

ENVIRONMENTAL REGULATIONS

1.83

WHITE BOOK BALANCE SCORE CARD

Recommendations:	Introduced in the WB:	Significant progress	Certain progress	No progress
The introduction of economic incentives for investment in environmental protection (clean production, pollution reduction, energy efficiency, waste reduction, eco-innovation, etc.) and active operation of Green Fund	2010		√	
Reinforce cooperation with operators licensed for the thermal treatment of waste to solve the issue of permanent waste disposal, thereby significantly reducing quantities deposited in landfills	2014			√
Stimulate investments into the treatment of animal waste and ensure adequate solutions for such waste.	2015			√
Stimulate local communities to provide conditions for the collection and selection of communal waste from households.	2016	√		
Continue developing local and regional waste management plans.	2009		√	
Accelerate the adoption of laws and by-laws to ensure a proper implementation of changes to regulations in the field of environmental protection	2018		√	

CURRENT SITUATION

Last year, 2019 was anticipated to be a milestone year for environmental protection in Serbia, since the country seemed to have achieved a high level of alignment with the EU acquis.

There was no progress made on adopting and implementing the Environmental Liability Directive 2004/35/EC, a basic preventive tool for environmental protection.

The capacity of the environmental inspectorate should be strengthened in order for the Serbian state to create a level playing field for competition among industrial producers.

In addition, changes to the Law on Environmental Protection have been adopted, creating a formal-legal framework for agricultural producers to obtain funds from the EU's instrument for pre-accession assistance for rural development (IPARD). The purpose of the changes was to support owners of family farms, entrepreneurs, and companies, but also agricultural cooperatives, to meet requirements for applying for the funds. The Law prescribes that funds from the Green Fund of the Republic of Serbia shall be granted for the purpose of financing the protection and improvement of the environment, based on a public invitation announced by the Ministry of Environmental Protection. Funds can be granted without a contest for financing emergency measures in case of environmental incidents.

The Green Fund - as a fund financed from the budget established with the purpose of keeping a record of resources intended to finance the preparation of the implementation and development of programs, projects, and other activities in the field of the preservation, sustainable use, protection, and improvement of the environment, as well as a better and more efficient payment of ecological fees - started operating and issued an invitation in 2018 for those funds, based on the by-law on more precise conditions to be fulfilled by beneficiaries, as well as conditions and the way of the distribution of funds. Funds from the Green Fund are distributed, among others, to support the recycling and use of waste as raw material, forestation, and permanent waste disposal. Nevertheless, the Green Fund is still not fully operational even though legislation on financing has been adopted, while the level of funding remains low. Serbia needs to try harder in order to achieve higher transparency regarding both the collection of green taxes and the way in which the funds are allocated and utilized. More specifically, there are numerous examples of EU countries with collective take-back schemes for all special streams of wastes which are achieving high recycling performance and fund efficiency at the same time, but without affecting the national budget.

Packaging waste is collected pursuant to the Waste Management Law and the Law on Packaging and Packaging Waste. However, there is no system-wide solution for the disposal of pesticide packaging waste in Serbia. By introducing the pay-

ment system for plastic bags, significant improvement has been made and consumption was reduced by 80%.

With the adoption of the Law on the Use of Public Resources, the amount, base and method of calculation of pollution charges, as well as charges for environmental protection and improvement, have been defined.

Towards the end of 2018, a negotiation position was prepared for Chapter 27 – Environmental Protection - one of the most demanding and most expensive chapters within accession negotiations with the EU.

No by-laws have been adopted in the fields of “end of waste” and “by-product.”

The existing regulations related to end-of-life vehicles are not applied and there are deficiencies, since it is not required to hand over the vehicle to the operator of hazardous waste in order to carry out deregistration at the Ministry of Interior.

For WEEE (waste from electronics and electrical equipment), a special stream of waste, “extended producer responsibility” should be introduced, the same principle which has already shown good results in the packaging waste stream.

In the import and export of non-hazardous waste, it is necessary to speed up the adoption of the EU’s Regulation No 1013/2006 on shipments of waste in order to streamline the process of cross-border waste exchange.

The problem of hazardous waste treatment and permanent disposal is still present. New facilities for hazardous waste treatment are necessary, given that an EU directive stipulates that starting from 2020, it will no longer be possible to export semi-treated hazardous materials.

Furthermore, in the coming years Serbia should try and create a stronger environmental impact with actions such as closing non-compliant landfills, investing in waste reduction, separation and recycling, reinforcing air quality monitoring, advancing river basin management and preparing for Natura 2000. The growing problems created by urban waste landfills (fire, emissions, etc.) require a systematic resolution of this field as well as the development of public-private partnerships where municipalities, in cooperation with world-renowned companies in this field, would create conditions for investing through this partnership in solving problems at landfills, permanent

waste disposal, and the construction of recycling centers. The share of recycled waste in overall waste management remains small. The problem of illegal open-pit waste dumps still exists, and the process of their closure is progressing slowly. There is no progress in terms of medical waste.

In terms of climate change, Serbia has achieved a certain level of preparedness, but implementation is at an early stage and a national strategy for climate change is currently under development. Work has begun to solve the problem of greenhouse gas emissions in land use, land rezoning, and forestry. More active measures should be elaborated in implementing the Paris Agreement on the protection of the environment and the natural resources, focusing on preparing the country for aligning with the EU 2030 framework for climate and energy policies.

POSITIVE DEVELOPMENTS

Significant improvements have been made in establishing a system for wastewater treatment and communal waste management, while illegal dumps have been reclaimed with funds set aside by the Ministry in the amount of over RSD 450 million for support to local communities to compile design-technical documentation; the overall surface area under protection in Serbia has been increased, as well as the number of protected areas, while the process of rezoning protected areas has been launched in line with global criteria and standards; intensive international collaboration and the strengthening of Serbia’s partnership role in regional and global initiatives related to environmental protection and nature conservation; the creation of conditions for solving long-term problems and implementing significant projects.

Initiatives have been launched to prohibit the import of used cars with a Euro 3 engine starting next year and to create conditions and exemptions to increase the use of electric and hybrid cars, where Serbia significantly lags behind compared to other European countries.

Starting 1 January 2019, the online platform for Integrated Register of Chemicals (e-IRH) has gone live, which will significantly improve and make cheaper administrative procedures for companies registering chemicals in accordance with the law.

Procedures have been initiated for public-private partnership in the field of municipal waste management and permanent disposal.

In some cities, the sorting of household communal waste has begun, and local communities have created conditions for collecting and disposing of such waste.

The Law on Fees for the Use of Public Resources has been adopted, defining also fees in the field of environmental protection and waste management.

The number of Integrated Permits for the operation of facilities for operators who are obliged to obtain one is increasing.

The Law on National Spatial Data Infrastructure, transposing the INSPIRE Directive, entered into force in 2018.

REMAINING ISSUES

The monitoring and reporting system is not sufficiently developed to enable the completion of the national and local register of pollution sources.

Even with the establishment of the Green Fund, the system of incentives for investing in environmental protection remains underdeveloped (clean production, pollution reduction, energy efficiency, waste reduction, environmental investments, recycling, etc.). Serbia should further enhance administrative capacities of the central and local administration,

including the Environmental Protection Agency.

The success and speed of the introduction of new technologies is closely related to the assessment of the environmental impact of base radio stations, that is, regulations in the field of protection against non-ionizing radiation. Both the legislation that introduces significantly more rigorous restrictions and its different interpretations at the local government level pose major constraints on the operation of all operators in the construction of base stations. Therefore, the improvement of the regulatory framework, consistency and a uniform approach in determining the fulfillment of requirements for the use of non-ionizing radiation sources would significantly contribute to overcoming this problem.

A large number of illegal waste dumps in Serbia still exist, and investment in waste sorting and recycling is still not at a satisfactory level, which could be considerably improved through an active role of the Green Fund. Funding based on the "polluter pays" principle is needed to increase investment in this sector and initiate the financing of these projects by the Green Fund.

The problem of the level of air pollution in some of the largest cities in Serbia is still present, and currently there are only three air quality plans: in Bor, Belgrade and Pancevo.

FIC RECOMMENDATIONS

- Reinforce cooperation with operators licensed for the thermal treatment of waste to solve the issue of permanent waste disposal, thereby significantly reducing quantities deposited in landfills;
- Re-examine the idea of introducing producers' responsibility for collective take-back schemes for the recycling of all special waste streams (packaging, WEEE, ELV's, tyres, etc.).
- Stimulate investments into the treatment of animal waste and ensure adequate solutions for such waste;
- Solving the problems of waste management and wastewater treatment, strengthening the financial and personnel capacities of local governments, which are responsible for carrying out the abovementioned tasks.
- Improving the regulations in the field of electronic communications and implementing the regulations in the field of environmental protection and protection against non-ionizing radiation in order to ensure a smooth implementation of 4G technology and create preconditions for the implementation of 5G technology
- Speed up the process of adopting laws and by-laws in order to ensure a proper implementation of regulations related to environmental protection.