

# Administrative Capacity Development of Environment Institutions at Central and Local Level

as precondition for successful  
implementation of environmental acquis

## Further Implementation of Environmental Approximation Strategy

# Way of Serbia to candidate country

- 07-11-2007 : SAA with Serbia was initialed
- 29-04-2008 : SAA and Interim agreement on trade and trade-related issues was signed in Luxembourg
- 22-12-2009 : Serbia applied for EU membership
- 01-03-2012: Serbia received full candidate status

# Chapters of the acquis/ negotiating chapters

- The chapters of the acquis correspond to the different areas of the acquis for which reforms are needed in order to meet the accession conditions
- The candidate countries are required to adapt their administrative and institutional infrastructures and to bring their national legislation into line with EU legislation in these areas

# Environmental and Climate-related legislation

consists of about 300 different pieces of legislation, some of which can be counted amongst the most expensive directives to implement, e.g

- provisions for clean air that require i.a. the rehabilitation of heavy industry and thermal power stations or the renewal of the vehicle fleet
- Waste provisions require the renovation of landfills and the construction of incineration and other treatment plants
- Water provisions force Member States to construct waste water treatment installations



Good functioning environmental administration and clear division of the tasks between the institutions assure smooth implementation of the EU Acquis and speed the negotiation process

# Administrative capacity of the Ministry of Environment in Serbia in Waste sector

## Strengths:

- Good educated staff with an impressive knowledge of EU Waste acquis and administrative systems in the EU MS countries
- Good cooperation and exchange of experiences within different international projects
- No personal fluctuation within Waste Department
- Responsibilities and procedures within waste department are clear

# Administrative capacity of the Ministry of Environment in Serbia in Waste sector

## Weaknesses:

- The civil servants are overburdened with the work, more staff would be needed for the appropriate implementation of the Acquis
- Decision making process on the high level is slow
- Abundant data/information and no one to analyze on horizontal and vertical way, to understand the numbers in a general manner
- Lack of strategy and vision on important aspects (e.g technologies to be implemented, producer extended responsibility etc.)

# GAPs in the waste sector, what is still missing and what could be improved

- The aquis are still not fully transposed; the responsibilities on specific waste streams are not clearly defined in terms of public sector, citizens and authorities
- Lack of separate waste collection infrastructure, as well as for hazardous waste treatment and disposal
- Strategy on waste management is not updated
- Plans from previous IPA 2008 twinning project are not adopted
- There are taxes on products which are becoming waste collected to the state budget, not returning into the market by financing investment in waste management



# Recommendations for the waste sector => Intensify educational training

- 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
- Further education of the responsible persons at the Companies especially of handling of residual waste from production processes

# Recommendations for the waste sector => Improve cooperation and information exchange

- Perform regular meetings of representatives of the Environmental Ministry 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
- The Legal Department responsible for Waste Legislation within the Environmental Ministry should be involved to high extent in different projects in order to establish the legal framework and strengthen the exchange between legal and technical experts

# Recommendations for the waste sector => Inspection procedure

- Waste transport inspections on the road should 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
- The inspectors should 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

# Austrian experience during the accession to EU

- The institutions at national level, i.e. the Ministry of Environment, were most affected by the accession process. Institutions at regional and municipal level were insofar affected as transposition of EU legislation into national law resulted in additional enforcement requirements
- A major challenge with regard to the transposition of EU waste legislation into national law was
  - To define the legal measures for implementation and enforcement of legal provisions in such a way that they fit into the national legislative and administrative structure
- Major challenges with regard to the implementation of EU waste legislation were.
  - To adapt the administrative structure to enable implementation and enforcement
  - To build up the organisational structure for the monitoring of implementation and target achievement

# Austrian experience during the accession to EU

- Major challenge with regard to the staff was:
  - To introduce a way of thinking and reasoning in two legislative systems, the national and the EU legislative system
  
- Some time was needed to establish working relations with the different bodies of the EU, between Ministry staff and desk officers at the European Commission, and to set up the national process for coordination of the national position to be represented in the working groups of the European Council.

# Key success factors for Austria's Waste Management System

- **Development of business sector: turnover** > 7€ bil. (thereof municipal waste sector € 5,2 bil., private sector: € 2 bil.)
- **Separate collection** of recyclables from households and small-size enterprises (glass, paper, plastics, metal, textiles, kitchen waste, garden waste) & for hazardous household waste
- **Producer-responsibility** for packaging waste, WEEE, batteries, end-of-life vehicles
- **Tax on landfill and waste incineration** which is a strong incentive to divert waste from disposal to recovery operations => funding of remediation activities

# Key success factors for Austria's Waste Management System

- Establishment of a **fund for the remediation** of historical contaminated sites. (approx. € 50 m p.a.)
  - financed through fees on waste treatment activities (landfill, incineration)
  - used as an instrument to speed up the adaptation of (hazardous) waste management to the state-of-the-art
  - used to achieve environmental policy goals (circular economy)
- **Close monitoring of hazardous waste** from generation to final treatment, by implementing a shared IT-system
- Establishment of a **public investment fund** for co-financing of investments in **waste management infrastructure** (money comes from general budget, guidelines for granting subsidies can be adapted very flexibly to new challenges).

# Primary Public Sources for Funding of Environmental Protection Projects in Austria

Main Federal Government Funding Instruments:

- **Settlement Water Management Fund** => drinking water supply & waste water treatment; approx. 130m pa (declining)
- **Domestic Environment Fund** => today mainly energy and climate protection, waste, air; public budget, approx. 90 m€ pa (increasing)
- **Contaminated Sites' Remediation Fund** => waste tax, approx. 50 m€ pa (constant)
- In addition: subsidies by provinces & municipalities





Republic of Serbia  
Ministry of Agriculture and  
Environmental Protection



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# Hvala na paznji

Violeta Philippitsch

Key Account Manager for Western Balkan, Romania and Turkey

Umweltbundesamt (Environment Agency Austria)

E-Mail: [violeta.philippitsch@umweltbundesamt.at](mailto:violeta.philippitsch@umweltbundesamt.at)

[www.umweltbundesamt.at](http://www.umweltbundesamt.at)

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Dubljanska 8, Belgrade, Serbia, Tel: +381 11 2400 277



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