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THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Second Review Synopsis



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The United Nations issued the first Environmental Performance Review of the former Yugoslav Republic of Macedonia (Environmental Performance Reviews Series No. 17) in 2002.

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Preface

The second Environmental Performance Review (EPR) of the former Yugoslav Republic of Macedonia began in May 2010 with a preparatory mission. During this mission, the final structure of the report was discussed and established. A review mission took place from 25 January to 3 February 2011. The team of international experts taking part included experts from Bulgaria, Germany, Portugal and the United States of America, as well as from the secretariats of the United Nations Environment Programme (UNEP), the World Health Organization (WHO) and the United Nations Economic Commission for Europe (UNECE).

The draft EPR report was submitted to the former Yugoslav Republic of Macedonia for comment and to the Expert Group on Environmental Performance for consideration in April 2011. During its meeting on 4 May 2011, the Expert Group discussed the report in detail with expert representatives of the Government of the former Yugoslav Republic of Macedonia, focusing in particular on the conclusions and recommendations made by the international experts.

The EPR recommendations, with suggested amendments from the Expert Group, were then submitted for peer review to the special session of the UNECE Committee on Environmental Policy on 26 May 2011. A high-level delegation from the former Yugoslav Republic of Macedonia participated in the peer review. The Committee adopted the recommendations as set out in this report.

The Committee on Environmental Policy and the UNECE review team would like to thank the Government of the former Yugoslav Republic of Macedonia and its experts who worked with the international experts and contributed their knowledge and assistance. UNECE wishes the Government of the former Yugoslav Republic of Macedonia further success in carrying out the tasks involved in meeting its environmental objectives, including the implementation of the recommendations in this second review.

UNECE would also like to express its appreciation to the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety and to the German Federal Environment Agency for their support to the EPR Programme through the Advisory Assistance Programme for Environmental Protection in the Countries of Central and Eastern Europe, the Caucasus and Central Asia; to the Governments of Portugal and the United States of America for having delegated their experts for the review; to UNEP and WHO, and the United Nations Development Programme for their support of the EPR Programme and this review.

Executive summary

The first Environmental Performance Review (EPR) of the former Yugoslav Republic of Macedonia was carried out in 2002. This second review intends to measure the progress made by the country in managing its environment and in addressing upcoming environmental challenges since the first EPR.

To fight its difficult economic situation, after gaining its independence in 1991, the former Yugoslav Republic of Macedonia carried out regulatory and structural reforms in order to correct its macroeconomic instability and facilitate the transition to a market economy. The Government's stabilization programme, initiated at the end of 1994 with the assistance of financial institutions and international donors, succeeded in restoring economic stability. In the mid-1990s gross domestic product (GDP) growth began to pick up. GDP grew 15.4 per cent between 1996 and 2000, but this development was disrupted by the 2001 internal conflict.

The Government pursued a range of economic reforms which were aimed at stimulating economic growth and improving the living standards of the population through development of the private sector; improvement of the investment climate and greater job creation. GDP growth again turned positive in 2002, and a strong 4.5 per cent annual average growth continued until 2008. Sustained growth and economic stability with low inflation rates came to an end during the exceptional year 2008, with the international financial crisis. The country experienced sudden and steep recession in 2009, when GDP went from 5 per cent to 1 per cent growth, and ended the year with decreasing foreign direct investment (FDI), reduced credit, and a drop in exports.

POLICYMAKING FRAMEWORK FOR ENVIRONMENTAL PROTECTION AND SUSTAINABLE DEVELOPMENT

The country has made considerable progress in strengthening environmental legislation and policies since the first EPR. Due to the high priority placed on transposing EU legislation, the former Yugoslav Republic of Macedonia has put emphasis on the drafting and updating of its legislation and policies to meet EU requirements.

This progress, however, means that most of the already limited financial and human resources are mainly devoted to making rather than implementing policy. Indeed, the recent EU assessment as part of the integration process confirms that the country is moving in the right direction, but a lot still needs to be done to improve implementation and to meet EU environmental standards. For example, the National Strategy for Sustainable Development (NSSD) represents a valuable guiding document for the country, but has not yet been implemented.

A positive development is the ongoing decentralization process. This process, among other things, increases the responsibilities of municipalities in environmental management. One way to ensure the effectiveness of decision-making at the local level is through the adoption and updating of the necessary strategic and planning documents at the local level, especially Local Environmental Action Plans.

At the same time, increased responsibilities are often matched only by limited resources and capacity at the local level. This mismatch is unlikely to be bridged in the future, unless the Ministry of Environment and Physical Planning (MoEPP) is able to ensure qualitative supervision and assistance to municipalities during the decentralization process.

COMPLIANCE AND ENFORCEMENT MECHANISMS

Since the first EPR, the Government has focused on improving compliance by, among other things, strengthening enforcement. To this end, the Environmental Inspectorate and other enforcement bodies have been strengthened, a credible enforcement record is being created and efforts are made to ensure that fines and other sanctions are effectively applied.

In accordance with the Law on Environment, various instruments for environmental management have been introduced since the first EPR. These include environmental impact assessment (EIA), strategic environmental assessment (SEA), integrated pollution prevention and control (IPPC), prevention and control of major accidents involving hazardous substances and environmental monitoring systems.

Further work is needed in order to apply effectively these instruments. To improve the quality of SEA and EIA documentation, professional services preparing such documentation need further specialized training courses and practical exercises. Environmental concerns are still not covered in the phase of identification of the interaction between project activities and impacts on human, economic and social life.

EIA follow-up activities need to be strengthened in order to better monitor and evaluate the impacts of a project or plan. The list of control actions could include site visits to verify documents and assess whether measures taken are effectively preventing, reducing or eliminating adverse environmental impacts.

The current trend of accelerating the decentralization process puts additional stress on local government. Therefore, in order to strengthen the national environmental management system, it is important not only to reinforce the central administration but also to increase the implementation capacity of local authorities and to develop solid links between the two.

MONITORING, INFORMATION, PUBLIC PARTICIPATION AND EDUCATION

Since the first EPR the country has made progress in developing a centralized, strategic monitoring programme; in further developing a national environmental information system; and in improving collection of data on discharges of pollutants. Specifically, the former Yugoslav Republic of Macedonia strengthened the legal and regulatory basis for environmental monitoring, especially on air pollution, with the adoption of the Law on Environment and laws and by-laws on specific environmental media. At the same time, it increased the number of stations under the State Automatic Monitoring System for Air Quality from 4 to 15. These stations measure key air pollution parameters, including ground-level ozone, fine particles (PM_{2.5}), coarse particles (PM₁₀), ozone (O₃) and heavy metals. A total of 18 hydrological stations that monitor nearly all surface water going to neighbouring countries were upgraded and automated.

However, more still needs to be done by the Government as a whole and by individual public authorities to make environmental monitoring an effective information and policy tool. For example, the number of air quality stations in the country is insufficient, further modernization of water monitoring stations is necessary and a lake monitoring programme is yet to be adopted. There is a general lack of data on urban wastewater quality and on the quantity and quality of industrial wastewater. Observation and examination of groundwater is also not performed systematically.

Furthermore, coordination and cooperation between institutions managing environmental data in the country remains unsatisfactory. Many institutions manage a large amount of small, unconnected and unsynchronized databases. No harmonized criteria and standards for the design of environmental information systems and reliability of data management methods have been established. There is no real-time access to data via the Internet.

At the same time, despite the requirements of the Law on Environment and obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the country has not published a national state-of-the-environment (SoE) report since 2000. Although, pursuant to the same law, the publication of regional SoE reports remains optional, no such reports appear to have been published or planned so far. MoEPP is currently revising a Rulebook on the Content of the State of Environment Report that was adopted in 2006 but has never been applied.

The country has also made some progress in the area of environmental education and training. For example, the Law on Environment has provisions to ensure that every curriculum for primary or secondary schools contains teaching methods and issues in the field of environment. In practice, however, mandatory and optional training in environmental issues in schools are insufficiently linked and coordinated, precluding the interdisciplinary approach necessary for understanding environmental issues. There is no training in the State universities of specialists in environmental areas, such as environmental monitoring, management and law. Moreover, the country does not yet have an institutional platform where the Ministry of Education and Science and MoEPP could discuss environmental education issues.

IMPLEMENTATION OF INTERNATIONAL AGREEMENTS AND COMMITMENTS

Since the first EPR the former Yugoslav Republic of Macedonia has taken major steps to strengthen its participation in international environmental cooperation. It has acceded to nearly all important global and regional environmental agreements. Despite the progress achieved, the country has not yet ratified the Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Ratification of the Convention is important for the protection of the country's transboundary waters, especially as regards the cross-border aspects of water management in the river basin of the Vardar River and Lake Dojran.

However, some challenges remain to effectively implement and comply with the obligations of some multilateral environmental agreements (MEAs), especially those that were recently ratified. MoEPP has been designated as the national focal point and competent authority for most of the ratified regional and global environmental conventions. However, some of the departments and units responsible for specific environmental conventions do not always have sufficient capacity to ensure compliance with the conventions' obligations.

In order to accelerate the progress of the accession process, the Government recognizes the importance of maximizing the impact of available external assistance, increasing its effectiveness and ensuring greater ownership by further strengthening the national coordination mechanism. EU assistance through the Instrument for Pre-Accession Assistance (IPA) has become a predominant source of development assistance in recent years. The environment is a priority area in IPA planning. In 2008 and 2009, donor meetings were held and it was proposed to introduce a programme-based approach (PBA) in five selected sectors, including agriculture and environment, in order to further strengthen and improve coordination mechanisms aimed at increasing the effectiveness of external assistance.

Yet challenges still remain in the coordination and streamlining of investment activities in the environment sector. Coordination between ministries and stakeholders regarding planning and selection of environmental projects in line with national priorities is rather poor. Within MoEPP, internal coordination among the departments is often weak when it comes to the development of project proposals. Units within MoEPP which are responsible for planning, implementation, monitoring and evaluating projects do not have sufficient capacity to deal with the growing number of projects.

ECONOMIC INSTRUMENTS AND EXPENDITURE FOR ENVIRONMENTAL PROTECTION

Since the first EPR, the country has made some progress by introducing a large number of economic instruments in its primary and secondary legislation. There is a need, however, to improve the way these instruments are used. Some of the environmental economic instruments do not provide an incentive for environmental behaviour change. Many instruments are not effective either because the charge base is not correct — the charge level is either too low or non-existent — or the charge is not collected at all.

Often, payments are merely used as revenue collection instruments, even when there might be a possibility to change consumption patterns at the same time. The excise tax based on the value of the car is not an environmental tax, although it could become one if the tax were based on engine emissions. Similar problems hinder the environment-related pricing processes for water provision and wastewater.

An important issue is to make the provisions on economic instruments of existing laws operational. The Ambient Air Law has provisions for air emission charges, but the air emissions charge rulebook, where charges are defined, is missing and as a result the otherwise well-defined environmental law cannot be used.

Municipalities have to make important and complicated decisions when deciding on the water and waste charge tariff levels. They also have to deal with social and equality concerns while taking into consideration the local political situation when issuing tariffs. Municipalities do not necessarily have sufficient expertise to solve issues like this on their own.

PREVENTION AND CONTROL OF ENVIRONMENTAL POLLUTION

The 2005 Law on Environment, with its provisions on integrated pollution prevention and control, has contributed to a considerable improvement in environment management. Before the introduction of the Law, there were no permits for air emissions or for solid waste production. Companies dealing with chemicals had permits for import and use, but not for disposal of products. Following the adoption of the law, companies need to have an integrated environmental permit (IEP) describing obligations, such as limit values of emissions into the air or water, as well as solid waste management procedures, a deadline for adjustments to operational plans to comply with legislation, and reporting obligations.

Despite this positive step, the capacity at the central and local level to process applications and monitor their implementation is still limited, and as a result the applications of some larger emitters (energy production and metal industry) are not yet processed. Some MoEPP units have no staff to meet their obligations, while others have very limited staff. Municipalities have extended responsibilities on environmental management, but are even more understaffed. A great deal of effort is needed to strengthen central, regional and municipal administrative structures

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