**Water Quality**

**Water Framework Directive**

*Legal reference*

Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy with its amendments (Decision 2455/2001/EC and Directives 2008/32/EC, 2008/105/EC and 2009/31/EC)

**Transposition**

**A. Which parts of the Directive have been transposed?**

Framework Directive is 64% harmonized with the national legislation

**B. How and when will remaining provisions be transposed?**

Amendments to the Law on Waters and adoption of new by-laws will provide the harmonization of national water legislation with the Framework Directive. The planned period is 2020.

**Implementation**

**What has been achieved as regards:**

1. **Identifying RBDs. (Art. 3)**

With a view to providing complete water management, taking into account the hydrographic characteristics, uniqueness and connectedness of the water regime, water basins of the catchment areas are determined on the territory of Montenegro as basic water management units including:
1) Black Sea Basin catchment area including the catchments of: Ibar, Lim, Cehotina, Tara and Piva with the accompanying groundwater;
2) Adriatic Sea Basin catchment area including the catchments of: Zeta, Moraca, Skadar Lake, Bojana, Trebisnjica and watercourses in the Montenegrin Coast area that directly flow into the Adriatic Sea, with accompanying groundwater and coastal seawater (Article 21).

**2. Giving legal effect to administrative arrangements for international rivers, lakes or coastal waters. (Art. 3)**

The needs and interests in the area of transboundary water resources management on the catchments defined by this law are provided with the adequate international cooperation:

**-Water management agreement between the Government of Montenegro and the Government of the Republic of Croatia**, made and signed on 4 September 2007 in Zagreb;

**-The agreement between the Government of the Republic of Montenegro and the Government of the Republic of Albania on water issues,** concluded on 31 October 2001 in Podgorica.

-Based on the Agreement, the Commissions were formed with a task to work together on recognizing and resolving all the issues regarding international catchment management. Regulation of relations with the Republic of Serbia and the Federation of Bosnia and Herzegovina is on the way.

-Declaration on the management of the increased catchment area of the Drim River 18 April 2011.

-Memorandum of understanding on the management of increased transboundary catchment area of the Drim River 24 November 2011 Montenegro, Greece, Albania, Macedonia and Kosovo.

-Montenegro acceded to the **International Commission for the Protection of the Danube River (ICPDR)** in October 2008 and the activities on involvement in the work of expert groups within the Commission are under way; Montenegro ratified the **Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean – Barcelona Convention**  and its four protocols in October 2007.

-The Convention on the Law on the Non-Navigational Uses of International Watercourses is in its proposal stage so accession to it is expected in the near future (Article 157)

**3. Designating competent body/ies. (Art. 3)**

In the area of water, the competent bodies are the Ministry of Agriculture and Rural Development, the Water Administration, and, at the local level, local self-government units.

The Water Administration also prepares professional basis for determining the waters that are important for Montenegro, categorization method and categories of water facilities and for regulations, the plans and programmes are adopted by the Government and enacted by the Ministry of Agriculture and Rural Development.

**4. Meeting environmental objectives for surface waters/ground water/protected areas (Art. 4)**

The objectives for the water protection in the area of environmental protection for surface water, ground water and the protected areas are defined by the Law on Waters in Article 73. By adopting the water management plans, the environmental goals will be met.

**5. Establishing a register of Protected Areas. (Art. 6)**

By adopting the water management plans, its elements will be determined. One of those elements is the identification and development of maps of protected areas, thus establishing the registers of protected areas (Article 24.3)

**6. Analysis of the characteristics of the RBD. (Art. 5)**

The characterization of river catchments should be implemented under the River Basin Management  Plans (Article 24.1).

**7. Review of the environmental impact of human activity. (Art. 5)**

The review of human activities impact on the environment will be implemented under the River Basin Management Plans (Article 24.2).

**8. Economic analysis of water use. (Art. 5)**

The economic analysis of water use will be implemented under the River Basin Management Plans (Article 24.11).

**9. Establishing programmes for monitoring water quality. (Art. 8)**

Water monitoring programme was established as well as the Decree on classification and categorization of surface and groundwater. These acts are not entirely in harmonization with the requests of the Water Framework Directive. Amendments to the Law on Water will also bring amendments to these acts as well as adoption of the new regulation on defining the status of surface and groundwater.

**10. Establishing water-pricing policies and an adequate contribution of different water uses to the recovery of costs of water services (Art. 9)**

The determination of the economic price of water is stipulated in the Law on Financing Water Management as well as the by-law deriving from this law, i.e. Decision on the amount and the method of calculating water fees and criteria and method of determining the degree of water pollution.

**11. Establishing programme of measures for each RBD. (Art. 11)**

The adoption of Programme of measures for each water area (2) is planned six months after the adoption of River Basin Management Plan (Article 24.8 and Article 32)

**12. Publishing draft River Basin Management Plans and making them available to the public. (Art. 14)**

The Ministry of Agriculture and Rural Development and Water Administration, in accordace with the Decree on the procedure of conducting public debate (Official Gazette of Montenegro 42/11) are obliged to provide active participation of the public in the procedure of preparation and adoption of Water Management Plan (Article 30).

**13. Publishing River Basin Management Plans. (Art. 13)**

The water management plans are adopted by the Government on the proposal of the Ministry of Agriculture and Rural Development. The professional preparation of these plans is performed by the competent administration body (Article 25). The deadline for adoption of this plan is within 9 years as of the date the Law on Water entered into force. Since there will be amendments to the this law, the deadline for adoption of the law will also be extended.

**14. Establishing an effective enforcement system. (Art. 23)**

The Law on Water defines the penalty provisions for violations of the national regulations.