



The Law On The Protection Against Adverse Impacts Of Climate Change

Why is the national ‘Law on the protection against adverse impacts of climate change’ important to the Government in Montenegro?

In 2015, the Government of Montenegro submitted its Independent National Determined Contribution under the UNFCCC and with this document committed itself to achieve 30 % Greenhouse Gas emission reduction by 2030 compared to the 1990 base year. To accomplish this goal, the government of Montenegro decided that the total allowed emissions of stationary installations with greenhouse gas emissions will be reduced by 1.5% annually in the period 2020–2030:

For achieving this goal the Montenegrin Government strengthened the national legislation framework on climate change, by developing the national ‘Law on the protection against adverse impacts of climate change’, which was approved by the national Parliament on 23rd December 2019, and the Ministry of Sustainable Development and Tourism is planning to develop approximately 15 by-laws through which this law shall be enforced.

30%

Greenhouse Gas emission reduction by 2030

1.5%

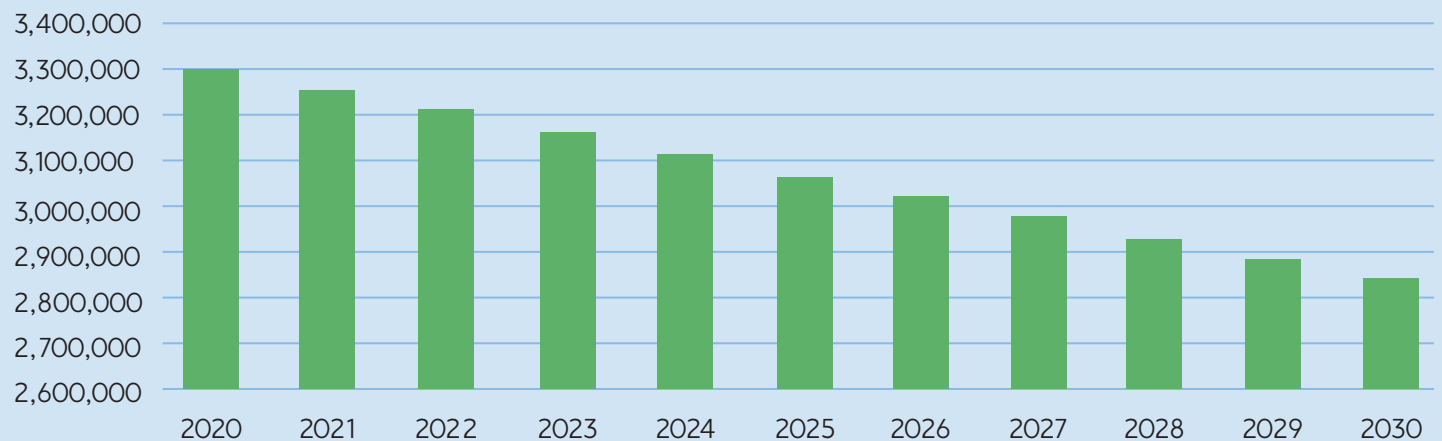
Reduction of the total allowed emissions of stationary installations with greenhouse gas emissions

23rd December 2019

‘Law on the protection against adverse impacts of climate change’, was approved by the national Parliament

Planned GHG emission reduction for the period 2020 – 2030

t, Co2 equiv.



What is the scope of this law and what are the expected outcomes?

This Law governs:



protection against adverse impacts of climate change



protection of the ozone layer



reduction of greenhouse gas emissions



other matters related to the protection against adverse impacts of climate change

¹ Stationary Installations – Industry technologies, machines, equipment fixed in place, that are emitting Greenhouse gases when in operation

² Draft Regulation on activities or operations emitting Greenhouse Gases for which the permit for Greenhouse Gases is issued (this Regulation is in phase of a suggestion, and still has to get approval by the Montenegrin Government and by the Montenegrin Parliament)

The Law On The Protection Against Adverse Impacts Of Climate Change

Based on this law, protection against adverse impacts of climate change shall be carried out by reducing greenhouse gas emissions and ozone-depleting substances to the scientifically determined necessary level in a cost efficient and effective way, and it shall be accomplished based on two documents:



The Low-Carbon Development Strategy and Action Plan;



The Climate Change Adaptation Plan

What are the objectives of the Low-Carbon Development Strategy and Action Plan?

The Low-Carbon Development Strategy is the document detailing how greenhouse gas emissions will be reduced overtime. This strategy will be implemented on the basis of the Action Plan, and both documents will be adopted by the Government of Montenegro (the Strategy will be adopted for a period of 30 years, and the Action plan shall be adopted on two-year bases). In addition to all the regular chapters such as various analysis, proposed policies & measures, objectives, this strategy will include projections of levels of greenhouse gas emissions (separately for energy, industry, agriculture, forestry and transport sectors).

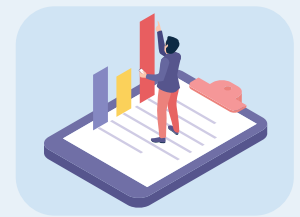
The Action Plan will contain measures and activities to be implemented to achieve strategy objectives, such as: measures for achieving targets for reducing GHG emissions from agriculture, waste management, energy, industrial processes and product use; and measures with which the calculated GHG emissions from forestry, LULUCF sectors do not exceed the sinks of emission from the given sector.

In achieving the low-carbon development, stationary installation operators and the aircraft operator have an important role, and therefore, this law is regulating their obligations regarding reporting on their operations and GHG emissions, obtaining permits for GHG emissions, obtaining an emission allowance for each unit of equivalent carbon dioxide emission it generates, and producing a plan for monitoring the greenhouse gas emissions from an aircraft.

The Low-Carbon Development Strategy



Chapters such as various analysis, proposed policies & measures, objectives



Projections of levels of greenhouse gas emissions

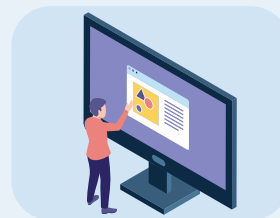
30 years

Is the period that the Strategy will be adopted for

2 years

Is the period that the Action Plan will be adopted for

The Action Plan



Measures for achieving targets for reducing GHG emissions from agriculture, waste management, energy, industrial processes and product use



Measures with which the calculated GHG emissions from forestry, LULUCF sectors do not exceed the sinks of emission from the given sector

What is the objective of the Climate Change Adaptation Plan?

The Climate Change Adaptation Plan is the second document on which the protection of adverse impact of climate change in Montenegro will be based on, and the objective of this plan is to identify impacts of climate change on vulnerable sectors and reduce adverse consequences for those sectors in Montenegro. The Climate Change Adaptation Plan shall be prepared for a time period of 10 years and it shall be adopted by the Government. The state administration authorities responsible for energy, industry, agriculture, forestry and transport shall deliver to the Ministry a biannual report on implemented measures aimed at preventing adverse impacts of climate change, as well as data on floods, droughts, extreme temperatures, etc. The Ministry shall prepare the biannual Adaptation Plan implementation report and deliver it to the Government.

How is reporting on emissions and verification of reports regulated by this law?

Articles of the law under the 'Reporting on emissions and verification of reports' chapter are regulating reporting obligations of stationary installation operators and the aircraft operator on:



Report on emissions



Report verification



Management, control and keeping up data



Inventory of GHG



Reporting on GHG emissions at the national level



Carbon-dioxide emissions from new passenger vehicle

Inventory of greenhouse gases – roles and responsibilities of relevant institutions are defined: the GHG inventory shall be prepared by the administration authority, data owners (institutions, polluters) shall deliver the data for inventory preparation purposes to the administration authority for inventory preparation (the data shall be collected based on the annual data collection plan adopted by the Ministry). Based on the inventory data, the administration authority shall prepare reports and deliver them to the Ministry and relevant international institutions.

Reporting on greenhouse gas emissions at the national level – In line with the commitments arising from the ratified international treaties in the field of climate change, the Ministry shall prepare the National Communication on Climate Change and the Biennial Updated Report.

How is geological storage of carbon dioxide regulated by this law?

Based on this law, 'geological storage of carbon dioxide shall be prohibited within the territory of Montenegro or in its territorial waters, water bodies, exclusive economic zone, and the continental shelf, while cross-border transport of carbon dioxide for storage across the territory of Montenegro shall be allowed if there is infrastructure in place for cross-border transport of carbon dioxide'.

How is protection of the ozone layer regulated by this law?

Based on this law, the Government shall regulate:

- 'placing on the market, production, use, export and import of ozone-depleting substances and alternative substances, equipment and products containing or made by using those substances, as well as the gradual reduction in the use of these substances, equipment and products; as well as;
- handling of ozone-depleting substances and alternative substances, handling of equipment or products containing or made by using those substances, handling of those substances after products containing them are phased-out, method of their recovery, use, recycling, reclamation, permanent disposal and destruction, labelling of substances, equipment and products and reporting on their consumption, use, import, export and placing in the market. Import and/or export of ozone-depleting substances and alternative substances shall take place solely based on the permit issued by the administration authority.'

