

PROTOCOL
ON SEDIMENT MANAGEMENT TO THE FRAMEWORK AGREEMENT
ON THE SAVA RIVER BASIN

Bosnia and Herzegovina, the Republic of Croatia, the Republic of Serbia and the Republic of Slovenia (hereinafter: the Parties),

Pursuant to the provisions referred to in Article 30 and taking into account Article 8, Article 10 paragraph 4, Article 11 paragraphs a, b and c of the Framework Agreement on the Sava River Basin done at Kranjska Gora on 3 December 2002 (hereinafter: FASRB),

Having in mind that sediment is an essential, integral and dynamic part of the river system and forms a variety of habitats and environments,

Recognizing that sediment management is important for maintaining of the water regime,

Wishing to establish and improve navigation and maintenance of navigable parts of the Sava River and its tributaries,

Affirming the need to promote active international cooperation among the Parties to enhance appropriate policies and to reinforce and coordinate action at all appropriate levels for promoting sustainable sediment management related to quality and quantity issues,

Promoting sustainable sediment management solutions, which carefully balance the socio-economic and environmental values to be set within the whole Sava River Basin,

Taking into consideration, the Directive 2000/60/EC of the EU Parliament and of the Council of 23 October 2000, establishing a framework for community action in the field of water policy (Water Framework Directive) and all other relevant EU legislation, as well as European Agreement on Main Inland Waterways of International Importance (AGN),

Have agreed as follows:

Part I
GENERAL PROVISIONS

Article 1
DEFINITIONS

1. For the purpose of this Protocol:

- (a) "The Sava River Basin" means the geographical area extended over the territories of the Parties, determined by the watershed limits of the Sava River and its tributaries, which comprises surface and ground waters, flowing into a common terminus;
- (b) "FASRB" means the Framework Agreement on the Sava River Basin, done at Kranjska Gora, Slovenia, on 3 December 2002, including amendments stipulated within the Agreement on Amendments to the Framework Agreement on the Sava River Basin and

Protocol on Navigation Regime to the Framework Agreement on the Sava River Basin,
done at Ljubljana on 2 April 2004;

- (c) "Sava Commission" means the International Sava River Basin Commission established by Article 15 of the FASRB;
- (d) "Impact" means any adverse or detrimental effect on the river environment resulting from a change in water or sediment regime, caused by human activity, and which change may affect life and property, safety of facilities, and the aquatic ecosystem concerned;
- (e) "Main tributaries of the Sava River" are defined in Annex I to this Protocol;
- (f) "Water regime" means quantity and quality conditions of the waters of the Sava River Basin in space and time influenced by human activities and/or natural changes;
- (g) "Waterway" means navigable part of Sava River and its main tributaries;
- (h) "Sediment regime" means quantity and quality conditions of the sediment of the Sava River Basin in space and time influenced by human activities and/or natural changes;
- (i) "Sediment" means solid material that is or can be transported by or deposited from water;
- (j) "Sediment management" means organized and coordinated sediment related activities provided in accordance with certain policies, plans and programmes to achieve main social, economic and environmental objectives;
- (k) "Dredging" is excavation of sediment and means an activity or operation usually carried out at least partly underwater with the purpose of gathering up bottom sediments and disposing of them at a different location;
- (l) "Capital dredging" means dredging in scope of creating new engineering works such as new waterways, new harbours, land reclamation and dredging allowed in accordance with national law;
- (m) "Maintenance dredging" means dredging for maintenance and improvement of the waterway to ensure safe navigation, or dredging for maintenance and improvement of water regime performed in accordance with national law;
- (n) "Environmental remedial dredging" means dredging of polluted sediments to solve environmental problems;
- (o) "Pollution" means the direct or indirect introduction, as a result of human activity, of substances into the environment which may be harmful to human health or the quality of aquatic ecosystems and terrestrial ecosystem direct depending on aquatic ecosystem;
- (p) "Sava River Basin Management Plan" means the plan developed in accordance with Article 12 of the FASRB.

2. Other terms from this Protocol that are not separately defined shall be interpreted in accordance with the FASRB.

Article 2

SCOPE

1. The Parties agree to regulate the procedures of mutual cooperation related to sustainable sediment management to protect the integrity of the water and sediment regime in the Sava River Basin.
2. This Protocol shall apply to sustainable sediment management and comprise:
 - (a) quality issues such as sediment pollution, including risk-assessment, control of source and deposition of polluted sediment; and
 - (b) quantity issues such as dredging, erosion and torrent control, reservoir sedimentation and morphological changes.

Part II

SEDIMENT MANAGEMENT

Article 3

PRINCIPLES OF SUSTAINABLE SEDIMENT MANAGEMENT

The Parties shall cooperate in order to achieve sustainable sediment management in the Sava River Basin by:

- (a) Respecting the natural processes;
- (b) Respecting the water regime;
- (c) Recognizing the sediment, considering its quality and quantity, as resource;
- (d) Providing the balance between socio-economic and environmental values of sediment;
- (e) Planning and executing measures to reduce up- or downstream impacts;
- (f) Providing the integrated river-sediment-soil-groundwater solutions;
- (g) Supporting and increasing the cooperation with stakeholders.

Article 4

SAVA RIVER BASIN SEDIMENT MANAGEMENT PLAN

1. The Parties shall develop a joint Sava River Basin Sediment Management Plan (hereinafter: the Sediment Management Plan).
2. The Sediment Management Plan shall be adopted by the Sava Commission.
3. The Sediment Management Plan shall cover the following issues, inter alia:
 - (a) sediment balance throughout the river system;
 - (b) sediment monitoring;
 - (c) evaluation of sediment quality and quantity;
 - (d) measures to prevent impacts and pollution of water or sediment resulting from dredging;
 - (e) measures to control erosion, torrents and other sediment processes;

- (f) measures to ensure and maintain integrity of water regime;
 - (g) measures to provide, ensure and maintain conditions for safe navigation;
 - (h) measures to protect wetlands areas and retention spaces;
 - (i) measures to control reservoir sedimentation;
 - (j) designated areas for capital dredging;
 - (k) guidance for the sediment disposal, treatment and use;
 - (l) institutional arrangements for implementation of the Sediment Management Plan.
4. The Sediment Management Plan shall define the detailed contents of the Information of Planned Dredging.
 5. The Sava Commission shall adopt the first Sediment Management Plan no later than six years after this Protocol enters into force. The Sediment Management Plan shall be revised at least every six years.

Article 5

PROGRAM FOR DEVELOPMENT OF SEDIMENT MANAGEMENT PLAN

1. The Sava Commission shall adopt a Program for Development of the Sediment Management Plan (hereinafter: the Program), within six months as of the entry into force of this Protocol.
2. The Program shall comprise all elements relevant for development of the Sediment Management Plan, including responsibilities of the Parties, mechanisms of the plan development, holders of the particular activities and their realisation deadlines.

Article 6

COORDINATION / HARMONIZATION OF PLANS

The Parties shall take appropriate steps to coordinate and/or harmonize the Sediment Management Plan, the Sava River Basin Management Plan and other plans and programmes dealing with water management and sediment management for achieving common synergies and benefits having regard to the objectives of the FASRB accordingly.

Article 7

COORDINATED SYSTEM OF SEDIMENT MONITORING

The Parties shall establish a coordinated system of sediment monitoring in order to provide all data necessary for development and implementation of the Sediment Management Plan.

Article 8

DREDGING

1. The Parties shall perform only maintenance and environmental remedial dredging.
2. Capital dredging shall be allowed only in the designated areas that are in accordance with Sediment Management Plan and national law.

3. The dredging shall be performed only by natural or legal person, which is, in accordance with national law of the Party, entitled to perform dredging.

Article 9

INFORMATION ON PLANNED DREDGING

1. Each Party shall develop the Information on Planned Dredging on yearly basis.
2. Until the Sediment Management Plan is adopted, the Information on Planned Dredging shall contain at least the following:
 - (a) planned locations and types of dredging including assessment of quantity and quality of sediment to be dredged for Sava River and its main tributaries;
 - (b) methods for sediment disposal;
 - (c) methods for sediment treatment in case the sediment is polluted;
 - (d) summarized quantities of dredged sediment for the sub-basins of other tributaries.
3. The Sava Commission shall establish the Template for the Information on Planned Dredging until the Sediment Management Plan is adopted.
4. Each Party shall develop Report on realization of the activities under the Information on Planned Dredging for previous year.
5. Information on Planned Dredging for the next year shall be sent to the Sava Commission until the end of the current year.
6. Report on Realization of the activities under the Information on Planned Dredging for previous year shall be sent to the Sava Commission by the end of March of the current year.
7. The Parties shall be informed about the Information on planned dredging and Report of Realization through the Sava Commission. On request of any Party, the Sava Commission shall organize consultations with other Parties related to any issue of importance for development and implementation of the activities under the Information on Planned Dredging.

Part III

INSTITUTIONAL ARRANGEMENTS AND COOPERATION

Article 10

COMPETENT AUTHORITIES AND FOCAL POINT

1. Each Party shall designate the competent authority/authorities which shall be responsible for implementation of this Protocol and nominate its Focal point for official communication in implementation of this Protocol, on its behalf.
2. Each Party shall, no later than on the date of entry into force of this Protocol notify the Sava Commission of the competent authority/authorities and name and address of its Focal point. Each Party shall forthwith notify the Sava Commission of any changes in competent authority/authorities and name and address of its Focal point.

3. The Sava Commission shall forthwith inform the Parties of the notifications received under Paragraph 2 above.

Article 11

EXCHANGE OF INFORMATION

1. The Parties shall, either directly or through the mechanisms of the Sava Commission, exchange reasonably obtainable information on subjects related to the implementation of this Protocol.
2. The Parties which have agreed to exchange information directly among them shall nevertheless communicate such information to the Sava Commission. The latter shall communicate this information to the other Parties.

Article 12

COMMON RESEARCH AND DEVELOPMENT

The Parties shall, as appropriate, initiate research and cooperate in the development of methods and technologies for the sustainable sediment management. For these purposes, the Parties shall encourage and actively promote scientific and technological cooperation, including research aimed at limiting impact to water and eco-system caused by dredging and preventing and limiting the consequences of dredging.

Article 13

MEETING OF THE PARTIES

Meeting of the Parties as stipulated under Article 14 of the FASRB shall also serve as the Meeting of the Parties to this Protocol.

Article 14

INTERNATIONAL SAVA RIVER BASIN COMMISSION

The Sava Commission shall exercise its functions defined in the FASRB, mutatis mutandis, for the implementation of this Protocol.

Article 15

SECRETARIAT

The Secretariat defined in Article 18 of the FASRB shall exercise its functions defined in the FASRB, mutatis mutandis, for the implementation of this Protocol.

Article 16

MONITORING OF IMPLEMENTATION OF THE PROTOCOL

The methodology of permanent monitoring established pursuant to Article 21 of the FASRB shall also apply to the monitoring of implementation of this Protocol.

Part IV
FINAL PROVISIONS

Article 17
DISPUTE SETTLEMENT

Any dispute arising between two or more Parties regarding the interpretation or implementation of this Protocol shall be settled in accordance with the procedure set forth in the FASRB.

Article 18
RELATIONSHIP OF THE PROTOCOL WITH THE FASRB

Except when otherwise provided in this Protocol, the provisions of the FASRB relating to its Protocols shall apply to this Protocol.

Article 19
OTHER AGREEMENTS

1. Nothing in this Protocol shall affect the rights and obligations of a Party arising from any agreement being in force on the date on which this Protocol enters into force.
2. For the implementation of this Protocol, the Parties may enter into bilateral or multilateral agreements or arrangements, which shall not contradict this Protocol.

Article 20
RESERVATIONS

No reservations may be made to this Protocol.

Article 21
DURATION AND ENTRY INTO FORCE

1. This Protocol shall be concluded for an indefinite period of time.
2. This Protocol shall be subject to ratification, acceptance or approval.
3. Instruments of ratification, acceptance or approval shall be deposited as soon as possible with the Depositary. The Depositary shall notify the Parties of the date of the deposit of each instrument of ratification, acceptance or approval.
4. This Protocol shall enter into force on the thirtieth day after the date of deposit of the fourth instrument of ratification, acceptance or approval. The Depositary shall notify the Parties of the date of the entry into force of this Protocol.

Article 22
AMENDMENTS, WITHDRAWAL AND TERMINATION

1. The provisions of the FASRB related to amendments and withdrawal shall apply to this Protocol.

2. This Protocol may be terminated by mutual agreement of all Parties.
3. This Protocol shall terminate in case of the termination of the FASRB.

Article 23

INTERNATIONAL BORDERS

Establishing and marking of interstate borders among the Parties shall not be affected by any provision of this Protocol or its implementation.

Article 24

DEPOSITARY

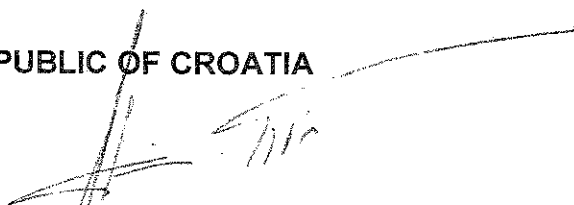
1. The Government of the Republic of Slovenia shall be the Depositary of this Protocol.
2. The Depositary shall, upon entry into force of this Protocol, ensure its registration in accordance with Article 102 of the Charter of United Nations.

Done at Bratislava, on July 6, 2011 in four originals in the English language, one to be retained by each Party.

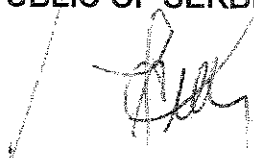
FOR BOSNIA AND HERZEGOVINA



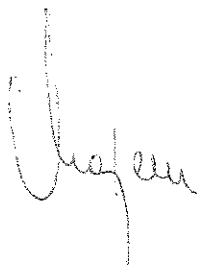
FOR THE REPUBLIC OF CROATIA



FOR THE REPUBLIC OF SERBIA



FOR THE REPUBLIC OF SLOVENIA



Annex I. List of the main tributaries of the Sava River

River	Con- fluenc e (l-left r-right)	Trib. order	River basin size [km ²]	River length [km]	Countries sharing the (sub)-basins
Sava			97,713.2	944.7	SI, HR, BA, RS, ME, AL
Ljubljanica	r	1st	1,860.0	41.0	SI
Savinja	l	1st	1,849.0	93.9	SI
Krka	r	1st	2,247.0	94.6	SI
Sotla/Sutla	l	1st	584.3	88.6	SI, HR
Krapina	l	1st	1,237.0	66.9	HR
Kupa/Kolpa	r	1st	10,225.6	297.4	HR, SI, BA
Dobra	r	2nd	1,428.0	104.2	HR
Korana	r	2nd	2,301.5	138.6	HR, BA
Glina	r	2nd	1,427.1	112.2	HR, BA
Lonja	l	1st	4,259.0	49.1	HR
Česma	l	2nd	3,253.0	105.7	HR
Glogovnica	r	3rd	1,302.0	64.5	HR
Ilova (Trebež)	l	1st	1,796.0	104.6	HR
Una	r	1st	9,828.9	214.6	BA, HR
Sana	r	2nd	4,252.7	141.9	BA
Vrbaš	r	1st	6,273.8	249.7	BA
Pliva	l	2nd	1,325.7	26.8	BA
Orljava	l	1st	1,618.0	87.6	HR
Ukrina	r	1st	1,504.0	80.7	BA
Bosna	r	1st	10,809.8	281.6	BA
Lašva	l	2nd	958.1	56.6	BA
Krivaja	r	2nd	1,494.5	73.5	BA
Spreča	r	2nd	1,948.0	138.8	BA
Tinja	r	1st	904.0	99.4	BA
Drina	r	1st	20,319.9	346.0	ME, AL, BA, RS
Piva	l	2nd	1,784.0		ME
Tara	r	2nd	2,006.0		ME, BA
Čehotina	r	2nd	1,237.0	125.0	ME, BA
Prača	l	2nd	1,018.5	55.0	BA
Lim	r	2nd	5,967.7	193.0	AL, ME, RS, BA
Uvac	r	3rd	1,596.3	114.5	RS, BA
Drinjača	l	1st	1,090.6	87.5	BA
Bosut	l	1st	2,943.1	186.0	HR, RS
Kolubara	r	1st	3,638.4	86.6	RS

I hereby certify that this is a true copy of the Protocol on Sediment Management to the Framework Agreement on the Sava River Basin, done at Brčko, on 6 July 2015, the original of which is deposited in the archives of the Ministry of Foreign Affairs of the Republic of Slovenia.

Ljubljana, 18. 11. 2015



Božena Forštnarič Boroje

Acting Head of International Law Department
Ministry of Foreign Affairs
of the Republic of Slovenia

