



Sectoral Integration of Biodiversity in Bosnia and Herzegovina

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1. Introduction

Bosnia and Herzegovina reported¹ on summary of the current situation in Bosnia and Herzegovina; institutional framework; implementation of efficiency objectives; international obligations.

2. Summary of the current situation in Bosnia and Herzegovina

Environmental protection represents one of the most important and most complex activities affecting more or less all organizations of human society. Laws and regulations in the domain of environmental protection define and regulate the protection of all natural resources and the activities having a direct or indirect impact on the environment through sectoral operation policies.

The constitutional organization of Bosnia and Herzegovina also defines the environmental protection policy-making, but on the other hand there are several levels of responsibilities and bodies that regulate them:

- The State of Bosnia and Herzegovina (the Ministry of Foreign Trade and Economic Relations)
- The entities:
 - The Republika Srpska
 - The Ministry of Spatial Planning, Civil Engineering and Ecology
 - Municipalities
 - The Federation of Bosnia and Herzegovina
 - The Federal Ministry of Environment and Tourism
 - Cantonal ministries (10 cantons/different ministries in the cantons)
 - Municipalities
- Brcko District (public utility sector)

What is apparent from this summary is a highly complex administrative structure in Bosnia and Herzegovina with the lack of those professional institutions that are not established, but that would otherwise regulate the environmental protection matters.

During preparation of this document, it is recognized that there is no single agency at the state level competent for the issues of nature protection. However, the establishment of an environmental protection agency was a subject of discussions between the entities. Establishment of the Environmental Management Committee between the two entities did not yield any anticipated results. According UNECE Report (UNECE 2004, 'Environmental Performance Review: Bosnia and Herzegovina'), the absence of the adequate institutions (agencies) dealing with and regulating the environmental protection issues at the level of Bosnia and Herzegovina, but also the absence of those institutions at the level of the entities and at lower levels of government, pose a particular problem of incoherence and incompatibility of the sectoral and cross-sectoral cooperation and activities. Adoption of the Law on Environment at the level of Bosnia and Herzegovina and establishment and functioning of the State

¹ Bosnia and Herzegovina (2010). Fourth Report to the United Nations Convention on Biological Diversity, 2010 Biodiversity Targets National Assessments, April 2010, 63 pp.

Agency for Environment and Water management in Bosnia and Herzegovina are both identified as the main indicators of progress within the short-term environmental priorities of the European Partnership. This fact has also been confirmed in the published priority tasks of the Council of Ministers, where the enactment of an environmental protection law at the BIH State level was highlighted as one of the priority tasks. According to the Decision of the Council of Ministers of 16 May 2002, the Ministry of Foreign Trade and Economic Relations, as the competent ministry, has the responsibility to prepare the draft law at the state level. Apart from that, the amendments to the Law on the Council of Ministers and the Law on the Ministries have now long been in the parliamentary procedure. Adoption of these amendments should establish the firm legal grounds for establishment of the following two new ministries at the state level: the Ministry of Agriculture, Food and Rural Development and the Ministry of Science, Technology and Environment. The Law should also constitute the legal ground for establishment and financing of the future environmental agency and would thus lay down the principles and mechanisms for integration of the environmental issues into other sectors and would provide the foundation for a comprehensive system of financing and economic incentives for optimisation of environmental requirements and for minimisation of pollution and losses of natural resources. Such a law could help Bosnia and Herzegovina in the process of alignment with the EU requirements and fulfillment of the obligations arising from various international conventions. It would therefore be necessary to point out that the adoption of this Law is one of the priorities for the entire Bosnia and Herzegovina.

3. Institutional framework

In the institutional framework of the Federation of Bosnia and Herzegovina, competences and functions are adequately defined by its various laws. However, the inefficiency of the key activities that also involve responsibility is reflected in:

1. the horizontal and vertical incoherence of the institutional frameworks and thus the incoherence of the sectoral and cross-sectoral activities,
2. the lack of appropriate capacities in the existing institutions,
3. the insufficient number of professional institutions.

Within the institutional framework of the Republika Srpska there is a clear definition of „vertical“ responsibility of the institutions and bodies of the entity and its municipalities, but also without sufficiently available funds, capacities, educated staff, etc.

- In the Federation of Bosnia and Herzegovina, pursuant to the Law on Environmental Protection (“Official Gazette of the Federation of Bosnia and Herzegovina”, no. 33/03) since 19 July 2006 the Environmental Advisory Council was established under the Decision to Appoint the Members of the Environmental Advisory Council (“Official Gazette of the Federation of Bosnia and Herzegovina”, no. 69/06) of 19 July 2006.
- In the Republika Srpska, pursuant to the Law on Environmental Protection (“Official Gazette of the Republika Srpska” no.53/02), since 11 November 2005 the Advisory Council for Environmental Protection was established under the establishment and appointment decision (the Decision of the Government of the Republika Srpska, no. 02/1-020-1386/05).

- The Environmental Protection Fund of the Republika Srpska ("Official Gazette of the Republika Srpska BiH no.51/02) since 29 July 2002.
- The Environmental Protection Fund of the Federation of BiH ("Official Gazette of the Federation BiH", no. 33/03) since 19 July 2006.
- The Inter-Entity Body for Protection of Human Environment of the Republika Srpska was established on 16 November 2006 ("Official Gazette of the Republika Srpska of BiH", no. 116/06) of 30 November 2006.

4. Implementation of efficiency objectives

The following strategic and operational objectives should be achieved:

1. To create a decentralized and efficient environmental administration capable of responding to the EU membership requirements.

1.1. To create professional capacities in the environmental sector of the Federation of Bosnia and Herzegovina

1.2. To achieve institutional strengthening in the environmental sector in the Federation of Bosnia and Herzegovina

1.3. Establishment of cross-sectoral cooperation and cooperation of the ministries dealing with the environmental segments with the Federation governmental institutes and administrations.

There are institutional elements in the Federation of Bosnia and Herzegovina for adequate environmental administration, but at the same time there are no sufficient numbers of well-trained skilled staff capable of managing the environment in accordance with the European standards and practices.

1.1. Creation of professional capacities in the environmental sector in the Federation of Bosnia and Herzegovina

Through the strategic and operational objectives, the plan is to enable the administration to meet the requirements, respond to the challenges of EU membership, and establish professional capacities in the environmental sector in the Federation of Bosnia and Herzegovina through the educational sector from the universities down to the lower levels of education, continuing professional training of the existing employed staff (certification by some of the internationally attested schemes) and continuing education of the industrial sector.

1.2. Institutional strengthening of the environmental sector in the Federation of Bosnia and Herzegovina

It is reflected in reorganization and human resource demands in both the Federation Ministry of Environment and Tourism and the cantonal ministries. Likewise, it is reflected in the operational establishment of administrations for inspections and the networking of professional institutions for providing the support to the Ministry of Environment and Tourism of the Federation of Bosnia and Herzegovina. Establishment of new and interconnection of the existing institutions is anticipated to be carried out in two stages.

Stage One – Establishment of new and reinforcement of the existing agencies at the Federation level, and so as follows: the Agency for Energy, the Agency for Nature Protection, to strengthen the coordination between the Federation Institutes for Agricultural Pedology, Geology and Geodetic and Property Law Affairs. The Hydro-meteorological Institute of the Federation of Bosnia and Herzegovina should be reinforced and trained to maintain a cadaster or inventory of emissions, a register of pollutants and solid waste and wastewater flows. An Environmental Fund should be established operationally. Institutional integration with the responsible water management agencies and the Federation Office of Statistics (establishment of a system for collection and processing of the data received from professional institutions).

Stage Two – stands for integration with the Republika Srpska and Brcko District, where these stages depend on the proposal of a new state-level environment law, since the EU integration process requires a cross-entity coordination and integration of all segments of the environment.

This objective would be accomplished through establishment of a permanent inter-ministerial body, by establishing cooperation between the government institutes and ministries of environment and tourism and other ministries engaged in the various segments of tourism.

1.3. Establishment of cross-sectoral cooperation and cooperation between the ministries engaged in the environmental segments and the Federation governmental institutes and administrations.

One of the most important operational objectives is integration of the sectoral policy in regard to the environmental protection issue through the strengthening of the environmental protection policy in other sectors (energy, trade, agriculture, industry, tourism, etc.). Likewise, in any case the plan is to strengthen the cross-sectoral coordination during the development of legislation-regulations (and also those regulations that are not yet adopted) that have a direct or indirect impact on the environmental protection.

5. International obligations

Bosnia and Herzegovina has endorsed the objectives of the UN Convention on Biological Diversity (CBD – Rio de Janeiro 1992) by ratifying the Convention in 2002, which includes the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

By ratifying the Convention, Bosnia and Herzegovina has made a commitment to use all available mechanisms necessary to reduce the loss of biological diversity by 2010 at the global, regional and national levels.

Ratification of other Conventions, but also of the conventions that are not yet endorsed by Bosnia and Herzegovina, requires an even higher efficiency of the institutions and their staff in their implementation.

The strategy of Bosnia and Herzegovina along with the Action Plan for Protection of Biological and Landscape/Seascape Diversity (2008 – 2015) contains identification of the main strategic directions, programs, tasks and objectives. It was adopted on the basis of a Study called *Bosnia and Herzegovina*

the Country of Diversity. Having in mind the registration of rare and unique forms, endemic and endangered species, the geographic and geopolitical position, approximation to EU and adequate implementation of international documents aimed at improving and utilizing the natural resources and reducing the local poverty, the following main strategic directions are identified:

1. Reduce the current rate of loss of Bosnia and Herzegovina's biological diversity
2. Establish a system of conservation and sustainable use of Bosnia and Herzegovina's biological diversity
3. Reduce the pressure on Bosnia and Herzegovina's biological diversity

Once these directions have been identified, an Action Plan for their implementation was developed, including the indicators of effectiveness of the strategic measures.

The implementation of the tasks relating to biological diversity is monitored by the ministries in both entities, including the cantonal ministries in the Federation, supported by the expert work of the faculties, institutes and government administrations from the environmental protection domain.

The Ministry of Sarajevo Canton and the City of Sarajevo help the work of the National Museum, which is regarded as being the most relevant institution at whose disposal there are the data, collections, literature and depots tied to Bosnia and Herzegovina's biological diversity.

Also, the involvement of the non-governmental sector in the adoption of important strategic goals in Bosnia and Herzegovina has substantially promoted the conservation, management and sustainable use of biodiversity.

The CBD seeks to make analyses of the environmental impact for all projects, programs and plans that could have adverse effects on the biological diversity, so that these effects could be either avoided or reduced. This procedure is evaluated at the level of entity ministries and cantonal ministries in the Federation of Bosnia and Herzegovina.

Public dialogue and participation are of immense importance for the successful implementation of environmental impact analyses and their aim is to raise public awareness rather than the awareness of the specialized staff only.

Through international cooperation certain important projects in Bosnia and Herzegovina have been launched and implemented in the field of protection, promotion and relevant utilization of biological diversity and for some of them the implementation stage is still ongoing.

➤ Some of the important international projects of relevance for the conservation and sustainable use of Bosnia and Herzegovina's biological diversity, are listed in Chapter 3 called Sectoral and Cross-Sectoral Approaches to Integration and Inclusion of Biological Diversity.

- National Strategy and Action plan for Protection of Biological and Landscape Diversity of BiH (UNEP-GEF-CBD)
- Development of a new management policy for the Hutovo Blato wetlands, Bosnia-Herzegovina (Life Third Countries)
- Protection of the biodiversity of forests and mountains (GEF –WB)
- Lower Neretva valley transboundary wetland

- Living Neretva (WWF)
- Establishment of Emerald Network in Bosnia and Herzegovina (EC)
- Biodiversity of endemic development centers at the area of Herzegovina, as support to Targets 2010 (WB)
- Evaluation of the biodiversity's state in ecosystems of karst fields on the territory of Federation BIH, as a contribution to topic programmes of the Convention on Biodiversity according to Targets 2010 (WB)
- Evaluation of natural values of the environment in Brcko District (NGO Counterpart, USA)
- Strengthening the Implementation Capacities for Nutrient Reduction and Transboundary Cooperation in the Danube River Basin (UNDP/BR)
- Living Heart of Europe (WWF)
- Dinaric Arc Initiative (WWF, UNESCO-BRESCE, UNDP, IUCN)
- Protection of Biodiversity of The Sava River Basin Floodplains
- Mainstreaming Karst Peatlands Conservation Concerns into Key Economic Sectors (UNDP-GEF)
- Local Environmental Action Planning for Sustainability in South Eastern Europe (Sida- REC)
- Support for Building National Capacity for Sustainable Environmental Management (UNDP)
- Enabling Activities for the Preparation of Bosnia and Herzegovina's Initial National Communication (INC) to the UN Framework Convention on Climate Change (UNDP-GEF)
- Study on possibility for establishment of protected area «Klekovaca-Lom» (Forest Development and Conservation Project (FDCP) TF052697)
- The project of developing a National Monitoring System (RASMO) (EU)
- Projects implemented by national funds:
 - Project of Establishment of National Park "Prenj, Cvrstica, Cabulja, Vran" (Federal Ministry of Environment and Tourism)
 - Project of Establishment of National Park "Bjelasnica, Igman, Treskavica, Visocica" (Federal Ministry of Environment and Tourism)
 - Strategy for Environment protection of Federation of BIH (Federal Ministry of Environment and Tourism)
 - Preparation of background document for the purposes of compilation of the Study for proclamation of the regional park Sipovo and Mrkonjic Grad (Republic Institute for protection of Cultural, Historical and Natural heritage of the Republic of Srpska)
 - Study for the purposes of proclamation of the nature park Jahorina (Republic Institute for protection of Cultural, Historical and Natural heritage of the Republic of Srpska)
 - Establishing of protected cultural region "Bardaca-Donja dolina" (Republic institute for protection of cultural-historical and natural heritage of Republic of Srpska)
 - Evaluation of the possible enlargement of the area of National Park "Sutjeska", The Republic Institute for protection of Cultural, Historical and Natural heritage of the Republic of Srpska, Ministry of Culture and Education of Republic of Srpska -Forestry faculty in Banja Luka.)

- Project of Establishment of National Park “Una” (Federal Ministry of Environment and Tourism)
- Heritage List (National Commission for UNESCO of Bosnia and Herzegovina)
- Proposal for Network of Protected Areas of Republic of Srpska (Ministry of agriculture, water management and forestry of Republic of Srpska)
- Valorisation of natural values of biodiversity and ecodiversity on Mt. Igman and Mt. Bjelasnica (Institute for protection of natural, cultural and historical heritage of Canton Sarajevo)
- Valorisation of natural values in "Bijambare" area (Institute for protection of natural, cultural and historical heritage of Canton Sarajevo)
- Valorisation of natural values in "Skakavac" area (Institute for protection of natural, cultural and historical heritage of Canton Sarajevo)

Through the international cooperation and implementation of projects in the CBD context there is a particular objective which should be accomplished, which is to enable a comprehensive review for the purpose of planning, conservation, management and sustainable use of the natural habitats and natural resources.

At the same time, due to the lack of an umbrella Agency that would be responsible to deal with the protection issues, it is also of great importance to make sure that the various departments/sectors of the ministries, scientific and professional institutions, NGOs and other agencies implementing certain projects in Bosnia and Herzegovina, make available to the public their accomplishments and results that are achieved through the projects. Such ways of information exchange are very important for the purpose of a high quality and synchronized sectoral and cross-sectoral coordination in Bosnia and Herzegovina.