



Brussels, 2 December 2008

Summary Note

ENVI Committee delegation to the former Yugoslav Republic of Macedonia, 29-31 October 2008

1. Composition and objectives of the delegation
2. Preparatory briefings and identified problems
3. Meetings and visits
4. Conclusions

1. Composition and objectives of the delegation

The main objective of the delegation was to learn more about the state of play of implementation of EU Environmental, Health and Food Safety legislation in the former Yugoslav Republic of Macedonia.

The delegation consisted of three members. It was chaired by Mr John Bowis (United Kingdom, EPP-ED) and also included Mr Nicodim Bulzesc (Romania, EPP-ED) and Mrs Mojca Drčar Murko (Slovenia, ALDE). The delegation was accompanied by Mr Siegfried Breier and Mrs Tina Ohliger (Environment Committee secretariat) as well as by Mr Thierry Masson (ALDE group staff).

2. Preparatory briefings and identified problems

Before departure the delegation was briefed by the European Commission (Mr François Delcœur, DG Environment) about the situation in the former Yugoslav Republic of Macedonia with regard to the implementation of environmental legislation.

It was concluded that the basic elements of a legislative framework were in place, but a huge amount of implementing legislation still needed to be developed. A major problem seemed to be that the administrative capacity was still largely insufficient, in particular at local level. Furthermore the Ministry of Environment was weak in relation to other ministries and environmental protection was still seen as a secondary priority within the wider government.

The situation was made worse by the distribution of responsibilities for environmental issues across several ministries and institutions. Finally, the lack of environmental investments at suitable levels to solve huge infrastructure needs related to waste management, water management, etc. was a major obstacle.

The delegation also received several written briefing notes: A background note on the environment from DG ENV and one from the European Environmental Agency, a country profile from the EC, as well as two studies from the policy department: one on the environment and one on the food safety and public health situations in the former Yugoslav Republic of Macedonia.

3. Meetings and visits

Briefing at the European Commission delegation in Skopje

The delegation was welcomed by Mr Erwan Fouéré, Head of the EC delegation and the EU mission in Skopje (merged under one roof in November 2005), who described the political situation and more specifically the environmental performance of the country. He stated that the country had a good legislative record but a very limited one as far as implementation was concerned. Participants were made aware of the difficult political dialogue and the violent elections to a new government in summer. The problem of continuity after each election was mentioned, as well as the general lack of administrative capacity in the ministries and at local level, going together with a lack of resources and missing budgetary provisions as the basic problem for implementation.

Teodora Andreeva, environmental desk officer at the EC delegation, gave an overview over the Commission financing for the country under the CARDS programme and from IPA (Instrument for Pre-Accession), managed by the European Agency for Reconstruction (EAR) until end of 2008, among which one project in preparation for a waste water treatment plant in Prilep.

Meeting with Members of the Committee on transport, communication and environment of the Assembly in the Constitutional Hall

The delegation was received in the Constitutional Hall of the Assembly by Mr Tito Petkovski (Opposition party, New Social Democratic Party (NSDP)), Chairman of the committee on transport, communication and environment, the vice chair, Mr Andrej Petrov (Social Democratic Union Macedonia (SDSM, opposition party)) and five more members of the committee (Tome Danevski, Kosana Nikolik Mazneva and Katerina Dimeska from the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VMRO-DPMNE, government coalition), Jovan Lazarev, Socialistic Party of Macedonia (SPM, government coalition) and Tome Chingovski (Social Democratic Union Macedonia (SDSM)) to discuss national and EU environmental policy.

It was confirmed that the legal framework for the environment had been completed, but that by-laws for implementation still had to follow. The National Strategy for sustainable development was planned to be adopted towards the end of the year. Members of the committee reported that in the field of environment still many problems persisted, among which the biggest were the heavy metallurgy, the non-existence of purification for waste water and the missing investments for building and maintaining of environmental infrastructure. They stated that the key problem

however was enforcement, for which they hoped for a good cooperation with NGOs and the economy. Committee members also confirmed the general problem of priorities within government and ministries, also in terms of (distribution of) financing. Concerning environment inspectors, the delegation heard that people were not used to strict monitoring, but that NGOs would do a good job raising awareness. The delegation was told that EU laws had priority on the agenda, but also that there was a general feeling that the EU would become stricter and stricter. It was lamented that the screening exercise had not yet begun.

Dinner at the Banquet Hall of the Assembly with members of the committee

Discussions continued informally during the dinner hosted by Mr. Andrej Petrov, Vice Chairman of the committee in the Banquet Hall of the Assembly.

Meeting with Mr Nedzati Jakupi, Minister of Environment and Mr. Mile Jakimovski, Head of Administration of Environment and Mrs. Ohrideja Neceva-Petrova, Head of State Environmental Inspectorate and Ms Jadranka Ivanova, Head of Department for EU affairs, in the presence of Mrs Sonja Lepitkova (Deputy Minister), Mrs Lidija Zafiroska (State Secretary), Mr Bekim Abdulaji (Adviser to the minister), Mrs Kaja Sukova (Head of Department for Sustainable Development) and Mrs Gordana Kozuharova (Head of Department for Cooperation and Project Coordination) to discuss national and EU environmental policy, especially on implementation, enforcement and monitoring of environmental law.

The Minister of Environment, Mr Jakupi, welcomed the delegation and gave a general introduction. During his speech, he pointed out that there were many polluters but not many had licences yet due to a shortage of staff in the departments issuing licences. However, he underlined that those installations were monitored in the same way as licensed installations. The level of emissions in all plants would be monitored by a laboratory which would enable them to give sanctions or, as a last option close down an installation like had happened to a smelter. The Minister spoke of a good cooperation with companies.

A presentation given by Ms Jadranka Ivanova, Head of Department for EU affairs, on the country's way to EU accession followed. She presented the organizational set up of the Ministry of Environment and Physical Planning (MoEPP), as well as the framework laws that had been established so far (Law on Environment, including horizontal legislation on SEA, EIA, access to information, public participation in decision making, eco labelling, EMAS, Seveso and IPPC; Law on Ambient Air Quality, Law on Waste Management, Law on Water, Law on Nature Protection, Law on Chemicals, Law on GMO, Law on Noise Protection), as well as strategic and planning documents also concerning the strengthening of administrative capacities. For 2007-2008 a progress monitoring had been done for the second time, screening 64 directives and regulations.

Mr. Mile Jakimovski, Head of the Administration of Environment, a regulatory body, existing since 1 April 2007 and responsible for the implementation of environmental legislation and the issuing of licences, explained the structure and tasks of the body. They had, for instance, two ongoing environmental impact assessment studies ongoing this year. Mr Jakimovski explained that they were furthermore responsible for treating and issuing IPPC permits. For the total of 125 large polluters 90 requests had been made for A-Adjustment permits and 5 from local authorities for B-Adjustment permits. Mr Mile underlined that they were in great need for staff, education and training, however. Regarding nature protection, one of the areas of competences

of the Administration of Environment, he reported that it was planned to rise the protected area from 7, 4% of the national territory to 12%.

Mrs. Ohrideja Neceva-Petrova, Head of the State Environmental Inspectorate (SEI), a body responsible for enforcement and inspections of installations, explained that environmental inspections were organized on two levels, the central and the municipal level. There were 13 state environmental inspectors and 5 for nature protection on central level, while on municipal level 60% of the 85 municipalities had accepted inspectors. Mrs. Neceva-Petrova stated that the main responsibility of the body was to supervise installations with A- and B- adjustment permits, the main tool being routine and non-routine site visits to the installations. The delegation was told that technical resources were however insufficient and that the SEI had no separate budget.

Presentations and discussions were followed by a short press conference.

Visit of the Information Centre and the air quality monitoring station 'Rectorat'

The delegation learned that the task of the Ministry's Information Centre was to collect, administer and provide easy to understand and scientifically reliable information about the quality and trends in all segments of the environment for decision makers and the general public. During discussions later on, it was pointed out that the country had applied for membership to the European Environmental agency (EEA), however so far in vain, apparently due to reservations by DG Environment and DG Enlargement.

The delegation heard presentations about environment projects managed by the European Agency for Reconstruction and the cooperation with the European Environmental Agency by Mrs. Svetlana Gjorgjeva, Head of the Macedonian Information Centre for Environment; The TWINNING Project on air quality improvement (project partners Finland and Austria) by Ms. Aleksandra Nestorovska-Krstevska, Adviser and the air monitoring system in the Republic of Macedonia by Ms. Aneta Stefanovska, Head of Division for Monitoring.

Afterwards, the delegation went to see the air quality monitoring station "Rectorat" at the State University of Skopje and heard explanations by Mr. Ljupco Grozdanovski.

Lunch hosted by the Minister of Environment and Physical Planning

Informal discussions went on during a lunch hosted by the Minister of Environment and Physical Planning, Mr Jakupi.

Meeting with Dr. Bujar Osmani, Minister for Health

The delegation was welcomed by Dr. Bujar Osmani, Minister for Health and had a discussion on national and EU health policy with him and some of his staff.

Concerning **flu pandemic preparedness**, the Minister reported that the committee for the national strategy on flu pandemic preparedness, which had been guided and checked by the WHO and the ECDC (European Centre for disease prevention and control), was chaired by the Prime minister to underline the importance of the subject. He told that since 2003 there was a national strategy and a centre for crisis management with clear responsibilities. Training for

primary and secondary doctors, as well as for journalists would be provided and information disseminated among the public. The minister underlined that the task would now be to make things operational on local level. He reported that currently 6000 people were covered (out of a population of 2 mill.) and that a tender to cover an additional 6000 was underway. The government recently decided that vaccinations for seasonal flu would be free of charge for people above the age of 60 and children under the age of 18.

As for the number of people with **AIDS**, the minister told the delegation that his country had the lowest rate of AIDS-victims in Southeast Europe, with only 108 cases, unless this was underestimated due to stigma. Risk groups would be drug users and homosexuals.

There were 60 % more **smokers** than the EU average, while a ban to smoke in public places was foreseen as from 2010.

The delegation was told that the country was completely in line with EU **food safety** legislation. As from 1 January 2009, **HACCP** (Hazard Analysis and Critical Control Points) would be implemented and obligatory for domestic products. There would be much exchange of good practice in the region.

2005 a law was passed to transform the **mental health** system, increasing visibility and putting a bigger accent on human rights. The main idea was to switch from institutionalized care to community-based care with social support and a working environment in Community Mental Health Centers. Implementation of the national strategy had started. If a primary practitioner would find a person with mental health problems he would send him or her to a Community Mental Health Centre instead of a hospital and vice versa.

Site visit of the OKTA Crude Oil Refinery located in Ilinden Municipality

The delegation visited the OKTA Crude Oil Refinery in Ilinden Municipality, as an example of how the oil company was trying to mitigate its negative impacts on the environment, a topic of high local importance and very controversial, with a lot of opposition coming from residents.

It was reported that OKTA was the biggest company (and the biggest polluter) in the country, and according to its General Director closely following all European standards. A diesel hydro finer was operational since 2004, and a sulphur recovery unit since June 2008. An application for an IPPC-permit had been requested in December 2006.

A short presentation of the OKTA Refinery, its sulphur recovery unit and the flue gas monitoring facility was given by General Director Mr. Lampros Zogopoulos, CEO; Mr. M. Galitsopoulos, DCEO; Mr. T. Pavlovski, Refinery Director; Mr. L. Eftimov, Manager of Safety, Health and Environment and Mrs. S. Cholakova, Chief Engineer in Safety, Health and Environment.

Meeting with the Mayor of Ilinden Municipality, Mr Zika Stojanovski

The mayor welcomed the delegation, shortly presented the Municipality of Ilinden as a local self governance unit receiving new competences in the field of environment, especially concerning monitoring. For instance regarding IPPC-permits, the mayor pointed out that while the Ministry

of Environment was responsible for the A-permits, the municipalities were for the B-permits. He underlined that know-how, as well as capacities and financial resources were lacking to comply with the new tasks but that they would work together with NGOs and the Ministry to find solutions. The mayor and other representatives from his office (Mr. Stevce Avramovski, President of the Council; Mr. Dejan Bogdanovski, Chief of cabinet; Mr. Dragi Serafimovski and Mr. Branko Stoilkovski, Counsellors from the Council; Mr. Rade Marinkovski, President of the Community Bujkovci; Mr. Bladica Medarovik and Mr. Milivoje Stankovski, Members of coordinative body) described their concerns about the pollution of the OKTA Crude Oil Refinery. They talked about a project for a study on monitoring air, water and soil close to it, for which they were however lacking financial resources. They confirmed that with the installation of the desulphurisation unit after years of protest the situation had become better but that problems still persisted.

Meeting with NGOs at the conference centre of the EC delegation

The delegation met 23 representatives from NGOs to discuss the implementation of national and EU environmental policy and law and to listen to their concerns.

Stole Georgiev from the Center for Local Development, CELOR, in Skopje, confirmed the very good record of legislation in the environmental field but affirmed that problems persisted, in particular with their implementation and enforcement. Furthermore he regretted the lack of funds for the capacity building of NGOs.

Ana Colovik Lesoska, from the Center for researching and informing regarding the environment "Eko svest", named five problematic areas: the lack of separation and treatment of waste, especially of toxic and medical waste, the inabilities of the municipalities to cope with the problem of noise, the claim by the food safety administration that there would be no GMOs on the market, while this was allegedly not true, the constant need for pressure by NGOs concerning environmental impact assessments and strategic environmental impact assessments and the sometimes difficult access to documents, as well as the missing of secondary legislation in this field and the need for funds for the administration and local government projects.

Nesad Adzemovski, from the Center for Education, Nature and Environmental Protection, "Biosfera", confirmed that the main challenge was implementation. He added that the country would function best when under pressure, which is why a date for negotiations with the EU would be highly needed.

Iskra Stojkovska, from the Citizens' Association "Front 21/42" raised the question of validity of data to be able to monitor authorities that do measurements. She criticized that the bylaws for the law on air quality were still from the Yugoslavia of the seventies. She expressed the need for more resources for the state inspectors, as well as for local governments and capacity building of NGOs for them to be able to monitor the implementation of environmental laws.

Site visit of the Community Mental Health Centre Prolet in Skopje

The delegation was welcomed by Dr. Vladimir Ortakov, Head of the CMHC Prolet, a centre which had been established in 2001 and had received funds from the WHO. It was one out of three centres for psychosocial rehabilitation and reintegration of people with severe mental disorders in Skopje. Dr. Ortakov reported that it fell under the responsibility of the Ministry of

Health, whereas he would welcome a shared responsibility between the Ministries of Health, Labour and Social Welfare. After a short introduction of the national mental health system and the Community Mental Health Centre, including their employment strategy and their anti-stigma-campaign, the delegation visited the facilities and met with the residents.

Site visit to Matka Canyon

On the way to Matka Canyon, 15km southwest of Skopje, the delegation met with Mr. Dimitar Rumenkov, Counsellor for communal infrastructure and Mr. Cele Ristovski, Counsellor for communal infrastructure from the Municipality of Gjorce Petrov and heard about the current state of measures taken towards water treatment, especially concerning the Vardar River, running through that municipality.

On the bus, Ms. Kaja Shukova, Head of Department for Sustainable Development within the Ministry for Environment, gave a briefing about the feasibility study of a Waste Water Treatment Plant for the City of Skopje.

Before reaching the Canyon, Ms. Gordana Janakievska from the NGO "Peoni" informed the delegation about the scope and importance of the natural monument Matka Canyon and explained how her NGO was working on nature protection and biodiversity in that area.

On a walk through the canyon to the mountain house "Matka", the delegation got further briefings on the spot by Mrs. Valentina Chavdarova, nature expert from the Department for nature within the Ministry, Mrs. Violeta Drakulevska, Head of Protection of the environment and nature Department, Mrs. Ljiljana Oncevska, Head of Unit for air quality, noise prevention and prevention from non- ionizing radiation and Mr. Dimce Smilevski, Unit for tourism from the City of Skopje and Mr. Aleksandar Nikolovski, NGO "Fagrikom". Discussions continued over a national cocktail snack offered by the City of Skopje at the mountain house.

4. Conclusions

The delegation got a very warm welcome and had many interesting meetings and discussions. It was confirmed by all parties met that the basic legislative framework was in place, whereas implementation and enforcement were the major tasks to address. On all levels, shortcomings in the administrative capacity, a lack of resources and know how were regretted and more staff, training, education and financing were consequently requested.

It appears that these challenges have to be met before major problems like waste or water management or air quality can be addressed sufficiently.

There are plans for further extending the administrative capacities in the field of environment. Likewise there are other promising developments like the concentration of responsibility for water management in the sole hands of the Ministry of Environment and Physical Planning, whereas before it was split among several ministries and institutes.