



Waste Management

Overview

The reporting period saw the opening of Cluster 4 on the Green agenda and sustainable connectivity, as well as the increased activity of institutions in preparing and adopting strategic documents for the waste management sector in Serbia and preparing amendments to the legislation.

The waste management system in Serbia is still in the initial stage of development and many issues remain undefined, as a result of which waste continues to have a direct impact on the environment and human health. Failure to comply with the Law on Waste Management and accompanying regulations is not adequately sanctioned or prevented. Concerningly, many local self-government units continue to ignore regulations, without any consequences, resulting in the accumulation of waste in illegal and unsanitary landfills and increasing environmental pollution.

The urgent need to improve the waste management system is best illustrated by the 1,715 registered fires at landfills in 2021⁵⁰, which is the largest number of fires registered in one year to date.

50 <https://www.danas.rs/vesti/drustvo/prosle-godine-izbilo-1715-pozara-na-smetlistima-sirom-srbije/>

Strategic and Legislative Framework

The waste management strategy for the period 2010–2019 expired in 2019, and a new strategic document regulating waste management was not adapted until January 2022.

On September 15, 2021, the Economic and Finance Committee of the Government of the Republic of Serbia adopted a Conclusion with a Public Debate Program on the Draft Waste Management Program in the Republic of Serbia for 2021–2024, which made this strategic document available to the public.

During the public debate on the Draft Waste Management Program in the Republic of Serbia for 2021–2024, Articles 6, 7 and 8 of the Aarhus Convention, which define public participation in making plans, programs and policies related to the environment and public participation procedures, were violated, which resulted in qualified public participation during the preparation of implementation processes and legally binding normative instruments not being enabled. Additionally, after the analysis of the proposal for the waste management program in the Republic of Serbia for the period 2021–2024, the process of drafting the document was called into question, because an *ex-ante* analysis of the effects of regulations prescribed by the Law on the Planning System of the Republic of Serbia⁵¹, as well as the obligation to carry out a strategic impact assessment for plans, programs, foundations and strategies in the field of waste management prescribed by the Law on Strategic Environmental Impact Assessment was not fulfilled.⁵² After the public debate was completed, this document was withdrawn from procedure and on December 22, 2021, the Economic and Finance Committee of the Government of the Republic of Serbia adopted the Conclusion with the Public Hearing Program on the Draft Waste

51 "Official Gazette of RS", no. 30/2018.

52 "Official Gazette of RS", no. 135/2004 and 88/2010.

Management Program in the Republic of Serbia from 2022 to 2031, which returns the process of establishing the strategic framework into line with the Law on the Planning System of the Republic of Serbia.

One of the most important changes brought by the Draft Waste Management Program in the Republic of Serbia for the period 2022 to 2031 is a transition from the concept of regional sanitary landfills to the concept of regional recycling centers, as well as the introduction of a deposit system. Furthermore, the Draft Proposal also refers to the Directive on single-use plastics in European Union (EU) member countries. However, some single-use plastic products are not banned in the Draft Proposal, nor does it ban use of bags with additives that contribute to the creation of microplastics, which are banned in the EU.

The report on the Public Debate on the Draft Waste Management Program in the Republic of Serbia for the period 2022 to 2031 showed great public interest in the content, which received 119 comments from business entities, professional associations and non-governmental organizations. After the public debate, the Program was officially adopted by the Government of the Republic of Serbia on January 28, 2022, which gave Serbia, after more than two years, a strategic framework in the field of waste management. Work on developing an Action Plan for the implementation of this program for the period 2022-2024 started during March 2022 and, after a public presentation and consideration of comments on its content, it was adopted on April 28, 2022.⁵³

In addition to this program, on the same day (December 22, 2021), the same Committee adopted a Conclusion with a Public Debate Program on the Draft Circular Economy Development Program in the Republic of Serbia for the period 2022-2024, which made this document available to the public. The Report on the Public Debate on the Draft Circular Economy Development Program in the Republic of Serbia for the period 2022-2024 also showed great public interest in the content, which received 96 comments from business entities, professional associations and non-governmental organizations. The adoption of this program is expected in 2022.

⁵³ The comment refers to the period after the reporting period, and was added due to the importance (i.e., topicality) of the event for the period covered by the report.

On October 13, 2021, the Economic and Finance Committee of the Government of the Republic of Serbia adopted the Conclusion with a Public Debate Program on the Draft Law on Amendments to the Law on Waste Management, which made the proposed amendments to the Law available to the public. Unfortunately, the Report on the Public Debate on the Draft Law on Amendments to the Law on Waste Management was not published, so it is impossible to determine the level of interest and success of the public debate. During the online presentation of the program, the number of participants was limited, so, at the public's request, the online presentation was repeated.

In line with the new Draft Law on Waste Management⁵⁴, operators of waste mobile plants may now treat all types of waste, including R1 operations, which include the use of waste primarily as fuel or other means of energy production. This change means that mobile plants will be able to use waste as fuel or for energy production, which is unacceptable, because this introduces a new technology for waste treatment without additional explanations or by-laws that would regulate the operation of these plants in detail and ensure the prevention of environmental pollution and negative impacts on public health.

Additionally, the new Draft Law on Waste Management extends the storage period for hazardous waste from 12 months to 36 months. This change will require increasing the capacities of waste producers' temporary waste storage facilities, and will enable the accumulation of hazardous waste in one location, which may lead to endangering the environment. This does not benefit the waste producers themselves, as it will increase their waste management costs.

The amendments to the Law on Waste Management also include changes to the article on the thermal treatment of waste. In order for waste to be incinerated, by-laws defining the permissible limit values of emissions of polluting substances into the air and water must be adopted.

Pursuant to the Law on Waste Management, the Minister of Environmental Protection amended two important rulebooks: the Rulebook on the form of

54 Overview of the provisions of the Law on Waste Management being amended, available at: <https://www.ekologija.gov.rs/sites/default/files/inline-files/Pregled%20odredaba%20u%20Zakonu%20o%20upravljanju%20otpadom%20koje%20se%20menjaju%20-%202.pdf>

daily records and the annual report on waste with instructions for filling them out⁵⁵, and the Rulebook on categories, testing and classification of waste.⁵⁶

The Draft Law on Waste Management changed the names of planning documents – instead of the term *strategy* the term *program* will be used. Programs will be compiled every three years, which is in collision with the newly adopted Waste Management Program covering the period 2022-2031.

Taking all the above into account, a logical solution would be to create a new draft of amendments to the Law on Waste Management. However, considering the scope of the changes, the best option would be to draft a new Law on Waste Management, which would be adopted with a broad social dialogue and ensure that this long-neglected area moves forward from its current deadlock.

One of the key activities to be carried out in the coming period is improving human, institutional and organizational capacities for the implementation of planned activities, in the governmental, civil and private sectors.

As the above regulations were being adopted, non-governmental organizations were very active, and tried to improve strategic documents at various levels and proposed new public policy texts. One of the successful examples is the Textile Waste Reduction Program for the period 2021-2030, which was prepared for the City of Belgrade, in cooperation with a large number of interested parties, by the Environment Improvement Center, with its provisions adopted as part of the Local Waste Management Plan of the City of Belgrade 2021-2030⁵⁷, adopted in June 2021. In addition, as part of the "Green Incubator" project, which is implemented with the support of the EU by the Belgrade Open School, Young Researchers of Serbia and the Environment Engineering Group, a methodology for monitoring activities in this area at a local level was developed and a study was compiled on "The Initial Foundations for the Transition to a Circular Economy" for 40 local communities in Serbia.

55 "Official Gazette of RS", no. 79, dated August 6, 2021

56 "Official Gazette of RS", no. 39, dated April 21, 2021

57 <https://www.slistbeograd.rs/pdf/2021/47-2021.pdf#view=Fit&page=1>

The Implementation of Regulations

In December 2021, the Environmental Protection Agency published the Report on Waste Management in the Republic of Serbia for the period from 2011 to 2020⁵⁸, which provides a more detailed overview of the situation in this area.

Based on the Report, it can be concluded that no significant progress has been made in the implementation of regulations and that the majority of collected municipal waste continues to be dumped in unsanitary and illegal landfills.

The number of facilities reporting on waste generation is gradually increasing, and from 2011 to 2020, it increased by a little over five times. Between 2011 and 2019 the number of reports from facilities involved in waste management also constantly increased. In 2020, there was a slight increase in reporting by waste reuse operators compared to the previous year, while the number of operators who reported on the disposal, import and export of waste decreased slightly. In 2020, there was a slight increase in the total number of reports compared to the previous year.

The amount of waste generated in 2020 continued to grow, amounting to 1.8 tonnes per inhabitant per year, indicating that unless serious measures are taken to reduce the amount of waste being generated and promote its reuse, this trend can be expected to continue in the years to come.

It continues to be impossible to determine the exact amount municipal waste that is collected and deposited by the majority of local governments, because there is no established measurement system or adequate infrastructure. The majority of local governments that submit reports to the Environmental Protection

58 Ministry of Environmental Protection, Environmental Protection Agency (2021): Waste management in the Republic of Serbia in the period from 2011 to 2020, available at: http://sepa.gov.rs/download/UpravljanjeOtpadomRS_2011_2020.pdf

Agency base their data on different assessment methods. Additionally, most PUCs fail to perform their legal obligations in accordance with the Rulebook on the methodology for collecting data on the composition and quantities of municipal waste on the territory of local self-government units⁵⁹, and instead base their data on the composition of municipal waste on estimates. Some local self-governments continue to fail to submit reports on the composition and quantities of municipal waste on their territories, with no consequences or legal sanctions for this failure to comply with the law.

In 2021, 11 sanitary landfills were active in Serbia, in addition to the Vinča landfill, which is currently operating on a trial basis.

Although the amount of waste deposited in sanitary landfills increases every year, the largest portion of collected municipal waste is still dumped in unsanitary landfills – dumping grounds (based on reports from 144 local governments, there are at least 138 dumping grounds in Serbia). Additionally, it is estimated that there are over 3,000 illegal landfills in Serbia, which exist because municipal waste collection systems do not cover the entire territory, and that the existing regulatory mechanisms have proven unable to prevent illegal waste disposal.

The practice of mixing hazardous household waste with non-hazardous waste is still widespread, and there are no indications that this behavior will be sanctioned in the near future, regardless of the fact the Law strictly prohibits it.

In 2020, the most exported secondary raw materials were metals (282,369 t), paper and cardboard (82,323 t) and glass (19,029 t), while the most imported secondary raw materials were paper and cardboard (129,617 t), metals (21,759 t) and plastic (17,636 t). Special attention should be paid to solving the problem of the amount of paper and cardboard that is exported and imported, taking into account the existing capacities for processing paper and cardboard in Serbia, and the consequences that the transport of these raw materials has on climate change.

59 "Official Gazette of RS", no. 61/2010, 14/2020.

In 2020, approximately two million tonnes of waste were disposed of, of which 11,600 tonnes were hazardous waste. Hazardous waste was mainly disposed of at industrial waste landfills, where 11,389 tonnes of hazardous waste were deposited, while 269 tonnes were disposed of at regional landfills with a permit for hazardous waste disposal. The hazardous waste disposed of at the industrial waste landfill is mainly sludge and filter cakes containing hazardous substances.

The register of permits issued for waste management at the end of November 2021 contained 2,509 valid permits, which is slightly more than in the same period of the previous year. During 2016, as part of the National Register of Pollution Sources, a Register of revoked permits for waste management was created. By the end of November 2021, a total of 139 revoked permits were recorded.

Packaging waste

In 2020, 1,918 companies were included in systems for managing waste packaging. An additional 248 companies (identified from reports they submitted to the regulator on the amount of packaging they placed on the market of the Republic of Serbia) were operating outside of these systems.

The General and Specific National Goals for the Republic of Serbia in 2020 have been met for the reuse of packaging waste, with 62.6% being reused, as well as for the recycling of packaging waste, with 60.0% being recycled. The Specific goal prescribed by the Regulation for 2020, which stands at 62.2%, has been reached.

Special waste streams

The Law on Fees for the Use of Public Goods⁶⁰ prescribes which products become special waste streams after use and the amount of fees for these products, as well as the method and deadlines for submitting annual reports.

60 "Official Gazette of RS", number 95/2018 and 49/2019.

The number of companies that have submitted a report on products that become special waste streams after use until November 30, 2021, is recorded in the database of the National Register of Pollution Sources. For 2020, 9,482 companies submitted a report on products that become special waste streams after use.

According to the data of the National Institute of Statistics, in 2020 56.3 million tonnes of waste was produced by agriculture, forestry and fishing, mining, processing industry, electricity, gas and steam supply, water supply and waste water management, construction and service sectors in Serbia, of which 79.9% was non-hazardous waste and 20.1% hazardous waste. The largest share of hazardous waste was generated by the mining sector (24.6%).⁶¹

61 <https://www.stat.gov.rs/oblasti/zivotna-sredina/otpad-i-opasne-hemikalije/>

Financing

In the coming period, large investments in municipal waste management systems are expected, which will largely come through loans from the EBRD, the "Clean Serbia" program, and from KfW. Additional funding for these investments is expected to be provided through PA funds and the republic budget.

The degree of transparency of these investments varies from source to source. It is therefore necessary to provide support to civil society to track these investments and report on them to the public.

The fees paid by citizens and legal entities for municipal waste services, in most cases, do not cover waste management costs. To make up the shortfall, most municipal waste management systems are subsidized by local self-governments. The cost of waste management is still not determined by the real cost, which hinders the further development and improvement of the waste management system.

The inability of competent institutions to prevent the creation of illegal landfills is costing the citizens of Serbia very dearly. In 2021, RSD 74,985,999.02 was invested in 43 municipalities from the budget of the Ministry of Environmental Protection through a public call for co-financing projects to prevent illegal dumping and remove dumping grounds, which were primarily used for clearing illegal landfills.⁶² RSD 80,000,000.00 is planned for a public call with the same purpose in 2022. This is only part of the funds spent on clearing illegal landfills, while some local self-government units also allocate funds for this purpose from their budgets.

62 Decision on establishing the final ranking list of projects according to the Public Call for co-financing projects to prevent illegal dumping and remove dumping grounds in 2021 | Ministry of Environmental Protection, available at: <https://www.ekologija.gov.rs/informacije-od-javnog-znacaja/konkursi/odluka-outvrđivanju-konacne-rang-liste-projekata-po-javnom-konkursu-za-sufinansiranje-realizacije-projekataprevencije-nelegalnog-odlaganja-otpada-i-uklanjanje-u-2021-godini>

Due to the availability and accuracy of data provided by the City Administration for Environmental Protection of Novi Sad, it can be determined that the City of Novi Sad spent RSD 36,240,456.00 from the Budget Fund for Environmental Protection on cleaning and rehabilitating public areas in 2020. These funds were used for the rehabilitation of illegal landfills and public areas, removing 1,831.70 tonnes of waste.⁶³ This means that the residents of Novi Sad paid for the cleaning and rehabilitation of waste from public areas in the amount of RSD 19,785.15 per tonne (about 169 EUR/t), which far exceeds the costs of collecting, transporting and depositing waste at a sanitary landfill, let alone the unsanitary landfill – dumping ground that exists in Novi Sad.

63 City Administration for Environmental Protection (<http://www.environovisad.rs>)

Recommendations



Strategic and Legislative Framework

- 1.** Build partnerships with civil society and the business sector when adopting regulations, and establish clear communication with the public.
- 2.** Improve the legal framework in order to enable the effective application of the principle of extended liability and the “polluter pays” principle.
- 3.** Harmonize regional and local waste management plans with national level strategic documents.
- 4.** Adopt the waste sludge management strategy in Serbia.
- 5.** Adopt the Draft Waste Prevention Plan.
- 6.** Involve industry in the application of the circular economy.
- 7.** Adopt a regulation that will regulate the delivery of hazardous waste by natural persons to authorized operators.
- 8.** Adopt a new Law on Waste Management.



The implementation of regulations

- 9.** Prevent the creation of new illegal landfills by expanding the coverage of municipal waste collection to 100% and increasing inspection supervision.
- 10.** Introduce an obligation to monitor water, air and soil at all municipal waste landfills to prevent the occurrence of fires and environmental pollution.

- 11.** Raise public awareness of the importance of establishing a waste management system and the consequences of inappropriate waste management on public health and the environment.
- 12.** Provide for appropriate management of hazardous waste generated in Serbia in anticipation of the expected ban on exporting hazardous waste.
- 13.** Provide capacities for treatment or permanent storage of hazardous waste, in cases where that waste cannot be treated.
- 14.** Introduce more intense inspection supervision of the implementation of the Law on Packaging and Packaging Waste.
- 15.** Create a bespoke methodology for collecting and sending data to the Republic Statistical Office and the Environmental Protection Agency and ensure the reliability of the data obtained.
- 16.** Systematically organize textile waste management. Organize separate collection of textile waste and ensure that collected textile waste does not end up in landfills or incinerators.
- 17.** Ensure the implementation of the Law on Waste Management in practice.
- 18.** Ensure that the quantities of collected municipal waste are measured and its morphological composition determined by monitoring the implementation of the Law on Waste Management, supporting the procurement of the necessary scales at unsanitary landfill sites, and providing training for employees at utility companies to apply the Rulebook on the methodology for collecting data on the composition and quantities of municipal waste in the territory local self-government units.⁶⁴



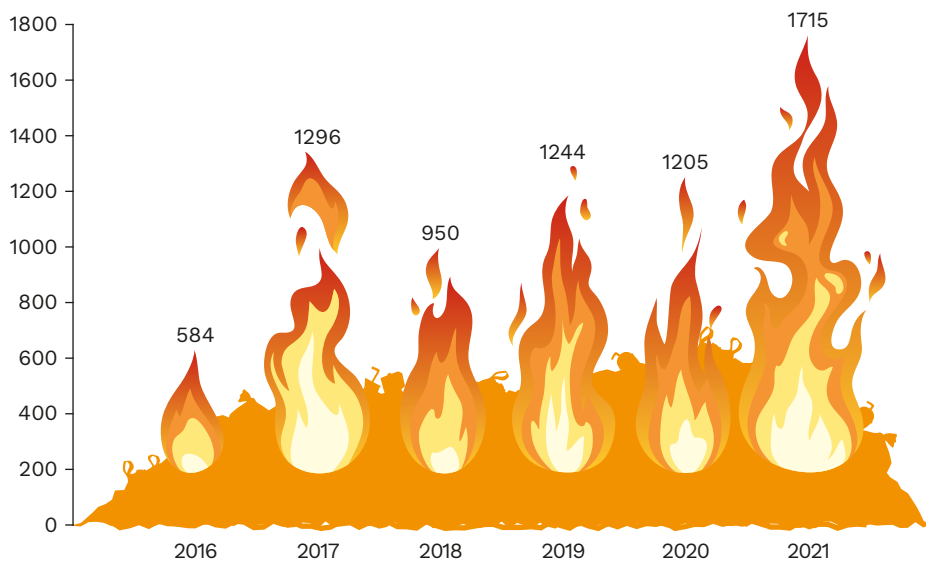
Financing

- 19.** Introduce economic instruments to reduce the amount of waste that ends up at landfills without treatment.
- 20.** Introduce a deposit system for a portion of packaging waste.
- 21.** Introduce umbrella insurance for hazardous waste operators so that the insurance covers the costs of hazardous waste remediation and resulting damages if an operator's license is revoked.
- 22.** Adopt a by-law to define fees for importing medicines and placing them on the market due to the possibility that these medicines will become hazardous waste after their expiration date.
- 23.** Ensure transparency and easy availability of data on the costs of building infrastructure in the waste management sector (regional centers, landfills, equipment, etc.) and sources of financing.
- 24.** Ensure realistic financing of the costs of collection, transportation, treatment and disposal of waste, according to the "polluter pays" principle.
- 25.** Ensure that waste management costs are included in the price of products and services, in order to avoid shifting costs from consumers to citizens.
- 26.** Provide capacities and political will to use available EU funds and grants instead of credit arrangements for infrastructure construction.

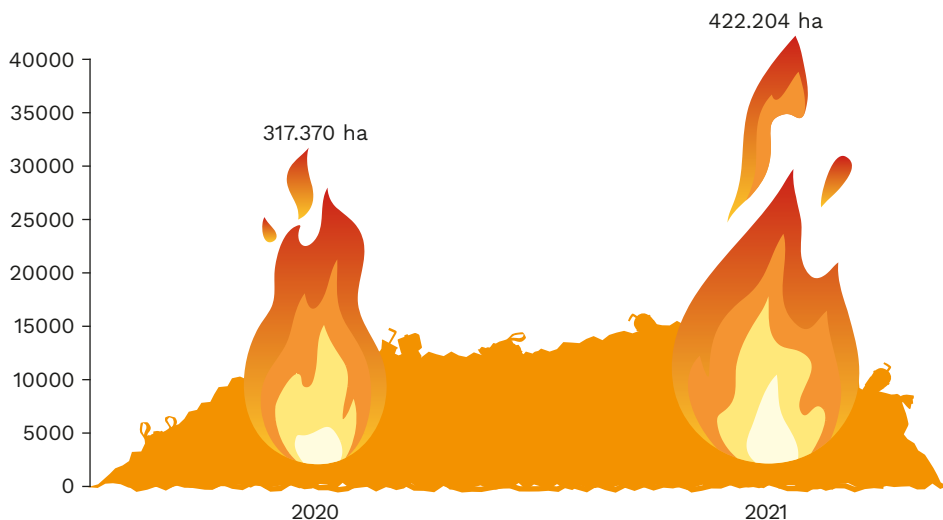


WASTE MANAGEMENT

NUMBER OF LANDFILL FIRES



AFFECTED LANDFILL AREA



* Source: MUP RS - Sector for Emergency Situations

