**Environmental Quality Standards**

*Legal reference*

Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council

**Transposition**

A. Which parts of the Directive have been transposed?

The Law on Water (Official Gazette of the Republic of Montenegro 27/07) is the legal document in which part of the Directive is transposed. The Water Quality Standards Directive is in very early stage of transposition.

Article 2 which states that definitions provided in Article 2 of WFD 2000/60/EC shall be used for the needs of this Directive - definitions of surface water, groundwater, terrestrial waters, water bodies, river basins, good ecological status etc. have been transposed to Articles 5 and 58 of the Law on Water (Official Gazette of the Republic of Montenegro 27/07), which defines the meaning of these expressions, and that there are mandatory qualitative and quantitative water parameters to be followed regarding use and protection of surface waters and ground waters, and that Hydro Meteorological Institute of Montenegro is in charge of that action.

Article 3.1 stating that, in accordance with Article 1 of this Directive and Article 4 of Directive 2000/60/EC Member States apply Environmental Quality Standards for Water Bodies in Surface Waters which are stated in Section A of Annex I of this Directive has been transposed to Article 73 of the Law on Water (Official Gazette of the Republic of Montenegro 27/07) which regulates the goals of protection of water in the area of environment, which are the following:

1) For surface water: - prevention of worsening of status of all surface waters;

- Protection, promotion and renewal of all surface waters;

- achieving a good status of water for artificial and highly modified water bodies;

- protection and promotion of all artificial and highly modified water bodies, with the view to achieving good ecological potential and good chemical status of surface waters;

- accelerated reduction of pollution with priority substances, along with abolition or gradual abolition of emissions, discharges and losses of dangerous priority substances;

2) For ground waters:

- Prevention or restriction of introduction of pollutants into groundwaters and prevention of worsening of status of all groundwater bodies;

- Protection, promotion and renewal of all ground waters and reaching balance in tapping and renewal of ground waters (protection from over – exploitation), with the view to providing a good status of ground waters;

- Reduction of more significant increase of concentration of pollutants resulting from human impact, with the view to progressive reduction of pollution of ground waters;

3) For protected areas:

- Harmonization with the established standards and objectives for certain protected areas.

If there are more goals from Paragraph 1 of this Article, which are stipulated by the General Act, measures intended for reaching priority goal shall apply.

Measures for protection of water from pollution.

Article 58 of the Law on Water (Official Gazette of the Republic of Montenegro 27/07), which stipulates that there are mandatory qualitative and quantitative water parameters to be followed regarding use and protection of surface waters and ground waters, and that Hydro Meteorological Institute of Montenegro is in charge of that action.

B. How and when will remaining provisions be transposed?

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

What has been achieved as regards:

* Application of Environmental Quality Standards for water (laid down in Part A of Annex I) with regard to achieving good chemical status (Articles 2 and 3.1)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

* Application of Environmental Quality Standards for biota for the three substances in Article 3.2(a) or establishment and implementation of water Environmental Quality Standards providing an equivalent level of protection (Part A of Annex I, footnote 9)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

* Establishment and implementation of Environmental Quality Standards in sediment and/or biota for other substances (optional) (Article 3.2(b)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

* Long-term trend analysis (Article 3.3)

Amendments and modification to the Law on Water (2015).

* Designation of mixing zones (optional) (Article 4)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

* Establishment of an inventory of emissions, discharges and losses for pollutants listed in Part A of Annex I (Article 5)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.

* Establishment of an effective monitoring and reporting system
* For the time being, the Ministry of Agriculture and Rural Development shall adopt the Proposal of the Program for Systematic Testing of Quality of Surface and Ground Waters, which is harmonized with the Framework EU Directive on Water (2000/60/EC) and with the following directives: on Dangerous Materials in Surface Waters (2006/11/EEC); on Quality of Surface Waters Intended for Drinking (75/440/EEC, 80/778/EEC, 79/869/EEC and 91/692/EEC); on Quality of Water for Shellfish Farming (2006/113/EEC/, 91/692/EEC) and Directive on Quality of Water for Bathing (2006/7/EEC). Furthermore, with the view to quality assessment for water ecosystem and testing materials from the list of substances, the presence of which is restricted or prohibited in water, the Program is harmonized with Directives 86/280/EEC; 88/347/EEC and 90/415EEC, including LISTE I and II of Directive 2006/11/EEC which refers to mud, sediment and water organisms specific for the environment concerned.

The Government of Montenegro shall adopt the Program for Testing upon the proposal of the Ministry for Agriculture and Rural Development. The Program for Testing is adopted every year.

In accordance with Article 58 of the Law on Water, stating that there are mandatory qualitative and quantitative water parameters to be followed regarding use and protection of surface waters and ground waters, and that Hydro Meteorological Institute of Montenegro is in charge of that action, this institution performs monitoring of surface and ground waters at the annual level.

Testing of qualitative characteristics of water is aimed at determination of surface water rating and their categorization and quality evaluation in comparison with prescribed quality level, which is provided in the Decree on Categorization of Water in Montenegro (Official Gazette of the Republic of Montenegro 2/07). Quality evaluation is determined on the grounds of class of water quality. Class of water quality is determined on the grounds of relevant physical – chemical, microbiological and saprobiological parameters provided in accordance with methodology prescribed by mentioned Decree, as well as necessary hydrodynamic and meteorological parameters provided within other professional departments of the Institute.

Data on measurements are submitted in the form of annual reports to primary beneficiaries: competent Ministry of Rural Development, Water Directorate and Environmental Protection Agency. The Report on Water Quality is used for development of the Report on the State of the Environment in Montenegro, which is adopted by the Ministry of Sustainable Development and Tourism, i.e. the Government of Montenegro, along with development of report on quality of environment for the European Network EIONET, which is under the competence of the Environmental Protection Agency.

Results of measurements of water quality are public and they are published at the website of the Institute.

Data are entered into the Database of the Hydro Meteorological Institute, which consists of set of data which are kept for several decades, and apart from their primary purpose, they serve as the base of various ecological backgrounds and studies in the area concerned.

* Measures related to trans - boundary pollution (Article 6)

The remaining part of the Directive shall be transposed to national legislation following the Amendments to the Law on Water (2015) and adoption of relevant secondary legislation.