

## Law on waters of Macedonia: reference to legal obligation for trans-boundary cooperation and WFD

*Ljupka Dimoska-Zajkov*  
*Ministry of Environment and Physical Planning*



## Institutional setting

- **Legislation**
  - The Law on Water
    - Basic principles and requirements of the WFD and other EU Dir. Related to water
    - start to implement from 01.01.2011
    - Under the Law on Waters 30 sub-legislation acts have been adopted, regards of (WFD, UWWTD, Sludge Dir., Nitrate Dir., Dangerous sub.)
- **Competent authorities**
  - Ministry of Environment
    - Environmental Administration – water department



## River basins

- The hydrographical territory of Macedonia is a unique natural basin in the Balkan Peninsula and wider area, due to 84 % of the available water being internal waters and only 16 % external.
- The country is divided hydrographically into four river basins:

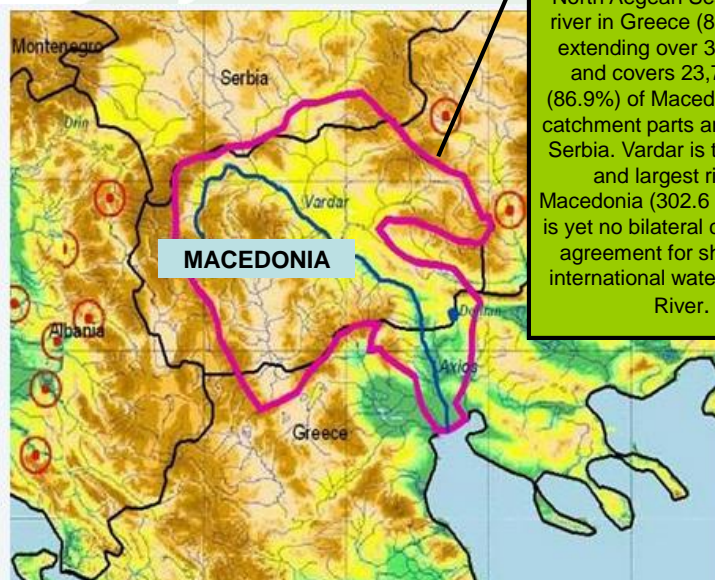
### Vardar

- Strumica
- Crni Drim

and a small part of the South Morava river basin. All the river basins in the country are international, that is, shared with neighbouring countries

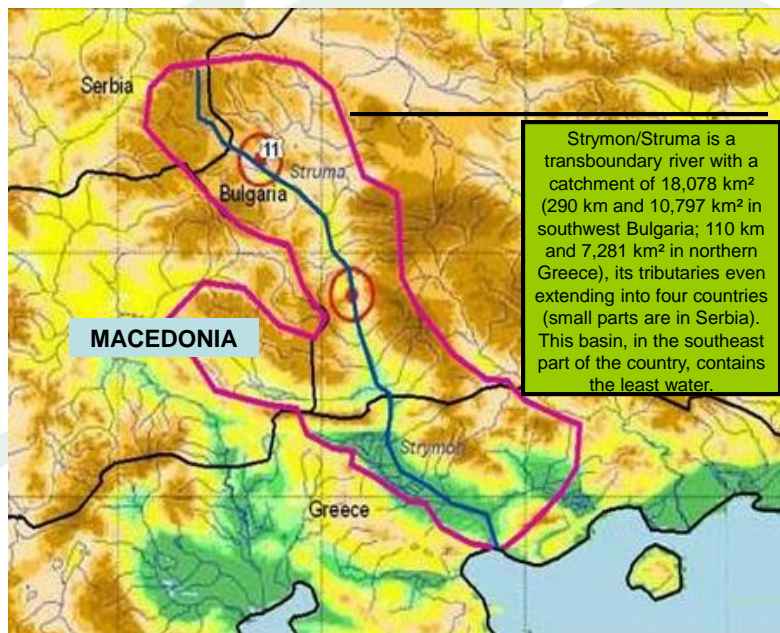
Basin	River	Length (km)
Vardar basin - Aegean Sea	Vardar	301
	Treska	139
	Pcinja	137
	Bregalnica	
	Crna Reka	228
Strumica basin - Aegean Sea	Strumica	
Crni Drim basin - Adriatic Sea	Crni Drim	44.5

Сите да бидеме  
дел од ПРИРОДАТА

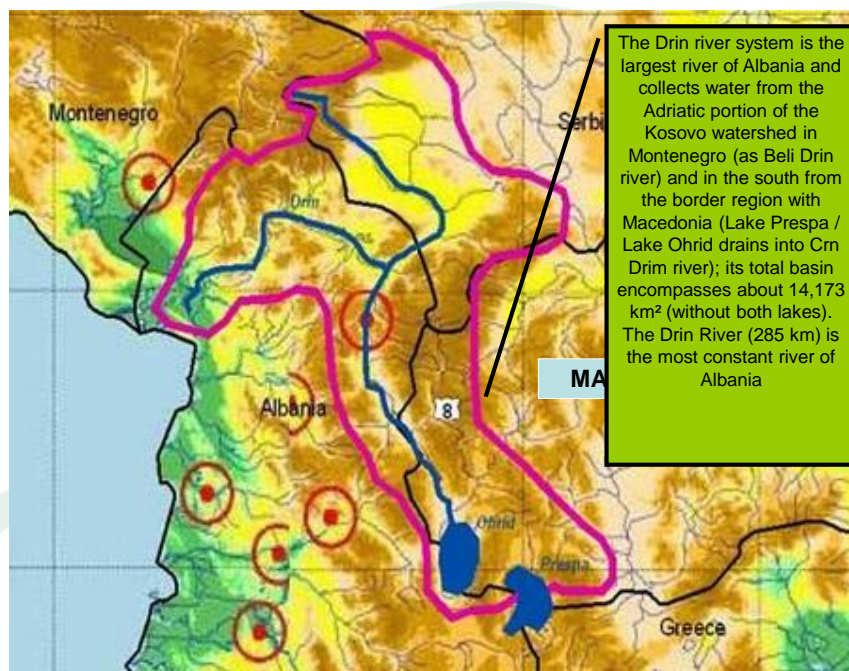


Vardar river flows into the North Aegean Sea as Axios river in Greece (87 km long, extending over 3,212 km<sup>2</sup>) and covers 23,747 km<sup>2</sup> (86.9%) of Macedonia; small catchment parts are further in Serbia. Vardar is the longest and largest river of Macedonia (302.6 km). There is yet no bilateral cooperation agreement for sharing the international waters of Axios River.

Сите да бидеме  
дел од ПРИРОДАТА



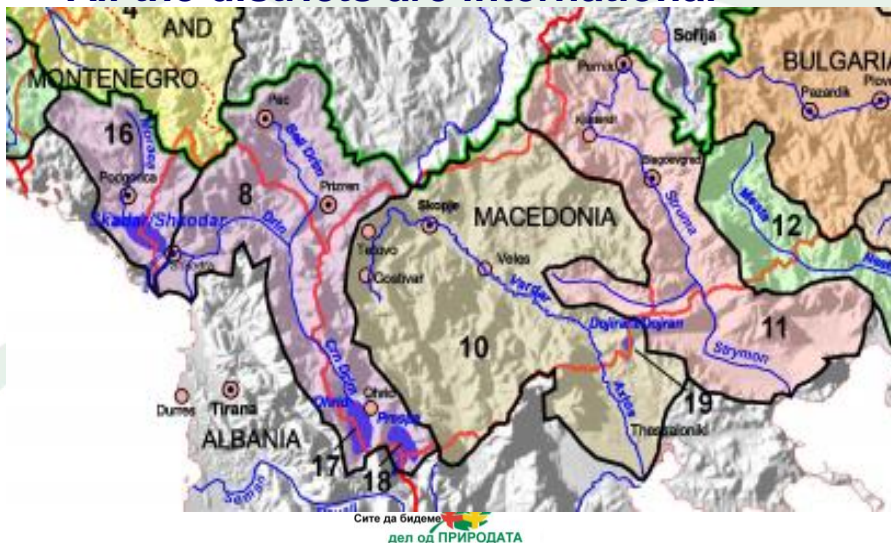
дел од ПРИРОДАТА



дел од ПРИРОДАТА

# River Basin Districts

- All the districts are international



## IRBDs - WL

- **Who establish international river basin districts ?**

The state administrative body competent for the area of environment in cooperation with the state administrative body competent for foreign affairs shall seek to establish international river basin districts with the relevant neighbouring states for river basins which extend beyond the territory of the Republic of Macedonia( art. 9)

- **Management of Tran boundary river basin districts and transboundary waters shall be performed in accordance with?**

Water Law and in accordance with the international treaties ratified by the Republic of Macedonia. (art.10(1)).



## Negative Impact from Neighbouring Countries - WL

- ***Who is responsible in cases where are negative impacts or threats of such impacts of and from waters from a neighbouring country?***

The state administrative body competent for environment is obliged to undertake activities to inform the neighbouring country about the newly-emerged situation and the consequences.

Also, identify the consequences of the negative impacts of and from waters and initiate a procedure for negotiations and alignment with the competent authorities of the neighbouring country in order to define and implement the necessary measures to be undertaken at the source causing the negative impact, with a view to protecting the waters within the territory of the Republic of Macedonia. (art.11)



## Transboundary river basin management plan - WL

- In case of an area of transboundary river basin situated partly on the territory of the Republic of Macedonia and partly on the territories of other country or countries, the state administrative body competent for environment shall cooperate with the competent authorities of the relevant countries for the purpose of developing **common transboundary river basin management plan**.
- In case when, pursuant to ratified multilateral agreement, transboundary area of river basin has been established, the state administrative body competent for environment shall be obliged, in the area of water management on the territory of the RM, to ensure management of the part of the area of the transboundary river basin situated on the territory of the country in accordance with the laws and other regulations of the Republic of Macedonia and with the ratified international agreement.
- In case when transboundary river basin management plan has not been developed, the river basin management plan shall be developed with regard to the part of the transboundary river basin which is on the territory of the Republic of Macedonia, in accordance with water Law.
- In order to achieve compliance with the objectives of water Law, the state administrative body competent for the area of environment shall undertake activities to coordinate the plans for the management of international river basin district and the programmes of measures, with the competent authorities of neighbouring states that belong to the same river basin district (art.70)



## The Art. 3, 5, 11 and 13 of the WFD deal with the transboundary waters

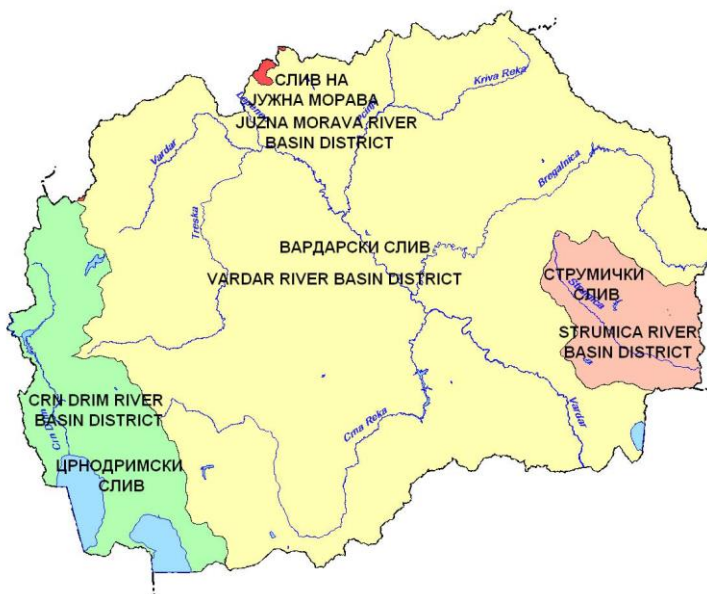
*In Article 3 of the Directive, entitled the Coordination of administrative arrangements within river basin districts, it is stated that: Member States shall identify the individual river basins lying within their national territory and, for the purposes of this Directive, shall assign them to individual river basin districts. Member States shall ensure the appropriate administrative arrangements to attain goals of the directive and to apply the rules. Member States shall ensure that a river basin covering the territory of more than one Member State is assigned to an international river basin district.*

Full

### LW (Article 7)

The territory of the Republic of Macedonia consists of four river basins districts and these are the river basins districts of the rivers Vardar, Crn Drim, Strumica and Juzna Morava. The Government of the Republic of Macedonia, on a proposal made by the MoEPP shall define the boundaries of the river basin districts. ([sub. Law adopted](#))

Сите да бидеме  
дел од ПРИРОДАТА



Сите да бидеме  
дел од ПРИРОДАТА

The Article 5 of the Directive involves the economic analysis of characteristics of river basin, environmental impact of human activity, and water use. And the article involves not only the basin of member State, but also the international river basins.

Full transposition in LW ( Article 252)- River Basin Management Plan, also in

Article 66(9) – Subsidiary law for detailed content and the method of development of the river basin management plans Official Gazette No. 148/09)

Article 71(3) – Subsidiary law for methodology of assessment of RB – Official Gazette No. 148/09)



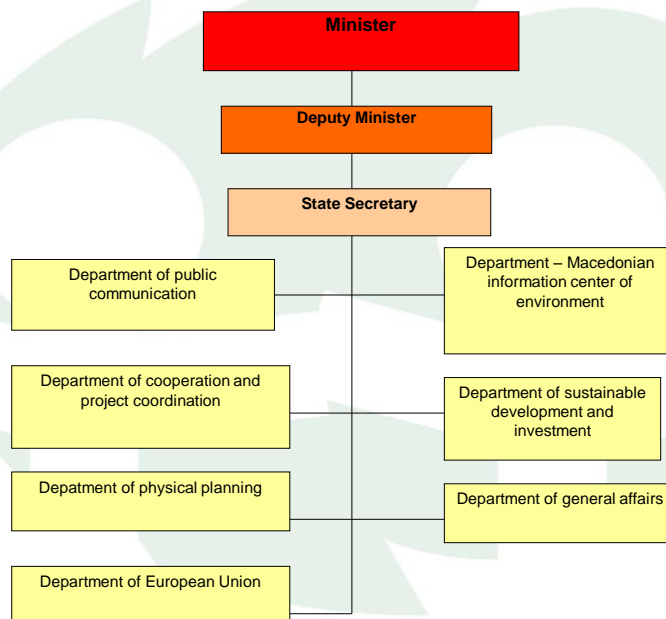
The Article 11 also includes international basins in creating programmes of joint measures.

Full transposition in WL Art. 10 paragraph (2), where the state administrative body competent for the area of environment shall undertake activities to coordinate the plans for the management of international river basin district and the programmes of measures, with the competent authorities of neighbouring states that belong to the same river basin district.

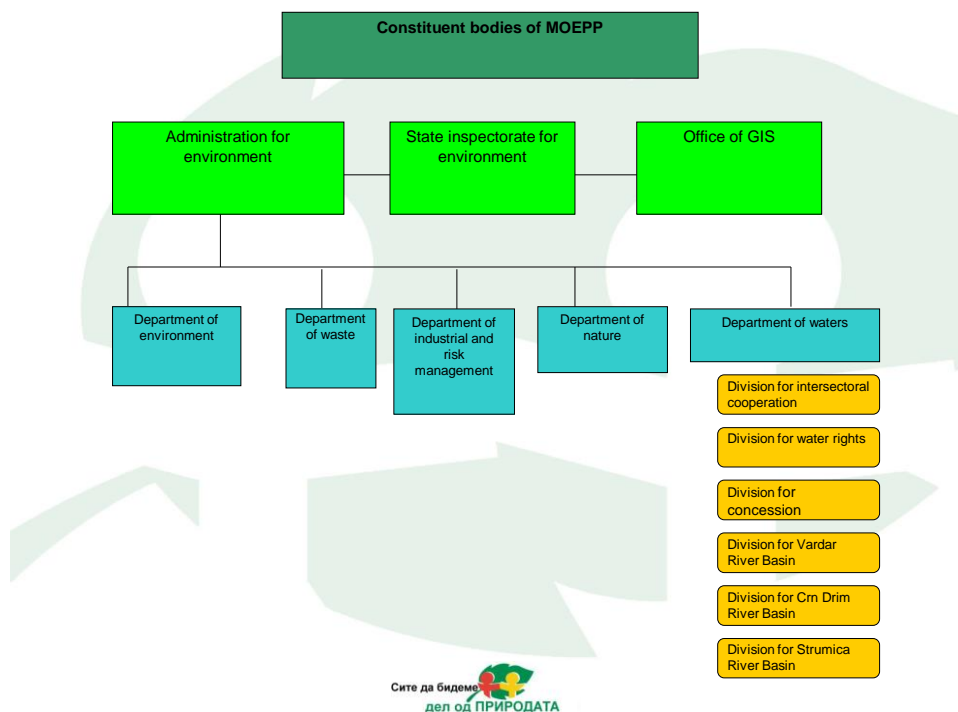


The Article 13 of the Directive addresses the transboundary basins within the territories of the EU States and the basins extending beyond the boundaries of the Community separately. The Article 13 suggests that the transboundary basin plans shall be produced by the riparian countries in coordination. Where such a river basin management plan is not produced, Member States shall produce river basin management plans covering at least those parts of the international river basin district falling within their territory.

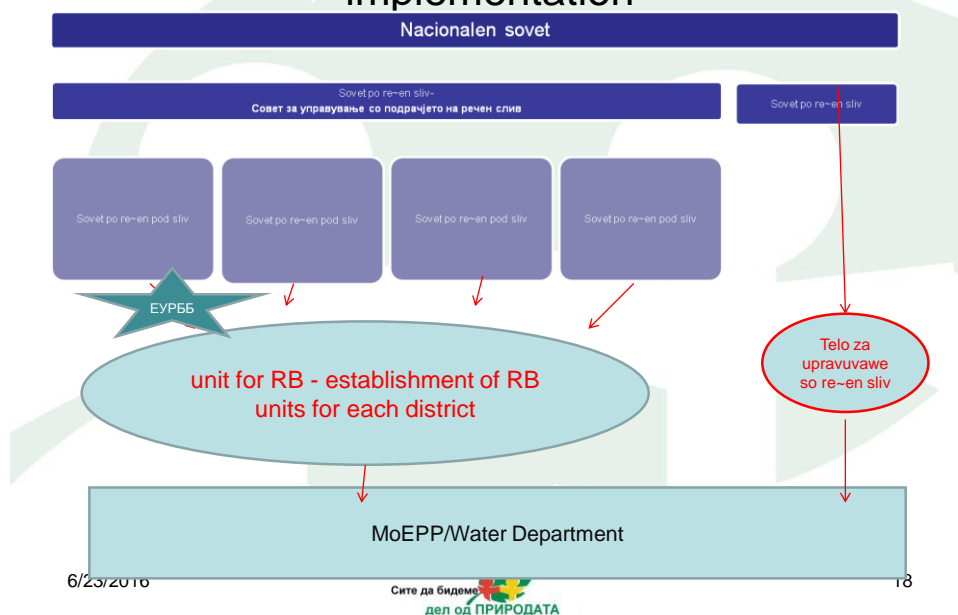
LW Article 70 paragraph(1) In case of an area of transboundary river basin situated partly on the territory of the Republic of Macedonia and partly on the territories of other country or countries, the state administrative body competent for environment shall cooperate with the competent authorities of the relevant countries for the purpose of developing common transboundary river basin management plan and in case when transboundary river basin management plan has not been developed, the river basin management plan shall be developed with regard to the part of the transboundary river basin which is on the territory of the Republic of Macedonia, in accordance with water Law.





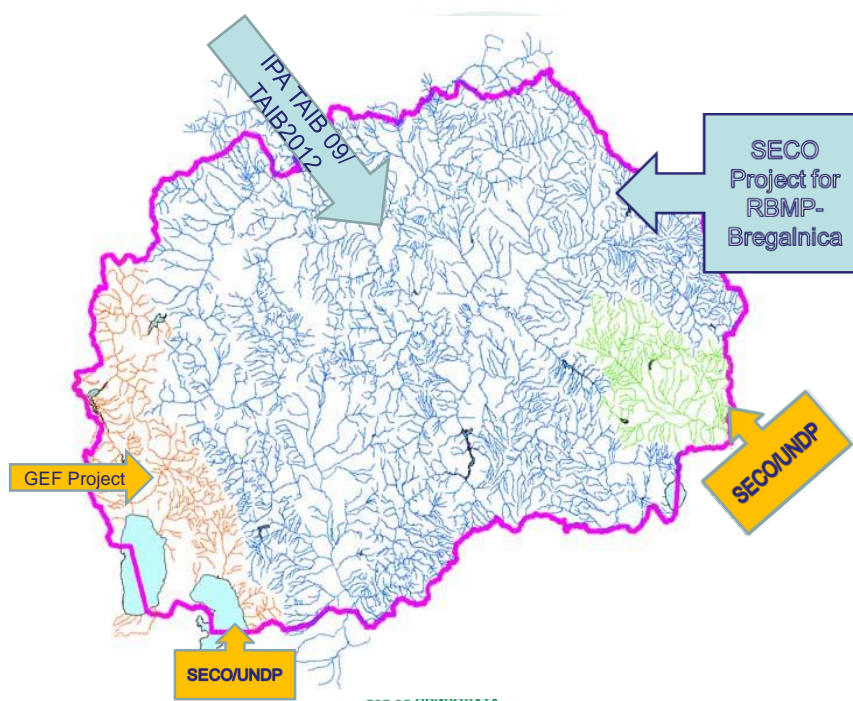


## Additional administrative concept for RBMPs implementation



WFD - (2000/60/EC)	
Transposition	Implementation
98%	<p><b>Implemented activities:</b></p> <ul style="list-style-type: none"> <li>Identifying RBDs</li> <li>Giving legal effect to administrative arrangements</li> <li>Designating competent authority/ies.</li> <li>Analysis of the characteristics of the RBD. – for two RBDs (Prespa Sub basin and VRBD-daft- Bregalnica)</li> <li>Establishing programmes for monitoring water quality for Prespa Sub basin and VRBD-draft</li> </ul> <p><b>Remaining activities:</b></p> <ul style="list-style-type: none"> <li>Establishing a register of Protected Areas</li> <li>Establishing programmes of measures for each RBD</li> <li>Economic analysis of water use (Methodology for tariff system IPA)</li> <li>Publishing River Basin Management Plans</li> </ul> <p><b>Full implementation is planned.....</b></p>

Сите да бидеме  
дел од ПРИРОДАТА



## Current activities

- **Revision of the WB delineation**

- Borders
- HMWB

- **Elaboration of the RBMP**

- At the subbasin scale
- Improvement of the work done
  - Characterization
  - IMPRESS analysis
  - Risk assessment
  - Economic analysis



## Current activities

- **Public participation**

- **Advisory Councils for each RBD**

- Structure
  - from Ministries
  - municipalities
  - NGO representatives etc
- Review drafts of RBMP and relevant documents, provides recommendations

- **Informing and consulting of public**

- Local seminars
- Via Internet



**Thank you for your attention!**

