

# ANNEX 1

## MAIN REGULATIONS AT THE SECTORAL AND INTERSECTORAL LEVEL

This Annex contains a list of laws, acts, or decrees that regulate the management of nexus resources at the national and transnational levels. Emphasis is given to legislation regarding different uses within the nexus of water, land management and protection, energy, and ecosystem protection. In addition, this may serve to further analyse potential conflicts, trade-offs and opportunities within different sectors within the nexus. The aim is to understand the legal framework in place at the national and basin-level, and to understand the linkages in place through different sectors of the nexus.

The information contained in the Annex is that which was readily available at the time of completion of the report and is neither complete nor comparable among Sava River riparian states. It is presented here for information purposes only.

### RELEVANT SECTORAL LEGISLATION

#### BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina (BA) is unique among the Sava River countries in its governance structure and enforcement of state legislation. It is country divided in two autonomous entities, the Federation of Bosnia and Herzegovina and Republika Srpska, as well as the autonomous Brčko District.

At the State level, legislation regarding water management and protection includes the Water Act, adopted in 2006, and the Law on Water Protection. The goals of the water laws are the reduction of water pollution, achievement of good status and prevention of water degradation, achievement of sustainable use, ensuring of rightful access to water, stimulation of social and economic development, protection of ecosystem, reduction of risk from flooding and other harmful impacts of water, as well as the inclusion of public into decisions-making related to water.

Legislation regarding land management and protection involves the Law on Waste Management.

Legislation regarding energy in Bosnia and Herzegovina includes the Law on Transmission of Electric Power, which is the regulator and system operator of BA, the Law Establishing an Independent System Operator for the Transmission System of Bosnia and Herzegovina, the Law Establishing the Company for the Transmission of Electric Power, the Grid Code, and Market Rules.

Legislation and Regulations at the State level of Bosnia and Herzegovina		
Water Management and Protection	Land Management and Protection	Energy
Water Act of 2006 The Law on Water Protection	Law on Waste Management	Law on Transmission of Electric Power

		Law Establishing an Independent System Operator for the Transmission System of Bosnia and Herzegovina Law Establishing the Company for the Transmission of Electric Power Grid Code Market Rules.
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At the entity level, the following laws have been adopted regarding energy – in the Federation of Bosnia and Herzegovina: Law on Electricity. In Republika Srpska: Law on Electricity, Bases of Energy Policy of Republika Srpska, and the Law on Energy.

Regarding legislation on the protection of ecosystems, both entities have adopted the State Law on Environmental Protection, the Law on Nature Protection, and the Law on the Environment Fund.

In Federation of Bosnia and Herzegovina, only 6 out of 23 by-laws called for under the Law on Environmental Protection have been adopted thus far, despite the fact that the deadlines for their adoption have long since passed. In RS, a large number of regulations and secondary legislation have been adopted in accordance with the framework laws, but implementation of this legislation continues to be a challenge.

Additional legislation governing agriculture is provided for the Federal Ministry of Agriculture, Water Management, and Forestry.

#### *Legislation regarding protection of ecosystems*

- State Law on Environmental Protection
- The Law on Nature Protection
- The Law on the Environment Fund

Legislation governing agriculture of Federal Ministry of Agriculture, Water Management, and Forestry <sup>1</sup>
<ul style="list-style-type: none"> <li>- Law on Amendments to Law on Seeds and Propagating Material of Agricultural Plants (Official Gazette FBiH no. 31/14)</li> <li>- Law on Livestock Production (Official Gazette FBiH no. 66/13)</li> <li>- Law on Agricultural Extension Services (Official Gazette FBiH no. 66/13)</li> <li>- Law on Amendments to Law on Agriculture (Official Gazette FBiH no. 7/13)</li> <li>- Law on Wine (Official Gazette FBiH no. 55/12)</li> <li>- Law on Payments in Agriculture and Rural Development (Official Gazette of the Federation of Bosnia and Herzegovina [hereinafter: Official Gazette FBiH] no. 42/10)</li> <li>- Law on Agriculture (Official Gazette FBiH no. 88/07, 4/10)</li> <li>- Law on Agricultural Land (Official Gazette FBiH no. 52/09)</li> <li>- Law on Freshwater Fisheries (Official Gazette FBiH no. 64/04)</li> <li>- Law on Payments in Primary Agricultural Production (Official Gazette FBiH no.</li> </ul>

<sup>1</sup>[http://www.fmpvs.gov.ba/texts/258\\_1155\\_462\\_e.pdf](http://www.fmpvs.gov.ba/texts/258_1155_462_e.pdf)

28/04)

- Law on Seeds and Propagating Material of Agricultural Plants (Official Gazette FBiH no. 55/01)
- Law on Recognition and Protection of Agricultural and Forest Plant Varieties (Official Gazette FBiH no. 31/00).

## SERBIA

### *Legislation regarding water management and protection*

- Law on Waters
- Water Master Plan of the Republic of Serbia
- Law on the Water Regime
  - Regulation on Waters Classification addressing the issue of how to prevent deterioration of the status of water bodies, surface waters and groundwater
- Law on Communal Services or Public Utilities
- Law on Hydro-Meteorological Activities of Interest to the Entire Country
- Law on Navigation on Internal Waterways
- Law on Navigation and Ports on Inland Waters
- Law on Maritime Navigation and Navigation on Internal Watercourses
- Law on Transport of Dangerous Substances
- Rulebook on Harmful Substances in Waters
- Rulebook on the sanitary quality of drinking water

### *Legislation regarding land management and protection*

- Law on Planning and Construction
- The Spatial Plan of Republic of Serbia
- The Regional Spatial Plan
- The Spatial Plan of Local Communities
- The Spatial Plan for Special-Purpose Areas
- Law on Forests
- Law on Registration of Crop Varieties
- Law on Organic Production

### *Legislation regarding energy<sup>2</sup>*

- Energy Law
- Law on Planning and Construction
- Law on Pipeline Transportation of Gaseous and Liquid Hydrocarbons and Distribution of Gaseous Hydrocarbons

### *Legislation regarding protection of ecosystems*

- Law on Environmental Protection

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<sup>2</sup><http://www.aers.rs/Index.asp?l=2&a=91>

- Law on Nature Protection
- Law on Amendment to the Law on Environmental Protection
- Law on Amendment of the Law on Natural Parks
- Law on Strategic Environmental Assessment
- Law on Environmental Impact Assessment
- Law on Integrated Pollution Prevention and Control
- Law on Air Protection
- Law on Waste Management
- Law on Fishery
- Law on Biocides (2011)
- Law on Geology (2011)
- Law on Protection and Improvement of Green Areas (not sure if it has been adopted)

## CROATIA

### *Legislation regarding water management and protection*

- Water Act
- Water Management Funding Act
- Water Classification Regulation
- Hazardous Substances in Water Regulation
- Ordinance on limit values of indicators of hazardous and other substances in waste water Regulation on defining areas of sanitary protection of water sources
- Decision on drainage in towns and municipalities
- Protection from Natural Disasters
- Act on Inland Navigation
- Utility Services Act

### *Legislation regarding land management and protection*

- Physical Planning and Building Act
- Forest Act
- Agricultural Land Act
- Land Expropriation Act
- Fresh-Water Fisheries Act
- Mining Act

### *Legislation regarding energy*

- Energy Act

*Legislation regarding protection of ecosystems*

- Environmental Protection Act
- Nature Protection Act

SLOVENIA

*Legislation regarding water management and protection*

- Water Act
- *Decree on the Water Pollution Tax*
- *Regulation on groundwater quality*
- *Rules on the health suitability of drinking water*
- *Regulation on water quality standards of surface fresh water*
- *Regulation on groundwater quality*

*Legislation regarding land management and protection*

- Decree on the Input of Dangerous Substances and Plant Nutrients into the Soil
- Decree on the Limit, Warning and Critical Concentration Values of Dangerous Substances in Soil
- Decree on the application of dangerous substances and fertilizers to soil
- Codes of good agricultural practice

*Legislation regarding energy*

- Energy Act
- National Energy Programme

*Legislation regarding protection of ecosystems*

- Environmental Protection Act
- National Environmental Action Plan

MONTENEGRO

*Legislation regarding water management and protection*

- Water Law

*Legislation regarding land management and protection*

- Spatial Plan Of Montenegro Until 2020
- Law on Forestry 55/00

- Law on Agriculture and Rural Development<sup>3</sup>
- Law on Fisheries and Maricultures (“Sl. List CG“, br 56/09),)
- Law on Organic Agriculture

#### *Legislation regarding energy*

- Energy Law
- Law on Energy Efficiency

#### *Legislation regarding protection of ecosystems*

- Law on Environment
- Law on Environmental Impact Assessment
- Law on Nature Protection
- Law on Waste Management
- Law on Chemicals
- Law on Air Quality
- Law on Strategic Environmental Assessment
- Law on Integrated Pollution Prevention Control
- Law on Environmental Noise
- Law on the Establishment of an Environmental Fund
- Law on Protection from Ionizing Radiation and Radiation Safety

## RELEVANT STRATEGY AND PLANNING DOCUMENTS

### BOSNIA AND HERZEGOVINA

- National Environmental Action Plan
- Strategy and Action Plan for the Protection of Biological and Landscape Diversity of Bosnia and Herzegovina 2008-2015
- Plan for Power Capacities Development on new electricity generation plants
- Strategic Plan and Programme for the Development of Energy Sector in Federation of Bosnia and Herzegovina
- Action Plan for Restructuring the Power Sector of Federation of Bosnia and Herzegovina
- Action plan for Restructuring the Power Sector of Republika Srpska

In the Republika Srpska an Energy Strategy is already prepared, and now it needs to pass by National Assembly of Republika Srpska. In Federation of Bosnia and Herzegovina there is no Energy Strategy document, but there is the Strategic Plan and Programme for the Development of Energy Sector which passed by the Federation Parliament as final document. This document, together with the Energy Strategy of the Republika Srpska, will be basis for the design of State Energy Strategy.

### SERBIA

- National Environmental Strategy

<sup>3</sup><http://www.gov.me/files/1255077951.doc>

- Energy Sector Development Strategy
- Strategy for Development of Agriculture in Serbia
- Strategy for Development of Forestry
- Study of Sustainable Development of Serbia's Water Sector
- National Strategy for Sustainable Development
- National Strategy for Economic Development of Serbia
- National Strategy for Waste Management
- Poverty Reduction Strategy
- Water Resources Development Master Plan of Serbia
- Strategy for Development of Tourism

**Still under preparation (as of 2007):**

- Fishery Strategy
- National Strategy for Sustainable Development
- Strategy for Sustainable Use of Natural Resources and Goods (in early phase of preparation)
- Strategy for Biodiversity, Action Plan and National Report (in early phase of preparation)
- Strategy for Introducing Cleaner Production in Serbia (in early phase of preparation)

## CROATIA

- Agriculture and Fisheries Strategy of the Republic of Croatia (Croatia in the 21st century)
- Energy Strategy<sup>4</sup>
- Strategy for Sustainable Development<sup>5</sup>
- Physical Planning Strategy of the Republic of Croatia
- Physical Planning Programme of the Republic of Croatia
- National Environmental Protection Strategy and National Environmental Action Plan
- Environmental Protection Programmes of counties and the City of Zagreb
- National Forestry Policy and Strategy
- National Project for Irrigation and Management of Agricultural Land and Waters in the Republic of Croatia
- National Strategy and Action Plan for the Protection of Biological and Landscape Diversity of the Republic of Croatia
- Strategic Development Framework for 2006 - 2013

An Act to amend the Water Act provides the adoption of the *Water Management Strategy* which is the fundamental planning document for water management at national level. The Strategy is adopted by the Croatian Parliament. Each river basin district must then adopt water district management plans which are the base for water management of river basin districts, must be in compliance with the Water Management Strategy and are adopted by the Croatian Government every six years.

The Water Management Plan is the executive and planning document used as the basis for collecting income and settling expenditures necessary to accomplish activities and measures; it must be in

<sup>4</sup><http://www.mingo.hr/userdocsimages/White%20Paper%20Energy%20Staregy%20of%20the%20Republic%20of%20Croatia.pdf>

<sup>5</sup>[http://www.mzoip.hr/doc/Strategy\\_for\\_Sustainable\\_Development.pdf](http://www.mzoip.hr/doc/Strategy_for_Sustainable_Development.pdf)

compliance with the basin district management plans and is adopted by the Management Board of the Croatian Water management company *Hrvatske vode* for a period of one year.

## SLOVENIA

- National Environmental Action Programme<sup>6</sup>
- Strategy of Use and Supply of Energy
- National Energy Efficiency Action Plan
- National Water Management Programme (Article 54 of Water Act)
- Water Management Plans (Article 55 of Water Act)

## MONTENEGRO

- The Water Master Plan of the Republic until 2011
- Energy Development Strategy of Montenegro by 2030
- National strategy for regional development of Montenegro 2014-2020
- National Energy Policy
- Energy Efficiency Strategy
- Spatial Plan of the Republic of Montenegro by 2020
- National Strategy of Sustainable Development
- Communication Strategy for Sustainable Development of Montenegro 2011-2013
- National Strategy of Biodiversity with Action plan
- Strategy for Development of Food Production and Rural Areas
- Strategic Framework for Development of Sustainable Tourism in Northern and Central Montenegro
- Tourism Development Strategy for the period until 2020
- Administrative Capacity Building Action Plan for Implementation of the Stabilization and Association Agreement
- National Action Plan (NAP) for Montenegrin Coast for Preventing Sea Pollution from Land-based Sources
- Communication Strategy for Informing the Public on Montenegro's EU Association Process
- Foreign Direct Investment Incentives Strategy of Montenegro
- Strategic Environmental Assessment (SEA) Capacity Development Strategy for Montenegro

*Other important strategic documents with environmentally-related components are in development:*

- Development of an overall environmental protection strategy (i.e. a National Environmental Action Plan)
- Environmental Acquis Strategy
- National Plan for Prevention, Readiness and Response in Cases of Sea Pollution Coming from Vessels
- National Contingency Plan
- National Plan for Implementation of the Stockholm Convention on Persistent Organic Pollutants
- Strategic Environmental Assessment Capacity Development Strategy for Montenegro
- National Strategy for Integrated Coastal Zone Management
- Sewerage and Wastewater Strategic Master Plan (Central and Northern Region) Montenegro 2004
- Strategic Waste Management plan of Montenegro

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<sup>6</sup><http://www.arhiv.mop.gov.si/fileadmin/mop.gov.si/pageuploads/publikacije/drugo/en/okolje.pdf>



## RELEVANT BILATERAL AGREEMENTS

### *Bilateral agreements between the Republic of Croatia and the Republic of Slovenia*

- Agreement between the Government of the Republic of Croatia and the Republic of Slovenia on water management relations
- Rulebook of the Permanent Croatian – Slovenian Commission for water management
- Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on cooperation on protection against natural and civic disasters

### *Bilateral agreements between Bosnia and Herzegovina and the Republic of Croatia*

- Agreement between the Council of Ministers of the Bosnia and Herzegovina and the Government of the Republic of Croatia on Water Management Relations
- Protocol on establishment of navigation on the Sava River waterway and its tributaries between Bosnia and Herzegovina and Republic of Croatia
- Agreement between the Council of Ministers of the Bosnia and Herzegovina and the Government of the Republic of Croatia on cooperation on protection against natural and civic disasters
- Agreement between the Council of Ministers of the Bosnia and Herzegovina and the Government of the Republic of Croatia on navigation on the navigable waterways and its marking and maintenance

### *Bilateral agreements between the Republic of Croatia and the Republic of Montenegro*

- Agreement between the Government of the Republic of Croatia and the Government of Republic of Montenegro on water management relations

## ANNEX 2

# CONFIGURATION OF ACTORS ON NATIONAL LEVEL

This section provides additional detail (supplemental to figure 3 on p. 21) about the structure of the institutional frameworks in place in the SRB, including the institutional levels (national, regional, and local) that have the responsibility and authority to implement relevant policy and legislation in a nexus context. Most of the information in this Annex has been developed through a desk study conducted by Mr. Aizo Lijcklama, supplemented by information provided by national focal points under the UNECE Water Convention.

### BOSNIA AND HERZEGOVINA

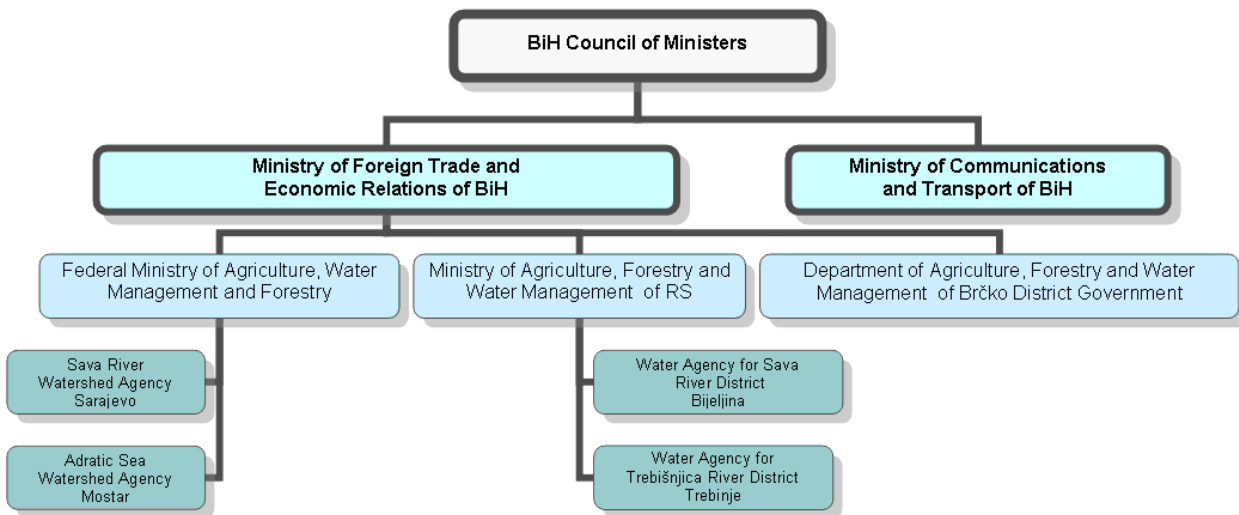
#### PUBLIC ACTORS

On the state level, the Ministry of Foreign Trade and Economic Relations is responsible for coordination of activities and harmonization of plans between the bodies of the entity governments, as well as for institutions on the international level in the field of natural resources, environment protection, agriculture and energy. The Ministry of Communications and Transport is in charge of navigation on rivers and sea.

Implementation related to international contracts, agreements, conventions and protocols in water management (Danube Convention, Barcelona Convention, Helsinki Convention, the Sava River Agreement, Water Management Cooperation Agreement with the Republic of Croatia) and activities related to inter-entity cooperation, are undertaken according to *Inter-entity Water Management Cooperation Memorandum*.

At the entity level, in the Federation, the Federal Ministry of Agriculture, Water Management and Forestry carries out administrative tasks in the field of agriculture, water management, forestry and veterinary sciences. The Sava River Watershed Agency in Sarajevo and the Adriatic Sea Watershed Agency in Mostar are responsible for water management.

In Republika Srpska, the Ministry of Agriculture, Forestry, and Water Management oversees parallel administrative responsibilities. The Water Agency for the Sava River District in Bijeljina and the Water Agency for Trebisnjica River District in Trebinje are responsible for water management.



### **Water Management Sector**

In Federation Bosnia and Herzegovina, the Water Management Sector is charged with the preparation of strategies and development policies for water management, water management facilities, public water properties, water use, water protection, and water monitoring. In addition, it coordinates the development of plans and strategic documents of integrated water management river basin management plans, programs of measures, flood protection plans, water pollution prevention plan, and plans for water emergencies, droughts, erosion, and monitoring the implementation of aforesaid plans.

The Water Management Sector also has responsibility for:

- Preparation of legislation and regulations and institutional arrangements are also part of the Water Management Sector.
- The supervision of the activities undertaken by water management institutions at the Federation level (Water Agencies) and control of legality of documents issued by cantons and these agencies in administrative procedure; coordination with cantons in the field of water management.
- Coordination of monitoring activities in water resources and preparation of information material in the field of water management.
- Guiding the development of water regime and water status through the identification and implementation of development projects and cooperation with units and services for the implementation of projects in the Ministry and with Federal Ministry of Finance, water management institutions and other institutions.
- Participation in the process of drafting of budget proposal of the Ministry in the fields as covered by the Sector.
- Carrying out concession granting procedures within the competence of the Ministry in this field.

### **Water Framework Directive Implementation**

The competent authorities for the implementation of the Water Framework Directive in Bosnia and Herzegovina are:

**State level:** Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina

**Entity level:** Federal Ministry of Agriculture, Water Management and Forestry with Sava River Watershed Agency in Sarajevo.

Ministry of Agriculture, Forestry and Water Management of Republika Srpska with Water Agency for Sava River District in Bijeljina.

**District level:** Department of Agriculture, Forestry and Water Management of the Brčko District government.

### **Agriculture and land use**

Agriculture is governed separately by the respective entities in Bosnia and Herzegovina. **Here, only agricultural information relevant to the Federation of Bosnia and Herzegovina is provided due to insufficient data on Republika Srpska.** The Federal Ministry of Agriculture, Water Management, and Forestry<sup>7</sup> is divided into three core sectors: Agriculture and Food Sector, Rural Development and Extension Service Sector, and the Sector for Payments in Agriculture. However, the Ministry of Physical Planning, created in 2006, has oversight over the long term planning of natural resources and protection of national monuments and areas with distinct natural architectural and cultural-historical significance<sup>8</sup>.

#### ***The Agriculture and Food Sector is separated in the following divisions***

The Plant division oversees the implementation of laws and regulations in the field of plant production, as well as the application of plant protection products and mineral fertilizers. Its main administrative tasks are related to crop production, agricultural land development, and land improvement and amelioration measures.

The Live Stock division deals with the preparation of strategic frameworks for the development of livestock production, as well as the introduction of international and EU quality standards in livestock production. It emphasizes cooperation and development of organic and integrated production of livestock and fisheries.

The Food Industry division oversees the developments in food, beverage and tobacco production and monitoring market positions of food processing industries. It also includes food industry strategies, introduction of international quality standards and regulations. In addition, it participates in drafting regulations on food, beverage and tobacco products together with other state-level and entity institutions in accordance to EU legislation, WTO requirements and other principles and rules from other relevant international organizations. Finally, it also proposes food waste and pollution protection measures.

The fourth division of the Agriculture and Food Sector is the Agricultural Policy and Analysis division, which oversees the creation and implementation of harmonized legislations and policies regarding agriculture.

#### **Rural Development and Extension Service Sector**

The Rural Development Division is in charge of the preparation of rural development policy strategic frameworks in accordance with EU policy of rural development. This division cooperates with State-level ministry in charge of agriculture, as well with cantonal ministries and municipal authorities in the agricultural areas. The division elaborates and monitors rural development measures and impact analysis

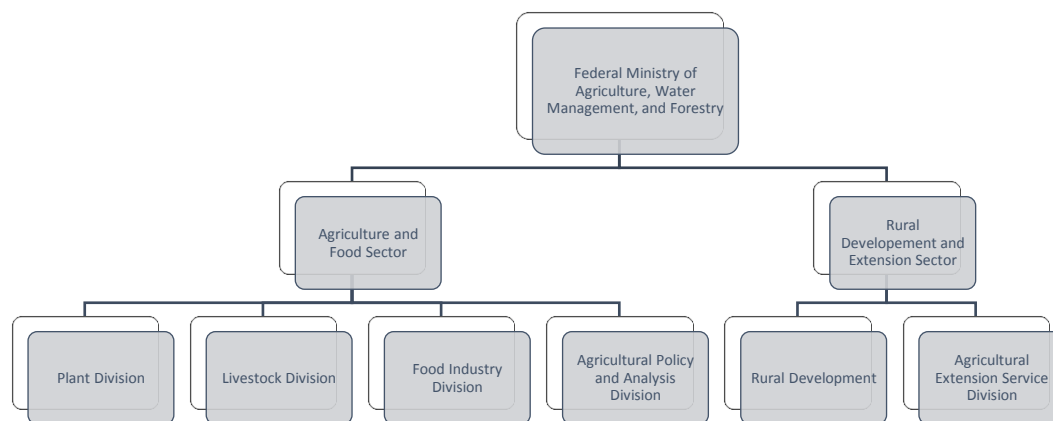
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<sup>7</sup><http://www.fmpvs.gov.ba/index.php?lang=4>

<sup>8</sup><http://www.fmpu.gov.ba/content/view/47/26/lang,en/>

through analytical and material based data collection.

The Agricultural Extension Service division implements and monitors the agricultural extension service policy. In addition, the division is responsible for planning and developing training programs for extension providers, following up on their implementation and impact analysis. An important aspect of the Agricultural Extension Service division is the coordination of agricultural information collection for agricultural information centre, Farm Accountancy Data Network (FADN) system and other data in the field of agriculture in the Federation of Bosnia and Herzegovina. Furthermore, it coordinates and monitors the work of private agricultural extension services and international and local organizations implementing agriculture extension service projects.



*Structural diagram of operation of the Federal Ministry of Agriculture, Water Management, and Forestry.*

### **Energy**

Federal Ministry of Energy, Mining and Industry<sup>9</sup> performs administrative, professional and other tasks related to the competencies of the Federation in the areas of energy, mining, geological research and industry in addition to the food industry, monitoring economic operation and economic position of economic agents and the coordination and implementation of projects importance to the Federation in the areas of responsibility; creating policy on energy and geological research and other tasks.

### **Environment**

The Federal Ministry of Environment and Tourism<sup>10</sup> is charged with environmental protection. However, other ministries play a role in the implementation of ecosystems protection (e.g. Federal Ministry of Transport and Communications<sup>11</sup>).

## PRIVATE ACTORS

There are three energy companies in Bosnia and Herzegovina, two in the Federation and one in Republika Srpska.

<sup>9</sup><http://fmeri.gov.ba/>

<sup>10</sup><http://www.fmoit.gov.ba/>

<sup>11</sup><http://www.fmpik.gov.ba/>

In the Federation of Bosnia and Herzegovina *Elektroprivreda Bosne I Hercegovine*<sup>12</sup> is the largest energy company in the country. According to its official website, 90.37% of the shares are owned by the Federal Ministry of Finance and Industry, and it generates, as of 2013, a total of 7,473 GWh through hydropower (5,550 GWh) and thermal (1,924 GWh) plants. The second energy company in the Federation is *JP Elektroprivreda Hrvastke Zajednice Herceg Bosne d.d. Mostar*<sup>13</sup>. The only energy company in Republika Srpska is *the EPC – Elektroprivreda Republike Srpske*<sup>14</sup>.

## SERBIA

### PUBLIC ACTORS

#### **Water management sector**

Water management related to control of water regime, water use, water pollution control, flood control, and others fall under jurisdiction of the Directorate for Water within the Ministry of Agriculture, Forestry and Water Management (MATFWM) of the Republic of Serbia.

The Serbian Public Water Management Company (JVP) *Srbijavode* was established in 1996 with the purpose of executing the activities related to the water resources of the Republic of Serbia and, according to the Law on Waters, it runs state-owned waterworks as goods for general utilization. The structure was altered in 2003 by creation of the Provincial Secretariat of Agriculture, Water Management, and Forestry of the Vojvodina Province and the setting up of the new JVP *Vode Vojvodine* that covers water management responsibilities on territory of the Vojvodina Province. In 2008 new JVP *Beograd Vode* was established for implementation of water management on the territory of the City of Belgrade.

*/\*\*Serbia has state bodies assigned to all aspects of water management. These institutional provisions are complex and entail a number of institutions at both the central and local level.\*\*/*

The provisions for water management planning established under the Water Law (2010) require a range of separate but harmonised plans for water management, flood risk management, and pollution prevention. The law entails planning on the basis of both administratively appropriate and river basin-derived boundaries. The use of administrative boundaries is crucial since all plans must be harmonised with land use plans and adopted by local administrations.

In order for these provisions to be implemented effectively and efficiently, coordination and cooperation will be required within and between state institutions, most notably the MATFWM (mainly the Water Directorate), the MEMSP, the Autonomous Provinces, the Public Water Enterprises and subordinate institutions of the two key Ministries.

#### **Water Framework Directive Implementation**

<sup>12</sup><http://www.elektroprivreda.ba/>

<sup>13</sup><http://www.ephzhh.ba/?lang=en>

<sup>14</sup><http://www.ers.ba/index.php?lang=en>

Activities regarding the WFD implementation in Serbia are coordinated by the Ministry of Agriculture, Forestry and Water Management – Directorate for Water. However, water legislation in Serbia is not harmonized with the EU *acquis*. Therefore, activities in Serbia regarding the implementation of the WFD are carried out under the activities on implementation of the Convention on Cooperation for the Protection and Sustainable Use of the Danube River and the Framework Agreement of the Sava River Basin.

### **Energy**

The Ministry for Energy and Mining<sup>15</sup> is made up of five main departments: Electricity Department, the Oil and Gas Department, the Department for Energy Efficiency and Renewable Energy, Division of Geology and Mining, and the Sector for European Integration, International Cooperation, and Project Management.

### **Agriculture and land use**

The Ministry of Agriculture and Environmental Protection<sup>16</sup> has competence in this field.

## PRIVATE ACTORS

*Elektroprivreda Srbije EPS*<sup>17</sup> is the state-owned electric utility power company in Serbia. The net total capacity of EPS's electric power generating facilities is 8,355 MW, of which 5,171 MW is from lignite-fired thermal power plants, 2,831 MW from hydro power plants, and 353 MW is from fuel oil-fired and natural gas-fired combined heat and power plants. The Electric Power Industry also operates three power plants having a net capacity of 461 MW that are not under the ownership of EPS.

## CROATIA

### PUBLIC ACTORS

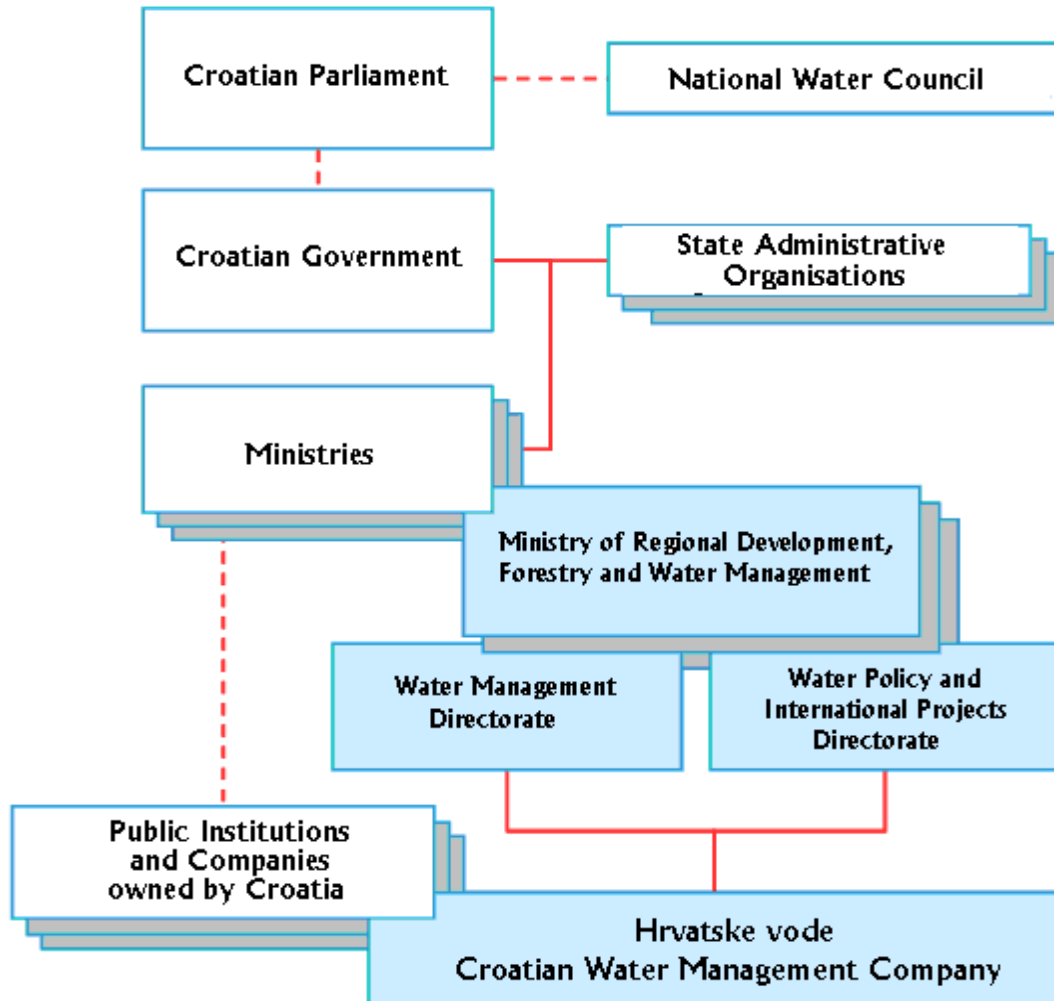
The bodies authorized and responsible for water management activities are the Croatian Parliament, the National Water Council, the Government of the Republic of Croatia, the Ministry of Regional Development, Forestry and Water Management and other state administration bodies, local and regional self-government units, and Hrvatske Vode as a national water management agency.

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<sup>15</sup><http://www.mre.gov.rs/index.php>

<sup>16</sup><http://www.mpzss.gov.rs/>

<sup>17</sup><http://www.eps.rs/Eng/index.aspx>



### Water Management Sector

The Ministry of Regional Development, Forestry and Water Management performs administrative and other expert tasks related to water management (Sava River Basin Analysis Report 2009: 21). The National Water Council is appointed by the Croatian Parliament, and is a body established to harmonize various interests and to examine systematic issues related to the water management area at the highest level.

The broadest administrative authority in water management belongs to the Ministry of Regional Development, Forestry and Water Management, within whose framework function the Water Management Directorate and the Water Policy and International Projects Directorate. The Ministry of Regional Development, Forestry and Water Management perform administrative and similar expert tasks, in particular:

- (i) Water policy and strategic planning;
- (ii) Monitoring of the status, implementation of administrative and inspection supervision;



- (iii) Preparation of laws and regulations;
- (iv) Provision of financial means to fund the activities in the field of water management;
- (v) Decision-making in single important cases and adopting decisions of second instance in cases already decided upon by other bodies.

Apart from the Ministry of Regional Development, Forestry and Water Management as the primary leader of administrative affairs, some activities have been downscaled to the scope of other state administrative organisations such as: the Ministry of Environmental Protection, Physical Planning and Construction, the Ministry of Culture and the Ministry of Health and Social Care.

Units of local and regional self-government are authorized and responsible for water issues within their territories. (EU Water Regional Report 2010: 4)

Hrvatske Vode is the legal entity in charge of water management. The company was established by the Water Act, which represents their deed of incorporation, for "permanent and unimpeded performance of public services and other activities of water management within the scope defined by the plans and in line with the financial means." These are in particular:

- Preparation of groundwork as the basis of water policy creation,
- Preparation of programmes, plans and other acts representing the basis for providing sufficient quantities of suitable water for various intended uses,
- Protection of water from pollution,
- Regulation of watercourses and other waters and protection from adverse effects of water,
- Investment and other tasks applied to carry out these plans and programmes,
- Implementation of measures ensuring rational use of water,
- Protection of water and protection from flooding and other adverse effects of water.

Hrvatske Vode operates on the whole territory of Croatia and covers all river basin districts and river basins. Apart from the central departments in Zagreb, the company is organised in five water management divisions further divided into water management subsidiaries for various river basin districts.

### **Water Framework Directive Implementation**

The competent authority for water management is the Ministry of Regional Development, Forestry and Water Management, which, inter alia, consists of the Directorate for Water Management and the Directorate for Water Policy and International Projects.

### **Agriculture and land use**

Other ministries and agencies that are involved are the Ministry of Agriculture<sup>18</sup>, the Ministry of Construction and Physical Planning<sup>19</sup>, the Ministry of Economy<sup>20</sup>, the Croatian Energy Regulatory

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<sup>18</sup><http://www.mps.hr/default.aspx?id=5340>

<sup>19</sup><http://www.mgipu.hr/default.aspx?id=3967>

<sup>20</sup><http://www.mingo.hr/>

Agency<sup>21</sup>, the Ministry of Environmental and Nature Protection<sup>22</sup>, and the Ministry of Maritime Affairs, Transport and Infrastructure<sup>23</sup>.

## PRIVATE ACTORS

Hrvatska Elektroprivreda<sup>24</sup> (HEP Group) is a national electricity company which is engaged in electricity production, transmission, distribution, and heat supply and gas distribution. Hrvatska Elektroprivreda is organized in the form of a holding company with a number of daughter companies. The parent company of the Group, HEP d.d., performs the function of HEP Group corporate management and guarantees the conditions for secure and reliable electricity supply to customers.

HEP Group has 4,000 MW of installed capacity for electricity production and 974 MW of heat production capacity. Within HEP Proizvodnja d.o.o. there are 25 hydro power plants and eight thermal power plants fired by oil, natural gas or coal. Some of them produce both electricity and heat in a combined-cycle, forming the backbone of the district heating system in the cities of Zagreb and Osijek.

## SLOVENIA

### PUBLIC ACTORS

The water management policy is defined in the National Water Management Programme, which strives to accomplish the following objectives: achieving the good water status, supplying the population with drinking water, ensuring the water protection in the designated protection areas, reaching the economic price of water, and minimizing the hazards.

#### **Water Framework Directive Implementation**

In Slovenia, water management is within the responsibility of the Ministry of Environment and Spatial Planning. Tasks are delegated to departments within the Ministry, to the Environmental Agency of the Republic of Slovenia and the Inspectorate of the Republic of Slovenia for Environment and Spatial Planning.

The expert assignments are carried out by the Institute for Water of the Republic of Slovenia and Geologic Survey of the Republic of Slovenia.

The Ministry of Agriculture, Forestry and Food is in charge of implementation of the water management policy. It is competent to prepare regulations, governmental acts determining water use and water protection, and water management acts, as well to coordinate and harmonize policies and other water related issues at the level of EU. **This might be outdated**

<sup>21</sup><http://www.hera.hr/en/html/about.html>

<sup>22</sup>[http://www.vlada.hr/en/naslovnica/o\\_vladi\\_rh/ministarstva\\_djelatnosti/ministarstvo\\_zastite\\_okolisa\\_i\\_prirode](http://www.vlada.hr/en/naslovnica/o_vladi_rh/ministarstva_djelatnosti/ministarstvo_zastite_okolisa_i_prirode)

<sup>23</sup><http://www.mppi.hr/default.aspx?id=7397>

<sup>24</sup><http://www.hep.hr/hep/en/group/default.aspx>

The Environmental Agency<sup>25</sup> of the Republic of Slovenia operates in accordance with the territorial principles. It is responsible for database maintenance, monitoring of the status of water (quantity, quality and ecological status), preparation of administrative acts related to water protection, use of water resources, water management, public water management services and hydrologic forecast of natural disasters.

The Inspectorate of the Republic of Slovenia is responsible for controlling the implementation of the relevant legislation. (Which Inspectorate, there are many).

The Institute for Water of the Republic of Slovenia carries out activities related to surface waters. According to its official website, the institute has five main goals:

1. Preservation of the leading role in development of contemporary doctrines of water planning and preparation of background documents for implementation of water planning activities
2. Encouraging sustainable water usage, water engineering and assessment of economic water pricing
3. Development human resources, knowledge, and state-of-the-art tools for achieving top results in solving water-related problems at the global, national, regional and local levels,
4. Connections at the scientific and research levels and cooperation in projects with related institutions and universities in Slovenia and Europe, while pursuing expert solutions in contemporary water management, implementation of the common European water policy and international strategies and conventions,
5. Transfer of new knowledge to the expert public and dissemination of knowledge on the significance of water at the national and international levels

The Geologic Survey of Slovenia<sup>26</sup> produces hydrogeological data related to groundwater.

The Ministry of the Environment and Spatial Planning is responsible for implementation of environmental policy. It also implements and monitors flood control and plans the maintenance of riverbeds, flood barriers and irrigation systems. Regarding spatial planning, the Ministry updates legislation and implements residential programmes for growing housing demands.

The Ministry of Infrastructure<sup>27</sup> is responsible for railway, air, maritime, waterway and road transport with the exception of control over road traffic safety, as well as the energy sector, mining, and renewable energy. The Energy Directorate performs tasks relating to the efficient use of energy and to the provision of renewable sources of energy, energy supply, sources of energy and mining.

## PRIVATE ACTORS

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<sup>25</sup><http://www.arso.gov.si/en/>

<sup>26</sup><http://www.geo-zs.si/podrocje.aspx?id=0>

<sup>27</sup>[http://www.mzi.gov.si/en/areas\\_of\\_work/](http://www.mzi.gov.si/en/areas_of_work/)

Elektro-Slovenija ELES<sup>28</sup> has the exclusive right to operate the transmission network system in Slovenia. The founder and the sole owner of the company is the Republic of Slovenia.

## MONTENEGRO

### PUBLIC ACTORS

The Ministry of Sustainable Development and Tourism<sup>29</sup> is divided into the following relevant departments and directorates:

- Directorate for Planning Area
- Directorate for construction
- Directorate for Tourism Development and Standards
- Directorate of Tourism Destination Management
- Directorate for Housing Development
- Directorate of Environment and Climate Change
- Directorate for Waste Management and Communal Development
- Department for Programming and implementation EU Funds
- Department of International Cooperation
- Department for the development of priority projects - Bjelasica and Komovi
- Department for Support to the National Council for Sustainable Development

Ministry of Agriculture and Rural Development<sup>30</sup>

- Agriculture and Farming
- Water Management
- Forestry
- National Forest Policy

The Ministry of Economy<sup>31</sup> is organized internally as follow:

- Energy
- Energy Efficiency
- Mining and Geological Researches
- Industry and Entrepreneurship

The Ministry of Health has competence over toxic substances, drinking water quality and noise. The Ministry of Agriculture, Forestry and Water Management is responsible for forestry, agricultural soils,

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<sup>28</sup> <http://www.eles.si/en/index.aspx>

<sup>29</sup> <http://www.mrt.gov.me/en/organization>

<sup>30</sup> <http://www.mpr.gov.me/en/organization>

<sup>31</sup> <http://www.mek.gov.me/en/organization>

water protection and use, and genetically modified organisms. The Ministry of Culture deals with natural rarities and natural heritage protection.

Regulatory activities in the energy sector in Montenegro are governed by the Energy Regulatory Agency<sup>32</sup>, which regulates electricity and liquid fuels. It supervises energy undertakings and establishes rules and regulations for approving regulatory allowed revenue and prices, setting prices for use of electricity and gas transmission and distribution system, and regulation of access to the transmission and distribution grids.

## PRIVATE ACTORS

*Elektroprivreda Crne Gore AD Nikšić*<sup>33</sup> (EPCG) is a national energy company established by the decision about transformation of JEP Elektroprivreda Crne Gore Nikšić, No. 1001-2772/1 dated October 16th, 1998 for the purpose of carrying out energy activity, i.e. electricity generation, distribution and supply. In 2013, EPCG produced a total of 3,809 GWh, from HPP Perućica (1334 GWh), HPP Piva (1134 GWh), TPP Pljevlja (1311 GWh), and additional small hydropower plants (30 GWh).

### Reports Cited:

Sava River Basin Analysis Report, 2009

Strategy on Implementation of the FASRB 2011

2<sup>nd</sup> Environmental Performance Review Bosnia and Herzegovina, 2011

2<sup>nd</sup> Environmental Performance Review Serbia 2007

2<sup>nd</sup> Environmental Performance Review Montenegro 2007

Approximation Strategy for the Water Sector in Serbia 2007

Bosnia and Herzegovina In-Depth Energy Efficiency Review

Strategy for Sustainable Development Croatia 2009

USDA Report, 2010

EU Water Regional Report 2010

2<sup>nd</sup> Assessment: 223

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<sup>32</sup> <http://www.erranet.org/AboutUs/Members/Profiles/Montenegro>

<sup>33</sup> <http://www.epcg.com/>

## ANNEX 3

# MORE ON REGIONAL ACTORS

### FASRB AND ISRBC

The four countries of the Sava River Basin – Bosnia and Herzegovina, Republic of Serbia, Republic of Croatia and Republic of Slovenia, entered into a process of negotiations, with the primary aim to establish an appropriate framework for transboundary cooperation, in order to ensure a sustainable use, protection and management of water resources in the Sava River Basin, and thus enable better life conditions and raising the standard of population in the region.

These negotiations led to the signing of the Framework Agreement on the Sava River Basin (FASRB) which entered into force in 2004. The International Sava River Basin Commission (ISRBC) was also established for implementation of the FASRB. The ISRBC has the legal status of an international organization.

The cooperation among the Parties to the FASRB is the most advanced effort of its kind in South-Eastern Europe, showing the way to the riparian countries of other shared basins. The FASRB integrates all aspects of water resources management, and has become the framework of cooperation among the Parties to the agreement. The four Parties financially support the operation and the work under the ISRBC and its Secretariat on an equal basis.

Costs of activities that fall under the interest of a certain country, or countries, may be financed by them. Additional resources for specific activities under the work-programme have been raised by the ISRBC Secretariat from the European Commission and the international donor community.

The FASRB emphasizes the importance of transboundary cooperation of governments, institutions and individuals for sustainable development of the Sava River Basin. It defines three main goals of the process of cooperation:

- Establishment of an international regime of navigation on the Sava River and its navigable tributaries which included set-up of conditions for safe navigation on the River Sava and its tributaries;
- Establishment of sustainable water management which included cooperation on management of the Sava River Basin water resources in a sustainable way, including integrated management of surface and ground water resources, in a manner that would provide:
  - water in sufficient quantity and of appropriate quality for the preservation, protection and improvement of aquatic eco-systems (including flora and fauna and eco-systems of natural ponds and wetlands);
  - waters in sufficient quantity and of appropriate quality for all kinds of water utilization;

- protection against detrimental effects of water (flooding, excessive groundwater, erosion and ice hazards);
  - resolution of conflicts of interest caused by different uses and utilizations; and
  - effective control of the water regime;
- Undertaking measures to prevent or limit hazards, and reduce and eliminate adverse consequences, including those from floods, ice hazards, droughts and incidents involving substances hazardous to water.

The cooperation in achieving the main goals of the FASRB is based on the following principles:

- Sovereign equality, territorial integrity, mutual benefit, and good faith;
- Mutual respect of national legislation, institutions and organizations;
- Cooperation in line with the EU Water Framework Directive and other related Community legislation;
- Regular exchange of information within the basin on: water regime, navigation regime, legislation, organizational structures, administrative and technical practices;
- Securing the integrity of the water regime in the basin,
- Reduction of transboundary impacts caused by economic and other activities.

#### THE INTERNATIONAL COMMISSION FOR THE PROTECTION OF THE DANUBE RIVER (ICPDR)

The Danube River Protection Convention<sup>34</sup> forms the overall legal instrument for co-operation on transboundary water management in the Danube River Basin. The Convention was signed on June 29 1994 in Sofia (Bulgaria) and came into force in 1998. It aims to ensure that surface waters and groundwater within the Danube River Basin are managed and used sustainably and equitably.

The Convention on Co-operation for the Protection and Sustainable Use of the River Danube (Danube River Protection Convention) forms the overall legal instrument for co-operation and transboundary water management in the Danube River Basin.

The main objective of the Danube River Protection Convention (DRPC) is to ensure that surface waters and groundwater within the Danube River Basin are managed and used sustainably and equitably.

This involves:

- the conservation, improvement and rational use of surface waters and groundwater
- preventive measures to control hazards originating from accidents involving floods, ice or hazardous substances
- measures to reduce the pollution loads entering the Black Sea from sources in the Danube River Basin

#### OTHER RELEVANT INTERNATIONAL CONVENTIONS AND AGREEMENTS

<sup>34</sup> <http://www.icpdr.org/main/icpdr/danube-river-protection-convention>

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (The Helsinki Convention, 1994) and its related Protocol on Water and Health.

The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters<sup>35</sup>, otherwise known as *the Aarhus Convention* was adopted on 25th June 1998 in the Danish city of Aarhus at the Fourth Ministerial Conference in the 'Environment for Europe' process.

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<sup>35</sup> <http://www.unece.org/env/pp/introduction.html>