

THE PROCESS OF THE IMPLEMENTATION OF CLRTAP AND RELATED PROTOCOLS IN MONTENEGRO

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Implementation of CLRTAP Protocols

- **Current situation**

- Montenegro has signed the CLRTAP and Protocol of EMEP.
- It is in preparation the process of ratification and implementation of three Protocols of CLRTAP, Protocols of Heavy Metals, POPs and Goetemberg. This proces in Montenegro is supported by UNECE. The termination of this process is expected in the near future.
- These days the MoU of NAP for implementation of Protocol of Heavy Metals is signed. The next steps on implementations of other two Protocols are expected in the very close time.

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- **Policy measures for reducing of air pollution emission**
 - ***Law about air quality and related Regulation about determination of kind of pollution substances, their limit values and other air quality standards,***
 - The limit values for lead are defined (attained to 2010 and for industrial sources to 2012),
Target value for cadmium (attained to 2015)
For mercury are used the control emission measures in accordance with EMEP.
 - The new ***Law on air protection*** will enter into force before the end of 2009.
 - Law on IPPC*** has been adopted in 2005 and entered into force in 2008
 - For new installations
 - For the existing installations is a transitional period until the 2015.
 - ***Bylaw about technical and other requests for liquid fuel by petroleum origine***
 - Limit value for Lead content in unleaded gasoline is according with Protocol (0.013g/l),
Lead content in other gasoline is much more higher.
 - They standards aren't adopted as domestic standards, yet-*
 - ***Regulation about conditions which should fulfilled for using of motor vehicles from import***
 - It is allowed import of vehicles which are fulfilled the standard Euro 3
 - New ***Law about means for herb protection***
 - Foreseen a registartion of all used pesticides,
Lists of allowable and forbidden active materials (*they are haven't created, yet*)
 - ***Law about waste management***
 - Determine the batteries disposal,
Obligate evidence of batteries and accumulators by producers and importers.
 - ***Regulation about control list for import, export and traffic of goods***
 - Limitation of traffic of waste which contens heavy metals, included batteries and accumulators
 - ***Regulation about determination of the BAT*** for implementation of quality standards and emission limit values in integrated permmit

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- **Particulate matter as air pollution substances**

- Monitoring of PM10, measurements and control of the PM2,5 are foreseen in the new legislation.

- Emission inventory (modeling): PM10 represents the most aggressive air pollutant in Montenegro with the highest frequency of exceedances of limit values,

- The main sources of PM are (by sectors):

- Industry:** Iron Plant in Niksic, Aluminium Plant in Podgorica,

- Production of Elektricitiy:** Termoelectric Power Plant in Pljevlja,

- Extraction of minerals:** Mine of coal in Pljevlja and Mine of bauxite in Niksic,

- Combustion of coal for heathing:** Along the city of Pljevlja,

- Traffic:** Road traffic (whole Montenegro), and air traffic (Podgorica and Tivat),

- Stoun extraction:** At near the towns of Bar, Podgorica, Niksic, Berane, Tivat

- Land erosion:** Agriculture and arable areas (Zeta Plane),

- Dump sites:** Gases emission from insineration of solid waste),

- Aerosols:** Desert dust aerosols and Sea-water aerosols.

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- **Emission Inventory (Monitoring; Register)**
 - There is not any Emission Register, and official Emission Monitoring, as well.
 - EMEP reporting (in SRJ)
 - Some emission data exists as result of time-to-time cases of accidents and oneself requests of polluters, in frame of usual activity of Ecological inspection.
- On the basis of the new Law on air protection Montenegro shall establish new state network for air quality monitoring based on criteria provided in the European Directive 2008/50/EC and international standard EN ISO 17025. In the scope of bilateral cooperation with Italian Ministry for the Environment, Land and Sea there were two air monitoring stations (one mobile and one fixed) donated to Montenegro during the last year. Emission inventory was also restructured according to the international standards.

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- **Improvements**

- Laws of IPPC, SEA, and EIA are done in 2005, but they are in force from 1st Jan 2008. New facilities are needed environmental permit, but existing facilities are obligated to provide the permit till 2015.
- Reporting of GHG and UNFCCC gases emission was started from this year.
- The Law of air quality is in final procedure of adopting.
- The EMEP station at Zabljak is in consolidation process of the work. EMEP reporting is still interrupted.
- NIP for POPs was done last year.
- Inspection system in environment is key factor regarding compliance and enforcement. Responsibility of inspection is divided between a few Ministries. Responsibility for air, soil, radioactivity and noise is under Ecological inspection which belongs to Agency for Environment protection. Capacity building of inspectors (several workshops; one planned in the next year - supported by UNEP/WHO and GEF).
- The new Law on air protection proscribes the "emission licenses" for smaller polluters, while to the major installations an IPPC license is issued on the basis of the Law on IPPC.

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- *Clean-up programme*

- Clean up programme for the industry production do not exist yet.
- Within the transitional period until the 2015 for existing installations considered by IPPC law, there were already some actions for major polluters (e.g. abatement system in Pljevlja Thermo Power Plant was renewed).

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Status of the implementation of NAPs for Protocols

- *i. Results from analyses of the national situation and obligations*
 - According to the analysis made so far, Montenegro has suitable legal framework for adopting the Protocols. Of course, some additional legal acts are necessary in order to cover all the obligations stemming from the protocols. Much more has to be done in the institutional framework in order to secure the implementation of the new legal obligations.
- *ii. Steps taken in national administration*
 - Recently established Agency for environment protection shall be the most important actor in implementation of obligations specified in the Protocols. The Agency needs substantial capacity building, staff training in the particular issues and integration in the existing system of public administration.

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Status of the implementation of NAPs for Protocols

- *iii. Procedural steps towards ratification, e.g. timeframe for the various stages, estimate of time taken to achieve ratification)*
 - In line with the terms of reference of the UNECE regional project, after definition of the National action plan for ratification of the protocols and the approval of the NAP by UNECE and Montenegrin authorities, process of ratification could be started. The process itself can take up approximately three months in order to pass through following mandatory steps:
 - Drafting of the Law on ratification by the Ministry of Environment protection and urban planning
 - Submission of the proposal of the Law to other Ministries and public administration bodies in order to obtain positive opinions
 - Approval of the Proposal by Montenegrin Government
 - Approval of the Law by the Montenegrin Parliament (duration of this step is hard to estimate since it depends on the priorities of the Parliament)
 - Final approval of the Law by the President of Montenegro and publishing in the Official Gazette

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Status of the implementation of NAPs for Protocols

- *iv. Difficulties and problems likely to be encountered*
 - Legislative activity in Montenegro is very intensive because of the process of approximation to the EU. While this might be taken as a positive condition, it also means that legislative apparatus is overburdened which slows down the process of adoption of particular legal acts.
 - Implementation of protocols is in some aspects very demanding in terms of institutional and financial capacities of the country. Some of minor and acute problems could be solved through the funding of the UNECE project, but maintenance of the monitoring and reporting system will remain a constant burden on the state budget.



Thank you for attention

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related Protocols in Montenegro