

Study on the institutional set-up of hazardous waste management in Serbia



EUROPEAN COMMISSION
Delegation to Beograd

The project is funded by the EU.

Twinning project implemented by



REPUBLIC OF SERBIA
Ministry of Agriculture and
Environmental Protection



REPUBLIC OF AUSTRIA
Environment Agency Austria
umweltbundesamt



FEDERAL REPUBLIC OF
GERMANY
Federal Ministry for the
Environment, Nature Conservation
Building and Nuclear Safety



Project partners:

Ministry of Agriculture and Environmental Protection
1, Omladinskih Brigada str., 11070 New Belgrade
Republic of Serbia

Umweltbundesamt
Environment Agency Austria
Spittelauer Lände 5
1090 Vienna
AUSTRIA

and

Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB)
Köthener Str. 2-3
10963 Berlin (Germany)

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Approvals

	Name	Date	Signature
Prepared by	Christian Neubauer, Gernot Lorenz, Andreas Moser	2015	
Approved by MS Project Leader	Brigitte Karigl	January 2016	
Approval by BC Project Leader	Radmila Šerović	January 2016	

Twinning Project	
Project title	Improvement of hazardous waste management in the Republic of Serbia – IHWMS
Project number	SR 13 IB EN 02
Project duration	May 2015 – May 2017
Project budget	1,000,000 €
Beneficiary country (BC)	Republic of Serbia
Commissioned/financed by	European Commission, Instrument for Pre-accession Assistance (IPA) of the European Union
Project partners	Ministry of Agriculture and Environmental Protection Umweltbundesamt - Environment Agency Austria and Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB)-Germany
BC project leader	Radmila Šerović
BC counterpart	Jelena Tesla
MS project leader	Brigitte Karigl
Overall project objectives	To assist Serbia to meet environmental Acquis through institutional building and improvement of environmental infrastructure
Project purpose	Development and improvement of waste management system, by completing legislation and strategic planning and implementation framework for managing special hazardous waste streams in compliance with EU standards and Serbian legislation

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1 GENERAL REMARKS

For the needs of this Study information from following results of the TWINNING Serbia I (Strengthening Institutional Capacity in Hazardous Waste Management) were screened and updated:

- Stakeholder Report from February 2013
- Assessment and Recommendation Report from March 2011

Results of the three Missions within Activity 2.1 of TWINNING Serbia II (Improvement of hazardous waste management in the Republic of Serbia) undertaken from July until October 2015 constitute main input for the study.

Following Institutions were interviewed under the Activity 2.1:

- Ministry of Agriculture and Environmental Protection (MAEP)
- Ministry of Labour, Employment, Veteran and Social Affairs (Section on Inspections)
- Ministry of Construction, Transport and Infrastructure (Section on Inspections)
- Ministry of the Interior (Section on Inspections)
- Serbian Agency for Environmental Protection (SEPA)
- Local Self-Governmental (LSG) Unit
 - City of Belgrade
 - Municipality Pozarevac
 - Municipality Gornji Milanovac
- Autonomous Province (AP) Vojvodina
- Expert Waste Testing Organizations
 - Laboratory MOL Ltd.
- Accreditation Body of Serbia (ATS)
- Standing Conference of Towns and Municipalities (SCTM)
- Statistical Office

The interviews were carried out in a way to gather data on the general structure of the organization, organisational procedures and capacities as well as waste related responsibilities. More specific their involvement in the Serbian hazardous waste management and current difficulties/limitations were discussed. More details on the interviews could be found on the respective Mission Reports under Activity 2.1 (No 4, 19 and 20).

2 GOVERNMENT OF THE REPUBLIC OF SERBIA

Serbia is a republic with one autonomous province. Therefore, the competences are divided between the state government, the autonomous provinces and the local self-government units (LSGs) i.e. cities, municipalities and the City of Belgrade.

2.1 Current Government Structure

The Government of the Republic of Serbia is elected by the 250 delegates of the National Assembly.

The current Government was formed in April 2014 (Law on Ministries, "Off. Gaz. of RS" No 44/2014"). The Government as a collegial body consists of the Prime Minister and 18 Ministers (two without portfolio, responsible for European integration and emergency situations).

The following ministries are established:

- Ministry of Foreign Affairs
- Ministry of Construction, Transport and Infrastructure
- Ministry of Trade, Tourism and Telecommunications
- Ministry of Public Administration and Local Self Government
- Ministry of Economy
- Ministry of Finance
- Ministry of Agriculture and Environmental Protection
- Ministry of Mining and Energy
- Ministry of Justice
- Ministry of the Interior
- Ministry of Defence
- Ministry of Education, Science and Technological Development
- Ministry of Health
- Ministry of Labour, Employment and Social Issues
- Ministry of Youth and Sports
- Ministry of Culture and the Media

The main competences for waste management at the republic level are with the Ministry of Agriculture and Environment Protection (MAEP).

The outlines and aims of the waste management policy are contained in the National Waste Management Strategy for 2010- 2019 ("Off. Gaz. of RS" No 29/2010).

Corresponding to the national structure of the Republic of Serbia beside the National Waste Management Strategy developed by the Government in cooperation with the Autonomous Provinces the LSG units and the City of Belgrade (a LSG unit consisting of 17 municipalities) were requested to develop and implement local waste management plans by Article 20 of the Law on Waste Management.

3 MINISTRY OF AGRICULTURE AND ENVIRONMENTAL PROTECTION (MAEP)

3.1 General Information

The Ministry of Agriculture and Environmental Protection was formed in April 2014 combining the competences for agriculture with specific aspects of environmental protection especially water and waste management.

The Ministry is organized in two branches – agriculture and environmental protection.

The branch for agriculture policy is organized in seven sectors. These are:

- The Sector of Agriculture Policy
- The International Cooperation Sector
- The Sector on Legal and Normative Work
- The Sector on Financial Management. This sector has close links to the waste management sector since the Environment Protection Fund (financed by contributions of producers/importers of articles defined in the decree on products that become special waste streams upon use thereof “Off. Gaz. Of RS” No 54/2010) is administrated by this sector.
- The Sector for Rural Development
- The Sector of Agricultural Inspection
- The Secretariat of the Minister

The branch of environmental protection is organized in three sectors.

- The Sector of Environmental Protection (responsible for strategies in the field of nature protection, biodiversity, sustainable use of resources, water quality as well as international cooperation in these fields)
- The Sector of Planning and Management in the Environment (developing, coordinating and implementing objectives of environmental policy related to cleaner production and sustainable development (e.g. EMAS), establishing environmental impact assessment, approving safety reports and emergency plans of SEVESO-installations, monitoring/defining BAT, issuing IPPC permits, responsible for waste management, management of chemicals and pesticides)
- The Inspection Sector for Environmental Protection (performing activities related prevention and control of environmental pollution (e.g. soil and water protection), control of chemical products and pesticides, radiation protection, control of waste treatment installations, general environmental inspections, providing expertise for drafting regulations. The department is divided into seven distinctive fields and the inspectors are located on the whole territory of Serbia)

3.1.1 Areas covered by the Ministry of Agriculture and Environmental Protection in the Field of Environmental Protection

MAEP performs state administration relating to:

- general environmental protection; protection of ecosystems and improvement of the environment;
- environmental inspections
- national parks
- the application of scientific and technological research and development research in the field of the environment;
- implementation of the Convention on public participation, access to information and the right to legal protection in the area of the environment (Aarhus Convention);
- air protection;
- water pollution protection with regard to surface and groundwater;
- protection of the ozone layer;
- issues related to the climate change;
- transboundary air and water pollution;
- identification of environmental requirements in spatial planning and construction;
- protection against major chemical accidents and participation in the response in the event of chemical accidents;
- mitigation of noise and vibration;
- protection against ionizing and non-ionizing radiation;
- management of chemicals and biocidal products;
- the implementation of the Chemical Weapons Convention in accordance with the law;
- waste management, except radioactive waste;
- approving transboundary movement of wastes and endangered plant and animal species, as well as other activities specified by law.

The following laws are in the main competence of MAEP.

- The core law is the law on the protection of the environment ("Off. Gaz. of RS" No. 135/04, 36/09, 72/09, 43/11) which includes the definition of waste. An amendment of the law is under consideration.
- IPPC is implemented by the Law on Integrated Prevention and Pollution Control ("Off. Gaz. of RS" No. 135/04). The law also regulates environmental impact assessment. MAEP runs a register of the licensed IPPC installations.
- Waste management is regulated by the Law on Waste Management ("Off. Gaz. of RS" No 36/2009, 88/2010) and several by-laws. An amendment of the law is under consideration. In the field of waste management Serbia has ratified the Basel Convention on the transboundary movement of hazardous wastes and other wastes and their disposal (BC) and the MAEP is the competent authority.

- Serbia has also ratified the UN-ECE Convention on Industrial Accidents (UN-ECE IAC). MAEP is the competent authority in accordance with the IAC.
- Biocides are regulated under the Law on Biocidal Products (“Off. Gaz. of RS” No 36/09, 88/10, 92/11 and 25/15)
- Chemicals are regulated under the Law on Chemicals (“Off. Gaz. of RS” No 36/09, 88/10, 92/11 and 25/15), implementing e.g. the GHS system developed by UN-SCEGHS.
- Serbia has ratified the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The MAEP is the Designated National Authority (DNA) under the Convention.
- Serbia has ratified the Stockholm Convention on Persistent Organic Pollutants. The MAEP is the national Focal Point for the Convention.
- Serbia is a party to the Vienna Convention for the Protection of the Ozone Layer and its Montreal Protocol on Substances that Deplete the Ozone Layer.
- Serbia has ratified the Kyoto Protocol of the United Nations Framework Convention on Climate Change (UNFCCC) as well as the Convention. MAEP is one of the national implementation bodies.
- The use and protection of surface water as well as groundwater is regulated by the Water Management Act (“Off. Gaz. of RS” No 30/10 and 93/12).
- The impact of noise on human health and the environment is restricted by the Law on Noise Protection (“Off. Gaz. of RS” No 36/09 and 88/10)
- Protection from ionizing radiation (“radioactivity”) is regulated by the Law on Ionizing Radiation Protection and on Nuclear Safety (“Off. Gaz.” 36/09).
- Protection from non-ionizing radiation (e.g. microwaves) is regulated by the Law on Non-ionizing Radiation (“Off. Gaz. of RS” No 36/09) enacted by MAEP.
- Air quality is regulated under the Law on Air Protection (“Off. Gaz. of RS” No 36/09 and 10/13).

3.1.2 Waste management related responsibilities

In accordance with article 17 of the Law on Waste Management (WMA) the competence for waste management is divided between the Republic of Serbia, the Autonomous Province, and the Local Self-government Units.

In accordance with article 18 of the law the MAEP acting on behalf of the Republic of Serbia shall

- Propose the Strategy as well as individual Waste Management Plans to the Government (the current waste management strategy covers the time period 2010 to 2020);
- Coordinate and perform waste management activities relevant to the Republic of Serbia, and monitor their performance;
- Approve regional waste management plans, with the exception of plans on the territory of the autonomous province;
- Issue permits (including IPPC permits), approvals, certificates and other acts prescribed by the WMA;

- Keep a records of permits, approvals, certificates and other acts issued by other competent authorities;
- Determine the authorized organisations in accordance with the WMA (e.g. professional organisations for waste testing in accordance with art 24 of the WMA);
- Supervise and control the implementation of measures for waste handling and management.
- Undertake measures and activities, in accordance with international treaties and agreements (e.g. fulfil reporting obligations under international Conventions, act as designated national authority, etc.)

In accordance with the Waste Management Law (WMA) the competences for permitting waste management activities are divided:

- **MAEP** is responsible for issuing permits for collection, transport, storage, treatment and disposal of hazardous wastes as well as for inert and non-hazardous wastes if the economic operator has operational sites on the territory of more than one municipality.
- **The autonomous province** is responsible for issuing permits for collection, transport, storage, treatment and disposal of hazardous waste (HW) on its territory and of inert and non-hazardous waste when the economic operator has sites on the territory of more than one municipality on its territory.
- **The City of Belgrade** and the **local self-Government (municipality)** units are responsible for permitting collection, transport, storage treatment and disposal of inert and non-hazardous waste on their respective territories (provided the operator has no sites on the territory of another LSG unit). **The Ministry** shall keep records of all permitted operators and make this information available to the public (implemented via the SEPA web-site, register of permits).
- **The Republic Inspectorate** as part of MAEP is responsible for controlling activities connected to hazardous waste management and for monitoring the waste management strategy, while the local Inspectorate of the LSG units are responsible for the control of activities related to non-hazardous wastes including wastes from households.

Remark: Since a permit issued by the LSG unit authorize activities which are carried out on their territory the majority of permits are issued for waste storage only, while most companies apply for a permit issued by the Ministry since this extends the range of their activities to the whole area of Serbia.

Different provisions of the WMA give the MAEP competence to adopt secondary legislation in the field of hazardous and non-hazardous waste management, RoHS for EEE and WEEE, ELVs, waste oils, packaging and packaging waste, collection, transport, storage of secondary raw materials, waste classification, etc.

At present, the main role of the Ministry in waste management is

- to issue permits for the collection, storage, transportation, treatment and disposal of hazardous (and to a certain extent non-hazardous) wastes
- to monitor (via the Environment Inspection) waste management activities and their compliance with the law

- to issue notifications for shipment of waste
- to carry out the procedure of hazardous waste movement on the territory of Serbia
- to prepare national waste management plans for crucial waste streams
- to prepare secondary law to promote environmentally sound waste management (e.g. a by-law on C&D wastes, on asbestos wastes)

The framework to secure landfilling, as a core element of waste management, was introduced by the regulation on disposal of waste through landfilling ("Off. Gaz. of RS" No 92/2010) corroborated with the regulation on categories, testing and classification of waste ("Off. Gaz. of RS" No 56/2010). However until now there is a lack of implementation in building up new sanitary landfills. In accordance with Article 21 of the LWM the LSG units shall install joint waste management. If the LSG units fail to enter in such agreements and in providing a sound waste management the Government may decide on proposal of the MAEP or the competent authority of autonomous province on such a joint activity. If the implementation of regulation 92/2010 is delayed in the future the MAEP might be in the position to make such proposals for joint treatment installations including sanitary landfills.

Other waste management related activities:

- MAEP is the focal point in accordance with the Stockholm Convention. Thus, the Ministry has to provide and regularly up-date the National Implementation Plan in accordance with the Convention (including information on generated POP wastes).
- MAEP is the competent authority and focal point in accordance with the Basel Convention. Thus the Ministry has to provide the annual report under art 13 of the Convention including information on generation of hazardous wastes and other wastes).

3.2 Sector on Planning and Management in the Environment

The waste management related activities of the MAEP are organized mainly in the sector for planning and management in environment protection.

This sector includes a waste management department with separate divisions for issuing permits, developing systems for waste management and authorizing transboundary movements of wastes.

The close related activities of chemical management are organized under the same sector in a department for chemicals with four special branches for chemical management, classification and risk assessment of chemicals and biocides, risk management for biocide products and the integrated register of chemicals.

Two further departments are responsible for IPPC installations and permits and for environmental impact assessment.

Three divisions handle protection from radiation and noise, SEVESO installations and general planning purposes (including cleaner production).

Additional information gathered via meeting from 09.07.2015 with Ministry, Department responsible for IPPC (at the Ministry, 11:00): Main contact Ms Vucinic

At all, in Serbia about 200 applications for IPPC have been received until now, 27 out of them have been directed to the ministry of environmental protection. Thereof 17 permits have been

granted until now by the ministry of environmental protection (some of them have been forwarded from other ministries). Additional 3 IPPC permits have been granted by a local authority (one for farming, one for food industry and one for sanitary landfill). In every case the IPPC installations are visited in advance by the state inspectors. It was stated that the quality of the IPPC permits issued by local authorities is low.

3.2.1 Department for Waste Management

The department for waste management as a part of the Sector for planning and management in environmental protection is organised in three divisions.

The division for transboundary movement of wastes functions as the Competent Authority (CA) under the Basel Convention and is responsible for the granting of export-, import- and transit notifications for the shipment of wastes.

The division for developing the systems for waste management is responsible i. a. for preparation of by-laws for the sound management of specific waste streams, for the up-date of waste related strategies and the development of standards for waste treatment.

The division for issuing waste management permits acts as permitting authority for waste related activities (collection, storage, transport, treatment and disposal) for hazardous wastes and non-hazardous wastes within the competence of the Serbian Government.

Additional information gathered via meeting from 06.07.2015 with Ministry, Department for Waste Management (at the Ministry, 13:00), unit responsible for permitting procedure on Ministry level: Main contact Ms Jelena Tesla

The permitting procedure takes place on state level (level of the Ministry) concerning:

- storage/treatment and collection/transport for HW;
- storage/treatment and collection/transport taking place in more than one municipality;
- sanitary landfill receiving waste from more than one municipality;
- operators starting storage/treatment and collection/transport activities in more than one municipality at the same time.

The permitting procedure on municipality level can get complicated due the lack of experience of the officials concerned; especially in small municipalities (sometimes the municipality officials try to shift the procedure to the ministry).

In total 2.500 permits have been issued since 2010. Thereof about 1.670 permits were issued by the ministry and about 470 by the municipalities, the rest by the autonomous province of Vojvodina. Out of the permits granted by the ministry there are about 20 to 30 related to mobile plants/installations. The permits for storage/treatment are valid for 10 years those for collection/transport are valid for 5 years. The precondition for granting a WT permit should be the existence of a building permit, this precondition is checked at municipality level (they do not issue a permit without building permit) but not at ministry level.

Additional information gathered via meeting from 09.07.2015 with Ministry, Department for Waste Management (at the Ministry, 13:00), unit responsible for specific waste streams (at the Ministry, 13:30): Main contact Mr Luka Starcevic

In Serbia there exist collection schemes for packaging waste (including hazardous packaging waste). For WEEE and batteries waste until now there are no collection scheme established.

When new devices are introduced on the market, a fee is taken from the producer/importer for each device ("product fee"). The fee is collected by the ministry of finance and become part of the general common budget under a special budgetary line. The recycling economic operators can, based on documentary evidence, request an incentive which corresponds to the amounts recycled. The general principle for EPR is fixed in the LWM (Article 6). Details on specific waste streams (e.g. ELVs, WEEE, Batteries, etc.) are specified in the related by-laws (MO). Quotas for collection/recovery for specific waste streams (e.g. ELVs, WEEE, Batteries, etc.) are also fixed through MO. Data concerning the collection/recovery are collected by SEPA. The ministry is responsible for setting the quotas and measures to fulfil them. There are several companies which have a permit to collect/transport WEEE and batteries. It is a problem to gain the information on the storage/treatment of WEEE and batteries from the permits issued because usually no specific treatment operation is fixed in the permit.

3.3 Sector on Environmental Inspections

The Environmental Inspection (EI) forms a separate sector within the MAEP. The EI is organized in the following seven specific departments:

3.3.1 Department of prevention and control of environmental pollution

The responsibility of this unit covers: checks on air emissions and air pollution, noise protection, inspections of IPPC installations, inspections in the field of waste management, review of the planning of installation with a high environmental impact.

The department is internally divided into Department for Integrated Prevention and Control of Environmental Pollution and the Department of Environmental Protection from Pollution.

The Department for Integrated Prevention and Control of Environmental Pollution performs checks in the field of air emissions, of noise emissions, inspections in the field of waste management, review of the planning of installations with high environmental impact, inspection of IPPC installations.

The Department of Environmental Protection from Pollution acts in the field of air protection and noise protection and performs inspections in the field of waste management.

3.3.2 Department for the protection of soil, ground- and surface water pollution

The responsibility of the unit covers: inspections in the field of soil and water quality, monitoring and enforcement of law on environmental protection and on water protection, classification and prioritization of contaminated sites and clean up procedures, activities to mitigate the impact of accidents on soil and water, defining test systems in accordance with EU Directive 2000/60/EC, development and implementation of monitoring systems for the status of the environment, cooperation with inspections from LSG units and supervision of control activities at the level of the autonomous province and the LSG units in the field of local action plans for rehabilitation of the environment, collection and validation of data on soil quality, development of indicators for soil quality, international cooperation in combating transboundary pollution, national activities in the framework of the UN-Convention on desertification.

This department is divided internally into the an unit for protection of soil and groundwater pollution and the unit for the protection of surface waters from pollution.

The tasks of the unit for the protection of soil and groundwater are inspections in the field of environmental protection, monitoring of the quality of the groundwater, measures to mitigate soil and water pollution as a result of accidents, supervision and implementation of clean up procedures of contaminated sites at the whole area of Serbia, classification and prioritization of contaminated sites, control and enforcement of measures for the protection of the environment in agreement with applicable laws.

The unit for the protection of surface water performs inspections in the field of waste water, collects data on point sources of surface water pollution and runs a register of these sources, enforces activities for the mitigation of water pollution by accidents, supervises measures for the enforcement of the law on water protection.

3.3.3 Department for major chemical accidents, chemicals and biocidal products

The department performs inspections of SEVESO-plants, inspections in accordance with the law on chemicals, with the law on biocide products, with the law on prohibition of chemical weapons, and other relevant law for the protection of the environment. The department is responsible for a quick response to chemical accidents. It performs the supervision of inspections performed by the autonomous province and the LSG units and supports other organisations with joint inspections. The unit cooperates with other branches of the ministry and professional associations in the prevention of chemical accidents.

The department is divided in: department for major chemical accidents and the department for chemical and biocidal products.

The department for major chemical accidents performs inspections of SEVESO installations, in accordance with the law on chemical and biocide products and in accordance with the law on prohibition of chemical weapons. The department performs exceptional inspections after major accidents and supervises and supports the inspections by the autonomous province and the LSG units.

The department for chemical and biocidal products performs inspection in accordance with the law on biocide products, with the law on prohibition of chemical weapons and joint inspections with other inspectors.

3.3.4 Department for protection against ionising and non-ionising radiation

The department is responsible for the protection against ionising radiation, the control of material in case of import, export or transit, the licensing of professional activities in the field of radiation protection, for clean-up procedures after accidents with radioactive material and monitoring radioactivity in the environment. The department is also competent for the monitoring of non-ionising radiation and performs systematically measurements of non-ionising radiation.

3.3.5 Control Department for waste management

The department for waste management performs inspections of waste treatment installations for hazardous wastes and specific other waste streams (i. a. packaging wastes) and general inspections to determine the compliance with environmental requirements. The department is the competent authority for the export, import and transit of wastes and cooperates with international networks in this field (IMPEL, ECENA). It performs inspections and joint inspections to pre-

vent illegal movements of regulated wastes. The department shall install and run a data base of operators who deal with hazardous waste and other wastes (e.g. packaging wastes) and monitor the degree of compliance with applicable standards for environmental protection. The department also is responsible for setting up a system for educating and training of operators who handle hazardous wastes or packaging wastes.

Additional information gathered via meeting from 10.07.2015 with the Environmental Inspectorate (at the Ministry, 09:00) (Main contact Ms Nanusevske)

There are 15 inspectors responsible for environmental inspection at state level. 5 additional inspectors are performing inspections in the region of Vojvodina. Many of the inspections are initiated because of complaints of citizen. Regularly inspections are carried out preannounced. Other inspections may be also carried out without preannouncement. Crucial problems arise from the illegal handling of hazardous waste like accumulators and storage of hazardous waste.

3.3.6 Department for environmental protection in the field of protection and use of natural resources

The department performs inspections in the area of protected natural resources, in the traffic with endangered species (CITES), of professional organisations for the protection of the environment and carries out functions under the law on environmental impact assessment. The department supervises the conferred inspections of the autonomous province and the LSG units. The department takes part in joint inspections with other organs.

3.3.7 Department of environmental protection in the field of fish stocks

The department performs inspections in the field of fisheries, the use of fishing waters and of fishing waters in protected areas. The unit supervises the activities of inspectors of the autonomous province and LSG units in this field and performs joint inspections and other duties in accordance with the law on the protection and sustainable use of fish fund ("Off. Gaz. of RS" No 128/14)

3.3.8 Waste Management related competences

The EI has specific responsibilities as regards enforcement of the Serbian environmental law and WM legislation in particular and plays an important role in the enforcement of WMA due to its power of proper control.

The distribution of competences between inspectors at state (EI), province (Vojvodina) and local level are prescribed in the Law on Planning and Construction¹. The delimitation of responsibilities between the three levels is both geographical and by notification (Article 133); if something is notified in the law the responsibility rests at the State level, except if it occurs in the Vojvodina where their inspectorate is responsible. If the subject is not mentioned in Article 133 local inspectorates in the relevant city or municipality are responsible.

The waste related competences of the EI are enshrined in article 84 to 86 of the WWMA. According to Article 84, paragraph 2 of the WMA, "*Inspection supervision shall be carried out through environmental inspector (hereinafter: the inspector) within the scope of competences established by this Law.*"

¹ Articles 133 and 134 of Official Gazette of RS", No. 72/09

According to article 85 of the WMA, the EI has the following rights obligations while carrying out inspections:

- the implementation and updating of waste management plans (e.g. of IPPC installations);
- the implementation and updating of the waste management facility work plan;
- the application of adequate technologies and efficient use of energy and raw materials;
- the management of waste in waste generating facilities, implementation of measures and procedures for the reduction of its quantity or hazardous characteristics, classification, collection, storage, treatment, transportation and disposal of waste;
- the technical properties and capacities, the organization and operation of the waste management facility including monitoring, treatment methods and precautionary measures in accordance with conditions prescribed in the permit;
- the fulfilment of conditions for the construction and operation of the facility for storage, treatment and disposal of waste;
- the handling of waste during collection and transportation, or during movement;
- the handling of waste in cross-border movement on request of the customs officers;
- the fulfilment of conditions for the operation, shutdown and re-cultivation of existing landfills as well as the supervision over the landfill for at least 30 years after its shutdown.
- the procedure for classification, storage, packing, labelling and transportation of hazardous waste in accordance with this and other law;
- the handling of waste in accordance with prescribed obligations regarding the management of specific waste streams;
- the implementation of prescribed measures and procedures for accident prevention and in case of accident;
- the prescribed prohibitions and limitations;
- the work of the person responsible for waste management and qualified person responsible for expert work in the waste management facility;
- the keeping and storing of prescribed records containing data on the origin, destination, treatment and quantity of waste;
- the implementation of other prescribed waste management measures and procedures.

According to article 86 of the WMA, the EI has the following powers:

- order the implementation and updating of the waste management plan;
- order joint provision and implementation of waste management at local self-government units' territory;
- order the implementation and updating of the waste management facility operation plan;
- prohibit the use of technology and operation of facilities which do not meet conditions for the reduction of waste production and efficient use of raw materials;

- order the producer of a product which becomes hazardous after use to take over such waste without compensation or to transfer that obligation to a person authorized to manage hazardous waste in accordance with this Law;
- order the waste producer to perform the classification of waste and provide evidence on waste classification, that is, usability of the recyclable material;
- order the waste producer, that is, holder of waste, to perform separate waste collection according to the needs of future treatment;
- order the waste producer, that is, holder of waste to hand over waste to a legal or natural person authorized to perform waste management, if unable to organize waste handling in accordance with this Law;
- order the waste producer to keep and store the prescribed records;
- order the waste producer to appoint a person responsible for waste management;
- prohibit any transportation of waste contrary to conditions prescribed in the permit issued in accordance with this Law;
- prohibit the treatment of waste contrary to permit conditions;
- prohibit the operation of facility and use of equipment for waste treatment which is not used in accordance with the technical guide;
- prohibit the treatment of waste if it is not secure and protected from waste dispersion and leakage;
- prohibit the receipt and disposal of waste on the landfill contrary to permit conditions;
- order the implementation of measures which ensure environmental protection at the landfill in compliance with this Law;
- order the implementation of re-cultivation and monitoring over the landfill after shutdown within the period of at least 30 years, in order to reduce risk to human health and the environment;
- order the legal person performing waste management activities in accordance with this Law to appoint a person qualified for expert work in the waste management facility;
- order the legal person performing waste management activities in compliance with this Law to keep the prescribed records;
- prohibit the construction and operation of the facility which does not meet technical and other conditions prescribed by this and other laws;
- prohibit the storage, treatment or disposal of waste outside the licensed waste management facility;
- order the company performing collection, that is, transportation of waste to collect waste from the producer or holder of waste and to transport it to the facility authorized for waste management, that is, to the collection centre, transfer station or facility for treatment or disposal;
- order the person authorized for collection and/or transportation of waste to ensure separate transportation of different types of waste, especially hazardous waste;
- prohibit the collection and/or transportation of hazardous waste together with other waste;

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- prohibit the loading and transportation of waste if not carried out in a closed vehicle, container or in any other appropriate manner which prevents dispersion or falling out of the waste during loading, transportation and unloading;
 - order the waste transporter to clean and restore the polluted area into satisfactory state, in case of pollution of environment during transportation;
 - prohibit the transportation of hazardous waste without prescribed documentation;
 - prohibit the storage of waste at locations which are not technically equipped for the temporary storage of waste and/or are not licensed for storage, as well as if the prescribed time period for storage has elapsed;
 - prohibit the treatment of waste contrary to the permit conditions;
 - prohibit the facility operation and the use of waste treatment equipment for which the permit has not been obtained;
 - prohibit the operation of the mobile waste treatment facility which has not obtained the location approval or permit;
 - order the separate collection, storage and treatment of the secondary raw materials;
 - prohibit the physicochemical and chemical treatment of waste which is carried out contrary to the provisions of this Law;
 - prohibit the biological treatment of waste contrary to permit conditions;
 - prohibit the thermal treatment of waste contrary to permit conditions;
 - prohibit the operation of the landfill which does not meet the prescribed technical, technological and other conditions and requirements;
 - prohibit the disposal of previously untreated and hazardous waste together with other types of waste at the same location, i.e. landfill;
 - prohibit mixing of municipal with hazardous waste;
 - prohibit the disposal of municipal waste with hazardous waste;
 - order the selection for the purpose of recycling and collection of hazardous waste from households;
 - prohibit the collection, storage, transportation, treatment and disposal of waste which is not labelled and packaged in a manner that has minimal impact on human health and the environment;
 - prohibit the mixing of different types of hazardous waste, except under the supervision of a qualified person and during hazardous waste treatment;
 - prohibit the disposal of hazardous waste without previous treatment which significantly reduces hazardous components and their properties, mass and volume;
 - prohibit the dilution of hazardous waste for release into the environment;
 - prohibit the movement of waste without Waste movement document, i.e. Hazardous waste movement document;
 - prohibit every action or act regarding waste streams management if it is contrary to this Law;
 - order the producer and importer, i.e. holder of waste to implement or perform special measures of waste streams management prescribed by this Law;

- prohibit the collection and transportation of waste outside the territory for which the permit has been issued;
- prohibit the import, export and transit of waste carried out contrary to the provisions of this and other laws;
- order every person holding a waste management permit to implement and carry out measures prescribed in case of accident;
- order every person holding a waste management permit to provide the appropriate data and reports in accordance with this Law;
- prohibit every action or act contrary to the provisions of this Law;
- order the performance of other prescribed measures within a fixed deadline.

3.4 Sector for Legal and Normative Affairs - Department for Normative Affairs and Harmonization of Regulations in the Field of Environmental Protection

In Department for Normative Affairs and Harmonization of Regulations in the Field of Environmental Protection lawyers work on harmonization of national legislation with EU legislation, in different fields (waste, weather protection, noise protection, air protection, climate changes, IPPC etc.). One lawyer in the department works on the preparation of Law and bylaws in waste management area and carries out the procedure for their adoption.

3.5 Sector on Financial Management

Sector Financial Management performs tasks related e.g. to: preparation and drafting of contributions to the budget memorandum, the proposed annual financial plan for drafting the budget, operating financial plans and annual accounts; organizing and conducting financial and payment of all functions of the Programme which define the conditions and ways of subsidizing agriculture; monitoring the implementation of financial and material resources, legal, purposeful and economical use of funds of funds for programs and projects in the field of environmental protection and compliance with the schedule of implementation of public procurement plan; preparation of draft annual procurement plan for the Ministry in accordance with the financial plan of the Ministry; planning dynamics of public procurement in accordance with the approved funds; processing of tender documents

In order to fulfil its task the sector is organised in the following six units:

- Department of Economic - Financial Affairs
- Department for financial monitoring of programs and projects in the field of environmental protection
- Group for the implementation of the credit support to agriculture
- Group for planning and reporting on public procurement
- Group for monitoring and implementation of public procurement
- Department of economic instruments in environmental protection

3.5.1 The Environmental Protection Fund

The Environmental Protection Fund is one of the economic instruments managed by the Department of economic instruments in environmental protection. The fund is based on the “polluter pays” principle and collects a fee for introducing into the market specific products, defined by the decree on products that become special waste streams upon use thereof “Off. Gaz. Of RS” No 54/2010. (e.g. tyres, asbestos containing product, batteries and accumulators, mineral oil and lubricants, electrical and/or electronic equipment designated for use with a voltage rating not exceeding 1.000 V AC or 1.500 V DC).

Additional information gathered via meeting from 20.10.2015 with Ministry of Environment, Department for Economic Instruments and Section for Environment Protection (at the Ministry, 14:00): Participants: Ms. Vesna MIKOLIC, Ms. Gordana RISTOVIC, Ms. Vesna NANUSEVSKI, Ms. Radmila SEROVIC

The following Rulebooks are of main importance:

- One Rulebook on fees on specific products placed on the market.
- One Rulebook for incentives for the recycling of specific waste streams.

The fees are paid by the Companies to the general budget. As calculated by the amount of products placed on the market and reported to SEPA, yearly 10 Billion Dinars should have been paid to the total budget (including specific fees e.g. on emissions). Approximately 70% thereof are really paid.

Following data were provided on the collected fees from products placed on the market which become specific waste streams:

Total payment fees for specific waste streams in 2014: 2.544.337.278,78 dinar

- Oil: 313.494.039,00 dinar
- Tires: 317.824.640,00 dinar
- EEE Products: 1.290.712.491,82 dinar
- Vehicles: 338.686.381,63 dinar
- Batteries: 283.132.647,09 dinar
- Asbestos: 487.079,25 dinar

Two Billion Dinars are reserved to be used for incentives for recycling of specific waste streams. The decision on the payment of incentives for recycling is taken by the MAEP, Section on Environmental Inspectorate. Inspectors are carrying out inspections at those recycling companies which applied for an incentive for the recycled amounts. During these actions the inspectors are not checking the quality of the recycled materials therefore there is a risk for financing of sham recycling. Apart of that it was identified the need for an expertise of an accountant seems.

The incentives can be granted only for the recycling activities conducted in Serbia. In fact no detailed information could be provided on the amount of the really paid out incentives.

A considerable amount of money from the Environmental Fund is reserved for specific projects, e.g. the preparation of the remediation of contaminated sites (approximately 300 Mio Dinars), transport of hazardous waste thereof (approximately 400 Mio Dinars) and for the set-up of a recycling system (2.5 Billion Dinars). The money can only be paid for implementing of defined measures, e.g. technical equipment, working staff. The Department on Project Management has an overview on the financed projects.

It was mentioned by the MAEP that the Law on Waste Management stipulates clearly possibilities for financing waste management projects: According to Article 81 *revenues collected by the Environmental Protection Fund, e.g. from special accounts, shall be used to finance programmes, projects and other investment and operational activities in the area of waste management, as follows:*

- construction of waste management facility;
- improvement of organisation of waste management;
- management of used batteries and accumulators, waste oils, waste tires, electric and electronic waste, waste from mercury-containing fluorescent tubes and end-of-life vehicles;
- encouraging of separate collection of waste;
- encouraging of recycled materials market;
- implementation of regional waste management plans referred to in Article 12 of this Law;
- development of waste management information system;
- assistance in development and application of new technologies for waste treatment;
- rehabilitation of long-term pollution with waste;
- educational and awareness raising programmes about the environmental protection and waste management issues;
- other costs, in compliance with law.

4 SERBIAN ENVIRONMENTAL PROTECTION AGENCY (SEPA)

4.1 Organisation, procedures and capacities

Website: <http://www.sepa.gov.rs/>

The Serbian Agency for Environmental Protection (SEPA) is a body within the Ministry of Agriculture and Environmental Protection and was founded in 2004 as a own legal entity.

SEPA performs professional tasks related to:

- The development, coordination and management of the national information system for environmental protection (monitoring of the state of environmental media through environmental indicators, the registry of pollutants, etc.);
- Implementation of state monitoring air and water quality, including the implementation of prescribed and harmonized programs for the control of air quality, surface water and groundwater aquifer and precipitation;
- Manage National Laboratory;
- The collection and compilation of environmental data, their processing and preparation of reports on the state of the environment and implementation of environmental policy;
- Development of procedures for processing data on the environment and their evaluation;
- Keeping data on best available techniques and practices and their implementation in the field of environmental protection;
- Cooperation with the European Environment Agency (EEA) and the European Network for Information and Observation (EIONET) , as well as other activities specified by law.

Within SEPA there is established a Division on Waste. In general only one person is responsible for specific issues on waste management.

4.2 Waste related responsibilities

According to Article 22 of the Law on Waste Management SEPA shall carry out the activities pertaining to:

- Maintenance and updating of database on waste management in environmental information system, in compliance with the law that regulates environmental protection;
- Maintenance of data on available and needed quantities of waste, including secondary raw materials, exchange and making those data accessible electronically;
- Reporting on waste management, in compliance with the assumed international obligations.

Concerning submission of information on hazardous waste there are provisions laid down in the LWM that entities who perform collection, storing and treatment of *used batteries and accumulators, waste oils, waste tires, waste of electric and electronic products, waste mercury-containing*

fluorescent tubes and PCB waste shall hold a permit, maintain and keep records on these waste streams and on quantities collected, stored or treated, and shall submit those data to SEPA (see Articles 47 to 52 of the LWM). Owner of *asbestos-containing waste* shall maintain records on quantities of waste stored or disposed of and shall submit such data to SEPA (Article 54 of the LWM). The entity that treats *end-of-life vehicles* shall maintain records on all the phases of treatment, and shall submit such data to SEPA (Article 55). Pharmacies and healthcare institutions shall maintain and keep records on *pharmaceutical waste* and shall submit such data to SEPA (Article 56). Generator and owner of *waste from Titanium Dioxide Industry* shall hold appropriate permit, maintain and keep records on quantities of this type of waste collected, stored, treated or disposed, and shall submit such data to SEPA (Article 57).

SEPA is also responsible for the establishment and maintenance of a register of PCB-containing devices in use (see Article 52 of LWM).

Concerning reporting on waste every waste generator and owner, except for households, shall maintain and keep daily records on waste and shall submit regular annual report to SEPA. Local self-government unit shall maintain and keep records on collected municipal waste, as well as list of unregulated landfills and shall submit such data to SEPA (Article 75 of LWM). Once a year, but not later than 31 March of current year, and at the request, SEPA shall submit data thereof to the Ministry.

The reports on implementation of local and regional (introduced by two or more LSG units) waste management plans needs to be submitted by the LSG units once in two years to SEPA (see Article 74 of LWM).

In addition, SEPA collects and receives the permits issued by the ministry and the municipalities (including region of Vojvodina). SEPA maintain and updates a database on these waste permits, both for hazardous and non-hazardous waste. In case of lack of information necessary for inserting the permits into the database, there is a "check of completeness" concerning these data carried out by SEPA. This check does not concern the quality and legal requirements of the permits. Information concerning the permits is published on the SEPA website:

<http://www.sepa.gov.rs/index.php?menu=20174&id=20055&akcija>ShowExternal>

Concerning *products that become special waste streams upon use thereof* an annual report as well as daily records on the amount and type of produced and imported products shall be kept by charge payers and shall be submitted to SEPA. The products that become special waste streams upon use thereof includes tyres, products containing asbestos, batteries and accumulators, any mineral or synthetic oil and lubricant as well as electrical and electronic products (see Decree No. 54/2010).

Following table gives an overview on the issued permits until now (year 2014) presented by SEPA at the Workshop end of October:

Type of permit	Number
Collection of waste	315
Transport of waste	336
Storage of waste	130
Treatment of waste	112
Disposal of waste	4

Additional information gathered via meeting from 07.07.2015 with SEPA (at the Ministry, 08:00):
Main contact Mr Nebosja Redzic

Only one person is dealing with specific waste management issues in SEPA. SEPA collects the permits from the ministry and the municipalities (including region of Vojvodina). In case of missing of information necessary for inserting the permits into the database, there is a “check of completeness” concerning these data carried out by SEPA. This check does not concern the quality and legal requirements of the permits.

5 AUTONOMOUS PROVINCE (AP) VOJVODINA

5.1 Organization, procedures and capacities

Website: <http://www.vojvodina.gov.rs>

Vojvodina is the autonomous province of citizens who live in it and it is a constituent part of the Republic of Serbia as stipulated also in the Law on Establishing Competencies of Autonomous Province of Vojvodina (RS No. 99/09). The Law sets out the competences of the Autonomous Province, with Article 25 setting the specific responsibilities for environmental protection. This gives Autonomous Province of Vojvodina a wide responsibility for the implementation of the Environmental acquis.

The Autonomous Province of Vojvodina has its own revenues to be used to finance its competences (Article 8 of the Law RS No. 99/09). Additional tasks may be delegated to Autonomous Province of Vojvodina, with the funding for such tasks to be provided by the Republic of Serbia. Thus, Autonomous Province of Vojvodina essentially is responsible for its own funding unless it has been required to perform specific tasks. In the latter case, the cost of performing these tasks is to be recovered from the state budget of the Republic of Serbia.

In the territory of Vojvodina, there are 45 municipalities and towns as local self-government units, organised in seven Counties, with the seats in the following towns: Subotica, Zrenjanin, Kikinda, Pančevo, Sombor, Novi Sad and Sremska Mitrovica.

The administration of the autonomous province of Vojvodina has 11 secretariats; one entitled Provincial Secretariat for Urban Planning, Construction and Environmental Protection also performing issues on waste management.

Pursuant to the law and the Statute, the Provincial Secretariat for Urban Planning, Construction and Environmental Protection shall perform among other:

- enable continual control and monitoring of the state of the environment; secure conditions for the provision of measures and conditions for environmental protection, upon the request of the authority in charge of preparation and adoption of spatial and urban plans; while, on the basis of conditions and opinions of competent professional organisations, it shall participate in the process of drawing up and adoption of spatial, urban and other plans (urban plan and bases of utilisation of agricultural land, forest management, water management, and hunting plans and programmes for improvement of fishery in fishing areas, as well as other plans).
- delegated duties of public administration, in the field of environmental improvement, fishery and fish stock management in fishing waters, which have been delegated to the authorities of the Autonomous Province of Vojvodina, as provided by the law. Provincial Secretariat for Urban Planning, Construction and Environmental Protection shall also perform other duties, delegated to it pursuant to the law, Provincial Assembly decision or other regulation.

5.2 Waste related responsibilities

Pursuant to Article 18 of the Law on WM the responsibilities of the Autonomous Province of Vojvodina are prescribed as following:

- participate in the development of the Strategy and specific national waste management plans;
- coordinate and perform waste management activities of importance for the Autonomous Province, and shall monitor the status;
- give consent to regional waste management plans at its territory;
- issue permits, approvals, certificates and other acts in compliance with this Law, maintain the records and submit data to the Ministry;
- supervise and control measures of waste management at its territory in compliance with this Law;
- perform other *activities prescribed by law*.

The Autonomous Province shall determine authorities responsible for the above activities. The Autonomous province is entrusted with issuance of permits for collection, transport, storage, treatment and disposal of waste for all the activities at the territory of autonomous province and for all the facilities that apply for construction permit at the competent authority of autonomous province (see Article 60 of the LWM).

Implementation of regional waste management plans, as well as construction of facilities for storage, treatment and disposal of waste in the area of competence of autonomous province shall be financed from earmarked funds of the autonomous province budget, loans, donations and funds of legal and private entities who manage waste, charges and other sources of financing, in compliance with law (see Article 80 of the LWM).

The Autonomous province shall be entrusted with inspection over the activities related to waste management which are completely performed at the territory of autonomous province and over the operation of waste management facilities permitted by autonomous province on the basis of this Law (see Article 84 of the LWM).

Additional information gathered via meetings from 07.07.2015 (at the Ministry, 13:00) and 08.10.2015 (at the Ministry, 12:00) with Administration of Vojvodina: Main contact Ms Svetlana Marusic

The region is responsible for all the permits for waste treatment activities at the territory of Vojvodina (including IPPC installations). 70 IPPC waste treatment permits and 217 permits for hazardous waste (storage/treatment/collection/transport) have already been issued. Two persons are responsible for permitting. Until now only in a few cases the municipalities asked the support in terms of permitting an installation (for non-hazardous waste). The representatives from Vojvodina would prefer the option to shift the responsibility to granting the permits (for NHW) to their authority. In this case the staff of the autonomous province should be extended.

There have not been established any regional waste management plan at the level of territory of Autonomous Province of Vojvodina. Most of the local self-government units (municipalities) at the territory of the Autonomous Province of Vojvodina have established joint local self-government units, but did not establish a regional waste management plan for the related joint self-government unit. The organisation of these joint local self-government units follows the organisational structure of the seven Counties, with the seats in the following towns: Subotica, Zrenjanin, Kikinda, Pančevo, Sombor, Novi Sad and Sremska Mitrovica. There have been signed some "Memorandum of Understanding" between the single local self-government units which take part in the joint local-self-government units.

In case of permitting activities for hazardous waste the Administration of the Autonomous Province of Vojvodina ask the local authority where the activity will take place for an opinion to the application documents. In most cases there is no reaction and in some cases negative reaction on this request on expertise (not in my backyard principle). This hampers the permitting procedure.

In case that a company got issued a permit at the Ministry Level and the activities also take place at the territory of the Autonomous Province of Vojvodina, the Inspectorate of the Autonomous Province of Vojvodina does not carry out inspections on these companies.

There have not been introduced specific funding schemes at the level of the Autonomous Province of the Vojvodina until now. Concerning the National Environmental Fund the information required e.g. specific products placed on the market is forwarded to SEPA by the companies as also done in the other Regions of Serbia.

The Administration of the Autonomous Province of the Vojvodina consists of several Secretariats. Within the Secretariat for Urban Planning, Construction and Environmental Protection a Division on Waste has been established, where 2 staff Members are dealing with permitting issues on waste activities and 1 additional staff is working on IPPC permits. The Inspectorate consists of 7 staff Members, 4 regional inspectors and 3 located in Novi Sad. All of the inspectors carry out general environmental inspections including waste inspections. The focus of the inspections is predominantly big producing companies like e.g. cement factories where more than one environmental emission is of relevance. Inspectors have benefited the last time a training session in 2008. Claims have been brought onto the table that there is no harmonization of acquis between the regulations on the waste management (under the responsibility of the Ministry of Agriculture and Environmental Protection) and regulations on the setup of municipalities and cities (under the responsibility of the Ministry of Public Administration and Local Self-Government). This causes problems in terms of communication between local self-government units and other Administrative Levels and law enforcement, not specified in detail.

6 THE LOCAL SELF-GOVERNMENT (LSG) UNIT

6.1 Organization, procedures and capacities

The Local Self-Government Units (LSGs) are established by the Law on Local Self-Government (OG of the RS No. 129/2007, last amended in 2010) which supersedes earlier legislation on LSGs.

Article 18 of the Law establishes the Municipality as the basic territorial unit of local self-government. A Municipality should have no less than 10.000 inhabitants, although for either historical or other reasons smaller Municipalities are allowed. Article 23 of the Law establishes the City as a unit of local self-government having more than 100.000 inhabitants although again smaller cities are allowed. The status of the City of Belgrade is the subject of a separate law.

Article 4 of the Law provides that the Republic of Serbia can, by law, entrust the units of local self-government certain matters from its competence. *“The assets for carrying out entrusted competences shall be provided for by the Republic of Serbia”.*

A key competence of the LSG units is set in Article 20(5), which reads the following: *“The Municipality, through its bodies, in keeping with the Constitution and the law regulates and provides for the carrying out and the development of public utilities treatment and distribution of water, treatment and draining of rain and waste water maintenance of cleanliness in towns and agglomerations, waste depots management as well as organizational, material and other tasks for their performance.”*

It is under this Article of the Law that responsibilities are placed on the LSG units in relation to the Drinking Water Directive (98/83/EC), the Urban Waste Water Treatment Directive (91/271/EEC) and the Waste Framework Directive (2008/98/EC).

6.2 Waste management related responsibilities

According to Article 20 of the LWM, the local self-government unit:

- shall adopt the local waste management plan, provide conditions and ensure its implementation;
- shall prescribe, ensure, organize and perform the management of municipal, that is, inert and non-hazardous waste on its territory, in accordance with the law;
- shall prescribe the procedure of service charging in the area of municipal, that is, inert and non-hazardous waste management, in accordance with the law;
- shall issue permits, approvals and other acts in accordance with this Law, shall keep a record and submit data to the Ministry;
- on request of the Ministry and the competent authority of the autonomous province shall provide opinion during permit issuance procedure in accordance with this Law;
- shall supervise and control waste handling measures in accordance with this Law;
- performs other activities prescribed by the law.

In addition Article 97 of the LWM stipulates that local self-government unit shall:

- develop a list of unregulated waste disposal sites at its territory which do not meet requirements proscribed by this Law within one year from the enactment of this Law;
- develop projects of rehabilitation and re-cultivation of unregulated landfills within two years from the enactment of this Law, which shall be approved by the Ministry, i.e. autonomous province.
- within one year from the enactment of this Law and in agreement with one or more local self-government units referred to in Article 34, paragraph 1 of this Law, the local self-government unit shall determine location for the construction and operation of the facility for storing, treatment *OR disposal of waste at its territory*.

The local self-government unit shall, within an act, establish the authorities and departments competent for performing the activities referred to in above. The above activities, regarding inert and non-hazardous waste, as well as activities under points 4 and 6, are handled as entrusted activities.

In addition to the above, pursuant to Article 84, paragraphs 4 and 5 of the Law on Waste Management:

“City, e.g. the City of Belgrade, shall be entrusted with inspection over the activities of collection and transport of inert and non-hazardous waste, i.e. over the operation of facilities for storage, treatment and disposal (Amendment to LWM: treatment, and/or storage, remedy, and disposal) of inert and non-hazardous waste permitted by competent authority on the basis of this Law.

Municipality shall be entrusted with inspection over the activities of collection, transport, storing, treatment and disposal (Amendment to LWM: collection, transport, treatment, and/or storage, remedy, and disposal) of inert and non-hazardous waste, for which permit is issued by competent authority in compliance with this Law.”

The local waste management plan shall be prepared by a division within the local authorities within the local self-government unit that is responsible for waste management, in co-operation with other authorities competent for economy, financing, environmental protection, urban development, as well as with representatives of commercial societies, i.e. enterprises, associations, professional institutions, non-governmental and other organizations that deal with environmental protection, including consumers’ organizations (see Article 13 of the LWM).

Concerning *municipal waste management* local self-government units shall provide possibilities for households to dispose their non-hazardous waste in containers or in other ways. In addition local self-government units shall provide for and equip centres for collection of municipal waste which cannot be disposed of in containers for municipal waste (bulky and other waste). Hazardous waste from households (used batteries, waste oils, paints and varnishes, pesticides, etc.) shall be delivered to a point designated for selective collection of hazardous waste or to legal entity authorised for collection of hazardous waste, both to be permitted by the ministry (see Article 43 of the LWM).

The local self-governments unit shall provide for collection and delivery of *end-of-vehicles* if the owner is unknown to the entity permitted to treat such vehicles and shall be entitled to charge for costs if owner of the end-of-life vehicle becomes known later (see Article 55 of the LWM).

The local self-government units are entrusted with permitting for collection, transport, storing, treatment and disposal of inert and non-hazardous waste at its territory. The application for those permits shall be submitted to the local self-government unit.

Applications which are directed to the Ministry, i.e. competent authority of autonomous province, shall be submitted to the local self-government unit so as to obtain opinion by the local self-

government unit. Within 30 days from the reception of the application the local self-government unit shall consider the application and shall submit its opinion together with the explained proposal for acceptance or refusal of such application to the Ministry, i.e. to the competent authority of autonomous province (see Article 63 of the LWM). Before issuing the opinion, local self-government unit shall obtain opinions from other stakeholders and interested organisations (urban development, nature, protection, utilities, interior affairs, consumer protection, etc.).

Permits for storage, treatment and disposal of inert and non-hazardous waste at the territories of more than local self-government unit are issued by the Ministry, i.e. competent authority of autonomous province for the territory of autonomous province.

Local self-government unit is maintaining and keeping records on collected municipal waste, as well as list of unregulated landfills and shall submit such data to the Agency (see Article 75 of the LWM).

6.3 Joint waste management of local self-government units

According to Article 21 of the LWM, a joint waste management via an assembly of two or more local self-government units can be established:

- Two or more local self-government units may jointly provide and carry out WM, if such is their mutual interest, under the conditions determined by law and by an agreement signed among the assemblies of local self-government units.
- The above agreement, signed by the assemblies of local self-government units, shall regulate in particular: mutual rights and duties in providing conditions for performing the activity as well as for WM facility operation on the territory of those self-government units; rights and duties of municipal enterprises, that is, any other legal or natural bodies performing the activity; decision-making procedure in case of disagreement among local self-government units regarding specific issues related to the WM activity, as well as other issues relevant to organizing and carrying out waste management.
- In case that two or more local self-government units do not provide for and do not implement waste management as required by Article 21, paragraph 1 of the WMA, the decision on joint provision and implementation of waste management at those local self-government units territories, shall be made by the Government at the proposal of the Ministry, *i.e. of the competent authority of autonomous province*.

Assemblies of two or more local self-government units with at least 200,000 inhabitants (Amendment to LWM: 250.000) living within their territories shall develop a regional waste management plan, which shall define common goals in waste management, in compliance with the Serbian Waste Management Strategy (see Article 12 of LWM).

6.4 Example for local self-government unit: City of Belgrade

Information gathered via meeting from 06.10.2015 with City of Belgrade (at the Ministry, 12:00):
Participants: Ms. Mirjana RUZIC, Ms. Aleksandra RADINOVIC, Ms. Sadika JANOJLIC, Ms. Slavica TOSIC, Ms. Vesna KIESYA, Ms. Mirjana SKLABINSKI

The City of Belgrade represents one local self-governmental unit and consists of 17 Municipalities. Until now no joint local self-governmental units with other municipalities have been estab-

lished and no collection of hazardous waste from households has been established at the territory of the City of Belgrade. There is the intention to install a treatment/storage facility for hazardous waste from household at the site of a sanitary landfill.

The City of Belgrade issued 111 permits in the field of waste management until now; all of them dealing with non hazardous waste. One half of them are permits for collection and transport; the other half for treatment and storage. The trend for new applications for permits in the field of waste management is going down due to the close-down of several waste management operators. The issued permits are forwarded to SEPA. No IPPC permits have been granted for waste management activities by the City Administration.

The City of Belgrade proposed the recommendation to simplify the application requirements for small companies which are needed to apply for a waste management permit. Small operators cannot deal with the requirements e.g. concerning the environment impact assessment.

Concerning permitting and inspection a good information exchange has been established with the Ministry but not yet with other Cities or Municipalities.

Seven people are working in the Department for planning and organization of the waste management within the Sector for planning and project management at the City of Belgrade. Three out of them are working on permitting issues for waste management activities. 28 people are working in the Sector for inspection control, 6 out of them are carrying out inspection on waste management activities.

The Representative of the City Inspectorate claimed about difficulties in carrying out inspections for those sites, operating for hazardous and non hazardous waste. If during inspections by the city inspectorate control deviations in terms of hazardous waste management are obvious (which are out of the scope of their responsibility), the national inspectorate at the Environmental Ministry is informed. Due to a lack of staff (only 2 national inspectors are operating in the territory of the City of Belgrade) these deviations can not be tackled comprehensive.

Another issue brought on the table was the management of construction and demolition waste. The City Inspectorate only can inspect the dumpsites for C&D waste at a stage where no one is responsible for the C&D waste anymore. They have no instruments on a legally basis in place to tackle the issue of C&D waste management during the de-construction of a building (e.g. via asking for the construction company for a contract with a waste treatment operator).

The City of Belgrade supports the establishment of trainings to improve the information exchange and to better up the education/expertise. The Chamber of Commerce and the Standing Conference of Towns and Municipalities were identified to play a role therefore.

6.5 Example for local self-government unit: Municipality of Pozarevac

Information gathered via meeting from 05.10.2015 with municipality of Pozarevac (at the Ministry, 12:00): Participants: Ms. Mirjana LEKIC, Ms. Vesna TODOROVIC

In the LSG unit there is a WMP in force since 2010. The planned period for the WMP is 10 years, with an update after 5 years.

There is the intention to build up a joint waste management unit with other municipalities, but up to now it was not possible due to reasons of finding a suitable site location for waste management activities.

There is one landfill site in operation on the territory of the municipality but not upgraded to the prescribed new standards. The site was permitted by the local authority before enactment of the law on waste management.

Collection points for hazardous waste from households as proposed in the Waste Management Strategy 2010-2019 has not been introduced in the municipality of Pozarevac. In a few cases collectors for EEE waste accept small amounts of other hazardous waste from households (e.g. batteries).

The municipality of Pozarevac issued 10 permits for storage/treatment for non hazardous waste in the last five years. No permits were issued for collection/transport; these were all done by the Ministry. No permits were issued for IPPC installations. Only two companies in the competence of the local municipality fall under the scope the IED, one company is recently out of operation and one company did not manage to provide the relevant documents until now. The municipality of Pozarevac issued 4 permits for the locations of mobile plants until now. Such permit also includes a sunset date for the operation of the licenced site where the mobile plant is located on. In average one permit has been issued per year in the last few years.

The local authority of Pozarevac issues certificates for storage sites with a capacity lower than 2 tons.

All permits of the local authority are forwarded to the Ministry of Environment.

There is an exchange of information / expertise between local authorities and the Ministry of Environment. The local authority of Pozarevac also carries out an information exchange with neighbouring local authorities.

Environmental inspections including waste inspections are carried out at local level for those issues in the sole of the competence of the local authority.

Only one person is dealing with general environmental issues including aspects on waste management. One additional staff is engaged in environmental inspections. There was no request to enlarge the staff concerning waste management issues. In case the need of specific expertise information exchange with the Ministry, the Inspectorate and other local authorities is done.

Although there is already established a good information exchange with the Ministry and other local authorities the municipality representatives would like to have a regular training with focus on law amendments.

6.6 Example for local self-government unit: Municipality of Gornji Milanovac

Information gathered via meeting from 09.10.2015 with municipality of Gornji Milanovac (at the Ministry, 11:30): Participants: Ms Daniela GUSONIC, Ms Marina RADICA

Within the Municipality of Gornji Milanovac two Divisions are of importance concerning waste management, one department working on environmental inspection and one department on ecological jobs also issuing the permits on waste treatment. Until now nine permits on the management of non-hazardous waste have been issued (one out of them for treatment which comprises mechanical treatment of waste wood). In addition there is the intention to set up a site for sorting and collection activities at a sanitary landfill site.

The municipality elaborated a local waste management plan and prepared a list of existing dumpsite at the territory of the local unit. The municipality did not establish a joint local self-government unit with other municipalities.

The municipality reported to take part in the information exchange according to the request by the Ministry on the application of permits for hazardous waste management activities which is stipulated in the Law on WM.

There has been established a co-operation between the Local Inspectorate and the National Inspectorate were the Local Inspectorate forward identified problems on hazardous waste management at a site to the National Inspectorate. Joint inspections between those two bodies are carried out following an inspection plan.

7 EXPERT WASTE TESTING ORGANIZATIONS

7.1 Organization, procedures and capacities

Laboratories performing waste testing in accordance with the Law on WM apply for certification at the Environment Ministry every four years; prerequisite for the certification is that the Laboratories are accredited by the National Accreditation Body. The Accreditation Audit is repeated every year.

The Laboratories are mainly contracted by companies but also taking part in public tenders.

7.2 Waste related responsibilities

According to Article 23 of the Law on WM, waste testing shall be performed for waste classification for the following: transboundary movement; waste treatment; waste disposal.

Waste testing shall be performed by professional organizations and other legal entities authorized for sampling and characterization according to the volume of testing for which they have been accredited (hereinafter referred to as: accredited laboratory), in compliance with law.

Waste characterization shall be performed for hazardous waste only, and for the waste which according to its origin, composition and properties may be hazardous waste, except for household waste.

Professional organizations and other legal entities shall issue a report on waste testing.

7.3 Example for Expert Waste Testing Organisation

Example: Laboratory MOL Ltd.: <http://www.mol.rs>

Information gathered via meeting from 09.10.2015 with Laboratory MOL (at the Ministry, 14:00):
Participants: Ms Irena TESIC

The laboratory applies for certification at the Environment Ministry every 4 years, prerequisite for the certification is that the laboratory is accredited by National Accreditation Body. The Accreditation audit is repeated every year.

The laboratory is mainly contracted by companies but also taking part in public tenders. Typically they also work as consultants for the customers giving advice if the waste can be recycled or needs to be disposed of. In normal cases (up to 98%) the sampling is also carried out by the laboratory.

Main waste streams analysed are metals, plastics, waste oils WEEE, batteries as well as C&D waste. C&D waste is analysed with special focus on asbestos.

The waste testing report is provided in two copies, one for the company and one to be forwarded to the Ministry by the company. In general the waste testing reports are forwarded to the Ministry of Environment.

It has been pointed out that due to the inspections carried out by the Ministry the applications for waste testing have been widely increased.

8 ACCREDITATION BODY OF SERBIA (ATS)

8.1 Organization, procedures and capacities

Website: <http://www.ats.rs>

The Accreditation Body of Serbia (ATS) is the national accreditation body of the Republic of Serbia established by the Republic of Serbia by means of the Act on Establishment of the Accreditation Body of Serbia ("Official Gazette of the RS", Nos. 96/06 and 14/11) to perform the activities referred to in Articles 3 and 8 of the Law on Accreditation ("Official Gazette of the RS", No. 73/2010). The Government exercises the rights of the ATS Founder. ATS is a sole accreditation body in the Republic of Serbia that was conferred the authority to perform the accreditation activities by means of the Law on Accreditation.

ATS is an institution and was registered as such. A law governing public administration services are applied in case of the ATS establishment, set-up, status and activities-related issues.

The Law on Accreditation governs the accreditation procedure, establishment and scope of the ATS activities, its organs and financing. The abbreviated form (acronym) of the Accreditation Body of Serbia's name is ATS. In international transactions, in addition to the Serbian version of its name, ATS can use the English version thereof: "Accreditation Body of Serbia".

The purpose of accreditation is to determine competence of conformity assessment bodies to perform the following activities: testing; calibration; inspection; certification of products; certification of management systems and certification of persons.

ATS performs accreditation in keeping with the following documents:

- Law on Accreditation ("Official Gazette of the RS", No. 73/2010)
- Decision on Amendments to the Act on Establishment of the Accreditation Board of Serbia ("Official Gazette of the RS", No. 14/2011)
- Statute of the Accreditation Body of Serbia
- Standards of the SRPS ISO/IEC 170XX series (17011, 17020, 17021, 17024, 17025, 17065) and SRPS ISO 15189 containing requirements related to the operation of a national accreditation body and competence assessment of conformity assessment bodies
- Rules of Accreditation
- Procedures, guides and guidelines of the EA - European co-operation for Accreditation and/or ILAC - International Laboratory Accreditation Cooperation and/or IAF - International Accreditation Forum
- Sector specific laws and regulations laying down accreditation procedure and mandatory conformity assessment activities

Accreditation is voluntary in the Republic of Serbia unless made mandatory by sector-specific laws. The assessment of conformity of products, processes and services with technical regulations and standards is performed by professional and technically competent laboratories, certification and inspection bodies.

In order to become competitive on the European and world market, it is necessary to prove the conformity of products, processes and services as regards those requirements stipulated in regulations, standards and contractual technical specifications. Observance of regulations and standards ensures the safety of products and free movement on the market, human health pro-

tection, consumer protection, environmental protection and protection of other areas of public importance. Thus, it is of utmost importance to use services of professional and technically competent laboratories, inspection and certification bodies in this process, whereby the confidence in performed testing, inspection and certification activities is ensured.

Accreditation is a means to establish confidence in product and service-oriented markets given that it presents an independent and impartial competence assessment of the bodies performing testing, calibration, certification and inspection activities. Recognition and acceptance of the conformity assessment results obtained in Serbia will be ensured through networking of the Serbian accreditation system with those of Europe and world.

In the field of accreditation, ATS establishes cooperation with bodies and organizations belonging to the public administration system of the Republic of Serbia in keeping with the rules arising from laws and SRPS ISO/IEC 17011 and without jeopardizing its independence.

Rules of Accreditation are in concordance with the international standards from 170XX series, and with the EA, ILAC and IAF rules and guidelines.

Pursuant to the Law on Accreditation, Decision on Amendments to the Act on Establishment of the Accreditation Board of Serbia and Statute, ATS performs the following activities:

- determine the competence of conformity assessment bodies performing testing, calibration, inspection, certification of products, certification of management systems and certification of persons;
- determine the competence to perform other conformity assessment activities in accordance with specific laws;
- set forth and publish the Rules of Accreditation that shall be based on the relevant Serbian, international and European standards and documents of the international and European organisations for accreditation;
- keep a public directory of accredited conformity assessment bodies;
- participate in the work of international and European organisations for accreditation;
- organise and deliver accreditation-oriented training to assessors;
- organise seminars and training courses, and promote the importance and role of accreditation;
- prepare and publish accreditation-related brochures, publications and bulletins, and
- perform other accreditation-oriented activities in accordance with the Law, Decision on Amendments to the Act on Establishment of the Accreditation Board of Serbia and Statute.

8.2 Waste related responsibilities

In particular in the environmental field the Board is responsible for the accreditation of laboratories and for the verifiers that are required under the emissions trading scheme (Link to Laboratories).

9 STATISTICS OFFICE

The Statistical Office of the Republic of Serbia is specialized, professional organization within the public administration of the Republic of Serbia, performing *expert tasks related to*:

- Adopting programs, organization and conducting of the statistical surveys, i.e. methodology creation;
- Collecting, processing, statistical analysis and publishing of the statistical data;
- Preparation and adopting of unique statistical standards;
- Development, maintenance and usage of administrative and statistical registers of the Republic;
- Establishing and maintenance of the system of national accounts;
- Cooperation and expert coordination with bodies and organizations that are in charge of carrying out the statistical surveys;
- Cooperation with international organizations so as to provide standardization and data comparability;
- Data processing, with the aim of providing election results and referendum on the level of the Republic;
- Other tasks stipulated by the law.

The Statistical Office of the Republic of Serbia comprises 14 regional departments (Sabac, Zajecar, Leskovac, Kraljevo, Nis, Valjevo, Smederevo, Uzice, Kragujevac, Novi Sad, Zrenjanin, Pancevo, Sremska Mitrovica, Subotica) established in order to provide improved organization of collecting statistical surveys' data in the field.

The Statistical Office is:

- responsible for the reporting to Eurostat in accordance with the Waste Statistic Regulation.
- coordinator of official statistic data in Serbia.

Within the system of official statistics of the Republic of Serbia, the Office has a coordination role in international statistical cooperation. The Statistical Office of the Republic of Serbia is the independent office working according to the law on official statistics.

The tasks are established in the 5 years programme (2011 – 2015) and implementations plans (in harmonisation with European standards). The annual programmes with the obligation to base the work on statistical standards are also available.

9.1 Organisation, procedures and capacities:

The web-site of the SORS is: <http://webzrs.stat.gov.rs/WebSite>

According to the Rulebook on internal organization and job systematization in the Statistical Office of the Republic of Serbia, number 110-968/06, as of March 30th, 2010, adopted by the Government of the Republic of Serbia, and approved by the Conclusion number 110-

2481/2010, as of April 8th, 2010, and according to the Rulebook on amendments and changes to the Rulebook on internal organization and job systematization in the Statistical Office of the Republic of Serbia 01, number 110-968/20-2009, as of April 22nd, 2015, adopted by the Government of the Republic of Serbia, and approved by the Conclusion number 110-110-1761/2015, as of May 14th, 2015, the following units were established:

Main internal units:

- National accounts, Prices and Agriculture Department
- Business Statistics Department
- Population Statistics and Fieldwork Department
- Information - communication technologies and Publishing Department
- European Integrations, International Cooperation and Projects Management Department
- Statistics Department for regional unit of AP Vojvodina

Smaller internal units outside departments:

- Dissemination and Public Relations Division
- Legal and Personnel Affairs Division
- Financial Tasks, Preparation and Budget execution Division
- Logistics Division

Users of the Office's data and services encompass citizens, legal entities, state administration bodies and local self- government bodies, journalists, scientists, researchers, analytics, students and international organizations.

Services that are offered to interested persons:

- Dissemination of the statistical data according to the Plan of Statistical Surveys
- Statistical data (aggregated data) produced in scope of the statistical surveys are considered to be "public goods", meaning that their dissemination is obligatory according to the Law on Official Statistics ("Official Gazette of RS", no. 104/09). On the Office's website, available is the Publications calendar, providing the information on the exact date of statistical releases and publications' issuing.
- The Database enables downloading of generated reports in .xls, .xml and .pdf forms.
- Electronic library contains publications in .pdf, .xls and .txt forms.

Statistical (aggregated) data delivery, on the basis of users' requests via:

- Web application "Ask us"
- Email: stat@stat.gov.rs
- Post office

- Phone

Deadlines for responding to users' requests for statistical data:

- Deadline for informing the users and delivering the available data is 5 (five) days from the day of receiving the request, while regarding the complex requests that demand additional processing deadline is 15 days from the day of receiving the request.
- Deadline for special requests data delivery is included in the Office's offer and can be also determined in direct contact with users who require the data, when signing the contract.
- Providing individual data without identifier (micro data) to scientific and research institutions

Users can be provided with (on special request that has to be paid by user):

- Publications
- Statistical data that demand additional processing of the already published data

9.2 Waste related responsibilities

The Unit for Environment Statistics within the Department for Business Statistics is responsible for waste statistics.

The environmental statistics supplies data relevant to the environmental situation as regard waters, wastes (generation, processing and disposal of communal and hazardous waste) and air pollution and is responsible for Waste Statistic Regulation to Eurostat.

Additional information gathered via meeting from 21.10.2015 with the Statistical Office (at the Ministry, 13:00): Participants Ms. Dusanka DOSTANIC

The Statistical Office is responsible for the reporting to Eurostat in accordance with the Waste Statistic Regulation. Data on waste generation and waste treatment are requested from the Companies (more than 10 employees) via standardised questionnaire firstly carried out in 2008. Beginning with 2012 data has been reported to EUROSTAT (data 2010) according to the EU Waste Statistic Regulation. The return rate from the questionnaire distributed was approximately 70%. For some NACE Codes no data is gathered via questionnaires (e.g. Sector on Agriculture).

The data on waste generation gathered via SEPA overlap with the data gathered by the Statistical Office. The exchange of collected data and aggregation on data with SEPA could be improved. Data from SEPA and the Statistical Office may differ according to different aggregation and data gathering methodologies (e.g. listed companies for waste treatment at SEPA include companies carrying out only pre-treatment activities, according to EU Waste Statistic Regulation the data on final treatment needs to be separated from those for pre-treatment).

If requested, data are provided to other institutional bodies (e. g. Universities).

Data on imports/exports of waste are collected but not comprehensive, therefore these data sets are not forwarded to other bodies in terms to fulfil any reporting obligations.

The Statistical Office has 14 Regional Offices which are responsible for data collection afterwards they are transmitting their results to the central Statistical Office.

Actual reports were very shortly introduced from the Statistical Office e.g. on the import/export 2010-2013 with a comparison to European MS and the latest annual report are available at the Website of the Statistical Office: <http://webrzs.stat.gov.rs/website/>

10 OTHER AUTHORITIES

The authorities, presented below, have no direct legally defined competences as regards HWM. Those, however, are included in this report due to their responsibilities which were considered to have very strong importance in terms of building up co-operations with the stakeholders on the hazardous waste management.

10.1 Standing Conference of Towns and Municipalities (SCTM)

10.1.1 Organisation, procedures and capacities

Website: <http://www.skgo.org/>

The “Standing Conference of Towns and Municipalities (SCTM)” was founded in 1953 and is the association of Serbian towns and municipalities. The main recent activities of the standing conference of towns and municipalities in Serbia comprise:

- Gathering, discussing common issues and problems, and formulating and representing the joint interests of local self-government units;
- Advocating for the interests of local authorities and lobbying before the central authorities in the process of defining strategic directions and adopting regulations important for local self -governments;
- Exchanging opinions, knowledge and the best practical solutions to pertinent local self - Government work;
- Co-operation and twinning of local authorities in both national and international contexts;
- Keeping members, partners and the public informed about all issues of importance for local self-government;
- Providing various services to members through training, consultations and advisory support;
- Implementing projects of importance for local self-government in Serbia;
- Managing grant schemes for local self-governments' projects;
- Supporting towns and municipalities to build capacities, define and implement their strategic goals, prepare and implement projects, and access financial resources.

In the strategic plan of the SCTM Association for the period 2014 to 2017 waste management issues are not individually tackled. The SCTM seems to be of importance more in a generally way by supporting the towns and municipalities via building up competences and staff resources to be in line with overall Serbian legislation requirements.

Within the SCTM several Committees have been established, one for Environmental Protection also dealing with issues on waste management. In 2012 the so called “GIZ impact” project has been started. Partners in the implementation of the “GIZ impact” project are the National Water Directorate, the Agency for Environmental Protection (SEPA) and the SCTM. The aim of the

project is to work intensively on planning and strategy in the field of waste management and waste water at municipality level.

There have no direct responsibilities been identified throughout the obligations defined in the Law on Waste Management.

For waste management issues the SCTM may play a role in terms of organising the information exchange to foster the communication between their Members and other institutions. In 2014 there have been conducted several trainings on public procurement in local governments.

In the past years there has been an initiative started by the SCTM for mapping local strategic documents. The aim was to get through the process of registering different types of strategic plans in municipalities and cities in Serbia, partners and institutions working at the local level to enable better prioritize, plan and more efficiently coordinate their activities at the local level, and to enhance and facilitate the process of decision and implementation of local strategic plans. These initiatives should, if not already started, be extended to strategical planning on waste management at local and city level.

10.2 Ministry of Labour, Employment, Veteran and Social Affairs

Website: <http://www.minrzs.gov.rs/>

10.2.1 Organization, procedures and capacities

According to Article 16 of the Law on Ministries ("Official Gazette of RS", No 44/14), the Ministry of Labor, Employment, and Social Issues performs state administration i. a. relating to:

- Inspection in the area of labor relations and occupational safety and health at work
- Cooperation with international organizations in the field of labor and employment
- International conventions in the field of labor, health and safety at work

The Labour Inspectorate as an administrative body within the Ministry of Labor, Employment, and Social Issues, performs inspection activities and associated professional activities in the field of labor relations and occupational safety and health at work relating to:

- regular monitoring and control;
- investigation of deaths, collective and serious injuries at work;
- determining the fulfillment of conditions in the field of safety and health at work before the commencement of operations of the employer, as well as other activities specified by law.

The Labour Inspectorate is a relevant stakeholder with regard to collection and treatment of waste, especially hazardous waste (e.g. asbestos).

Additional information gathered via meeting from 19.10.2015 with Ministry of Labour, Employment, Veteran and Social Affairs, Department for Inspections (at the Ministry, 14:30): Participants: Ms. Mada ILIC, Ms. Vesna JOVANOVIC

The Ministry of Labour has up to now 242 labour inspectors. They carry out inspections on occupational safety on the whole territory of Serbia including the Autonomous Province. The Companies to be inspected comprise for all type of sectors including the waste management sector.

In fact the Labour Inspectorate does not issue a permit concerning the occupational safety. In general it is investigated via inspections, if the minimum requirements on occupational safety which are laid down in the respective Law and Rulebooks are met. Up to 90 Rulebooks have been published; two out of them for Asbestos and Chemicals seem to be most relevant concerning hazardous waste management.

If minimum requirements are not fulfilled, the Ministry of Labour is in the position to stop the operation of a facility and set a time frame to comply.

The decision on which companies are inspected considers the following aspects: a) The Company is a registered Company at the Agency for Business Register, nevertheless also non-registered Companies (working illegally) are inspected by the Ministry of Labour, b) Complaints have been raised up by third parties, c) Accidents have been occurred.

Within another Project a Working Group on Joint Inspections has been established under the Frame of the Law on Inspections. Both Inspectorates at the Ministry on Environment and at the Ministry of Labour are participating in that Working Group. It has been identified that the information exchange between the Inspectorates should be intensified e. g. concerning information on treatment sites/operators handling with hazardous waste. Up to now no information on this is exchanged. If any kind of illegal treatment is detected in frame of any inspection the other authorities concerned must be informed.

The Ministry of Labour stated that in the past two main issues in the waste management context have been tackled: a) Asbestos management and the occupational safety at de-construction sites, b) occupational safety at some non-registered recycling facilities. It was mentioned that a lack of knowledge on the Company Level concerning the management/treatment/storage of hazardous waste is obvious.

10.3 Ministry of Construction, Transport and Infrastructure

Website: <http://www.mgsi.gov.rs>

10.3.1 Organization, procedures and capacities

Beside the secretariat of the Minister with five sub-secretariats and three specific management units (i. a. for inland waterways and for the transport of dangerous goods) the Ministry is organized in seven departments as they are

- The department of Road Transport, Roads and Traffic Safety
- The Department for Railways and Intermodal Transport

- The Department for Air Traffic
- The Department Waterway Transport and Safety of Navigation
- The Department for Construction work
- The Department for Physical Planning, Urbanism and Housing
- The Sector for International Cooperation and European Integration
- The Sector for Strategic Planning and Management of Infrastructure Projects
- The Inspection Department

The Department for Construction Work i. a. collects data and prepares reports on the construction of buildings significant for the Republic; prepares reports and information in this field; carries out supervisory tasks in the field of construction and urban planning. In doing so the Department for Construction Work is a relevant stakeholder in the field of C&D waste management and recycling.

The Inspection Department consists of eight specific inspection groups, i. a. the Department for Inspection of Road Transport. The Department for Inspection of Road Transport carries out tasks related to: inspection supervision over the implementation of laws, other regulations and general acts in the field of internal and international road traffic and transport; impose administrative and other measures; prepares applications for misdemeanor proceedings and charges for economic offense or crime. As the authority competent for the control of road transport the Department for Inspections of Road Transport plays an important role in combating illegal traffic in wastes on a national level as well as in case of transboundary shipments.

Additional information gathered via meeting from 21.10.2015 with the Ministry of Construction, Transport and Infrastructure, Department for Inspections (at the Ministry, 11:00): Participants Mr. Aleksandar SIMIC

The Inspection Department consists of eight specific inspection groups, i. a. the Department for Inspection of Road Transport. The department responsible for road inspections employs 20 inspectors, the one responsible for ship inspections 9 inspectors and the one responsible for train inspections 3 inspectors (the railway company is state owned). The inspections generally focus on compliance of trucks, trains and ships with the rules for the safety to traffic. The Cargo transported is not inspected by the Inspectorate. The Inspectorate is empowered to stop transports and to deduct the traffic.

The Department for Inspection of Civil Engineering carries out inspections on the de-construction of buildings constructed illegally. 1.5 Million Buildings have been illegally constructed since the 1990s. About 200 objects thereof are de-constructed a year organised via public tender. No specific waste related issues are inspected by the Inspectorate.

The co-operation of several National Inspectorates is managed by some kind of Coordination Committee. It was mentioned that this cooperation is already obligatory (based on legal provisions). Up to now no joint inspections with involvement of Environmental Inspectors have been carried out. The Inspectorate of the Ministry of Construction, Transport and Infrastructure owns boats to carry out inspections; these boats could be used also for joint inspections carried out with the Environmental Inspectorate.

11 RECOMMENDATIONS FOR IMPLEMENTATION AND ENFORCEMENT OF THE WM LEGISLATION WITH REGARD TO THE INSTITUTIONAL SETUP

Intensify educational training:

- Educational training involving:
 - all authorities issuing permits should be trained to improve the quality of the permits in terms of comprehensive and uniform issuing;
 - all inspectors (local and state level) should be trained to improve the background knowledge concerning e.g. waste classification, differentiation between by-products and waste.

The trainings could be organized by ministry and could be also supported by further EU projects (e.g. extend ongoing TWINNING project). In frame of this training templates for permits should be distributed to and discussed with the participants. Furthermore an exchange of experience in this field can take place. On-the-case examples can be discussed in small groups and afterwards presented to all participants. As a result of these trainings the Rulebook could be amended and updated, if necessary. The trainings could be organised in cooperation with the Standing Conference of the regions. For strengthening the cooperation between the inspectors and the permit writers the trainings should be partially organized as common trainings on a regular basis. Educational trainings should comprise legal and technical aspects as requested by local self-governmental units. Trainings should be provided to all involved stakeholders involved in permitting and inspections of waste management activities. Specific waste related aspects should also be part of overall environmental trainings (for IPPC and SEVESO issues).

- There seems to be a need for further education of the responsible persons at the Companies especially of handling of residual waste from production processes (e.g. requesting a certificate proving the qualification of the responsible person to be introduced by an amendment of Article 31 of Law on WM).

Improve cooperation and information exchange:

- Perform regular meetings (e.g. on a yearly basis) of representatives of the Environmental Ministry (including Inspectors) with relevant representatives of the Chamber of Commerce in order to discuss actual developments in the field of waste management.
- Cooperation between Environmental Ministry and other Ministries should be intensified e.g. as already introduced for inspections on transport on the road. The information exchange between the Environmental Ministry and the Ministry of Labour concerning inspections has to be improved regarding an exchange of information on permitted hazardous waste management sites and as well as information concerning identified health and workers safety problems via inspections carried out by the Environment Ministry. This should improve the quality of joint inspections comprising waste management and occupational safety issues.
- The Legal Department responsible for Waste Legislation within the Environmental Ministry must be involved to high extent in the TWINNING project in order to establish the legal framework and strengthen the exchange between legal and technical experts.

Permitting procedure:

- In general there are two options to raise up the quality of the permits:
 - Option I: All permits, also concerning collection/transport and storage/treatment of non-hazardous waste should be issued by the ministry except the permits issued by the Autonomous Province of Vojvodina. This would raise the quality of the permits in terms of comprehensive and uniform issuing. For this, staff of the ministry should be extended to enable appropriate carrying out. Optional there could be fixed a possibility of delegating the permitting procedure (hazardous and non-hazardous waste) in the Law on WM to certain self-governmental units (e.g. to the City of Belgrade which has the capacities and knowledge to issue such permits). Especially permits for IPPC installations should be granted on the Ministry Level only (except the permits issued by the Autonomous Province of Vojvodina).
 - Option II: All permits issued by the municipalities could be forwarded to the Environmental Ministry in order to allow a quality check. In case of mistakes the municipalities should be asked for amendments before the permits get into force.
- The introduction of concentrated permitting procedures should be evaluated covering all relevant Laws concerned. Up to now waste water permits are issued separately to waste management permits.
- Update of the Rulebook including templates for permits with minimum requirements in accordance with Article 64 LWM. A reference to the documentation on the project should be part of the permit. The minimum content of the permits should be:
 - data about the site;
 - technical and technological conditions for the facility operation;
 - data about the origins, destination and treatment of waste (type of treatment operation);
 - data about the type and quantities of waste being treated or disposed (technical capacity of the treatment plant);
 - procedures for control over the facility operation and environmental monitoring;
 - measures of limitation of emissions;
 - amount of financial guarantee or other instrument for coverage of the facility operation;
 - obligation to submit data about the type and quantities of treated and disposed waste, as well as on monitoring results;
 - measures to **be taken in case of shutting down or interruption of operation**.
- Minimum standards for the internal permitting procedure in accordance with the Rulebook should be introduced for all authorities concerned.
- The permits should always refer to the project documentation the permits are based on.

Inspection procedure:

- Waste transport inspections on the road are to be carried out by the Environmental Inspectors in co-operation with the Police and those inspections need to be introduced in the overall Environmental Inspection Planning.
- In case of inspections at illegal sites, treatment plants and illegal transport a good cooperation between inspectorate and police / ministry of transport must be established. This can be done in frame of meetings and if necessary in frame of a Memorandum of Understanding.
- The inspectors shall visit every location in frame of the permitting procedure respectively substantial changes to the facility. The inspection report shall be forwarded to the permitting authority. Therefore the staff and expenses for travel for the inspectors should be extended (see Article 8 of European WFD).
- Inspections in the frame of the permitting procedures of IPPC installations should be performed by participation of both, the permitting authority and the inspectorate at state level (see also recommendations under concerning improvement of co-operation and information exchange).
- It should be investigated in detail to which extend provisions on joint inspections could be introduced as obligatory in a Memorandum of Understanding. Common inspections by Labour Inspectors and Environmental Inspectorate should be carried out. Performance of regular meetings to share experience and plan joint inspections.
- In terms of paying out incentives for recycling activities it is recommended to check the quality of the material produced via recycling.

Other:

- During the Twinning project IPA 2008 (Strengthening Institutional Capacity in Hazardous Waste Management) implementation period the Environmental Protection Fund as an institution was abolished and replaced by a pure taxation system to the State budget, for products placed on the market (described in the chapter 3.5.1).

Bearing in mind the different approaches used worldwide, two general groups of recommendations were derived, which remain relevant for the future implementation of the EU waste management law in Serbia, namely those requiring legislative measures and those related to the practical implementation. These measures have to set-up the mechanism of financing the waste sector from the collected amounts and to define who shall take the responsibilities for achieving the collection/recycling/recovery targets (established by the EU Directives on WEEE, portable batteries and accumulators waste, end-of-life vehicles) subject to producer responsibility requirements, if such fees are applied .

- Concerning the identification of asbestos at de-construction sites it seems to be important that construction companies should provide information on the year of construction as the relevant timeframe for using asbestos is limited (mainly used from 1950 to 1980). This would improve the quality of inspections and treatment of such waste.
- Measures should be set and implemented in the Serbian waste Law and related MO to establish collection points and better up separate collection of WEEE and batteries (and other waste streams) covering the whole territory of Serbia: e.g. via comprising information campaigns for the public, setting framework conditions for municipalities and establishing financial incentives to support and reward the collection system. Existing

measures should be evaluated and responsibilities for enforcement of defined measures should be clearly laid down.

- It has to be investigated via SEPA which amounts have been recycled in the past and how this figures fits to the amount of money paid back to the recyclers. It has to be investigated which recycling operations take place in practise and if the fund budget is used for the purpose foreseen.
- Binding and non-binding obligations stipulated in the Waste Strategy, the Law on waste Management and related Decrees and Rulebooks are often not implemented in practise. This includes e.g. the introduction of regional and local waste management plans as well as the installation of collection points, transfer stations and sanitary landfills. This might be improved via introduction of waste management aspects into the strategic planning for general development.

In addition to the given recommendations listed above the already elaborated recommendations under component III of the TWINNING Serbia IPA 2008 (Strengthening Institutional Capacity in Hazardous Waste Management) should be taken into consideration. Up to now it is not feasible if the recommendations listed and elaborated under component III of TWINNING Serbia I (Strengthening Institutional Capacity in Hazardous Waste Management) have been introduced in the Serbian Law and relevant By-Laws. A detailed assessment should be undertaken on the proposed recommendations in terms of the ongoing TWINNING project.

12 REFERENCES

Serbian Law:

- Law on waste management, last amendment in 2010
- Amendment to the Law on Waste Management from September 2015
- Law on IPPC
- Rulebook for the Permitting Procedure
- Law on Ministries
- Specific Regulation on fees on products which became specific waste streams
- Specific Regulation to introduce systems for incentives

Results from TWINNING Serbia I: Strengthening Institutional Capacity in Hazardous Waste Management

- Stakeholder Report from February 2013
- Assessment and Recommendation Report from March 2011

Websites from the institutions:

<http://www.eko.minpolj.gov.rs/>

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

<http://www.vojvodina.gov.rs>

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