

Chapter 27: Environment

EU environment policy aims to promote sustainable development and protect the environment for present and future generations. It is based on preventive action, the 'polluter pays' principle, fighting environmental damage at source, shared responsibility and the integration of environmental protection into other EU policies. The *acquis* comprises over 200 major legal acts covering both horizontal and sectoral legislation (air quality, waste management, water quality, nature protection, industrial pollution control and risk management, chemicals, climate change, noise and civil protection.). Compliance with the *acquis* requires significant investment. A strong and well-equipped administration at national and local level is imperative for the application and enforcement of the *acquis*.

I. GENERAL ENVIRONMET POLICY

1. Are there any constitutional provisions in relation to environmental protection and/or sustainable development?

The Constitution of the Republic of Serbia (Official Gazette of RS issue 98/2006), guarantees environmental protection and sustainable development.

In **Article 74** of the Constitution it is established that everyone shall have the right to healthy environment and the right to timely and full information about the state of environment and that the Republic of Serbia and Autonomous Province shall be accountable for the protection of environment.

Article 97 of the Constitution determines that sustainable development, system of protection and improvement of environment, protection and improvement of flora and fauna shall be regulated and provided by the Republic of Serbia.

Article 183 of the Constitution that defines the competences of autonomous province, empowers the province to organize and provide for environmental protection on its territory in accordance with the Law.

Article 190, that describes the competences of the municipality as a local self-government unit, empowers the municipalities to organize and provide for environmental protection, through its bodies and in accordance with the Law.

These constitutional provisions represent the basis for determining legal framework and content in the field of environmental protection. Rule of Law, the fundamental prerequisite of the Constitution that is based on inalienable Human Rights, is closely related to one of the basic human rights - right to a clean environment.

2. Is there a general environmental protection framework act, serving as a basis for other environmental legislation?

Law on Environmental Protection (Official Gazette of RS, Nos. 135/04, 36/09, 36/09 – other law and 72/09 – other law), represents the framework law in the field of environmental protection. The law contains basic principles of legal order that comprehensively and completely regulate protection of the environment.

The Law was adopted in 2004 and significantly amended with introduction of the Law on the Amendments to the Law on Environmental Protection on 19 May 2009. (Official Gazette of RS, No. 36/09).

This law regulates integral system of environmental protection, which shall ensure human rights to live and develop in healthy environment and balanced correlation between economy growth and environment, with special emphasis on:

- integration of environmental protection and improvement policy into the economic policy;

- consistent decisions of local self-government bodies that determines charges for protection and improvement of the environment;
- any person who utilizes natural values shall be obliged to pay real cost for their utilization and recultivation of the area,
- the polluter shall be obliged to pay single charge for environmental pollution and bear the total costs of measures for prevention and reduction of pollution, including the costs of risks for the environment and cost of elimination of damage inflicted on the environment;
- imposition of economic instruments and other measures to improve the quality of the environment

General provisions of the Law determine the general subject, basic principles on which the environmental protection system is based, subjects that provide protection and special laws adopted with the aim to regulate sustainable management of natural values and protection of environment.

Aforementioned law also regulates management of natural values and conditions for environmental protection, monitoring the state of the environment, public informing and public participation, economic instruments, liability for pollution of the environment, supervision and penalty provisions.

For the purpose of implementation of the Law on Environmental Protection regulation of certain issues is determined by by-laws, particularly by regulations and rulebooks.

Law on Environmental Protection serves as a framework law for the field of environmental protection and other system laws, for instance Law on Ministries, and determines presumptions of law - legal ground for creating special laws to protect certain natural resources. Consequently, the Republic of Serbia created special laws on protection of nature, protection of air, waste management etc:

1. **Law on Air Protection** (Official Gazette of RS, No. 36/09) – This law regulates air quality management and establishment of environmental protection measures, their organization and control of their implementation, as well as control of air quality improvement, since it is the natural value of general interest that enjoys special protection;
2. **Law on Nature Protection** (Official Gazette of RS, Nos. 36/09 and 88/10) – this law regulates protection and conservation of nature, biological, geological and landscape diversity as an integral part of the environment;
3. **Law on Noise Protection** (Official Gazette of RS, Nos. 36/09 and 88/10) – this law determines: beneficiaries of environmental noise protection, noise protection measures and requirements, noise level estimation, public access to noise information system, monitoring and other relevant issues regarding the protection of the environment and public health;
4. **Law on Non-ionizing Radiation Protection** (Official Gazette of RS, No. 36/09) – this law regulates requirements and measures of human health protection and environmental protection from harmful effects of non-ionizing radiation caused by using non-ionizing radiation sources;
5. **Law on Ionizing Radiation Protection and Nuclear Safety** (Official Gazette of RS, No. 36/09) – this law regulates measures of protection of environment, human lives and health from harmful effects of ionizing radiation and nuclear safety measures in all procedures

concerning nuclear activities and regulates the conditions for performing operations with ionizing radiation sources and nuclear materials, as well as radioactive waste management;

6. Law on Waste Management (Official Gazette of RS, No. 36/09) – this law regulates: types and classification of waste, waste management planning, waste management agents, responsibilities and obligations in waste management, waste management organization, specific waste streams management, conditions and procedure of authorisation, cross-border movement of waste, waste information and database, waste management funding, monitoring and other relevant issues regarding waste management.

7. Law on Chemicals (Official Gazette of RS, Nos. 36/09 and 88/10) – this law regulates integrated management of chemicals, classification, packaging and labelling of chemicals, integral registry of chemicals and registry of chemicals placed on the market, restrictions and bans on chemicals production, use and placing on the market, export and import of certain hazardous chemicals, licenses for operating with, trading and using particularly hazardous chemicals, placing detergents on the market, systematic monitoring of chemicals, data accessibility, supervision and other relevant issues regarding chemical management.

8. Law on Environmental Impact Assessment (Official Gazette of RS, Nos. 98/2002 and 36/09) – regulates the assessment process regarding the effects of the projects that may have significant environmental consequences, the content of the Environmental Impact Assessment Study, participation of stakeholders, authorities, organizations and public, inter-state information about the projects that may have significant trans-boundary impact on the environment, monitoring and other relevant issues regarding environmental impact assessment.

9. Law on Strategic Environmental Assessment (Official Gazette of RS, No. 98/2008 and 88/10) – this law regulates the conditions, methods and procedure according to which environmental impact assessment of certain plans and programmes is carried out in order to provide environmental protection and enhancement of sustainable development by integrating basic principles of environmental protection into the procedure of preparation and adoption of relevant plans and programmes.

10. Law on Geological Research (Official Gazette of RS, No. 98/2008)

11. Law on Biocidal Products (Official Gazette of RS, No. 36/09 and 88/10).

This law regulates: lists of active substances, adoption of acts that shall allow placing of biocidal products on the market; restrictions and bans on placing biocidal products on the market and on their use; classification, packaging, labelling, advertising and safety data sheet, registry of biocidal products; safe use of biocidal products; monitoring and other relevant issues regarding safe placing on the market and use of biocidal products.

12. Law on Packaging and Packaging Waste (Official Gazette of RS, No. 36/09) – regulates environmental requirements for the packaging in order to be marketed, management of packaging and packaging waste, reports on packaging and packaging waste, economic instruments and other relevant issues regarding management of packaging and packaging waste.

13. Law on Integrated Prevention and Control of the Environment Pollution (Official Gazette of RS, No. 104/08) - regulates the requirements and the procedure for issuing

integrated permit for the installations and activities that may have negative effect on human health, environment or material goods, types of activities and installations, monitoring and other relevant issues regarding prevention and control of environment pollution.

14. Law on Waters (Official Gazette of RS, No. 30/10) – regulates legal status of waters, integrated water management, management of water structures and underwater land, sources and means of funding water management, monitoring and implementation of this law and other relevant issues regarding water management. This law transposes Water Framework Directive to a great extent and a set of by-laws shall be adopted within the period of two years from adoption of the Law in order to continue approximation to EU water standards.

15. Law on Protection and Sustainable Use of Fish Resources (Official Gazette of RS, No. 36/09) – this law regulates management of fishing resources in fishing waters, covering the protection and sustainable use of fishing resources as a natural resource and an asset of general interest.

Based on abovementioned laws, Serbian Government, competent ministries and agencies have adopted a majority of by-laws to enable law enforcement based on the powers imposed by these laws.

3. What are the main principles underpinning environmental legislation (e.g. polluter pays principle, precautionary principle, etc.)?

Basic principles of environmental protection are described in the first chapter of the Law on Environmental Protection (135/2004) and (36/2009) under the title Principles of Environmental Protection (Article 9)

Basic principles of environmental protection are:

1) Integration principle - state authorities, those of the autonomous province and local self-government unit shall provide the integration of environmental protection and enhancement into all sector policies by implementing mutually harmonized plans and programs and by implementing regulations through permit system, technical and other standards and norms, by financing, through incentive and other measures of environmental protection.

2) Principle of prevention and precaution – each activity must be planned and implemented in the way that: causes least possible change in environment; represents the smallest risk for environment and human health; reduces spatial burden and consumption of raw materials and energy in construction, production, distribution and utilization; includes the possibility of recycling; prevents or limits the harmful effect at the very source of pollution.

Precautionary principle is realised through the environmental impact assessment, risk assessment and use of the best available techniques, technologies and equipment.

Absence of scientific reliability cannot be the reason for failure to undertake measures of environmental degradation prevention in case of possible or existing significant impacts on the environment.

3) Principle of natural value preservation - natural values shall be used under the conditions and in a manner that preserves values of geodiversity, biodiversity, protected natural goods and landscapes.

4) Principle of sustainable development – sustainable development is a coherent system of technical-technological, economic and social activities in the overall development, where natural and acquired values of the republic are used in a cost efficient and reasonable manner with the aim to preserve and improve the quality of environment for the present and future generations.

5) Principle of polluters' and legal successors' liability – legal or natural person that pollutes the environment through its illegal or improper activities shall be liable in accordance with the law.

6) Principle 'polluter pays' – the polluter shall pay charges for environmental pollution, when its activities cause or may cause environmental load, i.e. if it uses or puts on the market raw material, intermediary goods or products that contain substances harmful for the environment.

7) Principle 'user pays' - any person who utilizes natural values must pay real cost for their utilization and recultivation of the area.

8) Principle of subsidiary liability – state authorities, within their financial capacities, shall eliminate consequences of environmental pollution and reduce the damage in cases when the polluter is unknown and when the damage is caused by environmental pollution that originates from sources outside the Republic of Serbia.

9) Principle of incentives – state authority, i.e., autonomous province authority, local self government units shall take measures of preservation and sustainable management of environmental capacities, particularly by reducing utilization of raw materials and energy and by preventing or reducing environmental pollution through application of economic instruments and other measures, by selection of the best techniques, facilities and equipment available that shall not require excess cost and selection of products and services.

10) Principle of public information and participation – in exercising the rights to a healthy environment everyone shall have the right to be informed about the state of the environment and to participate in the process of making decisions, whose implementation could affect the environment.

The data about the state of the environment shall be open to public.

11) Principle of protection of rights to healthy environment and access to justice – citizen or civil group, their associations, professional and other organizations, shall exercise the right to healthy environment before the competent authority, i.e. the court, in accordance with the law.

These principles are the foundation of every other environmental law.

4. Is there a long term national strategy governing protection of the environment and/or a national sustainable development strategy? Is this strategy effectively implemented? What are the related institutional arrangements (e.g. SD Council)?

The National Sustainable Development Strategy for the period 2009-2017 (hereinafter referred to as: NSDS) was adopted in May 2008 (Official Gazette of RS No. 57/08). NSDS defined the vision of development of the country and laid down principles, priorities and objectives for achievement of that vision. NSDS creates balance between three key factors of sustainable development, sustainable economy development, sustainable society development and environment protection with rational utilization of natural resources. In addition, an institutional frame for implementation of NSDS has been set, as well as sources of financing and mechanism of monitoring with clearly defined indicators that are complied with the revised list of UN sustainable development indicators. NSDS is in compliance with the EU Sustainable Development Strategy, Millennium Development Goals (UN) and with a National Strategy for the Accession of Serbia-Montenegro to the European Union (adopted by the Government in June 2005).

The Action Plan for implementation of NSDS for the period 2009-2017 (hereinafter referred to as the Action Plan) was adopted in March 2009 (Official Gazette of RS No. 22/09). The Action Plan determined specific measures and/or activities for implementation of NSDS, competent institutions and partners in implementation of the measures and/or activities, time limits for implementation of the measures and/or activities, total costs and sources of financing. Changes and amendments to the Action Plan that laid down indicators for monitoring of implementation of majority of measures and/or activities and that complied planned measures and/or activities with contemporary economic situation, were adopted by the Government in April 2010 (Official Gazette of RS, No. 31/10).

The implementation of NSDS and the Action Plan was successfully started in 2009. The First Report on NSDS implementation progress and Report on progress and application of the Action Plan in 2009 was adopted by the Government in July 2010 (Official Gazette of RS No. 47/10).

Process of implementation of NSDS and other issues related to the sustainable development of the country is monitored by Sustainable Development Council established by the decision of the Government in 2003 (Official Gazette of RS, No. 103/03, 12/06, 71/08, 94/08). The Sustainable Development Council is a Governmental body consisted of the ministers of competent ministries and representatives of non-governmental organisations. President of the Council is the vice-prime minister competent for European integration that is, by the Decision of the Prime Minister from August 2008 (Official Gazette of RS No. 77/08), appointed for implementation of NSDS. Activities related to coordination of NSDS implementation are performed in the prime-minister's Cabinet by the Sustainable Development Group with the support of Swedish Development Cooperation Agency through the project "Support to Implementation of NSDS of the Republic of Serbia". With the aim of efficient implementation of NSDS and the Action Plan, a network of coordinators and teams has been established on all competent state institutions and all local governments in the Republic of Serbia. Moreover, an informal body has been established, the Partners' Forum in application of the Action Plan for implementation of NSDS consisted of representatives of all competent and partner

institutions, and its core role is to establish communication and cooperation between numerous partners and exchange of experience with the aim of more efficient implementation of defined measures and/or activities.

NSDS envisages establishment of the office for sustainable development as special Governmental body to undertake activities of coordination, monitoring and reporting on progress of implementation of NSDS and the Action Plan.

According to the Article 64 of the Law on Environmental Protection (Official Gazette of RS, No. 135/04, 36/09, 36/09 – State Law and 72/09 - state law), planning and management of environment protection is secured and provided by implementation of the National Environment Protection Programme adopted by the Government (for the period of ten years) on the 21st of January 2010. The document was published in the Official Gazette of RS No. 12/10.

The Programme was made so that it would enable the increase of environment quality and improvement of living quality of the population in the Republic of Serbia. As a strategic document, the Programme stands as an instrument of resolving the problems of priority in the field of environment protection in the country.

The Programme contains: description and estimation of the state of environment, the basic goals and criteria for integrated implementation of environmental protection, by regional and territorial units, with priority measures of protection; requirements for the implementation of the most favorable commercial, technical, technological, economic and other measures for sustainable development and environment protection management, long-term and short-term measures for prevention, mitigation and control of pollution; the implementing parties, the implementation method and timeline; and the resources required for implementation. Once every two years, the Ministry prepares, in cooperation with other competent ministries, a report on implementation of the Programme and submits it to the Government.

For the purposes of efficient implementation of the National Environment Protection Programme, the Action Plan is being prepared and it is expected to be completed in 2011. The Action Plan provides legal and institutional foundation for existing and future programmes and projects related to environment t protection.

5. Is there a concrete action programme for the environment with short and medium term objectives, an indication of the availability of the budgetary and other resources to achieve them and a timetable? Is it linked to the EU environmental *acquis* and how is its implementation monitored?

The National Environment Protection Programme contains short-term (2010-2014) and long-term objectives (2015-2019) and the creation of the **Action Plan** for its implementation is in progress. Regardless the fact that the Action Plan has not been adopted yet, numerous objectives, defined by the Programme, were recognised as priorities and various measures for achievement of these objectives had been taken.

Planned budgeting, for the first time prepared for the period 2011-2013, defines programmes, activities and relevant projects, with defined budget fund. Majority of the projects planned for that period is completely in compliance with EU legal acquis.

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The Waste Management Strategy, the first strategic document in the field of environment, adopted in 2003, and new waste management strategy adopted in 2010, contain action plans that contain short-term and long-term objectives. Within previous period, majority of funds of the environment protection Fund was used to reach goals defined by these strategies.

6. How are you ensuring that your environmental legislation and policies are aligned with EU environmental legislation? What are the main difficulties encountered?

The Government of the Republic of Serbia adopted the first *Action Plan for Harmonization of National Legislation* with EU *acquis* in July, 2003, since when the Government was adopting this plan for each year until introduction of **The National Programme for Integration of the Republic of Serbia into the European Union (NPI)**.

NPI was adopted on 9 October 2008 by the Government of the Republic of Serbia and it integrates all activates required for the European Integration process and substitutes all previous Action plans and documents, whereas the chapters of the negotiations (35) contain an overview of the duties that must be realized until 2012. The duties apply to legislative actions (transposition and implementation of EU regulations into national legislation), strengthening of institutional and administrative capacities and stating financial needs. Chapter 3.27. *Environment* includes 11 fields with overview of the current situation, short-term and long-term priorities: **horizontal legislation, air quality and climate change, waste management, water protection and management, environmental protection, industrial pollution control and risk management, genetically modified organisms, chemicals, noise protection, forestry and civil protection.**

By the end of 2009 first revision of this document was performed and the Government adopted it in December. Next revision is planned for the beginning of 2011.

Assistance in approximation – of opinions, advice, studies, assessments, etc. – is provided by a number of technical assistance projects and projects for strengthening capacities (CARDS, TAIEX, REReP (RENA), twinning projects and through cooperation within the International Commission for the Protection of the Danube River. EU and World Bank experts engaged in these projects usually provide advice and recommendations aimed at improving draft laws etc.

Another project that monitors the process of implementation and transposition of environmental law is «**Progress Monitoring Project**». Ministry of Environment and Spatial Planning is the coordinator of this project that was initiated in 2006 by European Commission Directorate General for the Environment (DG Environment) that is anticipated to last to the very moment of Serbia's accession to the EU.

The objective of the project is to assist Directorate General for Environment and the beneficiary country in monitoring, assessing and documenting the progress in environmental laws harmonization and implementation process. The project monitors the progress of beneficiary country in transposition and implementation of certain number of directives that cover the most important areas in the field of environment (horizontal legislation, air quality, water quality, waste management, environmental protection, industrial pollution control and chemicals). Required information are gathered according to the Tables of Concordance (filled by the Ministry and competent authorities; representing the overview of the current state of compliance of national regulations with relevant EU regulations) and Implementation Questionnaires (contains questions about implementation of each directive). Information acquired through this project will provide improved planning, management and coordination of environmental law harmonisation process for the beneficiary country, which will also serve to the Directorate General for Environment as a foundation in further assessment and preparation of annual reports, which is why special importance is laid upon this project.

EAS Project (*Environmental Approximation Strategy*), that is, drafting of Environmental Approximation Strategy, is a project of technical assistance with the objective to develop a Strategy that will serve as an underlying for the negotiation position of our country in negotiations concerning environment. The implementation of the project started on 1 December 2009. The implementation is currently in third quarter and the planned period for completion is 24 months.

The project is supposed to:

1. Support the Ministry of Environment and Spatial Planning in developing and designing an Environmental Approximation Strategy including calculating the costs and benefits of compliance with EU regulations;
2. Provide support for Serbian Government in implementation of the Strategy by addressing certain priority sectors, including transposition and implementation of legal acts, proposals for co-investments and compliance programmes and designing new financial instruments.
3. Assist the Ministry in strengthening the institutional framework, procedures, public participation and administrative capacity for environmental law approximation to EU *acquis* and fulfilling its obligations in accordance with Stabilization and Association Agreements (SAA) and The National Programme for Integration of the Republic of Serbia into the European Union (NPI)

The overall planning and organization of activities related to European Integration process, including NPI and following coordination structure at the level of entire Government and instruments of harmonization (Statement of Compliance and Table of Concordance) are explained in detail under title Political Criteria, *I Democracy and rule of law*, question 23.

7. How much has been invested in environment and environmental infrastructure (i.e. in order to comply with environment acquis) in the last three years? What are your future investment plans?

The major sources of financing of environment are the state budget and incomes from fees. The resources can also be provided by donations, credits, international assistance, foreign investments dedicated to environment protection, EU, UN and international organisation instruments, programmes and funds.

There are no systematized information about commitment and contribution of specialized institutions (public and private enterprises dealing with waste management, waste water management, etc.) and economy sectors greatly impacting environment (processing industry, mining, traffic, etc.). Also, there is no reliable information about resources of local governments.

During three previous years, 0.3% of gross national product (GNP) from the **budget** has been committed to financing the environment protection. This information refers to all expenditures of the budget of the Republic, AP Vojvodina and towns and municipalities related to budget line Environment protection¹.

Investments and regular expenses of environment protection are all expenses that prevent, remove or decrease harmful impact to environment (without investment expenditures and depreciation). According to data of the Republic Statistical Office, investments and regular expenditures for the period 2006-2008 are presented in the following table.

Investments and regular expenditure of environment protection
(thousand dinars / thousand EUR)¹⁾

		waste disposal	Surface water protection	Air protectio n	Undergroun d water and soil protection	Protecti on of nature	Protection against noise
2006	Investments	770 620 (9754 €)	122 837 (1555 €)	734 557 (9298 €)	14 195 (180 €)	373 558 (473 €)	61 318 (776 €)
	Regular expenditures	153 700 (1945 €)	49 857 (631 €)	21 816 (276 €)	18 672 (236 €)	88 558 (1120 €)	727 (9 €)
2007	Investments	314 487 (39556 €)	707 247 (8896 €)	1 568 714 (19732 €)	164 582 (2070 €)	68 176 (857 €)	165 458 (2081 €)
	Regular expenditures	334 259 (4204 €)	65 412 (822 €)	86 075 (1082 €)	82 747 (1041 €)	148 984 (1874 €)	3 160 (38 €)
2008	Investments	574 836 (6459 €)	685 105 (7698 €)	349 305 (3925 €)	113 510 (1275 €)	29 289 (329 €)	26 014 (292 €)
	Regular expenditures	578 479 (6500 €)	132 937 (1494 €)	150 517 (1691 €)	76 850 (863 €)	374 994 (863 €)	5 040 (57 €)

¹⁾ Data of Republic Statistical Office

¹ Ministry of Finances 2010

Moreover, 156.6 million dinars (1.631.250 EUR) from the fund of **National Investment Plan (NIP)**, i.e. 1.4% of total fund of NIP was committed to environment protection in 2009. In addition, 849.81 million dinars (8.852.187 EUR) of **the resources for scientific research and technological development (STD)** was committed in 2009 for projects related to environment protection, which is 9.7% of total budget of scientific and development activities.

According to the available data, in 2009, the Ministry of Agriculture, Forestry and Water Management has committed 3425.58 million dinars (35.683.125 EUR) (0.117% of GNP) to the Programme of construction, reconstruction and maintenance of water management objects.

The enterprises of the energy sector, such as EPS (Public Enterprise "Electric Power Industry of Serbia"), Public Enterprise (PE) "Elektromreža Srbije", NIS AD, Novi Sad and PE "Transnafta" have committed around 0.052% of GNP to investments and regular expenditures of environment protection in 2009.

For the purposes of securing financial resources for encouragement of protection and improvement of environment in the Republic of Serbia by the Article 90 of the Law on Environment Protection (Official Gazette of the Republic of Serbia, No. 135/2004, 36/09, 36/09 – state law and 72/09) the Environment Protection Fund has been established. **1,916,593,000 dinars (19.964.510 EUR) were invested for the purposes of protection and improvement of environment during the last three years through the activities of the Environment Protection Fund** (protection, preservation and improvement of the quality of air, water, soil and forests, and mitigation of climate changes and protection of the ozone layer; remediation of dump sites, reduction of waste generation, recycling and waste reuse; introduction of cleaner production for operating of plants and activities, as well as for early adjustment to environmental requirements; technologies and products that decrease environmental burden and pollution; protection and preservation of biodiversity and geodiversity; promotion of sustainable use of protected natural resources; promotion of utilization of renewable energy sources; promotion of sustainable economic activities and sustainable economic development; improvement of information system related to state of environment, monitoring and assessment of the state of environment, and introduction of environment management system; co-financing of preventive and intervention measures in exceptional circumstances of environment pollution and education for response in the case of an accident, including recultivation and remediation of historical pollution (tailing ponds, industrial landfills, etc.), co-financing of ecological education programmes and strengthening of public awareness of environment and sustainable development issues).

8,800,000,000 dinars (91.666.667 EUR), i.e., together with contribution of local government, 9,510,000,000 dinars (99.062.500 EUR) have been contributed during the last three years through the activities of MAFWM (Ministry of Agriculture, Forestry and Water Management), by the RWD (Republic Water Directorate) to the fields of water utilisation, water protection and protection from adverse effects of water, through implementation of annual Programmes of construction, reconstruction and maintenance of water management structures, to activities of co-financing of construction of water supply structures and collection, transport and purification of communal waste water and financing of structures for protection from adverse effects of waters, preparations of studies and projects and implementation of the international cooperation activities.

Donations and loans

According to the data of the Ministry of Finance, the estimated value of total international financial assistance, in the field of environment protection, significantly varies. The majority of funds were awarded in 2009 in the amount of 4,106 million dinars (42.770.833 EUR), out of which 1.441,34 million dinars (15.010.416 EUR) were granted, and the German loan amount was 2.665 million dinars (27.760.417 EUR). Total participation of international assistance for environment protection in total amount of assistance to the Republic of Serbia is growing in the given period. In 2009 the assistance ranged from 0.7% (2001) to 4.80% (2007).

The assessment of implementation of international grants (donations) is presented in the table.

The assessment of implementation of international grants (donations), in million of dinars / million of EUR.

	2001	2002	2003	2004	2005	2006	2007	2008	2009
Amount	283,468 3(4.7 EUR)	382,889 8(6.22 EUR)	466,702 (6.81 EUR)	248,862 8(3.15 EUR)	642,943 5(7.51 EUR)	256,028 1(3.24 EUR)	880,991 3(11.15 EUR)	320,369 6(3.64 EUR)	1441,33 9(15.17 EUR)

The assessment of implementation of donated grants in the field of environment, per donor (information system ISDACON)

	2007	2008	2009	2010
<u>Italy</u>	0,26	0,06	0,00	0,00
<u>Germany</u>	0,00	5,00	40,24	0,36
<u>Norway</u>	0,00	0,10	0,08	0,24
<u>United Kingdom</u>	0,01	0,04	0,01	0,00
<u>Holland</u>	0,00	0,00	0,11	0,00
<u>Czech Republic</u>	0,95	0,69	0,24	0,24
<u>Switzerland</u>	0,00	0,00	0,00	0,00
<u>Sweden</u>	1,63	2,99	3,75	1,34
<u>Spain</u>	0,00	0,00	0,00	0,00
<u>European Commission</u>	10,37	0,95	13,01	16,10
<u>Japan</u>	0,07	0,00	0,00	0,00
<u>UNDP</u>	0,01	0,00	0,03	0,00
	13,30	9,84	57,47	18,28
Total	13,30	9,84	57,47	18,28

Loans for environment protection are being granted since 2008. The table shows amounts of these loans in million of dinars.

Presentation of amounts of loans for environment protection in, million of dinars / million of EUR.

	2008	2009
Amount	331 (3.76 €)	2.665 (28 €)

According to the revised Memorandum on budget and economy and fiscal policy for 2010, with projections for 2011 and 2012, the envisaged commitment for environment protection in the period until 2012 is 0.3% of GNP annually. On the other hand, according to the National Environment Protection Programme, with projected economic growth of 5% annually, investing to environment protection should grow up to 1.2% of GNP in 2014 and up to 2.4% of GNP in 2019. The experience of the EU Member States shows that, in the period before accession to EU, they had investing into environment protection in the range from 1.5%-2.5% of GNP.

According to the Law on Environment Protection Fund (Official Gazette of RS, number 72/09) and Article 81 of the Law on Waste Management (Official Gazette of RS, number 36/09) **it is envisaged to expand list of activities to be financed by the Fund** (encouragement of sustainable development of rural area; encouragement of cleaner transport; encouragement of educational, research and development studies, programmes, projects and other activities, including demonstration activities; co-financing of programmes, projects and other activities in the field of basic geological research).

Implemented, ongoing and planned infrastructure projects - related to the future investment plans

Waste

Regional Waste Management System for the region of Pirot

Total investments: EUR 11,798,546

EU grant (CARDS 2006): EUR 3,810,000 (EUR 3,100,000 for the construction works of the phase I of regional landfill and EUR 710,000 is technical assistance provided by MISP project). MISP 2007 prepared a feasibility study; the construction started in 2008, and was completed in 2010.

Regional Waste Management System for the region of Uzice- regional landfill Duboko

Total investments: EUR 13,900,000,

EU grant (CARDS 2006): EUR 4,200,000 (EUR 3,800,000 goes to construction of the object for separation of waste at the regional landfill, and EUR 400,000 is technical assistance provided by MISP)

Donation of Sweden is 14 million of Swedish crowns for equipment and landfill construction works. MISP 2007 prepared a feasibility study, the construction started in 2008,.

Regional Waste Management System for the region of Sremska Mitrovica/Sabac

Total investments: EUR 10,928,000,

EU grant (CARDS 2008): EUR 7,300,000 (EUR 6,600,000 goes to construction works of the phase 1 of regional landfill and transfer station, and EUR 700,000 is technical assistance provided by MISP)

MISP 2007 prepared a feasibility study, the construction started in 2010, completion in 2012.

Preparation of the feasibility study, environmental impact assessment, conceptual design and staff training for the construction of the Kolubara district regional landfill, *Kalenic*.

Value: EUR 199,725, bilateral assistance of the Kingdom of Spain. Duration: July 2010-December 2010.

Beneficiaries and partners: Construction Directorate of Kolubara district affected by earthquake and EPTISA International, Ministry of Environment and Spatial Planning (MESP)

Results: Feasibility study, financial-economic analysis and seminar.

Preparation of technical documentation for solid waste landfill Halovo and related transfer stations through the project PPFTA-IPA

Results: Feasibility study, preliminary project design, assessment of construction costs for the whole project, cost-benefit analysis related to the Regional landfill, transfer stations and closure of existing landfills; collection and preparation of documentation required for issuing of location permit for regional landfill and transfer station, environmental impact assessment study, preparation of application for issuing of integrated permit for the Regional landfill

Assistance in development of infrastructure project- Hazardous Waste Treatment Facility

Value: EUR 331,275- fund of bilateral assistance of Norway. Duration: February 2010-April 2011

Beneficiaries and partners: The Ministry of Environment and Spatial Planning of the Republic of Serbia and Municipality of Cicevac

Results: Detailed Regulation prepared and approved, Strategic Impact Assessment Study prepared and approved,

IPA 2009- Technical assistance for Hazardous Waste Treatment Facility

Budget: EUR 3,0 million, Duration: 2010-2012

Beneficiaries and partners: EU and The Ministry of Environment and Spatial Planning

Results: Prepared and approved Feasibility Study with cost benefit analysis, Environmental Impact Assessment Study and tender documentation.

Project: Support to Environmental Infrastructure Projects, financed by SIDA (Swedish government). Executed agreement with MESP as a partner institution for the Component I: initial phase, **budget: SEK 1,610,000, duration December 2010-May 2011.**

Results: Detailed questionnaire for the local applicants, seminars, trainings, Handbook and methodology for prioritization of the projects Indicative project proposal list

The Component II and III will afterwards include: trainings, upgrade of the existing information system, implementation of tender procedure, purchase, preparation of technical documentation for the projects selected from the list, defining financial construction for the projects selected from the list, construction of infrastructure for the projects selected from the list

Water

Reconstruction and expansion of communal waste water plant in Subotica Total investment: EUR 18,120,169,

EU grant (CARDS 2004): EUR 5,070,169,(EUR 4,720,169 goes to construction of the anaerobic digesters, and EUR 350,000 is technical assistance provided by MISP)

EBRD loan amounts to 9 million EUR

MISP 2006 made a feasibility study, the construction started in 2007, completed in 2009.

Construction of central communal waste water treatment plant in Vrbas, expanding of sewage network and connection of Kula to the central plant

Total investments: EUR 23,600,000,

EU grant (IPA 2008): EUR 15,100,000 (EUR 13,000,000 for the system construction works and EUR 2,100,000 for technical assistance).

MISP 2007 prepared a feasibility study, the construction started at the end of 2010, completion should be in 2013.

Other donors: The Dutch government EUR 1.2 million, Environment Protection Fund of RS EUR 1.9 million, the Ministry for National Investment Plan (NIP) EUR 4 million, Municipalities EUR 1.4 million, Capital Investment Fund of Vojvodina 350,000 dinars.

Construction of central communal waste water treatment plant in Leskovac, upgrading of sewage network and water supply system

Total investments: EUR 23,800,000,

EU grant (IPA 2010): EUR 10,300,000 for construction of central communal waste water plant.

MISP 2007 prepared a feasibility study, tender for construction works at the end of 2010, the end of works should be in 2013. Environment Protection Fund allocated a donation of EUR 5 million, and the Dutch government EUR 7.7 million through ORIO programme.

Construction of central communal waste water treatment plant in Sabac

Total investments: EUR 18,200,000,

EU grant (IPA 2008): EUR 9,700,00 for construction of central communal waste water plant.

MISP 2007 prepared a feasibility study, tender for the construction works at the end of 2010, completion should be in 2013.

Construction of central communal waste water treatment plant in Loznica,

Feasibility Study prepared through the PPFTA-IPA project. The implementation planned through IPA III component.

Feasibility Study and completion of technical documentation for pipeline and water plant for regional water supply system of Selovo through the project PPFTA-IPA.

Feasibility Study for construction of central communal waste water plant in Uzice, Feasibility Study done through the IPF.

Feasibility Study for construction of central communal waste water plant in Vranje,
Feasibility Study done through the IPF.

Feasibility Study for construction of central communal waste water plant in Novi Pazar
is financed within the MISP IPA 2010 project, it is done in 2010, as well as for drinking water supply system.

Construction of regional water supply system of Rovni, regional water supply system of Velika Plana and Smederevska Palanka, Morava, are financed within the MISP IPA 2010 project.

The project "**Preparation of Strategic Plan for development of sewage network and waste water treatment in the basin of Juzna Morava and preparation of tender documentation for construction of the "Model" waste water treatment plant**", closed in January 2009.

The project "Study on mapping of flooding zones in the Republic of Serbia, the phase one" started in March 2010 and will be on for two years.

The project "Waste water regulation plan for the basin of Zapadna Morava" started in March 2010 and will be on for two years.

Preparation of studies for waste water treatment plant in Nis is ongoing within the bilateral cooperation with the Swedish Export Promotion Agency.

Preparation of studies for waste water treatment system in Pozarevac is ongoing within the bilateral cooperation with France; the project budget is EUR 500,000.

The feasibility study for waste water treatment plant Krusevac, including Brus and Blace, is being prepared within cooperation with KFW.

The project Rehabilitation of the irrigation and drainage system lasts for 4 years and will be on until 2013.

Twinning projects, investing into capacity building and compliance with European legislation

The project AAQMS (Automatic Air Quality Monitoring System) EuropeAid/124394/D/SUP/YU Supply of Equipment for Air Monitoring

Budget: The project is financed by CARDS programme in the amount of EUR 2.5 million.

Result: The calibration laboratory for the support Network of 40 AMS and National air laboratory is set up within this project.

IPA 2007: Technical assistance for development of a national Environmental Approximation Strategy Budget: EUR 2 million, **Duration:** 2009-2011

Beneficiaries and partners: EPTISA International in consortium with PM group and MESP

Results: developed Strategy for approximation of regulations related to environment protection, including assessment of costs and benefits arising from approximation with EU acquis related to environment protection.

IPA 2007: Twinning: Strengthening administrative capacities for implementation of air quality management system

Budget: EUR 1 million, **Duration:** 2009-2011

Beneficiaries and partners: Ministry of Environment of the Czech Republic, Czech Hydrometeorological Institute and Ministry of Environment, Nature Protection and Nuclear Safety of the Federal Republic of Germany and MESP

Results: Developed methodology for preparation of plans and reports on air management, identified zones, and prepared technical specifications for equipment, prepared by-laws.

IPA 2007: Twinning: Strengthening of administrative capacities for protected areas in Serbia (NATURA 2000).

Budget: EUR 1 million, **Duration:** 2011-2012

Beneficiaries and partners: Consortium Austria (Environment Agency) and Greece (European Public Law Organisation Greece and MESP

1. **Results:** National legislation and lists for NATURA 2000 areas prepared and adopted, system for management of protected areas network established, communication strategy and and public campaign conducted.

IPA 2008 Assistance to Environment Protection Agency as the national focal point institution for cooperation with European Environment Agency in strengthening the EIONET in Serbia

Budget: EUR 1.6 million, **Duration:** 2 years, 2009-2011

Beneficiaries and partners: EU and the Ministry of Environment and Spatial Planning

Results: established integrated monitoring and reporting system, prepared national report on environment state and installed equipment.

Setting up of Environmental Management Centre in Serbia

EM Project: Setting up Environmental Management Centre in Serbia, Grant number SRB-10/0124

The project is financed by the funds of Norwegian bilateral assistance. The Ministry of Foreign Affairs of the Kingdom of Norway is the donor.

Result: setting up of EMC in Serbia for the purposes of efficient monitoring and reporting on emissions (including Green Accounting) in the scope of Environment Protection Agency, connecting business sector, state bodies and EU institutions.

The main partners in the project are: Environment Protection Agency, as main beneficiary and contracting party, the Ministry of Environment and Spatial Planning and REC (Regional Environmental Centre for Central and Eastern Europe) that has a role of implementing agency.

Budget: € 2,850,000 + contribution of the Agency 20%

“Development of National Strategy for incorporation of the Republic of Serbia into Clean Development Mechanism under the Kyoto Protocol

Budget: EUR 121,000- fund of bilateral assistance of the Kingdom of Norway, **Duration:** 2008-2010

Beneficiaries and partners: The Ministry of Agriculture, Forestry and Water Management and the Ministry of Environment and Spatial Planning of RS

Results: National CDM Strategy developed

IPA 2008: Twinning: Strengthening institutional capacity in hazardous waste management;

Budget: EUR 1.5 million, **Duration:** 2010-2012

Beneficiaries and partners: Consortium Austrian Environmental Agency, Austrian federal Ministry of Agriculture, Forestry, Environment and Water Management, EU Integration and Economical Development Agency and Municipality of Vienna and MESP.

Results: prepared by-laws, prepared reports of waste generators, implemented trainings, number of prepared manuals, prepared national plans for specific waste streams.

IPA 2008: Twinning: Assistance in implementation of chemical management system in Serbia;

Budget: EUR 1.5 million (1 million twinning and 0.5 equipment) **IPA 2008, Duration:** 2010-2012

Beneficiaries and partners: Consortium Austrian Environmental Agency, Slovenia (Chemical Office of the Republic of Slovenia) and German Federal Ministry of Environment, Nature and Nuclear Safety and Chemical Agency of RS

Results: prepared by-laws, action plan prepared, prepared manuals, electronic information chemical system established.

IPA 2010: Twinning: Strengthening the Serbian Environmental Inspection and Relevant Stakeholders, Budget: EUR 2.5 million (2 million twinning and 0.5 equipment), **Duration:** 2011-2013

Beneficiaries and partners: Consortium Austrian Environmental Agency and Austrian federal Ministry of Agriculture, Forestry, Environment and Water Management and Serbian Environment Protection Inspection.

"Assistance for development of National Appropriate Mitigation Action"

Value: EUR 1.7 million donation of Japanese Government

Duration: 2011-2013 (2 years and 4 months)

Beneficiaries and partners: The Ministry of Environment and Spatial Planning, Ministry of Mining and Energy and Energy Efficiency Agency of the Republic of Serbia.

Results: Developed action plan

"Preparation of Initial National Communication"

Value: 385,000 US dollars GEF UNDP, **Duration:** 3 years, 2008-2011

Beneficiaries and partners: UNDP and the Ministry of Environment and Spatial Planning of RS

Results: Initial National Communication developed

Project proposal approved by the Government for financing through IPA 2011: Law enforcement in the field of control of industrial pollution, prevention of chemical accident and EMAS”

Value: EUR 3 million, **IPA 2011- 1st component**

Duration: 2 years, probably 2011-2013, start only after it is approved by EU,

Beneficiaries and partners: EC, the Ministry of Environment and Spatial Planning

Results: national regulations complied with SEVESO II Directive, EU regulations and IPPC and EMAS, set up integrated chemical accident prevention system, created IPPC permits and developed EMAS scheme in Serbia.

Within the UNDP project “Strengthening capacities in the Western Balkan countries to address environmental problems through remediation of high priority hot spots” – Serbian component- Remediation of Grand Backa canal, the Ministry of Environment and Spatial Planning implemented the Project “Strengthening capacities for implementation of the process of issuing integrated (IPPC) permits” in 2009. Also, the simulation of issuing of integrated (IPPC) permits was performed for two new plants- PCE (Public Communal Enterprise) “DUBOKO” – Regional sanitary landfill, Uzice, and “DUOCHEM” Ltd- plant for production of biocides- Nova Pazova. About EUR 50,000 was committed for the component related to the simulation of issuing of integrated permits.

Within G2G.nl-short Programme (Environmental Facility) the project “Strengthening capacities for implementation of the Law on Integrated Prevention Pollution Control in the Republic of Serbia” was implemented in 2009. The project was financed by the government of the Kingdom of Netherlands as the assistance to the government of the Republic of Serbia. The activities of this project served as simulation of the process of issuing of integrated permit to the power plant Nikola Tesla A in Obrenovac. Total budget of the project was EUR 106,000.

Twinning: Strengthening capacities of the Water Directorate of the Republic of Serbia,

Value: CARDS project worth EUR 2.2 million, **Duration:** May 2006-August 2008

Beneficiaries and partners MAFWM RDW (Republic Water Directorate) and German Ministry of Environment, Nature Protection and Nuclear Safety

Result: Analysis and proposal for harmonization of our legislation with the EU legislation.

Within the cooperation of RWD and Government of Netherlands two projects have been planned in the scope of the G2G programme:

Project on WFD (Water Framework Directive) implementation on pilot sub-basin in the competences of PWMC (Public Water Management Company) “Vode Vojvodine” (G2G)

The project for comparative and strategic analysis of future water supply in AP Vojvodina. (G2G)

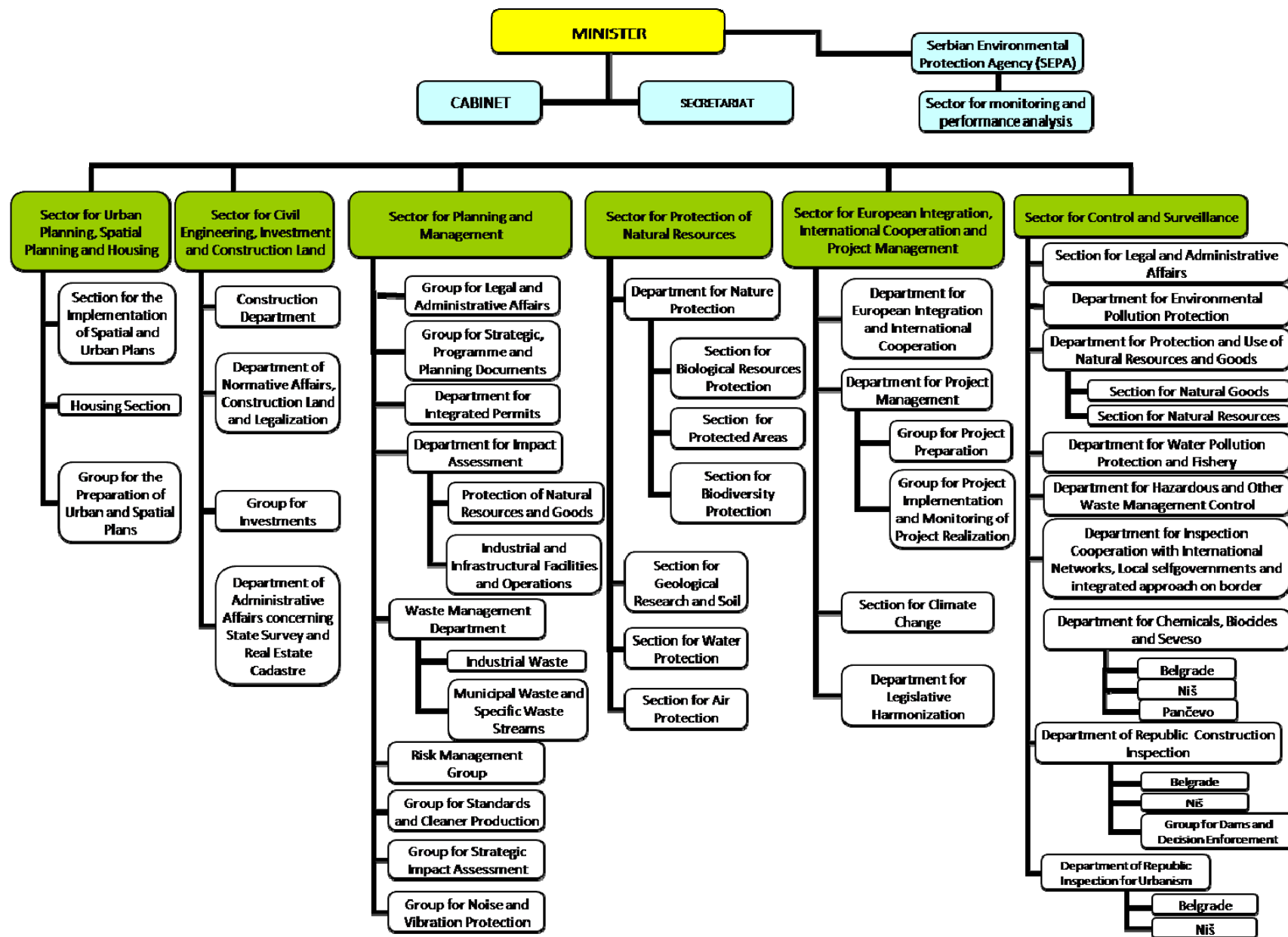
The future plans are to intensify (in cooperation with local government) preparation of investment technical documentation for water supply facilities, and facilities for communal waste water collection, transport and treatment, and introduction of feasible water price. In addition, it is planned to commit significant amounts of money for fulfilment of obligation to apply directives related to water management, especially WFD, Communal waste water directive.

Moreover, through the project implemented in cooperation with Swedish Environment Protection Agency, the river Kolubara basin management Plan and the Plan for flood risk management were prepared- a pilot project at Tamnava river basin with the aim of strengthening institutional capacities for preparation and adoption of EU legislation..

The project **“Introduction of information system for water management in the Republic of Serbia” closed in January 2009**, implementation of the Information system in cooperation with other institutions is ongoing.

Flood risk on Danube- the project of stakeholders on assessment of flood risk at the flooding zones of Danube FLOODRISK (2009-2011), regional project.

8. Give a detailed description (with staffing levels) of the administrative bodies (Ministries, agencies etc.) responsible for enacting, implementing and enforcing environmental legislation and policy at both national and sub-national (e.g. regional) levels. How are the responsibilities shared for achieving the objectives in the various sectors (water, waste, nature protection, forests etc.) and how is coordination assured? Outline any plans to develop and reinforce administrative capacities. Please indicate budget allocated to the administrative bodies including agencies.



Based on the Law on Ministries (Official Gazette of RS No. 2008/65), duties in the field of environment, on national level, fall under the jurisdiction of various institutions.

Ministry of Environment and Spatial Planning performs state administration duties related to: environment and ozone layer protection system, monitoring climate changes, trans-boundary air and water pollution, identification and protection of natural systems that are of national significance, determining environmental protection requirements in spatial planning and construction; accident emergency warning; noise and vibration protection; waste management, with the exception of radioactive waste; approval of trans-boundary movement of waste and protected species of plants and animals; strengthening and sustainable development of natural resources; inspection control in the field, calculating overall capacity of groundwater resources, establishing rules and standards for drawing geological maps; designing a research programme in the field of basic geological research concerning sustainable use of resources and groundwater.

Total number of employees in the Ministry of Environment and Spatial Planning is 343.

Sector for Planning and Management performs duties related to:

- establishing, coordination and development of environmental protection objectives concerning introduction of standards and cleaner production for the purpose of sustainable development;
- coordination of preparation and designing the Strategy of Introducing Cleaner Production and providing the conditions for its accomplishment;
- cooperation with representatives of state administration, local self-government, industry, chamber of commerce and other business associations, associations of entrepreneurs and employers as well as other stakeholders and organizations that are in the process of preparation and meeting the requirements for the implementation of strategies, programmes and plans for introducing standards and cleaner production;
- preparation of requirements for issuing EMAS certificate in the Republic of Serbia and listing legal and natural persons involved in EMAS system.
- making sure that standards and methodologies are aligned with EU standards to establish environment management and control system in businesses – ISO 14001 and EMS – environment management system in business organizations;
- coordination of organisation activities and monitoring the development and implementation of the projects, strategies, plans and programmes within the scope of the Ministry;
- establishing environmental protection requirements for construction and construction works that provides integrated access to authorization of operating facilities and activities that may have negative effect on the environment;
- establishing environmental requirements for objects construction and construction works through the assessment of the environmental impact;
- establishing environmental requirements for implementation of sanitation, remediation and recultivation measures;
- exchange of information about trans-boundary environmental impact of planned projects, plans and programmes;
- cooperation with neighbour states in the process of assessing trans-boundary environmental impact;
- delivering opinions about the decisions on making a strategic assessment of the impact and opinions about spatial plans of national importance;

- following the development of best available techniques for the purposes of integrated environment pollution prevention and control.
- issuing integrated permits in accordance with the Law on Integrated Environment Pollution Prevention and Control of the environmental impact of the facilities that received integrated permit;
- waste management;
- noise and vibration protection;
- participation in preparing the regulations within the scope of the Sector;

Total of 50 employees are employed in the Sector which is lead by the Assistant Minister.

Sector for Natural Resources Protection performs the duties related to:

- participation in developing strategic documents, plans and programmes;
- participation in preparing the professional framework for drafting regulations within the scope of the Sector;
- implementation of international conventions, agreements, laws and administrative provisions regarding protection of natural resources, water, air, land; nature protection, geological research, fishery, environmental protection in other sectors;
- protection and conservation of nature and biodiversity and monitoring the use of means in ecosystem protection;
- protection, conservation, strengthening and management if protected natural goods (natural reserves, national parks, natural monuments and other protected natural assets);
- protection, improvement and sustainable use of fish fauna (ichthyofauna);
- air protection;
- water protection;
- land protection;
- developing research programmes in the field of basic geological research concerning sustainable use of resources and detailed research of groundwater;
- project proposal;
- performing other duties within the scope of the Sector;

Total number of employees in the Sector is 37. The Sector is lead by Assistant Minister with direct assistance of senior adviser and two appointed administrative and technical secretaries;

Total number of employed in the Sector for European Integration, International Cooperation and Project Management is 32. The Sector is managed by Assistant Minister, with the assistance of appointed administrative and technical secretary. The Sector performs duties related to:

- coordination of duties and preparation of documents in negotiating process for the membership in World Trade Organization, related to circulation of goods and services of relevance for environmental protection;
- coordination of duties concerning accession to the EU within the scope of the Ministry;
- coordination of preparing national version of EU *acquis* within the scope of the Ministry – information about the possibility to use EU pre-accession aid and initiation and monitoring of EU technical and financial assistance projects.
- monitoring and reporting on EU environmental protection policies;
- monitoring and analysis of international legal instruments, EU policy, coordination and preparing confirmation, that is accession to international contracts in the field of urban and spatial planning;

- development, compliance and conclusion of agreements, contract, programmes and cooperation protocols.
- defining priorities, forms, content and modality of international cooperation and monitoring its realization;
- initiating and coordinating the activities regarding the identification of needs for international assistance from the environmental protection sector;
- initiating and coordinating the activities regarding the identification of needs for international assistance in the spatial and urban planning sector;
- presenting the needs and obtaining international assistance;
- staying up to date with international policies concerning environmental protection and spatial and urban planning and proposing measures and activities for approximation of national priorities and accession to international cooperation;
- coordination of preparing platforms for the appearance of Ministry representative on the international meetings, meetings of contracted parties of multilateral agreements in the field of environment and urban and spatial planning;
- coordination of the activities involved in organizing and monitoring of development and implementation of the projects within the scope of the Ministry in the field of environment and spatial and urban planning;
- cooperation with organizational units within the Ministry and with the representative of state administration and local self-government, civil organizations, industry, chamber of commerce, entrepreneurs, employers, business representatives and other bodies and organizations involved in the process of developing and implementation of relevant projects, strategies, plans and programmes;
- programming, technical implementation and monitoring of EU funded projects (IPA: national and multi-beneficiary) and international assistance (Assistance Programmes from Norway, Japan, South Korea, Czech Republic, Dutch Assistance Programme (G2G), Swedish Assistance programme (SIDA), UNDP, World Bank, RES)
- coordination of United Nations Framework Conference on Climate Change and accompanying protocols;
- monitoring and reporting about the duties implied by the membership in UN Framework Convention on Climate Change and accompanying protocols;
- cooperation with the Secretariat of UN Framework Convention on Climate Change and accompanying protocols for the purpose of accomplishing the duties;
- cooperation with other state authorities and institutions in fulfilling the duties implied by the membership in UN Framework Convention on Climate Change and accompanying protocols;
- promotion of UN Framework Conference on Climate Change and accompanying protocols;
- authorization and monitoring of the projects that are to be realized within the mechanisms of accompanying protocols;
- cooperation with relevant international and regional organizations;
- preparation of premises on relevant meetings and conferences of stakeholders of UN Framework Conference on Climate Change and accompanying protocols;
- coordination of preparing negotiating positions in the field of climate change;
- coordination of drafting strategic documents in the field of climate change;
- performing other duties within the scope of the Department;

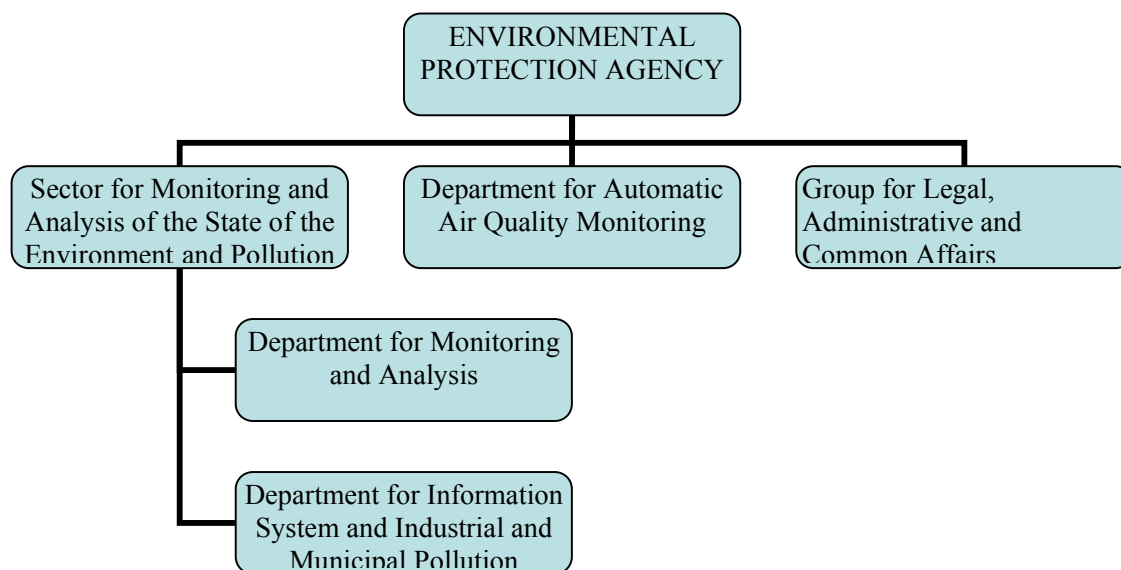
Sector of Control and Monitoring is managed by Assistant Minister and the total number of employees in the department is 121. The Department performs duties related to:

- environment pollution protection;
- protection and use of natural assets and resources;
- procedure in case of a chemical emergency;
- water and fishery pollution protection;
- protection from ionizing and non-ionizing radiation;
- waste management;
- approximation of environmental inspection activities, on all levels, with EU requirements to the purpose of implementation of European Council Recommendation on Minimum criteria for environmental inspection;
- preparing reports and records of enforcement of inspection control;
- participation in preparing professional framework for drafting regulations;
- construction monitoring tasks;
- urbanistic monitoring tasks;
- performing other tasks within the scope of the Department;

Environmental Protection Agency (Agency) functions as an administrative body of Ministry of Environment and Spatial Planning (MESP), performing duties related to:

- development, approximation and management of national environmental information system (monitoring the state of environment factors, registry of pollution sources, etc.)
- collecting and consolidating environment data, their processing and writing reports on the state of the environment and implementation of environmental policy;
- establishment and operation of National Automatic Air Quality Monitoring System in the Republic of Serbia (AAQMS) and establishing a National Air-Quality Reference Laboratory;
- developing a procedure for environment data processing and assessment;
- keeping record about best available techniques and practice and their application in the field of environment;
- Cooperation with European Environment Agency (EEA) and European Information and Observation Network (EIONET);
- performing other duties specified by law.

Agency is managed by the Director and it employs 29 people.



Organization scheme of Environment Protection Agency

Sector for Monitoring and Analysis of the State of the Environment and Pollution performs the duties related to:

- data collecting and processing for the purpose of creating and managing the registry of pollution sources, registries concerning pollutant emissions into air and water;
- data about management of municipal, industrial waste and specific waste streams;
- methodology and procedure for sampling, measuring and analysis of certain parameters and procedures in monitoring polluters according to international standards;
- calculating overall emission of polluters from point and diffuse sources into various environmental mediums;
- establishing National Environmental Information System;
- functional association of National Environmental Information System with Geographic Information System;
- establishing network of National Reference Centres for Environmental Protection;
- establishing a programme and organizing the network of institutions and laboratories for sampling and analysis of surface waters, groundwater and land, trans-boundary pollution, physical, chemical, biological and microbiological characteristics of surface, groundwater and land;
- quality check and verification of collected data;
- developing indicators of the current state of the environment;
- creating a cadastre of biological resources;
- analysis of the state of protected and public natural goods, monitoring population dynamics of rare and endangered species;
- constant systematic monitoring of surface and groundwater quality;
- data analysis and creating periodic and annual reports on national and international level, and publishing the studies;
- duties concerning Primary Contact Point with EEA within the scope of the sector;
- data collection and providing information flow towards EIONET (European Environmental Information and Observation Network);

Total number of employees in the Sector is 17. Head of the Sector is the Assistant Director.

Department for Automatic Air Quality Monitoring performs the duties related to:

- National Automatic Air Quality Monitoring System (AAQMS),
- collection, processing and management of AAQMS data, reports on national and international level;
- operating work of reference-calibration laboratory for control of analysers and other equipment in national network for automatic air quality monitoring,
- analytical chemical analyses of samples from the national network for automatic air quality monitoring
- detection and determination of suspended particles, heavy metals in suspended particles and other harmful substances;
- maintenance of reference calibration gasses for the purposes of laboratory and field equipment calibration,
- planning and preparation of operational monitoring of the amount of allergenic pollen in the air;
- participation in creating reports on air quality for the reporting on national level and forwarding the data to European Environmental Agency (EEA) and other international institutions.

Total number of employees in the Department is 8.

Group for Legal, Administrative and Common Affairs performs duties related to:

- preparation of internal financial plans required by the Agency;
- preparation of reports about the staff and reports on the work of the Agency;
- preparation of necessary documents for funds transfer, participation in planning and preparation of the proposal of financial plan of the Agency and creating a report on spending budget funds allocated for activities in the scope of the Agency;
- participation in monitoring the realisation of the financial plan according to the uniform budget classification principle;
- messenger services if needed;
- keeping a record concerning vehicles and driving, management and maintenance of the vehicles;
- performing other duties within the scope of the Agency;

Total number of employees in the Group is 3.

In the field of environmental protection **Ministry of Agriculture, Forestry and Water Management (MAFWM)** performs duties related to genetically modified organisms and: water management policy, multipurpose use of water, water supply, with the exception of water distribution, protection from adverse effects of water; implementation of measures for water protection planned rationalisation of water consumption; water regime regulation, monitoring and maintenance of water regimes that constitute and cut the border of the Republic of Serbia (Republic Water Directorate, administration authority within MAFWM) and the duties related to forestry policy. **Forest Management**, an administrative authority within the Ministry of Agriculture, Forestry and Water Management, performs specialized tasks related to: forestry policy, forest conservation, improvement and use of forests and wildlife, implementation of forest and wildlife protection measures, control of the seed and seedlings in forestry and other tasks specified by law.

Ministry of Infrastructure – performs state administrative duties, part of which is related to emission of polluting substances from vehicles into the air and noise emission from vehicles, aeroplanes and machines and maritime transport.

Ministry of Health – performs state administration duties, part of which is related to: public supply of adequate drinking water, good laboratory practice and other issues defined by law.

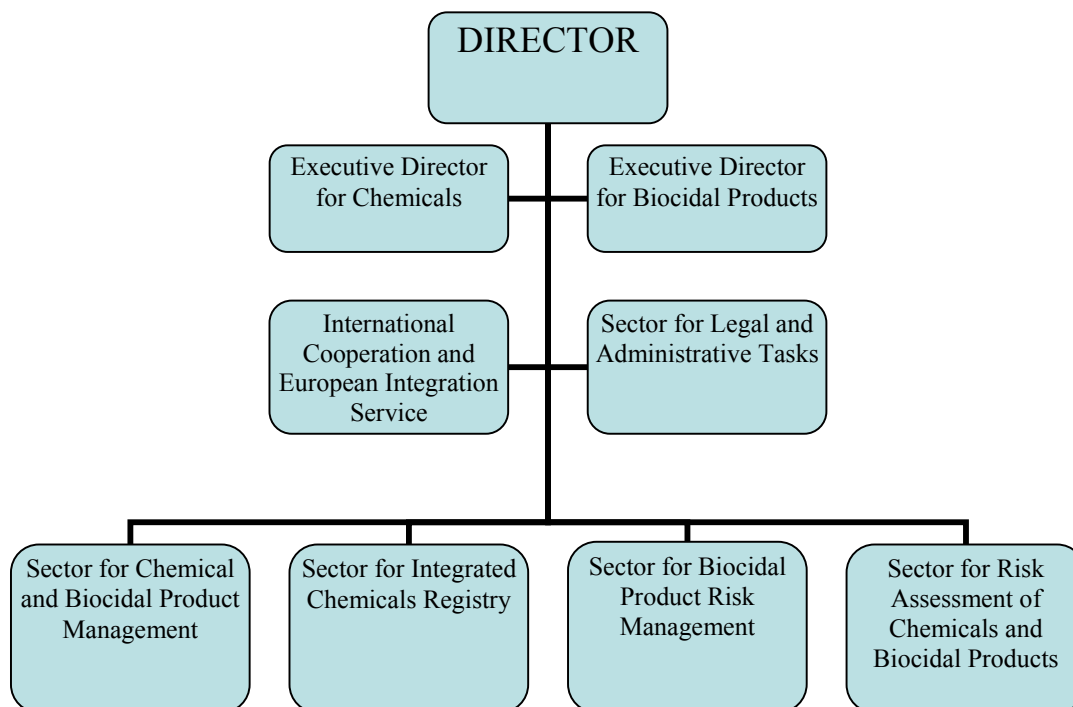
In the field of environmental protection **Ministry of Energy and Mining** performs administrative duties related to the fuel oil quality.

Republic Geodetic Institute is a specialized organization that performs technical and administrative duties related to designing and development of geodetic information system. Republic Geodetic Institute is monitored by the Ministry of Environment and Spatial Planning.

Republic Hydro-meteorological Service is a specialized organization that performs technical tasks related to: monitoring of air quality, systematic meteorological, climatological, agro meteorological and hydrological measurements and observations and implementation of established and compliant programmes for quality control of air, surface and groundwater from first aquifer and precipitations; database of observed and measured hydrological and meteorological data; monitoring, analysis and forecasts of weather, climate and water change including the quality if air and water; development of methods, operating observation and warnings about adverse atmospheric and hydrospheric conditions; research of the processes in the atmosphere and hydrosphere and developing methods and models for weather, climate and water forecast; weather modification; designing proposals for use of energetic capacities of sun and wind; hydrometeorological support for river transport; establishing and preservation of benchmarks and calibration of hydrological and meteorological information systems; performing international duties in the field of meteorology and hydrology, and other tasks specified by law.

In addition, the following institutions also perform tasks in the field of environment protection:

Chemicals Agency was founded as an independent, developmental, specialized and regulatory organization that performs public authorizations with the aim to provide administrative capacities for quality, efficient and safe management of chemicals and biocidal products. Total number of employees in the Agency is 31 and planned number of employees for the period of next 5 years is 45. Director is the head of the Agency which is organized in several sectors.



Chemicals Agency Organizational Scheme

Sector for Management of Chemicals and Biocidal Products performs tasks related to:

- 1) development of sub-legal regulations for enforcement of the Law on Chemicals and Law on Biocidal Products, adopted by the Agency;
- 2) implementation of regulations for enforcing bans and restrictions;
- 3) developing the projects for systematic monitoring of placing on the market and use of chemicals and biocidal products ;
- 4) expert verification of data about the threatening substances;
- 5) assessment of justification of the demand for using alternative chemical name;
- 6) issuing permits for activities on the market and permits for using particularly dangerous chemicals;
- 7) issuing authorisation for using surfactant in detergents and enforcement of other regulations concerning detergents;
- 8) preparation of the training programme for chemicals advisor and issuing approval to legal persons and entrepreneurs that deliver the training and test the competence of the chemicals advisor;
- 9) coordination and delivering expert opinions, within the scope of the Agency, about draft laws and administrative provisions from the Ministries, special organizations and other authorities and organizations, that is, holders of public authorizations, to their demand;
- 10) preparation of annual declarations on production, processing and utilization of chemicals from the lists specified by law that regulates the ban on development, production, storage and use of chemical weapons as well as their destruction and annual declarations on production of discreet organic substances and other tasks in accordance with the law in question;
- 11) conducting the procedure of prior notification and the process of acquiring authorization for import and export of certain dangerous chemicals, based on the prior notification (consent);
- 12) preparation and coordination of projects for improvement of institutional capacities for management of chemicals and biocidal products;
- 13) preparation of the information and specialized instructions for the purposes of the industry;
- 14) technical support for the Joint Body for integrated management of chemicals;
- 15) development and implementation of the programme for public information about chemicals and biocidal products;
- 16) coordination and providing information required for development and update of Agency's web presentation;

Sector for Integrated Chemicals Registry performs the duties related to:

- 1) drafting regulations within the scope of the Sector;
- 2) development and management of Integral Chemicals Registry;
- 3) recording the chemicals, biocidal products and pesticides in the Integral Chemicals Registry;
- 4) analysis of data from Integral Chemicals Registry, preparing information and reports;
- 5) international cooperation and preparation of documents;
- 6) preparation of the information and specialized instructions for the purposes of the industry;
- 7) preparation of the information and specialized instructions for the purposes of the inspection;
- 8) Providing information required for development and updating of Agency's web presentation;

Sector for Biocidal Product Risk Management performs the duties related to:

- 1) drafting sub-legal regulations, that are adopted by the Agency; within the scope of the Sector;
- 2) conducting the procedure of making decisions about including the biocidal product on the Temporary list;
- 3) conducting the procedure for issuing the authorization for placing the biocidal product on the market;
- 4) conducting the procedure of issuing temporary permits for placing the biocidal product on the market and permits for examining biocidal products;
- 5) procedure of making a decision about meeting the requirements for professional use of biocidal products;
- 6) monitoring the enforcement of bans and restrictions of biocidal products;
- 7) developing the projects for systematic monitoring of placing on the market and use of chemicals and biocidal products;
- 8) keeping up-to-date with decisions of EU competent authorities about active substances;
- 9) preparation of the training programme for chemicals advisor regarding biocidal products;
- 10) professional and technical assistance for the Committee on Biocidal Products;
- 11) international cooperation and preparation of documents;
- 12) preparation of the information and specialized instructions for the purpose of the industry;
- 13) preparation of the information and specialized instructions for the purpose of the inspection;
- 14) providing information required for development and updating of Agency's web presentation;
- 15) drafting by-laws for classification, packaging and labelling;

Sector for Risk Assessment for Chemicals and Biocides performs the duties related to:

- 1) chemicals and risk assessment;
- 2) preparation and update of the List of classified substances;
- 3) development of the projects for systematic monitoring of chemicals and biocidal products;
- 4) assessment of data regarding physical and chemical characteristics of chemicals and biocidal products;
- 5) assessment of data regarding technological characteristics of chemicals and biocidal products;
- 6) assessment of data regarding eco-toxicological characteristics of chemicals and biocidal products;
- 7) assessment of the efficiency of the biocidal product;
- 8) assessment of measurements for risk deduction in using the hazardous/dangerous substances;
- 9) assessment of data for authorization of placing the detergents market;
- 10) international cooperation and preparation of documents;
- 11) preparation of the information and specialized instructions for the purposes of the industry;
- 12) preparation of the information and specialized instructions for the purposes of the inspection;
- 13) providing information required for development and update of Agency's web presentation;

Sector for Common, Legal, and Administrative Affairs performs duties related to:

- 1) drafting relevant regulations within the scope of the Agency for the purpose of enforcement of laws and regulations concerning human resources and general matters;
- 2) preparation of the material and other legal and technical tasks concerning the activities of Management Board;
- 3) tasks related to development and prior control of the contracts concluded by the Agency;
- 4) property and legal matters;
- 5) human resources management and the tasks related to legal status of the employees;
- 6) conducting the employment procedure;
- 7) human resources and other records, documents and issuing certificates and confirmations of work status of the employees in the Agency;
- 8) taking measures for conservation and improvement of safety and health on work and social and employees' pension and disability insurance;
- 9) analysis of job descriptions and proposing measures for improvement of labour organization and drafting a human resources plan for the Agency;
- 10) preparation and conducting public procurements;
- 11) financial operations;
- 12) financial planning;
- 13) analysis of the financial state and role of the Agency;
- 14) accounting reports;
- 15) designing relevant material for the purposes of Agency authorities;
- 16) developing relevant legal acts within the scope of the Agency for the purpose of enforcement of the laws and regulations in the field of economy and finance;
- 17) internal controls of financial operation and other related tasks;
- 18) performing duties related to maintenance, control and development of information system and updating the webpage of the Agency;
- 19) providing technical and professional support for other sectors and Director's cabinet in using the database and all applicative programmes in their competence;
- 20) tasks concerning archive, administration and accounting;
- 21) general, statistic and register and expert operations;
- 22) keeping a record concerning the work of the Agency in a prescribed and established manner;

International Cooperation and European Integration Service performs duties related to:

- 1) coordination of international cooperation and European integration affairs;
- 2) preparation and monitoring of implementation of international projects in the field of chemicals and biocides management;
- 3) coordination of the tasks within the scope of the Agency, related to EU accession. that is to say, membership in World Trade organization in the field of circulation of chemicals and biocides;
- 4) coordination of preparing the national version of EU *acquis* within the scope of the Agency;
- 5) information about the possibility to use EU pre-accession assistance and initiation and monitoring projects of technical and financial assistance of EU,
- 6) development, compliance and conclusion of agreements, contract, programmes and cooperation protocols.
- 7) defining priorities, forms, content and modality of international cooperation and monitoring its realization;
- 8) initializing and coordination of activities concerning identifying the needs for international help in the field of chemical and biocides management;

- 9) coordination of platform preparation for participating in international meetings, meetings of the contracted parties of multilateral agreements in the field of chemicals and biocidal products management.

Agency is funded from the Republic budget, from the income provided by charging prescribed fees for services it provides in accordance with the law and from donors.

Environmental protection fund has been established for the purpose of providing financial resources for promoting the improvement and protection of environment in the Republic of Serbia. The Fund is responsible for financing preparation, implementation, and development of programs, projects and other activities concerning preservation, sustainable usage, protection and improvement of the environment, as well as for the renewable energy resources exploitation. The Fund has the authority over making official decisions on the taxpayer fees that are prescribed by the law which regulates sustainable management of natural values/resources and goods and environmental protection issues. The Fund is also authorized to define the conditions which must be met by all Fund's beneficiaries and to determine the conditions and criteria for evaluation of project proposals, acceptance of funding requests, monitoring of project realization, supervision over the appropriate usage of funds and contractual rights and obligations in accordance with this law and other relevant special laws. This institution also has the right to propose adequate penalties against the beneficiaries who mismanage the allocated funds or fail to meet the contractual rights and obligations. The Fund is financed from the state budget, by the taxpayers' fees charged as prescribed by the law and from donations.

Institute for Nature Conservation is responsible for protection and improvement of natural assets of the Republic of Serbia. Its tasks are: research and studies in the field of environmental protection, determining the borders of the area in need of protection, valorisation of a natural good and proposing measurements for protection regime and natural good category; monitoring the state of protected natural good and proposing measurements for protection regime and natural good category to competent institutions; preparation of professional proposals and analyses for determining measures for protection and conservation of natural goods in the process of assessing the environmental impact.

Institutes for Health Protection cover monitoring of ambient air quality in local urban network of agglomerations and quality of surface waters in the flow zone through urban areas, monitor adequacy of drinking water and noise pollution. The Institutions measure air quality in 28 cities (60 control points).

Republic Water Directorate (RWD), an administrative body within the Ministry of Agriculture, Forestry and Water Management, performs duties related to: water management policy: multipurpose use of water; water supply, with the exception of water distribution; protection from adverse effects of water and planned rationalization of water consumption; water regime regulation; monitoring and maintaining water regimes that constitute and cut the border of the Republic of Serbia; the Directorate also performs other tasks in this field. RWD prepares basic strategic documents concerning water resources, establishes uniform standards and rules in the field of water protection, water use, protection from adverse effects of water, issues administrative acts, monitors and controls enforcement of the Law. Participates in preparation of annual programme, for the territory of the Republic of Serbia, that determines priority activities on construction, reconstruction and maintenance of water structures and systems and provides means for their realisation.

The Directorate employs 23 public officers and one appointee, organized in following specialized internal sections:

1. Section for administrative and analytic affairs and standards in the field of water management;
2. Department for legal, financial and administrative affairs;
3. Group for strategic planning and management and international cooperation in the field of water resources;

4. Group for water use and protection
5. Group for protection from adverse effects of water.

Section for administrative and analytic affairs in the field of water management employs five (5) public officers that perform tasks related to: preparation of elements and making decisions about water requirements, issuing water approvals, water permits, certifications about meeting the requirements from water approvals for design, construction, use of objects and performing actions that may impact or provoke changes in water regime; preparation of elements and forming opinions about urbanistic and planning documents; preparation of expert ground for Draft Law on Waters and proposals of by-laws and concession contracts; preparation and participation in establishing standards and criteria for design, constructions and maintenance of water structures and their approximation to the EU regulations; preparation of elements (water acts, water records and cadastre) for water regime management in water districts; issuing and restricting the licence from legal entities; preparation of the answers to questions of the members of Serbian Parliament; keeping a record about issued water acts, operation regime of high dams with accumulations, sources of water supply, operation regime of waste water treatment plants for the purpose of more efficient water regime management; participation in the preparation and application of software models used to obtain required data for water regime management; the Section is also responsible for other affairs in this field.

Department for Legal, Financial and Administrative Affairs employs 9 public officers that perform tasks related to: preparation of acts concerning concession in the field of water management; monitoring their implementation and proposing approximation with EU regulations; preparation of proposals of decisions that confirm basic company regulations in the field of water management; settlement of administrative affairs concerning water management in the first instance; settlement in the second instance after the appeal against administrative acts of public water management companies; preparation of the opinion about the draft law, other regulations and basic acts proposed by a state authority, that is, authorized organization entrusted with state administration activities; preparation of acts concerning concession in the field of water management; preparation of the statement about the proposal of natural persons for determining the reimbursement for expropriated land; preparation of acts in the process of public procurement of goods, works and services; preparation of acts for award of funds and monitoring and preparation of reports on the funds use in accordance with the Programme of construction, reconstruction and maintenance of water structures; preparation of financial plan proposal for the Ministry, more precisely, the part related to the Republic Directorate for Water; preparation of data required for administrative procedure for adopting decision about the calculation and debit of the entity obliged to pay the charge for water use, fees for water protection and for the extracted material from watercourse, and monitoring and filing reports about collection of the fees; preparing financial documents required for transfer of funds from the budget for financing the affairs of general interest in the field of water management and current expenditures of the Directorate; keeping a log about all forms concerning the realization of water structures construction, reconstruction and maintenance programmes; keeping a registry of official vehicles in the Ministry and travel orders for the vehicles; keeping pay check reports and record of holidays of public officers; transport of the directors and public officers employed in the Directorate for the purpose of duties in the scope of the Directorate; the Directorate is also responsible for other affairs in this field.

Group for strategic planning and management and international cooperation in the field of water resources employs 4 public officers that perform tasks related to: organisation, concept of developing and monitoring the Strategy of Water Management in the Republic of Serbia, Danube River Basin Management Plan; preparation for accordance of water management plans for the water districts within the scope of the Group, establishing professional framework for preparation of regulations concerning water resources; organization, preparation and monitoring the implementation of the technical part of the

Annual Water Management Programme for waters within the scope of the Group; deliberation on the annual business plan and reports on the operation of Public Water Management Companies and monitoring of the implementation of the plan; establishment and monitoring of the Water Information System of the Republic of Serbia; realisation of National Programme for Integration of the Republic of Serbia with the European Union; conducting the international programs for implementation of EU Water Framework Directive and the World Bank projects within the funds for accession to the European Union and other international projects concerning water management; defining action plans within existing bilateral and multilateral Agreements, creating frameworks for establishing new and/or further development and implementation of existing agreements in the field of sustainable management of trans-boundary waters, as well as monitoring of realization of agreed obligations; creating annual and multi-annual plans of bilateral and multilateral international cooperation and monitoring their implementation; development and coordination of national accident emergency warning centre, within the international Accident Emergency Warning System (AEWS) of the Danube and Sava river basins; the group also performs other tasks in the related field.

Group for water use and water protection employs two public officers that perform duties related to preparing drafts of planning documents in the field of water management and monitoring the implementation of the existing ones; participation in discussions about water management plans; participating in deliberation on the annual report on the state of water regime; preparation and amendment of proposals for the purpose of establishing water usability for general and individual use; organization and preparation of technical documentation for construction of multi-purpose accumulations; participating in the work of Republic Audit Committee; monitoring the state of the utility service of Public water supply with regard to cost-efficient and rational water use; participation in preparing the draft of Programme for Construction, Reconstruction and Maintenance of Water Management Structures and Rulebook on requirements and criteria that must be met for the purpose of fund award of the republic of Serbia; processing submitted applications for co-financing according to the Rulebook and the Programme; participation in designing and implementation of spatial plans for protection of water sources of special significance; preparation of plans for drinking water supply management in the field of industry, energetics, etc; participation in specialized administrative and organizational functions in the process of public procurement for construction works on the objects financed from the Budget of the Republic of Serbia; monitoring the fulfilment of the contract about co-financing the construction, that is, reconstruction in accordance with the contracted dynamic, quality and financial elements; participation in preparing the draft of the Water Pollution Protection plan; implementation of planned measurements for increase of small watercourses by releasing water from the accumulations; processing of analytic and planning documents for multi-annual development plans in the field of water management, annual programmes for their implementation and project programmes; the Group also performs other tasks in the related field.

Group for water protection employs 3 public officers that perform tasks related to: watercourse regulation and flood defence; monitoring water regime on watercourses, hydro-melioration of the land, erosion protection and regulation of flash floods by preparing water management frameworks and plans; participation in preparing and making decisions about the borders of water and meliorated areas and listing watercourses of special national significance; participation in preparing and establishing methodology for designing a water information system, cadastre of water management objects, maps of indicative flood areas, maps of endangered areas and flood risk; defence plans from flash floods and plans for determining erosion areas; participation in establishment of the criteria for management of flood defence objects, drainage and irrigation objects, regional hydro systems and flash flood objects as well as objects for conducting defence from flood, ice and flood of inland waters; determining guidelines for limitations of flood zone use, construction requirements and criteria for introducing safety measures in flood areas; creating specialized technical instructions for issuing concessions for water

land and exploitation of sand and gravel; participation in establishing professional ground for draft laws and proposals of by-laws; participation in preparing and adoption of general and operational plans for flood, ice and inland flood water defence; monitoring the state and predictions of meteorological and hydrological situation on watercourses for the purpose of efficient management of conducting defence from flood and ice and creating reports on conducted flood defence actions; monitoring the state and control of readiness of flood defence systems; participation in development and verification of action programmes of Public Water Management Companies and elements of the contract with PWC for actions concerning protection from adverse effects of water; control of dedicated and rational spending of budget funds and funds from fees intended for protection from adverse effects of water; the Group also performs other tasks in the related field.

The inspection authority that oversees water management is Water Management Inspection that functions within the Ministry of Agriculture, Forestry and Water Management. The Inspection is responsible for controlling the enforcement of Law on Waters and other regulations and basic acts related to construction of new and reconstruction of existing objects and performing other works that may provoke changes in water regime.

Inspection control regarding the quality of waste waters released into the recipient is performed by the Ministry of Environment and Spatial Planning through environmental inspectors.

Inspection control related to adequacy of drinking water, sanitary and hygienic water and bathing water is performed by the Ministry of Health through sanitary inspectors.

SUB-NATIONAL LEVEL

Certain jurisdictions in the field of environmental protection were transferred to autonomous province Vojvodina in 2002 by adopting the Law on Determining the Jurisdiction of the Autonomous Province of Vojvodina (Official Gazette of RS, No. 6/02). Through the Provincial Secretariat for Environmental Protection and Sustainable Development, AP Vojvodina is responsible for affairs related to: development of programme for environmental protection and sustainable development on the territory of the province and establishing measures for its implementation, monitoring of the current state and information sub-system, concordance with environmental impact assessment in the province, concordance with programmes for protection and enhancement of flora and fauna, forests and waters, construction and agricultural land, as well as concordance with urbanistic plans on the national park territory in the autonomous province; inspection control in all aspects of environmental protection with the exception of hazardous substances and conservation of biodiversity, and other matters relevant for the province, in accordance with the law. The Province is also responsible for strategic assessment of plans and programmes and for issuing integrated permit for facilities and activities on the territory of the province.

Municipalities/cities have jurisdictions in the field of urban planning, environmental protection and enhancement and municipal activities. On local level, secretariats for environmental protection have limited responsibility in environmental issues, which includes air quality protection, noise protection, municipal waste management, urban planning, construction permits for small objects and the strategic assessment of plans and programmes, assessment of project impact on the environment and issuing integrated permits within their competence

According to the **Law on Establishing Competences of the Autonomous Province of Vojvodina (Official Gazette RS No. 99/09)**, AP of Vojvodina, through its agencies in the area of environmental protection, in accordance with law (Article 25):

- 1) Regulate, promote and provide environmental protection for the territory of the AP of Vojvodina;
- 2) make the act of placing goods under the protection of nature, in accordance with the law governing the protection of nature;
- 3) Adopt a program of environmental protection in its territory in accordance with national programs, action and recovery plans and their interests and peculiarities;
- 4) Makes plans and programs of management of natural resources and assets in accordance with the strategic documents;
- 5) Controls the use and protection of natural resources in the territory of the AP of Vojvodina;
- 6) Provide continuous control and monitoring of the state of the environment and monitoring program on its territory that must be in accordance with the program monitoring issued by Government for a period of two years;
- 7) Gives the conditions for security measures and requirements of environmental protection, at the request of the competent authorities for the preparation and adoption of spatial and urban plans, based on the conditions and opinions of the relevant professional organizations;
- 8) participate in the process of preparation and adoption of spatial and urban plans and other plans;
- 9) makes an external program of protection against accidents, which is an integral part of a plan for responding to emergencies based on the authority of regulations governing the matter of protection and rescue;
- 10) in the event of an accident, declares state of vulnerability of the environment in the territory of Vojvodina, in accordance with the law governing the protection of the environment;
- 11) Establish budgetary fund in accordance with the regulation governing the budgetary system, which will be financed from the proceeds realized on the territory of Vojvodina.

AP of Vojvodina, through its agencies, shall establish the Provincial Institute for Nature Protection, to perform the tasks of nature protection and natural resources that is entirely in the territory of Vojvodina (Article 26).

AP of Vojvodina, through its agencies in the area of protection and improvement of environment, in accordance with law (Article 28) performs following tasks:

- 1) Perform inspections in the field of environmental protection and take measures to prevent irregularities in the area, except for inspection control:
 - In case of accident,
 - In the field of ionizing radiation,
 - Cross-border movement of goods subject to jurisdiction of the Republican Inspectorate for Environmental Protection, and filled the conditions of the operator for permission to cross-border movement of goods (radioactivity, waste, poisons, substances that damage the ozone layer, protected plant and animal species),
 - Of certain facilities in the territory of Vojvodina, which will be defined by special act;
- 2) Give consent to the study on the assessment of environmental impacts for projects for which approval for the building issued by the competent provincial authority for urban affairs;
- 3) Approves the report on strategic assessment of environmental impact for the territory of the AP of Vojvodina;
- 4) issue of integrated permits for installations and activities for which permission and approval for the construction and start work, or the performance or the conduct of activities, issued by other competent provincial authority;
- 5) gives preliminary approval in the process of making foundation, plans and programs to protect and improve protected natural goods, flora and fauna, forests and water in the territory of the AP of Vojvodina;

- 6) establish an information system for the protection and improvement of the environment as part of a unified information system of the Republic of Serbia;
 - 7) Consider complaints against the municipal or city government in the territory of the AP of Vojvodina;
 - 8) Carried out inspection of the use and protection of natural assets and resources.
- Jobs in paragraph 1 this Article shall be as committed.

Speaking of the environmental legislation, different laws on environmental legislation transfer certain jurisdiction to the AP and LSU (summary of the specific distribution of competences is in the table in the annex for the question. no 8 and 11):

Law on Environmental Protection (Official Gazette RS, No. 135/04, modify, 36/09, 72/2009)

On the basis of Article 5 **Law on Environmental Protection** (Official Gazette RS, No. 135/04, modify, 36/09, 72/2009), for the implementation of environmental protection system, among other subjects, LSU is responsible for any activity that changes or can change state and conditions in the environment, i.e. for not taking environmental protection measures, in accordance with the law.

On the basis of Article 9 Item 1 of Law on Environmental Protection, bodies of LSU provide integration of protection and improvement of environment in all sectoral policies by implementation of mutually agreed plans and programs and implementation of regulations through a system of permits, technical and other standards and regulations, by funding, stimulation and other measures of environmental protection. On the basis of Article 109 of the Law on Environmental Protection, which is a general normative framework of the system of internal and external environment protection system, among other things, tasks of inspection over the performing of tasks entrusted by this Law and regulations issued on the basis of this law are entrusted to LSU.

On the basis of Article 109a ("Supervision of the work") of the Law on Environmental Protection, the Ministry shall supervise the work of the competent bodies of LSU in the performing of the entrusted tasks.

- Two or more LSU may promulgate joint programs referred under paragraph 1 of this Article.
- The AP and LSU, within the competencies spelled out in the present and specific law, shall issue their respective plans and programs of natural resources and property management in accordance with the strategic documents referred to in Article 12 of this Law and their specific requirements. (Article 13)
- The conditions for measures and conditions of environmental protection shall be issued by the Ministry, AP body or LSU at request of the authority in charge of plan preparation and its passing in, and on the basis of conditions and measures of competent authorities (Article 34)
- LSU shall be obliged to obtain the prior consent of the Ministry on the proposal of act determining the status of endangered environment and priorities for rehabilitation and remediation for areas of local significance, and for areas of local significance on the territory of AP, the consent of the responsible authority of AP (article 43)
- In the case of accident, depending of its scope, within or outside the plant and estimated consequences, which may cause direct or deferred threat towards human health and environment, the state of endangerment of environment shall be proclaimed, and the public shall be informed of the measures taken. State of endangerment referred to in par 1 of this Article shall be proclaimed by the Ministry, namely the authority of AP, namely LSU (Article 62).

- AP and LSU shall promulgate the program for environmental protection on their territory, namely local action and rehabilitation plans, in accordance with the National program and plans referred to in Articles 65 and 66 of this Law and their interest and specificities. (Article 68).
- AP, namely LSU shall adopt the program of monitoring on its territory that must be in accordance with the program referred to in paragraph 3 of this Article. (Article 69)

The responsible authority of the AP and/or the responsible authority of the LSU shall submit data for preparation of the report referred to in paragraph 1 of this Article, quarterly, to the Environmental Protection Agency, in particular for the first, second and third quarter no later than two months after the elapse of the quarter, and for the last quarter by January 31. (Article 76)

The AP and LSU shall be obliged to establish the budget fund in accordance with the law governing budget system. (Article 100)

AP shall perform inspection supervision of the implementation of tasks delegated by this Law and regulations adopted based on this Law. (Article 109)

The responsible authority of the AP shall decide on the appeal against first instance decision of the responsible municipal, namely city authority from the territory of the AP, adopted in the course of performing delegated tasks. (Article 114)

Law on Environmental Protection (“Official Gazette of RS”, no. 135/04 and 36/09) - *Provisions of Seveso II Directive*

In the work of operators who at their site perform activities where is present or may be present one or more hazardous substances, in quantities equal or greater than prescribed (so-called Seveso plants), protection of chemical accidents is defined by the Law on Environmental Protection (“Official Gazette of RS”, no. 135/04 and 36/09).

In order to harmonize national legislation with EU directives, it was necessary to carry out appropriate amendments to the Law on Environmental Protection (“Official Gazette of RS”, no. 135/04) so it could be harmonized with the provisions of the Seveso II Directive, i.e. EU directive which deals with the protection of major chemical accidents.

The same is done by adoption of new Law on Amendments to the Law on Environmental Protection (“Official Gazette of RS”, no. 36/09), in the chapter “Protection of chemical accidents”, articles 58-61v.

On the basis of these articles of Law, on June 15th, 2010 in “Official Gazette of RS”, no. 41/10, were published three by-laws by which adoption was completed and legislatively managed field of protection from chemical accidents, according to the Law on Environmental Protection.

The names of newly adopted by-laws are:

- Rulebook on the content of the notice about new Seveso facility or complex, existing Seveso facility or complex and about permanent cessation of Seveso facility or complex
- Rulebook on the content of Accident prevention policy and the content and methodology of the Report on the safety and Accident protection plan
- Rulebook on the List of hazardous substances and their amounts and criteria for determining the type of documents produced by the operator of Seveso facility or complex.

With these regulations are fully implemented provisions of the Seveso II Directive in the national legislation.

Seveso facilities of upper tier are obliged to obtain approval of the Security Report, issued by the Ministry of Environment and Spatial Planning.

Republic environmental inspectors carry out inspection over the implementation of the provisions of the Laws relating to the protection of chemical accidents.

Law on integrated pollution prevention and control (“Official Gazette of RS”, no. 135/04)

This Law regulates the conditions and procedure of granting of integrated permits for installations and activities that may have adverse effects on human health, environment or material resources, types of activities and installations, supervision and other issues that are of relevance for environmental pollution prevention and control.

The Ministry responsible for environmental protection (hereinafter referred to as: the Ministry) shall grant the permit in accordance with this Law for installations or activities for which the permit or consent for construction and commencement of operation or execution of activities were issued by other competent Ministry.

The Provincial authority responsible for environmental protection shall grant the permit in accordance with this Law for installations or activities for which permit or consent for construction and commencement of operation or execution of activities were issued by other competent provincial authority.

Local self-government authority responsible for environmental protection shall grant the permit in accordance with this Law for installations or activities for which permit or consent for construction and commencement of operation, or execution of activities were issued by other competent local self-government authority.

The competent authority shall provide for:

- 1) The operation of new installations shall not commence before the permit has been obtained, except in the case of test operation approved in accordance with the Law;
- 2) The operation of the existing installations that has commenced before entering of this Law into force shall be harmonised with the requirements and conditions set forth by provisions of this Law;
- 3) Conditions and permit granting procedure shall be fully co-ordinated in case when more than one competent authorities are included;
- 4) Following up of the best available techniques;
- 5) Following up and development of monitoring applied by the operator;
- 6) Public access to the contents of permit granting application, issued permits and monitoring results;
- 7) Keeping of the Register of results of monitoring carried out by the operator;
- 8) Undertaking of other measures set forth by the Law and other regulations.

The operators shall obtain the permit for the operation of installation and execution of activities from the competent authority.

The permit shall authorise:

- 1) The operation of new installations and execution of activities;
- 2) The operation and substantial changes in operation or functioning of the existing installations.

The operator shall obtain the permit for the existing installations and activities until the year 2015 the latest, in accordance with the Programme of bringing of certain branches of economy in compliance with provisions of this Law.

Administrative supervision

The Ministry shall carry out the supervision over the implementation of provisions of this Law and bylaws adopted based on it.

The Ministry shall carry out the inspection supervision through the environmental inspectors (hereinafter referred to as: the inspector) within the scope of activities set forth by this Law.

The Autonomous Province is entrusted with the task of inspection supervision over the installations and activities for which the permit is granted by the competent provincial authority in accordance with this Law.

The local self-government unit is entrusted with the task of inspection supervision over the installations and activities for which the permit is granted by the competent local self-government authority in accordance with this Law.

Rights and duties of the inspector

In execution of inspection control, the inspector has the right and duty to determine the following:

- 1) Whether the new installations have been granted the permit in accordance with this Law;
- 2) Whether the existing installations have submitted the permit granting application in accordance with this Law;
- 3) Whether the operation of the new installations is in compliance with conditions contained in the granted permit;
- 4) Any change in operation, or functioning of the installation;
- 5) Implementation of other prescribed environmental protection measures.

Responsibilities:

1. Production of Energy – the Ministry
2. Production and processing of metals – the Ministry
3. Mineral industry – the Ministry
4. Chemical Industry – the Ministry
5. Waste management:
 - 5.1. Installations for the disposal or reuse of hazardous waste with a capacity exceeding 10 tons per day – the Ministry
 - 5.2. Installations for the incineration of municipal waste (household waste and similar commercial, industrial and institutional wastes) with a capacity exceeding 3 tonnes per hour ² - the Ministry
 - 5.3. Installations for the disposal of non-hazardous waste as defined in Annex II A to Directive 2006/12/EC under headings D8 and D9, with a capacity exceeding 50 tonnes per day ³. - Local self-government up to 70 t per day, over 70 t per day the Ministry.
 - 5.4. Landfills receiving more than 10 tonnes per day or with a total capacity exceeding 25 000 tonnes, excluding landfills of inert waste- Local self – government up to 20 t per day or with a total capacity up to 25.000 t, over 20 t per day and over total capacity of 25.000 the Ministry.
6. Other activities
 - 6.1
 - a) Industrial plants for the production of pulp from timber or other fibrous materials
 - b) Paper and board with a production capacity exceeding 20 tons per day – the Ministry

² As defined in the Council Directive 89/369/EEZ from June 8, 1989 on the prevention of air pollution from new facilities for the incineration of municipal waste, as well as in the Council Directive 89/429/EEZ from June 21, 1989 on reducing air pollution from existing facilities for municipal waste incineration.

³ As defined in Annex IIA with the Directive 75/442/EEZ under headings D8 and D9.

6.2. Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles where the treatment capacity exceeds 10 tonnes per day – Local Self – government

6.3 Training facilities with production capacity exceeding 12 tons of finished products per day – Ministry

6.4 Food processing plants, including:

a) Slaughterhouses with a carcase production capacity greater than 50 tonnes per day.

b) Treatment and processing intended for the production of food products from:

- animal raw materials (other than milk) with a finished product production capacity greater than 75 tonnes per day,
- vegetable raw materials with a finished product production capacity greater than 300 tonnes per day (average value on a quarterly basis)

c) Treatment and processing of milk, the quantity of milk received being greater than 200 tonnes per day (average value on an annual basis). – Local self – government.

6.5. Installations for the disposal or recycling of animal carcasses and animal waste with a treatment capacity exceeding 10 tonnes per day. – the Ministry

6.6. Installations for the intensive rearing of poultry or pigs with more than:

- a) 40 000 places for poultry;
- b) 2 000 places for production pigs (over 30 kg); or
- c) 750 places for sows⁴. - Local self-government

6.7 Installations for surface treatment of materials, objects or products by usage of organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, painting, cleaning or impregnating, with a capacity exceeding 150 kg / h or more than 200 tons per year - Local self-government

6.8. Installations for the production of carbon (hard-burnt coal) or electrographite by means of incineration or graphitization - Local self-government

Law on the protection from non-ionizing radiation (Official Gazette RS, No. 36/09)

According to the Law on the protection from **non-ionizing radiation** (Official Gazette RS, No. 36/09) are managed conditions and measures to protect human health and the environment from harmful non-ionizing radiation during the use of radiation sources.

The same Law also prescribed decentralization in determination of measures, conditions and supervision by competent authorities at all levels, through use of non-ionizing radiation sources by different operators. This will lead to more effective enforcement of non-ionizing radiation protection measures and surveillance by the local self-government, provinces, i.e. Ministry of Environment and Spatial Planning.

Also, the Law on the protection of non-ionizing radiation establish the necessary connection with other laws, particularly with the Law on Environmental Protection, Law on the environmental impact assessment, the Law on Strategic Environmental Assessment, the Law on Planning and Construction (Official Gazette RS, No. 72/09) and the Law on Telecommunications (Official Gazette RS, No. 44/03). On the basis of the Article 14 paragraph 4 of the Law on the protection of non-ionizing radiation to AP

⁴ In determining the measures of performance of monitoring for all facilities listed in 6.6. costs and benefits may be taken into account.

or LSU are entrusted inspection tasks on the sources of radiation for which approval for the construction and beginning of work issue competent body of AP or LSU.

The program of systematic testing of non non-ionizing radiation levels is prepared by the Ministry in collaboration with AP competent authority. The Republic or AP are obliged to provide funding for the implementation of the program (Article 5.).

Persons who carry out systematic testing, due to the territory of the Autonomous province, are obliged to deliver to the AP competent authority an annual report on the results of testing, not later than 31 March of the current year for the previous year, and in case of extraordinary events, immediately.(Art. 5);

AP competent authority by decision determines fulfilment of conditions for persons who may utilize the non – ionizing radiation sources of special interest (Art. 6);

AP competent authority by decision determines fulfilment of conditions for persons who can perform testing of non – ionizing radiation sources of special interest, and may also revoke the authorization (Art. 10);

Industrial Company, the company, legal entity or entrepreneur, or the operator, are obliged to inform competent authority of Republic, AP or LSU about the special event immediately, and within 24 hours (Art. 12);

For testing of non – ionizing radiation exposure, on the request of the AP competent authority, shall be performed a special testing financed by the same authority, except in the case of determined by measuring irregularities in the work or exceeding the prescribed limits of broadcasting, when the costs are paid by the owner of the radiation emitter (Art. 13);

The provincial inspection is inspecting the non-ionizing radiation sources on the territory of AP, except for those for which approval for the construction and starting is issued by the competent authority of LSU, in which cases LSU inspection is competent Art. 14);

Law on Air Protection (Official Gazette RS, No. 36/09)

Law on **Air Protection** (Official Gazette RS, No. 36/09) entrusts the following tasks to AP or LSU entrust the following tasks:

- within its competence established by law, provide monitoring of air quality (Article 9);
- for air quality monitoring AP or LSU should establish a local network of measuring stations and/or measuring points,
- Monitoring of the air quality in the local network shall be conducted in accordance with the program adopted by the competent authority of the AP or LSU for the respective territory, which must be in conformity with the program referred to in Article 11, paragraph 3 of this Law. (Article 15)
- performs monitoring of air quality through an authorized legal entity (Article 15)
- publicly announce and submit data on the results of air quality monitoring to the Agency until 15th day in the month for the previous month, and annual report within 60 days after the end of the year for the previous year. (Article 17)
- informing public, when concentrations exceed those established by law or exceed the concentration of certain pollutants hazardous to human health,
- Provide Air quality plan (Article 31)
- Provide short-term action plans (Article 33)
- issue licenses for work of stationary sources of pollution (Article 39)

- perform inspection over the implementation of measures for protection of air pollution in buildings for which the competent body of AP or LSU issue approval for the construction or use permit (Article 56)
- AP shall be entrusted inspection supervision activities over the implementation of measures related to air protection against pollution in objects for which AP competent authority has issued construction and occupancy permits. (Article 74)
- First- degree appeal filed against ruling issued by competent authority of municipality, i.e. city from the territory of AP, shall be decided upon by competent authority of AP. (Article 78)

Law on Nature Protection (Official Gazette RS, No. 36/09)

Law on **Nature Protection** entrusts to LSU the following tasks:

- initiate proclamation and proclaim protected areas: nature park, nature monument, as well as a region with exceptional features which is not of great cultural importance, and where is the whole protected area on the territory of the LSU
- provide nature protection program
- submit report on the state of nature in its area
- perform inspections of the implementation of this Law in protected areas proclaimed by the competent body of the local self-government

Strict and special reservation, habitat, natural asset which is protected on the basis of international acts or has an international significance, landscape of exceptional characteristics inside of which is situated a cultural good of exceptional significance as well as natural park which is with its entire area located in the territory of two or more LSU are declared as protected by the Government at the proposal of the Ministry, and according to the previously acquired opinion of competent ministries and the competent authority of the AP, if the asset is located in the territory of the AP.

Notwithstanding paragraph 2 of this Article, the habitat and landscape of exceptional characteristics inside of which there is no cultural good of exceptional significance if their entire area is located in the territory of the AP, as well as natural park which is with its entire area located in the territory of two or more LSU in the territory of the AP, is declared as protected area by the competent authority of the AP, according to the previously acquired consent by the Ministry and the previously acquired opinions of the competent ministries. (Article 41)

Competent authority of environment protection in the AP, and/or LSU, give consent to the plan for managing the protected area, and the annual programme for the previous year and the annual management programme for the following year that has to be delivered before December 15 of the current year (Article 54)

- Competent authority of environment protection in the AP, and/or LSU give a consent to the rulebook on interior order and stewardship (Article 56)
- AP or LSU are obliged to pay the compensation for prohibition or restriction of usage rights (Article 63)
- Competent authority of the AP and/or the competent authority of the LSU, shall establish fulfilment of the conditions for manager's performance of operations of protection, improvement, promotion and sustainable development of protected natural asset in the manager selection procedure. The selection of the manager shall be carried out on the basis of a vacancy announcement, and if such selection is not possible, the manager shall be determined or appointed by the decision on the declaration. (Article 67)
- Financing of the protected area (Article 69)

- Provincial Institute for Nature Protection (Article 103)
- The medium-term programme for protection of natural goods is to be approved by the Government, and the annual programme for protection of natural goods is to be approved by the Ministry, i.e. by the competent authority of AP. (Article 104)
- Nature protection organizations shall submit the report on implementation of medium-term and annual programmes for protection of natural goods to the Ministry, i.e. to the competent authority of AP. (Article 104)
- Providing funds for nature protection (Article 107)
- competent authority of AP and LSU, in accordance with the Government Strategy on nature and natural values protection, should adopt the programmes on nature protection, for the period of ten years (Articles 111 and 113).
- AP i.e. LSU shall prepare nature performance reports for their territories, which shall be submitted to the Ministry (Article 114)
- competent authority of AP is supervising over legality of Provincial Nature Conservation Institute's work (Article 118)
- AP shall be entrusted performance of inspection supervision over the application of provisions contained in this Law in protected areas which are located on the AP territory. (Article 119)

Law on noise protection (Official Gazette RS, No. 36/09, 88/2010)

According to the Law on **noise protection** (Official Gazette RS, No. 36/09) Republic Serbia **entrusts to AP and/or LSU the following tasks:**

- established measures and conditions of protection against noise, i.e. sound protection in plans, programs and projects, including those for which give approval in the process of strategic impact assessment, environmental impact assessment, i.e. in procedure for issuing integrated permits for installations and activities,
- performs acoustic zoning in their area, determine restriction measures and limitations in accordance with this Law;
- provides the development of strategic maps for noise within the competence of AP/LSU;
- adopted an action plan for agglomerations in the territory of AP/LSU as well as for facilities and activities for which integrated permit issue the competent authority of the AP/LSU for protection against noise in the environment, and provide conditions and take care of its implementation;
- provides and finance the noise monitoring in the environment in the territory of AP/LSU
- AP and LSU are obliged to provide to SEPA (Serbian Agency of Environmental Protection) strategic noise maps, within one month from the date of their creation.
- supervise and control the implementation of measures for noise protection in the environment

AP and LSU determine by its act, bodies and services responsible for carrying out above mentioned tasks.

Law on Chemicals (Official Gazette RS, No. 36/09)

Law on Chemicals (Official Gazette RS, No. 36/09) entrusts to LSU the following tasks:

- issue licenses for conducting of turnover activities particularly hazardous chemicals to dealer that is not an importer, manufacturer or future user, as well as permission for the use of particularly hazardous chemicals,
- Perform inspection of tasks entrusted by this Law.

Law on Packaging and Packaging Waste (Official Gazette RS, No. 36/09)

According to the **Law on Packaging and Packaging Waste** (Official Gazette RS, No. 36/09) packaging waste from the Republic of Serbia is collected, transported, stored and treated under the terms and in the manner, prescribed by the law which regulates waste management, by law which regulates public utilities and by this Law. Clauses of the law which regulates waste management applies on issuing of permits for the management of packaging waste, if this is not prescribed different by this Law.

The AP shall be in charge of controlling the supervision of the activities of packaging waste management on its territory. (Article 47)

The inspection supervision shall be carried out by inspectors in charge of environmental protection in compliance with the Law on waste management and this Law. (Article 47)

Law on Waste Management (Official Gazette RS, No. 36/09)

When it comes to the powers of the **Law on Waste Management** (Official Gazette RS, No. 36/09), LSU, as one of the subject of waste management, based on article 20, must perform the following tasks:

- adopt local plan for waste management (in accordance with Article 13 and 14), provide conditions and care of its implementation;
- regulate, provide, organize and implement municipal waste management (Article 43, paragraph 5 and 7 and Article 55, paragraph 6 - waste vehicles), and non hazardous or inert waste on its territory, in accordance with the law;
- regulates the procedure of services payment in the area of municipal, non hazardous and inert waste management in accordance with the law;
- issue permits in accordance with Article 60, paragraph 4 (for the city), i.e. 5 (for the municipality), give approvals and other documents pursuant to this Law, keep records and submit data to the ministry;
- at the request of the ministry or the competent body of the AP , provides opinion in the process of issuing permits in accordance with this Law;
- supervise and control measures of dealing with waste in accordance with this Law;

Also, the LSU is obliged to determine by its act departments and bodies responsible for carrying out these tasks. Furthermore, based on Article 97 Law on Waste Management, LSU are obliged to draw up until May 2010 a list of unregulated landfills in their area which do not fulfil the requirements of this Law (Article 97 item 1), i.e. until May 2011 to develop projects of remediation and recultivation of unregulated landfills, which is approved by the ministry or AP(Article 97 item 2). On the basis of Article 1.83 of the Law on Waste Management Ministry supervise the work of LSU in carrying out the entrusted tasks.

The Strategy shall be adopted by the Government for the period of 10 years. The Strategy shall be prepared by the ministry in charge of environment (hereinafter: the Ministry) in collaboration with the competent authority of the AP . (Article 10)

The national plan shall be adopted by the Government for the period of five years.

The national plan shall be developed by the Ministry in collaboration with the competent authority of the AP. (Article 11)

The AP shall adopt the Waste Management Plan for certain waste types relevant to the AP in accordance with the Strategy and national plan referred to in paragraph 3 of this Article. (Article 11)

The regional waste management plan may also be adopted in case of municipalities with less than 200.000 inhabitants in accordance with the previously drafted feasibility study on the adoption of the regional plan, for which the Ministry, that is, the competent authority of the AP, shall issue an approval. (Article 12)

The AP:

- 1) shall participate in the preparation of the Strategy and individual national waste management plans;
- 2) shall coordinate and perform waste management relevant to the AP, and shall monitor performance;
- 3) shall grant approval on regional waste management plans on its territory;
- 4) shall issue permits, approvals, certificates and other acts in accordance with this Law;
- 5) shall supervise and control waste handling measures on its territory in accordance with this Law;
- 6) shall perform other activities prescribed by the law. (Article 19)

In case of disagreement among LSU regarding the location of the waste management facility, the location decision, on the proposal of the Ministry, that is, the competent authority of the AP shall be brought by the Government. (Article 34)

In case of construction of the facility for treatment and hazardous waste disposal, the Ministry shall decide on the location, in accordance with the law and upon obtaining the opinion of the LSU as well as of the AP regarding facilities constructed on its territory. (Article 34)

If within 15 days, the producer, that is, holder of waste does not receive a copy of the filled Waste Movement Document from the consignee, he must initiate the procedure of waste movement control and, without delay, inform the Ministry of the finding, as well as the competent authority of the AP, if waste is transported on the territory of the AP. (Article 45)

The AP shall be entrusted with issuance of permits for the collection, transportation, storage, treatment and disposal of waste for all activities performed on the territory of the AP and for all facilities for which the construction permit is issued by the competent authority of the AP. (Article 60)

Once in two years the assembly of the AP shall consider the report on the implementation of regional and local plans on its territory. (Article 74)

The AP shall be entrusted with performance of inspection supervision over waste management activities completely carried out on the territory of the AP and over the operation of the waste management facility for which the competent authority of the AP issues a permit on the basis of this Law. (Article 84)

Law on the Protection and Sustainable Use of Fish Reserves (Official Gazette RS, No. 36/09)

Article 22. AP Vojvodina, through its bodies, in the field of fisheries, in accordance with law:

- 1) approves programs to improve fisheries in fishing areas in Vojvodina;
- 2) assigns to the use of fishing areas in Vojvodina;
- 3) collects funds from fees for use of fishing areas on the territory of Vojvodina;
- 4) performs inspection duties in the field of protection and sustainable use of fish reserves of fishing area users in protected natural goods in Vojvodina and fish trade on the territory of Vojvodina.

Tasks from in paragraph 1 shall be performed as entrusted.

Fishing area which is located on the territory of Autonomous province is assigned for use by the competent provincial body (Art. 4);

The fee for use of fishing areas in the territory of the Autonomous province, is income of the Autonomous province budget, and is used through the Provincial environmental fund (Article 6);

Competent provincial authority shall approve the program of fishing area management and temporary program of fishing area management (Art. 15);

Users of fishing area submit an annual report not later than 01 March of the current year for the previous year (Art. 19);

The user who performs activities in order to rescue fish and rehabilitation of fish catch, and to carry out sanitation of fish catch, after performed fishing, is obliged to submit the report on performed fishing, for the fishing area on the territory of Autonomous province, to the Ministry and to the competent body of Autonomous province (Art. 29);

In order to protect fish reserves, user of fishing area can, with the approval of the Ministry or the competent provincial bodies, temporarily, the longest for the period of one year, prohibit commercial fishing in a certain part of fishing area (article 36);

Law on waters (Official Gazette RS, No. 30/10)

Protection of water from pollution (Article 92)

Protection of water, as contemplated herein, is a set of measures and activities by which surface water and groundwater quality is protected and improved, as well as protected from any impact of transboundary pollution, in order to:

- 1) preserve human life and health;
- 2) reduce pollution and prevent any deterioration of water status;
- 3) ensure harmless and unhindered use of water for different purposes;
- 4) protect aquatic and riparian ecosystems, and achieve environmental quality standards pursuant to the regulation which addresses environmental protection and environmental objectives.

Emission limit values (Article 93)

With the goal of preventing any deterioration of the quality of water and the environment, emission limit values shall be specified for certain groups or categories of pollutants, including:

- 1) process wastewater prior to the discharge thereof into a public sewerage system;
- 2) process wastewater or other wastewater discharged directly into a recipient;
- 3) water discharged upon treatment from a public sewerage system into a recipient;
- 4) wastewater discharged into a recipient from a septic or collection pit.

The ministry responsible for environmental protection affairs shall propose and the Government shall stipulate:

- 1) the emission limit values referred to in Paragraph 1 of this article, and the deadlines for their achievement;
- 2) limit values for pollutants in surface waters, ground waters, and sediment, including priority substances and priority hazardous substances in surface waters, as well as the deadlines for the achievement thereof.

Prohibitions aimed at protecting water quality (Article 97)

In order to protect water quality, the following shall be prohibited:

- 1) Any input into surface water or groundwater of wastewater containing any hazardous substance or pollutant in excess of the prescribed emission limit value, which may lead to the deterioration of the current status thereof;
- 2) Any discharge of wastewater into standing water, if such water is in contact with groundwater, which may cause the good ecological or chemical status of the standing water to become threatened;
- 3) Any discharge from a vessel or bank of any pollutant which reaches water directly or indirectly and originates from any device on the vessel or any transfer device to or from such vessel;
- 4) Any discharge of excessively thermally-polluted water;
- 5) The use of any fertilizer or plant protection agent inside the inner 5 m belt of the bank;
- 6) The discharge of wastewater which contains any hazardous substance into a public sewerage system:
 - in excess of the prescribed level,
 - which may have an adverse effect on sewage treatment potential,
 - which may damage the sewerage system or the water treatment plant,
 - which may adversely affect the health of sewerage system maintenance personnel;
- 7) The use of any abandoned water well as a septic pit;
- 8) The dumping of any material, which may pollute water, in the major channel of a natural or man-made watercourse or lake, or on other land;
- 9) The washing of any vehicle, machine, equipment, or device in surface water or on water land.

Environmental inspection is responsible to check

1. Whether the discharged waste water and waste water discharged after treatment to the recipient meeting the requirements regarding ELVs (Article 93 of the Law)
2. Whether restrictions from Article 97 paragraph 1, 2, 4 and 7 of the Law in order to protect water quality of recipient are applied
3. Whether the obligations of waste water analysis through an authorized legal entities is carry out

Responsibilities:

According to this law, responsibilities are divided into three different inspections: environmental inspection, inspection in charge of water management and sanitary inspection.

Environmental inspection supervises issues relating to the quality of wastewater discharged into the recipient.

City of Belgrade supervises through its inspectors in all buildings (including the IPPC installations) on the territory of Belgrade.

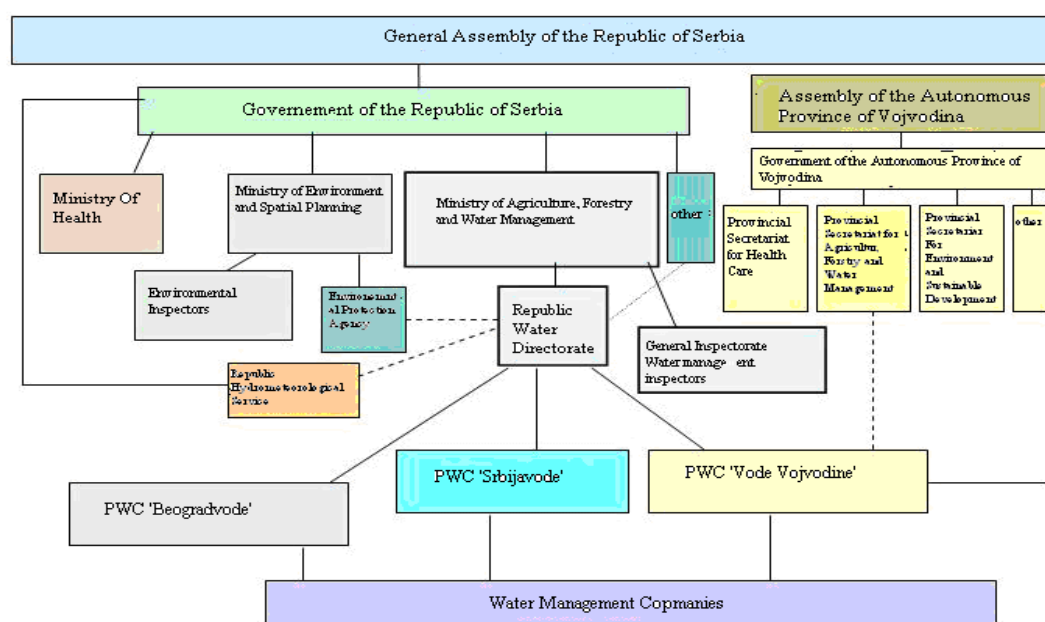
BUDGET

According to the Budget Law of the Republic of Serbia for 2010 Ministry of Environment and spatial planning received 1.571.335.000 RSD (16.368.072 EUR) intended for environmental protection. Environmental Protection Agency received funds in the amount of 43.676.000 RSD (454.958 EUR) on annual level, Chemicals Agency received 65.000.000 RSD (677.083 EUR), Agency for protection from ionizing radiation 25.000.000 RSD (260.416 EUR), while 23.562.000 RSD (245.437 EUR) was allocated for the Fund for Environmental protection and Nature protection Institute received 153.000.000 RSD (1.593.750 евра).

9. How are the responsibilities shared for the various sectors (water, waste, nature protection, forests etc.) and how is coordination envisaged? Outline your plans to develop and reinforce your administrative capacity.

Water management and protection falls under the jurisdiction of four ministries: (MAFW Ministry of Agriculture, Forestry and Water Management), MESP (Ministry of Environment and Spatial Planning), MOH (Ministry of Health), MOI (Ministry of Infrastructure).

MAFW is responsible for water management policy, multipurpose use of water and protection from adverse effects of water (Republic Water Directorate, see question No.8).



Water management competence scheme

Provincial Secretariat for Agriculture, Water Management and Forestry has the jurisdiction over water management on the level of Autonomous Province Vojvodina, while in Belgrade, after Law on the Capital was adopted (Official Gazette of RS, No. 129/2007), water management falls under the jurisdiction of the Secretariat for Utilities and Housing Services of the city of Belgrade – Water Administration. Water management activities are performed by Public Water Management Companies: Public Water Management Company 'Srbijavode' with two centres ('Sava-Danube' and 'Morava'), Public Water Management Company 'Vode Vojvodine' and for the territory of the City of Belgrade PPMC 'Beogradvode'. The in situ tasks related to water management are performed by water management companies and the activities related to municipal water supply and sewerage is performed by a great number of public utility companies. Local government also has a role in water sector.

In addition to mentioned agents, special organizations within the state administration and local governments and institutions and public companies that operate outside of water sector also perform some tasks in this field. Among special organisation Republic Hydro-meteorological service should be noted as well as Institutes (Public Health Institute, Institute for Safety at Work, National Institute for Nature Conservation etc.). Whereas the public companies involved in water management are 'Serbia

Forests' and 'Electric Power Industry of Serbia') Aside from the institutions within state administration or local government, other organizations also perform tasks in water sector. These are: institutes (Water Management Institute 'Jaroslav Černi', Institute for Biological research 'Siniša Stanković', etc.) universities (University of Belgrade – Faculty of Biology, Faculty of Civil Engineering, Faculty of Geology and Mining, Faculty of Technology and Metallurgy, Faculty of Forestry, University of Kragujevac – Faculty of Natural Sciences and Mathematics, Institute for Biology and Ecology, University of Novi Sad – Faculty of Sciences – Department for biology and ecology), design (Energoprojekt, etc.), construction (Hidrotehnika, etc.) and other companies.

MESP is responsible for the system of protection and sustainable use of natural resources with special regard to water resources. MESP performs state administrative tasks related to: system of protection and sustainable use of natural values, that is, resources – including water resources, development of strategic documents, plans and research programmes in the field of sustainable use of natural values, creating a calculation of overall groundwater capacity, creating a detailed research programmes concerning groundwater, providing material and other conditions for implementation of the programmes, water protection system, trans-boundary water pollution. In MESP, Sector for Natural resources Protection – Department for Water Protection employs five people.

Department for Water Protection performs the duties related to:

- approximation and implementation of EU WFD, Convention on protection of trans-boundary watercourses and international lakes, Convention on trans-boundary effects of industrial accidents and other regional conventions related to protection of groundwater quality;
- Participation in international cooperation in the field of water protection, performing national duties, activities and tasks that fall under the jurisdiction of International Committee for Protection of Danube River (ICPDR), Danube Committee, Sava Committee;
- monitoring and realization of the plans, research programmes and projects of sustainable use and protection of surface and groundwater quality;
- participation in preparing the framework for drafting regulations related to water sector and land protection;
- analysis of the implementation of standards and norms within the scope of the Department;
- Performing other tasks in the scope of the Section.

Environmental Protection Agency performs specialized tasks related to development, approximation and management of national information system about the quality and quantity of surface and groundwater, constant updating the cadastre of water polluters, establishment of procedure for processing data about water resources and creating relevant indicators, cooperation with EEA and EIONET in the context of exchange of information about water resources.

Ministry of Health is responsible for health adequacy of water intended either for drinking or production or processing of food and water for sanitary, hygienic and recreational use.

Sampling and analysis of drinking water can be performed only by health institutions that are authorized by Ministry of Health. These institutions are in the system of Public Health Institute network that is distributed across the Republic of Serbia according to territorial principle. Institute for Public Health 'Dr. Milan Jovanović Batut' is the head of all institutions.

The field of waterway transport and safety of waterways is under the jurisdiction of Ministry of Infrastructure. There is a Sector for waterway transport and safety of waterways – Department for Waterway Transport that employs 9 officials.

In accordance with the Law on Determining the Jurisdiction of the Autonomous Province of Vojvodina No. 99/2009), Provincial Secretariat for Agriculture, Water Management and Forestry is responsible for water management on the territory of AP Vojvodina.

In accordance with the Law on the Capital (Official Gazette of RS No.129/2007) city of Belgrade also has jurisdiction over water management on its administrative territory.

Existing Public Water Management Companies 'Srbijavode', 'Beogradvode' and 'Vode Vojvodine' perform tasks of general interest related to water management within their respective jurisdictions, in accordance with the Law on Waters.

Local government is responsible for municipal water supply and sewerage on its own territory and for performing other tasks in water sector, in accordance with the law.

Water management companies perform operational activities defined by law in the field of water management.

Companies for water supply and sewage provide organized supply of drinking water for the residents and other users and perform waste water collection, treatment and transport to the recipient.

Monitoring and quality control is performed by Republic Hydro-meteorological Service (RHMS). Monitoring and water quality control is performed through sampling and physical and chemical analysis of waters in situ, physical, chemical, biological, microbiological and radiological analysis of waters in the laboratory, and sampling, physical and chemical analysis of the sediments.

National network of stations that perform systematic monitoring (analysis and quality control of surface and groundwater and sediments) emergency monitoring and monitoring of water quality in watercourses that constitute or cut the state border, includes 134 locations on rivers and canals, 33 water sources, 4 lakes and 25 accumulations, and 68 piezometers. The work of environmental laboratory of RHS was accredited in accordance with the standard SRPS ISO/IEC: 17025:2006.

Water management inspection within the General Inspectorate of MAFWM performs duties related to: exercise of direct monitoring and taking measures for securing the enforcement of law, other regulations and basic acts regarding construction of new and reconstruction of existing objects and performing other works that may provoke changes in water regime; water pollution protection; quality control of surface and groundwater; monitoring the lawfulness of legal acts of public water management companies that regulate the rights and duties of the citizens, companies and other legal entities; monitoring the operation of the companies and other legal entities entrusted with exercising public authorization; monitoring operation of the companies and other legal entities responsible for flood defence, monitoring and analyzing enforcement of law, other regulations and basic legal acts adopted in accordance with the law.

Within the MESP waste management falls under the jurisdiction of Department for Waste Management.

The Department performs duties related to:

- preparing professional framework for drafting laws and other regulations in the field of waste management;
- development and implementation of strategic documents for integrated waste management and their association with other strategic documents;
- development of operational plans for specific waste streams;
- monitoring of the operation and participating in operational bodies associated with Basel Convention, Stockholm Convention in the part related to waste management and UN Environmental Program.
- participation in international cooperation and cooperation with European Commission authorities related to the scope of the Sector;

- development of sustainable system for providing constant assistance for economic operators and other legal entities responsible for enforcement of regulations in the field of waste management;
- preparation of permits for collecting, transport, storage, treatment and disposal of waste;
- creating a waste registry and managing a registry of issued permits;
- authorizing organization for waste examining
- implementation of Basel Convention;
- industrial waste management;
- management of municipal waste and specific waste streams;
- trans-boundary movement of waste, issuing permits for import, export and transit of waste;
- exchange of information about trans-boundary movement of waste, monitoring the implementation of waste management programmes and plans;
- performing other tasks in the scope of the Department

Department for Waste Management is organized into specialized internal sections:

- Sector for industrial waste management;
- Section for management of municipal waste and specific waste streams.

Section for Industrial Waste Management performs tasks related to:

- industrial waste management;
- establishing professional framework for preparation of regulations concerning industrial waste management;
- development and implementation of strategic documents for industrial waste management;
- development of operational plans for industrial waste management;
- monitoring the operation and participating in operational bodies associated with Basel Convention, Stockholm Convention in the part related to waste management and UN Environmental Program.
- development of sustainable system for providing constant assistance for economic operators to enforce the regulations;
- creating and managing a registry of issued permits;
- implementation of Basel Convention;
- trans-boundary movement of waste, issuing permits for import, export and transit of industrial waste;
- exchange of information about trans-boundary movement of waste, monitoring the implementation of waste management programmes and plans;
- performing other tasks in the scope of the Section.

Section for Management of Municipal waste and specific waste streams performs tasks related to:

- management of municipal waste and specific waste streams;
- establishing professional framework for preparation of regulations concerning management of municipal waste and specific waste streams;
- implementation of strategic documents for management of municipal waste and movements of specific waste streams;
- development of operational plans for management of municipal waste and specific waste streams;
- creating and managing a registry of issued permits;
- trans-boundary movement of waste through issuing permits for import, export and transit of waste;

- exchange of information about trans-boundary movement of waste, monitoring the implementation of waste management programmes and plans;
- performing other tasks in the scope of the Section.

In addition, **Department for Management of Hazardous and Other Waste** is also responsible for certain tasks within the Sector for Control and Surveillance.

Department for Management of Hazardous and Other Waste performs tasks related to:

- inspection in the field of control of activities involving industrial and hazardous waste;
- inspection control in order to establish that environmental requirements for performing activities concerning industrial and hazardous waste are fulfilled.
- inspection control in order to establish that environmental requirements for performing activities concerning trans-boundary movement of waste are fulfilled;
- international cooperation regarding surveillance inspection of trans-boundary movement of waste within the international networks (IMPEL and ECENA);
- international cooperation regarding surveillance inspection of implementation and application of Basel and Stockholm Convention;
- initializing and management of creating a uniform database of agents operating with industrial and hazardous waste, with a system for monitoring the level of compliance with legislative regulations in the field of environment;
- initializing development of education system and system for providing information to the agents operating with industrial and hazardous waste in the process of approximation to the existing legislative regulation related to the field of environmental protection;
- performing other tasks in the scope of the Department

Group for Noise and Vibration Protection is responsible for noise-related tasks within the MESP. The tasks are:

- development of noise and vibration protection system;
- preparing decisions for authorizing institutions that perform vibration measurement;
- preparing decisions for authorizing institutions that perform noise measurement, as well as
- performing other tasks in the scope of the Group
- Inspection control in this field is under the jurisdiction of **Department for Environmental Pollution Protection** within the Sector for Control and Surveillance.

Ministry of Infrastructure also has certain responsibilities in this field (see question No. 8).

Nature protection is the responsibility of the Sector for Protection of Natural Resources (see question No.8). The Sector is divided into specialized internal sections:

- **Department for the Protection of Nature**
- **Department for Geological Research and Land;**
- **Department for Water Protection**
- **Department for Air Protection.**

Department for the Protection of Nature performs the duties related to:

- establishing a system of protection and conservation of biodiversity (habitats and types of habitats, ichthyofauna, forest and other ecosystems, biodiversity) relevant for conservation on national and international level;
- improvement of the system of indicators for systematic monitoring of the current state, protected natural goods and sustainable use of natural resources;
- participation in controlling the use of natural resources;

- implementation of international conventions, laws and administrative provisions related to the scope of the Department;
- participation in establishing professional framework for ratification of international contracts within the scope of the Department;
- participation in preparing the professional framework for drafting regulations within the scope of the Department;
- proposing projects in the field of environmental and biodiversity protection;
- analysis of the implementation of standards and norms within the scope of the Department;
- preparation of agreement protection programme for natural goods of the Republic of Serbia and monitoring the implementation of the programme through the work of public services for nature protection on entrusted tasks regarding environmental and biodiversity protection;
- performing other duties within the scope of the Department;

Department for Nature Protection is organized into specialized internal sections:

- **Department for Protection of Biological Resources**
- **Department for Protected Areas**
- **Department for Biodiversity Protection.**

Department for the Protection of Biological Resources performs the duties related to:

- giving opinions and proposals of plans, frameworks and programmes from the aspect of protection of natural resources and biodiversity;
- development of the protection system with proposed measures for improvement of fishery, establishing requirements and measures for sustainable use of fishery resources;
- monitoring the enforcement of the law that regulates and provides protection, improvement and sustainable use of fishery resources;
- establishing requirements and measures in the context of management and use of fishery areas;
- determining and authorising the use of fishery areas;
- approving and giving statements about fishery improvement programmes, enclosure or damming of a part of the fishing zone in the fishery area, establishing zones for fertile fish and winter fishing zones.
- statements about the compliance of the fishery improvement programme with the Programme for Protection and Development of the National Park as a protected natural asset;
- establishing that fish producers met the requirements for performing the activity;
- establishing that requirements for commercial fishing are met;
- issuing of fishing permit for the purpose of scientific research, that is exempted fishery;
- approval of introducing new fish species in the fishing zone;
- agreement with requirements for construction or reconstruction of water management objects;
- establishing closed fishing season and prohibition on fishing;
- establishing that the requirements for fish trading are met;
- monitoring implementation of the protection regime and programme and fishery requirements;
- systematic monitoring of the use of biological, biotechnical, chemical and other substances;
- participation in designing projects regarding the use of biological, biotechnical, chemical and other substances in ecosystem protection;
- participation in developing projects regarding the impact of using biological, biotechnical and chemical substances have on air, land and water;
- analysis of the implementation of standards and norms within the scope of the Department;
- performing other tasks within the scope of the Section;

Department for Protected Areas performs the duties related to:

- protection, conservation, improvement and management on national parks;
- protection, preservation, strengthening and management of protected natural assets (nature reserves – general and special, national parks, landscapes with exceptional characteristics and natural monuments);
- delivering opinion and statements about the business plans and programmes of protection and development of national parks and other protected natural goods;
- delivering and statements about other acts of public companies that are responsible for national parks management and other acts regarding protected natural goods;
- delivering opinions about plans (spatial and urban plans, forest, hunting and fishing frameworks etc.) in national parks and other protected natural goods;
- preparing reports about the current state and management of national parks and other protected natural goods.
- participation in evaluation of strategic environmental impact assessment for all activities within a protected natural good.
- participation in forming the opinion and concordance about the Natural resources protection programme and monitoring the implementation of the action programme of public services for nature protection;
- analysis of the implementation of standards and norms within the scope of the Department;
- performing other tasks within the scope of the Section;

Department for Biodiversity Protection performs the duties related to:

- monitoring the enforcement of the law that regulates and provides protection, improvement and sustainable use of biodiversity;
- improvement of the system of indicators for systematic monitoring of the current state and sustainable use of biodiversity;
- giving opinions and proposals of plans, frameworks and programmes form the aspect of protection of nature and biodiversity;
- establishing a system of protection and sustainable use of wildlife;
- participation in control of nature and biodiversity use;
- developing a control system for collecting, use and trading wildlife on the territory of the Republic of Serbia;
- issuing permits for collecting, national and international trading of endangered and protected species of wildlife and keeping records in a manner specified by law;
- analysis of the implementation of standards and norms within the scope of the Department;
- performing other tasks within the scope of the Section;

Certain responsibilities in this field are entrusted with **Department for Protection of Natural Resources and Land and Sustainable Use of Natural Goods**.

The Department performs duties related to:

- surveillance inspection in the field of control of protected goods;
- inspection control in the field of export and import of wild flora and fauna;
- surveillance inspection for the purpose of establishing environmental requirements for trans-boundary movement of protected species of plants and animals and implementation of CITES Convention;
- surveillance inspection in the field of control of basic geological research and detailed research of groundwater;

- surveillance inspection in the field of protection and use of natural resources (water, land, forests);
- inspection control in the field of sustainable use of mineral resources (gravel, sand);
- performing other tasks in the scope of the Department.

As for other competent ministries, Ministry of Agriculture, Forestry and Water Management is also entrusted with certain responsibilities (see questions 88 and 129).

Department for Geological Research and Land performs the duties related to:

- participation in drafting strategic documents, plans and research programmes within the scope of the Section;
- development of national strategic documents, plans and research programmes in the field of sustainable use of geological resources including geological environment, that is mineral resources;
- drafting laws, by-laws and other regulations in the field of geology;
- creating annual programmes and reports on the realisation of basic geological research in the field of sustainable use of geological resources and monitoring drawing of geological maps of different scales and purpose;
- creating a report and calculating the capacity of the resources of groundwater in Serbia;
- establishing and application of Geological Information System of Serbia;
- issuing authorizations for detailed research and certifications about established and verified reserves of groundwater and the approval of the exploitation of groundwater;
- management of geological documents;
- participation in preparing and implementing the programme for promoting the geodiversity of the republic of Serbia;
- participation in developing strategic documents, plans and research programmes of sustainable use and protection of groundwater quality, as well as monitoring their implementation;
- participation in developing a system for monitoring, protection and improvement of land quality;
- participation in control of land use;
- drafting and application of strategic documents in the field of land protection;
- performing other duties within the scope of the Department;

Within the sector for Protection of Natural Resources, **Section for Air Protection** is responsible for tasks related to protection of air quality.

Section for Air protection performs the duties related to:

- establishing a system of protection and air quality conservation and monitoring air pollution;
- improvement of system of indicators for systematic monitoring of air quality in Serbia;
- authorizing specialized organizations in the field of measuring air quality and emissions in the air;
- developing a methodology for measurement of emissions and imissions in the environment;
- participation in establishing professional framework for ratification of international contracts within the scope of the Department;
- participation in drafting strategic documents, plans and research programmes within the scope of the Section;
- participation in preparing the professional framework for drafting regulations within the scope of the Department;
- proposal of projects in the field of air protection;

- implementation of provisions of international conventions regarding the protection of ozone layer (Vienna convention and The Montreal Protocol) and Long-range Transmission of Air Pollutants (CLRTAP)
- analysis of the implementation of standards and norms within the scope of the Department;
- performing other tasks in the scope of the Section.
- Inspection control in this field is under the jurisdiction of **Department for Environmental Pollution Protection** within the Sector for Control and Surveillance.

Republic Hydro-meteorological Service also performs certain tasks in this field (see question No. 8).

Ministry of Infrastructure also has certain responsibilities in this field, as well as **Ministry of Energy and Mining** (see question 8).

Jurisdiction over IPPC was entrusted with the **Department for Integrated Permits** within the Sector for Planning and Management. **The Department** performs duties related to:

- issuing integrated permits in accordance with the Law on Integrated Prevention and Control Of Environmental Pollution;
- control of the environmental impact of the facilities for which an integrated permit was issued;
- keeping up-to-date with the development of best techniques available;
- establishing environmental protection requirements to provide integrated access to authorization of operating facilities and activities that may have negative effect on the environment;
- participation in preparing and implementation of strategic documents and plans and project proposals;
- participation in preparing professional framework for drafting regulations in the field of integrated monitoring and control of the environmental pollution;
- keeping up to date with international regulations regarding IPPS (Integrated Pollution Prevention and Control) directive;
- cooperation with European and international organizations and institutions in the field of issuing integrated permits;
- performing other tasks in the scope of the Department.

Jurisdiction over chemicals management was entrusted with the **Chemicals Agency** (see question No. 8). Ministry of Agriculture, Forestry and Water Management also has certain responsibilities in the field through **Plants Administration** (see question No.88).

Plant Administration as an administrative authority of MAFWM performs duties related to:

- protection of plants from contagious diseases and pests,
- control of the pesticides and fertilisers in the production process, import and export
- control of the application of pesticides,
- production and registration of pesticides and fertilisers, as well as other tasks predicted by law.

Civil protection is under the jurisdiction of Ministry of Internal Affairs, **Sector for Emergency Management, Directorate for Civil Protection**. Sector for Emergency management, among other things, performs normative, administrative, organisational, technical, preventive, technical preventive, educational, informative and other tasks for the purpose of organising, planning and implementing control measures in protection of the environment, public health and assets, preservation of living conditions and preparation for overcoming emergency situations like fire, natural forces, technical and technological accidents, and other emergencies, large-scale hazards that may jeopardise public health and lives and the environment or cause large-scale damage; providing assistance for dealing with the consequences (reduction and sanation) caused by emergency situations. Special emphasis must be laid

on Sector's tasks regarding draft laws and proposing laws, standards and recommendations in accordance with EU requirements in the field of emergency management and civil protection; taking precautionary measures in order to prevent fires and mitigate the impact of natural forces, technical and technological accidents etc. as well as precaution for the purpose of public health protection from the effect of dangerous substances and other emergencies; the Sector also performs professional education of the employees in organization units responsible for tasks within the scope of the Sector (Directorates and Departments), etc.

Cooperation between administrative bodies is regulated by Law on State Administration, Official Gazette of RS, No. 79/05 and 101/07, Articles 64 and 66 that define the duty of state administrative bodies to cooperate and exchange information in all matters of mutual interest, as well as establish joint bodies and project groups for the purpose of performing tasks that demand several participating administrative bodies. In that case, the tasks from the scope of two or more administrative bodies are managed by the administrative body responsible for the majority of tasks.

Amended National Programme for Integration of Republic of Serbia into European Union (NPI) from 24 December 2009 points out the demand for strengthening and developing administrative capacities through staff education for performing the following tasks: inspection; monitoring (air, water, land and research); authorization of waste and chemicals management; assessment of the impacts and accidents; nature conservation and protection; project management, especially on local level where there are not enough environmental conservation officers.

10. Are there legislative and budgetary provisions relating to the training of administrative officials in the environmental field? How difficult is it to find suitably qualified personnel? How difficult is it to find qualified personnel to provide the training?

The Law on Public Servants, Official Gazette of RS 2005/79, Article 96 and 97 envisage right and obligation of a public servant of vocational training pursuant to the needs of state institution. The programme of general training of public servants for each year is adopted by the Government, on the proposal of Human Resources Management Office and it relates, among other, to trainings regarding state administration and some basic subjects related to EU.

The programme of special vocational training of public servants is approved by the head of the institution for each year, pursuant to the needs of state institution.

Additional education, significant for the state institution, can be provided to public servant when there are conditions and possibilities for it. Expenses of additional education are paid by the state institution, and rights and obligations of the civil servant additionally educated are regulated by a contract.

Resources for education are provided from the funds allocated to the Ministry of Environment pursuant to Law on Budget, according to envisaged needs for that year.

Taking into consideration that the full implementation of EU regulations is necessary for achievement of European standards related to the field of environment, the existing administrative capacities are insufficient. In regard to this, it is necessary to build administrative capacities at these levels, especially at local level.

Practise shows that study and vocational education programmes of public servants appointed to jobs within environmental sector are the best way for obtaining knowledge about new tendencies in this field and possibilities for implementation of EU regulations in the Republic of Serbia. In regard to this, for building of capacities in this field, especially significant trainings of public servants in the field of

environments are trainings conducted through IPA Twinning projects and TAIEX programmes and through seminars conducted by European Integration Office of RS, offering to public servants relevant trainers in concrete vocational fields and direct insight into practice of other Member States in this field.

Trainings through IPA Twinning projects are conducted pursuant to Twinning handbook which, in chapter 5.7 Training and seminars, defines manner of hiring of trainers for trainings that includes public purchase procedure (if the value is more than € 5,000) implemented by the Member State, i.e. Twinning partner. In the case that the envisaged budget is smaller (the more frequent case) the key expert hired within the project creates requirements for trainings, selecting relevant public servants for the concerned fields. Pursuant to the needs, the key expert creates training plan. Trainings are usually conducted by the experts hired on short-term bases, according to the project planned budget, and RTA and RTA assistant are responsible for organisation. For the field of environment protection, the trainers are usually foreign consultants.

In relation to legislation related to trainings (related to IPA), the EC Regulation 718/2007 from 12 June 2007 implementing Regulation 1085/2006 on setting up of instruments for IPA pre-accession assistance, in Article 11 defines conditions to be fulfilled by the country using IPA assistance in order to be allowed by EC to manage granted resources pursuant to the Decentralised management procedure. The Annex to this Regulation defines criteria for accreditation. One of them is to provide adequate number and quality of public servants at all levels.

With the aim of building of administrative capacities of our country and overcoming the problem of lack of trainers in the field of IPA cycles, courses “training of trainers” are organised within the IPA projects from 2007. The principle of creation of needs for trainings and training plan is the same as previously mentioned- it is made by the key expert in charge for “Capacity building”. Afterwards, HRMO (Human Resources Management Office) announces a competition with required preferences. After selection and conducted training, public servants obtain certificates that allow them to, on the initiation of HRMO, conduct trainings to other public servants.

In relation to TAIEX expert missions, TAIEX performs selection of trainers (from TAIEX trainer base) on the basis of consulting with the Ministry. In TAEIX application, the Ministry has an option to propose the country from which it wants to have an expert, i.e. to propose the expert, or to , and to chose one of several experts proposed by TAEKS on the basis of the application. TAIEX workshops - On the basis of proposed Agenda of the Ministry, TAIEX finds trainers (from trainer base).

The seminars in the field of environment are also organized by European Integration Office, in accordance with priorities set in NPI (National Programme for Integration) in agreement with the Ministry. For example, the project *Building Administration Capacities for Accession of Serbia to European Union* of the European Integration Office especially deals with environment as one of the EU sector policies. The project is an extension to the training programme having been conducted since 2009 in cooperation with Belgrade Open School, for improvement of knowledge and skills for the employees of local government, state and provincial administration, public enterprises, development agencies and other institutions and bodies of the Republic of Serbia. The project is supported by the Ministry of Foreign Affairs of the Kingdom of Norway through the programme of bilateral cooperation between the Government of the Kingdom of Norway and Republic of Serbia. The training programmes are followed up with created educational platform (specially designed software for continual extension of educational process through Internet and networking of participants of the educational project) regularly and actively attended by participants who also solve certain problematic situations. Testing of participants and training of trainers is organized after each module. The most active participants, pursuant to the results of educational programme, test and activities at the educational platform, participate in five-day study visits to European Union institutions in Brussels that are complied with each module. Moreover, another special project activity is a comprehensive public campaign aimed at

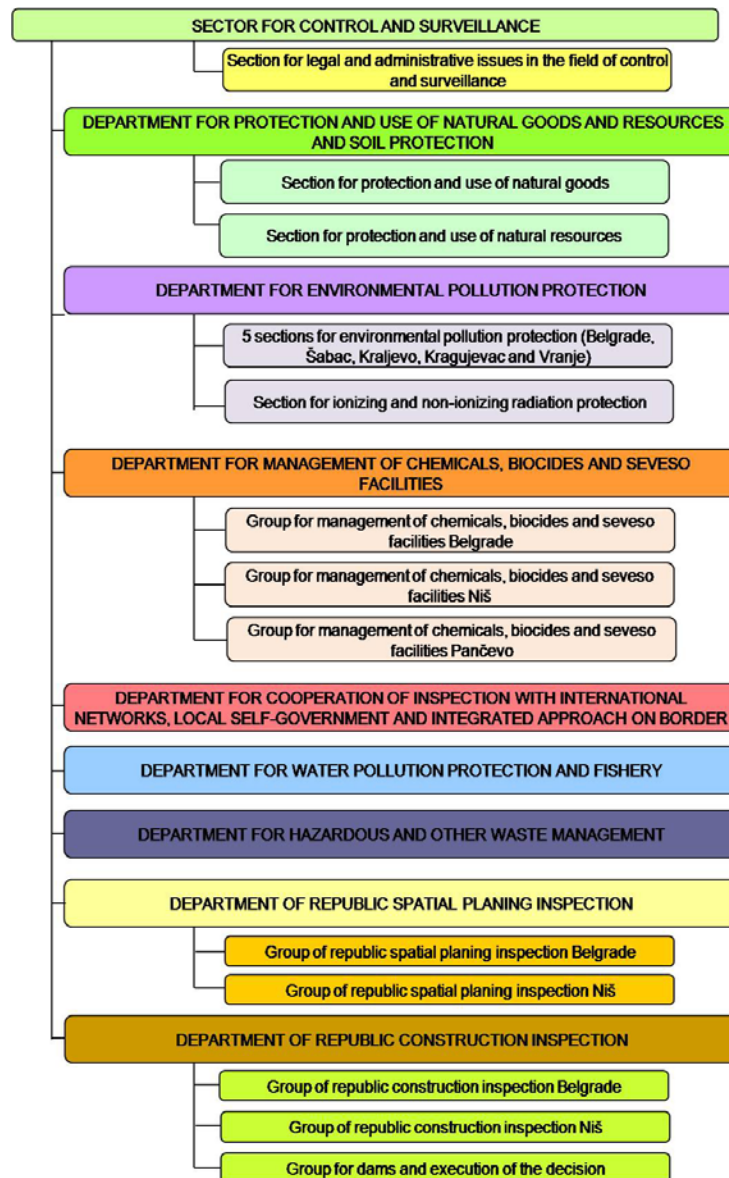
better understanding of integration and related reforms, and the campaign that brings the Environment Protection Policy closer to the citizens.

11. What are the mechanisms for monitoring compliance with environmental legislation and the state of the environment? Please describe in detail, if existing, the system of environmental inspections - competent authorities, frequency of the inspections, provisions for planning, carrying out, following up, reporting on environmental inspections etc.

Competence for law enforcement in the **field of environmental protection** (EP) is divided between: republic inspections for EP, provincial inspectors for EP, local inspections for EP (in local government units)

Competence for law enforcement in the field of environmental protection	Total number of inspectors for EP- 306
republic inspections for EP	92
provincial inspectors for EP	18
local inspections for EP (in local government units)	196

Republic inspection for EP is the state institution for control and monitoring functioning within the Ministry of Environment and Spatial Planning. There is territorial division of competences- within the republic inspection, there are departments across the territory of the whole Republic, responsible within the republic inspection competences .



This type of organisation allows specialization of the inspectors for certain fields of monitoring (for example: pollution control, waste, IPPC, nature protection etc.).

Control and Monitoring Department performs work related to:

- environmental protection against pollution;
- protection and use of natural assets and resources;
- procedure in case of chemical accidents;
- protection of waters against pollution and fishery;
- protection against ionizing and non-ionizing radiation;
- waste treatment;
- adaptation of environmental inspections on all levels in the Republic of Serbia to the requirements of European Union with a view to enforce the Council of Europe and the European Parliament Recommendation on Minimum Criteria for Environmental Inspections;

- elaboration of reports and record keeping on environmental inspections;
- participation in preparation of technical grounds for regulation drafting;
- civil engineering monitoring;
- urban planning monitoring;
- other business from the scope of the Department.

There is territorial division of competences- within the republic inspection, there are departments across the territory of the whole Republic, responsible within the republic inspection competences.

EI's responsibilities are determined by the Law on State Administration, Law on Administrative Procedures and specific environmental laws (such as the Law on Environmental Protection and laws on IPPC, SEA, EIA, Waste Management). **Environmental inspectors at all three levels (republic, regional, local)** are authorized to enforce same laws and regulation. The powers granted there-under may result in prohibition or variation (improvement) orders and the filing of cases with the Public Prosecutor's Office. EI is also empowered, when carrying out their activities, to temporarily confiscate objects, goods or devices used in illicit activities, or whose use is prohibited. All three levels (i.e. republic, provincial and local level) of the EI are authorized to enforce the same laws and regulations. Specific distribution of competences, (summary of the specific distribution of competences) is in the table in the annex for the question. no 8 and 11. For more details, see question no 8.

AP of Vojvodina, through its agencies in the area of protection and improvement of environment, in accordance with law (Article 28, **Law on Establishing Competences of the Autonomous Province of Vojvodina**(Official Gazette RS No. 99/09) perform inspections in the field of environmental protection and take measures to prevent irregularities in the area, **except** for inspection control:

- In case of accident,
- In the field of ionizing radiation,
- Cross-border movement of goods subject to jurisdiction of the Republican Inspectorate for Environmental Protection, and filled the conditions of the operator for permission to cross-border movement of goods (radioactivity, waste, poisons, substances that damage the ozone layer, protected plant and animal species),
- Of certain facilities in the territory of Vojvodina, which will be the special act;

On the basis of horizontal legislation, such as **Law on Local Self-governments** („Official Gazette of RS”, No. 129/07), article 52, Item 5 and Article 6, the Republic of Serbia may entrust by a law to LSU particular matters within its competency, such as enforcement of laws and regulations, and LSU are obliged and responsible to carry out these tasks as entrusted in a quality and efficient manner. Also, based on Article 78 Paragraph 2 of the Law on Local Self-Government bodies of the Republic supervise the legality of the work and acts of LSU bodies, in accordance with the Constitution and the law.

Another piece of horizontal legislation is **Law on State Administration**. Pursuant to Article 28 of the Law on State Administration (Official Gazette RS, No. 20/92, 48/93, 53/93, 67/93 and 48/94), which is applied in accordance with Article 93 of Law on State Administration (Official Gazette RS No. 79/05) when the performance of specific tasks is entrusted to the municipality bodies, the City of Belgrade, cities and AP s, republic inspector has, in relation to these bodies, the right and duty to:

- - Give mandatory instructions for the enforcement of laws and regulations and for performing of tasks, as well as to control their implementation,
- Realize a direct supervision of their work,
- Perform direct inspection of all tasks and with all the powers if bodies do not carry out these tasks,

- Revoke the authorization to a particular inspector and to propose determination of accountability in the body of the municipality, city of Belgrade, cities and AP s, if inspector do not performs her/his duties promptly, professionally, legally and conscientiously
- Organize joint actions with the inspectors in the bodies of the municipalities, city of Belgrade, cities and AP s, whenever it is needed,
- Ask reports, data and information on the performance of entrusted inspection tasks

Inspection competent for water management – water inspection is responsible for controlling enforcement of the provisions in the Water Law (Off. Gazette of RS, No. 30/2010) and other regulations and general acts related to construction of new and reconstruction of the existing facilities and performance of other business that could cause changes in water regime. Water Law, among other issues, regulates protection of water against pollution, safeguarding resources and protecting environment. Inspection monitoring over enforcement of the provisions of this Law and regulations adopted on the basis of this Law are conducted by **water inspectors with coordinated work with inspection for environmental protection and in Articles 93, 97 and 99 they have contiguous control duties**. Water inspector performs inspection monitoring in the field of water protection, over construction of new and reconstruction of the existing facilities and performance of other works that could cause changes in water regime and especially in relation to regime, balance and quality of waters in natural and artificial watercourses, lakes and groundwater. Inspectors are partly coordinated with inspection for environmental protection **in the part of examination of the quality of discharged waters at the entities that are discharging waste waters into the city sewage**.

Total number of water inspectors for the Law implementation on all three levels in Serbia is 31:

- Republic level - 21
- AP level - 6
- On the territory of Belgrade - 4

Inspection monitoring of the quality of waste waters discharged in the recipient is conducted by the ministry competent for environmental protection activities through inspector for environmental protection. In conducting inspection monitoring inspector for environmental protection has the right and duty to check: 1) whether discharged waste waters and waste waters which are discharged into the recipient after purification fulfil conditions regarding limit values set in line with Article 93, paragraph 2 of the Water Law; 2) whether prohibitions from the Article 97 1, 2, 4 and 6 of this Law are enforced for the purpose of protection of water quality of the recipient; 3) whether obligations for examination of waste waters are implemented in accordance with Article 99 of the Water Law.

Inspection monitoring of **health safety of drinking water**, sanitary-hygienic requirements and bathing is conducted by the ministry competent for health activities through sanitary inspector.

Specific distribution of competences, (summary of the specific distribution of competences) is in the table in the annex for this question. For more details about distribution of competences, please see question no 8.

In accordance with Directive on Planning and Reporting on Environmental Inspections (republic level) No. 353-03-2196/2006-01, entered into force on 31 January 2007 and compliant to the Council of Europe and the European Parliament Recommendation from 4 April 2001. (2001/331/EC) on Introduction of Minimum Criteria for Environmental Inspections (RMCEI), planning method, reporting and record keeping on implemented inspection monitoring have been unified for all republic inspectors. This means that all inspectors within their proscribed duties have to perform at least 15 inspection monitoring in one month and draft monthly report and plan for the next month, delivered to his immediate manager at the beginning of the month (first day of the month). All the reports are grouped

by divisions, for six month periods and annually and at the end of the year they are published on the website of the Ministry. Inspector plan for the next month must be compliant to the annual work plan of the Department. Further more, planned inspection checks may or may not be announced to operators. Inspection in the Department also implements inspection campaigns when other inspecting authorities are included and publishes related information on the website of the Ministry. Data gathered on site by the inspection are very important for planning of inspection monitoring; these data are gathered and systematized and list of objects for control is being formed based on them for every monitoring field (for every inspection division separately). Beside planned ones, inspection also performs unplanned, non-scheduled (ad hoc) monitoring, that can be performed: on the request from a party when establishing whether conditions related to EP have been met (for example in the procedure for obtaining licences, permits and similar), based on notification/annunciation/complaint from a citizen on illegal work of an operator (for example in the case of air pollution or illegal waste disposal, exceed of noise level and similar) and in case of an accident or incident.

Instruction on Environmental Inspection Reporting (AP level, towns and municipalities) No. 353-03-2197/2006-01, entered into force on 31 January 2007 and compliant to RMCEI⁵, attempted to unify inspection work on all levels in Serbia.

Environmental Protection Agency is competent for elaborating **report on the state of the environment in the Republic of Serbia**. Report is compiled every year and submitted by the Government to the National Assembly of the Republic of Serbia.

The aim of the Report is to show data on:

- state of and changes in the environment;
- implementation of strategy, national programme and action plans;
- sanitation plans and other implemented measures;
- financing of environmental protection systems;
- priority fields and measures in the field of environmental protection systems;
- other data significant for natural resource and environmental protection management;

Report on the state of the environment in the Republic of Serbia is drafted based on the available data on the state of the environment and gives assessment of current state and recommendations and measures to be implemented in the following period with a view to improve the state. This way the report on the state of the environment becomes an important tool for planning environmental protection policy and is indicator for the required inclusion of environmental protection principles and development and strategic documents from other sectoral policies such as industry, agriculture, energy and others.

Environmental Protection Agency does not have statutory competency related to compliance monitoring in the field of environmental protection. With a view to implement activities related to pollutant emissions and waste management, Agency cooperates with Control and Monitoring Department of the Ministry of Environment and Spatial Planning.

12. Do criminal penalties for breaches of environmental law exist? If yes, please describe the penalty system. Does Serbia's legislation provide an administrative or criminal responsibility of legal persons for breaches of environmental law? If so describe the law. What type of other criminal penalties than imprisonment and fine exist for breaches of environmental law? To what extent do provisions exist which already have criminalised the environmental offences listed in the Directive 2008/99/EC?

⁵ Council of Europe and the European Parliament Recommendation from 4 April 2001 (2001/331/EC)

For violations of environmental laws, there are criminal penalties. They vary depending on the kind of the crime, and are covered by Article 24 of the Criminal Code - Crimes against environment protection, provided in the Annex.

Description of penalty system:

First of all, it is necessary to define the criminal offence, the economic offence and the misdemeanour. Criminal offence is a violation of a law in which there is injury to the public or a member of the public. Economic offence is a violation of the economic and monetary laws and regulations committed by a legal person or its designated representative (a responsible person in the legal entity) or an entrepreneur that violates social codes, economic system or economic interest of a country and/or its citizens which caused or could cause severe consequences and repercussions and that is defined as an economic offence by the regulations prescribed by the competent authority. Misdemeanours are considered to be lesser criminal offences since they cause damage to public goods and assets of smaller amounts. The Law on Misdemeanours defines the misdemeanour as an unlawful act determined by law, with attributes determined by Law and for which misdemeanour sanction is provided. The criminal offence is determined and regulated by the Law while the misdemeanour is determined and regulated by the law and also by bylaws. The difference between the criminal offence and the misdemeanour is also in gravity of social peril. The social peril is an important element of the criminal offence and the gravity of the violation is an important element of the misdemeanour. Current Laws and regulations have lessened the difference in gravity and treatment of the misdemeanour and the criminal offence. This can be seen in the fact that legal persons can now be charged with not only misdemeanours and economic offences but also they could be held responsible, charged with and prosecuted for the criminal offence.

Each of the laws related to the environment protection provides criminal penalties for offences in that field. Each of the laws in force: The Law on Integrated Pollution Prevention and Control in the Republic of Serbia, the Law on Strategic Environmental Assessment, the Law on Packaging and Packaging Waste, the Law on Biocidal Products, the Law on Chemicals, the Law on National Parks, the Law on Environmental Impact Assessment, the Law on Waste Management, The Law on Prohibition of Development, Production, Storage and Use of Chemical Weapons and its Destruction, the Law on Protection and Sustainable Use of Fishing Resources, the Law on Environmental Noise, **Law on Ionizing Radiation Protection and Nuclear Safety, the Law on Non-ionizing Radiation Protection**, the Law on Nature Protection, the Law on Air Protection, the Law on Environment Protection Fund, the Law on Environment Protection provide a penalty for commercial offences and minor offences, while the Criminal Code of the Republic of Serbia (O.G. of RS No. 85/05, 88/2005, 107/2005, 72/2009, 111/09) provides criminal offences in the field of environment protection.

An inspector, in the scope of his/hers authorities, can initiate three types of legal proceedings: 1. to bring charges of criminal offence or 2. commercial offence to a competent body and/or 3. request for instigating misdemeanour proceedings. Inspector is to submit proposal for instituting of infringement procedure for a commercial offence, or bring criminal charges to competent prosecutor's office, i.e. prosecution office manages further proceedings. During commercial offence proceedings, i.e. criminal proceedings, the Public prosecutor can reject charges if the denounced act is not a commercial offence, i.e. crime, that it came to limitation of legal proceedings or if there are other legal conditions that prohibit persecution, he can submit arraignment proposal, or issue a decision on rejection of charges of commercial offence, i.e. criminal offence.

In a commercial offence proceedings or criminal proceedings, the inspector can only have the role of a witness.

Unlike in the case of criminal and commercial offence proceedings, in misdemeanour proceedings, the inspector is authorized requestor; besides instigating misdemeanour proceeding, the inspector is also a party in the proceedings. Request for instigating misdemeanour proceedings can be submitted by public prosecutor or aggrieved party as well. Misdemeanour proceedings on the first instance are led by misdemeanour courts, and on the second instance High Misdemeanour Court.

For the committed environmental offence against the environment, a legal person or a responsible person in the legal entity can be punished. The punishment is also imposed for the committed misdemeanour by a legal person, a responsible person in the legal person, an entrepreneur, a natural person or a responsible person within competent authority, local self-government unit or any organization carrying out public authorizations. Also, there is the Law on Liability of Legal Entities for Criminal Offences in force in RS (O. Gazette of RS, No. 97/2008) which allows the inspector to press charges against legal persons (operators). There is no administrative penalty system.

Criminal Code of the Republic of Serbia (Official Gazette of RS, Nos. 85/2005, 88/2005, 107/2005-amended in 72/2009 и 111/2009) sets out that criminal offences committed by the legal entities as well as imposing of sanctions are regulated by a special Law.

The Law on the Liability of Legal Entities for Criminal Offences (Official Gazette of the Republic of Serbia No. 97/08) regulates conditions governing the liability of legal entities for criminal offences and is applied to national and foreign legal persons held accountable for a criminal offence committed in the territory of the Republic of Serbia. This law is also applicable to foreign legal entities held accountable for criminal offences committed abroad to the detriment of the Republic, nationals thereof or national legal persons. Furthermore, the Law is applicable to national legal entities held accountable for criminal offences committed abroad. However, this Law is not applied if special conditions governing criminal prosecution referred to in the Criminal Code are fulfilled.

A legal person shall be held accountable for criminal offences which have been committed for the benefit of the legal person by a responsible person within the remit, that is, powers thereof. The liability referred of legal person also exists where the lack of supervision or control by the responsible person allowed the commission of crime for the benefit of that legal person by a natural person operating under the supervision and control of the responsible person. Liability of legal person is based upon culpability of the responsible person.

The following penal sanctions may be imposed against a legal person for the commission of criminal offences: sentence, suspended sentence, security measures. The following sentences may be imposed against a legal person: fine and termination of the status of a legal entity. Where the court is empowered to exonerate a legal entity from punishment it may mitigate the respective punishment without any limits as referred to in the aforementioned law.

The sentence of termination of the status of legal entity may be imposed if the activity of the legal entity concerned was for the purposes of the commission of criminal offences, in its entirety or to a considerable extent. Following the finality of a judgment imposing the sentence of termination of the status of a legal entity, the procedure of winding-up, bankruptcy or termination of a legal entity in a different manner can be conducted. A legal entity ceases to exist by being deleted from the Register managed by a competent authority.

The court may impose a suspended sentence on a legal entity for the commission of criminal offence. By imposing a suspended sentence on a legal person the court determines a fine of the maximum amount of up to five million dinars (47.619 EUR), and concurrently it specifies that the sentence shall not be enforced if the convicted legal person, during a period defined by the court that may not be shorter than one year and not longer than three years (probation period), is not held accountable for any criminal offence as stipulated by the Law.

Where legal person is liable for a criminal offence, the following security measures may be imposed: prohibition to practice certain registered activities or operations, confiscation of instrumentalities and the publicizing of the judgment.

A convicting judgment of a legal entity for some criminal offence may as a legal consequence have termination, that is, forfeiture of certain rights or prohibition upon acquiring certain rights. Legal consequences may be provided for by law solely, setting in by virtue of the law itself under which they are set forth. Legal consequences of the conviction relating to termination or forfeiture of certain rights include: termination of practicing certain activities or business operations, forfeiture of certain permits, approvals, concessions, subsidies or other forms of incentives granted by a decision of a government authority or an authority of the local self-government unit.

Besides imprisonment and fine, the Criminal Code envisages possibility that, in the case of pronouncement of probation “the court may determine responsibility for the defendant to, in certain time limits, take measures of protection, preservation and improvement of environment” or “ to, within certain time limits, take measures aimed at removal of harmful consequences for environment”; it also envisages seizure of means of the crime.

For certain crimes, there is a possibility of penalties for an attempted crime.

The crimes set out in the Article 24 of the Criminal Code (“Crimes against environment protection”) – ANNEX No. 1 are in compliance with EU Directive on the protection of the environment through Criminal Code (**Directive 2008/99/EC**).

13. Please detail the number of prosecutions for breaches of environmental law and the level of penalty for such breaches over the last 5 years. Please provide information on the collection rates of fines imposed and the relevant statistics for breaches in the sectors of air, water and waste for the last three years and, if available, also for other environmental sectors.

By adoption of the Directive on Planning and Reporting on Environmental Inspections No. 353-03-2196/2006-01 from 20 December 2006, Sector for control and surveillance since January 2007 has been applying the European Parliament and the Council of Europe Recommendation from 4 April 2001 (**2001/331/EC**) on Introducing Minimum Criteria for Inspection Monitoring in the field of environmental protection (RMCEI), so we have in our possession statistical data since 2007. Data in tables are taken from Inspection Annual Reports for 2007, 2008 and 2009.

Overview of submitted applications

Year	Number of submitted		
	applications for commercial offences	applications for instigating misdemeanour proceedings	applications for criminal charges
2007.	112	742	42
2008.	140	827	31
2009.	118	885	40

Overview of processed applications

Year	Stage in the court proceedings		applications for commercial offences	applications for instigating misdemeanour proceedings	applications for criminal charges
2007.	Instituted procedure / Solved		41	83	16
	From	which rejected/refused/warning/uncharged	2	11	5
	Imposed fines – for legal person (range)		10.000-190.000	1.000-110.000	10.000-80.000
2008.	Instituted procedure / Solved		98	224	19
	From which	rejected/refused/warning/uncharged	20	42	6
		Unsolved (undergoing)	22	168	11
		Imposed fines – for legal person (range)	20.000-1.000.000	1.000-400.000	6 months imprisonment, one year probation
2009	Instituted procedure / Solved		72	578	5
	From	which rejected/refused/warning/uncharged	8	140	2
	Imposed fines – for legal person (range)		10.000-1.000.000	500-800.000	6 months, probation up to 400.000

Year	Number of inspection supervision in the field of			Number of decisions
	Nature protection, natural resources and fishery	Industry	Border inspections	
2007.	4234	7068	10271	1417
2008.	4948	8475	2662	1772

2009 Department for	Number of inspection supervision	Number of decisions
environmental pollution protection	5779	1248
protection and use of natural goods and resources and soil protection	3034	163
water pollution protection and fishery	2056	109

for environmental protection in the field of chemical management, biocides and Seveso facilities	1364	1062
cooperation of inspection with international networks, local self-government and integrated approach on border	617	33
hazardous and other waste management	944	184
republic construction inspection	646	124
republic spatial planning inspection	976	223
TOTAL	15416	3146

Sector for control and surveillance during 2008 and 2009 organised trainings for judges and public prosecutors (2008) and for magistrates and environmental protection inspectors (2009) in cooperation with OSCE and the Ministry of Justice. The aim of these trainings was to increase penalties in the field of environmental protection, to speed up processing of inspector complaints and to help inspectors to learn how to compile claims for instituting infringement procedures.

Annual reports of water inspection for 2007, 2008, 2009 from the field of ***water protection***

Year	Monitoring field		
		Number of inspection monitoring	Number of decisions
2007.	Water protection	1171	363
2008.	Water protection	2.162	446
2009.	Water protection	1.590	595

Overview of submitted complaints in the monitoring field of the Water Law

Year	Monitoring field	Number of submitted complaints		
		complaints for corporate offence	claims for instituting infringement procedure	criminal charges
2007.	Water protection	112	742	42
2008.	Water protection	140	827	31
2009.	Water protection	118	885	40

Overview of processed complaints in the field of the Water Law

Year	Monitoring field	complaints for corporate offence	claims for instituting infringement procedure	criminal charges
2007.	Instituted procedure / Solved	29	21	0
	From which rejected/refused/warning/uncharged	-	29	-
	Imposed fines – for legal person (range)	10.000-100.000	1.000-50.000	-
2008.	Instituted procedure / Solved	31	156	0
	From which rejected/refused/warning/uncharged	-	23	-
	Imposed fines – for legal person (range)	20.000-300.000	5.000-300.000	-
2009	Instituted procedure / Solved	28	143	0
	From which rejected/refused/warning/uncharged	-	16	-
	Imposed fines – for legal person (range)	20.000-300.000	10.000-300.000	-

14. What type of economic instruments (taxes, duties, tradable permit schemes, etc) is used for environmental policy? Please communicate the share of environmental taxes in total taxation and in GDP. Please estimate the percentage of GDP spent on environmental protection.

Economic instruments for securing financing and achievement of the environmental protection objectives are imposed by: the Law on Environmental Protection (Official Gazette of RS, No. 135/2004, 36/09, 36/09 – state law and 72/09), and consist of: charges for environmental pollution (Article 85. of the Law), charges for trade in wild flora and fauna species (Article 27. of the Law).

Charges for environmental pollution are imposed for emissions of SO₂, NO₂, dust, substances that deplete the ozone layer, production and disposal of hazardous industrial waste, use of motor vehicles and plastic bags. Funds from these fees in the amount of 60% are revenue in the budget of the Republic i.e. Environmental Protection Fund of RS and in the amount of 40% revenue in the budget of a local government unit i.e. budget funds of local government units. Funds are assigned for protection and improvement of environment in line with programmes and action and sanitary plans. Regulation on pollution types, criteria for computing the environmental pollution charges and defining obliged persons, amount and manner of fee calculation and payment (Official Gazette of RS, No. 113/04, 6/07, 8/10)

defined pollution types, criteria for computing the environmental pollution charges and defining obliged persons, amount and manner of fee calculation and payment.

Charges for trade in wild flora and fauna species – Regulation on Controlling the Use and Trade of Wild Flora and Fauna Species (Official Gazette of RS, No. 31/05, 45/05, 22/07, 38/08, 9/2010) defined that legal person or entrepreneur engaged in trade in wild flora and fauna species must pay charges. Funds collected from the charges for trade in wild flora and fauna species are revenue in the budget of the Republic i.e. Environmental Protection Fund of RS and they are used for financing preparation, implementation and development of programmes, projects and other activities in the field of protection and improvement of environment. Government adopted Regulation on Controlling the Use and Trade of Wild Flora and Fauna Species (Official Gazette of RS, No. 31/05, 45/05, 22/07, 38/08, 9/2010) defining that legal person or entrepreneur engaged in trade in wild flora and fauna species must pay charges.

Newly adopted laws in 2009 from the field of environmental protection introduced new economic instruments.

In accordance with the **Law on Waste Management** (Official Gazette of RS, No. 36/09) – **charges for products that after use become separate waste flows** (Official Gazette of RS, No. 36/09) apply from 2010. Government adopted Regulation on products becoming separate waste flows after use, daily records form on quantities and type of produced and imported product and annual report, manner and deadline for submission of annual report, persons obliged for fee payment, criteria for calculation, amount and manner of fee calculation and payment. Laid down are: products becoming separate waste flows after use (motor vehicle tires, products containing asbestos, batteries, all mineral and synthetic oils and lubricants no more usable for initial purpose, electric and electronic products); persons obliged for fee payment are producers and importers of tires or vehicles containing tyres or use tire as a separate product or vehicles containing tyres, producers and importers of products containing tires, producers and importers of batteries or vehicles and devices containing batteries or use batteries as a separate product or vehicles and devices containing batteries; producers and importers of fresh mineral or synthetic oils or lubricants; producers and importers of electric and electronic products placing them on the market in the Republic of Serbia by themselves or using them as end-users).

Persons obliged for payment are producers or importers of products becoming separate waste flows after use.

Charges for placing packaging on the market in accordance with the Law on Packaging and Packaging Waste (Official Gazette of RS, No. 36/09) defined that supplier placing packaging or packaged product on the market in the Republic of Serbia must pay charges. For the purpose of implementing this Law the Government adopted Regulation on criteria for calculating charges for placing on the market of packaging or packaged product, exemption from the charges, persons obliged, fee amount and manner of charges calculation and payment (Official Gazette of RS, No. 8/2010) and collection shall start in 2011.

Law on Conservation and Sustainable Use of Fish Resources (Official Gazette of RS, No. 36/09) defines that fishing area may be granted for use to a company or public company or user fulfilling certain conditions and that fishing area shall be granted for use for certain charge. **Charges for the use of fishing area** are revenue in the budget of the Republic of Serbia and are being used through Environmental Protection Fund and charges for the use of fishing area in the territory of autonomous province are revenue in the budget of the autonomous province and are being used through provincial budgetary fund for environmental protection. Amount of these charges shall be 15% from fees paid for license issuance for commercial fishing and 10% from fees paid for license issuance for recreational fishing (annual, daily, for more days). Funds from charges for the use of fishing area are assigned for protection, improvement and sustainable use of fish resources.

Based on Article 18 of the Law on the Environmental Protection Fund (Official Gazette of RS, No. 72/09), the Government adopted Regulation on the Amount and Conditions for Allocation of Subsidies (Official Gazette of RS, Nos. 88/09 and 67/10).

This Regulation regulates amount and conditions for allocation of subsidies for reuse and recovery of waste as a secondary raw material or for energy production.

Law on Environmental Protection (Official Gazette of RS, Nos. 36/09 and 88/10) in Article 12 proscribes that in order to abate harmful impacts on the nature that can occur or have occurred by realisation of plans, grounds, programmes, projects, works or activities on a protected natural assets or ecological network area, legal person, entrepreneur and natural person or project holder must implement compensation measures in accordance with decision passed by the Ministry on the proposal from the Institute. Compensation measures are implemented with a view to renew or replace damaged parts of the nature i.e. habitat, strictly protected wild species or protected wild species and their function.

One of the measures is fine in the value of damage caused at location in the case when it is not possible to give effect to abovementioned charges or sanitation measures. Fine on account of compensation measure is paid to the account proscribed for the payment of public revenue in the budget of the Republic of Serbia and is used through Environmental Protection Fund only for financing projects for nature protection. Rulebook on Compensatory Measures (Official Gazette of RS, No. 20/10) defines compensation measures and manner of choosing the best compensation measure with a view to abate harmful influence on important ecological areas or protected natural assets that can be caused by realization of planned projects, works and activities in nature.

This Law proscribes payment of charges to the manager of protected area. Articles 70 proscribe that the manager may lie down and collect charges for:

- 1) activities in the field of tourism, catering, trade, services, crafts, industry, mining, energy, water management, civil engineering, transport, telecommunications, use of wild flora and fauna;
- 2) holiday homes and other non-commercial facilities for vacation in nature;
- 3) Motor vehicles used in protected area;
- 4) Tourist, recreational, sport and other manifestations and activities, advertisements, commercial film, photo and sound recording;
- 5) Use of services, arranged terrains, facilities and other properties of the manager and sign and name of the protected area;
- 6) Visit to the protected area, its parts and facilities;
- 7) Obligated person is a user of protected area i.e. legal person, entrepreneur or natural person performing works or handling immovable properties and other objects in the protected area, uses services and property of the manager; visits protected area for vacation, sport, recreation and similar needs and in other way uses its values and benefits.

Charges amount is proscribed by the manager depending on:

- 1) Level of use of the protected area;
- 2) Level of damage caused to the protected area;
- 3) Level of increased obligations of the manager in maintaining the place clean and tidy, safeguarding and performing other works on preservation, improvement, presentation and development of the protected area;
- 4) Benefits and advantages provided by the protected area for pursuing allowed activities.

Manager may subscribe decrease or exempt from fee payment under one or more charges and before all for:

- 1) Population and permanently employed, natural persons performing works or official tasks in the protected area, persons with disability and special needs, children and others;
- 2) Users whose activities immediately contribute to the improvement of the state, presentation and promotion of the values of the protected area;
- 3) Users who due to natural forces or other reasons experienced circumstances significantly aggravating work and business conditions.

Manager must use funds gained through collected charges for protection, development and improvement of the protected area i.e. implementation of management plan and programme.

According to current Water Law and annual Regulation on fee amounts for water use, charges for water protection and charges for extracted material from a water flow are laid down by the Government of the Republic of Serbia.

Charges for the use of surface, ground and mineral water are defined for:

- 1) Unprocessed freshwater;
- 2) Drinking water abstracted for sale to companies and other legal persons and citizens;
- 3) drinking water for personal use;
- 4) Producers of bottled mineral and natural water;
- 5) Fish farms;
- 6) Drinking water used in the production of spirits and soft drinks;
- 7) Water used for operation of small hydroelectric power plant.

Charges for water protection are defined for:

- 1) Production waste waters, processing of and trade in oil and oil derivatives; ferrous metals industry; non-ferrous metals industry; textile industry, chemical industry; industries for paper, celluloid, leather and textile; pig farms; slaughter industry and vehicles and machines services;
- 2) Waste waters in shipbuilding, electrical power industry, rubber industry, power plants with recirculation, food industry, metal processing industry and civil engineering industry.
- 3) Waste waters in wood and wood processing industry, building materials production and processing and tobacco processing;
- 4) Urban waste waters collected in sewage systems;
- 5) Other waste waters;
- 6) Power plants with open – run of the river cooling systems;

Charges for extracted material from a water flow are laid down for extracted sand, pebbles and other material:

- 1) From water flow bed, natural and artificial accumulations;
- 2) From eroded soil;
- 3) From agricultural, forest and other land stretching as a bank immediately to the water bed for large water in water flow or lakes or accumulation.

Water charges (Article 153 of the Water Law) are charges for the use of water assets, discharged waters, water pollution, drainage, use of water objects and systems and water basin charges.

Charges for the use of water assets: for the use of water and wetland and it should be paid if: water abstracted from the surface and groundwater is used for drinking, irrigation, production, technological, communal or other purpose; regional and multipurpose water systems abstracting and distributing water; water is used for fish farming in fish ponds; drinking water is supplied by a public water-supply system; water is abstracted for filtering or use in final product; water is used for electrical energy production for sale or personal needs and plant operation; water is used for heating plant operation; exploitation of river deposits from a wetland or eroded areas; wetland is used for commercial activities (dumps, lading sites and other); wetland is used for construction of temporary facilities for pursuing economic activity; water body of surface waters is used for residence and wetland for vessels transportation, including catering facilities on a vessel; wetland is used for sports, recreation and tourism (Article 154. and 155 of the Water Law).

Charges for discharged water are established for direct or indirect water discharge into recipient or public sewer and paid for: water discharged into sewer, water flow, canal, lake, accumulation and similar; for collection, discharge and treatment of waste waters and atmospheric waters by public sewer and electrical energy production systems in power plants with open – run-of-river cooling systems (Article 160. and 161 of the Water Law).

Charges for water pollution are established for direct or indirect water pollution and paid for water pollution: from vessels; from discharging waste waters into sewer, water flow, canal, lake, accumulation and similar; for collection, discharge and treatment of waste waters and atmospheric waters by public sewer; from discharging pollutants directly or indirectly polluting waters into agricultural, building or forest land; from production or import of fertilizers or chemical plant protection and pest control products as well as phosphate-based detergents (Article 164. and 165 of the Water Law).

Charges for drainage are established for arranging water regime for soil in meliorated area, or part of meliorated area, by drainage of excess waters by drainage system managed by public water management company and paid by the owner of: hydraulic, forest or building land; facilities and area for pursuing commercial and other activity, except if water discharge is provided by atmospheric sewerage system; housing facility, except if water discharge is provided by atmospheric sewerage system; transport infrastructure (roads, railways, ports, quaysides, airports and other), except if water discharge is provided by atmospheric sewerage system or in other way; goods in general use (parks, squares, streets etc) except if water discharge is provided by atmospheric sewerage system or in other way (Article 169. and 170 of the Water Law).

Charges for the use of water objects and systems are established for irrigation and water supply for industry, fish farms and other users; receipt and discharge of waste waters from industry, fish farms and other users and canal sailing and other purpose, and is paid by: owner or user of hydraulic and forest land, industry and other facilities using water objects and systems for irrigation, industry and other purpose; legal person, entrepreneur and natural person using water objects and systems for discharge of waste waters from industry and other objects and for canal sailing and other purpose (Article 174. and 175 of the Water Law).

Water basin charges are established for water flow arrangement and protection against harmful influence from waters and water regime arrangement for the soil on the part of sub-basin without built-in drainage systems and paid by the owner or user of: agricultural, forest or building land; facilities and area for pursuing commercial and other activity, except if water discharge is provided by atmospheric sewerage system; housing facility, except if water discharge is provided by atmospheric sewerage system; transport infrastructure (roads, railways, ports, quaysides, airports and other) , except if water discharge

is provided by atmospheric sewerage system; goods in general use (parks, squares, streets etc) except if water discharge is provided by atmospheric sewerage system (Article 178. and 179 of the Water Law).

Government of the Republic of Serbia sets fee amount in the Decision on Establishment of Fee Amount for Water (Article 191 of the Water Law).

In the part of The Law on Corporate Profit Tax (Official Gazette of RS, No. .25/01, 80/02, 43/03 and 84/04) regulating **fiscal incentives** and for accomplishment of economic policy objectives through supporting economic growth, small enterprises development, concessionary investments, employment and improvement of the ecological state, obliged persons are offered fiscal incentives through faster amortization, tax exemptions, tax loans and incentives for initial investments. Obligated persons have right to speed up amortization of fixed assets under the rates that may be up to 25% from the established rates. Article 43 of this Law among others provide for the obliged person right to speed up amortization in relation to fixed assets for protection against pollution of air, water and soil, noise decrease, energy saving, forestry, collection and use of waste as industrial material or energy fuels. In accordance to the article 48a obliged persons have the right on tax loan in the amount of 80% of investment in that year in fixed assets for pursuing activity provided that activity is listed under certain activities, among others fishery and recycling, in accordance with the law governing classification of activities and register for classification units.

Exemption from import levies apply to equipment directly serving for the environmental protection provided that the equipment is not produced in the country in accordance with Article 193 of the Customs Law (Official Gazette of RS, No. 73/03, 9/10). For the use of benefit referred to in Article 193, Paragraph 1, point 9 of the Customs Law, Article 266 of the regulation on custom allowed treatment of custom goods, clearance of customs goods and custom debts collection (Official Gazette of RS, No. 127/03, 20/04, 24/04, 63/04, 104/04, 44/05, 71/05, 76/05, 106/05, 5/06, 47/06, 86/06, 10/07, 25/07, 80/07, 96/09) provides for the benefit user to submit to tax authority certificate from the Ministry of Environment that the imported goods directly used for environmental protection and certificate from the Serbian Chamber of Commerce that the imported goods are not produced in the country.

According to data from 2009, revenue from environmental protection charges were 0.76% in total revenue and 0.31% in GDP and in public sector total environmental protection charges were 0.3% in GDP.

15. Are there any mechanisms to provide for the protection of the environment to be taken into consideration in other policies, in particular agricultural, industrial, energy and transport policies in line with article 11 of the Treaty on the Functioning of the European Union?

The significance of environment integration process that enables the issues of significance for environment to be taken into consideration on decision making or planning of activities in other sectors was recognised during creation of National Environment Protection Programme, whose base contains 6th Environmental Action Plan.

The first general objective of environment protection policy, pursuant to the National Environment Protection Plan is- **Integration of environment protection policy with economic policy and policies of other sectors.**

Chapter 6 of the document National Environment Protection Programme deals with **causes of problems and impact of economic sectors to environment, especially of: industry, mining, energy production, agriculture, forestry and hunting, transport, etc.**

Chapter 7 of the document National Environment Protection Programme defines **priority environment protection objectives** in the same economic sectors, and the chapter 8 of this document contains **measures** for their achievement.

The basic objective of the National Environment Protection Programme have been already incorporated into some strategic documents of other sector policies, and the process of joined defining of objectives related to sustainable use of natural resources and goods is in the progress.

The Energy Sector Development Strategy of RS by 2015 includes, as one of the programme priorities- **Environment Protection Programme**.

The Agricultural Development Strategy of Serbia has, as one of its objectives, objective to- Preserve environment from effects of agriculture production.

The Development Strategy for Rail, Road, Water, Air and Intermodal Transport of the Republic of Serbia from 2008 to 2015 , as one of its general objectives sets out- Reduction of negative environmental impact of transport, in the line with the principles of sustainable development.

One of five key national priorities of **the National Sustainable Development Strategy (NSDS)** is ***Protection and improvement of environment and rational use of natural resources***. For achievement of the set priority, NSDS defines the following key objectives:

- establishment of the system of protection and sustainable use of natural wealth, i.e. resources (air, water, soil, mineral raw materials, forests, fish, wild plant and animal species);
- building of interaction and achievement of mutual effects of environment protection and economic growth, inclusion of environment policy into developing policies of other sectors
- investing in reduction of environment pollution and development of clean technologies; reduction of high energy intensity of the economy of the Republic of Serbia and more efficient use of fossil fuels;

- promotion of the use of energy from renewable sources;
- planning of sustainable production and consumption and reduction of waste per product unit;
- protection and preservation of biodiversity.

Achievement of priorities includes integration and compliance of objectives and measures of all sector policies, harmonisation of national regulations with EU legislation and their full application. NSDS defines that adoption and implementation of national environment protection programme with appropriate action plans is of the highest significance, as well as adoption and implementation of national strategy for sustainable use of resources and goods as inter-sector strategic document to be implemented by the means of plans, programmes and bases for each natural resource or goods adopted by the Government. To make the environment policy an integral part of other sector policies, especially of the spatial and urbanism planning sector, it is necessary to build the capacities for application of strategic environmental impact assessment of policies, plans and programmes, in accordance with the law. Adoption of the strategy of spatial development of the Republic of Serbia is one of the priorities. It is necessary to additionally build capacities of the ministry competent for environment protection, Environment Protection Agency and Environment Protection Fund, and of other institutions of relevance for environment protection and consumption of natural resources.

Also, it is necessary to incorporate action plans into programme documents of all economic fields, especially agriculture, forestry, water management, fishery, mining, energy, infrastructure and traffic and other, which functioning and development is directly connected to exploiting of natural resources. It is necessary to adopt specialized programmes and measures that will enable more active role of certain line ministries in sustainable development of economic field they are competent for (for example, agro-ecological programmes).

The chapter *Environment and Natural Resources* of the Action Plan for implementation of NSDS consists of three units: Natural resources, Environmental risk factors and Environmental impact of economic sectors. Two relevant ministries, local governments and undertakings are competent for implementation of more than 100 laid down measures until 2017.

16. Which international agreements concerning environmental protection have been signed and which ones have been ratified by your country?

So far, 73 international agreements in the field of environmental protection have been ratified. Ratification of other international agreements is pending.

I. International treaties which directly regulate the environmental protection

- 1) Law Ratifying the Convention for the Protection of the Mediterranean Sea against Pollution ("Official Journal of SFRY" - International Treaties, No. 12/77);
- 2) Law Ratifying the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft ("Official Journal of SFRY" -International Treaties, No. 12/77);
- 3) Law Ratifying the Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency ("Official Journal of SFRY" -International Treaties, No. 12/77);
- 4) Law Ratifying the International Convention for the Prevention of Pollution of the Sea by Oil ("Official Journal of SFRY" -International Treaties, No. 60/73);

- 5) Law Ratifying Geneva marine conventions of 29 April 1958 by which the Convention on epicontinental area was ratified ("Official Journal of SFRY" No. 4/65);
- 6) Regulation Ratifying the International Conventions Relating to Intervention on the High Seas in Cases of Oil pollution Casualties ("Official Journal of SFRY-International Treaties, No. 2/77");
- 7) Regulation Ratifying the Convention for the Prevention of Marine Pollution by Dumping of Wastes and Other Matter ("Official Journal of SFRY" -International Treaties, No. 13/77);
- 8) Regulation Ratifying Yugoslav-Italian Agreement for Co-operation on Protection of the Water of the Adriatic Sea and the Coastal Regions Against Pollution ("Official Journal of SFRY"-International Treaties, No. 2/77);
- 9) Regulation on the Treaty on Fishery in the Danube River Waters between Government of Federal People's Republic of Yugoslavia, People's Republic of Bulgaria, Romanian People's Republic and USSR ("Official Journal of FPRY"-International Treaties, No. 8/58);
- 10) Law Ratifying Geneva marine conventions of 29 April 1958 by which the Convention on epicontinental area was ratified ("Official Journal of SFRY" , International Treaties, No. 4/65);
- 11) Law Ratifying the International Convention for the Protection of Birds ("Official Journal of SFRY" -International Treaties, No. 6/73);
- 12) Regulation Ratifying the Convention on Wetlands of International Importance, especially as Waterfowl Habitat ("Official Journal of SFRY"- International Treaties, No.9/77);
- 13) Law Ratifying the Convention Concerning the Protection of the World Cultural and Natural Heritage ("Official Journal of SFRY"- International Treaties, No. 8/74);
- 14) Law Ratifying the Convention for the Protection of Cultural Property in the Event of Armed Conflict ("Official Journal of FPRY"-International Treaties, No. 4/56);
- 15) Law Ratifying the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property ("Official Journal of SFRY" International Treaties, No. 50/73);
- 16) Law Ratifying the Vienna Convention on Civil Liability for Nuclear Damage ("Official Journal of SFRY" -International Treaties, No. 5/77);
- 17) Regulation Ratifying the Convention for the Establishment of the European Plant Protection Organisation ("Official Journal of FPRY"- International Treaties, No. 12/57);
- 18) Regulation Ratifying the International Plant Protection Convention ("Official Journal of FPRY"-International Treaties, No. 7/55);
- 19) Decision Ratifying the Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil ("Official Journal of SFRY" International Treaties, No. 12/81);
- 20) Law Ratifying the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources with Annexes I, II and III ("Official Journal of SFRY"- International Treaties, No. 1/90);
- 21) Law Ratifying the Protocol concerning Specially Protected Areas of Mediterranean Sea ("Official Journal of SFRY"- International Treaties, No. 9/85);
- 22) Law Ratifying the Convention on the Law of the Sea ("Official Journal of SFRY" International Treaties, No. 1/86);

- 23) Regulation Ratifying the International Convention for the Prevention of Pollution from Ships ("Official Journal of SFRY" International Treaties, No. 2/85);
- 24) Protocol of 1978 referring to the International Convention for the Prevention of Pollution from Ships, 1973. Not published.
- 25) Law Ratifying the Agreement for the Environmental Protection from Pollution of the Tisa River and its tributaries ("Official Journal of SFRY"- International Treaties, No. 1/90);
- 26) Law Ratifying the Convention on Long-range Transboundary Air Pollution ("Official Journal of SFRY" International Treaties, No. 11/86);
- 27) Law Ratifying the Protocol to the Convention on Long-range Transboundary Air Pollution on Long-Term Financing of Co-operative Programme for Monitoring and Evaluation of the Long Range Transmission of Air Pollutants in Europe (EMEP) ("Official Journal of SFRY", International Treaties, No. 2/87);
- 28) Law Ratifying the Vienna Convention for the Protection of the Ozone Layer ("Official Journal of SFRY" International Treaties, No. 1/90);
- 29) Law Ratifying the Montreal Protocol on Substances That Deplete the Ozone Layer ("Official Journal of SFRY" International Treaties, No. 16/90);
- 30) Amendments on the Montreal Protocol on Substances That Deplete the Ozone Layer ("Official Journal of Serbia and Montenegro" -International Treaties, No. 24/04);
- 31) Law Ratifying the Convention on Early Notification of a Nuclear Accident ("Official Journal of SFRY"- International Treaties, No. 15/89);
- 32) Law Ratifying the Convention on the Physical Protection of Nuclear Material ("Official Journal of SFRY"- International Treaties, No. 9/85);
- 33) Contract Ratifying the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological and Toxin) Weapons and on Their Destruction ("Official Journal of SFRY"- International Treaties, No.43/74);
- 34) Law Ratifying the Agreement between the Government of the Federal Republic of Yugoslavia and Government of the Russian Federation on the cooperation in the Area of Protection and Improvement of the Environment ("Official Journal of FRY"-International Treaties, No. 6/96);
- 35) Law Ratifying the UN Framework Convention on Climate Change ("Official Journal of FRY" International Treaties, No. 2/97);
- 36) Law Ratifying the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal ("Official Journal FRY"-International Treaties, No. 2/99);
- 37) Law Ratifying the Convention on Biological Diversity ("Official Journal of FRY" International Treaties, No. 11/01);
- 38) Law Ratifying the Cartagena Protocol on Biosafety to the Convention on Biological Diversity with annexes ("Official Journal of Serbia and Montenegro"-International Treaties, No.16/05);
- 39) Law Ratifying the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("Official Journal of FRY"- International Treaties, No. 11/01);
- 40) Law Ratifying the Convention on Co-operation for the Protection and Sustainable Use of the River Danube ("Official Journal of Serbia and Montenegro"-International Treaties, No.4/03).

- 41) Law Ratifying the Framework Agreement on Sava River Basin ("Official Journal of Serbia and Montenegro" International Treaties, No. 12/04);
- 42) Law Ratifying the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification Particularly in Africa ("Official Gazette of RS"-International Treaties, No.102/07)
- 43) Law Ratifying the Convention on the Conservation of Migratory Species of Wild Animals, Bonn, 1979 ("Official Gazette of RS"-International Treaties, No. 102/07);
- 44) Law Ratifying the Convention on the Conservation of European Wildlife and Natural Habitats, Bern, 1979 ("Official Gazette of RS"-International Treaties, No. 102/07);
- 45) Law Ratifying the Kyoto Protocol to the United Nations framework Convention on Climate Change, 1997 ("Official Gazette of RS"-International Treaties, No. 88/07);
- 46) Law Ratifying the Convention on the Protection and Sustainable Development of the Carpathians ("Official Gazette of RS"-International Treaties, No. 102/07);
- 47) Law Ratifying the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. Aarhus, 1998 ("Official Gazette of RS"-International Treaties, No.30/09);
- 48) Law Ratifying the Convention on the Transboundary Effects of Industrial Accidents ("Official Gazette of RS", No. 42/09);
- 49) Law Ratifying the Stockholm Convention on Persistent Organic Pollutants ("Official Gazette of RS", No. 42/09);
- 50) Law Ratifying the Agreement on financing (Project "Regional Development of Bor") between the Republic of Serbia and the International Development Association (Official Gazette of RS, No. 83/08);
- 51) Law Ratifying the Agreement on financing (Additional financing of the energy efficiency projects for Serbia) between the Republic of Serbia and the International Development Association (Official Gazette of RS, No. 83/08);
- 52) Law Ratifying the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998, ("Official Gazette of RS"-International Treaties, No. 38/09);
- 53) Law Ratifying the Convention on Environmental Impact Assessment in a Transboundary Context, (Espoo,1991) ("Official Gazette of RS"-International Treaties, No. 102/07);
- 54) Law Ratifying the Amendment to Annex B to the Kyoto Protocol to the United Nations framework Convention on Climate Change ("Official Gazette of RS"-International Treaties, No. 38/09);

II International treaties which indirectly regulate the environmental protection

- 1) Law Ratifying Geneva marine conventions of 29 April 1958 by which the Convention on the Territorial Sea and the Contiguous Zone was ratified ("Official Journal of SFRY" No. 4/65);
- 2) Regulation Ratifying the Agreement Regarding Financial Support of the North Atlantic Ice Patrol ("Official Journal of FPRY"-International Treaties, No. 3/59)

- 3) Regulation Ratifying the Agreement for the Establishment of a General Fisheries Council for the Mediterranean ("Official Journal of the Presidium of the People's Assembly", No. 25/51)
- 4) Regulation Ratifying the Convention on Fishing and Conservation of the Living Resources of the High Seas ("Official Journal of SFRY"- International Treaties, No. 4/65);
- 5) Regulation Ratifying the International Convention for the Safety of Life at Sea ("Official Journal of SFRY"- International Treaties, No. 5/65)
- 6) Regulation Ratifying the International Convention on Civil Liability for Oil Pollution Damage ("Official Journal of SFRY" International Treaties, No. 7/77);
- 7) Law Ratifying the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage ("Official Journal of SFRY"- International Treaties, No. 3/77);
- 8) Law Ratifying the Convention on International Regulations for Preventing Collisions at Sea ("Official Journal of SFRY"- International Treaties, No. 60/75)
- 9) Law on Conventions which were adopted, in accordance with the Peace Treaty of Versailles on 8 June 1919 and in accordance with the other corresponding provisions of other Peace Treaties, at the International Labour Conferences held in Washington, Genoa and Geneva from 1919-1926 ("Official newspaper of the Kingdom of Yugoslavia", No. 44 XVI/30)
- 10) Regulation Ratifying the Convention Concerning Protection Against Hazards of Poisoning Arising from Benzene ("Official Journal of SFRY"- International Treaties, No. 16/76);
- 11) Law Ratifying the Convention Concerning Prevention and Control of Occupational Hazards caused by Carcinogenic Substances and Agents ("Official Journal of SFRY"-International Treaties, No. 3/77)
- 12) Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water ("Official Journal of SFRY"-International Treaties, No. 11/63)
- 13) Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Sea Bed and the Ocean Floor and the Subsoil Thereof ("Official Journal of SFRY"-International Treaties, No. 33/73)
- 14) Law Ratifying the Convention concerning the Protection of Workers against Occupational Hazards in the Working Environment Due to Air Pollution, Noise and Vibration ("Official Journal of SFRY"-International Treaties, No. 14/82)
- 15) Law Ratifying the Convention Concerning the Occupational Safety and Health and the Working Environment ("Official Journal of SFRY"- International Treaties, No. 7/87);
- 16) Law Ratifying the Occupational Health Services Convention ("Official Journal of SFRY" International Treaties, No. 14/89);
- 17) Law Ratifying the Convention Concerning Safety in the Use of Asbestos ("Official Journal of SFRY" International Treaties, No. 4/89)
- 18) Law Ratifying the European Convention on the Protection of the Archaeological Heritage ("Official Journal of SFRY" International Treaties, No. 9/90)
- 19) Law Ratifying the Convention on the Protection of the Architectural Heritage of Europe ("Official Journal of SFRY" International Treaties, No. 4/91)

IV Multilateral agreements from the field of environment which are in the process of preparation for ratification

1. Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal, 1999.
2. Convention on Civil Liability for Damage Resulting from Activities Dangerous to the Environment, Lugano, 1993.
3. Protocol on Pollutant Release and Transfer Registers-PRTR, Kiev, 2003.
4. Helsinki Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent, 1985⁶.
5. Sofia Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes, 1998.
6. Geneva Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes, 1991.
7. The 1994 Oslo Protocol on Further Reduction of Sulphur Emissions
8. Protocol on Heavy Metal, Aarhus, 1998.
9. Protocol on Persistent Organic Pollutants (POPs), Aarhus, 1998.
10. Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, Gothenburg, 1999.
11. Convention on the Law of the Non-navigational Uses of International Water Courses, New York, 1997

The Republic of Serbia signed/ratified the following agreements in the field of water economy:

-Bilateral agreements:

1. Agreement between The Federal People's Republic of Yugoslavia and the Romanian People's Republic Concerning Questions of Water Control on Water Control Systems and Watercourses on or Intersected by the State Frontier, Together with the Statute of the Yugoslav-Romanian Water Control Commission signed on 7 April 1955 and ratified on 16 August 1955 ("Official Journal of FPRY"-International Treaties, No. 8/56),
2. Agreement Between The Federal People's Republic Of Yugoslavia And The Hungarian People's Republic on Water Economy signed on 8 August 1955 and ratified on 25 April 1956 ("Official Journal of FPRY"-International Treaties, No. 15/56),

-Multilateral agreements:

1. Conventions on Co-operation for the Protection and Sustainable Use of the River Danube (Danube River Protection Convention) was ratified on 30 January 2003 ("Official Journal of FRY"-*International Treaties* No. 2/2003). Republic of Serbia became a contracting party of the International Commission for the Protection of the Danube River-ICPDR on 19 August 2003,
2. Framework agreement on Sava River Basin, Protocol on Navigation Regime to Framework Agreement on Sava River Basin and the Agreement on Amendments of the Framework Agreement

⁶ From 8 to 14 are **Protocols to the Convention on Long-range Transboundary Air Pollution**, Geneva, 1979 (Convention ratified in 2001)

on Sava River Basin and the Protocol on Navigation Regime to Framework Agreement on Sava River Basin signed on 3 December 2002 and ratified on 29 December 2004 (“Official Journal of Serbia and Montenegro”-International Treaties, No. 12/2004),

3. Protocol on prevention of the water pollution caused by navigation to the Framework Agreement on the Sava River Basin was signed on 1 June 2009.
4. The Government of the Republic of Serbia adopted the Law proposal ratifying the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and amendment to articles 25. and 26 of the Convention, at the session held on 10 December 2009 and dispatched the proposal to the National Assembly for adoption. The National Assembly adopted the Law ratifying the Convention at the session held on 5 May 2010. The Ministry of Foreign Affairs of the Republic of Serbia deposited the ratification instruments to the UN by which the Republic of Serbia became the 38th contracting party of the Convention.

17. Has your country submitted a report to the UN Commission on Sustainable Development (CSD) on the implementation of Agenda 21?

The Ministry competent for environment has submitted the report to the UN Commission on Sustainable Development (CSD) for session 16/17 of the Commission on Sustainable Development with required data for the third implementation cycle covering the period 2008-2009 and focused on: Africa, agriculture, drought, desertification, soil and rural development. The required basic information about the project “Strategy for Sustainable Development of the Republic of Serbia“, sustainable development indicators and new-appointed contact persons were also submitted.

The mentioned report was prepared in cooperation with the Ministry of Agriculture, Water Management and Forestry, the manager of the project “Strategy for Sustainable Development of the Republic of Serbia“ and the adviser of the Cabinet of Government vice-president of RS, and submitted to UN Commission on Sustainable Development on the 16th of July, 2007.

As the Republic of Serbia is not a member of the Commission on Sustainable Development in the current three-year mandate, pursuant to the rules of the Commission, the Republic of Serbia did not receive an official invitation for submission of report for the 18th session of the Commission for Sustainable Development (UNCSD). The Republic of Serbia prepares and will submit the report for 19th session of the Commission on Sustainable Commission.

Creation of answer to the UN Commission on Sustainable Development Questionnaire about experiences, success factors, risks and challenges in the field of achievement of objectives and subjects of UN Conference on sustainable development (Rio +20) is in progress. The answers to the questionnaire are prepared by the Cabinet of the Government vice-president for European integration, in cooperation with the Ministry of Environment and Spatial Planning. The report was submitted to the Commission in December 2010.

18. Could you describe the national effort in the field of environmental research and development (e.g. level of funding of national institutes, etc.)?

Same as in the other priority fields, establishment of better cooperation between scientific research organizations and research result users is of particular significance for development of science in the

Republic of Serbia. The field of environment protection covers almost all segments of our society and for that reason it is necessary to engage all researchers (multidisciplinary approach to researches) and competent ministries, companies, local governments, etc.

The priority researches in the field of environment protection and climate changes can be grouped to the following basic units: development of environment protection technologies, scientific ecosystem monitoring, integrated management in the field of environment protection (quality of water, air, soil) and biodiversity protection, environmental hazards and ecosystem risk assessment, research of climate changes and its environmental impact- monitoring, adapting and reduction of impacts.

The MSTD (Ministry of Science and Technological Development) finances national (state) institutes whose work is under competence of the MSTD. Around 80% of budget of MSTD is committed to project financing. Around one million Euros, annually, is committed for the projects related to the field of environment protection. At least 60% of the sum goes to institutes, while the rest of the sum goes to universities.

FP7 (or European Community Research and Technological Development Framework Programme) is official instrument of EU for financing of common European researches, and it is main instrument for improvement of European economy competitiveness, improvement of employment and achievement of sustainable development and better quality of living.

Framework programmes exist since 1984 and are successively replaced. The existing seventh programme (FP7) started in 2007 and lasts until 2013. Preparations for FP8 are in the progress. The Republic of Serbia, together with 35 countries, commits means for joint budget of FP7. This programme is open for financing of project activities of institutions and individuals worldwide (including EU Member States, applicant countries and potential applicants for EU membership, and, so called, third countries- all other countries).

All science fields, research projects (the majority of means), European capital research infrastructures, centres of excellence, the world-class fundamental researches, human resources development (mobility), building capacities of research institutions are financed through FP7. FP7 is an integral instrument of the development strategy and implementation of the MSTD in EU. The reports on implementation of this project from 2009 are enclosed.

For the purposes of securing financial resources for encouragement of protection and improvement of environment in the Republic of Serbia by the Article 90 of the Law on Environment Protection (Official Gazette of the Republic of Serbia, No. 135/2004, 36/09, 36/09 – state law and 72/09) the Environment Protection Fund has been established. **The Environment Protection Fund**, in the, within its jurisdiction does not finance national institutes directly, but the financing/co-financing is performed through implementation of projects.

The Fund co-financed the activities of the Environment Protection Agency (the Government Conclusion number 353-5228/2007-01 from 30/08.2008) that was appointed the holder of the activities of establishing and operative functioning of State System for Automatic Air Quality Monitoring (SAAQM), and for the purposes of implementation of the project EuropeAid/124394/D/SUP/YU-Supply of Equipment for Air Monitoring supported by EAR; 28 SAAQM, one mobile SAAQM and equipment for calibration and analytic laboratory was obtained- financed by EU resources- the project CARDS, preparation of locations for their setting up, the project "Continuation of Spreading of Station Network for Automatic (SAAQM) Air Quality Monitoring" and establishment of EIONET (European Environment Information and Observation Network) network for collection and exchange of air quality parameters, and exchange with European Environment Agency; purchase of SAAQM for Belgrade, Bor and Smederevo, the project of establishment of National Polluters Register and the project "Completion

of Object and Equipping of National Environment Protection Laboratory, denoted in the project documentation also as Meteorology laboratory of 2002” were financed with an amount of 105,221,262 dinars (1.107.592 EUR).

Moreover, the Environment Protection Fund co-financed, through implementation of projects, the projects of the Biological Research Institute “Sinisa Stankovic”, the Forestry Institute, The Institute for Nature Conservation, Nature Park "Mokra Gora", Faculty of natural sciences - Kragujevac, and Clinical Centre of Serbia in the amount of 78,423,316 dinars (746.888 EUR).

MAFWM RWD, within its jurisdiction, through implementation of annual Programme of construction, reconstruction and maintenance of water management structures, finances creation of studies and projects in the function of adequate water management planning and construction of water consumption structures, water protection and protection from the harmful effects of waters. During previous three years, MAFWM RWD invested around 630,000,000 dinars (6.631.579 EUR) into implementation of studies and projects. The previous feasibility studies for water supply and collection, transport and communal wastewater treatment and a part of projects were financed from these resources.

MAFWM RWD does not directly finance the institute registered at the Ministry of Science for activities of water management research- Water Management Institute “Jaroslav Cerni”. The Institute, for the needs of MAFWM RWD, participates in creation of strategic planning documents and special studies. Financing of the Institute is performed through implementation of special scientific projects, financed by the Ministry of Science. MAFWM RWD acts as a co-financer for certain projects.

19. Please detail any initiatives or programmes of environmental regional co-operation in which your country is participating. In particular, outline your country’s plans to follow up on the priority projects identified by yourselves in the framework of the Regional Environmental Reconstruction Programme (REReP) and the Infrastructure Projects Facility (IPF). Which are your priority topics in the Regional Environmental Network for Accession (RENA) and which actions do you envisage for promoting those?

The regional cooperation programmes are implemented through multi-beneficiary IPA (MB IPA), complementary to national IPA programmes for particular countries and its aim is assistance to regional initiatives with the purpose of improvement of collaboration between countries of the region (candidate and potential candidate countries) and cooperation with Member States.

In the previous period, the following multi-beneficiary IPA projects are **approved and implemented** in line with environmental objectives of MB MIPD, in which the Republic of Serbia participates through competent Ministries and other relevant bodies:

IPA2007 - Developing the capacity of environmental NGOs, through transfer of best practice from NGOs in the EU Member States; Budget: 500.000 €

Location: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia including Kosovo (as defined by UNSCR 1244).

The main beneficiaries of the project are environmental NGOs in the candidate and potential candidate countries

2.1 Overall Objective:

To assist environmental NGOs in the candidate and potential candidate countries to develop their full potential as partners in the implementation of environmental policy.

2.2 Project purpose:

This project will work to transfer some of the best practice of the EU Member States environmental NGOs to the environmental NGOs from the target beneficiary countries, through a programme of grants for short-term twinning or capacity exchange programmes between them.

IPA 2007 - Monitoring transposition and implementation of the EU environmental acquis; Budget: 500.000 €

Location: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia including Kosovo (as defined by UNSCR 1244)

The main beneficiaries of the project are the Ministries of Environment in the candidate and potential candidate countries.

2.1 Overall Objective:

The overall objective of the project is to assess to which degree EU environmental legislation has been transposed and implemented in Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia including Kosovo (as defined by UNSCR 1244) as an instrument for advancing the accession process in the beneficiary countries.

2.2 Project purpose:

- To assist with compliance checking of environmental legislation being drafted and adopted in the target beneficiary countries and to update guidance material on the transposition and implementation of environmental legislation;
- To provide the tools and methodology for tracking and assessing progress in the target beneficiary countries in their preparation for integration into the EU, especially in terms of transposition and implementation of EU environmental legislation;
- To support the Commission in gathering and managing up-to-date information on the status of each potential-candidate country's preparedness in the environmental sector.

IPA2007 - Support for Investment preparation under the Danube-Black Sea (DABLAS) Task Force; budget: 600.000 €

Location: Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia

The main beneficiaries of the programme will be the national environmental administrations, in particular the water authorities and utilities from the beneficiary countries, which participate in the DABLAS Task Force¹

2.1 Overall Objective:

The overall project's objectives aims to facilitate the approximation to the EU environmental *acquis* especially in the field of water through the identification of priority objectives common to the beneficiary countries as a whole and by encouraging a more strategic focus to the use of available financing and ensuring co-ordinated action between all financial instruments operating in the region.

2.2 Project purpose:

- To improve investments in projects particularly related to the protection of the water and water related ecosystems in the Danube and the Black Sea.
- To facilitate the stakeholder dialogue in relation to project financing in the Danube –Black Sea region under the DABLAS Task Force.
- To prepare investment projects aimed at improving water quality in the four target beneficiary countries.
- To promote the reform and modernisation of water administrations/utilities in the beneficiary countries/provinces.
- To promote cooperation and networking within the regions covered by the programme.
- To increase in-country experience by all relevant stakeholders in structuring water investments from a technical, financial and legal (*acquis* alignment) point of view in preparation for future investment activities under Community funding schemes and with International Financing Institutions.

IPA2008 - DABLAS2 Support and Secretariat Services; Budget: 500 000€

Location: Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia including Kosovo (as defined by UNSCR 1244) and Turkey

Beneficiaries: Western Balkans: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia including Kosovo (as defined by UNSCR 1244) and Turkey

The main beneficiaries of the programme will be the environmental administrations in the beneficiaries, including the water authorities and utilities which participate in the DABLAS Task Force4.

2.1 Overall Objective:

The project aims to facilitate the approximation to the EU environmental *acquis* especially in the field of water through the identification of priority objectives common to the Beneficiaries as a whole and by encouraging a more strategic focus to the use of available financing and ensuring coordinated action of all financial instruments operating in the region.

2.2 Project purpose:

- To improve investments in projects particularly relating to the protection of the water and water-related ecosystems in the Danube River and the Black Sea;
- To facilitate the dialogue of stakeholders in relation to project financing in the
- Beneficiaries of the Danube – Black Sea region under the DABLAS Task Force;
- To facilitate upstream measures leading to the eventual preparation of investment projects aimed at improving water quality in the Beneficiaries;
- To promote the reform and modernisation of water administrations/utilities in the Beneficiaries;
- To promote cooperation and networking within the regions covered by the programme and ensure liaison with all regional project preparation and implementation activities;

- To increase experience of all relevant stakeholders in the beneficiaries in structuring environment investments from a technical, financial and legal (*acquis* alignment) point of view in preparation for future investment activities under Community funding schemes and with International Financing Institutions;
- To assist the DABLAS Task Force in terms of inter-alia preparation of meetings and background documents, coordination of activities, provision of information on projects and preparation and dissemination of information in the region.

IPA2008 - Technical assistance in the preparation and implementation of the Sava River Basin Management Plan; Budget: 1 330 000 €

Location: Bosnia and Herzegovina, Croatia, Montenegro and Serbia

The main beneficiaries of the programme will be the national administrations, in particular the water, environment and navigation authorities from the Beneficiaries, which participate in the Sava Commission¹ and the International Commission for the Protection of the Danube River (ICPDR)² which provides the overarching framework in this area. Although not signatory, also Montenegro should be included as a beneficiary since it shares part of the Sava and Danube catchment and since it is likely to sign these international agreement during the course of the project.

2.1 Overall Objective:

The overall objectives of the project aim to facilitate the approximation to the EU environmental *acquis* especially in the field of water through the identification of priority objectives common to the Beneficiaries as a whole and by encouraging a more strategic focus to the use of available financing and ensuring coordinated action between all planning and financial instruments operating in the region, in particular as regards integrated river basin management (navigation, flood prevention, environmental protection).

2.2 Project purpose:

The purpose of this project is to improve integrated water management of the Sava river basin following the approach of the EU Water Framework Directive (2000/60/EC)⁴ and the Floods Directive (2007/60/EC) and thereby bring about improved water quality and a reduction of pollution and structural degradation as well as establish cooperation mechanisms between the countries of the Sava basin in the areas of water protection, flood risk management and sustainable navigation.

More specifically the project shall:

- Provide support and assistance to the Sava Commission and the Beneficiaries in preparing and starting to implement an integrated river basin management plan;
- Develop the necessary capacities to prepare an integrated river basin management plan for the Sava River basin, in close coordination with other international donors and the authorities of Slovenia;
- Facilitate coordination of the water-related support projects in the Sava basin, both on national and regional level, in order to ensure consistency and synergies of planning and financing.

IPA2009 - Regional Environmental Network for Accession (RENA); Budget: 5 900 000 €

Location: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia including Kosovo (as defined by UNSCR 1244) and Turkey

Beneficiary: The main beneficiaries of the project are the Ministries of Environment in the Beneficiaries

2.1 Overall Objective

To enhance regional cooperation in the Western Balkans and Turkey in the field of environment in the prospect of accession to the European Union.

2.2 Project purpose

To support the establishment of the Regional Environmental Network for Accession (RENA), whilst establishing tools to assist the Beneficiaries in harmonising legal frameworks, improving capacity and designing appropriate intervention mechanisms in line with the EC environmental *acquis*.

2.3 Results and measurable indicators

- Improved regional cooperation between environmental authorities;
- Efficient institutional frameworks and technical arrangements established;
- Enhanced public participation in environmental planning;
- Improved transposition and implementation in relation to EU environmental legislation;
- Improved skills in relation to legislation preparation and enforcement;
- Priority environmental projects and investments identified;
- Experience exchange groups and networks established;
- Enhanced cross-border cooperation in relation to environmental policies, legislation and investments.

Based on the above the RENA network will focus on the implementation of activities under **the following priority issues** that were selected by the Environment Ministers:

- **Strategic planning of the pre-accession process** including identification of capacity building needs.
- **Public Participation** (Environmental Impact Assessment (EIA), Strategic Environmental Assessment (SEA), Espoo Convention, Aarhus Convention etc.).
- **Climate change** (technical assistance for the establishment of GHG inventories, energy efficiency actions, preparation of mitigation and adaptation strategies, capacity building for administrative structures, etc.).
- **Cross Border Co-operation on environment** (Natura 2000 preparations, Water Framework directive, etc.).
- **Preparation of environmental investment projects** (Prioritisation of projects, Co-operation with IFIs, Private Public Partnership).

Concrete RENA activities under the priority issues identified by Environment Ministers will be implemented through a broad spectrum of activities (including capacity building workshops, seminars, training, pilot projects, etc.) to be undertaken through **Working Groups** as follows:

- WG 1 "Strategic Planning & Investments" (incl. Progress Monitoring & Compliance Check)
- WG 2 "Climate Change"
- WG 3 "Cross-Border Cooperation on water, nature, EIA and SEA"
- WG 4 "Environmental Compliance and Enforcement Network for Accession ECENA"

IPA 2009 - Preparatory measures for the participation of candidates and potential candidates in Community Agencies: Specific project for the participation of West Balkan Countries in the work of the European Environment Agency , budget: 1 200 000 €

Project purpose: Participation of WB countries in EEA activities

In particular, outline your country's plans to follow up on the priority projects identified by yourselves in the framework of the Regional Environmental Reconstruction Programme (REReP) and the Infrastructure Projects Facility (IPF).

The list of priority environmental infrastructure projects (PEIP) is developed in the framework of Regional Environmental Reconstruction Programme (REReP), that defines the list of 29 regional priority project proposals. Monitoring of these projects is performed through two instruments, SLAP data base and indicative list of priority projects of the Ministry of Environment and Spatial Planning.

The information system SLAP 2.0 developed in the framework of MISP project (IPA 2008 Municipal Infrastructure Support Programme), and financed by European Union, is data base managed by the Standing Conference of Towns and Municipalities, that assists municipalities to identify and document their infrastructure projects and request financial assistance from domestic and international institutions such as pre-accession funds of European Union, for preparation and implementation of relevant activities (technical documentation, works). On the other hand, the purpose of SLAP information system is to allow donor community to have insight into the lists of projects and to help selection of those with the best possibilities. Some of the projects from the PEIP list are in SLAP information system, which enables their monitoring.

In the framework of preparation for use of IPA 3 component-Regional development, MESP prepares indicative list of Major infrastructure projects, as an Annex to Operative Programme for Economical Development. Some of the projects from the PEIP list are identified as national priorities and part of indicative list of major infrastructure projects. The first draft indicative list of Major infrastructure projects includes:

1.	Construction of Hazardous Waste Treatment Facility	11 M€
2.	Construction of Regional Landfill Halovo	16.6 M€
3.	Construction of Regional Landfill Kalenic	20 M€
4.	Construction of Regional Landfill Kragujevac	20 M€
5.	Construction of Waste Water Treatment Plant Loznica	13 M€
6.	Reconstruction of Power Plant Morava and Nikola Tesla A3	13 m€

MESP has no approved projects in the framework of IPF (Infrastructure Project Facility) Programme. In the framework of (IPF) MESP-RWD proposed the project that is adopted "The feasibility study for waste water treatment plant in Uzice and Vranje". These infrastructure projects will be proposed for co-financing within the project MISP 2010 with participation of local government, Ministry of NIP and MAFWM RDW as co-financers.

Which are your priority topics in the Regional Environmental Network for Accession (RENA) and which actions do you envisage for promoting those?

All priorities and objectives defined within RENA project are of high significance, and their promotion is envisaged through implementation of projects (in the field of climate change, nature protection, water management, environmental infrastructure) and through activities that are obligation of the ministry - development of strategic and legislation framework and implementation of regulations.

20. Please explain what measures are taken to reduce diseases caused by environmental factors in your country.

According to World Health Organisation study based on the exposure to environmental factors and in accordance with the national statistic data published in 2007, it is estimated that 27 percent of population is affected by illnesses caused by environmental factors for the area of Serbia and Montenegro. Taking this into account, as well as the fact that children are the population group most sensitive to the negative environmental influence on health, and in accordance with the obligations of the Ministerial Declaration adopted at the Fourth Ministerial Conference on Environment and Health held in 2004 in Budapest, the Government of the Republic of Serbia adopted the Children's Environment and Health Action Plan-CEHAP) on 1 October 2009. This plan determines main medium term and short term priority goals, as well as the activities which lead to the achievement of these goals within the field of children's health protection from the negative environmental influence. The main priorities refer to the access to safe drinking water in rural areas, access to an adequate sanitation, activities aimed at reducing the traffic injuries, reducing air pollution, reducing the exposure of children to tobacco smoke and termination and prohibition of the use of leaded petrol. Special priority activities are those necessary for the protection of health against the climate changes. This document is available in English on the web address www.cehap.gov.rs.

At the recently held 5th Ministerial Conference on Environment and Health, the new global challenges facing governments were presented, as well as the need for promotion of the health system and strengthening the cooperation between the health and environmental sectors, in order to provide better quality environment which is a precondition for a healthier life. At one of the plenary sessions dedicated to the influence of the climate changes on health, the closure of 17 boiler houses with boilers on coal and heavy heating oil in the Clinical Centre of Serbia was rated positive. By this measure, the emissions of the carbon dioxide were reduced by half, the emissions of the sulphur dioxide in the atmosphere were terminated and the energy saving by one third was accomplished.

A great number of activities were carried out in regard to the reduction of greenhouse gas emissions within the health sector in Serbia.

Recently adopted NEPP also sets out environmental protection activities aimed at the health of the population. These activities will be implemented through additional plans and programmes in this field.

In addition, the Environmental and Health Performance Report was made in cooperation with the World Health Organisation and with the Ministry of Environment and Spatial Planning. A detailed analysis of the existing capacities at the horizontal level in this field was prepared in this publication, as well as a set of recommendations concerning the activities that need to be carried out.

A set of environmental laws adopted in May 2009 transferring the EU provisions, regulates the influence of environmental factors to the human health.

The National Assembly of the Republic of Serbia adopted Public Health Act in 2009 which recognises impact of environment on health as one of the priority areas within the public health. In addition, the Public Health Strategy which was also adopted in 2009 by the Government of the Republic of Serbia lays out a set of strategic activities with a purpose of protection of population's health from the negative environmental impact. The network of 26 public health institutes, with the leading *Institute of Public Health of Serbia: "Dr. Milan Jovanovic Batut"* performs monitoring of the health risk factors in environment as well as the monitoring of the population's health in relation with the environmental risks,

control and prevention of the chronic non-infectious and infectious diseases and improvement of emergency responses, control of food and drinking water, sanitary monitoring, microbiological analysis in the public health context, data collection within the health system regarding equipment and use of the health system, as well as regarding diseases. The Institute of Public Health of Serbia is also a national representative in the framework of implementation of activities of the International Health Regulations.

II. SECTORAL POLICIES

The questions on each sector below should allow for an evaluation of the current situation and trends. Information on capacity building and/or problems in this respect would also be most useful. Any additional information, for instance on achievements so far and major problems to be solved, should also be provided.

Please note that sectoral policies are under examination as a result of thorough analyses undertaken through the process of developing National Environmental Approximation Strategy, which is main goal of undergoing IPA project Technical Assistance for Development of a national Environmental Approximation Strategy (EAS) EuropeAid/127462/C/SER/RS.

The overall objective of the project is to provide support to the Government of Serbia to achieve the goals of accession to the European Union and improvement of the environment by assisting in the approximation of Serbian legislation with EU environmental acquis.

The project will:

1. Support the Ministry in designing and developing an Environmental Approximation Strategy (EAS), including calculating the costs & benefits of compliance;
2. Support the Serbian Government in the implementation of the EAS in certain priority sectors, including transposition and implementation of legal acts, proposals for multiannual investment and compliance programmes, and the design of new financial instruments;
3. Assist the Ministry in strengthening the institutional framework, procedures, public participation and administrative capacity for the approximation of the EU environmental acquis and in fulfilling its obligations under the SAA and NPI.

Planned results will be:

1. Environmental Approximation Strategy (EAS) for the EU acquis, including calculating the costs & benefits of compliance is designed and ready for adoption;
2. EAS in certain priority sectors, including transposition and implementation of EU legal acts, proposals for multiannual investment and compliance programmes and the design of new financial instruments is ready for implementation;
3. The institutional framework, procedures, public participation and administrative capacity for the approximation of the EU environmental acquis and to fulfil its obligations under the SAA and NPI are established and implemented.

A. HORIZONTAL LEGISLATION

21. Are there measures providing for public access to environmental information upon request and by public authorities of their own initiative (so called “active dissemination”)? Are there provisions on administrative and/or judicial review in case access to information is not granted? Does Serbian Law cover information “held for public authority”, i.e. environmental information which is physically held by a natural or legal person on behalf of a public authority (Article 2, Item 4 of Directive 2003/4/EC)?

There are measures in the Republic of Serbia concerning the “active dissemination”. They are defined by Articles 74, 75, 76, 77 and 78 of the Law on Environmental Protection (O. G. of RS, No. 135/04, 36/09) -(hereinafter referred to as: LEP); Article 7, Item 4 of the Law on Environmental Protection Fund (“Official Gazette of the RS”, No. 72/09) and the Regulation on contents and methods of management of the environment protection information system, methodology, structure, common bases, categories and levels of data collection, as well as on data content about which the public is regularly and compulsory informed (“Official Gazette of RS”, No. 112/09).

Article 74 of the LEP prescribes that for the purpose of efficient identification, classification, processing, monitoring and record keeping of natural values and environmental management in the Republic of Serbia, an Environmental protection information system is established (hereinafter referred to as: the information system). The information system ensures formation, classification, maintenance, presentation and distribution of numerical, descriptive and spatial databases on: quality of the environmental media, monitoring of the state and protection of the environment, legislative, administrative and organisational and strategic measures, scientific-technical information about planning measures of prevention and exchange of information with other information systems and other. The information system is kept by the Serbian Environmental Protection Agency (see more details in question No. 23).

Article 75 of the LEP stipulates that National and local registers of sources of environmental pollution shall be maintained in accordance with this Law for the purpose of monitoring the qualitative and quantitative changes in the environment and undertaking measures for the protection of the environment. National register of sources of environmental pollution is maintained by the Environmental Protection Agency. Local register of sources of environmental pollution is maintained by the responsible authority of the local self-government unit.

Article 76 of the LEP prescribes that the Government shall annually report to the National assembly on environmental status in the Republic. Competent authority of the Autonomous province or local self-government unit shall report biannually to the assembly of the autonomous province or to the assembly of the local self-government unit on the environmental status at their territory. The environmental status reports shall be published in official bulletins of the Republic, autonomous province and local self-government unit.

Article 77 of the LEP prescribes that the report from Article 76 of this Law shall particularly contain data about:

- 1) Status and changes in the environment;
- 2) Implementation of Strategy, National programme and action plans;
- 3) Rehabilitation plans and other measures undertaken;

- 4) Financing the system of environment protection;
- 5) Priority obligations and measures in the area of environmental protection;
- 6) Other data which are relevant for management of natural values and environmental protection.

Article 78 of the LEP prescribes that state authorities, authorities of the autonomous province, authorities of local self-government unit and authorised and other organisations are obliged to regularly, timely, fully and objectively inform the public on the environmental state, namely occurrences that are observed within the monitoring of the pollutant level and emission, as well as warning measures or development of the pollution which may pose threat to human life and health, in accordance with this Law and other regulations.

Article 7 Item 4 of the Law on Environmental Protection Fund prescribes that the Fund performs tasks related to managing a database of programs, projects and other activities in the field of environmental protection, renewable energy, as well as the necessary and available financial means for their implementation.

Access to information of public importance is regulated by articles 78 – 82. of the LEP (“Official Gazette of RS”, No. 135/04, 36/09 and 72/09-other statutes), as well as by provisions of the Law on Free Access to Information of Public Importance (“Official Gazette of RS”, No. 120/04, 54/07, 104/09 and 36/2010) (hereinafter referred to as: LFAIPI).

Article 78 of the LEP prescribes that the public is entitled to access to the prescribed registers or records containing information and data in accordance with this Law.

Article 3. item 26. of the LEP prescribes that the public is one or more natural or legal persons, their associations, organisations or groups.

Article 79 of the LEP prescribes that the information related to the environmental protection shall be submitted from the responsible authority to the applicant within 30 days from the day of submitting the request. If the information is voluminous or if their preparation would require a longer period of time, the deadline for submission shall be 60 days from the day of submitting the request.

Article 5 of the LFAIPI prescribes that any natural or legal person shall have the right to be informed whether a public authority holds specific information of public importance and/or whether such is otherwise accessible to him/her. Any natural or legal person shall have the right to access information of public importance by being allowed to examine a document containing information of public importance, by being entitled to make a copy of that document containing information of public importance, by being entitled to make a copy of that document, and by being entitled to receive a copy of such document on request, by mail, fax, electronic mail or otherwise.

Article 15, paragraph 4 of the LFAIPI prescribes that an applicant shall not be required to specify the reasons for a request for the free access to information of public importance.

Article 16 of the FAPIA prescribes that a public authority shall, without delay, and within 15 days of receipt of a request at the latest, inform an applicant whether it holds the requested information, grant him/her access to the document containing the requested information or issue or send to the applicant a copy of the document, as the case may be. A copy of a document shall be deemed to be sent to an applicant on the day it leaves the registry office of the public authority from which the information was requested. If a request relates to information which can reasonably be assumed to bear on the protection of a person's life or freedom and/or the protection of public health and the environment, a public authority must inform the applicant it holds such information, grant access to the document containing

the requested information or issue a copy of the document to the applicant, as the case may be, within 48 hours of receipt of the request. If a public authority is justifiably prevented from informing an applicant within the deadline referred to in paragraph 1 of this Article that it holds the information, from granting him/her access to a document containing the sought information and from issuing and/or sending him/her a copy of the document containing the sought information and from issuing and/or sending him/her a copy of the document, the public authority shall, within seven days of receipt of the request at the latest, inform the applicant thereof and set another deadline, which shall not be longer than 40 days of receipt of the request, within which it shall inform the applicant that it holds the information, grant him/her the access to the document containing the requested information or issue or send to the applicant a copy of the document, as the case may be. If a public authority refuses to inform an applicant, either entirely or partially, whether it holds the requested information, to grant an applicant access to a document containing the requested information or to issue or send to an applicant a copy of the document, it shall have a duty to pass, without delay, and within 15 days of receipt of the request at the latest, a decision rejecting the request and provides reasoning for such decision in writing, and shall furthermore be required to notify the applicant in the decision of the available legal remedies against such decision.

Are there provisions on administrative and/or judicial review in case access to information is not granted?

In accordance with Article 81a of the LEP, the public concerned, in the process of exercising right to the healthy environment, shall as a party have the right to initiate the decision review procedure before the responsible authority or court, in accordance with the law.

Article 22 of the LFAPI prescribes that the applicant may lodge a complaint to the Commissioner for Information of Public Importance against the decision of the public authority, who is autonomous and independent in the exercise of his/her powers(hereinafter referred to as: Commissioner). An applicant may lodge a complaint with the Commissioner if: a public authority rejects or denies an applicant's request, within 15 days of service or the relevant decision or other document; a public authority, in contravention of the obligation of 48 hours from the receipt of the request, failed to reply to a submitted request for which it may be assumed that is important for the protection of life and freedom of a person; a public authority, made the issuance of a copy of a document containing the requested information conditional on the payment of a fee exceeding the necessary reproduction costs; a public authority does not grant access to a document containing the requested information by using the equipment available to a public authority or prevents the applicant to have access to a document using his/her own equipment; a public authority does not grant access to a document containing the requested information and/or does not issue a copy of the document, that is does not issue a copy of the document in the language in which the request was submitted, although it has it on its disposal; a public authority otherwise obstructs or prevents an applicant from exercising his/her freedom of access to information of public importance, in contravention to the provisions of this Law.

The Commissioner's decisions are binding, final and enforceable (Article 28, paragraph 1). Failure to act upon his/her decision represents an offence and shall be punished in accordance with the provision of this Law (Article 46, paragraph 1, Item 14). If the decision is not willingly enforced, the Commissioner enforces decision by coercive means (pronouncing pecuniary penalties). If the Commissioner is unable to enforce his/her decisions as provided, the Government shall ensure enforcement of his/her decision. Article 27 stipulates that an administrative dispute may be instituted against a decision of the Commissioner. Administrative disputes regarding the exercise of the right to free access to information of public importance shall be resolved in urgent procedure.

Article 25 of the Law on the Ombudsman ("Official Gazette of RS", No. 79/05 and 54/07) prescribes that each natural or legal person, domestic or foreign who believes that his/her rights were breached by the action or a failure to act by a public authority shall be entitled to lodge a complaint to the Ombudsman. The Ombudsman shall refer the applicant to initiate a relevant legal proceeding, if provided; it shall not initiate a proceeding until all legal remedies have been exhausted.

Does Serbian Law cover information "held for public authority", e.i. environmental information which is physically held by a natural or legal person on behalf of a public authority (Article 2, Item 4 of Directive 2003/4/EC)?

The term "information kept on behalf of the public authority" is not known in the Serbian legal system.

22. What are the provisions in relation to access to the courts and administrative complaints when it comes to organisations (including non-governmental organisations) and individuals? Do non-governmental organisations that meet certain requirements, if any, determined by national/international law (if yes, what are these requirements), have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of law relating to the environment? If yes, in what areas related to the environment is this applied? Could you provide examples of cases where standing was granted by courts/administrations to NGOs engaged in environmental matters? What is the average duration of administrative/judicial cases relating to the environment? Are there procedural measures available to NGOs to assist them when bringing cases to courts? Is special standing granted for NGOs to challenge decisions relating to Environmental Impact Assessments (EIA) and Integrated Pollution Prevention and Control (IPPC) at judicial and administrative levels? Is legal aid, injunctive relief, suspensive effect of appeals applied and if yes, how? What are the (average) costs and average duration of environmental cases, including appeal cases, for a party to the administrative/judicial procedure (expert's costs, court fees, legal representation, deposits required for certain procedural measures)? Are there special provisions in place to guarantee that they do not extend over a reasonable amount of time?

What are the provisions in relation to access to the courts and administrative complaints when it comes to organisations (including non-governmental organisations) and individuals?

The provisions enabling access to the courts and administrative complaints to organisations (including non-governmental organisations) and individuals are contained in the articles of the following Laws:

- Article 81a of Law on Environmental Protection (O. G. of RS, No. 135/04, 36/09 (hereinafter referred to as: LEP) envisages that public concerned, in the process of exercising right to the healthy environment, shall as a party have the right to initiate the decision review procedure before the responsible authority or court, in accordance with the law. LEP, in the Article 28, defines the term public concerned so that it presents the public affected or the one that can be affected by the decision made by the competent authority or which has some interest in it, including citizens' associations and community organizations engaged in environment protection and that are registered at the competent authority. Similar provisions are provided in Article 2, item 1 and 7 of the Law on Environmental Impact Assessment (OG of RS, No. 135/04) which provides for that the public concerned includes the

public which is or can be affected by the plan or programme and/or which has interest in making decisions concerning environmental protection, including non-governmental organizations for environmental protection and which are registered with the competent authority, in Article 2, points 16 and 17 of the Law on Integrated Pollution Prevention and Control. (O. Gazette of RS No. 135/04) which provides for that public concerned includes the public affected by the work of installations and performing of activities or is likely to be affected by it, including non-governmental organizations for environmental protection registered within the competent authority.

- Article 11 of the Law on Environmental Impact Assessment lies down that the holder of project and public concerned may appeal against the decision of the competent body on request for deciding on necessity of impact assessment. In addition, the holder of project and public concerned may appeal against the decision of the competent body on request for setting of scope and contents of impact assessment (Article 15). Article 26 of the Law on Environmental Impact Assessment lays down that the requestor and public concerned may initiate administrative dispute against decision about giving of consent on impact assessment study or against rejection of request for giving of consent on impact assessment study.

Article 15 of the Law on Integrated Pollution Prevention and Control lays down that it is not allowed to apply against the decision of competent body on issuing of permit, i.e. on rejection of request for issuing of permit, but it is allowed to initiate an administrative dispute before the administrative court.

-Article 11 of the Law on Administrative Disputes (O. Gazette of RS No. 111/2009) envisages that the plaintiff in administrative dispute may be natural, legal or other person, if considers to be deprived of certain right or interest provided by law by administrative act. The state body, autonomous province or local government body, organisation, a part of company with authorities in legal issues, community, group of people or other not having a legal person feature, can initiate administrative dispute if they it be a holder of rights and obligations that are the subject of the administrative dispute (paragraphs 1 and 2).

The Article 40 of the Law on General Administrative Procedure (O. G. of SRJ, No.33/97, 31/2001, O.G. of RS, No. 30.2010) envisages that the party in procedures can be any natural or legal person. State body, organisation, community, group of people, etc. not having a legal person feature, can be a party in proceedings if it can be a holder of rights and obligations or legal interests subject to the proceedings (paragraphs 1 and 2).

The Article 25 Law on the Ombudsman ("O. G. of RS", No. 79/2005 and 54/2007) prescribes that each natural or legal person, domestic or foreign who believes that his/her rights were breached by the action or a failure to act by a public authority shall be entitled to lodge a complaint to the Ombudsman. The Ombudsman shall refer the applicant to initiate a relevant legal proceeding, if provided; it shall not initiate a proceeding until all legal remedies have been exhausted.

The Article 54 of the Criminal Procedure Code ("O. G. of RS", No. 46/2006) (hereinafter referred to as: LCP) prescribes that the proposal for criminal prosecution should be lodged to competent public prosecutor, and private prosecution to the competent court. The Article 224 of the LCP envisages that the criminal charges should be submitted to competent public prosecutor. Furthermore, the Chapter XIV of the Criminal Code ("O. G. of RS", No. 85/2005) defines environmental crimes.

-Pursuant to the provisions of the Article 73 of the Law on Civil Proceedings ("O. G. of RS", No. 125/2004) envisages that the party in procedure can be any natural or legal person, and the Article 186 prescribes that the civil proceeding is initiated by pressing lawsuit.

-Pursuant to the provisions of the Article 156 of the Law on Obligatory Relations ("O. G. of RS", No. 29/78, 39/85, 45/89, 57/89, O. J. of SRJ, No. 31/93) anybody can demand from the other to remove

source of hazard of serious damage to him/her or indefinite number of people, and to restrain from activity inducing harassment or damage hazard, if the harassment or damage can not be prevented by appropriate measures (paragraph 1).

-The Article 116 of the Law on Infringements (“O. G. of RS”, No. 101/05) prescribes that the damaged party has the right to, by himself or through legal representative or attorney, initiate and plead request for infringement proceeding. Environment protection inspector, in the scope of his competence, can initiate infringement proceeding, and besides initiating infringement proceeding, the inspector is a party of the proceeding.

-The Article 86 of the Law on Commercial Offences (O. G. of SFRJ, No. 4/77, 36/77, 14/85, 10/86, 74/87, 57/89 and 3/90 and O.G. of SRJ, No. 27/92, 16/93, 31/93, 41/93, 50/93, 24/94, 28/96 and 64/2001 and O.G. of RS, No. 101/2005) prescribes that charges for commercial offence should be submitted to competent public prosecutor in writing or orally. Environment protection inspector, in the scope of his competences, may submit lawsuits for committed commercial offence to the competent body.

Do non-governmental organisations that meet certain requirements, if any, determined by national/international law (if yes, what are these requirements), have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of law relating to the environment? If yes, in what areas related to the environment is this applied? Could you provide examples of cases where standing was granted by courts/administrations to NGOs engaged in environmental matters? What is the average duration of administrative/judicial cases relating to the environment? Are there procedural measures available to NGOs to assist them when bringing cases to courts? Is special standing granted for NGOs to challenge decisions relating to Environmental Impact Assessments (EIA) and Integrated Pollution Prevention and Control (IPPC) at judicial and administrative levels? What are the (average) costs and average duration of environmental cases, including appeal cases, for a party to the administrative/judicial procedure (expert’s costs, court fees, legal representation, deposits required for certain procedural measures)?

Pursuant to the Article 1(28) and Article 81a of the IEP; Article 2(1) and 2(7) of the Law on Environmental Impact Assessment; Article 3(5) and 3(6) of the Law on Strategic Environmental Assessment; Article 2(16) and 2(17) of the Law on Integrated Pollution Prevention and Control, non-governmental organisations are not required to meet certain conditions to have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of law relating to the environment, i.e. the legislation of the republic of Serbia does not prescribe special conditions for access to administrative or judicial procedures.

In regards to procedural measures available to non-governmental organisations to assist them when bringing cases to courts, there are ombudsmen at all levels and the Commissioner for information of public importance.

This is applied in all areas related to the environment protection.

In regards to the average duration of administrative procedures related to environment, the Article 208 of the Law on General Administrative Procedure (O. J. of SRJ, No.33/97, 31/2001, O.G. of RS, No. 30/2010) envisages that in the case when the procedure is initiated by the request of the party, i.e. ex officio if it is in the interest of the party, and before making of decision it is not required to perform special investigation, nor there are other reasons to prevent making of decision without delay (resolving of previous issue, etc.), the body is obligated to make decision and submit it to the party as soon as possible, and not later than within one month of the day of submission of proper request, i.e. of the day

of ex officio initiation of procedure, if a special law does not prescribe shorter deadline. In other cases, when the proceeding is initiated on request of the party or ex officio, if it is in the interest of the party, the body is obligated to issue a decision and submit it to the party not later than within two months, if a special law does not prescribe shorter deadline.

There is no official data on average duration of judicial cases relating to the environment. The implementation of adopted legislation reform of the system of justice that will surely lead to higher efficiency of courts is in the progress.

Regarding court expenses, the Law on Court Fees ("O. G. of RS", No. 31/2009) prescribes the fee for lawsuit against administrative act that initiates administrative dispute in the amount of 390 dinars. The Law further prescribes, in Tariff No. 1, that the amount to be paid for lawsuit submitted to the court of general jurisdiction that initiates civil proceeding is determined in accordance with value of the subject matter:

- up to 10,000 dinars (95 EUR) value - 1,900 dinars (18 EUR)
- more than 10,000 (95 EUR) to 100,000 dinars (952 EUR) value- 1,900 dinars (18 EUR) increased for 4 % of the value of the subject matter;
- more than 100,000 (952 EUR) to 500,000 dinars (5762 EUR) value- 9,800 dinars (93 EUR) increased for 2 % of the value of the subject matter;
- more than 500,000 (5762 EUR) to 1,000,000 dinars (9524 EUR) value- 29,300 dinars (279 EUR) increased for 1 % of the value of the subject matter;
- more than 1,000,000 dinars (9524 EUR) value- 48,800 dinars (465 EUR) increased for 0.5% of the value of the subject matter, and not more than 97,500 dinars (928 EUR);

(2) The fee for lawsuit submitted to the commercial court is to be paid in accordance with the value of the subject matter:

- up to 10,000 dinars (95 EUR) value- 3,900 dinars (37 EUR)
- from 10,000 (95 EUR) to 100,000 dinars (952 EUR) value- 3,900 dinars (37 EUR) increased for 6 % of the value of the subject matter;
- from 100,000 (952 EUR) to 1,000,000 dinars (9524 EUR) value- 15,600 dinars (148 EUR) increased for 2 % of the value of the subject matter;
- from 1,000,000 (9524 EUR) to 10,000,000 dinars (95.238 EUR) value- 54,600 dinars (520 EUR) increased for 1% of the value of the subject matter;
- more than 10,000,000 dinars (95.238 EUR) value- 249,600 dinars (2377 EUR) increased for 0.5% of the value of the subject matter and not more than 390,000 dinars (3714 EUR).

Lawyer tariff also depends on the value of the subject matter. For litigations whose value is up to 375,000 dinars (3571 EUR), the filing of lawsuit (form) amounts to 5,000.00 dinars (48 EUR), and for litigations whose value is in excess of 375,000 dinars (3571 EUR), the filing of lawsuit (form) amounts to 7,000.00 dinars (67 EUR). Appearance of attorney (lawyer) at court amounts to 6,250.00 dinars (59 EUR).

Is legal aid, injunctive relief, suspensive effect of appeals applied and if yes, how?

The Constitution of RS (OG of RS, No. 98/06) warrants right to legal aid to every individual (Article 67). Pursuant to the Constitution of RS, the right to legal aid, including free of charge legal aid, is used under conditions prescribed by law.

The provisions related to legal aid are contained in several laws that regulate only certain kinds of legal aid. Law on Local Self-Government (O. G. of RS, No. 129/2007) in the Article 20(31) prescribes that municipality is to organize legal aid service for citizens. The Law on Lawyers (O. J. of SRJ, No. 24/98, 26/98, 69/00, 11/02 and 72/02) in the Article 25 prescribes that Bar Association may organise free of charge legal aid to citizens in the jurisdiction of primary court. In the field of criminal legal protection providing of legal aid, including free of charge legal aid, is partially prescribed by the Criminal Procedure Code ("O. G. of RS", No. 46/2006) and the Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles ("O. G. of RS", No. 85/05).

Each local government has special department-office for providing free of charge legal aid.

Article 214, 220, and 221 of the Law on General Administrative Procedure prescribes that it is possible to appeal against the first instance decision of ministry or special organisation and other state body only if it is envisaged by the law. The decision of the Government can not be the subject of an appeal. The appeal is to be submitted within 15 days of the day of delivery of decision, if not differently prescribed by the law. The decision can not be executed during the period allowed for appeal. When appeal is properly lodged, the decision can not be executed until the decision regarding the appeal is not delivered to the party. Exceptionally, the decision can be executed during appeal period, and as well as after lodging the appeal, if so prescribed by law, when taking urgent measures (Article 131(1)(4)), or if, due to delay of executing, a party would suffer irremediable damage. In the latter case, it is possible to ask an appropriate insurance from the party, in whose interest the execution is enforced, and that insurance is precondition for execution.

Pursuant to the provisions of the Article 449 of the Law on Civil Proceedings (O. Gazette of RS No. 125/2004) the court may, during procedures, ex officio and without hearing of the opposite party, lay down interim measures to be applied in executive procedures for the purposes of removal of urgent threat of illegal damage or prevention of violence or removal of irremediable damage (paragraph 1).

Article 293 of the Law on Executive Procedure (Official Gazette of RS, number 125/04) prescribes that interim measure can be laid down before initiation of or during court or administrative proceeding, and after these proceedings until the execution is not enforced.

Are there special provisions in place to guarantee that they do not extend over a reasonable amount of time?

Article 32 of the Constitution of RS (OG of RS, No. 98/06) prescribes that everybody has the right to an independent, impartial and by law established court, fairly and within reasonable time, publicly considering and deciding about his/her rights and obligations, were there reasonable grounds for suspicions for initiation of procedures, and about lawsuits against him/her.

The Article 14 of the Law on General Administrative Procedures (O. G. of SRJ, No.33/97, 31/2001, O.G. of RS, No. 30/2010) prescribes that procedure must be conducted without delay and with the lowest possible costs for the party and other participants of the procedure, but in a manner allowing obtaining of all evidences necessary for correct and thorough determination of the facts and for issuing of legal and appropriate decision.

Pursuant to the provisions of the Article 10 of the Law on Civil Proceedings (O. G. of RS, No. 124/2004) party has the right that court decides about his/her requests and proposals in reasonable time and the court is obligated to make every effort to conduct the procedure without delay and with the lowest possible costs.

The Article 83 of the Law on Infringements (O. G. of RS, No. 101/05) prescribes that court is obligated to conduct procedure without delay, but in a manner not impairing issuing of correct and legal decision.

23. Do standardised systems or methods for gathering, transferring and reporting of data and statistics concerning the environment exist?

The Serbian Environmental Protection Agency is responsible for the establishment, management and development of the environmental protection information system and it collects and integrates environmental data. The Regulation on the content and methods of management of the environmental protection information system, methodology, structure, common bases, categories and levels of data collection, as well as the content of information of which the public is regularly and compulsory informed represents a legal base for a standardised system of environmental data and information collection (Official Gazette of RS, No. 112/09) which is harmonised with the EU legal regulations and the EEA methodologies. The Information system enables collection and providing information and data which are processed and analysed in accordance with the international and European methodology. The system enables environmental data exchange with the existing similar systems at the level of the European Union and member states, connected within the European Environment Information and Observation Network (EIONET).

The standardised system for data collection on sources of environmental pollution in the Serbian Environmental Protection Agency is set by the Rulebook on Methodology for Development of the Integral Cadastre of Polluters (Official Gazette of RS, No. 94/07). All legal persons with installed production capacities from the list 1 harmonised with the list from E-PRTR Directive or PRTR Protocol, are obliged to provide data on air and water emissions, as well as data on waste, in standardised forms which represent the part of the mentioned Rulebook. The information system of the Integral Cadastre of Polluters was completed by the end of the year 2009. So far, the data from 2007 and 2008 were entered, and the data entry for the year 2009 is ongoing.

The regulation on the Methodology for Data Collection for the National Greenhouse Gases Inventory (Official Gazette of the RS, No. 81/10) prescribes data provision by the reporting entities which collect and/or hold data necessary for this Inventory. Data is collected in the Serbian Environmental Protection Agency. The first reporting in accordance with this Regulation is planned for 2011.

The regulation on the Methodology for Data Collection for the National Inventory of Unintentional Emissions of Persistent Organic Pollutants (Official Gazette of the RS, No. 76/10) prescribes data provision by the reporting entities which collect and/or hold data necessary for this Inventory. Data is collected in the Serbian Environmental Protection Agency and the first reporting is planned for 2011.

In accordance with the Air Protection Act, the Serbian Environmental Protection Agency undertakes an automatic air quality monitoring within the state network. System for automatic air quality monitoring, including the calibration and analytic laboratory was about to be delivered. Operational functioning is expected together with the corresponding capacity building of the Environmental Protection Agency.

Since the year 2004, the Serbian Environmental Protection Agency provides data on air quality from the chosen measuring points in Serbia to the EEA (exchange in accordance with the EiO Directive). This reporting will continue as provided by the new Rulebook on the methods for exchanging information concerning measuring points within the state and local networks, on measuring techniques, as well as on the methods of exchanging data obtained by the air quality monitoring in the state and local networks (Official Gazette of the RS, No.84/10).

The Serbian Environmental Protection Agency regularly publishes environmental data and information, primarily in the annual reports on the state of environment, as well as in a series of other reports, strategies and analysis at the national and international level. The information is available at the Agency's internet page.

24. What are the provisions relating to public participation (information and consultation) in decision making related to the environment? Are there requirements for public participation prior to administrative decisions relating to permitting activities likely to have significant environmental impact? Are there requirements for public participation in relation to plans and programmes and/or policy and/or legislation related to the environment? Which administrative bodies (Ministries, agencies, etc.) and at which level (national, regional, municipal) are responsible for granting development consent? Do environmental authorities participate to development consent procedures and how? Are there review procedures whereby members of public and/or public concerned can challenge the substantive and procedural legality of decisions, act or omission occurring in connection with decision making related to the environment subject to public participation? Is there a definition for "publicity" or "public concerned" used in this context? What are specific time limits applied when the public is consulted in decision making related to the environment?

What are the provisions relating to public participation (information and consultation) in decision making related to the environment?

Law on Environmental Protection (Official Gazette of the Republic of Serbia No. 135/04, 36/09) (Article 81.) regulates public participation in decision-making.

Publicity has the right to, in accordance with the Law, participate in decision-making procedure on:

- 1) strategic assessment of the impact that plans and programmes have on the environment;
- 2) assessment of project impact whose realization may lead to environmental pollution or which may be the risk for environmental and human health;
- 3) letting the new installations and/or already existing ones in progress.

Public participation relating to impact assessment is ensured in the scope of spatial and urban planning, and/or the other plan or program given for public insight.

Public participation in decision-making on project impact assessment on environment is conducted throughout the whole procedure i.e. in all steps of the procedure (while submitting request and making solutions, including the public presentation and public debate).

Public participation in making decision on putting in progress new i.e. already existing installations is conducted during the process of the permit issuance for integrated pollution prevention and control.

Public concerned is notified by the public advertisement about the decision making process and participates in the process by submitting opinions, comments and suggestions to the competent authority and is informed in due time of the decision that has been made.

Law on Strategic Environmental Assessment ("Official Gazette of the Republic of Serbia", No. 135/2004) in Article 11 prescribes that in preparation of the decision on strategic assessment elaboration, or the decision on non-elaboration of the strategic assessment, the competent planning authority shall request from the competent environmental protection authority and other authorities and organisations concerned to submit their opinions. The draft decision with the prescribed content shall mandatory be submitted along with the request for submission of opinions referred to in Par. 1 of this Article. The deadline for submission of opinions referred to in Par. 1 of this Article shall be 15 days from the receipt of the request for submission of opinions. In case that the opinion is not submitted within the period set in Par. 3 of this Article it shall be considered that no comments to the proposed

content of the decision on strategic assessment elaboration, or the draft decision on non-elaboration of the strategic assessment were submitted.

Article 18 of this Law defines that the competent planning authority shall submit the strategic assessment report referred to in Article 12 of this Law to the authorities and organisations concerned, requesting their opinion. The authorities and organisations concerned shall submit their opinions within 30 days from the date of receipt of the request referred to in Par. 1 of this Article. In case that the opinions are not submitted within the period set in Par. 2 of this Article it shall be considered that there are no remarks to the submitted strategic assessment report.

Article 19 of this Law defines that the competent planning authority shall provide for public participation in the strategic assessment report consideration prior to submission of application for granting the approval for the strategic assessment report. The public referred to in Par. 1 of this Article shall consider the report within the procedure of making the plans and programmes available for public insight and during the public debate, if it has not been otherwise provided for by the Law. The competent planning authority shall inform the public referred to in Par. 1 of this Article about the method and deadlines for insight into the content of the report and submission of opinions, as well as about the time and venue of public debate organised in accordance with the Law regulating the procedure of adoption of plans and programmes.

Article 20 of this Law defines that the competent planning authority shall compile the report on participation of authorities and organisations and the public concerned, which shall include all the opinions referred to in Article 18, Par. 2 of this Law, as well as the opinions submitted during the public insight and public debate on plans and programmes, and the strategic assessment report referred to in Article 19 of this Law. The report referred to in Par. 1 of this Article shall be compiled within 30 days from the date of the public debate completion and it shall include the rationale for all the accepted or rejected opinions.

Public participation is regulated by Articles 10, 11, 14, 15, 20, 25, 27, 29, 32 of the Law on Environmental Impact Assessment. ("Official Gazette of the Republic of Serbia", No. 135/04, 72/09)

Article 10 of this Law prescribes that the administrative body shall notify the public concerned (also interested authorities and organizations) on submitted request for impact assessment within ten days of the date of reception of the request respectively. The project developer, the authorities and organisations, and the public concerned may submit their opinions within ten days from the date of receipt of the notice referred to in par. 1 of this Article. The competent authority shall decide on the application within 15 days from the expiry of the period set out in par. 3 of this Article, taking into account the opinions of the authorities, organisations and the public concerned.

Article 11 of this Law defines that the developer and the public concerned shall be entitled to file a complaint against the decision of the competent authority on the application for a decision on the need for an impact assessment. The complaint referred to in par. 1 of this Article shall be submitted to the competent authority of the second instance in accordance with the law regulating environmental protection. The competent authority of the second instance shall decide on the complaint within 20 days from the date of receipt of the complaint.

Article 14 of this Law defines that the competent authority shall inform the authorities, organisations, and the public concerned about the application within ten days from the date of receipt of the application for a decision on the scope and content of the EIA Study. The authorities, organisations and the public concerned may submit their opinions on the application with regards to the application within 20 days from the date of receipt of notice referred to in par. 1 of this Article. Within 15 days from the expiry of the period referred to in par. 2 of this Article, the competent authority shall make a decision on the scope and content of the EIA Study, taking into account the opinions of the authorities, organisations and the

public concerned. The competent authority shall deliver the decision referred to in Par. 3 of this Article to the developer and inform the authorities, organisations and the public concerned about such decision within three days from the date on which the decision was made.

Article 20 of this Law defines that the competent authority shall make the EIA Study available to public and arrange for a public presentation and debate on the Study. Within seven days from the date of receipt of the application for the EIA Study approval, the competent authority shall inform the project developer, the authorities, organisations and the public concerned about the time and venue for public consultation, presentation and debate on the EIA Study. Public debate may not be held sooner than 20 days from the date when the public was informed. The project developer shall participate in the public presentation and debate on the EIA Study.

Article 25 of this Law defines that the competent authority shall inform the authorities, organisations and the public concerned about its decision to grant the approval for the EIA Study or to refuse the application for approval for the EIA Study within ten days from the date of adoption of the decision. The notice shall contain:

- 1) The content of the decision;
- 2) The main reasons for the decision;
- 3) The most important measures that the project developer shall undertake in order to prevent, reduce or eliminate adverse effects.

Article 27 of this Law defines that the competent authority shall provide for a review the complete documentation relating to the impact assessment procedure to the authorities, organisations, and the public concerned within 15 days from the date of receipt of their written request. The documents classified as business, official or state secrets shall be excluded from the obligation of public disclosure set out in par. 1 of this Article. The business, official or state secret classification referred to in par. 2 of this Article shall not prevent the disclosure of data relating to emissions, risks from accidents, monitoring results and inspection surveys.

Article 29 of this Law defines that the competent authority shall inform the public about its decisions referred to in Art. 10, par. 1 and 4, Art. 14, par. 1 and 4, Art. 20 and 25 of this Law by publishing it in at least one local paper in each of the official languages in use in the territory that will be affected by the planned project or activity. The competent authority shall inform the authorities and organisations concerned in the written form. The notices and information referred to in par. 1 and 2 of this Article may also be distributed through the electronic media.

The Law on Integrated Pollution Prevention and Control (Official Gazette of the Republic of Serbia no. 135/04), envisages also the public participation in the process of issuing the permit for integrated pollution prevention and control. Article 11 of the above mentioned Law defines the notification of the authorities, organizations and public concerned after submitting request for integrated permit by the operator i.e. within five days of the date of request reception. Upon request of the public concerned, competent authority shall deliver the copy of the request, while the applicant (operator) bears the costs for making and delivery of the copy for permit issuance. Other authorities, organizations and public concerned have 15 days to deliver their opinion to the competent authority on the submitted request.

Article 12 of the mentioned law defines that during the creation of integrated permit draft, competent authorities take into consideration the opinion of other authorities, organizations and public concerned. Furthermore, this Article defines the liability of the competent authority to notify other authorities, organizations and public concerned after the draft of the integrated permits is drawn up. Upon request of the public concerned, competent authorities are obliged to provide draft copy of the permit. Other

authorities, organizations and representatives of public concerned may provide their opinions about the draft to the competent authorities within 15 days from the date of receiving the notice.

Article 15 of this Law defines that competent authority makes decision about the integrated permit issuance on the basis of the operator's request, submitted documentation, report and technical commission evaluation and obtained opinions of other authorities and organizations and public concerned. Decision on permit issuance i.e. rejection of request for granting integrated permit, the competent authority delivers to the operator and notifies accordingly other authorities, organizations and public about it within eight days from the date of making a decision. The appeal against the decision of the competent authority shall not be allowed, but an administrative dispute may be initiated.

The manner of informing other authorities, organizations and public are provided in the Law on Integrated Pollution Prevention and Control (Article 23)

Are there requirements for public participation prior to administrative decisions relating to permitting activities likely to have significant environmental impact?

There are no special conditions to be met for the public participation prior to making administrative decisions related to granting activities which can significantly affect the environment.

Are there requirements for public participation in relation to plans and programmes and/or policy and/or legislation related to the environment?

There are no special conditions to be met for public participation relating to plans and programs and/or policies and/or legislations related to the environment.

Which administrative bodies (Ministries, agencies, etc.) and at which level (national, regional, municipal) are responsible for granting development consent? Do environmental authorities participate to development consent procedures and how?

Terms and development facility methods are stipulated by the Law on Spatial Planning and Construction, under the Ministry of Environment and Spatial Planning.

Competent authority is obliged to issue within 15 days from the date of submitting the request i.e. obtaining conditions and information ex officio.

Location permit is granted by decision, for facilities for which building permit is granted under this Law and contains all conditions and information necessary for drawing up the technical documentation, in accordance with the valid document on planning.

Competent authority issues building permit by a decision within 8 days of duly submitted application.

Along with the request for granting the building permit, it is also necessary to submit:

- 1) location permit;
- 2) main project in three copies with the report on performed technical control;
- 3) evidence of property rights, i.e. the right of lease on that site;
- 4) evidence of relation arrangement concerning indemnity for site arrangement;
- 5) evidence that administrative taxes are paid.

For the construction of power facilities, it is necessary to submit also the energy permit along with the request according to the Law on Energy.

The investor is obliged to obtain consent for the main project from the authorities, and/or organizations, when provided by conditions stated in location permit

For the facilities for which the Ministry i.e. autonomous province, grants the building permit it is necessary to submit the auditing commission report along with the request.

Ministry of Environment and Spatial Planning grants building permit for building the facilities specified in Article 133, paragraph 2 of the Law on Spatial Planning and Construction.

Autonomous community i.e. authorized for granting building permits for facilities specified in Article 133 of this Law which are built in whole on the community's territory.

Local autonomy units are authorized for granting building permits for the facilities which are not specified in Article 133 of this Law.

Technical documentation for facility construction can be made by the joint company and/or another legal person, i.e. entrepreneur registered in appropriate registry for drawing up the technical documentation.

Technical documentation for construction of facilities for which the Ministry i.e. the autonomous community grants building permit, can be made by the joint company and/or another legal person registered in corresponding registry for drawing up the technical documentation for that kind of facility and which has employees with the licence as responsible designer who has appropriate professional success in drawing up technical documentation for that kind facility and its purpose.

Are there review procedures whereby members of public and/or public concerned can challenge the substantive and procedural legality of decisions, act or omission occurring in connection with decision making related to the environment subject to public participation?

These procedures exist, and they are explained in detail within the answer to the question no. 22.

Is there a definition for "publicity" or "public concerned" used in this context?

Law on Environmental Protection (Official Gazette of the Republic of Serbia No. 135/04, 36/09) in, Article 3, item 28 defines the term public concerned so that it presents the public affected or the one that can be affected by the decision made by the competent authority or which has some benefit from it, including citizens' associations and social organizations for environment protection and are evidenced by the competent authority. Similar provisions are provided in Article 2, point 1 and. 7 of the Law on Environmental Impact Assessment ("OG of the RS", no. 135/04, 36/09) which provides for that public concerned includes the public affected by the project or is likely to be affected by it, including non-governmental organizations for environmental protection and are registered with the competent authority, in Article 3, points 5 and 6 of the Law on Strategic Environmental Assessment ("OG of RS", no. 135/04) which provides for that the public concerned includes the public which is or can be affected by the plan or programme and/or which has interest in making decisions concerning environmental protection, including non-governmental organizations for environmental protection and which are registered with the competent authority, in Article 2, points 16 and 17 of the Law on Integrated Pollution Prevention and Control. ("OG of RS", no. 135/04) which provides for that public concerned includes the public affected by the work of plants and performing activities or is likely to be affected by it, including non-governmental organizations for environmental protection registered within the competent authority.

What are specific time limits applied when the public is consulted in decision making related to the environment?

The Law on Impact Assessment prescribes that the competent authority shall notify interested authorities and organizations and public of the submitted request for impact assessment, and the request for defining the scope and contents within ten days from the date of request reception. Interested authorities and public concerned can deliver their opinion within ten days from the date of the notice. Competent authority, makes the decision on submitted request within ten days from the date of opinion provided, taking into consideration the particularities of the project and location, as well as the delivered opinions of the interested authorities and public concerned. Competent authority shall deliver the decision to the project leader and shall notify the interested authorities and the public accordingly within three days from the date the decision was made.

Furthermore, competent body shall ensure public insight, organize presentation and initiate public debate in making the decision on impact assessment study. Within seven days from the date of reception of the request for granting consent for the impact assessment study, the competent authority shall inform project leader, interested authorities and organizations and public about the time and place for the public insight, as well as the public debate about the impact assessment study. Public debate can take place not before 20 days from the date of public notice. After the public insight, i.e. public presentation and dispute is done, the competent authority shall deliver the report with review of opinions of interested authorities and organizations and public concerned to technical commission within three days.

Competent authority is obliged to inform interested authorities and organizations and public about the decision on granting the consent for the impact assessment study or its rejection within ten days from the date the decision is made, in particular about:

- 1) decision contents;
- 2) main reasons on which the decision is based;
- 3) the most important measures which project leader is obliged to take in order to prevent, decrease or eliminate adverse impacts. Competent authority is obliged to make the whole documentation about the impact assessment procedure available to the interested authorities and organizations and public representatives, upon written request, within 15 days from the date of its reception.

The Law on Integrated Pollution Prevention and Control provides for that the competent authority shall inform the authorities and organizations and public concerned about the request reception, within five days from the date of request for permit. Other authorities, organizations and representatives of public concerned may provide their opinions about the draft to the competent authorities within 15 days from the date of receiving the notice.

Competent authority is obliged to inform other authorities and organizations and public about the permit draft and the possibility to make insight into the accompanying documentation, within five days from the date of the reception of such request. Other authorities, organizations and representatives of public concerned may provide their opinions about the draft to the competent authorities within 15 days from the date of receiving the notice.

25. Has your country ratified Aarhus Convention on access to information, public participation and access to justice in environmental matters? If not, what is the planned timeline for this ratification?

On 12 May 2009 National Assembly of the Republic of Serbia enacted a Law on ratification of 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).

26. Has your country ratified the Espoo Convention on environmental impact assessment in a transboundary context, and if so, how does it ensure that transboundary consultation is carried out? How long is the time-frame envisaged for the transboundary consultation? If your country is not a Party of the Espoo Convention, what is planned timeline for this ratification? At national level, what measures are there for an environmental impact assessment of certain projects? At what stage of the project is such an assessment to be carried out? How often are projects turned down or amended as a result of these assessments?

Serbia has ratified the Law on Ratification the Convention on Environmental Impact Assessment in a Transboundary Context in November 2007 (O. G. of the Republic of Serbia, No. 102/07);

Legislation foundation for implementation of Espoo Convention is:

1. The Law on Environmental Impact Assessment (O. G. of republic of Serbia 135/04, 36/09) with the implementing legislation:
 - Regulation on laying down of the list of projects for which the impact assessments is obligatory (List I) and list of projects for which the impact assessment can be required (List II) (O. G. of the Republic of Serbia, 114/08);
 - Rulebook on procedure of public insight, presentation and public hearing about environmental impact assessment study (O. G. of the Republic of Serbia, 69/05);
 - Rulebook on work of the commission for evaluation of environmental impact assessment study (O. G. of the Republic of Serbia, 69/05);
 - Rulebook on contents of environmental impact assessment study (O. G. of the Republic of Serbia, 69/05);
 - Rulebook on contents of request on necessity of impact assessment and contents of request for determination of scope and contents of environmental impact assessment study (O. G. of the Republic of Serbia, 69/05);
 - Rulebook on contents, form and manner of keeping of public records of conducted procedures and issued decisions on environmental impact assessment (O. G. of the Republic of Serbia, 69/05);
2. The Law on Ratification the Convention on Environmental Impact Assessment in a Transboundary Context (O. G. of the Republic of Serbia, No. 102/07)
3. Multilateral agreement among the counties of South-Eastern Europe for implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (our country signed, but has not ratified the agreement yet).

Pursuant to the Article 32 of the Law on Environmental Impact Assessment, if a project might have significant impact to the environment of other country or if the country whose environment might be

significantly endangered requires, the competent body (Ministry) shall in shortest possible time, and not later than after informing its public, provide, to the other country for examination, the information about:

- project with all available data on its possible impacts
- nature of decision that might be issued
- time limit for the other country to declare its intention to participate in impact assessment procedure.

In national legislation, implementation of environment impact assessment includes participation of public in all phases of the procedure in the sense of informing, via at least one daily/local journal or via electronic media, (Article 29. of the Law on Environmental Impact Assessment) of all interested bodies/organisations and public, with secured public insight into the subject. Public hearing is organized and conducted in the last phase of the procedure (procedure of issuing of consent on Impact Assessment Study).

In regards to project with transboundary impact, the project holder shall submit Impact Assessment Study of the concerned project also in English (it is not necessary for Montenegro, Croatia and Bosnia and Herzegovina) and public hearing is organized and conducted in the same way, in line with national legislation- public and interested bodies and organisations are informed and public hearing is organised. All provided opinions in legally prescribed time limits are summed up and, together with the Study of the concerned project, submitted, i.e. sent, to potentially impacted country for consideration. It is important to underline that impact assessment procedure in the country of origin and in potentially impacted country are conducted independently, i.e. separately- a common body is not organized (procedure is the same if our country is in the role of impacted country).

At national level, protection measures prescribed for assessment of impact of certain projects to environment are, before all, preventive measures for environment protection based on making of studies and consulting with participation of public and analysis of alternative measures, with the aim to collect data and envisage harmful impacts of certain projects to lives and health of people, flora and fauna, soil, water, air, climate and landscape, material and cultural goods and interaction of these factors and to determine and propose measures that can prevent, reduce or remove harmful impacts taking into consideration feasibility of these projects.

Such assessment is performed in the very first phase of the project (at the project proposal level) which means that, if in the first phase of impact assessment procedure, it is decided that the environmental impact assessment is not required, competent body can prescribe minimal conditions of environment protection, pursuant to special regulations (Article 10, paragraph 5 of the Law on Environmental Impact Assessment). On the contrary, if it is decided that impact assessment is required, in the last phase of the procedure, when the consent on Impact Assessment Study is given, environment protection measures for prevention/reduction of negative effects prescribed by the Study are verified, submitted to the Control and Surveillance Sector and if they are not implemented/complied with, the concerned project can not obtain implementation permit.

Pursuant to the Article 23 of the Law on Environmental Impact Assessment lies, the competent body may, on the proposal of Technical commission, approve not more than one additional period of time for amendment of impact assessment study. In practice, almost every submitted project is sent back for amending. Discrepancies are not frequent as in the first phase of procedure, when deciding on necessity of impact assessment, on the basis of insight into documentation and project, it is possible to perform approximation.

27. Has your country ratified Strategic Environmental Assessment Protocol

to the Espoo Convention? If not, what is the planned timeline for this ratification? What steps are being taken to introduce environmental assessment of plans and programmes, and do they also extend to policies and legislation?

In May 2010 The Law on confirming Strategic Environment Assessment Protocol was enacted by the Parliament of the Republic of Serbia (Official Gazette of the RS - International Treaties 1/10)

Environmental Assessment of certain plans and programmes is implemented through the Law on Strategic Impact Assessment ("Official Gazette of the RS", 135/04) The Law on Strategic Impact Assessment was enacted in December 2004 and concealed with the Directive 2001/42/EC. The Law shall be implemented on plans, programmes and bases. With amendments and modifications of the Law on Strategic Impact Assessment ("Official Gazette of the RS", 88/10) it has been stipulated that the Law shall be applied apart from plans, programmes and bases also to the strategies. Furthermore, these amendments and modifications of the Law also provides for the drawing up of the lists of plans, programmes, bases and strategies which require creation of strategic impact assessment, and the list of plans, programmes, bases and strategies which may require the creation of strategic impact assessment

When policies and legislation are concerned, strategic environmental assessment does not apply at the time being.

28. Could you briefly describe the activities your country takes part in the framework of the European Environment Agency and Eionet?

First contacts between EEA and the Republic of Serbia were established in the middle of 2002. During that period, cooperation was done through European Integration Office of Serbia and Montenegro, i.e. National Focal Point for the cooperation with the EEA, carrying on all the communication and coordination in cooperation with the EEA. After the Serbian Environmental Protection Agency was established in 2004, which is liable according to the Ministry law for the: "... cooperation with European Environment Agency (EEA) and European Information and Observation Network (EIONET)..." it has come to certain improvement in work coordination of existing institutions having responsibilities in environment monitoring in the Republic of Serbia. Data that Serbia is responsible to deliver to the European Agency are mostly related to the so called: "Priority Data Flows" i.e. "Core Set of Indicators" of the state of the environment which enables making of the common report on the state of the environment on European level.

However, during the year 2007, the Serbian Environmental Protection Agency has by taking the role of National focal organization, i.e. institution which completely undertakes the responsibility of the cooperation with EEA by National focal point nomination and Primary Contact Points for the cooperation with the EEA within EIONET, succeeded in defining the obligations resulting from this cooperation.

By doing this the Serbian Environmental Protection Agency has ensured the possibilities for further development in this field and what is more important, for the implementation of European standards, methodologies and positive practise in the field of environment. Obvious improvement indicator of fulfilling the responsibilities in the period of 2004 -2010 is the evaluation of the level of the Priority Data Flows delivery in the last two years being on the level around 75% (<http://www.eionet.europa.eu/dataflows/pdf2009>).

Moreover, Serbian Environmental Protection Agency has through the preparation and implementation of the project registered within IPA 2008 "Assistance to Serbian Environment Protection Agency as National focal point institution for cooperation with European Environment Agency in strengthening the

Eionet in Serbia", started in May 2009, has provided direct investment of European Funds in strengthening the institutional network on the national level in order to support the increased level of reporting towards EEA through capacity building of the Agency and all relevant organizations directly or indirectly involved in the Eionet (http://ec.europa.eu/enlargement/pdf/serbia/ipa/2008/28-eionet_en.pdf).

Within the drafting of the European State and Outlook of the Environment Report 2010 - SOER 2010 prepared by the EEA, the Republic of Serbia has become for the first time an active participant through direct communication with the EEA and preparation of 8 contributions for country assessment prepared by the Serbian Environmental Protection Agency as follows: Country profile, National story, Climate change mitigation, Land use, Nature protection and biodiversity, Waste, Water quality, Air pollution (<http://www.eea.europa.eu/soer>). For the purpose of delivery of the contributions to this report, participation in SENSE (Shared European and National State of the Environment) project which is the practical implementation of SEIS (Shared Environment Information System), EEA concept on environmental shared informational system, Serbia has through the creation of National reporting portal to EEA (<http://report.sepa.gov.rs>) become one of 13 countries that realized contributions delivery for SOER by using the newest information technologies.

29. How is the impact on habitats/species taken into account in environmental assessment procedures?

In general, one of the most important aspects in the environmental impact assessment procedure is habitats and species surrounding the location for project implementation, in all three phases of the procedure

- in the phase of deciding on necessity of study
- in the phase of prescribing scope and contents of study
- in the phase of issuing consent on impact assessment study .

The Law on Impact Assessment (Official Gazette of RS, No. 135/04 and 36/09) prescribes, in the Article 8(3)(4) and Article 12(3)(4), that the applicant is also to submit conditions and consents of other competent bodies and organisations obtained in accordance with special law.

The special law, in addition to the mentioned one, i.e. Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10), in the Article 9, prescribes that act on conditions for nature protection is issued by competent nature protection office, i.e. Nature Protection Office of Serbia and Provincial Institute for Nature Conservation competent for activities of protection of nature and natural goods whose complete surface is located at the territory of Autonomous Province of Vojvodina.

Nature Protection Conditions Act especially contains:

- 1) data on natural resources, especially of flora and fauna, geo-heritage features and landscapes in the spatial scope of the document referred to in the paragraph 1 of this Article and on surroundings;
- 2) data on protected natural goods, including natural goods planned to be protected or under protection procedure;
- 3) data on ecologically significant areas and habitat types;
- 4) data on laid down regimes and measures of protection and use of natural resources and goods and ecologically significant areas;
- 5) estimation of possibility of implementation of planned works and activities from the standing point of nature protection objectives and adopted regulations and documents;

- 6) conditions, i.e. prohibitions and limitations for implementation of planned works and activities;
- 7) biological, technical and technological nature protection measures to be applied;
- 8) legal and expert framework for prescribed conditions and measures.

The prescription of conditions for admissibility assessment in the Article 10 of the Law on Nature Protection that prescribes that, if it is determined, in the procedure of issuing of conditions for nature protection referred to in the Article 9, that there is a possibility that plans, base plans, programmes, projects, works and activities could have significant impact to preservation objectives and unity of ecologically significant area, Ministry, the body competent for environment protection activities of the autonomous province, i.e. body competent for environment protection activities of the local government unit, performs acceptability estimation, is very significant. Pursuant to the Law, Article 4(43a), admissibility assessment is a procedure for estimation of possibility that implementation of plans, base plans, projects, works or activities, that alone or combined with other plans, foundations, projects, works or activities might have significant impact to preservation objectives and unity of ecologically significant areas.

Admissibility assessment for plans, base plans and programmes that are, in line with special law, subject to a strategic environmental impact assessment, and for projects, works and activities that are subject to an environmental impact assessment pursuant to a special law, is performed within the framework of those procedures.

Article 10 of the Law provides the legal basis for the adoption of an act prescribing in more detail the procedure, content, time frames and method for the implementation of the admissibility assessment in respect of the conservation objectives of important ecological areas, and the method for disseminating the information to the public, establishing overriding public interest and compensatory measures. The Government will adopt the cited by-law within two years from the date of entry into force of the Law on Amendments to the Law on Nature Protection (Official Gazette of RS, No. 88/10).

30. Does your county have in place a Regulatory or Sustainability Impact Assessment System that leads to an assessment of the economic, social and environmental impacts of major public policies in a single integrated process?

In the Republic of Serbia the Regulatory or Sustainability Impact Assessment System is not established.

31. How are concepts of environmental sustainability including the protection of habitats and species integrated into policies related to economic sectors, including agriculture, mining, tourism, fisheries and aquaculture?

Environmental sustainability in respect to habitat and species protection in the Republic of Serbia is regulated, in particular by the Law on Nature Protection (Official Gazette of RS, No. 36/09), published on 15 May 2009 and the Law on Amendments to the Law on Nature Protection (Official Gazette of RS, No. 88/10), published on 23 November 2010, (hereinafter: the Law).

The principles of nature protection, including the principle of sustainable consumption of natural resources meaning that consumption of natural resources can be performed only to the extent and in a manner not jeopardizing diversity and functioning of natural systems and processes, are laid down in the Article 5 of the Law.

Article 35 of the Law prescribes regimes of protected areas, where, in line with sustainable development, prohibited or limited works and activities are precisely defined, which enables more

competent and successful recognition, identification, preservation and sustainable use of natural resources.

Protection regime of degree I prohibits all kinds of use of natural resources and construction of objects, except scientific research and implementation of protection and restoration measures. Protection regime of degree I prohibits all activities related to construction of industrial, metallurgical, mining and other objects, power plants, asphalt plants, windmills, airports, holiday homes and other family objects, construction of recycling objects and landfills, commercial fishing, ploughing of natural lawns, while the activities related to forming of water accumulations, melioration activities, construction of hydroelectric power plants, solar power plants, objects of tourist, traffic, energy and communal infrastructure, and traditional use of stone and clay, construction of fish farms, etc are limited. Protection regime of degree III prohibits construction of oil refineries, chemical industry objects, metallurgy objects, power plants, etc. Construction of other industrial and power plants, asphalt plants, tourist objects, construction of settlements and spreading of building areas, fishing and hunting, forming of forests and agricultural monocultures are limited by the protection regime of degree III.

Prohibitions and limitations for each protected area are more precisely defined in the act of pronouncement of the protected area depending on particularities of the protected area and in line with protection study created by the Office. The act of pronouncing also lays down borders of the parts of the protected area with different protection regime degree.

Nature protection in general, and in its framework, protection of habitats and species, is integrated in other policies related to economic sectors, including agriculture, mining, tourism, fisheries and aquaculture in a manner prescribed by the Article 8(1)(4) of the Law, through prescription of conditions and measures of protection of nature and protected natural goods and areas in spatial and urbanism plans, project documentation, base plans and natural resources management programmes in mining, energy, traffic, water management, agriculture, forestry, hunting, fishing, tourism and other activities that have an impact on nature.

In Article 8 of the Law is particularly prescribes that planning, development and use of space, natural resources, protected areas and ecological network is implemented in accordance with spatial and urban plans, planning and design documentation, base plans and programmes for the management and use of natural resources and assets in mining, energy, traffic, water management, agriculture, forestry, hunting, fishing, tourism and other activities that have an impact on nature, in accordance with nature protection measures and requirements. Use of space, natural resources and protected areas is allowed in a manner envisaged by this and other laws. The project holder, i.e. legal person, entrepreneur and natural person that use natural resources, perform construction or other works, activities and interventions in nature is obligated to act in line with nature protection measures prescribed by plans, basic plans and programmes in accordance with project-technical documentation, in a manner avoiding or reducing to the lowest possible extent endangering and damaging of nature.

Article 9 of the Law prescribes that act on conditions for nature protection is issued by competent nature protection office, i.e. Nature Protection Office of Serbia and Provincial Institute for Nature Conservation competent for activities of protection of nature and natural goods whose complete surface is located at the territory of Autonomous Province of Vojvodina, prescribes contents of the act, documentation to be submitted with the application for issuing of the act, right to appeal to the Ministry competent for environment protection affairs.

The prescription of conditions for admissibility assessment in the Article 10 of the Law on Nature Protection that prescribes that, if it is determined, in the procedure of issuing of conditions for nature protection referred to in the Article 9, that there is a possibility that plans, base plans, programmes, projects, works and activities could have significant impact to preservation objectives and unity of

ecologically significant area, Ministry, the body competent for environment protection activities of the autonomous province, i.e. body competent for environment protection activities of the local government unit, performs acceptability estimation, is very significant. Pursuant to the Law Article 4(43a), the assessment of admissibility evaluates whether the implementation of plans, base plans, programmes, projects, works and activities is likely to have a significant effect on the conservation objectives and the integrity of important ecological areas, either individually or in combination with other plans, base plans, programmes, projects, works and activities. Admissibility assessment for plans, base plans and programmes that are, in line with special law, subject to a strategic environmental impact assessment, and for projects, works and activities that are subject to an environmental impact assessment pursuant to a special law, is performed within the framework of those procedures.

Also, there is legal basis for the adoption of an act prescribing in more detail the procedure, content, time frames and method for the implementation of the admissibility assessment in respect of the conservation objectives of important ecological areas, and the method for disseminating the information to the public, establishing overriding public interest and compensatory measures. The Government will adopt the cited by-law within two years from the date of entry into force of the Law on Amendments to the Law on Nature Protection (Official Gazette of RS, No. 88/10).

Protection and sustainable use of the fishing resources is secured by Law on Protection and Sustainable Use of Fishing Resources (Official Gazette of RS, No. 36/09) that regulates sustainability of use of fishing resources through recreational and commercial fishing in accordance with natural production of funds of fish species that are subject to fishing, with simultaneous preservation of complete biological diversity and integration of fish habitat ecosystem and other components of inland water ecosystems. Article 21 of the above Law prescribes the measure of closed fishing season for all or particular species of the fishing area and prohibition on fishing that are not of prescribed size, for the purposes of preservation of fishery resources.

Protection of habitats and species in the field of aquaculture through promotion of use of appropriate autochthonous material in regard to genetics and ecosystem for stocking of inland water ecosystems exploited for fishing, with securing maximal preservation of overall ecosystem integrity and status of inland water is contained in the Article 24(2) and 24(3) of the Law on Protection and Sustainable Use of Fishing Resources which prescribe that stocking is performed by means of autochthonous fish species and that only fish produced in hatchery registered for production of fish and impregnated fish roe and fish and roe breeding can be stocked in fishing zones with certificate of brood-fish origin. In addition, this Article prescribes that stocking of fish species that disappeared from waters in certain fishing zones (reintroduction or reestablishment) and stocking of autochthonous species originating from abroad is performed in accordance with permission of the Minister and is executed in the presence of environment protection inspector with a certificate on state of health of the ranching material.

32. What is the common standard of liability when it comes to damage caused to the environment (strict or fault based)? And how is damage recovery in this field at present understood and working: Are there rules on damage to persons (bodily injury, damage to property, economic loss, etc.) "via the environmental path", or are there rules on "pure ecological damage", or rules on both, or no rules at all in this field? How is "pure ecological damage", i.e. in particular damage to protected species and natural habitats, damage to water and damage to land currently followed up and dealt with? In case there are rules on "pure ecological damage": Are there measures based on environmental liability aiming at preventing and remedying environmental damage? If not, is the adoption of such measures planned for the near future? To what extent do legal obligations exist for liable operators of certain dangerous activities (and on a subsidiary basis for other parties and for competent authorities) to

restore in kind environmental damage caused to protected species and natural habitats, to water and to land, independent from private claims for reimbursement?

Pursuant to the Law on Environment Protection (Official Gazette of RS No. 135/04, 72/2009 and 36/09), liability for pollution is grounded on the principle of strict liability - polluter who causes pollution of environment is responsible for induced damage pursuant to the strict liability principle. At the same time, legal and natural person who enabled or allowed pollution of environment through illegal or incorrect action shall also be responsible. Pursuant to the Article 154 of the Law on Obligations (Official Gazette of SRJ, No. 44/99) for any damage induced by items or activities that increase danger of damage to environment there is strict liability regardless on guilt.

In regards to prevention, the section of the Law on Environment Protection related to responsibility for environment pollution, states that legal and natural person is obligated to, during performance of his/her activities, secure environment protection, including implementation of prevention measures.

The Law on Environment Protection contains several provisions related to remediation and restoration of damage. Thus, legal and natural persons are obligated to, during performance of their activities, secure protection of environment by implementation of environment protection measures, including removal of consequences of jeopardizing and damage of environment. The polluter who causes pollution of environment by action or lack of action is obligated to, without delay, take measures prescribed by accident protection plan and restoration plan and to take measures necessary for reduction of environment damages or removal of further risks and dangers and for restoration of environment damages. If damage induced to environment can not be recovered by appropriate measures, the person who caused the damage shall be responsible for reimbursement in the amount equal to the value of destroyed goods. The section of the Law on Environmental Protection related to natural resources management, states that legal and natural entities responsible for degrading the environment are obliged to remediate or otherwise restore the degraded environment, in accordance with restoration and remediation projects. The Minister approves these projects. The Minister prescribes methodology for making of restoration and remediation projects, except for the project of mineral raw materials exploiting that are regulated by special regulation, through Regulation on programme of systematic monitoring of soil quality via indicators for assessment of soil degradation risk and methodology for creation of remediation programmes (O. G. of RS No. 88/10).

The section of the Law on Environment Protection related to measures and conditions of environment protection, states that, in certain circumstances (for example, when responsible polluter is unknown), the Government shall issue the restoration plan. If the polluter responsible for pollution is identified later, the body who bore costs of restoration shall request compensation for expenses. In the case of exceeding of prescribed limits of emission and other activities that lead to environment degradation, the polluter is obligated to, at his own expense, make and implement restoration plan.

Assessment of ecological damage of environment and human health is performed in accordance with the Regulation on establishment of criteria for assessment of the status of endangered environment and remediation priorities (Official Gazette of RS, No. 22/10); it is based on the methodology for determination of priorities of contaminated locations restoration by setting up national classification system. The system is developed with the aim to establish rationally and scientifically based comparative assessment of contaminated locations in Serbia and for determination of responsibility for emerged situation and deployment of induced expenses.

Numerical grading of contaminated locations is based on data and documentation of: 1) environment state report; 2) integral cadastre of polluters; 3) monitoring of environment state and results of systematic measuring, analysing and estimation of state indicators, pursuant to other regulations; 4)

reports of competent bodies and organisations in the field of health and meteorology and reports of other competent bodies and organisations on results of measuring and monitoring of pollution impact to human health and environment. Criteria used as basis for prioritization are: 1) degree of exposure of people at the area; 2) protection of surface water; 3) potential of further spreading and migration of contamination; and 4) protection of flora and fauna species and ecosystem. Each area has its own specific features and it to be considered separately in regards to quantity of polluting matters, micro-geographic features, urbanisation degree, use of natural resources etc. In regard to contaminating matters, it is important to know whether they accumulate in organisms and manner of their transport through food chain. Thus, it is important to consider their path through trophic processes of living world and if production of food is at the end of the chain, the area meets criterion of priority. The second sub-criterion is their mobility. Assessment of mobility is made in regard to the fact whether, in the case of flood, they outflow and spread to surrounding land or by bio-analytic test for mobility estimation.

According to the above criteria, areas are classified, pursuant to the priority, into the one of the following 4 classes: 1) where the measures must be immediately implemented; 2) that require further thorough research; 3) that must be supervised to confirm safety in the future; and 4) uncontaminated areas not requiring action. According to this classification, strategic actions are implemented for each area individually. Remediation and restoration measures are implemented at contaminated locations.

The Government prescribes criteria for setting of endangered environment status and for setting of priorities for remediation.

Evaluation for the purposes of determining the status of endangered environment is performed by the local self-government body competent for environment protection activities that submits the evaluation list to the Ministry competent for environment protection activities until 31 January of the current year with all related documentation used for evaluation.

Pursuant to the prescribed criteria, the status of endangered environment and priorities for remediation of an area significant for the Republic of Serbia are laid down by the Ministry, with obtained opinion of other competent bodies and by local self-government unit for an area of local significance.

The status of endangered environment is pronounced by the Government on the proposal of the Ministry competent for environment protection activities, for every calendar year.

The local self government unit shall previously obtain consent of the Ministry on the act proposal that lays down status of endangered environment and priorities for remediation of an area of local significance and consent of autonomous province competent body for an area of local significance at the territory of autonomous province.

Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/2010) Article 11 provides for the possibility of limitation or termination of use of natural resources if the manner or scope of use of natural resources directly jeopardizes survival of a species, its habitat or natural ecosystem. The Minister competent for environment protection activities can temporarily limit or permanently terminate use of natural resources after previously obtained opinion of the ministry competent for agriculture, forestry and water management, ministry competent for mining and energy and ministry competent for infrastructure.

The owners or users of natural resources subject to the limitation ordered by the Minister have right to reimbursement proportionally to the income decrease. The reimbursement amount shall be fixed by agreement, and the court shall decide in the case of dispute.

The owner or user of natural resources who does not comply with the order shall be responsible for damage which was induced to species, habitat or natural ecosystem after passing of the order.

In addition, in order to reduce harmful impacts on nature that can occur or have occurred by realisation of plans, grounds, programmes, projects, works or activities on a protected natural areas or ecological network area, legal person, entrepreneur and natural person or project holder must implement compensatory measures in accordance with decision passed by the Ministry on the proposal of the Institute.

The compensatory measures are prescribed depending on envisaged or induced nature damages, particularly: by setting up new location with same or similar features to the ones of the damaged location, by setting up of other location of significance for preservation of biological and natural diversity, by reimbursement in the amount of the value of damaged location in the case that it is not possible to implement compensatory measures or rehabilitation measures.

The Ministry decides which compensation measure are to be implemented.

Article 13 prescribes manner of removal of harmful effects if projects or activities are performed in nature without implementation of prescribed environment protection conditions or contrary to environment protection conditions which led to damage of nature and protected natural goods. The law envisages that in such situation, the holder of project or activity, i.e. user of natural resources shall, without delay and on his own expenses, remove effects of his action.

If the activity holder does not remove harmful effects or does not implement compensatory measures, the Ministry shall implement it on expense of the holder and pass a decision laying down amount of reimbursement for damage and amount of enforcement costs. The Institute proposes estimation of induced damage and removal of harmful effects to the Ministry.

Article 64 of the Law on Environment Protection prescribes responsibility for damage caused by wild species. Namely, this Article defines that the republic of Serbia is not responsible for damage caused by wild species, except in the cases laid down by this Law and other regulations.

Legal person, entrepreneur or natural person that might suffer material or other kind of damage caused by protected or unprotected wild species shall implement, in an appropriate manner and at own expenses, all allowed measures and activities to prevent damage (fencing, protection of property, keeping strictly protected animal species off the area where they directly jeopardize property in a manner that does not endanger survival of the species).

The injured party has the right to reimbursement in the amount of the real damage induced by strictly protected and protected species if the injured party implemented prescribed measures and activities.

The injured party shall report the occurrence of the damaging event to the Ministry, i.e. competent body of autonomous province, i.e. protected area manager, without delay and not later than within seven days of the day of damage occurrence.

The injured party and an expert estimate, at the spot of the damaging event, facts of significance for occurrence of damage, causes and damage amount that is entered to the record.

The amount of reimbursement for damage (in line with criteria for estimation of damage prescribed by the Minister) is fixed in agreement between the Ministry, i.e. competent body of the autonomous province and the injured party, while the court shall fix the amount of damage in the case of dispute.

The Law on Nature Protection also defines reimbursement for damage caused by illicit activity related to strictly protected and protected wild species.

Legal persons, entrepreneurs and natural persons shall compensate for the damage caused by infringement of this law.

The amount of reimbursement for damage caused by illicit activity related to strictly protected and protected wild species is fixed pursuant to reimbursement pricelist passed by the Minister in agreement with the Minister competent for agriculture, forestry and water management.

The amount of reimbursement is fixed in agreement between the Ministry, i.e. competent body of the autonomous province and the person who caused the damage, while the court shall fix the amount of damage in the case of dispute.

The means obtained from reimbursement for damage caused by illicit activity related to strictly protected and protected wild species are income of the Budget of the Republic of Serbia, i.e. of the Budget of the autonomous province and are used for protection and improvement of the protected area.

Complete transition of Regulation 2004/35/EC will be performed through mid-term priorities (2010-2012) until 2012.

Law on Waste Management (Official Gazette of RS, No. 36/09 and 88/10), Article 35 prescribes that in the case of pollution caused during transport of waste, the waste carrier is responsible for cleaning and removal of pollution of the area. In addition, on application for issuing of permit for transport of dangerous waste (Article 70 of the Law on Waste Management), besides other documents, the insurance policy for damage caused to third parties, property and environment is submitted pursuant to law.

Article 62 of the Law on Waste Management provides for the documentation required to be submitted by operators of plants for storage, treatment and disposal of waste together with Application for issuing of waste management permit. Moreover, it is necessary to provide financial and other warranties or appropriate insurance for the case of accident or damage caused to third parties during performance of waste management activities.

B. AIR QUALITY

33. Does air quality limit values or target values exist for specific atmospheric pollutants? If so, what are these values?

The Regulation on monitoring conditions and air quality requirements ("Official Gazette of the RS", no 11/10 and 75/10) (hereinafter: Regulation) stipulates limit values for sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ PM_{2.5}), lead, benzene and carbon monoxide; also target values for particulate matter PM_{2.5}, ground-level ozone, arsenic, cadmium, nickel and benzo (a) pyrene, all in accordance with the values laid down in Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (hereinafter: Directive 2008/50/EC) and Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (hereinafter: Directive 2004/107/EC). Limit values for some pollutants and for some averaging period that are not stipulated by the Directives are retained from the previous Rulebook on Imission limit values, measuring methods, criteria for establishing measuring sites and data evidence ("Official Gazette of the RS", no 54/92, 30/99 and 19/06) (hereinafter: Rulebook)

Limit value for nitrogen dioxide for the averaging period one hour has been retained from the previous Rulebook, because this value is stricter than the one stipulated by Directive 2008/50/EC.

Table 1: Limit and target values for air pollutants stipulated in the Republic of Serbia

Parameter	Limit value The Regulation of the Republic of Serbia	Target value The Regulation of the Republic of Serbia	Limit value Directive 2008/50/EC or Directive 2004/107/EC	Target value Directive 2008/50/EC or Directive 2004/107/EC
PM _{2.5}		Calendar year 25 µg/m ³ **		Calendar year 25 µg/m ³ **
PM _{2.5} Stage 1	Calendar year 25 µg/m ³ **		Calendar year 25 µg/m ³ **	
PM _{2.5} Stage 2	Calendar year 20 µg/m ³ **		Calendar year 20 µg/m ³ **	
PM ₁₀	One day 50 µg/m ³ ** Calendar year 40 µg/m ³ **		One day 50 µg/m ³ ** Calendar year 40 µg/m ³ **	
Ground- level ozone (O ₃)		Maximum daily 8-hour average 120 µg/m ³ ** Protection of human health May-July Value AOT40 (calculated from 1-hour values) 18 000 µg/m ³ · h in 5 years ** Protection of vegetation		Maximum daily 8-hour average 120 µg/m ³ ** Protection of human health May-July Value AOT40 (calculated from 1-hour values) 18 000 µg/m ³ · h in 5 years ** Protection of Vegetation
Nitrogen dioxide (NO ₂)	1hour 150 µg/m ³ * One day 85 µg/m ³ * Calendar year 40 µg/m ³ **		1hour 200 µg/m ³ ** Calendar year 40 µg/m ³ **	
Sulphur dioxide SO ₂ (99)	1hour 350 µg/m ³ ** One day 125 µg/m ³ ** Calendar year		1hour 350 µg/m ³ ** One day 125 µg/m ³ **	

	50 µg/m ³ *			
Carbon Monoxide (CO)	8 hour 10 mg/m ³ ** One day 5 mg/m ³ * Calendar year 3 mg/m ³ *		8hour 10 mg/m ³ **	
Lead (Pb)	One day 1 µg/m ³ * Calendar year 0.5 µg/m ³ **		Calendar year 0.5 µg/m ³ **	
Benzene	Calendar year 5 µg/m ³ **		Calendar year 5 µg/m ³ **	
Arsenic		Calendar year 6 ng/m ³ ***		Calendar year 6 ng/m ³ ***
Cardium		Calendar year 5 ng/m ³ ***		Calendar year 5 ng/m ³ ***
Nickel		Calendar year 20 ng/m ³ ***		Calendar year 20 ng/m ³ ***
Benzo-(a)-pyrene		Calendar year 1 ng/m ³ ***		Calendar year 1 ng/m ³ ***

*) the value has been retained from the Rulebook

**) Directive 2008/50/EC

***) Directive 2004/107/EC

Beside limit and target values for PM_{2.5} Regulation also stipulates national exposure reduction target for particulate matter PM_{2.5} with reduction dynamics as laid down in Directive 2008/50/EC and the deadline for meeting exposure reduction target in 2022. Exposure concentration obligation for particulate matter PM_{2.5} is 20µg/m³ and the year by which the obligation value is to be met is 2017. Long-term objectives for ground-level ozone are also taken from Directive 2008/50/EC with no deadline being set for meeting them.

Setting the deadlines by which limit and target values should be met:

Setting the dates by which limit and target values for some air pollutants should be met is done in the way to enable for the Republic of Serbia the same period of time for achieving these values as the Member States had for transposition and implementation of Directives 2008/50/EC and 2004/107/EC (Table 2).

Date by which limit value for benzene should be met is complied with the Rulebook.

• Table 2: Dates by which limit and target values for certain air pollutants should be met

Parameter	Averaging period	Date by which limit value should be met Regulation of the Republic of Serbia	Date by which target value should be met Regulation of the Republic of Serbia	Date by which limit value should be met Directive 2008/50/EC	Date by which target value should be met Directive 2008/50/EC
Particulate matter PM_{2.5}	Calendar year		1 January 2019		1 January 2010
Particulate matter PM_{2.5} Stage 1	Calendar year	1 January 2019		1 January 2015	
Particulate matter PM_{2.5} Stage 2	Calendar year	1 January 2024		1 January 2020	-

Particulate matter PM ₁₀	One day	1 January 2016		— (already in force since 1 January 2005)	
	Calendar year	1 January 2016		— (already in force since 1 January 2005)	
Ground- level ozone (O ₃)	Maximum daily 8-hour mean – protection of human health		1 January 2018		1 January 2010
	May to July – protection of vegetation		1 January 2018		1 January 2010
Nitrogen Dioxide (NO ₂)	One hour	1 January 2021		1 January 2010	
	One day	1 January 2021			
	Calendar year	1 January 2021		1 January 2010	
Sulphur dioxide (SO ₂)	One hour	1 January 2016		— (already in force since 1 January 2005)	
	One day	1 January 2016		— (already in force since 1 January 2005)	
	Calendar year	1 January 2016			
Carbon monoxide (CO)	Maximum daily 8- hour mean	1 January 2016		— (already in force since 1 January 2005)	
	One day	1 January 2016			
	Calendar year	1 January 2016			
Lead (Pb)	One day	1 January 2016			
	Calendar year	1 January 2016		— (already in force since 1 January 2005)	
Benzene	Calendar year	1 January 2016		1 January 2010	

Apart from the mentioned limit and target values, the Regulation also stipulates the maximum allowed concentration for specific pollutants (Table 3), which were regularly monitored in the national network according to previous legislation documents, and are not defined in Directives 2008/50/EC and 2004/107/EC. The Regulation also stipulates that the values measured during intentional measurements of specific substances in air should be compared with maximum allowed concentrations. Purpose measurements are performed upon the request of an inspector when there is a reasonable suspicion that specific pollutants can be found in air (activities in industrial installations, unfavourable meteorological conditions...)

Table 3: Maximum permitted concentrations for the protection of human health

Parameter	Averaging Period	Maximum allowed concentration
Ammonia (HN ₃)	One day	270 µg/m ³
	Calendar year	8 µg/m ³
Hydrogen sulfide (H ₂ S)	One day	150 µg/m ³
Hydrogen chloride (HCl)	Three hours	50 µg/m ³

	One day	15 µg/m ³
	Calendar year	100 µg/m ³
Chlorine (Cl ₂)	Three hours	100 µg/m ³
	One day	30 µg/m ³
Hydrogen fluoride (HF)	Three hours	20 µg/m ³
	One day	3 µg/m ³
Carbon disulfide (CS ₂)	One day	100 µg/m ³
Styrene	Seven days	0,26 mg/m ³
Toluene	Seven days	0,26 mg/m ³
Formaldehyde	One day	0.1 mg/m ³
1,2 dichloroethane	One day	0.7 mg/m ³
Acrolein	One day	0.1 mg/m ³
Tetrachloroethylene	One day	5 mg/m ³
	Calendar year	0.25 mg/m ³
Acrylonitrile	Calendar year	0.5 µg/m ³
Arsenic	Calendar year	6 ng/m ³
Chromium (VI)	Calendar year	0.3 ng/m ³
Nickel	Calendar year	20 ng/m ³
Asbestos	Calendar year	200 vl/m ³
Total Suspended Particles	One day	120 µg/m ³
	Calendar year	70 µg/m ³
Total aerosediments	One month	450 mg/m ² /day
	Calendar year	200 mg/m ² /day
Soot	One day	50 µg/m ³

34. What is the relationship of the above with the WHO standards/guidelines?

The values stipulated in Regulation on monitoring conditions and air quality requirements ("Official Gazette of the RS", no 11/10 and 75/10) (hereinafter: Regulation) are partly harmonised with guideline values given in the WHO guidelines from 2000 and 2005. The following table gives comparison of target and limit values for certain pollutants stipulated by the Regulation and the guideline values stipulated in the WHO guidelines from 2000 and 2005.

Table 1: Limit and target values for pollutants and their harmonization with the WHO guidelines

Parameter	Limit values The Regulation of the Republic of Serbia	Target values The Regulation of the Republic of Serbia	WHO 2000	WHO 2005	Note
Particulate matter PM _{2.5}		Year 25 µg/m ³	Guideline not given	24h 25 µg/m ³ Year 10 µg/m ³	PM _{2.5} values are not in line with the WHO2005 guideline, but they are in line with the values given in Directive 2008/50/EC.
Particulate matter PM _{2.5} Stage 1	Year 25 µg/m ³		Guideline not given	24h 25 µg/m ³ Year 10 µg/m ³	
Particulate matter PM _{2.5} Stage 2	Year 20 µg/m ³		Guideline not given	24h 25 µg/m ³ Year 10 µg/m ³	
Particulate matter PM ₁₀	24h 50 µg/m ³ Year 40 µg/m ³		Guideline not given	24h 50 µg/m ³ Year 20 µg/m ³	24-hour values in line with WHO2005; annual value is not in line with WHO2005

					guideline but it is in line with the value stipulated by Directive 2008/50/EC
Ground- level ozone (O₃)		8h 120 µg/m³ Protection of human health May-July Value AOT40(calculated from 1-hour values) 18 000 µg/m ³ · h in 5 years Protection of vegetation	8h 120 µg/m³	8h 100 µg/m³	Target value for ground-level ozone (taken from Directive 2008/50/EC) is in line with the WHO2000 guideline, but it is not in line with WHO2005 guideline
Nitrogen dioxide (NO₂)	1h 150 µg/m³ * 24h 85 µg/m³ Year 40 µg/m³		1h 200 µg/m³ 24 h Guideline not given Year 40 µg/m³	1h 200 µg/m³ 24 h Guideline not given Year 40 µg/m³	1h value is stricter than the guideline value stipulated by WHO; annual value is in line with the WHO guideline
Sulphur dioxide (SO₂)	1h 350 µg/m³ 24h 125 µg/m³ Year 50 µg/m³		10 min 500 µg/m³ 1h Guideline not given 24h 125 µg/m³ Year 50 µg/m³	10 min 500 µg/m³ 1h Guideline not given 24h 20 µg/m³	
Carbon monoxide (CO)	8h 10 mg/m³ 24h 5 mg/m³ * Year 3 mg/m³ *		15 min 100 mg/m³ 30 min 60 mg/m³ 1 h 30 mg/m³ 8h 10 mg/m³	Guideline not given	Comparison of values is not possible due to difference of the averaging periods
Lead (Pb)	24h 1 µg/m³ * Year 0.5 µg/m³		Year 0.5 µg/m³	Guideline not given	Annual value is in line with the WHO2000 guideline
Benzene	Year 5 µg/m³		Benzene concentrations in air with an excess lifetime risk of 1/10 000, 1/100 000 or 1/1 000 000 are respectively 17 µg/m ³ , 1.7 µg/m ³ or 0.17 µg/m ³	Guideline not given	It is not possible to compare values because the guideline is given in the basis of excess lifetime risk
Arsenic		Year 6 ng/m³	Excess lifetime risk is 1:10 000, 1:100 000 or 1/1 000 000 at an air concentration of about 66 ng/m³, 6.6 ng/m³ or 0.66 ng/m³, respectively	Guideline not given	It is not possible to compare values because the guideline is given in the basis of excess lifetime risk
Cadmium		Year 5 ng/m³	Year 5 ng/m³	Guideline not given	Annual value is in line with WHO2000 guideline
Nickel		Year 20 ng/m³	Nickel concentration in air corresponding to an excess lifetime risk of 1/10 000, 1/100 000 or 1/1 000 000 are about 250 ng/m³, 25 ng/m³ or 2.5 ng/m³	Guideline not given	It is not possible to compare values because the recommendation is given in the basis of excess lifetime risk
Benzo-(a)-pyrene		Year 1 ng/m³	The corresponding concentrations of benzo-a pyrene producing excess lifetime cancer risk of 1/10 000, 1/100 000 or 1/1 000 000 are 1.2 ng/m³, 0.12 ng/m³ or 0.012 ng/m³	Guideline not given	It is not possible to compare values because the guideline is given in the basis of excess lifetime cancer risk

*) the value has been retained from the Rulebook on Imision limit values, measuring methods, criteria for establishing measuring sites and data evidence ("Official Gazette of the RS", no 54/92, 30/99 and 19/06)

35. Is there a national programme for monitoring air quality or national/regional/local plans on air quality? If yes, is information made available to the public and has public been consulted on the programme/plans? Which is the competent authority dealing with air quality problems and which responsible for the development of air quality strategies?

Air quality monitoring is performed within the national and local networks. As integral to overall environment monitoring, the national network of air quality monitoring stations or sites is established to monitor air quality at the level of the Republic of Serbia. The state-funded national network is established in accordance with Air Quality Monitoring Programme that sets out scope of measurements, their type and frequency, and number and distribution of the monitoring stations or sites in relevant zones and agglomerations. The Programme is proposed by the line Ministry and adopted by the Government.

It is the responsibility of the line Ministry to ensure implementation of the Air Quality Monitoring Programme within the national network.

National network of measurement stations and/or measurement sites monitors the following pollutants:

- sulphur dioxide SO₂ (99)
- nitrogen oxides NO, NO₂, NO_x (90)
- carbon monoxide CO (42)
- particulate matter PM₁, PM_{2.5}, PM₁₀ (23)
- total suspended particulates TSP (8)
- total sediment matter TSM (49)
- ground-level ozone O₃ (27)
- volatile organic compounds VOCs (C2-C6) (automatic analyzer-5 and samplers-5)
- benzene, toluene and xylene BTX (15)
- benzene (2)
- ammonia NH₃ (13)
- polycyclic aromatic hydrocarbons (PAHs)
- heavy metal contents in suspended particulate matter PM (18)
- polycyclic aromatic hydrocarbon content in suspended particulate matter PM (15)
- heavy metal content in precipitations HM (6)
- volatile organic compounds VOCs (C2-C12) (3)
- total reduced sulphur TRS (4)
- chemical analysis of precipitation (6)
- soot (48)
- inorganic compound content in air (1)

Air quality in the national network is monitored by Environmental Protection Agency (hereinafter referred to as: Agency), Republic Hydrometeorological Service of Serbia and authorized legal entities, every one under their relevant remit.

The Agency has established the national system for automatic air quality monitoring consisting of 28 fixed and one mobile station, one calibration and one analytical laboratory. The equipment is a donation from the EU under the CARDS programme of assistance to the Western Balkan countries. The National

Environment Fund supported the site preparation works and connection to the power-grid thus ensuring vital support for the system and its establishment.

Furthermore, the Fund supported the purchase of a number of automatic air quality monitoring stations prior to and after the EU donation, resulting in placement of 39 automatic air quality monitoring stations across Serbia:

Kikinda, Novi sad-*Dnevnik*, Novi Sad-*Liman*, Beocin-Centre, Beocin-Water production plant, S.Mitrovica, Pancevo-*Sodara*, Belgrade-Pancevo bridge, Belgrade-*Stari grad*, Belgrade-*N.Beograd*, Belgrade-*Mostar*, Belgrade-*Vracar*, Belgrade-*Zeleno brdo*, Sabac, Kostolac, Obrenovac-Centre, Smederevo-*Carina*, Smederevo-Centre, Smederevo-*Radinac*, Smederevo-Ralja, Obrenovac-Ash Landfil, Loznica, Valjevo, Bor-*Brezonik*, Bor-City Park, Bor-PIM Institute, Kragujevac, Kosjeric, Zajecar, Paracin, Užice, Cacak- Institute for Fruit Growing, Kraljevo, Krusevac, Kamenicki Vis-EMEP, Nis-Public Health Institute, Nis-Primary school *St. Sava*, Kopaonik and Vranje.

Also, the Agency has established a network for the detection and monitoring of allergenic pollen at national level. In 2010 the Agency has performed detection and analysis of data collected from 10 stations. Further six stations are envisaged for placement to complete the network. For the sake of reporting, the Agency has been collecting data from additional 10 sites where other institutions perform monitoring of allergenic pollen on operational level.

Under its competences, the Republic Hydrometeorological Service of Serbia monitors air quality within the background network of meteorological stations and urban meteorological stations. Air quality is monitored at 13 meteorological stations: (Belgrade (Vracar), Palic, Kikinda, Sombor, Sremska Mitrovica, Kopaonik, Leskovac, Valjevo, Negotin, Fruska Gora, Kamenicki vis, Tara).

The authorized legal entities (public health institutes) monitor air quality within the national network of stations in urban areas measuring levels of basic and specific air pollutants respectively at 54 measuring sites in 27 cities across Serbia (Belgrade, Obrenovac, Lazarevac, Nis, Cacak, Ivanjica, Lucani, Krusevac, Sabac, Pancevo, Kosovska Mitrovica, Bor, Kraljevo, Uzice, Priboj, Kosijerac, Leskovac, Jagodina, Cuprija, Paracin, Smederevo, Kostolac, Kragujevac, Vranje, Valjevo, Zajecar, Pirot). This air monitoring is funded from the state budget.

A Regulation on Quality Air Monitoring Programme that will be adopted pursuant to the Law and in line with the Regulation on Monitoring Conditions and Air Quality Requirements (Official Gazette of RS, nos 11/10 and 75/10) is in preparation.

This Regulation will, inter alia, rationalize the number of measurement sites and stations within the national network, particularly within the network of stations in urban areas monitoring levels of basic and specific air pollutants.

Pursuant to Article 12 of the Law the national network consists of stations for air quality monitoring in various areas and for different purposes. The regional and transboundary transmission of air pollutants and precipitations is monitored at one measurement site (Kamenicki vis). There are in total 91 stations for air quality monitoring in populated and industrial areas respectively, and five stations placed in nature protected areas. The impact of traffic is monitored at eight measurement sites in total. The allergenic pollen is measured within national network at 10 measurement stations.

The local network of measuring stations and/or sites (hereinafter referred to as: local network) is designed for air quality monitoring on autonomous province or local self-government level and consists of measuring stations and/or sites additional to the ones in the national network.

The air quality monitoring program implemented within a local network is funded from the budget of the autonomous province and local self-government respectively.

The network of 7 automatic air quality monitoring stations is established across the Autonomous Province of Vojvodina with the purpose of monitoring the impact of traffic (at three stations) and of the industry (two stations), whereas two stations have been placed in the nature protected areas.

Local network of automatic air quality monitoring stations in the City of Belgrade consists of six stations. In Pancevo there are four automatic monitoring stations, whereas in Bor there is one automatic monitoring station owned by municipality of Bor.

The competent body of the autonomous province, competent body of local self-government, Republic Hydrometeorological Institute and authorised legal entities submit air quality data collected from the national and local networks to the Agency, as well as the results of measurement for particular purposes.

Consequently, the air quality data collected from the national network are published in public media, electronic media by the Agency as well as on the official website of the Agency. These data are available at: http://www.sepa.gov.rs/ams/xajax_data/eas_kvalitet_vazduha_1.php.

The results of the air quality monitoring from a local network are published by the competent body of the autonomous province and competent body of local self-government.

Currently, in Serbia there are no national, regional or local air quality plans. On air quality plans in more detail please see reply to the question 38.

The competences of individual institutions and organisations for air quality management are as follows:

The air quality protection tasks and activities as well as law drafting and strategy development on air quality protection and improvement fall under the competence of the Ministry. Also, it sets emission limit values from stationary sources and air quality limit values and is responsible for development of action and remediation plans.

The Ministry inspects and controls enforcement of and compliance with the Law on Air Quality and its implementing regulations, if not otherwise provided for by law, and oversees the operations of the Agency, competent body of the autonomous province, competent body of local self-government and authorized legal entities in exercising entrusted competencies (tasks).

The Agency monitors air quality within the national network, maintains the National Register on Sources of Environmental Pollution, National Inventory of Greenhouse Gas Emissions, and National Inventory of Unintentionally Released POPs. It prepares and publishes the Annual Report on Air Quality in Serbia and manages Air Quality Information System.

Under its remit, the Republic Hydrometeorological Institute of Serbia monitors air quality within the national network in urban areas, nature protected areas as well as transboundary air pollution. Monitoring results are submitted to the Agency and published on their website www.hidmet.gov.rs.

The Provincial Secretariat for Environmental Protection and Sustainable Development of the Autonomous Province of Vojvodina ensures air quality monitoring within local network and measurements for particular purposes, informs public in event of threshold exceedances, issues the operation permit for newly constructed or reconstructed stationary source of pollution for which there is no legal requirement to obtain integral permit or to have environmental impact assessment study developed, decides on complaint lodged against the first-instance decision issued by the competent body of the municipality or city in the territory of the autonomous province (second-instance body).

Autonomous province is entrusted with the task of inspection surveillance and control over the implementation of air protection measures against the pollution for the facilities with construction permits or permission for use issued by the competent authority of autonomous province.

Local self-government ensures air quality monitoring within local network and measurements of particular purposes within the territory under its competence, informs public in event of threshold exceedances and issues the operation permit for newly constructed or reconstructed stationary source of pollution for which there is no legal requirement to obtain integral permit or to have environmental impact assessment study developed.

Local self-government is entrusted with the task of inspection surveillance and control over the implementation of air protection measures against the pollution for the facilities with construction permits or permission for use issued by the competent authority of local self-government.

City and the city of Belgrade is entrusted with the task of inspection surveillance and control over the implementation of air protection measures against the pollution for the facilities with construction permits or permission for use issued by the competent authority of city or the City of Belgrade.

The authorized legal entities, as legal entities with delegated powers from the public domain, monitor air quality within the national network, in accordance with their remit.

The policy and planning instruments for air quality protection and authorities competent for their adoption are as follows:

- 1) The Ministry proposes and the Government adopts Air Protection Strategy covering six-year period.
- 2) The Ministry proposes and the Government adopts the National Programme for gradually reducing the maximum annual national emissions of pollutant covering four-year period.
- 3) A competent authority of the autonomous province and of local governments adopt the air quality plans and short-term action plans.

36. Are there estimates of emissions of the major atmospheric pollutants?

The Law on Air Protection ("Official Gazette of RS", No. 36/09), Article 68, prescribes establishing of air quality information system that covers a range of registers enabling estimation of the major atmospheric pollutants:

- Register of substances that deplete the ozone layer,
- National inventories of greenhouse gases emissions and removed quantities of these gases by sinks,
- National inventories of unintentionally released persistent organic pollutants,
- Register of air pollution sources.

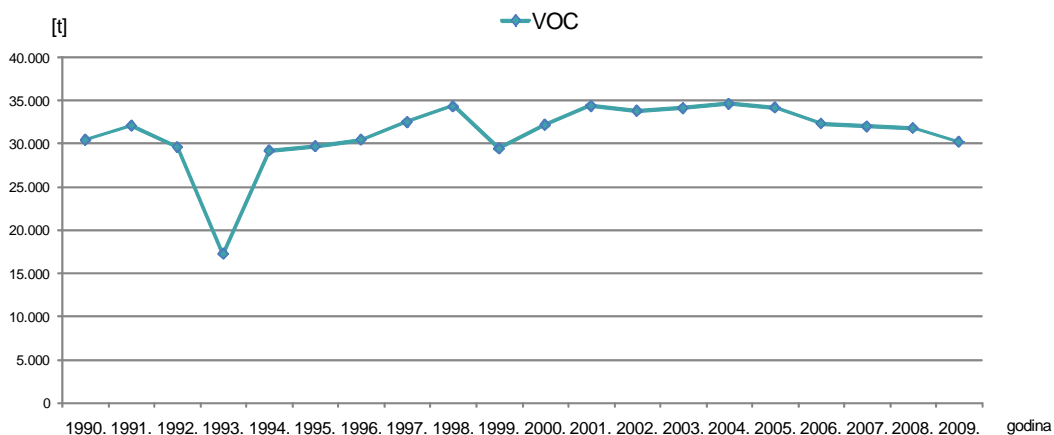
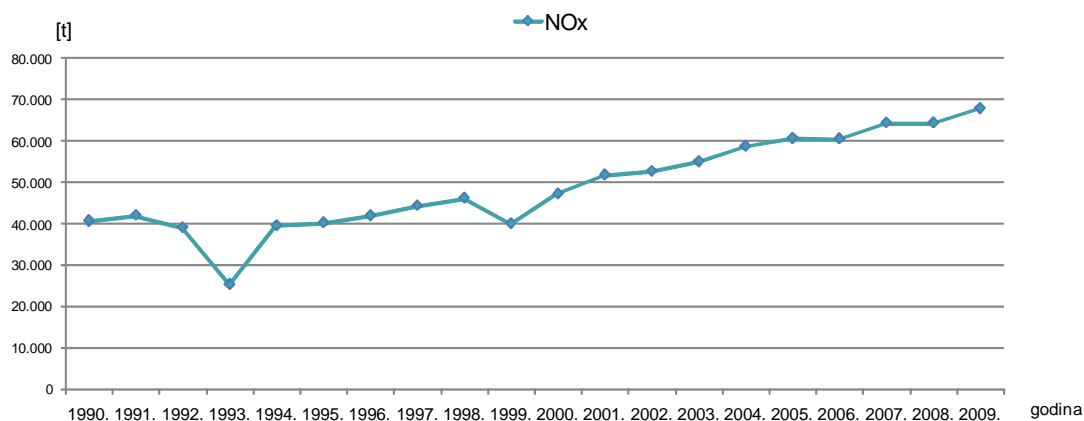
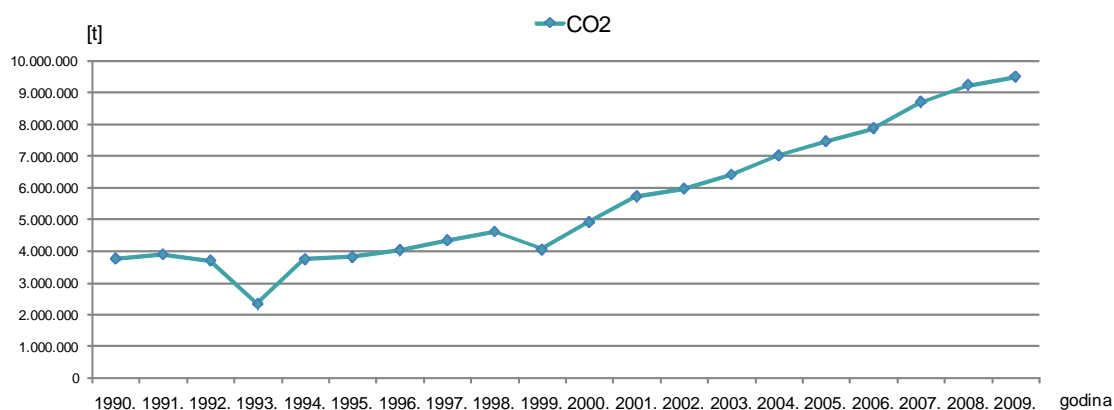
All by-laws necessary for setting up the above mentioned components of information system are completed and annual data collection is expected in 2011 with the data for 2010.

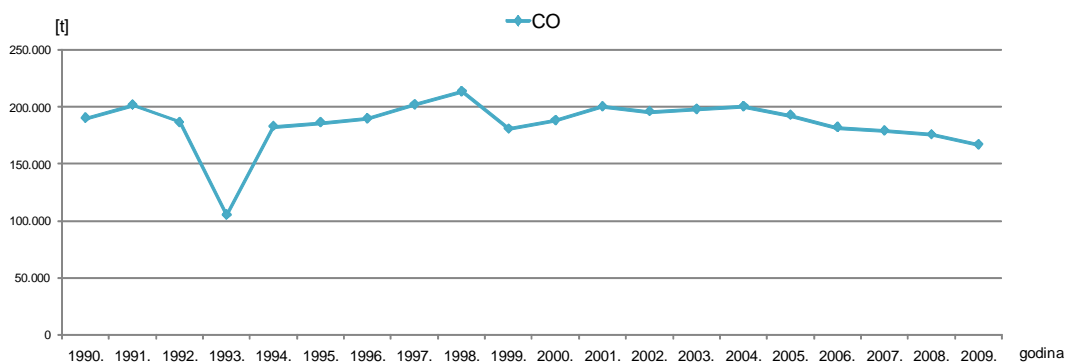
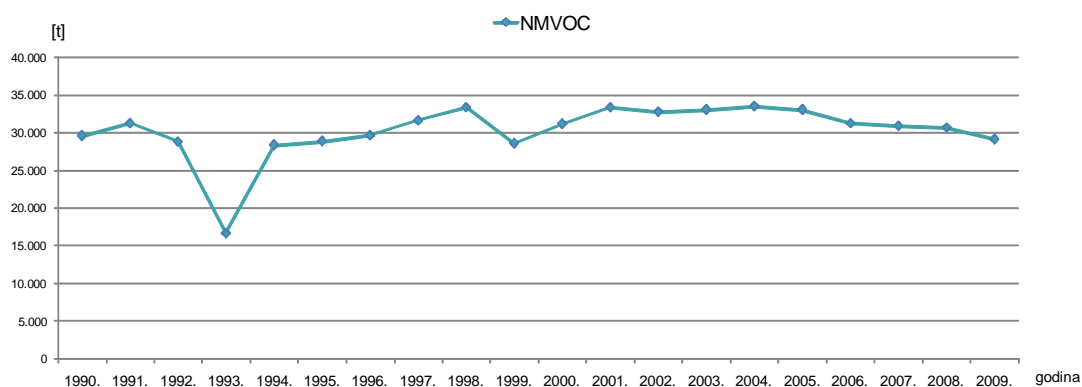
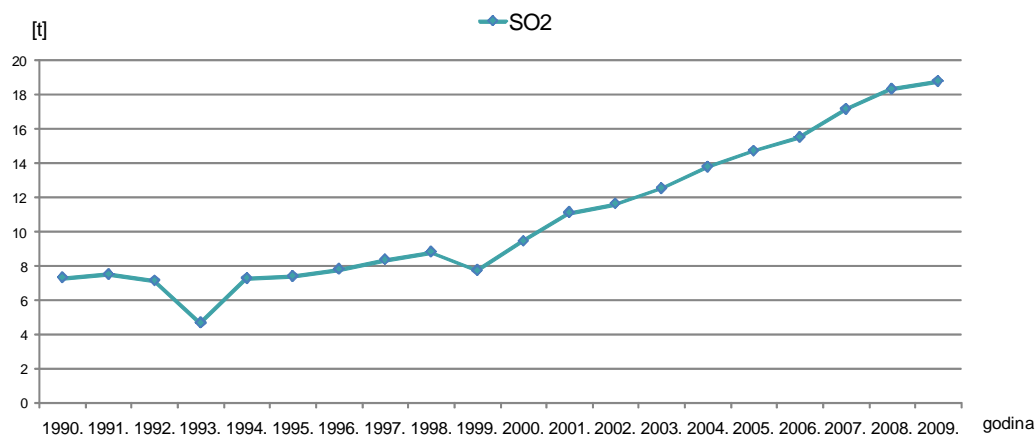
Data on sources and quantities of emitted air pollutants are collected since 2007 by the Serbian Environmental Protection Agency in the framework of regular annual reporting to Integral Polluters Cadastre. This includes the biggest polluters from the list of IPPC installations. Air pollutants reported by these installations are sulphur dioxide, nitrogen oxides, particulate matter (dust), etc. Preliminary analyses and estimations of air pollutants emissions have been done on the basis of such collected data.

Estimation of quantity of emitted air pollutants originating from road traffic was performed within the Project "Estimation of emitted gaseous pollutants originating from road traffic using COPERT IV model of European Environment Agency" implemented in cooperation between Serbian Environmental Protection Agency and Faculty of Transport and Traffic Engineering in Belgrade. Software tool COPERT IV of European Environment Agency (EEA) was used within the activities of European Topic Centre on Air and Climate Change. Application of this software enables creation of transparent,

standardised and comparable data bases and reporting procedures on pollutant emissions in line with international agreements and EU legislation.

Using model and software tool COPERT IV in this project, quantity of pollutants emitted from road traffic in the Republic of Serbia in the period 1990 to 2009 has been determined. The obtained results are presented in the charts.





Republic Hydrometeorological Service of Serbia, on the basis of data of Republic Statistical Office on annual consumption of fuel in thermal power plants, heating plants, cogeneration plants and industrial power plants, estimates total annual values of emissions of sulphur dioxide (SO₂) and nitrogen oxides (NO_x) for the Republic of Serbia. The annual values of emissions of sulphur dioxide (SO₂) and nitrogen oxides (NO_x) per grid quadrants 50x50km are provided every fifth year in accordance with prescribed EMEP dynamic. Estimated national emission values are regularly, according to the

prescribed plan, submitted to EMEP Centre on Emission *Inventories and Projections* (CEIP) and to the Environmental Protection Agency of the Republic of Serbia.

The balance of emissions of sulphur dioxide and nitrogen oxides in the period 2005-2008 is given in the Table 1.

Table 1- The balance of national sulphur dioxide and nitrogen oxide emissions in the period 2005-2008

Year: Pollutant	2005	2006	2007	2008
Sulphur dioxide (Gg)	375.1	399.7	392.6	364.55
Nitrogen oxides (Gg)	48.08	50.73	50.33	48.56

For the purposes of elaboration of the National Action Plan (more on this document in the answer to the question 40), the preliminary analysis of existing emissions of sulphur oxides and nitrogen oxides, ammonia and volatile organic compounds was done. The proposal of national ceilings and envisaged emission reductions compared to the proposed 1990 as base year is given (Table 2), noting that the national reduction programmes will in the following period give more detailed analyses of these values pursuant to regulations (connection to the referent document - CLRTAP National Action Plan).

The results presented in the table are based on detailed comparison of data on emissions of sulphur oxides, nitrogen oxides, ammonia and volatile organic compounds for the period 1980 to 2008, taken from different national and international reports, studies and analyses. All relevant strategic documents of the Republic of Serbia, as well as all future investments in energy sector, changes in infrastructure field and innovations in the field of waste management in Serbia, were taken into consideration during estimations.

Table 2- Preliminary analysis of emission levels for listed pollutants, emission ceilings and envisaged percentage emission reductions

Component	Emission levels		Emission ceilings for 2010	Emission ceilings for 2020	Percentage emission reduction for 2010 (based on the year 1990)	Percentage emission reduction for 2020 (based on the year 1990)
	1980	1990				
Sulphur oxides (thousands of tonnes per	406	500	400	160	-20%	-68%

year)						
Nitrogen oxides (thousands of tonnes per year)		200	170	175	-15%	-12,5%
Ammonia (thousands of tonnes per year)		92	71	73	-22,8%	-18,5%
Volatile organic compounds (thousands of tonnes per year)		268	151	124	-43,7%	-53,7%

In the following period, a comparable analysis of data on estimated emissions of gaseous pollutants originating from road traffic obtained from mentioned researches with estimates of emissions from the National Action Plan, will be exercised.

Assessment of quantities of pollutants emitted into air, classified as POPs pollutant, was performed on the bases of preliminary inventory made in 2006 for the purposes of implementation of the Stockholm Convention. Improvement and updating of the inventory of unintentionally produced POP chemicals in line with provisions of the POP Protocol, including new POP chemicals, will be done in 2011 in the framework of the Balkans Project (more on the project in the answer to the question 40).

For the purposes of establishing heavy metals emission inventory, within the framework of the Balkans Project, during 2011, the assessment of heavy metals emissions will be performed in accordance with the provisions of CLRTAP Protocol on Heavy Metals.

37. Are there national programmes or strategies for reducing emissions of atmospheric pollutants? What are the resources, methods and procedures employed for emissions monitoring?

The National Sustainable Development Strategy of the Republic of Serbia (Official Gazette of RS, no 57/08) defines the following key sector goals for air quality preservation and improvement:

- 1) to align national legislation on air quality and air emissions of pollutants with the EU legislation and adoption and implementation of international agreements on air quality;
- 2) to reduce air pollution resulting from energy sector and industry;
- 3) to improve the quality of fuel and gradually eliminate leaded petrol and diesel with high content of sulphur from use;
- 4) to upgrade air quality monitoring system in urban areas and build capacity of laboratories for air quality monitoring;

5) to promote public access to information on air quality and raise public awareness.

The National Environmental Protection Programme (Official Gazette of RS, no 12/10) was adopted pursuant to the Law on Environment Protection (Official Gazette of RS, No 135/04, 36/09, 36/09 – st. law and 72/09 – st. law). The National Environmental Protection Programme is a comprehensive intersectoral strategic document for framework air quality management. The national programme is adopted by the Government and it covers at least ten-year period.

Currently, the establishment of maximum national emission ceilings and emissions estimation is underway due to which Serbia still lacks a national programme on reduction of emission of pollutants (for more detail see reply to Q.36)

The Law on Air Protection (Official Gazette of RS, no 36/09) (hereinafter referred to as: the Law) provides for the adoption of the Air Protection Strategy and The National Programme on gradual maximum annual national emissions of pollutants.

The Air Protection Strategy is framework document on the basis of which air quality plans as well as short – term action plans and programmes on reduction of emissions of air pollutants are adopted,. The Strategy will be implemented along and after the Action Plan on Protection of Air, Atmosphere and Elimination of Climate Change is adopted, which is integral to the Strategy. The Strategy is adopted by the Government for the period of six years. Development of the draft strategy is one of the activities envisaged by the IPA07 Twinning Project – Strengthening of the Administrative Capacities for Implementation of Air Quality Management System in the Republic of Serbia. The Strategy is envisaged for adoption in 2011.

The National emission reduction plan from the existing combustion plants is integral to the National Programme for Gradual Reduction of Maximum Annual National Emissions of Pollutants. The adoption of the national plan requires the pollutant emission levels to be set for sulphur dioxide (SO₂), nitrogen oxide (NO_x) and dust from the existing large combustion plants for 1990 as a reference year, percentage of reduction and timeframe when these reductions are to be met. According to the National Programme of Integration of the Republic of Serbia into the EU (NPI), the National Plan is envisaged to be adopted in the 4th quarter of 2012.

The National Programme for Gradual Reduction of Maximum Annual National Emissions of Pollutants, in particular: sulphur dioxide (SO₂), nitrogen oxide (NO_x), volatile organic compounds (VOCs) and ammonia (NH₃) is passed to align total emissions in the Republic of Serbia with the annual national emissions ceilings of pollutants, that will be set for the Republic of Serbia. The National Programme is adopted by the Government for the period of four years. According to the National Programme of Integration of the Republic of Serbia into the EU (NPI), the National Programme is envisaged for the adoption in 4th quarter of 2012. Drafting of the national programme is one of the activities planned to be carried out within implementation phase of the Balkans Project for Implementation and Ratification of three Protocols to the Convention on Long-range Transboundary Air Pollution (LRTAP) (for more detail see reply to Q.40).

Measurement of emissions of pollutants in the air is stipulated by the Law and Regulation on Emission Limit Values of Pollutants in the Air (Official Gazette of RS no 71/10) (hereinafter referred to as: Regulation).

The Regulation defines manner, procedure, frequency and methodology of measurement of air pollutant emissions. The emissions are measured by measuring devices at adequate measurement sites and according to legally prescribed measurement methods.

The emissions may be measured by accredited and licensed laboratories only. The authorised legal entities, holders of accreditation (i.e. decision on accreditation and list of methods on accredited scope

of activities), meeting more detailed requirements as to staff, equipment and working space with regard to sampling, measuring, analysis and reliability of data (evidence: decision – permit issued by the Ministry of Environmental Protection and Spatial Planning) meet legal requirement for measurement of pollutant emissions, and only results and findings of licensed laboratories may be accepted as valid and adequate ones. Currently, in the Republic of Serbia there are 28 licensed laboratories for emission measurement.

Reference methods used to measure emissions and measuring requirements are set by standards laid out in the Regulation. In addition to the reference methods, other measuring methods may be used if proved to be equivalent.

Article 4 of the Regulation provides for the emissions to be measured in the form of individual measurement and continuous measurement. The individual measurement is defined as a one-time measurement of emission including consecutive analysis of sufficient number of waste gas samples in relevant conditions of operation of stationary source. The Regulation prescribes that individual measurement shall be undertaken as: guarantee measurement, occasional (periodic) measurement, control measurement and specific measurement. Continuous measurement of emissions is uninterrupted measurement of emissions in the period of operation of the stationary source.

Individual measurement of emissions is undertaken by the legal entities licensed for measuring emissions by applying manual or automatic methods, while continuous measurement is undertaken by applying automatic methods only. Operators that undertake continuous measurement on their own are obliged to undertake periodic measurement to control measuring devices for continuous measurement once a year. Operators that do not undertake continuous measurement on their own are obliged to undertake periodic measurement of emissions twice a year. The individual and continual measurements of emissions are ensured and funded by legal or natural person, owner or operator of stationary source.

The measurement site at the source of emission in case of plants and devices that have mass concentrations of emissions measured is bound to be equipped by measuring device that continuously measure all required parameters of the process (e.g. waste gas temperature, volume flow rate, humidity, pressure, oxygen content) allowing continuous measurement assessment and evaluation. The continuous measurement is undertaken by using devices meeting measurement method requirements pursuant to the Annex VI of the Regulation.

The regulation stipulates that the concentration of the sulphur dioxide, nitrogen oxide and powdered matter are to be measured continuously for all plants with thermal input between 100 and 300 MWth and above 300 MWth. In addition to the mandatory continuous measurement of concentrations of sulphur dioxide, nitrogen oxide and dust carbon monoxide, fluorine and gaseous inorganic substances of fluorine in the form of HF, gaseous inorganic substances of chlorine in the form of HCl, chlorine, hydrogen sulphide, organic substances and mercury are measured continuously in case when their mass flows exceed limits referred to in Article 13 of the Regulation. Continuous emission measurement of the mentioned pollutants is undertaken for the combustions plants with thermal input not exceeding 100 MWth only if pollutants' mass flows are exceeding levels from Article 13 of the Regulation.

38. Are there national, regional or local plans or programmes specifically addressing improvement of air quality (i.e. concentration levels of certain pollutants) in the respective areas?

Currently, in the Republic of Serbia there are neither national, regional or local plans nor programmes specifically addressing improvement of air quality (i.e. concentration levels of certain pollutants). Improvement of air quality is principally taken into consideration within the framework of the National

Environmental Protection Programme (“Official Gazette of RS”, no 12/10) and Local Environmental Action Plans adopted for a number of local self governments. The Law on the Air Protection (“Official Gazette of RS”, no 36/09) (hereinafter referred to as the Law) prescribes the adoption of air quality plans in the zones and agglomerations (which will be established on the basis of preliminary air quality assessment) in which it has been established that the air quality belongs to the category III.

Air Protection Strategy will be adopted in 2011 and pursuant to the Law, it is the framework document based on which air quality plans, short – term action plans and programmes for the reduction of the emissions of air pollutants are brought and need to be aligned with. Drafting the Strategy is one of the activities envisaged by the IPA07 Twinning Project – Strengthening of the Administrative Capacities for Implementation of Air Quality Management System in the Republic of Serbia.

According to the Law, air quality plans are adopted by the competent body of the autonomous province and the competent body of local self government in zones and agglomerations where the air quality belongs to the category III, and when the air pollution exceeds the effects of the undertaken measures, and when environmental capacity is endangered or there is constant air pollution in certain area. The air quality plans are established in order to ensure that stipulated limit values or target values are achieved within timeframe set out in the Regulation on monitoring conditions and air quality requirements (“Official Gazette of RS”, no. 11/10 and 75/10) (hereinafter referred to as: Regulation).

The content of these air quality plans is prescribed in detail by the Rulebook on the content of the air quality plans (“Official Gazette of RS”, no 21/10).

Air quality plans contain the following: data on location (area) with excess pollution, general information on the zone and agglomeration, data on type and level of pollution, data on the sources of pollution, analysis of the situation and factors responsible for exceedance, details of the measures or projects for improvement which existed prior to the Law enactment, details of those measures and projects adopted with a view to reducing pollution following the entry into force of the Law, details of those measures or projects planned for the long-term period, authorities responsible for development and implementation of the plans as well as the list of documents, publications, etc. substantiating the data contained in the plan. The plans may also contain measures laid out in the short-term action plans, and specific measures aiming at the protection of sensitive population groups, children in particular.

Information and study basis on which the air quality plan is developed are mandatorily given for public insight and thus interested public is included in the procedure of its development.

Under the IPA07 Twinning Project *Strengthening of the Administrative Capacities for Implementation of Air Quality Management System in the Republic of Serbia* three pilot air quality plans will be developed for the areas selected on the basis of the preliminary air quality assessment undertaken in the Republic of Serbia within the Project.

Short-term action plans

The Law stipulates that the competent body of the autonomous province and competent body of local self government is bound to adopt a short-term action plan in zones or agglomeration located within its territory in cases when: there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Regulation, there is a risk that the alert threshold for ground-level ozone specified in Regulation will be exceeded, if in opinion of competent body there is a significant potential, taking into account geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance. With the aim to protect human health and/or environment, the short-term action plans may be adopted in case when there is a risk that one or more limit values or target values specified in the Regulation for certain pollutants may be exceeded.

The content of the short – term action plans are in detail prescribed by the Rulebook on the content of short-term action plans (“Official Gazette of RS”, no 65/10).

In particular, the short-term action plan contains data on location (area) of increased pollution, basic characteristics and information on the zone or agglomeration, data on the type and level of the pollution, state of air quality, impacts of activities vital for planning and data on pollution sources, analysis of the situation and factors that affected the appearance of the exceedance, specific measures for short-term reduction of the exceedance period, with timeframe for their implementation, as well as specific activities aimed to protection of sensitive population, children in particular, details on the planned measures with timeframes for their undertaking, basic conditions and assumptions for the implementation of the planned measures and activities, entities responsible for implementation of the plan (authorities and organisations), tables and annexes, list of documents, publications, etc. substantiating data contained in the plan.

Short-term action plan consist of textual part, section with tables, and plans and maps as appropriate.

Short-term action plans and information on the manner of their implementation must be available for the public and interested organisations.

In the event of transboundary air pollution the Ministry shall, where appropriate, draw up joint activities with the competent authorities of other country, such as preparation of jointly coordinated air quality plan and/or preparation and implementation of a short-term action plan for neighbouring zones in the Republic of Serbia and neighbouring countries and exchange of the necessary information.

39. What arrangements are in place to control Volatile Organic Compound (VOC) emissions from different sources including petrol storage and distribution, the use of solvents by industry and from the use of paints and varnishes?

Currently, in the Republic of Serbia there are no regulations that are aligned with the EU legislation related to control of volatile organic compound emissions resulting from storage and distribution of petrol and use of organic solvents in industry.

The legislation in force ensuring legislative framework pertaining to control of volatile organic compounds resulting from storage and distribution of oil derivatives include the Rulebook on Emission Limit Values, Method and Timelines of Measurement and Evidencing of Data (Official Gazette of RS, no 39/07 and 35/97 – correction), Rulebook on Technical and other Requirements for Liquid Fuels Derived from Oil (Official Gazette of S&M, no 51/04, 54/04 and 18/06), Rulebook on Plant Construction for Combustible Liquids and their Storage and Refuelling (Official Gazette of SFRY, no 20/71 and 23/71) and Rulebook on Construction of Fuel Supply Stations for Motor Vehicles and on Fuel Storage and Refuelling (Official Gazette of SFRY, no 27/71 and 29/71).

The legislation in force ensuring legislative framework covering volatile organic compound emissions in case of use of organic solvents in industry include the Rulebook on Emission Limit Values, Method and Timelines of Measurement and Evidencing of Data (Official Gazette of RS, no 30/97 and 35/97 correction), and Regulation on Emissions Limit Values of Pollutants in the Air (Official Gazette of RS, no 71/10).

The Law on Air Protection (Official Gazette of RS, no 36/09) (hereinafter referred to as: the Law) provides for the adoption of a rulebook on volatile organic compounds emissions control resulting from storage and distribution of oil derivatives (Article 44), and a regulation on volatile organic compounds emission control in case of use of solvents in certain activities and installations (Article 45) both to be developed on the basis of the EU Directives covering relevant subject area.

The rulebook will lay out the technical measures and requirements regarding the allowed emission factors for volatile organic compounds that originate from the process of storage and distribution of petrol, i.e. for storage, loading and unloading installations at terminals and for tanks, loading and unloading installations in retail stores. Thus, the Law provides the legal bases for transposition of Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations. According to the National Programme of Integration of the Republic of Serbia into the EU (NPI), this rulebook is planned to be adopted in 4th quarter of 2011.

A regulation will lay down a list of certain activities and installations in which volatile organic compound emissions have to be controlled, emission values at certain consumption of solvents and total allowed emissions of organic volatile compounds from installations and activities and schemes to reduce organic volatile compound emissions. Thus the Law provides the legal bases for transposition of the European Parliament and Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations. According to the National Programme of Integration of the Republic of Serbia into the EU (NPI), this regulation is planned to be adopted in 4th quarter of 2011.

The Directive 2004/42/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC (the so-called **VOC Directive**) is transposed as Rulebook on restrictions and bans on the manufacture, placing on the market and use of hazardous chemicals which represent unacceptable risk on human health and environment (Official Gazette of RS, no 89/10). The Rulebook sets the starting date for application of the maximum VOC content limit values in paints and varnishes and vehicle refinishing products as of 1 December 2011 (1st phase) and as of 1 December 2013 (2nd phase).

Control and supervision in this area is conducted by Ministry of Environment and Spatial Planning through environmental inspectors and by Ministry of Trade and Services through trade inspectors.

The VOCs in paints and varnishes will be identified against the Chemicals Registry that contains the data on chemicals the manufacturers and importers reported when entering the chemicals they placed on the market in the previous year. . The data will be verified and inspected on inspectors' orders, by sample analysis in accredited laboratories following legally set methods contained in the Rulebook.

40. What is the state of ratification and implementation of the UNECE Convention on long-range transboundary air pollutions and its various protocols? Is your country in the European Pollutant and Release and Transfer Register (E-PRTR)? If not, what is the time schedule foreseen for partaking in these Registers?

In 1986 the Federal Republic of Yugoslavia ratified the 1979 Convention on Long-range Transboundary Air Pollution (CLRTAP) (Law on Ratification of the Convention on Long-range Transboundary Air Pollution ("Official Gazette of SFRY" – International Agreements, no 11/86)) and only one of eight Protocols to this Convention (Law on Ratification of the Protocol to the Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) – ("Official Gazette of SFRY" – International Agreements no 2/87)). In 2006, Serbia was given the right to succession.

The Ministry of Environment and Spatial Planning is competent for the implementation of the Convention. The Republic Hydrometeorological Service of Serbia is competent for the implementation of the EMEP Protocol. In the implementation of the obligations prescribed by the EMEP Monitoring

Strategy and Measurement Programme 2004-2009, within the EMEP network of stations, there is one GAW/EMEP station (Kamenički vis) in the Republic of Serbia, from which the results, obtained on the basis of chemical and physical analysis of the EMEP parameters in air and precipitations, in line with the level 1 of the EMEP monitoring programme, are being collected

The Law on Air Protection ("Official Gazette of RS", no 36/09) prescribes that the republic organisation responsible for hydrological and meteorological matters has the possibility to establish one or more shared measuring stations in order to monitor transboundary pollution, in accordance with the Air Quality Control Programme.

As of 2009, the Republic of Serbia participates in the regional (the Balkans) Project for the implementation and ratification of the 1998 Protocol on Heavy Metals, of the 1998 Protocol on Persistent Organic Pollutants (POPs Protocol) and the 1999 Protocol to abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol).

As one of the project results, The National Action Plan for the implementation and ratification of the 1998 Protocol on Heavy Metals, the 1999 Gothenburg Protocol and 1998 POPs Protocol on Persistent Organic Pollutants to the Convention on Long-range Transboundary Air Pollution, has been elaborated.

The National Action Plan identified the national legislation relevant for the Protocols and competent institutions responsible to ensure meeting the certain requirements of the Protocols. In addition, detailed analysis of current status of the national legislation in comparison with requirements contained in the Protocol has also been undertaken. The National Action Plan foresees measures for reduction and control of emissions of sulphur dioxide, nitrogen oxide, ammonia, VOC, heavy metals and POPs. Also, it includes action plans with proposed future activities/measures, responsible institutions and timeframe for their implementation.

According to the Project timeline, the three Protocols are scheduled for ratification by the end of 2011.

The remaining four Protocols will be ratified and then applied after the completion of the Balkans Project and ratification of the mentioned three Protocols, on the basis of the experience and knowledge acquired during the Balkans Project.

Since 2007, the Environmental Protection Agency has been collecting the data for the National PRTR Register pursuant to the Rulebook on Methodology for Development of Integral Register of Pollutants ("Official Gazette of RS", no 94/2007). Over 95% of the IPPC installations in Serbia submitted data.

In 2010, the cooperation was established with the E-PRTR in the European Environment Agency, and transfer of the data for the E-PRTR has been initiated in line with the EEA requirements. The Agency's goal is to have the data from Serbia entered in the E-PRTR database as of 2009 onwards.

C. WASTE MANAGEMENT

41. What are the main features of the legislation concerning waste management (incl. household waste, waste from consumer goods, packaging waste and electric and electronic equipment, end-of-life vehicles, PCB/PCT, industrial waste including hazardous waste, sludge from urban waste water treatment and other waste from specific activities)? Does Serbia intend to apply for the European List of Waste?

The basic legal framework for waste management has been established in the Law on Ratification of the Basel Convention on Transboundary Movement of Hazardous Wastes and their Disposal (OJ of. FRY, International Treaties, No 2 / 99), Law on Environmental Protection (Official Gazette of RS, No 135/04, 36/09- St. law and 72/09-St. law), Law on Integrated Pollution Prevention and Control (Official Gazette of RS, No 135/04), Law on Waste Management (Official Gazette of RS No 36/09 and 88/10) and Law on Packaging and Packaging Waste (Official Gazette No 36/09).

The main features of legislation relating to waste management:

- Creating of legal requirements in order to complete the harmonization with EU legislation transposing the relevant EU directives into legislation and regulations that are made on the basis of these laws;
- Republic of Serbia has been included in the international system of control of transboundary movements of hazardous and other wastes as a member of the Basel Convention.
- Law on Environmental Protection based on the application of general rules of conduct in the management of waste from its origin to disposal, i.e. prevention or
- reduction of generation, reuse and recycling of waste, or cross-border movement (import, export and transit). Law on Integrated Pollution Prevention and Control is based on the application of precautionary principle, sustainable development, "polluter pays" principle, integration and co-ordination to integrated permit granting, waste management hierarchy, best available techniques (BAT) in order to prevent or reduce environmental pollution;
- Law on Waste Management is based on the fundamentals of waste management contained in the EU regulations (proximity and regional approach to waste management; the polluter pays; the hierarchy of waste management; choice of the most optimal option for the environment; responsibility of producers, importers, distributors and retailers of products for waste creation resulting from their activities, whereby producer shall bear the greatest responsibility because he determines the composition and characteristics of products and their packaging).
- Law on Packaging and Packaging Waste based on implementation of the new approach directives, with respect for the principles enshrined in EU law (sustainable development; shared responsibility of all business entities in accordance with the principle of "polluter pays" in the product life cycle; preventing or reducing the generation of packaging and packaging waste; reuse of packaging, recycling and other forms of recovering and reduction of the final disposal of packaging waste).

Other important characteristics of legislation in waste management include:

- establishment of an integrated and efficient waste management system

- prevention of waste generating, particularly by the way of development of cleaner technologies and rational use of natural resources, reducing the amount and/or hazardous properties of waste, and eliminate the risk of its harmful effects on human health and the environment
- waste treatment that includes physical, thermal, chemical or biological processes, including sorting of waste to reduce volume and hazardous characteristics, to facilitate the handling of waste and encourage recycling, including reuse and recycling of waste - (R operation)
- waste deposit, if no other suitable solution for example re-use or processing - (operation D) whereby mixing of various waste categories shall be prohibited, as well as disposal of hazardous wastes without preparatory treatment.
- rehabilitation of unregulated waste disposal sites;
- establishment of the optimal management system of packaging and packaging waste in accordance with the principle of shared responsibilities, the functioning of markets in the Republic of Serbia, preventing the creation of trade barriers, avoidance of disruption and restrictions on competition.

Law on Waste Management regulates:

- types of waste (municipal, commercial and industrial) and waste classification according to the characteristics regarding hazard (inert, non-hazardous and hazardous).;
- waste management planning at all levels (national, regional and local plan) and liabilities of waste producers and operators of storage facilities, treatment and disposal to bring their waste management plans;
- waste management entities and their responsibilities and duties, organization of waste management (collection, transport, storage, treatment, reuse, recycling and disposal to landfill);
- municipal and hazardous waste management, and management of specific waste streams: waste batteries and accumulators, waste oils, waste tires, waste management of electrical and electronic products; prohibition and restriction of the use of certain hazardous substances in electrical and electronic equipment; management of waste fluorescent tubes containing mercury; waste containing PCB / PCT waste containing asbestos; useless waste vehicles;
- conditions and procedures of licensing, cross-border movement of waste, reporting on waste and databases, the financing of waste management, monitoring and other issues of importance for waste management in line with EU requirements in this area.

The waste holder is responsible for waste management (itself or through third person which has permit for waste management). For facilities for which an integrated permit is issued the waste management plan shall be prepared and adopted. The waste management plan shall be enclosed with an application for integrated permit issuance, in accordance with the Law on Integrated Pollution Prevention and Control which prescribes integrated permit granting. Exceptionally, for waste management facilities (storage, treatment and disposal) and for which an integrated permit is issued, a waste management facility work plan shall be prepared and adopted instead of the waste management plan. Waste

management facility work plan shall be enclosed with an application for the issuance of an integrated or waste management permit.

Municipal waste shall be collected, treated and deposited in accordance with this Law and special regulations governing municipal activities. Management of waste from households, is regulated by the Law on Communal Activities (Official Gazette. of RS, No 16/97 and 42/98) that defines public utilities and regulates the general conditions and manner of their performance, enabling the organization and conduct of public utilities for two or more municipalities and settlements, under the conditions established by law and by agreement of the municipal assemblies. The new legislation is in preparation, by which the area of public utilities will be based on the principle of quality and efficiency, non-discrimination and protection of competition, taking into account in particular the interest of users of services.

The ministry responsible for environmental protection shall carry out supervision over the work of the Agency for Environmental Protection, the autonomous province, the local self-government unit, as well as of the authorized legal persons in performance of entrusted activities.

Inspection supervision over the application of provisions contained in this Law and regulations adopted on the basis thereof shall be carried out by the ministry responsible for environmental protection. Inspection supervision shall be carried out through environmental inspector of the Republic, the autonomous province, the city, i.e. city of Belgrade and municipality, within the scope of competences established by this Law.

Law on Packaging and Packaging Waste regulates the conditions of environmental protection that packaging has to meet for the marketing, management of packaging and packaging waste (the model of integrated systems), reporting on packaging and packaging waste, economic instruments, as well as other issues of importance to management of packaging and packaging waste. This law applies to imported packaging, packaging that is manufactured or marketed, and all packaging waste resulting from industrial activities in the Republic of Serbia, regardless of its origin, use and used packaging material.

By the Law on Waste Management, the following types of waste are exempt:

- mining waste that will be subject to special regulation and harmonization of the existing Law on Mining with appropriate EU legislation. Existing Law on Mining does not regulate the issue of mining waste in the manner specified by the directive concerning the management of waste from extractive industries, or the issue of dealing with tailings defined as the mining operations and only in the event that the tailings on exploitation field are concerned.
- radioactive waste management (collection, keeping, recording, storage) that is done properly in accordance with the Law on Protection of Ionisation Radiation and Nuclear Safety (Official Gazette of RS, No 36/09). It has been determined that persons engaged in radiation work have obligation to take measures to prevent the contamination of the environment caused by radioactive waste.

Sludge formed in the process of purification of urban waste water is regulated by the Law on Public Services and the Law on Waters (Official Gazette of RS, No 30/10).

European Waste Catalogue is transposed to a special regulation issued under this act and applies to the categorization, classification and testing of waste.

42. Please provide basic information about facts and figures on waste generation and management:

- a) Quantity, type (e.g. hazardous) and origin (industrial installations, agriculture, mining and quarrying, municipalities etc.) of waste generated per year;**
- b) Waste treatment facilities: number and performance of treatment plants, composting and recycling plants, incineration facilities, landfill sites;**
- c) Figures on export and import of waste (quantity, type).**

a) Quantity, type (e.g. hazardous) and origin (industrial installations, agriculture, mining and quarrying, municipalities etc.) of waste generated per year;

Based on the collected data on the quantity, type, composition and methods of treatment and disposal of waste in the Republic of Serbia, according to the Rulebooks on methodology for the development of integrated registry of polluters (Official Gazette No 94/2007) and performed analysis and balance sheets in 2009. year, 1 864 303,62 t, of industrial waste has been generated. Of the total, 64.98 % of waste is not hazardous waste (1,211,510.9 t), and hazardous 35.02 % (652,792.7 t).

Recorded amounts of industrial waste by the origin and the number of registered companies

Protocol No	Category of waste	Origin:	Number of pollutants that reported waste	Quantity (t)	
				Secure	Dangerous
1.	01	Mining	1	/	81231.00
2.	02	Agriculture and food processing and preparation	28	207729,21	58,34
3.	03	Wood, paper, cardboard	16	6493,09	/
4.	04	Leather, fur and textile industries	7	329,5	75,5
5.	05	Processing of oil, natural gas and coal treatment	3	/	1186,9
6.	06	Inorganic Chemical Industry	12	6646,5	60164,88
7.	07	Organic Chemical Industry	21	325,74	66,72
8.	08	Coatings, adhesives, sealants and printing inks	17	27,4	64,33
9.	09	Photographic Industry	2	/	1.03
10.	10	Wastes from thermal processes	52	821851,56	486399,3
11.	11	Protection of metals and other materials	14	334,68	637,96

12.	12	Forming and surface treatment of metals and plastics	36	5919,33	724,99
13.	13	Waste oil and liquid fuels remains	62	/	5379,09
14.	14	Waste organic solvents, coolants,...	1	/	0,4
15.	15	Waste organic solvents, coolants,...	69	40917,57	477,6
16.	16	Wastes not otherwise specified in the catalogue	55	8741,06	10397,59
17.	17	Construction waste and demolition waste	35	4116,18	144,78
18.	18	Health care of humans and animals	1	/	2,6
19.	19	Wastes from waste treatment facilities...	61	105285,41	6044,8
20.	20	Municipal waste	38	2793,7	9,18
		TOTAL:	531	1211510,93	650366,99
		NON-HAZARDOUS AND HAZARDOUS WASTE:	1	/	

When it comes to the hazardous and the non-hazardous waste, the largest share of the generated waste is the one coming from thermal processes: ash and slag, blast furnace sludge, converter slag, granulated slag, mill scale and waste sand. Then follows hazardous waste from mining – waste tailings and waste from inorganic chemical processing – phosphogypsum, and for the non-hazardous waste – glass debris and waste from food processing (waste sludge from beet, grains, sunflower shell ...).

Mining waste generated in the process of exploitation and preparation of mineral resources is generated in Serbia in the following quantities (the annual average value for a period of 10 years):

- on surface coal mines: around 120 000 000 m³
- tailings from the process of preparation (processing) of coal from surface mines: 200 000 t
- tailings obtained in the process of underground coal mining 25 000 m³
- tailings obtained in the preparation of coal from underground mines is 60 000 m³
- the exploitation of metallic deposits: 10 million t of coal seam tailings and about 9 million t of flotation tailings, for a total of 19 million t (about 10 000 000 m³)
- tailings from the process of exploitation of stone (stone quarries): 1.000.000. t. (400 000 m³)

If all quantities are reduced to the same unit of measurement - m³ then we get the total volume of waste disposed in Serbia in the amount of: 130 685 000 m³.

Data on municipal waste are being collected since 2006. Applying the model for the estimation of the amount of waste generated and the development of indicators related to municipal waste, the following results are obtained:

Indicators related to municipal waste

INDICATOR	Year			
	2006.	2007.	2008.	2009.
The total quantity of waste generated(million t)	1,73	2,07	2,55	2,63
The amount collected and disposed waste from municipal PUC(million t)	1,04	1,24	1,52	1,58
Average coverage of waste collection (%)	~ 60	~60	~ 60	~ 60
Average daily amount of municipal waste per capita (kg)	0,62	0,77	0,95	0,98
Average annual amount per capita (t)	0,23	0,28	0,35	0,36

As can be seen from the table, in 2009 a slight increase in the value of average daily quantities of solid waste per capita than in 2008. is evident, that shows, primarily, improvement in the collection of data on the quantities of municipal waste collected. This is evident from the fact that the number of municipalities whose data are included in the calculation of indicators at the national level is constantly increasing or are in the range of $X \pm \sigma$. The fact is that there are still local governments that do not take care of municipal waste, which is reflected in the data provided, where the amounts range from 70 g to 12.2 kg per capita per day.

The data show that in most local governments records on composition of municipal waste that is collected are not kept, because the limits for individual categories range from 0% to 70%.

Collected data on the composition of municipal waste, are quite unreliable because PUC does not carry out measuring of waste, or determination of its composition, but the data is received on the basis of the assessment. Therefore, a project: "Determining of the waste composition and the estimation of the amount in order to define the strategy of secondary material in the sustainable development of the Republic of Serbia " has been carried out in 2009, in collaboration with the Faculty of Technical Sciences in Novi Sad. Data on the waste composition at the level of Serbia are presented in the table below:

Waste	Quantity (%)
Paper	7,33
Cardboard	7,52
Cardboard with wax	0,98
Cardboard with aluminium	0,90
Glass	5,26
Metal-packing and other	1,45

Metal-aluminium cans	0,36
Plastic packaging waste	3,99
Plastic bags	6,65
Sturdy plastic	4,37
Textile	5,04
Skin	0,60
Diapers	4,00
Fine elements	8,70
Garden waste	11,88
Other biodegradable waste	30,96

(Source. The report regarding the project "Establishing the waste composition and estimation of the amount in order to define the strategy of secondary material in the sustainable development of the Republic of Serbia)

The Agency for Environmental Protection is working intensively to establish a unified system for collecting of data on waste management based on the Rulebook on the form of a daily record and annual waste report with the filling instructions (Official Gazette of RS, No 95/10) and the Rulebook on the methodology for the collection of data regarding the content and quantities of municipal waste on the territory of local self-government unit (Official Gazette of RS, No 61/10). .

b) Waste treatment facilities: number and performance of treatment plants, composting and recycling plants, incineration facilities, landfill sites;

According to the Law on Waste Management in 2009. for collection, transportation, storage, treatment and disposal are required to obtain permission for waste management by the authorities. So far the Ministry has issued 200 permits for waste management, with 18 permits for the storage and treatment and other permits to collect and transport waste in the territory of RS. Setting up of a registry of permits issued under the Ministry of Environment, Autonomous provinces and local governments, while the Agency combines data from these registers in accordance with the law. Registry of licenses issued shall be conducted in accordance with the Law on Waste Management and Rulebook on the content, manner of keeping and the appearance of the register issued permits for waste management (Official Gazette of RS, No 95/10).

Data on plants for waste treatment will be available in the Agency for Environmental Protection during the 2011, in accordance with the Law on Waste Management and regulations related to data collection and reporting. According to the available data of the Agency for Environmental Protection the handling of waste in 2009 is shown in the following tables.

Procedures for handling non-hazardous waste according to the records for 2009

Category of Waste	Stored in Storage	Processing - Recycling	Sold on the domestic Market	Disposal	
				Municipal landfill	Industrial landfill
01	/	/	/	/	/
02	2279,14	2840	34585,3	2264,1	109234
03	390,17	40	1688,5	3542,6	/
04	16,19	/	309,6	100	/
05	/	/	/	/	/
06	3237,37	/	65,6	34,5	/
07	4223,83	/	7,6	152,3	/
08	2,09	0,1	0,11	/	/
09t	/	/	/	/	/
10	14207223,78	1097806,56	103239,4	892,4	19508,12
11	191,47	/	278,1	/	/
12	9301,64	/	6977,1	3,3	/
13	/	1279,21	/	/	/
14	/	/	/	/	/
15	3275,7	31755,09	6280,9	2762,3	31,7
16	15375,42	13,34	2400,9	0,8	1666,77
17	10148,42	11974,16	8519,3	84,6	/
18	/	/	/	/	/
19	762,34	14295,37	4403,7	129,6	2365
20	3179,8	320,86	1081,3	4047,1	1000
Total:	14259607,4	1160324,7	169837,4	14013,6	133805,6

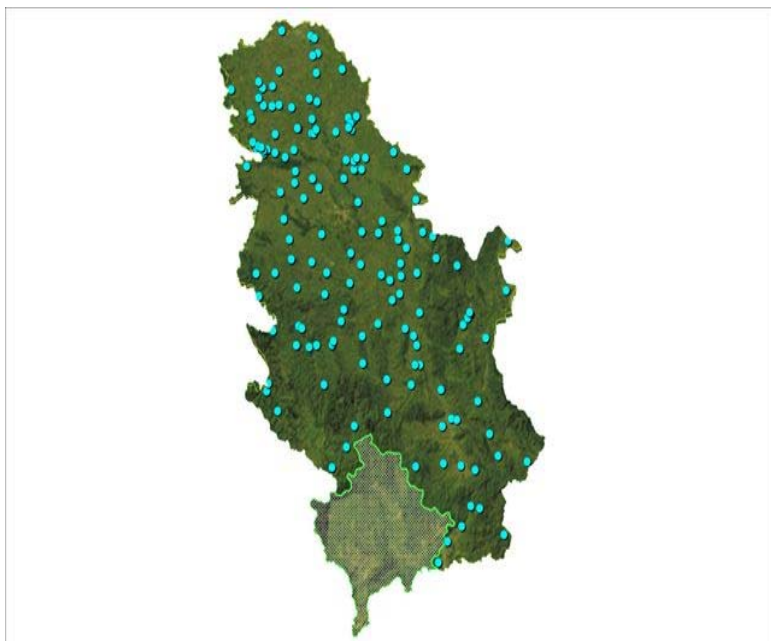
The greatest percentage of the total amount of waste that is stored in temporary storage, refers to the furnace slag (which is also processed in large quantities) and, to a lesser extent, to the pneumatic tire. Converter slag, converter sludge and mill scale has been the most processed in the past year.

Procedures for handling hazardous waste according to the records for 2009

Category of Waste	Stored in Storage	Processing - Recycling	Sold on the domestic Market	Disposal	
				Municipal landfill	Industrial landfill
01	/		/	/	5082477,00
02	54610	288,81	/	144	/
03	/	1200	/	/	/
04	251,5		68,6	10,05	/
05	3347	629	/	/	/

06	543,1	9500	33631,8	/	8233296,85
07	564,4		14	/	/
08	515,7	2,11	9,6	/	60,15
09	2,1		0,27	/	/
10	4309215,6	16229,33	19491	60	119544013,7
11	4239,3		88,73	/	/
12	177,3	85,17	/	/	/
13	967,4	114,14	318	/	/
14	0,35		/	/	/
15	10843,7	416,3	86,4	0,15	1,34
16	584,7	8202,48	10422,2	/	5,43
17	210,8	248,5	116,16	/	/
18	7,3		/	/	/
19	5658,24	1565,3	695,8	/	2738,4
20	13,99	0,62	24,8	/	/
Total:	4391752,5	38481,76	64967,4	214,2	132862592,9

Of the total amount of industrial hazardous waste generated, the largest percentage of waste is disposed on industrial waste landfills: ash and slag from power plants, phosphogypsum and tailings. In the Republic of Serbia, there is 164 landfills that are being used by municipal public utility companies for waste disposal.



PUC landfill sites in Serbia

Detailed information on the location, size and other characteristics of the shown landfills are available. 12 landfills are located within a distance of 100 m from the settlements, and another 50 at 100 - 500 m. 25 landfills are located at distances of less than 50 m from the river, stream, lake or reservoir. 14 landfills of the total number of landfills are practically right on the water course bank or in its body. 11 landfills are distant less than 500 m from the water intake.

These landfills do not meet technical and sanitary conditions stipulated in the EU standards, as seen from the table that shows materials which are deposited on the landfill.

Substances deposited on the landfills of PUC

Types of waste materials		Number of landfills
Municipal waste (household waste)		164
Scrap metal and appliance parts		138
scrap vehicles		82
packaging waste	glass	160
	plastic	159
	paper	158
	cardboard	157
	cans	156
agricultural waste		82
construction waste		134
electronic waste		52
hazardous waste		60
medical waste		84
animal waste (dead animals, waste from slaughterhouses)		83
waste tires		117
green waste from gardens and yards and public areas		134
forestry waste and waste from wood processing		48
industrial waste and waste from mining		30

Sludge/deposits/ash/slag/tailings/mud.	95
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It has been determined that in Serbia there are 3 251 locations of illegal dumps. In most cases, illegal dumps are located in rural areas and they are primarily the consequence of the lack of resources to improve the quality of waste collection systems, and poor organization of waste management at the local level. Exact location has been determined for all illegal dump sites by the use of GPS devices and a proper database is set up and available at the Agency website -www.sepa.gov.rs.

c) Figures on export and import of waste (quantity, type).

Transboundary movement of waste is being carried out in accordance with the Law on Waste Management and other regulations that this area is regulated by. Based on the single administrative documents (SAD) collected at the Ministry of Environment and Spatial Planning, which are required to be submitted by all companies that are exporting or importing waste, an analysis of import and export of certain types and amounts of waste has been carried out.

Total amount of waste in 2009 that the Republic of Serbia has n exported is 117 948 t. The largest share of exports is scrap iron and steel, which is 91.6% of aluminium waste and scrap -4.4% of copper and copper alloy - 2.2%. Besides these, some other waste types are exported as shown in the table.

Type of waste	The exported volume (t)
Waste paper	154
Electronic waste	208
Waste plastics	22
Waste glass	1580
Waste zinc	108

In 2009, 4360 t of waste were imported, of which 75.4% are made of aluminium, 11.9% of waste plastics and 11% are empty toner cartridges. Other types of imported waste are given in the table.

Type of waste	Quantity (%)
Iron	36,8
Tires	35,1

43. Is there a general waste management policy (programme, strategy etc.) in place? Has Serbia set a timeline for adoption of remaining waste legislation?

The Government of RS has passed the National Environment Protection Programme on the basis of the Law on Environmental Protection. It is the most important, comprehensive, inter-sector, strategic document in the field of environment protection that provides planning and management in this field during the period of the next ten years. Within the framework of this programme, the overview of the state in the field of waste management in the republic of Serbia is made with analysis of causes of

problems and their impact to environment and human health. The special emphasis is given to the communal waste management system and to specific waste streams and dangerous waste management.

With the aim of waste management planning in the Republic of Serbia, the Waste Management Strategy for the Period 2010- 2019 was adopted in May 2010 (Official Gazette of RS No. 29/10), as the basic document that provides conditions for rational and sustainable waste management at the level of the Republic of Serbia, estimates state of waste management, lays down short-term and long-term objectives of waste management and provides conditions for rational and sustainable waste management.

The Waste Management Strategy for the period 2010-2019 considers needs for institutional capacity building, development of legislation, enforcement of regulations at all levels, education and public awareness increase.

The Strategy has:

- prescribed basic orientation of waste management for the next period, in line with EU policy in this field;
- directed legislation harmonization activities within the process of approximation with EU legislation;
- identified responsibilities for waste management and the significance and role of equity capital management;
- laid down waste management objectives for short-term and long-term period;
- laid down measures and activities for achievement of the set objectives.

The general objective of the Waste Management Strategy is development of sustainable waste management system with the aim of reduction of environment pollution and space degradation

Special (short-term) objectives (2010-2014) are:

- To approximate national regulations in the field of waste management with the EU legislation;
- To pass national plans for certain waste flows;
- To develop regional and local waste management plans until 2014;
- To increase number of citizens included in waste collection system up to 75% until 2014;
- To develop primary waste selection system in local governments;
- To construct 12 regional waste management centres until 2014 (regional landfills, plants for separation of recyclable waste, plants for biological waste treatment and transfer stations in each region);
- To establish dangerous waste management system (to construct central regional dangerous waste storages and to start construction of the plant for physical-chemical dangerous waste treatment until 2014);
- To establish specific waste streams management system (waste tyres, used batteries and accumulators, waste oils, used vehicles, electrical and electronic products waste);

- To establish medical and pharmaceutical waste management system;
- To encourage use of waste as alternative fuel in cement plants, ironworks and cogeneration plants, in accordance with the principle of waste hierarchy;
- To recover existing dump sites that represent the highest risk for environment and for historic pollution of “black spot” locations with dangerous waste.

Long-term objectives (2015-2019) are:

- Introduction of separate collection and treatment of dangerous waste from households and industry;
- To construct 12 regional waste management centres until- regional landfills, plants for separation of recyclable waste, plants for biological waste treatment and transfer stations in each region;
- To secure capacities for burning (incineration) of organic industrial and medicine waste;
- Building of professional and institutional capacities for dangerous waste management;
- To establish building waste and asbestos-containing waste management system.

Pursuant to the National Plan for Integration (NPI) it is planned that other regulations in the field of waste management, which will prescribe management on PCB and PCB waste, management on POPs waste and from production of titan dioksid will be adopted until 2011.

44. Is there a legislative framework in place on the following topics:

- a) basic framework legislation (definition, hierarchy on waste treatment (prevention, re-use, recovery), authorisation schemes, responsibilities for the disposal and recovery of municipal waste and of other waste);**
- b) framework legislation on hazardous waste;**
- c) legislation on specific types of waste treatment (incineration, landfill);**
- d) legislation on specific waste streams or types;**
- e) legislation on shipment of waste**

a) basic framework legislation (definition, hierarchy on waste treatment (prevention, re-use, recovery), authorisation schemes, responsibilities for the disposal and recovery of municipal waste and of other waste);

The basic legislative framework for waste management was established by the Law on Waste Management (“Official Gazette of RS”, No. 36/09, 88/10).

This Law defines the most important terms and concepts used for a clearer and more accurate understanding of certain provisions of this Law. Waste is defined as any substance or object contained in the waste category list (Q list) that the holder discards, intends to discard or is required to discard.

The hierarchy of waste management, as one of the principles defined by this Law, has the following waste management order of priority, in particular: the prevention and reduction of waste production, i.e. reduction of use of resources and reduction of waste quantities produced and/or its harmful properties;

the re-use, i.e. re-use of a product for or beyond its intended use; the recycling and processing of waste to extract secondary raw materials for the production of the same or other products; the recovery, i.e. use of the value of waste, (such as composting, incineration with energy recovery and other); and if there is no other adequate solution, the disposal of waste by landfilling or incineration without energy recovery.

Furthermore, the Law prescribes the procedure for issuing waste management permits by the competent authorities (ministry, autonomous province, city and municipality) to waste management operators, in particular: collection, transport, storage, treatment and disposal of waste. The authority to issue permits is vested in the following:

Permits for the collection, transport, storage, treatment and disposal of hazardous waste, permits for treatment of inert and non-hazardous waste by incineration and permits for treatment of waste in mobile facilities are issued by the Ministry.

Permits for storage, treatment and disposal of inert and non-hazardous waste on the territory of several local self-government units are issued by the Ministry and on the territory of the Autonomous Province, by the competent authority of the Autonomous Province.

The Autonomous Province is tasked with issuing permits for the collection, transport, storage, treatment and disposal of waste for all those activities and all those facilities for which building permits are issued by the competent authority of the Autonomous Province.

The City, i.e. the City of Belgrade is entrusted with issuing permits for collection, transport, storage, treatment and disposal of inert and non-hazardous waste on the territory of the City, i.e. the City of Belgrade.

The Municipality is tasked with issuing permits for the collection, transport, storage, treatment and disposal of inert and non-hazardous waste on its territory.

The Law also prescribes the procedure for the authorisation of professional organisations, i.e. laboratories for waste analysis, by the Ministry.

The collection, treatment and disposal of municipal waste is performed in accordance with this Law and special regulations that govern communal activities.

The local self-government unit regulates the organisation and the method of waste separation and collection for recycling, by means of a local waste management plan.

Two or more local self-government units jointly oversee and implement waste management, under the terms and conditions determined by the Law, on the basis of the Strategy and the agreement stipulated between the assemblies of the local self-government units.

Upon obtaining the approval of the Ministry, or of the competent authority of the Autonomous Province for the territory of the Autonomous Province, the assemblies of two or more local self-government units adopt a regional waste management plan that defines the joint waste management goals in accordance with the Strategy.

One or more local self-government units select the site for the construction and operation of facilities for storage, treatment or disposal of waste on their territory, under the terms prescribed by the Law and the agreement, when there are several local self-government unit assemblies deciding together on the site of the waste management facilities.

Households are required to dispose of their waste into containers, or in other ways, provided for by the local self-government unit and to deliver hazardous household waste, (used batteries, oils, paints and varnishes, pesticides, etc.), to the designated site for the selective collection of hazardous waste, or to the authorised operator for hazardous waste collection.

Households and other producers of municipal waste sort municipal waste for the purpose of recycling.

In addition, the Law sets forth waste management responsibilities and obligations of producers of products, waste producers and holders, waste carriers, waste treatment facility operators and landfill operators.

The producer of products is responsible for encouraging the re-use and recycling of end-of-life products and packaging. The waste producer is responsible for sorting collected waste, in accordance with the need for its future treatment and for delivering the waste to the licensed waste management operator, if unable to organise waste handling.

The waste holder is responsible for all waste management costs.

A waste carrier is required to deliver the waste to the authorised waste storage, treatment or disposal operator.

The waste treatment facility operators and landfill operators are responsible for acquiring a permit for waste treatment or disposal, i.e. to ensure compliance with the acquired permit in performing the activities related to the treatment or disposal of waste. The Law also establishes the obligation of the landfill operator to provide for the recultivation of the landfill after its closure.

b) framework legislation on hazardous waste;

The Law on Waste Management governs hazardous waste management by prioritising hazardous waste treatment over treatment of other waste, so that hazardous waste can only be treated in facilities that have a permit for the treatment of hazardous waste.

During collection, separation, storage, transport, re-use and disposal, hazardous waste must be packaged and labelled in a manner consistent with safeguarding human health and the environment.

Furthermore, the Law prohibits the mixing of different hazardous waste types, or the mixing of hazardous waste with non-hazardous waste, unless performed under the supervision of a qualified person as part of the procedure for hazardous waste treatment, and the disposal of hazardous waste without prior treatment that considerably reduces its harmful properties, and also prohibits the dilution of hazardous waste for release into the environment.

Hazardous waste shipments in the Republic of Serbia are regulated by the Rulebook on the form of the document on shipments of hazardous waste and guidelines for its completion (Official Gazette of RS, No. 72/09).

The Rulebook on manner of storing, packing and labelling of hazardous waste (Official Gazette of RS, No. 92/10), which prescribes the manner of storing, packing and labelling of hazardous waste, based on the Law on Waste Management.

c) legislation on specific types of waste treatment (incineration, landfill);

The Law on Waste Management sets forth that thermal treatment of waste shall be performed in accordance with the permit issued on the basis of this Law.

Thermal treatment is conducted in facilities that are designed, built and equipped for this purpose.

Waste incineration with recovery of heat energy generated is conducted only if economically justified and if: no additional energy is used for the incineration of waste, except in the case of initial ignition, or when waste is used as fuel or additional fuel for co-incineration.

Before the incineration of waste, the holder of hazardous waste provides to analyse the hazardous properties thereof on the occasion of the first shipment of waste to the facility, i.e. once a year for the same hazardous waste type incinerated in the same facility over a longer time period.

Before incineration, the facility operator provides to inspect the waste delivered for incineration, i.e. to identify it by type, quantity and properties, check the supporting documents, sample and analyse the hazardous waste and is required to keep the waste samples for a minimum of one month after the incineration of waste.

Pursuant to the Law on Waste Management the Government has adopted the Regulation on types of waste which undergo thermal treatment, the terms and criteria for the choice of location, technical and technological conditions for project planning, construction, equipping and operation of the facility for thermal treatment of waste, manner of handling the remaining waste after incineration (Official Gazette of RS, No. 102/10).

The Law on Waste Management prescribes that the waste shall be disposed of in a controlled manner and permanently into a landfill, if there is no other possibility for its recovery, and only if the landfill fulfils the appropriate technical, technological and other requirements prescribed by the permit.

Landfills are classified in three classes, depending on the type of waste disposed of, specifically: landfills for hazardous, non-hazardous and inert waste.

Before disposal, the landfill operator provides to inspect the delivered waste and to identify its type, quantify and properties, assessing the waste mass and checking the supporting documentation before take-over.

Pursuant to the Law on Waste Management the Government has adopted the Regulation disposal of waste on landfills (Official Gazette of RS, No. 92/10). This regulation prescribes the terms and criteria for establishing the location, technical and technological conditions for project planning, construction and operation of waste landfills; wastes whose disposal is forbidden, quantities of biodegradable waste which can be deposited, criteria and procedures for acceptance or non-acceptance, that is, disposal of waste at the landfill, the manner and procedures for landfill operation and shutdown; content and way of monitoring the landfill operation as well as subsequent maintenance after landfill shutdown.

d) legislation on specific waste streams or types;

The Law on Waste Management regulates management of specific waste streams, specifically: used batteries and accumulators; waste oils; waste tyres; electrical and electronic products waste; waste from fluorescent tubes containing mercury; PCBs and PCB waste; waste comprising, composed of or contaminated with persistent organic pollutants (POPs); waste containing asbestos; end-of-life vehicles; medical waste; waste from Titanium Dioxide production and packaging and packaging waste;.

Pursuant to the Law on Waste Management, the following implementing legislation was adopted that defines in more detail the procedure of management of specific waste streams, in particular:

Rulebook on the manner and procedure for waste tyres management (Official Gazette of RS, No. 104/09, 81/10);

Rulebook on the method and procedure for waste oil management (Official Gazette of RS, No. 71/10);

Rulebook on handling waste containing asbestos (Official Gazette of RS, No. 75/10);

Rulebook on medical waste management (Official Gazette of RS, No. 78/10);

Rulebook on management of used batteries and accumulators (Official Gazette of RS, No. 86/10);

Rulebook on manner and procedure for management mercury-containing waste fluorescent lamps (Official Gazette of RS, No. 97/10);

Rulebook on manner and procedure for management end-of-life vehicles (Official Gazette of RS, No. 98/10);

Rulebook on list of electrical and electronic products, measures restricting or prohibiting the use of electric and electronic equipment containing hazardous substances, the manner and procedure for management of waste originating from electrical and electronic products (Official Gazette of RS, No. 98/10).

Management of packaging and packaging waste is regulated by the Law on Packaging and Packaging Waste (Official Gazette of RS, No. 36/09). The terms and manner for transporting, warehousing, processing and depositing of packaging waste generated on the territory of the Republic of Serbia shall be regulated by the Law on waste management, Law on Communal Services and this Law. Based on this Law the Ministry of Environment and Spatial Planning issues permits to: economic operator which, on their own, manage packaging waste which is non-municipal waste and to operator of packaging waste management system. The packaging and packaging waste shall be subject to special regulations laying down the security and health of people, health license for the packed product as well as the conditions of transportation of goods and management of waste.

The implementing legislation adopted on the basis of the Law on Packaging and Packaging Waste regulates in more detail the method and procedure for the management of this specific waste streams.

e) Legislation on transboundary shipments of waste

The Republic of Serbia is part of the international control system of transboundary shipments of hazardous and other types of waste, as a member of the Basel Convention, in accordance with the Law on Ratification of the Basel Convention on Transboundary Movements of Hazardous Waste and Their Disposal (OG FRY, International Treaties, No. 2/99).

The Law on Environmental Protection (Official Gazette of RS, No. 135/04 and 36/09) prescribes general provisions on the import, export and transit of waste and its control.

In the Republic of Serbia, transboundary waste shipments are regulated by the Law on Waste Management. This Law regulates transboundary shipments of waste, specifically: terms and mode of transboundary waste shipments, import, export and transit of waste and prohibition of transboundary waste shipments, as the basis for the implementing legislation that defines in more detail the mode and procedure for transboundary waste shipments.

The by-laws regulating in more detail the area of transboundary waste shipments are the following:

Rulebook on the content of documentation submitted in support of the application for the permit for import, export and transit of waste (Official Gazette of RS, No. 60/09, 101/10);

Regulation on the waste lists for transboundary shipments, on the content and layout of documentation that accompanies transboundary movement of waste with instructions for their completion (Official Gazette of RS, No. 60/09);

Regulation on designating the types of hazardous wastes that may be imported as secondary raw materials (Official Gazette of RS, No. 60/09).

Regulation on list of non-hazardous waste not requiring a permit, with the documentation accompanying cross-border movement (Official Gazette of RS, No. 102/10).

Legislative provisions and implementing legislation related to the transboundary movement of waste regulate the documentation on shipments from the point of departure to the final destination, based on national and international standards and European regulations related to transboundary shipments of waste. Waste for which there are no environmentally sound and efficient treatment facilities and technical possibilities in the Republic of Serbia is exported. Non-hazardous waste can be imported for the purpose of treatment. The import of waste for disposal and energy recovery purposes is prohibited.

The import of hazardous waste is prohibited. Exceptionally, certain types of hazardous waste that are required as secondary raw materials for the processing industry in the Republic of Serbia, can be imported based on a permit issued by the Ministry. The import of hazardous waste can be permitted, provided that there is a facility for the treatment thereof, licensed to operate in accordance with the law. Transboundary shipments of waste are permitted, provided that the waste is packaged, labelled and transported in a manner securing the conditions for minimising risk to human health and the environment. In the event that any of the countries involved have not been notified or have not issued a permit, that the issued permit has been forged or obtained by fraud, that the transboundary shipment of waste is carried out contrary to the issued permit, or that the waste is being deliberately disposed of contrary to the provisions of this Law and general principles of international legislation on environmental protection, this shall be deemed a case of illegal transboundary shipment of waste. In the event that the transboundary shipment of waste cannot be carried out in accordance with the permit and the waste delivered to the recipient, and if no alternative solution can be found for the environmentally sound disposal of the waste within a specific time period, the country of export is required to return the waste at the cost of the exporter.

45. Does Serbia's waste management legislation include provisions on waste prevention?

The Law on Waste Management prescribes the principle of waste management hierarchy that determines the order of priority in waste reduction, specifically: by preventing generation of waste, by re-using and recovery a product for or beyond its intended use; by recycling or treating waste to extract raw materials for the production of the same or new products; or by recovering the value of waste by means of composting, incineration with energy recovery and other.

Also, the principle of responsibility and the provisions of the law prescribe that producers, importers, distributors and sellers of products that contribute to increasing the volume of waste are responsible for the waste generated as a result of their activities. The producers have the biggest responsibility as they influence the composition and properties of the product and its packaging. The producer is responsible for taking care of the reduction of waste production, the development of recyclable products, the development of the market for the re-use and recycling of his products.

The Law on Packaging and Packaging Waste also prescribes the principle of prevention and/or reduction of packaging and packaging waste and of its harmfulness for the environment.

46. Which instruments exist apart from legislation (e.g. economic instruments, waste management planning)?

Pursuant to the Law on Waste Management, waste management costs are determined based on the quantity and properties of waste, in accordance with the principle “the polluter pays” and include:

- 1) costs of separate waste collection;
- 2) costs of waste transport;
- 3) costs of other waste management measures that are not covered by the income generated by the waste flow;
- 4) costs of removal of waste dumped by unknown persons outside the landfill;
- 5) Costs of designing and building facilities for the storage, treatment and disposal of waste, operation costs of the facility, costs of closure and subsequent maintenance thereof upon termination of operations.

This Law also prescribes that the waste producer or holder bears the costs of collection, transport, storage, treatment and disposal of waste.

The costs of removal of the waste discarded outside the landfill, whose origins or connection to the producer, i.e. to the person that discarded it, cannot be ascertained, are borne by the local self-government unit.

Households bear the costs of waste management in accordance with legislation governing public utility activities.

Pursuant to the Law on Waste Management, the Government adopted a Regulation on products that become specific waste streams after use, on the daily log form for records on the quantity and type of products produced and imported and on the annual report, on the method and time frame for submitting the annual report, on the fee payers, the calculation criteria, the amount and the method for the calculation and payment of the fee (Official Gazette of RS, No. 54/2010). This Regulation establishes the products that after use become specific waste streams, for which a fee is paid for the management of specific waste streams, in particular:

- 1) tyres from motor vehicles, (cars, buses, trucks, motorcycles and other), agricultural and construction machinery, trailers, towed machinery, other machinery and equipment and other similar products;
- 2) products containing asbestos;
- 3) batteries or accumulators;
- 4) all mineral and synthetic oils and lubricants that are no longer suitable for their intended use, in particular used motor oils and gear oils, including mineral lubricants, turbine oils, hydraulic oils and other mineral or synthetic oils, including all other oils generated by hospitality and tourism sector activities, by the industry, trade and other similar sectors where more than 50 meals per day are prepared, including waste sludge from production of edible oil;
- 5) electrical and electronic equipment that depends on electric currents or electromagnetic fields for its operation and equipment for the generation, transfer and measurement of electrical currents and electromagnetic fields for use with voltage rating not exceeding 1000 Volt for alternating current and 1500 Volt for direct current.

The fee payers are also specified, in particular:

- 1) producers and importers of tyres and/or vehicles incorporating tyres that use tyres as a separate product and/or incorporated in vehicles;
- 2) producers and importers of products containing asbestos;
- 3) producers and/or importers of accumulators and batteries and/or vehicles and appliances incorporating accumulators and batteries, that sell accumulators and batteries as a separate product and/or incorporated in vehicles or appliances;
- 4) producers and/or importers of fresh mineral or synthetic oil or lubricants;
- 5) producers and/or importers of electrical and electronic equipment that they sell in the Republic of Serbia or use as the final consumers.

The Waste Management Strategy for the period 2010-2019 (Official Gazette of RS, No. 29/10) analyses the financial aspects of the waste management system related to cost planning and accounting, capital investments and cost recovery.

On the basis of the Law on Environmental Protection Fund (Official Gazette of RS, No. 72/09), the Government adopted the Regulation on the amount of and criteria for granting financial incentives (Official Gazette of RS, No. 88/09, 67/2010). This Regulation sets forth the amount and criteria for granting financial incentives for the re-use and recovery of waste as secondary raw material or to generate energy.

For the purpose of waste management planning in the Republic of Serbia, of the special importance are the following planning documents: Waste Management Strategy (respond on question 43); national plans for specific waste streams; regional waste management plans and local waste management plans.

Regional Waste Management Plans and Local Waste Management Plans must contain an estimate of costs and funding sources for planned activities;

Individual national plans are adopted for managing different waste streams that include, among other, waste management priorities, measures or programmes, with an estimate of costs, funding sources and deadlines for their execution;

47. Is there an administrative infrastructure in place? If yes, on which level (national, regional, local)?

The Law on Waste Management also determines the entities competent for waste management, along with their defined obligations and responsibilities.

The entities competent for waste management are:

- 1) Republic of Serbia;
- 2) Autonomous Province;
- 3) Local Self-Government Unit;
- 4) Environmental Protection Agency;
- 5) Professional organisations for waste analysis;
- 6) Non-governmental organisations, including consumer organisations;
- 7) Other bodies and organisations, pursuant to the law.

The Republic of Serbia oversees waste management on its territory through the competent bodies and organisations.

The Ministry:

- 1) proposes the Strategy and the individual national waste management plans to the Government;
- 2) coordinates and carries out waste management activities with relevance for the Republic of Serbia and monitors the situation;
- 3) approves regional waste management plans, except for plans on the territory of the Autonomous Province;
- 4) issues permits, approvals, certificates and other acts prescribed by this Law;
- 5) keeps records on permits, approvals, certificates and other acts issued by other competent authorities;
- 6) determines authorised organisations in accordance with this Law;

- 7) supervises and verifies the implementation of waste handling measures;
- 8) undertakes other measures and activities, in compliance with international treaties and agreements.

The Autonomous Province:

- 1) Participates in drawing up the Strategy and individual national waste management plans;
- 2) coordinates and carries out waste management activities with relevance for the Autonomous Province and monitors the situation;
- 3) approves regional waste management plans on its territory;
- 4) issues permits, approvals, certificates and other acts in accordance with this Law, keeps records and delivers data to the Ministry;
- 5) supervises and verifies waste management measures on its territory, in accordance with this Law;
- 6) performs other duties as assigned by law.

The Local Self-Government Unit:

- 1) adopts the local waste management plan, ensures the conditions for and oversees its implementation;
- 2) regulates, provides for, organises and implements management of municipal, i.e. inert and non-hazardous waste on its territory, in accordance with the law;
- 3) regulates the procedure for the collection of charges for services related to the management of municipal, i.e. inert and non-hazardous waste, in accordance with the law;
- 4) issues permits, approvals, certificates and other acts in accordance with this Law, keeps records and delivers data to the Ministry;
- 5) at the request of the Ministry or competent authority of the Autonomous Province, provides its opinion in the licensing procedure in accordance with this Law;
- 6) supervises and verifies waste handling measures in accordance with this Law;
- 7) performs other duties as assigned by law.

The Environmental Protection Agency keeps and updates the waste management database in the environmental protection information system regulating environmental protection.

Professional organisations and/or accredited laboratories perform testing of waste for transboundary shipment, treatment of waste and disposal of waste in accordance with their authority for testing waste. In the Republic of Serbia there are six authorised laboratories for testing of waste.

Non-governmental organisations, including organizations for the protection of consumers and other authorities and organisations (urban planning, nature protection, municipal services, internal affairs) submit their opinions to the local self-government units in the process for issuing waste management permits.

D. WATER QUALITY

48. Could you describe the legislative basis for water protection and water resources management, in particular:

- a) water quality and water quantity,**
- b) ground water and surface waters,**
- c) drinking water quality,**
- d) bathing water quality**

Please, describe the legislative basis for water protection and water resources management

The regulations in force in the field of water, regulate protection of water against pollution, protection from adverse effects of water, use and management of water as goods of common interest, conditions and manner of performance of water management, adoption and implementation of water protection measures, organising, financing and surveillance of water management, and meteorological and hydrological activity. The regulations also prescribe obligation of defining of water regime, manner of issuing of water acts, limitation of right of owners and users of water, conditions for waste water discharge, obligation of international cooperation, as well as planning and use of water. Provisions of regulations in force are related to all surface and ground water, including drinking water, thermal and mineral water and to watercourses which define or cross the state border.

The Law on Waters (Official Gazette of RS, No. 30/10) (hereinafter the Law) has entered into force on 15 May 2010. The Law regulates legal status of waters, integrated water management, management of water structures and water land, sources and means of funding water sector activities, supervision of implementation of this law and other relevant issues regarding water management.

The integrated water management, in the meaning of this Law is a set of measures and activities aimed at preservation and improvement of the water regime, providing necessary quantities of water of required quality for different purposes, protection of water against pollution and protection from adverse effects of water. The water management is in the competence of the Republic of Serbia and is performed through competent ministries, autonomous province bodies, local government unit bodies and public water management enterprises.

The Article 29 of the Law define strategic documents for water management, particularly: **1)** Water Management Strategy for the territory of the Republic of Serbia; **2)** Water Management Plan; **3)** Annual Water Management Programme; **4)** plans regulating protection from adverse effects of water, particularly: flood risk management plan, general and operative plans for protection against floods and plans regulating water protection (plan for protection of water against pollution and monitoring programme). The Law also prescribes programme of measures for achievement of objectives of previously mentioned documents and active participation of public in passing of planning documents.

The Law also regulates water sector activities, that includes: **1)** watercourse regulation and protection from adverse effects of water including risk management, prescribes measures and works for protection against flood caused by runoff water and by overflow of river water, against ice, and protection against erosion and torrents and removal of effects of such impact of water (Articles 44-65); **2)** regulation and use of water including use of surface and ground water for supply of drinking water, bathing water and water for industry and other purposes, for irrigation, fish farms, navigation, for sport, recreation and tourism, and use of water power for production of electricity and for device drivers (Articles 66-91); **3)** protection of water against pollution (Articles 92-111 of the Law).

To prevent deterioration of water and environment quality, emission limit values are specified for certain groups or categories of pollutants as well as limit values for pollutants in surface water, groundwater and sediment, including priority substances and priority hazardous substances in surface water, and time limits for reaching of the values (Article 93 of the Law).

Also, for protection and improvement of quality of surface water and improvement of groundwater quality, surface and ground water bodies are classified depending on their ecological and chemical status (Article 111 of the Law).

Protection of water is implemented in line with the plan of protection of water against pollution, adopted by Government for the period of six years (Article 94-96 of the Law).

For achievement of approximated and comprehensive overview of surface and ground water status, the Law prescribes establishing of water status monitoring, prescribes contents of Annual Monitoring Programme and regulates its implementation (Article 107- 109).

For securing unique water regime and achievement of water management, water enactments and water documentation are issued. (Chapter V of the Law on Waters).

In order to conserve and maintain bodies of surface and ground waters, protective and other water constructions, to prevent any deterioration of the water regime, to ensure the conveyance of high flows and the implementation of flood defense, and to protect the environment, the Law on Waters prescribes prohibitions, limitations of rights and obligations of owners and users of water areas and water structures (Articles 133-139).

Articles 148 and 149 of the Law regulate establishment of Water Information System with the aim of water classification, monitoring and improvement of water regime, planning of water systems development and water management.

Financing of water management is regulated in the Chapter IX of the Law. The activities financed in line with this Law are given in the Article 150. Issues related to basis for paying of fees and defining of fee payers and criteria for paying of fees, in some cases exceptions to paying, etc are regulated by the Articles 153-182.

The issue of inspection surveillance in the field of water is prescribed in the Chapter X of the Law on Waters. Surveillance of implementation of this Law and regulations passed on the basis of it, other regulations and general acts is performed by the inspector competent for water management activities (water management inspector), sanitary inspector and inspector for environmental protection, pursuant to competences prescribed by Law (Articles 197-208), by the Law on Determining the Jurisdiction of the Autonomous Province of Vojvodina (Off. Gazette of RS No. 99/2009) and the Law on the Capital (O. Gazette of RS No.120/2007)

Penalty system is laid down by the Chapter XI of the Law on Waters.

Deadline for adoption of by-laws pursuant to this Law is two years of the day of entering of the Law into force.

Pursuant to the **Law on Environmental Protection** (O. Gazette of RS No. 135/04, 36/09), protection and use of water is implemented in the framework of integral water management by taking and implementing measures for preservation of surface and ground waters and their reserves, quality and quantity, and through protection in line with special laws. The Law on Environmental Protection provides the base for passing of National Strategy on Sustainable Use of Natural Resources and Goods that includes water resources and National Environmental Protection Programme (Official Gazette of RS, No. 12/10), (more details in the answer to the question No. 52).

To secure protection of water during implementation of the projects that might have significant environmental impact, the **Law on Environmental Impact Assessment** (Official Gazette of RS, No. 135/04, 36/09) and **Law on Strategic Environmental Assessment** (Official Gazette of RS, No. 135/04, 88/10) are applied.

At this moment, Water Management Master Plan of Republic of Serbia (Official Gazette of RS No. 11/02), adopted by Government is the basic planning document in the field of water that lays down fundamental strategy of water use, water protection and protection from water at the territory of the Republic of Serbia (more details in the answer to the question 52).

Until adoption of by-laws on the basis of the Law on Waters (Official Gazette of RS, No. 30/10), by-laws in force are, particularly: Regulation on Categorization of Watercourses (O. Gazette of RS No. 5/68), Regulation on Classification of Water (O. Gazette of RS No. 5/68), Regulation on Systematic Analysis of Water Quality (adopted annually), Rulebook on Dangerous Matters in Water (O. Gazette of RS No. 31/82), Rulebook on Manner and Minimal Number of Analysis of Waste Water Quality (O. Gazette of RS No. 47/83), Rulebook on Drinking Water Hygiene Adequacy (Official Journal of SRJ, No. 42/98 and 44/99).

Pursuant to the **Law on Meteorological and Hydrological Activity** (Official Gazette of RS, No. 88/10), for the purposes of systematic monitoring and study of state and changes of water, detection, forecasting and early warning of hydrological accidents and disasters at the territory of the Republic of Serbia, the hydrological monitoring system of the Republic of Serbia is established as an integral part of European and global monitoring systems.

The Article 5 of this Law prescribes that the Republic Hydrometeorological Service establishes and secures functioning and development of state network of hydrological stations, introduces them to European and global hydrological monitoring systems and water quality monitoring systems and performs systematic hydrological measuring and observation, water quality monitoring, coding, evidencing, collection and international exchange of data of state hydrology surveillance system.

The appropriate by-laws that will be passed within the 2 years following the adoption of the Law on Meteorological and Hydrological Activity will completely harmonize it with the Water Framework Directive and its Annexes in regards to the section that relates to the Programme of Monitoring of Surface Water State and Programme of Monitoring of Ground Water Chemical and Quantity State. The complete harmonization with Water Framework Directive, especially with the Annex V of this Directive, will be achieved through Instructions on Methods of Hydrological Measuring and Observing and Instructions on Manner of Coding, Evidencing and Collection of Data from the State Hydrological Monitoring System.

A) in particular, water quality and water quantity;

The issues of water quality and quantity in RS are regulated by **Law on Waters** (Official Gazette of RS, No. 30/10) (hereinafter the Law) and by the **Law on Meteorological and Hydrological Activities** (Official Gazette of RS, No. 88/10).

The Republic Hydrometeorological Service is in charge for monitoring of state and regime of surface and ground water at the territory Republic of Serbia (Article 17 of Law on Meteorological and Hydrological Activities). Article 107 of the Law prescribes monitoring of surface and ground water for achievement of harmonized and comprehensive state overview. Monitoring is performed pursuant to annual monitoring programme that prescribes: number and position of measuring points, manner and number of quantity and level measuring, for surface and ground water, manner and procedure of water quality testing, number and conditions of testing and contents of reports on determined water quality. The Republic Hydrometeorological Service performs monitoring and submits quarterly and annual

report to the competent institutions. Other certified legal persons accredited by the Accreditation Board of Serbia can perform water quality testing as well. These legal persons are obliged to submit data of the testing results to organisation of the Republic competent for hydrometeorological activities and to the Environmental Protection Agency (Article 108 and 109 of the Law).

The Law prescribes defining of water bodies for the purposes of preservation or achievement of good ecological, chemical and quantitative status of waters or their good ecological potential.

The Articles 67 and 68 of the Law prescribe general and special use of water. For special use of water it is necessary to obtain water enactments. The right of use of water can be limited if the water is used irrationally or if its quality or quantity is jeopardised (Article 69 of the Law). Legal person or entrepreneur that uses water in working or production process is obligated to secure permanent recording of water quantity.

The Article 93 of the Law prescribes adoption of Regulation on limit values of priority and priority hazardous substances that pollute surface water and deadlines for reaching of the values, whose creation is in the final stage, and adoption of Regulation on limit values of pollutants emission into water and deadlines for reaching of the values. Pursuant to the NPI their adoption is planned in the first quarter of 2011.

Until adoption of the by-laws on the basis of the Law, that will transfer EU water quality and quantity standards to our legislation, the existing by-laws will be applied.

The following by-laws are in force at the moment: Regulation on Categorization of Watercourses (O. Gazette of SRS No. 5/68), that categorises watercourses of Serbia into categories and defines required classes of water quality for particular parts of watercourses; Regulation on Classification of Water (O. Gazette of SRS No. 5/68), prescribing general classification of water, pursuant to pollution level and water purpose, to four classes on the basis of defined physical-chemical, biological and microbiological parameters; Rulebook on Dangerous Matters in Water (O. Gazette of SRS No. 31/82), prescribing dangerous matters that must not be directly or indirectly released to water and their maximal allowed concentrations; and Rulebook on Manner and Minimal Number of Analysis of Waste Water Quality (O. Gazette of SRS No. 47/83) prescribing waste water quality indicators to be tested for each discharge point, before mixing of waste water with recipient water. The existing by-laws are not completely complied with EU regulations. For example, pursuant to by-laws in force regulating waste water quality in the Republic of Serbia, the water quality is prescribed in relation to the recipient water quality.

At the moment, quantitative and qualitative observations and measuring of surface and ground water at the territory of the Republic of Serbia performed by the Republic Hydrometeorological Service within the network of surface and ground water stations, is executed in line with the "Rulebook on Defining Network and Programme of Work of Hydrological Stations at the Territory of the Republic of Serbia" and "Regulation on Systematic Testing of Water Quality". After adoption of Law on Methodological and Hydrological Activities (Official Gazette, No. 88/10) these two normative documents for monitoring of state and regime of quantitative and qualitative features of surface and ground water in the state hydrological station network and for defining of the state hydrological station network their work programme and way of reporting will be adopted by the Government of the Republic of Serbia, on joint proposal of the ministry competent for water management and the ministry competent for environment and will be previously complied to the provisions of the Water Framework Directive.

According to the existing regulations in force, at the moment, testing of surface and ground water at the territory of the Republic of Serbia is performed in line with the Programme contained in the Regulation on Systematic Testing of Water Quality, adopted by the Government of the Republic of Serbia at the beginning of each year, with paying special attention to meeting of criteria for comprehensive time and spatial assessment of water regime. The Programme defines scope, type and frequency of testing of

water quality. The monitoring is performed in the network of hydro meteorological stations (hydrological regional stations; hydrological surface water stations; hydrological ground water stations; surface water quality stations; ground water quality stations), and includes sampling, physical-chemical, chemical, biological-bacteriological and radiological analysis of water with the aim of identification of prescribed water quality indicators.

b) ground water and surface waters,

Provision of the **Law on Waters** (Official Gazette of RS, No. 30/10; hereinafter the Law) are related to all surface and ground waters on the territory of the Republic of Serbia, including thermal and mineral water, except ground water that can provide useful mineral raw materials and geothermal energy.

Article 107 of the Law prescribes monitoring of surface and ground water for achievement of harmonized and comprehensive state overview and the contents of the annual monitoring programme is laid down by the Article 108 (more in 48a).

Pursuant to the Article 17 of the **Law on Meteorological and Hydrological Activity** (Official Gazette of RS, No. 88/10), for the purposes of systematic monitoring and study of state and changes of water at the territory of the Republic of Serbia, the hydrological monitoring system of the Republic of Serbia that contains a network of hydrological surface water stations, network of ground water stations, network of surface water quality stations and network of ground water quality stations, is established.

The conditions for use of surface and ground water and for issuing of water enactments are prescribed by the Law (more in 48, 38a) and 56b)). The water enactments are also issued for each particular case that approves or limits use of ground waters. Pursuant to the Article 122 of the Law, water permit for use of ground water can not be issued without decision on defined and deployed ground water reserves.

Except for supplying of population with drinking water, the ground waters are also used for the needs of balneology and recreation, bottling of water, energy, agriculture and aquaculture, where the Article 72 of the Law defines that ground waters of the quality appropriate for drinking are used solely for population water supply, purposes of hygiene and for industry requiring high quality water (food industry, pharmacy).

Law on Geological Research (Official Gazette of RS, 44/95) and the **Law on Defining and Deployment of Mineral Raw Materials Reserves and Presentation of Geological Research Data** (O. Journal of SRJ No. 12/98) regulate actions and procedures of the process of estimation of potential, which refers to performance of detailed hydro-geological researches of ground water with the aim of determination of quality and quantity, and balance reserves of ground water, from the aspect of regeneration capability and balance between the quantities that can be used in exploiting and the quantities that can be secured by the means of supplementing. **Water Management Master Plan of Republic of Serbia** considers ground water regime, whose quality and quantity varies and depends directly or indirectly of climate regime and regime of river flow.

Water information system (Article 148 of the **Law on Waters**) provides collection, processing, presenting and distribution of data on water quality state, bodies of surface and ground water, water documentation, legislation and planning measures in the field of water management, etc. The water cadastre (Article 148 of the Law) is an integral part of Water Information System and includes data on water use, water protection and protection from adverse effects of waters.

The Geological Information System of Serbia (GeolISS), whose integral part is also collection and processing of data related to ground water reserve balance, is maintained with the aim of collection and processing of data on geological resources and their sustainable use and Cadastre of research and exploiting ground water areas of the republic of Serbia is also kept.

(c) drinking water quality;

Health safety of drinking water is controlled on the basis of the Rulebook on Drinking Water Hygiene Adequacy (Official Journal of SRJ, No. 42/98 and 44/99). The provisions of the Rulebook are considerably complied with the Council Directive 98/83/EU of 3 November 1998 on water quality intended for human consumption.

By the Article 26(5) of the Law on Food Safety (Official Gazette of RS, No. 41/09) and the Law on Waters (Official Gazette of RS, No. 30/10) (Article 75(3)) the Minister of Health is delegated a power to pass the regulation that more precisely regulates health safety of drinking water. The Rulebook prescribing conditions to be met by drinking water is under preparation, and it will be completely complied with the Council Directive. This Rulebook is expected to be adopted in the first half of 2011.

The Article 73 of the Law on Waters prescribes mandatory identification of bodies of surface and ground water used or that can be used for human consumption in the future, for permanent securing of conditions for use of water and protection of its quality, while the Article 77 prescribes obligation of protection of areas of water sources that can be used or are used, according to their quantity and quality, for drinking water supply.

Water supply management can be performed by public enterprise or other legal person that must hold a licence for performance of these activities (Law on Waters, Article 112(1)(1)). The Minister of Agriculture, Forestry and Water Management prescribes conditions to be met by a public enterprise of other legal person to perform water supply activities.

d) bathing water quality

The Regulation on Water Classification (Official Gazette of SRS, No. 5/68) (hereinafter referred to as the Regulation), that regulates general classification of water into four classes according to pollution level and purpose, prescribes water of the class II as suitable for bathing, recreation and water sports. The Regulation contains indicators and their limit values for each of the classes. The Regulation is not complied with the Council Directive 2006/7 of 15 February 2006 on water quality intended for recreation purposes.

The Minister competent for health affairs will during 2011, pursuant to the Article 75(3) of the Law on Waters, more precisely prescribe conditions related to health safety of water intended for recreation purposes, complied with the mentioned Directive.

49. Are waters subject to general protection or is this protection restricted to certain bodies of water or waters for certain use (e.g. drinking water extraction), or are there special protection areas apart from general provisions?

Water protection in the Republic of Serbia is regulated by The Law on Waters (Official Gazette of RS, No. 30/10) (hereinafter the Law) as protection of all surface and ground waters, including drinking water, thermal and mineral water. The Article 92 of the Law defines that the water protection is a set of measures and activities aimed at protection and improvement of surface and ground water quality, including protection against transboundary pollution impact, for: preservation of human lives and health; reduction of pollution and prevention of further deterioration of water state; securing of safe and uninterrupted use of water for different purposes and protection of water and coastal ecosystems and achievement of environmental quality standards in line with the regulation that regulates environmental protection and environmental objectives.

Besides general water protection, Article 110 of this Law envisages defining of protected areas in water districts, especially:

- 1) sanitary protection zones of water sources (in the areas used as water sources for drinking water supply and for sanitary-hygienic purposes);
- 2) areas intended for extraction of water for human consumption;
- 3) water bodies intended for recreation, including areas intended for bathing;
- 4) areas sensitive to nutrients, including zones prone to eutrofication and zones sensitive to nitrates from agricultural sources;
- 5) areas intended for protection of habitats or species where protection, maintenance or improvement of water status is significant element of their protection;
- 6) areas intended for protection of economically significant aquatic species.

Besides general conditions for monitoring, prescribed by the Law (more in 48a), Article 107 of the Law prescribes also that monitoring of water status in protected areas includes additional indicators of water status, in line with special regulations that define that area as protected.

The Article 73 of the Law on Waters prescribes mandatory identification of water bodies of surface and ground water used or that can be used for human consumption in the future, for permanent securing of conditions for use of water and protection of its quality, while the Article 77 prescribes obligation of protection of areas of water sources that can be used or are used, according to their quantity and quality, for drinking water supply.

At this moment, the Rulebook on manner of defining and maintaining of sanitary protection zones of water supply sources (Official Gazette of RS, No. 92/2008) is in force, adopted on the basis of previous Law on Waters (Official Gazette of RS, No. 46/91, 53/93, 67/93, 48/94, 54/96 and 101/05).

50. Does the existing legislation provide for principles such as prevention of pollution at source, emissions control and water quality standards?

In the Article 9 of the Law on Environmental Protection (Off. Gazette of RS No. 135/04, 36/09) principles providing prevention of pollution at source are laid down, including: 1) **principle of prevention and precaution** achieved through environmental impact assessment and use of the best obtainable and available technologies, techniques and equipment; 2) **principle of application of incentive measures** that means implementation of measures of conservation and sustainable management of environment capacity; 3) **“polluter pays” principle** - the polluter pays fee for polluting of environment when, by its actions, cause or might cause the pollution of environment.

The Law on Waters (Official Gazette of RS, No. 30/10, hereinafter the Law) laid down the principles that are the basis of water management. The principle of sustainable development is implemented through water use based on long-term protection of available water resources according to quantity and quality.

Pursuant to the Article 93 of the Law, passing of by-laws is envisaged for the purposes of prevention of water quality and environment deteriorating and prevention of water polluting at source. **The Regulation on limit values of priority and priority hazardous substances that pollute surface water and deadlines for reaching of the values**, is under adoption procedure. This Regulation shall more precisely prescribe: conditions for assessment of pollution related to priority substances; environmental quality standards related to surface water pollution with priority substances; environmental quality standards for chosen priority substances and manner of their revision; manner of implementation of monitoring of priority substances in surface waters. In addition, the **Regulation on limit values of pollutants emissions into water and time limits for reaching of the values** is under preparation. This

Regulation prescribes limit values for certain groups or categories of pollutants for technological waste waters before their discharge into sewage; for technological and other waste waters that are directly discharged into recipient; for waters that are after treatment discharged from the public sewage system into recipient and for waste waters discharged into recipient from septic tanks and collecting wells. By these Regulations we come closer to the environmental quality standards in the field of water policy and waste water treatment regulated by related EU Directives and according to the NPI, their adoption is planned in the first quarter of 2011.

The Articles 98 and 99 of the Law more precisely prescribe obligation of waste water treatment, measuring of quantities and testing of waste water quality, and submitting of quarterly reports on performed measuring to Public Water Management Companies, competent ministry for environmental protection and Environmental Protection Agency. Measuring of quantity and testing of waste water quality is performed by accredited and certified legal persons.

Article 97 of the Law prescribes prohibitions of waste water discharges containing hazardous substances and pollutants in quantities above prescribed limit values of emission, waste water discharges into stagnant waters if it might jeopardize good ecological and chemical status, release of pollutants from water crafts, use of mineral fertilizers and agents for protection of plants inside the inner 5 m belt of the river bank, disposal of materials that might pollute water in the channel for high flow or on other land, and other activities that might have negative effects to water quality.

Special protection measures are prescribed by the Articles 73 and 77 of the Law for the areas of water sources that, according to quantity and quality, might be used or are used for drinking water supply (more in the answer to the question 49).

Sub-chapter 2.2.4 of the Law on Waters more closely regulates fees for water polluting, reimbursement basis, purpose of the means obtained from the fees and amount of reimbursement for released water and reimbursements for water polluting.

The Article 201 of the Law lays down rights and obligations of the inspector for supervision of the Law provisions related to the obligations of waste water discharge, their quality and infringement of prescribed prohibitions.

51. Is there a system of prior regulations and/or specific authorisation for water extraction from ground water and/or from surface waters?

In the Article 72 of the **Law on Waters** (Official Gazette of RS, No. 30/10) (hereinafter the Law) it is laid down that the ground water of the quality appropriate for drinking and water from public springs is used only for: supply of population with water, sanitary-hygienic purposes, livestock watering, for needs of industry requiring high quality water (food industry, pharmacy, etc) and for needs of small consumers (below 1 l/s), where the priorities are supply of population with drinking water, sanitary-hygienic needs, livestock watering and national defence.

Ground waters are primarily used for supply of population with drinking water in the Republic of Serbia. Data on available resources and quality of ground waters are given in the National Environmental Protection Programme (Official Gazette of RS, 12/10).

To perform extraction of ground water for drinking pursuant to the Law, it is necessary to obtain water acts that define manner, quantity and purposes for which the extraction of ground water is allowed. The condition for issuing of permit for extraction of ground water is decision on defined quantities and reserves of ground waters (Article 122 of the Law).

Sanitary protection zones are set at the areas defined for extraction of waters for the needs of drinking water supply and for sanitary-hygienic needs: broad protection zone, narrow protection zone and zone of immediate protection. These zones are regarded as the protected area (Article 77 of the Law).

Measuring of quantity of water and water quality testing is continually performed for water bodies whose average quantity of extracted water can be more than 100m³/daily and which are, pursuant to water management plan, intended for drinking water supply and for sanitary-hygienic need in the future, as prescribed in the Article 78 of the Law.

When extracting water from watercourses or water accumulations, it is necessary to secure minimal sustainable flow, downstream the point of extracting, pursuant to the Article 81 of the Law. Criteria for setting of minimal sustainable flow will be laid down by a by-law.

Water supply management can be performed by public enterprise or other legal person that must hold a licence for performance of these activities pursuant to the Law. Pursuant to the Article 75 of the Law, special sanitary-hygienic conditions for water supply structures are also prescribed.

52. Does the existing legislation provide for objectives laid down in a “master plan”, also listing the measures to take for reaching these objectives?

At this moment, **Water Management Master Plan of the Republic of Serbia (WMMP)** is the basic planning document related to strategy of water use, water protection and protection against adverse effects of water at the territory of the Republic of Serbia adopted by Government, as a Regulation of the Republic of Serbia (Official Gazette of RS No. 11/02). It contains objectives and measures to take for reaching the objectives. **WMMP** is passed on the basis of analysis based on data of census and data from 1991, and on the fact that the conditions for implementation of the measures have significantly changed during the end of the nineties.

Pursuant to the **Law on Environmental Protection** (O. Gazette of RS No. 135/04, 36/09), planning and management of environmental protection is secured and provided by implementation of the National Programme on Environmental Protection (NPEP) (Official Gazette of RS, number 12/10) adopted by the Government for the period of ten years. NPEP contains description and estimation of environment state and basic objectives and criteria for implementation of environment protection in whole, including water protection. Creation of the Action Plan that is a short-term instrument for implementation of the National Programme is under preparation.

In accordance with the Law on Environment Protection, creation of the National Strategy of Sustainable Use of Natural Resources and Goods that includes water resources, for the period of at least ten years, is in the progress. The National strategy will be implemented through plans, programmes and frameworks for each natural resource or goods. The National Strategy for Sustainable Use of Natural Resources and Goods is planned to be adopted in 2011.

The Law on Waters (Official Gazette of RS, No. 30/10) (hereinafter the Law) envisages adoption of planning documents for water management (Article 29 of the Law on Waters), and they are: **1)** Water Management Strategy for the territory of the Republic of Serbia (deadline for adoption is June 2012 for the period of 10 years; **2)** Water Management Plan for Danube river basin and water management plans for water districts (deadline: until end of 2012); **3)** Annual Water Management Programme; **4)** plans regulating protection from adverse effects of water, particularly: flood risk management plan, general and operative plan for protection against floods and plans regulating water protection (plan for protection of water against pollution and monitoring programme). To achieve objectives of the Water Management Strategy and water management plans, programme of measures shall be adopted (Article 44 of the Law) that particularly contains measures regarding: watercourse regulation and protection from adverse effects of water; regulation and use of waters and water protection.

Water Management Strategy for the territory of the Republic of Serbia will lay down state objectives and tasks of water management. Starting from the state in the field of waters (water resources,

legislation framework, infrastructure, human and other resources), need for water and possibilities of the state and society, but also taking into consideration contemporary world trends and practice, in this document, the state will define water management and sustainable development objectives and strategy and instruments for achieving of set objectives. The Strategy will set required and priority activities for improvement of conditions, necessary means and deadlines for achievement of set objectives, possible financial resources and dynamic of financing, necessary expert and other capacities. Strategy for the international cooperation, participation of water funds founded by the Law during construction and reconstruction of water management structures and systems and during execution of other common interest activities of interest for the Republic of Serbia, autonomous province and local government unit and all other elements that are precondition for successful functioning and development of water sector will be laid down in this document. The Strategy will be adopted by the Government for the period of at least 10 years, but it is possible to review it during that period, if circumstances change considerably during the course of its implementation (Article 30. and 31 of the Law).

Water Management Plan represents new kind of planning act, complied with the requirements of the Water Directive. It will, with respect to principles and strategic solutions of the Strategy, prescribe water management policy at certain area. The law stipulates that water district represents space for which water management plan is adopted, regardless of the fact that it is not always hydrographically rounded area, and the plan is also adopted for the Danube river basin. Water management plan will contain all elements necessary for rational use and protection of water at considered area as well as protection from adverse effects of waters, which includes assessment of necessary means for implementation of planned activities, dynamic and manner of obtaining of the means. After the period of six years, the plan will be reviewed and updated and if it comes to significant changes in relation to the proposed solutions, additional measures for achievement of the Plan objectives can be adopted, i.e. amendments of previous solutions can be proposed (Article 33. to 36 of the Law). Water Management Plan for the Danube river basin and water management plans for water districts will be adopted until the end of 2012.

Pursuant to the Law, the planning basis for protection of water against pollution is the Plan for Protection of Waters Against Pollution that contains all measures necessary for control, prevention or limitation of pollution, measures for waste water treatment, measures of prevention and control of diffuse pollutions, aquatic ecosystem protection measures, intervention measures, institutional competences, and responsibilities and competences of legal persons regarding implementation of water protection and other measures necessary for protection and improvement of water quality. This Plan is adopted by the Government for the period of six years, and can also be adopted by competent body of autonomous province for the territory of the province.

Risk Management Plan will secure risk management through reduce of possible flood consequences harmful for human health, environment, cultural heritage and economy activity and will be adopted for the territory of the Republic of Serbia and for water districts, in line with procedure and manner of adoption of the water management plan.

General Flood Defence Plan will be adopted for the waters of the level I and II and for internal water.

The Operative Flood Defence Plan will be created for the waters of the level I, for watercourses that have protective structures, and for watercourses without protection structures, if it is possible to timely perform flood defence at the watercourse and if it is technically and economically justifiable, and for internal water at meliorated areas that have constructed systems for protection from internal water.

The Annual Water Management Programme is a planning document that prescribes water structures, type and scope of works and activities to be financed within the period of the annual programme, preliminary estimate of works and jobs, amount of participation and other issues related to construction,

reconstruction, restoration and maintenance of water structures and performance of other tasks of common interest. The Annual Programme must be complied with the Water Management Strategy and Plan (Article 42 of the Law on Waters).

Pursuant to the Law (Article 37), for the water management plans for water districts and special plans, it is required to create Strategic Environmental Impact Assessment, in line with the Law on Strategic Environmental Assessment (Official Gazette of RS, number 135/04, 88/10).

53. To what extent is the quality of drinking water supplied to people from the public supply systems in compliance with existing Serbian legislation?

The subjects engaged in management of water used for public supply of population and for food production (public communal enterprises and other enterprises) are obligated to deliver hygienically safe drinking water to the users pursuant to the Rulebook on Drinking Water Hygiene Adequacy (Official Journal of SRJ, No. 42/98 and 44/99). Territorially competent institutes and bureaus for public health, as the health establishments authorised by the Minister competent for health affairs, perform analysis of drinking water and keep records about it. The Public Health Institute of Serbia "Dr. Milan Jovanovic Batut" continually analyses results, compiles and presents them in the annual reports on health safety of drinking water of central water supply systems in the Republic of Serbia. The mandatory number of drinking water tests made in one year period depends on the number of consumers connected to certain water supply system.

The annual periodic publication, the Report on Health Safety of Drinking Water from the Central Water Supply Systems of the Republic of Serbia, that as a public document is available at the web site of the Public Health Institute of Serbia (www.batut.org.rs), is submitted to the Ministry of Health, and it is created on the basis of collected data on water analysis from the central water supply systems. During 2009, at the territory of the Republic of Serbia, 156 of central water supply systems were controlled (113 in central Serbia and 43 in AP of Vojvodina).

The central water supply systems are water supply systems of city and municipal centres and rural settlements managed by public communal enterprise. Approximately one half of population of Serbia is supplied with drinking water from controlled water supply systems.

It has been found that during 2009, out of total number of controlled water supply systems:

- 1) 82 water supply systems (53%) had less than 5% of microbiologically contaminated and less than 20% of physically-chemically contaminated water samples, 77 in Central Serbia (49%) and 5 in Vojvodina (3%).
- 2) 60019 drinking water samples were tested, of which 8296 (14%) were contaminated in regard to physical-chemical composition, where 100% of samples in Mid-Banat district, 98% in North-Banat district and 53% of samples in Srem district, while in Kolubara district there was 0,3% of contaminated samples;
- 3) 63803 drinking water samples were tested, of which 3128 (5%) were contaminated due to presence of microorganisms, where 25% of samples in North-Backa district, while in Podunavlje district there was no contaminated samples.

Data on rural water supply systems, not managed by public communal enterprise, and on water supply systems of the food manufacturers, are not entered into mentioned annual report. Exact number of water supply systems used for public water supply in the Republic of Serbia is not known. If the

criterion is that a public water supply system produces at least 10m³ of drinking water per day, it is supposed that there is between 5000 and 6000 of water supply systems.

54. Is there a system for prior regulations and/or specific authorisation for storage and handling of substances endangering or potentially endangering waters?

Pursuant to the Article 122 of the Law on Waters (Official Gazette of RS, No. 30/10), the water permit prescribes manner, conditions and scope of storage and release of hazardous and other substances that might pollute water.

Pursuant to the Law on Environment Protection, Article 29 (O. Gazette of RS No. 135/04, 36/09), dangerous substances management is performed under the conditions and in a manner providing reduction of risk of their features dangerous for environment and human health in the process of production, storage, use and disposal.

Pursuant to the Law on Environment Protection, Article 58 an operator of seveso installation, i.e. complex where activities are performed that might include one or more dangerous matters, in quantities higher or equal to the prescribed, is obligated to submit to the Ministry of Environment and Spatial Planning a notification and to create Accident Prevention Policy or Safety Report and Accident Prevention Plan, depending on the quantities of dangerous substances used for performance of the activities and to take measures for prevention of chemical accident and limiting of impact of the accident to human lives and health and environment.

Law on Waste Management ("Official Gazette of RS", number 36/09 and 88/10) (Article 44) prescribes that during collection, separation, storage, transport, re-use and disposal, hazardous waste must be packaged and labelled in a manner consistent with safeguarding human health and environment. The Minister competent for environment affairs prescribes manner of storage, packaging and labelling of dangerous waste.

Pursuant to the Article 67 of the Law on Chemicals, (Official Gazette of RS, number 36/09 and 88/10), the Chemicals Agency issues permit for performance of trading in particularly dangerous substances to importer, manufacturer, i.e. further user. Together with the request for issuing of permit for trading in particularly dangerous substances, it is necessary to submit the evidence that appropriate storage has been prepared and that appropriate measures are set for safe storing of particularly dangerous substances, and to enable risk control and secure replacement of certain substance with appropriate more safe alternative substance, the Agency publishes List of Substances of Very High Concern.

Manufacturer, importer, distributor and further user shall store dangerous substances in a manner not jeopardizing human lives and health and environment and shall collect, store and safely dispose residues of dangerous matters and empty packaging in line with regulations regulating waste management (Article 32 of the Law on Chemicals).

Pursuant to the Article 39 of the Law on Chemicals, chemicals produced on and imported to the Serbian market are enlisted in the Chemicals Register. The Agency prescribes certain chemicals not enlisted in the Chemical Register and lower limit of quantity of the chemical of certain features and manner of use below which the chemical is not enlisted into the Chemicals Register. In the decision on enlisting of chemical into the Chemical Register, the measures for reduction of risk and manner of systematic use

monitoring can be enlisted for the substance of very high concern and mixture containing such substance (Article 47 of the Law on Chemicals).

55. Please provide basic information about facts and figures on urban waste water management. Please provide information on number and performance of waste water collection and treatment facilities and estimates on the percentage of population and industries connected to collecting systems and to treatment facilities.

Insufficiently treated industrial and urban waste waters are among key sources of water pollution in the Republic of Serbia. In relation to the number of households connected to public water supply system, only 43.02% is also connected to public sewage. —In the Republic of Serbia, about 75% of city population is connected to public sewage system, while this indicator related to rural population amounts only to 9%. According to data of the Republic Statistical Office, percentage of households connected to public sewage system in 2002 was 33%, and 35.03% in 2008. The National Environment Protection Programme (Official Gazette of RS, number 12/10) states that the percentage of households connected to sewage network that have appropriate system for urban waste water treatment in 2002 was 5.30%, and 6.0% in 2008⁷. However, the Report on the Environmental Situation in the Republic of Serbia for year 2009 states that 11.5% of population is connected to the sewage system that have system for purification of waste water⁸. The available data related to the percentage of population connected to sewage system are unreliable and differ depending on the source of data. This discrepancy originates from lack of unique reporting methodology.

The quantities of industrial waste water discharged directly into watercourses of the Republic of Serbia, pursuant to the data of the Republic Statistical Office, in 2007 was around 3072 million m³ annually, and from public sewage systems of urban areas around 366 million m³ annually. Approximately, 204 million m³ of industrial waste water and around 54 million m³ of waste water from households and other non-commercial sector was treated before discharged into watercourses.

Pursuant to data of Water Management Framework of the Republic of Serbia (2002) it is estimated that the total emission of suspended matters in recipients amounted to 1,549,531 kg/day, i.e. 12,301,223 population equivalent (PE). The total emission of nitrogen was 111,374 kg/day, and total emission of phosphorus was 36,764 kg/day (table 4.1).

Table 1. Total emission of pollution per type of waste water in the Republic of Serbia

Type of waste water	Waste water discharge(1000 m ³ /day)	Suspended matters (kg/day)	Population equivalent (PE)	Total nitrogen (kg/day)	Total phosphorus (kg/day)
Urban waste waters	1.016	269.242	4.874.209	48.663	14.623

⁷ ¹⁾ Source of data: the Republic Statistical Office

⁸ ¹⁾ Source of data: the Republic Water Directorate

Industrial (biodegradable matters prevail)	997	802.846	6.814.743	16.918	5.377
Industrial (inorganic matters prevail)	1.096	477.443	612.285	45.793	16.764
TOTAL	3.110	1.549.531	12.301.223	111.374	36.764

Source: Water Management Framework of the Republic of Serbia, 2002

There are 434 city systems in the Republic of Serbia with more than 2000 PE, only 21 municipalities have system for purification of waste waters. The biggest cities in country, Belgrade, Novi Sad and Nis, discharge untreated waste waters into recipients. Some of the existing plants in the cities of the Republic of Serbia stopped working, and some perform only mechanical treatment, but most of them are facing frequent work breaks due to the maintenance problems and lack of financial resources. The result of the above mentioned is incomplete exploiting of existing capacities.

56. Which are the responsible authorities for:

a) Planning procedures?

b) Prior regulation and/or specific authorisation procedures?

a) planning procedures

Pursuant to the Law on Ministries (Official Gazette of RS, No. 65/2008,36/2009- state law and 73/2010-state law), four Minsters have authority in the field of water protection and management in the Republic of Serbia: The Ministry of Environment and Spatial Planning, the Ministry of Agriculture, Forestry and Water Management, the Ministry of Health and the Ministry of Infrastructure. All competent ministries adopt planning documents within the scope of its authority,

Water management planning documents in the Republic of Serbia adopted on the basis of the Law on Waters (Official Gazette of RS, No. 30/10) (hereinafter the Law) are:

The Water Management Strategy will be the basic strategic planning act in water management, adopted by the Government, on the proposal of the Ministry of Agriculture, Forestry and Water Management, for the period of at least ten years. Until adoption of the Strategy, the Water Management Master Plan of the Republic of Serbia, as a basic strategic document in the field of water management, adopted by the Government in 2002 with validity of 10 years, is in force.

For river basins management, the Government will, on the proposal of the Ministry of Agriculture, Forestry and Water Management, adopt water management plans, particularly: for the Danube river basin and water areas of Sava, Morava and Lower Danube. Water management plan for water areas of Srem, Backa and Banat will be passed by executive body of the autonomous province, with the consent of the Ministry of Agriculture, Forestry and Water Management, and water management plan for the territory of the City of Belgrade will be passed by executive body of the City of Belgrade also with consent of the Ministry of Agriculture, Forestry and Water Management.

The Annual Water Management Programme is a planning document that prescribes water structures, type and scope of works and activities to be financed within the period of the annual programme, amount of financial means for implementation of work and jobs, amount of participation and other issues related to construction, reconstruction, restoration and maintenance of water structures and performance of other tasks of common interest. The Annual Programme must be complied with the Water Management Strategy and Plan. The Annual Programme will be passed by the Government, the competent body of the autonomous province at the territory of the autonomous province, and the competent body of the City at the territory of the City of Belgrade.

The plans regulating the protection from adverse effects of waters, will be adopted by the Government on the proposal of the Ministry of Agriculture, Forestry and Water Management are the Flood Risks Management Plan, Flood Defence Framework Plan and Operative Flood Defence Plan, for the waters of the level I and II and for runoff water.

Flood Defence Framework Plan will be adopted for the waters of I and II level and for runoff water. Operative plan for waters of level I will be prepared by public water management enterprise and is adopted by the Ministry for the territory of the Republic of Serbia. Operative plan for waters of level II is adopted by the competent local government unit body with obtained opinion of the public water management enterprise.

The plans and programmes regulating water protection that will be adopted by the Government, on the proposal of the Ministry of Agriculture, Forestry and Water Management are: Plan on protection of waters against polluting and Water Status Monitoring Plan.

The implementation of water status monitoring is entrusted to the Republic Hydrometeorological Service and is implemented in line with the Annual Programme adopted by the Government, on the proposal of the Ministry of Agriculture, Forestry and Water Management and ministry competent for environment affairs. The Republic Hydrometeorological Service is obligated to submit reports on water quality testing to the Ministry of Agriculture, Forestry and Water Management, Ministry of Environment and Spatial Planning and to the Environmental Protection Agency on a quarterly basis.

Until adoption of the Plan on Protection of Water against Pollution, the Plan on protection of Water against Polluting (Official Gazette of RS No. 6/91) is in force, and until adoption of the Monitoring Programme, the Regulation on Systematic Analysis of Water Quality adopted annually is in force.

The Ministry of Environment and Spatial Planning in the scope of its competences, prepares plans, programmes and frameworks for each resource or goods that are used for implementation of the National Strategy for Sustainable Use of Natural Resources and Goods (more in question 52). Moreover, the Ministry of Environment and Spatial Planning prepares the Action Plan for implementation of the National Programme on Environmental Protection including protection of water (more in the question 52), that shall be in compliance with the Water Pollution Protection Plan prepared by the Ministry of Agriculture, Forestry and Water Management.

Preparation of planning documents, short-term and long-term plans and programmes related to geological research and sustainable use of ground water resources, creation of reports and balances of state of the ground water reserves in the Republic of Serbia is executed by the Ministry of Environment and Spatial Planning pursuant to provisions of the Article 20 of the Law on Ministries.

The Public Water Management Enterprises (Srbijavode, Vode Vojvodine and Beogradvode) issue annual programmes of construction, reconstruction and maintenance of water management structures at the water area/territory under their jurisdiction, and the Local Government units within the scope of their competences defined by the provisions of the Law on Waters, especially in the field of erosion (Article 61 of the Law).

b) Prior regulation and/or specific authorisation procedures?

In the Article 112, the Law defines activities for whose execution the public enterprise or other legal person must have a license. The license is issued by decision of the Ministry of Agriculture, Forestry and Water Management for the period of five years.

The Minister competent for health affairs more closely prescribes conditions related to adequacy of water used for drinking, production and processing of food and items of common use, sanitary hygienic needs and bathing. Also, he prescribes sanitary and hygienic conditions related to capacities and maintenance of hygiene in water structure for supply of drinking water and water for sanitary and hygienic needs.

Water enactments and water documentation are regulated in chapter V of the Law. The Law defines the following water acts: Water requirements, water contents, water permit and water order. The competence for issuing of mentioned water enactments is divided between the Ministry of Agriculture, Forestry and Water Management- Republic Water Directorates, competent bodies of autonomous province, city of Belgrade and local government, depending on type of structures and works.

In the procedure of preparation of technical documentation for construction of new and reconstruction of existing structures and execution of other works that might influence changes in water regime as well as of creation of planning documents, the investor is obligated to obtain water requirements.

Water consent verifies that the technical documentation for structures and works and planning documentation for arrangement of space and management of forests is created in compliance with water requirements.

The water permit prescribes manner, conditions and scope of water use, manner, conditions and scope of waste water release, storage and release of hazardous and other substances that might pollute water, and conditions for other works influencing water regime. Water permit for structures and works is issued by the body that issued water consent. The implementation of project is preceded by implementation of procedure of impact assessment and obtaining of consent of the Ministry of Environment and Spatial Planning on the impact assessment study.

The water permit is issued for definite period of time, not longer than 15 years.

The right granted on the basis of water permit can not be transferred to other user without consent of the body that issued the water permit.

The Minister competent for water management affairs and the Minister competent for environmental affairs more closely prescribe manner and conditions for measuring of quantities and testing of waste waters quality and contents of report on executed measuring (Article 99 of the Law).

For the protection of water from pollution, the Ministry of Environment and Spatial Planning issues the integrated permit for plants and activities that might have negative effects to water quality (IPPC permit).

The Minister competent for water management affairs, the Minister competent for health affairs and the Minister competent for environmental protection affairs more closely prescribe water sources that, pursuant to the capacity, require defining of sanitary protection zones and manner of defining, maintenance and use of sanitary protection zones (Article 77 of the Law).

The Law on Geological Research regulates issuing of permits for detailed hydro-geological research of ground waters and issuing of decisions on determined quantities and reserves of ground water.

The permit for geological research of ground water is issued by the Ministry of Environment and Spatial Planning on the basis of request of the holder of the research and project of detailed hydro-geological ground water research. The permit is issued for defined period of time in line with proposed timelines of implementation of projected research works.

The decision on quantities and reserves of ground water is issued by the Ministry of Environment and Spatial Planning on the basis of Report on Reserves after public presentation of the report and obtained

opinion of the Commission for reserves that performs auditing of the report. The Decision is issued for the period of five years.

The Ministry of Environment and Spatial Planning keeps the cadastre of researched and exploited ground water areas within the framework of Geological Information System (GIS).

57. How is the coordination of the various authorities involved in planning and implementation of water related policies and legislation ensured?

Pursuant to the **Law on Ministries** (O. Gazette of RS, No. 65/2008, 36/2009- state law and 73/2010-state law), four Minsters have authority in the field of water protection and management in the republic of Serbia: The ministry of Environment and Spatial Planning, the Ministry of Agriculture, Forestry and Water Management, the Ministry of Health and the Ministry of Infrastructure.

Certain activities related to the field of water protection and management are performed by the Republic Hydrometeorological Service, network of Institutes and Bureaus for Public Health, Water Management Enterprises, Local Government Bodies and Water Supply and Sewage Enterprises.

The Law on Waters (Official Gazette of RS, number 30/10) (Article 24) prescribes that the Republic of Serbia performs water management through the Ministry of Agriculture, Forestry and Water Management, other competent ministries, autonomous province bodies, local government unit bodies and public water management enterprises. The Articles of the Law on Waters separately prescribe competences for preparation and adoption of planning acts and by-laws, issuing of water acts and licences, maintenance of information system, supervision over implementation of laws and other.

Pursuant to the **Law on Ministries**, the **Ministry of Environment and Spatial Planning** is competent for the system of protection and sustainable use of natural values, that is, resources – including water resources, development of strategic documents, plans and research programmes in the field of sustainable use of natural values, creating a calculation of overall groundwater capacity, creating a detailed research programmes concerning ground waters, providing material and other conditions for implementation of the programmes, water protection system, trans-boundary water pollution.

Environmental Protection Agency, as an administrative body of the Ministry of Environment and Spatial Planning, performs specialized tasks related to development, approximation and management of national information system of the quality and quantity of surface and ground waters, constant updating of the cadastre of water polluters, establishment of procedure for processing data about water resources and creating relevant indicators, cooperation with EEA and EIONET in the context of exchange of information about water resources.

Republic Water Directorate, an administrative body within the Ministry of Agriculture, Forestry and Water Management, performs state administration duties and expert tasks related to: water management policy; multipurpose use of water; water supply, with the exception of water distribution; protection against adverse effects of water, implementation of water protection measures and planned rationalization of water consumption; water regime regulation; monitoring and maintaining regime of waters that constitute and cut the border of the Republic of Serbia, international cooperation in water sector; the Directorate also performs other tasks in this field. Water management activities are performed by Public Water Management Enterprises: Public Water Management Enterprise (PWME) “Srbijavode” with two centres (“Sava-Danube” and “Morava”), PWME “Vode Vojvodine” and PWME “Beogradvode” pursuant to territorial jurisdiction.

Republic Hydrometeorological Service, as a separate organisation incorporated in the state administration performs expert tasks related to: hydrology observance and analytic-forecasting system; monitoring of air quality, systematic hydrological measurements and observations and implementation of established and compliant programmes for quality control, surface and ground waters from first

aquifer; database of observed and measured hydrological data; monitoring, analysis and forecasting of water change including water quality; development of methods, operating observation and warnings about hydrospheric conditions; research of the processes in the hydrosphere and development of methods and models for water forecast; hydro-meteorological support to river navigation; establishing and preservation of benchmarks and calibration of hydrological instruments; cooperation in the field of international hydrology information systems; performing international duties in the field of meteorology and hydrology, and other tasks specified by law.

The Ministry of Health is competent for affairs related to supply of population with health safe drinking water, performs supervision over plants, devices and equipment used for water supply, and supervision over safety of water used for recreation needs.

The Ministry of Infrastructure is competent for affairs in the field of navigation, thus it is competent also for the part related to regulations on prevention of water pollution by crafts.

Provincial Secretariat for Agriculture, Water Management and Forestry is, pursuant to the Law on Determining the Jurisdiction of the Autonomous Province of Vojvodina (O. Gazette of RS, No. 99/2009) competent for water management at the territory of **AP Vojvodina**.

At the level of the City of Belgrade, after entering into force of the Law on the Capital (Official Gazette of RS, No. 129/2007) Secretariat for Utilities and Housing Services of the city of Belgrade – Water Administration is competent for water management.

Local government is responsible for municipal water supply and sewerage on its own territory and for performing other tasks in the water sector.

Water management enterprises perform operational activities in the field of water management. Public Water Management Enterprises “Srbijavode, “Beogradvode” and “Vode Vojvodine” perform activities of common interests related to water management at certain territory. The in situ tasks related to water management are performed by water management enterprises and the activities related to municipal water supply and sewerage is performed by a great number of public utility enterprises.

Enterprises for water supply and sewage provide organized supply of drinking water for the residents and other users and perform waste water collection, treatment and transport to the recipient.

Pursuant to the **Law on Ministries, Law on Waters** and **Law on Meteorological and Hydrological Activities**, monitoring and control of quality is performed by the **Republic Hydrometeorological Service**. Water quality monitoring and control is performed through sampling and physical and chemical analysis of waters in situ, physical, chemical, biological and radiological analysis of waters in the laboratory, and sampling, physical and chemical analysis of the sediments.

Coordination is performed by implementation of the Law on State Administration (Official Gazette of RS, No. 79/05 and 101/07), Law on Ministries, Law on Waters and Law on Environmental Protection (O. Gazette of RS No. 135/04, 36/09), Law on Environmental Impact Assessment (Official Gazette of RS, No. 135/04, 36/09), Law on Strategic Environmental Assessment (Official Gazette of RS, No. 135/04, 88/10) , Law on Free Access to Information of Public Importance (Official Gazette of RS, number 120/04, 54/07).

Cooperation between administrative bodies is regulated by **Law on State Administration**, Articles 64 and 66 that define the duty of state administrative bodies to cooperate and exchange information in all issues of mutual interest, as well as establish joint bodies and project groups for the purpose of performing tasks that demand several participating administrative bodies. In that case, the tasks from the scope of two or more administrative bodies are managed by the administrative body responsible for the majority of tasks.

58. Is a system of River Basin Management being developed to ensure water quality and quantity management as well as flood risk management and if so, how? Is the legislation in place that addresses prevention and protection against flood risks? Is there cooperation in place with neighbouring countries with which Serbia is sharing river basins? How is the management of fisheries and other living resources integrated into such management? Is there a system in place to encourage active involvement of all interested parties (including public and private stakeholders) in river basin management?

The Law on Waters (Official Gazette of RS, number 30/10) (hereinafter the Law) has established that the water district is an area for which water management plan is adopted, regardless of the fact that it is not always hydrological rounded zone, and the plan is also adopted for the Danube river basin. Water management plan will contain all elements necessary for rational use and protection of water at considered area and protection from adverse effects of water, which includes assessment of necessary means for implementation of planned activities, timetable and manner of obtaining of the means. The Water Management Framework of the Republic of Serbia used approach of separate work on each basin as the base for analysis.

To implement Directive 2000/60/EC Serbia, as an equal member of the International Commission for Protection of the Danube River (ICPDR), cooperates with other Danube river basin countries. The Water Management Plan for Danube river basin was adopted in December 2009 as a result of multiannual joint work. The Plan also prescribes Joint Programme of Measures to be implemented until 2015 to improve state of environment of the Danube river and its tributaries, all in line with the Directive 2000/60/EC.

Operative exchange of hydrologic data and forecasts of the network of information hydrological stations in the Danube river basin is permanently (on daily basis) performed between all competent hydrological services in the Danube river basin, in accordance with provisions of the Convention for the Navigation of the Danube. In addition, the exchange of hydrological information and forecasts is performed in the framework of the bilateral cooperation with neighboring countries, especially during large waters.

Preparation of the document on normative for exchange of operative hydrological data and forecasts between the countries of the Sava river basin, in line with the Sava River Basin Framework Agreement, is in the progress. It is emphasized that, within this activity, Hydrological almanac of the river Sava for 2006 is prepared and published, as a result of joint work of competent national hydrometeorological services in the Sava river basin. Preparation and creation of hydrological almanacs for the coming years, development of information and forecast system in the Sava river basin, creation of hydrological study of the Sava river and implementation of other joint projects is in the progress.

In addition, the meeting of Ministers, organized by ICPDR, was held on 16 February 2010 in Vienna on which occasion the ministers and high-level representatives responsible for water management in the Danube river basin and European Commission high-level representatives adopted Danube Declaration and Tisa Statement.

The principles of the Directive 2000/60/EC and principles of river basin principles are also followed through the work of International River Sava Commission within framework of which the Plan on Management of the Sava River Basin will be created.

Draft of **preliminary assessment of flood risk** according to the EU Flood Risk Assessment Directive for the territory of the Republic of Serbia was finished in June 2010. Available data are collected, historical floods and other forecasted large waters are mapped at the 1:300 000 scale in GIS format. Other data relevant for preliminary flood risk assessment are also collected for the purpose of definition of the areas under significant flood risks.

The Ministry of Agriculture, Forestry and Water Management - Republic Water Directorate, pursuant to the Cooperation Programme - bilateral programme in the field of water management signed with Swedish Environment Protection Agency for the period 2006-2009, has implemented the projects with the aim of implementation of EU Framework Water Directive and Flood Directive and improvement of administration capacities related to this issues. A new cooperation agreement has been prepared for the period 2010-2012 that covers field of environment and is implemented in cooperation with Swedish Environment Protection Agency, Ministry of Agriculture, Forestry and Water Management - Republic Water Directorate and Ministry of Environment and Spatial Planning.

Multilateral cooperation in the field of waters is implemented through the work of International Commission for Protection of the Danube River, Danube Commission, International Sava River Basin Commission and expert groups within UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water convention), Hydrology and Water Resources Programme of World Meteorological Organisation, UNESCO International Hydrological Programme, and especially within Danube countries, cooperation of competent national hydro - meteorological services in the Danube basin.

Bilateral cooperation in the field water is implemented through work of the bilateral Commissions with Romania and with the Republic of Hungary from 1955 based on the agreements on cooperation. Activities are performed through Commissions and Sub-commissions in the field of flood protection, water management, water protection as well as regular activities in all sectors of cooperation. Serbian – Hungarian Bilateral Commission enlarged water management cooperation in frame on harmonization on surface and ground water bodies in accordance with EU WFD. Also, it was agreed about implementation of Flood directive 2007/60/EC.

Bilateral cooperation with Bulgaria is implemented on the basis of the agreement on water management from 1958. This cooperation was terminated in 1982, but it is again renewed due to the project of Regional Environmental Centre for Central and Eastern Europe (REC) that started in 2008 with the aim of reestablishment of bilateral cooperation between Serbia and Bulgaria on joint management of the Timok river basin. The preparation phase is in the progress within which the work group for Timok was formed and the study “Assessment of the State of Environment and Risk at the Timok River Basin” was made.

The Government of the Republic of Serbia adopted the Framework for Negotiation and Cooperation Agreement Execution in the field of sustainable management of transboundary waters with the Republic of Croatia on 17 August 2009. The Ministry of Foreign Affairs transmitted an invitation for beginning of negotiations by diplomatic channels in September 2009.

The Government of the Republic of Serbia adopted the Framework for Negotiation and Advanced Cooperation Agreement Execution in the field of sustainable management of transboundary waters with the Republic of Hungary on 1 October 2009. The Ministry of Foreign Affairs transmitted an invitation for beginning of negotiations by diplomatic channels in November 2009.

The Government of the Republic of Serbia adopted the Framework for Negotiation and Conclusion of Agreement for Advanced Cooperation in the field of sustainable management of transboundary waters with Romania on 1 October 2009. The first meeting was held in November 2010. Continuation of negotiations about agreement is planned for February 2011.

Cooperation with neighbouring countries in the filed of fishery is established by signing oh multilateral and bilateral agreements.

Pursuant to the Resolution Conf. 12.7 adopted by Conference of the Parties of CITES in Santiago in 2002 the agreement has been made in the city of Tulcea (Romania) on 24-27 November 2003 between

Ukraine, Romania, Bulgaria and Serbia and Montenegro on establishment of “Regional Strategy for the Conservation and Sustainable Management of Sturgeon Populations of the North-West Black Sea and Lower Danube River, in accordance with CITES”. The basic objectives of this strategy are: collection of data on populations and life cycles; protection of habitants; genetic research; propagation, restocking and reintroduction; collection of data on fishery; improvement of legislation; implementation of Conf. 12.7 into national legislation; creation of national management plans.

The strategy concerns the species *Huso huso*, *Acipenser gueldenstaedti*, *Acipenser stellatus*, *Acipenser nudiventris* and *Acipenser ruthenus*.

The Agreement on fishery in the Danube waters signed between the government of FPRY (Federal Peoples' Republic of Yugoslavia), Peoples' Republic of Bulgaria, Peoples' Republic of Romania and SSSR in Bucharest in 1958 regulates level of fishing, fishery activities (increase of natural spawning rate, strategy of increase of fish reserves of economic significance) and hydro-melioration works in the Danube river basin. The rules on fishery prescribed by this agreement that include defining of place and time of fishing, allowed tools and methods of fishing and size of fish allowed for fishing, the starlet is also included. The Agreement on Fishery in boundary waters (Timisoara, 1961), signed between Yugoslavia and Romania, and also relates to sustainable use of fishery stock in the sense of approximation of measures of management and protection of the Danube.

The Article 38 of the Law on Waters regulates participation of public in the process of preparation and adoption of the Water Management Plan and Article 50 defines that the flood risk management plan is adopted pursuant to procedure and in a manner same as of the Water Management Plan. Article 142 of the Law on Waters prescribes establishing and composition of National Water Conference to secure influence of public in water management. In the Article 144 of the Law on Waters it is laid down that, to secure conditions for multiple ways of use of water or protection against adverse effects of waters, associations of water users can be founded pursuant to a special law.

59. Have the monitoring networks both for surface waters and groundwater been established under the Nitrates Directive?

Systematic monitoring of surface and ground water quality at the territory of the Republic of Serbia is carried out in accordance with the Programme contained in the Regulation on Systematic Analysis of Water Quality (more in the answer to the question 48a). Systematic monitoring includes testing of physical and chemical indicators of water quality. Ammonium ion (as N), nitrates (as N), nitrites (as N) and organophosphates (as P), total nitrogen and phosphorus and organic nitrogen, among others of the 61 parameters, are monitored by the Republic Hydrometeorological Service of Serbia. However, the monitoring as envisaged by the Directive 91/676/EEC (Nitrates Directive) has not been established yet, especially for the nitrate vulnerable zones.

60. Have nitrates vulnerable zones been designated? Is the legal text available?

Nitrates vulnerable zones in the Republic of Serbia have been not designated yet, but they will be defined within the framework of the Action Programme that will concern entire Republic of Serbia as vulnerable zone or special action programmes will be adopted for certain areas of the country that will be designed as vulnerable zones. Which concept will be applied depends on the regulations that will be adopted for application and implementation of the Nitrates Directive. The created study "Draft Strategy

and Action Plan for Adoption and Implementation of the Nitrate Directive for Serbia – including a Proposal for Transposing into Local Legislation“ gave only basic guidelines.

For the time being, there are no regulations to define nitrates vulnerable zones, nor official decision on initiation of designation of zones jeopardized by nitrates that would be selected for start of application and implementation of the Nitrates Directive.

The Project *Danube River Enterprise Pollution Reduction in Serbia* (DREPR) financed by the World Bank and GEF (Global Environment Facility Investment Fund) is aimed at support and promotion of agricultural practice in environment protection within the Danube basin, practically covering the whole territory of the Republic of Serbia. The aim of the Project is to reduce release of nitrogen from pig and cattle farms and slaughter houses into Danube and consists of four components covering: reform of policy and capacity building, reduction of nutrient pollution, water and soil control, improvement of public awareness and dissemination and application of good practice and project management, implementation and control. Implementation of the project is executed by the Ministry of Agriculture, Forestry and Water Management.

61. Has the Code of Good Agricultural Practices under the Nitrates Directive been adopted? Is the legal text available?

The Ministry of Agriculture, Forestry and Water Management created the Code of Good Agricultural Practices on farms in the form of a brochure in 2008. This “Code” is not mandatory for the time being.

Depending of the concept to be adopted for application of Nitrates Directive (whether it will be introduced only in nitrate vulnerable zones or at the whole territory of the Republic) the Code of Good Agricultural Practices will be mandatory only for farmers in those zones or for all farmers.

The regulative on application of the Code of Good Agricultural Practices for farms does not exist at the time being.

62. Has the Action Programme under the Nitrates Directive been adopted? Is the legal text available?

Action programme under the Nitrates Directive has not been adopted.

In the period 2006-2010 the study "Draft Strategy and Action Plan for Adoption and Implementation of the Nitrate Directive for Serbia – including a Proposals for Transposing into Local Legislation“ was created and it represents basic guidelines to the Ministry of Agriculture, Forestry and Water Management and the Government of the Republic of Serbia for creation of the Action Plan for implementation of the Nitrates Directive.

63. Which is the state of play of the implementation of the Nitrates Directive?

The implementation of the Nitrate Directive has not been initiated yet. In the following period, Government of the Republic of Serbia is to adopt an act to initiate creation of the action programme for implementation of the Nitrates Directive in Serbia. The Project Danube River Enterprise Pollution Reduction in Serbia (DREPR) can be considered as an initial stage in getting closer to implementation of the Nitrates Directive in Serbia.

E. NATURE PROTECTION

64. Describe the legislative basis for the protection of nature, especially concerning species and habitats of conservation interest.

The protection of nature in the Republic of Serbia is regulated by the Law on Nature Protection (Official Gazette of RS, No. 36/09), published on 15 May 2009 and the Law on Amendments to the Law on Nature Protection (Official Gazette of RS, No. 88/10), published on 23 November 2010, (hereinafter: Law).

The Law on Environmental Protection (Official Gazette of RS, No. 135/04 and 36/09) also contains certain provisions that apply to nature protection, in Art. 26 to 28, regulating the protection and conservation of the biosphere and the protection of biodiversity in principle, but also providing the legislative basis for prescribing the requirements for the collection of and trade in certain species of flora and fauna and for the import and export of endangered and protected species, an area which has been fully regulated with the adoption of the Law.

The object of the Law is the protection and conservation of natural, biological, geological and landscape diversity, as a part of the environment. The Law is aligned with ratified international treaties in the area of protection of biodiversity, in particular: Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention), Framework Convention on the Protection and Sustainable Development of the Carpathians (Carpathian Convention), Convention Concerning the Protection of the World Cultural and Natural Heritage, Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, Convention on Climate Change, Convention on Wetlands of International Importance (Ramsar Convention) and the EU Nature Protection Directives.

With respect to the protection of species and habitats of conservation interest, pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Official Journal L 206, 22/7/1992 P. 0007-0050) and Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (Official Journal L 103, 25/4/1979 P. 0001-0018 - codified version Directive 2009/147/EC), the Law defines the terms of species, habitats, habitat types, species' favourable conservation status, natural habitats' favourable conservation status, priority habitat types and priority species, important ecological sites and European Union NATURA 2000 important ecological sites.

Of particular relevance for the protection of species and habitats of conservation interest, is the enactment of the procedure for the assessment of admissibility and the establishment of compensatory measures.

Article 10 of the Law provides the legal basis for the adoption of an act prescribing in more detail the procedure, content, time frames and method for the implementation of the Appropriate Assessment in respect of the conservation objectives of important ecological areas, and the method for disseminating the information to the public, establishing overriding public interest and compensatory measures. The Government will adopt the cited by-law within two years from the date of entry into force of the Law on Amendments to the Law on Nature Protection (Official Gazette of RS, No. 88/10). Pursuant to the Law, the Appropriate Assessment evaluates whether the implementation of plans, base plans, programmes, projects, works and activities is likely to have a significant effect on the conservation objectives and the integrity of important ecological areas, either individually or in combination with other plans, base plans, programmes, projects, works and activities.

Article 12 of the Law sets forth that compensatory measures can be imposed to mitigate the harmful consequences that the implementation of plans, base plans, programmes, projects, works or activities has or is likely to have on a protected natural site or an environmental network area.

It is prescribed that the establishment of a new site is the only compensatory measure for the European Union NATURA 2000 important ecological areas and that the European Commission will be informed about the compensatory measures that concern the European Union NATURA 2000 important ecological areas (this provision will enter into force when the Republic of Serbia becomes an EU member country).

Pursuant to Article 16 of the Law, the protection of habitats is accomplished through the enforcement of nature protection and conservation measures and activities, the sustainable use of natural resources and protected natural sites and the conservation of important ecological areas.

This article provided the legal basis for the adoption of the Rulebook on the criteria for the separation of habitat types, types of habitats, vulnerable, endangered, rare and priority protection habitat types and the protection measures for the conservation of habitat types (Official Gazette of RS, No. 35/10) that specifies the detailed criteria for the separation of habitat types, types of habitats, vulnerable, endangered, rare and priority protection habitat types and the protection measures for the conservation of habitat types. This Rulebook established the national list of habitats of special importance in accordance with EUNIS classification. The Law prescribes that habitat types are documented by means of a habitat map and the GIS database. The habitat map is published on the website of the Ministry and the Institute for Nature Conservation of Serbia, while the management of the GIS database, data collection and continuous updating is provided by the Institute for Nature Conservation of Serbia and Provincial Institute for Nature Conservation (hereinafter: Institute) and other professional and scientific institutions authorised by the Minister.

Article 38 of the Law prescribes that the Government establishes the environmental network of the Republic of Serbia and specifies the method for its management and funding, to preserve biological and landscape diversity, priority habitat types and/or habitat types of particular importance for conservation, to restore and/or enhance degraded habitats, to preserve certain species of national and international importance. The ecological network consists of: Important ecological areas, ecological corridors and protection zone, if required. The Regulation on Ecological Network (Official Gazette of RS, No. 102/10), published on 30 December 2010 and enter into force on 7 January 2011. .

Pursuant to Article 36 of the Law, protected species are wild species that are endangered, or are likely to become endangered, that are particularly important from the aspect of genetics, eco-system, science, health, economy and other aspects, and these are designated either as strictly protected wild species, or as protected wild species.

Protected species are designated on the basis of national and international Red Lists, or Red Books, expert findings and scientific knowledge.

The Red Book and Red List of threatened species of wild fauna, flora and fungi, sites where they are found, species' population numbers, the threat type and level are specified by the Ministry, at the proposal of the Institute for Nature Conservation of Serbia .

Pursuant to Article 48 of the Law, the Regulation on the designation and protection of strictly protected and protected wild fauna, flora and fungi species (Official Gazette of RS, No. 5/10) was adopted, that contains the lists of strictly protected and protected wild species and measures for their protection.

Chapter VI of the Law - Protection and Conservation of Wild Species, Art.71-97, transpose Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (Official Journal L 103, 25/04/1979 P. 0001-0018), Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of

wild animals in zoos (Official Journal L 094, 09/04/1999 P. 0024-0026) and Council Regulation No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (Official Journal L 061, 03/03/1997 P. 1).

Article 71 prescribes that the protection and conservation of wild species entails the prevention of any action causing the deterioration of the favourable status of wild species populations, destruction or harm to their habitats, litters, nests or the disruption of their lifecycle and/or favourable status. The favourable status of wild species is ensured by the protection their habitats and protective measures for certain species in accordance with this Law.

Measures for the protection of strictly protected wild species, prohibited activities with respect to strictly protected species and exemptions from the prohibitions are prescribed. Article 75 sets forth that exceptionally, activities that are otherwise prohibited may be permitted in certain cases, for reasons of overriding public interest and provided that there is no other satisfactory solution and that the exemption is not detrimental to the survival of the population of strictly protected wild species in a favourable conservation status in their natural habitats.

Requirements are prescribed for issuing permits for the research of strictly protected and protected wild species (Article 78), prohibited means for capturing and killing wild animals (Article 79), measures for the protection of migratory species and measures for the protection of birds and bats (Art. 80 and 81).

On the basis of Article 80, the Rulebook on special technical and technological solutions facilitating the undisturbed and safe communication of wild animals (Official Gazette of RS, No. 72/2010) was adopted.

The Rulebook also sets forth the protective measures and method for maintenance of the technical and technological solutions and the special technical and technological solutions that may be implemented: ecological bridges, especially built passageways and crossings, tunnels, permeable pipes, trenches, safety and channelling facilities, fish passages and lifts and other, (hereinafter: ecological passages).

The Law (Art. 82-92) prescribes the conditions for the introduction of non-indigenous wild species, the re-introduction of wild species, the conditions for holding, breeding and trade in wild animals.

Article 86 created the legal basis for the adoption of the Rulebook on conditions for the keeping, marking and registration of wild animals in captivity, (Official Gazette of RS, No. 86/2010), that prescribes the requirements that zoos and other establishments and/or facilities where wild animals are kept must fulfil, the requirements for the keeping, marking and registration of wild animals.

In accordance with the authorities of the Ministry of Environment and Spatial Planning, Chapter III of the aforesaid Rulebook, prescribes the requirements for zoos, in particular, Article 7 of the Rulebook sets forth that in addition to fulfilling the requirements specified by the legislation governing animal welfare, a zoo must participate in programmes for *ex situ* protection of endangered species; have a programme for controlling the breeding of wild animal species in zoos; have an educational programme for visitors on the conservation of species and protection of nature; have an emergency procedure in place in case of animal escape; have an adequate number of staff with required qualifications for working with wild animals; share information related to the conservation of species with other zoos.

Pursuant to Article 71, par. 4 of the Law on Animal Welfare (Official Gazette of RS, No. 41/09) and in accordance with its authorities, the Ministry with authority over animal welfare adopted the Rulebook on requirements for zoos and/or mini-zoos and on the elements for the designation of mini-zoos, (Official Gazette of RS, No. 75/10).

The listed Rulebooks have ensured compliance with the obligations arising out of Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos (OJ L 94).

Pursuant to Article 88 of the Law, the Ministry issues a permit for the keeping of wild animals in captivity, provided that the applicants fulfil the requirements and possess a certificate of origin of the specimen pursuant to Article 87 of the Law.

Specimen of wild animals kept in breach of the prescribed conditions, will be seized by the authorised inspector.

In accordance with the CITES Convention and Council Regulation No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (Official Journal L 061, 03/03/1997 P. 1) and on the basis of Article 94 of the Law, the Rulebook on transboundary trade in protected species (Official Gazette of RS, No. 99/09) was adopted, prescribing the conditions for the import, export, entry, exit and transit of species of wild fauna and flora, parts and derivatives thereof, that are protected pursuant to the law, ratified international treaties and widely recognized rules of international law.

Pursuant to Articles 102, 103 and 104 of the Law on Nature Protection, specialised tasks related to the protection of nature and natural resources are carried out by organisations specialised for the protection of nature, specifically, by the Institute for Nature Conservation of Serbia and by the Institute for Nature Conservation of Vojvodina for tasks related to the protection of nature and natural resources that are located entirely within the Autonomous Province of Vojvodina. These specialised organisations cooperate in performing these tasks, coordinating programmes for the protection of natural resources. In accordance with the foregoing, the Institute, (Institute for Nature Conservation of Serbia and Institute for Nature Conservation of Vojvodina), collects and processes data on nature and natural values, monitors the situation and evaluates the conservation status of nature and threat level to geo-heritage, wild species and their habitats, habitat types, ecosystem, important ecological areas, protected areas, ecological corridors, ecological networks and regions, and performs other specialised tasks as set forth in Article 102 of the Law on Nature Protection.

The Law also regulates the supervision of the implementation of the Law and regulations adopted on the basis thereof and the system of penalties sanctioning the breach of the provisions of the Law.

65. To which a multilateral environmental agreement related to biodiversity is Serbia party, and how are they implemented?

The Republic of Serbia ratified the following international conventions related to the protection of biodiversity:

- Convention Concerning the Protection of the World Cultural and Natural Heritage – World Heritage Convention (Official Gazette of SFRY - International Treaties, No. 8/74);
- Convention on Wetlands of International Importance, Especially as Waterfowl Habitat - Ramsar Convention (Official Gazette of SFRY" - International Treaties, No. 9/77);
- Convention on Biological Diversity (Official Gazette of FRY – International Treaties, No. 11/2001);
- Convention on the Conservation of Migratory Species of Wild Animals (Official Gazette of RS – International Treaties, No. 102/07);

- Convention on the Conservation of European Wildlife and Natural Habitat (Official Gazette of RS – International Treaties, No. 102/07);
- Framework Convention on the Protection and Sustainable Development of the Carpathians - Carpathian Convention (Official Gazette of RS – International Treaties, No. 102/07);
- UN Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa – UNCCD (Official Gazette of RS – International Treaties, No. 102/07);
- UN Framework Convention on Climate Change and Kyoto Protocol (UNFCCC);
- Convention on International Trade in Endangered Species of Wild Fauna and Flora – CITES (Official Gazette of FRY – International Treaties, No. 11/2001).

Law on Environmental Protection (Official Gazette of the Republic of Serbia, No. 135/04, 36/2009), articles 26-28, which governs the conservation of the biosphere and protection of biodiversity, as well as the protection, use and trade in fauna and flora,, the Law on Nature Protection (Official Gazette of the Republic of Serbia, No. 36/09, 88/10, 91/10-corr) and implementing legislation, ensures the implementation of international conventions related to the protection of biodiversity (for more details, please refer to answer to question 64 that describes the legislative framework for nature protection).

In the Republic of Serbia, these conventions are also implemented through relevant programmes and projects.

Projects related to the Convention on Biodiversity that have been implemented in the previous period are:

- Reproduction of the Egyptian Vulture *Neophron percnopterus ex-situ*
- Viability Increase and Recovery of the Brown Bear Population (*Ursus arctos* L.1758) in North-eastern Serbia
- Reintroduction of the European Beaver
- Red List of Serbian Flora
- *Ex situ* Protection of Aquatic Ecosystems of Serbia
- Harmonisation of the National Nomenclature of Classification of Habitats with International Community Standards
- Centres for Plant Diversity in Serbia ("Important Plant Areas - IPA in Serbia")
- Diversity of Bat (Chiroptera) Fauna in Serbia – National Conservation Action Plan and Preparations for Accession to International Agreements.
- The following projects are underway in connection with this convention:
- Monitoring the Population Status of the Brown Bear (*Ursus arctos* L. 1758) in the Republic of Serbia
- Monitoring the Population Development of the Eurasian Beaver (*Castor fiber* L.1758) after Reintroduction
- Viability of Populations of the European Ground Squirrel *Spermophilus citellus* in Serbia

- Project for the Return of the Griffon Vulture *Gyps fulvus* to Stara Planina Mountain
- Development of Red Book of Vertebrate Fauna
- Ecological and Geographical Aspects of the Lynx Population (*Lynx-lynx* L. 1758) in Serbia
- Development and Application of Priority Measures for the Conservation and Management of Wolf Populations (*Canis lupus* L. 1758) in Serbia

An ongoing project related to the Convention on the Conservation of Migratory Species of Wild Animals is the Monitoring Bird and Bat Migrations by Means of Permanent Marking with Aluminium Markers (rings).

Development of the Emerald Network in the Republic of Serbia is a project implemented with the aim to transpose the Convention on the Conservation of European Wildlife and Natural Habitats.

Projects implemented by the Institute for Nature Conservation of Serbia and the Institute for Nature Conservation of Vojvodina are the following:

- Protection and Management of Zasavica Special Nature Reserve as a Tool for Sustainable Rural Development (the project ends this year)
- Danube River Network of Protected Areas - development and implementation of transnational strategies for the protection of the Danube River natural heritage (the project ends this year)
- Adaptive Management Planning of Riverrine Wetlands along the Danube in Serbia - the Bukinski Rit floodplain as a pilot area for capacity building in integrated management planning in a transboundary context
- Development of a Carpathian Ecological Network
- Development of an Ecological Network for Serbia
- Integrating Local Communities and Nature Protection in the European Green Belt
- Improvement of Habitat Management and Promotion of Protection of Great Bustard (*Otis tarda*) in Vojvodina
- Development of a Joint Geographical Database as an Expert Basis for Protection and Development of the European Green Belt
- Integrated Transboundary River Basin Management of the Sava
- Development of an Ecological Network along the Sava River
- Protection of the Biological Diversity of the Sava River Floodplain
- Action Plan for the Protection of the Vultures in Serbia – review, monitoring and nutrition of vultures in Serbia
- Monitoring Vulnerable Ecosystems of Endangered Plant and Animal Species in Vojvodina
- Establishing an Ecological Network in the Autonomous Province of Vojvodina – situation review, analysis and opportunities

66. What are the national plans regarding bio-diversity? Where does Serbia stand in implementing the Emerald network as preparation for future Natura 2000

The strategic framework for the protection of biodiversity is defined through strategic documents and the commitment of the Serbian Government to EU integration, through the National Environmental Protection Programme and through sector strategies (agriculture, forestry, etc).

The National Strategy for the Accession of Serbia and Montenegro to the European Union of 2005 establishes priority activities within the Social and Economic Development Chapter, among which the adoption of the Strategy on the Protection of Biodiversity and Sustainable Use of Natural Resources.

The objectives, measures and priorities related to the protection of natural resources, among which biodiversity, are given within the framework of the National Strategy for the Sustainable Development of the Republic of Serbia. The national sustainable development priorities of the Republic of Serbia also include the protection and enhancement of the environment and the rational use of natural resources, which entails the protection and conservation of biological diversity. Among the sector goals is the adoption of the National Strategy of Sustainable Use of Natural Resources and Goods and the Biological Diversity Strategy of the Republic of Serbia with Action Plan.

The National Environmental Protection Programme was adopted by the Government in January 2010. This Programme also defines the basic goals and criteria for a holistic implementation of environmental protection, by region and territorial units, with priority protection measures, requirements for the implementation of the most favourable commercial, technical, technological, economic and other measures for sustainable development and environmental protection management, long-term and short-term measures for the prevention, mitigation and control of pollution, the implementing parties, the implementation method and timeline, and the resources required for implementation. The National Environmental Protection Programme will be implemented through a five-year period Action Plan.

The National Strategy for Sustainable Use of Natural Resources and Goods is a work-in-progress document. Its adoption is expected in the first quarter of 2011. The overarching objective of the protection and management of biodiversity in the Republic of Serbia has been defined as the conservation, improvement of the status and sustainable use of autochthonous species and communities on a level that will safeguard their long-term viability.

The National Biodiversity Strategy and Action Plan of the Republic of Serbia is pending adoption, expected to take place in the first quarter of 2011. The development of the Strategy in the Republic of Serbia was initiated by the Ministry of Environment and Spatial Planning and the United Nations Development Programme (UNDP). The funds for the development of the Strategy were provided by the Global Environment Fund (GEF) through the UNDP as the implementing agency. The main strategic goals for the conservation of biodiversity are:

- To enable species and ecological communities threatened with extinction to survive and thrive in their natural habitats and to retain their genetic diversity and potential
- To monitor, regulate and minimise the processes and activities that have or are likely to have a significant negative impact on biological diversity.

The main strategic areas are in compliance with the requirements of the Convention on Biological Diversity: the protection of biological diversity, sustainable use of biodiversity components and an equitable distribution of the benefits derived from the use of genetic resources.

The Strategy in particular identifies the pressures and direct threats to biodiversity and gives an overview of the known impact of other sectors (agriculture, forestry, traffic, and mining).

Following the adoption of the Biological Diversity Strategy of the Republic of Serbia with Action Plan, it will be necessary to revise and prepare the following action plans for Government approval, realised as a result of the projects implemented in the previous period: *Action Plan for the Control of Entry,*

Monitoring and Prevention of Alien Invasive Species for the purpose of implementing the European Strategy on Alien Invasive Species and the Bern Convention; *Action Plan for the Conservation of Wetlands of the Republic of Serbia* for the purpose of implementing the Convention on Wetlands of International Importance; *Action Plans for the Protection and Conservation of the Brown Bear (Ursus arctos), wolf (Canis lupus) and lynx (Lynx lynx) in the Republic of Serbia* for the purpose of implementing the Bern Convention, *Action Plan for the Management of Sturgeon Species*; *Action Plan for the Management of Saplings*, *National Action Plan for the Conservation of Bat Fauna (Chiroptera)* in Serbia.

On the basis of the Administrative Agreement with the Council of Europe and the criteria and recommendations of the Bern Convention, the Republic of Serbia identified 61 Areas of Special Conservation Interest (ASCIs) within the framework of the CARDS Programme for the Development of the Emerald Network in South-East Europe. The listed areas fulfil the basic Emerald area nomination criteria, i.e. in each of these areas there are important habitats and species populations defined by the Bern Convention as species and habitats with protection priority status at European level. The majority of the selected habitats also have a specific protection status at national level (51 areas are designated protected areas or in the process of acquiring protected status). In addition, certain areas are of special international importance as well (1 area is a UNESCO - MAB Biosphere Reserve, 9 areas are designated Ramsar sites).

67. What systems of protected areas exist for nature conservation, including specifically protected areas? On what basis have protected areas been designated? What is their current surface coverage? What is the percentage of the national territory protected at present? What are the plans for increase of protected areas?

Protected areas of general interest are areas that have a strong geological, biological, ecosystem and/or regional diversity component.

The Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), defines the following systems of protected areas:

- Strict nature reserves are areas of unaltered natural characteristics with representative natural ecosystems, solely intended for the preservation of their original natural life;
- Special nature reserves are areas with unaltered or slightly altered nature;
- National parks are areas with a larger number of diverse natural ecosystems of national importance, exceptional regional characteristics and cultural heritage;
- Natural monuments are smaller unaltered or partially altered landscape areas;
- Protected habitats are areas that encompass one or more types of natural habitats important for the conservation of one or more populations of wild species and their communities;
- Landscapes of outstanding features are areas with a distinctive appearance, with important natural, biological, environmental, aesthetic, cultural, historical values;
- Nature parks are areas with well preserved natural values, with predominantly intact natural ecosystems and scenic landscapes;

Article 41 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), establishes the categorisation of protected areas by their importance and the authority of the Minister to prescribe the criteria for the evaluation and the procedure for the categorisation of protected areas.

Protected areas on the basis of its geological, biological, ecosystem and landscape diversity, as well as important habitat of birds and other migratory species, or of its value and importance, are classified in categories:

- 1) Category I – protected areas of exceptional international/national importance;
- 2) Category II – protected areas of great provincial/regional importance;
- 3) Category III – protected areas of local importance.

A National Park is designated by a law of the National Assembly.

Category I and II protected areas are designated by the Government or by the competent authority of the Autonomous Province when the protected area is located on the territory of the Autonomous Province. When the protected area is designated by the competent authority of the Autonomous Province, and it includes land and/or other real property owned by the Republic of Serbia and assets of general interest, the approval of the Ministry is required in the designation procedure.

Category III protected areas are designated by the competent authority of the local government and when the protected area is located on the territory of two or more local governments, then by the competent authorities of those local governments in agreement.

In the designation procedure, a Protection Study is developed the Institute, establishing the values of the area nominated for protection and the method for the management of the area. Pursuant to Article 43 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010) the authority competent for the adoption of the act informs the public about the proposed act for designation of a protected area. The competent authority ensures public access to the proposed act for designation of the protected area and organises public consultations thereon, and the expert basis – the protection study with cartographic documents.

The current surface coverage of protected areas is around 5.86% (517 918 ha) of the total territory of the Republic of Serbia, of which more than three quarters of the protected areas' surface is in the jurisdiction of the Republic while the rest is in the jurisdiction of local government.

The surface coverage of existing protected areas:

- 5 national parks (158 986 ha)
- 16 nature parks (213 303 ha)
- 16 landscapes of outstanding features (45 656 ha)
- 67 nature reserves (88 868 ha)
- 42 cultural and historical areas (2 507 ha)
- 315 natural monuments (8 598 ha).

According to the spatial plan of the Republic of Serbia (Official Gazette of RS, No. 88/10), the surface coverage of protected areas planned for protection by 2015, stand at around 10% and by 2021 around 12%.

68. What are the main (legal and practical) nature conservation instruments (e.g. permitting systems, impact assessments, management contracts, conservation plans, compensation systems, etc.), land-use planning controls and enforcement measures that exist:

- a) for protected areas;**
- b) for the conservation of nature outside of protected areas;**
- c) For protected species?**

A) Protected areas

Article 35 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), establishes the protection regimes and the possibility for the Government to regulate in more detail the protection regime and the procedure and method for their identification and implementation.

Based on the features and condition of natural values, the objectives for their conservation and use, protection regime level I, II and/or III is established on the protected area.

Level I protection regime – strict protection, implemented in a protected area, or a part thereof, with an original or slightly altered ecosystem of exceptional scientific and practical importance, which enables the natural succession processes and the conservation of habitats and wildlife communities.

Level II protection regime – active protection, implemented in a protected area, or a part thereof, with partially altered ecosystems of great scientific and practical importance and particularly valuable landscapes and geoheritage features.

Level III protection regime – proactive protection, implemented in a protected area, or a part thereof, with partially altered and/or altered ecosystems, landscapes and geoheritage features of great scientific and practical importance.

The protection regimes and boundaries of the parts of protected areas with different protection regimes are established by the act on designation of protected areas, on the basis of the protection study.

The protected area regimes set forth in Article 35 are implemented in the first place through a system of permits in the area of planning and construction (site and construction permit) and management of natural resources and use of forests, water, land, mineral raw materials, game and fish (approvals and permits for plans, programmes and projects). The competent bodies and institutions for nature protection and protected areas have effective participation instruments at their disposal for issuing permits related to the works and activities prescribed under Article 35.

The planning, development and use of space, natural resources and protected areas is implemented in accordance with spatial and urban plans, planning and design documentation, base plans and programmes for the management and use of natural resources and assets in mining, energy, traffic, water management, agriculture, forestry, hunting, fishing, tourism and other activities that have an impact on nature, in accordance with nature protection measures and requirements.

Article 52 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010) establishes the obligation to approve and adopt management plans for a ten-year period, prescribing the method for the implementation of protection, for the use and management of protected areas, protection guidelines and priorities and the conservation of the natural values of protected areas.

According to Article 56 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), the manager of the protected area is required to safeguard internal order and the protection of the protected area in accordance with the Rulebook on Internal Order and Security Service (for national parks and protected areas designated by a protection act of the Government, the approval is granted by the Ministry; for protection areas designated by a protection act of the competent authority of the Autonomous Province or local government, the approval is granted by the manager, with the consent of the competent authority of the Autonomous Province and local government respectively). The aforementioned Rulebook establishes the rules for the implementation of the prescribed protection regime, the code of conduct in the protected area for movements, stays and activities conducted in the protected area; protection requirements for conducting scientific research and educational activities; waste disposal sites and requirements; the method for the preservation of the protected area's order and cleanliness; method and organisation of the security service and protection of the protected natural resource and the equipment and resources required for protection and maintenance.

Article 68 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), defines the system of permits issued by the manager, (research, filming, setting up temporary facilities and other activities prescribed by the Rulebook on Internal Order).

Article 19 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), on the use of biological, biotechnical and chemical agents in protected areas, establishes that the permit for the use of chemical agents is issued by the Ministry.

The participation of the public is ensured through public access to and public consultations on the studies and proposals for designation acts (Article 43 of the Law on Nature Protection, Official Gazette of RS, No. 36/09 and 88/010) and management plans (Article 54).

Pursuant to Article 10 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), the assessment of admissibility for plans, base plans and programmes that are subject to a strategic environmental impact assessment, and for projects, works and activities that are subject to an environmental impact assessment pursuant to a special law, is performed within the framework of those procedures.

For plans, base plans, programmes, projects, works and activities conducted in protected areas, protection requirements are issued by the competent Institute for Nature Conservation (hereinafter: Institute), as prescribed in Article 9 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010).

Environmental impact assessments are conducted for projects and/or works and activities in protected areas, (Article 57 of the Law on Nature Protection, Official Gazette of RS, No. 36/09 and 88/010), in accordance with special laws.

Pursuant to Article 12 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/010), a Rulebook on Compensatory Measures was adopted (Official Gazette of RS, No. 20/10). Compensatory measures are conducted to mitigate the adverse impact of the implementation of planned projects, works and activities on important ecological areas or protected natural resources and to restore or replace degraded parts of nature, i.e. habitats, strictly protected wild species and protected wild species and their functions, subject to the activities.

Compensatory measures implemented to mitigate the harmful impact on nature are:

- 1) restoration measures;
- 2) primary rehabilitation;
- 3) establishment of a new site;

- 4) a combination of the measures under item 1), 2) and 3).

The decision on overriding public interest, based on which compensatory measures are established, is in the jurisdiction of the Government, (Art. 10 and 57 of the Law on Nature Protection, Official Gazette of RS, No. 36/09 and 88/10).

b) for the conservation of nature outside of protected areas;

Article 16 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10), prescribes that the protection of habitats is ensured through the implementation of measures and activities for the protection of nature, sustainable use of natural resources and protected natural assets and conservation of important ecological areas. Pursuant to Article 16, the Rulebook on the criteria for the separation of habitat types, types of habitats, vulnerable, endangered, rare and priority protection habitat types and the protection measures for the conservation of habitat types (Official Gazette RS, No. 35/10) was adopted, that defines detailed criteria for the separation of endangered, rare and vulnerable habitats and habitat types established based on these criteria and the measures for their conservation and determines a list of habitat types in the Republic of Serbia.

Pursuant to Article 38, para. 6 of the Law on Nature Protection (Official Gazette of RS, No. 36/06), it is prescribed that the Government shall adopt a Regulation on instituting an ecological network establishing the national ecological network of the Republic of Serbia and the method for management of conservation of biological and landscape diversity, priority habitat types, restoration and/or enhancement of degraded habitats that are of special importance for the protection and conservation of endangered species. In addition to the protected areas, ecological networks also encompass corridors connecting protected areas and a protection zone safeguarding protected areas and corridors from potentially harmful external effects.

Protection of nature and sustainable use is achieved by monitoring the status of nature, establishing quotas for the collection of species, issuing permits for collection, trade and scientific research activities and through the control system established and implemented by the environmental protection inspection. The foregoing is regulated by Articles 26-28 of the Law on Environmental Protection, Article 76 of the Law on Nature Protection, and Articles 13-15 of the Regulation on putting under control the use and trade of wild flora and fauna.

c) for protected species

In accordance with the Rulebook on proclamation and protection of strictly protected and protected species of wild flora, fauna and fungi (Official Gazette of RS, No. 5/10), the measures and activities undertaken to safeguard protected and strictly protected species are the following: Protection of habitats, monitoring the status of populations and species and threat factors, biotechnical measures, reintroduction of species in the Republic of Serbia, restoration and revitalisation of habitats, implementation of compensatory measures through the establishment of new sites, support to scientific research, educational activities and the popularization of nature protection, collection of stem units in case of accidents, increasing the numbers of strictly protected species above optimal numbers, finding appropriate sites for the reintroduction of migratory species and similar.

Permits for use of strictly protected and protected wild species are being issued under conditions and in the way that are prescribed by the Law on Nature Protection, articles 75. and 78.

69. Is there a system in place for the systematic monitoring of the biodiversity? If so, could you please provide details?

The existing level of biodiversity monitoring can be shortly described as incomplete and mosaic. Quality and quantity of the existing monitoring data is inhomogeneous, very frequently not standardized and only in rare cases compatible with data of the countries the region and Europe. Another very significant shortcoming of the biodiversity monitoring is inappropriate set of monitoring parameters and thus the monitoring quality.

The Environment Protection Agency (SEPA) was established in 2004. Its major activity is collection of environment monitoring data, including biodiversity monitoring, its establishing pursuant to recommendations and standards of the European Environment Protection Agency and other international and national institutions in line with the best available methodologies, analysis and preparation of reports at national and international level. The Agency has developed numerous biodiversity indicators on the basis of available data of national expert and scientific institutions. Three basic biodiversity indicators (CSI 007, CSI 008 and CSI 009) of the European Environment Protection Agency have been developed for the needs of SoER, but only the indicator Protected areas is compatible with the requirements of the European Agency and is mutually compatible at the European level.

The Institute for Nature Conservation of Serbia, as an organisation specialized for environment protection (pursuant to the Article 102 of the Law on Environmental Protection -Official Gazette of RS, No. 36/2009 and 88/2010) has the task to collect and process data on nature and natural resources and to monitor state and to estimate nature conservation. However, according to the definition given in the Law (Article 4 (55)) the Institute still does not implement systematic (regular) monitoring of biodiversity (insufficient capacity of expert staff to implement it). Monitoring is performed partially, for particular groups or species, for particular areas in Serbia, by experts of the Institute and by researchers at faculties and institutes.

Also, there is no centralized database or coordinated monitoring at national level.

The monitoring performed by the Institute is usually implemented through project topics on the basis of Medium-term work programme of the Institute, with the aim of preservation and improvement of biological diversity. The project topics in the field of preservation species diversity were related to protection and improvement of the state of certain wild flora and fauna species, their communities and habitats and creation of certain registers and databases.

Except monitoring of the state of population of certain wild flora and fauna species, the Institute (on the basis of issued opinions) performs one type of monitoring on collection, use and marketing of, so called, commercially significant wild plant and animal species. The method of their use and the list of the species that can be collected from nature in a controlled manner are prescribed by the Regulation on Controlling the Use and Trade of Wild Flora and Fauna Species (Official Gazette of RS, No. 31/05, 45/05- amendment, 22/07, 38/08 and 09/10). The first control (state monitoring) started in 1993 through the by-law (Ordinance on collection of wild plant and animal species). Today, the Regulation covers 105 protected species, particularly: 78 plant species, 3 lichen species, 15 fungus species and 9 animal species. Information on about the place of collection and quantity of these species exist for each year.

The Faculties of biology and Institutes perform monitoring of certain tax or habitats in accordance with the projects of the Ministry of Science and the Ministry competent for environment protection affairs. Some of the results are valid for reporting at national level, but majority of data has only partial scientific and research character.

Numerous specialized Non-governmental organisations and Nature Protection Associations perform monitoring of birds and butterflies, but those data are of insufficient expertise value and unavailable to the Environment Protection Agency.

The Agency started, in cooperation with UNDP, the project on establishing of CHM web-portal (*Clearing House Mechanism*) of Biological Diversity Convention that would connect all institutions and individuals possessing data on biodiversity for the needs of monitoring and timely decision making, but due to lack of capacities the system is not functional yet.

The Ministry competent for environment protection affairs implemented, with expert institutions, the projects of national significance related to endangered species (Red Book of Flora of Serbia¹, Action plans for protection of big carnivore and sturgeon species, Reintroduction of the birds of pray, European beaver, Diversity of bat fauna) and harmonization of habitat nomenclature and inventory and protection of forest and wetland habitats (please refer to answer to question 65).

70. How is the administrative system responsible for nature protection organised? Give a detailed description (with number of staff etc) and please indicate annual budget allocated for nature conservation (administration, management, monitoring etc).

Organisation of the administrative system responsible for management and monitoring of protected areas is divided into:

I EXECUTION OF NATURE PROTECTION ADMINISTRATION

II NATURE PROTECTION ORGANISATIONS

III PROTECTED AREA ADMINISTRATORS

I EXECUTION OF NATURE PROTECTION ADMINISTRATION

The administrative nature protection activities are performed by the Ministry of Environment and Spatial Planning, competent body of the autonomous province and competent body of the local government unit, pursuant to the Article 101 of the Law on Nature Protection (Official Gazette of RS, No. 36/98 and 88/10).

The Ministry, as a state body, the autonomous province and local government bodies is obligated, pursuant to the Law on Nature Protection, Strategy, environment protection programmes and spatial planning documents to:

- 1) to take care of protection of nature, natural resources and area diversity at its jurisdiction;
- 2) designate protected natural resources under its competences;
- 3) secure conditions for protection and conservation of protected natural resources under its competences;
- 4) participate in the process of designation of protected natural resources designated by the National Assembly or Government or competent body of the autonomies province or local government unit;
- 5) participate in creation of management plans for protected natural resources under its competences;

- 6) inform public about the state of nature and natural resources at its jurisdiction and about taking protection and conservation measures;
- 7) provide necessary assistance to local government units in nature protection at their areas.

In the Ministry, administrative nature protection activities are performed within the Nature Protection Division through two sections.

Protected Areas Section (number of staff 6) performs the duties related to:

- protection, preservation, strengthening and management of natural parks and protected natural areas (nature reserves – general and special, national parks, landscapes with exceptional characteristics and natural monuments);
- delivering opinion and consents on the business plans and programmes of protection and development of national parks and other protected natural goods;
- delivering of opinions and consents on other acts of public enterprises responsible for national parks management and other acts of operators responsible for protected natural goods;
- delivering opinions about plans (spatial and urban plans, forest, hunting and fishing frameworks etc.) in national parks and other protected natural goods;
- preparing reports about the current state and management of national parks and other protected areas.
- participation in evaluation of strategic environmental impact assessment and environmental impact assessment for all activities within a protected areas;
- participation in preparation of opinion and consent on the Natural resources protection programme of Serbia and monitoring of implementation of the action programme of public nature protection services in this field;

Biodiversity Protection Section (number of staff 5) performs the duties related to:

- monitoring of enforcement of the law that regulates and provides protection, improvement and sustainable use of biodiversity;
- improvement of the system of indicators for systematic monitoring of the current state of biodiversity and sustainable use of natural resources ;
- giving opinions and proposals of plans, frameworks and programmes from the aspect of protection of nature and biodiversity;
- establishing a system of protection and sustainable use of wild flora and fauna;
- participation in control of nature and biodiversity use;
- developing a control system for collecting, use and trading of wild flora and fauna on the territory of the Republic of Serbia;
- issuing permits for collecting, use, national and international trading of endangered and protected species of wildlife and keeping records in a manner specified by law;
- analysis of the implementation of standards and norms within the scope of the Department.

Inspection of nature protection and inspection of protection and use of natural goods and resources is executed by 20 inspectors of the Republic employed at the Ministry, 6 provincial inspectors employed at

the Environment Protection and Sustainable Development Secretariat of Province and 160 inspectors at local level.

Competences of inspection and rights and obligations of the inspectors are laid down by the Article 119. And 120 of the Law on Nature Protection (Official Gazette of RS, No. 36/98 and 88/10).

The amount of means secured for 2011 for financing of administrative and inspection affairs of the Ministry (gross wages of employees, material work expenditures, contributions, training/seminars, CITES, compensation for damage etc.) is Eur 320,000.00.

The planned budget for projects in 2011 is Eur 350,000.00 (mapping of habitats, GIS, projects of protection of bear, wolf, beaver and lynx, etc.).

By the Decision of Provincial Administration (Official Gazette of AP Vojvodina, number 21/2002), in March 2002, the **Provincial Secretariat for Environment Protection and Sustainable Development** was formed as independent administrative body at the level of Province, with defined competences and budget. Position, manner of work, tasks and organisation of the Secretariat is approximated with the Provincial Assembly Decision on provincial administration (Official Gazette of AP Vojvodina, number 4/2010), Law on Designation of Competences of the Autonomous Province of Vojvodina (Official Gazette of RS No. 99/09) and regulations related to the field of environment protection.

In the Secretariat, the administrative nature protection activities are performed within the Department of Protection and Improvement of Natural Resources and Biological Diversity.

Department of Protection and Improvement of Natural Resources and Biological Diversity has 5 employees who perform the following duties:

-tasks in the field of protection of nature and protected natural resources, ecosystem and species diversity; collection of data and scientific information of significance for protection, development and prudent and sustainable use of natural values; performance of expert and analytic activities in the field of protection of natural resources and biodiversity of AP Vojvodina; adoption of acts on putting of natural goods under protection, pursuant to law regulating nature protection; adoption of plans and programmes of natural resources and goods management in line with strategic documents; issuing of consents on plans, programmes and other acts regulating issues related to protection and use of natural resources; issuing of consents on frameworks and programmes of protection and improvement of flora, fauna, forests and waters and maintenance of building and agricultural land and on urbanism plans for the area of the National Park Fruska Gora; issuing of consent on programmes of improvement of fishery at fishery areas at the territory of AP Vojvodina and assigning of fishery areas for use, and other activities in the field of fishery and fish stocks management in fishing waters; monitoring of international and national projects; keeping of register and assistance to the work of non-governmental organisations in the field of environment protection; support to educational programmes; establishment and implementation of international level cooperation; participation in projects in the field of environment protection at interregional level; compliance to regulations related to the field of environment protection and activities related to studies and analytics within the scope of the Department.

In the Inspection Department, inspection in the field of environment protection is performed by 6 provincial inspectors.

The total budget of the Provincial Secretariat for Environmental Protection and Sustainable Development in 2010 was 502 million dinars (5.284.210 EUR). The planned budget for 2011 is 499 million dinars (4.752.381 EUR).

II NATURE PROTECTION ORGANISATIONS

The specialized tasks of protection of nature and natural resources are performed by the Institute for Nature Conservation of Serbia, Belgrade and Provincial Institute for Nature Conservation, Novi Sad, pursuant to the Article 102. and 103 of the Law on Nature Protection (Official Gazette of RS, No. 36/98 and 88/10) and that jobs related in particular to: data collection and analysis of the nature and natural values, monitoring and evaluation of conservation of nature and the degree of threat objects geological heritage, wildlife and their habitats, habitat types, ecosystems, ecologically important areas, protected areas and ecological corridors, ecological networks and landscapes, drawing protection study defining the value of the proposed areas for protection and management style to such areas, providing environmental protection requirements for work on protected areas; expert supervision of protected areas with the proposed measures, providing technical assistance to managers of protected natural resources, local governments, civic associations, civic groups and individuals to protect nature, landscapes and natural resources, keeping records on the manner and extent of use, as well as factors endangers protected and strictly protected wild species to establish and monitor the status of their populations, participation in the implementation of ratified international treaties on protection of nature, keeping the database in the field of nature protection as a unique information system of the Agency for Environmental Protection and others. The work of the Institute for Nature Conservation of Serbia is based on legislation of the Republic of Serbia, Institute's general legal acts approved by the Governing board of the Institute and by the Government of the Republic of Serbia, strategic documents and international obligations of the Republic of Serbia, which are determined according to ratified conventions, organisational, human resources and financial conditions.

The tasks of protection of nature and natural goods located at the territory of the Republic Of Serbia are performed by the **Institute for Nature Conservation of Serbia**.

The activities of the Institute are performed through three departments:

1. Environment protection department (number of staff 23)
2. Research and development department (number of staff 15)
3. Common affairs department (number of staff 34)

The total number of staff is 75 (61 in Belgrade and 13 in Nis).

Pursuant to the Statute, tasks of the departments are performed in the headquarters of the Institute, but also in its organisational units- branches in Nis and Pristina. The experts engaged in the activities of protection of nature and natural goods are of different professions according to the defined task activities of the Institute (biologist, forest engineer, geologist, geomorphologist, hydrogeologist, palaeontologist, agronomist, andragogist, urbanism architect, landscape architect, tourismologist, economist, mechanical engineer, art historian, layer, etc.).

The total budget for 2010 for all activities performed by the Institute is 153,000,000 dinars (around 1.610.526 EUR) and planned budget for 2011 is 143,000,000 dinars (around 1.361.904,00 EUR).

The tasks of protection of nature and natural goods whose complete or major part of surface is located at the territory of the Autonomous Province of Vojvodina are performed by the **Provincial Institute for Nature Conservation**.

The Provincial Institute for Nature Conservation was founded by Provincial Assembly Decision on Founding of Provincial Institute for Nature Conservation (Official Gazette of APV, No. 2/2010), and it started its work on 1 April 2010.

The activities nature protection, i.e. of the Institute are performed through three departments:

1. Nature protection department

2. Legal, financial and common affairs department

At the moment, the Institute has 43 employees, 26 with university degree (Bachelor, Master, Doctorate Degree). All employees are engaged in environment protection activities (valorisation of natural values, creation of protection studies, technical processing of maps and data, legal affairs, promotion, education, public relations, etc.).

The total budget for 2010 of the Provincial Institute for Nature Conservation was 65,000,000.00 dinars (684.210 EUR) and planned budget for 2011 is 76,000,000.00 dinars (around 723.809 EUR).

Institute for Nature Conservation of Serbia and Provincial Institute for Nature Protection of Vojvodina, within the work on Nature protection, cooperate constantly according to the domain of their work. Institute for Nature Conservation of Serbia manages the register of protected natural resources on the territory of the Republic of Serbia, and also the information system containing data on Nature protection (data bases on protected natural resources, habitats, protected species and ecological network areas), drafts mid-term program on natural resources protection, together with an expert basis for the Strategy on protection of Nature and natural values of the Republic of Serbia and Report on Nature state. Expert basis for both Strategy and Report on Nature state is prepared at the Institute for Nature Conservation of Serbia, in cooperation with Provincial Institute for Nature Protection of Vojvodina. Central register of protected natural resources on the territory of the Republic of Serbia is managed by Institute for Nature Conservation of Serbia, whereas provincial register of protected natural resources on the territory of Serbian Autonomous Province of Vojvodina is managed by Provincial Institute for Nature Protection of Vojvodina, which is obliged to provide Institute for Nature Conservation of Serbia with data on changes within the register, for the purpose of data input into central register. Both Institutes cooperate in the field of educational and promotional activities, as well as in improvement in public opinion and knowledge of Nature protection. Expert activities on Nature conservation are realised at both Institutes through field research of natural and landscape characteristics, valuation of natural phenomena, processes, objects, areas, resources and ambient, their valorisation and issuing of Studies on nature protection, which represent the basis for passing a legal Act on protection.

III PROTECTED AREA ADMINISTRATORS

Protected area is managed by legal person, ADMINISTRATOR, meeting expert, human resources and organisational conditions for performance of tasks of conservation, improvement, promotion of natural and other values and sustainable use of protected area. Administrator is designated/appointed by appointment act, pursuant to the Article 67 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10), and responsibilities and authorities of the administrator are prescribed by the Article 68 of the mentioned law.

Administrators of the protected areas of national interest are:

- Public enterprises founded in line with special law for management of national parks (Public enterprise "National Park Tara", Public enterprise "National Park Djerdap, Public enterprise "National Park Kopaonik", Public enterprise "National Park Sar Planina") and Public enterprise "National Park Fruska Gora" established by AP Vojvodina;
- Public enterprises and institutions established by the Government, AP Vojvodina or local governments for: Natural resources management (Public enterprise "Srbija Sume" and Public enterprise "Vojvodinasume") and performance of other activities of common interest (Public enterprise "Palic-Ludas", Public enterprise "Resavska pecina", Public institution "Tourism organisation of Cacak", Public institution "Tourism organisation of

Zlatibor”, Public institution " National Museum of Arandjelovac” Faculty of biology Belgrade, Urbanism directorate “Sokobanja”, etc);

- Incorporated companies: AD “Planinka”, RG "Ecka”;
- Companies established by the Government: “Reserve Uvac” Ltd, “Nature Park Mokra Gora” Ltd;
- Associations and non-governmental organisations Mountaineering association "Kamena Gora”, Hunting association “Perjanica”, Afforestation movement Sremska Mitrovica, Natural resources centre “Natura”, Serbian Orthodox Church- Eparchy of Vranje, etc.

Management of protected areas of small surface and in private ownership designated at local level is also entrusted to natural persons.

Number of administrators of protected areas of national interest is 31, and total number of keepers of protected areas is 290. Obligations and authorisations of the keepers are prescribed by the Article 110 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10).

Funds of the budget of the Republic of Serbia, in the form of subvention, in the amount of around Euro 1,220,000.00 are planned for financing of plans and programmes of management of protected areas of national importance, while the funds for 2010 were Euro 1,330,000.00. The purpose of the funds is prescribed by the Article 69 of the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10).

71. What are the major differences between your existing nature conservation legislation and EU nature conservation directives and what are the major difficulties you foresee for the approximation process?

Approximation of national legislation with relevant EU directives on nature conservation is achieved through the Law on Nature Protection:

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (*OJ L 206, 22.7.1992*)
- Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (*OJ L 103, 25.4.1979*) and *Directive 2009/147/EC of the European Parliament and of the Council*

The major obligations and responsibilities in the field of nature protection resulting from the mentioned regulations are incorporated into of the Law on Nature Protection (Official Gazette of the Republic of Serbia, No. 36/09, 88/10 and 91/10-correction), by securing preconditions for establishment of ecological network, prescription of red lists of endangered species, selection of habitat types, procedure of assessment of admissibility for ecological network and mechanism of application of compensatory measures, while their development is laid down by adopted by-laws.

The legislative transposition of EU Regulation on habitats is implemented through the Law on Nature Protection, Regulation on Ecological Network (Official Gazette of the Republic of Serbia, No.102/10), Rulebook on compensatory measures, Rulebook on the criteria for separation of habitat types, types of habitats, vulnerable, endangered, rare and habitat types with protection priority and the protection measures for the conservation of habitat types.

The Rulebook on habitats regulates criteria for selection of habitat types and their protection and list of national habitat types and habitat types with protection priority that is approximated with EUNIS classification system, Annex I and II and criterion form the Annex III of the EU Habitats Directive.

Pursuant to the Regulation on Ecological Network, collection of scientific database for forming of national ecological network, identification and mapping of habitat types and habitats of wild species laid down by the Rulebook on the criteria for separation of habitat types, types of habitats, vulnerable, endangered, rare and habitat types with protection priority and the protection measures for the conservation of habitat types (Official Gazette of RS, No.35/010) and Rulebook on designation and protection of strictly protected and protected species of wild fauna, flora and fungi (Official Gazette of RS, No. 5/10) will be performed.

The Regulation on Ecological Network sets out the ecological network of the Republic of Serbia and specifies the method for its management, to preserve biological and landscape diversity, priority habitat types and/or habitat types of particular importance for conservation, to restore and/or enhance degraded habitats of certain species of national and international importance.

Ecologically significant areas of European Union Natura 2000 are an integral part of national ecological network and, pursuant to Regulation on Ecological Network, the areas will be identified on the basis of the Habitats Directive (SACs) and Birds Directive (SPAs) and proposal on potential EU areas at the territory of the Republic of Serbia will be prepared and submitted to the European Commission for estimation and adoption. Natura 2000 will be established not later than the day of accession of the Republic of Serbia to European Union.

Through implementation of Twining project SR 2007-IB-EN-02, Strengthening Administrative Capacities for Protected Areas in Serbia (NATURA 2000), state administration, including all institutions and organisations relevant for implementation of EU Nature Protection Directives, will prepare and in that way, transposition of these directives through horizontal and vertical legislation of the republic of Serbia will be more efficient.

Obstructions in approximation can be expected in the following period of data collecting and working on habitat mapping at site and identification of SACs and SPAs areas, use of database from the project "Emerald Network development in the Republic of Serbia" and list of proposed ASCI areas identified in line with the methodology of selection of areas EU Natura 2000.

Application of compensatory measures, change of land purpose, ownership type, especially in the case of private ownership, land cadastral data, finding alternative solutions in the case of exceptions, etc. can be a cause to serious obstacles to selection of certain areas of EU Natura 2000 and to management of these areas.

With regards to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (*OJ L 103, 25.4.1979*), the approximation of the mentioned Directive is achieved through the Law on Nature Protection, Rulebook on proclamation and protection of strictly protected and protected species of wild flora, fauna and fungi, Rulebook on transboundary circulation and trade in protected species (Official Gazette of RS 99/09), individual regulations on protected areas, such as Regulation on protection of Special Nature Reserve "Stari Begej- Carska Bara" (Official Gazette of RS, No. 56/94 and 86/05) and Regulation on protection of Special Nature Reserve "Obedska Bara" (Official Gazette of RS, No. 56/94, 81/08), and through the Regulation on Ecological Network.

Certain Articles of EU Birds Directive are transposed into national legislation through the Law on Wildlife and Hunting (Official Gazette of RS, No. 18/10) and through by-law acts related to this field. The Law on Wildlife and Hunting and Rulebook on designation of wildlife protected by closed season, duration of hunting season for wildlife species protected by closed season in open and fenced hunting

areas, fenced parts of hunting areas and hunting fields, and on measures of protection and regulating of population number of permanently protected wildlife species and wildlife species protected by closed hunting season (Official Gazette of RS, No. 75/10) also regulate protection of certain protected species (strictly protected and protected species) by permanent closed hunting season and closed hunting season in certain period of year.

Pursuant to the Report on the project Progress Monitoring Project that is being submitted to the European Commission for 2010, significant progress of 98.5% has been achieved in transposition of EU Birds Directive, unlike the degree of transposition in 2009 which was 49%. By the Law on Nature Protection (Official Gazette of RS, No. 36/09, 88/10 and 91/10-correction) approximation of the Articles 3(12) and 4(1) of the Commission Directive 79/409/EEC related to protection and conservation of bird habitats and biotopes and encouraging of scientific and research and administrative activities have been achieved.

Protection and conservation of wild birds existing at the national territory is implemented through measures and activities leading to management of these species and encouraging of scientific and research activities and promotion of conservation and protection pursuant to the Rulebook on proclamation and protection of strictly protected and protected species of wild flora, fauna and fungi.

The provisions of this directive will be by time implemented by performing further activities related to conservation of wild birds, especially identification and recognition of special protection areas (SPAs) and prescribing measures that will secure maintenance of bird population at appropriate level, within and out of the special protection areas.

The full degree of approximation of these documents with all relevant sector-specific laws, such as sector related laws in the field of agriculture, forestry and water management, mining and energy, geology, tourism, etc., has not been achieved yet. Effectiveness and efficiency of implementation of EU regulations will considerably depend on financial resources intended for this purpose.

72. What are the major differences between your existing legislation on wildlife trade and EU Regulations on that matter and what are the major difficulties you foresee for the approximation process?

The Law on Nature Protection (Official Gazette of RS No. 36/09 and 88/10) and the Rulebook on transboundary movement and trade in protected species (Official Gazette of RS 99/09) ensures the approximation of European Union legislation (i.e. Council Regulation (EC) No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, Commission Regulation 407/2009 amending Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein, Commission Regulation (EC) No. 865/2006 laying down detailed rules concerning the implementation of Council Regulation 338/97, Commission Regulation (EC) No. 100/2008 of 4 February 2008, Commission Regulation No. 425/2007 establishing measures for the implementation of Council Regulation 338/97, Commission Regulation (EC) No. 359/2009 of 30 April 2009 suspending the introduction into the Community of specimen of certain species of wild fauna and flora.

A system for issuing permits and certificates has been established, which is compatible with the system used in the EU. A system for implementing supervision, i.e. control of transboundary movement and trade in specimens of wild flora and fauna, has also been established and is compatible with the system used in the EU.

The supervision and control of transboundary movement and trade in wild fauna and flora is implemented within the framework of available administrative capacities and financial resources, which makes the full implementation of the obligations undertaken demanding (in terms of equipment and specialised staff).

There is a transitional period for the implementation of the prescribed measures related to the movement and trade in protected species on the national level (i.e. in the Republic of Serbia), due to the limited administrative capacities, the process of recording keeping for specimens of protected species and the lack of financial resources required for supervision.

73. What are the major differences between your existing legislation on wildlife trade and EU Regulations on that matter and what are the major difficulties you foresee for the approximation process?

The welfare of wild animals in captivity is regulated by the Law on Animal Welfare (Official Gazette of RS, No. 41/09), the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10), the Rulebook on requirements for zoos and/or mini-zoos and on the elements for the designation of mini-zoos, (Official Gazette of RS, No. 75/10) and the Rulebook on conditions for the keeping, marking and registration of wild animals in captivity, (Official Gazette of RS, No. 86/10). The legislation listed above is harmonised with the provisions of Council Directive 1999/22/EC relating to the keeping of wild animals in zoos that concern the welfare of wild animals in captivity. The Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10) contains provisions concerning the protection of the welfare of wild animals in the natural environment that are harmonized with European regulations in this field (Council Regulation No. 3254/91/EEC prohibiting the use of leghold traps).

A difficulty in the implementation process is the fact that zoos in the Republic of Serbia lack adequate financial resources, space for expansion and specialised staff to fully implement the legislation in force.

74. Describe the legislative basis for the keeping of animals in zoos. Does a system for inspections and licensing exist for these types of establishments?

The provisions of Council Directive 1999/22/EC relating to the keeping of wild animals in zoos have been transposed into the national legislation through the Law on Nature Protection (Official Gazette of RS, No. 36/09 and 88/10), the Law on Animal Welfare (Official Gazette of RS, No. 41/09), the Rulebook on requirements for zoos and/or mini-zoos and on the elements for the designation of mini-zoos (Official Gazette of RS, No. 75/10) and the Rulebook on conditions for keeping, marking and registration of wild animals in captivity, (Official Gazette of RS, No. 86/10). The aforementioned regulations lay down the requirements that a zoo must fulfil to obtain an operating license. These requirements concern the care and the space for wild animals, public education programme on endangered species and nature conservation, participation in *ex-situ* protection programmes, keeping records on animals and preventing the escape of animals from the zoo.

A licensing regime for zoos is in place, based on a permit for the keeping of wild animals in captivity (Art. 88, para. 2 of the Law on Nature Protection) and based on a decision (Art. 71, para. 2 Law on Animal Welfare).

The implementing legislation listed herein sets a transitional period in which zoos must comply with the prescribed requirements for zoos in the Republic of Serbia.

The environmental and veterinary inspectorates are responsible for inspecting zoos. The environmental inspectorate is responsible for supervision in accordance with the Law on Nature Protection, (Article 88,

par. 3, Article 120, par. 1, item 22 and Article 121, par. 1, item 22), while the veterinary inspectorate is responsible for the aspects of control in accordance with the Law on Animal Welfare, (Article 76, Article 78 and Article 79, par. 1, item 10).

75. Does your country have a national forest programme and a national forest inventory system?

According to the goals defined in the Forestry Development Strategy for the Republic of Serbia (Official Gazette, No. 59/06, 6/7/2006), Serbia is finalising the Programme for the Development of Forestry in Serbia 2011-2020, (the project is funded by the Government of Finland, in cooperation with FAO, as the implementing agency and the Directorate for Forests as the donation recipient). It is expected that the Programme for the Development of Forestry in Serbia will be adopted in 2011.

The new Law on Forests (Official Gazette of RS, No. 30/10 of 7/5/2010), foresees the implementation of a National Forest Inventory (NFI) every 10 years¹. The last NFI was completed in 2008. The NFI system, as a large area inventory, uses the adequately modified Gauss-Krüger system of coordinates (clusters) 4x4km.

76. Is there a system in place for the systematic monitoring of the conditions of forests (especially in relation to the effects of new challenges caused/likely to be caused by climate change)?

In accordance with the CLRTAP Convention, (Convention on Long-range Transboundary Air Pollution under which the International Co-operative Programme on Assessment and Monitoring of Air Pollution Effects on Forests operates), systematic monitoring was established in 2003. The monitoring was also conducted in the period from 1986-1998, only to be restored on the territory the Republic of Serbia in 2003.

The monitoring objective is to track the impact of air pollution on the status of forests and its effects on forest ecosystems in the Republic of Serbia. The project is implemented based on the Manual on methods and criteria for harmonized sampling, assessment, monitoring and analysis of the effects of air pollution on forests, adopted by the International Co-operative Programme on Assessment and Monitoring of Air Pollution Effects on Forests.

Monitoring is conducted on 122 plots (Level 1) and on two stations for intensive monitoring (Level 2) established in 2009 and 2010. Provisions in Article 15 of the Law on Forests, (Official Gazette of RS, No. 30/2010), establish the obligation to implement monitoring of forests in accordance with an internationally recognized methodology.

77. Is there a centralised system in place for the collection of data on all forest fires? Is there a strategy for the prevention of forest fires?

Currently, there is no centralised system in the forestry sector for collecting data or keeping records on forest fires. Accurate data on forest fires is available for state owned forests managed by the public enterprises for forest management, (JP Srbijašume, JP Vojvodinašume, JP NP Fruška Gora, JP NP Đerdap, JP Tara, etc), which are required to keep records of all activities and developments in state forests, pursuant to Article 72-76 of the Rulebook on the contents of forest management base plans and programmes (Official Gazette of RS, No. 122/03).

There is no comprehensive data on forest fires for privately owned forests, as no such obligation was established by the provisions of the old Law on Forests.

The provisions in Article 68 of the Law on Forests (Official Gazette of RS, No. 30/2010), establishes that the Ministry shall establish and keep an integrated information system for forests and forestry of the Republic of Serbia, that will provide all required information on the status and changes in the growing stock for planning, monitoring and reporting needs. Furthermore, the provision under Article 46 establishes that records on forest fires are kept in the integrated forestry information system.

In the period 2007-2009, with the support of the Government of the Slovak Republic, (Slovak Aid. Strengthening of Skills and Infrastructure for Protection and Regeneration of Forests in Serbia), an integrated database was developed in the area of forest protection, (plant diseases and pests, forest fires), that has been installed by forest users and institutions tasked with activities related to protection of forests. Following the entry of data into the database, which is scheduled to begin in 2011, we will have an integrated database in the area of forest protection, including data on forest fires.

The enforcement of the Law on Fire Prevention, (Official Gazette of RS 111/09), is in the jurisdiction of the Ministry of Internal Affairs. This Law foresees the development of a Strategy on Fire Prevention that includes prevention of forest fires. The representatives of this Ministry are members of the working group for the development of the Fire Prevention Strategy.

78. Please describe the general policy and legislative basis for soil protection, including provisions for the identification and management of contaminated sites.

The National Sustainable Development Strategy of the Republic of Serbia, (Official Gazette of RS, No. 57/08), National Environmental Protection Programme (Official Gazette of RS, No. 12/10) and Spatial Development Strategy of the Republic of Serbia (Official Gazette of RS, No. 119/08), represent the strategic basis for soil protection in the Republic of Serbia.

The strategic objectives of sustainable land use are given in the National Strategy for Sustainable Development of the Republic of Serbia, (Official Gazette of RS, No. 57/08). The objectives include:

- 1) harmonisation of legislative acts related to land use and soil protection with EU legislation;
- 2) prevention of further soil loss, especially due to industry, mining, energy, communication and other activities, and conservation and enhancement of soil quality;
- 3) prevention of soil degradation-and changes of land use and development and management of agricultural soil

There is no special law on soil protection in the Republic of Serbia, while the administrative capacities for the enforcement of existing laws and by-laws in this area are inadequate.

Soil management is accomplished by planning the sustainable use and conservation of soil quality and diversity, in accordance with environmental protection requirements and measures established by the Law on Environmental Protection (Official Gazette of RS, No. 135/04), Law on Strategic Environmental Assessment (Official Gazette of RS, No. 135/04 and 88/10), Law on environmental Impact Assessment (Official Gazette of RS, No. 135/04 and 36/09), Law on Integrated Pollution Prevention and Control (Official Gazette of RS, No. 135/04) and the Law on Amendments to the Law on Environmental Protection (Official Gazette of RS, No. 36/09, Article 22).

The Law on Environmental Protection defines soil protection and the sustainable use thereof.

Soil protection is accomplished by systematic monitoring of soil quality, monitoring soil degradation risk assessment indicators and implementing programmes for the remediation of the consequences of soil contamination and degradation, whether natural or human-induced.

Pursuant to the Law on Amendments to the Law on Environmental Protection (Article 16), legal and natural entities responsible for degrading the environment are obliged to remediate or otherwise restore the degraded environment, in accordance with restoration and remediation projects.

Pursuant to the Law on Environmental Protection, the Government of the Republic of Serbia adopted a Regulation on the programme for the systematic monitoring of soil quality, soil degradation risk assessment indicators and methodology for the development of remediation programmes (Official Gazette of RS, No. 88/10). The Regulation is harmonised with the recommendations given in the Proposal for a Soil Framework Directive – COM(2006)232.

The adoption of this Regulation has provided to ensure the soil protection based on prevention of degradation through identification of risk area for soil degradation, whether such degradation is natural or human-induced. The Regulation provides the basis for identification and management of contaminated sites on the territory of the Republic of Serbia. The level of chemical contamination of soil is assessed on the basis of the values of contaminants listed in the Regulation's Annex. For the purpose of designing programmes for the remediation of contaminated soil, additional research is carried out in the identified contaminated sites to assess the level of soil contamination.

The inventory of contaminated sites is an integral part of the environmental protection information system administered by the Environmental Protection Agency.

Restoration and remediation priorities are identified on the basis of the Regulation on the establishment of criteria for the assessment of the status of highly threatened environment, the status of threatened environment and for the establishment of restoration and remediation priorities (Official Gazette of RS, No. 22/10).

The priorities for agricultural land protection are defined by the Agricultural Development Strategy (Official Gazette of RS, No. 55/05 and 71/05) and that measures for agricultural land protection are prescribed by the Law on Agricultural Land (Official Gazette of RS, No. 62/06, 65/08 and 41/09).

In Chapter III, Articles 15-30, the Law prescribes the measures for the protection of agricultural land related to the prohibition of the non-agricultural use of arable land, the approval to change the intended use of arable land, the prohibition of the fragmentation of cadastral parcels—of arable land, the prohibition on releasing or depositing hazardous and harmful substances, the assessment of the presence of hazardous and harmful substances in arable land and irrigation water, anti-erosion measures, soil fertility assessment and the quantities of mineral fertilizers and pesticides introduced into arable land, field damage and protection of arable land from frost, hail and fire.

The analyses prescribed by Law are performed by authorised institutions and the agricultural inspection supervises the enforcement of the Law. In addition, certain measures under this Law are in the jurisdiction of local government.

Once established, the information system on agricultural land will contain all data on agricultural land that are in the jurisdiction of the Ministry of Agriculture.

79. Does your country have a soil monitoring system in place? If so, please give details (e.g. parameters considered, frequency of monitoring, etc).

The Republic of Serbia does not have a soil monitoring system in place at national level. The lack of systematic soil monitoring, harmonised methods for soil sample and analyses affects the overview of the soil status in certain areas of the Republic and impedes comparison of results from previous years.

Existing soil monitoring programmes in the Republic of Serbia are presented through complex research conducted in certain parts of the country by scientific and specialised organisations, and the results of this research is integrated into the annual reports of the Environmental Protection Agency.

An urban soil survey programme is conducted in the larger cities, these are Belgrade, Novi Sad and Kragujevac, including an assessment of the concentration of hazardous and harmful substances in the soil, for the purpose of monitoring the contamination of soil in urban areas, especially in the inner sanitary protection zones of the water supply sources, major roads, municipal areas and in the vicinity of industrial facilities. The surveys include an analysis of the following parameters: Ph value, humidity, nitrogen, phosphorus, sulphate, arsenic, nickel, chromium, zinc, copper, cadmium, lead, mercury, pesticides, PAHs, mineral oils (total hydrocarbons C10-C40) and PCBs.

The implementation of a macroproject is in progress in the Republic of Serbia, titled “Control of soil fertility and assessment of the content of hazardous and harmful substances in the soils of the Republic of Serbia”. Georeferenced soil samples were collected from every 1000 ha (10 km²), in a grid pattern with precisely determined coordinates. The program included determination of:

- Acidity (pH_{kcl} in soil), carbonates (CaCO₃), quantity of humus and presence of phosphorus and potassium in soil which are easily accessible to plants;
- Microbiological activity of soil (total number of bacteria, dehydrogenic activity of soil, the number of ammonifiers, free nitrogen-fixing bacteria, azotobacteria, fungi and actinomycetes);
- Heavy metals and micro-elements concentration (As, B, Cd, Cr, Cu, F, Hg, Ni, Pb, Zn);
- Remains of 17 active ingredients of pesticides in soil (4,4 DDD, 4,4 DDE, 4,4 DDT, Aldrin, alfa HCH, beta HCH, Lindan (gamma HCH), Diazinon, Dieldrin, Endrin, Endrin aldehyde, Heptachlor epoxide, Alachlor, Atrazin, Prometryne, Sinazine, Terbutryn).

The agricultural soil in Serbia was sampled and analysed during the preparation of the Geochemical Atlas of Europe in 2008 and 2009.

The results of the soil monitoring are an integral part of the Environmental Protection Information System administered by the Environmental Protection Agency.

The establishment of systematic soil monitoring in the Republic of Serbia has its legislative basis in the Law on Environmental Protection (Official Gazette of RS, No. 135/04) and the Law on Amendments to the Law on Environmental Protection (Official Gazette of RS, No. 36/09, Article 22) and it is harmonised with the objectives set in the national strategies, the National Environmental Protection Programme (Official Gazette of RS, No. 12/10) and the National Strategy for Sustainable Development of the Republic of Serbia, (Official Gazette of RS, No. 57/08) and the Action Plan for the Implementation of the Sustainable Development Strategy (“Official Gazette of RS, No. 22/09).

Pursuant to the Law on Environmental Protection, the Government of the Republic of Serbia adopted a Regulation on the programme for the systematic monitoring of soil quality, soil degradation risk assessment indicators and methodology for the development of remediation programmes (Official Gazette of RS, No. 88/10). The Regulation is harmonised with the recommendations given in the Proposal for a Soil Framework Directive – COM(2006)232.

The adoption of this Regulation has provided the basis for the adoption of the programme for the systematic monitoring of soil quality that in 2011 will include the establishment of a national and local network of sites for soil quality monitoring and that does not include agricultural soil. The national soil monitoring network is established to monitor soil quality on the level of the Republic of Serbia in sites of special interest for the Republic of Serbia, where soil contamination has occurred or is likely to occur. The local soil monitoring network is established to monitor soil quality at the level of the Autonomous Province and local government. The local network consists of supplementary sites, that are established in accordance with its needs, on the basis of measurements or evaluation procedures, and for which there are no data available for evaluating the level of contamination.

The Regulation on 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 RS, No. 112/09) provided the basis for the adoption of the National List of Indicators. In the National List of Indicators there is a set of soil indicators used for systematize the information about soil condition, land use changes, and factors of soil degradation

The Ministry of Agriculture, Forestry and Water Management – Directorate for Agricultural Land, still has no information system on agricultural land, but data prescribed by the Law on Agricultural Land and the annual Regulations on the establishment of programmes for the protection, development and use of agricultural land, collected in tables and on paper.

The Annual Programme of Activities in the area of protection, management and use of agricultural land, (that the local government, province and Republic are required to adopt), determine the activities in the area of protection, development and use of agricultural land that will be funded by the local government, province and republic in that year).

Considering that the information system is not available yet, the results of the survey and activities are presented in annual reports (in paper format).

F. INDUSTRIAL POLLUTION CONTROL AND RISK MANAGEMENT

80. What are the main features of the legislation concerning the permitting of industrial installations with regard to emissions of pollutants into the air, water and soil? Is there a permitting system in place based on the use of best available techniques for integrated pollution prevention and control (IPPC)? How many IPPC installations exist? What are the monitoring, enforcement and reporting activities in relation to the legislation?

In December 2004, the Law on Integrated Pollution Prevention and Control (Official Gazette of RS 135/04) was adopted as part of set of four laws on environmental protection. The law regulates the integrated permitting conditions and procedure for industrial installations and activities that may have negative effects on human health, environment or material goods, types of activities and industrial installations, monitoring and other issues of importance for the prevention and control of environmental pollution. This law has transposed, almost in its entirety, the Council Directive 96/61/EEC of 18 June 1992 on integrated pollution prevention and control, replaced by Council Directive 2008/1/EC of 15 January 2008.

The Law on Integrated Pollution Prevention and Control is based on six principles of integrated pollution prevention and control:

1) Precautionary principle

Every activity must be implemented in a way that: will not cause any considerable pollution; will prevent or reduce emissions at the very source of pollution causing air, water and soil pollution; will prevent or reduce the use of non-renewable natural resources and energy; will prevent or reduce waste generation; will minimise risk to human health, environment and material goods.

Precautionary principle is realised through the environmental impact assessment, risk assessment and use of the best available techniques.

Absence of scientific reliability cannot be the reason for failure to undertake measures of integrated environmental pollution prevention and control in cases of possible significant impact on the environment.

2) Integration and coordination principle

Integrated permitting approach is a harmonised permitting procedure involving more than one competent authority taking measures for efficient and integrated approach to the procedure. A full mutual coordination of responsible authorities in the permitting procedure and determining conditions makes it possible to achieve the highest practically possible level of protection of environment as a whole.

3) Principle of sustainable development

4) Principle of waste management hierarchy

5) Polluter pays principle

6) Principle of public

The Law on Integrated Pollution Prevention and Control defines the procedure of integrated permitting for industrial installations subject to this law and prescribes that all new installations subject to integrated permitting must obtain their permits instantly, before commencing operations, whilst the existing installations must get their permits by 2015. The preliminary list of installations subject to integrated permitting, based on the Regulation on Types of Activities and Installations that the

Integrated Permit shall be granted for (Official Gazette of RS 84/2005) contains 177 installations in Serbia covered by the Law on Integrated Pollution Prevention and Control.

The responsibility of integrated permitting is divided between: the Ministry of Environment and Spatial Planning, Provincial Secretariat for Environment Protection and Sustainable Development, and local government bodies responsible for environment-related issues.

Operator submits to the competent authority an application for permit containing very detailed information about the installation, processes and procedures together with attachments and issued permits (for example approval for the environmental impact assessment study, Water Permit, Waste Management Permit, corresponding document in accordance with the regulations governing the protection from chemical accidents, itd.), report on significant environmental impacts (relating to air, water, land and soil, waste, noise and vibrations, and risk of accidents) proposing technology and other techniques that will prevent or, if this is not possible, reduce emissions, and the best available techniques that the operator of the new or existing installation applies or plans to apply to prevent or reduce pollution. Documentation prescribed by law is enclosed with the application.

Operator of existing installation must show how his production process is harmonised with the best available techniques. In addition, he should name the best available technique/-s used in the assessment of production process and provide a Reference document on the best available techniques containing information about the best available reference technique/-s that the production process was compared with. The application should also show the costs of implementation of the best available techniques for new/existing installations and/or planned activities to achieve the best available techniques and their emission levels. Operator of existing installation should provide a tabular presentation of a programme of measures aimed to adjust the operation of the existing installation or activities to the conditions prescribed under the Law on Integrated Pollution Prevention and Control, the content of which is laid down in the Regulation on the Content of Programme of Measures Aimed to Adjust the Operation of Existing Installation or Activity to Prescribed Conditions (Official Gazette of RS 84/2005).

Permit contains conditions concerning: emission limit values, measures contained in the environmental impact assessment study, air protection measures, waste management measures, noise and vibration reduction measures, accident prevention measures and measures to remove their effects, pollution reduction measures including cross-border environmental pollution, energy efficiency measures, requirements concerning monitoring of emissions, measures envisaged for start of operation, immediate shut down in case of disrupted operation, and for the termination of work of the installation, environmental protection measures to be implemented upon termination of operation and closing of the installation, manner and frequency of reporting to the competent authority, other specific requirements. Permit also contains conditions based on the application of the best available techniques or other technical conditions and measures. If a certain environmental quality standard requires more rigid conditions than those achieved by applying the best available techniques, the permit contains additional measures ensuring the application of such standards. The Regulation laying down the criteria for determining the best available techniques for the application of quality standards and for determining emission limit values in the integrated permit (Official Gazette of RS 84/2005), prescribes the criteria for determining the best available techniques and for application of environmental quality standards. According to the regulation, one of the criteria for determining the emission limit values is to apply the best available techniques, including technical characteristics of installation, its geographical position and environmental conditions on the specific location. According to the said regulation, emission limit values prescribed in the integrated permit may be more rigid than limit values determined in special regulations, and can be amended with equivalent parameters or technical measures.

Technical commission takes into consideration operator's application and enclosed documentation, draft permit, opinions of other authorities, organisations and interested public, and opinions obtained in the process of information exchange and consultations on the cross-border impact.

The competent authority notifies other authorities and organisations and interested public three times: Following the submission of a correct application for integrated permit, after the permit has been drafted, and after a decision to issue the permit or reject operator's application has been made.

Exchange of information about the cross-border effect of installations and activities on the environment is performed by the Ministry.

It must be indicated that IPA project (Technical Assistance for Development of a national Environmental Approximation Strategy (EAS) EuropeAid/127462/C/SER/RS) is underway which, as a planned result, has envisaged proposals for multiannual investment and compliance programmes, for implementation of EU environmental acquis in priority sectors, including heavy investment directives, such as IPPC or LCP.

What are the monitoring, enforcement and reporting activities in relation to the legislation?

The Law on Integrated Pollution Prevention and Control (Official Gazette of RS No. 135/04) defines the obligations of the competent authority and obligations of operator regarding monitoring.

Operator's application for integrated permit must contain measures concerning the planned monitoring of emissions into the environment. Monitoring Plan should be included as part of documentation enclosed with the application.

The competent authority shall, among other things and in accordance with the law, provide the following: monitoring and monitoring development applied by operator, as well as public access to the results of monitoring performed by operator, to the relevant data obtained in monitoring, and keeping records of results of monitoring performed by operator. In the permit, the competent authority determines conditions for the operation of installation and for operator's activities and obligations depending on the nature of activity and its impact on the environment. Permit also contains conditions concerning the requirements for emission monitoring with specified methodology, and it defines the measuring frequency, rules for interpreting the measuring results and obligation to submit the data to the competent authority.

The operator shall, in accordance with the law, monitor the implementation of the monitoring plan in accordance with the emission monitoring conditions set out in the permit, and send monitoring results to the competent authority. If requested by the competent authority that issues the permit or by inspector, operator shall allow inspectors to view the documentation relevant to permitting, provide access to the samples and monitoring locations determined in the permit and ensure that the information about compliance with the conditions set out in the permit is obtained smoothly.

The law prescribes that a permit may be revoked if the operator fails to perform monitoring and does not submit monitoring data to the competent authority. While the permit is valid and at least five years after it becomes invalid, the operator shall keep all the documentation relating to the permit issue, monitoring and inspection of performed activities.

The permit defines, inter alia, the manner and the frequency of reporting and the scope of the data contained in the permit and in the report sent to the competent authority in line with regulations.

Implementation of the Law on Integrated Prevention and Pollution Control and all the adopted regulations based on this law is monitored by the competent authority through environmental inspectors, within the scope of their responsibilities defined in this law. When performing inspection, inspector has the right and obligation to determine the following: whether new installations have been issued a permit

in line with the law, whether existing installations have applied for integrated permit in line with the law, whether installations operate in line with the conditions in the permit, any change in operation of installation and application of all other prescribed environmental protection measures.

When performing inspection, inspector is authorised to: prohibit the use of facility, the operation of installation and performance of activities until the permit is obtained, prohibit operation of installation, performance of activities if done against the conditions prescribed in the permit, order that the permit be obtained in line with the law, order that the measures be taken and conditions met in line with the permit, order the submission of data necessary for the issuance, amendment or termination of the permit, order that the installation and the location be taken care of after the activity has stopped and, if the permit is no longer valid, order that other prescribed obligations be met within the set time frame.

In addition, the law prescribes fines for economic offences committed by operators or legal entities, for: an installation becoming operational and performing activities without permit; failing to send relevant information to the competent authority to issue, amend or revoke permit; failing to comply with the conditions defined in the permit; preventing that inspectors have access to documentation relating to the issue of permit; failing to provide access to samples and locations to be monitored, determined in the permit, and failing to ensure that inspectors get the information about compliance with the permit conditions smoothly; failing to submit to the competent authority the monitoring results; failing to inform the competent authority about any change in the work, about the operation of the installation or accident; failing to submit to the competent authority an annual report on the performance of activities for which the permit was issued, failing to take all measures determined by the competent authority following the expiration of permit; failing to remedy the effects of pollution as soon as possible at their own expense; failing to keep all the documentation relevant to the issue of permit, monitoring and inspection of activities while the permit is valid and for at least five years after it is no longer valid; failing to comply with inspector's decision.

In addition, the law prescribes fines for offences committed by a responsible person of the competent authority, for: deciding to issue permit contrary to the prescribed procedure; issuing permit that does not contain prescribed conditions; failing to revise permit; failing to revoke permit in line with prescribed conditions; failing to inform other authorities, organisations and the public in prescribed manner; failing to keep a register of issued permits and failing to provide access to the published register.

81. What are the main features of the legislation regarding emissions from large combustion plants (rated thermal input above 50 MW), waste incineration plants and installations using organic solvents?

On the basis of the Law on Air Protection (Official Gazette of RS, no 36/09), the Regulation on emission limit values of pollutants in the air (Official Gazette of RS, no 71/10) (hereinafter: the Regulation). This Regulation refers only to the emissions from combustion plants (including large combustion plants of thermal input of 50 MWth or above irrespective of the type of fuel used (solid, liquid or gaseous)) and does not cover incineration plants and installations using organic solvents in industry.

The following was used for drafting of the Regulation:

- German regulation TA Luft from 2002;

- Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants;
- Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants.

The practice of the countries of the region which recently accessed the European Union or are on the way to do it soon (Slovenia, Croatia) was also used in drafting of the Regulation.

The Regulation prescribes emission limit values of pollutants for combustion plants that are divided into three categories depending on thermal input (small, medium and large combustion plants) and type of used fuel (solid, liquid or gaseous).

The Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants - LCP Directive was used as a base for creation of the part of the Regulation related to the large combustion plants of thermal input equal to 50 MWth or more.

Values of emission limit values of pollutants, sulphur dioxide (SO₂), nitrogen dioxide (NO₂) and dust, laid down by this Regulation, for new and existing large combustion plants with thermal input of 50 MWth or more depending on the type of fuel they use (solid, liquid, gaseous) are the same as in LCP Directive. In addition to the pollutants with limit values prescribed by LCP Directive (sulphur dioxide, nitrogen dioxide and dust), the Regulation prescribes emission limit values for carbon monoxide (CO) for new and existing large combustion plants whose values are taken from the Rulebook on Emission Limit Values, Manner and Timelines of Measurement and Evidencing of Data (Official Gazette of RS, no 30/97 and 35/97-correction).

The emission limit values for existing large combustion plants (thermal input 50MWth or more) depending on the type of used fuel.

Existing large combustion plants		
Solid fuels and biomass fuels (content of O ₂ 6%)		
Pollutant	Thermal input (MWth)	ELV (mg/Nm ³)
Sulphur oxides expressed as SO ₂	50 to 100	2000
	100 to 500	2000 – 400 (linear decrease) for plants of thermal input of 100-500 MWth ELV is calculated according to the equation: $y = -4x + 2400$ in which: x -thermal input of plant (MWth) y – emission limit value (mg SO ₂ /Nm ³)

		400
	>500	
Nitrogen oxides expressed as NO ₂ ⁽¹⁾ , ⁽²⁾ From 1 January 2016	50 to 500	600
	>500	500
	50 to 500	600
	>500	200
Dust	<500	100
	≥500	50 ⁽³⁾
Carbon Monoxide		250
liquid fuels (content of O ₂ 3%)		
Sulphur oxides expressed as SO ₂	50 to 300	1700
	300 to 500	1700 – 400 (linear decrease) for plants of thermal input of 300-500 MWth ELV is calculated according to the equation: $y = -6,5x + 3650$ in which: x -thermal input of plant (MWth) y – emission limit value (mg SO ₂ /Nm ³)
		400
	> 500	
Nitrogen oxides presented as NO ₂	50 to 500	450
	>500	400
Dust ⁽⁴⁾	all plants	50
Carbon Monoxide		175

gaseous fuels (content of O ₂ 3%)		
Sulphur oxides expressed as SO ₂		35 (for gaseous fuels in general); 5 (for liquefied petroleum gas); 800 (for low calorific gases from gasification of refinery residues, gas from coke oven, gas from blast furnaces); (for the gas from the process of coal gasification the value will be defined additionally)
Nitrogen oxides expressed as NO ₂	50 to 500	300
	>500	200
Dust		5 as a rule 10 (for blast furnace gas); 50 (for gas generated in steel production that can be used elsewhere)
Carbon Monoxide		100

⁽¹⁾ For plants with thermal input greater than 500 MWth that, from the day of entering of the Regulation into force, do not operate more than 2000 hours per year in rolling average over a period of five years, until 31 December 2015, the emission limit value is 600 mg/Nm³, and it is a basis for determination of its contribution to the National emission reduction plan from the existing combustion plants.

From 1 January 2016, in the case of plants that will not work more than 1500 hours per year in rolling average over a five-year period, emission limit value is 450 mg/Nm³.

⁽²⁾ Until 1 January 2018, in the case of plants that in 12-month average, until 31 December 2009, have operated and continue to operate on solid fuels, whose volatile content is less than 10%, the emission limit value is 1200 mg/Nm³.

⁽³⁾ Limit value of the emission of 100 mg/Nm³ can be applied to combustion plants of thermal input greater or equal to 500 MWth that use solid fuel of heating content lower than 5800 kJ/kg with moisture content more than 45% by weight, combined moisture and ash content more than 60% by weight and a calcium oxide (CaO) content more than 10%.

⁽⁴⁾ The emission limit value of 100mg/Nm³ may be applied to existing plants of thermal input less than 500 MWth burning liquid fuel with an ash content higher than 0,06%.

The emission limit values for new large combustion plants (thermal input 50 MWth or more) depending on the type of used fuel:

Large combustion plants

Solid fuels and biomass fuels (content of O ₂ 6%)		
Pollutant	Thermal input (MWth)	ELV (mg/Nm ³)
Sulphur oxides expressed as SO ₂ All other fuels Biomass	50 to 100	850
	100 to 300	200
	>300	200
	50 to 100	200
	100 to 300	200
	>300	200
Nitrogen oxides expressed as NO ₂ All other fuels Biomass	50 to 100	400
	100 to 300	200
	>300	200
	50 to 100	400
	100 to 300	300
	>300	200
Dust	50 to 100	50
	>100	30
Carbon Monoxide		250
liquid fuels (content of O ₂ 3%)		
Sulphur oxides expressed as SO ₂	50 to 100	850
	100 to 300	400 – 200 (linear decrease)
	> 300	200
Nitrogen oxides expressed as NO ₂	50 to 100	400
	100 to 300	200
	> 300	200

Dust	50 to 100 >100	50 30
Carbon Monoxide		175
gaseous fuels (content of O ₂ 3%)		
Sulphur oxides expressed as SO ₂		35 (for gaseous fuels in general); 5 (for liquefied petroleum gas); 400 (for low calorific gases from coke oven) 200 (for low calorific gases from blast furnace)
Nitrogen oxides expressed as NO ₂ - for natural gas	50 to 300 >300	150 100
- other gases	50 to 300 >300	200 200
Dust		5 as a rule 10 (for blast furnace gas); 30 (for gas generated in steel production that can be used elsewhere)
Carbon Monoxide		100
gas turbines (content of O ₂ 15%)		
Nitrogen oxides expressed as NO ₂ - for natural gas	>50 MWth (thermal input according to the conditions prescribed by appropriate Serbian standard)	50 (Note 1)
- for liquefied gas (Note 2)		120
- for gaseous fuels (except		

natural gas)		120
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NOTE 1: Emission limit value is 75 mg/Nm³ in the cases when the efficiency is set up pursuant to load conditions of prescribed Serbian standard:

- 1) for gas turbines used in combined heating and electricity production systems whose total efficiency is greater than 75%;
- 2) for gas turbines used in combined production cycle whose total efficiency is greater than 55%;
- 3) for gas turbines for mechanical drives.

For single cycle gas turbines that not mentioned in any of previous categories, but with the efficiency greater than 35%-prescribed pursuant to load conditions of appropriate prescribed Serbian standard – emission limit value is calculated as $\frac{50 \cdot \eta}{35}$, where η is efficiency of gas turbine expressed in percentages pursuant to load conditions of appropriate prescribed Serbian standard.

NOTE 2: Emission limit value is applied only for gas turbines combusting only light and middle distillates. Concentration of pollutants in waste gas are expressed as concentration in dry waste gas at the temperature of 273,15 K and pressure of 101,3 kPa and referent content of oxygen prescribed by this Regulation.

The Regulation prescribes that the concentration of sulphur dioxide, nitrogen oxides and dust is measured continuously for all plants of thermal input from 100 to 300 MWth and greater than 300 MWth, in accordance with the LCP Directive. Except for these pollutants, the Regulation prescribes continuously measurement of emission of carbon monoxide, fluorine and gaseous inorganic compounds of fluorine expressed as HF, gaseous inorganic compounds of chlorine expressed as HCl, chlorine, hydrogen sulfide, organic substances and mercury in the case their mass flows exceed limits referred to in Article 13 of the Regulation. Continuous emission measurement of the mentioned pollutants is undertaken for the combustions plants with thermal input not exceeding 100 MWth only if pollutants' mass flows are exceeding levels from Article 13 of the Regulation.

For passing of the National emission reduction plan from the existing combustion plants it is necessary to define levels of emission of pollutants, sulphur dioxide (SO₂), nitrogen oxides (NO_x) and dust from existing large combustion plants for 1990, as the reference year, decrease percentage and deadlines for achievement of decrease percentages. Implementation of the National emission reduction plan from the existing combustion plants will reduce total annual emissions of sulphur dioxide, nitrogen oxides and dust to the levels expected to be achieved by application of emission limit values prescribed by the Regulation. The register of sources of emissions of sulphur dioxide (SO₂), nitrogen oxides (NO_x) and dust from all combustion plants of thermal input of 50 MWth or more, where the emission register includes data on emissions of sulphur dioxide, nitrogen oxides and dust for 2011 and further, is still set up by the Serbian Environment Protection Agency. An integral part of the register is the register of emission sources of sulphur dioxide, nitrogen oxides and dust, for each plant of capacity greater than 300 MWth and total emission of all large combustion plants and refineries subject to the Regulation.

Emission limit values provided in the Regulation are the maximum emission limit values that could be prescribed in integrated permit and for some plants the competent authority may prescribe more strict emission limit values. In the procedure for giving integrated permit the competent authority may prescribe emission limit values for other pollutants (which are not subject to the Regulation) as well as determine additional requirements regarding the use of technical measures.

Thermal waste treatment is defined by the Law on Waste Management (Official Gazette of RS, no 36/09 and 88/10) (hereinafter referred to as: Law on Waste Management) and is conducted in plants that

are designed, built and equipped for this purpose. Combustion of waste is executed with utilization of energy produced by combustion only if it is feasible and if no additional energy is used for the incineration of waste, except in the case of initial ignition, or when waste is used as fuel or additional fuel for co-incineration.

Pursuant to the Law on Waste Management, 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 (Official Gazette of RS, no 102/10) (hereinafter: Regulation on Thermal Waste Treatment) has been adopted.

The Regulation on Thermal Waste Treatment regulates conditions and criteria for determination of location, projecting, construction, equipping and work of the thermal waste treatment plants, defines types of waste that can be treated and methods of handling combustion residues.

During drafting of the Regulation on Thermal Waste Treatment, the Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste was used as basic document, and practice of the countries of the region which recently accessed the European Union or are on the way to do it soon (Slovenia, Croatia).

The Regulation on Thermal Waste Treatment prescribes the following thermal waste treatment plants, particularly:

- Plants for incineration (combustion) of waste (stationary or mobile) with or without reuse of heat produced by the process of high-temperature waste oxidation or other thermal process (pyrolysis, gasification or plasma process) under the condition that the products of the mentioned processes can be further used for combustion, and
- Plants for co-incineration (co-combustion) of waste (stationary or mobile) whose purpose is production of energy or material products that use waste as basic or additional fuel.

These plants include land they are located at, and all combustion lines, lines for reception and storage of waste, pre-preparation lines, system of waste, fuel and air feeders, boilers, systems for exhaust gases treatment, plants for treatment or storing of treatment residues and waste waters, chimney, installations and systems for process control, evidencing and monitoring.

The Regulation on Thermal Waste Treatment prescribes that the thermal treatment plant operator can be any natural or legal person who manages or controls plant or is authorised for making economic decisions in the field of technical operating of plant and who is the holder of the permit (integrated permit, i.e. permit for waste management, pursuant to the law regulating integrated prevention and control of environment pollution) issued by competent body.

The thermal waste treatment plants, in line with permit, Law on Waste Management and Regulation on Thermal Waste Treatment, can perform treatment only under strict operative conditions, and if complied with technical conditions pursuant to prescribed emission limit values for incineration and co-incineration and other conditions envisaged by project and technical documentation.

Transitional and final provisions of the Regulation on Thermal Waste Treatment prescribe that the minister shall, within six months of the day of coming of this Regulation into force, pass a regulation on the list of thermal treatment plants whose nominal capacity does not exceed two tonnes per hour.

The following six appendixes are integral part of the Regulation on Thermal Waste Treatment:

Appendix 1- Factors of equivalent toxicity for dibenzo-n-dioxins and dibenzofurans;

Appendix 2- Emission limit values of pollutants in the air;

Appendix 3- Emission limit values of pollutants in waste water originating from the process of treatment of waste gases from waste incinerations and co-incineration plant;

Appendix 4- Setting up of emission limit values of pollutants in the air during waste co-incineration;

Appendix 5- Equation for calculation of emission concentration in the conditions of usual oxygen concentration percentage; and

Appendix 6 - Measurement techniques.

Measurements of air pollutants from waste incinerations and co-incineration plant is performed pursuant to mentioned Appendix 6, particularly:

- 1) Continuous measurement of nitrogen oxides (NO_x), carbon monoxide (CO), total dust, total organic carbon (TOC), hydrochloric acid (HCl), hydrofluoric acid (HF), sulphur dioxide (SO₂);
- 2) continuous measurement of the process parameters (temperature of the combustion chamber inner wall or of some other relevant point of the combustion chamber and/or of additional combustion chamber and oxygen volume, pressure, temperature and content of water vapour in waste gases);
- 3) individual measurement of concentration of heavy metals, dioxins and furans at least twice a year, where the measurement in the first year of work is performed at least four times per year every three months.

The Regulation on Thermal Waste Treatment prescribes that the measurement can be also performed in different timelines when emission limit values for polycyclic aromatic hydrocarbons or other pollutants. Also, if the emission limit value of HCl is not exceeded, and device for reduction of HCl is used, the concentration of HF is measured periodic, at least twice a year, and if the waste gas sample is dried before the analysis, continual measuring of water vapour in waste gas is not necessary. Also, instead of continuous measurement, periodic measurement of hydrochloric acid (HCl), hydrofluoric acid (HF), sulphur dioxide (SO₂) in incinerating and co-incineration plants is also possible, if the operator can prove that emissions of these pollutants can, under no circumstances, exceed prescribed emission limit values.

In the cases when incineration or co-incineration plant is put into operation and in the most unfavourable working conditions expected, the Regulation on Thermal Waste Treatment defines that the time of gas retention and minimal temperature and oxygen content in process gases shall be adequately controlled, at least once.

Individual measurements of heavy metals can be performed once in two years, instead of twice a year, and measurement of dioxins and furans once a year, instead of twice a year, if the emissions produced in the process of incineration or co-incineration do not exceed 50% of emission limit values prescribed pursuant to the Appendix 4 or Appendix 2 of the Regulation on Thermal Waste Treatment, in line with the criteria prescribing that the plant is projected, equipped and meets conditions prescribed by this Regulation depending on the category of waste intended for incineration or co-incineration and that the heat produced by thermal waste treatment is used for production of electricity, cogeneration of heat and electricity, production of process vapour, remote heating or efficiently used in some other way.

Reduced number of measurement can be also allowed in the cases when these criteria are not met, if:

- 1) non-hazardous waste to be treated in the incineration or co-incineration process consist exclusively of selected combustive fractions of waste not fitting for recycling, and have certain features defined on the basis of assessment and if the operator provides evidences

to the competent body that the emissions of heavy metals, dioxins and furans are under any circumstances below emission limit values from the Appendix 4 or Appendix 2 (whereby the evidence must be based on data on waste quality and emission measurement);

- 2) national quality criteria are prescribed for this waste;
- 3) co-incineration and incineration of such waste is in compliance with national waste management plans;
- 4) quality criteria and new timelines for periodical measuring are prescribed by permit;
- 5) all decisions related to frequency of mentioned measuring, followed by information on quantities and quality of concerned waste, are entered into the register of issued permits, pursuant to the Law on Waste Management and special regulation.

At the moment, there is no specific national regulation complied with EU regulation related to the **emissions of volatile organic compounds from the plants using organic solvents** in the Republic of Serbia.

The regulations in force that approximately regulates the field of control of volatile organic compound emissions when using organic solvents are the Rulebook on Emission Limit Values, Manner and Timelines of Measurement and Evidencing of Data and Regulation on emission limit values of pollutants in the air. The Rulebook prescribes emission limit values of organic substances of class I, II and III and emission limit values of pollutants from varnishing plants and plants for printing of materials with paints diluted with water and organic solvent with ethanol content of 25%. The Regulation prescribes emission limit values for organic hazardous substances of hazard class I and II, in accordance with the German regulation TA Luft from 2002.

Article 45 of the Law on Air Protection envisages that the adoption of by-law that will regulate emissions of volatile organic compounds (VOC) on use of organic solvents in accordance with EU Directive. Pursuant to the National Programme for Integration of Republic of Serbia into European Union (NPI), adoption of the Regulation¹ is planned for IV quarter of 2011.

82 Is there a system in place to provide for a pollutant release and transfer register regarding industrial facilities?

Article 20 paragraph 3 of the Law on Ministries and Article 75 of the Law on Environmental Protection authorise the Environmental Protection Agency to keep an integral cadastre of pollutants, whilst the minister prescribes its production methodology as well as the type, methods, classification and deadlines for data submission.

The Rulebook on Methodology for Development of Integral Cadastre of Polluters (Official Gazette of RS 94/2007) establishes a polluter's data collection system in accordance with the PRTR Protocol to the Aarhus Convention and the EU E-PRTR Directive. The said rulebook establishes a mechanism for setting up and keeping the register and prescribes the method, classification and deadlines for enterprises to submit the data.

The collected data cover the period from 2007 to 2009.

Serbian PRTR Register Information System was completed in late 2009 and the data from previous years are now being entered. This information system enables submission of data to the European Environment Agency.

Therefore, the conditions for ratification of the PRTR Protocol to the Aarhus Convention have been met. Draft law on ratification of this protocol is in the final stage of preparation. By the end of 2010 it will be in the adoption procedure.

83. Are there provisions relating to the participation of public or private organisations in environmental management and audit schemes?

Articles 44-50 of the Law on Environmental Protection (Official Gazette of RS 135/04, 36/09) regulate participation of organizations in the European Eco-Management and Audit Scheme (EMAS). The provisions are based on the EC Regulation 761/2001. Existing provisions of the law allow legal and natural persons to enter the EMAS certificate procedure on voluntary basis. Implementation of the IPA 2011 project envisaging EMAS-related capacity building should start some time next year.

84. Are there measures providing for an eco-labelling system?

Articles 53 and 54 of the Law on Environmental Protection (Official Gazette of RS 135/04, 36/09) and the The Rulebook on Detailed Conditions and Procedure for obtaining the right to use the ecological label, elements, design and manner of use of the ecological label for products, processes and services (Official Gazette 3/09), based on Regulation 1980/2000 of the European Parliament, set the foundation for the national eco-labelling system. The criteria and product groups in the national eco-labelling scheme are the same as those for “Flower” – the EU eco-label.

So far, there are three products of one company with right to use the national Eco label, and there are two more products in the process of getting it.

85. How is the issue of industrial risks and accidents dealt with and controlled by public authorities? Is there a system in place to control major accidental hazards (Seveso)?

National regulations of the Republic of Serbia related to the field that regulates industrial risks and accidents are approximated with the basic requirements of the provisions of SEVESO II Directive and Convention on the Transboundary Effects of Industrial Accidents and there are basic institutional preconditions for their implementation.

With regard to complexity of this field, that includes three groups of issues: accident prevention, preparedness and response, it is necessary to emphasize that implementation of regulations regulating the field requires coordinated participation of numerous competent authorities at national level, their vertical coordination with provincial and local authorities, industry and public and bilateral transboundary cooperation with neighbouring countries. The basic competences covering accident prevention, preparedness and response belong to the Ministry of Environment and Spatial Planning (MESP), Ministry of Internal Affairs (MIA), Ministry of Agriculture, Forestry and Water Management (MAFWM) and Ministry of Labour and Social Policy (MLSP). MESP is the competent authority for the field of prevention of industrial (chemical) risks and accidents. MESP is also competent for the field of accident preparedness, in the part that covers preparedness of installation operators, and in the field of accident response, primarily, in the part relating restoration and remediation of environment after accident. In the field of prevention of industrial (chemical) risks and accidents when inflammable and explosive dangerous substances are concerned, MESP shares competence with the Emergency Management Department – MIA. Special competence of MIA includes accident preparedness at the level of local government, autonomous province and Republic, through creation of external emergency plans that are an integral part of emergency Protection and Rescue Plans. Law prescribes that the

emergency plan at the level of installation ~~plant~~ and external emergency plan at the level of local government must be in compliance. Industrial (chemical) accident response is in the competence of MIA, Emergency Management Department, and in the case of industrial (chemical) accident and accidental water pollution, accident response competency share MAFWM - Republic Water Directorate and MIA - Emergency Management Department. Competent authority in the field of accident prevention, in regard to prescribing and control of implementation of preventive measures for archiving safety and health of employees at work is MLSP- Administration of Health and Safety at Work.

Integrated system of control of major accidental hazards has not been established yet. Competent authorities and organisations (MESP, MIA, MAFWM, RHMS, Environment Protection Agency, Public Health Institutes), pursuant to their competences, implement and execute control of major accidental hazards.

Provisions of SEVESO II Directive (COUNCIL DIRECTIVE 96/82/EC amended by Regulation (EC) No 1882/2003 and Directive 2003/105/EC) and Convention on Transboundary Effects of Industrial Accidents are, to the highest extent, transposed through the Law on Environmental Protection (OG of RS, No. 135/04 and No. 36/09), chapter 3.2 Chemical Accident Protection and Law on Ratification the Convention on Transboundary Effects of Industrial Accidents (O. G. of RS, No. 42/09).

The Law on Environment Protection contains several provisions of systematic character, which are relevant for all issues regulating this field. The Law prescribes that legal and natural person who manages dangerous substances is obligated to take all necessary protection and safety measures that minimize environmental and human health hazards. The Law also prescribes that spatial and urbanism plans must contain measures and conditions for environment protection.

The section of the Law entitled Chemical Accident Protection regulates the issues of chemical (industrial) accident protection. Its provisions prescribe obligations of the operator of the installations where activities are performed that include or might include one or more dangerous substances in prescribed quantities, to create Major Accident Prevention Policy or Safety Report and Emergency Plan, depending on the prescribed quantities of dangerous substances used for performance of the activities and to take measures for prevention of chemical accident and limiting of impact of the accident to human lives and health and environment, laid down in the documents. It is prescribed that the Minister shall prescribe the list of dangerous substances and their quantities and criteria for prescribing a type of document to be created by the operator and on the basis of that, the Rulebook on the list of dangerous substances and their quantities on the used for definition of obligation to create Major Accident Prevention Policy, Safety Report and Emergency Plan was created (O.G. of RS, No. 41/2010). Contents of Notification, Major Accident Prevention Policy, Safety Report and Emergency Plan and authorisation of the Minister to more closely prescribe contents and methodology of creation of those documents (Rulebook on contents of Major Accident Prevention Policy and contents and methodology of creation of Safety Report and Emergency Plan and Rulebook on contents of notifications about new seveso installations and establishments, existing seveso installations and establishments, about permanent termination of seveso installations and establishments) are also prescribed (O.G. of RS, No. 41/2010). The Law prescribes application of two procedure types, depending on the quantities of dangerous substances present in installation. The operators of lower-tier installations shall create Major Accident Prevention Policy not submitted to the Ministry for approval, but controlled by the inspection on the inspection control. The operators of upper-tier installations shall create Safety report and Emergency Plan to be submitted to the Ministry for approval. The Minister appoints Technical commission, by the means of decision, consisted of representatives of this and other competent authorities and organisations and experts to estimate these documents. For that purpose, the competent authority MESP organises technical commission and participates in its work and proposes approval or disapproval to created documents. In the case when conditions for approval of the mentioned

documents are not met, the Minister issues decision for prohibition or putting into operation of seveso installation. During procedure of decision making on approval of Safety Report, the competent authority provides public insight, organises presentation and conducts public hearing. The operator shall exchange information and approximate the Emergency Plan with external emergency plan of competent authorities of local government, autonomous province and the Republic. In addition, this Law prescribes obligation of the Republic, autonomous province and local government units to, on the basis of competences laid down by regulations regulating protection and rescue, issue external emergency plans that are an integral part of emergency protection and rescue plans. The Law also prescribes obligation to inform other countries about installations that might have significant impact to human life and health and environment of the other country. The notification received from competent authorities of other country about installation which activities might cause chemical accident with effects to the territory of the Republic of Serbia is communicated by the Ministry to national authorities whose competence is prescribed by regulations related to the field of protection and rescue, for the purposes of creation of external emergency plans.

In regard to provisions related to inspection, the environment protection inspector is authorized to: order seveso installation operator to create Major Accident Prevention Policy or Safety Report and Emergency Plan and to take appropriate preventive and other measures of prevention of environment against dangerous substances; prohibit operating of seveso installation when measures envisaged in the mentioned documents are not implemented or are insufficiently implemented; prohibit work of seveso installation if the operator does not provide mentioned document in prescribed deadline; order, in the case of accident, taking of intervention measures and procedure of accident response pursuant to emergency plan, engagement of people, resources and taking of measures for restoration and prevention of spreading of pollution due to chemical accident.

The Law on IPPC prescribes that the documentation approval in the field of chemical accidents protection for seveso installations has to be attached to the request for the issuing of integrated permit.

The Law on Emergency prescribes obligation of creation of Emergency Protection and Rescue Plans at the level of the Republic, autonomous province and local government unit. These plans contain preventive and operating measures for prevention and reduction of consequences of natural disasters, technical and technological emergencies- accidents and disasters. Moreover, this Law prescribes obligation of the competent local government unit to create External Emergency Plan. The plan is created in accordance with the methodology of contents of Emergency Protection and Rescue Plan.

In the case of accident at seveso installation, MIA - Emergency Management Department shall participate, with all its available resources, in protection and rescue of human lives and material goods. At these installation, the Department implements preventive measures aimed at prevention of fire and explosions and orders measures for obtaining of necessary means and installations for efficient fire extinguishing and neutralization of fire and explosion effects. The Seveso installation operators shall create emergency plans and shall request MESP to approve the plans that will afterwards be submitted to the Emergency Management Department for insight and use. On issuing of approvals for emergency plans at the level of installation, Emergency Management Department shall participate through its representative in the Technical commission.

The Law on Waters (Official Gazette of RS, number 30/10), in the section entitled Protection of Waters against Pollution, prescribes protection of waters, not only against pollution caused by major industrial accidents, but also against any other pollution, by taking measures and activities that protect and improve quality of surface and ground waters, including protection from effects of transboundary pollution, to protect human life and health, reduce pollution and prevent further deterioration of water state, protect water and coastal ecosystems and achieve environment quality standard. Protection of waters is implemented pursuant to the Plan on Protection of Waters against Pollution.

Plan on Protection of Waters against Pollution is passed by the Government, on the proposal of the Ministry, for the period of six years. Every second year, the Ministry submits a report to the Government on implementation of the Plan.

Monitoring of accidental water pollution is in the competence of the Republic Hydrometeorological Service of Serbia (RHMS). In the case of accidental water pollution, RHMS shall, after detection of accidental water pollution, without delay inform about it MAFWM, Ministry of Health, MESP, MIA, Environment Protection Agency, public water management enterprise and local government unit at which territory the pollution took place. RHMS shall continually monitor movement of accidental water pollution wave along watercourse, until the moment of termination of accidental water pollution and shall inform the mentioned bodies about it.

The Law on Waters prescribes obligation of all subjects that might in any way impact water regime to obtain water acts (water conditions, consents and permits). This obligation is subject to control of water inspections.

Within the activities of fulfilment of obligations of Serbia in the field of response in the case of transboundary disastrous water pollution, arising from existing bilateral and multilateral agreements (International Commission for Protection of the Danube River (ICPDR), International Commission for the Sava River basin, etc.). MAFWM- Republic Water Directorate participates in the work of the Accident Emergency Warning System (AEWS) of the International Commission for Protection of the Danube River (ICPDR).

G. CHEMICALS

86. What are the main features of the legislation concerning chemical substances?

The Law on Chemicals (Official Gazette of RS No. 36/09 and 88/10), which is harmonised with the EU regulations, sets up a new *legal framework* that enables establishment, maintenance and development of the chemicals management system in the Republic of Serbia, ensures high level of protection of human health and environment, and helps improve free trade with the EU Member States and other countries, ensuring the competitiveness of our industry and encouraging the development of safer alternatives. This law governs integrated chemicals management, classification, packaging and labelling of chemicals, an Integrated Chemicals Registry and a Registry of chemicals placed on the market, restrictions and bans of production, placing on the market and use of chemicals, import and export of some hazardous chemicals, permits for placing on the market and permits for use of particularly hazardous chemicals, placing detergents on the market, systematic monitoring of chemicals, data availability, supervision and other important issues for the chemicals management. Pursuant to the provisions of this law, Serbian Chemicals Agency was established as an independent, developing, professional and regulatory organisation that performs public functions according to the law, and in the field of chemicals and biocidal products management. The Law on Chemicals is harmonised with Regulation 1272/2008/EC, Regulation 440/2008/EC, Directive 67/548/EEC, Directive 99/45/EC, Directive 2004/42, Regulation 689/2008/EC, Regulation 648/2004/EC and Regulation 1907/2006 (**Registration, Evaluation, Authorisation and Restriction of Chemicals – REACH**). The Law on Chemicals transposes the provisions of Regulation 1907/2006 (REACH) laying down bans and restrictions, the List of Substances of Very High Concern, Safety Data Sheet (SDS), Chemical Safety Report (CSR) and Chemical Safety Assessment (CSA). Parts of REACH prescribing obligations for the EU Member States have been transposed too, but not the procedures that are subject to the centralised procedures of registration, evaluation and authorisation that, according to REACH, are implemented by the European Chemicals Agency and as such cannot be transposed in our legislation. In fact, if such procedures were implemented in Serbia, they would not be valid in the EU, either at this moment or when Serbia enters the EU, and their transposition is therefore not rational. Centralised procedures of registration, evaluation and authorisation were not transposed but approximated instead. This was done with the provisions on the Integrated Chemicals Registry that will provide establishment of data base of chemicals on the Serbian market. The data base is necessary for the Serbian EU membership negotiations, especially concerning registration of chemicals produced in Serbia according to REACH. In addition, the List of Substances of Very High Concern, stemming in the EU from the authorisation procedure, as well as the List of Chemicals for which manufacturing, placing on the market and use is banned or restricted in the EU, are transposed in regulations. Finally, parts of REACH relating to data availability, information exchange in the supply chain, help desk and safety data sheet, as well as provisions referring to the criteria for identifying a substance as a PBT (Persistent Bioaccumulative and Toxic) and vPvB (Very Persistent and Very Bioaccumulative) are transposed in the Law on Chemicals.

87. Are there classification, packaging and labelling rules for chemicals (for both substances and preparations)? When does Serbia expect to implement to UN GHS?

In accordance with the Law on Chemicals that provides legal basis for prescribing in detail classification, packaging and labelling of chemicals, two rulebooks have been adopted: the Rulebook on Classification, Packaging, Labelling and Advertising of Chemicals and Certain Articles (Official Gazette of RS No. 59/10), in line with Directive 67/548/EEC and Directive 99/45/EC, and a Rulebook on Classification, Packaging, Labelling and Advertising of Chemicals and Certain Articles (Official

Gazette of RS No. 64/10) in line with the UN Globally Harmonised System of Classification and Labelling of Chemicals – GHS, i.e. Regulation (EC) No. 1272/2008. These two rulebooks will apply simultaneously and will have similar periods for transition to GHS as those in the EU, i.e. by 1 October 2011 for substances and by 1 June 2015 for mixtures. A List of Classified Substances has been adopted (Official Gazette of RS 82/10), transposing Annex 6 of Regulation (EC) No. 1272/2008.

88. Is there a registration/authorisation procedure for pesticides, i.e. plant protection products (agricultural pesticides) and/or biocides (non-agricultural pesticides)?

The Law on Biocidal Products (Official Gazette of RS No. 36/09 and 88/10) prescribes that a **biocidal product** shall be placed on the market if authorisation/registration is granted. This procedure is in line with procedure prescribed in the Directive 98/8/EC. Serbian Chemicals Agency will assess biocidal product based on the technical dossier and issue authorisation/registration for placing biocidal product on the market. Data to be provided in a technical dossier for biocidal product/low-risk biocidal product are prescribed within the Law, but detailed content of technical dossier is prescribed by the by-law and is in accordance with the requirements of Article 8 to the Directive 98/8/EC (Rulebook on volume and content of the technical dossier for biocidal product, i.e. low-risk biocidal product (Official Gazette No. 97/10)).

As preparation of technical dossier is time-consuming and since in the EU most of active substances are still under the evaluation process for the purpose of inclusion into the Annex I, IA or IB, the Law on Biocidal Products prescribes transitional procedure for placing biocidal product on the market. According to these provisions, if biocidal product was placed on the Serbian market before the Law came into force or if active substance contained in that biocidal product is included into Annex I or Annex Ia or if active substance contained in that biocidal product is included into the Review Programme, such biocidal product can be placed on the market provided the Decision on inclusion of the biocidal product into the Temporary List for technical dossier submission is issued. When requesting inclusion of the biocidal products into the Temporary List, basic data on biocidal product and active substance contained in that biocidal product are submitted to and evaluated by the Serbian Chemicals Agency. The Decision on inclusion of the biocidal product into the Temporary List contains, among others, deadline for submission of technical dossier for the biocidal product.

Placing plant protection products on the market is the responsibility of the Ministry of Agriculture, Forestry and Water Management. Related procedures are prescribed under the Law on Plant Protection Products (Official Gazette No. 41/09), which is harmonised with Directive 91/414/EC. (See Chapter 12, Section VI – Phytosanitary Issues, question 31, Plant Health, Plant Protection Products, point 2 – Registration of plant protection products.)

89. Are there data collection and risk assessment procedures for chemicals, in particular pesticides?

The Integrated Chemicals Registry is comprised of the Chemicals Registry, Biocidal Products Registry and data on plant protection products.

Chemicals produced and imported on the Serbian market are included into the Chemicals Registry. Manufacturer, importer or downstream user shall submit the application to the Chemicals Agency to have the chemicals produced or imported in the previous year included in the Chemicals Registry by 31 March of the current year. Chemicals Dossier for each chemical and Safety Data Sheet for the chemical this is legally required for, should be enclosed with the application.

Biocidal Products Registry is part of the Integrated Chemicals Registry and is based on the data submitted for the purpose of inclusion of biocidal products into the Temporary List, granting authorisation/registration, issuing temporarily licence and other data provided for in the Law on Biocidal Products.

Placing plant protection products on the market is the responsibility of the Ministry of Agriculture, Forestry and Water Management. Relevant procedures are prescribed under the Law on Biocide Products (Official Gazette of RS No. 41/09), which is in line with Directive 91/414/EC. (See Chapter 12, Section VI – Phytosanitary Issues, question 31, Plant Health, Plant Protection Products, point 2 – Registration of plant protection products.)

MAFWM sends the information on substances for plant protection products to the Chemicals Agency once a year, by 31 March of the current year at the latest, for plant protection products that were put on the market the year before.

According to the Law on Biocidal Products, biocidal product may be placed on the market if the Decision on inclusion of the biocidal product into the Temporary List is issued. When requesting inclusion of the biocidal products into the Temporary List, basic data on biocidal product and active substance contained in that biocidal product are submitted to and evaluated by the Serbian Chemicals Agency.

The risk assessment of a biocidal product based on evaluation of technical dossier and carried out for the purpose of granting authorisation/registration for such biocidal product will be in line with procedure prescribed in Directive 98/8/EC. According to the Law on Biocidal products, Serbian Chemicals Agency will carry out risk assessment of biocidal product and of active substance contained in that biocidal product to determine effects on humans, animals and the environment as well as unacceptable effects on the target organisms. Common principles for the evaluation of dossiers for biocidal products will be taken over from the Annex VI to the Directive 98/8/EC and prescribed by the by-law.

Requirements for conducting a chemical risk assessment as given in Annexes 1 and 12 to REACH will be prescribed in more detail in a regulation whose adoption is scheduled for early 2011, bearing in mind that a chemical risk assessment is neither binding nor a condition for placing on the market. Furthermore, detailed guidelines concerning chemicals and biocidal products risk assessment are in preparation and they will clarify any ambiguities in these procedures.

90. How does Serbia prepare for implementation of Regulation (EC) 689/2008 concerning the export and import of dangerous chemicals? Does the administrative capacity and infrastructure exist to manage and control the implementation of this legislation, and in particular the export of chemicals subject to it?

The Republic of Serbia became a member of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade on 1 July 2009 by adoption of the Law on Ratification of Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, as amended (Official Gazette of RS- International Agreements, No. 38/09).

Regulation (EC) 689/2008 concerning the export and import of hazardous chemicals is transposed through the Law on Chemicals (Official Gazette of RS, No. 36/09) and through the Rulebook on the import and export of certain hazardous chemicals (Official Gazette of RS, No. 89/100. In the Annexes,

which are an integral part of this Rulebook, lists of chemicals taken over from the Annex I and V of Regulation (EC) 689/2008 are given.

The Chemicals Agency, as a competent authority, has administrative and expert capacities for implementation of this Rulebook, as well as notification procedure and Prior Informed Consent procedure. An official nomination of the contact person in the Chemicals Agency was sent to the Secretariat of Rotterdam Convention.

Control of export of chemicals included in the lists of the Rulebook Annexes which takes over complete list of chemicals from the Annex I and V to Regulation 689/2008 is performed by Environmental Inspection, through supervision over exporter activities in accordance with this Rulebook, and by Customs Authority. The Chemicals Agency, in cooperation with inspectors and employees of Customs Authority, prepares training aimed at building of expert capacities of the inspectors and employees of the Customs Authority.

During 2011, information system of the Chemicals Agency will be set up, which will provide IT infrastructure (database) that will be available to the inspectors and employees of the Customs Authority.

91. Are there any legal provisions and administrative measures and the respective infrastructure to prohibit and control the export and import of certain hazardous and/or banned chemicals, including pesticides? Is there an export notification scheme for banned or severely restricted chemicals including pesticides?

Provisions laying down bans and restrictions of manufacturing, placing on the market and use of chemicals and certain products from Annex XVII to REACH have been transposed in the Law on Chemicals (Official Gazette of RS No. 36/09 and 88/10) and in the relevant rulebook (Rulebook on bans and restrictions for manufacturing, placing on the market and use of chemicals that pose an unacceptable risk to human health and the environment). Transition periods for some provisions laying down bans and restrictions of manufacturing, placing on the market and use of chemicals that pose an unacceptable risk to human health and the environment to enter into force are:

- For asbestos fibres and articles containing them, manufacture of articles containing asbestos fibres is allowed until 1 July 2011, provided existing stocks of raw material are used. It is allowed to place on the market and use reinforced asbestos klinger and asbestos graphite braids, necessary for the functioning in extremely high temperatures, pressures and aggressive mediums, until a technological procedure has changed or technological changes have been made to the devices they are used in.
- For mercury (CAS No. 7439-97-6, EC No. 231-106-7), thermometers and other measuring devices for general public (e.g. manometres, sphygmomanometres – pressure measuring instruments, barometres and other thermometers) are not to be placed on the market from 5 July 2011.
- For maximum VOC (g/l) * content limit values in coatings for general public, Stage 1 (as from 1.12.2011) and Stage 2I (as from 1.12.2013) apply. Maximum VOC content limit values in substances and coatings for reparation of road vehicles apply as from 1.12.2011.
- As from 1 January 2013, it will be forbidden to use or place on the market cement and mixtures containing chromium, if after hydration (addition of water) they contain over 2 mg/kg (0.0002%) of chromium VI calculated on the total mass of dry cement.

For the import and export of a certain substance that is subject to bans and restrictions of manufacturing, placing on the market and use, and mixtures and articles containing such substance according to the Rulebook on the import and export of certain hazardous chemicals (Official Gazette No. 89/10) transposing provisions of Regulation 689/2008, notification procedure, as well as the Prior Informed Consent procedure (the so-called PIC procedure) applies. Plant protection products are also subject to it. Pursuant to Article 55 of the Law on Chemicals, PIC procedure for plant protection products is prepared and implemented in cooperation with the authority responsible for plant protection.

Biocidal products may be placed on the market only if they pass appropriate administrative procedures, i.e. if they get an authorisation from the Chemicals Agency (see answer 88).

Plant protection products may be placed on the market only if they pass appropriate administrative procedure, i.e. if they get the approval from the Plant Protection Directorate of the Ministry of Agriculture, Forestry and Water Management. (See Chapter 12, Section VI – Phytosanitary Issues, question 31, Plant Health, Plant Protection Products, point 2 – Registration of Plant protection products.)

92. When does Serbia expect to accede to the UNECE POP Protocol on Persistent Organic Pollutants (POPs)?

According to the ratification plan, which is an integral part of the National Action Plan, the Protocol should be ratified by the end of 2011.

The National Action Plan for implementation and ratification of the Protocol on Persistent Organic Pollutants of 1998 has been prepared under the Balkan Project (see question 40).

The National Action Plan contains a detailed analysis of the current situation in domestic legislation against requirements of the Protocol on Persistent Organic Pollutants of 1998, Action Plan (table) containing recommended activities/measures, responsible authorities and deadlines for realisation of these activities/measures, with a view to controlling, reducing and complete elimination of discharges, emissions and losses of persistent organic pollutants in Serbia.

One of the envisaged activities to be carried out under the project in 2011 is to improve and update the inventory of unintentionally produced POPs in line with the provisions of the Protocol, including new POPs.

At the moment, there is no proper data concerning new POPs (envisaged in the amendments to the Protocol) that might offer more information about their production, use and discharge in Serbia.

In accordance with the defined plan and timetable of the project, the National Plan was completed at the time when the amendments to the Protocol were being debated. The analysis was therefore performed according to the existing Protocol on Persistent Organic Pollutants of 1998. However, the National Action Plan also includes a brief breakdown of proposed amendments to the Protocol (National Action Plan enclosed with the Annex).

In close connection with this project are activities that the Republic of Serbia carried out while implementing the Stockholm Convention on Persistent Organic Pollutants. The Law on Ratification of the Stockholm Convention (Official Gazette of RS – International Agreements 42/09) was adopted in June 2009. The Serbian Government adopted the National Implementation Plan for the Stockholm Convention in December 2009.

In this regard, along with the analysis of the Protocol requirements, a comparative analysis with the provisions of the Stockholm Convention and EU Directive 850/2004 was done too.

In the part dealing with the Protocol on Persistent Organic Pollutants of 1998, the National Action Plan is closely connected with the National Implementation Plan for the Stockholm Convention that is already adopted, and they will together contribute to comprehensive approach to the POPs management in Serbia.

93. Is there a scheme, including a national competent authority, for the protection of laboratory animals as required by Directive 86/609? Has the Council of Europe Convention ETS 123 on the protection of laboratory animals been ratified and implemented?

The Animal Wellbeing Law (Official Gazette of RS No. 41/09) has been adopted, as a legal basis for harmonisation with Directive 86/609/EC.

Harmonisation with Directive 86/609 was to some extent achieved with the adoption of the Rulebook laying down conditions of entry into the register of experiments on animals, its content and method of keeping, training programme in the welfare of laboratory animals, application form for getting approval for conducting experiments on animals, animal care, handling and euthanasia, and the content and way in which to keep records on keeping, reproduction, trade in and carrying out experiments on animals (Official Gazette of RS No. 39/10). The ministry responsible for veterinary affairs, i.e. the Veterinary Administration of the Ministry of Agriculture, Forestry and Water Management, is the competent authority. The rulebook will become effective as from 1.5.2011.

Pursuant to the Animal Welfare Law, the minister has formed a special task force – the Ethical Council for Laboratory Animal Welfare – to analyse technical issues, provide expert opinions and take part in the realisation of terms of reference in the area of animal welfare.

Ethical Council:

- advises on ethics and animal welfare when experiments, genetic modifications and animal manipulations are performed;
- gives expert opinions on ethical and scientific justification of experiments and termination of experiments on animals;
- gives advice with a view to harmonising the work of ethical commissions responsible for protection of the welfare of laboratory animals;
- gives expert opinions on specific and invasive experiments;
- takes part in the development and promotion of alternative methods of experimentation;
- reports once a year on its work and welfare of laboratory animals to the minister;
- performs other tasks according to law.

Scientific and research organisations and other legal persons carrying out experiments on animals must, either by themselves or with other scientific organisations and legal persons carrying out experiments on animals, form ethical commissions for protection of welfare of laboratory animals.

Ethical commission is composed of veterinarian surgeons, veterinarians experienced in laboratory animal breeding, experts experienced in applying statistics in research, representatives of associations

and organisations aimed towards protection of animal welfare, and researchers in related scientific fields.

Ethical Commission:

- 1) determines the way in which to carry out experiments on animals, in line with this law;
- 2) performs expert control of experiments carried out on animals;
- 3) organises training for persons performing experiments on animals;
- 4) gives expert opinions to the minister on ethical and scientific justification of experiments;
- 5) regularly reports to the minister once a year.

Ethical commission shall without delay terminate an experiment on animals if those who perform it act contrary to the provisions of this law, and shall inform the ministry about it.

The European Convention for the Protection of Vertebrate Animals Used for Experimental and other Scientific Purposes (ETS No. 123) was ratified by the Serbian National Assembly on 5 May 2010 (The Law Ratifying the European Convention for the Protection of Vertebrate Animals Used in Experimental and Other Scientific Purposes Amended by the Protocol Amending the European Convention for the Protection of Vertebrate Animals Used in Experimental and other Scientific Purposes).

94. Are there legal provisions in place regarding export and safe storage of mercury and certain mercury compounds and mixtures as required by Regulation (EC) No 1102/2008? 1102/2008?

The Law on Chemicals (Official Gazette No. 36/09 and 88/10) and related regulations (Rulebook on Import and Export of Certain Hazardous Chemicals (Official Gazette No. 89/10)), in the provisions regulating the export and import of chemicals subject to bans and restrictions (see answer 84), regulate the import and export of certain chemicals in line with Regulation 689/2008. In addition, considering that this rulebook prescribes bans for export of certain chemicals and products, it also prescribes bans for export of mercury and its compounds mentioned in Article 1 of Regulation 1102/2008.

The Law on Waste Management (Official Gazette No. 36/09 and 88/10) prescribes that waste be stored in places that are technically equipped for temporary storage of waste, on a location that is either the property of the person who generates or owns the waste, in collection centres, transfer stations and other locations in accordance with this law.

Hazardous waste may not be temporarily stored on a location that is the property of the person that generates or owns the waste for longer than 12 months, unless determined otherwise under this law.

Import of hazardous waste is banned. Waste containing mercury or its compounds is on the lists of hazardous waste whose import is forbidden, whilst hazardous waste whose import and transit is allowed is subject to all controls, approvals and permits for cross-border movement of waste containing mercury, and only if all provisions of international agreements, conventions and regulations on cross-border movement of hazardous waste are complied with and in accordance with point 10 of the preamble of the aforementioned regulation.

On the lists of waste for cross-border movement, mercury and its compounds have the national, Basel, European and international labels and the Waste Catalogue numbers determined by the laboratory that examines the waste by sampling it using methods determined according to Serbian standards, internationally recognised standards and other valid and documented methods, so that the waste can be classified for cross-border movement, treatment or disposal.

95. How are you preparing for implementation of Regulation (EC) No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency? Does administrative infrastructure exist to manage and control the implementation and enforcement of the legislation?

By adoption of Law on Chemicals (O. Gazette of RS, No. 36/09 and 88/10), a foundation for preparation of implementation of Regulation (EC) No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals -REACH was created, as this law is harmonised with REACH in the part that was possible to transpose into the national legislation. The provisions of REACH related to centralised procedures implemented in ECHA are not transposed, but approximated with the aim of better preparation of domestic industry for implementation of REACH (mentioned in the answer to the question 89). Pursuant to the mentioned, the following is accomplished:

Competent Authority for chemicals management in the Republic of Serbia - The Chemicals Agency, is established; Integrated Chemicals Register is established, and will enable development of database of chemicals placed on the market of the Republic of Serbia and identification of substances and legal persons that placed them on the market; Annex XVII (REACH) is completely transposed into bylaw, thus the same bans and restrictions of manufacturing, placing on the market and use of chemicals in force in EU are also valid in Serbia; provisions of REACH related to data availability and information exchange in the chemical supply chain are transposed; provisions related to creation of Safety Data Sheet are also completely transposed, as well as provisions related to criteria for identification of the substance as PBT (Persistent, Bio-accumulative, Toxic) and vPvB (very Persistent, very Bio-accumulative).

National help desk is established, and by informing, answering questions, and preparation of guidelines for industry, guides industry to proper implementation of all obligations arising from national regulations and REACH; Supervision of implementation of provisions of the Law on Chemicals by the inspectors of the Ministry of Environment and Spatial Planning in manufacture and wholesale, and by trade inspectors of the Ministry of Trade and Services in retail, is defined; Penalties for failure to comply with the provisions of this Law are prescribed; Measures that ensure confidentiality of data representing a business secret are defined; The List of Substances of Very High Concern will be taken over immediately after it is adopted by EU for monitoring/reduction of risks and identification of industry that place them on the market.

Building of capacities of the Chemicals Agency and inspection, including building of capacities for risk assessment of chemicals and biocidal products (including substance evaluation), as well as education and informing of industry in order to prepare them for fulfilment of future obligations pursuant to the REACH provisions, is in the progress.

96. How big is the chemicals industry in Serbia? Indicate approximately how many companies are SMEs. How many chemical substances are exported to the EU and EEA/EFTA countries?

According to data of the Statistical Office of the Republic of Serbia, 761 companies were engaged in Manufacture of chemicals and chemical products in 2008 in the Republic of Serbia, which is 0,9% of total number of companies of non-financial business economy. Number of persons employed in this field was 24849, which is 2.3% of persons employed in non-financial business economy. Turnover in Manufacture of chemicals and chemical products in 2008 was 177124 million RSD (1999 million Euros), which is 3.0% turnover in non-financial business economy.

743 small and medium sized companies were engaged in Manufacture of chemicals and chemical products in 2008 in the Republic of Serbia with 10269 persons employed in total. Number of micro-companies (0-9 persons employed) was 568, small (10-49 persons employed) 115 and medium sized (50-249 persons employed) 60.

Export of chemicals and chemical products from the Republic of Serbia into European Union in 2008 amounted to 396.1 million Euros, in 2009 163.1 million Euros, and in the first ten months of 2010 253.9 million Euros. Export of chemicals and chemical products from the Republic of Serbia into EFTA in 2008 amounted to 1.5 million Euros, in 2009 1.2 million Euros, and in the first ten months of 2010 2.8 million Euros. Number of products (at the level 10 digit of Serbia's custom tariff) exported to European Union countries in 2009 was 389, and into EFTA countries 38.

97. Are there provisions for collection of statistical data on the use of animals for experimental and other scientific purposes?

Collection of statistical data on use of animals in experimental and other scientific purposes is regulated by the Law on Animal Welfare (Official Gazette of RS No. 41/09 and by by-law.

Namely, the Law on Animal Welfare prescribes that legal and natural persons performing experiments on animals, as well as legal and natural persons i.e. entrepreneurs engaged in keeping, reproduction and trade in experimental animals, shall keep records on keeping, reproduction, trade and carrying out of experiments on animals that must be kept for at least five years. The records shall contain information on number, animal species, and purpose of experiment carried out and classification of severity, i.e. invasiveness of the experiment. The record data are submitted to by the Ministry of Agriculture, Forestry and Water Management, Veterinary Directorate.

Contents of the records is more precisely defined by the Rulebook on conditions of entry into the Register of experiments on animals, its content and method of keeping, training programme in the welfare of experimental animals, request form for getting approval for conducting experiments on animals, manner of care, handling and killing of experimental animals, as well as the content and manner of keeping records on keeping, reproduction, trade in and carrying out experiments on animals (Official Gazette of RS, No. 39/10), thus the records kept by legal and natural persons carrying out experiments on animals contain data on:

- 1) total number of animals and animal species used in experiments;
- 2) number of animals and animal species used in experiments according to the experiment purpose;
- 3) number of animals and animal species used in experiments aimed at protection of humans, animals and environment, toxicological and safety evaluation;
- 4) number of animals and animal species used in experiments related to diseases and different disorders of human health;
- 5) number of animals and animal species used in experiments aimed at fulfilment of requirements pursuant to special regulations;
- 6) number of animals and animal species used in experiments according to invasiveness of the experiment;
- 7) Number of animals and animal species received into the establishment and date of reception.

In addition, if animals used in experiments are kept and bred in user establishment, the records on

number of animals and animal species bred is also kept.

Legal and natural persons i.e. entrepreneurs engaged in keeping, reproduction and trade of experimental animals keep records containing data on:

- 1) total number of animals and animal species kept and bred in the establishment;
- 2) number of animals and animal species sold or collected;
- 3) date of selling or collection;
- 4) name and address of the recipient;
- 5) number of animals and animal species died in these establishments.

H. CLIMATE CHANGE

98. Which ministries and/or governmental agencies are responsible for the development, implementation and monitoring of climate change policies and measures? Do they have clear mandates to perform these tasks? Do they have sufficient human and material resources? Have these resources been strengthened in recent years and what plans exist for further strengthening?

Which ministries and/or governmental agencies are responsible for the development, implementation and monitoring of climate change policies and measures?

In accordance with the Law on Ministries (Official Gazette of RS No. 65/08), the Ministry of Environment and Spatial Planning (MESP) is responsible for climate change issues. MESP is the national focal point for the implementation of the United Nations Framework Convention of United Nations on Climate Change and its Kyoto Protocol,.

The Serbian Environmental Protection Agency, established in 2004 within the MESP, is responsible, among else, for data collection, processing and reporting on greenhouse gases.

Besides the Ministry of Environment and Spatial Planning and Serbian Environmental Protection Agency, ministries that have certain competences related to the climate change are: Ministry of Mining and Energy; Ministry of Agriculture, Forestry and Water Management; Ministry of Economy and Regional Development and Ministry of Infrastructure.

The Law on Meteorological and Hydrological Activity ("Official Gazette of RS", No. 88/100) defines the competences of the Republic Hydro meteorological Service (RHMS) as a specific organization within the Governmental system of the Republic of Serbia regarding the adoption and carrying out of multiannual programs of monitoring, research and forecasting climate changes, creating scenarios of regional and local climate change and participation in the programs of multidisciplinary research of the impacts, vulnerability and adaptation options of certain economic sectors to climate change.

Do they have clear mandates to perform these tasks?

According to the Law on Ministries (Off. Gazette 65/2008), Ministry of Environment and Spatial Planning is, among else, responsible for climate change related issues. At the same time, the Ministry, in its capacity of the UNFCCC National Focal Point, is responsible for the implementation of the UNFCCC and its Protocol.

In accordance with the same law, previously mentioned governmental institutions (paragraph 3 and 4 of the question number 98) perform measures and activities that contribute to combating climate change.

Do they have sufficient human and material resources?

A Climate Change Unit (3 employees) was established within the MESP in 2008. It had been later transformed into the Climate Change Department (5 employees).

Considering the scope of work in the field of climate change and bearing in mind the number of employees in the Climate Change Department and the Serbian Environmental Protection Agency, the current number of employees cannot be considered sufficient.

A Sustainable Development Department was established in the Ministry of Mining and Energy in 2008. Among else, it deals with climate change related issues from the aspects of energy and mining. It is understaffed.

During 2007, within the Republic Hydro meteorological Service, National Centre for Climate Change was established which performs the functions of Sub regional South East European Virtual Climate Change Centre (SEEVCCC).

Activities relating to climate change are carried out as part of regular activities of the mentioned organizational units, in cooperation with relevant government institutions, under programmes and projects funded from national, bilateral and international financial resources.

Have these resources been strengthened in recent years and what plans exist for further strengthening?

Taking into account information provided in the answer on previous question, in the last few years number of employees in the organizational units dealing with climate change issues is significantly increased, and further increasing has been envisaged under the relevant national strategic documents. National programme for EU integration of the Republic of Serbia, as well as Action plan for the implementation of National Sustainable Development Strategy for the period 2009-2017 (Off. Gazzette RS. 31/2010) envisage, among else, measures for further strenghtening of institutional capacities dealing with climate change.

Regarding the financial matters, number of projects has been considerably increased in recent years.

Considering that various national strategic documents introduce mitigation and adaptation related actions, increase of financial resources, necessary for realization of the mentioned actions on national level, is planned. In order to asses financial needs for mitigation and accordingly make detailed financial plans, MESP started a project “Efficient ways for GHG emissions reductions within post-Kyoto framework in Serbia” which is financed by the Government of the Kingdom of Spain.

In terms of funding, significant improvement is planned in the field of scientific research, which have been conducting under the national programme of scientific research financed from the governmental budget. Scientific research in the field of climate change and its effects is among the priorities for the period 2011-2015.

In future, development and strengthening of human resources of RHMS will be conducted in cooperation with academic, educational and scientific research meteorological institutes through national and regional programmes and climate change projects funded by EU.

Financial resources of the RHMS in the domain of climate change monitoring and research have lately significantly increased in the process of establishing the basic functions of South-East Europe Virtual Climate Change Centre - SEEVCCC (www.seevccc.rs) and its inclusion in the European network of regional climate centres of the World Meteorological Organizations (WMO RA VI RCC-Network).

By the Work plan of the Government, adoption of a five year programme on RHMS development and research activities in the field of meteorology and hydrology is envisaged. This programme will include activities in the field of systematic observation, monitoring and research of climate change effects, vulnerability and adaption options, that are directly related with implementation of UNFCCC in the field of adaptation.

Further development and strengthening of human resources of the RHMS will be carried out in the cooperation with University scientific-research meteorological institutes through national and regional programs and EU projects in the field of climate change.

99. Have national climate change policy, strategies, action plans and measures been adopted? What is their scope (mitigation, adaptation, mainstreaming, sectors, which greenhouse gases)?

The National Strategy for incorporation of the Republic of Serbia into Clean Development Mechanism under the Kyoto Protocol for waste management, agriculture and forestry sectors (National CDM Strategy) was adopted by the Serbian Government on 11 February 2010 (Official Gazette of RS No. 8/10). The main objective of the National CDM Strategy is to build capacity and raise awareness of stakeholders on the Clean Development Mechanism, and identify potential projects and financial possibilities to carry them out.

Initial National Communication defines mitigation and adaptation related programmes as well as plans for capacity building and awareness raising, scientific research and climatic observation.

Certain national strategic documents consider the climate change issue as one of the key development issues. The National Sustainable Development Strategy (NSDS) and Action Plan for the Implementation of the NSDS for the period 2009-2017 put climate change issue as a key environmental risk factor and defines certain actions related to adaptation and mitigation. Some of the main objectives in the environmental sector are: existing institutions adaptation on needs for efficient implementation of the climate protection policy, fulfilling of obligations prescribed by international documents (UNFCCC, Kyoto Protocol etc.) and developing of an action plan on adaptation of economic sectors. At the same time, in other sectors different than environment, number of priority actions which will contribute to adaptation and mitigation are defined. The National Environmental Protection Programme consider climate change mitigation activities as a priority. At the same time, it underlines the importance of and the need for implementation of adaptation on climate change related activities.

Increasing of energy efficiency and use of renewable energy sources (RES) are two of the five key priorities in the Serbian Energy Development Strategy by 2015.

In the Forestry Development Strategy, the UNFCCC implementation is among the most significant international obligations that have impacts on the development of the sector. It underlines the need for continuity in a forest capacity's increasing to combat climate change more effectively.

The Strategy of Scientific and Technological Development introduces environmental protection and climate change as one of the seven priority areas for financing in the period 2011-2015.

The Draft National Strategy for Biodiversity and Action Plan underline the need to develop a national strategy and a mechanisms for better understanding, planning and minimising the potential effect of climate change on biodiversity.

Some sector-specific laws (energy, waste, air) include measures whose implementation contributes to the climate change mitigation, while certain laws (forestry) include measures for adaptation as well.

100. Are there additional policies and measures on climate change currently under preparation? If so, when will they be adopted and implemented?

Development of the National Appropriate Mitigation Actions (NAMAs) till 2020 for the energy efficiency sub-sector is in the initial phase of implementation. The finalisation of this document is planned for mid-2013. Its implementation should follow the adoption of the document by the Government.

The need for the support related to the transposition and preparation for the implementation of the EU Climate and Energy Package is recognized. Modalities for getting this support are being sought.

The Air Protection Strategy and, as its part, the Action Plan for air and atmosphere protection and combating climate change, are under development. They should be adopted in mid-2011. The Strategy includes an actions for the period of six years.

Adoption of the new Energy Law and Law on Rational Use of Energy is planned for the first half of 2011, and its implementation should follow the adoption.. These laws will enable establishment of the Energy Efficiency Fund, from which funds for activities in the field of energy efficiency and rational use of energy will be provided.

The Energy Strategy Development for the period until 2025, with an outlook on 2030, will take into consideration relevant requirements of the EU Climate and Energy Package. The Strategy should be adopted in the second half of 2011 and its implementation should follow the adoption.

101. In addition to the measures referred to under the heading “Industrial Pollution Control and Risk Management”, is there national legislation controlling emissions from mobile sources (cars, trucks, buses, etc.)?

In the field of vehicles, in the Republic of Serbia, international UN/ECE - Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions is applied (*hereinafter: 1958 Agreement*). The Road Traffic Safety Agency is competent for implementation of the 1958 Agreement and for the following UN/ECE regulations that are its integral part, related to noise of the road vehicles:

- Uniform provisions concerning the approval of vehicles equipped with a positive-ignition engine or with a compression-ignition engine with regard to the emission of gaseous pollutants by the engine - method of measuring the power of positive-ignition engines - method of measuring the fuel consumption of vehicles (*UN/ECE R. 15*) (*O. Journal of SFRJ, No. 57/75*- International agreements and other treaties), (correspond to EU directive/rulebook with suitable amendments: 70/220);
- Uniform provisions concerning testing and mandatory approval:

I the approval of compression ignition (C.I.) engines with regard to the emission of visible pollutants;

II The approval of motor vehicles with regard to the installation of C.I. engines of an approved type;

III The approval of motor vehicles equipped with C.I. engines with regard to the emission of visible pollutants by the engine;

IV. The measurement of power of C.I. engine (UN/ECE R. 24) (On the basis of the Ordinance on mandatory approval O. Journal of SFRJ, No. 11/85, 1/87, (correspond to EU directive/rulebook with suitable amendments: 72/306);

- Uniform provisions concerning the approval of motor cycles equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine (UN/ECE R. 40) (On the basis of the Ordinance on mandatory approval O. Journal of SFRJ, No. 60/86), (correspond to EU directive/rulebook with suitable amendments: 97/24);
- Uniform provisions concerning the approval of motor cycles equipped with a positive-ignition

engine with regard to the emission of gaseous pollutants by the engine (UN/ECE R. 47) (On the basis of the Ordinance on mandatory approval O. Journal of SFRJ, No. 60/86), (correspond to EU directive/rulebook with suitable amendments: 97/24);

- Uniform provisions concerning the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (UN/ECE R. 49) (On the basis of the Ordinance on mandatory approval O. Journal of SFRJ, No. 60/64, 64/02), (correspond to EU directive/rulebook with suitable amendments: 88/77, 2005/55 and 595/2009);
- Uniform provisions concerning the approval of vehicles with regard to the emission of pollutants according to engine fuel requirements (**UN/ECE R. 83**) (On the basis of the Ordinance on mandatory approval O. Journal of SFRJ, No. 61/02), (correspond to EU directive/rulebook with suitable amendments: 70/220 and 715/2007).

The following UN/ECE rulebook (ECE/TRANS/WP.29/343/Rev.18) if notified for adoption:

- Uniform provisions concerning the approval of compression ignition (C.I.) engines to be installed in agricultural and forestry tractors and in non-road mobile machinery with regard to the emissions of pollutants by the engine (**UN/ECE R. 96**) (correspond to EU directive/rulebook with suitable amendments: 97/68).

102. What arrangements are in place to monitor the quality and life-cycle greenhouse gas impact of petrol, diesel, other gas oils and heavy fuel oil?

The quality of fuel in the Republic of Serbia is regulated by the Rulebook on technical and other characteristics of liquid fuel of petroleum origin (Official Gazette of RS, No. 97/2010). This Rulebook is not completely harmonized with relevant EU regulations related to petrol and diesel fuel and content of sulphur in certain liquid fuels. The Ministry of Mining and Energy is competent for development of regulations on quality of liquid fuels of petroleum origin, and inspection of fuel quality is under jurisdiction of the Ministry of Trade and Services, exactly trade inspection.

The Ministry of Mining and Energy developed a project proposal entitled: “Implementation of the Energy Component of the Sustainable Development Strategy”. The project is approved for financing from IPA 2010 fund and the implementation is planned for the period 2011-2012. One of the project components relates to development of the Plan for Implementation of EU Regulations related to the quality of petrol and diesel fuel, contents of sulphur in certain liquid fuels and to establishment of system for control of quality of fuels on the market.

103. What steps has Serbia taken to set emission performance standards for new vehicles, and to promote monitoring and availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new cars?

UN/ECE Rulebooks mentioned in the answer to question 101 have been implementing in Serbia, including last adopted amendments (for example: UN/ECE R.83 06 series of amendments has been implementing for passenger cars and light-commercial vehicles, that prescribes co called **Euro5**).

Directive 1999/94/EU regulating promotion of monitoring and availability of information to consumers, on fuel economy and CO₂ emissions in respect to the new cars marketing has not been transposed into national legislation system yet.

104. What steps has Serbia taken to promote carbon capture and storage?

The Public Enterprise “Electric power industry of Serbia” plans implementation of activities on identification of technical, technological and economic conditions for implementation of CCS technologies.

There is a need for institutional and human capacity building for possibilities promotion that CCS offers, on the national level.

105. Is there a national system for greenhouse gas monitoring and reporting established? If so, how is it organised?

In the Article 50 of the Law for Environment Protection (O. G. of RS no. 36/09) with the aim of monitoring of emissions and quantities of removed of greenhouse gases, the National Greenhouse Gas Emissions Inventory, kept by the Serbian Environmental Protection Agency, is laid down.

The Government has adopted the Regulation on Methodology of Collection of Data for National Greenhouse Gas Emissions Inventory (O. Gazette of RS, No. 81/2010). The methodology of collection of data for the National Greenhouse Gas Emissions Inventory is aimed at efficient and effective establishing and maintenance of regular annual reporting by the reporting subjects that collect and/or possess information required for creation of the Inventory and that are necessary for its establishing and for preparation of data for calculation of quantity of emitted greenhouse gas at national level. The reporting subjects are state bodies and organisations, public institutions, local government units, associations, undertakings and other environment protection subjects or subjects whose work is directly or indirectly connected to environment protection. The data are submitted at proscribed forms, laid down by the Minister competent for environment protection.

The reporting subjects submit data for the Inventory on prescribed forms, one a year, to the Environmental Protection Agency, until 31 March of the current year for the previous calendar year. The Agency ensures submitting of data for the Inventory, control of data quality, and calculation quality. In addition, the Agency secures exchange of data and information with the reporting subjects by enabling access to those data and information through environmental protection information system of the Republic of Serbia.

On the basis of collected data, the Serbian Environmental Protection Agency calculates emissions and removal of greenhouse gases by the sinks pursuant to provisions and requirements of the Convention and Kyoto Protocol. Received calculation results and quantities of removed greenhouse gases by the sinks are integral part of the National Greenhouse Gas Emissions Inventory. The Inventory is a database organized by sectors which contains:

1. collected data on activities required for reporting on all anthropogenic greenhouse gas emissions from sources, and removal of the gases by the sinks;
2. applied emission factors;
3. calculation of emission values and removal of greenhouse effect gases;
4. additional information and hypothesis used for calculation;

5. reports on greenhouse effect gases inventory.

The Inventory is an integral part of the environmental protection information system of the Republic of Serbia administered by the Environmental Protection Agency pursuant to the law regulating air protection.

Collection of data within above system will start in 2011 with collection of data related to the period from 2000 to 2010 for the purpose of creation of Second National Communication. In the framework of First National Communication, the Ministry of Environment and Spatial Planning, as a body competent for creation of this document, created the GHG inventory for 1990, as a base year, and for 1998.

Within the First National Communication, the Ministry of Environment and Spatial Planning, as a body responsible for its development, has prepared GHG inventory for 1990, as a base year, and for 1998.

106. Has Serbia taken steps to curb greenhouse gas emissions from aviation activities?

The Articles 200 to 203 of the Law on Air Transportation (O. Gazette of RS, 73/2010) regulate issues related to protection against noise and exhaust gas emissions.

Representatives of the Republic of Serbia participate in working bodies of international air transportation organisations dealing with environment protection, including combating climate changes. Also, they participated in Work group of general directors of European aviation administration on climate changes within European Civil Aviation Conference (ECAC) that created resolution framework adopted on the proposal of ECAC and EU on 37th Assembly Meeting of International Civil Aviation Organisation (Resolution A37-17/2) and Consolidated report on continuation of policy and practice of International Civil Aviation Organisation (ICAO) related to environment protection- Climate changes.

Certain activities related to implementation of EU Directive 2008/101 have been started within the national airline company "JAT", that prepared monitoring plan and will reported on emissions pursuant to mentioned monitoring plan until 31 March 2011.

In general, there is a need for capacity building and improvement of knowledge of stakeholders with the aim to establish systematic emissions reduction in this subsector.

107. Is there a completed national inventory of greenhouse gas (GHG) emissions for 1990 and for any later years?

The Republic of Serbia has adopted the Initial (First) National Communication containing the GHG inventory for 1990, as a base year, and for 1998. 1998 was chosen because statistical and other data sources were the most appropriate ones for demonstrating the state of emissions in Serbia and at the same time they meet the requirements of the relevant IPCC guideline for inventories of non-Annex I Parties.

108. What are the expected GHG emissions until 2012 compared to 1990?

The First National Communication containing GHG emissions trends (scenarios) by 2012 and 2015. According to the "business as usual" scenario in this document, total GHG emissions in 2012 will reach 112.23% of emissions level in 1990, whilst alternative scenario has shown that the growing GHG emissions trend could be decreased on the way that 2012 year GHG emissions will reach level of 110.56% of the emissions in 1990.

109. Has your country submitted any national communication under the United Nations Framework Convention for Climate Change (UNFCCC)? If so, when was it submitted?

The Government adopted the First National Communication on 11 November 2010, and submitted it to the Secretariat of the UN Framework Convention on Climate Change on 25 November 2010.

110. What is the stage of the implementation of the Kyoto Protocol?

The Republic of Serbia ratified the Kyoto Protocol in 2007 (Law on Ratification of the Kyoto Protocol to the United Nations Convention on Climate Change, Official Gazette of Republic of Serbia – International Agreements No. 88/07), that entered into force on 17 January 2008. As a Non-Annex I Party, Serbia is eligible for Clean Development Mechanism (CDM).

The Designated National Authority (responsible for approval of Clean Development Mechanism projects of the Kyoto Protocol on the national level) has been fully operational since 21 November 2008. With the aim to disseminate information related to the CDM, this authority has set up its own website (www.ekoplan.gov.rs/DNA). With same aim MESP has organized great number of seminars, workshops and trainings for representatives of local communities, private companies and all potential CDM project proponents and CDM project owners with aim of raising awareness on this mechanism and climate change in general, as well.

A representative of Serbia (nominated by the Eastern Europe Regional Group) is alternate member of the CDM Executive.

The National Strategy for incorporation of the Republic of Serbia into Clean Development Mechanism under the Kyoto Protocol for waste management, agriculture and forestry sectors, was adopted on 11 February 2010. (Official Gazette of RS No. 8/2010). The Ministry of Mining and Energy has developed Strategy for the implementation of Clean Development Mechanism in energy sector in 2009.

On the regional level, Republic of Serbia actively participates in the exchange of knowledge, experience and practices regarding climate change issues. In the framework of regional cooperation, MESP and Republic Hydrometeorological Service of Serbia coordinated development of South East European Climate Change Framework Action Plan for Adaptation- SEE/CCFAP), approved in 2008.

There are ongoing activities on establishment of systematic collection of data on GHG emissions.

111. What is the state of implementation of the Montreal Protocol for the protection of the ozone layer?

Republic of Serbia ratified the Vienna Convention for the Protection of the Ozone Layer (Official Journal of FRY - International Agreements No. 1/90) and, in addition to the Vienna Convention, the Montreal Protocol on Substances that Deplete the Ozone Layer (Official Journal of FRY – International Agreements No. 16/90 and Official Journal of SCG – International Agreements No. 24/04), and all four amendments to the Montreal Protocol in March 2005: the London Amendment (1990), the Copenhagen Amendment (1992), the Montreal Amendment (1997) and the Beijing Amendment (1999).

Republic of Serbia is an Article 5 party of the Montreal Protocol (as developing country) with a delayed phase-out schedule until total elimination of consumption of controlled substances, considering that its annual calculated level of consumption of the controlled substances from Annex A is less than 0.3 kilograms per capita and of the controlled substances from Annex B is less than 0.2 kilograms per capita on the date of the entry into force of the Protocol following ratification, or at any time thereafter until 1 January 1999.

All activities relating to implementation of the Montreal Protocol in the Ministry are carried out and coordinated by the National Ozone Unit, established in December 2008 within the Sector for Protection of Natural Resources, Air Protection Unit. The National Ozone Unit staff, i.e. the office coordinator, technical assistant and administrative assistant, are employees of the Ministry. According to the obligations laid down in the National CFC (chlorofluorocarbons) Phase-out Plan (NCP) for substances in Annex A to the Montreal Protocol, a Project Management Unit was formed, and it is comprised of a coordinator and two national consultants/experts with years' long experience in cooling and air-conditioning techniques.

Serbian legislation covering ozone depleting substances is based on the provisions of the Montreal Protocol and the EC Regulation 2037/2000 of the European Parliament and of the Council on substances that deplete the ozone layer.

There is a ban on production of ozone depleting substances in Serbia, pursuant to Article 53 paragraph 1 of the Law on Air Protection (Official Gazette of RS No. 36/09) (below: the Law).

There is a ban on consumption of substances listed in Annex A (Groups I and II), Annex B (Groups I, II and III) and Annex C (Groups II and III) in Serbia. Consumption of substances listed in Annex C, Group I (hydrochlorofluorocarbons) is allowed without limitations. Consumption of substances listed in Annex E, Group I (methyl bromide) is allowed, with the total annual quota of maximum 6.64 metric tonnes.

The phase-out schedule and maximum annual consumption quotas for Annex C (Group I) substances will be determined by 31 December 2011 at the latest.

With a view to implementing the Montreal Protocol, Art. 51 to 54 of the Law prescribe the management of ozone-depleting substances (phase-out of ozone-depleting substances, handling of these substances, handling of products and equipment that contain or have been manufactured using these substances, handling of ozone-depleting substances after the products and equipment containing them are no longer in use, ways of recovery, recycling and reclamation, consumption and final disposal of this substances, placing on the market and calculation of costs for ozone-depleting substances re-use, and ways of labelling products and equipment containing ozone-depleting substances); handling of certain fluorinated greenhouse gases and products and equipment containing these gases; bans on and records of ozone-depleting substances and fluorinated greenhouse gases.

Pursuant to Article 51 of the Law, the Ministry prepared the Regulation on ozone depleting substances management as well as on conditions for licence issuance for import and export of such substances (Official Gazette of RS No. 22/10). This Regulation prescribes: phase-out of ozone-depleting substances; conditions and manner of issuing of licences for import and export of ozone-depleting substances and products and/or equipment containing them; management of ozone-depleting substances; management of products and/or equipment that contain these substances or have been manufactured using these substances; management of ozone-depleting substances after the products and/or equipment containing them are no longer in use; ways of recovery, recycling and reclamation, use and final disposal, placing on the market of ozone-depleting substances; calculation of costs of ozone-depleting substances re-use; labelling of products and/or equipment containing ozone-depleting substances; conditions to be met by legal entities and companies involved in production, maintenance and/or

servicing, recovery, recycling and reclamation, control of consumption, placing on the market, final disposal and phase-out of products and/or equipment containing ozone-depleting substances.

Annexes to the regulation are providing: list of controlled substances, list of mixtures containing controlled substances; list of products and equipment by groups; list of processes using controlled substances as process agents; conditions for placing on the market and further distribution of controlled substances for essential laboratory and analytical uses; critical halons use; list of environmentally-friendly technologies eligible for destruction of waste controlled substances, and forms of application for licence, opinion and record-keeping forms.

Since 2004, the Republic of Serbia, through its line Ministry, monitors trade in controlled substances by issuing import, export and transit licences. As regards substances subject to gradual phase-out of consumption (import minus export), import quotas are controlled according to the previously defined and determined baseline consumption and, accordingly, the phase-out schedule. The Ministry submits annual reports on the consumption and use of ozone-depleting substances to the UNEP Ozone Secretariat and Secretariat of the Multilateral Fund.

According to the NOU's records, the annual consumption of ozone-depleting substances in ODP tones, for the period 2000-2009 is as follows:

Group of controlled substances	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Annex A/Group I Chlorofluorocarbons (CFCs)	309.7	263.3	371.7	412.0	282.8	52.1	233.8	53.5	76.7	19.2
Annex A/Group II Halons	0.0	0.0	0.0	0.0	0.0	0.9	0.0	0.0	1.8	0.0
Annex B/Group I Other chlorofluorocarbons (CFCs)	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Annex B/Group II Carbon tetrachloride	33.0	33.0	0.0	0.0	0.0	1.7	1.4	1.1	2.1	1.52
Annex B/Group III Methyl chloroform	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Annex C/Group I Hydrochlorofluorocarbons (HCFCs)	5.2	6.6	6.6	0.0	14.6	18.8	9.1	9.2	7.4	7.7
Annex C/Group II Hydrobromofluorocarbons (HBFCs)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Annex C/Group III Bromochloromethane			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Annex E/Group I Methyl bromide	9.5	14.8	6.6	6.2	0.0	3.0	0.0	0.0	0.0	0.0
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In July 2004, at the 43rd Meeting of the Executive Committee of the Multilateral Fund for Implementation of the Montreal Protocol, the National CFC Phase-out Plan (NCPP) was approved, with United Nations Industrial Development Organisation (UNIDO) as the lead implementing agency and the Stockholm Environment Institute (SEI) as the co-implementing agency and the Ministry of Environment as the national coordinating agency.

NCPP included the following sector programmes: foam production; aerosol production, refrigeration manufacturing sector; refrigeration-servicing sector (training of the existing service technicians, strengthening of vocational schools – training equipment, training of trainers, equipment for service technicians, establishing the infrastructure for re-use of recycled substances); technical support for seminars on alternative technologies and ozone-depleting substances; training for customs officers and procurement of refrigerants identifiers; project management and implementation.

At the 19th Meeting of the Parties to the Montreal Protocol, a Decision was adopted to accelerate the phase-out of production and consumption of Annex C, Group 1 substances of the Montreal Protocol - hydrochlorofluorocarbons (HCFCs). Serbia started the preparation of National Phase-out Plan for these substances. Preparation of the National Plan was approved for funding at the 55th Meeting of the Executive Committee of the Multilateral Fund for Implementation of the Montreal Protocol in July 2008, where it was decided that the United Nations Industrial Development Organisation (UNIDO) will be the implementing agency and the Ministry responsible for the environmental protection will be a national coordinating agency. The Draft Plan was submitted for discussion and approved at the 62nd Meeting of the Executive Committee of the Multilateral Fund. Plan is prepared for the period 2010-2020, and it envisage 35% reduction from the baseline consumption (9.6 ODP tonnes).

Breakdown of projects under the Montreal Protocol implementation

Project	Project code	Implementing agency	Project status
Country programme preparation	MP/YUG/97/063	UNIDO	Completed
Preparation of an investment project in the solvent sector for phasing out ODS at Hemofarm	MP/YUG/97/205	UNIDO	Completed
Preparation of refrigerant management plan (RMP)	MP/YUG/98/011	UNIDO	Completed
Institutional strengthening (establishment of Ozone Unit)	MP/YUG/98/066	UNIDO	Completed
Replacement of CFC-113 as solvent for dialyses cleaning by water and steam at Hemomed Ltd.	MP/YUG/98/076	UNIDO	Completed
Project preparation in the halon sector	MP/YUG/01/050	UNIDO	Completed

Preparation of two projects in the commercial refrigeration sector	MP/YUG/01/076	UNIDO	Completed
Replacement of refrigerant CFC-12 with HFC-134a and foam blowing agent CFC-11 with HCFC-141b in the manufacture of commercial refrigeration equipment in 7 enterprises	MP/YUG/01/160	UNIDO	Completed
Preparation of one investment project in the rigid foam sector	MP/YUG/01/161	UNIDO	Completed
Preparation of one investment project in the flexible foam sector	MP/YUG/01/165	UNIDO	Completed
Halon bank management programme	MP/YUG/01/223	UNIDO	Completed
Conversion from CFC-11 to methylene chloride in the production of flexible slab stock foam at Prva Iskra-Poliuretani	MP/YUG/01/228	UNIDO	Completed
Phasing out CFC-11 by conversion to n-pentane technology in the production of continuous rigid polyurethane foam insulating panels at Prva Iskra - FIM Co.	MP/YUG/01/229	UNIDO	Completed
Preparation of an umbrella investment project in the commercial refrigeration sector	MP/YUG/02/015	UNIDO	Completed
Umbrella refrigeration project 2, replacement of refrigerant CFC-12 with HFC-134a and foam blowing agent CFC-11 with HCFC-141b in the manufacture of commercial refrigeration equipment in three enterprises	MP/YUG/02/107	UNIDO	Completed
Conversion of CFC-12 to HFC-134a in the manufacture of open compressors at Prva Petoletka - Kocna Tehnika Co.	MP/YUG/02/136	UNIDO	Completed
Assistance to prepare a national CFC phase-out plan (manufacturing sector)	MP/YUG/03/063	UNIDO	Completed
National CFC phase-out plan (first tranche)	MP/YUG/04/074	UNIDO	Completed
Extension of Institutional Strengthening Project (Phase II)	MP/YUG/04/147	UNIDO	Completed
Project preparation in the fumigants sector (methyl bromide)	MP/YUG/05/001	UNIDO	Completed

Project preparation for the terminal phase-out in the solvent sector (CTC)	MP/YUG/05/002	UNIDO	Completed
National CFC phase-out plan (second tranche)	MP/YUG/05/005	UNIDO	Ongoing
National CFC phase-out plan (third tranche): projects formulated within NCPP:	(MP/YUG/06/005, MP/YUG/07/001)	UNIDO	Ongoing
Conversion from Freon mixture CFC-11/12 to isobutane in the production of Enbecine, Galenika, Zemun (MP/YUG/06/005)			Completed
Phase-out of CFC-11 (trichlorofluoromethane) in the production of extruded polystyrene foams by using n-butane as expanding agent, at Laminat ad Bajina Basta (MP/YUG/05/005, MP/YUG/06/005)			Completed
National CFC phase-out plan (forth and fifth tranche)	MP/YUG/05/005	UNIDO	Ongoing
Regional Demonstration Project on the Replacement of CFC Centrifugal Chillers - Croatia, Serbia and Montenegro, Romania and Macedonia)	MP/RER/05/010	UNIDO	Ongoing
Preparation of HCFC Phase-out Management Plan (HPMP)	MP/SRB/08/001	UNIDO	Completed
Terminal CTC phase-out project	MP/SRB/08/002	UNIDO	Completed
Extension of Institutional Strengthening Project (Phase III)	MP/SRB/09/001	UNIDO	Ongoing
HCFC Phase-out Management Plan (HPMP)	-	UNIDO/ UNEP	Ongoing

112. Are measures for the reduction of emissions of fluorinated gases in place or planned?

Law on Air Protection (Official Gazette of RS No. 36/09) (below: the Law) gives a legal background for management of fluorinated greenhouse gases (below: F-gases).

Article 53 of the Law prohibits import and/or export and placing on the market of F-gases without a licence, venting of F-gases in the atmosphere, refilling of products and equipment containing F-gases with ozone-depleting substances and placing F-gases on the retail market.

Article 54 of the Law prescribes that the Ministry keep a record of import and/or export, placing on the market and consumption of F-gases, products and equipment containing them, legal entities and companies dealing with import and/or export, placing on the market, manufacture and servicing of products and equipment containing those substances, as well as recovery, recycling and reclamation of F-gases.

Licences for F-gases have been required in Republic of Serbia since May 2009. Since 2004, the Ministry is issuing opinions on import and export of these substances. Permits are issued without quantity restrictions, with purpose of keeping record of import, export and consumption of F-gases.

Article 52 of the Law provides legal basis for adoption of a by-law that will prescribe in detail handling with certain F-gases and equipment and devices containing these gases. Deadline for adoption of this by-law is end of 2011.

113. Has Serbia undertaken measures to transpose the EU *acquis* covering GHG emission reductions, especially EU ETS?

The transposition and preparation for implementation of the EU Climate and Energy Package, including the EU ETS Directive, the Ministry of Environment and Spatial Planning has initiated through development of project proposal: "Technical Support for establishment of Legal and Institutional Framework for Implementation of the EU Climate and Energy Package" for IPA 2011. The project proposal was not approved by the EC. Attempts are being made to find a way to prepare for the Package, primarily for the ETS.

There is a lack of knowledge, experiences and funds on the national level.

114. Is there a national climate change policy and measures adopted? Are there any additional policies and measures related to climate change currently in the development phase and if so, when are they planned to be introduced?

Republic of Serbia adopted First National Communication to the UNFCCC which represents first review of state in the climate change field on national level, as well as strategic document which defines mitigation and adaptation related measures and activities.

The National Strategy for incorporation of the Republic of Serbia into Clean Development Mechanism under the Kyoto Protocol for waste management, agriculture and forestry sectors (National CDM Strategy) was adopted by the Serbian Government on 11 February 2010 (Official Gazette of RS No. 8/10). The main objective of the National CDM Strategy is to build capacity and raise awareness of stakeholders on the Clean Development Mechanism, and identify potential projects and financial possibilities to carry them out.

Certain national strategic documents consider the climate change issue as one of the key development issues. The National Sustainable Development Strategy (NSDS) and Action Plan for the Implementation

of the NSDS for the period 2009-2017 put climate change issue as a key environmental risk factor and defines certain actions related to adaptation and mitigation. Some of the main objectives in the environmental sector are: existing institutions adaptation on needs for efficient implementation of the climate protection policy, fulfilling of obligations prescribed by international documents (UNFCCC, Kyoto Protocol etc.) and developing of an action plan on adaptation of economic sectors. At the same time, in other sectors different than environment, number of priority actions which will contribute to adaptation and mitigation are defined. The National Environmental Protection Programme consider climate change mitigation activities as a priority. At the same time, it underlines the importance of and the need for implementation of adaptation on climate change related activities.

Increasing of energy efficiency and use of renewable energy sources (RES) are two of the five key priorities in the Serbian Energy Development Strategy by 2015.

In the Forestry Development Strategy, the UNFCCC implementation is among the most significant international obligations that have impacts on the development of the sector. It underlines the need for continuity in a forest capacity's increasing to combat climate change more effectively.

The Strategy of Scientific and Technological Development introduces environmental protection and climate change as one of the seven priority areas for financing in the period 2011-2015.

The Draft National Strategy for Biodiversity and Action Plan underline the need to develop a national strategy and a mechanisms for better understanding, planning and minimising the potential effect of climate change on biodiversity.

Some sector-specific laws (on energy, waste, air) include measures whose implementation contributes to the climate change mitigation, while certain laws (on forestry) include measures for adaptation as well.

As it was answered to the question 100, currently National Appropriate Mitigation Actions (NAMAs) for the energy efficiency sub-sector are under development. The finalisation of this document is planned for mid-2013.

115. Does Serbia have sufficient institutional capacity to efficiently implement developed policies and measures?

The Republic of Serbia has established institutional organisation and partially built its capacity to implement policies and measures. At the same time, further institutional and individual capacity building and strengthening are necessary. It is also necessary to increase the number of employees who will deal with this issue only, in order to define and implement climate protection policy efficiently.

Institutional capacity building at the local level is especially important, and it should be done by either establishing the new or strengthening the existing organisational units responsible for environmental – especially climate – protection, and energy management, to be able to properly implement measures on energy efficiency and rational use of energy. Capacity building for the public and private sectors has also key importance.

At the same time, there is a need for capacity building and strengthening related to adaptation on climate change.

116. Which ministries and/or governmental agencies are responsible for the development, implementation and monitoring of climate change policies and measures? Do they have clear mandates to perform these tasks? Do they have

sufficient human and material resources? Have these resources been strengthened in recent years and what plans exist for further strengthening?

In accordance with the Law on Ministries (Official Gazette of RS No. 65/08), the Ministry of Environment and Spatial Planning (MESP) is responsible for climate change issues. MESP is the national focal point for the implementation of the United Nations Framework Convention of United Nations on Climate Change and its Kyoto Protocol,.

The Serbian Environmental Protection Agency, established in 2004 within the MESP, is responsible, among else, for data collection, processing and reporting on greenhouse gases.

Besides the Ministry of Environment and Spatial Planning and Serbian Environmental Protection Agency, ministries that have certain competences related to the climate change are: Ministry of Mining and Energy; Ministry of Agriculture, Forestry and Water Management; Ministry of Economy and Regional Development and Ministry of Infrastructure.

The Law on Meteorological and Hydrological Activity ("Official Gazette of RS", No. 88/100) defines the competences of the Republic Hydrometeorological Service (RHMS) as a specific organization within the Governmental system of the Republic of Serbia regarding the adoption and carrying out of multiannual programs of monitoring, research and forecasting climate changes, creating scenarios of regional and local climate change and participation in the programs of multidisciplinary research of the impacts, vulnerability and adaptation options of certain economic sectors to climate change.

Do they have clear mandates to perform these tasks?

According to the Law on Ministries (Off. Gazette 65/2008), the Ministry of Environment and Spatial Planning is, among else, responsible for climate change related issues. At the same time, the Ministry, in its capacity of the UNFCCC National Focal Point, is responsible for the implementation of the UNFCCC and its Protocol.

In accordance with the same law, previously mentioned governmental institutions (paragraph 3 and 4 of the question number 98) perform measures and activities that contribute to combating climate change.

Do they have sufficient human and material resources?

A Climate Change Unit (3 employees) was established within the MESP in 2008. It had been later transformed into the Climate Change Department (5 employees).

Considering the scope of work in the field of climate change and bearing in mind the number of employees in the Climate Change Department and the Serbian Agency for Environmental Protection, the current number of employees cannot be considered sufficient.

A Sustainable Development Department was established in the Ministry of Mining and Energy in 2008. Among else, it deals with climate change related issues from the aspects of energy and mining. It is understaffed.

During 2007, within the Republic Hydro meteorological Service, National Centre for Climate Change was established which also performs the functions of Sub regional South East European Virtual Climate Change Centre (SEEVCCC).

Activities relating to climate change are carried out as part of regular activities of the mentioned organizational units, in cooperation with relevant government institutions, under programmes and projects funded from national, bilateral and international financial resources.

Have these resources been strengthened in recent years and what plans exist for further strengthening?

Taking into account information provided in the answer on previous question, in the last few years number of employees in the organizational units dealing with climate change issues is significantly increased, and further increasing has been envisaged under the relevant national strategic documents. National programme for EU integration of the Republic of Serbia, as well as Action plan for the implementation of National Sustainable Development Strategy for the period 2009-2017 (Off. Gazzette RS. 31/2010) envisage, among else, measures for further strenghtening of institutional capacities dealing with climate change.

Regarding the financial matters, number of projects has been considerably increased in recent years.

Considering that various national strategic documents introduce mitigation and adaptation related actions, increase of financial resources, necessary for realization of the mentioned actions on national level, is planned. In order to assess financial needs for mitigation and accordingly make detailed financial plans, MESP started a project "Efficient ways for GHG emissions reductions within post-Kyoto framework in Serbia" which is financed by the Government of the Kingdom of Spain.

In terms of funding, significant improvement is planned in the field of scientific research, which have been conducting under the national programme of scientific research financed from the governmental budget. Scientific research in the field of climate change and its effects is among the priorities for the period 2011-2015.

In future, development and strengthening of human resources of RHMS will be conducted in cooperation with academic, educational and scientific research meteorological institutes through national and regional programmes and climate change projects funded by EU.

Financial resources of the RHMS in the domain of climate change monitoring and research have lately significantly increased in the process of establishing the basic functions of South-East Europe Virtual Climate Change Centre - SEEVCCC (www.seevccc.rs) and its inclusion in the European network of regional climate centres of the World Meteorological Organizations (WMO RA VI RCC-Network).

By the Work plan of the Government, adoption of a five year programme on RHMS development and research activities in the field of meteorology and hydrology is envisaged. This programme will include activities in the field of systematic observation, monitoring and research of climate change effects, vulnerability and adaption options, that are directly related with implementation of UNFCCC in the field of adaptation.

Further development and strengthening of human resources of the RHMS will be carried out in the cooperation with University scientific-research meteorological institutes through national and regional programs and EU projects in the field of climate changes.

117. Do any countries, UN organisations or other donors fund capacity building activities for the UNFCCC and Kyoto Protocol in your country?

Development of the First National Communication was funded by the Global Environmental Fund, with UNDP as the implementing agency. The main objective of National Communications is to enable national capacities to deal with the climate change issues.

The Norwegian Government funded development of the National Strategy for Incorporation of the Republic of Serbia into the Clean Development Mechanism of the Kyoto Protocol for the waste management, agriculture and forestry sector (National CDM Strategy), as well as for the energy sector. The main objective of the National CDM Strategy is capacity building for wide range of stakeholders.

Implementation of the project “Capacity Development Project on Nationally Appropriate Mitigation Actions (NAMAs) in the Republic of Serbia” started in January 2011. It is funded by the Government of Japan. The objective of the project is enabling of national capacities for preparation of mitigation related measures and activities.

In cooperation with the Italian Ministry of Environment, Land and Sea, numerous activities regarding climate change have been realizing, primarily those related to the Clean Development Mechanism. This cooperation is carried out through the Memorandum of Understanding, signed in 2002, whilst the activities are defined through annual Annexes.

Within bilateral agreement on cooperation in the field of environmental protection, Republic of Italy rendered financial support to the upgrading of climate change research through the project “Simulation of climate parameters in the Mediterranean region” and strengthening of partnership between the Italian Euro-Mediterranean Centre for Climate Change in Lecce-CMCC and South East European Virtual Climate Change Centre-SEEVCCC whose host is the Republic Hydro meteorological Service of Serbia.

Numerous seminars and workshops have been organised in the previous period in cooperation with: the World Bank, OEBS, UNEP, Regional Environmental Centre for Central and Eastern Europe (REC), JICA, Italian and German ministries responsible for environment, the Norwegian Government.

The Norwegian Government funded the project Norwegian Assistance to Serbia for Introduction of the New Energy Efficiency Policy, Energy Balance on Local Level and Implementation of the Kyoto Protocol, carried out in the period 2006-2009. Under sub-component 2.2 Preparation of Serbian Energy Sector Strategy for implementation of CDM Projects of this project, the CDM Implementation Strategy in the Serbian Energy Sector was prepared.

The Norwegian Government approved the funding of the project Development of CDM Pilot Projects in the Energy Sector in Serbia, proposed by the Ministry of Mining and Energy. The objective is capacity building related to CDM project development for Regional Energy Efficiency Centres. The project is in the initial stage.

The Ministry of Mining and Energy prepared a project proposal entitled Implementation of the Energy Component of the Sustainable Development Strategy. The project was approved for funding from IPA 2010 and its realization is scheduled for the 2011-2012 period. A series of seminars and workshops are planned under this project with a view to capacity building for the preparation of GHG Inventory and mitigation measures, and for implementation of the EU Climate and Energy Package.

118. How is your country preparing for the post-2012 climate regime? What are Serbia's long term GHG reduction goals? Would Serbia be ready to take on GHG emission limitation/reduction commitments in the post-2012 climate regime?

The First National Communication introduces measures and activities to contribute to limitation of GHG emissions by 2015. According to the baseline scenario, total GHG emissions in 2015 will reach 120.41% of GHG emissions in 1990. According to the alternative scenario, in the year 2015 GHG emissions will be on the level 111.66% of GHG emissions in the base year - 1990.

Assessments made for the purpose of association to the Copenhagen Accord, indicates possibility for emission limitation from 29% on 18% until 2020 compared by emissions in 1990 under the business as

usual scenario. Concrete and detailed mitigation related actions until 2020 will be developed through the Second National Communication and project for development of NAMAs.

The actions on GHG emissions limitation, up to 2015 and up to 2020, require certain financial, technical, and technological assistance.

The Ministry of Environment and Spatial Planning started a project: "Efficient ways for GHG emissions reduction under the post-Kyoto framework" financed by the Government of the Kingdom of Spain. Main objective of the project is to conduct a cost benefit analysis for specific of mitigation related actions until 2020.

Harmonisation of national with the EU legislation, and in particular, preparation for implementation of the EU Climate and Energy Package are among the Government's priorities.

Taking into consideration complexity of this issue, the Republic of Serbia has initiated or is taking measures at different levels and in different sectors that, in general, can be described as:

- a. legislative, with the aim to harmonise with EU *acquis*, through transposing of complete regulation of the EU Climate and Energy Package;
- b. institutional, aimed at establishing and/or building institutional capacities at all levels: national, provincial and local, as well as economy capacities, that will be enabled to completely implement the EU Climate and Energy Package;
- c. activities related to: implementation of projects on establishment of energy management in energy consumption and production sectors and establishment of energy management at the local level, development of studies aimed at capacity building in the field of strategic planning, energy planning improvement and monitoring of energy policy implementation;
- d. investments, aimed at approximation of new and planned investment projects with requirements of international agreements, European and domestic regulations through implementation of mitigation and adaptation related measures and climate protection and adapting to changed climate conditions.

The Republic of Serbia has projected limitation of GHG emissions until 2015 through First National Communication as well as limitation of those gasses until 2020 through support to Copenhagen Accord.

Transposition, preparation and implementation of EU Climate and Energy Package will contribute to more efficient and significant reduction of emissions at national level.

The Republic of Serbia is ready to take GHG emission limitation commitments in accordance with its responsibilities and capabilities, as presented in the First National Communication and support to Copenhagen Accord.

Detailed mitigation related actions until 2020 will be developed through process of development of the Second National Communication and projects: "Efficient ways for GHG emissions reduction within the post-Kyoto framework of Serbia" funded by the Kingdom of Spain and "Capacity Development Project on Nationally Appropriate Mitigation Actions (NAMAs) in the Republic of Serbia" funded by the Government of Japan.

119. What measures has Serbia undertaken to transpose and implement EU *acquis* covering GHG emission reductions, in particular with respect to the different sectors covered by the EU emissions trading system (stationary installations and aviation activities)?

The transposition and preparation for implementation of the EU Climate and Energy Package, including the EU ETS Directive, the Ministry of Environment and Spatial Planning has initiated through development of project proposal: "Technical Support for establishment of Legal and Institutional Framework for Implementation of the EU Climate and Energy Package" for IPA 2011. The project proposal was not approved by the EC.

There is a lack of knowledge, experiences and funds on the national level

The Ministry of Mining and Energy developed a project proposal entitled: "Implementation of the Energy Component of the Sustainable Development Strategy". The project was approved in late 2009 and preparation of the terms of reference started in 2010. The project is approved for financing from IPA 2010 fund and the implementation is planned for the period 2011-2012. Under the project, among else, organization of seminars regarding EU Climate and Energy Package, including the EU ETS Directive, is planned.

120. Will there be sufficient information and training provided by a competent authority on the auctioning of emissions allowances and on the participation in the secondary carbon market?

Under the project: **"Implementation of the Energy Component of the Sustainable Development Strategy", developed by the Ministry of Mining and Energy** seminars regarding EU Climate and Energy Package, including the EU ETS Directive for stationary sources, will be organized.

The Ministry of Environment and Spatial Planning is in the process of seeking bilateral partners for capacity building and improvement of knowledge of stakeholders regarding emission trading and particularly on EU Emissions Trading Directive, taking into account that adequate expertise and experiences at a national level does not exist. Certain activities were implemented within the project "Technical Assistance for Preparation of a National Environmental Approximation Strategy (EAS) in order to introduce a new EU Emissions Trading Directive (for post-2012 period) to the limited number of stakeholders.

121. What additional assistance is potentially needed to establish the above-motivated activities?

Assistance is needed in the following areas:

1. For implementation of mitigation related actions identified under the First National Communication, financial support, transfer of knowledge and technology is needed;
2. For implementation of the EU Climate and Energy Package and especially the EU ETS Directive, support for capacity building of all stakeholders in order to establish legal and institutional framework for and effectively implement this Package, is needed;
3. In general, exchange of knowledge and experiences with representatives of EU member countries on combating climate change is needed.

I. NOISE

122. Is there a general noise abatement act or policy? What are the main features of the noise control policy (emission standards, planning standards)?

Noise-related issues in Serbia are regulated under the Law on Environmental Noise Protection (Official Gazette of RS No. 36/09). The Law Amending the Law on Environmental Noise Protection was adopted in November 2010 (Official Gazette of RS No. 88/10).

Sublaws which implement the Law (one regulation and five rulebooks) were adopted in October and November 2010. By their adoption, provisions of the Directive 2002/49/EC relating to the assessment and management of environmental noise have been completely transposed into domestic legislation.

This way the Law has introduced the obligation of strategic noise mapping for agglomerations, major roads, major railways and major airports. Strategic noise maps shall be used as a basis for creation of environmental noise protection action plans and as a mean to inform the public on environmental noise levels and its harmful effects.

It is forbidden to emit noise if it exceeds limit values. The regulation defines outdoors and indoors noise indicator limit values respectively, noise indicators assessment methods, annoyance and harmful effects of environmental noise. A rulebook dealing with acoustic zoning prescribes methodology for determining acoustic zones. Local government units have to delimit acoustic zones on their territories until November 2011. The rulebook on environmental noise measurement methods is harmonised with the relevant parts of the international standards ISO 1996-1 and ISO 1996-2.

123. What noise sources are covered by this legislation/policy, in particular what is the situation as regards road traffic, rail traffic, air traffic, industrial activities sites such as construction plants and equipment industries?

The Law on Environmental Noise Protection and appropriate bylaws (regulation and five rulebooks) define noise source as any emitter of unwanted sound caused by the human activities. Noise source can be any device, tool, vehicle, site of industrial activity, technological procedure, electro-acoustic device. Also, mobile and stationary objects that generate sound under certain circumstances, open and closed space for sports, games, dance, plays, concerts, listening of music, and catering objects, garages and parking lots are considered as noise sources. This Law shall not apply to noise at work places, work place surroundings, noise inside means of transport, noise due to military activities in military areas, noise caused by elementary disasters, natural and other accident protection, noise from domestic activities, noise created by neighbours or noise that is caused by the exposed person himself.

The Law prescribes obligation of strategic noise mapping for agglomerations having a population in excess of 100,000 persons, for major roads which have more than 3,000,000 vehicle passages a year, for major railways which have more than 30,000 train passages per year and for major airports. The Law and bylaws lay down that the strategic noise maps are made in two phases (2015 and 2020). The Noise Protection Action plans shall be adopted one year after creation of strategic noise maps (2016 and 2021).

In the field of **road vehicles**, in the Republic of Serbia, international UN/ECE - Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions is applied (hereinafter: 1958 Agreement). The Road Traffic Safety Agency is responsible for implementation of the 1958 Agreement and for the following UN/ECE Regulations, annexed to the 1958 Agreement and relate to road vehicles noise:

- Uniform provisions concerning the approval of category L2, L4 and L5 vehicles with regard to noise) (UN/ECE R. 9) (Official Journal of SFRJ, No. 16/72, International agreements and other treaties), (corresponding to the EU Directive/Regulation with relevant amendments and modifications: 97/24);
- Uniform provisions concerning the approval of motor cycles with regard to noise (UN/ECE R. 41) (Official Journal of SFRJ, No. 60/86), (corresponding to the EU Directive/Regulation with relevant amendments and modifications: 97/24);
- Uniform provisions concerning the approval of motor vehicles having at least four wheels with regard to their noise emissions (UN/ECE R. 51) (Official Journal of SFRJ, No. 48/84 and 1/87), (corresponding to the EU Directive/Regulation with relevant amendments and modifications: 70/157);
- Uniform provisions concerning the approval of replacement silencing systems (UN/ECE R. 59) (Official Journal of SFRJ, No. 43/92), (corresponding to the EU Directive/Regulation with relevant amendments and modifications: 70/157 and 81/334);
- Uniform provisions concerning the approval of two-wheeled mopeds with regard to noise (UN/ECE R. 63) (Official Journal of SFRJ, No. 73/87), (corresponding to the EU Directive/Regulation with relevant amendments and modifications: 97/24).

The following UN/ECE Regulations was notified (ECE/TPANS/WP.29/343/Rev. 18):

- Uniform provisions concerning the approval of non-original replacement exhaust silencing systems (RESS) for motorcycles, mopeds and three-wheeled vehicles (UN/ECE R. 92);

Pursuant to the Article 17 (2) of the **Law on Railway** (Official Gazette of RS, no. 18/05) the manager of public railway infrastructure is obligated to, when performing his duties, take care of environment protection in accordance with law and other regulations.

The same provision is contained in the Article 4(2) of the Decision on establishing of public enterprise for management of public railway infrastructure and performance of public transport in railway traffic (Official Gazette of RS, no. 78/04 and 19/05).

The Air Transport Law (Official Gazette of RS, No 73/10), in the Article 200, prescribes that the aviation entities shall implement measures for protection of environment against aircraft noise and other noise related external factors, that result from the operation or provision of services in civil aviation.

The Minister competent for transport affairs, with the consent of the Minister competent for environment protection affairs, prescribes the procedures for noise reduction arising from aircraft taking-off and landing, in accordance with the international standards.

Pursuant to the Article 201 of the same Law, the aerodrome operator shall ensure implementation of environment protection measures when airport is in use, in line with the Law and regulations governing environment protection.

The Article 202 of the Law prescribes that noise and gas emission at airports and in the vicinity of the airports shall not be higher than prescribed limit values.

The Minister competent for transport affairs, with the consent of the Minister competent for environment protection affairs, prescribes allowed noise levels at airports, allowed gas emission levels at

airports, methods of emission monitoring and operative restrictions at certain airport points, as well as the measures for the reduction of aircraft emission.

Aircraft operators shall pay the charge for environment protection against aircraft noise and aircraft gas emissions.

60 % of the funds from the collected charges referred to in the point 3 of the Article represent the income of the airport operator, while 40 % represent the income of the budget of the Republic of Serbia and are dedicatedly used through the Environment Protection Fund.

The aerodrome operator shall use the funds from the collected charges for implementation of appropriate environment protection measures, for mitigation of harmful noise and gas emissions effects, elimination of harmful effects prescribed by this Law and regulations regulating environment protection.

Environment Protection Fund dedicates the funds from the collected charges for development of strategic noise maps and action plans for environmental protection against noise in civil aviation.

The Minister competent for transport affairs, with the consent of the Minister competent for environment protection affairs, prescribes the amount of the charge for the environmental protection against aircraft noise and gas emission.

Pursuant to the Article 203 of the mentioned Law, the operators of general purpose airports and airports used for commercial air transport that, during the previous year, had more than 50,000 take-offs and landings, as well as the operator of the combined airport open for operations of military and jet aircraft, shall provide continual measuring of noise generated at airport and its vicinity as a result of aircraft take-offs and landings.

The results received by noise measuring are used for development of strategic noise maps and action plans for environmental protection against noise and vibrations in air transport and for designation of noise protected areas where aircraft noise exceeds allowed level.

The Minister competent for traffic affairs, with the consent of the Minister competent for environment protection affairs, prescribes the method of noise measuring at airports.

The Article 16 of the Law on Environmental Noise Protection prescribes **that machines, equipment and means of transport** manufactured in Serbia or imported to the territory of the Republic of Serbia, must be in compliance with technical regulations related to limit noise level under certain conditions of use, and that products must be labelled in regard to noise generated during the use of the product.

J. CIVIL PROTECTION

124. Which administrative bodies (ministries, agencies, etc.) are responsible for developing the civil protection policy?

In 2009, the Serbian Government dramatically changed the protection and rescue system in Serbia. Instead of the earlier, heterogenous system that existed in most ministries, it established a single, legally standardised and organised system of protection and rescue in emergencies. *A special service, Sector for Emergency Management (below: SEM), was established* as part of the Ministry of Interior, a government institution responsible for the development of a protection and rescue policy, including civil protection.

The Sector for Emergency Management has been fully functioning since 1 July 2010. It consists of:

a) in the Headquarters in Belgrade:

1. *Department for Prevention*
2. *Department for Fire and Rescue Units*
3. *Department for Risk Management*
4. *Department for Civil Protection*
5. *National Training Centre*

b) Outside the Headquarters there are 27 units, organised as departments and sections. SEM has four departments for emergency management (Belgrade, Novi Sad, Nis, Kragujevac) and 23 sections for emergency management that monitor and manage emergencies on the district level. Heads of all units of SEM answer directly to the SEM Head, who is also Assistant Minister of Interior.

In accordance with the Law on Emergency Situations (Official Gazette of RS No. 101/10), SEM coordinates activities of all state institutions involved in the protection and rescue system and disaster and emergency management.

125. What is the general approach and organisation as regards civil protection?

SEM's most important step towards establishment of an integrated disaster and emergency management system was setting up a legal framework in this area. The Serbian National Assembly adopted the Law on Emergency Situations and the Law on Fire Protection on 29 December 2009. The Law on Emergency Situations (below: the Law) defines and governs the following: actions, declaration and management in emergency situations; responsibilities of public authorities, autonomous provinces and local self-governments in the protection and rescue system; citizens' rights and obligations; organisation and activities of civil protection units and commissioners, organisation of the monitoring, notification and alert system and the future 112 system; funding, inspection; international cooperation and other issues of importance for protection and rescue.

The Law defines civil protection as part of a single system of protection and rescue in Serbia, whilst public authorities are protection and rescue entities performing tasks in line with their responsibilities.

In accordance with the Law, the Serbian Government will, through the Republic Emergency Response Headquarters and SEM, directly manage major emergencies or those that have affected several local self-governments. The Commander of the Republic Headquarters will be a member of the Government, whilst the Chief Officer will be the Head of SEM. In December 2010, the Government of the Republic

of Serbia adopted the Regulation on Formation of Emergency Response Headquarters. This act regulates the functioning of emergency response headquarters at all levels.

The Law on Emergency Situations decentralises protection and rescue activities so that local self-governments are responsible for the planning and organisation of civil protection and for the first response in emergency situations. The Law envisages planning and implementation of all tasks of civil protection in line with the Geneva Convention of 1949 and the Protocol Additional to the Geneva Convention.

The Law on Emergency Situations was a joint effort of experts of the Ministry of Interior, Ministry of Defence, Ministry of Environment, non-government organisations, international organisations, universities and other scientific institutions. Legislations of other countries were used. Numerous regulations and rulebooks stem from this law, and they govern the area of protection and rescue in Serbia in detail.

The Department for Fire and Rescue Units coordinates the work and use of fire and rescue units on the entire territory of the Republic of Serbia. These units are first to respond, protect and rescue citizens, material and cultural goods in the event of disaster or emergency situation. Fire and rescue units closely cooperate with other organisational units of the Ministry of Interior (Helicopter Unit, Gendarmerie, divers), other ministries, Serbian Military and other services – if their participation is needed for a united response in emergency situations.

The objective of the Department for Prevention is to unify all preventive activities concerning protection of life, health and citizens' property. It is responsible for inspection and control of buildings from the aspect of fire and explosion protection, including approval of location, technical documentation and technical acceptance of buildings under construction, inspection of buildings that are being used from the aspect of fire and explosion protection, monitoring the production, trade in and transport of flammable and explosive substances, and it performs investigations in the event of fire or explosion.

The Department for Risk Management is responsible for the preparation of Risk Assessment (technical and technological accidents), which is an integral part of the National Vulnerability Assessment. Through this department, SEM organises the activities of all monitoring, notification and alert centres. These centres gather information on the situations in the areas of importance for the system of protection and rescue on the territory of Serbia 24/7. The Department coordinates activities in emergency management and offers expert assistance to the emergency response headquarters and to others who participate in the protection and rescue of people and material goods in emergency situations.

The Department for Civil Protection is responsible for the preparation of the National Emergency Protection and Rescue Plan, and for one part of the National Vulnerability Assessment. In addition, through this department, SEM establishes and equips specialised civil protection units (search and rescue units; water rescue, including underwater rescue; CBRN protection; heights and depths rescue; shelter provision; first medical help etc.). Within the Dept. for Civil Protection, there is a Section for Demining, responsible for destruction of unexploded lethal devices.

The National Training Centre organises training courses for firefighters, rescue units, civil protection units etc., commanders and members of emergency response headquarters, municipal officials and SEM staff.

126. Are there specific measures aiming at protecting the environment in the case of a disaster?

The Sector for Emergency Management of the MoI has special measures to protect environment and they are prescribed under the Law on Emergency Situations (Official Gazette of RS No. 101/10). They are the responsibility of the Department for Risk Management. Article 73 of the Law prescribes that any company and other legal person performing activities where one or more hazardous substances may be present in prescribed quantities have an Accident Protection Plan. In addition, in accordance with the Article 79 the Accident Protection Plan must be implemented.

Article 77 of the Law prescribes the role of the Ministry of Interior in accidents with cross-border effects and the ways of communication and information exchange with the responsible authorities in neighbouring countries that might be affected by the accident. The Ministry of Interior, i.e. SEM and its Republic Notification Centre, i.e. the future national 112 centre, is the focal point for notification and exchange of information on accidents with cross-border effects and takes measures to prevent such accidents and minimise their consequences.

A special law governs and defines environmental protection, whilst the Ministry of Environment and Spatial Planning is responsible for environment-related issues.

127. Does the civil protection organisation include a component for international co-operation and if so, what is the nature of this?

The Sector for Emergency Management of the Ministry of the Interior actively participates in the initiatives of regional and international organisations in the field of emergency situations and crisis management. SEM closely cooperates with all neighbouring countries, takes part in and organises regional and international seminars, special training courses, courses and workshops in emergency situations, crisis management and disaster risk reduction.

SEM takes part in activities of international institutions and organisations such as: United Nations International Strategy for Disaster Reduction (UNISDR), European and Mediterranean Major Hazards Agreement (EUR-OPA) of the Council of Europe, Disaster Preparedness and Prevention Initiative (DPPI) for Southeast Europe, United Nations Development Programme (UNDP), United Nations Office for the Coordination of Humanitarian Affairs (UN-OCHA), United Nations Capacity for Disaster Reduction Initiative (UN CADRI), Civil Military Emergency Preparedness (CMEP), Partnership for Peace (PfP) within NATO, USAID, OSCE, Black Sea Economic Cooperation (BSEC), Balkan Firefighting Sport Federation (BFSF) etc.

The Agreement on Cooperation in Emergency Situations was signed between Serbia and Bosnia and Herzegovina on 13 Decembre 2010.

The Agreement on Cooperation in Emergency Situations was signed between Serbia and Montenegro on 4 October 2010.

SEM has established good cooperation with the Russian Ministry of Civil Defence, Emergencies and Elimination of Consequences of Natural Disasters (EMERCOM), in accordance with Letter of Intent for cooperation in prevention of natural disasters and technogenic disasters and elimination of their effects, signed on 25 June 1996. The Letter of Intent was signed between EMERCOM and the Government of Serbia and Montenegro, and on 21 October 2009 the Russian EMERCOM and the Serbian Ministry of the Interior signed the Agreement on Cooperation.

SEM and Danish Emergency Management Agency (DEMA) signed the Memorandum of Understanding and Cooperation on 21 December 2007. In accordance with the MoU, the financial donation will go towards purchase of equipment, training courses, seminars, regional and international cooperation in the

field of disaster and emergency management over a five-year period, i.e. until the end of 2012. It has been agreed that the cooperation continues until 2013.

The agreements are to be signed with Bulgaria, Croatia, FYR Macedonia, Greece, Hungary, Romania, , and MoUs with France and Italy.

Drawing from the experience and lessons learned and exchanging best practices and experiences with other relevant services, SEM aims to become a modern European service and leading service in the region, with the capacity to assist neighbouring countries in times when they are affected by disaster.

Examples of international assistance

In December 2010, SEM received humanitarian aid from the Russian Ministry of Emergency Situations for elimination of consequences of Kraljevo earthquake.

In December 2010, SEM offered its special teams for prompt response in floods and water rescue to Bosnia and Herzegovina and Montenegro; SEM offered its special teams for chemical accidents to Hungary after the disaster with red alkaline smudge in October 2010; SEM offered its special teams for prompt response in floods and water rescue to Slovenia and Croatia during the floods in September 2009.

In the summer of 2008, having received a request for assistance from the Department for Emergency Situations and Civil Protection of the Montenegrin Ministry of Interior and Public Administration, only a couple of hours after, the Serbian Ministry of Interior, through SEM, sent two helicopters equipped for putting out a major forest fire.

SEM offered its special teams for prompt response in floods and water rescue to the Italian Civil Protection Department during the floods in Rome in 2008.

In the summer of 2007, the Russian Ministry of Emergency Situations EMERCOM assisted Serbia in fighting major forest fires and wildfires. Russian EMERCOM sent the Ilyushin 76 fire fighting aircraft, which was deployed in Serbia for a few days.

Having received a request for assistance from the Greek fire fighting service in the summer of 2007, in less than 40 hours, SEM sent 55 firefighters and 6 fire vehicles. The teams were deployed on the Greek peninsula of Peloponnesus for 10 days and helped putting out major forest fires and wildfires.

128. Are there specific strategies or measures aimed at protecting the population from disasters?

In accordance with the Law on Emergency Situations a number of strategic documents and plans in the field of disaster and emergency management shall be adopted, such as: the National Strategy for Protection and Rescue in Emergencies, National Vulnerability Assessment and National Emergency Protection and Rescue Plan. The National Strategy should define objectives and modalities for creating conditions for first response and rescue of people and property. In addition, emergency action plans will be adopted. They should provide an organised approach to implementing measures of prevention, alert, measures applied during and after emergency situations. These plans have already been developed in most local governments with the assistance of the USAID PPES programme.

A number of bylaw acts have been adopted and others are in the phase of adoption. These regulations will govern methodology of preparation of the Vulnerability Assessment and the Emergency Protection and Rescue Plan.

129. Are there specific strategies or measures aimed at preventing and combating forest fires?

An inter-ministerial Working Group responsible for preparation of the National Emergency Protection and Rescue Strategy has been established.

The Serbian Government has formed a working group to prepare the Fire Protection Strategy and the Action Plan for its implementation. In this strategy, the Ministry of Interior and the Ministry of Agriculture will discuss the issue of forest fires, among other things. Also, the Regulation on Classification of Buildings, Activities and Land in terms of Vulnerability to Fire prescribes the level of fire protection measures to be implemented in forests, according to fire risks and complexity of putting out a fire.

The fire and rescue units of SEM follow the Standard Operational Procedures in case of forest fires and wildfires. There are operational maps for forest fires extinguishing which are made by the territorial unit of SEM in cooperation with the forestry officials. They contain the fire extinguishing plans with accessing roads, alternative water resources etc.

The organisation of SEM allows fast and efficient deployment of all available resources at any time and any place on the Serbian territory in case of forest fires or any other disasters. SEM cooperates with other units within the MoI, especially Helicopter Unit. In addition, the new legal framework prescribes more severe fines and greater responsibility with regard to causing fires.

Department for Forestry of the Ministry for Agriculture does not have the Fire Protection Strategy nor the current legal framework predicts its preparation since the new Law on Fire Protection, which is under the jurisdiction of the MoI, implies the adoption of the Fire Protection Strategy.
