

5th Drin Stakeholders Conference

***Thematic Report on
Institutional and Legal Setting (ILS)***

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Aim & Objectives

Thematic Report on ILS – Aim & Objectives

- The Thematic Report on ILS aims to contribute to the preparation of the TDA.
- The Thematic Report on ILS is designed to describe the water resources and basin governance within each Drin (Project beneficiary) Riparian and at the transboundary levels to assist in identifying the:
 - **Root causes** of the transboundary issues, lying among the institutional setting, policies, laws and management instruments as well as their design, implementation and enforcement etc.
 - **Actions to address** these root causes.

Thematic Report on ILS – Preparation

- The Thematic Report is developed by the Secretariat/PCU and UNECE with the assistance of four Experts that prepared reports for each of the Project beneficiary Riparians following guidance by the PCU.
- Background information provided to Experts to facilitate their work includes:
 - Chapter on ILS of the Situation Analysis on the Management of the “extended” Drin Basin (GWP-Med- Athens, 2014), prepared according to the TDA methodology; and
 - Lists of institutions in the Drin Riparians as part of the Drin Stakeholders Analysis.



Structure & content

Thematic Report on ILS – Structure & contents,

Chapter 1 Institutional Framework

Chapter 2 Legal Framework

Chapter 3 State of the Management Framework

Thematic Report on ILS – Structure & contents,

Chapter 1 Institutional Framework

1.1 Overall information

- (a) Lists of competent institutions for legal drafting per theme, &*
- (b) Institutions and Plans in each riparian for River/Lake basin management and Plans.*

1.2 Water resources

1.3 Waste water and solid waste

1.4 Urban and territorial planning and land use

1.5 Agriculture, fisheries, hunting and forestry

1.6 Nature protection - protected areas

1.7 Environmental information and transparency

Institutional framework and competences, including relations (e.g. subordinate institutions).

Thematic Report on ILS – Structure & contents, Chapter 2 Legal Framework (part 1)

2.1 Overall information

2.1.1 Policies

List of policies/strategic documents.

2.1.2 Laws

List of laws.

2.1.3 Management instruments

Command and Control instruments, taxation, charges &

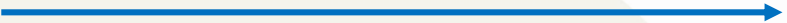
Economic incentives

Environment;
Water resources;
Waste water and solid waste;
Urban and territorial planning
and land use;
Agriculture;
Fisheries;
Hunting;
Forestry and Pastures;
Nature protection - protected
areas;
Environmental Information
and transparency

Thematic Report on ILS – Structure & contents, Chapter 2 Legal Framework (part 2)

2.2 Legal and Regulatory Framework

*Framework laws &
Approximation to EU Acquis.*



Environment;
Water resources;
Waste water and solid waste;
Urban and territorial planning
and land use;
Agriculture;
Fisheries;
Hunting;
Forestry and Pastures;
Nature protection - protected
areas;
Environmental Information
and transparency

Thematic Report on ILS – Structure & contents, Chapter 3 State of the Management Framework

3.1 State of the Management Framework per theme

3.1.1. Horizontal issues

3.1.2 Water resources management

3.1.3 Waste water and solid waste management

3.1.4 Urban and territorial planning and land use management

3.1.5 Nature protection – management of protected areas

3.1.6 Agriculture

3.1.7 Forestry

3.1.8 Fisheries

3.1.9 Hunting

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***Main outcomes:
Challenges & Recommendations***

**Thematic Report on ILS – Structure & contents,
Chapter 3 State of the Management Framework
Main findings - Horizontal issues**

Challenges

- Legislation weakly aligned with the EU acquis, INSPIRE Directive, Environmental Crime Directives and Directive on Standardized Reporting not (fully) transposed
- Weak implementation of EIAs and SEAs, especially on public participation
- Complex system of issuing environmental & water licenses, including overlaps
- Low administrative capacity, especially at the municipal level and for inspection

**Thematic Report on ILS – Structure & contents,
Chapter 3 State of the Management Framework
Main findings - Horizontal issues**

Recommendations

- Aligning legislation with the EU aquis
- Simplifying the water licensing system, (either decentralizing or creating a one-stop-shop)
- Decentralizing competencies for inspection and reducing frequent changes of staff at local government levels
- Increasing administrative capacities (staff and expertise) at the local level/s to enable:
 - Better implementation of EIAs and SEAs
 - Decentralization of licensing
 - Proper inspections

**Thematic Report on ILS – Structure & contents,
Chapter 3 State of the Management Framework
Main findings - Water resources management**

Challenges

- Legislation: not fully aligned with the EU Acquis (EU WFD, EU FD)
- Functioning of institutions: high fragmentation of competencies, overlapping/conflicting responsibilities
- Basin management: no RBMPs, no management plans to address pressures from tourism and CC
- Data: limited monitoring, non-reliable data, non-harmonized especially between riparians, limited sharing among institutions, no water cadaster
- Water financing: limited/no assessment of cost of water supply and sanitation, no investment plans, unsustainable water pricing (water as a public good)

**Thematic Report on ILS – Structure & contents,
Chapter 3 State of the Management Framework
Main findings - Water resources management**

Recommendations

- Fully align with the EU Acquis, especially for EU FD
- Functioning of institutions: clearly assigning responsibilities among institutions at all levels, strengthening the mandate of local government
- Basin management: drafting and implementing RBMPs and flood management plans including preparation of flood risk maps
- Draft plans for different “water users” i.e. sectors
- Floods:
 - improving cooperation with neighboring Riparians on preventing and responding to floods
 - flood management plans including preparation of flood risk maps