

BOSNIA AND HERZEGOVINA

**FIRST NATIONAL REPORT
ON THE IMPLEMENTATION
OF THE UNITED NATIONS
CONVENTION TO COMBAT
DESERTIFICATION/LAND DEGRADATION
IN
BOSNIA AND HERZEGOVINA**

Banja Luka, February 2007

**Bosnia and Herzegovina
Republic of Srpska
Ministry of Agriculture, Forestry and Water Management**

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List of Abbreviations

Aarhus	Aarhus Convention
Acquis	Acquis communautaire, originally French, now generally used expression ("community achievement") for the sum of norms and standards valid all over the European Union
BIH	Bosnia and Herzegovina
CARDS	EU Community Assistance, Reconstruction, Development and Stabilisation Programme
DB	District of Brcko
EA	Environmental Agency
EC	European Commission
EPR	Environmental Performance Reviews for BIH (UN/ECE)
EU	European Union
FBIH	Federation of Bosnia and Herzegovina
GDP	Gross Domestic Product
MAP	Mediterranean Action Plans
MEAs	Multilateral Environmental Agreements
MoAFWM	Ministry of Agriculture, Forestry and Water Management (in RS)
MoAWMF	Ministry of Agriculture, Water Management and Forestry (in FBIH)
MoFTER	Ministry of Foreign Trade and Economic Relations, BIH
NCB	National Coordination Body
NAP	National Action Plan to the UNCCD
NEAP	National Environmental Action Plan
NFP	National Focal Point
NGOs	Non-Governmental Organisations
OHR	Office of the High Representative
PHARE	Support Foundation European Social Fund Agency
PRSP	Poverty Reduction Strategy Paper
REC	Regional Environmental Centre (for Central and Eastern Europe)
REReP	Regional Environmental Reconstruction Programme of South-eastern Europe
RS	Republic of Srpska
TPP	Thermal Power Plant
RBIH	Republic of Bosnia and Herzegovina
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
USAID	United States Agency for International Development
WB	World Bank

Executive Summary

The Dayton Peace Agreement ended the war and established Bosnia and Herzegovina (BIH) as a State comprising two entities, the Republic of Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH), each with a high degree of autonomy. Brčko District was established a separate, self-governing administrative unit.

In the area of **environment**, the BIH Medium Term Development Strategy (PRSP) relies on the priorities of the BIH National Environmental Action Plan (NEAP), which stresses the importance of strengthening the legal and institutional environment and the intersectoral approach to environmental protection issues. Steps to reduce pollution of air and water are envisaged, as well as enhancement of the systems of land management and soil protection, building of regional solid waste depository sites and rehabilitation of sites of existing illegal garbage dumps. It will be necessary to establish a system of integral land management, particularly for rural areas, in line with accepted international obligations. Over the coming medium term, the systems for preservation of the biological and geological diversity, natural and cultural heritage will be improved.

During the past few years, the country has been engaged in a quickstep legislation development process. Despite the adoption of the new Constitution since December 1st, 1995 and the voting of a number of new laws, some 50 of which are directly related to environmental issues, natural resources management, land use and agricultural practices – today's Bosnia and Herzegovina's environmental legislation is a confusing mixture of laws and regulations, and technical standards based on heterogeneous legislative and judicial provisions based on Western legislations – particularly the European Union, and the former Yugoslav Federation. This constitutes one of the main obstacles to integrated sustainable strategy and policy development, implementation and enforcement in the country.

Based on the Constitution, environmental management is not institutionalized at the state level yet, but is being carried out within the organizational structure of the entity governments, i.e. ministries on the entity level that have environmental issues in their portfolios. In Brčko District the environmental protection policy is a direct responsibility of the Government through its sectors for communal issues, agriculture and forestry. Lower level of environmental management is under the responsibility of cantonal ministries in the FBiH and municipalities in RS.

Given the situation of the economy of the country it is not realistic to expect comprehensive problem solving national environmental investment programs. At the same time, the environmental problems are so great that foreign support is needed in addition to partial domestic investments in order to stimulate and facilitate a process of economic and institutional reforms. In connection with this, it is very important to identify priority orientations for the environmental, institutional and legal system at an early stage of the development process. These priorities will be directly related to the sectors of national economy and environment.

BIH accessed the UNCCD on August 26, 2002, but due to the very difficult post-war situation, it is only now that the first steps towards implementation are being taken.

The preparations of the first national report, along with the setting-up of a National Coordination Body (NCB) are part of this process.

The NCB will coordinate interdisciplinary and inter-ministerial efforts to run the forthcoming implementation UNCCD activities under the National Strategies of BiH and the obligations deriving from it. The NCB should include representatives from a variety of stakeholders ranging from government and non-governmental institutions, from civil society representatives to grassroots resource users, academia, and the private sector, in line with the complex and interdisciplinary nature of desertification and other forms of land degradation and their diverse impacts. It is desirable that within the framework of the NCB, at least three Sub-Bodies will be created, each focusing on the primary needs as follows: a) monitoring, b) impact and vulnerability assessment, and c) mitigation and response.

During the initial phase, the NCB should make an inventory of all forms of assistance that are available from local, state and/or regional authorities at the time of severe drought, and evaluate drought mitigation programs for their ability to address short-term emergency situations and long-term mitigation actions. Assistance should be defined in a broad sense in order to include all forms of available technical and relief programs. NCB could act based on information and recommendations provided by the Sub-Bodies, and response options must be determined for each of the principal impact sectors identified by Sub-Committees; and evaluate programs at the national and regional levels to assist agricultural producers, municipalities and other stakeholders during the event of emergency. Scientists and experts from Bosnia and Herzegovina have participated in several international events, organized by ICID or other organizations aiming at mitigating the effects of drought.

The NCB will have an inter-ministerial composition with representatives from the Ministries of two entities: RS and FBiH and the Ministries of Brčko District. It will also involve representatives from relevant scientific and research institutions and organizations.

Establishment of the administrative framework for the First National Report preparation and elaboration was starting point of the National UNCCD Focal Point preparatory activities, which were to explore and collect basic data on mechanisms and activities related with the UNCCD implementation, as well as on all stakeholders that could influence this process. List of persons, to whom form was sent to, was carefully made due to the complex structure of Bosnia and Herzegovina authorities. Special care by the preparatory process for the First National Report was taken to invite following representatives: governmental authority involved in decision making process, scientists, whose field of research is related with the issues of land degradation, desertification and drought, as well as natural resources management and nature's conservation economic subjects from different sectors, such as agriculture structures in charge for the protected area's management, NGO's active in the field of land management.

Second phase of work was based on workshop's preparation. National UNCCD Focal Point contacted all invited persons once more, in order to get the final list of participants and to ask some of them, university professors of the soil science, to prepare small presentations on the land degradation issues in Bosnia and Herzegovina.

Validation workshop was held on 27th February 2007 at the Agricultural Faculty, Institute of Agroecology and Soil Sciences, in Banja Luka. Opening statement and introduction was made by of the chairman, National UNCCD Focal Point, prof. Dr. Mihajlo Markovic, who showed the presentation of UNCCD, its past, present and future, as well as its objectives, means etc.

Land issues state in Bosnia and Herzegovina was illustrated by the soil scientist prof. Dr. Hamid Custovic and than prof. Dr. Cedomir Burlica presented special features, state and management of the land on the territory of BiH. Land degradation, desertification and drought problems and legislative fundamentals of the land management were presented by prof. Dr. Mihajlo Markovic. The most important

documents (National Environmental Action Plan and PRSP of BIH) were presented by Mr. Zoran Lukac, coming from the Ministry for Spatial Planning, Civil Engineering and Ecology of RS.

During the workshop very constructive discussion among the participants evolved. All of them took part in it by expressing its own opinion, mainly on obstacles and implementation possibilities. Furthermore, the discussion has the general state of land degradation, land use and land protection problems in Bosnia and Herzegovina. One could hear many, even opposite, opinions. This was an excellent opportunity to exchange experiences between scientific and research institutions and NGO's involved in land management on one side, and on the other, of the government representatives. Goals of this workshop were to get an overview of all advantages or disadvantages, as well as of all weaknesses and options to overcome them in Bosnia and Herzegovina. Standpoints of the participants on land degradation and management state were quite similar, but acceptance of the responsibilities for certain issues on this was questioned. At the end of the meeting, National UNCCD Focal Point asked all participants to fill out the previously received forms, and pointed out all necessary and important issues during the workshop.

Considering that this is the first public presentation of the situation related to UNCCD in Bosnia and Herzegovina, and the First National Report includes data from before and after the date of accession to the Convention by the country (August 26, 2002).

On the basis of the existing NEAP and other relevant documents as well as the First National Report for UNCCD we are going to prepare National Action Plan (NAP) for UNCCD, which will be accepted by the Government in Bosnia and Herzegovina.

Process of NAP preparation not yet started in BIH and we need financial support for NAP preparation from GEF, UNCCD Secretariat, WB or any other donor.

Measures, taken in the Country on the implementation of the UN Convention to combat desertification/land degradation, with the essence problems dealt within each chapter of this First National Report.

I. Participatory Processes involving Civil Society, Non-Governmental and Community Based Organization

The National Environmental Action Plan (NEAP) for Bosnia and Herzegovina was completed at the beginning of 2003 supported by World Bank. Its preparation was organized according to democratic principles, with full transparency, the public participation and free access to all available information. Most importantly, the preparation of the NEAP focused on directly involving all relevant stakeholders, including representatives of the Council of Ministers, Entity and Cantonal Ministries, members of the Environmental Steering Committee (ESC), NEAP Steering Committees (NEAP SC), NGOs, local institutions, scientists, experts and private individuals.

NEAP gave impulse for development of numerous project proposals. It fell, however, short of a proper action plan as it did not designate responsible actors for the actions to be carried out. As such it gives orientation, but remains at the level of general directions and it has little effect on the distribution of functions and the structure of public administration.

NEAP was adopted at the beginning of 2003 by the entities' Governments after open public discussion. It has not yet, however, been adopted by the Assembly of Brcko District, nor has it been debated, let alone adopted, in any State body or institution.

Bosnia and Herzegovina takes part in REReP, which is the main environmental component of the Stability Pact. Funding is made available through REReP for regional and sub regional activities. The Regional Environmental Center (REC) established a country office in Sarajevo in 1997 and two field offices in Banja Luka and Mostar. It carries out a number of activities in the country, such as public information and participation campaigns, NGO capacity-building, assistance to municipalities, and support for the institutional strengthening of the entities' environmental authorities and the implementation of MEAs. REC is an important implementation partner for many of the REReP projects and, as noted above, it is a conduit for bilateral projects, too.

The norms of the Aarhus Convention, granting every citizen the right of free access to information and the right to participation in environmental decision-making are well anchored in the entities' legislation. However, a large part of secondary legislation is not yet in force. Government offices recognise their duties regarding the public information function. Most of them also designated officials in charge. However, NGOs asked, stated that the information received from the public agencies was in general

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