Environmental priorities in Serbia in the context of accession process

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SAA

• On the date of signing of SAA April 29\textsuperscript{th} 2008. starts the obligation (stemming from the international agreement) of approximation of the existing legislation in Serbia to that of the Community;

• \textit{Approximation shall be carried out on the basis of a programme to be agreed between the European Commission and Serbia (SAA Article 72(3))}

• National Strategy of State Union of Serbia and Montenegro for accession to EU (2005) envisages readiness of Serbia for EU membership by the end of 2012;
NPI

• Government ownership (adopted by Government Conclusion on October 9th 2008.)
• Comprehensive planning document (EP, SAA, transposition and implementation of the entire *acquis*) / NPAA nature
• That is supported by defined institutional mechanism for its implementation and distribution of responsibilities
• Public document (political accountability)
• Revolving document (periodical revisions)
Structure of NPI

- Structure follows the Copenhagen membership criteria (accession driven):
  - Political criteria
  - Economic criteria
  - Ability to assume the obligations of EU membership (transposition (directives), implementation and enforcement of the *acquis* contained in 35 Chapters)
  - Administrative and judiciary capacities
  - Creation of national version of the *acquis*
  - Estimation of financial needs
Environment in the NPI structure

• Belongs to the 3rd Part: Ability to assume the obligations of EU membership
• Majority of environmental issues are covered under 3.27 chapter (horizontal legislation, air protection, climate change, industrial pollution, waste management, nature protection, water quality, GMO, noise, chemicals, forestry, civil protection)
• 3.15. Energy (Energy efficiency, Nuclear safety and protection from radiation)
• 3.1 Free movement of goods (package waste, chemicals, fuel standards)
Objectives of NPI

- Implementation of obligation under SAA Article 72;
- Providing of single framework for planning and follow-up of activities of the administration in order to enable the realization of the final goal;
- Evidencing the level of administrative capacity (convincing Track Record) for obtaining candidate status and for commencement of accession negotiations ASAP;
- Basis for defining of negotiation platform of Serbia in future negotiations for execution of Accession Agreement.
II National Environmental Approximation Strategy

- NPI “no cost assessment for approximation…in the field of environment”
- Adopted on 13th of October 2011.
- NEAP defines overarching policies proposed to guide every step and every decision taken during approximation process
- Provides for outline for a operational framework required for negotiations and justification of the transition periods
Overarching concepts of NEAS

- Overarching policies:
  1. Serbian legislation should mirror the EU Acquis – *no less no more*
  2. Use of donor funds should be maximised – *appropriate absorption capacities*
  3. Implementation should focus in EU requirements – *implementation of acquis to have absolute priority over other national agendas, maximise use of available financial and human resources*
Goals/means

- Full and high quality transposition of the environmental acquis
- Maintenance of effective and affordable environmental infrastructure and services
- Institutional arrangements for efficient and effective approximation

- Realistic and comprehensive legislative programme
- Improved law drafting practices
- Maximisation of cost recovery within affordability constraints
- Anticipation of co-financing needs and securing of necessary funds
- PUCs reform to attract grants for feasible large infrastructure projects
- Institutional reform (decoupling of legislating and policy making from implementation)
Three Pillars of NEAS

I. The strategy for legal approximation
II. Strategy for economic and financial approximation
III. Strategy for institutional approximation
Legal Approximation Priorities

- **Short term 2011-2014**
- **Complete transposition**

- **Mid term 2011-2019**
- Bridge remaining gaps and incorporating new acquis
- Review of Law on Environmental Protection / vehicle for institutional reform
Economic and Financial Approximation Priorities

- **Short term (2011-2014)**
  - Preparation of the Directive Specific Implementation Plans
  - Carry out an Affordability Study
  - Develop Grant Programming Tool
  - Directive Specific Implementation Plans by the end of 2012.

- **Mid term (2015-2019)**
  - Create a flexible drawdown financing line for ready co-financing of environmental projects
  - Reform the PUCs
  - Create capacity for ensuring rapid and full mobilisation of EU funds
  - Capacity to mobilise latent affordability
Institutional Approximation Priorities

• Short term (2011-2014)
  • Improved inter-ministry coordination and cooperation
  • Interface with Autonomous Provincial Administration
  • Changes in administrative structure (staff requirement will be part of DSIP)

• Mid term (2015-2019)
  • Interface with Local Self Government
Strategy for Environmental Approximation in Nature Protection

- Total cost of Approximation estimation 138,514,901 EUR (1.3% of total costs cc 10.6 billion)
- Donor funding preferred
- Coordination with agri-environmental measures under IPA component V recommended
- Other possibilities IPA components II, III and possibly IV and under EU 7th Framework Programme
- Draft Sector Strategy available
- No transitional periods will be sought
- Implementing Natura 2000 as early as possible will avoid conflicts with other planning activities
Principles of IPA Assistance

- Coherence with the EU policy and *acquis communautaire*
- Consistency with the need identified in the enlargement process and absorption capacities of the beneficiary country
- The objectives of the assistance shall be pursued in the framework of sustainable development and the goal of protecting and improving the environment (*integration principle*)
- Community aid is *conditional* on further progress in satisfying the Copenhagen political criteria and in particular progress in meeting the specific priorities of the European Partnership (SAA Article 115)
Priorities for IPA assistance

Article 4 of Implementation Regulation:

- European Partnership or Accession Partnership
- National programme for the adoption of the acquis
- Progress Report and Strategy Paper
- SAA
- The negotiation framework
- Priorities set out in national strategies where they are compatible with the pre-accession objectives and the scope of IPA
Nature Protection in IPA

2 aspects:

Positive – projects for affirming implementation of the nature protection *acquis*

Negative – other projects must not conflict with EU policy and nature protection *acquis*
IV Conclusions

• Part of the same process
• Conformity of objectives
• Complementarity and coherence
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Thank you for your attention!