**

**Plans for the period 2018- late 2018:**

- Detailed inventory of RSV equipment and waste is generated through project activities.
- With the support of the project, the criteria for the selection of the best available techniques for solving RSV problems will be determined and the basis for the final solution of the RSV problem in RS will be created.
- The cost estimate for the full implementation of the directive and the deadline for full implementation of this regulation will be determined with the support of the project "Proper management and final disposal of PCBs “.

**8) Regulation (EC) No 1013/2006 on shipments of waste and Regulation (EC) No 1418/2007**

**a) Implementation Plan**

Amendments to Regulation (EC) No 1013/2006 on Waste Shipment and Regulation (EC) No. 1418/2007 are monitored for the purpose of compliance with national legislation and translated, following the dynamics of their adoption in the EU.

**b) Plans for strengthening institutional structures**

For the purpose of reporting in the area of cross-border transportation of waste, the Agency needs to employ one employee.

**c) Measures planned to achieve full compliance**

It is planned that full compliance will be achieved by the end of 2021.

**9) Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture**

**c) Measures planned to achieve full compliance**

In the following period, an analysis will be made to determine the implementation measures for the implementation of this Directive. Full implementation of the directive is expected by the end of 2020.

**10) Directive 2006/21/EC of the European Parliament and of the Council on the management of waste from the extractive industries, as well as relevant Commission decisions to the Directive (2009/335/EC, 2009/337/EC, 2009/358/EC, 2009/359/EC and 2009/360/EC**

### **c) Measures planned to achieve full compliance**

With the support of the IPA 2013 Twinning Project "Development of Mining Waste Cadastre", the cadastre of mining waste and the cadastre of abandoned mines and mining facilities will be filled in with data, and the methods and timeframe for the implementation of this Directive established.

#### **Plans for the period 2018 - late 2020:**

- Identification of the existing capacities of the Ministry as the body responsible for processing requests and issuing permits to operators;
- Supporting the public information procedure through relevant bylaws;
- Identification, categorization and assessment of environmental risks of recorded waste from mining activities (IPA Twinning 2013);
- Introduction of inventories and development of mining waste cadastre (IPA Twinning 2013);
- Capacity building and raising awareness on waste management from extractive industries in order to prevent or minimize harmful effects on the environment and human health (IPA Twinning 2013).

#### **The following has been planned for the period from late 2020 to late 2021:**

- Capacity building for mining waste management;
- Development of guidelines for operators related to waste management requirements from mining, then to requirements for issuing licenses and waste management plans;
- Processing of requests and issuance of licenses to operators;
- Establishment of monitoring procedures;
- Strengthening inspection and control and supervision capacities.
- Taking into account all obligations arising from Directive 2006/21/EC, and that waste management systems and facilities are mainly within the competence of the private sector, it is envisaged that the directive will be fully implemented from the end of 2022.

### **11) Regulation (EU) No 1257/2013 on ship recycling**

#### **c) Measures planned to achieve full compliance**

In order to fully comply with the Regulation, in addition to amending the Law on Maritime Navigation, amendments will also need to be entered into the Law on Amendments to the Law on Waste Management.

In the period 2018-2021, with the support of the PLAC project and the ENVAP project, the measures that need to be met in order to achieve full compliance of the national legislation with this regulation will be determined.

### **12) Directive 2000/53/EC on end-of-life vehicles (ELVs)**

#### **c) Measures planned to achieve full compliance**

##### **Plans for the period 2018 - November 2021:**

- Adoption of the National Waste Management Strategy;
- Improvement of the collection system ensuring that all waste vehicles are disposed of in authorized treatment facilities;
- Training of the bodies responsible for the implementation of the Law on Amendments to the Law on Waste Management and regulations in this area at the national, provincial, local level and economic entities regarding the legal meaning and application of the provisions of national regulations, in particular the provisions transposed by the Directive.

##### **Plans for the period after 2021:**

- Establishing an appropriate network of collectors and authorized treatment facilities;
- Establishing reuse and treatment of at least 85% of the average mass of the collected waste vehicle during the year and reuse and recycling at least 80% of the average mass of the collected waste vehicle during the year after 2024;

- Establishing reuse and treatment of at least 95% of the average mass of the collected waste vehicle during the year and reuse and recycling at least 85% of the average mass of the collected waste vehicle during the year after 2028.

### **3.27.4. Water Management**

#### **1. Overview of consistency status/ State-of-play**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

Activities in the water sector are related to the further development of the strategic and legislative framework in order to improve water management policy and support further compliance with the requirements of the relevant EU acquis.

The Law on Amendments to the Law on Waters ("Official Gazette of the Republic of Serbia" No. 101/2016) was drafted and adopted with a set of amendments that partially transposes the provisions of the water directives. The drafting of the new Law on Water is planned to be completed by the end of 2019 and the adoption of relevant bylaws by the end of 2020, which will completely transpose the water directives.

##### ***1) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy as amended by Decision 2455/2001/EC and Directives 2008/32/EC, 2008/105/EC and 2009/31/EC - EU WFD***

The Directive has partially be transposed through the Law on Waters ("Official Gazette of the RS", No 30/10, 93/12 and 101/16) and accompanying by-laws.

The following has been planned for the period 2018- 2021:

##### ***2) Council Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, as amended by Directive 2013/39/EU***

The Directive has been partially transposed through the Law on Waters ("Official Gazette of the RS", No 30/10, 93/12 and 101/16) and the Regulation on limit values of priority and priority hazardous substances that pollute surface waters and deadlines for their achievement ("Official Gazette of the RS", No 24/14).

##### ***3) Council Directive 2006/118 / EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration***

The Directive is partially transposed through the Law on Waters ("Official Gazette of the RS", No 30/10, 93/12 and 101/16) and accompanying by-laws.

##### ***4) Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status***

The Directive has been partially transposed through the Regulation on limit values of priority and priority hazardous substances that pollute surface waters and deadlines for their achievement ("Official Gazette of the RS", No 24/14).

##### ***5) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy - EU MS FD***

The Directive has been partially transposed into national legislation through the Law on Waters and the Law on the Ratification of the Convention on Cooperation for the Protection and Sustainable Use of the River Danube (OJ SRY/ International Treaties 2/2003), as well as through the resolution of the International Commission for the Protection of the Danube River (2012), by which the ICPDR declares itself ready to serve as a platform that facilitates cooperation with countries and contributes to close coordination over the implementation of the WFD in the Danube River Basin and the MSFD in the Black Sea region.

##### ***6) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks - EU FD***

The Directive has been partially transposed through the Law on Waters (“Official Gazette of the RS”, No 30/10, 93/12 and 101/16) and the Rulebook determining the methodology for development of hazard maps and flood risk maps (“Official Gazette of the RS”, number 13/17).

**7) Directive 98/83/EC on the quality of water intended for human consumption - EU Drinking Water Directive**

Applicable national regulations are partially harmonised with the requirements of the Directive.

**8) Directive 2006/7/EC on the management of bathing water quality - EU Bathing Water Directive**

The Directive has been partially transposed into national legislation.

**9) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, as amended by Regulations (EC) 1882/2003 and (EC) 1137/2008 - EU ND**

The requirements of the Directive have not been fully transposed into national legislation, except for certain definitions and paragraphs that have been transposed in the Law on Waters (“Official Gazette of the RS”, No 30/10, 93/12 and 101/16);

**10) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Commission Directive 98/15/EC, Regulation 1882/2003 and Regulation 1137/2008, Commission Implementing Decision concerning formats for reporting on the national programmes for the implementation of Council Directive 91/271/EEC - EU UWWTD (notified under document number C (2014) 4208, (2014/431 / EU))**

The Directive has been partially transposed through the Law on Waters (“Official Gazette of the RS”, No 30/10, 93/12 и 101/16), Regulation on emission limit values of pollutants in water and deadlines for their achievement (“Official Gazette of the RS”, No. 67/2011, 48/2012) and the Regulation on the limit values for pollutants in surface and ground waters and sediments and on the deadlines for their achievement (“Official Gazette of the RS”, No 50/2012), Rulebook on the manner and conditions for quantity measurement and waste-water quality testing and on the content of the report on performed measures (“Official Gazette of the Republic of Serbia”, No 33/2016).

**b) Institutional structures and the state of administrative capacities**

Pursuant to the Law on Amendments to the Law on Ministries ("Official Gazette of RS", No. 62/2017), on the date of entry into force of this Law, the Ministry of Agriculture and Environmental Protection continued its work as the Ministry of Agriculture, Forestry and Water Management, and a new Ministry of Environmental Protection was established in accordance with the scope of this Law.

Nevertheless, strengthening the capacities of institutions in the water sector is a prerequisite for the successful transposition and implementation of directives, as well as the capacities of public water management companies, local self-governments, public utility companies, as well as institutions responsible for monitoring and other institutions responsible for transposing and implementation of directives.

In the Republic Directorate for Water, in addition to regular jobs, 5 employees are engaged in monitoring water directives, which is insufficient both for transposition and for the subsequent implementation of the provisions of EU directives in the field of water. After the new Government was constituted on 29 June 2017, the systematization of the Republic Directorate for Water within the Ministry of Agriculture, Forestry and Water Management was adopted with the same number of employees.

At the Ministry of Environmental Protection, four people are currently employed on water protection tasks, two of them, among other jobs, are engaged in transposition and compliance tasks in the process of EU accession. The new systematization adopted at the end of September 2017,

envisages the establishment of two new departments in the Waste and Waste Management Sector: Department of Water Protection against Pollution (with 7 employees in water protection tasks) and the Waste Water Department (with 6 employees). Within the Sector, the Group for normative and legal affairs in the field of waste and waste water management with 2 employees will work on compliance of regulations, as well as the Group for planning, preparation and monitoring of waste and wastewater management regulations, with three employees.

**c) Other undertaken measures and activities**

The Water Management Strategy on the territory of the Republic of Serbia until 2034 (hereinafter: Water Management Strategy) was adopted at the 27th Session of the Government of the Republic of Serbia on 23 December 2016, was published in the "Official Gazette of the Republic of Serbia" No. 3/2017 of 18 January 2017.

The Water Management Strategy is a comprehensive planning document that defines a long-term water management policy in the state territory, directions for sustainable action in the area of water use, water protection, watercourse regulation and protection against harmful effects of waters. In the planning period, significant improvement of the water sector state is expected compared to the existing ones. This improvement will take place in accordance with the social and economic capabilities of the country, while respecting and introducing standards, technologies and regulations of the European Union in the field of water.

**1) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy as amended by Decision 2455/2001/EC and Directives 2008/32/EC, 2008/105/EC and 2009/31/EC - EU WFD**

Operational and supervision monitoring has begun, but only partially complied with the requirements of the Water Framework Directive, covering only a part of water bodies (85 surface water bodies of 493 and 31 out of 153 underground water bodies) and there is a lack of funding for its implementation on a larger scale. The preparation of the Water Management Plans on the territory of the Republic of Serbia 2021-2027 is in its initial phase. It is envisaged that the implementation activities will be supported by the Twinning Project within IPA 2016.

**2) Council Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, as amended by Directive 2013/39/EU**

Dangerous substances monitored by regular monitoring are divided into two groups. The first group of 35 substances and mercury from another group are already monitored. Two substances (heptachlor and heptachlorepoxyde) from the second group are monitored, but the methods applied do not have the required detection and quantification limit. Monitoring does not yet cover all surface water bodies due to budget constraints.

**3) Council Directive 2006/118 / EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

A preliminary risk assessment for groundwater bodies has been made. Chemical monitoring was carried out on 31 of the 153 water bodies of groundwater and it includes the substances listed in Annex II Part B, except for trichlorethylene and tetrahlorethylene. Existing data show the high natural level of arsenic in the Autonomous Province of Vojvodina, in some areas larger than 50µg / l, which owing to natural origin will not cause a malfunction of the chemical status, but should be considered as a general issue related to the Drinking Water Directive. The details will be elaborated through the Specific Implementation Plan of the Water Framework Directive.

**4) Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status**

Most of the Directive has been transposed through the Regulation on limit values of priority and priority hazardous substances that pollute surface waters and deadlines for their achievement ("Official Gazette of RS", no. 24/2014).

This Directive 2009/90 has been implemented in our country since 2010 when it comes to monitoring the status of surface and groundwater for which the Environmental Protection Agency is authorized (and previously RHI while the Agency was its part).

As a member of the ICPDR, Serbia submits results in international trade that already include the requirements of this Directive.

Following the successfully implemented IPA 2012 project "Strengthening capacities in the field of nature protection and environmental monitoring", the technical capacities of the Environmental Protection Agency have been improved to ensure conditions for the implementation of adequate chemical monitoring. The planned training are taking place and will last until 2018.

**5) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy - EU MS FD**

It is expected that the complete transposition of MS FD will be achieved after the adoption of the new Law on Water and Bylaws (planned for 2020), which will improve the provisions for regional cooperation.

**6) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks - EU FD**

Preliminary assessment of the flood risk for the territory of the Republic of Serbia was made in 2012 in accordance with the Rulebook on the Establishment of a Methodology for Preliminary Assessment of the Flood Risk. The Preliminary Flood Risk Assessment (PFRA) covered only floods with outside waters, without taking into account the effects of climate change.

On the basis of the PFRA, 99 significant floodplains were identified.

Creation of hazard maps and flood risk maps is in progress. For 27 out of a total of 99 significant floodplains, maps were made through various projects.

Preparation of the flood risk management plan for the territory of the Republic of Serbia has started and it is planned that the Draft of the flood risk management plan will be prepared by the end of 2017.

**7) Directive 98/83/EC on the quality of water intended for human consumption - EU Drinking Water Directive**

The quality of drinking water is monitored in water supply systems of different sizes, but this monitoring is not regularly on small water supply systems (rural water supply systems). Monitoring is carried out by authorized laboratories. Reconstruction of existing water supply systems is necessary to reflect the large maintenance backlog arisen over the years. The biggest limitation in implementation is the poor state of the infrastructure, as a result of the equally poor financial conditions of public utility companies, insufficient financing by local self-government units, the state budget and other sources.

**8) Directive 2006/7/EC on the management of bathing water quality - EU Bathing Water Directive**

The monitoring of bathing water is carried out locally on lakes and rivers during the summer swimming season. Microbiological and chemical substances are tested every 15 days during the bathing season. Monitoring is carried out by authorized laboratories.

**9) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, as amended by Regulations (EC) 1882/2003 and (EC) 1137/2008 - EU ND**

As a result of bilateral cooperation between the Republic of Serbia and the Kingdom of Sweden, and within the framework of the project "Determination of sensitive and vulnerable areas in line with the requirements of the Municipal Wastewater Directive and the Nitrates Directive"

(ENVAP II) financed by the Swedish International Development Assistance Agency (SIDA) and the Swedish Environmental Protection Agency, a document has been developed containing a proposal of identified waters that are susceptible to pollution of nitrates from agricultural sources, a proposal of the established boundaries of vulnerable areas, and a draft of the document "The rules of good agricultural practice". Developed proposals for identified waters that are susceptible to nitrate pollution from agricultural sources and established boundaries of vulnerable areas are subject to audits through the IPA 2013 project "Further implementation of the Environmental Approximation Strategy, within which the Specific Plan for the Implementation of the Nitrates Directive will be developed".

**10) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Commission Directive 98/15/EC, Regulation 1882/2003 and Regulation 1137/2008, Commission Implementing Decision concerning formats for reporting on the national programmes for the implementation of Council Directive 91/271/EEC - EU UWWTD (notified under document number C (2014) 4208, (2014/431 / EU))**

The preliminary identification of the agglomeration is completed. A total of 388 agglomerations have been defined, of which 315 are greater than 2000 EI (equivalent inhabitants), 73 less than 2000 EI with sewage systems, with more than 4100 rural communities with a population of less than 2000 inhabitants. The average connection rate in settlements larger than 2000 EI is 54%. The number of existing wastewater treatment plants is about 44, out of which 32 are in operation, and only 8 work in accordance with the expected criteria. Less than 8% of the population gets adequate treatment. Also, a Preparatory Study for the Development of the National Strategy for Sludge Management was prepared as the basis for the development of the Sludge Management Strategy.

## **2. Plans for harmonisation with the *acquis communautaire***

**1) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy as amended by Decision 2455/2001/EC and Directives 2008/32/EC, 2008/105/EC and 2009/31/EC - EU WFD**

### **c) Measures planned to achieve full compliance**

**The following has been planned for the period 2018- 2021:**

- Drafting a specific plan for the implementation of the Water Framework Directive within the IPA 2013 project "Further Implementation of the Environmental Approximation Strategy". This documentation will be the basis for adjusting the timeframe for the implementation of the Directive, and will be the basis for the preparation of the multi-annual investment and financial plan;
- Adoption of the Water Management Plan on the territory of the Republic of Serbia 2021-2027 was planned by the end of 2021;
- Establishment of a complete monitoring program for water bodies of surface and groundwater is planned by 2020 (except for certain protected areas, for which the deadline will be extended until 2022);
- Setting up water pricing policy and enforcing the cost reimbursement plan is planned for 2019.

**2) Council Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, as amended by Directive 2013/39/EU**

### **c) Measures planned to achieve full compliance**

**Plans for the period 2018- 2021:**

- Development of detailed steps and deadlines for the full implementation of the Directive on Environmental Quality Standards in the field of water (as part of the Specific Plan for Implementation of the Water Framework Directive);
- Gradual introduction of the remaining substances from the second group (23 substances) into the monitoring programme, during 2018;
- Establishment of effective monitoring in accordance with the requirements of the Water Framework Directive and the Environmental Quality Standards Directive in the area of water for a full monitoring network by the end of 2021. This includes the determination of the presence and the basic level of the listed dangerous substances (current chemical status of surface waters), the development of a system for analyzing the long-term trend, the development of a methodology and taking steps in establishing a single database for the inventory of emissions, discharges and losses of priority and priority hazardous substances, development and implementation of reporting system.

***3) Council Directive 2006/118 / EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration***

**The following has been planned for the period 2018- 2021:**

**c) Measures planned to achieve full compliance**

- Development of detailed steps and deadlines for the full implementation of the Groundwater Directive (as part of the Specific Plan for the Implementation of the Water Framework Directive);
- Achieving the necessary levels of funding for the establishment of groundwater monitoring in accordance with the Water Framework Directive by 2020 (with the exception of some protected areas, for which the deadline will be extended until 2022););
- Establishment of quality standards for groundwater during 2021;
- Assessment of the chemical status of groundwater bodies on the basis of existing data, as well as for water bodies for which assessment has not been done so far. Initial identification of significant and persistent upward trends and defining the starting point for the reversal of trends if data series long enough for trend analysis are available.

***4) Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status***

The Directive is practically applied in the implementation of water monitoring through the use of SRPS ISO 17025: 2006 standard, and full implementation will be additionally ensured by the adoption of the Rulebook on Technical Requirements with Specifications for Chemical Analysis and Analysis for Water Monitoring.

***5) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy - EU MS FD***

**c) Measures planned to achieve full compliance**

**Plans for the period 2018- 2021:**

- The implementation will be implemented through the implementation of the Water Framework Directive and international cooperation in the Danube River Basin through the work of the International Commission for the Protection of the Danube River Basin (ICPDR);
- The detailed steps and deadlines for the implementation of the MS FD will be determined in accordance with the results of the Specific Plan for the Implementation of the Water Framework Directive.

**6) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks - EU FD**

**c) Measures planned to achieve full compliance**

**The following has been planned for the period 2018- 2021:**

- Review / revision Preliminary risk assessment of floods;
- Creation of hazard maps and flood risk maps through the IPA 2014-2020 project. At the end of the development of the maps, the revision of the Draft Plan for flood risk management will be carried out;
- The flood risk management plan for the territory of the Republic of Serbia in accordance with the Floods Directive will be prepared in 2021.

**7) Directive 98/83/EC on the quality of water intended for human consumption - EU Drinking Water Directive**

**c) Measures planned to achieve full compliance**

**Plans for the period 2018- 2021:**

- Adoption of the Rulebook on the health safety of drinking water, which will include provisions that provide the possibility of deviation in the implementation of the values of the parameters related to the health safety of drinking water (e.g. arsenic in drinking water);
- Development of a specific implementation plan for the Drinking Water Directive under IPA 2013 "Further Implementation of the Environmental Approximation Strategy". This documentation will be the basis for adapting the timeframe for the implementation of the Directive, and will be the basis for the preparation of the multi-annual investment and financial plan and will support the programming process;
- Improving the system for charging costs by gradually increasing the price of drinking water in accordance with the principle of accessibility by the end of 2020.

**8) Directive 2006/7/EC on the management of bathing water quality - EU Bathing Water Directive**

**c) Measures planned to achieve full compliance**

**The following has been planned for the period 2018- 2021:**

After the adoption of the Rulebook on the quality of bathing water, the classification of bathing water shall be performed by the end of 2020.

**9) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, as amended by Regulations (EC) 1882/2003 and (EC) 1137/2008 - EU ND**

**c) Measures planned to achieve full compliance**

**Plans for the period 2018- 2021:**

- Development of a specific plan for the implementation of the Nitrates Directive within the IPA 2013 project "Further Implementation of the Strategy for Environmental Approximation". This documentation will be the basis for adapting the timeframe for the implementation of the Directive, and will be the basis for the preparation of the multi-annual investment and financial plan and will support the programming process;
- The adoption of the act on the determination of vulnerable areas and their borders is planned by the end of 2019;
- The adoption of the Good Agricultural Practices Rules is planned by the end of 2019;
- The alignment of the Action Programs for certain vulnerable areas is planned by the end of 2021. (Note: according to the ND, the deadline for adopting the AP is two years counting from determining the vulnerable areas and their boundaries);
- Inclusion of agricultural expert services at the local level in the process of training farmers in order to effectively implement the Good Agricultural Practice Rules in areas vulnerable to

nitrates, and later the measures established by the Action Programmes, is planned by the end of 2019.

**10) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Commission Directive 98/15/EC, Regulation 1882/2003 and Regulation 1137/2008, Commission Implementing Decision concerning formats for reporting on the national programmes for the implementation of Council Directive 91/271/EEC - EU UWWTD (notified under document number C (2014) 4208, (2014/431 / EU))**

**c) Measures planned to achieve full compliance**

**Plans for the period 2018- 2021:**

- Establishing a legal basis for determining vulnerable areas and determining vulnerable areas;
- Development of a specific plan for the implementation of the Municipal Wastewater Directive within the IPA 2013 project "Further Implementation of the Environmental Approximation Strategy". This documentation will be the basis for adjusting the timeframe for the implementation of the Directive, will be the basis for the preparation of the multi-annual investment and financial plan and will support the process of programming, or the adoption of the Multi-annual programme for construction of public sewage on the territory of the Republic of Serbia;
- Development of National Sludge Management Strategy with implementation plan;
- Establishment of the legal basis for the reform of public utility companies;
- Commencement of the reform of public utility companies;
- Improvement of the current procedure for obtaining permits and licenses for collecting and treatment of wastewater.

## **2.27.5. Nature Protection**

### **1. Overview of consistency status/ State-of-play**

**1) Habitats Directive: Directive 92/43/EEC, as amended by Directive 97/62/EC, 2006/105/EC and Regulation (EC) 1882/2003**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The concept of the ecological network in the RS is complied with Natura 2000 and includes a broader list of species and habitats, i.e. ecologically important areas of international and national importance. The method of financing measures for the protection of the ecological network as a whole shall be applied in accordance with paragraph 6, Article 8 of the EU Habitats Directive. The Directive is partly complied with national legislation and by the following regulations:

- Law on Nature Protection ("Official Gazette of the RS", 36/09, 88/10, 91/10- corrigendum, 14/16) and accompanying by-laws.
- The Law on Wildlife and Hunting ("Official Gazette of the Republic of Serbia", 18/2010) and the accompanying bylaws<sup>57</sup>
- The Law on Protection and Sustainable Use of Fish Fund ("Official Gazette of RS", No. 128/14)
- The Law on Strategic Environmental Assessment ("Official Gazette of the Republic of Serbia", 135/2004, 36/2009)
- Law on Environmental Impact Assessment ("Official Gazette of the RS", No 135/04, 88/10)

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<sup>57</sup>Regulation on the declaration of a closed hunting season of protected wild animals ("Official Gazette of RS", 9/2012 and 97/2013).

The draft Regulation on the acceptability assessment has been prepared <sup>58</sup>, in accordance with Article 6 of the Habitats Directive, and its application is conditional on amendments to the Law on Impact Assessment and the Law on Strategic Environmental Assessment and their bylaws in order to comply with the Habitats Directive.

**b) Institutional structures and the state of administrative capacities**

The Habitats Directive is implemented at the national, provincial and local levels, in accordance with the Law on Environmental Protection and the Law on Nature Protection.

The Rulebook on internal organization and job classification in the Department of Ecological Network reduced the number of employees for 1 executor for the procedure of conducting the acceptability assessment, so that 1 employee is in charge of the tasks related to the transposition and implementation of this regulation.

**c) Other undertaken measures and activities**

-The first phase of the project "Establishing an ecological network in the RS" was completed - identification and mapping of habitat types and data collection (2015-2020, financed from the RS Budget). The second phase of the project is in progress.

- The first phase of the project "Development of the Red Book of Plants, Animals and Mushrooms in the RS" was completed (2015-2020, financed from the RS Budget). The Red Book of Birds was created. The second phase of the project is in progress.

- In the framework of TAIEX assistance, the following activities have been implemented: an expert mission on the acceptability assessment for Natura 2000 (November 2016, Belgrade); seminar on "Establishing acceptability assessment system" (Belgrade, November 2016) and an expert mission on the establishment of Natura 2000 in Serbia, aimed at training national experts for the application of the methodology for mapping habitats and species for the establishment of Natura 2000 in Serbia (Belgrade, July 2017 ). The second mission is scheduled for November 2017.

- A Seminar on protection and management of habitats of white-tailed eagle in the Republic of Serbia was organized by the Ministry and JP Vojvodinašume to analyze the implementation of protection measures in accordance with the Habitat and Bird Directives, the Berne Convention and national legislation (Hunting ground Klenak, Morović).

- A revision of the Biodiversity Strategy of the Republic of Serbia for the period 2011-2018 was made in accordance with the global Strategic Plan of the UN Convention on Biological Diversity for the period 2011-2020 and in accordance with the law, integrated through the proposal of the Nature Protection Strategy of the Republic of Serbia for the period 2017-2027.

- Implementation of the framework agreement on technical assistance for the preparation of the project task IPA 2016 for the Natura 2000 project (Technical Assistance for the preparation of the ToR for the project "Continued support to the implementation of Chapter 27 in the field of nature protection - Natura 2000") is in progress within the work of EU experts, including meetings held in October 2017, with a seminar holding plan.

- The regional project Biodiversity of the Open Regional Fund for South Eastern Europe (GIZ / ORF BD) is being implemented, financed by the German Federal Ministry for Economic Cooperation and Development (BMZ), and implemented by the GIZ in the period 2015-2018

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<sup>58</sup> The draft of this Regulation provides: a more detailed definition of the procedure for assessing acceptability in the framework of the strategic assessment of impact and the procedure for assessing environmental impact; the content of the study, the deadlines and the manner of implementing the procedures for acceptability assessment, compensatory measures and the prevailing public interest; public participation procedures. At the same time, the procedures for public hearings in the screening phase of strategic impact assessment and environmental impact assessment are defined.

- In October 2017, a regional meeting was held in Belgrade of sub-projects for establishing a regional Biodiversity and Reporting Biodiversity Management Network - BIMR, in which the reports for each participating country were presented and a regional assessment report.
- In September 2017, a study visit was implemented within the ORF BD project " Ecosystem Services Assessment and Valuation (ESAV) for the future direction of operations in the South East Europe Region (SEE)".
- The Eighth Meeting of the Group of Experts on Protected Areas and Ecological Network of the Bern Convention was held, the Second Meeting of the Expert Group for reporting on Emerald network area of special interest for preservation, as well as the meeting of the representatives of the member countries of South-East Europe, organized by the Secretariat of the Bern Convention, the Council of Europe and the Ministry of Environmental Protection, with the active participation of the representatives of the European Commission for Natura 2000 (Belgrade, September 2017).
- Preparation of Management Plans for Large Carnivores in accordance with the Habitats Directive and the Bern Convention for brown bear (*Ursus arctos*), wolf (*Canis lupus*) and lynx (*Lynx lynx*) is ongoing in order to preserve the populations of these species and their habitats.
- The proposal of the List of reference species from Annex II of the Habitats Directive has been prepared for the conservation of species and their habitats.

## **2) Birds Directive: Directive 2009/147/EC**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Law on Amendments to the Law on Nature Protection ("Official Gazette of RS", No. 14/16) more precisely transposed provisions 4.1, 4.2 and 5 of the Directive, and it is necessary to fully transpose provisions 3, 2 and 7 of the Directive until the full compliance.

Also, based on the analysis carried out through the project "Monitoring the Transposition and Implementation of EU Regulations in the Field of Environmental Protection", it was established that provisions 1.1, 4.3, 6.3 and 7.3 would be completely transposed by 2021.

### **b) Institutional structures and the state of administrative capacities**

The structures for the implementation of the Birds Directive have been established at the national, provincial and local levels: the Ministry of Environmental Protection, the Nature Protection Agency of the Republic of Serbia, the Environmental Protection Agency - responsible for monitoring together with the Institute for Nature Conservation of Serbia, Environmental Inspection and Hunting Inspection (Forestry and Hunting) - in charge of control and supervising; Provincial Secretariat for Urban Planning and Environmental Protection, Provincial Institute for Nature Protection - provides support to the Environmental Protection Agency in the field of monitoring.

Managers in protected areas and the civil sector (NGOs that cooperate with national nature protection institutes and other scientific institutions).

One person in the Ministry is responsible for monitoring the Birds Directive.

### **c) Other undertaken measures and activities**

The general system of protection of all wild birds (all wild species of plants, animals and mushrooms) was established through appropriate regulations in the field of nature and hunting protection<sup>59</sup>. The system of exemption (deviation) authorization is regulated and fully compliant

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<sup>59</sup>Article 48, 74 of the Law on Nature Protection ("Official Gazette of RS", No. 36/09, 88/10 and 91/10-correction and 14/16), Law on Wildlife and Hunting ("Official Gazette of the Republic of Serbia", No. 18/10), the Rulebook on the designation and protection of strictly protected and protected wild species of plants, animals and mushrooms ("Official Gazette of RS", No. 5/10, 47/11, 32/16 and 98/16), Regulation on the declaration of a closed hunting season of protected wild animals ("Official Gazette of RS", 9/2012 and 97/2013 ("Official Gazette of the

with the requirements of the Directive. In accordance with the above, permits for permitted activities are issued by the Ministry, according to the previously obtained opinion of the Institute and the Ministry of Agriculture, Forestry and Water Management. The Inspectorate of the Ministry of Environmental Protection is responsible for the control and supervising activities. The achievement of an optimal number of species populations in accordance with the development programme for hunting grounds is prescribed by the Ministry responsible for hunting, breeding and special purpose.

The Ministry of Environmental Protection is in charge of a consultative process with the hunting sector to consider proposals for changes to the protection status (stricter hunting measures) of turtledove of *Streptopelia turtur*, quail of *Coturnix coturnix*, gray heron of *Ardea cinerea*, large cormorant of *Phalacrocorax carbo* and hawk of *Accipiter gentilis*. The proposals of civil society organizations, professional institutions, the Provincial Secretariat for Nature Protection, as well as the recommendations of EU experts in the field of bird protection are in the phase of consideration. The ban on hunting turtledove was extended until March 31, 2018.

An analysis of existing data on the status of migratory hunting bird species and data on the number of hunting units is planned, which will be analyzed in the following period in order to provide a scientific basis for changes in hunting legislation.

During the implementation of the IPA 2007 Twinning Project Strengthening Administrative Capacity for Protected Areas in Serbia (NATURA 2000), a preliminary list for Annex 1 (88) and migratory species was prepared (46); a preliminary list of areas of special protection (SPA) was prepared based on the available data and 43 areas were determined based on the criteria for determining important bird areas (IBA areas).

Implementation of the Birds Directive is being implemented, among other things, through the support of the project "Establishment of an ecological network in the RS, identification and mapping of habitat types in Serbia - collection and evaluation of existing data, research and establishment of GIS" (2015-2020).

### ***3) Regulation on the protection of species of wild fauna and flora by regulating trade therein - CITES: Regulations 338/97, 865/2006, 791/2012, 792/2012 and their amendments***

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

Legislative compliance of the national framework with the regulations on trade in wild plant and animal species is partial.

#### **b) Institutional structures and the state of administrative capacities**

The structure for the implementation of these Regulations exists at the national and provincial levels.

The competent authorities for implementing the regulations are:

The Ministry of Environmental Protection (CITES Implementation Group) - is responsible for all the activities of the CITES governing body, which include, in addition to issuing licenses, drafting regulations, capacity building, reporting, coordination with other bodies on the implementation of regulations governing trade in wild species (3 employees);

M3ЖC The Ministry of Environmental Protection (Sector for Environmental Monitoring and Precautionary) - is in charge of controlling and monitoring the legality of possession, breeding and internal trade of specimens of protected species, as well as for providing support to other border control and supervising agencies when controlling the transboundary movements when needed (9 officers - to whom the CITES Convention supervision is a part of the competence).

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Republic of Serbia" No. 9/12 97/13, 55/15, 67/15 and 75/16), Rules on Transboundary Movement and Trade in Protected Species ("Official Gazette RS ", No. 99/09 and 6/14).

At the provincial level, the Environmental Inspectorate has jurisdiction over the control of possession, cultivation and internal trade (5 officers to whom CITES Convention supervision is part of the competence);

Customs Administration - is responsible for controlling cross-border movement and trade of specimens of protected species at the border (CITES-related supervision is only part of the competence - 275 customs officers passed the 2014 training);

Border Police Directorate - responsible for controlling people and vehicles (CITES Convention monitoring is only part of the competence - 182 police officers passed the 2014 training);

MIA - responsible for preventing illegal activities that represent a criminal offense in accordance with the Criminal Code, which at this time include: illegal cross-border movement and trafficking, smuggling, injuries and killing of protected species);

The Institute for Nature Protection of Serbia and the Provincial Institute for Nature Protection are the two main authorized scientific and professional organizations that perform the tasks of the scientific CITES body. In addition to these two institutions, consultations are also conducted with the Natural History Museum in Belgrade, the Faculty of Biology of the University of Belgrade and the Institute for Biological Research;

The CITES Convention Implementation Group and the Environmental Monitoring and Prevention Department of the Ministry of Environmental Protection, in cooperation with authorized scientific and professional organizations (e.g. the Institute for Nature Conservation of Serbia, the Natural History Museum) provide expert assistance and logistical support to the control bodies and control at border crossings.

According to applicable laws, non-compliance with national regulations enforced by the provisions of the CITES Convention and regulating trade in wild species is sanctioned as a offense or commercial offense, while more serious violations are sanctioned as criminal offenses.

Control of cross-border traffic and trade in wild species, their parts and derivatives is a great challenge for the RS due to the considerable diversity of goods subject to controls in cross-border traffic, as well as an extremely large number of protected species of wild species whose possession, exposure, reproduction and trade are necessary to control within the territory Republic of Serbia. The current capacities of the governing body for CITES as well as the supervisory authorities are inadequate because there is a non-proportionality of human resources in relation to the scope of work, both from the aspect of administrative capacities and from the aspect of supervision and control of enforcement of regulations in the field.

#### **c) Other undertaken measures and activities**

During the implementation of the IPA 2012 twinning project SR/12/IB/EN/01 “Strengthening the capacity of CITES authorities and implementing regulations on wildlife trade in Serbia”, the focus of the activity was on strengthening the capacities of the competent authorities for control and supervising, development of awareness and information on CITES and prevention of illegal trafficking to representatives of the judiciary, prosecutors, and other bodies and institutions relevant to the application of CITES.

Also, through the Policy and Legal Advice Centre (PLAC II) project, at the end of 2016 and at the beginning of 2017, an analysis of existing regulations was carried out by experts from governing bodies from CITES from the EU (Portugal and Spain), and as a result of activities, proposals for improvement of national regulations in this area, as well as proposals for certain measures for their implementation, were developed.

#### **4) Zoos Directive: Directive 1999/22/EC**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The provisions of Council Directive 1999/22/EC relating to the keeping of wild animals in zoos are partly in line with national legislation.

##### **b) Institutional structures and the state of administrative capacities**

The structure for the implementation of this regulation exists at the national and provincial levels.

The competent authorities for implementing the regulation are:

Ministry of Environmental Protection - responsible for the welfare of live animals in captivity;

Sector for Environmental Monitoring and Precaution - responsible for controlling over the possession of wild animals in captivity, including the control of conditions of keeping;

Veterinary inspection - responsible for controlling the health and welfare of animals.

**c) Other undertaken measures and activities**

Through the Policy and Legal Advice Centre (PLAC) project, in 2016, an analysis of existing regulations was carried out by experts from a competent authority for zoos from one of the EU Member States (Portugal), and as a result of activities, proposals for the improvement of national regulations in this area, as well as proposals for certain measures for their implementation were developed.

**5) Nagoya Protocol: Regulation No 511/2014**

**a) The level of harmonisation of domestic regulations with key EU regulations**

National regulations are incompatible with the provisions of Regulation 511/2014.

Republic of Serbia has signed the Protocol from Nagoya on September 2011 on the margins of the 66th session of the United Nations General Assembly.

**b) Institutional structures and the state of administrative capacities**

The body responsible for the implementation of the Regulation is the Ministry of Environmental Protection - Sector for Nature Protection and Climate Change. After the adoption of the Law on Nature Protection in 2020, a job position for the implementation of this Regulation will be established. It is anticipated that full implementation will be completed by the end of 2021.

**c) Other undertaken measures and activities**

An analysis of existing regulations, examples of best practices, capacity assessment for the implementation of this regulation, as well as a proposal for a new Law on Nature Protection that will establish a legislative framework for the implementation of Regulation 511/2014, will be carried out within the Project "Legal Support to Negotiations (PLAC) at the beginning of 2018.

**6) Traps for animals: Regulation 3254/91 prohibiting the use of leghold traps**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The compliance of the national framework with the provisions of this Regulation on animal traps EEC 3254/91 and EC 35/97 is partial.

**b) Institutional structures and the state of administrative capacities**

The implementation structure has been established at the national level. The authorities responsible for the implementation of this Regulation are:

Ministry of Finance (Customs Administration) - responsible for controlling cross-border movement and trade in goods;

Border Police Administration - responsible for controlling people and vehicles;

Environmental Inspection - is responsible for controlling sustainable use and activities that endanger protected species;

Inspection for forestry and hunting - is responsible for controlling hunting activities;

MIA - responsible for preventing illegal activities that represent a criminal offense in accordance with the Criminal Code, which at this time include: illegal cross-border movement and trafficking, smuggling, injuries and killing of protected species).

**7) Trade in seal products: Regulation 1007/2009**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The compliance of the national framework with the provisions of the Regulation on trade in seal products (737/2010/EC) is partial.

**b) Institutional structures and the state of administrative capacities**

The implementation structure has been partially established at the national level. The authorities responsible for the implementation of this Regulation are:

Ministry of Finance (Customs Administration) - responsible for controlling cross-border movement and trade in goods;

Border Police Administration - responsible for controlling people and vehicles;

Inspection for environmental protection at the republic and provincial level;

MIA - responsible for preventing illegal activities that represent a criminal offense in accordance with the Criminal Code, which at this time include: illegal cross-border movement and trafficking, smuggling, injuries and killing of protected species.

**8) Seal pups products: Directive 83/129/EEC and subsequent amendments to the Directive**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The provisions of the Directive (83/129/EEC) are partly transposed into the national framework.

**b) Institutional structures and the state of administrative capacities**

The implementation structure has been partially established at the national level. The authorities responsible for the implementation of this Regulation are:

Ministry of Finance (Customs Administration) - responsible for controlling cross-border movement and trade in goods;

Border Police Administration - responsible for controlling people and vehicles;

Inspection for environmental protection at the republic and provincial level;

MIA - responsible for preventing illegal activities that represent a criminal offense in accordance with the Criminal Code, which at this time include: illegal cross-border movement and trafficking, smuggling, injuries and killing of protected species.

**9) Timber Regulation: Regulation 995/2010 (EUTR)**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The provisions of the EUTR Regulation (995/2010) are partially incorporated into national regulations: the Law on Forest ("Official Gazette of RS", 30/2010, 93/2012, 89/2015), the Law on Trade ("Official Gazette of the Republic of Serbia" 53/2010 and 10/2013), the Law on Foreign Trade Operations ("Official Gazette of the Republic of Serbia" 36/2009, 36/2011 88/2011 and 89/2015), Customs Law ("Official Gazette of the Republic of Serbia", 18/2010, 111 / 2012, 29/2015 and 108/2016) and the Law on Customs Tariffs ("Official Gazette of the Republic of Serbia", 62/2005, 61/2007 and 5/2009).

**10) FLEGT: Regulation 2173/2005 as amended by Regulation 657/2014 and Commission Regulation 1024/2008**

**a) The level of harmonisation of domestic regulations with key EU regulations**

The provisions of the FLEGT Regulation (2173/2005) are partly incorporated into national regulations: the Law on Forests (Official Gazette RS, 30/2010, 93/2012, 89/2015), the Law on Trade ("Official Gazette of the Republic of Serbia" 53/2010 and 10/2013), the Law on Foreign Trade Operations ("Official Gazette of the Republic of Serbia" 36/2009, 36/2011, 88/2011 and 89/2015), the Customs Law ("Official Gazette of the Republic of Serbia" 18/2010, 111/2012, 29/2015 and 108/2016), the Law on Customs Tariffs (Official Gazette of the Republic of Serbia 62/2005, 61/2007 and 5/2009).

**2. Plans for harmonisation**

**1) Habitats Directive: Directive 92/43/EEC, as amended by Directive 97/62/EC, 2006/105/EC and Regulation (EC) 1882/2003**

**b) Plans for strengthening institutional structures**

It is necessary to improve the organizational structure within the institutions at all levels as well as to increase the number of executives who will be engaged only in the implementation of the EU Habitat Directive with regard to the Natura 2000 ecological network, acceptability assessments, derogations and monitoring.

**c) Measures planned to achieve full compliance with the EU acquis**

**Plans for the period 2018- 2021:**

- The IPA 2016 project "Further support for the establishment of Natura 2000 and the establishment of a system for managing these areas" (2018-2020), taking into account the results of the IPA 2012 project, will continue activities on identifying new Natura 2000 sites and field research.
- Continuation of the implementation of the project "Establishment of an ecological network in the RS" - identification and mapping of habitat types and data collection (2015-2020, financed from the RS Budget).
- Continuation of the realization of the project "Creation of the Red Book of Plants, Animals and Mushrooms in RS" - (2015-2020, financed from the RS Budget).
- Preparation of Management Plans for Large Carnivores in accordance with the Habitats Directive and the Berne Convention for brown bear (*Ursus arctos*), wolf (*Canis lupus*) and lynx (*Lynx lynx*) is ongoing in order to preserve the populations of these species and their habitats.
- Drafting and adoption of annual plans for the implementation of the EU Birds and Habitats Directive, including deadlines, monitoring plan and financial needs
- Nature Protection Strategy for the period 2017-2027 (I quarter of 2018).

**2) *Birds Directive: Directive 2009/147/EC***

**c) Measures planned to achieve full compliance with the EU acquis**

**Plans for the period 2018- 2021:**

- Identification of ecologically important areas for birds, which are an integral part of the Regulation on the ecological network, in accordance with the criteria of the Birds Directive and the Bird Life International criteria, is being continued, through the projects listed under the Habitat Implementation Plans;
- Finalization of the list for Annex 1 and migratory species of birds.
- Further systematic implementation of special measures for the conservation of habitat and bird types from Annex 1 and migratory species that regularly occur on our territory;
- Implementation of the information system for reporting to the European Commission.

**3) *Regulation on the protection of species of wild fauna and flora by regulating trade therein***

**- *CITES: Regulations 338/97, 865/2006, 791/2012, 792/2012 and their amendments***

**b) Plans for strengthening institutional structures**

**Plans for the period 2018- 2021:**

- Periodic training for control and supervising authorities and other competent authorities in order to improve the efficiency of the implementation of CITES and regulations concerning the trade of wild species;
- Signing a memorandum of understanding between the Ministry of Environmental Protection and the Ministry of Finance - the Customs Administration, as well as between the Ministry of Environment and the Ministry of the Interior for the effective implementation of the relevant legislation.
- Active measures to ensure wider cooperation and involvement of the police in the investigation and fight against crime against wildlife;

**c) Measures planned to achieve full compliance with the EU acquis**

- Strengthening official cooperation with zoos in the country and abroad to ensure effective accommodation and care of confiscated specimens;
- Building the necessary infrastructure for the urgent accommodation of live wildlife specimens that have been seized or confiscated;
- Supporting an electronic system for issuing and registering permits and certificates.

The planned activities are carried out by the Ministry of Environmental Protection and the competent authorities for control and supervision.

**4) Zoos Directive: Directive 1999/22/EC**

**b) Plans for strengthening institutional structures**

Plans for the period 2018- 2021:

- Capacity building in the bodies responsible for control of zoos;

**c) Measures planned to achieve full compliance with the EU acquis**

-Control of conditions in all existing zoos in the country;;

- Issuance of permit conditions in existing zoos with specific deadlines for fulfilling them, in cases where the zoo does not fully meet national standards;

- Regular inspections in zoos;

- Closure of zoos that do not meet the standards prescribed by national regulations.

The planned activities are carried out by the Ministry of Environmental Protection.

**5) Nagoya Protocol: Regulation No 511/2014**

**b) Plans for strengthening institutional structures**

In the period 2018-2021, it is planned to hold consultations and raise awareness about the importance of genetic resources and traditional knowledge related to genetic resources and issues related to access and sharing of benefits, as well as the adoption of the new Law on Nature Protection, which will establish a system of compliance measures, which are mandatory for the implementation of the Nagoya Protocol in the EU. This will made RS consider whether it wants to provide legal solutions to the establishment of a national mechanism for access to genetic resources or not. This mechanism is not stipulated by the Regulation on access to genetic resources and the fair and equitable sharing of benefits arising from the use of those resources in the Union, but is included in the Nagoya Protocol. In line with the objectives set out in the Nagoya Protocol, a clear and transparent legal framework is needed that will determine the way researchers and companies using genetic resources and traditional knowledge about genetic resources can gain access to these resources. The planned activities are carried out by the Ministry of Environmental Protection.

**c) Measures planned to achieve full compliance with the EU acquis**

In line with the objectives set out in the Nagoya Protocol, a clear and transparent legal framework is needed that will determine the way researchers and companies using genetic resources and traditional knowledge about genetic resources can gain access to these resources. The planned activities are carried out by the Ministry of Environmental Protection.

**6) Traps for animals: Regulation 3254/91 prohibiting the use of leghold traps**

**b) Plans for strengthening institutional structures**

In the period 2018-2021, capacity building in control and supervision authorities was planned in respect of the prohibition of the use of animal traps and the control of imports of fur and skin of wild animal species (2018), as well as the improvement of cooperation between the relevant authorities for control and supervision through training programmes and coordination.

The planned activities are carried out by the Ministry of Environmental Protection.

**c) Measures planned to achieve full compliance with the EU acquis**

Realization of periodic training for competent supervisory authorities and coordination of activities of controlling the prohibition of using traps for animals and importing fur and skin of wild animal species. In cooperation with the Customs Administration, it is necessary to determine all customs tariffs for goods that may be subject to the provisions of this Regulation in order to systematically improve the efficiency of import control.

The planned activities are carried out by the Ministry of Environmental Protection.

**7) Trade in seal products: Regulation 1007/2009**

**b) Plans for strengthening institutional structures**

In the period from 2018 to 2021, capacity building in the control and supervision bodies is planned in terms of controlling imports and trade of seal products, as well as the improvement of cooperation between the relevant authorities for control and supervision through training programmes and coordination.

The planned activities are carried out by the Ministry of Environmental Protection.

**c) Measures planned to achieve full compliance with the EU acquis**

Realization of periodic training for competent supervisory authorities and coordination of activities of competent bodies for control of import and trade of seal products. In cooperation with the Customs Administration, it is necessary to determine all customs tariffs for goods that may be subject to the provisions of this Regulation in order to systematically improve the efficiency of import control.

The planned activities are carried out by the Ministry of Environmental Protection.

**8) Seal pups products: Directive 83/129/EEC and subsequent amendments to the Directive**

**b) Plans for strengthening institutional structures**

In the period from 2018 to 2021, capacity building in the control and supervision bodies is planned in terms of controlling imports and trade of seal products, as well as the improvement of cooperation between the relevant authorities for control and supervision through training programmes and coordination.

The planned activities are carried out by the Ministry of Environmental Protection.

**c) Measures planned to achieve full compliance with the EU acquis**

Realization of periodic training for competent supervisory authorities and coordination of activities of competent bodies for control of import and trade of seal pups products. In cooperation with the Customs Administration, it is necessary to determine all customs tariffs for goods that may be subject to the provisions of this Regulation in order to systematically improve the efficiency of import control.

The planned activities are carried out by the Ministry of Environmental Protection.

**9) Timber Regulation: Regulation 995/2010 (EUTR)**

**b) Plans for strengthening institutional structures**

**Plans for the period until late 2018:**

- Identification of the competent authority for the EUTR with appropriate competencies and responsibilities between the said institutions (2018);
- Identification of all relevant authorities with competencies in this area (2018);
- Determination of clear distribution of competencies related to the implementation of this regulation (2018).

**c) Measures planned to achieve full compliance with the EU acquis**

**Plans for the period 2018- 2020:**

- Introduction of a system of due attention in the timber industry, between operators and traders, where necessary (2020);
- Compliance of the current criminal policy in the sector with criminal policy from the regulation (2020);
- Establishing a monitoring system (2020).

**10) FLEGT: Regulation 2173/2005 as amended by Regulation 657/2014 and Commission Regulation 1024/2008**

**b) Plans for strengthening institutional structures**

**Plans for the period until late 2018:**

To implement the requirements of the FLEGT system, all relevant authorities (Ministry of Finance - Customs Department, Ministry of Trade, Tourism and Telecommunications - Market

Inspection Department, Ministry of Economy, MAFWM - Forestry Directorate) should be involved and clear distribution of responsibilities over the implementation of this Regulation should be done, in particular:

- Identification of the competent authority for FLEGT with appropriate competencies and responsibilities between these institutions.
- Identification of all relevant authorities with competencies in this field;

**c) Measures planned to achieve full compliance with the EU acquis  
Plans for the period 2018- 2020:**

- Defining and prescribing penalties for violation of the provisions of the Regulation, which can be compared with other regulations (e.g. CITES) at the national and wider levels. The penal policy of domestic legislation should include the seizure or confiscation of timber shipment, as well as the disposal of confiscated timber (2018).
- Identification of competent national authorities;
- Creation of specific provisions for physical check of shipments licensed under the FLEGT system and relevant procedures;
- Nomination of experts who will assist in identifying types of wood;
- Education of appropriate cooperation between inspections and customs

**2.27.6. Industrial Pollution**

**1. Overview of consistency status/ State-of-play**

**1) Industrial Emissions Directive 2010/75/EU - IED**

**a) The level of compatibility with EU regulations**

**Chapter II of the IED** has been partly transposed into national legislation. Some parts of the Directive have been transposed through the Directive on Integrated Pollution Prevention and Control 1996/61/EC into the Law on Integrated Pollution Prevention and Control in 2004, as well as the amendments to the same law in 2015 (hereinafter: IPPC ("Official Gazette of the Republic of Serbia", No. 135/2004 and 25/2015)) and bylaws.

The full transposition of Directive 2010/7/EU (IED) in the RS in the part relating to the IPPC will be achieved by mid 2020

**Chapter III of the IED** is partly transposed into national legislation through the Law on Air Protection ("Official Gazette RS", No. 36/09 and 10/13), the Regulation on Limit Values of Emissions of Pollutants in the Air from Combustion Plants ("Official Gazette RS ", No. 6/16) and the Regulation on measuring emissions of pollutants in the air from stationary sources of pollution (" Official Gazette of RS ", No. 5/16). In order to align with Chapter III of the IED, through the PLAC II project, expert assistance was provided to the Ministry for the preparation of the draft Rules on the criteria for determining the start and stop period of a large combustion plant in accordance with the implementation Decision EC 2012/249/EU.

**Chapter IV of the IED** has been partly transposed by the Law on Waste Management ("Official Gazette of RS", No. 36/09 and 88/10) and the Regulation on types of waste for which thermal treatment is carried out, on the conditions and criteria for determining the location, technical and technological conditions for the design, construction, equipment and operation of plants for thermal treatment of waste, treatment of residues after incineration ("Official Gazette of the Republic of Serbia", No. 102/10 and 50/12), - hereinafter: the Regulation on Thermal Waste Treatment.

With the support of the PLAC 2 project, the first draft of the Regulation on Thermal Waste Treatment for the field of application relating to gasification and pyrolysis plants and the first draft of the Rulebook on the Form for Obtaining a Permit for Storage, Treatment and Disposal of Waste is ongoing.

**Chapter V (IED)** on plants and activities using organic solvents has been partly transposed into national legislation through the Law on Air Protection ("Official Gazette of RS", No.

36/09 and 10/13) and the Regulation on List of Industrial Plants and activities that control the emission of volatile organic compounds, the emission values of volatile organic compounds at a particular consumption of solvents and the total allowable emissions, as well as the emission reduction scheme ("Official Gazette of RS", No. 100/2011) (hereinafter: Regulation on volatile organic compounds).

**Chapter VI (IED)** has been partly transposed into national legislation.

#### **B) Institutional structures and administrative capacities**

**Chapter II of the IED** - Competence for issuing integrated permits is divided between the Ministry of Environmental Protection, the Provincial Secretariat for Urban Planning and Environmental Protection and local self-government units. Inspections at all levels are responsible for the control and supervision of facilities that are required to have an integrated permit, while the Environmental Protection Agency collects data for the National Pollution Register and submits reports on the state of the environment.

In the implementation tasks, it is necessary to increase the number of employees at the republic and provincial level. Also, at the local level, in the coming period, it is necessary to employ more officers in local self-government units where there are several operators, and for all employees in local self-government units, additional education is needed in the field of integrated prevention and control of environmental pollution.

**Chapter III of the IED** - The Ministry of Environmental Protection is the authority responsible for the transposition and implementation of legislation in this field. Within the Ministry, the Department of Air Protection and Ozone Layer, there is a civil servant with shared responsibility working on the transposition and coordination of the implementation of EU legal acts in this field.

The Ministry of Mining and Energy is the body responsible for the implementation of LCP provisions and provisions of Chapter III of the IED in the context of the European Energy Community.

The Environmental Protection Agency is responsible for the inventory of emissions, the environmental information system and reporting. Within the Agency, in the National Pollution Register, a civil servant with a shared responsibility is in charge of this area.

Inspections at all levels are in charge of controlling and monitoring large combustion plants and implementing legislation at the republic, provincial and local levels.

**Chapter IV of the IED** - The Ministry of Environmental Protection is responsible for issuing permits for the incineration of waste.

The Autonomous Province is entrusted with issuing permits for the incineration of waste for all activities in its territory and for all installations for which the building permit is issued by the competent authority of the AP.

Units of local self-government are included in the issuance of the said permits through giving opinions to the submitted documentation in the licensing process.

The Environmental Protection Agency is responsible for keeping the registry of issued permits. Professional waste testing organizations and other legal entities accredited for the testing of waste (i.e. accredited laboratories).

The Ministry supervises the work of the Agency, autonomous province, local self-government units and authorized legal entities. Control and supervision activities are carried out by environmental inspection.

The Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Waste Management Department, envisages an increase in the number of civil servants from 1 to 2. At present, one civil servant is employed, working on the transposition and implementation of EU legal acts in this field.

In 2017, activities on strengthening administrative capacities have been initiated with the aim of fully compliance with Chapter IV IED (with the support of PLAC 2 project, in December

2017, training for administration in the competent institutions and other bodies is planned - e.g. energy, health and veterinary medicine).

**Chapter V (IED)** The Ministry of Environmental Protection is a body responsible for the transposition and implementation of legislation in this field. Within the Ministry - Department of Air Protection and Ozone Layer, there is a civil servant with shared responsibilities working on the transposition and implementation of EU legal acts in relation to plants and activities using organic solvents (Chapter V of the IED), as well as in relation to Phases I and II collection of petrol vapour (VOC Petrol Directive).

The Environmental Inspection at all levels (republic, provincial and local) is responsible for the control and supervision of the application of regulations.

The Environmental Protection Agency is responsible for the inventory of emissions, management of the environmental information system and reporting.

The Provincial Secretariat for Urban Planning and Environmental Protection is responsible for the implementation of regulations at the level of the Province, and the local self-government is responsible for the implementation of regulations at the local level.

**Chapter VI (IED)** The Ministry of Environmental Protection is the authority responsible for the transposition and implementation of legislation in this field. Within the Ministry, in the Waste Management Department - one civil servant is in charge of transposing of EU legal acts. The Sector for Precautionary and Supervision within the Ministry of Environmental Protection (Inspection) is in charge of controlling and monitoring plants that are obliged to apply the regulations when they are built, since at the moment there are no facilities for waste management from the production of titanium dioxide.

### **c) Other measures for compliance**

**Chapter II of the IPPC** - Based on current plans and the Law on Amendments to the Law on Integrated Pollution Prevention and Control ("Official Gazette of RS" No. 135/2004 and 25/201) RS will issue integrated permits for operators who are the subject to the obligation to obtain integrated permits until 31 December 2020. The condition required to achieve this deadline involves providing sufficient staff at all levels of the services concerned with the issuance of integrated permits. At the moment, the challenge is the lack of capacity to issue integrated permits at all levels of competence. Some local government units forward their requests to the Ministry for further processing on the basis of entrusted tasks.

Within the IPA 2011, the first draft of the Specific Implementation Plan for the IED was developed in the first quarter of 2016 (for Chapters II and III and V IED). The IPPC-related plans were developed according to industry sectors. Preparatory actions in connection with these plans have been initiated through the collection of data necessary for their preparation. The methodology envisaged the collection of data from the operator and referred to: situation analysis, description of EU requirements, deficit analysis, measures to overcome deficiencies, estimation of costs required for implementation of measures, time schedule, production information and data on exports to the EU market, monitoring, cross-border impact of the plant, etc.

Through the project "Further Implementation of the DIE in the Republic of Serbia" financed by SIDA (Swedish International Cooperation Agency), a Revision of the Specific Implementation Plan for Chapter II of the IED will be done.

The implementation of **Chapter III of the IED** is in the initial phase. The Republic of Serbia is currently in the process of implementing the LCP Directive. In accordance with the obligations arising from the Treaty on establishing the Energy Community, the Republic of Serbia has submitted the Preliminary National Emission Reduction Plan (NERP) to the Energy Community Secretariat on 31 December 2015, as well as the preliminary list of large com-

bustion plants envisaged for the use of the so-called "Opt-out" mechanism. Following the announcement of the official comments of the Energy Community Secretariat in the preliminary NERP, the operators involved in the preliminary NERP were sent an official request to re-sponse on the comments. Pursuant to the Regulation on Limit Values of Emissions of Pollutants in the Air from Combustion Plants ("Official Gazette of RS", No. 6/16), the operators submitted final written statements to the competent authority on which plants would be included in the NERP and for the use of the "opt-out" mechanism. Corrections in the text of the NERP were made on the basis of officially received responses. Development of the final NERP is in progress.

The implementation of **Chapter IV** of the IED is in the initial phase. The operating system for issuing permits in the RS was established in 2010.

In order to obtain the cement clinker, a total of four permits were issued for storage and thermal treatment of waste, (co)incineration of waste tires, waste oils and SRF - solid recovered fuel from waste / RDF - refuse-derived fuel from the waste to cement factory Lafarge Serbia from Beočin and for the (co)incineration of waste tires and SRF - solid recovered fuel from waste / RDF - refuse-derived fuel from the waste to cement factory Holcim Serbia from Popovac

Also, the competent authorities issued two permits for the thermal treatment of waste for incineration of waste edible oils and fats to the agro-industrial complex Bačka Topola from Bačka Topola, and for the incineration of wood waste, waste from chipboard and useless wooden pallets to the company for production and marketing Forma Ideale L.t.d. from Krajujevac.

Inspection supervision is established on the basis of the provisions of Chapter XII SUPERVISION (Articles 83-86) and is carried out by the environmental inspectors within the frames established by law. In accordance with the division of power in the RS, the reporting is done by the Environmental Protection Agency. It is especially important to note that since 2009 data have been entered in the registry of permits issued by all relevant authorities that keep the national registry of issued waste management permits for public inspection (available on the Agency's website, [www.sepa.gov.rs](http://www.sepa.gov.rs)).

Chapter V of the IED is in its initial implementation phase.

Lack of capacities at the local level and adequate knowledge of environmental inspectors and operators have been identified as the main obstacles to further implementation of requirements arising from Chapter V of the Directive.

In order to provide assistance in the implementation of the planned second phase of the training for inspection operators' awareness raising with the support provided through the PLAC II project, the Ministry prepared the ToR "Support in the implementation and control of the fulfilment of obligations arising from Chapter V of the Industrial Emissions Directive (2010/75/EU) and the VOC Petrol Directive (94/63/EC and 2009/126/EC), through training of inspection at central and local level ". The deadline for submitting applications based on the published ToR is end of October 2017.

Further implementation of Chapter V of the Directive implies the strengthening of existing administrative and institutional capacities at all levels.

#### **Chapter VI (TiO<sub>2</sub>)**

Titanium dioxide is not produced in RS.

### ***2) Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (SEVESO III Directive)***

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

National regulations are partially complied with SEVESO III Directive, which replaced Council Directive 96/82/EC (SEVESO II Directive). With the aim of complying national regulations

with the SEVESO III Directive, the first draft of the Law on High-Security Hazard Accident, which includes hazardous substances, was drafted and first drafts of bylaws, which will transpose the relevant annexes of the Directive.

A Draft Law on Disaster Risk Reduction and Emergency Management was also drafted.

The Working Group working on drafting the law, recognized the obligation for compliance with the provisions of the SEVESO III Directive relating to emergency situations and implemented them in the Draft Law on Disaster Risk Reduction and Emergency Management (SEVESO III Directive, in the part relating to the preparation of external plans (Article 12 of the Directive), the deadlines for their development (Article 12 of the Directive), their content (Article 12 of Annex IV of the Directive), in Articles 12 and 26 of the Draft Law on Disaster Risk Reduction and Emergency Management.

#### **b) Institutional structures and the state of administrative capacities**

The Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages an increase in the number of civil servants from 3 to 6 in the Department for Protection against Major Chemical Accidents. At the moment, three civil servants are working on the transposition and implementation of the EU legal acts from this field.

#### **c) Other undertaken measures and activities**

Based on the provided Notifications and Safety Report, the Ministry keeps the Register of Plants. In the Republic of Serbia, 101 SEVESO complexes have been identified, of which 52 complexes belong to "lower order", and 49 belong to the "higher order" of the SEVESO complexes. Operators of all "lower order" complexes have developed the Accident Prevention Policy. The operators of 48 "higher order" complexes submitted Safety Reports and the Accident Protection Plan to the Ministry, which issued 29 (twenty-nine) decisions on granting consent to the submitted documents and 2 non-compliance decisions, prohibiting the operation of the complex.

In accordance with the Law on Emergency Situations, external accident protection plans form an integral part of the Plan for protection and rescue in emergency situations. Data collection and work on the development of emergency protection and rescue plans at the level of local self-government units is ongoing, as well as activities related to the development of the National Endangerment Assessment.

### **3) Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Law on Amendments to the Law on Environmental Protection ("Official Gazette of the Republic of Serbia", 014/2016) establishes the basis for EMAS GLOBAL or EMAS for the registration of organizations from third countries.

### **4) Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

By adopting the "Rulebook on Detailed Conditions and Procedure for Obtaining the Right to Use the Ecological Sign, Elements, Appearance and the Use of the Eco Sign of Products and Services" ("Official Gazette of the Republic of Serbia", 049/2016) of 31 May 2016, the national eco-labelling system has been complied with the requirements of Regulation (EC) No. 66/2010. The appendix contains 26 criteria that define 26 groups of products which are determined based on the criteria for eco-labelling and product group "FLOWER" EU.

### **5) Regulation (EC) No 1102/2008 on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury (Mercury Export Ban Regulation) and Regulation 2017/852 on mercury**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

The new Rulebook on the export and import of certain hazardous chemicals which has been complied with point 3 of Article 1 of Regulation (EC) 1102/2008 is in the process of adoption. The drafting of national regulations in the part relating to safe storage is at an early stage. Complete regulatory compliance in the part relating to safe storage is expected to be completed by the end of 2018.

**6) Council Directive 87/217/EEC of 19 March 1987 on the prevention and reduction of environmental pollution by asbestos**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Directive 1987/217 / EEC is partially complied with the Law on Waste Management ("Official Gazette of the Republic of Serbia", No. 36/09, 88/10 and 14/16) and relevant bylaws as well as with the Law on Chemicals.

**7) 2004/42/CE Испарљива органска једињења (VOC) у бојама**

**a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation in the part concerning the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle lacquers is in line with Directive (EC) No 2004/42, except for provisions requiring the EU membership.

**8) Directive on the limitation of emissions of certain pollutants into the air from medium combustion plants 2015/2193/EU**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Regulation on Limit Values of Emissions of Pollutants in the Air from Combustion Plants ("Official Gazette of RS", No. 6/16) and the Regulation on Measures of Emissions of Pollutants in the Air from Stationary Pollution Sources ("Official Gazette of RS" No. 5/16) prescribe the emission limit values for pollutants in the air from small and medium combustion plants and the obligations of operators regarding the measurement of emissions from small and medium combustion plants and are partly based on the national regulations of Germany, Slovenia and Croatia which were effective before 2010.

**b) Institutional structure and the state of administrative capacities**

The Ministry of Environmental Protection is the body responsible for the transposition and implementation of the Directive on medium combustion plants. Within the Ministry, the Department of Air Protection and Ozone Layer, there is a civil servant with shared responsibility working on the transposition and coordination of the implementation of EU legal acts in this field.

Inspections at all levels are in charge of controlling and supervising medium combustion plants and implementing legislation at the republic, provincial and local levels.

The Environmental Protection Agency is responsible for the inventory of emissions, the environmental information system and reporting. At present, no civil servant in charge of this field is employed in the National Pollution Register within the Agency.

**c) Other undertaken measures and activities**

Activities on the implementation of the Medium Plant Directive have not been initiated, but the operators of small and medium-sized combustion plants already have certain obligations prescribed by the Regulation on limit values for emissions of pollutants into the air from combustion plants ("Official Gazette of RS", No. 6/16) and the Regulation on measurements of emissions of polluting substances into the air from stationary sources of pollution ("Official Gazette of RS", No. 5/16) regarding the emission limit values and measurements of pollutant emissions in air from small and medium-sized combustion plants.

**2. Plans for harmonisation with the *acquis communautaire***

**1) Industrial Emissions Directive 2010/75/EU - IED**

**b) Plans for strengthening institutional structures**

**Chapter II** At the republican level, one attorney and one qualified person need to be employed in the period 2016-2017 for transposition tasks. For implementation tasks, it is necessary to retain the mentioned new employees and increase the number for another three employees in 2018 and for two more employees from 2018 to the full implementation of the provisions of the directive. At the local level, it is necessary to employ 15 more local self-government officials with more operators in the period 2016-2020 and later, and for all local self-government officials, additional education is needed in the field of integrated prevention and control of environmental pollution.

**Chapter III of the IED** In accordance with the adopted Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Layer it is planned that three employees will work on transposition and coordination of implementation of EU legal acts in the field of air emissions.

#### **Chapter IV**

- Carrying out public awareness campaigns (in connection with the reuse of waste as an alternative fuel or alternative raw material);
- Training of environmental inspectors at the regional and local level by the end of 2017.

**Chapter V** - In accordance with the adopted Rulebook on internal organization and job classification in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Layer, three employees are working on the transposition and coordination of the implementation of EU legal acts in the field of air emissions. In order to adequately transpose and implement the requirements of Chapter V of the IED, the Ministry needs engage another employee without shared responsibility.

In order to fulfil the responsibilities of the Agency, the National Pollution Register needs the engagement of a permanent employee in data collection activities in relation to the requirements of Chapter V of the IED, who can also be engaged in the collection of data related to the requirements of the VOC Petrol Directive.

For the purpose of efficient implementation and further implementation of the requirements of Directives, it is necessary to strengthen the existing administrative capacities at all levels.

#### **c) Measures planned to achieve full compliance**

- Revision of the draft of the Specific Implementation Plan for the Industrial Emissions Directive, except.
- For Chapter V of the IED (VOC petrol), the development of DSIP is planned under the IPA 2014.
- Based on the developed DSIPs, the necessary transition period for the implementation of this Directive will be needed.

#### **Chapter II**

- Continuation of issuing integrated permits (end 2018 - end 2020):
- Compliance of work in plants for which transitional periods are required (2021-on)

#### **Chapter III**

- A strategic assessment of the impact of the NERP on the environment is planned.
- Pursuant to the decision of the Ministerial Council of the Energy Community of October 2013, for the Contracting Parties, 1 January 2018 is enacted as the deadline for the implementation of Chapter III of the IED for new large combustion plants.
- Based on the decision of the Ministerial Council of the Energy Community of October 2015 for the Contracting Parties, 1 January 2028 is enacted as the deadline for the implementation of Chapter III of the IED for old large combustion plants.

#### **The following has been planned for the period of 2021 and further:**

- Compliance of the operation of large combustion plants that will require transitional periods
- Implementation dates will be the subject of EU accession negotiations.

#### **Chapter IV**

- Adoption of the Integrated Hazardous Waste Management Plan;
- Determination of the list of plants for (co)insemination with a nominal capacity not exceeding two tonnes of waste per hour;

**The following has been planned for the period late 2018- late 2020:**

- Adoption of the new Waste Management Strategy;
- Encouraging the use of waste as an alternative fuel in accordance with the waste hierarchy (in cement, steel, and thermal power plants and heating plants);
- Construction of infrastructure for municipal waste management and encouraging the use of municipal waste as an alternative fuel for energy production (heat and electricity) in the most populated cities of Serbia (Belgrade and Novi Sad);
- Forming efficient economic instruments.

**Plans for the period after 2020:**

Further plans to improve implementation depend on the analysis of the situation in the plants subject to the Regulations, and on the identification of complied content, which will be defined in the preparation of the implementation plans of the IED;

Revision of the Waste Management Strategy;

Determination of locations for the construction of plants for (co)insemination;

Professional training of personnel for establishing a (co)incineration plants.

**Chapter V**

-Creation of a comprehensive list of plants to which the Regulation on volatile organic compounds relates, as well as the collection of relevant technical data on these plants and assessment of compliance with the requirements of the Directive. This is an activity that has been initiated through the IPA 2011 project, and the condition for continuing its implementation is the existence of one permanent employee of the Environmental Protection Agency who will work on data collection activities related to Chapter V of the IED.

-Improvement of inspection control of operators in order to ensure enforcement of the existing regulations. The second phase of the training for environmental protection and the operator's awareness rising was planned with the support of the PLAC II project in the period end 2017 - half of 2018.

-Further plans to improve implementation depend on the analysis of the situation in the plants subject to the regulations and the identification of the scope of compliance.

**Plans for the period after 2021:**

Compliance of the operation of industrial plants and activities in which emissions of volatile organic compounds are controlled, and for which transitional periods will be required.

**2) Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (SEVESO III Directive)**

**a) Implementation Plan**

**In the period 2018 - the end of 2019, it is necessary to carry out the revision and amendments of:**

- Law on Environmental Impact Assessment
- Law on Strategic Environmental Impact Assessment
- The Law on Planning and Construction (competence of the Ministry of civil engineering, transportation and infrastructure);
- The Law on Free Access to Information of Public Importance.
- It is planned to adopt the new Law on Disaster Risk Reduction and Emergency Management, which was drafted;

**b) Plans for strengthening institutional structures**

The Rulebook on internal organization and job classification in the Ministry of Environmental Protection, the Department for Protection against Major Chemical Accidents foresees an increase in the number of civil servants from 3 to 6, whereby it is realistic to plan the change in the number of employees in 2018 in terms of increasing the number for two employees and in 2019 an increase in the number for another employee.

In order to strengthen administrative capacities, especially in the implementation of regulations, for which it is necessary to possess knowledge and experience of employees from a wide range of scientific fields, it is necessary to continuously implement education and training of employees in the field of prevention of major chemical accidents. In that sense it is also necessary to enable the participation of employees (as observers) at the meetings of the competent authorities of the Member States, which will contribute to further strengthening of the capacities and acquiring the knowledge and skills necessary for full participation in the work after accession, as well as for the implementation of the regulations in this field. The capacities of the competent authority for managing the risk of major chemical accidents will be further improved by further use of assistance to countries beneficiaries of Aid Programme within the UNECE Convention on the Transboundary Effects of Industrial Accidents.

#### **c) Measures planned to achieve full compliance**

Further implementation of SEVESO III Directive also includes the following activities:

##### **The following has been planned for the period from 2018 to late 2019:**

- Ensuring a coordinated involvement of all competent authorities in the process of implementation (bodies responsible for environmental protection, emergency situations, spatial planning and construction).

##### **The following has been planned for the period late 2019- late 2021:**

- Revision of identified complexes and updating of existing registers;
- Revision of existing or development of new documents in accordance with the Directive and their validation;
- Revision or development of new external accident protection plans;
- Ensure that the objectives of preventing major accidents and limiting their consequences for human health and the environment must be taken into account in the process of land use planning (competence of the Ministry of civil engineering, transportation and infrastructure);
- Continuous improvement of the knowledge of all stakeholders.

##### **The following has been planned for the period after 2021:**

Implementation of the reporting obligation towards the EC.

#### **3) Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)**

##### **c) Measures planned to achieve full compliance**

##### **Plans for the period until late 2018:**

Follow-up of amendments to the criteria defined by 26 product groups as well as withdrawal of expired criteria and revision according to the EU criteria list, as well as monitoring of all amendments to Regulation (EC) 66/2010.

#### **4) Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel**

##### **Plans for the period from late 2018 to the end of 2020:**

- Establish a list of 35 criteria for currently existing product groups, as well as new product groups that will be adopted until then (according to EU criteria list);
- Systematic monitoring and admission of new criteria as annex to the Rulebook on the national Eco-label, as well as the withdrawal of expired criteria and revisions according to the EU criteria list, as well as monitoring of all amendments to the Regulation (EC) 66/2010.

**5) Directive 2004/42/CE on volatile organic compounds (VOC) in paints**

**c) Measures planned to achieve full compliance**

**Plans until late 2018:**

Continuous monitoring, compliance and implementation of amendments to the Directive (EC) No 2004/42;

Improving communication with all relevant stakeholders (SCC, paint and varnish manufacturers, Institute for Standardization of Serbia, Accreditation Body of Serbia);

Preparation for the fulfilment of the obligations laid down by Directive (EC) No 2004/42 which are intended for the competent authorities of the Member States.

**Plans for the period late 2018- end of 2020:**

The development of a monitoring programme to verify compliance with this Directive is planned for the period up to 2020;

The development of a draft legal act for the implementation of the Directive (EC) No 2004/42 is planned by 2020.

The implementation of the Directive requires additional funds from the RS budget for the purposes of inspection supervision (administrative costs).

**6) Regulation (EC) No 1102/2008 on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury (Mercury Export Ban Regulation)**

**c) Measures planned to achieve full compliance**

Given that the new regulation (Regulation 2017/852 on mercury) enters into force on 1 January 2018 in the EU, replacing and repealing Regulation 1102/2008, activities through the PLAC project are planned for 2018 with the aim of amending the Draft Of the Law on the Implementation of the Regulation in accordance with the requirements of the new regulation. The deadline for adoption of the Law on the Implementation of Regulation 2017/852 on mercury is the fourth quarter of 2021.

**7) Council Directive 87/217/EEC of 19 March 1987 on the prevention and reduction of environmental pollution by asbestos**

**b) Plans for strengthening institutional structures**

**The following has been planned for the period 2018- late 2021:**

- Increasing administrative capacities (for now only one person is working on harmonisation with the Directive)

**c) Measures planned to achieve full compliance**

**The following has been planned for the period until late 2018:**

- Conduct public awareness campaigns on the appropriate method for removing products containing asbestos, as well as the disposal of asbestos, as well as the development of a website with legal regulations and instructions for the work with asbestos, with the help of the Twinning Project.

**Plans for the period until late 2020:**

Adoption of a new Waste Management Strategy;

Adoption of the National Waste containing asbestos Management Plan;

Conducting a unique scheme for the separate collection of asbestos-containing waste;

Implementation of a separate collection system for asbestos-containing waste;

The existence of a sufficient number of sanitary landfills for disposal of asbestos-containing waste, or adequate technical equipment and trained personnel.

**8) Директива о средњим постројењима за сагоревање 2015/2193/EУ**

#### **b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organization and systematization of jobs in the Ministry of Environmental Protection, in the Department of Air Protection and Ozone Coverage, three employees are planning to transpose and coordinate the implementation of EU legal acts in the field of air emissions.

Within the Agency, in the National Pollution Register, it is planned that a civil servant will be in charge of this area.

#### **c) Measures planned to achieve full compliance with the EU acquis**

An analysis of the available data on medium combustion plants should be made - determine the final number of medium combustion plants in the Republic of Serbia (existing and new medium combustion plants).

Bearing in mind that the Directive on medium combustion plants entered into force at the end of 2015, that from the moment of its entry into force, the EU Member States have an obligation to transpose it into their national legislation by the end of 2017, as well as the fact that the EU Member States have been granted a deadline by 2025 or 2030 for the full implementation of the directive, in the coming period, a detailed analysis of the degree of transposition of the Directive into national legislation will be carried out in order to, accordingly, adjust the next steps towards further implementation of national regulations.

### **2.27.7. Chemicals**

#### **1. Overview of consistency status/ State-of-play**

##### ***1) Classification, labelling and packaging of substances and mixtures (Regulation 1272/2008)***

###### **a) The level of harmonisation of domestic regulations with key EU regulations**

- National legislation is partially aligned with Regulation 1272/2008, only the provisions that cannot be implemented in a non-EU country have not been transposed.
- In the period after the second NPAA audit, a greater degree of compliance with the amendments to this Regulation (ATP) has been achieved. At the moment, national legislation has been complied concluding with the 7th ATP by bringing:
  - The Rulebook on Amendments to the Rulebook on Classification, Packaging, Labelling and Advertising of Chemicals and Certain Products in accordance with the Globally Complied System of Classification and Labelling of the United Nations ("Official Gazette of the Republic of Serbia", No. 105/13 and 52/17), and
  - The Rulebook on the List of Classified Substances ("Official Gazette of RS", No. 50/17)

###### **b) Institutional structures and the state of administrative capacities**

The institutional framework for compliance, implementation and implementation has been established within the Ministry of Environmental Protection, Section for classification, hazard assessment and communication on hazards of chemicals and biocide products. Two employees are engaged in the tasks of compliance and implementation of the requirements complied with this Regulation; for the purpose of full implementation of this regulation it is necessary to engage another four people.

Control and inspection supervision over the application of provisions regulating the classification, packaging and labelling of chemicals shall be carried out by the Ministry through organizational units within the Environmental Inspection Sector, Department of major chemical accidents, chemicals and biocide products. In the Ministry of Environmental Protection, the Environmental Inspection Sector, Department of chemicals and biocide products, in all affairs related to inspection supervision under the Law on Chemicals and the Law on Biocide Products, there are a total of 6 inspectors, who are sometimes supported by employees of the Section

for major chemical accidents which employs 10 inspectors. The new Rulebook on internal organization and job classification in the Ministry of Environmental Protection envisages 12 systematized jobs in the Department of Major Chemical Accidents.

The work on improving the capacities of the employees in the central administration continued in 2017 through a twinning project with Slovenia and Austria, and bilateral technical assistance from Sweden through the project "Chemical Risk Management in Serbia". The European Chemicals Agency (ECHA) also provides technical assistance through workshops organized under the ECHA IPA project.

There is the lack of capacity for drafting and submitting proposals for complied classification and labelling of substances. So far, the Central Administration has not carried out these or similar tasks.

### **c) Other undertaken measures and activities**

The National Helpdesk is operational and provides support to the economy regarding national regulations as well as with the REACH Regulation and the CLP Regulation. It is anticipated that this helpdesk will be a member of the ECHA Helpdesk Network when Serbia becomes the EU member state. Helpdesk staff members participate in the activities of the HelpNet network as observers.

The Helpdesk can be accessed via the web presentation of the Ministry of Environmental Protection through a direct link: [info.hemikalije@ekologija.gov.rs](mailto:info.hemikalije@ekologija.gov.rs)

Representatives of the Chemicals Department participate with the capacity of the observers at CARACAL meetings of the relevant REACH and CLP bodies, as well as in the meetings of the working groups organized within the CARACAL Expert Group.

The development of the implementation of Annex 8 of the Regulation, the activities of the EC and ECHA, is being monitored in order to identify the degree of compliance that Serbia can achieve in the pre-accession period, as well as the necessary preparatory measures for direct implementation after accession to the EU.

## **2) REACH (Regulation 1907/2006)**

### **a) The level of harmonisation of domestic regulations with key EU regulations**

Domestic legislation is partially harmonised with EU regulations. In the period after the second revision of the NPAA, a greater degree of compliance with the complied provisions of the REACH Regulation and annexes that are subject to compliance with national legislation has been achieved.

EC Decisions on substances subject to authorization (Annex XIV) are taken in the form of List of substances that cause concern.

Obligations regarding prohibitions and restrictions have been transposed into national legislation. The deadlines provided for by national legislation have been postponed in relation to the deadlines provided for in the REACH Regulation (REACH Annex XVII).

### **b) Institutional structures and the state of administrative capacities**

2 employees are in charge of compliance and implementation of complied REACH regulations. Five more civil servants need to be employed for the full implementation of the REACH Regulation.

Control and inspection supervision over the application of the said provisions shall be carried out by the Ministry through organizational units within the Environmental Inspection Sector, Department of major chemical accidents, chemicals and biocide products, Ministry of Health through sanitary inspectors. In the Ministry of Environmental Protection, the Environmental Inspection Sector, Department of chemicals and biocide products, in all affairs related to inspection supervision under the Law on Chemicals and the Law on Biocide Products, there are a total of 6 inspectors, who are sometimes supported by employees of the Section for major chemical accidents which employs 10 inspectors. The new Rulebook on internal organization

and job classification in the Ministry of Environmental Protection envisages 12 systematized jobs in the Department of Major Chemical Accidents.

The work on improving the capacities of the employees in the central administration and inspection continued in 2017 through cooperation with Slovenia/Austria and Sweden; the European Chemicals Agency (ECHA) also provided support to central administration employees through workshops organized under the ECHA IPA project.

Representatives of the Chemicals Department participate at CARACAL meetings of the competent authorities for REACH and CLP with the capacity of observers.

**c) Other undertaken measures and activities**

- The provisions of Annex XIV, Regulation (EU) No. 895/2014, or the list of substances subject to the authorization requirement, have been published in the List on the amendments to the List of substances that cause concern ("Official Gazette of the Republic of Serbia" No. 101/16).

- The provisions of Annex XVII of the REACH Regulation (EC Regulations No: 2015/1494; 2016/1005; 2016/217; 2016/26; 301/2014; 1272/2013; 2015/326; 2015/628; 317/2014) are complied with the national legislation in 2017 and transposed into the Rulebook on amendments to the Rulebook on Restrictions and Prohibitions of Production, Placing on the Market and Use of Chemicals ("Official Gazette of RS", number 44/17)

- The National Helpdesk provides special assistance to small and medium-sized producers and importers in order to be able to meet the obligations laid down by national legislation that is complied with the REACH Regulation and provides support to stakeholders in understanding the REACH Regulation itself. The official website of the Ministry of Environmental Protection contains a link to the Helpdesk page [info.hemikalije@ekologija.gov.rs](mailto:info.hemikalije@ekologija.gov.rs)

- The competent authority has also established an internet presentation intended for consumers [www.iophem.gov.rs](http://www.iophem.gov.rs) which contains information on chemicals in the household and the importance of cooperation with the Consumer Organizations.

**3) Regulation (EC) No 850/2004 on persistent organic pollutants (POPs)**

**a) The level of harmonisation of domestic regulations with key EU regulations**

RS has taken over the Regulations of EC no. 1342/2014, 2015/2030, 2016/293 and 2016/460 on amendments to Regulation EC no. 850/2004 into national legislation - through the adoption of the Rulebook on amendments to the Rulebook on Restrictions and Prohibitions of Production, Placing on the Market and Use of Chemicals ("Official Gazette of the Republic of Serbia", No. 44/17) and the Rulebook on amendments to the Rulebook on the list of POPs substances, the manner and procedure for the management of POPs waste and the concentration limits for POPs substances related to the disposal of waste containing or contaminated with POPs substances ("RS Official Gazette", number 17/17).

**b) Institutional structures and the state of administrative capacities**

At the moment, three employees from the organizational units within the Ministry of Environmental Protection are working on the implementation of the POPs Regulation.

**c) Other undertaken measures and activities**

After the adoption of the updated NIP by the Government of the Republic of Serbia, the activities defined in the specific action plans that are an integral part of the updated NIP will be continued.

Within the UNIDO / GEF project "Proper management and final deferral of PCBs in RS" two seminars were held where the Analysis of the legislative and institutional framework for the management of PCBs in the RS was presented, developed Technical Guide for the proper management of PCB waste in accordance with the guidelines of the Stockholm Convention, implemented training for sampling and use of test kit for fast PCB content screening in transformer oil samples and developed a brochure on the impact of PCB on human health.

Also, in 2017, the Ministry responsible for environmental protection has prepared two project proposals that will strengthen the implementation of legislation regulating the management of

POPs chemicals and POPs waste. Projects are in the phase of approval by the UNEP Trust Fund and the Global Environment Facility (GEF).

Within the framework of the project proposal "Strengthening the Implementation of the Basel, Rotterdam, Stockholm and Minamata Conventions (BRSM Conventions) in the Republic of Serbia" prepared by the Ministry responsible for environmental protection in cooperation with the UN Development Program (UNDP), institutional strengthening of Basel, Rotterdam, Stockholm and Minamata conventions has been proposed, which will be implemented through the implementation of joint activities related to strengthening the implementation of obligations stipulated by these conventions, and the main defined components of this project are: policy support and development of support for the synergy of international agreements in the field of chemicals and waste management, capacity building and awareness raising and monitoring, reporting and data management.

Also, the proposal of the regional project "Introducing Best Available Techniques and Practices (BAT / BEP) for the Elimination of Unintentionally Produced Persistent Organic Pollutants (POPs) in the Metallurgical Industry" foresees the following countries of the Central and Eastern European region as project beneficiaries: Armenia, Republic of Macedonia, Republic Moldova and the Republic of Serbia. The key objectives of the proposed project are: strengthening institutional and administrative capacities for the implementation of the best available techniques and practices (BAT / BEP), familiarization with possible options of the best available techniques and practices (BAT / BEP) for the elimination of unintentionally produced POPs released in the metallurgical processes, training and technical assistance in demonstrating the application of BAT / BEP on the concrete plant of the metallurgical industry.

#### ***4) Import/export of chemicals (Regulation 649/2012 concerning the export and import of hazardous chemicals***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The new Rulebook on the export and import of certain hazardous chemicals by which the compliance with the following European Union regulations has been performed: Regulation (EU) no. 649/2012 on the export and import of hazardous chemicals, Delegated Commission Regulation (EU) no. 1078/2014, Amendment to the Commission's Delegated Regulation (EU) no. 1078/2014, and Delegated Commission Regulation (EU) no. 2015/2229, is in the process of adoption.

##### **b) Institutional structures and the state of administrative capacities**

In terms of administrative capacity, currently 1 person works on activities of export and import of chemicals. By internal reorganization and redeployment of activities within the Chemicals Management Department, another person will be involved in the implementation of administrative procedures in accordance with the PIC Regulation (administrative procedure).

##### **c) Other undertaken measures and activities**

The Annual Environmental Inspection Plan contains activities related to the inspection control of the implementation of the Rulebook on Import and Export of Certain Hazardous Chemicals.

#### ***5) Biocidal products (Biocidal Products Regulation - Regulation (EU) 528/2012)***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Biocidal Products Regulation (528/2012 / EU) has not been transposed into national legislation. The Law on Biocidal Products ("Official Gazette of RS", No. 36/09, 88/10, 92/11 and 25/15) and the accompanying bylaws<sup>60</sup> are partially complied with the Biocidal Products Directive (98/8/EC).

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<sup>60</sup>Rulebook on the Scope and Contents of a Technical Dossier for a Biocidal Product, or a Biocidal Product of Lesser Risk ("Official Gazette of the Republic of Serbia", No. 97/10); came into force in 2010; Guidelines for the evaluation of the biocidal product based on the technical dossier ("Official Gazette of the Republic of Serbia", No. 28/11); came into force in 2011; Rulebook on Types of Biocidal Products ("Official Gazette of RS", No.

Provisions that are not taken over from the Biocidal Products Directive relate to procedures that are implemented centrally at the EU level and which regulate the approval process for the active substance. Approved active substances, including the conditions under which an act may be made for the placing on the market and use of the biocidal product containing those active substances, as well as the active substances for which a decision not to be granted has made are taken from the EU and published in the "Official Gazette of the Republic Serbia". In the period after the second revision of the NPAA, the Lists of Active Substances in the Biocidal Product ("Official Gazette of RS", No. 94/16) were published, thus complying with the Commission Implementing Regulations no. 2015/984, 2015/985, 2015/1609, 2015/1610, 2015/1726, 2015/1727, 2015/1728, 2015/1729, 2015/1730, 2015/1731, 2015/1757, 2015/1758, 2015/1759, 2015/1981, 2015/1982, 2016/105, 2016/124, 2016/125 and 2016/131, as well as with the Commission Implementing Regulations no. 2015/1736, 2016/107, 2016/108, 2016/109 and 2016/110.

#### **b) Institutional structures and the state of administrative capacities**

The institutional framework for the compliance and implementation of regulations governing biocidal products has been established within the Ministry of Environmental Protection, Chemicals Department, Biocidal Products Management Division. At the moment, there are three employees working on these jobs, while the new job classification envisages five more employees. In order to carry out all the obligations that the competent authority will have in accordance with the new Law on Biocidal Products in the period prior to the accession or for the full implementation of the Biocidal Products Regulations after accession, it is necessary to employ at least seven new civil servants.

Pursuant to the Law on Amendments to the Law on Biocidal Products, there is a division of responsibilities in the inspection control. Four inspections are in charge of controlling the compliance of biocidal products.

Work on strengthening the capacities of the central administration continued through participation in the meetings of the competent bodies for implementation of the Biocidal Products Regulation, the Coordination Group for Biocidal Products, as well as at the meetings of the group for the coordination of the helpdesk network. Administrative capacities of employees and inspectors are further enhanced through the Twinning project, which is implemented in cooperation with Austria and Slovenia, as well as in cooperation with the Swedish Chemicals Agency. The European Chemicals Agency (ECHA) also provides technical assistance through the organization of workshops under the IPA project to support candidate countries and potential candidates.

There is the lack of capacity for biocidal products risk assessment. So far, the Central Administration has not carried out these tasks.

#### **c) Other undertaken measures and activities**

Since 2009, when the Law on Biocidal Products entered into force, the competent organ for the management of biocidal products is implementing a national transitional procedure on the basis of which biocidal products are placed on the market, or the procedure for the entry of a biocidal product into the Provisional List for the submission of a technical dossier. By the end of the third quarter of 2017, about 1,650 biocidal products were registered in the Provisional List. In the same period, no application for the authorization of a biocidal product was submitted to the competent authority.

The National Helpdesk is operational and provides support to the economy regarding national regulations as well as with the Regulation on Biocidal Products. It is anticipated that this

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23/10); came into force in 2010; Rulebook on specific requirements for the packaging, labeling and advertising of a biocidal product ("Official Gazette of RS", No. 59/10 and 26/11); came into force in 2010; List of active substances in the biocidal product ("Official Gazette of RS", number 94/16); first published in 2010.

helpdesk will be a member of the ECHA Helpdesk Network when Serbia becomes the EU member state. Helpdesk staff member participates in the activities of the HelpNet network as an observer.

Cooperation with PKS continued. A seminar was held where the biocidal product industry was informed about the roles and obligations it has in accordance with national regulations governing biocidal products, as well as the Biocidal Products Regulation.

***b) Protection of animals used for scientific purposes (Directive 2010/63/EU)***

**a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive has been partially transposed into national legislation, into the Law on Animal Welfare ("Official Gazette of the Republic of Serbia", No. 41/09) and accompanying bylaws.

Most provisions have been transposed, and in the coming period, a revision of national legislation is planned in order to transpose the remaining ones.

The Veterinary Directorate has developed a transposition plan containing a plan for the next activities necessary for the transposition of the provisions of the Directive.

**b) Institutional structures and the state of administrative capacities**

The Ministry of Agriculture, Forestry and Water Management, the Veterinary Directorate, as the competent body for the welfare of experimental animals, includes the Department for Health Protection, Benefit and Traceability and within it the Animal Welfare Group. The Group employs two persons. No new employment is planned. The Veterinary Directorate issues approvals for performing animal experiments, registers all users, growers and suppliers, and keeps the Register of animal experiments.

Furthermore, the bodies set up by Directive 2010/63 have also been established:

Ethics Commission for the protection of experimental animals in every scientific organization and other legal entity conducting the experiments Animal Welfare Body, Articles 26 and 27 of the Directive);

Ethics Council for the welfare of experimental animals as a special working group (National Committee for the protection of animals used for scientific purposes, Article 49 of the Directive).

In accordance with Article 76 of the Law on Animal Welfare ("Official Gazette of the Republic of Serbia", No. 41/09), inspection supervision over the implementation of the Law on Animal Welfare and regulations issued pursuant thereto, related to, inter alia, the welfare of animals used for scientific purposes, is done on the basis of risk analysis, by accidentally selecting the control site and upon cognition of acting against the provisions of the Law.

In accordance with Article 76 of the aforementioned Law, the inspection supervision of the implementation of the Animal Welfare Law and the regulations adopted on the basis of it, which relate, inter alia, to the welfare of animals used for scientific purposes, is carried out on the basis of a risk analysis, by accidentally selecting the control site and upon cognition of acting against the provisions of the Law.

**c) Other undertaken measures and activities**

Since 2009, when the Law on Animal Welfare ("Official Gazette of the Republic of Serbia" No. 41/09) entered into force up to date, 23 users have been registered in the Register for Animal Tests.

The analysis and issuance of the Decision on the approval of animal experiments is regularly carried out. So far, 423 Decision on the approval of animal experiments have been issued.

All users submit work reports to the Veterinary Administration, the Ministry of Agriculture, Forestry and Water Management each year.

Meetings of the Ethical Council for the welfare of experimental animals of the Republic of Serbia are held regularly.

Administrative capacities of employees and veterinary inspectors are enhanced by numerous trainings on the welfare of experimental animals, organized by TAIEX, in the form of workshops, as well as study visits. A seminar for all users, as well as members of Ethical Commissions within the beneficiaries, was held at the Faculty of Veterinary Medicine.

Two missions were organized within the PLAC II project (Europe Aid/137065/DH/SER/RS9), in the period from 29 May to 2 June 2017, during which amendments to the Rulebook on the welfare of experimental animals were made, aiming at complete transposition of Directive 2010/63/EU. Also, on 20 June, training of veterinary inspectors and members of the Ethics Commission for the welfare of experimental animals of the Republic of Serbia was held, training materials were prepared and distributed, and recommendations for standard operational procedures for applying a retrospective project assessment and control by the veterinary inspection were made.

## **2. Plans for harmonisation with the *acquis communautaire***

### **b) Plans for strengthening institutional structures**

#### **Plans for the period 2018- 2021:**

-Assessment of existing administrative capacities, redistribution of jobs and increase in the number of employees in order to reach the level necessary for the implementation of EU regulations in the field of chemicals.

-Preparation of the Development Plan of the competent authority that will cover issues such as current administrative capacities and duties (e.g. list of expertise, knowledge and skills, etc.), available staff and the scope of their work, the capacities required on the day of accession in terms of the obligations of the competent authority of the state member, as well as the time schedule for recruiting new staff. The plan will be based on existing capacities and will allow the maximum utilization of the existing number of employees.

-Special attention will be paid to ensuring a sufficient number of adequately trained civil servants in order to fulfil all tasks delegated to the competent authority of a Member State, including the obligation to cooperate with the Commission and the European Chemicals Agency. The funds needed for further employment will be provided from the republican budget.

-The lacks related to the expertise and skills of the employees in the competent authority will be overcome in the pre-accession period. Some of the lacks will be resolved through further capacity building activities envisaged under the IPA 2013 twinning project SR13 IB EN 03, "Further development of chemicals and biocidal products management".

-Employees in the Department of Chemicals will continue to participate as observers in the meetings of the competent authorities of the Member States, which will contribute to further strengthening of the capacities and acquiring the knowledge and skills necessary for full participation in the activities following the accession.

-In order to ensure efficient supervision over the implementation of EU regulations, further training of inspectors will be carried out.

-Through activities in the bilateral project "Chemicals risk management in Serbia", which lasts until 2020, it is envisaged to support the drafting of the Law on the Implementation of Regulations in the Field of Chemicals and Biocidal Products Management.

The results of the project "Capacity Assessment for the Implementation of the Minimat Mercury Convention in the Republic of Serbia", which will be completed in the second quarter of 2018, will provide the basis for ensuring and further developing the necessary capacities for the implementation of the Regulation on the mercury (2017/852).

In accordance with the planned obligations for the preparation and adoption of implementing laws for regulations regulating the field of chemicals and biocidal products management, it is necessary to prepare all amendments to these regulations, EC decisions and other binding acts in Serbian language.

### **Participation of the scientific sector**

The Ministry in charge of Environment, Department of Chemicals, and Ministry of Environmental Protection will remain competent authorities for Regulations REACH, CLP, PIC, BPR, POPs, Mercury. In its work, the competent authority will use the support of the scientific community, by carrying out executive tasks such as substance evaluation, assessment of different parts of the dossier for a biocidal product, for which specific expert knowledge is needed e.g. from toxicology and eco-toxicology, or entrust it to scientific institutions or to individual experts, as is the case in some EU Member States. The representatives of the scientific community attended the risk assessment training organized within the IPA 2013 project and will be further supported in terms of additional training; however, before that, it is necessary to define precisely the conditions of cooperation, the method of contracting, and mutual obligations and responsibilities.

### **Plans for the period 2018-2021:**

Different cooperation models with the scientific sector with the aim of identifying the best option for Serbia will be considered. Furthermore, legal basis as well agreements on the engagement of this sector in technical activities for the establishment and functioning of such engagements, until the country's accession, will be defined.

In such sense, certain activities have already started. It has been agreed that the academic sector will determine specific areas within their scope of work, which needs strengthening, in order to provide support to MEP in accordance with requirements and procedures determined under the Biocidal Products Regulation.

### **Raising awareness and readiness of the private sector**

Private sector will receive further support so that it could join and play according to the “rules of the game” in the unique EU market. Companies and particularly SMEs will be encouraged to understand their roles and obligations, not only for their fulfilment, but also making strategic choices related to the sustainability of their product portfolio. This will be achieved through the improvement of communication and different media as well as broadening of knowledge (information seminars, workshops). Constant dialogue with the industry and practice as regards the organisation of the “Stakeholders’ Day” will continue. Beside the chemical industry, target groups will be industry associations as well as consultant sector which should offer support to the industry.

### **c) Measures planned to achieve full compliance with the EU acquis**

#### ***1) Classification, labelling and packaging of substances and mixtures (Regulation 1272/2008)***

#### **Plans for the period 2018- 2021:**

- Drafting the Law on the Implementation of Regulation (EC) 1272/2008 (CLP) for the fulfilment of the requirements under the Regulation in terms of appointment of the competent authority, authority responsible for the control and monitoring the application, authority responsible for the submission of proposals for the harmonised classification and labelling, as well as appointment of the authority responsible for the receipt of information on mixtures concerning urgent health services in response. The planned time limit for the adoption of the Law is Q 4 2021.

- Establishing necessary information infrastructure and procedures in order to provide a secure link to the European Chemicals Agency (ECHA) and establishing a safe system of work in compliance with the data protection requirements.

## **2) REACH (Regulation 1907/2006)**

### **Plans for the period 2018- late 2021:**

- Drafting and adoption of the Law on the Implementation of Regulation (EC) 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), for harmonisation with the requirements under the Regulation concerning the appointment of the competent authority, authority responsible for the assessment of substance, control and monitoring the application. The planned time limit for the adoption of the Law is Q 4 2021.
- Harmonizing the List of substances causing concern with the Regulation (EU) 2017/999 in Q 2 2018.
- Further harmonisation with amendments to Annex XIV (amending the List of substances causing concern) is planned upon entry into force of amendments to the mentioned Annex (Q 4 of the year in which the amendment will come into force in the EU).
- Currently, amendments providing harmonisation with amendments to Annex XVII REACH, Regulations (EU) Nos 2016/1017, 2016/2235, 2017/1000 and 2017/227, for which it is planned to enter into force in Q 1 2018, are being prepared.
- Further harmonisation with amendments to Annex XVII (amending the Rulebook on restrictions and prohibitions of production, placement on the market and use of chemicals) is planned in accordance with entry into force of amendments to the mentioned Annex (Q 4 in which the amendment will come into force in the EU).
- Establishing the necessary information infrastructure and procedures in order to provide a secure link to the European Chemicals Agency (ECHA).
- Within IPA 2014 project “Additional development of EU environment approximation for air, chemicals and horizontal ‘acquis’”, specific plan for the implementation of the REACH Regulation, including the proposal of the adaptation period for this legislation, will be made.

### **Plans for the period 2021 (REACH):**

Until 2021, transitional periods determined under the REACH Regulation are set to expire. Furthermore, in accordance with Article 29 (3) of the REACH, each SIEF shall be operational until 1 June 2018. The domestic industry needs transitional periods that will enable it to join and play according to the “rules of the game”.

Serbia will provide full implementation of the majority of the REACH provisions, although for certain articles transitional arrangements are necessary. This primarily relates to REACH provisions setting registration and authorisation rules. Requirements concerning negotiations on transitional periods will be defined within the negotiating position for Chapter 27.

## **3) Regulation (EC) No 850/2004 on persistent organic pollutants (POPs)**

### **Plans for the period 2018- late 2021:**

Upon adoption of the updated NPAA by the Government of the Republic of Serbia, the implementation of activities defined under specific action plans, which are integral part of the updated NPAA, will continue. The national legislation is harmonised with all amendments to the POPs Regulation entered into force to date in the European Union. Further harmonisation (Rulebook amending the Rulebook on restrictions and prohibitions of production, placement on the market and use of chemicals) is planned in accordance with entry into force of amendments to the mentioned regulation (Q 4 of the year in which the amendment will come into force in the EU). The planned time limit for the adoption of the Law on the implementation of POPs Regulation is Q 4 2021.

## **4) Import/export of chemicals (Regulation 649/2012 concerning the export and import of hazardous chemicals)**

### **Plans for the period 2018-2021:**

- Procedure for the adoption of the Rulebook on export and import of certain hazardous chemicals, harmonizing the national legislation with all amendments to the Regulation (EU) 649/2012, which entered into force in the European Union, is underway. Further harmonisation (Rulebook amending the Rulebook on the export and import of certain hazardous chemicals) is planned in accordance with entry into force of amendments to the mentioned regulation (Q 4 of the year in which the amendment will come into force in the EU).

- Drafting and adoption of the law/act on the implementation of the PIC Regulation, which will harmonise the requirements of the Regulation concerning the appointment of the national authority for the performance of administrative procedures, customs authority responsible for the import/export of chemicals mentioned in Annex to the PIC Regulation, control and monitoring its application. The planned time limit for the adoption of the Law on the implementation of the PIC Regulation is Q 4 2021.

#### **5) Biocidal products (Regulation (EU) 528/2012)**

##### **Plans for the period 2018-2021:**

- Development of the Draft List amending the List of active substances in biocidal products as follows: in Q 2 2018, Q 2 2019, Q 2 2020 and Q 2 2021 for harmonisation with relevant amendments to EU provisions. Publication of the regulations is planned in Q 4 2018, 2019, 2020 and 2021.

- Drafting the Law on Biocidal Products in order to harmonise it with the Biocidal Products Regulation. The planned deadline for the adoption of the Draft Law is Q 4 2018. Adoption of the new law is foreseen in Q 4 2019. By-laws for implementation of this law shall be enacted within six months from the date this law enters into force.

- Adoption of the Law on the Implementation of the Biocidal Products Regulation is envisaged in Q 4 2021.

- Establishing the necessary information infrastructure and procedures in order to provide a secure link to the European Chemicals Agency (ECHA) and establishing a safe system of work in compliance with the data protection requirements.

- Within IPA 2014 project “Additional development of EU environment approximation for air, chemicals and horizontal ‘acquis’”, specific plan for the implementation of the Biocidal Products Regulation, including the proposal of the adaptation period for this legislation, will be made.

#### **6) Use of animals for scientific purposes (Directive 2010/63/EU)**

##### **b) Plans for strengthening institutional structures**

It is necessary to strengthen the capacities of the Veterinary Administration through employment of two more vets at the central level.

##### **c) Measures planned to achieve full compliance**

Veterinary Administration plans to organise training for users, suppliers, breeders, members of the Ethics Council and Ethics Committee concerning the implementation of the provisions of Directive 2010/63/EU related to the retrospective analysis of experiments.

### **2.27.8. Noise**

#### **1. Overview of consistency status/ State-of-play**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

Provisions relating to the area of protection from environmental noise are partly harmonised with provisions relating to noise protection in the EU. The Directive relating to the assessment and management of environmental noise 2002/49/EC has been partly transposed through regulations adopted in the period 2009-2010: Law on the Protection from Environmental Noise (“Official Gazette of the RS“ Nos 36/09, 88/10), Regulation on noise indicators, limit values, methods for assessing noise, disturbance and harmful noise-related effects in the environment

(“Official Gazette of the RS“ No. 75/10), Rulebook on the methodology for drafting action plans (“Official Gazette of the RS“ No. 72/10) and Rulebook on the content and methods of developing strategic noise maps and on the manner of their presentation to the public (“Official Gazette of the RS“ No. 80/10).

Draft Law amending the Law on the noise protection is in the final stage of preparation.

**b) Institutional structure and the state of administrative capacities**

In accordance with the New Rulebook on the organisation and systematisation of jobs in the Ministry, the Group for the Protection from Noise, Vibrations and Non-Ionizing Radiation has become a Section. Beside four employees (three employees for the noise protection) one more post is envisaged. Moreover, beside the Ministry of Environmental Protection, noise protection is also the task of: the Environmental Protection Agency, organisations at the provincial and local level, public enterprises, Belgrade Airport and other legal entities.

**c) Other undertaken measures and activities**

The development of strategic noise maps for road traffic enabled partial implementation of Directive 2002/49/EC. The task of development of strategic noise maps has been undertaken by the Public Enterprise JP “Putevi Srbije (“Roads of Serbia”), and strategic noise maps were made for all 843 km of roads, as envisaged in NPAA. Moreover, project task for the development of strategic noise maps for the City of Niš has been defined.

## **2. Plans for harmonisation with the *acquis communautaire***

**a) Implementation Plan**

Until February 2018, with the help of PLAC project, the manner of introducing Directive 2015/996 (CNOSSOS) in the Serbian legislation will be defined. Directive CNOSSOS prescribes unique methods of noise calculations for the area of the whole EU.

**b) Plans for strengthening institutional structures**

Planned adoption of regulations should enable better establishment of institutional framework, better division of competences, introduction of the “polluters pay” principle, and development of strategic maps, which will become the obligation of the road, railway, airport operators and local self-government authorities. Employment of one more engineer is planned within the Section.

**c) Measures planned to achieve full compliance with the EU *acquis***

Complete implementation of Directive 2002/49/EC is envisaged by the end of 2021. This means development of strategic noise maps and action plans for 5 agglomerations (Belgrade, Novi Sad, Niš, Kragujevac and Subotica), roads, railway and the Belgrade Airport.

With the help of IPA 2014 project “Creation of the Strategic Noise Map for the City of Niš”, planned to start in 2018, noise map for Niš with the Guide for municipalities/towns for the creation of noise maps shall be made.

### **2.27.9. Climate Change**

**1. Overview of consistency status/ State-of-play**

***Regulation (EU) 525/2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change (MMR) - Monitoring Mechanism Regulation***

**a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is not harmonised with the Regulation. Activities aimed at harmonisation of the national legislation with the Regulation (EU) 525/2013 through the support of IPA 2013 Twinning Project: “Establishment of a mechanism for implementation of MMR” are in the final stage. Project duration: May 2015 - November 2017.

Within these activities, legal and institutional frameworks for the implementation of the Regulation (EU) 525/2013 and Decision 406/2009/EC, have been defined, i.e. the following performed:

- Analysis of the current situation and preparation of the proposals for amendments and drafting relevant regulations;
- Analysis of costs and benefits of the proposed activities;
- Strengthening current administrative and institutional capacities, through, inter alia, organising a series of trainings for the Section and Agency employees;
- Preparing proposals for the establishment of the necessary institutional structure for the implementation of the Regulation.

Within these activities, Draft Law on Climate Change was made through transposition of provisions as follows:

- Regulation (EU) No 525/2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level (MMR),
- Decision No 406/2009/EC of the European Parliament and of the Council on the effort of Member States to reduce their greenhouse gas emissions,
- Directive 1999/94/EC relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars.

Final Draft Law was made upon presenting and considering comments of the Project Work Group.

Draft Law also includes previously prepared Law on GHG Emission Reduction System (within IPA 2012 Twinning Project: “Creation of a monitoring, reporting and verification system for the successful implementation of the EU Emissions Trading System (EU ETS) (2013-2015)”, transposition of a part of the Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community that could be implemented at the national level. The reason is because the Law on the system for the reduction of GHG emissions was not adopted, while the analyses showed that it is more efficient to have one integral law in the climate change sphere.

#### **b) Institutional structures and the state of administrative capacities**

Ministry of Environmental Protection/Section for Climate Change is the institution responsible for the implementation, i.e. reporting to UNFCCC (through national communication and biennial updated reports). The financial and administrative assessment of the current and necessary capacities showed that for the MMR implementation 4 new posts in the Section are necessary. The systematisation of jobs in the Ministry of September 2017 envisages the increase of posts in the Section for Climate Change from 5 to 8, of which 7 employees (currently three) are going to perform tasks related to the fulfilment of obligations toward UNFCCC (and UNCCD as well) and harmonisation with the EU legislation in the climate change sphere. With the internal act of the Ministry, Section for Climate Change was formed and includes two work units: Climate Change Mitigation Group and Climate Change Adaptation Group, where competences related to the Directive are envisaged within the Climate Change Mitigation Group.

The Serbian Environmental Protection Agency (SEPA) is responsible for the preparation and improvement of the GHG Inventory.

#### **2) Directive 2003/87/EC - EU emissions trading system (EU ETS)**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive has not been transposed into national legislation. The Ministry started the activities for harmonisation with Directive 2013 (within IPA 2012 Twinning Project: “Creation of a monitoring, reporting and verification system for the successful implementation of the EU Emissions Trading System (EU ETS) 2013-2015“).

Analyses within these activities pointed to justified establishment of the monitoring, reporting and verification system (MRV) required under the Directive. Draft Law on the GHG emission Reduction System was prepared, as well as by-laws through transposition of as follows:

- 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
- Draft Law on the GHG Emission Reduction System was incorporated into Draft Law on Climate Change.

Within these activities relevant instructions, forms and other EU documents were prepared and translated.

#### **b) Institutional structures and the state of administrative capacities**

In accordance with the Government Conclusion 05 No.: 337-9275/2014-1 of 13 September 2014 on the establishment of institutional organisation for the implementation of monitoring, reporting and verification within the emissions allowance trading scheme of September 2014, the Section for Climate Change is responsible for the GHG emission allowance trading system; Environmental Protection Agency and Civil Aviation Directorate shall provide expert support to the Section in checking monitoring plans of stationary installations, i.e. aircraft operators; Control and Supervision Department of the Ministry shall perform inspection of stationary installations; Accreditation Body of Serbia shall perform accreditation of verifiers.

The financial and administrative assessment of current and necessary capacities showed that for the implementation of MVR provisions of the Directive, 2 new posts in the Section are necessary. The systematisation of jobs in the Ministry of September 2017 envisages the increase of posts in the Section for Climate Change from 5 to 8, of which 7 employees (currently three) are going to perform tasks related to the fulfilment of obligations toward UNFCCC (and UNCCD as well) and harmonisation with the EU legislation in the climate change sphere. With the internal act of the Ministry, Section for Climate Change was formed and includes two work units: Climate Change Mitigation Group and Climate Change Adaptation Group, where competences related to the Directive are envisaged within the Climate Change Mitigation Group.

#### **3) *Decision on the effort of Member States to reduce their greenhouse gas emissions - 406/2009/EC - Effort sharing decision***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is not harmonised with the Decision. The Ministry defined with the support of IPA 2013 Twinning Project “Establishment of a mechanism for implementation of MMR”, the methods and time frame as well as legal and institutional frame for the implementation of this Decision. Accordingly, relevant provisions of the Decision were transposed into the Draft Law on Climate Change. These provisions relate to limiting GHG emissions from the sectors and flexible mechanism defined in the Decision. Quantified possibilities for the reduction of GHG emissions in sectors to which the Decision relates, as well as concrete activities, needs and responsibilities for the implementation of these activities shall be determined under the Climate Change Strategy and Action Plan (IPA 2014), whose preparation began in 2016 and will last until the end of the first half of 2018.

#### **4) *Directive 1999/94/EC relating to the availability of consumer information on fuel economy and CO2 emissions in respect of the marketing of new passenger cars***

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The Directive has not been transposed into national legislation. Activities for harmonisation of the national legislation with the Directive with the support of IPA 2013 Twinning Project “Establishment of a mechanism for implementation of MMR”, are in the final stage.

Within these activities, Draft Law on Climate Change, through transposition of basic provisions of Directive 1999/94/EC relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars, was prepared, while full harmonisation will be achieved through the preparation of a by-law with the support of TAIEX.

**b) Institutional structures and the state of administrative capacities**

Financial and administrative assessments of the current and necessary capacities for the implementation of provisions of the Directive were not performed.

**5) CO<sub>2</sub> emissions from passenger cars and light commercial vehicles - Regulation 443/2009/EC and Regulation (EU) 510/2011**

**a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation has still not been harmonised with the requirements under regulations. Neither the monitoring data collection system nor the system for forwarding monitoring data to producers and their official importers or representatives in the country, in accordance with the requirements of Regulation 443/2009/EC and Regulation (EU) 510/2011 have still not been established as well.

**b) Institutional structures and the state of administrative capacities**

The Traffic Safety Agency is primarily responsible for these provisions. Other institutions responsible in this field are as follows: MoI, MEP, MCTI.

**c) Other undertaken measures and activities**

The Traffic Safety Agency completed the development of new software (database) for data related to conformity, which is the necessary pre-requirement for establishing the data collection and monitoring system according to all EU provisions in the sphere of CO<sub>2</sub> emissions from passenger cars and light commercial vehicles.

**6) Directive 98/70/EC relating to the quality of petrol and diesel fuels**

**a) The level of harmonisation of domestic regulations with key EU regulations**

Directive 98/70/EC has been partly transposed into the Serbian legislation pursuant to the Law on Technical Requirements for Products and Conformity Assessment (“Official Gazette of the RS”, No. 36/09) and accompanying by-law regulating the quality of fuel<sup>61</sup>; Energy Law (“Official Gazette of the RS”, No. 145/14)<sup>62</sup>; National Renewable Energy Action Plan (“Official Gazette of the RS”, No. 53/13); Law on Consumer Protection (“Official Gazette of the RS”, Nos 73/10, 6/16); Law on Standardization (“Official Gazette of the RS”, Nos 36/09, 40/15); Law on Accreditation (“Official Gazette of the RS”, No. 73/10).

In the period from November 2016 to date the following acts were adopted:

1. Regulation amending the Regulation on monitoring the quality of oil derivatives and biofuels (“Official Gazette of the RS”, No. 5/17);
2. Rulebook on the content and manner of implementation of the annual programme for monitoring the quality of oil derivatives and biofuels for 2017 (“Official Gazette of the RS”, No 30/17);
3. Rulebook amending the Rulebook on technical and other requirements for liquid fuels of petroleum origin (“Official Gazette of the RS”, No. 60/17);

With the aim of full transposition in the coming period, it is necessary to prepare proposals for amendments of adequate legal acts and institutional framework and strengthen the current administrative and institutional capacities.

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<sup>61</sup> Rulebook on technical and other requirements for products and conformity assessment (“Official Gazette of the RS”, Nos 123/12, 63/13, 75/13, 144/2014).

<sup>62</sup> Rulebook on technical and other requirements for products and conformity assessment (“Official Gazette of the RS”, Nos 123/12, 63/13, 75/13, 144/2014).

### **b) Institutional structures and the state of administrative capacities**

The Ministry of Mining and Energy is responsible for preparing regulations governing the quality of oil derivatives. Ministry of Trade, Tourism and Telecommunications is responsible for quality control of goods and resources placed on the Serbian market. The Ministry of Agriculture, Forestry and Water Management performs administrative tasks related to agricultural and policy development; Institute for Standardization is responsible for adopting standards. Accreditation Body of the Republic of Serbia performs tasks related to accreditation.

In the Ministry of Mining and Energy, Sector for Oil and Gas, are three employees with shared competence for the transposition and implementation of Directive 98/70/EC.

For strengthening administrative capacities and for the implementation of these provisions, one more employee in the Sector for Oil and Gas is necessary.

#### **7) Directive 2009/31/EC on the geological storage of carbon dioxide**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The key principles and priorities under Directive 2009/31/EC are partly transposed into the Law on Mining and Geological Exploration. The Law on Mining and Geological Exploration is a legal basis for the adoption of by-laws establishing complete harmonisation with EU Directives on geological explorations related to the separation of favourable geological formations and structure, as well as depleted deposits of mineral raw materials for storage of CO<sub>2</sub>.

##### **b) Institutional structures and the state of administrative capacities**

The Ministry of Mining and Energy is responsible for the development of relevant regulations on geological explorations related to the separation of favourable geological formations and structure, as well as depleted deposits of mineral raw materials for storage of and the issuance of adequate permissions in the field of geological exploration.

The Ministry of Environmental Protection is responsible for the control and monitoring of concentrations of greenhouse gases at the level which prevents dangerous anthropogenic interference with the climate system, while the Ministry of Construction, Transport and Infrastructure is responsible for the construction of CO<sub>2</sub> storage facilities.

#### **8) Regulation 1005/2009/EC and Regulation (EU) 744/2010 on substances that deplete the ozone layer**

##### **a) The level of harmonisation of domestic regulations with key EU regulations**

The national legislation is partly harmonised with the provisions of Regulation 1005/2009/EC through the Law on Air Protection (“Official Gazette of the RS”, Nos 36/2009 and 13/2010) and Regulation on substances that deplete the ozone layer and conditions for issuing import and export permits for these substances (“Official Gazette of the RS”, No. 114/13). In the Republic of Serbia, products of substances depleting the ozone layer are prohibited, while gradual chlorofluorocarbons reduction strategy in the Republic of Serbia is implemented according to the country phase-out schedule referred to in Article 5 of the Montreal Protocol (developing countries).

National legislation is partly harmonised with Regulation (EU) 744/2010, concerning the critical uses of halon, through the Regulation on substances that deplete the ozone layer and conditions for issuing import and export permits for these substances (“Official Gazette of the RS”, No. 114/13). Import, export, placement on the market and use of collected, renewed or processed halons, provided that they are intended for critical uses and are procured in the Centre for collecting, recycling and reclamation of controlled substances – registered for collecting, recycling and reclamation of halons (the so-called Halon Banks), are allowed. The prescribed time limit in the Republic of Serbia for withdrawal from use of the fire protection system and fire extinguishers containing halons not intended for critical uses is 31 December 2020.

##### **b) Institutional structures and the state of administrative capacities**

The Ministry of Environmental Protection - Division for Air and Ozone Layer Protection is responsible for the following: Implementation of control measures, permit issuance system, data collection, reporting, project implementation and regional and international cooperation (contact person for the Vienna Convention and Montreal Protocol). The only employed person with multiple responsibilities with the Division for Air and Ozone Layer Protection works on harmonisation and implementation of EU provisions related to the substances depleting the ozone layer and handling fluorinated greenhouse gases.

The Environmental Inspection at all levels (Republic, provincial and local) is responsible for the control and supervision over the implementation of regulations in the field of ozone layer protection.

The Customs Administration within the Ministry of Finance is responsible for the control of import/export and prevention of illicit trade on border crossing points.

### **c) Other undertaken measures and activities**

The Republic of Serbia as one of the countries to which Article 5 of the Montreal Protocol refers (developing countries), acts in full compliance with the provisions concerning the consumption of substances depleting the ozone layer. Import is permitted only for chlorofluorocarbons and the consumption of this group of substances is controlled through the permit issuance system and determined quota. The Republic of Serbia has so far implemented two control measures as follows: in 2013, when the base level was determined and consumption frozen; and for the second time, in 2015, through the consumption reduction by 10% in relation to the base level (the Republic of Serbia is obliged to reduce HCFC consumption by 35% until 2020). The total quota for the import of chlorofluorocarbons for 2016 amounted to 7.15 ODP metric tons and was realized in the amount of 6,397 ODP metric tons. Total determined import quota for 2017 amounted to 6.72 ODP metric tons and was allocated for 9 registered importers, on the basis of their share in total import in the period 2009-2012.

Furthermore, the reduction in the chlorofluorocarbon consumption is achieved through projects financed by the Multilateral Fund through the UNIDO implementing agency and is realised through the National Ozone Office within the Ministry of Environmental Protection: HPMP (HCFC Phase-out Management Plan) and the Institutional Strengthening Project.

Within the HPMP Project investment component, replacement of technology is in its final stage.

One of the obligations of the Republic of Serbia toward the Ozone Secretariat and Multilateral Fund is to submit annual reports on the consumption and use of substances depleting the ozone layer, and the Report 2016 was prepared and submitted accordingly.

Bearing in mind that the reduction in consumption of substances depleting the ozone layer increased the consumption of fluorinated GHG used as an alternative for substances that deplete the ozone layer, research was implemented in 2016 and report concerning the consumption and use of HFC substances in different sectors and sub-sectors made.

In October 2016, the Kigali Amendment, introducing the control of HFC substances consumption into the Montreal Protocol, was adopted. At the 79th meeting of the Executive Committee of the Multilateral Fund, funds for developing countries were approved as support for the preparation of the strategy and ratification of the Kigali Amendment. The UNIDO implementing agency submitted the request for the Republic of Serbia to be granted funds for the implementation of certain activities related to the reduction of consumption of HFC substances and preparation of the strategy for the ratification of the Kigali Amendment.

In 2016 and 2017, the Verification Report on the consumption of substances depleting the ozone layer in the Republic of Serbia 2014, 2015 and 2016, was prepared, for the submission of request for the approval of third tranche of HPMP project. Upon submitted request and report at the 79th meeting of Executive Committee of the Multilateral Fund, third tranche for HPMP

project for the Republic of Serbia, within which activities will be implemented through UNIDO and UNEP, was approved.

### **9) Regulation (EU) 517/2014 on fluorinated greenhouse gases**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is partly harmonised with provisions of Regulation (EU) 517/2014 through the Law on Air Protection (“Official Gazette of the RS”, Nos 36/2009 and 13/2010) and Regulation on handling fluorinated greenhouse gases, and conditions for issuing import and export permits for these gases (“Official Gazette of the RS”, No. 120/13). Furthermore, certain requirements under Regulation (EC) 1493/2007, Regulation (EC) 1497/2007, Regulation (EC) 516/2007 and Directive 2006/40/EC were introduced.

Regulation on certification of persons performing certain business activities related to substances that deplete the ozone layer and certain fluorinated greenhouse gases (“Official Gazette of the RS”, No. 24/16) was partly harmonised with provisions of Regulation (EC) 303/2008 (minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases) and Regulation (EC) 307/2008 (minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases).

With the aim of harmonization with Regulation (EU) 517/2014 on fluorinated greenhouse gases, the Ministry, with expert support provided through the PLAC II Project in 2017, performed the assessment of harmonisation of the current legislation with certain provisions of the mentioned Regulation, and drafted amendments to the current national legislation in the field of handling certain fluorinated greenhouse gases.

#### **b) Institutional structures and the state of administrative capacities**

The Ministry of Environmental Protection - Division for Air and Ozone Layer Protection is responsible for the following: Implementation of control measures, permit issuance system, data collection, reporting, project implementation and regional and international cooperation (contact person for the Vienna Convention and Montreal Protocol). Two employees in the Division for Air and Ozone Layer Protection work on harmonisation and implementation of EU provisions related to handling fluorinated greenhouse gases, of whom one employee has shared competence (also works on harmonisation and implementation of EU provisions in the field of ozone layer protection).

The Environmental Inspection at all levels (Republic, provincial and local) is responsible for the control and supervision over the implementation of regulations in the field of handling certain fluorinated greenhouse gases.

The Customs Administration within the Ministry of Finance is responsible for the control of import/export and prevention of illicit trade on border crossing points.

Environmental Protection Agency – Division for the National Pollution Sources Register is responsible for collecting data for the National Inventory of fluorinated gas emissions.

#### **c) Other undertaken measures and activities**

F-gas management in the Republic of Serbia currently follows the structure of management of substances depleting the ozone layer, whereat both groups of substances are mostly used as refrigerants.

Through the system of issuance of permits for import/export of F-gases and air-conditioning devices containing F-gases, control is performed and data on consumption and use of F-gases in the Republic of Serbia collected. Furthermore, in this regard, in 2016, research was implemented concerning consumption and use of HFC substances in different sectors and sub-sectors.

The certification and training regime has not been introduced yet, although certain activities have been implemented – training centres have been equipped, material prepared, two coach trainings were performed. Moreover, within two open application procedures for granting equipment to service centres, the list of service technicians who will attend the training was made.

## **2. Plans for harmonisation with the *acquis communautaire***

***Regulation EU/525/2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change (MMR) - Monitoring Mechanism Regulation***

### **b) Plans for strengthening institutional structures**

- The plan is to strengthen existing administrative and institutional capacities.

### **c) Measures planned to achieve full compliance**

#### **Plans for the period 2018-2021:**

- The beginning of the implementation of Regulation on a mechanism for monitoring is planned in 2019 at the latest
- Filling in of CRF tables is planned in 2019 at the latest
- Preparation of the Greenhouse Gas Inventory (GHG) shall start in 2019 at the latest
- Preparation of the National Report on GHG Inventory shall begin in 2019 at the latest
- Preparation of the Report on Policies and Measures shall begin in 2020
- Preparation of the Report on Projections of Anthropogenic GHG Emissions shall begin in 2020
- The System for the preparation of Biennial updated reports shall be established in 2020
- The System for the preparation of National Communications shall be established in 2020

## ***2) EU emissions trading system (EU ETS) - Directive 2003/87/EC***

### **b) Plans for strengthening institutional structures**

The financial and administrative assessment of the current and necessary capacities showed that for the implementation of MRV provisions of the Directive, two new posts in the Section are necessary. The systematisation of jobs in the Ministry of September 2017 envisages the increase of posts in the Section for Climate Change from 5 to 8, of which 7 employees (currently three) are going to perform tasks related to the fulfilment of obligations toward UNFCCC (and UNCCD as well) and harmonisation with the EU legislation in the climate change sphere. With the internal act of the Ministry, Section for Climate Change was formed and includes two work units: Climate Change Mitigation Group and Climate Change Adaptation Group, where competences related to the Directive are envisaged within the Climate Change Adaptation Group.

### **c) Measures planned to achieve full compliance**

#### **Plans for the period 2018-2021:**

- Launching the implementation of a segment of the Directive related to monitoring, reporting and verification has been planned for 2019.

## ***3) Decision on the effort of Member States to reduce their greenhouse gas emissions - 406/2009/EC - Effort sharing decision***

### **c) Measures planned to achieve full compliance**

#### **Plans for the period 2018-2021:**

- The quantified possibilities for reducing GHG emissions in the sectors affected by the Decision shall be determined in 2019 through the Strategy for Combating Climate Change and its Action Plan.

## ***4) Directive 1999/1999/EC relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars***

### **c) Measures planned to achieve full compliance**

#### **Plans for the period 2018-2021:**

- The start of the implementation of the Monitoring Mechanisms Regulation is planned no later than 2019.

**5) *CO2 emissions from passenger cars and light commercial vehicles - Regulation (EC) 443/2009 and Regulation (EU) 510/2011***

**b) Plans for strengthening institutional structures**

It is necessary to strengthen the institutional and administrative capacities of the Road Traffic Safety Agency in order to fulfil all the requirements of these Regulations.

**c) Measures planned to achieve full compliance with the EU acquis**

**Plans for the period 2018-2021:**

- Activities related to harmonisation and institutional organisation should be completed and there are plans to adopt a corresponding Rulebook under the framework of national legislation by the end of 2020;

- Full implementation of monitoring data collection is foreseen by the end of 2019, which shall be a prerequisite for establishing a system for collecting and monitoring data according to the requirements of these Regulations.

**6) *Directive 98/70/EC relating to the quality of petrol and diesel fuels***

**c) Measures planned to achieve full compliance**

**Plans for the period 2018-2021:**

Development of a Special Implementation Plan that shall contain a comprehensive analysis and financial assessments necessary for the full application of the Directive through the implementation of IPA 2014 projects (2016-2018).

**7) *Directive 2009/31/EC on the geological storage of carbon dioxide***

**c) Measures planned to achieve full compliance with the EU acquis**

Implementation is in progress. The existing institutional structure must be strengthened. Further identification of existing capacities among competent authorities as the entity responsible for processing requests and issuing CO2 storage permits is necessary.

**8) *Regulation (EC) 1005/2009 and Regulation (EU) 744/2010 on substances that deplete the ozone layer***

**b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organisation and systematisation of jobs in the Ministry of Environmental Protection, Group for the Protection of Ozone Layer within the Division for Air and Ozone Layer Protection, two employees are provided to harmonise and coordinate the implementation of the EU provisions in the field of handling substances that deplete the ozone layer, of whom one has shared competences.

For further efficient implementation of the requirements of the EU provisions in the field of the ozone layer protection, implementation of activities that will contribute to strengthening of administrative capacities of competent authorities, is necessary.

**c) Measures planned to achieve full compliance**

In compliance with the defined plan concerning the reduction in consumption of chlorofluorocarbons, reduction in consumption of HCFC by 35% in relation to the basis level until 2020, is planned.

It is planned to continue trainings within HPMP project - Training and certification of service technicians in the refrigeration sector, then the training of Environmental Inspectors for improving the application of regulations in the field of ozone layer protection, as well as training of customs officers.

With the aim of achieving full compliance and implementation, preparation of a plan for speedier reduction of HCFC consumption in the second stage of HPMP project is planned, so that the complete phase-out in the use of these substances would be prepared until the accession

date of the Republic of Serbia. The preparation of the second stage of HPMP project is expected to begin in 2018.

**9) Regulation (EU) 517/2014 on fluorinated greenhouse gases**

**b) Plans for strengthening institutional structures**

In accordance with the adopted Rulebook on internal organisation and systematisation of jobs in the Ministry of Environmental Protection, Group for the Protection of Ozone Layer within the Division for Air and Ozone Layer Protection, it is planned that two employees transpose and coordinate the implementation of the EU provisions in the field of handling certain fluorinated greenhouse gases, of whom one has shared competences.

With the aim of fulfilling responsibilities of the Agency, one full-time employee is necessary to perform the tasks of collecting data concerning the requirements of the Regulation (EU) 517/2014 on fluorinated gases.

For further efficient implementation of the requirements of the EU provisions in the field of handling certain fluorinated greenhouse gases, further implementation of activities that will contribute to strengthening of administrative capacities of competent authorities, is necessary.

**c) Measures planned to achieve full compliance**

It is planned to continue trainings within HPMP project - Training and certification of service technicians in the refrigeration sector, then the training of Environmental Inspectors for improving the application of regulations in the field of ozone layer protection and handling certain fluorinated greenhouse gases, as well as training of customs officers.

At the 79th meeting of the Executive Committee of the Multilateral Fund, funds for developing countries were approved as support for the preparation of the strategy and ratification of the Kigali Amendment. The UNIDO implementing agency submitted the request for the Republic of Serbia to be granted funds for the implementation of certain activities that will help perception of status and facilitate the ratification of the Kigali Amendment. After the implementation of these activities and detailed analysis, the preparation of the ratification of the Kigali Amendment is planned.

The preparation of the plan for the reduction in consumption of HFC substances is planned, in such a manner to prepare until the date of accession of the Republic of Serbia, a plan for the reduction in consumption of these substances according to the plan and schedule relating to the EU Member States.

**\*NOTE: The implementation plan in this area depends on the need to strengthen institutional capacities at the national level.**

## **2.27.10. Civil Protection**

### **1. Overview of consistency status/ State-of-play**

**1) Decision 1313/2013/EU of the European Parliament and Council of 17 December 2013 on a Union Civil Protection Mechanism, and**

**2) Commission Implementing Decision 2014/762/EU of 16 October 2014 laying down rules for the implementation of Decision No 1313/2013/EU and of the Council on a Union Civil Protection Mechanism and repealing Commission Decisions 2004/277/EC, Euratom and 2007/606/EC, Euratom**

#### **a) The level of harmonisation of domestic regulations with key EU regulations**

National legislation is partly harmonised with Decision 1313/2013/EU and Decision 2014/762/EU.

The Republic of Serbia and DG ECHO signed on 16 April 2015 the Agreement, thus opening the path for official membership of the Republic of Serbia in the EU Civil Protection Mechanism. After the Agreement passed the internal procedure and after it was ratified on 26 May 2015, the Republic of Serbia became the 32<sup>nd</sup> country participating in the Mechanism, and the Sector for Emergency Situations of the Ministry of Interior (SES MoI) is the contact point of the Republic of Serbia in activities covered by the Mechanism.

The EU Civil Protection Mechanism is one of the most significant priorities of the SES MoI of the Republic of Serbia, which is on the basis of exceptionally successful so far existing practice (coordinated operations for providing assistance during activation, availability of monitoring systems and early warning systems, strengthening human resources, participation and joint trainings and exercises, etc.) fully committed to further development of cooperation with other partner services in European countries included in this EU programme.

The EU Civil Protection Mechanism attaches particular importance also to the holding of trainings of members of competent services of Member States, since one of the final goals and objectives is the adoption of joint operating procedures and creation of ever more uniform European system of protection and rescue, where, along with the creation of a broad network of experts of all Member States of the Mechanism, the differences between the national systems, along with certain specificities, would be essentially negligible.

SES MoI of the Republic of Serbia deeply appreciates the recommendation of the European Commission that the Disaster Risk Reduction and Disaster Management should be treated as priorities, particularly in the light of catastrophic flooding in 2014. Bearing in mind the experiences acquired during the application of the Law on Emergency Situations, undertaken international obligations and new developments following after 2009 in the field of the policy for the natural and other disaster risk reduction at the world and European level, as well as the recommendations provided to the Republic of Serbia in relation to upgrading the legal and institutional framework for the risk management, particularly as regards the need of further development of preventive activities in this field, it has been assessed that the preparation of a new Law on the Disaster Risk Reduction and Emergency Management would be beneficial.

Bearing this in mind, preparation of Draft Law on the Disaster Risk Reduction and Emergency Management has begun, with its basic characteristic being an overall standardisation of preventive measures and activities for the natural and other disaster risk reduction, efficient disaster response and elimination of disaster consequences in order to ensure as soon as possible recovery and normalisation of living and working conditions in the disaster affected area. Accordingly, and in compliance with documents adopted at the 2<sup>nd</sup> and 3<sup>rd</sup> World Conference on Disaster Risk Reduction (Hyogo Framework for Action 2005 and Sendai Framework for Action 2015) and taking into consideration the contemporary comparative solutions and adopted EU documents in this field, the Draft Law prioritises the principles, planning documents and measures and activities that should contribute to ever more successful prevention against natural and other disasters, strengthening resilience of individuals and community against natural and other disasters and raising awareness as regards the disaster response. Protection of vulnerable groups and gender equality, as well as protection of disabled persons, and establishing partnership between the public and private sectors and inclusion of scientific organisations, associations and civil society organisations in the process of creating and implementing the disaster risk reduction policy, are particularly emphasised.

A novelty is also an emphasis placed on international cooperation, both in the domain of prevention as well as humanitarian assistance and providing, i.e. receiving international assistance for joint response to natural disasters and other disaster consequences. Thereby, beside obligations of the Republic of Serbia under already executed bilateral agreements and multilateral conventions, the fact that the Government of the Republic of Serbia signed on 16 April 2015 the Agreement on participation of the Republic of Serbia in the EU Civil Protection Mechanism, is particularly taken into consideration.

The basic goal and reason for the adoption of this Law is the need for legal regulation of the disaster risk reduction and emergency management, as part of the unique system of national security in the Republic of Serbia, in a unique manner, by creating legal conditions for the establishment of a unique and integrated system, and at the same time adjustment of the system of organisation and functioning with the real needs of people and property disaster protection and rescue.

#### **b) Institutional structures and the state of administrative capacities**

In accordance with the Law on Emergency Situations (“Official Gazette of the RS” Nos 111/09, 92/11, 93/12), the Sector for Emergency Situations of the Ministry of Interior (SES MoI) coordinates activities of all state institutions included in the management of emergency situations and disasters. The main tasks of the Sector, in accordance with this Law, are connected with the protection of lives and property in case of natural or technical and technological disasters, as well as disaster risk reduction and prevention of emergency situations and urgent emergency response.

The Republic authority responsible for the emergency management and protection and rescue of population and property in cases of disasters, and for the application of the Law on Emergency Situations, is SES MoI, consisting of the Department for Prevention, Department for Risk Management, Department for Fire and Rescue Units, Department for Civil Protection, Legal Affairs and International Cooperation Division and 27 district departments Serbia wide.

Administrative and operational capacities of the Ministry of Interior Sector for Emergency Situations include approximately 3,800 staff, including specialised fire and rescue units responding the first ones to emergency situations. Fire and rescue units, the first ones to respond to emergency situations, include approximately 3,000 staff (operational units and specialised teams).

In case of major disasters, when SES MoI capacities are not enough for an efficient response after an emergency situation has been declared, on the basis of the decision of the National Emergency Management Headquarters (NEMH), additional resources of other entities participating in the national protection and rescue system, can be activated.

At the same time, in accordance with the Law on Emergency Situations, NEMH was established as political and professional public authority for coordination and management of protection and rescue activities in emergency situations as well as disaster risk reduction policies. Its objective is the coordination of activities in emergency management field at the national, regional and local levels, as well as the implementation of the disaster risk reduction concept through national and local policies, sustainable development strategy and the protection and rescue strategy.

Regarding the immediate emergency response, in accordance with the Law on Emergency Situations, the competences of the local self-governments in emergency situations (prevention, response, recovery) have been extended, and the respective are responsible for organising emergency response and management at the local level.

Furthermore, the Public Investment Management Office, as the new body of the Government of the Republic of Serbia, tasked with managing the projects of reconstruction and aid allocation following natural and other hazards, is an important part of joint efforts at the national level for the disaster prevention and management.

### **c) Other undertaken measures and activities**

The Republic of Serbia has had exceptionally good cooperation with the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) and the European Commission in previous years. The basic modalities of cooperation have been the participation of the Republic of Serbia in the EU Civil Protection Mechanism as well as IPA projects of cooperation in the South East European region, i.e. projects concerning cross-border cooperation with the neighbouring countries, funded by the European Commission as well.

When the Republic of Serbia in May 2014, due to catastrophic flooding, asked for international assistance for disaster relief and more efficient disaster response, beside aid that was provided for the Republic of Serbia on bilateral basis, through the European Commission, i.e. DG ECHO, protection and rescue teams were sent through the EU Civil Protection Mechanism, although the Republic of Serbia at that time still was not the Mechanism Member State.

The field of civil protection and emergency management is governed by the Law on Emergency Situations, adopted in 2009, and amended in 2011 and 2012 (“Official Gazette of the RS”, Nos 111/2009, 92/2011 and 93/2012) currently in force. Beside the Law on Emergency Situations, the scope of activities for the disaster risk reduction, emergency management as well as protection and rescue of people is based on the National Strategy for Protection and Rescue in Emergency Situations (“Official Gazette of the RS”, No. 86/11), as well as Hyogo Framework for Action 2005-2015, and Sendai Framework for Disaster Risk Reduction 2015-2030, as official documents adopted by the United Nations at Global Conferences for Disaster Risk Reduction in 2005, and then 2015. In December 2016, the National Emergency Management Headquarters (NEMH) adopted Conclusions on activities related to the implementation of the Sendai Framework for Disaster Risk Reduction (No. 33/16 of 12 December 2016).

The activities since 2009 have included the building of institutional capacities and strengthening of own position at the national and international level, in order to improve efficacy in the protection and rescue field. The greatest progress in the disaster management field in the Republic of Serbia was achieved through the adoption of the Law on Emergency Situations in 2009, which consolidated all activities related to protection and rescue and led to the adoption of the National Strategy for Protection and Rescue in Emergency Situations (“Official Gazette of the RS”, No. 86/11). The purpose of the Strategy is to protect life, health and property of citizens, the environment and cultural heritage of Serbia, and this document defines the prevention, preparation, coordination mechanisms and program guidelines for reducing disasters caused by natural and technological hazards and the risks of accidents, protection, response and recovery. Furthermore, in accordance with priorities of Hyogo Framework for Action, the Government of Serbia, at its regular session of 12 May 2011, passed the Decision on the appointment of NEMH Members. The first NEMH session was held on 3 June 2011. With the

enlargement of responsibilities on 24 January 2013, NEMH was proclaimed the National Platform for Disaster Risk Reduction in accordance with the UN recommendations. In accordance with the Law on Emergency Situations, the National Platform is an operational and expert public authority established to coordinate and manage the protection and rescue activities in emergency situations, as well as to introduce the disaster risk reduction policy.

After the recent events, and especially after the emergency situation in May 2014, the readiness and capability of the Republic of Serbia for disaster response proved to be successful, with room for improvement. This is the reason why changes were introduced in the previous Methodology of risk assessment and protection and rescue plans in emergencies (“Official Gazette of the RS”, No. 96/2012) and the revised Methodology of risk assessment and protection and rescue plans in emergencies was presented in March 2017.

Beside the abovementioned, as key novelties based on the best international practices and lessons learned, in full compliance with the Sendai Framework for Disaster Risk Reduction 2015-2030, The Law on Reconstruction following Natural and other Hazards, which came into force on 22 July 2014, National Disaster Risk Management Programme was presented on 4 March 2015, while in 2017 Action Plan for its implementation for the period 2017-2020 was developed with the support of the European Union, United Nations and the World Bank, enabling systemic approach in the disaster risk management and reconstruction (prevention- response-reconstruction).

Activities directed toward risk assessment in the whole territory are underway, while the new Draft Law on Disaster Risk Reduction and Emergency Management stipulates totally new responsibilities for the local self-governments when disaster risk management is in question, including the mandatory assessments and development of disaster risk reduction plans at the local level.

Having in view the implementation of the Law on Emergency Situations, the lessons learned after 2009, and taking into consideration the international obligations adopted with the disaster risk reduction policy when natural and technical and technological catastrophes are in question at the global and European level, as well as the recommendations given to the Republic of Serbia related to the improvement of the legal and institutional framework for disaster risk management, particularly for further development of prevention activities in this field, it has been assessed that a preparation of a new Law on Disaster Risk Reduction and Emergency Management would be appropriate. Its main characteristic is an overall standardisation of preventive measures and activities with the aim of reducing risks from natural and technical and technological disasters, with an effective response to natural and technical and technological disasters and eliminating the consequences, in order to ensure a timely recovery and normalisation of living and working conditions in the affected areas. It is planned that the new Law on Disaster Risk Reduction and Emergency Management is adopted by the end of 2018.

The Republic of Serbia is fully committed to develop and extend the cooperation with other partner countries within the EU Civil Protection Mechanism. This is the reason why further aligning in compliance with the relevant EU provisions is planned. Bearing in mind that the solutions of certain regulations are already implemented on a daily basis, they shall be included in the new Law on Disaster Risk Reduction and Emergency Management.

As regards the overview of activities concerning the participation of SES MoI of the Republic of Serbia in projects funded by the European Commission, it is important to note that SES MoI,

as one of the users participates at the same time in the projects, funded by the EU, with the goal of raising national capacities for emergency response. To this effect, the Republic of Serbia has been very active in IPA Civil Protection Cooperation Programme II, which is continuation of cooperation in IPA Civil Protection Cooperation Programme I, in which the Republic of Serbia actively participated as well. The goal and objective of IPA CP Cooperation Programme II was the natural and technical and technological disaster risk reduction at the national and regional levels, through enhancing the capacity of beneficiaries to efficiently cooperate with the EU Civil Protection Mechanism and relevant institutions, thus enhancing the capacity for further development of an efficient civil protection system and disaster response as well as regional cooperation. Furthermore, Serbia was actively included in the IPA Floods programme for the prevention, preparedness and response to flooding. Currently, Serbia participates in the IPA Disaster Risk Assessment and Mapping – IPA DRAM project, with the aim of further technical improvement of the national system for the collection of disaster data, development of the risk assessment segment as well as development of a Risk Map and electronic Regional Risk Atlas in order to achieve complementarity with the current solutions and practice of the EU Civil Protection Mechanism Member States.

Moreover, Serbia is actively participating in other IPA projects: Project of cross-border cooperation between Serbia and Montenegro under the title: “Cross-border Flood Protection and Rescue”; Project of cross-border cooperation between Serbia and Romania under the title: “Improving the Capability of the Romanian and Serbian Authorities of Reacting in Emergency Situations” (1403); Project of cross-border cooperation between Serbia and Romania under the title: “Joint Management of Emergency Situations in Caransebes - South Banat Cross-border Area” (1421); Project of cross-border cooperation between Serbia and Romania under the title: “Joint Management of Emergency Situations in Cross-border Areas of the Republic of Serbia and Romania (Bor District)” (1413); Project “Adriatic Holistic Forest Fire Protection” (HOLISTIC); Project of cross-border cooperation between Serbia and Bosnia and Herzegovina under the title: “Joint Forest Fire Control and Monitoring in the Western Serbia”; Project of cross-border cooperation between Serbia and Croatia under the title: “Strengthening the Capacity of the Sector for Emergency Management in the Field of Unexploded Ordnance (UXO) and other Hazardous Materials”; Project “Strengthening the Capacity of First Response to Chemical, Biological, Radiological and Nuclear (CBRN) Threats, and Regional Cooperation in Southeast Europe, South Caucasus, Moldova and Ukraine”; Project for readiness and response in case of flooding “NEIFLEX”; Project “Programme for the Prevention, Preparedness and Response to Flooding in the Western Balkans and Turkey” (IPA FLOODS); Project “Joint Response in Emergency Situations in the Serbia-Bulgaria Cross-border Area” (247) within INTERREG IPA programme of cross-border cooperation between Serbia and Bulgaria 2014-2020; Project “Improvement of Capacities for Risk Management in Case of Major Forest Fires in the Cross-border Area” (189) within INTERREG IPA Programme of cross-border cooperation between Serbia and Bulgaria 2014-2020; Project “Strengthening the Capacities of Romanian and Serbian Authorities for Response in Case of Flooding and Earthquakes” within INTERREG IPA Programme of cross-border cooperation between Serbia and Romania; including participation in projects: GEO-CRADLE, DAREnet, EUrban Water Aid 2016 (EUWA 2016).

## **2. Plans for harmonisation with the *acquis communautaire***

The participation of the Republic of Serbia in the EU Civil Protection Mechanism is a maximum achievement and the highest level of integration in the European civil protection field,

while the full implementation of Decision 1313/2013/EU and Decision 2014/762/EU, determining the actions of the Member States of the European Union in the respective field, is directly connected with the accession of Serbia to the EU.

The new Law on Disaster Risk Reduction and Emergency Management, whose adoption is expected by the end of 2018, should include the Commission staff working document - Risk Assessment and Mapping Guidelines for Disaster Management, 2010, i.e. Commission staff working document - EU Host Nation Support Guidelines, 2012.

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.2. Horizontal legislation**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
1	2017-148	Law amending the Law on Environmental Impact Assessment	MEP	2018/IV
Celex: 1:32014L0052 (translated)				
2	2017-259	Law amending the Law on Strategic Environmental Impact Assessment	MEP	2018/IV
Celex: 2:32001L0042 (professionally redacted)				
3	2017-482	Law amending the Criminal Code	MJ	2018/IV
Celex: 2:32017L1371 (not nominated) 2:32013L0040 (translation on-going) 2:32012L0029 (professionally redacted) 2:32011L0093 (professionally redacted) 2:32011L0036 (professionally redacted) 2:32008L0099 (professionally redacted) 2:32004L0081 (professionally redacted) 2:32004D0919 (professionally redacted)				
4	2017-370	Law on Liability for Damage to the Environment	MEP	2019/II
Celex: 1:32004L0035 (professionally redacted)				
5	2017-254	Law on Ratification of the Multilateral Agreement of SEE Countries on the Implementation of the Convention on Impact Assessment in a Transboundary Context	MEP	2018/I
Celex: 1:32014L0052 (translated)				
6	2017-540	By-law for interoperability	RGA	2019/IV
Celex: 2:32010R1089 (professionally redacted)				
7	2017-539	By-law for metadata	RGA	2018/III
Celex: 2:32007L0002 (professionally redacted)				
8	2017-541	By-law for network services	RGA	2019/IV
Celex: 2:32009R0976 (professionally redacted)				
9	2017-543	By-law for monitoring and reporting	RGA	2018/IV
Celex: 2:32009D0442 (professionally redacted)				
10	2017-542	By-law for access to gatherings and geodatabase services, including public access and data exchange between public authorities	RGA	2019/IV
Celex: 2:32010R0268 (professionally redacted)				
11	2017-282	Rulebook on the manner of keeping a public book for adopted decisions on environmental impact assessment	MEP	2018/IV
Celex: 1:32014L0052 (translated)				

12	2017-255	Rulebook on the public insight procedure, presentation and public discussion about the environmental impact assessment study	MEP	2018/IV
Celex: 1:32014L0052 (translated)				
13	2017-261	Rulebook on the procedures of the technical commission for the evaluation of the strategic assessment report	MEP	2018/IV
Celex: 2:32001L0042 (professionally redacted)				
14	2017-258	Rulebook on the operation of the technical commission for the evaluation of the study	MEP	2018/IV
Celex: 1:32014L0052 (translated)				
15	2017-256	Rulebook on the content of application for impact assessment and on the content of the application for determining the scope and content of the environmental impact assessment study	MEP	2018/IV
Celex: 1:32014L0052 (translated)				
16	2017-257	Rulebook on the content of the environmental impact assessment study and the content, appearance and manner of keeping a public book on implemented procedures and adopted decisions on environmental impact assessment	MEP	2018/IV
Celex: 1:32014L0052 (translated)				
17	2017-260	Rulebook on public participation, presentation and public debate on the strategic assessment report	MEP	2018/IV
Celex: 1:32001L0042 (professionally redacted)				
18	2017-253	Regulation establishing a list (1) of projects for which impact assessment is mandatory, and a list (2) of projects for which an impact assessment may be required	MEP	2018/IV
Celex: 1:32014L0052 (translated)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.3. Climate Change and Air Quality**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
19	2017-151	Rulebook amending the Rulebook on the content of air quality plans	MEP	2019/II
Celex: 1:32008L0050 (in the process of translation)				
20	2017-310	Law amending the Law on Air Protection	MEP	2018/IV
Celex: 1:32010R0744 (professionally redacted) 1:32009R1005 (professionally redacted)				
21	2017-344	Law on Climate Change	MEP	2018/II
Celex: 1:32014R0666 (professionally redacted) 1:32013R0525 (legally and technically redacted) 1:32009L0029 (professionally redacted) 1:32009D0406 (professionally redacted) 1:32008L0101 (professionally redacted) 1:32003L0087 (professionally redacted) 1:31999L0094 (professionally redacted)				
22	2017-350	Rulebook on greenhouse gas emission reporting	MEP	2018/IV
Celex: 1:32014R0749 (translated) 1:32013R0525 (legally and technically redacted) 1:32009D0406 (professionally redacted)				
23	2017-347	Rulebook on monitoring and reporting on greenhouse gas emissions	MEP	2018/IV
1:32012R0601R(02)				
24	2017-348	Rulebook on the conditions that must be met by verifiers, procedures, verification criteria and on the content of the verification report	MEP	2018/IV
1:32012R0600				
25	2017-352	Rulebook on the label, instructions and data that must be included in the promotional material designating carbon dioxide emission	MEP	2018/IV
Celex: 2:31999L0094 (professionally redacted)				
26	2017-353	Regulation establishing the institutions responsible for the preparation and implementation of sectoral plans and adaptation programmes for altered climatic conditions	MEP	2018/IV
Celex: 1:32009D0406 (professionally redacted)				
27	2017-346	Regulation on activities and gases emitted during the performance thereof, for which a permit for the emission of gases is necessary	MEP	2018/IV
Celex: 1:32009L0029 (professionally redacted) 1:32003L0087 (professionally redacted)				

28	2017-351	Rulebook on annual greenhouse gas emission limits	MEP	2018/IV
Celex: 1:32009D0406 (professionally redacted)				
29	2017-315	Rulebook amending the Rulebook on the treatment of ozone-depleting substances and on the conditions for issuing licenses for import and export of these substances	MEP	2020/II
Celex: 1:32010R0744 (professionally redacted) 1:32009R1005 (professionally redacted)				
30	2017-312	Rulebook amending the Regulation on the treatment of greenhouse effect fluorinated gases, as well as on the conditions for issuing licenses for import and export of these gases	MEP	2020/II
Celex: 1:32015R2068 (not nominated) 1:32015R2067 (not nominated) 1:32015R2066 (not nominated) 1:32015R2065 (not nominated) 1:32014R1191 (not nominated) 1:32008R0307 (translation on-going) 1:32008R0306 (in the process of being translated) 1:32008R0304 (in the process of translation) 1:32007R1516 (in the process of being translated) 1:32007R1497 (translation on-going) 1:32006L0040 (in the process of being translated)				
31	2017-160	Rulebook amending the Rulebook on conditions and requirements for monitoring of air quality	MEP	2019/IV
Celex: 1:32015L1480 (not nominated) 1:32008L0050 (in the process of being translated) 1:32004L0107 (professionally redacted)				
32	2017-349	Regulation on the national system for the development of a greenhouse gas inventory and on the system for reporting on policies, measures and projections	MEP	2018/IV
Celex: 1:32014R0666 (professionally redacted) 1:32013R0525 (legally and technically redacted)				
33	2017-354	Regulation on institutions involved in the national council for climate change, manner of work and jurisdiction	MEP	2018/IV
Celex: 1:32009D0406 (professionally redacted)				
34	2017-339	Rulebook amending the Rulebook on technical and other requirements for liquid fuels of petroleum origin	MME	2018/II
Celex: 2:32016L0802 (not nominated) 2:31998L0070 (professionally redacted)				
35	2017-163	Rulebook amending the Rulebook on technical measures and requirements pertaining to permissible emission factors for volatile organic compounds which originate from the process of storage and transportation of gasoline	MEP	2019/IV
Celex: 1:32014L0099 (translated) 1:32009L0126 (professionally redacted) 1:31994L0063 (professionally redacted)				
36	2017-425	Rulebook on the content and manner of implementation of the annual programme for monitoring the quality of oil derivatives and biofuels	MME	2018/I
Celex: 2:32016L0802 (not nominated) 2:31998L0070 (professionally redacted)				
37	2017-337	Rulebook on technical and other requirements for biofuels and bioliquids	MME	2018/IV
Celex: 2:32009L0030 (not nominated) 2:31998L0070 (professionally redacted)				

38	2017-484	Rulebook on establishing emission standards for new passenger vehicles and light commercial vehicles in order to reduce the emission of CO2	MCTI	2020/IV
Celex: 2:32011R0510 (professionally redacted) 2:32009R0443 (professionally redacted)				
39	2017-413	Regulation amending the Regulation on monitoring the quality of oil derivatives	MME	2018/II
Celex: 2:31998L0070 (professionally redacted)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.4. Protection Against Noise**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
40	2017-206	Law amending the Law on the Protection from Environmental Noise	MEP	2018/IV
Celex: 1:32002L0049 (professionally redacted)				
41	2017-208	Rulebook on the methodology for drafting action plans	MEP	2019/IV
Celex: 1:32002L0049 (professionally redacted)				
42	2017-209	Rulebook on the content and methods of developing strategic noise maps and on the manner of their presentation to the public	MEP	2019/IV
Celex: 2:32002L0049 (professionally redacted)				
43	2017-207	Regulation on noise indicators, limit values, methods for assessing noise, disturbance and harmful noise-related effects in the environment	MEP	2019/IV
Celex: 1:32002L0049 (professionally redacted)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.5. Waste Management**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
44	2017-575	Act on the implementation of Regulation No 1013/2006 on shipments of waste	MEP	2021/IV
Celex: 1:32006R1013 (professionally redacted)				
45	2017-531	Law amending the Law on Packaging and Packaging Waste	MEP	2019/IV
Celex: 1:32015L0720 (not nominated)				
46	2017-529	Law amending the Law on Waste Management	MEP	2019/I
Celex: 1:32008L0098 (professionally redacted)				
47	2017-507	Rulebook on the appearance and content of the license, the type and amount of financial guarantee or other instruments covering the cost of waste management	MEP	2018/I
Celex: 1:32008L0098 (professionally redacted)				
48	2017-514	Rulebook amending the Rulebook on categories, examination and classification of waste with a list of Serbian standards containing technical requirements for categories and components of waste	MEP	2018/III
Celex: 1:32008L0098 (professionally redacted)				
49	2017-525	Rulebook amending Rulebook on waste batteries and accumulators	MEP	2019/III
1:52014SC0023				
50	2017-524	Rulebook amending Rulebook on waste vehicles	MEP	2019/IV
1: 32000L0053				
51	2017-517	Rulebook amending the Rulebook on handling devices and waste contaminated with PCBs accompanied by instructions for the collection and disposal of devices containing less than 5 dm <sup>3</sup> of PCBs that represent an integral part of other devices	MEP	2018/II
Celex: 1:31996L0059 (in the process of translation)				
52	2017-535	Rulebook amending the Rulebook on waste tyres management	MEP	2019/IV
Celex: 1:32010L0075 (professionally redacted)				
53	2017-534	Rulebook amending the Rulebook on waste oil management	MEP	2019/II

Celex: 1:32010L0075 (professionally redacted)				
54	2017-520	Rulebook amending the Rulebook on the management of waste containing asbestos	MEP	2019/II
Celex: 1:31987L0217 (professionally redacted)				
55	2017-523	Rulebook amending the Rulebook on the list of electric and electronic products	MEP	2019/IV
Celex: 1:32012L0019 (professionally redacted)				
56	2017-519	Rulebook amending the Rulebook on the manner and procedure for management of waste from titanium dioxide, control measures and environmental monitoring at the site	MEP	2019/III
Celex: 1:31978L0176 (translation suspended)				
57	2017-509	Rulebook on the criteria for determining by-products	MEP	2018/II
Celex: 1:32008L0098 (professionally redacted)				
58	2017-515	Rulebook on the list of waste prevention measures	MEP	2018/III
Celex: 1:32008L0098 (professionally redacted)				
59	2017-602	Rulebook on the application form for issuing permits for the treatment of waste (storage, reuse and disposal of waste)	MEP	2018/I
Celex: 1:32008L0098 (professionally redacted)				
60	2017-511	Rulebook on the form of the report on by-products, manner and deadlines for its submission	MEP	2018/II
Celex: 1:32008L0098 (professionally redacted)				
61	2017-522	Rulebook limiting the use of certain hazardous electric and electronic products substances	MEP	2019/IV
Celex: 1:52017PC0038 (not nominated)				
62	2017-518	Rulebook on the content, manner of keeping and appearance of the register of permits issued for waste management and register of issued certificates of exemption from the obligation to obtain licenses and register of mediators in waste management and waste traders	MEP	2019/III
Celex: 1:32008L0098 (professionally redacted)				
63	2017-528	Regulation on technical requirements for certain types of waste that in compliance with regulations of the European Union cease to be waste, such as paper, glass, rubber, textile, power units and metal, as well as on the conformity assessment procedure, technical requirements for... <i>(missing text in original document)</i>	MEP	2018/II
Celex: 1:32008L0098 (professionally redacted)				
64	2017-521	Regulation amending the Regulation on landfill of waste	MEP	2019/III
Celex: 1:31999L0031 (professionally redacted)				

65	2017-532	Adoption of the Regulation on the establishment of the packaging waste reduction plan for the period 2020-2024	MEP	2019/III
Celex: 1:32015L0720 (not nominated)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.6. Civil Protection**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
66	2017-594	Law on Disaster Risk Reduction and Emergency Management	MoI	2018/IV
Celex: 1:32014D0762 (not nominated) 1:32013D1313 (translated) 1:32007L0060 (professionally redacted)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.7. Water Protection and Management**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
67	2017-155	Rulebook on technical specifications for chemical analysis and analysis necessary for monitoring water	MEP	2020/IV
Celex: 1:32000L0060 (in the process of being translated)				
68	2017-152	Law on Waters	MAFWM	2019/IV
Celex: 2:32013L0039 (translated) 2:32009L0090 (professionally redacted) 2:32008L0056 (professionally redacted) 2:32007L0060 (professionally redacted) 2:32006L0118 (professionally redacted) 2:32006L0007 (professionally redacted) 2:32000L0060 (in the process of being translated) 2:31998L0083 (translated) 2:31991L0676 (translated) 2:31991L0271 (translated)				

69	2017-157	Regulation on emission limit values of pollutants in water and deadlines for their achievement	MEP	2020/IV
Celex: 1:32000L0060 (in the process of being translated)				
70	2017-156	Regulation on the limit values for pollutants in surface and ground waters and sediments and on the deadlines for their achievement	MEP	2020/IV
Celex: 1:32006L0118 (professionally redacted) 1:32000L0060 (in the process of being translated)				
71	2017-158	Regulation on limit values of priority hazardous substances that pollute surface waters and on deadlines for their achievement	MEP	2020/IV
Celex: 1:32013L0039 (translated) 1:32000L0060 (translation on-going)				
72	2017-183	Regulation on the criteria for determining the reference price of water	MAFWM	2020/IV
Celex: 2:32000L0060 (in the process of being translated)				
73	2017-180	Regulation laying down the methodology for calculating the price of water services	MAFWM	2020/IV
Celex: 2:32000L0060 (in the process of being translated)				
74	2017-177	Rulebook on the parameters of the ecological and chemical status of surface waters and the parameters of the quantitative and chemical status of ground-waters	MAFWM	2020/IV
Celex: 2:32000L0060 (in the process of being translated)				
75	2017-171	Rulebook on determining water bodies of surface and ground water	MAFWM	2020/IV
Celex: 2:32000L0060 (in the process of being translated)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.8. Nature Protection**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
76	2017-167	Law on Nature Protection	MEP	2020/I
Celex: 1:32015R1866 (in the process of translation) 1:32014R1143 (in the process of being translated) 1:32014R0511 (professionally redacted) 1:31999L0022 (professionally redacted) 1:31992L0043 (professionally redacted) 1:31979L0409 (translation suspended)				

77	2017-166	Law on the Ratification of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity, adopted on 29 October 2010 in Nagoya, Japan	MEP	2018/I
Celex: 1:52011PC0049 (not nominated)				
78	2017-643	Law on Transboundary Movement and Trade in Wildlife	MEP	2020/I
Celex: 1:32012R0791 (professionally redacted) 1:01997R0338-20170204 1:02006R0865-20150205 1:02012R0792-20150205				
79	2017-605	Law on the Implementation of Regulations 865/2006, 100/2008, 791/2012, 792/2012, 1158/2012, 2017/1915 and on the Circulation of Wild Flora and Fauna	MEP	2021/IV
Celex: 1:32012R1158 (not nominated) 1:32012R0791 (professionally redacted) 1:32008R0100 (professionally redacted) 1:02012R0792-20120972 1:32017R1915				
80	2017-165	Regulation amending the Regulation on the ecological network	MEP	2018/III
Celex: 1:31992L0043 (professionally redacted)				
81	2017-164	Regulation on eligibility evaluation	MEP	2018/IV
Celex: 1:31992L0043 (professionally redacted)				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.9. Chemicals**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
82	2017-228	Law on Biocidal Products	MEP	2018/IV
Celex: 1:32012R0528 (professionally redacted)				
83	2017-231	Law amending the Animal Welfare Law	MEP	2018/III
Celex: 1:32010L0063 (professionally redacted)				
84	2017-224	Law on the Implementation of Regulation (EC) 1272/2008 on classification, labelling and packaging of substances and mixtures	MEP	2021/IV
Celex: 1:32008R1272 (professionally redacted)				

85	2017-199	Law on the Implementation of Regulation (EC) 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing the European Chemicals Agency, amending Directive 1999/45/ EC and terminating Council Regulation (EEC) No 793/93 and Council Regulation... ( <i>missing text in original document</i> )	MEP	2021/IV
Celex: 1:32006R1907 (professionally redacted)				
86	2017-230	Law on the Implementation of Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants and amending Directive 79/117/EEC	MEP	2021/IV
Celex: 1:32004R0850 (professionally redacted)				
87	2017-229	Law on the Implementation of Regulation (EU) 528/2012 concerning the placing on the market and use of biocidal products	MEP	2021/IV
Celex: 1:32012R0528 (professionally redacted)				
88	2017-570	Law on the Implementation of Regulation 2017/852 on mercury	MEP	2021/IV
Celex: 1:32017R0852 (not nominated)				
89	2017-568	Law on the Implementation of Regulation 649/2012 on the export and import of hazardous chemicals	MEP	2021/IV
Celex: 1:32012R0649 (professionally redacted)				
90	2017-198	Law on Chemicals	MEP	2021/I
Celex: 1:32004L0042 (professionally redacted) 1:31974L0557 (professionally redacted) 1:31974L0556 (professionally redacted)				
91	2017-223	List of supplements to the List of substances causing concern	MEP	2018/II
Celex: 1:32017R0999 (not nominated)				
92	2017-557	List of supplements to the List of substances causing concern	MEP	2019/IV
1: 32017R0999				
93	2017-558	List of supplements to the List of substances causing concern	MEP	2020/IV
1: 32017R0999				
94	2017-240	List of amendments to the List of active substances in biocidal products	MEP	2018/IV
Celex: 1:32012R0528 (professionally redacted)				
95	2017-242	List of amendments to the List of active substances in biocidal products	MEP	2019/IV
Celex: 1:32012R0528 (professionally redacted)				

96	2017-243	List of amendments to the List of active substances in biocidal products	MEP	2020/IV
Celex: 1:32012R0528 (professionally redacted)				
97	2017-244	List of amendments to the List of active substances in biocidal products	MEP	2021/IV
Celex: 1:32012R0528 (professionally redacted) 1:32010R0744 (professionally redacted)				
98	2017-573	Rulebook amending the Rulebook on the export and import of certain hazardous chemicals	MEP	2018/IV
Celex: 1:32012R0649 (professionally redacted)				
99	2017-262	Rulebook amending the Rulebook on the export and import of certain hazardous chemicals	MEP	2019/IV
Celex: 1:32012R0649 (professionally redacted)				
100	2017-574	Rulebook amending the Rulebook on the export and import of certain hazardous chemicals	MEP	2020/IV
Celex: 1:32012R0649 (professionally redacted)				
101	2017-225	Rulebook amending the Rulebook on classification, packaging, labelling and advertising of chemicals and certain products in accordance with the UN Globally Harmonised System of Classification and Labelling of Chemicals (GHS).	MEP	2018/IV
Celex: 1:32016R0918 (not nominated)				
102	2017-222	Rulebook amending the Rulebook on restrictions and prohibitions of production, placement on the market and use of chemicals	MEP	2018/I
Celex: 1:32016R2235 (translation on-going) 1:32016R1017 (in the process of being translated) 1:3201RR1000 1:3217R0227				
103	2017-552	Rulebook amending the Rulebook on restrictions and prohibitions of production, placement on the market and use of chemicals	MEP	2019/IV
Celex: 1:32016R2235 (in the process of translation) 1:32016R1017 (in the process of being translated) 1:3201RR1000 1:3217R0227				
104	2017-555	Rulebook amending the Rulebook on restrictions and prohibitions of production, placement on the market and use of chemicals	MEP	2020/IV
Celex: 1:32016R2235 (translation on-going) 1:32016R1017 (in the process of being translated) 1:3201RR1000 1:3217R0227				
105	2017-226	Rulebook amending the Rulebook on the List of classified substances	MEP	2018/IV
Celex: 1:32016R1179 (not nominated) 1:32016R0918 (not nominated)				
106	2017-227	Rulebook amending the Rulebook on the List of classified substances	MEP	2019/IV
1:32017R0776				
107	2017-221	Rulebook on restrictions on the total content of volatile organic compounds in paints and varnishes	MEP	2021/IV
Celex: 1:32010L0079 (not nominated) 1:32004L0042 (professionally redacted)				

108	2017-220	Rulebook on chemicals advisers and conditions for training and checking the knowledge of chemical advisers	MEP	2021/IV
Celex: 1:31974L0557 (professionally redacted) 1:31974L0556 (professionally redacted)				
109	2017-219	Regulation on limit values for emissions of air pollutants from medium-sized combustion plants	MEP	2019/IV
Celex: 1:32010R0744 (professionally redacted) 1: 32015L2193				

**3. ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP**  
**3.27. ENVIRONMENT**  
**3.27.10. Industrial Pollution Control and Risk Management**

Sequential number	Code of the planned regulation	Title of the regulation	Competent Ministry or special organisation	Deadline for the Government/ ministry to lay down / adopt
110	2017-182	Law amending the Law on Integrated Prevention and Control of Environmental Pollution	MEP	2019/IV
Celex: 1:32010L0075 (professionally redacted)				
111	2017-170	Law on Control of Major Accident Hazards involving Dangerous Substances	MEP	2019/I
Celex: 1:32012L0018 (professionally redacted)				
112	2017-179	Law on the Ratification of Amendments to the Annex and Convention on the Transboundary Effects of Industrial Accidents	MEP	2018/II
Celex: 1:32014D0871 (not accepted for translation)				
113	2017-598	Act on the implementation of Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel	MEP	2021/IV
Celex: 1:32010R0066 (professionally redacted)				
114	2017-596	Act on the implementation of Regulation No 1221/2009 of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC	MEP	2021/IV
Celex: 1:32009R1221 (professionally redacted)				
115	2017-178	Rulebook on the elements and requirements of safety management systems	MEP	2019/III
Celex: 1:32012L0018 (professionally redacted)				

116	2017-577	Rulebook amending the Rulebook on the List of hazardous materials and their volumes and criteria for determining the type of documents produced by the operator of the Seveso plant or complex	MEP	2018/I
Celex: 1:32014D0871 (not accepted for translation) 1:32012L0018 (professionally redacted)				
117	2017-172	Rulebook on the list of dangerous substances	MEP	2019/III
Celex: 1:32012L0018 (professionally redacted)				
118	2017-184	Rulebook on the content and form of an integrated permit	MEP	2020/II
Celex: 2:32010L0075 (professionally redacted)				
119	2017-576	Rulebook on the content and form of the application for issuance of a certificate on data kept in the official records in the area of environmental protection for inclusion in the EMAS system, as well as on documentation submitted with the application, content and certificate form and content, manner... ( <i>mixing text in original document</i> )	MEP	2018/I
Celex: 1:32009R1221 (professionally redacted)				
120	2017-175	Rulebook on the content of the security report	MEP	2019/III
Celex: 1:32012L0018 (professionally redacted)				
121	2017-176	Rulebook on the contents of an internal protection plan for accidents	MEP	2019/III
Celex: 1:32012L0018 (professionally redacted)				
122	2017-187	Rulebook on the content, form and manner of filing the application for the issuance of an integrated permit	MEP	2020/II
Celex: 1:32010L0075 (professionally redacted)				
123	2017-173	Rulebook on the content, form and manner of notice delivery	MEP	2019/III
Celex: 1:32012L0018 (professionally redacted)				
124	2017-186	Regulation on types of activities and installations for which integrated permits are issued	MEP	2020/II
Celex: 1:32010L0075 (professionally redacted)				
125	2017-202	Regulation on limit values for emissions of air pollutants from large-sized combustion plants	MEP	2019/IV
Celex: 1:32015L2193 (in the process of translation) 1:32010L0075 (professionally redacted)				
126	2017-219	Regulation on limit values for emissions of air pollutants from medium-sized combustion plants	MEP	2019/IV
Celex: 1:32010R0744 (professionally redacted) 1: 32015L2193				
127	2017-203	Regulation on the list of industrial facilities and activities that control the emissions of volatile organic compounds, the values of emissions of volatile organic compounds in a given consumption of solvents, total allowed emissions, as well as on the scheme to reduce emissions	MEP	2019/IV
Celex: 2:32010L0075 (professionally redacted)				

