

Project Fiche – IPA National programmes / Component I

1 IDENTIFICATION

Project Title	Strengthening the environmental protection system in Montenegro
CRIS Decision number	2012/023-582
Project no.	05
MIPD Sector Code	Environment and Climate Change
ELARG Statistical code	03.27
DAC Sector code	41030, 41040, 41081
Total cost (VAT excluded)¹	3.170,000.00 €
EU contribution	2.850.000,00 €
Management mode	Centralised
EU Delegation in charge	Delegation of the European Union to Montenegro
Implementation management	Delegation of the European Union to Montenegro
Implementing modality	Stand alone project
Project implementation type	
Zone benefiting from the action(s)	Montenegro

¹ The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

2 RATIONALE

2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

In December 2010, Montenegro was granted the candidate status. The negotiation process has been opened in June 2012. Screening phase for the sector of environment is foreseen during February-March 2013.

The environmental chapter is known to be one of the most comprehensive and difficult to fulfil among the 35 chapters of the EU Acquis. The latest Progress Monitoring exercise (2012) showed an advanced state of play in legal approximation to the environmental Acquis. Through this exercise, Montenegro had to show a clear vision of the approximation steps to be taken in the short-term and mid-term period. The foreseen screening of the environmental chapter will make it even more precise. However, experience of the previous candidate countries shows that the advanced stage of approximation requires great efforts, in order to achieve full legal transposition and proper implementation and enforcement of demanding environmental requirements. Although a lot has been achieved towards legal approximation so far, more complex issues related mainly to implementation and enforcement, institutional set-up and investment planning in the environmental sector are yet to be done.

In order to fulfil these complex tasks, Montenegro has to upgrade its administrative capacities and invest in environmental infrastructure.

A National Environmental Approximation Strategy shall provide for three major components of the approximation process the following:

- Comprehensive plan for the fine tuning of the existing environmental and climate legal framework;
- Estimation of institutional and infrastructural needs for implementation and enforcement of environmental and climate Acquis;
- National environmental investment strategy, containing realistic cost estimation of the full compliance/implementation of the environmental and climate Acquis including sound financial planning and grant programming.

The Ministry of Sustainable Development and Tourism (MSDT) has the main responsibility for coordinating the approximation process in the environment sector. This task must be balanced with other national priorities, especially in numerous cross-cutting issues where environmental policy intersects with other sector policies. Significant investments needed in environmental sector require strategic planning both in fundraising and realisation of substantial infrastructural projects.

The project will support:

- process of alignment with EU environmental and climate Acquis through designing and developing the National Environmental Approximation Strategy (NEAS), including National Environmental Investment Strategy (NEIS). Documents shall focus on implementation and enforcement issues, enabling Montenegro to meet environmental requirements;
- establishment of the Natura 2000 network. Additional work is needed to get further data for the process of establishing the Natura 2000 network. This is a major task in implementing the Habitats directive and the Birds directive. A system for monitoring of Natura 2000 will also be established;

2.2. LINK WITH MIPD AND NATIONAL SECTOR STRATEGIES

Environmental approximation is among the most significant parts of the national environmental policy and sustainable development strategy. Environmental policy aims to promote sustainable development and protect the environment for present and future generations by integration of EU principles, standards and legislation into national legal framework.

According to the **Multi-Annual Indicative Planning Document (MIPD) 2011-2013**, “*Montenegro will have to make considerable and sustained efforts to align with and especially to implement and enforce the environmental acquis. It will be particularly important to create conditions for building the necessary technical and human capacities and resources in this area within the next few years. Effective compliance with EU legislation requiring a sustained high level of investment and considerable administrative efforts can only be achieved in the long term.*”

MIPD 2011-2013 sets environment as one of the main sectors for financial support. In this sector MIPD defines that overall strategic objectives are “to protect, respect and improve Montenegrin environment and natural resources as a potential for future sustainable social and economic development”. Furthermore, MIPD stresses the importance of integration with EU policy in an environmental field, which requires a high level of financial resources and administrative efforts.

This project will give support to the Montenegrin Government’s objective of EU accession by providing a basis for implementation of the national environmental legislation harmonized with the EU environmental *acquis* in the form of a *National Environmental Approximation Strategy* to be prepared as a sequence of the previous work that has been done in this area.

Issues related to the area of environment are also defined in the Stabilization and Association Agreement between the European Communities and Montenegro, in the Title VIII Stabilization and Association Agreement, precisely by the Article 111 on the Environment and the Article 97 on the Forestry. According to this, Government of Montenegro adopted the National plan for integration for the period 2008-2012. The plan is based also on the short-term recommendations from the European Partnership:

- Continue with the harmonization of the Montenegrin legislation with the EU legislation and standards.
- Develop administrative capacities for the implementation and enforcement of legislation.
- Develop comprehensive strategy for the environmental protection and sectoral strategies (integrated coastal zone management, climate changes) and strengthen the administrative capacities for environmental management.

Montenegro has set environmental protection as one of its major goals through various strategic documents. The **National Strategy for Sustainable Development of Montenegro (NSSD)** was adopted in 2007, by the Government, as the first strategy in the Western Balkans, which integrated economic, social and environmental development issues on national level. The Strategy defines five general goals for achieving sustainable development, that include ensuring efficient control and decrease of pollution and sustainable management of natural resources as well as increasing economic growth and development and decrease regional development inequality. The strategy defines variety of areas where national Environmental policy needs to meet EU policy, as well as how different sectors can participate in creating sustainable growth, including environmental protection sector. Moreover, the Strategy highlights challenges related to the protection of biodiversity, nature and landscape of the sea and coastal zone. According to the Strategy, responses to these challenges should be sought through the protection of especially valuable habitats and through an integrated management of the whole area.

Government of Montenegro adopted the **National Strategy of Biodiversity with Action Plan for the period 2010-2015**. According to the Strategy, in the next period Montenegro will intensify research activities to enable completion of scientific inventories for those groups of plants and animals which are identified as

priorities from the aspect of protection of biodiversity and its sustainable use, or within the needs arising from the process of EU accession (Network Natura 2000 areas – Action Plan Measure no. 5 ‘Identification and Development of the National Network Natura 2000’). One of the main goals of the strategy is to provide the transposition and implementation of directives and regulations of the European Union which relate to natural habitats and species that live in the wild, as well as to ensure organizational adaptation and capacity building of institutions responsible for biodiversity conservation / environmental protection, according to the needs based on the application of relevant laws in the EU accession process. The most of activities (21 of 54) have started in 2011 and 16 in 2012. All activities are expected to be completed until 2015.

The Strategy defines the weaknesses in the management of protected natural areas. The system of protected areas in Montenegro faces a number of challenges. These challenges include the following: lack of or incomplete inventories of biodiversity, lack of inadequate profile of staff who often do not have technical, operational and / or managerial capacity necessary for protected areas. In identifying existing protected areas European typology of habitats – EMERALD and Natura 2000 were not used as a basis for their identification, but the entire procedure was based on findings made in the traditional doctrine of nature protection. The revision of status of protected natural areas, establishment of controls for all categories of protected natural areas, and defining the optimal management model (based on a participatory approach) are basic measures for the protection of biodiversity and nature protection in general.

There is a clear indication that strategic goals in the field of nature conservation can be reached with additional financial resources and capacities, only.

The drafting of **the National Development Plan (NDP) 2013-2016 for Montenegro** is in process, which will consolidate existing strategies in different areas including issues related to the environment. NDP will serve as a basis for decisions by the Government in the field of socio-economic development policies that are based on a coherent framework for strategic development that the Government has adopted. NDP will set long term goals for socio-economic development of Montenegro and define developmental areas at the national and local level. This document will present a vision of development that complies with EU developments, which are contained in the strategy of Europe 2020. The purpose of the preparation of the NDP, formally, is a requirement which Montenegro has as a candidate country for EU membership and it defines a vision of development, individual policies and projects for their realization.

2.3. LINK WITH ACCESSION PARTNERSHIP (AP) / EUROPEAN PARTNERSHIP (EP) / STABILISATION AND ASSOCIATION AGREEMENT (SAA) / ANNUAL PROGRESS REPORT

Process of the harmonization of national laws in the area of the Environment and Climate Change with the relevant EU *acquis* has been intensified in the previous period. New laws in the area of environmental impact assessment and strategic environmental impact assessment, air quality, waste management, water management, industrial pollution control, chemicals and noise were adopted. Further harmonization in these areas will be realized by adoption of secondary regulations and particular attention will be dedicated to areas where the harmonization degree is still at the lower level. The process of the ratification of multilateral agreements on the Environment has been intensified.

There are realistic expectations that in the next future approximation process will further evolve in accordance with already set priorities.

Council Decision of 22 January 2007 on the principles, priorities and conditions contained in the European Partnership with Montenegro (2007/49/EC) indicates that the medium-term priorities in environmental sector include approximation of Montenegrin legislation to EU legislation and standards, notably legislation on air pollution, water and chemicals, as well as to continue strengthening the administrative capacity of ministries and bodies in charge of environmental planning, permitting, inspecting, enforcement and monitoring, as well as project management.

Some of the recommendations of the **European Partnership** stressed in National Programme for Integration:

- Continuation of harmonization of the Montenegrin legislation with EU legislation and standards, in particular framework legislation for environmental protection.
- To develop the administrative capacity for implementation and enforcement of adopted legislation.
- Develop the overall strategy for the protection of the environment (water, waste, air) and to strengthen administrative capacity for environmental management.

Stabilisation and Association Agreement (SAA) entered into force in May 2010, The Parties recognize the importance of harmonization of the existing legislation in Montenegro with the EU legislation and its effective implementation. Montenegro will strive to ensure the gradual alignment of its existing laws and future legislation with EU legislation (Acquis). The Contracting Parties shall, in particular, cooperate in order to strengthen administrative structures and procedures to ensure strategic planning issues related to environment and coordination between relevant actors and will focus on the harmonization of legislation of Montenegro with the EU Acquis.

Annual progress report 2011 - In the field nature protection, some progress can be reported with regard to implementing legislation – a number of rulebooks have been adopted on different aspects of management and protection of wild fauna and flora. However, implementation of the Habitats and Birds Directives, including building up scientific data for designation of protected areas and future Natura 2000 sites, is lagging behind.

This project will contribute to improvement of the negotiation platform for chapter 27, especially in the later phase of the negotiation process when it will be evident which requirements of the EU will demand derogations and transition periods. Moreover, the project shall assess the concrete needs for improvement of administrative and technical capacities both on national and local level in order to ensure application and enforcement of legislation harmonized with EU. It should also be a tool for realistic planing of efficient environmental investments necessary to achieve the compliance with the environmental *acquis*.

2.4.PROBLEM ANALYSIS

The volume of the environmental and climate *acquis* invokes a considerable institutional burden and require adequate infrastructure. Each candidate country had to find its own model for resolving complex issues and under the different costs. Resources needed for full compliance with environmental requirements vary from country to country. Small states, such as Montenegro, have to be careful with use of its limited resources and capacity to adapt to new rules and procedures.

On the other hand, high transposition scores achieved in legal approximation do not guarantee always smooth implementation and enforcement. The approximation process so far focused on main pieces of legislation (mostly Framework Directives, etc.). Strict environmental standards are in certain cases hard to achieve and require substantial investments. In some fields, lack of qualified expertise is a constraint for further development.

Development of the National Environmental Approximation Strategy (NEAS) and the National Environmental Investment Strategy (NEIS) is recognized as essential to move ahead in the right direction. Bearing in mind the scope of the EU Acquis in the field of environment and climate change, as well as its constant upgrading, it is necessary to continue with improvements of the existing legal framework. The administrative and financial capacities are still low and there is an evident need for its improvement.

One of the main objectives of the NEAS will be to ensure that Montenegro can handle, in the most effective way, the negotiations to be conducted with the European Council on the Chapter 27, as also to be well prepared to meet obligations arising from the membership.

The NEAS should consider the full range of institutions involved with the Chapter 27 at national and local level, with priority given to the institutions at national level involved in harmonization and implementation of the key directives.

The Ministry of Sustainable Development and Tourism (MSDT) has the main responsibility for coordinating the approximation process in the environment sector. This task must be balanced against other national priorities especially in numerous cross-cutting issues where environmental policy intersects with other sector policies. Significant investments needed in environmental sector demand strategic planning both in fundraising and realisation of substantial infrastructural projects. It is important to note that the current approximation plan expires at the end of 2012. A lot has been achieved towards legal approximation so far, but more complex issues related mainly to implementation and enforcement, institutional set-up and investment planning in the environmental sector are yet to be done.

In the field of the nature protection, one of the biggest challenges is creating preconditions for the establishment of the NATURA 2000 network.

The activities on establishing Ecological Network NATURA 2000 in Montenegro have started in 2009, through the cooperation with WWF, Institute for Nature Protection and Daphne Institute. The project titled "*Montenegro and Natura 2000: Strengthening the Capacity of Government and civil sector to adapt to EU Nature Protection Acquis*" was focused on EU Habitat Directive and completed in June 2012.

As a result of these activities, the draft list of Natura 2000 species and habitats in Montenegro has been prepared, by using previous knowledge from EMERALD Network project and Desktop analysis. After that, the Draft reference list for relevant sources of information regarding species and habitats listed in Annexes has also been prepared. Following this, Desktop Inventory for these species and habitats has been carried out in the central database (GIS) in the Institute for Nature Protection. Meanwhile, the draft version of the Catalogue of NATURA 2000 habitats, which exist in Montenegro, has been prepared and used for first Fieldwork inventory training of previously identified NATURA 2000 habitats in Montenegro. In spite of the activities overtaken, the results are still scattered and there is a need for systematic handling of the data.

The project proposal is aiming at public access to all gathered data and other results of the project. Legislation in the field of nature conservation, including recent changes, reaches high transposition score for Birds (79%) and Habitat Directives (92%). However, the full implementation of these Directives is not possible before comprehensive field assessment of flora and fauna.

Anticipating the time, human and financial constraints of this task, it is obvious that Natura 2000 network needs already, in the preparatory stage, a special treatment within the environmental chapter, in order not to cause any delays in accession and fully contributes to the European ecological network.

Considering previously elaborated, funding through IPA EU fund is needed for the sake of developing a quality approximation strategy and creating preconditions for NATURA 2000 network establishment.

The project shall assist the Ministry of Sustainable Development and Tourism and related institutions, responsible for the environmental issues, to assess the needed changes and plan dynamics of activities and costs of such changes.

The main constraints that could affect project implementation could be identified as follows:

- Weak administrative capacities, lack of co-ordination and mobilization opportunities to engage trained people working in the field
- Lack of financial and technical resources (GIS software, equipment for field work, etc.)
- Unavailability of reliable scientifically information (even existing information is scattered and not systematically accessible in a managed data-base, ownership of collected data is not regulated).

- Lack of active interest and willingness to participate in numerous stakeholder consultation meetings / workshops
- Delays in approval of prepared documents and reports which may prevent timely progress of the project activities.

2.5.LINKED ACTIVITIES AND DONOR COORDINATION

Projects related to developing at the *National Environmental Approximation Strategy*:

Preparation of National Environmental Approximation Strategy represents continuation of the efforts in the sector and is based on the results of the **IPA Twinning project “Support to Environmental Management in Montenegro” (Twinning contract MN 08 IB EN 01)**, which has been realized in cooperation with the Italian Ministry of the Environment, Land and Sea.

The Twinning project refers to the following three components:

- Component 1: Approximation to the EU environmental Acquis
- Component 2: Strengthening Capacities of EPA
- Component 3; Strengthening PIU PROCON Technical Capacity and Operations

The objective of the Twinning project - Component 1 “Approximation to the EU environmental *acquis*” encompassed implementation of the following activities:

- Preparation of the legal and implementation gap analysis
- Assessment of full implementation actions and costs
- Development of Directive Specific Implementation Plans (DSIPs).

At this stage of its implementation, this 24-month project produced Report on legal and implementation gap analysis. There were activities on strengthening capacities of EPA and PIU PROCON, but there is no overall estimation on necessary capacities in entire environmental sector. Although, it is planned that project by the end of its duration comes up with an estimation of full implementation costs for the selected *acquis*, it can not be considered a proper investment strategy. Similarly to this, DSIPs to be designed shall be done on the case-by-case principle, thus not giving a comprehensive overview of the sequence of actions among sectors or individual measures within the same sector. Also, costs projected for each single directive might not take into account the necessity of resource sharing.

Therefore, the results of the Twining Project, expected by March 2013, shall present a starting point for NEAS and NEIS development, which should be a logical continuation of the action in this sector. Identified legal and institutional gaps shall provide for better programming of solutions. It will contribute to the more precise planning of necessary adaptations of the institutional framework in order to allow for full implementation and enforcement of the environmental and climate Acquis. Also, an estimation of implementation costs for the Acquis covered by twinning project shall be a good basis for development of the National Investment Environmental Strategy.

Another relevant project is **RENA (Regional Environmental Network for Accession)**, financed by EU and managed by the European Commission, which assists the beneficiary countries (candidate and potential candidate countries) in exchange of information and experience related to preparation for accession.

RENA enhances the regional cooperation in the Western Balkans and Turkey in the field of environment in the prospect of EU accession. The activities of the project are implemented through the activities of the following four working groups:

- Strategic Investments and Planning – (Working Group 1)
- Climate Change – (Working Group 2)
- Cross Border Cooperation and Multilateral Agreements – (Working Group 3)
- Environmental Compliance and Enforcement Network for Accession (ECENA) – (Working Group 4)

Activities of WG1 RISP Sub-Group are focused on provision of support to beneficiaries in setting-up their institutional structures for implementation and enforcement of environmental legislation. Overall objective of Working Group 2 is to support the beneficiary countries and their efforts in setting up the structures and strategies to limit greenhouse emissions and to adapt to expected changes in circumstances. Overall objective of Working Group 3 is to achieve improvement on regional level in the transposition and implementation of the environmental acquis in the area of nature protection, water protection, environmental impact assessment and strategic environmental assessment, as well as on ratification and implementation of multilateral environmental agreements and cross border cooperation as a whole. The overall goal of Working Group 4 (WG 4) is to improve the ability of ECENA member countries to implement and enforce the EC environmental legislation by increasing the effectiveness of inspectorate bodies and promoting compliance with environmental requirements. Montenegro is very active in all RENA activities.

Regarding NATURA 2000 and the nature directives, there are a number of related projects which have been carried out so far, such as:

National Country Self Assessment (NCSA) GEF project has been implemented (2006-2007) by UNDP and Ministry of Tourism and Environment. Assessment of conditions for implementation of biodiversity conventions was one of three thematic areas in the frame of this project. ENVSEC initiative (UNEP, UNDP, OSCE and NATO) is aimed to provide a framework for dealing with environmental issues **across borders** and promoting peace and stability through environmental co-operation and sustainable development. The Initiative focuses on the four pilot regions: Central Asia, the Caucasus, South Eastern Europe (SEE) and Eastern Europe. In the SEE region, which UNEP Vienna office is covering within the Initiative, biodiversity loss was recognized as posing a security risk. Based on this priority, ENVSEC designed a programme “Enhancing Trans-boundary Biodiversity Management in South Eastern Europe”, which is currently being implemented with the funding of the Austrian Development Agency (ADA). As a first step, the rapid assessment of management problems experienced by the administrative bodies responsible for protected areas in a trans-boundary context was carried out with a focus on mountain ecosystems situated in border areas.

The EMERALD Network – The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and the legislation of the European Union regulate the protection of the threatened species and habitat types which are emphasized in the bio-geographical regions on the state territory. In Montenegro the EMERALD Network consists of 32 sites of special interest for the protection (ASCI) which should be established by the parties of the Bern Convention. Creation of the EMERALD Network in Montenegro started back in 2005 within the project funded by Council of Europe and implemented by the previous Ministry of Environmental Protection and Physical Planning in cooperation with the Council of Europe and Montenegrin experts. During 2008, project was finished and the standard forms were completed for the most of the Emerald Network sites in Montenegro (central EMERALD database is in the Institute for the Protection of Nature). Meanwhile, EMERALD data base has been reviewed (quality control check) by Council of Europe and then improved/updated. The project gives solid bases for the data management and general approach for designing the Natura 2000 network.

NATURA 2000 – Ministry of Sustainable Development and Tourism started work on establishing Ecological Network NATURA 2000 in 2009 through three year long project in the cooperation with WWF, Institute for the Protection of Nature of Montenegro and NGO “Green Home” (“Montenegro and Natura 2000: **Strengthening the Capacity of Government and civil sector to adapt to EU Nature Protection Aquis**”). The project that completed in 2012 focused on EU Habitat Directive. EU Wild Bird Directive is out of the project activities, so far. List of Natura 2000 species and habitats present in Montenegro has been prepared using previous knowledge from EMERALD Network project but updated and modified to the requirements from EU Habitat Directive Annexes. After that, Reference list has been prepared for relevant sources of information regarding species and habitats listed in Annexes. Consequently Desktop Inventory for these species and habitats has been worked out in central database (GIS) in the Institute for the Protection of Nature. Meanwhile draft version of the Catalogue of NATURA 2000 habitats present in Montenegro has been prepared and used for the first – training Fieldwork inventory of previously identified NATURA 2000 habitats in Montenegro. At present, activities are focused on finding the best way to conduct fieldwork inventory and provide needed financial resources to do it. Through this project the main gap analysis and some basic preparatory work were done.

Important Plant Areas (IPA) - Project identified 27 sites for Montenegro based on criteria for IPA Programme for flora species and habitats types. The project report refers also on the presence of 33 Annex II plant species, which potentially occur in Montenegro and occurrence of habitats from the Annex . Some data are directly applicable for Natura 2000 network.

FODEMO project is focused on the preparation of guidelines for a new Forest Management Planning (FMP) methodology. Its key elements are: stratification of forests by forest functions, **permanent plot sampling inventory**, use of remote sensing and digital mapping, use of guidelines and forest development types (FDT), central FMP database. In order to achieve synergy between this project and the FODEMO and enable mutual benefit from results of the field inventories planed within both projects the methodology prepared by the FODEMO team has been supplemented by descriptions of target forest habitat types of the Habitat Directive Annex I. This ensures that the data gathered during forest inventory planned within FODEMO project will be compatible with those gathered by the WWF project.

As it has been stated the inventory planned in the framework of FODEMO project is based on permanent plot sampling. This means that field data on forest habitats will be gathered on randomly selected sample plots.

UNDP office in Montenegro is currently working (2009 – 2012) on 2 GEF projects regarding planning and management of protected areas (PA) system, as follows:

(i) **Strengthening the Financial Sustainability of Protected Areas in Montenegro (PAF)** with the aim to enable legal framework for improving financial sustainability of PAs and ensure their revenues. Donor is the Global Environment Fund (GEF), while UNDP is the implementing agency.

(ii) **Strengthening the sustainability of the protected area system of Montenegro (PAS)** that is aimed to expand and rationalize the PA system to ensure better habitat representation and their more secure conservation status and strengthen the capacity of PA institutions to effectively manage a more representative protected area system. Donor is the Global Environment Fund (GEF), while UNDP is the implementing agency.

(iii) UNDP is also working on the GEF project **Securing biodiversity conservation and sustainable use in the Dinaric Mountain ecoregion of Montenegro** (GEF, OP 12) and contribute to the regional initiative Dinaric Arc Initiative (DAI) i.e. Dinaric Arc Ecoregion - 2012 PAs project. Project is implemented by WWF in the cooperation with the partners in following countries: Slovenia, Croatia, Bosnia and Herzegovina, Montenegro and Albania. One of main project outcomes shall be PoWPA methodologies (gap assessment, financial sustainability, management effectiveness...) applied to certain level in the Ecoregion countries.

IUCN Green Belt – this initiative of 22 countries is aimed at the first trans-boundary habitat network through Europe, at a death zone (“Iron Curtain”) separated “East” and “West” from the Barents Sea to the

Adriatic Sea. The core areas of this belt will be big cross border National Parks and conservation areas of international interest. It is a retreat for numerous endangered species like lynx, wolf, bear and river otter. One of the visions is, that one day these species could use the Green Belt as a route for migration. In Montenegro, this initiative came out through WWF MedPO project “**Conserving the Biological Diversity of South-Western Balkans: Trans-boundary Nature Conservation in the Landscape of the Durmitor Massif/Tara River/Prokletije Mountains (Montenegro and Albania)**”.

In cooperation with its local partner NGO Green Home (2006) Assessment Study on biodiversity and socio-economic features of the Durmitor / Tara / Prokletije region and its surrounding area, as a basis for development of the Conservation Action Plan (CAP) and for sustainable development has been done. Montenegro is continuously cooperating with the United Nations Educational, Scientific and Cultural Organization – UNESCO, precisely with relevant bodies of this international institution: the World Heritage Centre in Paris and UNESCO BRESCE Office in Venice. Montenegro has received financing for the Project “Recovery and Rehabilitation of Areas Engulfed by Fire in the National Park Durmitor” through the UNESCO’s urgent Participation Programme Projects.

2.6.Lessons learned

Some of the main lessons from the past and currently ongoing projects that are relevant for the smooth implementation of this project, as well as to ensure congruence and complementarity of future actions include the following:

- For the projects, whose main result is in the form of the document, one of the most important initial activities shall be determining very precisely the structure and content of the document(s) with the beneficiary;
- In multi-disciplinary projects, where a team of various experts is involved there is a need for strong management team who will make key recommendations and overall synthesis and conclusions, taking into account all the cross-cutting issues;
- There is an evident need for certain level of flexibility for the projects pre-designed in advance, in order to adapt them to the current needs and changes occurred in the meantime;
- Make sure that all the necessary data and surveys are conveyed at the beginning of the project in order to be able to statistically monitor the influence of project activities,
- Make sure that capacity building and awareness rising have specific and measurable purpose and ensure sufficient administrative capacity and expertise in the development and implementation of sustainable, results-oriented project in order to optimize the absorption of available pre-accession funds.

Consequent execution and planning could be considered as a lesson learned through the implementation of the previous projects. Experience with implementation of projects has showed that planning sessions have to be done after each single activity. Namely, achievements and results from a previous activity must be used as a base for planning next activity.

Also, previous experience showed that having a technical assistance on specific issue provides additional push to conduct changes in that area. However, it is important to ensure political will and relevant institutions cooperation in order to ensure acceptable dynamics of processing the documents developed by the project. It is also important to ensure proper monitoring of the activities.

3. DESCRIPTION

3.1 OVERALL OBJECTIVE OF THE PROJECT

The overall objective of the project is to contribute to environmental protection and Montenegro's preparation for EU accession.

3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT

The specific objective of the project is to contribute to the approximation of environmental legislation, as well as to contribute to protection of Montenegro's biodiversity, following the EU standards and policies.

3.2 OUTPUTS AND RESULTS

The main result of the project is to improve and make much more efficient administrative, institutional and legal framework for the proper implementation of the environmental and climate *Acquis* in Montenegro.

The following outputs are expected:

1. The National Environmental Approximation Strategy (NEAS) and the National Investment Environmental Strategy (NEIS) produced and approved by the beneficiary
2. National database of habitats of annex 1, annex 2 and 4 of the Habitats directive and also the annex 1-4 of the Birds directive available. Database to be used as a basis for proposal of Natura 2000 sites. Descriptions of the annex 1 habitats added to the catalogue produced in the WWF project. A monitoring system established.
3. The legal process to implement Birds and Habitats directives by consultations of the lists of annex species and habitats has been carried out. Delineation of proposed N2000 sites has been made and put into GIS. Consultations with stakeholders have been carried out successfully. The N2000 data base has been completed. Management plans have been made for 10 different types of sites (wetland, forest, grassland etc). The legal process of art 6.3 and 6.4 has been described. The final legal implementation to be done includes species protection part.

3.3 MAIN ACTIVITIES

For the Result 1, the following activities should be performed:

- 1.1. Provide a comprehensive analysis of the existing legislative framework, identifying all the needs for amendments in order to achieve full compliance with entire corpus of environmental and climate *acquis*;
- 1.2. Identification of needs for the new legislative instruments and planning for their drafting and time-table for adoption;
- 1.3. Assessment of the existing administrative set-up and provision of clear recommendations on necessary adjustments;
- 1.4. Comprehensive assessment of technical capacities and infrastructural investment needs;
- 1.5. Identification of needs for employment, training and strengthening of technical capacities, in order to improve enforcement of environmental and climate *acquis*;
- 1.6. Estimation of financial implications of all legislative, administrative, technical and infrastructural changes recommended by NEAS in the form of National Environmental Investment Strategy.

Activities No.1.1 to 1.5 shall be completed in the first phase of the project (year 1) and the activity No. 1.6 shall follow in the second phase of the project (year 2).

For the Result 2, the following activities should be performed:

2.1. Update national reference lists of the annexes of the Habitats Directive and prepare national reference lists of the annexes of the Birds Directive;

This activity will result in a national reference list of Habitat and Birds Directives. The scientists, involved in this project, will gather the digital information, species data and validating field work required to build up the scientific database. The first step will be a data gap analysis in order to identify data deficiencies and to prioritise the various tasks ahead. The analysis will be based on the preliminary reference list according to the Habitat Directive and disposable data for species from Annexes of Habitat and Birds Directive. Satellite images, in adequate resolution, of the Montenegrin terrestrial and coastal area are needed to define and map different habitat types in connection with field studies.

Overall planning of the project, over-viewing existing data and identification of gaps and data collection priorities, organization of the extensive fieldwork and data analysis over the three years for both Habitats and Birds directives will be done. The work will be carried out by consultants with support of Environmental Protection Agency (EPA), Ministry of Sustainable Development; Public Enterprises “National Parks of Montenegro”, “Costal zone of Montenegro”; Institute for Marine Biology, etc.

2.2. Definition and inclusion of habitats descriptions to the Natura 2000 annex 1 habitats catalogue;

According to the results from activity 2.1. and results from the project „Serbia, Montenegro and Natura 2000: Strengthening the Capacity of Governments and Civil Sector to Adapt to EU Nature Protection Acquis“, Government of Montenegro will prepare and publish the Habitat catalogue.

2.3. Compilation of relevant scientific data (existing and collected through targeted field work) according to the criteria set in the Birds and Habitats Directives. Establishment of central data base on the distribution data of targeted species;

Fieldwork by trained biologists and other natural scientists to gather on-the-ground data is needed to define and map natural habitats and species. Beside, field work is needed in order to gather data on population sizes and distribution. Data on species distribution and population sizes will be gathered in the field for revising present information, in line with the requirement of the Habitat and Birds Directive. Extensive field studies are essential to gather diverse scientific data needed for defining and mapping natural habitats and species.

Internal and external consultants will work closely with selected MSDT and EPA staff (hands-on training) and contracting parties to help them become skilled at using remote sensing images to develop maps of natural habitats and species distribution and how remote sensing can contribute to monitoring status of natural habitats in the future. They will also improve skills of the staff in using field work to validate remote sensing images, improve natural habitats maps, determine conservation objectives and carry out surveillance for specific areas.

Prior to field work, an overview of methods and training of new staff that will work in remote sensing/ArcGIS-lab and field sampling of vegetation, birds, insects of terrestrial natural habitats, as well as freshwater and coastal habitats, will take place. The work will be carried out by selected MSDT and EPA staff and external consultants.

2.4. Preparation of draft proposal for the system of monitoring of conservation status of Natura 2000 species and habitat types for reporting according the Birds and Habitats Directives, as well as other headline environmental indicators (EEA).

Monitoring of conservation status is an obligation arising from Article 11 of the Habitats Directive for all habitats (as listed in Annex I) and species (as listed in Annex II, IV and V) of Community interest. Monitoring and reporting on the state of nature gained increasing importance in the European Union with the implementation of the Habitats Directive and the Natura 2000 network. Reporting habitat conservation status requires detailed knowledge on many aspects of habitats at different spatial levels. Monitoring of protected areas will also be a joint venture of the agencies, although at a different levels, and is crucial in maintaining successful future protection of Natura 2000 sites.

For the Result 3, the following activities should be performed:

3.1 To propose amendments and changes to the existing national legislation in accordance to the results of the legal gap analysis.

According to the results of legal gap analysis , Ministry of Sustainable Development and Tourism will provide the new proposals of the existing national legislation in Nature protection field.

3.2. To organize consultations with relevant stakeholders (in accordance with cross cutting issues)

When the project starts, an announcement will be made to the mass media on the initiation of the scientific surveying and the process of selecting sites for protection.

The consultation with relevant stakeholders will be divided in the following manner:

- Television campaigns on nature conservation, in particular advertisements on two television stations in Montenegro.
- Short television program on nature conservation, in particular on protection of habitats.
- Printed material, for newspapers. This will include advertisements for the website as well as small knowledge nuggets concerning protection of habitats and birds.
- Establishment of joint website of the Ministry of Sustainable Development and Tourism, EPA, PE “National Parks of Montenegro” PE “Coastal Zone of Montenegro” and Institute for Marine Biology. All information on areas identified for protection, including maps, will be published on the site. The website will post documentation on the developments and outputs when milestones in the project are reached, as well as present the project in its entirety. The website will include maps, photographs and excerpts from the scientific data as well as administrative aspects.
- Negotiations with relevant Governmental sectors.

3.3. Identify national NATURA 2000 sites according to the Birds and Habitats Directive and map them in GIS;

In the process of the project, the biogeographically zones for Montenegrin have to be determined, in order that Montenegro can fully comply with the EU directives criteria for selection of sites. One of the reasons for this is that habitat types inside same biogeographically areas are compared mutually. The sites have to meet the criteria set out in Annex III in the Habitats Directive (Article 4). Criteria for selection of SPAs for birds according to the Bird Directive have to be determined, based on the criteria used by Ramsar, BirdLife and IUCN.

The most time consuming part of the project will be the data analysis, classification and description of natural habitats and important bird areas. The main work load will be in the second and third year ,after most of the field work and data sampling has been completed. Numerical analytical methods (mainly ordination and classification) will be used to derive habitat classes based on the vegetation data (community composition and abundance of species). Habitat description (terrestrial) will include floristic details (vascular plants, bryophytes and mosses), soil properties, invertebrates and bird fauna. This activity will require extensive field work and an extensive cooperation of scientists from different institutions.

Within this activity procurement of necessary software licences, hardware, field equipment, aerial photos/satellite images, access to remote sensing photos, is needed.

3.4. Preparation of the draft of the Decree for designation of Natura 2000 sites and its submission for adoption

Due to Montenegrin nature value, it is expected that areas will be identified as candidates for new sites of Community interest (SCI's) in Annex I of the Habitats Directive. Based on standard criteria and analyses of data at hand, both for species and habitat types, the conservation status of habitat types and species will be evaluated. Selection of sites (SCI's and SPA's) will be carried out using species by species and habitat by habitat approach. The work will take place in the last two years of the project and will mainly be supervised and carried out by MSDT and EPA staff consulting contracted partners and stakeholders as appropriate.

In accordance with the above results and activities, candidates, tentative list, for SCI's and SPA's will be selected and presented by proper documentation including description of methodology, maps, description of habitat types, fact sheets / standard data forms, population sizes and trends, evaluation of conservation value and favourable conservation status and scientific references.

In addition, the project will support the development of a reader-friendly summary publication with photographs, to show policymakers and the general population the sites that are being proposed and why they are important for overall biodiversity protection in Montenegro.

3.5. To prepare guidelines for management of NATURA 2000 sites in Montenegro for different stakeholders in accordance with their responsibilities

The aim of this activity is to provide guidance for preparation of management plans for future NATURA 2000 sites, particularly for species in Montenegro listed under Habitats Directive 92/43/EEC annexes, especially those of Annex II, which are subject of designation of the Special Areas of Conservation (SACs) ref. Article 3 of the Directive. Very important part is link with Water Framework Directive especially in the terms of preparation of the River basin management plans, which must include registers of protected areas and will require habitat and species data.

3.6. Develop management plan for a selected NATURA 2000 site and start its implementation mainly through:

- Building a network of stakeholders, including local community;
- Preparation of a draft management plan for a specific NATURA 2000 site;
- Assessment of cost-effectiveness of relevant conservation policies.

3.7. Propose structure (including assessment of needs and capacities) for implementation of Article 6 (3) and (4) of the HD - Assessment of plans and projects significantly affecting Nature 2000 sites mainly through:

- Drafting legal base for assessments;
- Proposing ways and means of the involvement and education of stakeholders on assessment of plans and projects significantly affecting Natura 2000 sites;
- Upgrading skills and competence of the organizations for assessing the impact on Natura 2000 sites

3.4 ASSESSMENT OF PROJECT IMPACT, CATALYTIC EFFECT AND CROSS BORDER IMPACT (WHERE APPLICABLE)

This project shall have strong catalytic effect on overall process of joining of Montenegro to the EU. In this context it has obvious positive cross-border impact both on the countries in the region and EU member states. Proper implementation of the EU Environmental Acquis has positive effect on all EU countries and is seen as proper tool to achieve high environmental standards and values on the entire territory of EU.

Establishment of the NATURA 2000 network in Montenegro has also an important role in the natural connectivity and nature protection in cross-border context. This project will contribute to the quality and coherence of the entire NATURA 2000 network.

Indirectly, this project will have positive effects for all citizens of Montenegro, because it will help the country to fully comply with the European environmental standards and preserve its natural treasure, hence improving the quality of life of all citizens of Montenegro.

3.5 SUSTAINABILITY

Sustainability is ensured through the adoption of regulatory framework and establishment of the institutional capacity on national and local level and organizational mechanisms for the efficient implementation of the entire EU environmental Acquis. One of main results of the present project is the transfer of the project results to all the main actors involved in a form of intense concerted action, from national authorities responsible for planning and programming, to local community and individual, responsible for strengthening of capacity and concrete implementation of measures.

The project will have a long lasting sustainability since the purpose of the project is to ensure implementation and enforcement of the environmental legal framework aligned with EU requirements.

3.6. IMPLEMENTATION ISSUES

Pre-conditions which have to be met for efficient project implementation are the following:

- Full commitment of all relevant stakeholders and inter-sectoral coordination;
- The senior management has to be fully involved in the development and implementation of the policies;
- Availability of relevant results of the ongoing Twinning project „Support to Environmental Management“ and other related activities;
- Specific technical expertise can be mobilised, e.g. university level and other relevant institutes and NGO's can be mobilised for the project;
- Existing Government's priorities for the nature protection remain at the same level or are enhanced.

The representatives of the following institutions are involved in the implementation of this project: Ministry of Sustainable Development and Tourism, Ministry of Agriculture and Rural Development, Ministry of Economy, Ministry of Science, Ministry of Finance, Ministry of Transport and Maritime Affairs, and Ministry of Health, whose activities are closely linked with the process of harmonization of legislation in the area of environment as well as other public administration bodies such as Environmental Protection Agency, Public enterprise “National Parks of Montenegro”, Institute for marine biology, Institute for Hydro-Meteorology and Seismology, etc. Also NGO's, private enterprises and local authorities will also play an important role in transforming of the results of the project into reality.

Indicative Project budget (amounts in EUR)

PROJECT TITLE			SOURCES OF FUNDING									
			TOTAL EXPENDITURE		IPA CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION
IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)	
Contract 1 IPA												
		Activities deriving from Result 1										
X	-	Activities deriving from Result 2 except the activity 2.2	2.600.000	2.600.000								
Contract 2 NC												
X		Activity 2.2 from Result 2	320.000		320.000							
Contract 3 IPA												
	X	Activities deriving from Result 3, activity 3.3. (Supply contract)	250.000	250.000								
TOTAL IB			3.170.000	2.850.000	90	320.000						
TOTAL INV												
TOTAL PROJECT			3.170.000	2.850.000	90	320.000	10					

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row, use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

a. INDICATIVE IMPLEMENTATION SCHEDULE (PERIODS BROKEN DOWN BY QUARTER)

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Contract 1-IPA Contract	II quarter 2013	IV quarter 2013	IV quarter 2016
Contract 2- National Contract	II quarter 2013	IV quarter 2013	IV quarter 2015
Contract 3- IPA Contract	II quarter 2013	IV quarter 2013	IV quarter 2015

4. CROSS CUTTING ISSUES

4.1. *Equal Opportunities and non discrimination*

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs (in days) and of trainees benefiting under the project (in days) as an integral component of all project progress reports. Equal participation of man and woman during the implementation of the project will be assured.

Adequate legislation dealing with issues of legal opportunities and discrimination is in place. The Project will ensure, as far as is practicable, that the internal policies, structure or operating procedures of the beneficiary will conform to relevant EU directives and/or laws related to the promotion of equal opportunity.

4.2. *Environment and climate change*

Project aims at protection of environment and supporting the combat against negative effects of climate change.

4.3. *Minorities and vulnerable groups*

N/A

4.4. *Civil Society/Stakeholders involvement*

The design and implementation of the project will be a transparent and inclusive process whereby documents are made available to the interested organizations (NGOs) and public in a timely way so that they can be properly considered by civil society actors and participate in project activities. Feedback on discussions and negotiations should be provided. Involvement of NGOs with specific knowledge which could contribute to the achievement of project objectives will be encouraged.

As mentioned above, the main stakeholders of this project shall be the representatives of the following institutions: Ministry of Sustainable Development and Tourism, Ministry of Agriculture and Rural Development, Ministry of Economy, Ministry of Science, Ministry of Finance, Ministry of Transport and Maritime Affairs, and Ministry of Health, whose activities are closely linked with the process of harmonization of legislation in the area of environment as well as other public administration bodies such as Environmental Protection Agency, Public enterprise “National Parks of Montenegro”, Institute for marine biology, Institute for Hydro-Meteorology and Seismology, etc. Also NGO’s, private enterprises and local authorities will also play an important role in transforming of the results of the project into reality.

ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Project title and number		
		Strengthening the environmental protection system in Montenegro		
		Contracting period expires – Two years from the conclusion of the Financing Agreement		Execution period expires - Two years after the final date for the execution of contracts
		Total budget:	3.170.000,00 €	
		IPA budget:	2.850.000,00 €	
Overall objective	Objectively verifiable indicators (OVI)	Sources of Verification		
The overall objective of the project is to contribute to environment protection and Montenegro's preparation for EU accession	<p>Increased percentage of implementation of National Strategy for Sustainable Development (NSSD)</p> <p>60% of compliance with relevant EU environmental <i>Acquis</i></p>	<p>Report of implementation of NSSD</p> <p>EC Progress Reports</p> <p>RENA reports</p>		
Specific objective	Objectively verifiable indicators (OVI)	Sources of Verification		Assumptions
The specific objective of the project is to contribute to the approximation of environmental legislation, as also to contribute to protecting Montenegro's biodiversity, following the EU standards and policies	<p>Implemented short- term recommendations from EU partnership</p> <p>100 % data identified in order to define Natura 2000 network</p>	<p>EC Progress Report</p> <p>National reports on state of environment submitted to Government of Montenegro</p>		<p>Good coordination of project activities and coordination with all relevant stakeholders</p> <p>Ensuring complementarity with relevant projects and activities</p> <p>Administrative capacities strengthened</p> <p>Availability of reliable statistical data</p>
Results	Objectively verifiable indicators (OVI)	Sources of Verification		Assumptions

<p>1. The National Environmental Approximation Strategy (NEAS) and the National Investment Environmental Strategy (NEIS) produced and approved by the beneficiary.</p> <p>2. National database of habitats of annex 1, annex 2 and 4 of the Habitats directive and also the annex 1-4 of the Birds directive available. Database to be used as a basis for proposal of Natura 2000 sites. Descriptions of the annex 1 habitats added to the catalogue produced in the WWF project. A monitoring system established.</p> <p>3. The legal process to implement Birds- and Habitats directives by consultations of the lists of annex species and habitats has been carried out. Delineation of proposed N2000 sites has been made and put into GIS. Consultations with stakeholders have been carried out successfully. The N2000 data base has been completed. Management plans have been made for 10 different types of sites (wetland, forest, grassland etc). The legal process of art 6.3 and 6.4 has been described. Final legal implementation to be done including species protection part.</p>	<p><u>For Result 1:</u> NEAS and NIAS documents produced and approved by the beneficiary.</p> <p><u>For Result 2:</u> Draft reference lists for species and habitat types National database operational with available priority data An amended catalogue</p> <p><u>For Result 3:</u> The N2000 data base and sites are established The management plans for different N2000 sites are completed Legal preconditions fulfilled for application of assessment of activities on nature according to the requirements of Habitat and Birds Directives</p>	<p>Relevant governmental documents and regulation</p> <p>Governmental decision on adoption of primary and secondary legislation package (Official gazette).</p> <p>Progress monitoring Report</p> <p>Projects reports (short term and quarterly reports).</p> <p>Reports from meetings, trainings, workshops, study tours and conferences</p> <p>Relevant governmental documents and regulation</p> <p>Progress monitoring Report</p> <p>EPA's Annual Report</p>	<p>Commitment of all stakeholders involved.</p> <p>Determining very precisely the structure and content of the results of the project and adapting them to the current needs and changes occurred in the meantime</p> <p>Availability of national experts.</p> <p>National consensus on NATURA 2000 proposed sites reached</p> <p>Developed GIS software.</p> <p>Agreements reached with all needed data providers;</p> <p>An adequate amount of financial resources for regular maintenance of GIS system.</p> <p>Sufficient number of skilled IT staff.</p> <p>Availability of national experts</p>
<p>Activities to achieve results</p>	<p>Means / contracts</p>	<p>Costs</p>	<p>Assumptions</p>
<p><u>For Result 1:</u></p> <p>1.1. Provide a comprehensive analysis of the existing legislative framework, identifying all the needs for amendments in order to achieve full compliance with entire corpus of environmental and</p>	<p>1 IPA Service contract</p> <p>1 IPA Supply contract</p> <p>1 National service contract</p>	<p>2,850,000.00 Euro</p> <p>250,000.00 Euro</p> <p>320,000.00 Euro</p>	<p>Collaboration of various sectors, institutions and governmental bodies;</p> <p>Completion of Implementation plan for Environmental Sector through an on-</p>

<p>climate acquis;</p> <p>1.2. Identification of needs for the new legislative instruments and planning for their drafting and time-table for adoption;</p> <p>1.3. Assessment of the existing administrative set-up and provision of clear recommendations on necessary adjustments;</p> <p>1.4. Comprehensive assessment of technical capacities and infrastructural investment needs;</p> <p>1.5. Identification of needs for employment, training and strengthening of technical capacities, in order to improve enforcement of environmental and climate <i>acquis</i>;</p> <p>1.6. Estimation of financial implications of all legislative, administrative, technical and infrastructural changes recommended by NEAS in the form of National Environmental Investment Strategy.</p> <p><u>For Result 2:</u></p> <p>2.1. Update national reference lists of the annexes of the Habitats Directive and prepare national reference lists of the annexes of the Birds Directive;</p> <p>2.2. Definition and inclusion of habitats descriptions to the Natura 2000 annex 1 habitats catalogue ;</p> <p>2.3. Compilation of relevant scientific data (existing and collected through targeted field work) according to the criteria set in the Birds and Habitats Directives. Establishment of central data base on the distribution data of targeted species;</p> <p>2.4. Preparation of draft proposal for the system of monitoring of conservation status of Natura 2000 species and habitat types for reporting according the Birds and Habitats Directives, as well as other headline environmental indicators (EEA).</p> <p><u>For the Result 3, the following activities should be performed:</u></p> <p>3.1 To propose amendments and changes to the existing national</p>			<p>going Twinning project.</p> <p>The adoption of relevant legislation in field of environment, protection and upgraded existing data base prepared through the WWF project.</p>
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legislation in accordance to the results of the legal gap analysis.

3.2. To organize consultations with relevant stakeholders (in accordance with cross cutting issues).

3.3. Identify national NATURA 2000 sites according to the Birds and Habitats Directive and map them in GIS; .

3.4. Prepare the draft of the designation decree for Natura 2000 sites and submit it for adoption

3.5. To prepare guidelines for management of NATURA 2000 sites in Montenegro for different stakeholders in accordance with their responsibilities.

3.6. Develop management plan for a selected NATURA 2000 site and start its implementation mainly through:

- Building a network of stakeholders, including local community,
- Preparation of a draft management plan for a specific NATURA 2000 site,
- Assessment of cost-effectiveness of relevant conservation policies,

3.7. Propose structure (including assessment of needs and capacities) for implementation of Article 6 (3) and (4) of the HD - Assessment of plans and projects significantly affecting Nature 2000 sites mainly through:

- Drafting legal base for assessments,
- Proposing ways and means of the involvement and education of stakeholders on assessment of plans and projects significantly affecting Natura 2000 sites.
- Upgrading skills and competence of the organizations for assessing the impact on Natura 2000 sites.

ANNEX 2: Description of Institutional Framework

A Project Steering Committee (PSC) will be established and the project is to be implemented under the direct control and supervision of this Steering Committee (PSC). The PSC will be responsible for the overall quality of project implementation and provide strategic direction. The Committee will ensure that the project outputs and goals are met in a timely fashion, approve work plans and reports, offer guidance and advise on project activities. The Committee will meet on quarterly basis.

Members of the PSC will be representatives of the key project stakeholders. The EC Delegation should provide guidance on project evaluation respectively. The PSC will be chaired by representative of the beneficiary. Other Ministries may be invited as appropriate.

The beneficiaries of the proposed project are the Ministry of Sustainable Development and Tourism and related institutions (Environmental Protection Agency).

At the level of national administration, the bodies responsible for activities in the Nature Protection field are: Ministry of Sustainable Development and Tourism, Environmental Protection Agency and other scientific and administrative institutions according to the Law.

ANNEX 3: Reference lists of relevant laws and regulations only where relevant:

- Law on Strategic Environmental Assessment (“Official Gazette of Montenegro”, no. 80/05 and 59/11)
- Law on Environmental Assessment (“Official Gazette of Montenegro”, no. 80/05)
- Law on Nature Protection (“Official Gazette of Montenegro”, no. 51/08)
- Law on National Parks (“Official Gazette of Montenegro”, no. 56/09)
- Law on coastal zone (“Official Gazette of Montenegro”, no. 14/92, 27/94 51/08. 21/09, 73/10. 40/11)
- Law on Environment (“Official Gazette of Montenegro”, no. 48/08)
- Law on Forests (“Official Gazette of Montenegro”, no. 74/10 and 40/11)
- Law on Spatial Planning and Development (“Official Gazette of Montenegro, no.51/08, 40/10, 34/11, 40/11 and 47/11)
- Law on Water (“Official Gazette of Montenegro”, no. 27/07, 32/11 and 47/11)
- Law on Marine Culture and Fishery (“Official Gazette of Montenegro”, no. 56/09 and 40/11)
- Law on Mining (“Official Gazette of Montenegro”, no. 65/08)
- Law on Concessions (“Official Gazette of Montenegro”, no. 08/09)
- Law on Geological Surveys (“Official Gazette of Montenegro”, no. 28/93, 27/94, 42/94 and 26/07)
- Law on Agriculture and Rural Development (“Official Gazette of Montenegro”, no. 56/09)
- Law on Agricultural Land (“Official Gazette of Montenegro”, no. 15/92, 59/92 and 4/93)
- Law on Olives (“Official Gazette of Montenegro”, no. 55/03)
- Law on Law on Freshwater Fishing (“Official Gazette of Montenegro”, no. 11/07)
- Law on Organic Agriculture (“Official Gazette of Montenegro”, no. 11/07)
- Law on Genetically Modified Organisms (“Official Gazette of Montenegro”, no. 22/08 and 40/11)
- Law on Animal Welfare (“Official Gazette of Montenegro”, no. 14/08 and 40/11)
- Law on Hunting (“Official Gazette of Montenegro”, no. 52/08 and 40/11)
- Rulebook on the Types and Criteria’s for Determining the Types of Habitats, Methods for Development of Habitats Maps, Methods of Monitoring and Content of Annual Reports on the Threats for Habitats and Measures to Protect and Preserve Habitats (“Official Gazette of Montenegro”, no. 80/08)
- Rulebook on Detailed Content and Manner of Registration of Protected Natural Areas (“Official Gazette of Montenegro”, no. 79/09)
- Rulebook on Detailed Conditions To Be fulfilled By Protected Natural Resource Manager (“Official Gazette of Montenegro”, no.35/10)

- Rulebook on Detailed Content of the Annual Monitoring Program of Conservation of Nature in the Conditions To be Fulfilled By the Legal Entity In Charge for Monitoring Process (“Official Gazette of Montenegro”, no. 35/10)
- Rulebook on Method of Preparation and Risk Assessment for the Introduction of Foreign Wild Species of Wild Plants, Animals and Mushrooms (“Official Gazette of Montenegro”, no. 46/10)
- Rulebook on Detailed Conditions To Be Fulfilled By Individuals and Legal persons for Preservation of Temporarily Deprived Protected Wild Species of Plants, Animals and Mushrooms (“Official Gazette of Montenegro”, no. 46/10)
- Decision on the Protection of rare, Relict, Endemic and Endangered Plant and Animal species (“Official Gazette of Montenegro”, no. 76/06)
- etc.

In addition to the aforementioned, there are many international conventions which Montenegro has ratified, in the environmental protection field:

- Convention on Biological Diversity,
- Cartagena Protocol on Convention on Biological Diversity,
- Convention on Migratory Species - CMS,
- Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention),
- Ramsar Convention on Wetlands, European Landscape Convention,
- Convention for the Protection Of The Mediterranean Sea Against Pollution (Barcelona Convention),
- The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean,
- etc.

ANNEX 4: Details per EU funded contract (*) where applicable:**IPA Service contract**

- All activities deriving from Result 1 will be financed through IPA contribution.
- All activities deriving from Result 2, except the activity 2.2 will be financed through IPA contribution.

Implementation period of this contract will be 3 years.

National contract

- Activity 2.2 from Result 2 will be financed through national co-financing.

IPA Supply contract

- Activity 3.3. from Result 3 will be financed through IPA contribution

ANNEX 5: Expertise required

Project Leader (senior long-term key expert)

Qualifications and skills

- Advanced university degree in Law or environmental studies;
- Proficient in English, spoken and written. Knowledge of Montenegrin is an asset.

General professional experience

- Minimum of 8 - 10 years of professional experience in the field EU approximation process

Specific professional experience

- Specific horizontal expertise in EU environment legislation;
- In-depth knowledge of the approximation process;
- Experience in successfully leading, managing and mobilising diverse sector team of experts, delivering project preparatory tasks on time/under budget and preparing multi-sector terms of references in one but preferably more projects in the past five years.

Experts for NEAS and NEIS development:

Environmental experts (2)

Qualification and skills

- Have an advanced university degree in environmental field;
- Proficient in English, spoken and written. Knowledge of Montenegrin is an asset.

General professional experience

- Minimum of 8 years of professional experience in the field of environment

Specific professional experience

- Proven with expertise in EU Acquis implementation (horizontal legislation, air quality legislation, water management legislation, waste management legislation, nature protection legislation, industrial pollution control legislation, chemicals legislation, noise legislation and climate change legislation).

Legal expert (1)*Qualification and skills*

- Have an advanced university degree in Law;
- Proficient in English, spoken and written. Knowledge of Montenegrin is an asset.

General professional experience

- Minimum of 8 years of professional experience in EU environmental legislation.

Specific professional experience

- Proven with expertise and experience in EU acquis implementation

Financial expert (1)*Qualification and skills*

- Have an advanced university degree in Economics;
- Proficient in English, spoken and written. Knowledge of Montenegrin is an asset;

General professional experience

- Minimum of 8 years of professional experience

Specific professional experience

- Proven experience and skills in the field of financial assessment in the field of environment .

Experts for Natura 2000 network:**Team leader for NATURA 2000***Qualification and skills*

- Have an advanced university degree in biology;
- Proficient in English, spoken and written. Knowledge of Montenegrin is an asset.

General professional experience

- Minimum of 5 years of professional experience in the field of nature protection.
- Minimum of 3 year in the field of the project management

Team of experts for specific taxonomic groups (21 experts)

Qualifications and skills

- Have an advanced university degree in biology;
- Proficient in English, spoken and written, knowledge of Montenegrin is an asset;

General professional experience

- Minimum of 5 years of professional experience on the nature protection field
- Specific professional experience Botanist (for high and lower plants)
- Zoologists for vertebrates (fishes, amphibians, reptiles, birds, mammals (large carnivores, bats, dolphins, etc.)) Zoologists for invertebrates for all taxonomic groups: arthropods (Crustacea, Isopoda), insecta (Coleoptera, Hemiptera, Lepidoptera, Mantodea, Odonata, Orthoptera), Arachnida (Pseudoscorpiones), Molluscs (Gastropoda, Bivalvia)
- Mycologist

Team of experts for habitat types*Qualifications and skills*

- Have an advanced university degree in biology or forestry;
- Proficient in English, spoken and written, knowledge of Montenegrin is an asset;

General professional experience

- Minimum of 5 years of professional experience in the project area

Specific professional experience

- Expertise in the field of botany (forests and shrubs, grasslands, continental waters, marine habitats, rocky habitats and caves)

GIS experts (2)*Qualifications and skills*

- Have an advanced university degree in geography or information technology;
- Proficient in English, spoken and written, knowledge of Montenegrin is an asset;

General professional experience

- Minimum of 5 years of professional experience in the project area

Specific professional experience

- In-depth knowledge on GIS performance (QGIS and ArcGIS).

ANNEX 6: Project visibility activities

The visibility activities will ensure that the beneficiary population is aware of the roles of the partner and of the EU in the activity and raise awareness among the Montenegro population or in Europe of the roles of the partner and of the EU in delivering aid in this particular context (improving environmental protection).

Activities will be realized through information campaigns including press releases, press conferences, leaflets, brochures and newsletters, web sites, photographs, audiovisual productions. For all activities relating visibility measures the organizers will contact the Press and Information Officer at the EU Delegation in Montenegro as the person is responsible for coordinating the overall EU communication strategy. At every stage of these activities will be clearly noted that the project is implemented through the 2012-2013 IPA DEU.