

Subject: **2013 Progress Report – EASD (ENV.net Serbia Team<sup>1</sup>) contribution**  
**Focus on *Economic Criteria* Chapter 27: Environment**

**Overall opinion: NO PROGRESS**

In addition, recent institutional and personal changes consequences, as well as frequent changes of previously approved environmental legislation, should be monitored carefully, in order to detect if they are in line with accession to EU. Mentioned monitoring should be performed by civil society (all categories, including research associations as well as NGOs), relevant international organisations, as well as governmental organisations.

Implementation of environmental legislation, in many aspects, is “freeze”/“on hold”

Summary:

**General** –shows that Actual Government is keeping **environmental approximation “on hold”** (one of the evidence is The Law on budget for 2013).

Rebuilding (after broken continuity in 2012) and further strengthening of the relevant institutions and of the administrative (human/personal) capacity should remain a new strong priority.

In the last year, numerous changes of laws and secondary legislation relevant to environment sector, took place. This should be carefully monitored – because the changes could lead to approaches less accepting EU guiding principles than previous ones.

There is need for enforcement of implementation of environmental legislation – the measures should be linked with the inclusion of environment in the other sector policies, including the justice system and financial control mechanisms.

With abolishment of Environment Fund in 2012, good tool/mechanism /economic instrument for enforcement are lost, and substitution mechanism is not developed.

Environmental infrastructure priorities (as noted in NEAS, RIO+20 document, Draft Fiscal Strategy, etc) should be built in accordance with plan. However, 2013 seems “freeze” some

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<sup>1</sup> ENV.net is abbreviation used for the Project “Development of the ENV.net in West Balkan and Turkey: giving citizens a voice to influence the environmental process reforms for closer EU integration”, EuropeAid/132438/ACT/MULTI Ref. 2012/306-642.

ENV.net Serbia Team is from EASD – Environmental Ambassadors for Sustainable Development (Partner from Serbia in the Project Consortium)

**As the activity in the Project, Study ACTUAL STATUS OF EU ENVIRONMENTAL ACQUIS (Chapter 27) IN SERBIA is under (participatory) preparation, and this Study served as the basis for this Contribution .**

infrastructure projects (zero money in Law on budget to support this priority), leading to need to re-calculate finance within documents.

Environmental CSOs have to improve their capacities and coordination in order to have stronger role in EU accession processes.

**Horizontal** - Decision actually taken environmental sector are implemented on *Ad hoc* basis, and not through implementation of Action Plans. In addition, some important EC environmental related legislation is still waiting for attention to be addressed, like environmental liability.

Capacities for implementation of legislation on national, provincial and local level are missing (e.g. Law on strategic environmental assessment, Law on EIA, related public participation and access to information).

In EIA, SEA and IPPC permits processes, the implementation needs to be improved, in particular the public consultation process and the quality of the dialogue with the CSOs, including NGOs. Parallel with strengthening capacities of NGOs, involvement and capacities of other CSOs categories, should be straighten, i.e. professional and business associations, employer's organizations, trades unions, associations of local self-government, foundations, independent research institutes, the not-for profit media.

**Air quality** - No progress. From "insufficient money" this year that comes to "almost no money" for air quality related work.

**Waste management:** Mining waste directive still not transposed (sub-law of The Law on Mining and Geological Research still not prepared/approved).

Proper infrastructure for waste management is precondition for economic and sustainable development.

In continuity, from 2000 when country ratifies Basel convention, waste management is constantly developing (having Waste Management Strategy, 2003, updated in 2010, as the umbrella).

There are some "signals" (statements by government officials) that some of strategies (already in place and implementation, and in accordance with EU) "will be revised". For example, often National Waste Management Strategy (2003, updated 2010) is mentioned in that context. This should be carefully monitored – because the new possible approaches could lead to strategies less accepting EU guiding principles than actual ones.

In the Republic of Serbia there is no hazardous waste treatment facility. No progress in this matter.

**Water quality** - Noted problems in 2012 Progress Report remain.

The Law on Waters should be checked against the "integrated basin" approach.

Further progress has been made in the construction of wastewater treatment plants.

**Nature protection** - No progress.

It is big confusion about competences in nature protection, i.e. between the Ministry of natural resources, mining and spatial planning and Ministry of Energy, Development and Environmental Protection.

The administrative capacity in relation to protected areas (including in UNESCO biosphere reserve Golija-Studenica) is insufficient.

**Industrial pollution control** - No progress

Noted problems in 2012 Progress Report remain.

**Chemicals** - No progress (i.e. evident negative development).

Chemical Agency abolished.

The helpdesk of the (former) Serbian Chemicals Agency, with observer status with the European Chemicals Agency, do not exist anymore.

Unit for chemicals within competent Ministry, in April 2013 still do not exist (from 42 staff members in former agency it comes to unknown structure related chemicals). Agency's (Agency for Chemicals) transferred competences and administrative capacity is not preserved, until now.

**Climate change** - No progress. No progress in a mitigation commitment by 2020.

Preparation of the Second National Communication, on a project basis, started in September 2012 and it should be finalized not later than in June 2015.

The progress in this matter is closely linked with post 2015 Energy Strategy, under development (in April 2013 draft is not available to the public). There are however some RES projects on the agenda that are more in line with the to build unsustainable RES projects; the development of the energy sector is not submitted for SEAs and these plans are not open to wide public consultations thus leading to unsustainable development patterns.

The lack of involvement of environmental CSOs in dialogue.

The administrative structure on climate change should be considerably strengthened.

**Noise** - There is no progress to report in the area of noise.

**Civil protection** - Impression is that it is improving.