
Action 5

To establish buffer strips along the rivers to retain nutrients and to promote alternative collection and treatment of waste in small rural settlements

7th Steering Group Meeting of the Priority Area 4 - To restore and maintain the quality of waters - of the EUSDR

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J&E

- An association of environmental legal organisations
- Legal seat in Brno, Czech Republic
- Coordinated from Budapest, Hungary
- Broad focus on environmental law
- J&E aims for better legislation and implementation of environmental law on the national and EU level to protect the environment, people and nature
- Identify and address problems in use of EU law
- Assist other organisations with legal expertise

J&E - members

Current full members:

- § Association for Environmental Justice (AJA, Spain)
- § Bankwatch Association Romania (BWA, Romania)
- § Frank Bold Society (FBS, Czech Republic)
- § Environmental Management and Law Association (EMLA, Hungary)
- § Estonian Environmental Law Center (EELC, Estonia)
- § ÖKOBÜRO (ÖB, Austria)
- § Legal Information Centre (PIC, Slovenia)
- § VIA IURIS (VI, Slovakia)
- § Zelena Akcija (ZA, Croatia)
- § International Institute for Law and the Environment (IIDMA, Spain),

Current associate members: Front 21/42 (FYR Macedonia), Independent Institute for Environmental Issues (UfU, Germany)

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Historical background

The **EU Strategy for the Danube Region** (EUSDR):

- COM(2010)715 – **Communication** from the European Commission to the other EU institutions
- SEC(2010)1489 – accompanying **Action Plan** which complements the Communication

Historical background

Organization of the Action Plan

A) Connecting the Danube Region

- 1) *To improve mobility and multimodality*
- 2) *To encourage more sustainable energy*
- 3) *To promote culture and tourism, people to people contacts*

B) Protecting the Environment in the Danube Region

- 4) *To restore and maintain the quality of waters*
- 5) *To manage environmental risks*
- 6) *To preserve biodiversity, landscapes and the quality of air and soils*

C) Building Prosperity in the Danube Region

- 7) *To develop the Knowledge Society through research, education and information technologies*
- 8) *To support the competitiveness of enterprises, including cluster development*
- 9) *To invest in people and skills*

D) Strengthening the Danube Region

- 10) *To step up institutional capacity and cooperation*
- 11) *To work together to promote security and tackle organised and serious crime*

Historical background

- Priority Area 4** : To restore and maintain the quality of waters
- **Action 5** : “To establish buffer strips along the rivers to retain nutrients and to promote alternative collection and treatment of waste in small rural settlements”.
 - **Milestone n°1** : Survey on the situation of buffer zones
 - **Milestone n°3** : Survey on the situation on management of solid waste in small rural settlements
 - **Milestone n°4** : Survey on the situation on alternative collection and treatment of wastewater in small rural settlements

Methodology

- Assessment of the situation in the Danube basin based on separate questionnaires regarding **existing buffer zones/strips and their efficiency**
 - legislative background
 - progress in implementation of existing measures
- Assessment of the situation in the Danube basin regarding **solid waste disposals, landfills and waste management** with a licence with inadequate protection or conformity to regulations **in small rural settlements**
- Assessment of the situation in the Danube basin based on separate questionnaires regarding **wastewater treatment and management in small rural settlements**

Methodology

- Questionnaire for the assessment of the state of buffer zones in EU SDR countries
- Environmental lawyers from each Danube countries (answers questions + short interviews with national decision makers)
- **Questions on protecting territories**
 - General legal background (level and type of regulations establishing protecting territories)
 - Definitions, establishment, management
 - Specific technical requirements
 - Procedural rules (designation, authorities responsible, stakeholders taking part)
 - Evaluation of effectiveness of the regulations

Methodology

Survey on the situation on **management of solid waste in small rural settlements**

- Questionnaire:
 - Legislative background
 - Local relevance of legal provisions of specific waste management activities
 - The role of local administration in the regulation, organization, management and control of local waste management activities

Methodology

Survey on the situation on **alternative collection and treatment of wastewater in small rural settlements**

- Questionnaire
 - Legislative background of waste water treatment
 - Waste water treatment solutions in small rural settlements
 - Supervision and control of waste water treatment activities (authorities responsible and legal instruments they apply)

Main findings – buffer zones

- Regulation: environmental law, law on water management, agricultural law etc.
- Definition :
 - certain territory or stripe around or alongside a water body
 - extension (determined by law or on a case-by case basis)
 - aim of the protection (protection against negativ impacts, good ecological quality, proper drinking water quality etc.)
 - ways of determination (by law, or by the authorities)
 - legal-administrative restrictions (prohibitions and obligations)

Main findings – buffer zones

The planning of the protecting territories

- Protection of waterflows appears in a wide-range of planning documents (national, regional, local spatial plans, RBMPs, nature protection plans, agricultural planning documents etc.)
- Coordination and alignment of these plans would be important (different terms, parallel measures, contradictory deadlines)
- Up-to-date registry of the protected territories would contribute to the proper implementation.

Main findings – buffer zones

Size of protecting territories

- Range between 5 to 50 meters from the shore line
- With or without right to the authorities to tailor to the local circumstances
- Protecting zones might form a system for several protecting purposes – different rules to conduct
- In some cases further divided into several zones where level of protection is different

Main findings – buffer zones

Substantial rules on protecting territories

- conditions of determining protection zones
- restrictions of land use, activities to be refrained from
- action programmes for the proper handling
- safety measures such as introducing and operating monitoring systems
- rules on compensating land-owners
- development of alternatives to farming practices
- sanctions in case of non-compliance

Main findings – buffer zones

The process of assigning the protecting territories

- stakeholders
- procedural steps
 - right of initiation
 - expert body to develop the plans
 - consultation
 - decision
 - inclusion in a registry or into planning documents

Problems – buffer zones

- Altering definitions (different definitions for the different purposes for the same territory, lack of clarity)
- Planning of the protecting territories (planning documents not in concordance with the respective legislation)
- Lack of social attention and proper funding (including for the compensation of land owners for the restrictions)

Policy proposals – buffer zones

- Definitions and substantial rules – guidance document (aims, determination, stakeholders, substantial requirements, restrictions, compensation measures, good practices etc.)
- Harmonization of planning documents
- Substantial rules of the protecting territories (site specific guidelines to orient activities of land users)
- Enhanced cooperation between different authorities

Main findings – management of solid waste

- Waste management planning and waste management activities are regulated in detail in most of the countries.
- Main problems arise from implementation – illegal activities and from abandoned dumping sites.
- Local municipalities – competitive advantage but lack of financial resources
- Landfill is still the most common disposal method of municipal solid waste - strong pressure on countries to decrease the amount of waste to be landfilled (selective collection with different effectiveness)

Problems – management of solid waste

- Abandoned landfill sites (high number of to be recultivated landfills and questionable attainability of financial resources)
- Illegal waste dumping (limited number of landfill sites, exceeding landfill rates, no reliable data on the number of illegal waste dumping sites)

Proposals – management of solid waste

- Prevention, detection and sanctioning illegal waste disposal (significant financial resources, effective enforcement, awareness raising campaigns)
- Liquidation of abandoned municipal landfill sites (tracing, assessment, monitoring and liquidation - cooperation of all the respective authorities and bodies)

Main findings – alternative collection and treatment of waste water

- In most of the Danube countries – special regulations on alternative waste water treatment solutions for small local settlements
- Individual solutions : depending on given environmental and technical conditions (domestic wastewater treatment facilities, domestic wastewater treatment units, domestic closed wastewater containers)
- Local municipalities – limited scope in the authorization and inspection (water management authorities and water utility companies)

Problems and proposals - alternative collection and treatment of waste water

- Countries pursue to build up the respective wastewater treatment infrastructure – costly and long procedure (small, clean, flexible local solutions shall have a priority in order to drive back untreated wastewater discharge into watercourses)
- Complicated authorization (flexible legal tools shall accompany these technical solutions)

Thank you for your attention!

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