

3.27. ENVIRONMENT

3.27.1. Status

During the period from September to November 2014, explanatory and bilateral screenings on Chapter 27 – Environment and Climate Change were held. Following the bilateral screening, the Negotiating Group 27 was required to prepare a Post-Screening Document which contains a detailed description of the transposition and implementation: the strategic framework for full transposition and implementation of directives, preliminary deadlines for full implementation of EU legislation regarding this chapter, particularly for heavy investment directives, as well as financial sources to fund the implementation, with the aim to demonstrate Serbia's preparedness in the accession process. The Post-Screening Document entitled "Transposition and Implementation of Environmental and Climate Change Acquis (Chapter 27): Status and Plans" was adopted on 4 September 2015 and submitted to the European Commission. In the forthcoming period, the Negotiating Group 27 is expecting to receive the Screening Report.

3.27.2. Horizontal legislation

Status Overview

1. Strategic framework¹

The strategic framework comprises the following:

- Strategy for Implementation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters – the Aarhus Convention (adopted in December 2011)²
- Strategy for Establishing the Infrastructure for Spatial Information in the Republic of Serbia for the period 2010 to 2012 (adopted in 2010)³
- Approximation Strategy for the Horizontal Sector⁴.

2. Transposition

1) Environmental Impact Assessment: Directive 2011/92/EU modified by Directive 2014/52/EC

Transposition Status

Directive 2011/92/EU has been largely transposed through the following legal acts:

- Law on 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);

¹ Detailed information about the goals set in the specified strategies are available in the document entitled "Transposition and Implementation of Environmental and Climate Change Acquis (Chapter 27): Status and Plans".

² Electronic version available at: <http://www.ekoregistar.sepa.gov.rs/en>.

³ Electronic version available at:

http://www.rgz.gov.rs/web_preuzimanje_datotetka.asp?LanguageID=1&FileID=513

⁴ Electronic version available at: <http://www.misp-serbia.rs/wp-content/uploads/2012/06/NEAS-Sektorske-Strategije.zip>.

- Law on Environmental Protection (“Official Gazette of the RS” no. 135/2004, 36/2009 and 72/2009, 014/2016);
- Decree that prescribes the list (I) of projects for which the impact assessment is mandatory and list (II) of projects for which the impact assessment may be required (“Official Gazette of the RS” no. 114/2008);
- Law on Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) (“Official Gazette of the RS” no. 102/07);
- Law on Ratification of the Aarhus Convention (“Official Gazette of the RS” no. 38/09);
- 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 Planning and Construction (“Official Gazette of the RS” no. 72/09, 132/14 and 145/14).

In 2005, a great number of legal acts was passed almost fully transposing Directive 2011/92/EU⁵.

The only remaining provisions that have been partially transposed are Article 7 and Annex I and II of the Directive.

The modifications introduced in Directive 2014/52/EU have not yet been transposed into national legislation.

Transposition Plan

For the period 2016 - end of 2018, the following has been planned:

1. To adopt the Law on Ratification of Multilateral agreement among countries of South Eastern Europe for Implementation of the Convention on EIA in a Transboundary Context (1st quarter of 2017);
2. To adopt the Decree on Amendments to the Decree that prescribes list (I) of projects for which the impact assessment is mandatory and list (II) of projects for which the impact assessment may be required (4th quarter of 2016);
3. To adopt amendments to the Law on Environmental Impact Assessment, by the end of 2017;
4. To adopt amendments to the following by-laws (1st quarter of 2018):
 - Rulebook on the procedure of public access, presentation and public debate on the environmental impact assessment study;
 - Rulebook on the work of the Technical Commission in assessment of the environmental impact assessment study;
 - Rulebook on the content of the request for impact assessment and content of the request for determining the scope and content of the EIA study;
 - Rulebook on the content, layout and methods of managing a public register on conducted procedures and adopted decisions related to environmental impact assessment;
 - Rulebook on the content of the environmental impact assessment study.

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

Transposition Status

The Directive has been partially transposed into national legislation by the following laws:

- Law on Strategic Environmental Impact Assessment (“Official Gazette of the RS” no. 135/2004 and 88/2010);

⁵Rulebook on the procedure of public access, presentation and public debate on the environmental impact assessment study; Rulebook on the work of the Technical Commission in assessment of the environmental impact assessment study; Rulebook on the content of the request for impact assessment and content of the request for determining the scope and content of the EIA study; Rulebook on the content of the Environmental Impact Assessment study and on the content of appearance, methods of managing a public register on conducted procedures and adopted decisions related to environmental impact assessment; Rulebook on the methods of managing a public register on adopted decisions related to environmental impact assessment (“Official Gazette of the RS” no. 69/05).

- Law on Environmental Protection (“Official Gazette of the RS” no. 135/2004, 36/2009 and 72/2009);
- Law on Ratification of the SEA Protocol to the Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention).

Transposition Plan

For the period 2016 - end of 2018, the following has been planned:

- To form a working group in charge of amending the Law on Strategic Environmental Impact Assessment in line with Directive 2001/42/EC (4th quarter of 2016);
- To adopt the Law on Amendments to the Law on Strategic Environmental Impact Assessment (1st quarter of 2018);
- To adopt the Rulebook on the work of the Technical Commission for Strategic Environmental Impact Assessment Report (1st quarter of 2018);
- To adopt the Rulebook on the Procedure of Public Access, Presentation and Public Debate on the Strategic Environmental Impact Assessment Report (1st quarter of 2018);

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

Transposition Status

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

- Law on Amendments to the Law on Environmental Protection (“Official Gazette of the RS” no. 014/2016)⁶
- 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 Journal of the FRY” no. 33/97 and 31/01)
- 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 RS” no. 38/09)
- Regulation on the content and method of environmental protection information system management, methodology, structure, common bases, categories and levels of data collection and on the content of information the public is constantly and mandatory informed about (“Official Gazette of the RS” no. 112/09).

4) Public Participation: Directive 2003/35/EC

Transposition Status

The Directive has been partially transposed into national legislation through the following laws:

- Law on Amendments to the Law on Environmental Protection (“Official Gazette of the RS” no. 014/2016.)
- Law on Ratification of the Aarhus Convention (“Official Gazette of the RS” no. 38/09);
- 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 Environmental Pollution Prevention and Control (“Official Gazette of the RS” no. 135/2004).

Transposition Plan

⁶ Law on Amendments to the Law on Environmental Protection stipulates both passive and active flow of information. Detailed information is available in the Post-Screening Document at: www.pregovarackagrupa27.gov.rs.

For the period 2016 - end of 2018, the following has been planned:

- To adopt the Law on Amendments to the Law on Environmental Protection by the end of 2017;
 - To adopt the Law on Waters in the 4th quarter of 2017;
- Through adoption of the specified laws, Directive 2003/35/EC will be fully transposed into national legislation.

5) Environmental liability: Directive 2004/35/EC

Transposition Status

The Environmental Liability Directive is currently in the initial transposition phase. Transposition has been carried out by 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);
- Law on Waters ("Official Gazette of the RS" no. br. 33/10);
- Law on Integrated Environmental Pollution Prevention and Control ("Official Gazette of the RS" no. 135/04);
- Law on Waste Management ("Official Gazette of the RS" no. br. 36/09);
- Rulebook on habitat types, the criteria for the selection of habitat types, on sensitive, endangered, rare and priority for protection habitat types and on the protection measures for their conservation ("Official Gazette of the RS" no. 35/10);
- Regulation on the program for systematic monitoring of the soil quality, indicators for evaluation of soil degradation and methodology for preparation of remediation programme ("Official Gazette of the RS" no. 88/10);
- Decree on placing under control the use and circulation of wild flora and fauna ("Official Gazette of the RS" no. 31/05, 45/05, 22/07 and 38/08);
- Rulebook on compensational measures ("Official Gazette of the RS" no. 20/10).

Transposition Plan

For the period 2016 - end of 2018:

It has been planned to transpose the requirements of the Environmental Liability Directive in the national legislation by a separate Law on Environmental Liability. Full transposition of the Directive was scheduled for 2018

6) Environmental Crime Directive: Directive 2008/99/EC

Transposition Status

Directive 2008/99/EC (on environmental crime) has been partially transposed into national legislation through provisions of the Criminal Code ("Official Gazette of the RS" no. 85/05, 88/05-ispr., 107/05-corr., 72/09, 111/09, 121/12, 104/13 and 108/14), Law on the Liability of Legal Entities for Criminal Offences ("Official Gazette of the RS" no. 97/08) and Law on Nature Protection ("Official Gazette of the RS" no. 36/09, 88/10, 91/10)⁷.

Towards the end of 2015 a working group was formed for the purpose of amending the Criminal Code of the Republic of Serbia, in compliance with the Istanbul Convention and Directive 2008/99/EC.

Transposition Plan

For the period 2016 - end of 2018, the following has been planned:

⁷ More detailed description of provisions requiring modifications is provided in the Post-Screening Document "Transposition and Implementation of Environmental and Climate Change Acquis (Chapter 27): Status and Plans" at: www.pregovarackagrupa27.gov.rs.

To adopt amendments to the Criminal Code of the Republic of Serbia (4th quarter of 2018), which will ensure the full transposition of Directive 2008/99/EC.

INSPIRE Directive 2007/2/EC

Transposition Status

The Law on State Survey and Cadastre provides the legal framework for establishment of the NSDI in Serbia and partially transposes Directive INSPIRE 2007/2/EC. The first draft version of the Law on NSDI has been prepared and discussed with other NSDI stakeholders at several sessions.

Transposition Plan

For the period 2016 - end of 2018, the following has been planned:

To adopt the Law on NSDI (1st quarter of 2017), which will ensure the full transposition of Directive 2007/2/EC.

3. Implementation Activities and Institutional Competences

Environmental Impact Assessment: Directive 2011/92/EU as amended by Dir.2014/52/EC

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

The competent authorities responsible for implementation of EIA Directive include the following:

- MAEP - for projects for which development consent (i.e. construction permit) is under the responsibility of the republic authority;
- Autonomous Province - for projects for which development consent is under the responsibility of the authority of the autonomous province;
- Local self-government - for projects for which development consent is under the responsibility of the local self-government authority;

The EIA procedure is almost fully complied with requirements of Directive 2011/92/EC. The amendments introduced by Directive 2014/52/EC have still not been fully transposed into national legislation.

The EIA procedure has been applied in the Republic of Serbia since 2004. The statistics of EIA cases from 2006 – 2013 was presented in the bilateral meeting.

Several of the most important infrastructure projects for which the EIA procedure has been completed or is in progress, for the period 2014-2015, are as follows:

- The environmental impact assessment studies were finalised for waste water treatment projects in Kruševac, Kraljevo and Vranje;

-“Plant for thermal treatment of medical and pharmaceutical waste in Smederevo”– ongoing;

In 2014, the Ministry of Agriculture and Environmental Protection co-financed the project „Think-Act-Impact“: The improvement of enforcement of the EU Directive on Environmental Impact Assessment in Serbia, in particular taking into account the institutional mechanisms and public participation in the procedure. The project was implemented by the NGO “European Policy Centre” together with the NGO “Ecological Centre Habitat” and the organisation „Serbia in Motion“. It was financially supported by Royal Norwegian Embassy in Belgrade.

A workshop for local authorities was held in Belgrade in the period 01- 04/06/2015.

Different options are currently considered regarding the development of a national EIA database that will also allow an on-line access to information. Both donor support and other financial sources are taken into consideration.

“Training of trainers” was implemented within the ECRAN project.

In 2015 and 2016, training of representatives of judicial system was held, regarding the right of access to justice in matters related to environmental protection.

Implementation Plan

For the period 2016 - end of 2018, the following has been planned:

- Training of civil servants at provincial and local level responsible for EIA procedures regarding the proposed new amendments to the Law on EIA, by the end of 2018;
- Training of civil servants at provincial and local level responsible for issuing development consents regarding the proposed new amendments to the Law on EIA, by the end of 2018;
- To improve the mechanism for supply and exchange of information between the MAEP and authorities responsible for enforcement of the Law on Environmental Impact Assessment at the local, provincial and national level, by the end of 2018;
- Workshop on Member States experience regarding the quality of EIA reports (2018);
- Training of representatives of judicial system, regarding the right of access to justice in matters related to environmental protection (2017-2018).

The envisaged activities will be implemented by the MAEP, with the support from the OSCE and TAIEX.

The administrative capacities required for an effective enforcement of the legislation will be assessed within IPA 2013 project "Further Implementation of Environmental Approximation Strategy". The project will include the preparation of an Action Plan for administrative capacities development at all levels. The project was planned to start in September 2016, with the duration period of two years.

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

The structures for implementation of the Strategic Environmental Impact Assessment Directive have been established at the national, autonomous province and local level.

The competent authorities responsible for implementation are:

- Authorities responsible for plan and programme preparation and MAEP at national level;
- Autonomous province at regional level;
- Local self-government at local level.

The authority responsible for enforcement and control is the MAEP.

The Strategic Environmental Impact Assessment procedure is largely in place. The procedure has been applied in the Republic of Serbia since 2004. The statistics of SEA cases from 2008 to 2014 was presented during the bilateral meeting.

In 2015, the "Guide for Implementation of Strategic Environmental Impact Assessment in Urban Planning" was published, funded and implemented by the GIZ, with the support of competent ministries.

Implementation Plan

For the period 2016 - end of 2018, the following has been planned:

- To arrange consultations with authorities and organisations concerned and authorities responsible for enforcement of the Law on Strategic Environmental Impact Assessment (environmental authorities and authorities responsible for development of plans/programmes) at national provincial and local level on the draft amendments to the Law on Strategic Environmental Impact Assessment, 2017;
- To improve mechanisms in providing and exchanging information between the MAEP and authorities responsible for enforcement of the Law on Strategic Environmental Impact Assessment at the local, provincial and national level, by the end of 2018;
- Training of authorities responsible for enforcement of the Law on Strategic Environmental Impact Assessment at the local, provincial and national level regarding the procedural steps provided for by the law, by the end of 2018;
- Training of authorities and organisations involved in the process at the local, provincial and national level concerning the contents of the environmental reports (2017 – 2018);

- Training of NGOs related to the arrangements for the information and consultation of the public, by the end of 2018;
 - Workshop on Member States experience in the assessment procedure for significant environmental impact resulting from the implementation of plans and programmes, by the end of 2018;
 - Training of authorities in charge of monitoring on the local, autonomous province and national level the on the assessment procedure for significant environmental impact resulting from the implementation of plans and programmes -2018;
 - Workshop on Member States experience related to measures for the improvement of the quality of environmental reports – 2018;
 - Capacity building of judicial authorities regarding the improvement of access to justice in the strategic environmental impact assessment procedure– 2018.
- The envisaged activities will be implemented by the MAEP, with the support of the TAIEX.

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

The structures for implementation of this Directive have been established.

The competent authorities responsible for implementation are:

-MAEP; Environmental Protection Agency; The Commissioner for Information of Public Importance and Personal Data Protection; National, regional and local authorities responsible for environmental protection; Aarhus centres.

Working procedures regarding both the passive and active flow of information are in place.

In the 2010- 2015 period, five Aarhus centres (Novi Sad, Kragujevac, Subotica, Niš and Belgrade) were opened in the Republic of Serbia.

In accordance with the Strategy on Implementation of the Aarhus Convention, the Project to create the first National Meta-register for Environmental Information (Eco-register) was implemented in April 2012, available on the website of the Environmental Protection Agency (SEPA)⁸. The Project on improvement and update of Eco-register was implemented by the end of 2013.

-The Environmental Protection Agency is the institution responsible for establishing the National Register of Pollution Sources. The Pollutant Release and Transfer Register (PRTR), as one of the subsystems of the National Register of Pollution Sources, is harmonised with the PRTR Protocol and E-PRTR Regulation.

In 2016, trainings were held for civil servants, judiciary and NGOs based on the Guide on the Right of Access to Justice in Matters Related to Environmental Protection in Administrative Procedures and Administrative Disputes (developed with support of the OSCE) and the monograph entitled “Legal Instruments of Environmental Protection - Civil Law and Criminal Law Protection”.

Implementation Plan:

For the period 2016 - end of 2018, the following has been planned:

- Capacity building of the environmental authorities regarding the active flow of information concerning the environment;
- Capacity building of information officers in other public authorities regarding the active flow of information concerning the environment;
- Annual update of the Eco-register and strengthening the capacities of the Environmental Protection Agency to extend the scope of reporting;
- Capacity building of the environmental authorities regarding the passive flow – 2017-2018;
- Capacity building of information officers in other public authorities regarding the passive flow – 2017-2018;

⁸<http://www.ekoregistar.sepa.gov.rs>.

- Training for representatives of judicial system regarding the right of access to justice concerning the environmental information – 2017-2018;
- Annual update of the PRTR Register and improving the reporting for purposes of the PRTR Register;
- Training of public authorities at national, provincial and local level on development of electronic databases easily accessible to the public through public telecommunication networks - 2017-2020.

The envisaged activities will be implemented by the MAEP with the support of the OSCE and Office of the Commissioner for Information of Public Importance.

4) Public participation: Directive 2003/35/EC

The structures for implementation of this Directive have been established.

The competent authorities responsible for implementation are:

- MAEP: Department for Waste Management; Department of Air Protection; Directorate for Water.
- Provincial public authorities and local self-government authorities responsible for the preparation and modification or review of plans and programmes developed at regional and local level, and those in charge of environmental protection;
- Judicial Bodies – The Administrative Court of Serbia.

Implementation Status:

In 2015, based on the Guide on the Right of Access to Justice in Matters Related to Environmental Protection in Administrative Procedures and Administrative Disputes, which was prepared in 2013 with the OSCE support, two training seminars were held for representatives of judiciary system, in cooperation with the OSCE Mission to Serbia and Judicial Academy.

- In 2015, based on the monograph entitled “Legal Instruments of Environmental Protection - Civil Law and Criminal Law Protection”⁹, which was prepared in 2015 with the support of the OSCE Mission to Serbia, a training was held for representatives of judiciary system in Vrnjačka Banja.

- The Legal Clinic for Environmental Law was opened on 16 November 2015 in Belgrade, with the support of the OSCE and University of Belgrade.

For the purpose of enhancing the capacities for enforcement of legislation pertaining to public participation and availability of information and raising the awareness thereof, in the period from September 2014 to June 2015, representatives of ministries took part in several activities and seminars concerning the implementation of the Aarhus Convention:

- Round table on implementation of the Aarhus Convention at the local level, organised by the non-governmental organisation “Environmental Movement of Vrbas” (November 2014);
- Seminar on implementation of the Aarhus Convention organised by the Aarhus Centre Subotica for secondary school and university students and civil sector, with the support of the Ministry of Agriculture and Environmental Protection (December 2014);
- Conference within the project “Improving the Availability of Environmental Information of the Republic of Serbia, Aarhus for the Media – Media for the Public” was organised by the

⁹ In January 2015, with the OSCE support, the Ministry implemented the project of preparing a monograph entitled “Legal Instruments of Environmental Protection - Civil Law and Criminal Law Protection”. The monograph is intended to be used by judges in charge of criminal proceedings or lawsuits, prosecutors, law students, inspectors in charge of environmental protection and civil sector. This monograph contains an analysis of national and international legislative acts governing environmental liability, an analysis of environmental damage and compensation for environmental damage in comparable legislation and international treaties, as well as an analysis of legal instruments governing environmental protection through civil or criminal law in the Republic of Serbia. The monograph underlines the importance of the role of public in instituting and participating in the criminal proceedings or lawsuit.

Aarhus Centre for South and East Serbia, with the support of the Ministry of Agriculture and Environmental Protection (December 2014);

- School of Environmental Law and Ethics was organised by the Aarhus Centre Novi Sad for students, legal experts and representatives of the media and civil sector (April 2015);
- School of Environmental Law which was organised by the Aarhus Centre Kragujevac and OSCE for students, legal experts and representatives of the media and civil sector (May 2015);
- The event “Green Advice in Serbia – Experience and Perspectives” was organised by the Aarhus Centre Kragujevac with the support of the OSCE and Standing Conference of Towns and Municipalities;
- Annual meeting of Aarhus centres was organised by the OSCE 10 (2-4 June 2015).

Implementation Plan:

For the period 2016 - 2018, the following has been planned:

- Capacity building of environmental authorities at regional and local level– 2016-2017;
- Capacity building of authorities responsible for the preparation and modification or review of plans and programmes developed at national, regional and local level– 2016-2017;
- Information campaigns in cooperation with the Aarhus Centre regarding the public participation procedure during preparation and modification or review of plans and programmes– 2016-2017;
- Workshops for NGOs regarding the public participation procedure during preparation and modification or review of plans and programmes– 2017-2018;
- Capacity building of environmental authorities at regional and local level – 2017-2018;
- Capacity building of authorities responsible for the preparation and modification or review of plans and programmes developed at national, regional and local level – 2017-2018;
- Information campaigns in cooperation with the Aarhus Centre regarding the public participation procedure during preparation and modification or review of plans and programmes – 2017-2018.

The envisaged activities will be implemented by the MAEP. Some of the activities will be implemented with the support of the Aarhus centres.

5) Environmental liability: Directive 2004/35/CE 2004/35/CE

The competent authorities for the implementation of the Environmental Liability Directive are: the MAEP and other public authorities at national level responsible for the field of environment, the Environmental Protection Agency and regional and local authorities responsible for environmental protection.

Implementation Status

-First public consultations on the Draft Law on Environmental Liability for operators, non-governmental organisations and the interested public were held at the Chamber of Commerce of Serbia on 16 March 2015, with the support of the PLAC (Policy and Legal Advice Centre) project.

-Second public consultations on the Draft Law on Environmental Liability for operators, non-governmental organisations and the interested public were held at the Aarhus Centre in Novi Sad on 24 April 2015, with the support of the PLAC project.

10 Managers of the Aarhus centres and national focal points for the Aarhus Convention from 14 countries (Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Montenegro, Serbia, Tajikistan, Turkmenistan and Ukraine) together with representatives of international and regional organisations and the OSCE discussed the contribution of Aarhus centres to democracy, transparency and responsibility in the field of environment. The Declaration of Cooperation was signed in the meeting by Aarhus centres of the South-East Europe.

- Third public consultations on the Draft Law on Environmental Liability for operators, non-governmental organisations and the interested public were held in cooperation with the Aarhus Centre for South and East Serbia at the Chamber of Commerce of Niš on 19 May 2015, with the support of the PLAC project.

-Fourth public consultations on the Draft Law on Environmental Liability for operators, non-governmental organisations and the interested public were held in cooperation with the Aarhus Centre Kragujevac at the Chamber of Commerce of Kragujevac, with the support of the PLAC project.

Workshops were held on Environmental Liability Directive requirements for operators, as well as the Workshop on Environmental Liability Directive requirements for NGOs.

For the period 2016 - 2018, the following has been planned:

- Workshop on requirements in the Environmental Liability Directive for insurance companies;
- Study visit to a Member State themed around development of financial security mechanisms;
- Capacity building of environmental authorities at regional and local level concerning the requirements of the Law transposing the Environmental Liability Directive – 2017-2020;
- Workshops for NGOs concerning the requirements of the Law transposing the Environmental Liability Directive – 2017-2020;
- Workshops for operators concerning the requirements of the Law transposing the Environmental Liability Directive – 2017-2020;
- Workshops for insurance companies concerning the elaboration of financial security instruments – 2017-2020;
- Workshops on Member States experience regarding the assessment of environmental damage -2017;
- Preparation of methodology for the assessment of environmental damage – 2020;
- Workshop on case studies related to the type of remedial measures (i.e. combination of primary, complementary and compensatory remediation) for damage to water, protected species and natural habitats – 2018;
- Workshop on case studies related to the type of remedial measures (i.e. combination of primary, complementary and compensatory remediation) for land damage -2018;
- Workshop on access to justice related to instances of environmental damage or an imminent threat of such damage - 2018-2019;
- Workshop on Member States' experience on assessing the imminent threat of damage – 2019
- Workshop on Member States' experience related to establishing a causal link between the damage and activities of individual operators in cases of pollution of diffuse character – 2019.

The envisaged activities will be implemented by the MAEP. Some of the activities will be implemented with the support of the TAIEX project.

6) Environmental Crime Directive: Directive 2008/99/EC

Working group for the amending of the Criminal Code, established in 2014, is responsible for ensuring a full harmonisation with requirements of this Directive. Criminal complaints for the criminal offences may be submitted by any person or Inspection service to the competent Prosecutor's Office.

The competent Public Prosecutor is entitled to prosecute criminal offences, ex officio (i.e. the Prosecutor from the Basic Public Prosecutor's Office and Prosecutor from the Higher Public Prosecutor's Office).

Courts of general jurisdiction (basic and higher first instance courts and Appeal Court in second instance) conduct criminal proceedings. The Republic Environmental Inspection organised several workshops in the previous period (through the OSCE projects and support of the IPA)

intended for prosecutors and judges in charge of proceedings related to environment. The workshops were conducted in various districts with a view to providing the prosecutors and judges with more detail concerning the environmental protection laws. During these workshops, inspectors were informed by prosecutors and judges about the data required during the court proceedings and prosecutors and judges were informed by inspectors about different types of on- site inspections.

Environmental Inspection Department keeps the register of submitted requests to institute misdemeanour proceedings before misdemeanour courts and requests to institute economic offence proceedings before the Prosecutor's Office. The practice is such that courts inform of the manner to resolve the misdemeanour cases and the Prosecutor's Office informs the litigant about the outcome of the proceedings (about valid judgments and rejecting the request to institute the economic offence proceedings).

Transposition Plan:

For the period 2016 - end of 2018, the following has been planned:

- To publish the handbook entitled "Legal Instruments of Environmental Protection - Civil Law and Criminal Law Protection"
- Membership in the IMPEL network.

Transposition Plan:

For the period 2018 - end of 2020, the following has been planned:

- Capacity building for environmental authorities responsible for enforcement of environmental legislation – (end of 2018);
 - Workshops on Member States' experience regarding establishment of special departments within the courts of law dealing with environmental issues (end of 2018);
- The envisaged activities will be implemented by the MAEP with the support of the Ministry of Justice, OSCE and Judicial Academy.
- It is envisaged to continue the capacity building for representatives of the judiciary system even beyond the planned implementation date.

7) INSPIRE Directive 2007/2/EC

Implementation Status

The Republic Geodetic Authority (RGA) proposed a metadata profile for purposes of the National Spatial Data Infrastructure (NSDI) describing: data on metadata, dataset, responsible organisations, conformity, portray, classification, keywords, constraints and limitations, distribution, temporal update, reference system, location and quality.

The initial geoportal "GeoSrbija" [www.geosrbija.rs] was launched on 27 November 2009 supported by the twinning project with Norway.

Within the "National Spatial Data Infrastructure and Remote Sensing Centre for the Republic of Serbia- IGIS project", implemented in the period from 2010 to 2015, as a result of the bilateral cooperation between the Republic of Serbia and France, the capacities were established for collection, processing, analysis and distribution of a wide range of spatial data.

The on-going project entitled "Cooperation in the Western Balkans Region and Development of Spatial Data Infrastructure in the Western Balkans Countries (IMPULS project)- (2014-2018), financed by the Swedish International Development Cooperation Agency (SIDA), is aimed at providing support to development of regional spatial data infrastructure, in conformity with the INSPIRE Directive and South East Europe Strategy 2020 (SEE 2020), as well as improving the interoperable contents and services in the Western Balkans region to provide a more efficient help to e-government, in order to ensure the fulfilment of EU requirements in this field, in particular the parts pertaining to e-government efficiency.

The following activities on harmonisation of spatial data to the INSPIRE requirements are in progress:

Topographic model for 3D spatial data collected in a vector form for scale 1:20 000 is developed, with themes defined in conformity with the EU INSPIRE Directive;

Data model for cadastral system is developed for cadastral parcels, buildings, administrative units and addresses for core classes according to the INSPIRE document data specifications 2015-2016.

Implementation Plan

For the period 2016 - end of 2018, the following has been planned:

- To prepare the NSDI Strategy for the period 2017-2021;
- To identify and appoint responsible public authorities for thematic areas within the INSPIRE Directive for Annex I, II and III;
- To harvest metadata for spatial data sets and services under Annex I;
- To improve the technical infrastructure for a free public access to spatial data sets via discovery and view services at the national level and allow a smooth and unrestricted exchange of data and services among public authorities;
- To establish the infrastructure for monitoring and reporting to the Commission in line with the requirement of the EU acquis in the field of environment concerning the INSPIRE Directive implementation;
- To develop the NSDI business model (financing model, pricing policy, coordination structure, spatial data sharing and distribution among stakeholders, licensing, cost-benefit analysis, provision of spatial data and services for emergency risk management). In particular, the model should develop the mechanisms to ensure availability of reference data sets as open data, to maximise a wide reuse of geoinformation without restriction;
- To incorporate the INSPIRE implementation rules in the national legislation by adopting the following by-laws:
 - Rulebook on Metadata of Geodata Sets and Services;
 - Rulebook on Monitoring and Reporting on the INSPIRE Directive Implementation;
 - Rulebook on Interoperability of Geodata Sets and Services;
 - Rulebook on Network Services;
 - Rulebook on Access to Geodata Sets and Services;
- To develop the technical platform in line with technical specifications for implementation of the INSPIRE network services for discovery, view and download;
- To link national services to the EU INSPIRE geoportal in order to provide discovery of spatial data sets and services at the central access node at the EU level;
- To implement the project entitled “Improvement of Land Administration in Serbia“ (2015-2020) funded by the World Bank loan.

A sub-component of the B.2 project: “Support to the NSDI” envisages the following activities:

- the NSDI business model development (financing model, pricing policy, spatial data sharing and distribution among stakeholders, licensing, cost-benefit analysis, spatial data and services access for emergency situations);
- development of a NSDI technical framework by upgrading network services for discovery, view, transformation, download and linking spatial data services in line with the INSPIRE.

The RGA participates in the project entitled “Flood risk maps developed for sub-basins and flood protection improved“ (activity defined within the Action document: “Assistance to flood recovery”, EU Delegation to the Republic of Serbia). The goal of the project is to build national capacities for flood risk management, where different institutions would cooperate and work together on reducing the risks and ensuring a more efficient response in case of disasters. The project is funded by pre-accession EU funds (IPA II 2014 – Sector: Environment) and donations. The planned implementation period is 2016-2018. Institutions responsible for the implementation are the Ministry of Agriculture and Environmental Protection – Republic

Directorate for Water and Government of the Republic of Serbia – Office for Assistance and Rehabilitation of Flooded Areas. The RGA will be committed to preparation of a highly accurate digital terrain model obtained on the basis of data collected by LiDAR technology, required for preparation of flood risk and hazard maps for priority basins. The RGA will be responsible for control, verification and processing of the collected point cloud data using LiDAR technology, creation of a digital terrain model, its control and distribution to beneficiary institutions. Additionally, as part of the project, the RGA will work on harmonisation of elevation systems for purposes of the project implementation. All these data will make a basis of a functional establishment of the Water Information System of the Republic of Serbia.

The RGA will take an active part in the implementation of the project entitled “NATURA2000” (Capacity Building to implement 'acquis' standards and conventions in nature protection – establishment of Natura2000) for purposes of establishing and developing the ecological network and habitat as a measure aimed at conservation of biodiversity. The project is funded by pre-accession EU funds (IPA II 2014 – Sector: Environment) and donations. It started in December 2015 and has a duration period of two years. Institutions responsible for the implementation are the MAEP – Department of Environmental Protection and Institute for Nature Conservation of Serbia.

It has been envisaged, based on legal grounds and cooperation agreement between the RGA and MAEP - Department of Environmental Protection, to develop a functional and sustainable cooperation system, as the RGA has been recognised as the institution that will support the implementation of a pilot project, as well as maintenance of the national ecological network and NATURA 2000 habitats by providing the required geospatial data at the national level.

For purposes of implementation of the pilot project and initial establishment of the ecological network and habitat, the RGA will ensure their support by providing the data, but also by transfer of knowledge for the creation of environmental protection maps as part of implementation of the IGIS development project.

For the period 2018 - end of 2020, the following has been planned:

- To harvest metadata for spatial data sets and services related to Annex II and III;
- To harmonise data for newly harvested or widely restructured geodata sets and services for Annex I, II and III in order to comply with the INSPIRE specifications. To coordinate the provision of spatial data sets and services at the cross-institutional level;
- To monitor and report to the Commission on implementation of the Directive;
- To harmonise the data for thematic areas in the RGA scope of competences, in conformity with the INSPIRE specifications.

The envisaged activities will be implemented by the RGA.

For the period 2021 onwards, the following has been planned:

- To enhance the technical platform in line with technical specifications for implementation of the INSPIRE network services for transformation and invoke;
- To harmonise data for existing geodata sets and services for Annex I, II and III in order to comply with the INSPIRE specifications;
- To provide sustainable terms for the continuous supply and update of metadata, spatial data sets and services for purposes of national authorities, as well as institutions of the EU community;
- To monitor and report to the Commission on implementation of the Directive.

The Republic Geodetic Authority (RGA) was appointed the institution responsible for cooperation with the Commission in matters related to this Directive.

The coordination structure has been defined under the Law on Land Survey and Cadastre, according to which the Council of the National Spatial Data Infrastructure (NSDI) and working groups have the following responsibilities:

The NSDI Council - manages the development of institutions and technical framework for establishing a common geo-information infrastructure at the national level, by formulating clear guidelines and means to achieve this goal;

Working groups – have the operational responsibility for implementation of thematic issues for specific components such as: technical infrastructure, standards, metadata and spatial data, cooperation among stakeholders, legal framework, financing models, research, education, etc. The current members of the NSDI Council are representatives of the Republic Geodetic Authority - RGA (chairman), Ministry of Construction, Transport and Infrastructure, Ministry of State Administration and Local Self-Government, Ministry of Defence, Ministry of Energy and Mining, MAEP, Ministry of Finance, Statistical Office of the Republic of Serbia and Republic Hydro-Meteorological Service.

Members of the working groups are representatives of ministries and other public authorities, local administration, public companies, provincial secretariats, research and education institutions, as well private companies.

It is necessary to strengthen the administrative capacities of the RGA to ensure the efficient implementation of the Directive. Pursuant to the valid Rulebook on Internal Organisation and Systematisation of Job Positions at the Republic Geodetic Authority (no. 110-1/2014 from 15/07/2014, approved by the Government of the Republic of Serbia in the Conclusion 05 no. 110-7793/2014, from 22/10/2014), the Department for National Infrastructure of Geospatial Data employs 13 people, six of whom are in charge of tasks concerning the Directive implementation. The capacities need to be extended to involve at least nine experts with university degree in the tasks concerning the Directive implementation.

Special attention should be paid to the INSPIRE Directive (Directive 2007/2/EC) due to necessity of development and establishment of the required technical systems, which is why it will require a transitional period.

2.27.3 Climate Change

Status

1. Strategic Framework

- National Sustainable Development Strategy for the period 2008-2017 (adopted in 2008);
- National Strategy for Inclusion of the Republic of Serbia in the Clean Development Mechanism of the Kyoto Protocol for Waste Management, Agriculture and Forestry Sectors (National Clean Development Mechanism Strategy) – adopted in 2010;
- First National Communication (First Report of the RS to the United Nations Framework Convention on Climate Change) – adopted in 2010;
- First Biennial Update Report (FBUR) to the UN Framework Convention on Climate Change (UNFCCC) - (adopted in January 2016);
- NEAS (National Environmental Approximation Strategy for the Republic of Serbia) and EAS for air quality and climate change sector (Environmental Approximation Strategy), adopted in 2011;
- HPMP (HCFC Phase Out Management Plan) was prepared in 2010 with the aim to reduce the consumption of HCFCs by 35% by 2020.

Planned Strategic Documents

For the period 2016 - 2018, the following has been planned:

To adopt the Second National Communication to the United Nations Framework Convention on Climate Change (SNC) – envisaged to take place by the end of 2016.

For the period 2018 - 2020, the following has been planned:

-To adopt the Climate Change Strategy and its Action Plan (IPA 2014) – envisaged to take place in 2019;
-Air Protection Strategy will be prepared within the IPA 2014 project “Further Implementation of the Environmental Approximation Strategy Supporting the EU Negotiation Process (Activity: Development of the Directive Specific Implementation Plans)”. The Air Protection Strategy will be enacted by the Government for a period of six years.

EU Monitoring Mechanism - Regulation 525/2013 (MMR)

2. Alignment

Alignment Status:

The Regulation is not harmonised with the national legislation. Currently in the process of implementation are activities aimed at harmonising the national legislation with the Regulation 525/2013 with the support of the IPA 2013 Twinning Project: “Establishment of a Mechanism for Implementation of MMR”. The project implementation started in May and will last for two years.

Alignment Plans:

For the period 2016 - 2018, the following has been planned:

- Drafting of the relevant legislation will start in 2016 and it is planned to be completed by 2018¹¹.
- Adoption of all the required legislative acts is planned to be finalised in 2018 at the latest, for the purpose of ensuring a full harmonisation with the Regulation.

EU Emissions Trading System (EU ETS) - Directive 2009/29/EC

Transposition status

The Directive has not been transposed into national legislation. However, the Ministry of Agriculture and Environmental Protection (MAEP) initiated the process of transposition of the EU Emissions Trading System Directive in 2013, through preparation of analyses and legal solutions for transposition. In accordance with the abovementioned, the Draft Law was prepared for public consultations, while by-laws were prepared for adoption. The Draft Law and by-laws include the aspects of monitoring, reporting and verification of the EU Emissions Trading System Directive (including the Monitoring and Reporting Regulation, the Accreditation and Verification Regulation and supporting instructions, templates and other relevant EC documents in the field of monitoring, reporting and verification - MRV).

Transposition plans:

The plan for the period 2016-2018 includes the following:

It is envisaged for the Law on the System of Reduction of Greenhouse Gas Emissions and supporting regulations and rulebooks to be adopted by the end of 2017.

EU Emissions Trading System-Air Transport System

Transposition status

¹¹ Alignment with Regulation 525/2013 will start with the support of the IPA Twinning Project: “Establishment of a Mechanism for Implementation of MMR”.

The Draft Law on the System of Reduction of Greenhouse Gas Emissions transposes the provisions regarding the monitoring, reporting and verification, but details concerning implementation methods and deadlines will be known after the International Civil Aviation Organisation (ICAO) Conference, which will be held in 2016.

Fuel Quality

Transposition status

The Directive 98/70/EC has been partially transposed into the legislation of the RS, pursuant to the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the RS, No. 36/09) and supporting by-law regulating the field of fuel quality¹²; the Law on Energy ("Official Gazette of the RS, No. 145/14)¹³; the National Action Plan for Renewable Energy Sources ("Official Gazette of the RS, No. 53/13); the Law on Consumer Protection ("Official Gazette of the RS, No. 73/10); the Law on Standardisation ("Official Gazette of the RS, No. 36/09); the Law on Accreditation ("Official Gazette of the RS, No. 73/10).

For the purpose of full transposition in the forthcoming period, it is necessary to prepare proposals for amendments to the relevant by-laws and institutional framework, as well as to strengthen the existing administrative and institutional capacities.

Transposition plans:

The plan for the period 2016-2018 includes the following:

- Revision of the Rulebook on Technical and Other Requirements for Liquid Fuels of Petroleum Origin in order to harmonise this Rulebook with the provisions of the Directive 98/70/EC;
- Enactment of the Rulebook on the Content and Manner of Implementation of the Annual Programme of Quality Monitoring of Petroleum Products and Biofuels, per annum,
- Enactment of by-laws of the Law on Energy, which will regulate the area of biofuels;
- Preparation of the Detailed Plan for the Implementation of the Directive 98/70/EC within the IPA 2014;
- Strengthening of administrative and institutional capacities.

The plan for the period 2018-2020 includes the following:

- Situation analysis and application of relevant recommendations from the Detailed Plan for the Implementation of the Directive 98/70/EC;
- Strengthening of administrative and institutional capacities;
- Ozone layer protection and fluorinated gases;
- Ozone-depleting substances.

Regulation 1005/2009/EC and Regulation 744/2010/EC

Ozone-depleting substances

Alignment status

¹² Alignment with Regulation 525/2013 will begin with support of the Twinning Project IPA 2013: "Establishment of a Mechanism for Implementation of the MMR".

¹³ The Rulebook on Technical and Other Requirements for Products and Conformity Assessment ("Official Gazette of the RS, No. 123/12, 63/13, 75/13, 144/2014).

Pursuant to the Law on Amendments to the Law on Air Protection ("Official Gazette of the RS", No. 10/13), the new Regulation on Ozone-Depleting Substances Management, as well as on Conditions for Licence Issuance for Import and Export of Such Substances ("Official Gazette of the RS", No. 114/13) was adopted at the end of 2013. This Regulation enabled harmonisation of certain requirements stipulated by Regulations 1005/2009/EC and 744/2010/EC. The Regulation has not been harmonised with the provisions pertaining to ozone-depleting substances producers, since their production is prohibited in the RS. Furthermore, provisions regarding the use of methyl-bromide have not been harmonised, since its consumption in the RS is zero. The Regulation has been harmonised with provisions pertaining to halones for critical uses, with the exception of deadlines and final deadlines for decommissioning of the fire protection system and fire extinguishers. As regards the plan for reduction of consumption and decommissioning of chlorofluorocarbons, the RS is not harmonised with these provisions, but based on the Montreal Protocol, it observes the order of decommissioning that refers to the countries referred to in Article 5 (Developing Countries).

Regulation 517/2014/EC

Fluorinated greenhouse gases

Alignment status

National legislation is partially harmonised with EU legislation governing the field of fluorinated gases.¹⁴

-the Regulation on Fluorinated Greenhouse Gases Management, as well as on Conditions for Licence Issuance for Import and Export of Such Gases ("Official Gazette of the RS", No. 120/13) was adopted at the end of 2013 and by means of its adoption into the national legal system, some of requirements contained in the Regulation 842/2006/EC, Regulation 1493/2007/EC, Regulation 1494/2007/EC, Regulation 1497/2007/EC, Regulation 1516/2007/EC and the Directive 2006/40/EC, were harmonised with the national legislation. , the Regulation was not harmonised with the provisions pertaining to training and certification of service technicians, then to control of the use of fluorinated greenhouse gases, establishing and allocation of quotas for placing of fluorinated greenhouse gases on the market.

-the Regulation on Certification of Persons Performing Specific Activities Regarding Ozone-Depleting Substances and Certain Fluorinated Greenhouse Gases ("Official Gazette of the RS", No. 24/16) was adopted in March 2016 and by means of its adoption, partial harmonisation with requirements from Regulations 303/2008/EC and 307/2008/EC was achieved.

Alignment plans – Ozone-depleting substances and fluorinated greenhouse gases:

The plan for the period 2016-2018 includes the following:

During this period, the plan is to perform a detailed analysis of requirements stipulated by the new Regulation on Fluorinated Greenhouse Gases 517/2014/EC and of the current situation in the RS, regarding fulfilment of the aforementioned requirements;

-Adoption of the new Regulation on Ozone-Depleting Substances Management, as well as on Conditions for Licence Issuance for Import and Export of Such Substances, which will prohibit the import of products and/or equipment containing or relying on controlled substances, as of 1 January 2018, (the 2nd quarter of 2017);

-Adoption of the Law on Amendments to the Law on Air Protection, in order to create conditions and legal basis for enactment of the Regulation on Amendments to the Regulation

¹⁴ Regulation 842/2006/EC, Regulation 1493/2007/EC, Regulation 1494/2007/EC, Regulation 1497/2007/EC, Regulation 1516/2007/EC and Directive 2006/40/EC.

on Certification, which will be supplemented by requirements concerning fire protection systems, high-voltage circuit breakers and solvents (the 4th quarter of 2017).

Effort Sharing Decision 406/2009/EC

Alignment status

National legislation is not harmonised with the Effort Sharing Decision 406/2009/EC.

Alignment plan:

The plan for the period 2016-2018 includes the following:

Transposition of the relevant provisions of the Decision 406/2009 will begin with support of the Twinning Project IPA 2013: "Establishment of a Mechanism for Implementation of the MMR". The project implementation commenced in May 2015 and the plan is to draw up relevant legal documents.

CO2 Emissions from Cars and Vans-Regulation 443/2009/EC and Regulation 510/2011/EU

Alignment status:

National legislation has still not been complied with the requirements laid down in these legislative acts. The system for collecting monitoring data, as well as system for communicating the monitoring data to manufacturers and their designated importers or representatives in the country (in accordance with the requirements of the Regulation (EC) No 443/2009 and Regulation (EU) No 510/2011) has not been established yet. The Road Traffic Safety Agency is currently finishing the software (database) for Certificates of Conformity data. According to Article 2 of the Rulebook on the Classification of Motor Vehicles and Trailers, and Technical Conditions for Vehicles in Road Traffic ("Official Gazette of the RS", No. 40/12, 102/12, 19/13, 41/13, 102/14 and 41/15), the Republic of Serbia will allow registration and entry into service of new vehicles of category L, M, N, O, T and R, only if they are accompanied by a valid certificate of conformity.

Alignment plans:

The plan for the period 2016-2018 includes the following:

The first analysis of transposition and compliance possibilities for the forthcoming period (first half of 2016), was conducted by the Road Traffic Safety Agency with support of the PLAC (Policy & Legal Advice Centre) Project, in order to identify and include other institutions with competences and responsibilities in this field and to make an assessment of transposition plan and define the type of document and its proposer.

The activities pertaining to transposition and institutional organisation should be completed and the plan is to prepare the relevant legislation by the end of 2018.

Full implementation of collection of monitoring data will be done by the end of 2017 and it will be a necessary prerequisite for establishing of the system for collecting and monitoring data according to the requirements of all EU legislation relating to CO2 emissions from cars and vans.

The Road Traffic Safety Agency (RTSA) is designated as the competent authority (in general). There are other institutions with competences and responsibilities in this field- the Ministry of Interior, the Ministry of Agriculture and Environmental Protection (MAEP), the Ministry of Construction, Transport and Infrastructure.

Carbon capture and storage - Directive 2009/31/EC on Geological Storage of Carbon-Dioxide

Transposition status:

The Directive 2009/31/EC has not been transposed into the national legislation.

The main principles and priorities identified in the Directive 2009/31/EC have been partially transposed through the Law on Mining and Geological Research ("Official Gazette of RS", No. 101/15).

The Law on Mining and Geological Research created a legal basis for adoption of secondary legislation which would facilitate full compliance with the EU directives. The Ministry of Mining and Energy prepared transposition plans for the segment of the Directive pertaining to conducting of geological research, regarding separation of favourable geological formations and structures, as well as depleted deposits of mineral raw materials for storing of CO₂, as pointed out afterwards.

Transposition plans and implementation plans for the remaining parts of the Directive will be known after the completion of the process of establishing authorised institutions in charge of the remaining provisions of the Directive, in its entirety. The process is underway.

Transposition plans:**The plan for the period 2016-2018 includes the following:**

Preparation of by-laws for the purpose of commencement of transposition of the Directive. The said by-laws will regulate key issues, such as conditions, criteria, procedure and method of issuing of licences and other specific conditions, regarding conducting of geological research, pertaining to separation of favourable geological formations and structures, as well as depleted deposits of mineral raw materials for storing of CO₂.

The Directive is envisaged to be fully transposed in 2018, by means of adoption of the relevant secondary legislation.

3. Implementation activities and institutional responsibilities***EU Monitoring Mechanism- Regulation 525/2013 (MMR)***

SEPA has finalised GHG inventories for the period 1990-2013, in order to start its preparation on an annual basis, while the Climate Change Division (CCD) regularly submits reports (NatComm and BUR) to the UN Framework Convention on Climate Change (UNFCCC) that includes certain provisions of the MMR.

The Ministry of Agriculture and Environmental Protection (MAEP) is the UNFCCC focal point, therefore responsible for reporting to the UNFCCC (through national communications and biennial update reports). The Serbian Environmental Protection Agency (SEPA) is responsible for preparation and maintaining of the GHG inventories. In the CCD, three employees perform all activities concerning fulfilment of obligations within the UNFCCC and compliance with the EU legislation in the field of climate change. The analysis of the need for additional financial and administrative capacities will be conducted within the ongoing IPA 2013 Twinning Project: "Establishment of a Mechanism for Implementation of the MMR". Preliminary estimates shown that the implementation of the Monitoring Mechanism Regulation, as well as of the Effort Sharing Decision, will require additional 10 jobs, that is 4 jobs at the Ministry, 4 jobs at the Agency and 2 jobs at the Forest Directorate.

The plan for the period 2016-2018 includes the following:

With support of the IPA 2013 Twinning Project: "Establishment of a Mechanism for Implementation of the MMR", establishment of legal and institutional framework for the

implementation of Regulation 525/2013 and Regulation 406/2009/EC is envisaged and it includes the following:

- conducting the current situation analysis and preparation of proposals for changes and drafting of the relevant legislation and preparation of proposals for changes of institutional framework;
- conducting cost-benefit analysis of proposed actions;
- strengthening the existing administrative and institutional capacities;
- developing climate change indicators in conformity with the EU legislation;
- establishing clear and detailed institutional structure for the implementation of the Regulation, which will be reflected in corresponding legislation (foreseen for 2017).

The plan for the period 2018-2020 includes the following:

Commencement of the implementation of the Monitoring Mechanism Regulation (2019 at the latest).

EU Emissions Trading System (EU ETS) - Directive 2009/29/EC

Within the IPA 2012 Twinning Project: "Establishing of the Monitoring, Reporting and Verification System Necessary for the Effective Implementation of the EU Emissions Trading System" (duration from 2103 until 2015), a great number of trainings has been organised for stationary installation operators and the preliminary list of such installations has been created which fall under the ETS Directive. Institutional structure for the implementation of MRV aspects of the EU ETS Directive was established in September 2014, by means of the Government conclusion and it was reflected in a draft law. Activities regarding building capacities for fulfilment of obligations for all relevant parties, as well as evaluation of a specific number of monitoring plans, submitted voluntarily, were undertaken during 2015.

In accordance with the Government conclusion on establishing institutional organisation for the implementation of monitoring, reporting and verification within the Emissions Trading System from September 2014, the Climate Change Division (CCD) is in charge of the implementation of the Emissions Trading System; the Serbian Environmental Protection Agency (SEPA) and the Civil Aviation Directorate (CAD) will provide technical and professional assistance to the Division in inspection of monitoring plans of stationary installations or aviation operators; the Department for Prevention and Control of the Ministry will perform on-site inspection of stationary installations; the Accreditation Body of Serbia will conduct accreditation of verifiers. In accordance with institutional organisation, within the aforementioned IPA project, financial and administrative assessment of existing and required capacities has been performed. For the purpose of generating minimum costs, the analysis proved that the implementation of MRV provisions requires eight new jobs (at the Climate Change Division- out of three employees, two are in charge of MRV and additional two new jobs are required; the Department for Prevention and Control- one new job; SEPA- three new jobs; the Civil Aviation Directorate-one new job; the Accreditation Body of Serbia-one new job).

The plan for the period 2016-2018 includes the following:

It is envisaged to commence the implementation of the part of the Directive, pertaining to monitoring, reporting and verification in 2017.

EU Emissions Trading System-Air Transport Sector

For the purpose of implementation of the provisions pertaining to air transport sector, and by means of the Government decision from September 2014, institutional structure was defined which was integrated in the Draft Law on the Greenhouse Gases Emission Reduction. Adoption of by-laws will be determined based on the results of the International Civil Aviation Organisation (ICAO) Conference, which is scheduled for 2016 and they will be harmonised with its decision. Until then, Serbian aviation operators will inform the authorised body of Germany about their emissions. In accordance with the abovementioned Government conclusion, the Civil Aviation Directorate will perform technical control of monitoring plans and reports on tonne-kilometres of aviation operators. The analysis of existing and required institutional capacities, conducted within the IPA Twinning Project: "Establishing of the Monitoring, Reporting and Verification System Necessary for the Effective Implementation of the EU Emissions Trading System", showed that the Directorate needed opening of one new job.

Fuel quality

The plan for the period 2016-2018 includes the following:

Preparation of a Special Implementation Plan, which will include comprehensive analyses and financial assessments, necessary for the full implementation of the Directive, through the implementation of the IPA 2014 Project (2016-2018).

The Ministry of Mining and Energy is responsible for drafting legislative acts governing the quality of petroleum products. The Ministry of Trade, Tourism and Telecommunications is responsible for quality control of goods which are distributed on the market of the Republic of Serbia. The Ministry of Agriculture and Environmental Protection performs state administration duties regarding environmental protection. The Ministry of Construction, Transport and Infrastructure performs state administration duties in the field of rail, road, waterborne and air transport, as well as international transport. The Institute for Standardisation is responsible for the adoption of standards. The Accreditation Body of Serbia performs duties pertaining to accreditation. Based on the current situation, it is necessary to specify the number of employees in the Ministry of Mining and Energy involved in drafting this legislative act, as well as the number of persons that need to be employed.

The plan for the period after 2021, includes the following:

Ozone layer protection and fluorinated gases

Serbian legislation governing ozone-depleting substances fully complies with provisions and requirements of the Montreal Protocol applicable to Article 5 countries (developing countries) and partially complies with the EU regulation on ozone-depleting substances. There is a ban on production of ozone-depleting substances in Serbia. Only halogenated hydrochlorofluorocarbons (HCFCs) are allowed for import and they are mostly used in refrigeration manufacturing and servicing sector.

In 2015, Serbia implemented the second control measure of HCFCs phase-out schedule, with 10% use reduction from the baseline use. Allowed import quota for the year 2016 is set to 7.15 ODP tonnes and allocated to 9 registered importers. Efficient licensing and quota system ensure compliance with established quotas and the MP provisions.

Reduction of consumption is achieved through projects funded from the Multilateral Fund for the implementation of the Montreal Protocol, with UNIDO, as an implementing agency.

The consumption HCFCs is relatively low in Serbia and they are mostly used in refrigeration manufacturing and servicing sector. The Montreal Protocol phase-out schedule for A5 countries, with all preparatory steps that are and will be undertaken under the HPMP (HCFC Phase-Out Management Plan) for Serbia, will be followed until 2020.

Fluorinated gases

Status

At the moment, fluorinated gases management in Serbia is complied with ozone-depleting substances management, since both groups of substances are used as refrigerants. In order to collect more data on imports, licensing system for ODSs has been extended to cover substances and mixtures of fluorinated GHGs, as well as certain products containing or relying on such gases. Main focus at this moment is to collect information on uses of f-gases and to improve containment measures. Training and certification system has not yet been introduced, but it is envisaged to cover both ODS and f-gases and to be based on corresponding EU legislation, in the area of f-gases management.

Some activities on establishing the system for training of refrigeration technicians have already been finalised (establishing and equipping of training centres, preparation of the training programme and training materials, supplying of 100 sets of equipment for servicing of the big, small and AC units in motor vehicles). Training of trainers in servicing sector has been already completed (national training of 23 trainers from 4 vocational schools and training and certification of 12 refrigeration experts for f-gases).

Implementation plan

The plan for the period 2016-2018 includes the following:

- Introduction of training and certification scheme, to include certification legislation, as well;
- Implementation of the HPMP-finalisation of technology transfer component in 2016 (remaining consumption of controlled substances will be only in servicing sector);
- Imposing of ban on imports of products and /or other equipment containing or relying on ozone-depleting substances, as of 1 January 2018;
- Training of environmental inspectors to improve control and supervision over the enforcement of ODS and f-gases legislation;

Preparation of the National survey of the alternatives for ODSs, including f-gases-at the 74th Executive Committee Meeting, held in Montreal, in May 2015, the funds for this project were approved for the Republic of Serbia.

The plan for the period 2018-2020 includes the following:

- Preparation of the 2nd phase of the HPMP project;
- Continuation of training for environmental inspectors in order to improve control and supervision over the enforcement of ODS and f-gases legislation, particularly inspection in servicing sector;
- Training for customs officers
- Continuation of training of service technicians.

Institutional responsibility

The National Ozone Unit/MAEP (within the Air and Ozone Layer Protection Unit) is responsible for: implementation of control measures, licensing and quota system, data collection, reporting, project implementation and regional and international cooperation (focal point for the Vienna Convention and Montreal Protocol). Environmental Inspection/MAEP is responsible for inspection of importers/exporters, as well as inspection of operators of the equipment (planned). The Customs Administration has the responsibility for border control of imports/exports and prevention of illegal trade. SEPA, the Department for National Register is responsible for collecting data for the national inventory of f-gases emissions.

Having in mind that only two persons in the Ministry perform these tasks, one of whom has delegated responsibilities, and that it is envisaged that a new [Regulation on Certification of Personnel Performing Certain Activities Related to Controlled Substances and Certain Fluorinated Greenhouse Gases will be enacted](#) with the aim to strengthen the administrative capacities, the plan is to employ one more person with university degree, as of 2016. Since the introduction of service technician certifications will also create conditions for issuing licences to service providers, thereby increasing the workload, the plan is to employ one more person with university degree, as of 2017.

Air quality information system in the Republic of Serbia will be managed by the Environmental Protection Agency.. For the implementation of the Regulation 842/2006, as amended by the new Regulation 517/2014, in the field of reporting, the new Regulation 1493/2007 governing the reporting was enacted. By means of analysis, it has been determined that for continuous implementation of this Regulation in 2016, the Agency needed to employ one more civil servant with university degree.

Effort Sharing Decision 406/2009/EC

Status

With support of IPA 2013 Twinning Project: “Establishment of a Mechanism for Implementation of the MMR”, methods and timeframe, as well as legal and institutional framework for commencement of implementation of this Decision, will be set out.

The possibility of reducing GHG emissions in the sectors covered by this Decision, as well as specific actions, needs and responsibilities for the implementation of these activities, will be determined through the Climate Change Strategy and its Action Plan (IPA 2014).

A preliminary assessment showed that ten new jobs will be needed for the implementation of this Effort Sharing Decision and the Monitoring Mechanism Regulation, while the staff distribution by numbers in competent institutions will be known after the final definition of institutional organisation and detailed assessment of existing capacities.

Implementation plan

The plan for the period 2016-2018 includes the following:

Establishing of clear and detailed institutional structure for the implementation of the Effort Sharing Decision, through the support of MMR projects, is planned for 2017.

Entry into force of relevant legislation reflecting the said institutional structure is planned for 2018, at the latest.

The possibility of reducing GHG emissions in the sectors covered by this Decision, will be determined in 2018, through the Climate Change Strategy and its Action Plan.

The plan for the period 2018-2020 includes the following:

Realisation of requirements pertaining to monitoring and reporting by 2019, at the latest.

CO2 emissions from cars and vans

Implementation plan

The plan for the period 2016-2018 includes the following:

Monitoring data collection will be completed by end of 2016 and it would be a prerequisite for establishing the system for data collection and monitoring, according to requirements of all EU legislation relating to CO2 emissions from cars and vans.

Entry into force of relevant legislative acts is planned for 2018.

It is foreseen to strengthen existing administrative and institutional capacities.

Institutional responsibilities

The Road Traffic Safety Agency (RTSA) is designated as the competent authority (in general). There are other institutions with competences and responsibilities in this field- the Ministry of Interior, the Ministry of Agriculture and Environmental Protection (MAEP), the Ministry of Construction, Transport and Infrastructure.

Carbon capture and storage

Implementation plan

The plan for the period 2016-2018 includes the following:

The Ministry of Mining and Energy prepared transposition plans for the segment of the Directive pertaining to conducting of geological research, regarding separation of favourable geological formations and structures, as well as depleted mineral deposits of carbon, as pointed out afterwards. Transposition and implementation plans for the remaining parts of the Directive will be known after the completion of the process of establishing authorised institutions in charge of the remaining provisions of the Directive, which is underway.

It is necessary to designate all competent institutions for the implementation of the Directive, in its entirety.

The plan for the period after 2021, includes the following:

Implementation plan-all legal documents.

2.27.4 Air quality

Situation

Strategic framework

- National Programme for Environmental Protection
- National Sustainable Development Strategy
- National Environmental Approximation Strategy
- Approximation Strategy for the air and climate change sector
- Energy Strategy of the Republic of Serbia for the period until 2025 with projections until 2030.

Planned strategic documents.

The Air Protection Strategy will be drafted within the IPA 2014 Project: "Further Implementation of the EAS supporting EU negotiation process (hereinafter: IPA 2014 Project). The Air Protection Strategy will be enacted by the Government for a period of six years.

2. Transposition

Directive 2008/50/EC and Directive 2004/107/EC

Transposition status

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

The Directive 2004/107/EC has been partially transposed into Serbian legislation through the Law on Air Protection (“Official Gazette of the RS”, No. 36/09 and 10/13) and the Regulation on Monitoring Conditions and Air Quality Requirements (“Official Gazette of the RS”, No.11/10, 75/10 and 63/13).

Transposition plan

The plan for the period 2016-2018 includes the following:

During the period 2016-2018, the activity of transposition of remaining provisions of the Directive 2008/50/EC and Directive 2004/107/EC, that set obligations of the EU member states towards the European Commission, will be undertaken.

Also, harmonisation with new requirements stipulated by the Directive 2015/1480/EU from 28 August 2015 on amendments to certain appendices of the Directive 2004/107/EC and the Directive 2008/50/EC of the European Parliament and Council on laying down the rules concerning reference methods, data validation and location of sampling points for the ambient air quality assessment.

NEC-Directive 2001/81/EC

Transposition status

The Directive has been partially transposed through the Law on Air Protection (“Official Gazette of the RS”, No. 36/09 and 10/13), the Regulation on Emission Limit Values of Pollutants in the Air from Stationary Sources of Pollution, with the Exception of Incineration Plants (“Official Gazette of the RS”, No.111/15) and the Regulation on the Methodology for Development of Emission Inventories and Projections of Pollutants in the Air (“Official Gazette of the RS”, No. 03/2016).

Legal basis for the adoption legislative acts relating to national emission ceilings for the relevant pollutants was provided for by the Law on Air Protection (“Official Gazette of the RS”, No. 36/09 and 10/13).

The new Regulation on the Methodology for Development of Emission Inventories and Projections of Pollutants in the Air (“Official Gazette of the RS”, No. 03/2016), adopted in January 2016, transposes the provisions, pertaining to preparation and annual updating of emission inventories and projections and the methodology which is applied within the Convention on Long-Range Transboundary Air Pollution (CLRTAP) (Article 7 and Annex III of the Directive). Having in mind that proposal of the new Directive on Reduction of National Emissions of Certain Atmospheric Pollutants amending the existing Directive 2001/81/EC is in the adoption procedure (Proposal for Directive of the European Parliament and of the Council on the national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC), as well as the fact that, from the moment of its entering into force, the EU

members will have specific deadline for transposition and it will be necessary to review the transposition deadline for the RS, after entering into force of the new Directive.

In 2016, the Ministry finalised the assessment of compliance of national legislation with the provisions of Directive 2001/81/EC, with expert assistance provided through PLAC Project (EuropeAid/131430/C/SER/RS), and they also considered the Council of the European Union Common Position from 16 December 2015, for the purpose of defining its strategy for transposition and defining priorities.

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

The Ministry in charge of environmental protection and the Serbian Environmental Protection Agency will continue to monitor the progress of the process of adoption of the new Proposal for Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC, to appropriately adjust further steps towards harmonisation of the national legislation.

The plan for the period 2018-2020 includes the following:

Full transposition, which will be achieved by adoption of a by-law which will determine national responsibilities, regarding emission reductions for certain atmospheric pollutants.

Directive 1999/32/EC on the Sulphur Content of Certain Liquid Fuels

Transposition status

The area of sulphur content of certain liquid fuels, as well as other elements of the Directive 1999/32/EC, have been partially transposed into the legislation of the Republic of Serbia, through the following acts: the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the RS", No. 36/09), the Rulebook on Technical and Other Requirements for Liquid Fuels of Petroleum Origin ("Official Gazette of the RS", No. 123/12, 63/13, 75/13, 144/14), the Law on Energy ("Official Gazette of the RS, No. 145/14), the Law on Consumer Protection ("Official Gazette of the RS, No. 73/10), the Law on Ratification of the Protocol of 1997 on Amending the International Convention for the Prevention of Pollution from Ships of 1973, as amended by the Protocol of 1978 relating thereto, thus adding Annex 6 (Regulations for the Prevention of Air Pollution from Ships) to the Convention ("Official Gazette of the RS, No. 36/09), the Law on Maritime Navigation ("Official Gazette of the RS, No.87/11, 104/13), the Law on Consumer Protection ("Official Gazette of the RS, No. 73/10), the Law on Standardisation ("Official Gazette of the RS, No. 36/09); the Law on Accreditation ("Official Gazette of the RS, No.73/10).

Foreseen steps for further transposition of the Directive 1999/32/EC include:

- analysis of current situation and preparation of proposals for amendments to relevant legislation;
- strengthening of the existing administrative and institutional capacity.

Transposition plan

The plan for the period 2016-end of 2018 includes the following:

-Revision of the Rulebook on Technical and Other Requirements for Liquid Fuels of Petroleum Origin in order to adjust this Rulebook with the provisions of the Directive 1999/32/EC.

-Adoption of the Rulebook on the Content and Manner of Implementation of the Annual Programme of Quality Monitoring of Petroleum Products and Biofuels, per annum;

VOC Petrol Directives (94/63/EC Stage I and 2009/126/EC Stage II of petrol vapour recovery)

Transposition plan

Directives have been partially transposed into national legislation. The Rulebook on Technical Measures and Requirements in Relation to Allowed Emission Factors for Volatile Organic Compounds Resulting from the Storage and Transport of Petrol ("Official Gazette of the RS, No.01/12, 25/12 and 48/12) (shortened: VOC Petrol Rulebook) transposes main requirements of the VOCs Petrol Directives.

Provision of the Directive –Stage I of petrol vapour recovery, stipulating different deadlines for different throughputs, have not been transposed, neither have provisions of the Directive 2014/99/EC amending, for the purpose of adjusting to technical progress, certain provisions of the Directive-Stage II of petrol vapour recovery. Also, provisions stipulating obligations of the member states towards the Commission have not been transposed into the national legislation yet.

The plan for the period 2016- 2018 includes the following:

Realisation of the transposition activity of the remaining provisions of the VOC Petrol Directive.

Directive 2015/2193 on the Limitation of Emissions of Certain Pollutants into the Air from Medium Combustion Plants¹⁵

3. Implementation and institutional responsibilities

Directive 2008/50/EC and Directive 2004/107/EC (Air Quality Directives)

Situation

Zones and agglomerations have been established. There are 3 zones and 8 agglomerations in Serbia.

Air quality monitoring system is in place. State funded National AQ Monitoring Network, which is in accordance with the Law on Air Protection, consists of: automatic AQ monitoring system, which performs air quality monitoring by reference methods, calibration laboratory of automatic gas-analysers within the national network and analytical laboratory, as well as network of measurement stations of the Public Health Institute and Institute for Mining and Metallurgy of Bor, which perform air quality monitoring using manual methods. The local network of measurement stations and/or sites consist of additional measurement stations and/or sites for air quality monitoring at the level of autonomous province and local self-government units and it is funded from the budget of the autonomous province or local self-government unit.

Smooth operation and improvement of the National Automatic AQ Monitoring Network, in accordance with requirements of directives, depends on securing the funds for the National Automatic AQ Monitoring Network from the state budget. After securing the stable funding of operational automatic AQ monitoring, the activity of accreditation will commence.

¹⁵ Transposition plan for this Directive is presented in section 2.27.6 Industrial pollution

AQ assessment is performed in accordance with the requirements of directives. Indicative AQ measurements and modelling are not used for the AQ assessment.

It is necessary to provide additional EU assistance for strengthening administrative capacities, regarding the application of AQ modelling technique (TAIEX, other available EU funded projects).

The first Air Quality Plan for agglomeration „Bor” („Official Gazette of the Municipality of Bor”, No. 7/2013) was adopted in 2013. The AQ plan for agglomeration Belgrade („Official Gazette of the Municipality of Belgrade”, No. 05/2016) was adopted on 8 February 2016. AQ plans in other agglomerations, with concentrations of pollutants above tolerant values, are either in the process of preparation or in the process of provision of funds for the preparation.

The Annual Report on the State of Air Quality in the Republic of Serbia is prepared and published by SEPA and it contains an overview of the results of monitoring and evaluation of the state of air quality in zones and agglomerations. All annual reports from previous years (2010-2015), the results and hourly values (real time) from the National Automatic AQ Monitoring Network are available on the SEPA website. SEPA have been submitting air quality data to the European Environment Agency (EEA), since SEPA establishment in 2004, and in the year 2014, SEPA used, for the first time, an e-Reporting towards the European Environment Information and Observation Network (EIONET), to report data for SO₂, NO₂, NO, NO_x, CO, PM₁₀ and ozone.

Implementation plan:

The plan for the period 2016- 2018 includes the following:

-For the purpose AQ management by determining air quality categories in zones and agglomerations, the following is foreseen: continual AQ monitoring at the level of the RS, preparation of the Report with the AQ assessment and determining air quality categories in zones and agglomerations, in the territory of the Republic of Serbia. Air quality categories are determined on an annual basis for the previous calendar year.

-It is envisaged for the AQ plans for agglomerations Užice and Pančevo to be adopted;

-Re-design of zones and agglomerations (having in mind that some of established agglomerations are less than 250.000 inhabitants (e.g. Kosjerić 12.090 inhabitants));

-Re-assessment of the air quality monitoring system performed in a way that the minimum number of monitoring stations required per pollutant in each zone/agglomeration, is set in accordance with requirements of Directives 2008/50/EC and 2004/107/EC and in accordance with the results of previous AQ monitoring;

- Development of the Air Protection Strategy within the IPA 2014 Project;
- Development of the Implementation Plan for Air Framework Directive and daughter directive, supported by IPA 2014 Project. It will also contain measures which are necessary to be taken in order to ensure compliance with air quality standards, at the time of accession to the EU.

The plan for the period 2018- 2020 includes the following:

-For the purpose AQ management by determining air quality categories in zones and agglomerations, the following is foreseen: continual AQ monitoring at the level of the RS, preparation of the Report with the AQ assessment and determining air quality categories in zones and agglomerations, in the territory of the Republic of Serbia. Air quality categories are determined on an annual basis for the previous calendar year.

-Continuation of activities pertaining to development and adoption of remaining AQ plans;

- Continuation of activities pertaining to development of the Air Protection Strategy within the IPA 2014 Project;

- Continuation of activities pertaining to development of the Implementation Plan for the Air Framework Directive and daughter directive, within the IPA 2014 Project.

Foreseen activities will be implemented by authorities according to their competences:

The Ministry of Agriculture and Environmental Protection is responsible for establishing of air quality monitoring network (Air Quality Control Programme in the national network), authorisation for air quality measurements, delineation of zones and agglomerations, approval of air quality plans and short term action plans, cooperation with other countries and for enforcement of the Law on the Air Protection;

The Serbian Environmental Protection Agency (SEPA) is responsible for implementation of Directive's requirements related to the AQ monitoring, assessment of air quality, establishment, maintenance and operational functioning of AAQMN including QA/QC procedures of reference methods for AQ monitoring, coordination of quality assurance programmes, reporting at the national level and reporting to the EEA;

The Accreditation Body of Serbia (ABS) is responsible for ensuring the accuracy of measurements by accreditation of measurement methods;

The Provincial Secretariat for Urban Planning, Construction and Environmental Protection is responsible for AQ monitoring within local network and for providing information to the public and to the appropriate organisations, for preparation of AQ plans and short-term action plans and for taking measures to attain the target values;

Local self-government is responsible for AQ monitoring within local network and for providing information to the public and to the appropriate organisations, for preparation of AQ plans and short-term action plans and for taking measures to attain the target values.

It is necessary to further strengthen administrative capacities of the abovementioned competent authorities by means of TAIEX, other available EU funded projects, in the form of organised seminars, professional workshops, expert missions and study visits.

Directive 2001/81/EC (NEC)

There are currently no national emission ceilings (NEC) set.

Emission inventory for basic air pollutants has been established using the 2013 EMEP/EEA methodology of the European Environment Agency and the UNECE Convention on Long-range Transboundary Air Pollution, in accordance with the Directive 2001/81/EC. The emissions inventory has been regularly updated by SEPA, since 2012. For the purpose of reporting in 2016, SEPA updated the emission inventory for the period 1990-2014, using the new 2013 EMEP/EEA methodology. In addition, SEPA developed national emission factors for coal- lignite, as the most frequently used solid fuel in Serbia. Emission inventories are available on the CEIP¹⁶ website.

The plan for the period 2016- 2018 includes the following:

During this period, the activities will be mostly focused on further improvement of the air emission inventory, taking into account the recommendations given by the Centre on Emission Inventories and Projections/Task Force on Emission Inventories and Projections under the CLRTAP, in order to provide the highest possible level of their transparency, accuracy, completeness, comparability and consistency. In addition, emission projections will be developed in accordance with the methodology stipulated by the Regulation on the Methodology for Emission Inventories and Projections for Air Pollutants („Official Gazette of the RS“, No. 03/2016). Development and improvement of precise emission inventories and

¹⁶ More detailed information are presented in Section 2- Air Quality of the document “Transposition and Implementation of Environmental and Climate Change Acquis (Chapter 27): Status and Plans ”.

projections represent a basis for real national emissions reduction obligations, in accordance with the new approach adopted by the European Commission and Council of the EU, regarding the new Proposal of the NEC Directive.

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

Preparation of the Implementation Plan for the NEC Directive, will be performed with assistance of IPA 2014 Project "Further implementation of Environmental Approximation Strategy Supporting EU negotiation Process". The new Implementation Plan will provide a detailed analysis of provisions and determine further implementation steps, establish national emissions reduction obligation for certain pollutants and whether transitional periods are needed as regards the new Proposal of the NEC Directive, which is currently in the process of adoption.

Elaboration of the Air Protection Strategy, along with the Action Plan to include the goals of UNECE Gothenburg Protocol and to defining of long-term measures for the reduction of emissions for various sectors, relevant for the Directive (performed with assistance of IPA 2014 Project "Further implementation of Environmental Approximation Strategy Supporting EU Negotiation Process");

The plan for the period 2018- 2020 includes the following:

Establishing a task force consisting of representatives of competent authorities at national, provincial and local level and other stakeholders whose task will be to develop the National Air Pollution Control Programme. The said National Programme will be aimed at limiting the emissions of certain pollutants of anthropogenic origin, in order to achieve the defined obligations regarding the emission reduction at the national level. Goals of the quantified emission reduction for relevant pollutants, covered by the Directive, will be determined after the completed EU accession negotiations;

Review of the Action Plan to the Air Protection Strategy, taking into account measures defined by the National Air Pollution Control Programme;

After the adoption of all necessary legal measures for full transposition of the Directive, the Gothenburg Protocol with the Convention on Long-Range Transboundary Air Pollution will be ratified.

The plan for the period after 2021 includes the following:

-Implementation of the National Air Pollution Control Programme;

-Fulfilment of the reporting obligation towards the European Commission.

Envisaged activities are implemented by relevant authorities in accordance with their competences:

The Ministry of Agriculture and Environmental Protection - Air and Ozone Layer Protection Unit is responsible for the transposition and monitoring of the implementation of the NEC Directive; for establishing the NEC/national emission reduction obligations and ratification of the Gothenburg protocol; for preparation of National Air Pollution Control Programme, in cooperation with other relevant competent authorities;

The Serbian Environmental Protection Agency (SEPA) is competent authority for implementation of Directive's requirements related to maintaining the national emission inventories and projections and fulfilling the reporting obligations according to the CLRTAP. In order for such activities to be realised, according to the said plan, it would be necessary to employ new civil servants;

Competence for issuing IPPC integrated permits is shared by the Ministry of Agriculture and Environmental Protection – IPPC Department, the Provincial Secretariat for Urban Planning,

Construction and Environmental Protection, and local self-government authorities competent for environmental protection activities;

The Water Directorate, the Agricultural Land Administration and the Plant Protection Administration within the MAEP are responsible for adoption of legislation which set out the agricultural measures relevant for implementation of NEC;

Environmental Inspection as well as Agricultural Inspection at state, provincial and local level are responsible for the enforcement of the NEC related legislation;

Other competent authorities for the implementation of the requirements of the Directive are ministries responsible for the energy and transport, provincial authorities – the Secretariat for Urbanism, Construction and Environmental Protection, the Secretariat for Agriculture, Water Management and Forestry, and local self-governments.

It is necessary to further strengthen administrative capacities of the abovementioned competent authorities by means of TAIEX and other available EU funded projects, in the form of organised seminars, professional workshops, expert missions and study visits.

Directive 1999/32/EC on a Reduction in the Sulphur Content of Certain Liquid Fuels and Directive 2012/33/EC on the Sulphur Content of Marine Fuels

The new Energy Law ("Official Gazette of the RS", No. 145/14) was adopted in December 2014. This law provides the basis for the establishment of a monitoring system of the fuels and creation of database of samples, which will provide relevant information for reporting, as well as the basis for the placing on the market of fuel which has a higher sulphur content in the event of disruptions in energy supply, for a period not longer than six months, as stipulated by the Directive 1999/32/EC.

The Draft Energy Strategy of the Republic of Serbia for the period until 2025 with projections until 2030 has recognised the security of supply of domestic market with petroleum products whose quality meets the highest EU standards, as one of the key strategic objectives in the field of oil. Until now, more than 500 million Euros has been invested in the modernisation of the refining capacity, thus providing the quality of "white" petroleum products (gasoline, diesel) in full conformity with the highest EU standards. Bearing in mind that provisions of the Directive 1999/32/EC are also related to the quality of so called "black" products, i.e. heating oil, determination of the deadline for implementation of the Directive 1999/32/EC in Serbia depends on several important factors:

Legislative harmonisation in the area of energy, environment and water transport, in order to fully transpose the Directive 1999/32/EC into national legislation;

Implementation of a new investment cycle in the refinery plant which will raise the quality level of "black" products.

In order to realise those activities, intensive cooperation with all relevant institutions is required. In addition, the activities related to investment decision and the beginning of a new cycle of investment in refining capacity, should be taken into account.

Implementation plan

The plan for the period 2016- 2018 includes the following:

-Preparation of the Detailed Implementation Plan for the Directive 1999/32/EC within the IPA 2014;

- Cooperation with relevant national authorities and other institutions, as well as with industry in order to prepare for the full implementation of the Directive;

- Strengthening the existing administrative and institutional capacities.

The plan for the period 2018-2020 includes the following:

- Situation analysis and implementation of relevant recommendation from the Detailed Implementation Plan for the Directive 1999/32/EC;
- Strengthening of administrative and institutional capacities.

Foreseen activities will be implemented by authorities, according to their competencies:

- the Ministry of Mining and Energy - responsible for enactment of legislation governing the quality of petroleum products;
- the Ministry of Trade, Tourism and Telecommunication - responsible for quality control of goods which are distributed on the market of Republic of Serbia;
- the Ministry of Agriculture and Environmental Protection - performs state administration work relating to the environmental protection;
- the Ministry of Construction, Transport and Infrastructure - performs state administration work in the field of rail, road, waterborne and air transport, as well as international affairs in the field of transport;
- the Institute for Standardisation - responsible for the adoption of standards.
- the Serbia Accreditation Body - performs work related to accreditation.

VOC Petrol Directives (94/63/EC Stage I and 2009/126/EC Stage II of petrol vapour recovery) represent directives which require great financial investments

Implementation of both directives is in initial stage. Competent authorities have been identified. In accordance with the Rulebook on Technical Measures and Requirements in Relation to Allowed Emission Factors for Volatile Organic Compounds Resulting from the Storage and Transport of Petrol ("Official Gazette of the RS", No. 01/12, 25/12 and 48/12), operators are obliged to submit data on type and number of terminals for storage and loading of petrol and on petrol stations and inform SEPA regularly and timely thereof. The data collection activity commenced in 2015, and condition for continuation of its implementation is to employ one person at SEPA.

Further implementation of directives, implies strengthening of existing administrative and institutional capacities, at all levels, as well as the following activities:

Overview of priorities in the period 2016 - end of 2018:

- Completion of the database on terminals, mobile containers and petrol stations;
- Improvement of inspection of operators, for the purpose of ensuring the enforcement of existing legislative act. Training for the certain number of environmental inspectors at national, provincial and local level is conducted with assistance of the Policy and Legal Advice Centre (PLAC) Project, during March 2016. The second phase of the training for inspectors will depend on the availability of financial resources;
- Collection of more precise technical information and assessment of compliance with the requirements of directives, for the purpose of preparation of the Directive Specific Implementation Plans (DSIPs) for VOCs Petrol Directives-Stage I and II, with the assistance of IPA 2014 project "Further implementation of Environmental Approximation Strategy".

The plan for the period 2018- 2020 includes the following:

Further plan for improving the implementation depends on preparation of DSIP for both VOC Petrol Directives (94/63/EC Stage I and 2009/126/EC Stage II of petrol vapour recovery).

Foreseen activities will be implemented by authorities, according to their competencies:

- the Ministry of Agriculture and Environmental Protection (MAEP) is competent authority for implementation and enforcement. The Ministry- Air and Ozone Layer Protection Unit employs

one person with delegated responsibility and in charge of transposition and implementation of EU legal documents, pertaining to Stages I and II of petrol vapour recovery (VOC Petrol Directives), as well as to plants and activities using volatile organic solvents (Chapter 5 of the IED). The Republic Environmental Inspection is responsible for control and enforcement;

- SEPA - is responsible for the emission inventory, environmental information system maintaining and reporting. For the purpose of performing competences of the Agency, it is necessary to employ one person in charge of collection of data, regarding the requirements of the VOC Petrol Directives, pertaining to terminals and petrol stations, who can also be in charge of collection of data regarding the requirements of Chapter 5 of the IED;

- the Ministry of Mining and Energy, in cooperation with the MAEP, is in charge of transposition of legislation. The Energy Agency is responsible for maintaining a register of issued and revoked energy licenses for storage of oil derivatives and trade in motor fuels and other fuels at petrol stations;

- the Ministry of Construction, Transport and Infrastructure –Dangerous Goods Transportation Office is responsible for maintaining the register of issued certificates of approval for vehicles transporting certain dangerous goods, based on data it receives from designated bodies;

- the Provincial Secretariat for Urban Planning, Construction and Environmental Protection is responsible for implementation, while Environmental Inspection is responsible for control and enforcement of legislation at the provincial level.

- Local self-government is responsible for implementation, while Environmental Inspection is responsible for control and law enforcement at the local level.

The Directive 2015/ 2193 on the limitation of emissions of certain pollutants into the air from medium combustion plants¹⁷.

2.27.5 Noise

Situation

1. Strategic framework

The National Environmental Approximation Strategy for the Republic of Serbia – NEAS („Official Gazette of the RS", No. 80/11) was adopted in October 2011.

The National Environmental Program (NEP) of the Republic of Serbia („Official Gazette of the RS", No.12/10) was adopted in 2010 and it includes the assessment of the environmental status. It sets the measures for environmental protection for the period 2010-2019.

2. Transposition

Transposition status

Directive 2002/49/EC has been partially transposed through the Law on Environmental Noise Protection ("Official Gazette of the Republic of Serbia", No. 36/09, 88/10), the Regulation on Noise Indicators, Limit Values, Assessment Methods for Indicators of Noise, Annoyance and Harmful Effects from Noise in the Environment ("Official Gazette of the Republic of Serbia", No. 75/10), the Rulebook on the Methodology for Action Plans Development ("Official Gazette of Republic of Serbia", No. 72/10) and the Rulebook on the Methods of Development and Contents of the Strategic Noise Maps and the Manner of their Presentation to the Public ("Official Gazette of the Republic of Serbia", No. 80/10).

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the Law on Amendments to the Law on Environmental Noise Protection- 3rd quarter of 2017;

¹⁷ The Implementation Plan for this Directive is presented in section 2.27.6 Industrial pollution

-Adoption of supporting by-laws which will fully transpose obligations from the Directive 2002/49/EC into the national legislation (the end of 2018).

3. Implementation activities and institutional responsibilities

Revision of the institutional responsibilities is envisaged, following recommendations provided during the bilateral screening process in November 2014. It is necessary to redefine division of responsibilities and to set new deadlines, which will be the same as in the member states, in order to enable comparison of data. Currently, institutional responsibilities have 3 levels: state, provincial and local.

In the Ministry of Agriculture and Environmental Protection, following sectors work on noise protection:

- the Division for Legal Affairs and Harmonisation of Law- works on harmonisation with the EU legislation in the field of environmental noise protection, as well as on harmonisation of law in this field with the national legislation in other fields,
- the Sector for Planning and Management, the Section for the Protection against Noise, Vibrations and Non-Ionizing Radiation works on the implementation of legislation in the field of environmental noise protection, and sets expert basis for legislation in the field environmental noise protection,
- the Inspection Sector for Environmental Protection, works on control and supervision in the field of noise,
- the Serbian Environmental Protection Agency (SEPA), operates and maintain the information system.

At the provincial level, the Provincial Secretariat for Urban Planning, Construction and Environmental Protection is dealing with noise protection issues.

At the local level, larger cities have established City Secretariats which are dealing with environmental protection (including noise protection issues). In smaller local self-government units (LSG), usually one person works on noise protection issues (among other duties). In addition, the following public enterprises are competent for the implementation of noise protection legislation: PE "Serbian Railways", PE "Roads of Serbia", and Airport "Nikola Tesla".

Implementation plan:

The plan for the period 2016- end of 2018 includes the following:

Creation of strategic noise maps (through IPA 2013)- for the purpose of implementation of the Directive, relating to assessment and management of environmental noise, the Ministry submitted a request for strategic noise mapping and preparation of action plans, through the IPA Project. It is foreseen to implement the Project in two stages. The proposal for the Pilot Project is to create strategic noise maps for the City of Niš. Through this Pilot Project the experience will be acquired and the procedure of mapping and preparation of action plans will be conducted, which would facilitate creation of other foreseen maps and action plans. The request is currently being updated and approval for the IPA Project is expected.

The plan for the period from the end 2018 until the end of 2020 includes the following:

Continuation of strategic noise mapping and preparation of action plans. The plan is to prepare the remaining envisaged strategic noise maps and action plans, from the IPA 2017, for agglomerations, for road and railway sections, as well as for the Belgrade Airport. This includes the following: identification of stakeholders, training on strategic noise mapping and designing of action plans, preparation of action plans, estimation of costs for proposed

measures, presentation of action plans to the general public and adoption, as well as establishing of reporting mechanisms.

Administrative capacities

By the end of 2017, it is necessary to employ one more person (engineer), while by the end of 2020 it is necessary to employ two more persons who will be in charge of monitoring law implementation, as well as one more person at the Serbian Environmental Protection Agency, who will be in charge of reporting.

2.27.6 Waste management

Situation

1. Strategic framework

- Waste Management Strategy for the period 2010-2019. (2010);
- National Environmental Approximation Strategy (December 2011);
- Approximation Strategy on Waste Management 2012 (under NEAS process);
- National Implementation Plan of the Stockholm Convention.

2. Transposition

Waste Framework Directive 2008/98/EC

Transposition status

The Waste Framework Directive 2008/98/EC has been partially transposed through the Law on Waste Management („Official Gazette of the RS“, No. 36/09 and 88/10, 14/16) and by-laws made under this Law.

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

Adoption of the **Law on Amendments to the Law on Waste Management** (the 1st quarter of 2018).

Adoption of by-laws, by the end of 2018, which will enable full transposition of the Directive into the national legislation.

Packaging and Packaging Waste Directive 94/62/EC

Transposition status

The Directive 94/62/EC on Packaging and Packaging Waste has been fully transposed through the Law on Packaging and Packaging Waste („Official Gazette of the RS“, No. 36/09) and supporting by-laws.

National objectives, concerning recycling and reuse of packaging waste, are defined by the Regulation Establishing a Plan to Reduce Packaging Waste for the period 2010-2014.

Transposition plan:

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the Law on Amendments to the Law on Packaging and Packaging Waste (the 3rd quarter of 2017).

Directive on the Landfill of Waste 1999/31/EC

Transposition status

Serbia has transposed the Landfill Directive through the Law on Waste Management ("Official Gazette of the RS", No. 36/09, 88/10 and 14/16) and the Regulation on Waste Disposal on Landfills ("Official Gazette of the RS", No 92/10). The Directive has been harmonised to a large extent.

Transposition plan:

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the new Law on Waste Management (the end of 2018)
- Revision of the Regulation on Waste Disposal on Landfills (the end of 2018)

The Batteries Directive 2006/66/EC

Transposition status

The Directive has been partially transposed through the Rulebook on Manners and Procedures of Used Batteries and Accumulators Management ("Official Gazette of the RS", No.86/2010), the Law on Waste Management on permitting system and creating the possibility for inspections and enforcement and the Regulation on Product that After Use Become Special Waste Streams, Form of the Daily Records of the Quantity and Type of Produced and Imported Products and an Annual Report, the Method and Time Limits for the Submission of the Annual Report, Fee Payers, the Criteria for the Calculation, Amount and Method of Calculation and Payment of Fees.

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the new Law on Waste Management
- Adoption of amendments to the Rulebook on Manners and Procedures of Used Batteries and Accumulators Management. The full transposition of the Directive is foreseen for 2018, at the latest.

Directive 96/59/EC on the Disposal of Polychlorinated Biphenyls and Polychlorinated Terphenyls (PCBs & PCTs) with amendments (EC) 596/2009

Transposition status

The Directive has been largely transposed through the Law of Waste Management and the Rulebook on Management of the PCB Containing Equipment and Waste.

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the new Law on Waste Management
- Adoption of amendments to the Rulebook on Management of the PCB Containing Equipment and Waste, which will enable full transposition of the Directive 96/59/EC (during 2018).

Regulation (EC) No 850/2004 on Persistent Organic Pollutants

Alignment status

The Republic of Serbia has established legislative and institutional framework for POPs management. Present system of POPs chemicals and POPs waste management is partially harmonised with the EU system. POPs-harmonised legislation has been in force since 2010. The Republic of Serbia has taken over EC Regulation on POPs No. 850/2004 with amendments (EU Regulation No. 756/2010, 757/2010 and 519/2012 on amendments to the EC Regulation No. 850/2004) into Serbian national legislation.

Alignment plan

The plan for the period 2016- end of 2018 includes the following:

Regulation No. 1342/2014 amending EC Regulation on POPs No. 850/2004 will be aligned through amendments to the Rulebook on the List of POPs, Manner and Procedure for POPs Management and Maximum Permissible POPs Concentrations related to Disposal of POPs Containing or Contaminated Waste (the 2nd quarter of 2018).

The plan for the period 2019- end of 2020 includes the following:

Continuation of the process of harmonisation of national law, in accordance with the following amendments to Regulation (EC) No 850/2004 on Persistent Organic Pollutants and within the abovementioned period.

Shipment of Waste- Regulation (EC) No. 1013/2006 and Regulation (EC) No. 1418/2007

Alignment status

The majority of the Regulation's obligations have been complied, due to the fact that the Republic of Serbia is a Party to the Basel Convention. National procedures, prescribed by the Law on Waste Management, and by-laws regarding shipment of waste, have been additionally complied with the Regulation 1013/2006/EC and other relevant EU acquis. The Law on Amendments to Law on Waste Management („Official Gazette of the RS“, No. 14/2016) takes into consideration the additional definitions of this Regulation.

Alignment plan

The plan for the period 2016- end of 2018 includes the following:

The additional analysis of legal framework will be performed in order to revise national legislation until 2017.

The plan for the period 2019- end of 2020 includes the following:

Full compliance will be achieved in 2018, by means of revising by-laws regarding transboundary movement of waste. The year 2020 is foreseen as a year of full implementation.

For the purpose of reporting in the field of transboundary transport of waste, the Agency will need to employ one more person.

Directive 2011/65/EC on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS II)

Transposition status

The RoHS Directive 2002/95/EC has been partially 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 RS", No. 36/09) and the Rulebook on the List of Electric and Electronic Products, Measures of Prohibition and Restriction of Use of Electric and Electronic Equipment Containing Hazardous Substances, Methods and Procedures of Managing Waste from Electric and Electronic Products ("Official Gazette of the RS", No. 99/10).

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the new Law on Waste Management
- Adoption of the Rulebook on the Restriction of the Use of Certain Hazardous Substances in Waste Electrical and Electronic Equipment.

It is envisaged to fully transpose the Directive by 2018, at the latest.

The Rulebook will stipulate that the enforcement and control authorities shall be the Environmental Inspection of the Ministry of Agriculture and Environmental Protection and the Trade Inspection of the Ministry of Trade, Tourism and Telecommunications (the market surveillance authority).

Waste Electrical and Electronic Equipment (WEEE) Directive 2012/19/EC

Transposition status

The WEEE Directive has been largely transposed into national legislation, through the Law on Waste Management ("Official Gazette of the RS", No. 36/09 and 88/10) and the Rulebook on the List of Electric and Electronic Products, Measures of Prohibition and Restriction of Use of Electric and Electronic Equipment Containing Hazardous Substances, Methods and Procedures of Managing Waste from Electric and Electronic Products ("Official Gazette of the RS", No. 99/10).

Transposition plan

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the new Law on Waste Management
- Revision of the current Rulebook on the List of Electric and Electronic Products or preparation of a new Rulebook.

The new Twinning Project on Hazardous Waste Management will assist in preparation of legislative acts to achieve full transposition of the WEEE Directive. Its full transposition is planned by 2018, at the latest.

Directive on End-of-Life Vehicles (ELVs) 2000/53/EC

Transposition status

The Directive on ELVs has been partially transposed through the following legal framework: the Law on Waste Management ("Official Gazette of the RS", No. 36/09, 88/10 and 14/16), the Rulebook on the Manner and Procedure of End-of-Life Vehicle Management ("Official Gazette of the RS", No. 98/10)(hereinafter the ELV Rulebook), the Rulebook on Amendments to the Rulebook on Form of a Daily Record and Annual Waste Report with the Filling Instructions ("Official Gazette of the RS", No. 95/10, 88/15), the Regulation on Product that After Use Become Special Waste Streams, Form of the Daily Records of the Quantity and Type of Produced and Imported Products and an Annual Report, the Method and Time Limits for the Submission of the Annual Report, Fee Payers, the Criteria for the Calculation, Amount and Method of Calculation and Payment of Fees ("Official Gazette of the RS", No. 54/10, 86/11, 15/12, 3/14, 31/15) and other relevant legislation.

During the period of July to September 2014, a detailed legal gap analysis of the ELV Directive was conducted, in cooperation with expert from the EU (with PLAC project support). The plan is to fully harmonise with the Directive by the end of 2018.

Transposition plan:

The plan for the period 2016- end of 2018 includes the following:

- Adoption of the Law on Waste Management
- Amendments to the ELV Rulebook (the 4th quarter of 2018)

Council Directive 86/278/EEC of June 1986 on the Protection of the Environment, and in particular of the Soil, when Sewage Sludge is Used in Agriculture

Transposition status

The Directive 86/278/EEC has been partially transposed through the Law on Amendments to the Law on Agricultural Land (“Official Gazette of the RS”, No.112/2015), the Regulation on Emission Limit Values of Pollutants in Water and Deadlines for their Achievement from 2011 (“Official Gazette of the RS”, No. 67/2011,48/2012) and the Regulation on Permitted Amounts of Hazardous and Harmful Substances in Soil and Water for Irrigation and Methods of Their Analysis („Official Gazette of the RS“, No.23/94)¹⁸.

Based on the envisaged Strategy on the Use of Sludge, one should consider adding of item 10, Article 80, paragraph 1 of the Law on Agricultural Land, in the field of conditions which a company needs to fulfil for drawing up of the project, concerning agricultural land reclamation in the field of sludge use planning.

The Law on Amendments to the Law on Environmental Protection („Official Gazette of the RS“, No. 14/16) stipulates that the treatment of the sludge generated in the process of municipal waste water purification shall be regulated by the law regulating protection of water from pollution, while the sludge generated in the process of industrial waste water purification, shall be treated in accordance with the law regulating waste management. This creates a basis for further transposition of the Directive into the national legislation.

Transposition plan:

The plan for the period 2016- end of 2018 includes the following:

Adoption of by-laws which would enable full transposition of the Directive 86/278/EEC.

Regulation No. 1257/2013 on Ship Recycling

Transposition status

A competent institution which will transpose and implement this EU regulation, has not been designated.

The plan for the period 2016- 2018 includes the following:

-Analysis of Institutional Competences and development of a draft act to transpose this Regulation (through the PLAC Project).

Directive 2006/21/EC of the European Parliament and of the Council on the Management of Waste from Extractive Industries and relevant Commission Decision to the Directive (2009/335/EC, 2009/337/EC, 2009/358/EC, 2009/359/EC and 2009/360/EC)

Transposition status

¹⁸ The Rulebook provides even stricter values than those given in the EU Directive which must not be exceeded even when treated sewage sludge is used. More stringent values have been established for chromium, arsenic, organic matter and the presence of pathogenic formations. The Rulebook from 1994 on permitted amounts of hazardous and harmful substances in soil and water for irrigation and methods of their analysis, prescribes maximum permissible concentrations of hazardous and harmful substances.

The main principles and priorities identified in the Directive 2006/21/EC, have been partially transposed through the Law on Mining and Geological Research („Official Gazette of the RS“, No.101/15).

Transposition plan

The Law of Mining and Geological Research created the legal basis for the adoption of secondary legislation which will establish full compliance with the EU Directives, especially in relation to management of mining waste. These by-laws will regulate the key questions as criteria and procedures for issuing permits for waste management, which is issued in accordance with the waste management plan and the supporting documentation, which define: category, managing and reporting on mining waste, and regulate the process of giving the information about management of mining waste to the public.

The plan for the period 2016- 2018 includes the following:

Preparation and adoption of by-laws which would enable a full transposition the Directive 2006/21/EC.

The plan for the period from the end 2018 until the end of 2020 includes the following:

It is necessary to employ two more persons for the purpose of the Directive implementation.

3. Implementation activities and institutional responsibilities

Council Directive 2008/98/EC on Waste, superseding and amending Framework Directive 75/442/EEC, 2006/12/EC

Drawing up and adoption of the Waste Management Strategy for the period 2019-2024.

Implementation plan

The plan for the period 2016- end of 2018 includes the following:

- Development of the Integrated Hazardous Waste Management Plan (with support of the IPA 2013 Twinning Project), as an integral part of the National Waste Management Plan, i.e. Strategy;
- Development of the Hazardous Waste Management Plan (with support of the IPA 2013 Twinning Project), as an integral part of the National Waste Management Plan, i.e. Strategy;
- Improvement of hazardous waste management in the Republic of Serbia - the National Waste Management Plan, as an integral part of the National Waste Management Strategy, in accordance with amendments to the Law on Waste Management (May 2015-May 2017);
- Establishment of requirements for source separation into dry and wet fractions;
- Development of the DSIP for the Waste Framework Directive (2016, with support of the IPA 2013 Project);
- Development of the set of economic instruments to support implementation of waste management targets and waste hierarchy (IPA 2014);
- Revision of waste management financing system to ensure cost recovery and sufficient resources for implementation of waste management plans (local and regional);
- Adoption of Regional Waste Management Plans.

For the period from end of 2018 – end of 2020, the following has been planned:

- Preparation and adoption of the Waste Management Strategy for the forthcoming 6-year

period;

- Preparation of the National Waste Management Plan, which is the integral part of the Waste Management Strategy, in accordance with the amendments to the Law on Waste Management;
- Preparation and adoption of the Waste Prevention Programme;
- Development of a set of economic instruments to support the implementation of waste management goals and waste hierarchy (IPA 2014);
- Strengthening inspection, control and supervision capacities
- Training of authorities competent for the implementation of Waste Management Law and legislation in this area at national, provincial, local levels and business entities with regard to the legal meaning and the application of provisions of national legislation, particularly provisions transposing provisions of Directive 2008/98.

For the period 2021 onwards, the following has been planned:

- Revision of Waste Management Strategy;
- Establishment of the network of installations for waste management (2032-2034);
- Implementation of separate collection and treatment of hazardous waste from households and industry;
- Development of system to meet packaging waste recycling rate of minimum 55% and recovery of minimum 60% of packaging waste by 2025;
- Establishment of a system to achieve recycling rate of municipal waste of minimum 50% by 2030;
- Creation of a system for special waste streams management (waste tires, used batteries and accumulators, waste oils, waste vehicles, waste from electric and electronic devices) in order to meet 4 kg per capita of separately collected waste from electric and electronic equipment from households by 2023 and minimum 45 % of batteries and accumulators by 2026.

The MAEP is responsible for the transposition and planning of implementation of the Directive. Other relevant institutions are the Serbian Environmental Protection Agency, competent authority of the autonomous province, local self-government units, and professional waste testing organizations.

Packaging and Packaging Waste Directive 94/62/EC

Recycling and recovery targets have been transposed into RS legislation, as shown in Table 2, below (Decree on establishing a plan to reduce packaging waste for the period 2015-2019 ("Official Gazette RS" No. 144/2014))

Table "Recycling and recovery targets in accordance with RS legislation":

2015			2016	2017	2018	2019
Recovery	[%]	38,0	44,0	50,0	55,0	60,0
Recycling	[%]	31,0	36,0	42,0	48,0	55,0
Specific targets						
2015			2016	2017	2018	2019
Paper and cardboard	[%]	38,0	42,0	47,0	53,0	60,0
Plastic	[%]	14,0	17,0	19,0	21,0	22,5

Glass	[%]	19,0	25,0	31,0	37,0	43,0
Metal	[%]	23,0	29,0	34,0	39,0	44,0
Wood	[%]	11,0	12,0	13,0	14,0	15,0

For the period 2016 – end of 2018, the following has been planned:

- Establishment of the requirements for source separation into dry and wet fractions. Dry fraction should include packaging waste;
- Development of the specific implementation plan for Packaging and Packaging Waste Directive (2016, with support of IPA 2013 project).

For the period 2019 – end of 2020, the following has been planned:

- Adoption of Waste Management Strategy and establishment of recycling and recovery targets;
- Setting up a system for the return/collection and recycling/recovery of used packaging and packaging waste as identified in the national strategy;
- Improvement of information basis for packaging placed on the market, produced, collected, recycled and recovered packaging waste;
- Improvement of economic instruments to support achievement of targets;
- Strengthening inspection and control and supervision capacities;
- Introduction of source separation in 17 municipalities (IPA 2017);
- Organisation of public information campaign for source separation and recycling (IPA 2017);
- Achievement of packaging waste recycling and recovery targets (2020).

Landfill Directive 1999/31/EC

Status

The Landfill Directive is one of the directives that require large financial investments ("heavy investment directive"). The implementation of the Landfill Directive is considered together with the implementation of other waste management requirements, in particular having in mind the targets set by the Waste Framework Directive and the Packaging and Packaging Waste Directive. The implementation of these directives affects how municipal waste is collected and treated, and the amounts of waste to be diverted for other treatment and to be disposed of in landfills. Currently about 18% of municipal waste could be placed into landfills complying with the Directive requirements.

The MAEP is the overall responsible competent authority for the transposition and implementation of the Directive. The MAEP is also responsible for issuing permits for landfill operations. The Autonomous Province is responsible for issuing permits for landfill operations within its territory and cities and municipalities are responsible for issuing permits for landfill operations within their territories (disposal of inert and non-hazardous waste).

For the period 2016 – end of 2018, the following has been planned:

- Improvement of economic instruments to support waste diversion from landfills;
- Revision of a Decree on disposing waste on landfills in order to achieve full compliance with Directive 1999/31/EC;
- Development of a specific implementation plan for the Landfill Directive (the end of 2017, with support of SIDA-EISP II)

For the period 2018 – end of 2020, the following has been planned:

- Adoption of Waste Management Strategy and establishment of targets for biodegradable waste management and disposal at compliant landfills;

- Development of a national strategy for the reduction of biodegradable waste going to landfills and incorporation of the strategy into the national waste management plan;
- Implementation of regional infrastructure projects including the establishment of compliant landfills in 3 regional centres;
- Introduction of source separation in 17 municipalities (IPA 2017);
- Strengthening inspection, control and supervision capacities;
- Training of authorities responsible for the implementation of legislation in this field at national, provincial and local levels as well as business entities regarding the legal meaning and application of the provisions of national legislation, particularly provisions transposing the provisions of the Directive 1999/31.

For the period 2021 onwards, the following has been planned:

Establishment of the network of installations for waste management including the construction of landfills in accordance with the Directive **1999/31/EC**.

It will be necessary to require transitional periods for the Directive 1999/31/EC.

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

Council Directive 2012/19/EU on waste electrical and electronic equipment (WEEE) is one of the directives that will require large financial investments. The implementation of the WEEE Directive is considered together with the implementation of Waste Framework Directive, in particular having in mind the targets set by the Waste Framework Directive. Further detailing of implementation actions will be achieved through the development of the specific implementation plans for Directive on Waste Electrical and Electronic Equipment.

This plan will define measures to be taken for implementation, their costs and financing mechanisms and the deadline for the full implementation of the Directive.

Implementation Plan:

For the period 2016 –end of 2018, the following has been planned:

- Development of the specific implementation plan for the Directive on waste electrical and electronic equipment (WEEE) (through EAS IPA 2013);
- Organisation of public information campaign to support the achievement of WEEE targets in regard to waste electrical and electronic equipment;
- Development of plan for waste electrical and electronic equipment management as a part of the National Waste Management Plan, which is the integral part of Waste Management Strategy in accordance with the amendments to the Law on Waste Management.

For the period 2019 – end of 2020, the following has been planned:

- Introduction of a registry on electrical and electronic equipment on the market, produced, collected, recycled and recovered waste from electrical and electronic equipment;
- Implementation of regional infrastructure projects including the establishment of recycling yards as support to WEEE collection in minimum 3 regional collection centres;
- Establishment of a collection network for all types of waste from electrical and electronic equipment in order to cover all country territory, including solving legal, financial and technical issues in order to achieve collection targets set by the law;
- Reaching the amount of WEEE collected separately from households, min. 2 kg/per capita;
- Introduction of market based WEEE collection system by determining economic instruments to support achievement of WEEE targets;
- Permission for WEEE treatment facilities shall be changed in order to introduce the obligation to achieve the minimum recovery targets;
- Organisation of public information campaign to support achievement of WEEE targets;
- Strengthening control and supervision capacities for law enforcement;
- Training of authorities responsible for the implementation of the Law on Waste Management and legislation in this field at national, provincial and local levels as well as business entities regarding the legal meaning and application of the provisions of national legislation, particularly provisions transposing the provisions of the Directive 2012/19.

For the period 2021 onwards, the following has been planned:

- Increase of the amount of WEEE collected separately from households;
- Collection of min. 4 kg/per capita of WEEE from households;
- Treatment of WEEE, according to the minimum requirements mentioned in Annex V of the Directive;
- Achievement of WEEE recycling targets 2030.

The MAEP is the overall responsible competent authority for the transposition and implementation of the Directive. The MAEP is also responsible for issuing permits to waste operators. The Autonomous Province is responsible for issuing permits to waste operators active on its territory.

The full implementation of the Directive shall require a transitional period.

Council Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment

Directive 2011/65/EU will be implemented by 2018. The MAEP is the overall responsible competent authority for the transposition and implementation of the Directive.

Directive 2000/53/EC on end-of-life vehicles

The Directive is at the initial stage of the implementation. The Directive on ELV is one of the directives that will require large financial investments for the private sector. The implementation of the Directive is considered together with the implementation of Waste Framework Directive, in particular having in mind the targets set by the Waste Framework Directive.

The MAEP started, in 2014, consultations with relevant stakeholders on the topic of strengthening the implementation, through workshops on ELV (PLAC project and Twinning project – IHWMS): from 2013 by the end of 2015, competent authorities issued the total of five permits for storage and ELV treatment. From 2009 by 2015, the MAEP issued around 500 permits to collect and transport ELVs.

The implementation of directive requirements is at the initial stage (collection, re-use, ELV treatment by recycling and other forms of recovery). A system of collection facilities has been set up, but it should be further developed. National legislation does not provide that setting up the system is the responsibility of the producers. The system is totally driven by profitability. The capacities of the Environmental Inspection should be significantly strengthened, and the inspectors should be allowed to enforce the technical requirements of Annex I, which have been largely transposed into the national legislation.

The recovery efficiency will also have to be increased to meet the targets of the Directive. Furthermore, the density of the collection network will have to be increased.

The further analysis of the implementation of the Directive will be achieved through development of the National Plan on ELV Management.

This plan will define measures to be taken for the implementation (regarding the reuse/recovery of components), establish mechanisms for deregistration of end-of-life vehicles from the vehicle registration system, and define their costs and financing mechanisms and the deadline for full implementation of the Directive.

Implementation Plan:

For the period 2016 – end of 2018, the following has been planned:

- Development of hazardous waste management plan, which will include ELV (with support of IPA 2013 Twinning project – IHWMS – Integrated hazardous waste management plan) as a part of the National Waste Management Plan, which is the integral part of the Waste Management Strategy, in accordance with the amendments to the Law on Waste Management;

- Establishment of the system of incentive instruments for ELV re-use, recovery and recycling (so-called economic instruments);
- Strengthening of administrative capacity, especially the capacity of institutions and bodies in charge of planning, control and monitoring.

For the period 2019 – end of 2020, the following has been planned:

- Adoption of the National Waste Management Strategy;
- Improvement of the system of collection to ensure that all ELVs are transferred to authorized treatment facilities;
- Training of authorities responsible for the implementation of the Law on Waste Management and legislation in this field at national, provincial and local levels as well as business entities regarding the legal meaning and application of the provisions of national legislation, particularly provisions transposing the provisions of the Directive.

For the period 2020 onwards, the following has been planned:

- Establishment of the adequate network of collection and authorised treatment facilities;
- Establishment of re-use and treatment of minimum 85% of an average weight of collected ELV per year per and re-use and recycle of minimum 80% of an average weight of collected ELV per year after 2024;
- Establishment of re-use and treatment of minimum 95% of an average weight of collected ELV per year and re-use and recycle of minimum 85% of an average weight of collected ELV per year, after 2028;
- Improvement of monitoring and reporting procedures.

Institutional competences and strengthening of administrative capacities

The MAEP is the overall responsible competent authority for the transposition and planning of the implementation of the ELV Directive. The MAEP is also responsible for issuing permits for collecting, transporting, storage and treatment of end-of-life vehicles. The environmental Inspection of the MAEP is responsible for the supervision and control of the application of measures that pertain to waste management.

Other relevant institutions involved are the Serbian Environmental Protection Agency, the competent authority of the autonomous province, local self-government units, professional organizations of waste testing and the Ministry of Interior, the Ministry of Finance and the Ministry of Economy.

The Autonomous Province (AP) and Local Self-Government units (LGs) are involved in the implementation among other in permitting and enforcement of end-of-life vehicles requirements within their territories.

The local self-governments - cities and municipalities - are involved in the permitting process by issuing opinions at the request of the MAEP and the AP and management of end-of-life vehicles in their territories in cases when an owner is not known (meaning that they are responsible to regulate the procedures of collection and transfer of vehicles if an owner of ELV is unknown in compliance with decision on the collection procedures, the procedure for the submission of vehicle within their competences or following public call within their territories).

The Agency for Environmental Protection is responsible for reporting and information formation:

- Maintenance and updating of database on waste management in the environmental information system, exchange and making those data accessible electronically;
- Collection and compilation of environmental data of waste management, within assumed international obligations.

Entities involved in waste management: professional organisations for waste testing and other legal entities authorised for sampling and characterization according to the volume of waste testing for which they have been accredited.

Other involved competent authorities:

The Ministry of Interior is responsible for deregistration of end-of-life vehicles from the vehicle registration system and road police.

The Ministry of Finance - Customs Administration is responsible for the import and export of motor vehicles.

Council Directive 2006/66/EC on batteries and accumulators containing hazardous substances

The Directive on batteries and accumulators and waste batteries and accumulators is at the initial stage of implementation. The implementation of the Directive is considered together with the application of Waste Framework Directive, in particular having in mind the targets set by the Waste Framework Directive.

Further analysis of implementation actions will be achieved through the development of the specific implementation plan for the Directive on batteries and accumulators (through EAS IPA 2013). This plan will define the deadline for full implementation of the Directive on batteries and accumulators and waste batteries and accumulators.

Implementation Plan:

For the period 2016 – end of 2018, the following has been planned:

- Through the Twinning project “Improvement of hazardous waste management in the Republic of Serbia–IHWMS SR 13 IB EN 02”, a gap analysis will be performed, followed by the recommendations to strengthen the national legal framework (inclusive of economic instruments tailored for Serbia). The link between this Directive and the Directive on waste electrical and electronic equipment could be done with the application of "producer responsibility" principle.
- Drafting the National Waste Management Plan for Batteries and Accumulators, with the assistance of Twinning Project “Strengthening Institutional Capacity in Hazardous Waste Management”- 2010 – 2013. Integrated hazardous waste management plan will be drafted, which will be a part of the National Waste Management Plan, which is the integral part of the Waste Management Strategy, in accordance with the amendments to the Law on Waste Management.

For the period 2019 – end of 2020, the following has been planned:

- Adoption of Waste Management Strategy;
- Establishment of the regional system and procedures for batteries and accumulators producers/importers;
- Development of the reporting system of placing batteries and accumulators on the market;
- Development of economic instruments to support the implementation of requirements;
- Establishment of a system for the collection of spent batteries and accumulators;
- Strengthening inspection and control and supervision capacities.

For the period 2020 onwards, the following has been planned:

- Achievement of batteries and accumulators targets

The MAEP is the overall responsible competent authority for the transposition and planning of the implementation of the Directive. The MAEP is also responsible for issuing permits to operators. The Autonomous Province is responsible for issuing permits to operators active on the territory of AP.

The full implementation of the Directive will require the transitional period.

European Parliament and Council Directive 2006/21/EC on the management of waste from

the extractive industries, as well as relevant Commission Decisions developing the Directive (2009/335/EC, 2009/337/EC, 2009/358/EC, 2009/359/EC and 2009/360/EC)

The implementation of the directive is in the initial stage. The Ministry of Mining and Energy is responsible for issuing relevant legislative acts relating to the management of waste from the extractive industries, which shall determine requirements, criteria, procedure and methods of disposal, management and categorization of mining waste, as well as for reporting on mining waste.

With support of IPA 2013 Twinning project: “Development of Cadastre of mining waste”, the registry will be filled with data from the land registry of mining waste and land registry of abandoned mines and mining facilities, and the methods and timeframe for commencement of implementation of this Directive will be set out.

For the period 2016 – end of 2018, the following has been planned:

- Identification of the existing capacities of the Ministry as a body responsible for processing applications and issuing permits to operators;
- Establishment of the procedure of giving the information to the public in relevant secondary legislation;
- Identification, categorization and risk assessment of recorded mining waste on the environment (IPA 2013 Twinning);
- Establishment of the Inventory and the formation of the Cadastre of mining waste (IPA 2013 Twinning);
- Strengthening the capacity and awareness of waste management in the field of extractive industries to prevent or reduce harmful effects on the environment and risks of human health and the environment (IPA 2013 Twinning).

For the period end of 2018 – end of 2020, the following has been planned:

- Strengthening capacities for management of mining waste;
- Establishment of guidance for operators regarding requirements for management of mining waste, development of permit applications and waste management plans;
- Processing of applications and issuing of permits to operators;
- Establishment of monitoring procedures;
- Strengthening inspection and control and supervision capacities.
- Taking into account all obligations arising from the Directive 2006/21/EC, and that waste management systems and facilities are mostly under the responsibility of the private sector, it is foreseen that the Directive will be fully implemented by end of the 2020.

Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) as amended by regulation (EC) 596/2009

Grounds for the implementation of the Stockholm Convention have been prepared on the basis of the NIP which was adopted by the Government of the Republic of Serbia in 2009.

The Republic of Serbia has finalized the project “Updating the NIP for the implementation of the Stockholm Convention on Persistent Organic Pollutants (POPs)“, in cooperation with UNEP and funded by the Global Environment Facility in which preliminary inventories of POPs (PCB) were made. On the basis of those inventories, the implementation measures and related action plans in the original NIP have been developed, including measures needed for the establishment of legal framework for PCB management in Serbia.

The activities of the project “Environmentally sound management and final disposal of PCBs” commenced and it will be implemented in the period 2015 - 2019. Project is consistent with the national priorities and strategies for the elimination of releases of these substances to the environment and for elimination of hazards for human beings, as defined in the National

Implementation Plan (NIP).

Implementation Plan:

For the period 2016 – end of 2018, the following has been planned:

- Further building capacities is planned to be implemented through the activities of IPA project “Improvement of Hazardous Waste Management in the Republic of Serbia”, financed by EU funds;
- Detailed inventory of POPs equipment and waste has been established through project activities.

For the period end of 2018 – end of 2020, the following has been planned:

The project will adopt the criteria for the selection of the best available techniques for troubleshooting PCB, and creating the basis for the final resolution of the problem of PCB in the RS. The Ministry of Agriculture and Environmental Protection, Organizational Units for Waste Management, is foreseen to become the competent authority under PCB Regulation. The Serbian Environmental Protection Agency keeps a register on PCBs containing equipment in use. A person carrying out collection, decontamination or disposal of PCBs waste must hold a valid permit, must keep a record on collected, treated or disposed quantities and submit all data to the Serbian Environmental Protection Agency.

Cost estimate for the full implementation of Directive and implementation deadline will be provided through the implementation of the project “Environmentally sound management and final disposal of PCBs” and it is possible that a transitional period for full implementation will be necessary. The exact date for a full implementation of the Directive will be defined through the project transitional period and it is possible that a transitional period will be necessary.

Regulation (EC) No 850/2004 on persistent organic pollutants (POPs)

Process of updating NIP was finalized in April 2015 through the UNIDO/GEF Project “Updating the National Implementation Plan for the Stockholm Convention on Persistent Organic Pollutants (POPs)”. More information on realized project activities is available on the National POPs website (English version) within MAEP internet presentation:

<http://www.eko.minpolj.gov.rs/en/organization/departments/departments-of-planning-and-management-in-the-environment/division-for-chemical/pops-2/>.

As the main result of this project, the final revised and updated draft NIP was developed and adopted by UNIDO and the Project Steering Committee in broad consultation with all stakeholders which was updated with all new POPs including HBCDD. In the next short-term period, final draft of this document will be sent in the procedure of the adoption by the Serbian Government and submitted to the Conference of the Parties to the Stockholm Convention. The Republic of Serbia has established legislative and institutional framework for POPs management. The present system of POPs chemicals and POPs waste management is almost fully complied with the EC requirements. POPs complied legislation has been in force since 2010.

Implementation Plan:

For the period 2016 – end of 2018, the following has been planned:

- Development of a plan for the management of waste containing, consisting of or contaminated by persistent organic pollutants (POPs / PCB), with the help of the Twinning project “Strengthening Institutional Capacity for Hazardous Waste Management” - 2010-2013
- Integrated Hazardous Waste Management Plan, which will be a part of the National Waste Management Plan, which is an integral part of the Waste Management Strategy in accordance with amendments to the Law on Waste Management;
- Further building capacities is planned to be implemented through the activities of IPA project “Improvement of Hazardous Waste Management in the Republic of Serbia”, financed by EU

funds.

For the period 2019 – end of 2020, the following has been planned:

Upgrade of laboratory facility for monitoring of new POPs. Upgrade of laboratory facility in the Serbian Environmental Protection Agency will be achieved by 2018 by IPA project support “Establishment of an integrated environmental monitoring system for air and water quality” funded by EU.

The Ministry in charge of Environmental Protection, Organizational Units for Waste and Chemicals Management, are foreseen to become the competent authority for POPs Regulation. The competent authority for POPs Regulation will be officially designated in POPs Implementing Act. Serbian Environmental Protection Agency within the Ministry in charge of Environmental Protection is responsible for monitoring and reporting regarding POPs in environment.

Costs related to the upgrade of laboratory facility for monitoring of new POPs will be supported by IPA project “Establishment of an integrated environmental monitoring system for air and water quality” (total grant 1,700,000.00 EUR).

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

Implementation Status

The implementation of this Directive is in the initial stage. The preparation of the terms of reference for the Strategy of Sewage Sludge Management is ongoing. The Strategy will prescribe the year of the full implementation of the Directive 86/278/EEC.

The institutions responsible for the implementation and monitoring of the soil are: The Ministry of Agriculture and Environmental Protection, Environmental Protection Agency, the services at the local level (municipalities) in charge of agriculture, the public utilities for urban wastewater treatment and sewage sludge collection, inspection at the local and republic level. The Republic of Serbia has established professional and extension services under the MAEP in order to educate farmers and other users (individual or legal entities) that can be the beneficiaries of processed (treated) sludge.

In the coming period, it is necessary to determine the additional costs for both the implementation of obligations and strengthening human resources in this field (budget, funds, and projects).

Implementation Plans

For the period 2016 – end of 2018, the following has been planned:

- Development of the Strategy of Sewage Sludge Management by the end of the 2017;
- Public information of the possibilities of the use of the sewage sludge and the procedures in the field of environmental protection and agriculture land and production, where agricultural production is regulated through special legislative acts;
- Strengthening institutional capacities and the adoption of standard for the production, quality control and the use of sludge, as well as the supervision of the implementation of the Directive and domestic legislation;
- The adoption of Good Agricultural Practice Code, regarding the use of sludge in agriculture.

For the period 2019 – end of 2020, the following has been planned:

- Development of the Study on the assessment of the situation on the possibilities of production, storage and use of sewage sludge on soil on the territory of the Republic of Serbia;
- Adoption of spatial planning policy documentation, related to the construction of new processing capacities and landfills of sludge, according to the feasibility study;
- Revision of regional and local sludge management plans;
- Strengthening of inspection and control and supervision capacities;
- Development of plans for the use of sewage sludge in agriculture through studies or projects

for the possible rehabilitation of soil, biological reclamation of soil or for the use in the field of renewable energy or building energy system for processing as biofuel.

Shipment of waste - Regulation (EC) No. 1013/2006 and Regulation (EC) No. 1418/2007

The MAEP is responsible for the supervision and control of the shipment of waste within the borders of the country, as well as for transboundary movement of waste, the issuance of permits for transboundary movement of waste and the monitoring the movement of hazardous and non-hazardous waste from RS to other countries, the import and transit of waste on the territory of RS. Licensing and permitting for the import, export and transit of waste through the territory of RS is in accordance with the Basel Convention and related legislation.

The majority of obligations prescribed by the regulation are implemented due to the fact that the RS is a signatory to the Basel Convention. National procedures for the movement of waste were further complied with the Regulation 1013/2006/EC and other relevant EU acquis.

3.27.7 Civil Protection

1. Strategic framework

The Mission of the Sector for Emergency Management of the Ministry of Interior is to build, maintain and improve the capacities of the whole nation to help prevent the risks and to increase the ability to respond to emergencies and mitigate the consequences of various disasters that may hit our region. Its scope of action is based on The Law on Emergency Situations (“Official Gazette of RS”, No. 111/09, 92/11, 93/12), The National Strategy for Protection and Rescue in Emergency Situations (“Official Gazette of RS”, No. 86/11), The Hyogo Framework for Action 2005 – 2015, and Sendai Framework for Disaster Risk Reduction 2015-2030.

The activities implemented since 2009 include institutional capacity building and strengthening of the position of the Sector at the national and international level in order to be more efficient in the field of protection and rescue.

Serbia has achieved the strongest progress in the field of disaster management by adopting the Law on Emergency Management in 2009 that consolidated all protection and rescue activities and led to the adoption of the National Strategy for Protection and Rescue in Emergency Situations. The purpose of the strategy is to protect the life, health and property of citizens, environment and cultural heritage. This document defines the mechanisms for the prevention, preparedness, coordination and a guidance programme to reduce disasters caused by natural disasters and industrial accidents, technical disaster response and protection and elimination of consequences. Also, in accordance with the priorities of the Hyogo Framework for Action, in December 2010, the Regulation on the Establishment of Emergency Management Headquarters was adopted. Bearing in mind that the National Emergency Management Headquarters is a permanent body with the extension of jurisdiction, in January 2013, it was declared a national platform for disaster risk reduction in accordance with the UN recommendations.

The Republic of Serbia adopted the Regulation on the Methodology for the Development of Risk Assessment and Protection and Rescue Plans in Emergency Situations (“Official Gazette of RS”, No. 96/2012), which provides guidelines for the development of these documents. Development of the National Risk Assessment started (including risk maps for earthquakes, floods, storm winds, hail). Upon the adoption of the National Risk Assessment by the Serbian Government, the development of the National Plan for the Protection and Rescue was launched because the Serbian Government recognized the need to improve the system of prevention, protection and response in the event of a disaster or emergency situation, through the existence of an integrated system of protection and rescue.

Recent emergency events showed that Serbia’s preparedness and capability for emergency situation response proved to be successful but the services need to be improved and better equipped. The emergency situation that was declared due to flooding in May 2014 showed that

it is necessary to make certain amendments to the Law on Emergency Situations because some deficiencies were noticed that we want to remove in order to improve the system and ensure higher level of functioning of our protection and rescue system. For that purpose, the amendments to the Law were sent for review to the relevant ministries and international entities such as UNDP Serbia, UNISDR, the OSCE, the EU Civil Protection Mechanism and the EU Delegation in Serbia.

Pursuant to the Law on Emergency Situations, the protection and rescue system shall be financed from: the budget of the Republic of Serbia, budgets of the autonomous provinces and local self-governments; the budget fund for emergency situations; other sources specified in this and other laws.

The budget fund for emergency situations is established to ensure additional resources for financing the preparation, implementation and development of programmes, projects and other activities related to reducing risks, management and response in emergency situations in accordance with separate legislative acts.

The purpose of the National Strategy for protection and rescue in emergency situations is to protect life, health and property of citizens, the environment and cultural heritage of Serbia. The National Strategy defines and determines the national coordination mechanisms and programme guidelines for reducing disasters caused by natural hazards and risks of accidents, protection, response and recovery.

2. Implementation Activities and Institutional Responsibilities

Institutional responsibilities (summery information regarding institutional set - up for the sector)

In the Republic of Serbia the national authority in charge of protection and rescue of the population and material resources and emergency management is the Sector for Emergency Management of the Ministry of Interior. It consists of the Department for Preventive Protection, Department for Risk Management, Department for Fire and Rescue Units, Department for Civil Protection, National Training Centre for Emergency Situations, and 27 organisational units at the level of the local self-government, administration and emergency situations section throughout Serbia.

Main tasks of the Sector for Emergency Management (at the national level) are: protection of lives and properties in the event of natural or man-made disasters; work in the field of emergency prevention and prompt first response in the event of emergencies (natural disasters – earthquakes, floods, storms, heavy rainfall, electric discharges, hailstorms, atmospheric disasters, drought, rock and snow avalanches, accumulations of ice on flowing water, landslides; man-made disasters – fires, explosions, severe damage, traffic accidents, accidents in mines and tunnels, severe damage and accidents that occur in electricity power plants, oil and gas power plants, and facilities where radioactive substances are kept and used i.e. nuclear power plants, and in information and telecommunication systems; hazards for human life and health and the environment due to the effects of hazardous materials, epidemics of contagious diseases, epidemics of contagious diseases for livestock, pests and other vegetable diseases, and similar large scale phenomena that can endanger human life and health and the environment or that can cause extensive damage).

In accordance with the Law on Emergency Situations, the Sector coordinates the activities of all state institutions involved in emergency and disaster management.

As of 01/24/2013, the National Emergency Management Headquarters is declared as the National Platform for Disaster Risk Reduction in the United Nations system. This started the work on defining the tasks of the stakeholders. A national strategy of protection and rescue was adopted with defined mechanisms for coordination and programming guidelines for risk reduction, protection and recovery elimination from natural and other disasters. Five strategic areas were defined with clearly defined goals within each of them.

Environmental and disaster risk management policy are integrated into development plans at the national and local level (through existing public policies, mechanisms for coordination of

activities in terms of disaster risk reduction at different levels, budgetary allocations, etc.). Each local self-government unit within its budget is planning funds for emergency situations and this is done in accordance with local possibilities for financing the defined tasks.

Emergency management headquarters monitors the activities of local self-government units at all levels of the organization and participates in the development of the budget, but also in the development of preventative measures of protection and rescue in order to reduce the consequences of disasters. The development of risk assessment that has started is followed by the development of protection and rescue plans where all activities, measures and procedures should be defined.

Every year an Annual Action Plan is made for the National Emergency Management Headquarters – National Platform for Disaster Risk Reduction and it defines themes that are discussed in these sessions. The development of this Action plan involves all ministries, special organizations and associations. It contains defined preventive and operational mitigation and recovery measures. It also acknowledges problems and proposes more efficient implementation of protection and rescue measures and disaster risk reduction policy. These sessions end with conclusions that define the responsibilities of all authorities in the system of protection and rescue.

It is important to emphasize that all recognized stakeholders engaged in monitoring of specific risks are obliged to exchange information relevant to development of risk assessment both on local and national level. For example, the flood data is provided by the Ministry of agriculture and environmental protection – Directorate for Water; earthquake data is provided by the Seismological Survey of Serbia Bureau, and data concerning drought, storm winds, hail, snow blizzards, rainfall, snow drifts and glaze ice is provided by the Republic Hydrometeorological Service, etc.

There is an Early warning system for all the main hazards that represent threat to the population, such as snow drifts, glaze ice, flood waves. Early warnings are sent to all local self-government units and to the national level. Early warning proved to be quite effective because with timely early warning all stakeholders can undertake disaster risk reduction activities on their territory.

Two main instances in emergency management are:

1. Headquarters for Emergency Management as political, operational and professional entities formed for the coordination and management of protection and rescue operations in emergency situations on the national and local level (province, district, city, and municipality).
2. On the other hand, Sector for Emergency Management of the Ministry of Interior of the Republic of Serbia is the coordinating body in the event of emergencies at the national level and provides technical and operational support to the Headquarters for Emergency Management.

Administrative and operational capacities have about 3900 people (including professional fire and rescue units as first responders). Currently, Specialized Civil Protection units (additional forces) are planned to reach some 11,000 members.

Fire and Rescue units (First response units) number 3,000 members (specialized Urban Search and Rescue team and Specialized Flood Rescue team). Their operational capacities include 159 operational units (with 3,213 rescue firefighters in total), 716 fire and rescue vehicles (80% of them are older than 20 years), 148 boats of various sizes and types with or without engine, 500 pumps of smaller capacity (mostly from 1000 to 1600 l/min), 1 high capacity pump (7000 l/min), 6 search and rescue dogs, 7 Specialized Urban search and Rescue teams and Specialized Flood Rescue teams.

Additional forces include: Ministry of Interior/General Police Directorate (Police, Gendarmerie, Special Units, and Helicopter Unit), Ministry of Defence/Serbian Army, Red Cross of Serbia, Mountain Rescue Service of Serbia, divers, local civil protection units, companies, associations, volunteers.

In accordance with the Law on Emergency Situations, on the local level, the Commander of the Municipal Emergency Management HQ is the Mayor and the head of HQ is the Head of the territorial Department for Emergency Management of the Sector for Emergency

Management. The Law on Emergency Situations decentralizes protection and rescue activities so that local self-government units are responsible for the planning and organization of civil protection and for the first response in emergency situations. In order to improve capabilities and capacities of the management of the Municipal Emergency Management HQ, trainings, seminars and exercises have been organized.

Trainings of emergency management headquarters members are planned and performed at the local level in order to increase the local capacities response in emergency situations. Emergency management headquarters are expert-operational authorities for management of protection and rescue operations and also act as an authority that monitors the situation and is responsible for planning recovery and mitigation measures. For this purpose, protection and rescue structures are established alongside with planned trainings (for commissioners and civil protection units) and qualified persons in the territories of local self-governments that have tasks within a single system of protection and rescue. So far, all the commanders of emergency management have passed training where they were introduced to their responsibilities and duties regarding field of protection and rescue and disaster risk reduction.

By practicing trainings for the commanders of emergency management headquarters at local level, the competence and emergency management standards were increased. There is also a regular practicing of simulation exercises where real situation scenario strengthens teamwork and improves mutual coordination between emergency management headquarters at all levels.

Brief overview of main activities implemented in the sector

The Republic of Serbia is very active in IPA Civil Protection Cooperation Programme with the candidate countries and potential candidates - Phase II (IPA CP Cooperation Programme II / November 2013 – November 2015), which is a continuation of the IPA Civil Protection Cooperation Programme I which ended in May 2013 and in which Serbia also actively participated. IPA CP Cooperation Programme II aims to reduce the vulnerability to natural and man-made disasters at national and local levels through strengthening the ability of the beneficiaries to effectively cooperate with the EU Civil Protection Mechanism and relevant institutions and increasing the capability of the beneficiaries to further develop effective national civil protection and disaster response systems and collaborate regionally. Serbia is also included in IPA Programme Floods Prevention, Preparedness and Response (November 2014 – November 2016) also managed by the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO).

On 16 April 2015, Serbia and the EU Directorate-General for Humanitarian Aid and Civil Protection signed an agreement clearing the way for the official membership of Serbia in the EU Civil Protection Mechanism. After the internal procedures and national ratification of the agreement were completed on 26 May 2015, Serbia became the 32nd participating state in the Mechanism.

The EU Civil Protection Mechanism offers a wide range of cooperation opportunities to Serbia such as European monitoring tools and early warning systems, joint trainings and exercises, exchange of experts, disaster prevention and preparedness projects, direct communication with civil protection authorities of the members during emergency response, information exchange and best practices, coordinated EU relief operations and transport co-funding.

2.27.8 Water Management

Sectoral Approach

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

In 2014, the MAEP finalised detailed legal gap assessment analyses and assessment of compliance of the applicable legal framework with requirements of the Water Framework Directive 2000/60/EC, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, Directive 2008/105/EC on environmental quality standards in the field of water policy, Directive 98/83/EC on the Quality of Water Intended for Human

Consumption, Directive 2006/7/EC concerning the management of bathing water quality, and Directive 91/271/EEC concerning urban waste water treatment, with the assistance of PLAC project¹⁹. This process resulted in a precise assessment of the transposing status and transposition gaps.

The Water Management Strategy in the territory of RS was finalised and submitted to competent authorities for review. Strategic Environmental Impact Assessment has been done and the public debate has been completed.

Water Pollution Protection Plan has been completed and the development of the Strategic Environmental Impact Assessment for the mentioned plan is currently under consideration.

The second cycle of River Basin Management Plans is planned to be completed in 2021 in accordance with the Water Framework Directive's 6 years planning cycle. The process of preparing of River Basin Management Plans is in accordance with the planning cycle prescribed by the Water Framework Directive for EU member states.

There is an on-going activity is drafting the proposal for sensitive areas and vulnerable zones relevant for Urban Waste Water Directive and Nitrates Directive. Priority is also provided for implementation of Flood Directive including the preparation of flood risk and hazards maps for flood prone areas for the part of Serbia.

Specific implementation plans for the directives which require significant financial investment and proper supporting documents will be the basis for adjusting the timeframe for the implementation of these directives. Furthermore, Directive Specific Implementation Plans will be the basis for the preparation of multiannual investment and financing plan and will support programming process for the period by 2020, and after the accession, during negotiated transitional periods.

Implementation costs in water sector are high and require detailed planning of financing from national and EU as well as other grant financing sources, assessment of needs, possibilities and affordability for loan financing to be provided by International financial institutions (IFIs).

For activities that are planned to be implemented in 2016, the funding was provided by the Law on Budget of RS for the year 2016 by stakeholders, and for the next year, the funds will be planned within the limits established by the Ministry of Finance for the authorities that are stakeholders.

If the necessary funds are not provided, deadlines for the implementation of the directives in the water sector need to be updated accordingly. As it is currently assessed, due to high costs and availability of financing, part of the directives related to water sector will not be implemented by the end of 2020 and transitional periods will be needed. This is particularly related to large investment needs, especially in the implementation of Urban Wastewater Treatment Directive, the presence of arsenic in groundwater on the part of the territory of Autonomous Province of Vojvodina and other problems in the implementation of Drinking Water Directive, implementation of environmental quality standards as well as the time required for the implementation of water management plans (deadlines for reaching the limit values for certain industrial facilities). It is important to note that additional costs will occur due to implementation of other sector relevant directives, especially Floods directive. Although the costs for implementation of Floods directive are not currently assessed, the consequences of serious damages of water facilities and other infrastructure: (roads, bridges, etc.) during the catastrophic floods in 2014, as well as redefinition of the concept of flood protection, will affect the financial planning of the implementation of this Directive and other directives related to Floods Directive.

The most important precondition for the implementation of Drinking Water Directive and Urban Wastewater Treatment Directive is restructuring of public companies in accordance with the requirements of both directives, improving cost recovery and dynamic compliance / increasing of tariffs to finance operation of developed infrastructure. In cost recovery, the

¹⁹ PLAC – Policy and Legal Advisory Centre

affordability limit up to 4% shall be respected.

In addition, all activities planned as a part of the accession process to the EU require major reforms of the water sector, supported with appropriate financial resources. To ensure that this happens, full political support is absolutely necessary as well as the full participation of all relevant institutions.

Strategic Framework

Implementation of requirements in the sector is guided by the following strategic documents:

- National Environmental Approximation Strategy for the Republic of Serbia (NEAS, “Official Gazette of RS” No. 80/11),
- Water Sector Approximation Strategy

For the period 2016 – 2018, the following has been planned:

- Water Management Strategy for the Territory of the Republic of Serbia (4th quarter of 2016),
- Water Management Plan for the Danube River Basin on the territory of the Republic of Serbia (4th quarter of 2016),
- Water Pollution Protection Plan (4th quarter of 2016),
- Development of Draft Specific Implementation Plans for Water Framework Directive, Drinking Water Directive, Urban Wastewater Treatment Directive and Nitrates Directive (2017).

1. Transposition

Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 on establishing a framework for Community action in the field of water policy with its amendments (Decision 2455/2001/EC and Directives 2008/32/EC, 2008/105/EC and 2009/31/EC) – EU WFD

Transposition Status:

The directive has been partially transposed through the Law on Water (“Official Gazette RS” No. 30/10 and 93/12) – Law and relevant by-laws.²⁰

The Draft Amendments to the Law has been prepared which will partially transpose provisions from water sector directives. The public debate on the Draft Amendments to the Law on Water was completed in September 2015 and the text of the Draft Law was, after the intersectoral compliance, and upon the recommendation of the European Commission, submitted to ECRAN project experts for their review.

Transposition Plan

For the period 2016 – 2018, the following has been planned:

- Adoption of Draft Amendments to the Law on Water which partially transpose provisions of the Directive is planned for 2016;
- Adoption of the new Law of Water which will transpose the remaining of Directive provisions is planned for 2017;
- Adoption of relevant bylaws for the full transposition of the Directive, by the end of 2018.

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

²⁰ Rulebook on the Designation of Water District Boundaries (“Official Gazette RS” No. 75/10), Rulebook on Reference Conditions for the Types of Surface Waters (“Official Gazette RS” No. 67/11), Rulebook on the Designation of Surface Water and Groundwater Bodies (“Official Gazette RS” No. 96/10), Regulation on Limit Values of Pollutants in Surface Waters, Groundwaters and Sediment and Timelines for Reaching of the Values (“Official Gazette RS” no. 50/12), Rulebook on Parameters of Ecological and Chemical Status of Surface Waters, and Quantitative and Chemical Status of Ground Waters (“Official Gazette RS” No. 74/11), The Regulation on the Establishment of the Water Status Monitoring Programme (yearly - “Official Gazette RS” No. 100/12, 43/13 and 85/14).

by Directive 2013/39/EU

Transposition Status:

The Directive has been partially transposed through the Law on Water (“Official Gazette of RS”, No. 30/10 and 93/12) and Regulation on limit values of priority and priority hazardous substances polluting surface water and deadlines for their achievement (“Official Gazette of RS”, No. 24/14).

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of Draft Amendments to the Law on Water, planned for 2016, will provide the legal framework for the further transposition of Directive provisions through bylaws (provisions relating to biota Environmental Quality Standards, introduction of other matrix, long-term trend analyses and “watch list”);
- Adoption of the new Law of Water, planned for 2017, will ensure the transposition of the remaining Directive provisions, so that the full transposition of the Directive is planned for 2018.

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

Transposition Status:

The directive has been partially transposed through the Law on Water (“Official Gazette of RS”, No. 30/10 and 93/12) and relevant by-laws.²¹

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Legal basis for the further transposition of the Directive provisions will be provided by the adoption of the Law on Amendments to the Law on Water, planned in 2016;
- Adoption of the new Law of Water, planned for 2017, will ensure the transposition of the remaining Directive provisions, so that the full transposition of the Directive is planned for 2018;
- Adoption of Amendments to the Regulation on Limit Values of Pollutants in Surface Waters, Groundwaters and Sediment and Timelines for Reaching of the Values (“Official Gazette of RS” No. 50/12) by the end of 2018;
- Adoption of Amendments to the Rulebook on Parameters of Ecological and Chemical Status of Surface waters, and Quantitative and Chemical Status of Groundwaters (“Official Gazette of RS” No. 74/11) by the end of 2018.

The full transposition of the Directive will be achieved in 2018.

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

Transposition Status:

The Directive 2009/90/EC has been partially transposed through the Regulation on Limit Values of Priority and Priority Hazardous Substances Polluting Surface Water and Deadlines for their Achievement (“Official Gazette of RS” No. 24/14).

Transposition Plan:

²¹ Regulation on limit values of pollutants in surface waters, groundwaters and sediment and timelines for reaching of the values (“Official Gazette of RS” No. 50/12) and Rulebook on Parameters of Ecological and Chemical Status of Surface waters, and Quantitative and Chemical Status of Ground Waters (“Official Gazette of RS” No. 74/11).

For the period 2016 – 2018, the following has been planned:

- Legal basis for the further transposition of the Directive relating to chemical analysis and monitoring of surface water and groundwater status will be provided by the adoption of the Law on the Amendments to the Law on Water planned for 2016;
- The Directive will be fully transposed with the adoption of bylaws on technical requirements and specifications for chemical analysis and monitoring of water status, planned for 2017.

Directive 2008/56/EC of the European Parliament and of the Council establishing a framework for Community action in the field of marine environmental policy – EU MS FD
Transposition Status:

Directive 2008/56/EC has not been transposed into national legislation.

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of the new Law on Water, planned for 2017, will provide the transposition of the Directive.

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

Transposition Status:

The Directive has been partially transposed through the Law on Water (“Official Gazette of RS” No. 30/10 and 93/12) and Regulation on Establishment of the Methodology for Flood Risk Assessment (“Official Gazette of RS” No. 1/12).²²

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of the Law on Amendments to the Law on Water, planned for 2016, will provide the transposition of the majority of the remaining Directive provisions,
- Adoption of the Regulation on the Establishment of the Methodology for Preparation of Flood Hazard and Flood Risk Maps will also enable the transposition of the Directive;
- Adoption of the new Law on Water, planned for 2017, will enable the transposition of the remaining Directive provisions;

Full transposition of the Directive will be achieved in 2018.

Directive 98/83/EC on the Quality of Water Intended for Human Consumption – EU Drinking Water Directive

Transposition Status:

The applicable national legislation is partially complied with the Directive’s requirements.

Draft Rulebook on Health Safety of Drinking Water was prepared in 2014, and is planned to be adopted after the entry into force of Amendments to the existing Law on Food Safety²³

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of the Rulebook on Health Safety of Drinking Water is foreseen by the end of 2016;
- Development of the legal basis for reforming Public Utility Companies by end of 2018.

²² The following parts of the Directive have not been transposed into national law: definition on flash floods, Preliminary Flood Risk Assessment deadline (PFRA), regulation on flood mapping and deadline, specific objectives, coordination/ integration with RBMP and review cycle for PFRA, maps, climate change impact and FRMP (Flood Risk Maps).

²³ Legal basis for the adoption of the Rulebook on Health Safety of Drinking Water was determined with the Amendments to the Law on Food Safety.

Directive 2006/7/EC concerning the management of bathing water quality – EU Bathing Water Directive

Transposition Status:

The Directive has been partially transposed into national law . The Draft Regulation on Quality of Bathing Water has been prepared. The Draft is fully complied with the Directive.

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of the Regulation on Quality of Bathing Water has been foreseen after the adoption of Amendments to the Law on Water, by the end of 2016.

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

Transposition Status:

Requirements of the Directive have not been transposed into national legislation except some definitions (terms), which were transposed into the Law on Water ("Official Gazette of RS" No. 30/10 and 93/12).

Transposition Plan:

For the period 2016 – 2018, the following has been planned:

- Adoption of the Law on Amendments to the Law on Water, planned for 2016, will enable the transposition of some of Directive requirements.

By establishing the legal basis for designation of vulnerable zones for nitrates, the remaining provisions of Directive will be transposed, including the adoption of the Code of Good Agricultural Practice. In designated vulnerable zones, in parallel, the inventory of farms and agricultural land will be established.

Council Directive 91/271/EEC 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

Transposition Status:

The Directive has been partially transposed through the Law on Water ("Official Gazette of RS" No. 30/10 and 93/12), Regulation on Emission Limit Values of Pollutants in Waters and Deadlines for their Achievement ("Official Gazette of RS", 67/2011, 48/2012) and Regulation on Threshold Values of Pollutants in Surface Waters, Groundwaters and Sediment and Deadlines for their Achievement ("Official Gazette of RS", No. 50/2012).

The Rulebook on Methods and Conditions for Wastewater Quantity Measurement and Quality Testing, and the Content of the Measurement Report ("Official Gazette of RS", No.33/2016) has been adopted.

Transposition Status:

For the period 2016 – 2018, the following has been planned:

- The Adoption of the new Law on Water, planned for 2017, will establish the legal basis for the transposition of Directive's provisions related to the designation of sensitive areas, permitting procedure, reporting, as well as the transposition of Annex I;

- Adoption of relevant new bylaws and amendments to the existing bylaws for the full transposition of the Directive is planned by 2018;

- Development of the legal basis for reforming Public Utility Companies is planned by end of 2018.

3. Implementation and institutional responsibilities

Strengthening of capacity of the water sector institutions is the prerequisite for the successful transposition and implementation of directives and the majority of support project activities are focused on this issue.

The capacities of state administration authorities (MAEP, i.e. Directorate for Water and Serbian Environmental Protection Agency), competent for Water Framework Directive, are not sufficient. The capacities of Public Utilities Companies and other institutions responsible for the transposition and implementation of the Directive are also not sufficient.

In the period up to the completion of the full transposition, it is necessary for the Directorate for Water to employ an additional 7 employees, 4 of those with technical education, two lawyers and one economist. In the environmental sector, which covers directives in terms of the protection of surface water and groundwater from pollution, it is also necessary to strengthen the capacity with additional staff of 2 employees and 1 employee of the legal profession. Additional employment is needed in the Serbian Environmental Agency in the form of 9 employees with higher education and 14 employees with secondary technical education in the National laboratory and operational implementation of the surface water and groundwater monitoring status according to the requirements of FWD. In the process of determining the limit values of pollutants in accordance to the directives, it will be necessary to hire external expert consultants and collaborate with the scientific institutions of RS. In the Ministry of Health, in the period up to the completion of the full transposition of EU legislation relating to Chapter 27, it is necessary to include in the transposition process of regulation one more employee of the legal (normative) profession from the existing capacities of the Ministry or to hire a new employee.

Upon the completion of the transposition, the staff will work on implementation tasks.

Besides the additional staff for the implementation of directives related to water, it is necessary to additionally strengthen the capacities of the Directorate for Water of RS (including the inspection and project preparation), Public Utilities Companies, Serbian Environmental Agency, Republic Hydrometeorological Service and other institutions responsible for the implementation of the directive. According to the previous analyses, it is necessary to employ an additional 360 employees. Furthermore, it is necessary to hire an additional one employee in each local self-government.

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 with amendments (Decision 2455/2001/EC and Directives 2008/32/EC and 2009/31/EC) – EU WFD

The operating and supervising monitoring has been conducted since 2012 and it is partially harmonized with the requirements of the Water Framework Directive; it covers only a portion of water bodies (85 surface water bodies out of 493 and 31 out of 153 groundwater bodies). Significant funds are required in order for the monitoring to meet the requested monitoring activities volume. The Danube River Basin Management Plan on the territory of the Republic of Serbia is designed²⁴, the design of the Strategic Environmental Assessment was completed and a public discussion was held. The Report on the Characterisation for the Danube Basin on the territory of the Republic of Serbia was prepared in 2013; the Report includes the characteristics of the basin, the impact of human activity stipulated in Article 5 and the inventory of protected areas (current status). The preparation of water management plans for water bodies on the territory of the Republic of Serbia is in the initial phase. It is foreseen that the implementation activities will be supported through an IPA 2016 project (2017/2018).

²⁴In accordance with the Law on Water from 2010

Implementation plan:**For the period 2016-2018, the following activities have been planned:**

- Development of the Specific plan for the implementation of the Water Framework Directive in order to define the deadlines and the steps for full implementation of the requirements in the Directive. It was envisaged that the Plan be prepared through IPA 2013. The activities shall cover issues pertaining to Article 4.4-4.9 and issues pertaining to inter-connection with other directives (e.g. Drinking Water Directive, Directive on Environmental Quality Standards and the Groundwater Directive, naturally higher levels of arsenic in groundwater in specific areas in Vojvodina);
- Adoption of the Danube River Basin Management Plan on the territory of the Republic of Serbia in accordance with the Law on Water in 2016. Even though it is not fully harmonized with the Water Framework Directive, the Plan may be considered the first draft, with the exception of specific protected areas;
- Preparation of the Draft Water Monitoring programme in accordance with the Water Framework Directive, the Groundwater Directive and the Directive on Environmental Quality Standards. The Working Group was formed in March 2015. The programme will be prepared in 2016. The Document shall include the concept of the monitoring programme until 2020 in line with all the requirements of the Directive and the yearly operational plan;
- Improvement of the cost recovery system in the water management sector will be realized through the project "Support to the EU Accession Process of the Republic of Serbia in the Water Management Sector – Cost Recovery for Water Management Services in the Republic of Serbia" (World Bank). To that end, the following by-laws shall be adopted: Decision on the Establishment of Methodology for the Calculation of Prices for Drinking Water Supply through the Public Water Supply System and the Prices for the Collection, Evacuation and Treatment of Wastewater through the Public Sewerage System; Decision on the Establishment of Reference Prices for Water and the Decision on the Creation of Criteria for the Establishment of the Reference Price for Water, which will represent the grounds for the adequate financial framework;
- Analysis of the basin area (in accordance with Article 5 and the Annexes of the Framework Water Directive) within the second cycle of the Danube river basin management planning on the territory of the Republic of Serbia;
- Establishment of the Registry of Protected Areas in 2018, once 2 by-laws are adopted (planned for 2016) as well as the establishment of vulnerable and at-risk areas;
- Strengthening the capacities of public water management companies.

For the period 2016-2018, the following activities have been planned:

- Implementation of the Monitoring Programme in accordance with the Framework Water Directive (supported by IPA 2016). Establishment of the complete monitoring programme for surface water bodies and groundwater bodies until 2020 (with the exception of specific areas for which the deadline shall be 2022);
- Establishment of the policy for water prices and the completion of the requests for cost recovery (planned for 2019);
- Development and application of the reporting system by the end of 2020;
- Full implementation of the monitoring programme by 2020, with the exception of protected areas.

For the period after 2021, the following activities have been planned:

- Preparation, publishing and public consultations regarding the second cycle of the river basin management planning and the Programme for Measures as well as the river basin management plans (SPD) shall be completed in 2021;
- Implementation of the complete monitoring programme including the protected areas by 2022.

In case the IPA 2016 project is not approved, other funding sources need to be identified. In addition, the implementation deadlines need to be updated.

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

The hazardous substances which are regularly monitored are divided into two groups; the first group encompassing 35 substances is already monitored. Three substances (mercury, heptachlor and heptachlor epoxide) from the second group are also monitored; however, the applied methods do not have the required detection and quantification limits. The monitoring still does not cover all surface water bodies due to budget limitations. It is foreseen that the implementation activities will be supported through an IPA 2016 project (2017-2018).

For the period 2016-2018, the following activities have been planned:

- Development of detailed steps and deadlines for full implementation of the Directive on environmental quality standards in the field of water policy (as part of the Specific plan for the Framework Water Directive, during 2016-2017, supported through the IPA 2013 project);
- Preparation of the Draft Water Monitoring Programme in accordance with the Directive on environmental quality standards in the field of water policy;
- Increasing the human and technical capacities of the Serbian Environmental Protection Agency (laboratory equipment, methodologies, training for experts) in order to provide adequate monitoring planned for 2018 (within the current IPA 12 project “Strengthening Capacities in Environmental Protection and Monitoring”);
- Gradual introduction of substances from the second group (25 substances) into the monitoring programme, no later than the end of 2018.

For the period 2018-2020, the following activities have been planned:

-Establishment of efficient monitoring in accordance with the Framework Water Directive and the Directive on environmental quality standards in the field of water policy for the entire monitoring network by the end of 2020. This entails the determining of the presence and the basic level of the listed substances (current chemical composition in surface water bodies), the developing of a system for the long-term trends analyses, the developing of methodology, taking steps for the establishment of a unique data base for emissions, discharge and loss of priority and priority hazardous substances, and the development and application of the reporting system;

-Preparation of the proposals for the Programme for Measures, which will be included in the next planning cycle and which pertain to the substances on the list, will be completed by the end of 2021.

For the period after 2021, the following activities have been planned:

- Compliance with the emission limit values (ELV) for all industrial facilities by 2025.²⁵;
- Full implementation of the Directive by the end of 2033 (in accordance with the six-year planning cycle for river basin management), with the exception of facilities for which the transition deadlines are still negotiated.

In case the IPA 2016 project is not approved, other funding sources need to be identified. In addition, the implementation deadlines need to be updated.

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 preliminary risk assessment for groundwater bodies was completed. Chemical monitoring was done on 31 of the 153 groundwater bodies and it included the substances listed in Annex II Part B, with the exception of trichloroethylene and tetrachloroethylene. The monitoring of the latter started in 2016. The existing data show a naturally high level of arsenic in AP Vojvodina, in some places higher than 50µg/l. Due to the natural origin it will not cause irregularities in the chemical composition, but it should be addressed in terms of the Drinking Water Directive. The details will be analysed in the Specific Implementation Plan for the Framework Water Directive.

It was foreseen that the implementation activities (monitoring) will be supported through a IPA 2016 project (2017-2018).

For the period 2016-2018, the following activities have been planned:

- Development of detailed steps and deadlines for full implementation of the Groundwater Directive (as part of the Specific Implementation Plan for the Framework Water Directive, during the 2016-2017 period through the support for an IPA 2013 project);
- Preparation of the Draft Water Monitoring Programme in accordance with the Groundwater Directive (including the review of the existing groundwater monitoring points owned and/or operated by other persons i.e. public utility companies, energy production facilities etc.)

For the period 2018-2020, the following activities have been planned:

- Reaching the necessary funding levels in order to establish the groundwater monitoring in line with the FWD by 2020 (with the exception of specific protected areas, for which the deadline will be extended until 2022);
- The analysis of the chemical contents of groundwater bodies on the grounds of existing data, as well as for surface water bodies has never been done. The initial identification of significant and constant rising trends and the defining of the starting points for the changes in trends will be done should sufficiently long data series for trend analyses be available.

For the period after 2021, the following activities have been planned:

- Expansion of the chemical contents monitoring networks to the protected areas in order to include all groundwater bodies which are used for water supply, irrigation, etc., was planned for 2022;
- Analysis of the chemical contents for all groundwater bodies;

²⁵ The existing Directive on the Emission Limit Values for Pollutants in Water and the Deadlines for their Reach (67/2011, 48/2012 and 1/2016) stipulates that all industrial facilities which were operating before 21 September 2011 have a transition period in which they are obligated to align with the emission border values by 2025. Precise deadlines will be defined in action plans designed by legal persons and business i.e. the polluters themselves.

- Identification of all existing significant and constant rising trends and the defining of starting points for the changes in trends.
- Establishment of the measures for the prevention or limitation of the inflow of polluting substances in the groundwater.

In case the IPA 2016 project is not approved, other funding sources need to be identified. In addition, the implementation deadlines need to be updated.

Commission 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 monitoring of the majority of the substances listed in the annexes in the Framework Water Directive and relevant directives on water policies is conducted, however, a part of the methods and equipment used does not allow for the required limitations for detection and quantification. This was remediated by installing new equipment through the IPA 2012 project “Strengthening Capacities in Environmental Protection and Monitoring”.

For the period 2016-2018, the following activities have been planned:

- Training for the operation of the new equipment which was installed as part of the current IPA 2012 project was completed in 2015;
- Full implementation of Directive 2009/90/EC is expected by the end of 2017.

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 (Marine Strategy Framework Directive)

The Republic of Serbia shall implement the Directive through the Framework Water Directive and international cooperation for the Danube River Basin (ICPDR).

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 first preliminary flood risk assessment was conducted in 2012. However, it included only the river flooding. There were no assessments for the impact of climate change. 99 significantly flooding areas were defined. The preparation of maps for vulnerable and areas at risk of floods is ongoing. The map already shows 27 of the 99 areas with significant flood-risk. The initial phase for the preparation of the Draft Plan for Flood Risk Management is ongoing. The goals and the measures pertaining to this Directive are listed in the Draft Water Management Strategy.

For the period 2016-2018, the following activities have been planned:

- Design of the Catalogue of Measures in 2016;
- The Draft of the first Plan for Flood Risk Management for the territory of the Republic of Serbia will be prepared by 2017, with the use of the available maps (prepared during the first phase with 27 areas with significant flood-risk);
- The second cycle of the preliminary flood risk assessment (2018) shall include all relevant types of floods and the assessment of climate change, having in mind the floods in 2014.

For the period 2018-2020, the following activities have been planned:

- Revision of maps prepared during the first phase and the design of new maps representing vulnerable and areas at risk of floods for the remaining areas with significant flood-risk will be completed by the end of 2019.

In case the IPA 2014-2020 project is not approved, other funding sources need to be identified;

- Collection and analysis of other data, including information on economic value, required for the second cycle of planning.
- The Flood Risk Management Plan in accordance with the Floods Directive will be prepared by 2020.

For the period after 2021, the following activities have been planned:

- Adoption of the Flood Risk Management Plan in accordance with the Floods Directive in 2021.

Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption – EU Directive on Drinking Water

The drinking water quality is monitored in water supply systems of various sizes, but this is not the case with small water supply systems (rural water supply systems). The monitoring is carried out by an authorized laboratory. The analyses performed during the period 2009-2013 (done in accordance with existing laws) show that only around 50% of municipal water supply systems deliver water of appropriate physical and chemical, and microbiological quality. A reconstruction of the existing water supply system is necessary in order to remediate the large backlog of maintenance which amassed over the years. The biggest obstacle in the implementation of the EU Directive on drinking water is the poor state of the infrastructure, as a result of poor financial conditions of public utilities, insufficient funding by local self-government units, the state budget and other sources.

Transposition plan

For the period 2016-2018, the following activities have been planned:

- Adoption of the Rulebook on the Health Safety of Drinking Water, which will include provisions that provide the possibility of deviations in the implementation of parameter values concerning the safety of drinking water (e.g. arsenic in drinking water);
- Development of the Specific Implementation plan for the Directive on Drinking Water that defines the cost of implementation, the schedule and steps towards the full implementation (planned for the period of 2016-2017, supported through an IPA 2013 project);
- Establishing of a monitoring system in 2017.

For the period 2018-2020, the following activities have been planned:

- Reforms of public utility companies completed by the end of 2020;
- Improvement of the system for the collection of payments with the gradual increase in the price of drinking water in accordance with the principle of affordability by the end of 2020.

For the period after 2021, the following activities have been planned:

Establishing of efficient municipal water supply systems through the implementation of programs for infrastructure development. The capital investment needs are estimated between € 1.3 billion (NEAS) and 2 billion € (in accordance with the Draft Water Management Strategy). Full implementation is planned for 2034.

Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality - EU Bathing Water Directive

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

Implementation plan

For the period 2016-2018, the following activities have been planned:

- The first estimate will be done during the bathing season in 2017.

For the period 2018-2020, the following activities have been planned:

The complete classification of bathing water by the end of the fourth bathing season (in 2020).

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

Development of the methodology for determining the nitrate vulnerable areas and identification of agricultural land with significant contribution to pollution by nitrates, separation of these areas and the catalogue of best practices for the control of pollution by nitrates in agriculture is underway with the support of the project funded by the Swedish Agency for International Development Assistance - SIDA. The rules of good agricultural practice are being updated. A monitoring network for a detailed analysis of pressures and impacts of nitrogen pollution from agriculture and trophic status of surface waters needs to be established. Only a small percentage of aquifers which are monitored show the concentration of nitrates in excess of 40 to 50 mg/l (data from the Draft plan for Water Protection).

Evaluation of full compliance may be made done only on the basis of water quality data and data from agriculture and once the vulnerable areas are determined and the adoption of action programs is completed. Activities are underway to prepare a proposal for the designation of vulnerable areas, which will include a discussion on the possibility of declaring the entire territory of the Republic of Serbia as a vulnerable area. Costs depend on the final decision, as well as further assessment of necessary steps.

Implementation plan:

For the period 2016-2018, the following activities have been planned:

- Estimate of the monitoring information and identification of vulnerable areas during 2016;
- Determination of nitrate vulnerable zones (NVZ) is planned by the end of 2018;
- Assessment of the monitoring program according to the needs for the monitoring of the nitrate vulnerable zones until the end of 2018;
- Adoption of the Rules of Good Agricultural Practices (GAP) is planned to be completed by the end of 2018.

For the period 2018-2020, the following activities have been planned:

- Establishment of an inventory of farms and agricultural land in vulnerable areas by 2020;
- Preparation of a plan for the expansion of the monitoring network to surface and groundwater bodies in the context of nitrate vulnerable zones, if necessary, until the end of 2019;
- Establishing a system for reporting in accordance with the requirements of the Nitrates Directive by the end of 2020;
- Development of the Action Programme for the implementation of measures to protect nitrate vulnerable zones is planned for 2020
- Development of agricultural extension services at the local level in nitrate vulnerable zones, if necessary, and intensified training of farmers for effective enforcement of rules of good agricultural practices in nitrate vulnerable zones, is planned for the end of 2020.

For the period after 2021, the following activities have been planned:

Development of infrastructure to comply with the requirements of the Directive (the funds required for capital investments for water protection against pollution from agricultural sources, NEAS, 2011 were estimated at 0.9 billion EUR).

Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment 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 C (2014) 4208, (2014/431/EU)).

Status regarding the technical (systems for collecting, generated loads, capacity and efficiency of treatment programs, impact on water, etc.) and financial measures presented in the Draft Strategic Documents on Water Management. Preliminary identification of agglomeration was completed and presented in the Draft Plan for Water Pollution Protection. 388 agglomerations were defined, 315 of them with more than 2000 PE (population equivalent), and 73 with sewage systems with fewer than 2000 ES, with more than 4100 rural communities with populations of less than 2,000 inhabitants. The average rate of connections in settlements with more than 2000 ES is 54%. The number of existing installations for waste water treatment is around 44, of which there are 32 in operation, and only 8 operating in accordance with the expected criteria. Less than 8% of the population receives adequate treatment. It is foreseen that the implementation activities will be supported through an IPA 2016 project (2017-2018).

For the period 2018-2020, the following activities have been planned:

- Estimate of existing data in order to define the approach for the determination of vulnerable areas;
- Establishment of the legal basis for the determination of vulnerable areas and the determination of vulnerable areas;
- Development and adoption of a Specific Implementation Plan for the Urban Waste Water Treatment Directive, which will determine the cost of implementation, the dynamics and steps towards full implementation;
- Establishment of the legal basis for the reform of public utility companies for water management.

For the period 2018-2020, the following activities have been planned:

- Reform of public utility companies for water management by the end of 2020;
- Improvement of current procedures pertaining to obtaining permits and licenses for the collection and treatment of waste water;
- Strengthening of administrative and implementation capacities at national, regional and local level;
- Development and establishment of a system for reporting and a database for the monitoring of discharge of waste water and sludge disposal on the basis of technical specifications in the context of the Water Management Information System for Europe (WISE);
- Establishment of a system for the implementation of the Commission Decision (2014/431/EU).

For the period after 2021, the following activities have been planned:

Development of infrastructure necessary for the enforcement of the requirements in the Directive. Implementation is divided into periods from 2015 to 2020 and an additional 3 periods (7 years) from 2021 to 2041. The prioritization of infrastructure development is based on the requirements of the Urban Waste Water Treatment Directive and the specific loads of recipients and the size of agglomeration. Priority in agglomerations is given to new facilities for wastewater treatment where the connection rate higher than 60%. If the connection rate is lower than 60%, priority is given to wastewater collection systems. The required capital investments are estimated at 3.3 billion EUR (NEAS, 2011) and 4.9 billion EUR (and the Draft Water Management Strategy).

A transition period will be required for the implementation of this Directive.

Should the IPA 2015 project not be approved, alternative funding sources need to be identified. In accordance with the above-mentioned, the deadlines for the activities need to be updated.

Current institutional competences (information pertaining to the institutional arrangement for

the respective sector):

Directive		National level	Regional level	Local level
EU WFD	Policy and implementation	Competent authority: Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water		
		Other competent ministries: MAEP, Sector for Environmental Protection, Ministry of Health, Ministry for Civil Construction, Transport and Infrastructure and Ministry of Mining and Energy	Provincial Secretariat for Agriculture, Water Management and Forestry (PSAWMF), Provincial Secretariat for Urban Planning, Civil Construction and Environmental Protection (PSUPCCEP)	
	River Basin Management	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water	Public Water Management Company “Srbijavode”, Vode Vojvodine (the process of introducing amendments to the Water Law to be adopted in 2016 is in progress)	
	Monitoring	Republic Hydrometeorological Institute of Serbia – RHIS (water volume) and Serbian Environmental Protection Agency (water quality)		
	Enforcement	Ministry of Agriculture and Environmental Protection (MAEP), Republic Directorate for Water, Division for Water Management Inspection, Environmental Inspection Department Sanitary Inspection	Ministry of Agriculture and Environmental Protection (MAEP), Republic Directorate for Water – Division for Water Management Inspection, Environmental Inspection Department Sanitary Inspection – transferred competences	
EU FD	Policy and implementation (Preliminary assessment of flood risk and the Risk	Competent authority: Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water		

Directive		National level	Regional level	Local level
	Management Plan for the Republic of Serbia)			
		Other competent ministries: Ministry of Interior – Sector for Emergencies, Ministry for Civil Construction, Transport and Infrastructure and Ministry of Mining and Energy	Provincial Secretariat for Agriculture, Water Management and Forestry (PSAWMF), Provincial Secretariat for Urban Planning, Civil Construction and Environmental Protection (PSUPCCEP)	
	Preliminary assessment of flood risk	Competent authority: Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water		
	Vulnerability maps and Flood risk maps and the Flood Risk Management Plan for the Water Directive		Public Water Management Company “Srbijavode”, Vode Vojvodine (the process of introducing amendments to the Water Law to be adopted in 2016 is in progress	Local Self-Government Unit for Category II Water Bodies
	Flood Risk Management Plan for the Republic of Serbia	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water	Public Water Management Company “Srbijavode”, Vode Vojvodine (the process of introducing amendments to the Water Law to be adopted in 2016 is in progress)	Local Self-Government Units
	Monitoring	Republic Hydrometeorological Institute of Serbia – RHIS		
	Enforcement	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water Water Management Inspection Department	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water Water Management Inspection Department –	

Directive		National level	Regional level	Local level
			transferred competences	
EU MS FD	Policy and implementation	Competent Authority Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water		
EU Drinking Water & Bathing Water Directive	Policy and implementation	Ministry of Health Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water		Public Utility Companies Local Authorities
	Monitoring	Three regional public health institutes		20 local public health institutes
	Enforcement	Sanitary inspection	Sanitary inspection-transferred competences	
EU ND	Policy and implementation	Competent authority Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water Directorate for Agrarian Payments, Directorate for Agricultural Land	Provincial Secretariat for Agriculture, Water Management and Forestry (PSAWMF), Public Water Management Company “Srbijavode”, Vode Vojvodine (the process of introducing amendments to the Water Law to be adopted in 2016 is in progress)	Expert Agricultural Services (advisory and professional)
	Monitoring	SEPA and RHIS		
	Enforcement	Inspection Services for Agricultural Land, Animal Husbandry and Phytosanitary Inspection	Inspection Services for Water Management, Agricultural Land and Phytosanitary Inspection – transferred competences	
EU UWWTD	Policy and implementation	Competent authority Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water and other competent ministries - Ministry for Civil Construction, Transport and Infrastructure	Provincial Secretariat for Urban Planning, Civil Construction and Environmental Protection (PSUPCCEP)	Municipalities, public utility companies – water management companies

Directive		National level	Regional level	Local level
	Monitoring	Serbian Environmental Protection Agency (water quality)	Public Water Management Companies	Public Utility Companies and Facilities of the Biodegradables Industry
	Enforcement	Ministry of Agriculture and Environmental Protection (MAEP), Republic Directorate for Water, Division for Water Management Inspection Environmental Inspection Department the Environment Inspectorate	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water Inspection Sector Environmental Protection Inspectorate for the Environment – transferred competences	Communal police
EU EQSD	Policy and implementation	Competent authority Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water	Provincial Secretariat for Urban Planning, Civil Construction and Environmental Protection (PSUPCCEP)	
	Monitoring	SEPA		
	Enforcement	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water (Environmental Quality Standards) and the Environmental Inspection Department (emissions limit values)	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water (Environmental Quality Standards) and the Environmental Inspection Department – transferred competences	
EU GWD	Policy and implementation	Competent authority Ministry of Agriculture and Environmental Protection (MAEP) – Environmental Protection Sector	Public Water Management Company “Srbijavode”, Vode Vojvodine (the process of introducing amendments to the Water Law to be adopted in 2016 is in progress)	

Directive		National level	Regional level	Local level
	Monitoring	SEPA and RHIS	The Water Inspectorate Environmental Inspection Department – transferred competences	
	Enforcement	Ministry of Agriculture and Environmental Protection (MAEP) – Republic Directorate for Water (Environmental Quality Standards) and the Environmental Inspection Department (Emissions Limit Values)		

2.27.9 Nature Protection

1. Strategic Framework

- National Program for Environmental Protection, Chapter on nature protection and biodiversity (adopted in 2010);
- Action Plan for the implementation of NPEP for the period 2015 - 2019 is being developed;
- National Strategy for Sustainable Use of Natural Resources, Chapter 7;
- Protected areas, biodiversity, geodiversity and landscape diversity;
- Biodiversity Strategy for the period 2011 – 2018 of the Republic of Serbia;
- Forestry Development Strategy (adopted in 2006) of the Republic of Serbia;
- National Environmental Approximation Strategy, Sector for Nature Protection.

2. Transposition

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

Transposition status

The Directive was partially transposed into national law. After the additional analysis, which followed the bilateral screening for the purposes of creating a “Progress Monitoring” Report, it was concluded that Article 8 could not be applied in the Republic of Serbia before the date of accession. The concept of the ecological network in the Republic of Serbia was harmonized with Natura 2000 and includes an extensive list of species and habitats and environmentally significant areas of international and national importance. The financing manner for measures pertaining to the protection of the ecological network as a whole is applied in accordance with the Regulation on the ecological network ("Official Gazette of the Republic of Serbia", no. 102/2010), bearing in mind the commitment stipulated in paragraph 6 of Article 8 of the Habitats Directive of the EU. The remaining provisions were fully transposed into national legislation.

Law on Nature Protection (“Official Gazette of the Republic of Serbia”, no. 36/09, 88/10,

91/10,14/16) and the accompanying by-laws²⁶

Law on Game Animal and Hunting (“Official Gazette of the Republic of Serbia”, no. 18/2010) and the accompanying by-laws²⁷

Law on the Protection and Sustainable Use of Fish Fauna (“Official Gazette of the Republic of Serbia”, no. 36/9 and 32/13)²⁸

Law on Strategic Environmental Impact Assessment (“Official Gazette of the Republic of Serbia”, no. 135/2004, 36/2009)

Law on Environmental Impact Assessment (“Official Gazette of the Republic of Serbia”, no. 135/04, 88/10)

Transposition plan:

For the period 2016-2018, the following activities have been planned:

- Regulation on the Assessment of Eligibility, which regulates the procedure for assessment of eligibility (first quarter of 2017);
- Amendments to the Regulation on the Ecological Network will improve the definition of the obligations arising from the EU Habitats Directive in respect to the concept of ecological network (first quarter of 2017);
- Adoption of the new Law on Nature Protection is planned for the fourth quarter of 2018.

For the period 2018-2020, the following activities have been planned:

Adoption of the Amendments to the Law on Nature Protection, Articles 8, 17 and 23 of the Habitats Directive will allow for the full transposition by 2020 (financing and reporting).

Birds Directive: Directive 2009/147/EC on the conservation of wild birds

Transposition status

Law on Amendments to the Law on Nature Protection (“Official Gazette of the Republic of Serbia”, no. 14/16), precisely transposed the provisions of 4.1, 4.2 and 5 of the Directive, and to achieve full harmonization it is necessary to fully transpose the provisions 3.2 and 7 of the Directive. In addition, based on the performed analysis through the project “Monitoring Transposition and Implementation of EU legislation in the Field of Environmental Protection”, it was found that the provisions of 1.1, 4.3, 6.3 and 7.3 will be fully transposed by 2020, i.e. on the date of the accession to the European Union.

The Rulebook on Amendments to the Rulebook on the Declaration of the Closed Season for Protected Wildlife Animal Species was adopted, and the changes to the Rulebook on the Establishment and Protection of Strictly Protected and Protected Species of Wild Plants, Animals and Fungi are in the final stage.

²⁶ Regulation on the Ecological Network (“Official Gazette of the Republic of Serbia”, no. 102/2010)

Rulebook on the Establishment and Protection of Strictly Protected and Protected Species of Wild Plants, Animals and Fungi (“Official Gazette of the Republic of Serbia”, no. 5/2010 and 47/11)

Rulebook on the Types of Habitats, Criteria for the Selection of Types of Vulnerable, Endangered and Rare Habitats and the Priorities for the Protection of the Types of Habitats (“Official Gazette of the Republic of Serbia”, no. 20/2010)

Rulebook on the Compensation Measures (“Official Gazette of the Republic of Serbia”, no. 20/20101)

Rulebook on Special Technical and Technological Solutions providing Seamless and Safe Communication between Wild Animals (“Official Gazette of the Republic of Serbia”, no. 72/2010)

Rulebook on the Terms for Keeping, Manner of Labelling and Keeping Records of Wild Animals in Captivity (“Official Journal of the Republic of Serbia”, 86/2011)

Special Regulations on the Protection of Individual Protected Areas which fall into the Scope of the Ecological Network

Rulebook on the Declaration of the Closed Season for Protected Wildlife Animal Species (“Official Gazette of the Republic of Serbia”, no. 9/2012 and 97/2014).

²⁷ Rulebook on the Declaration of the Closed Season for Protected Wildlife Animal Species (“Official Gazette of the Republic of Serbia”, no. 9/2012 and 97/2013).

²⁸ Regulation on the Measures for the Protection of the Fish Stock (“Official Gazette of the Republic of Serbia”, no. 104/9 and 49/10).

Regulations on International Trade in Endangered Species of Wild Fauna and Flora – CITES: Regulations 338/97, 865/2006, 791/2012, 792/2012 and their amendments

Alignment status

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

Alignment plan

Short-term priorities (2016– 2018)

Revision and changes to existing national legislation in the field of environmental protection to ensure that the provisions regulating the keeping of animals in zoos, CITES and trade in wildlife in general, comply with the provisions of the EU Directive on zoos.

Nagoya Protocol: Regulation 511/2014

Alignment status

National legislation is not in compliance with the provisions of Regulation 511/2014.

Alignment plan:

For the period 2016 – 2018, the following activities have been planned:

The Law on Ratification of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from the use of these resources in the Union will be adopted in the first quarter of 2017. The provisions of Regulation (EU) 511/2014 of the European Parliament and the Council on the measures for the compliance of beneficiaries with the provisions of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits arising from the use of these resources in the EU will be implemented by 2018.

Leghold traps: Council Regulation 3254/91 prohibiting the use of leghold traps

Alignment status

Compliance of the national framework with the provisions of the Regulation 3254/91/EEC on leghold traps and 35/97 EC is only partial.

Alignment plan:

For the period 2016 – 2018, the following activities have been planned:

Revision and changes to existing national legislation in the field of environmental protection to ensure that the provisions governing the prohibition of animal traps are compliant with the EU requirements (2018).

Trade in seal products: Regulation (EC)1007/2009

Alignment status

The compliance of the national framework with the provisions of the Regulation on trade in seal products (EC)1007/2009 is partial.

Alignment plan**For the period 2016 – 2018, the following activities have been planned:**

Revision and changes to existing national legislation in the field of environmental protection to ensure that the provisions governing the trade of pups and products from seals are in compliance with the relevant EU legislation (2018).

Transposition status

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

Transposition plan**For the period 2016 – 2018 the following activities have been planned:**

Revision and changes to existing national legislation in the field of environmental protection to ensure that the provisions governing the trade in products from seal pups are fully transposed in its entirety in accordance with relevant EU legislation. (2018)

Regulation on timber: Regulation 995/2010 (EUTR)**Alignment status**

Provisions of EU Timber Regulation - EUTR (995/2010) are partially transposed into national legislation: Law on Forests ("Official Gazette of the Republic of Serbia", no. 53/2010 and 10/2013), the Law on Foreign Trade ("Official Gazette of the Republic of Serbia", no. 36/2009, 36/2011 and 88/2011), Law on Customs ("Official Gazette of the Republic of Serbia", no. 62/2006 and 63/2006) and the Law on Customs Tariffs ("Official Gazette of the Republic of Serbia", no. 62/2005, 61/2007 and 5/2009).

Transposition plan**For the period 2016 – 2018 the following activities have been planned:**

The revision of the current legislation on nature protection and other by-laws (forestry, timber industry, trade and customs) in order to ensure compliance with the EU Timber Regulation (2018).

For the period 2018-2020, the following activities have been planned:

The adoption of sector-specific legislation that will focus on detailed implementation of the EUTR, which will also provide effective solutions for the implementation of these provisions and the provisions of the penal policy (2020).

FLEGT: Regulation 2173/2005 amended by the Regulation 657/2014 and Regulation 1024/2008/EC**Transposition status**

Provisions of the FLEGT Regulation (2173/2005) were partially transposed into national law: Law on Forests ("Official Gazette of the Republic of Serbia", no. 30/2010, 88/2011), Law on Trade ("Official Gazette of the Republic of Serbia", no. 53/2010 and 10/2013), Law on Foreign Trade ("Official Gazette of the Republic of Serbia", no. 36/2009, 36/2011 and 88/2011), Law on Customs ("Official Gazette of the Republic of Serbia", no. 62/2006 and 63/2006), the Law on Customs Tariffs ("Official Gazette of the Republic of Serbia", no. 62/2005, 61/2007 and 5/2009).

For the period 2016 – 2018 the following activities have been planned:

The revision of current legislation concerning nature protection and other by-laws (forestry, timber industry, trade and customs) in order to ensure compliance with the FLEGT Regulation (2018).

For the period 2018-2020, the following activities have been planned:

Adoption of sector-specific legislation that will focus on the detailed implementation of FLEGT, which will also provide effective solutions for the implementation of these provisions and the provisions of the penal policy (2020).

3. Implementation and institutional competences

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

The structures for the implementation of the Habitats Directive have been established at the national, provincial and local level. The authorities responsible for implementing the Habitats Directive are:

On the national level: Ministry of Agriculture and Environmental Protection, Serbian Environmental Protection Agency, Republic Geodetic Authority, Environment Protection Institute of the Republic of Serbia;

On the regional level: Provincial Secretariat for Urban Planning, Construction and Environmental Protection, Institute for Nature Conservation of Vojvodina Province;

On the local level: towns and municipalities.

Managers of the protected areas: public companies on all levels (national, regional and local), professional organisations, institutes and civil society organisations.

The system of protection and conservation of habitats, plant and animal species of importance to the community, established by the national legislation and is almost entirely in accordance with Articles 1, 2, 6, 9, 12, 13, 14, 15, 16 and 22 of the Habitats Directive and as such is implemented through measures of protection, sustainable use, monitoring and control. Annexes II and V of the Directive are not fully implemented and refer to species that are controllably used in accordance with the measures of protection and management in the field of hunting and fishing.

Draft Action Plans have been prepared for the purpose of the conservation of large carnivores in accordance with the European Habitats Directive and the Berne Convention for brown bears (*Ursus arctos*), wolf (*Canis lupus*) and lynx (*Lynx lynx*) with the aim of preserving the population of these species and their habitats.

Regulation on the Ecological Network determines the ecological network of the Republic of Serbia including ecologically significant areas of international (Emerald and Natura 2000) and national importance. Management and environmental protection measures for environmentally important areas are implemented on the grounds of this Regulation.

Moving forward to the further identification of ecologically important areas, a draft list of reference species in Annex II of the Habitats Directive was prepared in order to preserve these species and their habitats.

Identification and establishment of a European ecological network Natura 2000 in accordance with Article 4 of the Habitats Directive is underway. The areas will be fully identified by the date of accession, when the potential pSCIs and SPAs will be officially nominated.

Assessment of eligibility in accordance with Article 6 of the Habitats Directive²⁹ was conducted in accordance with the terms of the Institute for Nature Conservation of Serbia and Provincial Institute for Nature Protection. The report on the assessment of eligibility is part of the Report on Strategic Environmental Assessment and the Study on the Assessment of Environmental Impact. A draft Regulation on the Assessment of Eligibility was prepared.³⁰The

²⁹ On the grounds of procedures stipulated by the Law on Strategic Environmental Impact Assessment and the Law on Environmental Impact Assessment.

³⁰ The Draft Regulation provides: a detailed definition of the eligibility assessment procedure in the framework of the strategic impact assessment and evaluation of environmental impact; contents of the study, deadlines and methods for eligibility assessment procedures, compensation measures and the prevailing public interest; public participation. At the same time, the procedures for public discussions in the screening phase of the strategic impact

Adoption of the Regulation on the Assessment of Eligibility will provide for the full implementation of Article 6 of the Habitats Directive.

Law on Nature Protection and the Regulations on Compensation Measures and their implementation ensured the implementation of Article 6, Paragraph 4 of the Habitats Directive on the basis of which the European Commission will be informed of the compensatory measures regarding the environmentally significant areas Natura 2000.

The system of authorization for any deviation (derogation) is implemented in Serbia on the grounds the Law on Nature Protection, which is harmonized with Article 16 of the Habitats Directive for the species listed in Annex II, IV, V and VI of the Habitats Directive. Should it be determined that due to the use, a protected wild species is endangered, the Minister may prohibit or limit the use of these species by previously obtaining the opinion of the Institute.

The Ministry issues the permit for scientific, research and educational purposes for research on strictly protected and protected wildlife species, by previously obtaining the opinion of the Institute. The movement of wildlife species and/or their parts and derivatives for scientific and research purposes is approved on the grounds of permits issued by the Ministry³¹.

For habitat types listed in Annex I of the Habitats Directive, the approval for the deviation (derogation) is enabled through the implementation of Article 9, 10 and 12 of the Law on Nature Protection and the Regulations on Compensation Measures.

In order to achieve full compliance with the Habitats Directive, following projects aimed at the management of ecologically significant areas Natura 2000 and the strengthening of administrative capacities for the establishment of the Natura 2000 network were implemented: **EU CARDS project for South East Europe "Development of Emerald Network in the Republic of Serbia 2005-2008"** (The pilot project was focused on the management of ecologically significant areas Natura 2000 and the strengthening of administrative capacities for the establishment of the Natura 2000 network). Through the project, 69 habitat types in Annex I, as well as 143 species of Annex II of the Habitats Directive were identified.

The EU project "IPA 2007 - Strengthening Capacities for Protected Areas in Serbia" (Twinning project SR 2007/IB/EN-02). The following activities were implemented: two pilot management plans for ecologically significant areas Natura 2000 were designed, a preliminary list of special nature reserves on the grounds of indicators for the areas of importance to birds was made and an organizational unit for Natura 2000 in the framework of the Ministry responsible for environmental protection was established.

"Inventory of wetlands in Serbia" – the projects identified all wetlands in Serbia, including potential habitats for inclusion in the Ramsar sites, as well as significant wetlands at the national and regional level.

Pilot project – mapping forest habitats in Vojvodina (GIS format) in accordance with EUNIS classification of habitat types.

IGIS Project – Infoterra Geo-Information Solution 2011-2013

Project performed habitat mapping according to Annex I of EUNIS for classification along with the Directive on habitats. Also, the project aims towards the development of data collection capacities by using modern technologies as well as processing and dissemination of spatial data.

The project "Plants of Serbia listed in European and international instruments of programme policy" was realized in March 2015, within the regional "International cooperation for sustainable preservation of nature – the chosen Balkan countries on their way to Europe". A list of known plant species of international importance that grow in Serbia was prepared, (with

assessment and evaluation of environmental impact were defined.

³¹ (Article 79), the Law on Nature Protection has prohibited the use of certain means of capturing and killing of wild animals that threaten or that interfere with their population and/or habitats, affecting their welfare, and that can cause local extinction.

the emphasis on the types in the Habitats Directive, the Berne convention (20 species), CITES, EU Regulation on the protection of species of wild fauna and flora by regulating the trade therein). Project results are very important for future activities in connection with the identification of Natura 2000 areas.

An implementation plan for the Habitats Directive and Birds Directive was drawn up with the support of the UNDP which will be realized through annual implementation plans.

Implementation plan:

In the 2016 – 2018 period, the following has been planned:

-Implementation of the project “Developing the ecological network in the Republic of Serbia, identification and mapping of habitat types in Serbia – collection and estimation of existing data, research and GIS setup” (2015-2020) project realization. The project is, among other things, aimed at ascertaining the criteria for the selection of Natura 2000 areas (special nature reserves and areas of importance for the community)³²

-EU IPA 2012 project – “Building capacities for the implementation of Acquis Communautaire standards regarding nature protection – selecting Natura 2000 areas including the equipment and the computer program for Serbia (2015-2017)”³³. The project is, among other things, looking to identify potential Natura 2000 areas in accordance with directives on habitats and birds, creating basic guidelines for the management of potential Natura 2000 areas within the ecological network in the Republic of Serbia, as well as increasing awareness of the public when it comes to Natura 2000.³⁴

- “Creation of the red list of plants, animals and fungi in the Republic of Serbia” (2015-2017) project supports the Ministry of Agriculture and Environmental Protection regarding additional field research, collection and digitalization of literature data about the arrangement and richness of species, as well as the processing and assessment of endangered species by taxons.

The plans for the 2018 – 2020 period include:

- “Developing the ecological network in the Republic of Serbia, identification and mapping of habitat types in Serbia – collection and estimation of existing data, research and GIS setup” (2015-2020) project. The continuation of project activities has been planned, primarily regarding the collection and assessment of scientific data and their integration into the information system of the Institute for Nature Conservation of Serbia, as part of the ecological network of Republic of Serbia. The preparation of the preliminary list for naming the areas of special interest for the community (according to standard form and cartographic input), establishing methodology and the handbook for monitoring certain types of habitats and species.

- “Development of annual plans for the application of the Specific plan for the implementation of EU directives on birds and habitats”, including deadlines, monitoring plans and financial needs, which should represent a roadmap towards the full implementation of the EU Directive on habitats and the EU Directive on birds.

- EU IPA 2016 Project – Natura 2000 (2018-2020) (considering the results of the IPA 2012 project, activities for the identification of new areas of Natura 2000 and field research will be

³² The project offers the support of the Ministry of Agriculture and Environmental Protection in the following activities: preparation of the handbook for the identification of habitat types, habitats and species, mapping habitat types for the identification of areas of importance for the community, identification of the criteria for the selection of areas of ecological importance and ecological corridors.

³³ EU IPA 2012 Project was co-financed from the budget of the Republic of Serbia. The project supports the Ministry of Agriculture and Environmental Protection regarding field research at three pilot areas for habitat type mapping, area identification and referent species identification, creating the handbook for the implementation of assessment at national, regional and local levels; improvement of communication among all relevant organs in the sector.

³⁴ Articles 48, 74 of the Law on Nature Protection (“The Official Gazette of the Republic of Serbia”, no. 36/09, 88/10 and 91/10), Law on Game Animals and Hunting

continued).

Directive on birds: Directive 2009/147/EC

Structures for the implementation of the Birds Directive have been established at the national, provincial and local level. Authorities in charge of the implementation of the Birds Directive are the following:

At the national level: Ministry of Agriculture and Environmental Protection, Serbian Agency for Environmental Protection – in charge of monitoring, together with the Institute for Nature Conservation of Serbia, Inspection for environmental protection and the Inspection of Hunting (Forestry and Hunting) – in charge of control and monitoring;

At the regional level: Provincial Secretariat for Urban Planning and Environmental Protection, Provincial Institute for Nature Conservation – supporting the Serbian Agency for Environmental protection regarding monitoring.

Management over protected areas: civil sector (NVOs cooperating with national institutes for nature conservation and other scientific institutions).

General system of protection for all wild birds (all species of wild flora, fauna and fungi) has been set up in accordance with appropriate legislative acts regarding the protection of nature and hunting³⁵. The system fully implements Articles 1, 5 and 6 of the Directive: “The use, destruction and other action that can endanger the strictly protected flora, fauna, fungi and their habitats is forbidden.”

The authority system for exceptions is regulated by and is fully in accordance with the demands of the Directive. Authorities issue permits for actions which are allowed in case of justified public interest and under the condition that there are no other satisfactory solutions and if the exception does not endanger the population of strictly protected wild species staying within a positive stadium of preservation, i.e. when there is no other satisfactory solution for wild birds within their natural area of distribution.

In accordance with the above, permits for the allowed actions are issued by the Ministry, upon previously received opinion of the Institute and the Ministry in charge of agriculture, forestry and water management. The Inspection Sector of the Ministry of Agriculture and Environmental Protection is in charge of control and supervision.

It is forbidden to use means of catching and killing wild animals (in accordance with the demands of the Directive) and the means that endanger or reduce the population and/or their habitats, influence their wellbeing or could lead to the local disappearance of those species. Ban on the use of means of entrapment is also planned.

It is allowed to use some means in exceptional cases and rarely, for scientific research, and due to the implementation of the program of reintroduction, marking, monitoring of species, relocation, realization of protection and conservation programs and in other cases in accordance with the special law, based on the permit issued by the Ministry’s decision, with previously acquired opinion from other authorities.

The authority for inspection is divided between:

Inspection for Nature Conservation (11 – 15 inspectors at the national level and 4 inspectors at the provincial level) in the field pertaining to controlling protected natural goods (such as protected areas, species and mobile natural goods) and the Inspection for Forestry and Hunting (35 inspectors at the national level and 10 inspectors at provincial level) who are responsible for overseeing and controlling the implementation of the laws and by-laws in the field of forestry and hunting.

National legislation regarding the protection of nature and hunting³⁶ stipulates measures that

³⁵ Article 48 of the Law on Nature Protection (“Official Gazette of the Republic of Serbia”, no. 36/09, 88/10 and 91/10), Law on game animal and hunting (“Official Gazette of the Republic of Serbia”, no. 18/10), Rulebook on the declaration and protection of strictly protected and protected species of flora, fauna and fungi (“Official Gazette of the Republic of Serbia”, no. 5/10 and 47/11), Rulebook on declaring closed season on protected game animals (“Official Gazette of the Republic of Serbia”, no. 9/12, 97/13, 55/15, 67/15 and 75/16), Rulebook on the Transboundary Movement and Trade in Protected Species (“The Official Gazette of the Republic of Serbia”, no. 99/09 and 6/14).

³⁶ Article 48 of the Law on Nature Protection (“Official Gazette of the Republic of Serbia”, no. 36/09, 88/10,

ensure that hunting certain species listed in Annex 2 of the Directive must not endanger the efforts of preserving these species and their distribution.

In accordance with the Rulebook on the closed season on protected game species (Official Gazette of the Republic of Serbia, no. 9/12, 97/13, 55/15, 67/15, and 75/16), several adequate measures for protection of game species have been defined³⁷.

Ministry in charge of hunting, breeding grounds and breeding grounds for special purposes prescribes optimal number of species in accordance with the programme of hunting area development.

There is an initiative (OCD, Institute of Nature Conservation of Serbia and the Provincial Institute for Nature Conversation) for strict protection of *coturnix coturnix* and *streptopelia turtur*, two species that are still being hunted. Monitoring and planning of the use in this area needs to be improved.

Nature conservation institutions, as organizations with expertise in this area, cooperate with the Forest Management Authority (Hunting Sector) in developing laws regarding hunting. Ministry of Agriculture and Environmental Protection leads the consulting process with the hunting sector in order to consider the propositions for the change in protection status (tougher measures for protection from hunting) of the *streptopelia turtur* turtledove and *coturnix coturnix* partridge, *ardea cinerea* grey crane, *phalacrocorax carbo* the great cormorant, and *accipiter gentilis* northern goshawk. Propositions from civil society organizations, expert institutions, Provincial Institute for Nature Conservation, as well as the recommendations of EU experts in the field of bird protection are being considered.

The analysis has been planned regarding the existing data on the status of migratory game species of birds and data on the number of individual birds for hunting. The data will be analysed in the coming period so that the scientific basis for changes in the hunting legislations could be secured.

Using the Rulebook on the declaration and protection of strictly protected and protected species of wild flora, fauna and fungi ("Official Gazette of the Republic of Serbia", no. 5/10, 47/11) an assessment of the presence of birds from Annex 1 and migratory species that regularly appear on the national territory was done.

During the implementation of the IPA 2007 Twinning project "Strengthening administrative capacity for the protected areas in Serbia (NATURA 2000)", a preliminary list for Annex 1 (88) and migratory species (46) was put together; a preliminary list of special protection areas (SPA) was made using available data and 43 areas were determined based on the criteria for determining the area of importance for birds.

These locations fulfil some of the criteria for determination of a special protection area, however, due to the lack of systematic research and evaluation it is not clear whether all criteria

91/10), Article 48-51 of the Law on game animal and hunting ("Official Gazette of the Republic of Serbia", no. 18/10), Article 2 and 6 of the Rulebook on the declaration and protection of strictly protected and protected species of flora, fauna and fungi ("Official Gazette of the Republic of Serbia", no. 5/10 and 47/11), Rulebook on declaring closed season on protected game animals ("Official Gazette of the Republic of Serbia", no. 9/12, 97/13, 55/15, 67/15 and 75/16).

³⁷ Tracking of game animal population status, as well as the factors of their endangerment, tracking and reduction of negative influence of climate on game animals and their habitats, reintroduction of these species, i.e. breeding species in the conditions outside their natural habitat, tracking migratory protected species of game animals (closed season) their habitats and areas of importance for the development cycle of species, reintroduction in accidental situations, biotechnical measures, foundation of new locations, support to scientific research and educational activities.

have been fulfilled. Having in mind that this is a pilot project, the list of special protection areas has not been completed, so that the preliminary list is not official.

Bird Life International has recognized 42 areas of importance for birds in Serbia, including: 5 areas recognized as areas of importance for birds at the national level, 37 potential special protection areas were chosen during the IPA 2007 twinning project.

National monography on the areas of importance for birds was published in 2009. Authorities are in charge of taking actions in accordance with the needs of bird protection regarding the determination of protected areas, including areas of importance in the ecological network, identifying habitats important for preservation and those that are important for preservation, but are not part of the protected areas or the ecological network, as well as habitat protection for birds and migratory species from Annex 1 and other activities with the goal of achieving full compliance with the Birds Directive.

The Rulebook on Amendments to the Rulebook on declaring strictly protected species of wild flora, fauna and fungi has been adopted.

The first consultation phase regarding the changes in the status of *streptopelia turtur* turtledove and *coturnix coturnix* partridge, *ardea cinerea* grey crane, *phalacrocorax carbo* the great cormorant, and *accipiter gentilis* northern goshawk has been finished.

The implementation of the Birds Directive is achieved, among other things, through the support of the following projects:

- Project "Developing the ecological network in the Republic of Serbia, identification and mapping of habitat types in Serbia – collection and estimation of existing data, research and GIS setup" (2015-2020);
- EU IPA 2012 Project – "Building capacities for the implementation of Acquis Communautaire standards regarding nature protection – selecting Natura 2000 areas including the equipment and the computer program for Serbia (2015-2017)"

Implementation plan for the period 2016 – 2018 includes:

- In accordance with the criteria of the Birds Directive and the Bird Life International criteria, the identification of ecologically important bird areas continues, which are the integral part of the Regulation on the Ecological Network, and through the projects listed within the plans for the implementation of the Habitats Directive;
- The continuation of consultations regarding the changes in the status of protection of the *streptopelia turtur* turtledove and *coturnix coturnix* partridge, *ardea cinerea* grey crane, *phalacrocorax carbo* the great cormorant, and *accipiter gentilis* northern goshawk;
- Suggestions for the changes of the protected status of some birds, particularly *streptopelia turtur* turtledove and *coturnix coturnix* partridge (stronger hunting protection measures), have been considered, and the consultations are continuing.
- Completion of the list for Annex 1 and the migratory species – 2017.

Plans for the 2018 – 2020 period:

- Establishing measures to secure adequate preservation of the bird population, whether in the special protection area or outside it (implementation planned for 2018);
- Continuation and systematic implementation of special measures for the preservation of habitat types from Annex 1 and migratory species that regularly appear on our territory (implementation planned for 2017)
- Implementation of guidelines for the management of preliminary special protection areas (implementation planned for 2018);
- Establishment of an information system for reporting to the European Commission (implementation planned for 2019).

Regulations on International Trade in Endangered Species of Wild Fauna and Flora - CITES: Regulations 338/97, 865/2006, 791/2012, 792/2012 and their amendments

The structure for implementation of these Regulations exists on a national and provincial level. The competent authorities for implementation of these regulations are:

MAEP (Group for implementation of the CITES Convention) - authority for all tasks of the CITES management authority which apart from permit issuance include legislative drafting, capacity building, reporting, coordination with other agencies for implementation of legislation governing trade in wild species;

MAEP (Inspection for environmental protection) - authority for the control and monitoring of the legality of ownership, breeding and domestic trade of specimens of protected species, as well as providing support to other agencies for border control and monitoring during controls of cross border movement if needed. On the provincial level, the Inspection for environmental protection has jurisdiction only over ownership control, breeding and domestic trade;

Customs administration - authority for control of cross border movement and trade of specimens of protected species on the border;

Border police directorate - authority for the control of people and vehicles;

MI - authority for prevention of illegal activities which are criminal offenses under the Criminal law, which at this time include: illegal cross border movement and trade, smuggling, hurting and killing of protected species);

The Institute for Nature Conservation of Serbia and the Provincial Institute for Nature Conservation are two main authorized scientific and professional organizations, which deal with tasks of a scientific CITES agency. Apart from these two institutions, consultations are performed with the Natural History Museum in Belgrade, the Faculty of Biology of the University of Belgrade and the Institute for Biological Research;

The group for implementation of the CITES Convention and the Inspection for environmental protection at MAEP, in cooperation with the competent scientific and professional organizations (e.g. the Institute for Nature Conservation of Serbia, the Natural History Museum) offer professional help and logistical support to agencies for control and monitoring at border crossings.

Control of domestic trade is a great challenge for the Republic of Serbia due to a large number of subjects which should be controlled and the disproportional capacity of human resources in competent agencies for control and monitoring. According to applicable laws, failure to comply with national legislation implemented by the CITES Convention acts regulating trade of wild species is sanctioned as a misdemeanour or offense, while the more serious violation cases are sanctioned as criminal acts. During the implementation of the IPA 2014 Twinning project SR/12/IB/EN/01 "Capacity strengthening for CITES authorities and implementation of legislation governing wild species in Serbia", the focus was placed on capacity strengthening of competent authorities for control and monitoring, raising awareness and informing of CITES and prevention of illegal trade by judiciary representatives, prosecutors, and other agencies and institutions relevant for the implementation of CITES. The Ministry established a formal cooperation with two zoos for emergency housing, care and adoption of seized animals. At the moment, there is a lack of capacity, with respect to infrastructure, as well as human and financial resources, connected to appropriate accommodation of seized or confiscated live specimens of wild animals.

Implementation plan:

Activities planned in the period 2016-2018:

- Periodic training for agencies for control and monitoring and other competent authorities for more efficient implementation of CITES and legislation relating to trade in wild species (2016);
- Strengthening of official cooperation with zoos in the country and abroad and ensuring efficient accommodation and care for seized specimens;

- Signing of a memorandum of understanding between the MAEP and Ministry of Finance - Customs administration, as well as MAEP and MI for efficient implementation of respective legislation.

Activities planned in the period 2018-2020:

- Establishment of an annual CITES training program for all control and monitoring agencies and other competent authorities to ensure efficient CITES implementation and the valid national legislation (2018);
- Construction of required infrastructure for emergency accommodation of live specimens of wild animals which were seized or confiscated;
- Active measures to ensure a wider cooperation and inclusion of police into investigations and the struggle against crimes against wild species;
- Establishment of an electronic system for issuance and recording of permits and certificates.

The proposed activities are implemented by MAEP and the competent authorities for control and monitoring.

Directive on Zoos: Directive 1999/22/EC

Structure for implementation of this regulation exists on a national and provincial level. The competent authorities for the implementation of this regulation are: MAEP - authority for the welfare of live animals in captivity and during transport; Inspection for environmental protection - authority for the control of ownership of wild animals in captivity, including control of housing conditions; Veterinary inspection - authority for control of health and welfare of animals. Adoption of necessary legislation amendments is a pre-condition for the full implementation of the Directive on Zoos. Accordingly, amendments and changes of the Law on Environmental Protection in the short term are foreseen. These changes are related to issuing licenses to zoos, as well as appropriate sanctions for violation of legislative rules.

Implementation plan:

Activities foreseen in the period 2016-2018:

- Construction of capacities within competent authorities for control of zoos;
- Control of conditions in all existing zoos in the country;
- Issuance of conditions in permits of existing zoos with specific deadlines for their fulfilment, in cases when zoos do not meet national standards fully.

Activities foreseen in the period 2018-2020:

- Regular inspection of zoos;
- Closing of zoos which do not meet the standards prescribed by national legislation.

The proposed activities are conducted by MAEP.

Nagoya protocol: Regulation 511/2014

The Republic of Serbia has signed the Nagoya Protocol on 09/26/2011 on the margins of the 66th session of the General Assembly of the United Nations.

The competent authority for the implementation of the Regulation is MAEP. Full implementation is planned by the end of 2020.

Implementation plan

Activities foreseen in the period 2016-2018:

Consultation process and raising awareness of the significance of genetic resources and traditional knowledge regarding genetic resources and questions referring to access and division of benefits.

Activities foreseen in the period 2018-2020:

Adoption of the Law on Amendments to the Law on Environmental Protection (in 2017) which establishes the system of harmonization measures, which are required for the implementation of the Nagoya protocol in the EU. This way, Republic of Serbia will consider if it desires to ensure legal solutions for the foundation 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 a just and equal division of benefits which originate from the use of these resources in the Union, but is included in the Nagoya protocol. In accordance with the goals of the Nagoya protocol, a clear and transparent legally binding framework is required, which will determine the manner in which researchers and companies which use genetic resources and the traditional knowledge related to genetic resources can gain access to these resources. The proposed activities are conducted by MAEP.

Animal traps: Regulation 3254/91 which bans animal traps

The structure for implementation is established on the national level. The competent agencies for the implementation of this regulation are: The Ministry of finance (Customs administration) - authority for control of cross border movement and trade of goods; Border police directorate - authority for the control of people and vehicles; Inspection for environmental protection - authority for control of sustainable use and activities which endanger protected species; Inspection for forestry and hunting - authority for control of hunting activities; MI - authority for prevention of illegal activities which are criminal offenses under the Criminal Code, which at this time include: illegal cross border movement and trade, smuggling, hurting and killing of protected species);

Implementation plan:

Activities foreseen in the period 2016-2018:

Construction of capacities within authorities for control and monitoring with respect to the ban of the use of animal traps and control of the import of fur and leather of wild animal species (2018).

Activities foreseen in the period 2018-2020:

Advancement of cooperation between relevant control and monitoring agencies through programs of training and coordination (2018). The proposed activities are conducted by MAEP.

Seal products trade: Regulation 1007/2009

The structure for implementation is partially established on the national level. The competent authorities for implementation of the Regulation are:

The Ministry of finance (Customs administration) - authority for control of cross border movement and trade of goods;

Border police directorate - authority for the control of people and vehicles;

Inspection for environmental protection on the republic and provincial level;

MI - authority for prevention of illegal activities which are criminal offenses under the Criminal Code which at this time include: illegal cross border movement and trade, smuggling, hurting and killing of protected species.

Activities foreseen in the period 2016-2018:

Construction of capacities within the control and monitoring agencies with respect to control of import and trade of seal products (2018).

Activities foreseen in the period 2018-2020:

Advancement of cooperation between relevant control and monitoring agencies through programs of training and coordination (2018). The proposed activities are conducted by MAEP.

Seal pup products: Directive 83/129/EEC and additional amendments to the Directive

The structure for implementation is partially established on the national level. The competent authorities for implementation of this Directive are:

The Ministry of Finance (Customs administration) - authority for control of cross border movement and trade of goods;

Border police directorate - authority for the control of people and vehicles;

Inspection for environmental protection on the republic and provincial level;

MI - authority for prevention of illegal activities which are criminal offenses under the Criminal Code, which at this time include: illegal cross-border movement and trade, smuggling, hurting and killing of protected species.

Implementation plan:

Activities foreseen in the period 2016-2018:

Construction of capacities within control and monitoring agencies with respect to control of import and trade of seal products (2018).

Activities foreseen in the period 2018-2020:

Advancement of cooperation between relevant control and monitoring agencies through programs of training and coordination (2018).

The proposed activities are conducted by MAEP.

FLEGT: Regulation 2173/2005 changed and amended by Regulation 657/2014 and Committee regulation 1024/2008

Implementation plan

Activities foreseen in the period 2016-2018:

Implementation of the FLEGT system requirements include all relevant agencies (the Ministry of Finance - Department for customs administration, the Ministry of Trade, Tourism and Telecommunications - Department for market inspection, the Ministry of Economy – Department for the forest economy, MAEP - Forestry administration) (2018)

Identification of the competent authority for FLEGT with respective jurisdictions and obligations between mentioned institutions.

Identification of all relevant agencies with jurisdictions in this area;

Establishment of a clear division of jurisdictions related to the implementation of this Regulation.

Activities foreseen in the period 2018-2020:

Definition and prescription of fines for violations of the provisions of the Regulation, which can be compared to other legislative acts (e.g. CITES) on the national or wider level. The penal policy of domestic legislation should include seizure or confiscation of timber shipments, as well as storing of the seized timber (2018).

Identification of competent national agencies;

Drafting of specific provisions on physical inspection of shipments which are licensed within the FLEGT system framework and the relevant procedures;

Appointment of experts who will aid the identification of wood species;

Establishment of appropriate cooperation between inspection and customs.

Regulation on Timber: Regulation 995/2010 (EUTR)

Implementation plan

Activities foreseen in the period 2016 - end of 2018:

Identification of the competent authority for EUTR with respective jurisdictions and obligations between mentioned institutions (2018);
Identification of all relevant agencies with jurisdictions in this area (2018);
Establishing clear divisions of jurisdiction related to the implementation of this regulation (2018).

Activities foreseen in the period 2018 - 2020:

- Introduction of due diligence system in the timber industry, between the operator and the timber trader, where necessary (2020);
- Establishment of an inspection system with the operators (2020);
- Harmonization of the current penal policy in the sector with the penal policy in the Regulation (2020);
- Introduction of new fines in accordance with Article 19 of the Regulation (2020);
- Establishment of procedures, if needed, for the labelling of trees and timber during transport;
- Establishment of the monitoring system (2020).

2.27.10 Chemicals

1. Strategic and institutional framework

- The national plan for adoption of the *acquis communautaire* (2014-2018);
- The National program for environmental protection (2010 -2019);
- The National environmental approximation strategy of the Republic of Serbia;
- The Report of the European Commission about the progress of the Republic of Serbia for 2014.

2. Alignment

Status

The EU *acquis* governing chemicals, which is the subject of this document, consists of regulations therefore, no transposition into national legislation takes place. The only exception is the Directive 2010/63/EU on animal protection used for scientific purposes.

Important steps were taken to harmonize national legislation with *acquis communautaire* in the field of chemicals. National legislation harmonized with EU *acquis* was adopted to ensure protection of human health and the environment, but also to prepare administrative structures and the private sector for full implementation of the regulations after the accession and introduction into the common market. Owing to direct applicability of regulations the alignment with regulations is considered a temporary measure.

Alignment plan:

Activities foreseen in the period 2016 - end of 2018:

With respect to further legislative activities to ensure a legislative framework that is required on the day of accession, the following activities are planned:

- Developing draft/proposal of amendments to national legislation which transpose EU *acquis*, considering that alignment with EU regulations is a temporary measure. These amendments

are part of the implementation strategy and will be carefully prepared. All national provisions created through adoption of provisions of EU regulations will be repealed.

In addition, all national requirements which go beyond *acquis communautaire* will be considered, their justification and compliance with Articles 34-36 of the Treaty Establishing the EU will be assessed and the amendments proposal will be drafted accordingly.

- Developing draft/proposal for the Law on Biocidal Products complied with Regulations on biocidal products (RBP). The goal of the new Law on Biocidal Products is Compliance of actions and procedures with conditions from the Regulation on biocidal products.

- Developing draft/proposal for the Law on REACH Implementation, the Law on CLP Regulation implementation, the Law on PIC Regulation, the Law on BPR Regulation implementation, and the Law on POPs Regulation implementation.

These implementing laws will regulate issues decided upon by the member for each individual regulation (e.g. establishing the competent authority, info-desk, inspection control, etc.) and thus enable regulation implementation (REACH, CLP, PIC, BPR, POPs). The implementing laws will be adopted and put into effect before accession, but will be applied on the day of accession.

Classification, labelling and packaging of substances and mixtures (Regulation 1272/2008)

Status

The national legislation is partially complied with the above-mentioned Regulation, the provisions that cannot be implemented in a country which is not a member of the EU were not included.

Compliance of the national legislation with the Regulation 1272/2008 is performed based on the

Law on chemicals³⁸ („Official Gazette of the Republic of Serbia“, no. 36/09, 88/10, 92/11, 93/12 and 25/15), while the by-laws propose the detailed conditions.³⁹

Most articles of the CLP Regulation and all its annexes are a part of the national legislation.

There is a difference in appointing agencies for reception of information in regard to cases of emergency health responses (Article 45 of the CLP Regulation). In accordance to the Law on chemicals, the competent ministry delivers available data about chemicals and their properties to the national Centre for poison control. There is no obligation for the importers and other users who introduce the mixtures into the market to deliver data to the Centre for poison control and the Centre is not officially appointed as the competent authority for reception of information from the importers and other users.⁴⁰ In relation to that, the development is monitored with respect to harmonization of information and data formats to be delivered to the Centre for poison control.

Alignment plan:

³⁸ The Law on chemicals entered into effect and has been applied since May, 2009.

³⁹ The Rulebook on classification, packaging, labelling and advertising of chemicals and specific products in accordance to the UN Globally harmonized system for classification and labelling („Official Gazette of the Republic of Serbia“, number 64/10, 26/11 and 105/13) which is in accordance with the GHS, entered into force in 2010, the application obligation for substances entered into force on October 1st, 2011 and June 1st, 2015 for mixtures. However, the Rulebook could be applied to mixtures prior to the mentioned date and the Rulebook on the List of classified substances („Official Gazette of the Republic of Serbia“, number 48/14) which entered into force and into application in 2010.

The list of classified substances was published and entered into force in 2010. Due to procedural administrative reasons, during the alignment with 2nd and 3rd ATPCLP Regulation, a consolidated text was published in the form of a new Rulebook on the List of classified substances.

⁴⁰ The Law on chemicals, Article 83, Paragraph 3.

Activities foreseen in the period 2016-2018:

- Further amendments for achieving compliance with amendments to the CLP Regulation (currently, the national legislative acts are aligned with 1st, 2nd, 3rd ATP on the CLP Regulation). The process of aligning with the 4th, 5th, 6th and 7th ATP and the Regulation correcting Annex VI is in progress; draft legislation will be prepared by end of 2016; to be published in the IV quarter of 2016/I quarter of 2017.
- Drafting and adoption of the Law/act on CLP Regulation implementation which will respond to Regulation requests in terms of appointing the competent authority, the competent authority for control and monitoring over enforcement, the agency responsible for proposition submission for harmonized classification and labeling, as well as appointment of the responsible agency for information admission on mixtures connected with cases of an emergency health response, as proposed by the CLP Regulation.

REACH (Regulation 1907/2006)

Status

The national legislation is partially complied with the mentioned Regulation. The legal foundation is included in the Law on chemicals ⁴¹(„Official Gazette of the Republic of Serbia“, number 36/09, 88/10, 92/11, 93/12 and 25/15 - already mentioned number from the Official Gazette where this Law is published) while the detailed conditions are proposed in the by-laws ⁴².

A large number of acts of the REACH Regulation were included, apart from those which require EU membership for application. As registration obligations are not stipulated by the REACH Regulation, the companies are not obliged to draft the Chemical safety report (CSR) and/or an exposure scenario. However, the Law on chemicals proposes the obligation for drafting of the Safety data sheet (SDS) in accordance to the CSR and the guidance of the exposure scenario and the safety sheet Annex, if the CSR is drafted; the CSR report content is proposed in accordance with respective requirements of the REACH Regulation⁴³.

The authorization regulations have not been included. However, to the industry in to become aware of its future obligations regarding the substances which cause concern before the accession, the decisions of the EC about the substances which require approval have been included in the form of Lists of substances which cause concern and Lists of candidate substances which cause concern.

The obligations connected to bans and limitations have been included into national legislation. A dialog with the industry was established to carefully define deadlines when the application obligation begins, along with keeping in mind the effects which the demands and obligations that are imposed onto the industry can have on their business, as well as on the progress in the process of aligning the national legislation with *acquis communautaire*. The deadlines

⁴¹ The Law on chemicals entered into force and into application in May, 2009.

⁴² The Rulebook on the manner for chemical safety and content assessment for the report on chemical safety ("Official Gazette of the Republic of Serbia", number 37/11), the Rulebook on criteria for substance identification as PBT or vPvB ("Official Gazette of the Republic of Serbia", number 23/10), the Rulebook on the safety paper content ("Official Gazette of the Republic of Serbia", number 100/11), the List of substances which cause concern ("Official Gazette of the Republic of Serbia", number 94/13), the Rulebook on limitations and prohibitions for production, introduction into the market and use of chemicals ("Official Gazette of the Republic of Serbia", number 90/13 and 25/13), the Rulebook on limitations and prohibitions for production, introduction into the market and use of chemicals ("Official Gazette of the Republic of Serbia", number 90/13 and 25/13), the Rulebook on the examination methods of chemicals with hazardous properties ("Official Gazette of the Republic of Serbia", number 117/13).

⁴³ The Law on chemicals, Article 2-26; the Rulebook on the manner of chemical safety assessment and chemical safety report content.

proposed by national legislation are postponed in relation to the deadlines proposed by the REACH Regulation (i.e. REACH Annex XVII).

Alignment plan

Activities foreseen in the period 2016 - end of 2018:

Compliance of the List of substances which cause concern with the (EU) Regulation 895/2014 (in the second half of 2016)⁴⁴. Further changes of national legislation for achieving compliance with changes to those parts of the REACH Regulation which were included in national legislation.

The changes will be introduced gradually. Currently, changes are being prepared to ensure Compliance with the (EU) Regulations 272/2013; 301/2014; 317/2014; 2015/326; 2015/628; 2015/1494; 2016/26; 2016/217 and (EU) Regulation 2016/1005 until the end of 2016.

Until the end of 2017, compliance with Regulation 2016/2017 will be complete, and the other regulations which enter into effect in the EU in the meantime.

Drafting and adoption of laws/acts on REACH Regulation implementation that will align with the Regulation requirements referring to appointment of the competent authority, the competent authority for substance evaluation, control and preparation monitoring.

The (EC) Regulation number 850/2004 on persistent organic pollutants POPs

Status

Note: The (EC) Regulation number 850/2004 on persistent organic pollutants (POPs) is also provided in Chapter 3, Waste management, and in Chapter 7, Chemicals.

The legal and institutional framework for integral POPs control was established.

The present POPs chemical and waste management system is complied with the EU system. The harmonized legislation relating to POPs entered into effect in 2010. The Republic of Serbia transposed the EC Regulation on POPs 850/2004 into national legislation with amendments to annexes of this Regulation: the (EU) Regulation 756/2010 - the Rulebook on the list of POPs substances, the manner and procedure for POPs waste control and border values of POPs substance concentration concerning disposal of waste containing or is contaminated by POPs substances ("Official Gazette of the Republic of Serbia" no. 65/11 and the Regulations 757/2010 and 519/2012 - the Rulebook on limitations and bans of production, release to the market and use of chemicals ("Official Gazette of the Republic of Serbia ", no. 90/13,25/15 and 2/16).

Alignment plan:

Activities foreseen in the period 2016-2018:

- Adoption of amendments to the Rulebook on the list of POPs substances, the manner and procedure for managing POPs waste and limit values for POPs substances concerning disposal of waste containing or contaminated by POPs is planned to be completed by the end of 2016.

- Adoption of Amendments to the Rulebook on limitations and bans of production, placing on the market and use of chemicals (EU), (IV quarter, 2016).

Adoption of the mentioned Rulebook will allow for the Compliance of national legislation with the Regulation 2015/2030 amending Annex 1 of the mentioned EC Regulation on POPs and Regulation 1342/2014.

Import/export of chemicals (EU Regulation) 649/2012 on export and import of hazardous chemicals

⁴⁴ The Law on chemicals, Article 43 and Article 27.

Alignment status:

National legislation is partially complied with EU Regulation on export and import of hazardous chemicals since 2009, the provisions exclusively concerning EU member states have not been complied (i.e. reporting to the Commission). Apart from that, the amendments to the PIC Regulation are monitored and national legislation is complied with them. Following the adoption of the Law on ratification of the Rotterdam convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade ("Official Gazette of the Republic of Serbia - International agreements", number 38/09), this Convention became a part of the legal system of the Republic of Serbia.

Law on chemicals ("Official Gazette of the Republic of Serbia ", no. 36/09, 88/10, 92/11, 93/12 and 25/15), Articles 51-57 and the Rulebook on import and export of certain hazardous chemicals ("Official Gazette" no. 89/10, 15/13 and 114/14) represent a regulatory mechanism for applying provisions of the Rotterdam Convention and provisions of the national legislation which have been complied with the provisions of the (EU) Regulation 649/2012.

Alignment plans:**Activities foreseen in the period 2016-2018:**

In the first quarter of 2017, drafting of a new Rulebook on import and export of hazardous chemicals is planned in order to perform Compliance with the (EU) Regulation 1078/2014, amendment of Regulation 1078/2014, Regulation 1102/2008 and Regulation 2015/2229.

Additional rulebook amendments are planned in accordance with the amendment entering into effect pertaining to the PIC Regulation.

Drafting and the adoption of the Law/Act on the implementation of the PIC Regulation which will align the Regulation requirements concerning appointment of a national agency for administrative functions, customs agency responsible for control of import and export of chemicals listed in the PIC Regulation Annex, implementation control and monitoring.

Biocidal products ((EU) Regulation 528/2012)**Alignment status:**

Regulation on biocidal products (528/2012/EU) has not been included in the national legislation. The Law on biocidal products ("Official Gazette", no. 36/09, 88/10, 92/11 and 25/15) and the additional by-laws⁴⁵ are partially complied with the Directive on biocidal products (98/8/EC).

In accordance with the Law on biocidal products, biocidal products are released to the market if the producer or importer received approval for it. The basic condition which must be met is that the active substance contained in the biocidal product is approved for the specific type of biocidal product and that it meets the conditions according to which a by-law pertaining to the release to the market and use of the biocidal product may be adopted.

For the purpose of approval issuance, the producer or importer of the biocidal product is obliged to file a request to the competent authority to receive permission and to deliver the

⁴⁵ The rulebook on the scope and content of the technical dossier for the biocidal product, or for the biocidal product of lesser risk ("Official Gazette of the Republic of Serbia", no. 97/10) entered into force in 2010; The guidelines for assessment of biocidal products based on the technical dossier ("Official Gazette of the Republic of Serbia", number 28/11); entered into force in 2011; the Rulebook on types of biocidal products ("Official Gazette of the Republic of Serbia", number 23/10); entered into force in 2010; the Rulebook on specific demands for packaging, labelling and advertising of biocidal products ("Official Gazette of the Republic of Serbia", number 59/10 and 26/11); entered into force in 2010; the List of active substances in biocidal products ("Official Gazette of the Republic of Serbia", number 72/2014); published in 2010 for the first time.

technical dossier for the biocidal product. Apart from this action, the Law prescribes the procedure for issuance of the approval based on the act adopted by the competent authority of the EU member state which approves the release to the market for the biocidal product⁴⁶. Scope and content (of the summary) of the technical dossier are complied with Annexes II, III and IV of the Directive on biocidal products. Based on the dossier, the competent authority assesses the biocidal product in accordance with the guidelines complied with Annex VI of the Directive on biocidal products and issues approval for the biocidal product if the conditions proposed by Law have been met.

The procedures which were not included in the national legislation refer to the approval of the active substance. Pursuant to the Law, the approved active substances and the active substances which were not approved shall be taken over from the EU and published in the "Official Gazette of the Republic of Serbia".

In accordance with the Law on biocidal products, at a certain transitional period, the biocidal products which contain approved active substances, or active substances which are under the assessment process within the Revision program ((EU) Regulation 1062/2014) are released into the market based on the decision of admission of the biocidal product into the Temporary list. The Temporary list also includes the delivery deadline for the technical dossier for the biocidal product. This deadline is not complied with EU deadlines for submission of the request for approval, but the obligated parties are given an additional period to deliver the technical dossier to complete the approval process for the biocidal product.

Alignment plan:

Activities foreseen in the period 2016-2018:

- Publishing of the Lists of active substances in biocidal products - IV quarter of 2016.
- Publishing of the List of changes and amendments to the List of active substances in biocidal products, (II quarter 2017, IV quarter 2017, II quarter 2018).
- Adoption of a new Law on biocidal products (I quarter 2018). The Law will define the dynamics for the adoption of by-laws.
- Drafting of the Law/acts on the implementation of the BPR Regulation (IV quarter 2018).

Implementation and institutional responsibilities:

Arrangements for the implementation of national legislation are in place. Duties and responsibilities are prescribed by the Law on Chemicals and the Law on biocidal products; corresponding legislation which further regulates this area is in place and is being enforced. Department for chemicals within MAEP is responsible for operations established by said laws. The administrative structure is designed to fit the national legislative set up for chemicals managements. The Department consists of four organizational units, with envisaged capacity of 15 employees⁴⁷ Currently, there are 14 employees engaged.

Organizational unit within the Environmental Inspection Department, Division for Major Chemical Accidents, Chemicals and Biocidal Products is responsible for inspection operations and compliance control over the implementation of national legislation on chemicals and biocidal products. Inspection supervision is carried out primarily according to plans, on monthly and annual levels. Also, extraordinary inspections are carried out upon reports by legal and natural persons. These reports relate to actions where chemicals and biocidal products are used contrary to relevant legislation, and inspectors check the validity of these reports, whether these reports are anonymous or not. Environmental protection inspectors control

⁴⁶ With the request for approval issuance, the technical dossier and a certified copy of the act are delivered to confirm release of the biocidal product into the market and adopted by the competent authority of the EU member state with a certified translation in the Serbian language.

⁴⁷ In accordance with the adopted systematization

different provisions of the Law on Chemicals, but one mandatory control within each control campaign is the control of classification and marking, as well as that of Safety data sheet (content control and submission of data sheet).

As the inspection of chemicals in Serbia is still at an early stage, the quantities of imported and produced chemicals represent the main input of data for inspection. Adequate classification and labelling is a priority at the moment, which is the first step to provide information necessary for the safe use of chemicals.

Also, one of the factors for the selection of companies that will be subject to inspection control is that the chemicals that these companies put on the market are intended for the general population, and that there is a significant risk of exposure during the use of these chemicals.

The organizational unit has 6 inspectors for environmental protection. In some cases, inspectors are supported by the employees in the Department for major chemical accidents, which supervise and control SEVESO facilities, who are also trained in chemicals control. In the past, in order to strengthen the capacity of the inspection, trainings and workshops were held and several pilot inspections were carried out with the participation of inspectors from the EU MS.

In accordance with the Law on Amendments to the Law on Chemicals⁴⁸, compliance control is carried out by the ministry in charge of environmental protection through inspectors for environmental protection, ministry in charge of health protection through sanitary inspectors, and ministry in charge of trade through market inspectors.

Sanitary inspectors control the bans and restrictions of chemicals (Regulation Annex XVII of the REACH Regulation) in a product intended for general use. Market inspectors control only conditions concerning the keeping of dangerous chemicals in retail. Other issues related to the control of compliance of chemicals are under the competence of the Inspectorate for Environmental Protection. These three inspections cooperate with one another, and inform each other of the measures taken, exchange information, provide emergency assistance and take joint measures and activities relevant for supervision. By means of an agreement, a joint body for performing compliance checks and performing joint inspections was established, in accordance with the Law on Chemicals, Law on Biocidal Products and legislation governing state administration.

The National Poison Control Centre, which was established by the Law on Health Care, provides treatment and counselling in case of poisoning and keeps records on poisoning cases; this centre will be appointed as the authority responsible for receiving information on dangerous chemicals that are related to cases of emergency medical response in accordance with the CLP Regulation.

Veterinary Directorate at the MAEP is in charge of animal welfare, including control, supervision, and inspection operations.

Bearing in mind the obligations of competent authorities of Member States, established by EC regulations, which the RS will have to carry out upon becoming a member of the EU, it is necessary to continue and strengthen administrative capacity in the pre-accession period. This is especially important in terms of new jobs, for tasks that require specific knowledge and skills, particularly in the area of risk assessment, as indicated in Serbia 2014 Progress Report.

Classification, labelling and placing of substances and mixtures (Regulation 1272/2008)

The institutional framework for the transposition, implementation and enforcement is established within MAEP, Department for Chemicals, Group for classification, risk assessment

⁸⁹ The law came into force on 14 March, 2015.

and communication of risks of chemicals and biocidal products. Two employees are in charge of transferring and implementing requirements harmonized with this Regulation; three more people need to be hired for the full implementation of this Regulation.

Control and inspection of the implementation of the provisions governing the classification, packaging and labelling of chemicals is done by Ministry through organizational units within the Sector for Inspection of Environmental Protection, the Department for major chemical accidents, chemicals and biocidal products. In the MAEP, Sector for Inspection of Environmental Protection, Department for chemicals and biocidal products, there are six inspectors in charge of all matters related to inspection under the Law on Chemicals and Law on Biocidal products, who are in some cases supported by the employees of the Department for major chemical accidents which employs nine inspectors.

The CLP Regulation methodology of hazard assessment and communication is introduced under the Law on Chemicals, and manufacturers, importers and downstream users who place chemicals on the Serbian market are obliged to implement it. A Rulebook, which is in line with CLP, is in force since 2010. Also, roles and responsibilities in terms of classification, labelling and packaging have been established for the economic operators who place chemicals on the market of, along with criteria for hazard assessment as well as the labelling elements line with the CLP Regulation.

Serbian rulebooks and guidelines reiterate the detailed content of individual CLP provisions. In previous years, central administration staffs have acquired knowledge and practical experience on classification and labelling. The capacities of staffs at the Department of Chemicals and inspectors have been further underpinned by a twining project with Austria and Slovenia, and cooperation with the Sweden Chemical Agency; the central administration staff received support from the European Chemicals Agency (ECHA) through workshops on the CLP Regulation and CLP related activities, as well as through workshops on IUCLID program, organized within the ECHA's IPA project supporting the candidate and potential candidate countries.

However, a lack of capacity for development and submission of proposals for harmonized classification and labelling of substances has been identified. The central administration has not performed these or similar tasks so far.

Some of the most relevant measures for implementation of the CLP are as follows:

Data on intrinsic properties of substances and mixtures used for classification purposes may stem from different sources and labs from anywhere in the world, supported by the OECD systems for data generation (OECD guidelines, GLP), built on mutual acceptance of such test data between countries. These requirements are implemented in Serbia under chemicals legislation to the same extent as they are implemented in the EU as envisaged by chemicals legislation (CLP, REACH etc.); Qualified and certified (ISO 17025) laboratories for determining physical and chemical properties of chemicals exist in Serbia. Laboratory capacities are prescribed by the Rulebook on methods for testing of chemicals which is complied with the Regulation No 440/2008 laying down test methods pursuant to REACH.

- Classification and labelling inventory in line with CLP Regulation run by ECHA, serves as a source of information to Serbian industry through the existing chemicals management system. Serbian manufacturers, importers and downstream users are encouraged to consult this inventory when deciding on classification of chemicals they place on the market⁴⁹.

⁴⁹ Article 16 of the Rulebook on classification, packaging, labelling and advertising of chemicals and certain products in accordance with the Globally Harmonized System of Classification and Labelling of the UN

- Arrangements have been made to ensure the implementation of national legislation by the chemical industry sector, as well as the CLP Regulation after the accession. A number of seminars with industry participation were organized to ensure that chemicals industry in Serbia is well informed about its roles and obligations regarding the classification and labelling of chemicals. A system of certified chemicals advisors ensures that industry has access to knowledge for the purpose of classification and labelling of chemicals⁵⁰.
- Guidelines for industry on classification, labelling and packaging in Serbian language have been prepared by the competent authority in terms of guidelines and instructions available via the Internet, as well as by means of leaflets, posters etc.
- National helpdesk is operational, and provides assistance to the industry, with regard to the requirements of the national legislation as well as in terms of the REACH and CLP. This helpdesk is foreseen to become a member of the ECHA helpdesk network once Serbia is the EU member. Its staff is already taking part in Help Net activities in the capacity of an observer. Representatives of the Department for Chemicals participate as observers at CARACAL meetings of competent authorities for REACH and CLP.

REACH (Regulation 1907/2006)

The institutional framework for the transposition, implementation and enforcement has been established within MAEP, Department of Chemicals, as the Group for chemicals management.⁵¹ The institutional framework for the transposition, implementation and enforcement has been established within MAEP, Department of Chemicals, as the Group for chemicals management. Two employees are in charge of harmonization and implementation of REACH harmonized provisions. For the implementation of the REACH Regulation, it is necessary to hire four additional civil servants.

Control and inspection of the implementation of the said provisions is carried out by the Ministry competent for the environment, through organizational units of the Environmental Inspection Department, Division for major chemical accidents, chemicals and biocidal products, and the Ministry of Health through its sanitary inspectors. In MAEP, in the Environmental Inspection Department, Division for chemicals and biocidal products, a total of six inspectors are engaged in inspections under the Law on Chemicals and Law on Biocidal products. Occasionally, they are supported by the staff of the Division for major chemical accidents which has nine inspectors.

National legislation harmonized with REACH was adopted based on the Law on Chemicals, and has been in force since 2010, and/or since 2011. Serbian rulebooks and guidelines reiterate the detailed content of the provisions of REACH Regulation (with the exception of the provisions that are not transposed). In the period of several years, the employees in the central administration have gained knowledge and practical experience regarding the rules that are harmonized with the REACH Regulation. Staff capacities of the central administration and the inspectors were further strengthened through cooperation with Austria/Slovenia and Sweden; The European Chemicals Agency (ECHA) has also provided support to employees in the central administration through workshops organized within the ECHA IPA project which provides support to candidate countries and potential candidate countries.

Representatives of the Department of Chemicals participate as observers at CARACAL meetings of competent authorities for REACH and CLP.

Some of the most relevant measures for the implementation of the REACH Regulation are as follows:

⁵⁰ Law on chemicals; Rules on advisor for chemicals („Official Gazette", No. 13/11, 28/11 and 47/12)

⁵¹ Organizational unit on the basis of systematization

- The importance of communication in the chemical supply chain has been recognized and implemented. Legal entities placing chemicals on the market provide SDS together with the chemical, if so stipulated under relevant legislation, and the form and content are in line with REACH, Annex II. Duty to communicate information on substances in products (REACH, Art. 33) is implemented also.
- The Guidelines on implementation of REACH were prepared for the exporters, such as Guidelines on the identification of substances and brochures on exports of products that contain SVHC. Help Desk function has also prepared Guidelines on REACH Regulation, guidelines on the safety data sheet, guidelines on the implementation of bans and restrictions on asbestos, a national list of frequently asked questions (FAQ) etc.;
- The provisions of Annex XVII of the REACH Regulation have been implemented since 2010 and harmonization of national legislation with the amendments to this Annex is carried out continuously (Regulation EC No: 552/2009; 276/2010; 207/2011; 366/2011; 494/2011; 109/2012; 412/2012; 835/2012; 836/2012; 848/2012; 847/2012, 126/2013 and 474/2014);
- Operators have been made aware of the List of substances of very high concern (SVHC). As of 1 January 2016, they have the obligation to provide information for the Register of chemicals about the SVHC that they put on the market on their own or in the mixtures;
- National helpdesk has been established since 2010 to ensure assistance to enterprises, especially to SMEs, with regard to the requirements of the national legislation harmonized with the REACH, as well as assistance in understanding the REACH Regulation (support to exporters). The RS has a status of an observer in HelpNet network;
- Official website of the competent authority contains information about household chemicals (detergents, biocidal products, etc.), hazardous chemicals in products (phthalates, BPA, SVHC, asbestos, etc.), and on the importance of cooperation with the consumers' organizations (such as a seminar "Being safe with chemicals" and participation at the Consumers Rights Fair). Official website of MAEP currently provides a link to the Help desk (public information – article 123 of REACH).

For the period after 2021, the following activities have been planned:

By 2020 (framework date for Serbia's accession to EU), transitional periods established by REACH will have expired. Furthermore, in line with article 29 (3) of the REACH Regulation, each SIEF shall be operational until 1 June 2018. Domestic industry needs transitional periods to be able to "play by the rules of the game".

Serbia will ensure full implementation of the most part of REACH, but for certain articles transitional arrangements are necessary. This refers to primarily to provisions of REACH laying down the rules for registration and authorization.

Requests for negotiations on transitional periods shall be defined within the negotiation position on Chapter 27.

Regulation (EC) No 850/2004 on persistent organic pollutants POPs

Grounds for implementation of the Stockholm Convention have been prepared on the basis of the NIP (National Implementation Plan), which was adopted by the Government of the Republic of Serbia in 2009. In the period 2009 – 2015, Serbia established institutional framework for POPs management and started implementation of the national POPs-harmonized legislation according to the activities defined in the action plans of the original NIP.

Institutional responsibilities and administrative capacities:

Ministry of Agriculture and Environmental Protection (MAEP) is CA responsible for implementation of Stockholm Convention (SC) and POPs harmonized national legislation.

Department for Chemicals of the MAEP is responsible for the implementation of the Stockholm Convention on POPs (bans or restrictions on producing, placing on the market and use of POPs chemicals). Department for Waste Management of the MAEP is responsible for implementation of provisions of the SC related to POPs waste management. Serbian Environmental Protection Agency (SEPA) is responsible for monitoring and reporting on POPs in the environment. Plant Protection Directorate, MAEP is responsible for implementation of provisions of the SC related to POPs pesticides in plant protection products. Currently, there are three employees carry out said tasks, one from each organizational unit of MAEP and SEPA. Additional staff is not needed for the full implementation of this regulation.

Inspection and control over the implementation of the national legislation on POPs (chemicals) management is carried out by the Environmental Inspection (MAEP) and Sanitary Inspection (Ministry of Health). Environmental inspectors are in charge for inspection and control over the implementation of the legislation on the POPs waste management. Taking into account the scope of responsibilities imposed on operators by the adopted legislation, in order to facilitate the implementation of legislation, inspection capacities must be strengthened, since inspectors in addition to field work also carry out training for the operators.

Biocidal products (Regulation (EU) 528/2012)

Within the MEAP / Department of Chemicals, the Group for biocidal product risk management is responsible for the implementation of the Law on Biocidal Products and the by-laws adopted based on this law. Currently, tasks related to the management of biocidal products and the implementation of the Law on Biocidal Products, as well as the harmonization of national legislation with the provisions of the Biocidal Product Regulation (BPR) are carried out by three employees. Execution of all responsibilities to be imposed to competent authorities in accordance with the new Law on Biocidal Products in the period preceding accession, as well as full implementation of this Regulation after accession shall require engagement of additional five civil servants.

Since 2009, when the Law on Biocidal Products came into force, the competent authority for the management of the biocidal products has been implementing national transition procedure on the basis of which biocidal products are placed on the market, and the procedure of registration of a biocidal product into the Provisional List for the submission of technical dossier. By the end of the third quarter of 2016, over 1,500 biocidal products have been registered in the Provisional List. In the same period, the competent authority did not receive a request for authorization of a biocidal product.

Strengthening the administrative capacities of employees is carried out through participation in meetings of competent authorities for the implementation of the Regulation on biocidal products, the Coordination Group for biocidal products, as well as group meetings for the coordination of the information desk network. Capacities of the competent authority for the management of biocidal products are further enhanced through the twinning project which is being implemented in cooperation with Austria and Slovenia, as well as cooperation with the Swedish Chemicals Agency. The European Chemicals Agency (ECHA) has also provided support through workshops and participation of employees on seminars within the IPA project to support candidate countries and potential candidates.

In addition, cooperation and permanent dialog with Serbian Chamber of Commerce have been established. A number of seminars were organized to ensure that biocidal products industry is informed about its roles and obligations under the national legislation on biocidal products as well as EU legislation.

On the basis of the law amending the Law on Biocidal Products a division of responsibilities in the inspection control was set up. Four inspections are responsible for the control of biocidal products compliance control.

Sanitary Inspection performs control on the use of biocidal products by professional users who use biocidal products for performing a registered activity.

The Veterinary inspection performs inspection of the use of biocidal products by professional users who use biocidal products for non-veterinary activities.

Market inspection controls the fulfilment of the requirements for keeping dangerous biocidal products in retail.

Environmental inspection carries out inspection over all other provisions of the Law on Biocidal Products, such as placing biocidal products on the market, classification, packaging, labelling and advertising of biocidal products, Safety data sheet etc.

Implementation plan

For the period after 2021 the following has been planned:

By 2020 (framework date for Serbia's accession to EU), transitional periods established by the Regulation on biocidal products will have expired. Taking into account the fact that in the pre-accession period the competent authority for the management of biocidal products, as well as local businesses that place biocidal products on the market cannot use instruments that facilitate the implementation of the Regulation and playing by the "rules of the game" (e.g. access to the Register for biocidal products (R4BP), data exchange, and distribution of costs are limited to the member states only), it is necessary to consider and agree on transitional arrangements for the implementation of certain articles of the Regulation on biocidal products.

Export / import of chemicals (Regulation (EU) No 649/2012 on export and import of dangerous chemicals)

MAEP is the competent authority appointed to carry out administrative procedures (Notification procedure and prior informed consent (PIC) procedure) and implementation of provisions of the Rotterdam Convention. The competent authority has been implementing administrative procedures for the past six years. Within the Ministry, the procedures are carried out by the Department of Chemicals, Sector for Chemicals Management.

Ministry, as Competent Authority, Customs administration, inspection, Plant Protection Directorate (as authority competent for plant protection products) and industry, are involved in the implementation of PIC Regulation. The Ministry is responsible for conducting the procedure prescribed by the Regulation (in cooperation with Plant Protection Directorate when plant protection products are issue). In 2011, a seminar was organized for the benefit of the Customs authority, for the purpose of introducing legislation regulating export and import of certain dangerous chemicals. In the past, several seminars were organized for the benefit of inspection, related to regulation dealing with the import and export of certain hazardous chemicals.

Annual plan of the Environmental Inspection includes activities related to the inspection of implementation of the Rulebook on the import and export of certain hazardous chemicals. There is also a plan to develop and strengthen cooperation with the Customs Administration for the purpose of implementation of this regulation.

In terms of administrative capacities, the one person already engaged in duties related to the import and export chemicals will also perform administrative procedures in accordance with PIC Regulation (administrative procedure).

The prior notice procedure and the procedure for issuing permits based on prior notice (PIC procedure) for imports and exports has been established and is being implemented since 2009, which is consistent with the requirements of the Rotterdam Convention and the PIC Regulation. With regard to activities related to the export control, *Decision on determining goods* subject to issuance of *specific documents* on importation, exportation and *transit* was adopted (“Official Gazette of RS”, No. 32/15) to enable efficient work of the Customs administration, and this decision is updated every year. A list of chemicals and products whose import and export is prohibited is given in Annex 7, and the list of documents on the basis of which chemicals are imported and exported chemicals is given in item 11 of this Decision.

The implementation of the procedure prescribed by the Regulation is implemented by the Ministry issuing a certificate to the exporter that the PIC procedure has been conducted. The certificate contains the response given by the designated national authority of the importing country and the exporter is obliged to comply with it. Customs administration performs export and import control of chemicals and articles whose export and import is banned and examines whether the notification procedure and/or PIC procedure has been conducted. Inspectors control if the exporters fulfill their obligations according to the Law on Chemicals. Exporters and importers are responsible for submitting data to the Ministry on conducted export and import, which are prescribed by the Law on Chemicals.

Animals used for scientific purposes (Directive 2010/63/EU)

Veterinary Directorate as CA for the welfare of experimental animals comprises Department for Animal Health, Welfare and Traceability with Group for Animal Welfare within it.

There are 3 employees in the Group for Animal Welfare and no new employees will be hired. Procedures for the issuing of approval for conducting experiments on animals, registration of all users, breeders and suppliers, as well as for the keeping of the Register on experiments on animals have been established and are implemented.

Furthermore, the following bodies have been established, as envisaged by the Directive 2010/63:

- Ethical committee for the protection of experimental animals within each scientific organization and other legal entities conducting experiments (Animal Welfare Body, Art. 26 and 27);

Ethics committee for 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 RS” No. 41/09), inspection of the implementation of the Law on Animal Welfare and the legislation promulgated thereunder, which refer, inter alia, to the benefit of animals used for scientific purposes, shall be based on risk analysis, random control and learning about actions contrary to the provisions of the Law.

4. Plans for full harmonization

In order to achieve full preparedness for the implementation of the EU acquis in the field chemicals management, further activities are necessary. Below is a brief outline of the strategy that should be created.

⁵² Serbian – Swedish cooperation project “Chemicals risk management in Serbia” 2007 – 2015; Serbian – Austrian twinning project IPA 2008 “Strengthening administrative capacities and implementation of chemicals management system” 2010 – 2012.

ECHA IPA Project “Preparatory measures for the participation of candidate states and potential candidate states in work and cooperation with the European Chemicals Agency (ECHA)”.

Institutional / administrative structure for the execution of all tasks which Member States have in line with legislation governing chemicals is established prior to accession.

For the period 2016 – 2018 the following has been planned:

- Evaluation of existing administrative capacities, redistribution of tasks and increase the number of employees in order to reach the level necessary for the implementation of EU legislation in the field of chemicals.
- Production of the Development Plan of the competent authority, which will cover issues such as the current administrative capacities and responsibilities (e.g. a list of expertise, knowledge and skills, etc.), available staff and their workload, necessary capacities on the date of accession in terms of obligations of the competent authority of the member state, as well as a timetable for hiring new staff. The plan will be based on existing capacity and will allow maximum utilization of the existing number of employees due to financial constraints. Special attention will be paid to ensuring a sufficient number of trained staff in order to fulfill all the tasks delegated to the competent authority of the member state, including the obligation to cooperate with the Commission and the European Chemicals Agency.

The resources required for further staff hiring will be provided from the state budget.

Disadvantages in connection with the expertise and skills of staff in the competent authority will be resolved in the pre-accession period. Some of the disadvantages be eliminated through activities related to the further strengthening of capacities of the competent authority provided under the IPA twinning project IPA 2013 SR 13 IB EN 03 “Further development of the management of chemicals and biocidal products”.

Employees at the Department of Chemicals will continue to participate as observers at meetings of the competent authorities of Member States, which will contribute to further strengthening of the capacities and knowledge and skills, which are essential for full participation after the accession.

In order to ensure effective monitoring of the implementation of EU legislation, further training of inspectors will be carried out.

Participation of the scientific sector

Department for Chemicals at MAEP will remain the competent authority for REACH, CLP, PIC, BPR, POPs. The competent authority will be supported by the scientific sector, and executive tasks such as substance evaluation, assessment of different parts of biocidal products dossier etc. will be carried out by public institutions as is the case in some of the EU Member states. The following institutions have pool of experts including (eco)toxicologists and are considered as potential partners: National Poison Control Centre, Centre for toxicological risk assessment established within the Faculty of Pharmacy, Belgrade University, Department for biology and ecology, Faculty of Sciences, Novi Sad University, Institute for Biocides and Environmental Protection etc. Representatives of the above-mentioned institutions took part in the introductory trainings on regulatory risk assessment performed under the IPA 2008 and will be further supported in terms of additional trainings. However, terms of cooperation should be established beforehand in order to avoid the conflict of interest.

For the period 2018 – 2020 the following has been planned:

Different models of cooperation with the scientific sector will be considered in order to identify the best option for Serbia. Also, the legal basis and contracts for the engagement of the sector in technical work will be defined to ensure that arrangements are in place and functional before accession.

In this sense, certain activities have already been initiated. It was agreed that the academic sector should define specific areas within its purview which need to be strengthened in order to be able to support the MAEP in accordance with the Regulation on biocidal products.

Raising awareness and preparedness of the private sector

The private sector will be given further support to adhere to the “rules of the game” of the single EU market. Companies, especially SMEs, will be assisted to understand their roles and responsibilities in a way that will allow them not only to meet these requirements, but also to make strategic choices regarding the viability of their product portfolio. This will be achieved by improving communication and through various means of communication and dissemination of knowledge (information seminars, workshops, etc.). The ongoing dialogue with the industry sector will be continued, as well as the practice of the “Days of stakeholders”. In addition to the chemical industry, the target groups will include industrial associations and consultancy sector, which should support the industry.

2.27.11. Industrial pollution

1. Strategic framework

- National Environmental Approximation Strategy for the Republic of Serbia (December 2011);
- Approximation strategy for the industrial pollution and noise (April 2012);
- National Waste Management Strategy for the period 2010 - 2019 (proposal amendments);
- Approximation strategy for the waste sector;
- Approximation strategy for the sector of air protection and climate change (April 2012);
- National Strategy for Protection and Rescue in Emergency Situations (2011);
- Fire protection strategy for the period 2012 - 2017 (2012);
- Approximation strategy for chemicals and genetically modified organisms
- Energy Development Strategy until 2025 with projections for 2030

2. Transposition

1. Industry Emissions Directive 2010/75/EU – IED

The analysis of legal deficiencies of the existing legislation of the RS compared to the requirements of DIE was carried out by the Ministry with the support of IPA 2011 project – “Law enforcement in the field of industrial pollution control, prevention of chemical accidents and establishing the EMAS system in Serbia” in 2014.

Chapter II (Integrated Pollution Prevention and Control of Environmental Pollution)

Transposition status

DIE (2010/75 / EU) has been partially transposed into national law. 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 Prevention and Control of Environmental Pollution in 2004, as well as through amendments to the same Law introduced in 2015 (hereinafter the Law on IPPC (“Official Gazette of RS”, No. 135/2004 and 25/2015)) and relevant bylaws. The

adopted Law on IPPC transposes the IPPC Directive 1996/61/EC, including definitions, the obligation to obtain a license, the issuing of licenses, the license application procedure, terms in the license, the changes that operators should make in their facilities, access to information and public participation in the permitting process, as well as other issues envisaged by the Directive and activities referred to in Annex I.

Full transposition of Directive 2010/75 / EU (IED) in the RS in the part that refers to the IPPC will be achieved by mid-2018.

Transposition plan

For the period 2016 – end 2018 the following has been planned:

- Amendments to the Law on IPPC, in order to fulfil the requirements of the IED-IPPC (2018) and adoption of relevant bylaws (III quarter of 2018).

Chapter III (Large combustion plants)

Transposition status⁵³

The key strategic orientation of the RS is membership in the EU. The RS also has the obligation to fulfill obligations under the signed and ratified international treaties. The results of the analysis of legal deficiencies, which was conducted through the project IPA 2011 “Law enforcement in the field of industrial pollution control, prevention of chemical hazards and establishing the EMAS system in Serbia” show that the provisions of Chapter III of DIE are partially transposed into national legislation.

The legal framework for the area covered by Chapter III of DIE was established on the basis of transposition of the Large Combustion Plants (LCP Directive 2001/80/EC). In January 2016, the Regulation on limit values for emissions of air pollutants from combustion plants (“Official Gazette of RS”, No. 6/16) was adopted, along with the Regulation on the measurements of emissions of air pollutants from stationary sources of pollution (“Official Gazette of RS”, No. 5/16).

Transposition plan:

For the period 2016 – end of 2018 the following has been planned:

- Transposition of the remaining provisions through the law amending the Law on air protection and Regulation amending the Regulation on limit values of for emissions of air pollutants from combustion plant.

Chapter IV– ((Co) incineration of waste)

Transposition status

Chapter IV of the Directive on industrial emissions (DIE) has been partially transposed⁵⁴ through the Law on Waste Management (“Official Gazette of RS” No. 36/09 and 88/10) and the Regulation on types of waste subject to thermal treatment, conditions and criteria for determination of location, technical and technological conditions for projecting, construction, equipping and work of the thermal waste treatment plants and handling of combustion residues

⁵³ More information on the transposition status of Chapter III of IED is provided in the Post-screening document.

⁵⁴ The results of the analysis of legal deficiencies show that the full transposition requires changes in: the definition, areas of application, permitting application, and measures for thermal treatments, precise definitions in line with technical provisions of Annex VI, definition of the sampling location etc.

("Official Gazette of RS", No. 102/10 and 50/12-corr.) - hereinafter referred to as by-law on the thermal treatment of waste.

For the period 2016 – end of 2018 the following has been planned:

- Adoption of the Law on Waste management;
- Adoption of the Regulation on thermal treatment of waste.

The exact mechanism for the full transposition will be determined by revision of the National Strategy on Waste Management for the period 2010-2019, through the Twinning Project: "Support to the development of a strategic framework in the field of waste management" (scheduled end date of the project is the end of 2018).

Chapter V (Volatile Organic Compounds)

Transposition status

Chapter V of IED on installations and activities using organic solvents has not been partially transposed⁵⁵ into national legislation. The National Regulation on the list of industrial installations and activities controlling emission of volatile organic compounds, emission values of volatile organic compounds during the certain consumption of solvents and total allowed emission, and emission reduction scheme ("Official Gazette of RS" No. 100/2011) (hereinafter as VOC Regulation) transposes provisions of the Directive 1999/13/EC on VOC plants and installations.

Transposition plan:

For the period 2016 - end of 2018 the following has been planned:

- Transposition of the remaining provisions of the Law amending the Law on Air Protection and the Regulation amending the Regulation on volatile organic compounds.

Chapter VI

Directive 2010/75/EU incorporates three Directives: 78/176/EEC, 82/883/EEC, 92/112/EEC, Directive 2010/75 / EU Directive incorporates three 78/176 / EEC, 82/883 / EEC, 92/112 / EEC, related to the prevention and progressive reduction to the elimination, of pollution caused by waste from the titanium dioxide industry and this Directive has been partially transposed.

Transposition plan

For the period 2016 – end of 2018 the following has been planned:

- Adoption of the Law amending the Law on Waste Management;
- Adoption of the Rulebook on the manner and procedure of waste management from titanium-dioxide industry, control measures and environmental monitoring at the site.

Directive 2012/18 / EU on the control of major accident hazards involving dangerous substances (Seveso III Directive)

Transposition status

Seveso III Directive, replacing the Council Directive 96/82/EC (Seveso II Directive) is partially transposed into national law. Full transposition of the Seveso III Directive will be achieved by the end of 2018 bylaws.

Transposition plan

For the period 2016 – end of 2018 the following has been planned:

- Development of the Law on the control of major hazards involving dangerous substances;

⁵⁵ Aanalysis of legal deficiencies was carried out through IPA 2011 "Law enforcement in the area of control of industrial pollution, prevention of chemical hazards and establishment of the EMAS in Serbia.

- Preparation of subordinate legislation which will transpose the relevant Annexes;
- Amendment of the Law on Emergency Situations (jurisdiction of the Ministry of Interior);
- Amendment of the Law on Planning and Construction (jurisdiction of MCTI).

Directive 2004/42, Directive on volatile organic compounds in paints

Transposition status

Law on Chemicals (“Official Gazette of RS” No. 36/09, 88/10, 92/11, 93/12 and 25/15) and the Ordinance on bans and restrictions of production, placing on the market and use of chemicals (“Official Gazette of RS”, No. 90/13 and 25/15) established the legal basis for the transposition of Directive 2004/42 / SE and 2010/79/EU. Only provisions that apply to EU member states have not been applied (e.g. Reporting to the Commission).

Transposition plan

The remaining provisions will be transposed through amendments to the Ordinance on bans and restrictions of production, placing on the market and use of chemicals, which will be adopted by the end of 2018.

4. Regulation (EC) No 1221/2009 on the voluntary participation of organizations in the system of environmental management and audit scheme (EMAS)

Law on amending the Law on Environmental Protection (“Official Gazette of RS” 014/2016) establishes the basis for EMAS GLOBAL or EMAS for registration of organizations from third countries.

Alignment plan

For the period 2016 – end of 2018 the following has been planned:

- Rules on EMAS which establishes the manner in which the Ministry issues a certificate of legal conformity of the EMAS GLOBAL and EMAS process for registration of organizations from Serbia will be adopted by the end of 2017.
- Manual on EMAS as a guide for organizations who wish to register with EMAS system was completed and will be followed by EMAS Ordinance through the adoption procedure.

5. Regulation (EC) No 66/2010 of the European Parliament and the Council of 25 November 2009 on eco-labelling in the EU

Alignment status

By the adoption of the new “Regulation on detailed conditions and procedure for obtaining rights to use the ecological label, elements, layout and use of ecological label for products and services” (“Official Gazette of RS” 049/2016) of 31 May 2016, the national system of eco-labelling is harmonized with the requirements of Regulation (EC) No 66/2010. Regulation addendum contains 26 criteria that define the 26 product groups, defined on the basis of criteria for eco-labelling and EU “Flower” product groups.

Transposition plans

For the period 2016 – end of 2018 the following has been planned:

- Monitoring of amendments to the criteria which define the 26 groups, and cancellation of the expired criteria and revisions to the list of EU criteria, as well as monitoring of all amendments to the Regulation (EC) 66/2010.

For the period end of 2018 – end of 2020 the following has been planned:

Establishment of a list of 35 criteria for the currently existing product groups, as well as new product groups adopted in the meantime (according to the list of EU criteria);

System monitoring and inclusion of new criteria as annex to the Regulations on the National Eco-sign, as well as the withdrawal of expired criteria audits according to the EU list of criteria, as well as monitoring of all amendments to the Regulation (EC) 66/2010.

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 (Metallic Mercury Regulation)

Alignment status

National legislation, in part which relates to ban of export of mercury, complies for the most part with Regulation (EC) No 1102/2008, except Article 1, point 3 of the Regulation and provisions prescribed only for EU member states (e.g. reporting to the Commission). This legislation has been in force since 2010. Amendments to the Ordinance on the import and export of certain hazardous chemicals, which will produce full compliance with Regulation (EC) No. 1102/2008 in the part relating to the ban on exports of mercury, is in the process of adoption. The draft of a legal act for the implementation of Regulation (EU) No. 1102/2008 is underway, through PLAC project. Development of national legislation in the part relating to the safe storage is at an early stage. Full compliance of legislation in the part relating to safe storage is expected to be achieved by the end of 2018.

Alignment plan

For the period 2016 – end of 2018 the following has been planned:

Further alignment of the national legislation with amendments to the Regulation.

7. Council Directive 1987/217/EEC of 19 March 1987 on the prevention and reduction of environmental pollution by asbestos

Transposition status

Directive 1987/217/EEC has been largely transposed through the Law of Waste Management (Official Gazette No. 36/09 and 88/10) and related secondary legislation, as well as the Law on Chemicals.

Transposition plan

For the period 2016 – end of 2018 the following has been planned:

- Adoption of the new Law on Waste Management;
- Revision of the Rulebook on the management of waste containing asbestos.

8. Directive on medium combustion plants 2015/2193/EU

Transposition plan

In the period 2016 – end of 2018:

- Adoption of the Law amending the Law on protection of air to create a legal basis for the transposition of the Directive on medium combustion plants;
- Adoption of the Regulation amending the Regulation on limit values for emissions of air pollutants from combustion plant to which the requirements for medium combustion plants will be transposed.

3. Implementation and Institutional Responsibilities

1. Industrial Emissions Directive 2010/75/EU – IED

Chapter II (IPPC)

Based on current plans, and new Law on amendments to the Law on integrated prevention and pollution control (IPPC) (“Official Gazette of RS” No. 135/2004 and 25/2001), the Republic of Serbia will be issuing integrated permits for the operators subject to integrated permitting by 31 December 2020. The condition necessary for meeting this deadline implies staffing at all levels for those services dealing with issuance of integrated permits. At this moment, the challenge is lack of capacities for issuance of integrated permits on all levels. There are local self-government units forward their applications to the Ministry for further processing based on entrusted activities.

Within IPA 2011⁵⁶ specific plans for the implementation of directives will be produced in 2016, including the part related to IPPC. These activities will be carried out according to the proposed methodology within the mentioned project. The plans pertaining to IPPC will be drafted according to industrial sectors. Preparatory activities related to these plans have started through collection of data needed for development of the plans. Methodology stipulates collection of data from operators related to: status analysis, description of EU requirements, gap analysis, measures to overcome shortcomings, cost assessment related to implementation of measures, time schedule, information about the production and data about export to the EU market, monitoring, transboundary impact facilities, etc. Final drafts of the plans are planned for the first quarter of 2016. Development of these plans will define deadlines for full implementation of the EU Directive 2010/75/EU for the area of integrated pollution prevention and control.

Implementation plan:

In the period 2016 – end 2018:

Revision of the draft of Specific plans of implementation of individual part of the Directive on industry emissions.

⁵⁶ Implementation of the law in the area of control of industrial pollution, prevention of chemical hazards, and establishment of EMAS in Serbia.

In the period end 2018 – end 2020:

Continue with the issuing of integrated permits.

For the period after 2021, the following has been planned:

Adjustment of operations in facilities requiring transitional periods.

Institutional Competences and Responsibilities

Competences for the issuance of integrated permits are divided between the Ministry of Agriculture and Environmental Protection, Provincial Secretariat for Urban Development, Construction and Environmental Protection and local self-government units, all in compliance with provisions of the Law on Planning and Construction which defines which body issues construction permits for the development of the subject installation.

Inspections at all levels are responsible for the control and inspection of installations which are obligated to possess integrated permit, and Environmental Protection Agency collects data for the National Register of Polluters and issues environmental performance reports.

Competences for the issuance of water permits, that have to be submitted with the application for integrated permit, are divided between the Republic Water Directorate, which is a part of the Ministry, Provincial Secretariat for Agriculture, Water management and Forestry and Secretariat for Economy – Sector for Water Management of the City of Belgrade.

At the national level, it is necessary to engage a lawyer and a qualified person for the period 2016 - 2017 years for tasks related to transposition. For the implementation of the tasks it is necessary to keep the above mentioned new employees and increase the number by three in 2018 and by two more employees from 2018 onwards until full implementation of the directive. At the local level, it is necessary to engage 15 employees in the period 2016-2020 in local governments where there are multiple operators, and all employees in local self-governments need additional training in the field of integrated prevention and control of environmental pollution.

Chapter III (Large combustion plants)**Implementation plan:****For the period 2016 – end of 2018 the following has been planned:**

Drafting of a specific plan of implementation of individual parts of Industrial Emissions Directive.

For the period 2018 – end of 2020 the following has been planned:

Monitoring of the realization of the National Emission Reduction Plan and monitoring of the so called „opt-out” mechanism in line with the Decision of the Ministerial Council of the Energy Community O/2013/05/ MC-EnC on the implementation of the directive on large combustion plants.

The National plan for emissions reduction will applied in the period 1 January 2018 – 31 December 2027.

For the period 2021 onwards, the following has been planned:

For the purpose of coordination of operations of large combustion plants for which transitional periods will be necessary, and in accordance with the obligations arising from the Treaty establishing the Energy Community, the Republic of Serbia submitted to the Energy Community Secretariat on 31 December 2015 a preliminary national plan on emissions reduction, as well as a preliminary list of large combustion plants intended for the so-called “Opt-out” mechanism. Based on the decision of the Ministerial Council of the Energy Community of October 2013, 1 January 2018 is set up as a deadline for implementation of Chapter III DIE for new large combustion plants.

Based on the decision of the Ministerial Council of the Energy Community of October 2015, 1 January 2028 is set up as the deadline for the implementation of Chapter III IED for large old combustion plants.

The Energy Community document “Study on Modernization of Large Combustion Plants” contains financial estimations for the achievement of compliance of LCPs within the PE EPS with the provisions of the EU Directive 2001/80/EC IED – approximately 640 million Euros, and with the provisions contained in Chapter III of the Industrial Emissions Directive 2010/75/EU – approximately 710 million Euros.

RS is aware of the fact that the EU accession process separated from the obligations of the Treaty establishing the Energy Community (ENC), though the decisions of the Ministerial Council of the Energy Community imposed the obligation of transposition and implementation of Chapter III of the Directive on industrial emissions, while keeping in mind the fact that the Treaty establishing the Energy community and the subsequent decision of the Ministerial Council were ratified by the Assembly of Serbia in 2006, making them a part of the Serbian national legislation. Deadlines for implementation of Chapter III of the Directive on industrial emissions, as defined by decisions of the Ministerial Council, are determined for all the contracting parties while respecting their national circumstances. The final objective of the decisions of the Ministerial Council is to reach the emission limit values for large combustion plants, as defined in Chapter III of the Directive on industrial emissions.

More details on the financial resources necessary to comply with IED, investment plans and possible sources of funding, will be available after preparing a specific plan for the implementation IED.

Upon completion of the specific implementation plan more specific data will be available, based on which the RS will determine its position on the issue of deadlines for the implementation of the Directive on industrial emissions for each plant individually.

Bearing in mind that the Industrial Emissions Directive allows Member States the use of certain flexible mechanisms (national transition plan, exemption due to a limited life time of facility etc.), in order to formulate its position on the implementation of deadlines for each plant individually, the RS must have the opinion of EC on whether RS have the ability to use these mechanisms, given that their use under the provisions of the directive is provided within the time limits which are not applicable to the RS, and bearing in mind that the potential membership year is 2021. (e.g. the national transition plan is used in the period 2016 – 2020, and exemption due to limited life time of facilities in the period 2016-2023).

Institutional competences:

The Ministry of Agriculture and Environmental Protection is the competent authority for transposition and implementation in the field of Chapter III IED. Within the MAEP, in the Department for the protection of air and ozone layer, one civil servant is employed, who is executing the tasks related to transposition and implementation of EU acquis in this field. The Ministry of Mining and Energy is responsible for the implementation of LCP provisions and provisions of Chapter III IED in the context of Energy Community.

Inspections at all levels are responsible for the control and supervision of large combustion plants and implementation at all levels – republic, provincial and local.

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

Implementation dates shall be the subject of negotiations on EU accession.

Chapter IV– ((Co-) incineration of waste)

Implementation of the Chapter IV of IED is in initial stage of implementation.

Operational permitting system has been established in Serbia in 2010, and competent authorities MAEP and Business Registers Agency have issued six permits for the purpose of utilization of thermal energy

For obtaining cement clinker, a total of four licenses were issued for storage and thermal treatment of waste, the co-incineration of waste tires, waste oils and SRF– Solid Recovered Fuel / RDF– Refuse Derived Fuel to the cement factory Lafarge Serbia from Beočin and co-incineration of waste-tires and SRF– Solid Recovered Fuel / RDF– Refuse Derived Fuel to the cement factory Holcim Serbia from Popovac.

Also, the authorities have issued two permits for the thermal treatment of waste - incineration of waste edible oils and fats to the Agro-industrial conglomerate "BackaTopola" ad from Backa Topola and incineration of waste wood, waste chipboard, and unusable wood pallets to the company for production and marketing "Forma Ideale" d.o.o. from Kragujevac.

Inspection supervision has been established on the basis of provisions under Chapter XII SUPERVISION (Art. 83-86), and this is carried out by environmental protection inspectors within the scope determined by law. In accordance with the division of power in the Republic of Serbia, reporting is carried out by the Agency for Environmental Protection. It is particularly important to note that since 2009 data have been entered in the register of permits issued by all relevant authorities who keep a national register of issued waste management permits, which is available for public access (available on the website of the agency, www.sepa.gov.rs).

Transposition plan:

For the period 2016 – end of 2018 the following has been planned:

- Production of specific implementation plan for Chapter IV of the Directive;
- Adoption of the Integrated plan for hazardous waste management;
- Establishing a list of plants for (co) incineration with nominal capacity not exceeding two tons per hours;
- Realization of campaigns for raising public awareness (related to re-use of waste as an alternative fuel or alternative raw material);
- Training of inspectors for environmental protection on regional and local levels by the end of 2017.

For the period 2018 – end of 2020 the following has been planned:

- Adoption of a new Waste Management Strategy;
- Support for the use of waste as alternative fuel in line with waste hierarchy (in cement plants, steel plants, thermal plants and heating plants);
- Construction of infrastructure for communal waste management and support to the use of communal waste as alternative fuel for energy production (heat and electricity) in most populated cities in Serbia (Belgrade and Novi Sad);
- Establishing efficient economic instruments.

For the period (2020 onwards) the following has been planned:

- Further plans for the improvement of implementation depend on the analysis of situation in plants that are subject to the Regulation, and on identification of compliance scope, which will be defined during the preparation of plans for IED;
- Revision of the Waste Management Strategy
- Conducting public awareness campaigns
- Determining locations for the construction of (co-) incineration plants;
- Professional training of staff for establishing (co-) incineration plants;

Institutional competences

Ministry of Agriculture and Environmental Protection is responsible for issuance of permits for waste incineration.

Autonomous Province has been entrusted the issuance of permits for incineration of waste for all activities in its territory and for all plants which were issued the construction permit from the competent authority of the AP.

Local self-government units are involved in the issuance of the mentioned permits by giving opinions to the submitted documentation in the permitting process.

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

The Ministry supervises the work of the Agency, Autonomous Province, local self-government units and authorized legal entities. Enforcement activities are carried out by the environmental inspection.

Chapter V (Volatile Organic Compounds)

Directive 1999/13/EC, or more precisely, Chapter 5 of the Industrial Emissions Directive is at the beginning stage of implementation. Pursuant to Article 4, paragraph 2 of the Industrial Emissions Directive, an alternative option was taken to maintain the register of installations using organic solvents, so permits will not be issued for VOC installations which are not IPPC establishments. The Regulation on the list of industrial installations and activities in which the control of emissions of volatile organic compounds is performed, on emission values of volatile organic compounds during the certain consumption of solvents and total allowed emission, and emission reduction scheme ("Official Gazette RS", No 100/11) prescribes a form for data submission for registration purposes, with the obligation of operators to submit these data by June 2013. For the purpose of data collection within the project IPA 2011, one employee is engaged at the Environmental Protection Agency who will initiate activities related to the sending of questionnaires to operators in electronic and hard copy forms. The answers received required additional engagement of experts within the project. Gathered data were analysed, and will be used as the basis for the production of specific implementation plan for IED, and for the purpose of preparing the negotiation position of the RS.

Further implementation of the Directive implies strengthening of the existing administrative capacities at all levels, and the following activities:

Implementation plan:

For the period 2016 – end of 2018 the following has been planned:

- Creating a comprehensive list of facilities to which the Regulation applies, as well as gathering of relevant technical data on these plants and assessment of conformity with the requirements of the Directive. This is an activity that is initiated through IPA 2011 project, a condition for the continuation of its realization is hiring one employee at the Agency for Environmental Protection, who will work in the data gathering related to Chapter V IED, a minimum of one employee at the Ministry without shared responsibilities, as well as training of employees responsible for the implementation and control of the fulfilment of the requirements of chapter V IED at all levels;
- Drafting of a specific plan for the implementation of individual parts of the Directive on industrial emissions;
- Improving the inspection control of operators to ensure enforcement of the existing legislation. The training of a part of the republic, provincial and local inspection staff for environmental protection was carried out with the support of PLAC project in March 2016. The second phase of training of inspection staff will depend on the availability of financial resources.

For the period 2016 – end of 2018 the following has been planned:

Further plans for the improvement of implementation depend on the analysis of the current state in facilities subject to this Regulation and further identification of the scope of the compliance.

For the period 2021 onwards, the following has been planned:

Harmonization of operations of industrial plants and activities related to the control of emissions of volatile organic compounds, which will require transitional periods.

Institutional competences:

The Ministry of Agriculture and Environmental Protection is the competent authority for transposition and implementation. Within the MAEP, in the Department for the protection of air and ozone layer, one civil servant is employed, with shared responsibilities, who is executing the tasks related to transposition and implementation of EU acquis related to plants and activities in which organic solvents are used (Chapter V IED), as well as to stages I and II of the petrol vapor recovery (VOC Petrol directive). For the purpose of adequate transposition and implementation of requirements of the Chapter V IED, it is necessary to hire one more employee without shared responsibilities.

Republic inspection is competent for the control and implementation.

Environmental Protection Agency is responsible for the inventory of emissions, environmental information system and reporting. In order to exercise its obligations, the Agency must hire one employee for data gathering related to the requirements of the Chapter V IED, who can also be engaged on data gathering related to the requirements of VOC Petrol Directive.

Provincial Secretariat for Urban Planning, Construction and Environmental Protection – environmental inspection, is responsible for the control of installations and enforcement of legislation at the provincial level.

Local self-government – environmental inspection is responsible for the control of installations and enforcement of legislation at the local level.

Chapter VI (TiO₂)

Titanium dioxide is not produced in the Republic of Serbia.

2. SEVESO III

Seveso II Directive has been implemented in Serbia since 2010, when subordinate legislation was adopted related to the protection from chemical hazards. So far, there are 103 Seveso establishments identified in the Republic of Serbia, out of which 54 belong to lower tier, and 49 are upper tier of Seveso establishments. Operators of all lower tier establishments have developed Accident Prevention Policy. Operators of 49 upper tier establishments have submitted Safety Reports and Emergency Plans to the Ministry. So far, 41 Safety Reports have been subject to public insight, public presentation and debate, evaluation of 42 Safety Reports and Emergency Plans have been completed, 23 approvals have been issued and 1 decision on refusal, with ban on operations of establishment, and for the remaining establishments the competent authority has required changes, due to the lacking documentation. Pursuant to the Law on Emergencies, External Emergency Plans make integral part of the Plan for the Protection and Rescuing in Emergencies. There are ongoing activities related to the collection of data and drafting of the plans of the protection and rescuing in emergencies at the level of local self-governments, as well as activities related to drafting of the National Risk Assessment. Further implementation of the directive implies the following actions:

For the period 2016 – end of 2018 the following has been planned:

- Continuation of implementation of the legislation in this area;

- Provision of coordinated inclusion of all competent authorities into the process of implementation (authorities responsible for environmental protection, emergencies, spatial planning and construction).

For the period 2018 – end of 2020 the following has been planned:

- Revision of identified establishments and updating of the existing registers;
- Revision of the existing or drafting of new documentation pursuant to the Directive and validation thereof;
- Revision or drafting of new external emergency plans;
- Ensuring that goals for the prevention of major accidents and limitation of their consequences to human health and environment must be taken into account in the process of land use planning (competence of MCTI);
- Continual improvement of knowledge of all stakeholders.

For the period 2021 onwards the following has been planned:

Implementation of the reporting obligation to EC.

Institutional responsibilities:

- The Ministry of Agriculture and Environmental Protection is responsible for the transposition and implementation of legislation pertaining to control and prevention of large chemical accidents, which includes hazardous substances. Within the Ministry, in the Group for prevention of large chemical hazards, there are three civil servants who work on transposition and implementation of EU legislation in this field.
- For the purpose of adequate transposition and implementation of requirements, the Ministry must hire three more employees in the Group for prevention of large chemical hazards.
- Republic inspection for environmental protection is competent for the control and monitoring of all Seveso establishments in the Republic of Serbia.
- Furthermore, administrative capacities necessary for efficient implementation of legislation will be assessed within IPA 2013 project “Further implementation of environmental protection approximation strategy”. The project includes preparation of Action plan for the strengthening of administrative capacities on all levels. The project should start in early 2016 and last for 2 years.
- The Ministry of Interior is competent for the transposition and implementation of EU legislation in this area, which deal with external plans for hazard protection.
- Within the Ministry of Interior, Sector for emergency situations, there are organizational units at the level of local self-governments – emergency situations administrations and services (responsibility of the Ministry of Interior).
- Local self-government units are responsible for preparation of external emergency plans at the territories of their jurisdiction, which are an integral part of the Plans of Protection and Rescue in Emergency Situations. The Plan for Protection and Rescue in Emergency Situations is prepared by competent authority of the local self-government, in cooperation with the competent service, and the plan is adopted by executive authority of the local self-government.

3. 2004/42/EC VOC in paints

National legislation in part which relates to limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products is harmonized with Directive (EC) No 2004/42, except provisions which require EU membership.

The provisions on the limitations of the maximum concentration of VOC compounds applied in two phases: Phase I - June 1, 2012 and Phase II - December 1, 2013.

Implementation plan:**For the period 2016 - end of 2018 the following has been planned:**

- Continuous follow up, harmonization and implementation of the amendments to the Directive (EC) No 2004/42;
- Improving communication with all relevant stakeholders (Chamber of Commerce and Industry of Serbia, producers of paints and varnishes, Institute for standardization of Serbia, Accreditation Body of Serbia);
- Preparation for fulfilment of the obligation prescribed for Member State Competent Authorities by the Directive (EC) No 2004/42;

For the period 2018 - end of 2020 the following has been planned:

- Development of a monitoring program for the purpose of verifying compliance with this Directive will be developed by 2020.
- Development of a draft legal act implementing Directive (EC) No 2004/42 is planned by 2020.

Implementation of the Directive requires additional funding from the Budget of the Republic of Serbia for needs inspection supervision (administrative costs).

4. Regulation (EC) No 1221/2009 on the voluntary participation by organizations in the eco-management and audit scheme (EMAS)

Guidelines for the inclusion of organizations into the EMAS register through mechanisms “EMAS GLOBAL” and “THIRD COUNTRY REGISTRATION” will be developed based on the EC Decision 2013/131/EU. Deadline for transposition of provisions of the Regulation into the national legislation is the end of 2015.

Implementation of this Regulation will enable organizations from Serbia to become EMAS registered through mechanism “EMAS GLOBAL” and “THIRD COUNTRY REGISTRATION”. In the registration process, the Ministry responsible for environmental protection will be issuing certificates on data for which official records are maintained in the area of environmental protection (issued permits, approvals, consents, findings of the competent environmental inspectorate, etc.), in order to include the organizations that have applied for the EMAS system.

The certificate, which in this case is issued by the Ministry responsible for the environmental protection to companies operating at the territory of the Republic of Serbia under the laws of the Republic of Serbia, shall be issued only at the request of these companies in order to help foreign verifier in the verification process. The verifier may decide whether to take this certificate into consideration or conduct some other, independent verification of the applicant company's compliance with legal requirements in the area of environmental protection. Therefore, it is intended that the Ministry help in the process of EMAS registration, if deemed appropriate by the verifier, with no intention of trying to interfere or influence on the process of registration.

The Ministry will not carry out additional verification or further recognition of certificates issued by EMAS.

The Environmental Protection Agency reports on EMAS activities within the annual reports on environmental conditions.

5. Regulation (EC) No 66/2010 of the European parliament and of the Council of 25 November 2009 on the EU Ecolabel

In the Republic of Serbia there are 11 products awarded the use of the National eco-label:

- 7 products from the wooden floor covering group that were tested according to the criteria set out in Decision (EC) 2010/18/EC

- 2 products from the hard coverings group that were tested according to the criteria set out in Decision (EC) 2009/607/EC
- 1 product from the textile product products group that was tested according to the criteria set out in Decision (EC) 2009/567/EC
- 1 product from the hard coverings group that was tested according to the criteria set out in Decision (EC) 2009/607/EC

Within its annual reports on environmental conditions, the Environmental Protection Agency reports on activities related to eco labelling, as well as on the number of awarded rights for the use of eco label. All annual reports from previous years are available on Agency's website.

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 (Metallic Mercury Regulation)

The Republic of Serbia signed the Minamata Convention on 9 October 2014, committing itself to the ratification and early implementation of the Minamata Convention as soon as possible. In line with this commitment, the Ministry of Agriculture and Environmental Protection in cooperation with UN Development Agency started to draft project proposal entitled "Initial Assessment of conditions for implementation of the Minamata Convention on mercury in the Republic of Serbia". Terms of reference for the realization of planned activities on the project have been prepared. Planned duration of this project is 2 years and decision regarding the date of ratification of the Minamata Convention in the Republic of Serbia will be defined according to the conclusions from the National MIA report after finalization of this project.

Implementation plan

Mid-term priorities (2017-2020):

Upon completion of the above project, which is planned to be implemented with UNDP in the next two years, the Republic of Serbia will be able to assess and define, and later carry implementation measures, in order to ensure environmentally sound storage of mercury. Detail assessment of the storage conditions of mercury will be developed within this project and it will be included in the National Mercury Profile.

Regarding Mercury waste, in May 2015 a Twinning project „Improvement of hazardous waste management in the RS" was initiated in the Republic of Serbia. One of the activities of the project will be development of the integrated hazardous waste management plan for Republic of Serbia, and recommendations for solving the problem of final disposal of mercury waste, issued by the experts working on the project.

The development of a draft legal act implementing Regulation (EU) No 1102/2008 is prepared in cooperation with experts through the PLAC project.

The development of a draft legal act implementing Regulation (EU) No 1102/2008 is planned by 2020.

The Ministry of Agriculture and Environmental Protection is the competent authority for the implementation of this Regulation (Department for Waste Management in charge of safe storage and Department for Chemicals in charge of ban on exports).

The Ministry, as Competent Authority, Customs Authority, inspection, and industry are all involved in the implementation of Regulation (EU) No 1102/2008 in part which relates to the ban on export of metallic mercury. Customs Authority performs export and import control of chemicals and articles banned from export and import.

The Ministry of Agriculture and Environmental Protection, Serbian Environmental Protection Agency (SEPA) and inspection on republic and provincial levels are involved in the implementation of Regulation (EU) No 1102/2008 in the part related to safe storage.

Additional information regarding implementation of the Regulation is provided in the annex 1.

Republic inspectors have registered all locations in the Republic of Serbia, where there is waste containing mercury and its compounds. Submitted data refer only to the location of "Petrohemija" from Pančevo, which has waste contaminated with mercury, and it is stored in several locations within their production area.

Further activities regarding administrative capacities:

- Capacity building of the Competent Authority – important step is the participation at meetings (regional meetings, workshops for ratification of Minamata convention etc.) and building support through different projects;
- Improvement of communication with all relevant stakeholders (Customs Authority, inspection, industry...);

7. Council Directive 1987/217/EEC of 19 March 1987 on the prevention and reduction of environmental pollution by asbestos

For the period 2016 - end 2018 the following has been planned:

- Preparation of the Integrated hazardous waste management plan, and within it the National plan for management of hazardous waste from construction and demolition, which will be prepared through a Twinning project "Improvement of hazardous waste management in the Republic of Serbia", which will further improve the management of waste containing asbestos;
- Preparation of amendments to the Rulebook on handling waste containing asbestos;
- Implementation of the public awareness campaign about proper methods of removal of asbestos-containing products as well as the disposal of asbestos, including creation of website containing all legislation and guidelines for working with asbestos, with the support the Twinning project.

Mid-term priorities (2019 – end 2020):

- Adoption of a new Waste Management Strategy;
- Adoption of a new National plan for managing waste containing asbestos;
- Implementation of a unified scheme for separate collection of waste containing asbestos;
- Implementation of the system for separate collection of waste containing asbestos;
- Sufficient number of landfills where waste containing asbestos can be disposed, or adequate technical measures and trained staff.

8. Medium Combustion Plan Directive 2015/2193/EU

Transposition plan:

For the period 2018 - end of 2020 the following has been planned:

The analysis of available data on medium combustion plants – determining the final number of medium combustion plants in the Republic of Serbia (existing and new combustion plants).

For the period 2021 onwards the following has been planned:

Adjustment of operations of medium combustion plants, for which transitional periods will be necessary.

Implementation and institutional responsibilities:

MAEP is the competent authority for transposition and implementation of the Medium Combustion Plants Directive.

Inspections at all levels are competent for control and monitoring of medium combustion plants and implementation of legislation at the republic, provincial and local levels.

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

