

2.4 Nature protection

ASSESSMENT

There was little or no progress in the field of nature protection. Achieving alignment and convergence with relevant EU nature policies is required. In terms of nature protection, this would involve alignment with horizontal legislation relating to environmental impact assessment and strategic environmental assessment, as well as ensuring public participation in the 'ecosystem based' legislative framework provided by *Water Framework Directive*, *Habitats Directive* and *Birds Directive*.

RATIONALE

The previous Government divided the nature protection sector in two ministries: the Ministry of Energy, Development and Environmental Protection and the Ministry of Natural Resources, Mining and Spatial Planning. The National Environmental Fund was abolished, and has not been re-established yet. There is lack of political will to support nature conservation. These changes further weakened the already weak mechanisms of environmental governance.

The consultation process related to amendments to the *Law on Nature Protection* was initiated by the Ministry of Energy, Development and Environmental Protection (responsible for the environmental issues at the time), but there was no follow up of the process. The Ministry of Natural Resources, Mining and Spatial Planning (at the time, responsible for governance of protected areas) drafted the *Law on National Parks*, but no public participation process was organised and no information on progress is available.

Little progress on the transposition of the *Birds Directive* and *Habitats Directives* and establishment of *Natura 2000* has been achieved. The *Law on Nature Protection* has introduced the concept of ecological network following the model of the *Natura 2000* ecological network of EU. Despite the legal framework being in place¹² the ecological network is not yet fully efficient. NGO representatives were consulted during the preparation of a *Decree on Ecological Network*, but the selection process was not transparent.

The project applications for IPA — Capacity building to implement 'acquis' standards and conventions in nature protection — establishment of *Natura 2000* 2013/S 191-328779 were submitted in October 2013 and since that time there was no information about application selection process or project implementation.

The implementation of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) has improved due to the twinning project *Strengthening the capacities of authorities responsible for CITES and wildlife trade regulations enforcement in Serbia SR/2012/IB/EN/01TWL*.

There was no progress at all on the *Red Lists*.

¹² Decree on Ecological Network, „Official Gazette of the Republic of Serbia“, issue 102/2010

Developments

In December 2013, Montenegrin Ministry for Sustainable Development and Tourism, WWF and IUCN gathered representatives of ministries from Albania, Bosnia and Herzegovina, Croatia, Kosovo*¹³, Macedonia, Montenegro, Serbia, and Slovenia to endorse a high-level regional agreement for the protection of the environment in the Dinaric Arc region - *Big Win for Dinaric Arc*. Countries formally committed to strengthen regional cooperation in conservation and sustainable development, to assess the economic value of their natural capital, while integrating nature conservation goals into economic development plans, evaluate the contribution of protected areas to their own and the region's economy. European Commissioner for Environment Janez Potočnik opened the conference and congratulated all governments for endorsing the *Big Win for Dinaric Arc*. Furthermore, each country presented a set of national commitments to be delivered over the next 4 years – designation on new protected areas, development of management plans, improvement in ranger services, etc¹⁴.

Challenges

The coverage of protected areas is approximately 6% of the total territory (Biodiversity strategy, 2011). This is clearly a low percentage and far below the EU and global average of protected areas coverage, and significantly below the anticipated 17% by 2020, as defined by the Aichi Targets of the *Convention on Biological Diversity*. *The Spatial Plan of the Republic of Serbia for the period 2010-2020* foresees an increase of the protected area by 10%. Bearing in mind the present situation, such as the stagnation in establishing new protected areas (just 0.14% of new protected areas was designated during the last 5 years), it will be quite a challenge to achieve this goal. Another significant problem for nature protection is inadequate and ineffective management of protected areas (Biodiversity strategy, 2011). Overall, Serbia is lagging behind on both major aspects of protected areas – coverage and management.

The construction of dams without a serious assessment of existing alternatives, environmental impact assessment and socio-economic cost and benefit analysis is the main threat to freshwater biodiversity in the Republic of Serbia. Planned projects are expected to alter the natural flows and drastically change the complex interactions between surface water, underground flows and wetland environments in which many native species have evolved. There is great concern about the ability of the species and wetland ecosystems to maintain. Fragmentation of rivers by dams and water extraction at a higher rate than it can be replenished by the natural systems has been the pattern of water use within the country. At the same time, the system's own capacity to replenish water resources has been drastically reduced due to deforestation and loss of wetlands. With the disappearance and degradation of wetlands,

¹³ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

¹⁴ <http://www.discoverdinarides.com/en/downloads>

important habitats have been lost causing declines in plant and animal species' numbers and diversity.

In current legislation there is no acknowledgement of the role and value of ecosystems (natural capital) in providing a wide range of benefits that are essential for human well-being and economic development perspectives. Generally the economic benefits of these services are not recognized or captured in markets, resulting in ecosystem degradation and the irreversible loss of natural capital.

RECOMMENDATIONS

The following activities foreseen by the Biodiversity Strategy should be implemented:

- Development of a monitoring system for climate change impacts on biodiversity;
- Development of an evaluation system for elements of biodiversity and ecosystem services;
- Expansion of protected areas;
- Development of ecological network NATURA 2000;
- Improvement of protected areas management;
- Protection and improvement of forest ecosystems;
- Protection and improvement of water ecosystems;
- Monitoring of invasive species and action plans for the suppression of their spreading;
- Development of monitoring of species that are used for commercial purposes and action plan for their sustainable utilization;
- Promotion of biodiversity values and awareness raising.

The need to integrate ecosystem services' assessment into key sector policy and planning processes will have to be addressed by the Republic of Serbia as the country moves towards EU membership. The EU spearheaded the valuation of natural capital in the economy and human well-being by the supporting study, "The Economics of Ecosystems and Biodiversity" (TEEB)¹⁵. The coalition of CSOs is favoring investment in the natural capital of the country (forest/rural areas, water ecosystems, renewable energy) over « hard » investments (grey infrastructure development) as well as promoting innovative tools for environmental integration and the protection of natural resources, such as Payment for Environmental Services initiatives or the implementation of the Ecosystem Based Approach. New developments need to be carefully planned to avoid irreversible damage to natural capital, the environment and human health. Systematic assessment and implementation of the Environmental Impact Assessments (EIAs) and Strategic Environmental Assessments (SEAs) would be required.

¹⁵ <http://www.teebweb.org/InformationMaterial/TEEBReports/tabid/1278/Default.aspx>