Unlike the case of Bosnia-Herzegovina (BiH), there is a long and well-established institutional legacy of environmental governance, and governance more generally, in Serbia. As outlined in the previous chapter, the governmental structures in Serbia are highly centralized at the state level, with minimal responsibilities at the municipal level and no intermediate level of governance. The exception to this is the autonomous province of Vojvodina with limited autonomy in selected areas, though these competencies were curtailed in the amended statute in May 2014. Because of existing governance capacities, the objective of Europeanization in Serbia was not one of state consolidation and creation, but rather to transform or rehabilitate authoritarian modes of government into practices that adhere to European democratic standards. In the period after the end of the Milošević-led regime, a number of reforms were passed, including new environmental legislation.

The 2004 Law on Environmental Impact (135/04) is broadly congruent with the EU directives on environmental impact assessment (EIA), including the provisions of the Aarhus Convention. The Serbian EIA process consists of three phases to determine: whether an EIA is necessary (Phase I); the scope and content of the EIA (Phase II); and the EIA study (Phase III). The legislation places a strong commitment by the developer to complete an EIA study if prescribed by the competent authorities (e.g., the state-level Ministry of Environment and Spatial Planning), without which implementation of the project cannot commence (Article 5). The developer sends an initial document with project details to the responsible authority to determine whether an EIA is required (Article 8), with a decision by the responsible ministry within 15 days (Article 10). Once it is determined that an EIA is required, the developer submits a scoping study, which includes: information about
the developer, project location, project description, main alternatives, summary of environmental impacts, likely significant negative impacts, proposed mitigation measures, non-technical summary of data, and potential difficulties in collecting data relevant to the study (Article 12). The responsible authority then has ten days to inform interested parties – including affected communities, organizations, and governmental bodies – about the scoping study in order to collect comments; these interested parties have a further 15 days to send feedback to the responsible authority. The responsible authority issues a decision on the scope and content of the study ten days after the feedback period is over (and notifies the developer within three days of making the decision), taking under consideration the details of the project and the comments received from interested parties (Article 14). The developer has one year to send a draft EIA after receiving the final decision on the scope and content of the study (Article 16).

Once the developer submits the draft EIA, the responsible authority has seven days to inform the project developer and interested parties about the time and venue for a public hearing to introduce and discuss the EIA, which must take place at least 20 days after the public is informed about the meeting (Article 20). The EIA study is evaluated by a Technical Commission, formed within ten days of receipt of the relevant documents, which is comprised of experts who do not have a conflict of interest and are not already involved in the evaluation of the project (Article 22). The Technical Commission has 30 days to provide a recommendation of approval on the EIA study, which does not include periods where the Technical Commission or responsible authority requests the developer to make amendments before further consideration (Article 23). The competent authority has ten days to adopt the decision on the EIA study after receiving the final report of the Technical Commission (Article 24), and ten days from adopting the decision to inform interested parties about the decision (Article 25). If the EIA study is approved, the developer has two years within which the project implementation must be started (Article 28). In addition to details about the steps of the EIA procedure, the legislation specifies the media in which interested parties are informed: publication in at least one local newspaper for each local language spoken in the area in which the project is proposed; direct written notification by the competent authority for relevant organizations and agencies; and electronic media (Article 29). There is also a stipulation in the Serbian legislation, in line with the Espoo Convention on EIA in a Transboundary Context, that if the project has potential impacts across international borders, the foreign interested parties would also be