

**Report**  
National Capacity Self-Assessment of  
Bosnia and Herzegovina (NCSA) in the  
Implementation of Multilateral  
Environmental Agreements



## Information about the Project

<b>Title of the Project</b>	National Capacity Self-Assessment in the Implementation of Multilateral Environmental Agreements in Bosnia and Herzegovina
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## List of Abbreviations and Acronyms

<b>BiH</b>	Bosnia and Herzegovina
<b>CBD</b>	Convention on Biological Diversity
<b>CCD</b>	Convention to Combat Desertification
<b>CEE</b>	Central and Eastern Europe
<b>CFP</b>	Convention Focal Point
<b>COP</b>	Conference of parties
<b>DNA</b>	Denominated National Authority
<b>EU</b>	European Union
<b>FBiH</b>	Federation of Bosnia and Herzegovina
<b>FP</b>	Focal Point
<b>GEF</b>	Global Environment Fund
<b>GSP</b>	Global Support Programme
<b>IA</b>	Implementation Agency
<b>IFI</b>	International Financial Institutions
<b>IWP</b>	International Waters Protection
<b>LBS</b>	Land-Based Sources and Activities
<b>MEA</b>	Multilateral Environmental Agreements
<b>MLF</b>	Multilateral Fund
<b>MoFTER</b>	Ministry of Foreign Trade and Economic Relations
<b>NCSA</b>	National Capacity Self-Assessment
<b>NEAP</b>	National Environmental Action Plan
<b>NIP</b>	National Implementation Plan
<b>PIC</b>	Prior Informed Consent
<b>POP</b>	Persistent Organic Pollutants
<b>PSC</b>	Project Steering Committee
<b>RMP</b>	Refrigeration Management Plan
<b>RS</b>	Republika Srpska
<b>TWG</b>	Thematic Working Group
<b>SCESD</b>	National Steering Committee for the Environment and Sustainable Development of Bosnia and Herzegovina (SCESD)
<b>UN</b>	United Nations
<b>UNCBD</b>	UN Convention on Biological Diversity
<b>UNCCD</b>	UN Convention to Combat Desertification
<b>UNDP</b>	UN Development Programme
<b>UNEP</b>	UN Environment Programme
<b>UNFCCC</b>	UN Framework Convention on Climate Change
<b>WB</b>	World Bank



# Contents

<b>1</b>	<b>Introduction</b>	15
1.1	NCSA Goals	16
1.2	NCSA in BiH	17
1.3	Project Implementation Structure	17
1.4	NCSA Process Implementation Principles	18
1.5	Methodology	19
1.5.1	Project activities and drafting procedure	20
1.5.2	Levels of Capacity Analysis	22
<b>2</b>	<b>Obligatory Application of International Agreements</b>	25
2.1	Legal Basis	25
2.2	Specificity of Environmental Multilateral Agreements	26
<b>3</b>	<b>Institutional Framework</b>	27
3.1	State Level	27
3.2	Inter-Entity Bodies	28
3.3	Entity Level	29
3.3.1	Federation of Bosnia and Herzegovina	30
3.3.2	Republika Srpska	30
<b>4</b>	<b>Legal Framework</b>	33
<b>5</b>	<b>Assessment of the Conventions Status in Bosnia and Herzegovina</b>	37
5.1	Implementation Status of the Convention on Biological Diversity	37
5.1.1	About the Convention on Biological Diversity	37
5.1.2	Status of the Convention on Biological Diversity in Bosnia and Herzegovina	38
5.1.3	Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention on Biological Diversity	38
5.2	Implementation Status of the Convention to Combat Desertification/Degradation of Land	40
5.2.1	About the Convention to Combat Desertification/Land Degradation	40
5.2.2	Status of the Convention to Combat Desertification/Land Degradation in Bosnia and Herzegovina	40
5.2.3	Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention to Combat Desertification/Land Degradation	41
5.3	Implementation Status of the Convention on Persistent Organic Pollutants (Stockholm Convention - POPs)	44
5.3.1	About the Convention on Persistent Organic Pollutants	44
5.3.2	Status of the Convention on Persistent Organic Pollutants in Bosnia and Herzegovina	47
5.4	Implementation Status of the Convention for the Protection of the Ozone Layer	48
5.4.1	About the Convention for the Protection of the Ozone Layer and the Montreal Protocol	48
5.4.2	Status of the Convention for the Protection of the Ozone Layer in Bosnia and Herzegovina	53
5.4.3	Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention for the Protection of the Ozone Layer	56
5.4.4	Other relevant documents	58
<b>6</b>	<b>Thematic Assessments/Priorities per Convention</b>	65
6.1	Priority Thematic Assessments of the Convention on Biological Diversity	65
6.1.1	Basic Requirements of the Convention on Biological Diversity	65
6.1.2	GAP analysis/analysis of problems in the implementation of the Convention on Biological Diversity in Bosnia and Herzegovina	66

6.1.3	Priority Assignments of Bosnia and Herzegovina in the Application of the Convention on Biological Diversity .....	66
6.1.4	Identification and Analysis of Stakeholders to the Convention on Biological Diversity .....	68
6.1.5	Capacity Assessment in the Implementation of the Convention on Biological Diversity .....	69
6.1.6	Identified Limitations to Capacity and the Need for implementation Capacity Building for the Application of the Convention on Biological Diversity .....	78
6.1.7	SWOT Analysis of the Convention on Biological Diversity .....	78
6.2	Priority Thematic Assessments for the Convention to Combat Desertification/Land Degradation .....	79
6.2.1	Basic Requirements of the Convention to Combat Desertification/Land Degradation .....	79
6.2.2	Analysis of Shortfalls in the Application of the Convention to Combat Desertification/Land Degradation .....	79
6.2.3	Priority Assignments of Bosnia and Herzegovina regarding the Application of the Convention to Combat Desertification/Land Degradation .....	80
6.2.4	Identification and Analysis of Stakeholders in terms of the Application of the Convention to Combat Land Desertification/Land Degradation .....	81
6.2.5	Capacity Assessment in the Application of the Convention to Combat Land Desertification/Land Degradation .....	83
6.2.6	Identified Limitations and Needs for Developing Capacity regarding the Implementation of the Convention to Combat Desertification/Land Degradation .....	91
6.3	Priority Thematic Assessments for the Convention on Persistent Organic Pollutants (Stockholm Convention - POPs) .....	92
6.3.1	Basic Requirements of the Convention on Persistent Organic Pollutants .....	92
6.3.2	Analysis of Shortfalls in the Application of the Convention on Persistent Organic Pollutants in BiH .....	92
6.3.3	Priority Assignments of Bosnia and Herzegovina regarding the Implementation of the Convention on Persistent Organic Pollutants .....	92
6.3.4	Identification and Analysis of Stakeholders of the Convention on Persistent Organic Pollutants .....	93
6.3.5	Capacity Assessment in the Application of the Convention on Persistent Organic Pollutants .....	95
6.3.6	SWOT Analysis of the Implementation of the Convention on Persistent Organic Pollutants .....	103
6.4	Priority Thematic Assignments for the Convention for the Protection of the Ozone Layer .....	103
6.4.1	Basic Requirements of the Convention .....	103
6.4.2	Analysis of Shortfalls in the Application of the Convention for the Protection of the Ozone Layer in BiH .....	103
6.4.3	Priority Assignments of Bosnia and Herzegovina in the Application of the Convention for the Protection of the Ozone Layer .....	104
6.4.4	Identification and Analysis of Stakeholders .....	105
6.4.5	Assessment of Capacities for the Application of the Convention for the Protection of the Ozone Layer .....	107
6.4.6	SWOT Analysis of the Convention for the Protection of the Ozone Layer .....	120
6.4.7	Identified Capacity Limitations and Needs for Capacity Development .....	120
7	Possibility of Synergetic Connection between Capacities (Cross – Cutting Analysis) .....	121
7.1	Specification of Priorities per Convention .....	121
7.1.1	Convention on Biological Diversity .....	121
7.1.2	Convention to Combat Land Desertification/Degradation .....	121
7.1.3	Convention on Persistent Organic Pollutants .....	122
7.1.4	Convention for the Protection of the Ozone Layer .....	122
7.2	Identified Synergies .....	122
7.2.1	Organisational unity for the legal and institutional framework of the NCSABiH – methodological unity in organising and developing systems for supporting the implementation of conventions .....	123
7.2.2	Unity in information flow (data reporting) and in raising awareness .....	123
7.2.3	Joint training of all participants in the implementation of conventions (national support and international cooperation) .....	123
7.2.4	Strengthening public awareness of the importance of fulfilling obligations under conventions .....	123
7.2.5	Amalgamation of financing .....	123
7.2.6	Strengthening synergy .....	123
8	Sustainability Plan .....	125
8.1	Sustainability Analysis .....	125



8.2	Sustainability Plan .....	126
8.3	Project Monitoring .....	127
<b>9</b>	<b>Action Plan .....</b>	<b>129</b>
9.1	Scope of the Action Plan .....	129
9.2	Proposed Implementation Strategies .....	129
9.3	Strategic Objectives .....	130
9.4	Action Plan – Convention on Biological Diversity .....	131
9.5	Action Plan – Convention to Combat Land Desertification/Degradation .....	134
9.6	Action Plan – Convention on Persistent Organic Pollutants .....	136
9.7	Action Plan – Convention for the Protection of the Ozone Layer .....	137
<b>10</b>	<b>Addendum .....</b>	<b>139</b>
10.1	Relevant International Agreements .....	139
10.2	Relevant Regulations .....	140



## List of Tables

Table 1	Environmental Laws at the level of Bosnia and Herzegovina .....	33
Table 2	Environmental Laws at the level of the Federation of Bosnia and Herzegovina .....	33
Table 3	Environmental Laws at the level of Republika Srpska .....	34
Table 4	Environmental Laws at the level of the Brčko District .....	35
Table 5	List of relevant and implemented UNCCD Projects .....	42
Table 6	List of chemicals prohibited by the Convention on Persistent Organic Pollutants (Stockholm Convention) .....	45
Table 7	Names, chemical formulas, labels and ODP of the most prominent ODSs that are used independently or as polymers/mixed with other substances .....	50
Table 8	List of products that use or have integrated ODSs (in line with Annex D of the Montreal Protocol) .....	52
Table 9	The largest ODS users/consumers in the economic sector in Bosnia and Herzegovina .....	55
Table 10	Implementation plan for the approved projects in BiH .....	61
Table 11	Capacity Assessment in the Application of the Convention on Biological Diversity .....	70
Table 12	SWOT analysis of the Convention on Biological Diversity .....	79
Table 13	Analysis of Shortfalls in the Application of the Convention to Combat Desertification/ Land Degradation .....	79
Table 14	Stakeholders to the Convention to Combat Land Desertification/Land Degradation .....	81
Table 15	Capacity Assessments for the Convention to Combat Land Desertification/Land Degradation .....	83
Table 16	SWOT Analysis of the Convention to Combat Desertification/Land Degradation .....	91
Table 17	Analysis of Shortfalls in the Implementation of the Convention on Persistent Organic Pollutants in BiH .....	92
Table 18	Stakeholders of the Convention on Persistent Organic Pollutants .....	93
Table 19	Capacity Assessment in the Application of the Convention on Persistent Organic Pollutants .....	95
Table 20	SWOT analysis of the Convention on Persistent Organic Pollutants in BiH .....	103
Table 21	Analysis of Shortfalls in the Implementation of the Convention for the Protection of the Ozone Layer BiH .....	103
Table 22	Analysis of Shortfalls in the implementation of the Conference for the Protection of the Ozone Layer .....	105
Table 23	Capacity Assessment in the Implementation of the Convention for the Protection of the Ozone Layer .....	110
Table 24	SWOT Analysis on the Convention for the Protection of the Ozone Layer .....	120
Table 25	Relevant International Agreements to which BiH Committed .....	139
Table 26	Laws Relevant to the Convention on Biological Diversity .....	140
Table 27	Laws Relevant to the Convention to Combat Land Desertification/Degradation .....	141
Table 28	Laws Relevant to the Convention on Persistent Organic Pollutants .....	143
Table 29	Subordinate Legislation Relevant to the Convention on Persistent Organic Pollutants .....	144
Table 30	Laws related to the Vienna Convention for the Protection of the Ozone Layer .....	144
Table 31	Subordinate Legislation related to the Vienna Convention for the Protection of the Ozone Layer .....	145

# List of Illustrations

Illustration 1	Organigram NCSA BiH .....	18
Illustration 2	NCSA Process Implementation Phases .....	21
Illustration 3	NCSA Drafting Steps .....	21
Illustration 4	Environmental Management in Bosnia and Herzegovina .....	27
Illustration 5	Regulations Overview related to the Convention for the Protection of the Ozone Layer .....	58

# 1 Introduction

**N**ational Capacity Self-Assessment is a composite part of the activities of the Global Environment Fund (GEF) whose main focus is to strengthen country capacity to adequately cope with managing the country's priority environmental issues and contribute to the global improvement of the state of environment. Each of the GEF's methods of implementing activities (through large and medium-sized projects, small grants and projects encouraging implementation of activities) is aimed at incorporating a form of capacity building. Since 2002, the direction of the capacity building has been determined and defined by the *GEF Strategic Approach to Enhance Capacity Building*.

**Global Environment Fund – GEF** is an independent financial organisation with 178 members dedicated to the environmental issues at the global level, to supporting the sustainable development and to providing grants to developing countries and countries in transition to implement projects related to biodiversity, climate change, international waters, land degradation, ozone layer and persistent organic pollutants. GEF provides funds for projects which have impact at the global level and ensure sustainable development of local communities.

Established in 1991 as a pilot programme of the World Bank following the resolution of the Chief Executive Officers of the Bank and the interagency arrangement of the two UN Agencies, namely the United Nations Development Programme – UNDP and the United Nations Environment Programme - UNEP as well as the World Bank, in 1994 GEF becomes the main mechanism for financing environment protection programmes at the global level promoting transparency and democratic governance, promotion of universal participation and provision of full cooperation in the implementation of such projects.

**GEF Global Support Programme** was established as a response to the Capacity Building Initiative initiated by GEF and the UNDP. Policy analysis and provision of technical support to countries for capacity building and strengthening is carried out within the Programme in the form of:

- national capacity self-assessment,
- capacity building – core component of GEF Projects,
- targeted projects for capacity building within the thematic areas and across thereof
- country's capacity building programme in less developed countries and small island countries.

The Support Programme is also managed by the UNDP and the UNEP in cooperation with other international and regional institutions and programmes.

The Programme's emphasis is on providing a form of technical support to the countries that initiate the process of NCSA. Assistance implementation strategy is based on country profiling, its needs for support in order to meet all requirements in the conventions and other international documents, fast mobilisation of technical training, provision of guidelines and materials and through possible experience and lesson sharing between the countries.

Bosnia and Herzegovina became a member of GEF on 29 October 2001, and a member of the GEF Council, GEF's main governing body, in June 2007.

In line with GEF's Strategic Approach, the first mode of support is realised through the project of National Capacity Self-Assessment – NCSA in the implementation of multilateral environmental agreements – Conventions whereby the support to the countries is provided in the GEF Programme for self-assessment of the current capacities and their needs stated in the prepared national action plan.

The need for capacity building is recognised in many countries which have realised that sustainable development requires the undertaking of certain activities especially when it comes to the state of environment and the implementation of conventions and other international agreements which assume certain obligations that are not fulfilled or are fulfilled on a small scale due to a lack of capacities.

## 1.1 NCSA Goals

The primary goal of the NCSA is to identify, through a country-driven consultative process, priorities and needs for capacity building to provide suitable protection of the environment at a global level.

NCSA's role is to conduct the analyses of the existing capacities of the country, its advantages, limitations and needs and to provide recommendations for the measures necessary for achieving the desired results, i.e., the establishment of the necessary capacities, which implies the implementation of activities to meet the requirements for the sustainable development and environmental protection in line with the obligations arising from international agreements.

The emphasis lies most importantly on the implementation of the three "Rio Conventions"<sup>1</sup>: Convention on Biological Diversity (CBD), Convention to Combat Desertification (CCD) and United Nations Framework Convention on Climate Change (UNFCCC) and other relevant multilateral agreements related to environment such as the Stockholm Convention, the Vienna Convention etc.

Besides this, NCSA's objective is to conduct a cross-analysis of the conventions' thematic area capacities and to foster a higher level of synergy between the bodies that implement activities necessary for meeting the environmental protection requirements and it is aimed at a more efficient and effective establishment of the conventions' requirements.

The country identifies the state of and the need for capacities in order to implement the requirements from the respective conventions enabling the integration of plans and leading to measurable improvements in environmental management at the global and national levels.

During the NCSA, each country possesses significant flexibility in defining specific objectives and methods for the implementation of the NCSA process taking into account that the joint objective of the process is the defining of the priority national and global environmental protection issues based on the guidelines from international documents.

NCSA analyses the ability of individuals, groups, organisations and institutions to deal with priority environmental issues as a part of efforts for achieving sustainable development. The initiation of this process is an opportunity for a systematic assessment of priority needs, definition of goals and preparation of the national plan for capacity building which assumes the definition of activities necessary for the improvement of the abilities of individuals, institutions and systems in order to adequately make and realise decisions and implement them efficiently in a sustainable manner.

A concise and well-conceived Action Plan is the key instrument for achieving the objectives of NCSA.

To fulfil the requirements from the international agreements, BiH needs to undertake the following steps:

1. provide the flow of information and knowledge;
2. ensure consensus and partnership between all stakeholders
3. formulate efficient policies, laws, strategies and programmes;
4. implement policies, laws, strategies, programmes and projects including the mobilisation and management of human, material and financial resources and
5. monitor, evaluate, report and learn from the entire process

Successful implementation of the above-stated steps depends on the capacities, i.e., human resources which would adequately intervene on all three levels: the individual, the institution and the system.

Specific goals which must be achieved through NCSA include, inter alia:

- identification, verification or revision of priority activities within thematic areas (biodiversity, desertification, persistent organic pollutants and ozone layer taking into account the issues of climate change and water protection);

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<sup>1</sup> The three Rio Conventions (on biodiversity, climate change and combating desertification) originate directly from the World Summit in 1992. Each instrument is a contribution to the achievement of the sustainable development goals as emphasised in Agenda 21. All three conventions are significantly interrelated, they operate in the same ecosystem and are related to the same issues.

- assessment of the existing capacities within primary thematic and across thereof;
- setting the priorities and
- assessment of the necessary capacities.

NCSA sub-goals are:

- examination of needs related to various thematic areas of the conventions;
- strengthening the national procedures to implement global environmental conventions;
- integration of data collection and reporting at the national level;
- proposal of a uniform strategy of capacity strengthening and action plan for future investments;
- strengthening of the National Environmental Bodies, i.e., Committees/Boards and Subcommittees for the assessment of the state of environment management and public awareness raising.

After this process is conducted, the countries will be able to implement the capacity building plan which will lead to the strengthening of the management system and the institutions competent for environmental issues.

## 1.2 NCSA in BiH

In 2002, the Council of Ministers of Bosnia and Herzegovina adopted a new institutional and organisational structure to manage environmental issues and coordinate the implementation of international environmental agreements ratified by BiH as well as for the development of the GEF Programme for the 6 key UN Conventions in BiH (more on the organisation below).

However, since then, very few activities have been undertaken to implement the obligations assumed from the environmental conventions and it is believed that the main reason behind this, besides the lack of coherent institutional and legal framework for environment, is the lack of capacities. Therefore the process of National Capacity Self-Assessment of Bosnia and Herzegovina (NCSABiH) was initiated to provide adequate identification of obstacles for the implementation of multilateral environmental agreements in December.

National Capacity Self-Assessment in Bosnia and Herzegovina primarily refers to four conventions identified as priority<sup>2</sup>, namely:

1. United Nations Convention on Biological Diversity UNCBD or CBD,
2. United Nations Convention to Combat Desertification – UNCCD or CCD,
3. Stockholm Convention on Persistent Organic Pollutants – POPs,
4. Vienna Convention for the Protection of the Ozone Layer.

NCSA is a 15-month project which is in Bosnia and Herzegovina implemented by the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina – MoFTER. The project is financed by the Global Environment Fund (GEF) and implemented by the United Nations Environment Programme (UNEP).

The result of the process implementation, after fifteen months of intensive work, is a document containing the state and availability of the current capacity and an overview of needs for additional capacities for each thematic area, convention, needs for a priority overview in capacity building, limitations and capacity building opportunity as well as a Plan of Activities – Action Plan for the establishment of the needed capacities.

## 1.3 Project Implementation Structure

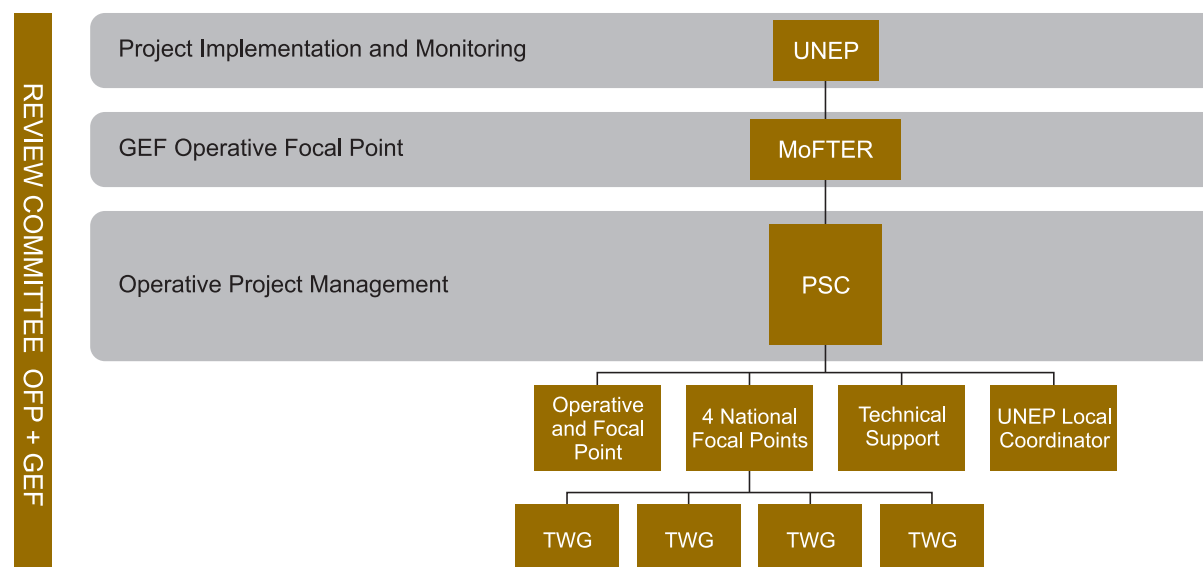
For the implementation of NCSA Drafting Project and with an aim to achieve maximum efficiency, a special organization structure was established as shown in the organogram below (Illustration 1).

In line with the established convention priorities, a person National Focal Point (NFP) was appointed to each convention and a responsible person and state institution were named for a particular convention.

<sup>2</sup> During the first, Initial meeting held on 16 December 2010 on the occasion of the initiation of the Project Implementation it was decided that the mentioned conventions were priority, bearing in mind that the UNFCCC and the IWP are established through other projects

Besides NFP, Thematic Work Groups - TWG were formed for each convention. They consist of experts who contribute to the NCSA drafting with their own knowledge and practical experience and provide a comprehensive insight into the needs and limitations of thematic areas, as well as provide key information and guidelines for the NCSA Process Implementation and for capacity building and environmental conventions implementation. Project Steering Committee – PSC consists of UNEP Local Coordinator, Operative Focal Point (OFP), four national focal points for conventions (NFP) and technical support.

Illustration 1 Organogram NCSA BiH



## 1.4 NCSA Process Implementation Principles

The GEF defines the key principles to be abided by during the NCSA Process Implementation. The integration of those principles in the NCSA process is a form of ensuring support, good coordination and optimal efficiency for increasing sustainability potentials. This gives an additional value to the entire process. The GEF principles that must be integrated in the process are:

- **ensure that NCSA is conducted by the state with commitments on a high political level** – leadership and politics and commitment to the NCSA process for capacity building should be at the highest state level. Namely, the state is the leading party in the process. This implies that the national (and/or regional) experts play an important role in the NCSA process. Apart from this, a high degree of national political engagement and leadership must be reflected outside the NCSA Process. Application of this principle implies that the state decides on all priorities and operational methods and it identifies the existing relationships with other national priorities of environmental management which reflects on the independent evaluation, monitoring and adoption of new information;
- **use of existing resources, structures and mechanisms for process coordination**, where deemed appropriate. This prevents unnecessary overlapping and duplicated efforts towards the same goal by following an efficiency principle which helps to ensure the participation of institutions that performed similar activities;
- **take special account of the prescribed obligations in line with the key conventions** which present the source of information and whose guidelines can point to extremely important segments that have to be taken into account, and especially the capacity building framework;
- **upgrading the existing capacity building activities**, including those supported by the GEF;
- **participation and involvement of stakeholders** in the consultation process and during decision making – NCSA process must ensure the participation of all stakeholders (including the wide range of the relevant ministries and other administrative bodies). Special attention needs to be given to the economic sector which has a growing responsibility for encouraging sustainable development. An important aspect is the involvement of stakeholders in early phases, especially regarding decisions on



the method of NCSA implementation. It is recommended that the stakeholders are included in the process implementation as soon as possible;

- **adopting a holistic approach during capacity building** – this implies capacity building at the system level, institutional and individual levels and integration of capacity building to ensure their sustainability;
- **adoption of the long-term approach** in capacity building for sustainable development. The NCSA should be perceived as the starting point or a contribution to a long-term process which strengthens the thematic programmes and programme cross-analysis.

## 1.5 Methodology

The NCSA project was implemented in line with the methodology defined in the Project Cycle Management document of the European Commission from March 2004 as the general methodology, but in line with the GEF special methodology for NCSA drafting (A Guide for Self-Assessment of Country Capacity Needs for Global Environmental Management, *September 2001*).

Project activities were conducted in accordance with the activity plan and the schedule of activities was adapted to the needs and requirements of experts who participated in the NCSA project drafting.

Keeping in mind the multilayered competence of institutions and inadequate coordination, the methodology applied to the research required a multi-faceted approach since the issues regarding environment are not among the well-coordinated ones in BiH.

First of all, this is a qualitative approach to the national capacity assessment in the application of the defined multilateral environmental conventions and an effort was made in overcoming the identified weakness in the sense of poor information exchange in the environmental sector and achieve a high degree of communication and information exchange for the broad spectrum of stakeholders at the organised workshops because of the noticed lack of capacities in engaging a wide spectrum of stakeholders in project participation and drafting.

The appointed responsible persons for all four Conventions provided significant support to the work groups and acted as leading parties in terms of activities related to the convention report document drafting.

General support and guidelines for the entire process were also provided by the Project Steering Committee (PSC) which consisted of the appointed contact persons for the four Conventions, OFP, the UNEP representative and the consultants.

In addition to its advisory role, the PSC was responsible for approving the work plans and reports prepared during the Project.

Consultants were hired for the monitoring and the coordination of the NCSA process and for the technical support during the drafting of the NCSA Report and Action Plan.

The methodology applied by the work groups in the first step comprised of data collection, analyses of the institutions, legal framework and policies in BiH, which implied an analysis of the relevant documents and regulations related to the convention implementation, analyses of stakeholders and the GAP Analysis or the shortcomings analysis (during the First Thematic Workshop held in Tuzla on April 5 and 6 2011)

Other methods were also used, such as the examination of the existing studies, interviews, internet browsing etc.

SWOT Analysis was also applied (acronym for strengths, weaknesses, opportunities and threats) for each convention with indication of strengths, weaknesses, opportunities and threats, alongside the prioritisation and GAP Analysis. Through the application of these analyses, thematic work groups were able to define problems (weaknesses) and identify the existing or the potential capacities (strengths).

In addition to this, an analysis of stakeholders for each convention was performed in order to ensure involvement of all identified parties during the NCSA process and in the future convention implementation.

Based on the established implementation mechanism of the Vienna Convention for the Protection of the Ozone Layer, a particular illustration was presented, a case study for the purpose of establishing a unique convention implementation mechanism in BiH – establishment of the Ozone Unit (for more details refer to 5. 4. 3. Assumed Activities of Bosnia and Herzegovina in relation to the Convention Implementation)

Factors which might aid the capacity building or a more rational use of the current capacities were identified. Prioritisation was implemented through the application of various criteria such as the extent of the problem, importance and size for capacity building etc.

Central problems that lead to the failure to implement relevant conventions and their causes were identified.

Further proceedings identified the strategic and specific goals for solving the problems and their causes which were then turned into concrete assignments.

The primary goal of cross-analysis is to identify the priority cross advantages (i.e. the advantages relating to several conventions), limitations and needs as well as priority opportunities for synergies and capacity building. The cross-assessment (together with particular results from the convention thematic assessments) presented the basis for the preparation of the Action Plan which recommended specific actions to compensate for the shortcomings of the capacities for the Convention implementation and to promote synergies.

Main instruments used to achieve this goal in the report on cross-assessment are: comparison, analysis and generalisation of SWOT (strengths, weaknesses, opportunities and threats) based on the matrix from four thematic assessments. Four most relevant cross-cutting issues for the NCSA were taken and inserted into the Action Plan.

Besides the cross-cutting issues, the Action Plan also developed the identified constraints and the missing capacities typical for some conventions.

A lack of capacities for the development and implementation of adequate surveys was identified to provide quantitative and qualitative capacity assessments in relation to the application of conventions analysed by the NCSA BiH process and based on the guidelines from the document *“Monitoring Guidelines of Capacity Development in GEF Operations”*. Therefore, a set of indicators of quantitative assessment of qualitative processes was applied to arrive at an adequate and comprehensive, unified assessment related to the implementation of environmental requirements from the conventions analysed by the NCSA BiH Project, i.e. the capacity illustration.

Ratings in the form of 4 numerical parameters (0- the lowest grade up to 3 – the highest grade) with respective descriptive content provided for each capacity indicator present a framework, a set of indicators where the instrument assessment framework is flexible enough to add indicators specific for each area of the respective convention in the NCSA Process.

This enables various comparisons and assessments, as an instrument for tracking qualitative processes with a quantitative rating.

We would like to emphasise that generic terminology was used during the indicator naming process in order to encompass all four conventions. However, the grades given by experts ought to be interpreted in the context of the convention which is rated. For example, the indicator “Degree of Stakeholders’ Environmental Awareness” from the Vienna Convention for the Protection of the Ozone Layer marks the awareness degree of the environmental issues arising from this Convention and not the environment in general.

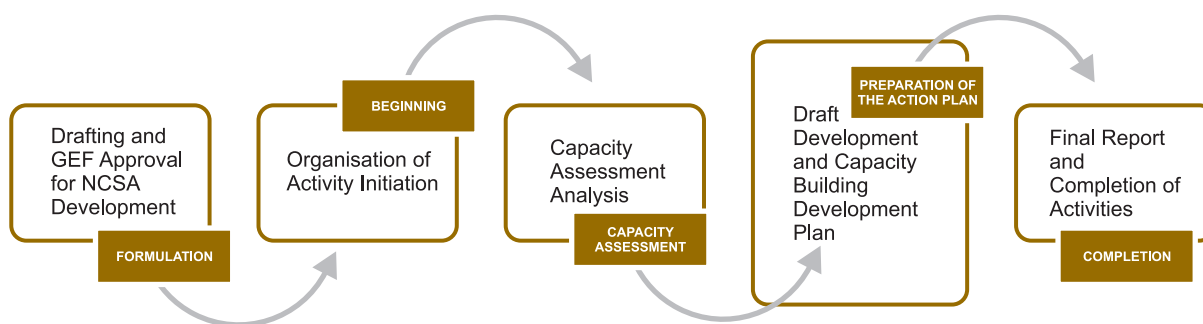
#### ***1.5.1 Project activities and drafting procedure***

NCSA Process implementation phases, in line with the standard form defined in advance are presented in the Illustration 2.

Undertaken activities within phases can be summed in the main activities:

- establishment of the Project structure – thematic work groups and national focal points for four selected priority Conventions;

Illustration 2. NCSA Process Implementation Phases



- collection and analysis of thematic materials (analysis of the existing plans, policies, strategies and relevant studies);
- preparation of thematic assessments (report) with appropriate needs analysis and capacity building opportunities;
- preparation of thematic papers/tasks, that is, priorities;
- analysis of joint, i.e., cross-cutting issues for all four Conventions;
- preparation of NCSA reports;
- Preparation of the NCSA Action Plan for Capacity Building in BiH

These activities were used for assessing the country's capacity to implement the requirements of the four Conventions. The assessment was conducted in cooperation with key institutions, through an evaluation of the current framework for environmental management and based on the implemented/current activities and projects as well as through problem identification (including their causes) in Convention implementation.

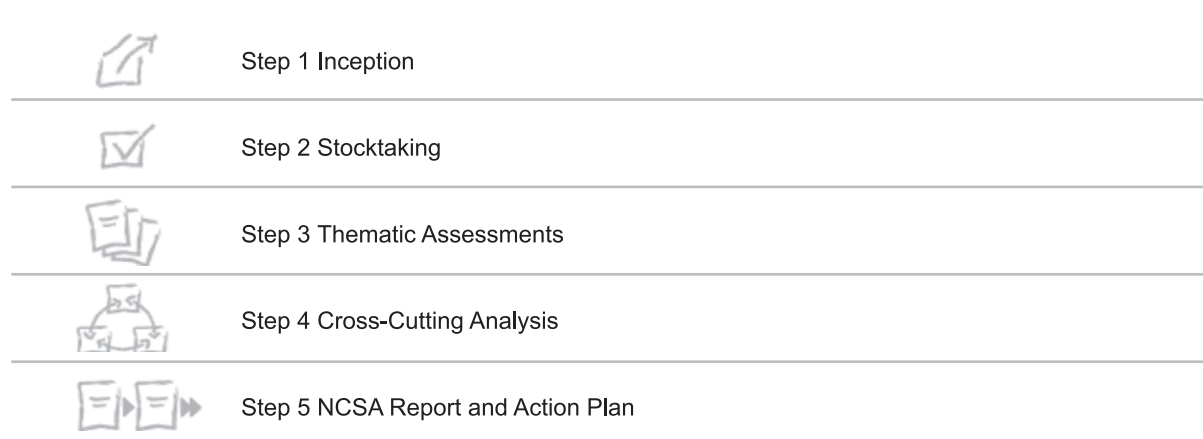
The project also invested efforts into establishing priorities for capacity building necessary to enable implementation of requirements of multilateral environmental agreements in Bosnia and Herzegovina.

The final and integral NCSA report and Action Plan for BiH arose from the reporting activities on the state of conventions, thematic assessment and cross-assessment.

The NCSA report, capability assessment is the starting point for the proposal for sustainable institutional framework for the systematic, lasting and comprehensive development of the national capability for activity implementation.

Identification of the necessary capacities for the implementation of global requirements of the environmental conventions was performed in several steps: Inception, Stocktaking, Thematic Assessments, Cross-Cutting Analysis, NCSA Report and Action Plan.

Illustration 3. NCSA Drafting Steps



**1. Inception** is a phase implying an organisation of administrative, management and consultative arrangements within the NCSA Project and the preparation of the Work Plan. It also included analytical work, identification of other projects' connections with the NCSA as well as an analysis and involvement plan for stakeholders.

**2. Stocktaking**, according to conventions is a complete state analysis, a kind of "inventory taking" of the existing data and performed activities which gives a basis for planning and undertaking future activities. The goal of this phase was to ensure that the NCSA is based on the assessment results.

The inventory included the identification of all national activities, documents and acts relevant for the conventions as well as basic national environmental priorities. To be more precise, these are all laws, policies, plans, strategies, programmes and project documentation that might be useful for the implementation of steps 3 and 4 of the NCSA Process.

**3. Thematic Assessments** – the main goal of the four thematic assessments is to evaluate and analyse the requirements of the international agreements and the results achieved in BiH to date under the Conventions. This analysis provides an image of "where we stand now", including the advantages and constraints in the Convention implementation as well as additional needs for capacities.

**4. Cross-Cutting Analysis** evaluates the capacities, needs and possibilities in relation to the requirements of the defined priority conventions, thematic areas. The analysis also includes the identification of common needs and the possible synergistic action in order to fulfil the requirements of two or more conventions.

This Analysis also recognised the needs for capacities, which are common at the national and the global levels in the sense of environmental protection, management and establishment of a possible synergy between the conventions. The analysis also resulted in a list of priority national capacities, needs and possibilities for realising a synergy. Possible activities for capacity building were identified and are further elaborated in the Action Plan.

**5. NCSA Report and Action Plan** - The Action Plan relies on the thematic assessments evaluations and cross-analysis, i.e. the overall NCSA report and it also identifies the plan for capacity building and activity that must be undertaken. The Plan recommends the national capacity building strategy, it identifies the priority activities and specifies the time frame for activity implementation, possible funding sources, liabilities and the methods for tracking implementation and evaluations of the outcomes and impacts. The Action Plan is a part of NCSA Report.

The Report sums up the work performed in the process of NCSA implementation, elaborated documents, presentation of used methods, instruments and participants and it emphasises the main conclusions and lessons learned from the NCSA.

### *1.5.2 Levels of Capacity Analysis*

For the needs of reports prepared during the NCSA process (thematic and cross-assessments), the capacity analysis was performed on three levels – individual, institutional and systemic.

The term "capacity building" was used to represent all activities that improve the capability of individuals, institutions and the entire system to perform jobs and functions in an efficient, effective and sustainable manner.

**At the individual level**, the capacities that were the subject of the NCSA analysis encompassed the capabilities of individuals who were involved or should be involved in meeting the requirements from the conventions. The capacity building at this level is performed through staff education and training, management improvements (staff motivation) and similar activities.

The goal was to advance the individual management and environmental protection capabilities in individuals who work independently or in an organisation or the society as a whole.

**At the institutional level**, the capacities are related to the general activity organisation and functional capabilities of institutions and organisations. The institutional capacities encompass human, administrative, financial and technical resources.

In NCSA process, the institutional capacity components were assessed as follows:

- *human resources* – the staff within one organisation whose activities are connected to the Conventions implementation, including staff education and qualifications, their experience, approach to various forms of training etc.;
- *administrative resources* – do the institutions and organisations possess efficient structures, are there specialised units to meet the requirements of the Conventions, and do they, if they exist, function adequately, that is, are they operational;
- *financial resources* – are they available, are they adequately managed within the institution/organisation;
- *informative resources* – is the necessary information available and trustworthy and is it adequately managed within the institution/organisation and outside of it;
- *Technical resources* – are the necessary work space, resources, computers and specialised equipment available, are they adequately distributed and how are they operated.

Capacity building at the institutional level has a tendency towards improved organisational structure and increased cooperation between groups or sectors within an institution or an organisation.

System level of capacities is reflected in the conditions in which the institutions and organisation operate as well as in their mutual interactions. This level is comprised of:

- *political framework* (political support, suitable political framework to foster implementation of the requirements of environmental conventions);
- *legal framework* – (are the appropriate laws in force, are the responsibilities shared, do the appropriate institutions/organisations exist);
- *economic framework* – is the market functioning efficiently;
- *resources on the system level* – are the human, financial and information resources available to the national or local governments, economy sector, civil society;
- *support of the public* – do the public awareness and support exist;
- *coordination* – are there mutual relations and cooperation between the existing institutions.

Keeping in mind the complex political, legal and administrative structure of Bosnia and Herzegovina, special emphasis was put on linking the institutions and creating a functional framework aimed at identifying and implementing the environmental conventions, primarily the four priority conventions.

Other social stakeholders were also included, but were not the subject of detailed analysis on this occasion.



## 2 Obligatory Application of International Agreements<sup>3</sup>

### 2.1 Legal Basis

The validity of international treaties relies on the basic principle of international public law *pacta sunt servanda* (Lat. “agreements must be kept”) and, in line with the said principle the contracting States are obliged to comply with the provisions of signed agreements in good faith.

The aforementioned principle is obliging for Bosnia and Herzegovina in line with Article 26 of the Vienna Convention on the Law on Treaties from 1969<sup>4</sup> to which Bosnia and Herzegovina acceded in a notification on succession<sup>5</sup> and which states that: “Every treaty in force is binding upon the parties to it and must be performed by them in good faith.”

In line with the provisions of the Law on the Procedures for the Conclusion and Implementation of International Agreements (Official Gazette of BiH No. 29/00), the implementation of international agreements is placed under the competence of the State of Bosnia and Herzegovina, the contracting party, and the Council of Ministers of Bosnia and Herzegovina handles the implementation of obligations arising from international agreements through the competent institutions in Bosnia and Herzegovina and the Entities.

Pursuant to Article 9 of the Law on Ministries and Other Administrative Bodies of Bosnia and Herzegovina (“Official Gazette of BiH No. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09 and 103/09), the implementation of the environmental international agreements at the level of Bosnia and Herzegovina is under the competence of the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina.

The Ministry is competent for carrying out matters and tasks from its jurisdiction which relate to defining policies, basic principles, co-ordinating activities and harmonising plans of the Entity authorities and institutions at the international level in the fields of environmental protection, development and use of natural resources.<sup>6</sup>

In relation to this and in terms of international agreements implementation, the Ministry of Foreign Trade and Economic Relations of BiH, i.e., its organisational units are obliged to ensure that the requirements are met by undertaking actions and activities from its area of competence with the aim to implement the process of agreement application whilst complying with the provisions of international treaties in line with the *pacta sunt servanda* rule.

Bosnia and Herzegovina is a signatory State of the Conventions that are subjects of analysis of the NCSA project in BiH for the implementation of multilateral environmental agreements, 4 Conventions in primis and respective protocols defined as priority, and those are:

<sup>3</sup> In line with the Vienna Convention on the Law of Treaties from 1969, International Treaty is “an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation” (Article 2, Item 1). Bearing this in mind, the term „international treaty” is used as a generic term which encompasses all written instruments that are in practice referred to as agreement, convention, protocol, pact, charter, status, act, declaration, exchange of letters, *modus vivendi*, memorandum of understanding etc.

<sup>4</sup> The Convention was adopted on 22 May 1969 and opened for signature on 22 May 1969 by the *United Nations Conference on the Law of Treaties*. The Conference was convened pursuant to General Assembly resolutions 2166 (XXI) of 5 December 1966 and 2287 (XXII) of 6 December 1967. The Conference held two sessions, both at the Neue Hofburg in Vienna, the first session from 26 March to 24 May 1968 and the second session from 9 April to 22 May 1969. In addition to the Convention, the Conference adopted the Final Act and certain declarations and resolutions, which are annexed to that Act. Through a unanimous Conference vote, the original Final Act is archived in the Federal Ministry of Foreign Affairs of Austria. It entered into force on 27 January 1980, in accordance with Article 84(1). Official Publication in United Nations, Treaty Series, vol. 1155, p.331.

<sup>5</sup> SFR of Yugoslavia signed it in Vienna on 23 May 1969 and ratified it on 27 August 1970, Official Gazette SFRJ, International Treaties and Other Agreements No. 30/1972, and the Republic of Bosnia and Herzegovina assumed the obligations from the Convention on 1 September 1993 through a notification on succession.

<sup>6</sup> In line with Article 9, Item 2 of the Law on Ministries and Other Authorities of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09 and 103/09). This item defines the competence of the Ministries in the sectors of Agriculture, Energy and Tourism.



1. United Nations Convention on Biological Diversity UNCBD or CBD,
2. United Nations Convention to Combat Desertification – UNCCD or CCD,
3. Stockholm Convention on Persistent Organic Pollutants – POPs,
4. Vienna Convention for the Protection of the Ozone Layer.

## **2.2 Specificity of Environmental Multilateral Agreements**

Since the mid-1960s, given the environmental devastation and degradation trend performed by men with their actions, some countries identified the need to start protecting their environment and they began adopting relevant regulations for environmental protection.

At the international level, the United Nations Conference on the Human Environment held in Stockholm in 1972 was the starting point for the development of the international environmental law. Since then, a significant expansion of instruments for the protection mechanism implementation has been recorded alongside a notable development of this branch at the international level.

The international character of environmental law was confirmed in numerous international treaties and other international instruments that contribute to the protection and preservation of natural wealth and resources.

In order to provide a more efficient protection, the necessary unification of the regulations application, regardless of the different systems of national laws, is an imperative today given the alarming state of the environment and to provide a sustainable development, there has been an intensive international expansion of instruments based on which the states oblige, with the said goal in mind, to protect the multiple environmental aspects.

The majority of these international instruments belong to the so called “soft law” category. However, their extreme political and legal importance ought to be pointed out as well as the fact that they represent a foundation for the development of the system of values and standards for environmental protection as a global interest on the one hand, and the recognised basic human right, on the other hand.



## 3 Institutional Framework

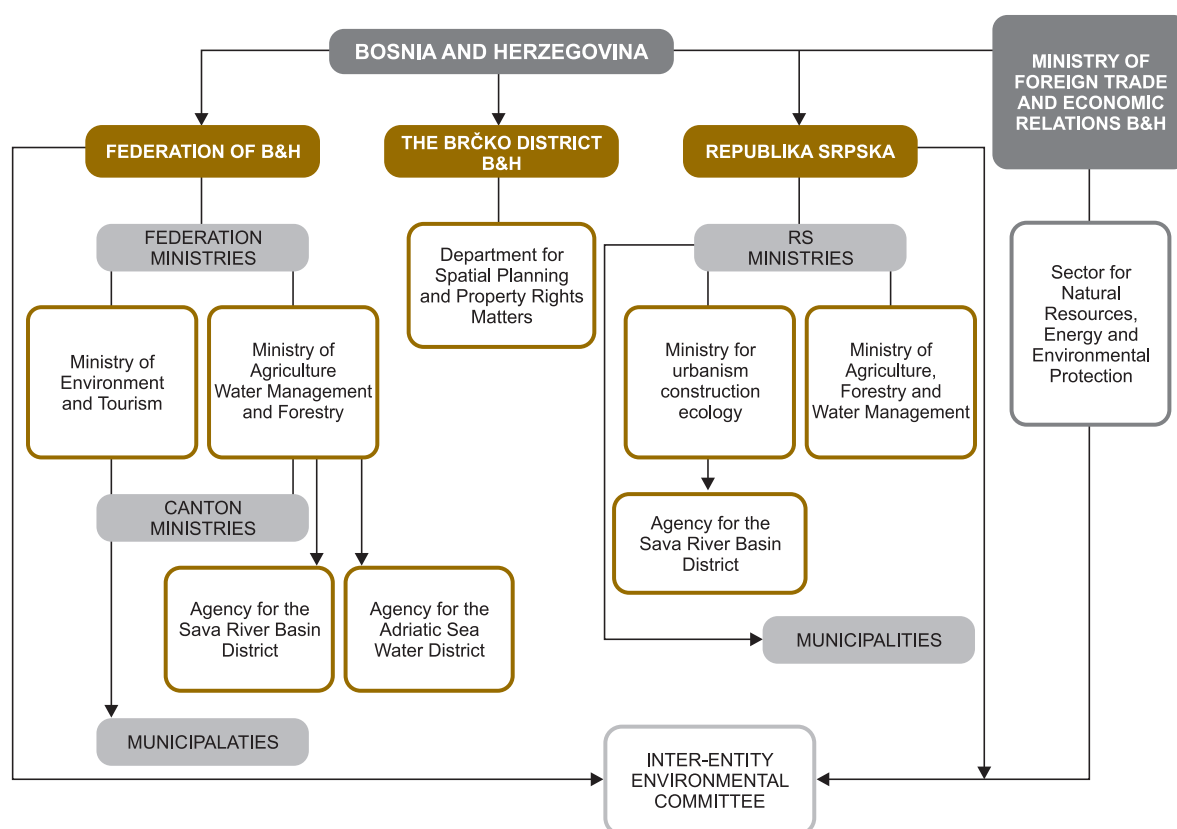
### 3.1 State Level

Peace Agreement for Bosnia and Herzegovina entitled the General Framework Agreement for Peace contains Annex 4, the State Constitution of Bosnia and Herzegovina. Article 3 of the BiH Constitution defines the responsibilities and relations between the institutions of Bosnia and Herzegovina and its two Entities: the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS).

Environmental aspects are not explicitly defined in the Constitution. In line with Article 3 (c) “all governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities.” The interpretation of the mentioned Article suggests that environmental issues are in the competence of the Entities since there is no authority at the state level that would be competent for environmental issues, i.e., the Entities govern the environmental protection policy and make appropriate regulations.

The illustration below shows an overview of relevant institutions and authorities responsible for environmental protection in BiH.

Illustration 4. Environmental Management in Bosnia and Herzegovina



The Law on Ministries and other Administrative Bodies of Bosnia and Herzegovina from 2003<sup>7</sup> subsequently ascribed the authority over environmental protection and use of natural resources at the state

<sup>7</sup> Official Gazette of BiH, No. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09 and 103/09.

level to the **Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina**. This law defines the most important functions and tasks of this Ministry, namely:

- coordination in implementation of international agreements, contracts and programs of social and economic reconstruction, transition and development, as well as in fight against poverty;
- implementation of the international environmental agreements and programs (GEF);
- coordination in the management of natural resources in BiH;
- defining policy, basic principles and harmonisation of entity authorities and institution at the international level.

Within this Ministry there is a Sector for Natural Resources, Energy and Environmental Protection which is further divided into departments:

1. Department for Water Resources,
2. Department for Tourism,
3. Department for Primary Energy and Policy,
4. Department for Secondary Energy and Projects,
5. Department for Environmental Protection,
6. Department for Project Implementation.

Apart from the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina, there are two additional institutions at the level of Bosnia and Herzegovina that have the authority over environmental issues and those are the Ministry of Foreign Affairs of Bosnia and Herzegovina, and the autonomous administrative organisation, the Directorate for European Integrations within the Council of Ministers of Bosnia and Herzegovina.

The Ministry of Foreign Affairs is competent for the implementation of the defined policies of BiH and is responsible for the development of international relations in line with the stances and guidelines of the Presidency of Bosnia and Herzegovina and it also defines stances on issues relevant to foreign policy activities and the international position of BiH. Besides this, it is competent for the preparation of bilateral and multilateral agreements: preparation of documentation, analysis, information and other materials for the needs of the Presidency of BiH, the Council of Ministers of BiH and other authorities competent for the implementation of foreign policy<sup>8</sup> and it also takes direct participation in the ratification procedures by delivering a draft decision on the ratification of international contracts, of which the text of a contract is an integral part, to the Council of Ministers of BiH<sup>9</sup>.

**The Directorate for European Integrations** within the Council of Ministers is competent for:

- coordination of matters and activities on the alignment of the legal system of BiH with the EU accession standards (*acquis communautaire* which also implies the “environmental *acquis*”);
- verification of the coherence of all draft laws and regulations submitted to the Council of Ministers of BiH by the ministries and administrative organisations with the directives from the “White Papers”;
- harmonisation of the activities of the bodies and institutions in BiH that are related to the appropriate activities necessary for European integrations;
- Acting as technical operational authority for contacts with the European Commission etc.

### 3.2 Inter-Entity Bodies

Two Steering Committees, the Water Steering Committee and the Environmental Protection Steering Committee were established in 1998 with a task of cooperation and coordination between the competent ministries of the two Entities.

The Water Steering Committee (WSC) and the Environmental Protection Steering Committee were established in 1998 with a task of cooperation and coordination between the competent ministries of the

<sup>8</sup> Article 8 of the Law on Ministries and Other Authorities of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09 and 103/09)

<sup>9</sup> The conclusion procedure of the international contracts is defined by the Law on the Procedures for the Conclusion and Implementation of International Agreements of BiH.

two Entities. The Committee was formed by Entities and each Entity is represented with four members elected over a 4-year mandate. Its task is to coordinate and harmonise the Law on Environment and the policy relations between the two Entities, to promote the ratification of international conventions and EU Projects Implementation.

The Committee takes part in the following activities:

- international agreements and programs related to environmental issues;
- cooperation with the Republic of Croatia and the Federative Republic of Yugoslavia in the field of environment;
- harmonisation (between the Entities) of the current and future environmental legal documents, regulations, environmental action programs, monitoring, standards and information systems;
- harmonisation (between the Entities) of the emergency plans;
- Coordination (between the Entities) of all environment related activities in order to ensure access of BiH in the European Union as a member state.

**Commission for the Coordination of Water Management** was established in 1998 after the Memorandum of Understanding was signed by competent Government Ministries of both Entities. This Commission has 8 members. The Government of the Federation of BiH nominates 4 members and the Government of Republika Srpska also nominates 4 members. The Commission deals with the following issues:

- International agreements in water management;
- international waterways;
- international water management facilities
- cooperation with the Republic of Croatia and the Republic of Serbia in the field of waters;
- harmonisation (between Entities) of the current and future regulations in Water Management;
- harmonisation (between Entities) and monitoring of the water quality standard;
- harmonisation (between Entities) of the solid waste disposal programme – protection of water resources;
- harmonisation (between Entities) and control of the work of laboratories for water quality monitoring and categorisation of waterways;
- construction and reconstruction of Water Management facilities on Inter-Entity Boundaries or in their vicinity;
- facilities divided by Inter-Entity Boundaries;
- data collection and sharing (Inter-Entity and international);
- Harmonisation (between Entities) of the programme for flood protection and other emergency situations.

**National Steering Committee for the Environment and Sustainable Development of Bosnia and Herzegovina (SCESD)** was established in 2002 for the purpose of improving the cooperation between the state, entity municipality levels and civil society in environmental issues. However, this body is no longer operative due to financial reasons.

SCESD had a consultative and advisory role and it consisted of 48 members nominated by state bodies and institutions, Entity and the Brčko District institutions, associations of private business owners, non-government organisations and representatives of the existing forums and structures that deal with environmental issues, universities and independent experts from Bosnia and Herzegovina.

SCESD's members were appointed by the Council of Ministers at the proposal of the Ministry of Foreign Trade and Economic Relations.

### 3.3 Entity Level

Since all functions and powers that are not expressly assigned to the institutions of Bosnia and Herzegovina in the Constitution of BiH are those of the Entities, and since all government functions and powers not assigned to the institutions of BiH in the Constitution are a responsibility of the Entities, the Entities are competent for the Environmental Management.

### 3.3.1 Federation of Bosnia and Herzegovina

In line with Article 2 and Article 3 of Chapter 3, the authorities of the Federation Government and the Canton in the field of environment are the Environmental Policy and the use of natural resources.

The Federation Government ought to draft a policy and adopt laws for each field, when it comes to the obligations in the territory of the Federation of BiH. The authorities can be discharged jointly, independently or at the cantonal level as coordinated by the Federation Government.

The Government of the Federation of Bosnia and Herzegovina (FBiH) and the competent Cantonal Ministries are responsible for the environmental policy and the use of natural resources. In the Federation of Bosnia and Herzegovina, all administrative and expert assignments related to the protection of air, water and soil, monitoring and establishment of environmental standards, drafting of environmental strategy and policy, tourism development and other assignments are assigned to the Ministry of Environment and Tourism of FBiH. This Ministry is comprised of five sectors: Sector for the Environment, Sector for Licensing, Sector for Project Implementation, Sector for Tourism and Catering Industry, and Sector for Legal Affairs (law, finances and general affairs).

**Ministry of Spatial Planning** of the Federation of BiH is competent for spatial planning and land use, whilst the **Ministry of Agriculture, Water Management and Forestry** is competent for agriculture, water management, forestry and veterinary services. These two ministries are responsible for the full management of the two water districts in the Federation of BiH (the water basin of the Adriatic Sea and the water basin of the River Sava).

**Advisory Council for Environment** was appointed in 2006 and it consists of 13 members from scientific organisations and institutions. It acts as a scientific and professional support to the Ministry and the Government of the Federation of BiH. The purpose of this Council is to review and provide comments about strategic and planning documents and to improve the coordination between the Federation and the canton level.

**Authority for Inspection Activities** is a general inspection authority for the Federation of BiH in which all inspections from various ministries are integrated. All Cantons have own environmental departments, including Departments for Licensing and Inspections. At a lower level, these issues are resolved in municipalities.

Other ministries that regulate energy, industry, mining, health, transport and culture at the cantonal and municipal levels resolve environmental issues prescribed by the law and defined by their mandates.

In line with the Law on Environmental Fund of the Federation of BiH ("Official Gazette FBiH" No. 33/03) the **Environmental Fund of the Federation of BiH** was established. Its Committee has seven members for management and three members for monitoring appointed by the Government of the Federation of BiH. The Steering Committee appoints the Director. Finances are collected through fees from polluters, users of natural resources, fees for motor vehicles licensing, water use fees, budget of the Federation of BiH, loans and donations. They are used for environmental protection in the field of conservation, use of renewable energy sources, sustainable use of natural resources for the purpose of the preparation, implementation and the development of programmes, projects and activities. The proceeds are distributed among the 10 Cantons (70%) and the Environmental Fund of the Federation of BiH (30%).

### 3.3.2 Republika Srpska

In line with Article 12 of the Constitutional Law for the implementation of the Republika Srpska Constitution<sup>10</sup>, laws and regulations of SFRJ and SRBiH that are in accordance with the Republika Srpska Constitution are applied.

In line with Articles 35, 64 and 68, everyone has the right to a healthy environment and Republika Srpska protects and encourages a rational use of natural resources and ensures environmental protection.

<sup>10</sup> "Official Gazette of RS", No. 21/92

In Republika Srpska (RS), the Ministry for Spatial Planning, Construction and Ecology of RS is competent for the issues of environmental protection (land, air and water), waste management (solid and hazardous), legal tasks and biodiversity.

The other ministry, the **Ministry of Agriculture, Forestry and Water Management** is in charge of the development of waters strategy and policies and especially for the establishment of standards and regulations, issuing of approvals and permits and for monitoring compliance with laws and regulations through issuing of approvals and inspections.

The inspection authority responsible for the inspections and environmental permits issuing is the **Authority for Inspection Activities** of RS. The municipalities issue their own permits and conduct inspections for smaller business subjects.

Other ministries that regulate health, economy, water and energy development, construction, water and waste management and environmental inspection at the municipal level deal with environmental issues in line with the defined competences.

The Environmental Protection Fund of RS (EPFoRS) was established by virtue of the Law on the Environmental Protection Fund of RS (Official Gazette of RS No. 01-626/02). It has seven members of Management, three Members of the Supervisory Board and three members of the Steering Committee and a Director, appointed by the RS Government. EPFoRS raises and distributes funds for various programmes in the field of environmental protection in the RS territory. Funds are collected from the users of natural resources, the RS budget, fees paid by the polluters and grants and donations. Since EPFoRS is mostly funded from the state budget, it holds the right to independent fund raising from foreign and local sources, for example, from the loans of international financial institutions or schemes, the so-called soft loans. Fifteen per cent of the total proceeds from the fees allocated in EPFoRS are disbursed to the water protection activities.

#### 3.3.2.1 The Brčko District BiH

In line with Article 9 of the Brčko District BiH Statute, environmental protection is one of the functions and powers of the Brčko District BiH.

At the level of the Brčko District BiH, the **Department for Urban Development and Property Rights Matters** of the Brčko District BiH, Government of Bosnia and Herzegovina, is competent for environmental protection and it is composed of three senior professional associates.

Water related issues (issuing permits for water use, water discharging and flood protection infrastructure) are in the competence of the **Department of Agriculture, Forestry and Water Management** of the Brčko District BiH, Government of Bosnia and Herzegovina.

**Inspection in the Brčko District BiH** is in charge of the regulations implementation and control in the environmental protection field. The other department (Department of public works, healthcare and other services, education, economic development, sports and culture) is involved in the adoption of laws and subordinate legislation, environmental permits issuing and the solving of various environment related issues.



## 4 Legal Framework

Environmental issues are not regulated at the state level. A state law on environmental protection has not been adopted yet, even though the adoption thereof is a part of the requirements for the European Integrations of Bosnia and Herzegovina and it was also one of the priorities in the Medium Term Development Strategy of Bosnia and Herzegovina – Poverty Reduction Strategy Paper (PRSP). The draft of this law never entered the parliamentary procedure due to the complexity of technical details and the disagreements at various levels of government in BiH regarding the unification of the environmental sector in BiH. Other environmental laws are absent (for example, the Law on the Noise Protection and the Law on the Land Protection) and not only at the state level but at the level of Entities as well.

The first set of environmental laws in Bosnia and Herzegovina was prepared with the financial and technical support of the EU Programme for Community Assistance for Reconstruction, Development and Stabilisation. This set of laws contains the following laws:

- Framework Law on Environmental Protection
- Law on Air Protection,
- Law on Waters Protection<sup>11</sup>,
- Law on Waste Management,
- Law on Nature Protection,
- Law on the Environmental Fund/Law on the Environmental Protection Fund.

Republika Srpska adopted these laws in 2002, the Federation of BiH in 2003 and the Brčko District BiH in 2004.

General overview of laws related to environmental issues is located in the tables below.

Table 1 Environmental Laws at the level of Bosnia and Herzegovina

Name of the Law	Official Gazette of BiH No.
Law on Concessions	32/02 and 56/04
BiH Law on Veterinary Medicine	34/02
Law on Plant Health Protection	23/03
Law on Genetically Modified Organisms	23/09
Law on Protection and Welfare of Animals	25/09
Law on Agriculture, Food and Rural Development of BiH	50/08
Law on Radiation and Nuclear Safety	88/07
BiH Law on Phytopharmaceutical Substances	49/04

Table 2 Environmental Laws at the level of the Federation of Bosnia and Herzegovina

Name of the Law	Official Gazette of FBiH No.
Law on the Requirements for and Manner of Carrying out Woodcutting Activities	27/97 and 25/06
Law on Protection against Ionizing Radiation and Radiation Safety	15/99
Law on Veterinary Medicine	46/00

<sup>11</sup> The Law on Water Protection is no longer valid and was replaced with the Law on Waters in both entities in 2006.

Name of the Law	Official Gazette of FBiH No.
Law on Concessions	40/02 and 61/06
Law on Waste Management	33/03 and 72/09
Law on Air Protection	33/03 and 4/10
Law on Environmental Protection	33/03 and 38/09
Law on Nature Protection	33/03
Law on the Environmental Protection Fund	33/03
Law on Freshwater Fishing	64/04
Law on Inspections	69/05
Law on Spatial Planning and Land Use	2/06, 72/07, 32/08, 4/10 and 13/10
Law on Hunting	4/06 and 8/10
Law on Water	70/06
Law on Agriculture	88/07 and 4/10
Law on Una National Park	44/08
Law on Agricultural Land	52/09
Law on Geological Survey	9/10
Law on Mining	26/10
Law on Seeds and Planting Materials for Forest and Horticultural Trees and Bushes	71/05 and 8/10
Law on Health Protection	46/10

Table 3. Environmental Laws at the level of Republika Srpska

Name of the Law	Official Gazette of RS No.
Law on Environmental Protection	53/02, 109/05, 29/10 and 41/08
Law on Nature Protection	50/02, 34/08 and 59/08
Law on Air Protection	53/02
Law on Waste Management	53/02, 65/08
Law on the Environmental Protection Fund	51/02, 53/07
Law on Hunting	4/02 and 34/08
Law on Concessions	25/02, 91/06 and 92/09
Law on National Parks	75/10
Law on Organic Food Production	75/04 and 71/09
Law on Geological Survey	51/04
Law on Protection against Ionizing Radiation	2/05
Law on Water	50/06, 92/09
Law on Agriculture	70/06, 20/07 and 86/07
Law on Agricultural Land	93/06, 86/07 and 14/10
RS Law on Veterinary Medicine	42/08
Law on Forests	75/08



Name of the Law	Official Gazette of RS No.
Law on Genetically Modified Organisms	103/08
Law on Animal Protection and Welfare	111/08
Law on Chemicals	25/09
Law on Plant Health Protection	25/09
Law on Biocides	37/09
Law on Energy	49/09
Law on Hunting	60/09
Law on Fishing	4/02 and 58/09
Law on Plant Protection Products	52/10
Law on Beekeeping	52/10
Law on Spatial Planning and Construction	55/10
Law on Forest Reproductive Materials	60/09
RS Law on Meteorological and Hydrological Activities	20/00
Law on Mining	107/05 and 75/10

Table 4. Environmental Laws at the level of the Brčko District BiH

Name of the Law	Official Gazette of BD No.
Law on Air Protection	25/04, 19/07, 1/05 and 9/09
Law on Nature Protection	24/04, 19/07, 1/05 and 9/09
Law on Concessions	41/06, 19/07 and 2/08
Law on Spatial Planning and Construction	29/08
Law on Freshwater Fishing	35/05 and 19/07
Law on Forests	14/10
Law on Water Protection	25/04 and 19/07
Law on Waste Management	25/04, 19/07, 1/05, 2/08 and 9/09
Law on Environmental Protection	24/04, 19/07, 1/05 and 9/09
Law on Agricultural Land	32/04, 20/06 and 19/07



## 5 Assessment of the Conventions Status in Bosnia and Herzegovina

### 5.1 Implementation Status of the Convention on Biological Diversity

#### 5.1.1 About the Convention on Biological Diversity

The Convention on Biological Diversity is the first international agreement that regulates the entirety of biodiversity related issues at a global level. The preservation of biodiversity is considered a shared concern and responsibility of all countries as a part of the sustainable development process.

The Convention has evolved as a result of perceptions about the alarming threat to biodiversity worldwide as well as of a growing number of scientific arguments that indicate that the rapid depletion of species and ecological systems poses a direct threat to the survival of humans on the planet. By reducing the biodiversity of a certain area, its ecological stability and balance also reduce and it becomes more threatened and less resilient to adverse external influences. In global terms, this means that the entire planet is becoming more threatened and “unhealthy” for both plant and animal species, and for the humans themselves.

The adoption of the Convention extended the conservation of biodiversity from the protective measures for threatened species and natural areas to the measures that harmonise the goals of economic development with environmental protection.

The syntagma “biological diversity” describes the abundance of living organisms on the Earth including all the genetic material, species and ecosystems. Life on Earth is a synonym to the biodiversity.

This Convention has developed a new nature protection concept expanding it to the preservation of the entire biological and landscape diversity and ensuring a sustainable use of natural resources. The Convention defines biological diversity as diversity within species, between species and of ecosystems. Therefore, it includes all forms of life that in their entirety represent a value worth preserving regardless of possessing other special values ascribed by men. The Convention establishes biodiversity conservation as a basic international principle for nature protection and a shared obligation of the mankind. The main objective of the convention is conservation and sustainable use of biodiversity which includes a manner of use that will not create a long-term depletion of the living world and its habitats but the natural potentials of the country will be left to future generations.

The main goals of the Convention are the conservation and sustainable use of biodiversity and a fair and equitable sharing of the benefits arising out of the use of genetic resources.

The Convention acknowledges that the key to the conservation of biodiversity is in the sustainable use of this diversity.

The basic obligation of each Contracting Party is to determine their own biodiversity, its endangerment and conservation related issues as well as the adoption of an appropriate national strategy, plans and programs for conservation and use of biodiversity.

Each Party to the Convention is obliged to perform the following, in concerto, for the purpose of biodiversity conservation and sustainable use of its components:

- develop the strategy, plans and programs for conservation and sustainable use of biodiversity and, as quickly as possible, appropriately integrate the conservation and sustainable use of biodiversity into regional (cantonal) and inter-regional plans, programmes and policies;
- identify the parts of biodiversity important for conservation and sustainable use and monitor activities that might have a harmful impact on them;

- draft the laws on the protection of threatened species, establish a system of protected areas for the conservation of biodiversity and promote an ecologically acceptable development around the areas thereof;
- rehabilitate and reconstruct the degraded ecosystems and assist in the recovery of threatened species through helping the local population in establishing and implementing suitable plans;
- include conservation and sustainable use of biodiversity in planning and passing of measures;
- identify methods and systems for monitoring the risk of organisms with altered biotechnological processes;
- monitor or eradicate the non-autochthonous species that threaten the ecosystems, habitats or other species and prevent their introduction;
- use the media and educational programmes to emphasise the importance of biodiversity and the need to undertake measures for its conservation;
- Utilise assessments of environmental impact with full involvement of the public in projects that pose a threat to the biodiversity.

Each Party, including Bosnia and Herzegovina, ought to assume the obligation to ensure, in line with its abilities, the financial support and incentives for those activities that it intends to perform for the purpose of meeting the provisions of this Convention in line with its plans, priorities and programmes.

### *5.1.2 Status of the Convention on Biological Diversity in Bosnia and Herzegovina*

Convention on the Biological Diversity was published in the “Official Gazette of Bosnia and Herzegovina”, No. 13/02. In line with Article 5, Item 3 of the BiH Constitution, at a session held on October 4th 2002, the Presidency of Bosnia and Herzegovina adopted a Decision on the Ratification of the Convention on Biological Diversity from Rio de Janeiro as at June 5th 1992, and it was ratified in accordance with the obtained approval of the Parliamentary Assembly of BiH based on the Decision of the Parliamentary Assembly of BiH No. 82/02 as at September 30th 2002, on October 4th 2002.

Federation Ministry of Environment and Tourism was denominated as the operative focal point on behalf of Bosnia and Herzegovina. In line with this, the Ministry is responsible for the communication with international institutions, the initiation of activities under the Convention and the coordination with other relevant authorities and interested parties.

### *5.1.3 Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention on Biological Diversity*

National Biodiversity Strategy and Action Plan (NBSAP 2008-2015). The document was forwarded to the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina for the further adoption procedure by the Council of Ministers of Bosnia and Herzegovina. The BiH Council of Ministers adopted the document in mid-2011.

In the period from 2005 to 2010, national reports 1, 2, 3 and 4 were prepared. In this way, Bosnia and Herzegovina achieved the same level of reporting activities as other Parties and gave its contribution to the global assessments and the analyses of the state of biodiversity.

The global assessments were used for the preparation of the Global Biodiversity Outlook 3 ([www.cbd.int](http://www.cbd.int)) with the ultimate goal of preparing and adopting the Strategic Plan of the Convention on Biological Diversity for the period 2011-2020.

The Strategic Plan 2011-2020 was adopted at COP 10 in Nagoya in 2010. The Strategic Plan identifies 20 global targets that the Parties wish and ought to achieve by 2020.

In relation to the new Strategic Plan, each Party must conduct the following activities:

1. revision of its own Strategy (NBSAP) aimed at including its own 2020 targets in the Strategy which will be in line with the 2020 Global Targets;

2. set up indicators for the monitoring of the state of biodiversity and process implementation according to its own 2020 targets.
3. Prepare Report 5 about the milestones before COP 12 (in 2014).

Among the 20 Targets that the Parties committed to, the following are of extreme importance for us:

**Target 5:** By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible, brought close to zero, and degradation and fragmentation is significantly reduced;

**Target 11:** By 2020, at least 17 per cent of terrestrial and inland water areas and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other conservation measures, and integrated into the wider landscape and seascape.

The Parties agreed to transpose and implement the Strategic Plan as a comprehensive framework for the conservation of biodiversity into the National Strategies and Action Plans for the conservation of biodiversity within the next two years.

At COP 10, the Strategy for Resource Mobilisation was also adopted and it contains guidelines for various ways of financing for the purpose of accomplishing the targets of the Convention. The Countries committed to increasing the financing for the Convention implementation.

In Nagoya, over 30 other decisions were adopted regulating ways and needs for a more efficient implementation of the Convention and accomplishing its goals, predominantly in the following work programmes:

- biodiversity of the inland waters,
- biodiversity of the sea and coastal ecosystems,
- biodiversity of the mountain areas,
- biodiversity of the forest ecosystems,
- protected areas
- invasive alien species
- sustainable use of natural resources
- biodiversity and climate change,
- Global strategy for plant conservation

Decisions adopted at COP 10 must be implemented through laws, subordinate legislation, annual and multi-year work plans of the ministries, expert and scientific institutions and through the development of joint activities with the relevant economy sectors.

In the past activities for the sustainable management of the nature conducted by Bosnia and Herzegovina, the following projects have been implemented with the help of international funds:

- National Strategy and Action Plan for the Protection of Biological and Landscape Diversity of Bosnia and Herzegovina (UNEP-GEF-CBD);
- Development of a new management policy for the Hutovo Blato wetlands, Bosnia and 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 centres at the area of Bosnia and 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 resources of the environment in the Brčko District BiH (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).

Project implemented by the national funds:

- Project of Establishment of National Park “Prenj, Cvrsnica, Cabulja, Vran” (Federation Ministry of Environment and Tourism);
- Project of Establishment of National Park “Bjelasnica, Igman, Treskavica, Visocica” (Federation Ministry of Environment and Tourism);
- Strategy for Environment protection of the Federation of BiH (Federation 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 (Institute for protection of Cultural, Historical and Natural heritage of Republika Srpska);
- Study for the purposes of proclamation of the nature park Jahorina (Republic Institute for protection of Cultural, Historical and Natural heritage of Republika Srpska);
- Establishing of protected cultural region “Bardaca-Donja dolina” (institute for protection of cultural-historical and natural heritage of Republika Srpska);
- Evaluation of the possible enlargement of the area of National Park “Sutjeska”, ( Institute for protection of Cultural, Historical and Natural heritage of Republika Srpska)
- Project of Establishment of National Park “Una” (Federation Ministry of Environment and Tourism);
- Heritage List (National Commission for UNESCO of Bosnia and Herzegovina);
- Proposal for Network of Protected Areas of Republika Srpska (Ministry of agriculture, water management and forestry of Republika Srpska);
- Valorisation of natural resources 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 resources in "Bijambare" area (Institute for protection of natural, cultural and historical heritage of Canton Sarajevo);
- Valorisation of natural resources in "Skakavac" area (Institute for protection of natural, cultural and historical heritage of Canton Sarajevo);

## 5.2 Implementation Status of the Convention to Combat Desertification/Degradation of Land

### 5.2.1 About the Convention to Combat Desertification/Land Degradation

The goal of the Convention to Combat Desertification is to fight desertification and mitigate the consequences of the drought in countries hit by heavy droughts and/or desertification, most of all in Africa, but also in countries with expressed land degradation processes. The Convention advocates action at all levels that support the agreements on international cooperation and partnership within the framework of and integrate approach contained in Agenda 21 with a goal to contribute to the accomplishment of sustainable development in the affected areas.

The accomplishment of this goal ought to include long-term integral strategies that are, in the affected areas, aimed at improving the land productivity, renewal, conservation and sustainable management of the land/soil and waters leading to improved living conditions especially at the local community level.

### 5.2.2 Status of the Convention to Combat Desertification/Land Degradation in Bosnia and Herzegovina

Bosnia and Herzegovina ratified the Convention in August 26<sup>th</sup> 2002 and it came into force on November 24<sup>th</sup> 2002.

The institution denominated as the focal point on behalf of Bosnia and Herzegovina is the Ministry of Agriculture, Forestry and Water Management of Republika Srpska.

The first NFP of the UNCCD was Hamid Čustović, Ph.D. in the period 2002-2006. He took part in the regional and global UNCCD meetings. As of 2006, this function has been performed by Mihajlo Marković, Ph.D.

BiH had a status of a country threatened by land degradation in the framework of the North Mediterranean Countries (Annex 4) and Central and Eastern European Countries (Annex 5) and now it pertains to Annex 5 (CEE Countries).

Priority measures in terms of accomplishing the targets set by the UNCCD are still not directly defined for BiH and some are defined in the NEAP.

### *5.2.3 Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention to Combat Desertification/Land Degradation*

The first National Report on UNCCD Implementation was completed in 2005. The content of this report included basic information about BiH, environmental management in BiH, the development of the sustainable agricultural production system, launch of the forest regeneration programme/afforestation and intensification of the soil conservation programme, sustainable use and management in the hill and mountain areas, monitoring of drought, desertification and assessments, measures for the recovery of the degraded land and an early warning system mitigating the consequences of the drought and further steps. In this period, BiH was included in two UNCCD Annexes, Annex 4 and Annex 5. It currently belongs only to the Annex 5 (CEE Countries).

Chronological activity overview, as follows:

2006.

- participation in regional meetings and in 2006, the theses for the “First National Report on the implementation of UNCCD in BiH” were presented at the UNCCD meeting in Bonn
- In the second half of 2006, the drafting of the “First National Report on the Implementation of UNCCD in BiH” was started.

2007.

- workshop dedicated to the First National Report on the Implementation of the UN Convention to Combat Desertification/Land Degradation in BiH, held in Banja Luka;
- submitted to the UNCCD Secretariat
- “First National Report on the Implementation of UNCCD in BiH”
- March 15<sup>th</sup> 2007, Buenos Aires, Argentina – Regional NFP Meeting of Annex 5 (CEE);
- September 3<sup>rd</sup> to 14<sup>th</sup>, 2007, Madrid, Spain – The Eighth Session of the Conference of the Parties (COP8)
- CRIC 6 and CST 8.

2008.

- September 10<sup>th</sup> to 13<sup>th</sup> 2008, Brno, Czech Republic – Regional Initiative on Financial Resource Mobilisation for Strengthening the Implementation of UNCCD in Central and Eastern Europe (CEE)
- November 3<sup>rd</sup> to 14<sup>th</sup> 2008, Istanbul, Turkey – meeting of the Committee for the Review of the Implementation of UNCCD (CRIC 7)

2009.

- July 22<sup>nd</sup> to 24<sup>th</sup> 2009, Banja Luka, BiH - Regional Meeting of affected country Parties of Central and Eastern Europe and other affected country Parties in preparation for the ninth session of the Parties (COP 9). (M. Marković – NFP, MAFWM RS, MoFTER BiH);
- September 21<sup>st</sup> to October 2<sup>nd</sup> 2009, Buenos Aires, Argentina – Ninth Conference of Parties and the Regional Consultation of CEE. Mr. Marković was appointed as one of five Vice-Chairs in the Committee on Science and Technology of the Convention for the Central and Eastern Europe



2010.

- June 7<sup>th</sup> to 10<sup>th</sup> 2010, Prague, Czech Republic - workshop related to National Action Plans to Combat Land Degradation Alignment (NAP Alignment) and NAP implementation and drafting financing on the CEE Countries – GEF 5<sup>th</sup> Replenishment
- June 2010, Brussels, Belgium – Training for the 4<sup>th</sup> Reporting Process on the Implementation of UNCCD;
- October 2010 – Second BiH National Report on the Implementation of UNCCD submitted for the 4<sup>th</sup> Reporting Process on the Implementation of the UNCCD

2011.

- February 16<sup>th</sup> to 25<sup>th</sup> 2011, Bonn, Germany – Second Special Session of the Committee on Science and Technology (CST – S2) and Ninth Session of the Committee for the Review of the Implementation of the Convention (CRIC9) of UNCCD.
- March 21<sup>st</sup> to 25<sup>th</sup> 2011, Kiev, Ukraine – GEF expanded meeting of Easter Europe focal points (Expanded Constituency Workshop – ECW)  
The so-called GEF 5<sup>th</sup> Replenishment was also discussed at this meeting – the possible financing of UNCCD implementation through the drafting of NAP in the Easter European Country, where BiH also belongs.

The current projects and activities are as follows:

- Land Parcels Information System – LPIS in BiH,
- Spatial Plan in the Federation of BiH,
- Pilot Irrigation Project in BiH (RS, the Brčko District, FBiH) WB – PIU
- Land Development Projects in Cantons,
- Programme of Management of Agricultural Land in the Cantons and Municipalities of the Federation of BiH,
- Research of the Renewable Energy Sources,
- Land Registration in BiH (GTZ and WB).

Table 5 List of relevant and implemented UNCCD Projects

PROJECT	
Full Name	Description
Inventory of Post War Situation of Land Resources in Bosnia and Herzegovina (GCP/BiH/002/TA).	<p>The project was financed by Cooperazione Italiana and implemented by Food and Agriculture Organisation (FAO).</p> <p>The project started in 2000 and ended in 2002. The main project goal was inventorying the state of land resources in BiH. In addition, an important component of this goal was to strengthen the institutional capacities of BiH for an independent monitoring of land resources in BiH. Methodologies suitable for the BiH conditions were developed through the project, the institutions were equipped with the necessary equipment and the staff was trained for the application of new technologies. The project was implemented with the partners from both entities.</p> <p>After a successful end of the projects, the scope of activities was expanded to the second phase. The second part of the project was also financed by Cooperazione Italiana and implemented by Food and Agriculture Organisation (FAO). This time the focus was put on the local administration dealing with the land resource management. The goal of the project in its second phase was to develop and implement methodologies aimed at strengthening capacities of the local administrative units that deal with the land resource management. Municipalities (6 municipalities in BiH) were elected as the mentioned units. The following three goals were expected:</p>



PROJECT	
Full Name	Description
	<ul style="list-style-type: none"> <li>• development and dissemination of the knowledge about the operative system for land evaluation as a support base for the decision makers at various levels from the aspect of land use manner,</li> <li>• capacity building for land resource management at state, entity and municipal level,</li> <li>• Review of verified methodologies for land resource management at the local level as a guide for rural investments and development.</li> </ul> <p>One of the final products of the project, aimed at fulfilling the set expectations was a Guide entitled: "Participatory Land Use Development in the Municipality of BiH".</p>
CORINE Land Cover 2006	<p>The Project started in September 2007 and it was successfully ended in November 2008. Its objective was to update the CORINE 2000 database and to identify the problems that arose in the period between the first inventory and 2006. The resulting database for Bosnia and Herzegovina was forwarded to the European Environment Agency which is in charge of pooling the CORINE databases for Europe.</p> <p>The Project Contractor for CORINE Land Cover 2006 was the Faculty for Agriculture and Food of the University of Sarajevo. High quality sets of satellite images were used in the Project from the time period of 2000, 2005 and 2006 (Landsat 5, SPOT-4, SPOT-5 and IRS P6 images). Sets of satellite images from 2005 and 2006 were used for the purpose of achieving a better identification of changes and an increase in the photo interpretation quality. Standard CORINE Land Cover nomenclature was used in the project.</p>
Study of the usable land value in the City of Mostar	<p>During 2010, the World Bank (WB) financed the development of the "Study of the usable land value in the City of Mostar" with an emphasis on the state of the soil cover for which free satellite data, digital terrain model and digital orthophoto survey in the scale of 1:5000 from 2008 were used. This Study was primarily intended for the spatial planners and everyone else who deal with the space development projections, management, land use and protection.</p>
Inventory of the state and the development of the database for the soil cover and manner of use in the Sarajevo Canton in GIS Technology	<p>During 2010, the World Bank (WB) financed this Study with an emphasis on the state of the soil cover for which free satellite data, digital terrain model and digital orthophoto survey in the scale of 1:5000 from 2008 were used. This Study, similarly to the first one, was primarily intended for the spatial planners and everyone else who deal with the space development projections, management, land use and protection.</p>
FP6 Project RECOAL	<p>From 2005 to 2008, FP6 Project RECOAL was implemented and financed by the European Commission. The head institution was the BOKU University from Vienna.</p> <p>The goal of this Project was to develop a more efficient, economic and sustainable solution for the environment protection and economic problems related to the ash disposal sites in the West Balkans region. The technological packs include solutions that reduce the pollution in the local rivers caused by the disposed ashes and control the airborne spreading through revegetation and the disposal site clearing (buffer strips, wind protection belts) that would efficiently reduce the environmental threats caused by the ash from the disposal sites.</p>

PROJECT	
Full Name	Description
	Soil cover with a layer of fertile soil and pollutant immobilisation provide the opportunity to sustainably use the surface of disposal sites as agricultural land. The entire Project was implemented in the area of Tuzla. <a href="http://www.rhizo.at/default.asp?id=725&amp;lid=2">http://www.rhizo.at/default.asp?id=725&amp;lid=2</a>

### 5.3 Implementation Status of the Convention on Persistent Organic Pollutants (Stockholm Convention - POPs)

#### 5.3.1 About the Convention on Persistent Organic Pollutants

The main goal of the Convention is to take measures to eliminate or reduce persistent organic pollutants in the nature to protect the humans and the nature. The goal is to limit, prohibit production, use, releases, export and import of highly toxic substances recognised as persistent organic pollutants for the protection of humans and environment.

The Stockholm Convention on Persistent Organic Pollutants was adopted on May 22<sup>nd</sup> 2001 and it entered into force on May 17<sup>th</sup> 2004. So far, the Convention has 171 Parties - October 2010. The Secretariat of the Convention is in Geneva, Switzerland.

Persistent Organic Pollutants are among the most dangerous pollutants that are released into the environment due to human activity. They are highly toxic and cause an entire range of adverse effects in humans and animals: cancer, allergies and hypersensitivity, damage to the central and peripheral nervous system, reproductive disorders and immune system disorders. These substances are highly stable and circulate globally through a process called "the grasshopper effect". Persistent organic pollutants are organic compounds relatively resistant to the chemical, photolytic and biological degradation with high lipophylicity which allows them to bioaccumulate inside living organisms. Due to their semi-volatile features they can be transported to remote distances through atmosphere. These pollutants have a tendency to accumulate inside living organisms through the process of bioaccumulation.

The goal of the convention is to eliminate or limit the production and use of all intentionally produced POPs, pollutants (for example, industrial chemicals and pesticides). The Convention also seeks to accomplish the continuing minimisation of these pollutants and elimination of releases of unintentionally produced POPs, pollutants such as dioxides and furans (polychlorinated dibenzodioxins and polychlorinated dibenzofurans). It might be good to emphasise that hereinafter these compounds shall be referred to as dioxins and furans in order to avoid confusion and simplify the text. Dioxins and furans are colloquial terms and, although they essentially stand for another group of compounds, they are used in this context so they can also be used here as synonyms.

At the national level the Convention is implemented through National Implementation Plans for the Convention (NIP). GEF, the Global Ecological Fund, serves as a temporary financing mechanism for the support of the Convention. At first, the Convention regulated 12 chemicals, namely: aldrin, chlordane, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex, toxaphene, Polychlorinated biphenyls, DDT, dioxins and furans (polychlorinated dibenzodioxins and polychlorinated dibenzofurans).

After the Fourth COP, held from 4<sup>th</sup> to 8<sup>th</sup> May 2009 in Geneva, a Decision was adopted on the Amendment to the Annex A, B and C of the Convention and on this occasion 9 new chemicals were added to the original list: chlordecone, hexabromobiphenyl, alpha hexachlorocyclohexane and beta hexachlorocyclohexane, lindane, tetrabromodiphenyl and pentabromodiphenyl, hexabromodiphenyl and heptabromodiphenyl, perfluorooctane sulfonic acid and its salts (or perfluorooctane sulfonyl fluoride).

Thereafter, in August 2010, the Amendment which included 9 new chemicals came into force. After the Fifth COP, Conference of Parties to the Stockholm Convention on POPs held in Geneva from 25<sup>th</sup> to 29<sup>th</sup>

April 2011, the member states agreed on adding technical endosulfan and appropriate isomers to the list of chemicals in Annex A of the Convention, removal with specific exemptions. Endosulfan is a pesticide with wide application in the production of cotton, coffee and other food products. When the removal of endosulfan enters into force in 2012, endosulfan shall become the 22<sup>nd</sup> persistent organic pollutant added to the list of chemicals of the Stockholm Convention.

The main mechanisms for the implementation of the Convention are the GEF Implementation Agencies.

UNEP, together with the GEF Secretariat, works on the development of the network for access to various financing sources and technical assistance related to POPs.

POPs Review Committee was established. For most POPs there is an order of prohibition. DDT is an exemption which is still in use in many countries for the purpose of controlling the mosquitoes infected with malaria until safe, economical and appropriate alternatives are found.

Table 6. List of chemicals prohibited by the Convention on Persistent Organic Pollutants (Stockholm Convention)

Chemical	Description	Planned Measure
<b>Aldrin</b>	Pesticide used to kill termites, grasshoppers, corn rootworm	Annex A of the Convention, Includes elimination
<b>Alpha hexachlorocyclohexane</b>	Insecticide ejected. It occurs in the production of lindane. For every ton of produced lindane, about 6 to 10 tons of alpha- hexachlorocyclohexane is also produced. There are large stocks of this chemical that contaminate the area where it is located.	
<b>Beta hexachlorocyclohexane</b>	Chemical with similar use as alpha- hexachlorocyclohexane.	
<b>Chlordane</b>	Widely used for controlling termites and a wide range of insects in cereal grains production.	Annex A of the Convention, Includes elimination
<b>Chlordecone</b>	Synthetic, chlorated organic compound related to Mirex. It was predominantly used as pesticide in agriculture from 1950.	
<b>Dieldrin</b>	Principally used for the control of termites and textile pests, and to control diseases caused by insects in agriculture	
<b>Endrin</b>	Insecticide which is applied to the leaves of the cereal grains, cotton. It is used to kill mice, voles and other pests.	
<b>Heptachlor</b>	Primarily introduced to kill insects and temites, cotton pests, lizards and other cereal grain pests and mosquitoes that carry malaria	
<b>Hexabromobiphenyl</b>	Mostly used for extinguishing fires in the 1970s.	
<b>Hexabromodiphenyl ether and Heptabromodiphenyl ether, commercial</b>	Polybromodiphenyl ethers include tetra, penta, hexa and hepta BDEs and are used to prevent the burning of organic	
<b>Octabromodiphenyl ether</b>	materials and as an additive to the flames prevention.	

Chemical	Description	Planned Measure
<b>Hexachlorobenzene</b>	Kills the fungi that infest the cereal grains.	
<b>Lindane</b>	Wide use as an insecticide for the protection of seeds, treatment of soil, trees and trunks as well as for killing parasites in veterinary medicine and humans protection	
<b>Mirex</b>	Insecticide, used for the fire protection and killing ants and termites. It is also used. It is also used as a fire retardant in plastics, rubber and electrical goods.	
<b>Pentachlorobenzene</b>	It was used as a PCB product, painting material, fungi protection and is it still used as a production material.	Annex A of the Convention, Includes elimination
<b>Polychlorinated biphenyls PCBs</b>	These compounds are used in industry as heat exchange fluids, in electric transformers and capacitors, and as additives in paint and in paper production	
<b>Polibromodiphenyl ether - PBDE</b>	Used as flame retardants	
<b>Toxaphene</b>	An insecticide also called camphechlor used on cotton, cereal grains, fruits, nuts, and vegetables.	
<b>DDT</b>	Widely used during World War II to protect soldiers and civilians from malaria, typhus, and other diseases spread by insects.	Annex B, restriction
<b>Perfluorooctane sulfonic acid and its salts and perfluorooctane sulfonyl fluoride (PFOS-F)</b>	Used for electrical and electronic parts, foams, photos, hydraulic fluids and textile	
<b>Polychlorinated dibenzodioxins</b>	Produced unintentionally due to incomplete combustion, as well during the manufacture of pesticides and other chlorinated substances, metal recycling, paper bleaching. Dioxin is also formed as a byproduct from automobile emissions, peat, coal, and wood.	Annex C – unintentionally produced
<b>Polychlorinated dibenzodioxins</b>	Formed in the process of dioxins release in the commercial PCBs compound	
<b>Hexachlorobenzene</b>	Formed during the production of chemicals as a result	
<b>Polychlorinated biphenyls – PCB</b>	Also an industrial chemical	
<b>Pentachlorobenzene</b>	Unintentionally produced during the combustion in thermal industrial processes, solvent or pesticide	
<b>Endosulfan</b>	Pesticide used for the production of cotton, coffee	Addition to Annex A

### 5.3.2 Status of the Convention on Persistent Organic Pollutants in Bosnia and Herzegovina

Bosnia and Herzegovina ratified the Stockholm Convention on POPs on March 3<sup>rd</sup> 2010. In line with the Article 7 of the Convention it is obliged to develop NIP by March 30<sup>th</sup> 2012.

The revised project proposal entitled “Enabling Bosnia and Herzegovina to Undertake the Activities for the Implementation of the Stockholm Convention on POPs” was submitted to the GEF Secretariat through UNIDO – GEF implementation agency. Project implementation agency in BiH is MoFTER and all operative activities shall be carried out by the agency elected based on the implemented tender procedure.

The main project goal is to promote national capacities and to enable a preparation of the National Implementation Plan (NIP) for POPs management and its specific strategies and action plans. NIP, established on the basis of POPs inventory, shall provide the making of strategic decisions for the identification of priority activity and the drafting of new policy that shall help BiH implement the Stockholm Convention on POPs. The Steering Committee shall act as a Subcommittee for POPs.

Basic activities scheduled in the project:

- establishment of a system for POPs inventory in Bosnia and Herzegovina (production, trade, disposal, release),
- an assessment for the current legislation, institutional and technical capacities for the management and monitoring of POPs utilisation.
- an assessment of the social and economic implications of the reduction of POPs use, raising awareness of the risk of their use and necessary elimination – introduction of alternative chemicals (substitutes),
- establishing priority programs and actions in BiH,
- Development of the National Implementation Plan for POPs Elimination.

Stakeholders in the project implementation are BiH institutions (state and Entity ministries and agencies, the Brčko District), as well as scientific and professional institutes, faculties, laboratories, economic and industrial organisations and chambers of economy as well as independent BiH experts.

Within the framework of the Barcelona Convention, LBS Protocol, and Action Regional Plan for the elimination of mercury, BOD and new POPs from the Mediterranean Area was prepared and BiH representatives also participated.

There is a necessity for the synergy of the three Conventions on Chemicals:

- Stockholm Convention on POPs (2010),
- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (2007) and
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (2000).

The Fifth COP of the Stockholm Convention resulted in a Decision on strengthening cooperation between Basel, Rotterdam and Stockholm Convention in relation to the joint activities, joint governing functions, joint services, harmonisation of the budget, joint auditing and agreement reviewing. An identical Decision was made in the Fifth COP of the Rotterdam Convention and for the Decision to enter fully into force it is necessary that it be adopted in identical form at the COP of the Basel Convention. SAYCEM also contributes to the general goal of the three Conventions.

The Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Pesticides in International Trade aims at promoting shared responsibility and shared effort between the Parties in international trade of certain hazardous chemicals with the goal to protect the health of the humans and environment from possible harmful effects.

Bosnia and Herzegovina ratified the Rotterdam Convention in 2006 (“Official Gazette of BiH – International Agreements”, No. 14/06). The designated national authority (DNA) for the implementation coordination of the Convention in Bosnia and Herzegovina is the Ministry of Foreign Trade and Economic Relations of BiH - Bosnia and Herzegovina Authority for Plant Health Protection.

The Rotterdam Convention includes the total of 40 chemicals out of which 9 are included in the Stockholm Convention as well. At the Fifth COP of the Rotterdam Convention held in Geneva, Switzerland from June 20<sup>th</sup> to 24<sup>th</sup> 2011, Decisions to include three new chemicals to the Annex 3 of the Convention were made, namely alachlor, aldicarb and endosulfan.

The basic difference between these two conventions is that Rotterdam Convention does not prohibit the use and import of chemicals.

In line with the Prior Informed Consent Procedure, each country must submit to the Secretariat a response related to the future import of a particular chemicals which applies to the chemicals from Annex 3. Member States should implement the applicable legal and administrative measures in order to ensure Decisions on the import of the chemicals from Annex 3 and submit the Decisions to the Secretariat.

Until the Authority was appointed as DNA, Bosnia and Herzegovina submitted temporary responses in relation to the future import of 6 chemicals. These responses were submitted in 1998 in a voluntary procedure before the Convention came into force. After the Authority was appointed, in cooperation with the competent bodies, responses were submitted in relation to the future import of all pesticides from Annex 3 of the Rotterdam Convention (29 responses).

For the industrial chemicals (11) for which the administrative measures at the state level have not been brought yet, the import responses shall be submitted to the Secretariat with a delay, after the identical administrative measures have been made at the Entity level or a uniform at the state level. Ministries of Health are the competent institutions for the industrial chemicals field in the Entities.

## 5.4 Implementation Status of the Convention for the Protection of the Ozone Layer

### 5.4.1 About the Convention for the Protection of the Ozone Layer and the Montreal Protocol

The well-known world scientists, Paul Crutzen (Germany), Mario Molina (Mexico) and Sherwood Rowland (USA), Nobel Prize Award Winners for Chemistry in 1995, made a pioneer contribution to revealing the phenomenon of forming and dissolution of Ozone (O<sub>3</sub>) in the chemical process that are formed in the atmosphere. Their greatest discovery was the detection of the stratospheric ozone depletion and thereby the ozone layer damage, influenced by the emission of chemical compound from the Planet Earth, the most important being chlorofluorocarbons (CFC compounds), produced by men and released from the industrial facilities and refrigeration devices. This diluted part of the Ozone Layer that was damaged the most in the stratosphere over Antarctic was named the Ozone Holes. These three scientists made a groundbreaking contribution to solving one of the most important problems of the global environment protection and the future of mankind – the protection of the Ozone Layer from further damages and therein the protection of all living creatures on our planet through providing a scientific explanation of the chemical process in the stratosphere that result in depletion, i.e. damage of the Ozone Layer which opens the way for a greater penetration of the harmful solar ultraviolet radiation to the Earth's surface.

The issue of the Ozone Layer damage and its influence on the life on the Planet Earth was first discussed in UNEP in 1976. The negotiations about this issue between the group of countries, Member States of the United Nations, started in 1981 and were concluded by the adoption and signing of the Vienna Convention for the Protection of the Ozone Layer in March 1985 (22 countries, the first signatories).

The Vienna Convention encourages international cooperation in the research and monitoring of the Ozone Layer changes as well as the exchange of information and knowledge about the atmospheric and stratospheric processes. The Parties (Members) of the Vienna Convention committed to undertake measures for the protection of human health and environment by preventing the activities that lead to the damage of the Ozone Layer. The Vienna Convention is a framework agreement and contains no operative measures for the protection of the Ozone layer.

In September 1987, the Member States of UN that ratifies the Vienna Convention (Parties to the Vienna Convention), adopted in Montreal, Canada, the Protocol on Substances that Deplete the Ozone Layer,



Ozone Depleting Substance, also known in the world as ODS. This international agreement document that came into force after being ratified by the first 30 Member States – Parties, represents a legal basis for the world efforts undertaken for the protection of the Ozone Layer. This document confirms in detail the first list of known ODS. Internationally known as the Montreal Protocol, this basic agreement was, in line with the decision of the Parties to the Protocol, changed and amended five times – the Montreal Protocol Amendments: London (1990), Copenhagen (1992), Vienna (1995), Montreal (1997) and Beijing (1999).

The Montreal Protocol defines the specific measures and deadlines for the gradual termination of production and use of substances that deplete the Ozone Layer in the world, as well as obligations and rights of the countries that acceded to the Montreal Protocol. It also defines the first assistance programmes to the developing countries to help them overcome their problem solving in the Protocol Implementation, and primarily in the transfer of the new technologies and technological restructuring of their industrial capacities, i.e. in introducing adequate substitutes for ODS substance and the development of institutional capacities and staff education.

**Conference of the Parties and Open Meetings of the Vienna Convention and the Montreal Protocol, roles and competences.** The highest authority of the Vienna Convention for the Protection of the Ozone Layer is the Conference of Parties to the Convention for the Protection of the Ozone Layer. Regular conferences are held every two years with the participation of the Parties to the Convention. All major decisions obligatory for all the Parties are reached in a consensus (unanimously).

The Parties to the Montreal Protocol act as a forum and coordinate all their activities including the proposal preparation and compliance for all the official Decisions of the Conference of Parties at their annual Open Meetings of the Parties to the Montreal Protocol.

The coordination and implementation monitoring of the Vienna Convention and the Montreal Protocol, as well as all the technical work for the preparation of conferences and meetings of the abovementioned authorities, and the implementation monitoring of the Conference of Parties Decisions is conducted by the Vienna Convention and the Montreal Protocol Secretariat which is usually referred to as the Ozone Secretariat and is based at UNEP in Nairobi, Kenya.

**Implementation Committee for the Montreal Protocol, competences and activities.** The Implementation Committee for the Montreal Protocol has 14 member (7 members from the developed countries – donors and 7 from the developing countries) and a wide field of activity and competences, especially in initiating and solving the problems of the Montreal Protocol implementation, in preparing and monitoring the Conference of Parties Decision Implementation including the most important obligations of the parties in the so-called “compliance” and “non-compliance” activities in the Montreal Protocol implementation in some countries.

**Multilateral Fund for the Implementation of the Montreal Protocol (MLF).** The Multilateral Fund for the Implementation of the Montreal Protocol is an international financial fund established in 1991 with a simple task, to provide technical and financial assistance to the developing countries, Parties to the Montreal Protocol, also known as “Article 5 Parties/Countries to the Montreal Protocol” (countries whose annual per capita consumption and production of ozone depleting substances (ODS) is less than 0.3 kg) in preparation and implementation of their national programmes and projects for the implementation of operative and control measures from this international agreement. MLF is sponsored by the developed industrial countries for the 3-year periods of work and activity.

**Executive Committee of MLF.** The Executive Committee of MLF is an executive authority of the fund that considers and approves programmes and projects of technical and financial support to the developing countries and it also considers and adopts the report on the completion of projects funded by MLF.

**International Implementing Agencies for the Montreal Protocol.** Several agencies and UN system programmes are actively involved in the Montreal Protocol Implementation as “International Agencies of the Multilateral Fund”, and are often referred to as “International Implementing Agencies”. The most active among them, with the highest number of implemented programmes and projects are: UNEP, UNIDO, UNDP and World Bank.

Today, 196 countries are members of the Montreal Protocol and a universal ratification was achieved after East Timor acceded on September 16<sup>th</sup> 2009.

Activities of the Montreal Protocol slowed down the global warming process to a large extent because some ODS and greenhouse gases had a GWP of a several thousands of CO<sub>2</sub> in equivalent.

**Sectors of ODS utilisation according to the Montreal Protocol classification.** It is scientifically proven that the Ozone Layer is, to a largest extent, damaged by the chemicals that contain chlorine and bromine, such as: **Chlorofluorocarbons** (CFC compounds/chemical compounds) commonly known as **Freon** (used as cooling substances in refrigeration and air-conditioning devices, as a propellant in aerosols and a substance for the foam expansion in the production of flexible and hard polyurethane foams), brominated hydrocarbons known as **halons** (mostly used in fire extinguishers) and **methyl chloroform and carbon tetrachloride** (used as solvents and cleaning agents) as well as methyl bromide which is used for soil fumigation in the greenhouse production of tobacco, vegetables and flower seedlings. Of these ODSs, the most used substances in 20<sup>th</sup> century were those from the Freon Group. The table below shows, in line with Annexes A, B, C and E of the Montreal Protocol, the most important and the most commonly used ODS in the second half of the 20<sup>th</sup> century.

Montreal Protocol Annex D defines the so-called “field division” or the “controlled substances” fields of use, that is, groups of products that in any production phase use some of ODSs as integrated or for operational functioning. Overview of these “field groups” is shown in Table 8.

In most developing countries, the main carrier of the ODS use, **CFC and HCFC compounds**, is still the service sector of air-conditioning, and in many countries (and among them BiH) HCFC substances are used in the production of commercial refrigeration devices and cooling systems. **CFC-11 (R-11)** was until recently used in the developing countries (and BiH) but now it has been replaced by **HCFC-141b (R-141b)** as an agent (expander) for the production of hard polyurethane foams.

A large number of operating domestic air-conditioning in the world and in BiH is still filled with coolant containing CFC-12, whereas the commercial refrigeration devices contain R-12 and R-502 (mixture 49:51 CFC-115 and HCFC-22 substances) or only HCFC-22 (air-conditioning) as coolants.

**Refrigeration devices in transport vehicles** (mobile refrigerators), as well as automobiles and freight vessels, contain coolants substances or insulation foam: CFC-11, CFC-12, CFC-114, HCFC-22 or R-500 (mixture CFC-12 and HCFC-152a) and R-502.

Table 7. Names, chemical formulas, labels and ODP of the most prominent ODSs that are used independently or as polymers/mixed with other substances

ODS Name and its Group in line with the Montreal Protocol	Chemical Formula	International Labels (in line with MP <sup>1</sup> )	Labels in line with ASHARE <sup>2</sup>	ODP potentia <sup>3</sup>
<b>Annex A, Group I: Chlorofluorocarbons (CFC-compounds)</b>				
Trichlorofluoromethane	CFCl <sub>3</sub>	CFC-11	R-11	1,0
Dichlorodifluoromethane	CF <sub>2</sub> Cl <sub>2</sub>	CFC-12	R-12	1,0
Trichlorotrifluoroethane	C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub>	CFC-113	R-113	0,8
Dichlorotetrafluoroethane	C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub>	CFC-114	R-114	1,0
Chloropentafluoroethane	C <sub>2</sub> F <sub>5</sub> Cl	CFC-115	R-115	0,6



ODS Name and its Group in line with the Montreal Protocol	Chemical Formula	International Labels (in line with MP <sup>1</sup> )	Labels in line with ASHARE <sup>2</sup>	ODP potentia <sup>3</sup>
<b>Annex A, Group II: halons</b>				
Bromochlorodifluoromethane	CF <sub>2</sub> BrCl	halon-1211		3,0
Bromotrifluoromethane	CF <sub>3</sub> Br	halon-1301		10,0
Dibromotetrafluoroethane	C <sub>2</sub> F <sub>4</sub> Br <sub>2</sub>	halon-2402		6,0
<b>Annex B, Group III: Methyl chloroform</b>				
1,1,1- Trichloroethane	C <sub>2</sub> H <sub>3</sub> Cl <sub>3</sub> <sup>(2)</sup>	1,1,1- Trichloroethane (methyl chloroform)		0,1
<b>Annex C, Group I: non-halogenated chlorofluorocarbons (HCFC-i)</b>				
Chlorodifluoromethane	CHF <sub>2</sub> Cl	HCFC-22	R-22	0,055
dichlorofluoroethane	CH <sub>3</sub> CFCl <sub>2</sub>	HCFC-141b	R-141b	0,11
<b>Annex E, Group I: Methyl Bromide</b>				
Methyl Bromide	CH <sub>3</sub> Br	Methyl Bromide		0,6

LEGEND:

<sup>1</sup>MP- „Montreal Protocol on Substances that Deplete the Ozone Layer“;

<sup>2</sup>ASHARE -American Society of Heating, Refrigerating and Air-conditioning Engineers - most commonly used trademarks for ODS that are used as coolants in refrigeration and air-conditioning technology

<sup>3</sup>ODP (Ozone Depleting Potential) –reference – relative number of ODP for CFC-11 and CFC-12 is 1,0.

**Air-conditioning and Heat pump systems** in buildings may contain larger quantities of HCFC-22, CFC-11, CFC-12 or CFC-114 as cooling agents.

Automobile air-conditioning (of older production date) may also contain R-12 or R-502.

Before the beginning of the Montreal Protocol implementation and the national programmes for gradual phase-out of ODSs, CFC-11 (R-11) was the most used substance in the world which served as an expander in the production of all kinds of polyurethane, phenol, polystyrol and polyolefin foams and plastics.

CFC-11 was being massively replaced with HCFC-141b or alternative substance without ODS over the past 20 years.

**CFC-113** was widely used as a solvent for cleaning or degreasing in metal industry and for dry cleaning in textile industry.

**Methyl Chloroform – trichloroethane (label 1,1,1,.)** and **Carbon Tetrachloride CFC-11 and CFC-12** were best known among the solvents and were used as aerosol propellants because they are non-flammable, non-explosive and non-toxic gases.

Table 8. List of product that use or have integrated ODSs (in line with Annex D of the Montreal Protocol)

Group of Products	Product Name
<i>Group I</i>	<i>Refrigeration and Air-Conditioning Devices</i>
Domestic and commercial refrigeration and air conditioning devices	Refrigerators, Freezers, Ice Machines, Refrigeration Plants and Devices
	Dehumidifiers
	Water Coolers
	Incorporated Air-Conditioning and Heat Pump Units
	Automobile, truck and vessels air conditioning units (whether incorporated in vehicles or not)
<i>Group II</i>	<i>Products with aerosols (sprays) that contain ODS except from those used in medicine</i>
	All kinds of products filled with aerosols
<i>Group III</i>	<i>Solvents</i>
	All kinds of products that contain organic composite solvents (trichloroethane – Methyl Chloroform)
<i>Group IV</i>	<i>Fire extinguishers</i>
	Portable Fire Extinguishers
	stable fire extinguishing systems or equipment and fillings (ampoules)
<i>Group V</i>	<i>Polymer Materials</i>
	Polymer materials in their original form and products with polymers
	Foam polymer materials and products with polymers (Insulation boards, panels, pipe cover etc.)

**CFC-114** was used for the production of product with alcohol, and CFC-113 for cleaning aerosols. In aerosol form, CFC-i were also used in the production and the dosing of various sprays, deodorants, perfumes, insecticides, window cleaning products, furnaces, pharmaceutical products (inhalers), colours and other.

**Mixtures of CFC-12 and ethylenoxide** are used in medical sterilisation and in products that use fibre – optic fibres.

**Halons** are extremely efficient extinguishers and are often found in the fire extinguishers and the incorporated installations. They are still installed in many institutions and companies in BiH (especially in the Power Supply Companies and IT Centres).

**Methyl Bromide** was widely represented and used as a fumigation pesticide, for the killing and prevention of weed growth in the production of cereal grains, vegetables, tobacco and in greenhouse production of flowers and vegetables as well as for disinfection of the storages for these products.

**HCFC and Carbon Tetrachloride** are used together in the chemical processes of syntheses.

**Use of ODS for emergencies.** For the purposes of laboratory analyses and scientific researches, ODS are most commonly used in: equipment calibration, extraction solvents, diluents or carries of certain chemical analyses including biochemical researches of the impact on human health, researches of certain chemicals and other critical applications in researches and development where substitutes are still not appropriate or where the use of controlled substances is conditioned by prescribed standards.

**Research and development (for example, pharmaceuticals, pesticides, CFC and HCFC substitutes).** Reaction solvents or reaction components (for example, Diels-Alder and Friedel-Craft reaction, RuO<sub>3</sub> oxidation, allyl-bromination and others)

***Analytical application and prescribed applications (including quality control)***

Reference materials:

- chemicals (control of substances that deplete the Ozone layer, determination of volatile organic compounds (VOC), equipment calibration,
- toxins,
- products (adhesion testing, the testing of breathing filters).

Extraction:

- determination of pesticides and heavy materials (for example, in food),
- analysis of oily residues,
- determination of food additives and dyes,
- determination of oil in water and soil.

Melting:

- determination of zinc, copper and cadmium in plants and food,
- micro-chemical methods for determining the molecular weight or oxygen,
- measuring of medicines purity and determining the remains,
- sterilisation of laboratory equipment.

Carriers (inert):

- forensic methods (for example, fingerprinting)
- titration (cholesterol in eggs, chemical features of medicines, iodine number, for example in oils and chemical products)
- analytic equipment (spectroscopy, infrared, ultraviolet, nuclear magnetic resonance, fluorescence),
- chromatography (chromatography of liquids under high pressure, gas chromatography, thin-layered chromatography)

Research of origin: sanitary engineering

Various (including testing):

- ingredients in the testing material (for example, asphalt, metal fatigue and fracturing),
- medium to separate impurities and insect secretion from the stored food products.

***5.4.2 Status of the Convention for the Protection of the Ozone Layer in Bosnia and Herzegovina***

Bosnia and Herzegovina assumed the Vienna Convention for the Protection of the Ozone Layer “Official Gazette SFRJ MU” No. 16/90 through a notification of succession.

Bosnia and Herzegovina officially acceded to the Vienna Convention and the Montreal Protocol on Substances that Deplete the Ozone Layer (“Official Gazette SFRJ MU” No. 16/90, Official Gazette R BiH No. 13/94) on the basis of the international succession laws of the former common state, and was granted a full Party Status in these two international agreements as of September 1<sup>st</sup> 1992.

In line with the procedures prescribed in the basic legal document the “Law on the Procedures for the Conclusion and Implementation of International Agreements (Official Gazette of BiH No. 29/00), Bosnia and Herzegovina ratified and officially acceded to the Montreal Protocol Amendments (from London 1990, Copenhagen 1992 and Montreal 1997) on August 11<sup>th</sup> 2003. The Montreal Protocol Amendments (London 1990, Copenhagen 1992 and Montreal 1997) that were ratified by BiH in 2003 (“Official Gazette of BiH/International Agreements” No. 08/03) made it eligible for international technical and financial assistance in the implementation of the Vienna Convention and the Montreal Protocol.

The last Beijing Amendment 1999 which defines, among other matters the trade with HCFC, shall soon be ratified. The Presidency of Bosnia and Herzegovina has adopted a Decision on the Ratification of this

amendment at a session held on July 27<sup>th</sup> 2011 which was helped by the Mission of the Ozone Secretariat which sped up this procedure given the long break in the work of the Parliamentary Assembly of BiH.

### **Reporting and informing about the Montreal Protocol Implementation in BiH and about the activity and work of the Ozone Unit**

**Reporting to the International Factors.** System of reporting and informing about the activity and work of the Ozone Unit and especially about the implementation of the Montreal Protocol, Country Programme and Action Plan is prescribed by international (obligatory) reporting forms that consist of semi-annual, annual and final reports for a certain period or a specific project.

As part of the activities of the Ozone Unit BiH, the first system for the collection of ODS use and consumption data in BiH was established, as well as a system for reporting to the international authorities and organisations on the ODS use and gradual phase-out in BiH. This system, whose basis was set up as early as 2001, was later perfected especially in the part concerned with the collection of relevant data directly from the users of ODS, the production organisations. It was finally established, in line with the Montreal Protocol rules, through a Decision of the Council of Ministers from 2006 and has been functioning in practice as the only system for reporting (and sharing data between the Member States – Parties to the Convention) to the international (global) convention authorities about the Environment Protection in BiH.

Submission of the following reports to the international factors (in English) is obligatory and it must be within strictly defined deadlines, as follows:

Report is Submitted to	Name of the Report	Final Date for Submission (for the previous year)
Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol	Implementation Progress of the Country Programme and Action Plan (for the gradual ODS phase-out)	<b>May 1<sup>st</sup> 2011</b>
Secretariat of the Vienna Convention and the Montreal Protocol (Ozone Secretariat)	Report – data about the ODS consumption in the country	<b>September 30<sup>th</sup> / June 30<sup>th</sup></b> Of the current year*
Implementation Agency (UNIDO)	Semi-annual report on the implementation of the Ozone Unit Institutional Strengthening (activity)	<b>July 31<sup>st</sup></b> of the current year for the First Semester of the current year
	Annual report on the Project Implementation	<b>February 28<sup>th</sup></b> of the current year for the previous year

Note: In line with the Decisions of the Conference of the Parties of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol, the final submission deadline for this annual report for the previous year for all Parties of this Agreement is September 30<sup>th</sup>, and a desirable and recommended deadline for the next year is June 30<sup>th</sup>.

Bosnia and Herzegovina delivers all the report every year since 2001 and thus fulfils its fundamental obligation.

**Reporting to the Local Factors.** When reporting about the activities of the Ozone Unit BiH to the local factors, local and international regulations are applied in combination. Namely, in line with the current practice, copies of all the above-mentioned reports that are sent to the international factors are also submitted to the relevant local institutions in BiH, such as: Ministry of Foreign Affairs of BiH, Ministry of Foreign Trade and Economic Relations of BiH, Ministry of Spatial Planning and Environment of the Federation of BiH, The Ministry of Spatial Planning, Construction and Ecology of Republika Srpska and the Brčko District Government. The reports for the Council of Ministers BiH are submitted indirectly through the report on the realisation of Annual Work Plans of the Ministry of Foreign Trade and Economic Relations which contain the incorporated report on the Ozone Unit's activities.

**Utilisation and principal users of ODS in BiH until 1992.** ODSs are not produced in Bosnia and Herzegovina and until 1992 they were used in the production of foam materials (soft and hard), the production of refrigeration devices, in the refrigeration technology service sector, sprays sector, as pesticides and fumigators in the greenhouse production of tobacco seedlings and in significantly smaller quantities for the production of vegetables and flowers seedling.

Table 9. The largest ODS users/consumers in the economic sector in Bosnia and Herzegovina

Name of the Company/ Production Facility	Area/Sector
<i>Flexible and Hard PUR Foams and Systems</i>	
INGA-PUR pjene, B.Gradiška	Flexible/Hard Foams
STIROKART, Srbac	Polyurethane-Hard Foams
POLIHEM, Tuzla	PUR Systems (mixture of Polyol with CFC-11)
SOKO-PANELI, Ljubinje	Polyurethane Panels and Commercial Refrigeration Devices
<b>Refrigeration and Air-Conditioning Technology</b>	
BIRA, Bihać	Domestic Refrigeration Devices (Refrigerators and Freezers)
SOKO-RKT, Mostar	Refrigeration Devices, Refrigeration Chambers and Central Cooling
IPV Čitluk	Refrigeration Counters and Showcases, Heat Exchangers
KUĆA LEDA, Mostar	Refrigeration Counters and Showcases, Incorporation of Automobile Air-Conditioning
GRIZELJ, Sarajevo	Air-Conditioning, Refrigeration Systems and Automobile Air-Conditioning
<i>Tobacco Production</i>	
BOSANAC, Orašje	Tobacco Production
DUHAN, Gradačac	Tobacco Production
DUVAN, Bijeljina	Tobacco Production
Private Farmers in Herzegovina	Tobacco Production

In industrial production, the substances from **Annex A** of the Montreal Protocol were used the most, and in the largest extent those were the substances – compounds of chlorofluorocarbons CFC-11 and CFC-12 and in a lesser extent the compounds R-502 and R-22. Bosnia and Herzegovina was a relatively big consumer of Methyl Bromide which was used for soil disinfection in the greenhouse production of tobacco seedlings. The consumption of the substance Methyl Chloroform (trichloroethan) was registered, as a solvent for degreasing, primarily in industrial production of commercial refrigeration devices, parts for air-conditioning (heat exchangers) and metal ware.

The ODS consumption in Bosnia and Herzegovina was significantly higher before the war (until 1992) in comparison to the war period (1993-1995) and the post war period (1996-1998) which is understandable considering the destroyed and severely devastated industrial capacities which used these substances and the slow reconstruction of the industrial capacities for refrigeration devices and foam production.

Overview of ODS users by economic sectors. The largest ODS users/consumers in BiH until 1992 were the production capacities shown in the Table 9 with basic product types.

#### *5.4.3 Activities Undertaken by Bosnia and Herzegovina related to the Implementation of the Convention for the Protection of the Ozone Layer*

There is a powerful synergy of this Convention with the Kyoto Protocol UNFCCC, the Basel Convention, the Rotterdam Convention, the Stockholm Convention and cooperation with world organisation WCO, WMO, IPCC, Green Customs since it is an international environmental agreement with trading provisions.

The former common state SFR Yugoslavia, to which Bosnia and Herzegovina belonged as one of the successor states, acceded to the Vienna Convention on September 14<sup>th</sup> 1990 and to the Montreal Protocol on January 3<sup>rd</sup> 1991.

The Republic of Bosnia and Herzegovina whose heritage, in line with the Dayton Constitution for BiH (Annex 4 of the Dayton Peace Agreement) is inherited by the State of Bosnia and Herzegovina, officially acceded to the Vienna Convention and the Montreal Protocol on Substances that Deplete the Ozone Layer ("Official Gazette SFRJ MU" No. 16/90, Official Gazette R BiH No. 13/94) on the basis of the international succession laws of the former common state, and was granted a full Party Status in these two international agreements as of September 1st 1992. In line with the procedures prescribed in the basic legal document the Law on the Procedures for the Conclusion and Implementation of International Agreements (Official Gazette of BiH No. 29/00), Bosnia and Herzegovina ratified and officially acceded to the Montreal Protocol Amendments (from London, Copenhagen and Montreal) on August 11<sup>th</sup> 2003 and was thus made eligible for international technical and financial assistance in the implementation of the Vienna Convention and the Montreal Protocol.

The last Beijing Amendment which defines, among other matters, the trade with HCFC, shall soon be ratified. The Presidency of Bosnia and Herzegovina has adopted a Decision on the Ratification of this amendment at a session held on July 27<sup>th</sup> 2011 which was helped by the Mission of the Ozone Secretariat which sped up this procedure given the long break in the work of the Parliamentary Assembly of BiH.

**Obligations of the State of BiH, as a full Member/Party to the Montreal Protocol, in its implementation in BiH.** The basic obligations of the State of Bosnia and Herzegovina, as a member of the United Nations and as a full Party to the Montreal Protocol in terms of the executive document (Agreement) of the Vienna Convention for the Protection of the Ozone Layer are:

- to fulfil obligations from the Vienna Convention and undertake the appropriate measures for the protection of human health and environment from the consequences caused by humans activity that may or may not damage the Ozone Layer;
- with the goal to contribute to the reduced global emission of ODS and especially of Chlorofluorocarbons (CFC substances) from the Earth into the atmosphere, BiH committed to programmatically undertake all necessary control measures for the ODS consumption and gradual phase-out from use in accordance with the dynamics of the National Programmes and Action Plans developed with the help of the delegated International Implementation Agency – UNIDO;
- to spend, with purpose and quality, the approved grant funds from MMF for the programme and project implementation, approved by the Executive Committee of MLF;
- To participate, through its authorised representatives, in the work of the bodies and expert forums of the Montreal Protocol (Conference of Parties to the Vienna Convention, Conference and Meetings of Parties to the Montreal Protocol, regional meetings and expert groups);
- To regularly and in line with the adopted dynamics of the Conference of Parties to the Montreal protocol and in determined dates, each year, submit report to the Authorities of the Montreal Protocol on the state of consumption and implementation of the National Programme for the gradual phase-out of the consumption and elimination of ODS use in the country.

Legal basis for the implementation of the Montreal Protocol on the Substances Depleting the Ozone Layer as an international agreement that Bosnia and Herzegovina ratified on the basis of the succession of obligations from the former common state SFR Yugoslavia ("Official Gazette SFRJ MU", No. 16/90; "Official Gazette R BiH, No. 13/94) and the Montreal Protocol on the Substances Depleting the Ozone Layer ("Official Gazette SFRJ MU, No. 16/90) as its international obligation, is found in:

- Law on the Procedures for the Conclusion and Implementation of International Agreements of Bosnia and Herzegovina (Official Gazette of BiH No. 29/00),



- Law on the Council of Ministers of Bosnia and Herzegovina (“Official Gazette of BiH” No. 30/03 and 42/03),
- The Decision on the Conditions and Implementation Method for the Montreal Protocol and the Gradual Phase-out of the Use of Substances that Deplete the Ozone Layer in Bosnia and Herzegovina, the Council of Ministers – hereinafter: The Decision of the Council of Ministers (“Official Gazette of BiH” No. 36/07)

In line with the Law on Ministries and Other Bodies of Administration of Bosnia and Herzegovina (“Official Gazette of BiH, No. 5/03 and 42/0,3), the Ministry of Foreign trade and Economic Relations is, among other matters, also competent for performing jobs and tasks from the competence of BiH that are related to defining policy, basic principles, co-ordinating activities and harmonising plans of the Entity authorities and institutions at the international level in the fields of environmental protection, development and use of natural resources (Article 9 of the Law), and is therefore competent for the monitoring the realisation of international obligations of Bosnia and Herzegovina in implementing International Agreements, and among them the Vienna Convention for the protection of the Ozone Layer and Montreal Protocol.

The framework state law on the foreign trade policy of BiH and customs policy of BiH and the Law on Customs Tariff of BiH were adopted or amended in the parliamentary procedures in BiH in the period between 1998 and 2008. These Laws are in line with the economic changes and reforms in BiH and are harmonised with the appropriate rules and regulations of the European Union and recommendations from WTO (World Trade Organisation). Therefore, they can be applied, in part, to the regulation of ODS trade in and out of BiH (export/import and internal trade) which is one of the most important policies for the ODS trade control, included in the Montreal Protocol.

The new system of the institutional and organisational infrastructure for the management of the environment and the GEF Programmes in Bosnia and Herzegovina, adopted by the Council of Ministers of BiH in May 2002, defines the forming methods for the organisational structures and coordination authorities for the environment management and sustainable development (the Steering Committee for the Environment and the Sustainable Development, subcommittees for certain key international conventions) and the International Environmental Treaties Implementation acceded by Bosnia and Herzegovina as well as the coordination and management of the GEF programmed and activities in Bosnia and Herzegovina (the GEF National Committee and Secretariat of Bosnia and Herzegovina).

*The Decision of the Council of Ministers of BiH on the Conditions and Implementation Method for the Montreal Protocol and the Gradual Phase-out of the Use of Substances that Deplete the Ozone Layer in Bosnia and Herzegovina determines:*

- the conditions for the ODS import and export (the importers licensing system, approval of annual quota for the export and import of these substances and the approval and issuing procedure for import permits);
- the conditions for the export and import of products that contain integrated ODS or only use them functionally;
- Monitoring and control of the import and export of ODS substances and products that contain or use these substances as well as reporting to the relevant local and international institutions, organisations and bodies on the Import/export and the annual consumption of the substances in BiH;
- This decision also determines the Programme and deadlines for the gradual ODS phase-out in Bosnia and Herzegovina, that is, of the most important substances categorised in the basic groups which are defined in the Montreal Protocol Annexes.

This Decision is the only legal document at the state level of Bosnia and Herzegovina through which an international environmental agreement is implemented and it is in the form of the Decision of the Council of Ministers since the Law on Environment has not yet been adopted at the state level.

- subordinate legislation in both Entities (Rulebook of the Federation Ministry of Spatial Planning on the Gradual Phase-Out of the Substances Depleting the Ozone Layer, Official Gazette of the Federation of BiH No. 39/05 and the Republika Srpska Government Regulation on the Gradual Phase-Out of the Substances that Deplete the Ozone Layer, Official Gazette of RS, No. 94/05) also regulates the operative implementation of the gradual phase-out of the substances that deplete the Ozone Layer at the Entity level, particularly in following areas of activity:

- control and inspection of the equipment in the facilities that contain ODS and the work of the service
- ODS collection from the existing refrigeration devices in the facility,
- disposal of the old or malfunctioning refrigeration devices to the disposal sites,
- formation of the Export/Import Registry and ODS Distribution in BiH,
- obligations and reporting methods of the ODS importers,
- obligations and rights of the competent Entity Institutions/Ministries in the (primary) process of issuing licenses, annual quotas and ODS export/import permits for BiH.

Illustration 5. Regulations Overview related to the Convention for the Protection of the Ozone Layer

BOSNIA AND HERZEGOVINA	
<i>Full Name of the Legal Document</i>	<i>Official Gazette of BiH, No.</i>
The Decision on the Conditions and Implementation Method for the Montreal Protocol and the Gradual Phase-out of the Use of Substances that Deplete the Ozone Layer in Bosnia and Herzegovina	36/07
THE FEDERATION OF BOSNIA AND HERZEGOVINA	
<i>Full Name of the Law</i>	<i>Official Gazette of the Federation BiH, No.</i>
Law on Air Protection	33/03, 4/10
Rulebook of the Federation Ministry of Spatial Planning on the Gradual Phase-Out of the Substances Depleting the Ozone Layer	39/05
REPUBLIKA SRPSKA	
<i>Full Name of the Law</i>	<i>Official Gazette of RS, No.</i>
Republika Srpska Law on Air Protection	53/02
Republika Srpska Government Regulation on the Gradual Phase-Out of the Substances that Deplete the Ozone Layer	94/05
THE BRČKO DISTRICT BiH	
<i>Full Name of the Law</i>	<i>Official Gazette of BD, No.</i>
The District Brčko BiH Law on Air Protection	25/04, 1/05

#### 5.4.4 Other relevant documents

**The development and the adoption of the revised Country Programme and Action Plan.** In 1998, with the help of UNIDO experts, a group of BiH consultants, hired by UNIDO, drafted the first version of the “Country Programme for the Gradual Phase-Out of the Substances that Deplete the Ozone Layer”.

Although this programme was not officially considered or adopted by the Entity Governments, nor was it the subject of consideration and adoption of any other State Body or Institution of BiH, after it was adopted at the recently formed Inter-Entity Coordination Committee for Environment, it was submitted through the Ministry of Foreign Affairs and UNIDO to the Multilateral Implementation Fund for the Montreal Protocol, that registered it as a Country Programme.

Since no State Institution, or any other coordination authority at the state level took the obligation of implementing this Programme in BiH, up until January 2001, that is, until the “Ozone Unit of Bosnia and



Herzegovina” was formed, there were practically no implementation activities for the mentioned programme or the above-mentioned international documents, even though this was a clear international obligation of the State and its Entities.

Immediately after the consolidation of the structural bodies of the Ozone Unit, in cooperation with UNIDO, a Decision was adopted to perform a priority review and update of the Basic Strategic Document – “The National Programme for the Gradual ODS Phase-Out” by own expert staff from Bosnia and Herzegovina. Therefore, a Work Team was formed for the completion of this task, denominated by the ministers of MoFTER of BiH and the Entity Ministries competent for the Environmental Issues. Members of the work team were: Ibro Čengić, Ozone Unit BiH Manager, dr. Aleksandar Knežević, independent consultant, dr. Veljko Đukić (RS) and Almira Kapetanović (the Federation of BiH).

During the time period of 4 months (June-September 2001) this Work Team developed a very complex study – the first strategic document for environmental protection in BiH entitled: “The Country Programme for the Phase-Out of the Substances that Deplete the Ozone Layer in Bosnia and Herzegovina”. This first strategic document in the field of environmental protection and the implementation of International Environmental Treaties ratified by Bosnia and Herzegovina, which in essence represented the “National Strategy for the Implementation of the Vienna Convention and the Montreal Protocol in Bosnia and Herzegovina”, was developed by the local experts exclusively, in cooperation and with support from a number of local companies without the participation of the foreign experts and consultants. This document was supported by the Ministries of Environment of the both Entities, the Brčko District Government, the Council of Ministers and the International Community Institution that operated in BiH at the time (UNDP, World Bank, USAID) and UNIDO, and it became the basis for the development of the “Action Plan” and all future activities of all the structures in BiH (administrative and non-government/economic) that were included in the Implementation of the Montreal Protocol in our country.

**Basics and Planning Tasks of Action Plan.** The Ozone Unit of BiH, based on the programmatic basics for the implementation of the Country Plan, the “Action Plan for the Period of 2000-2005” was developed.

This strategic document, important for the planned implementation of BiH obligations for the Implementation of the Montreal Protocol and the Country Programme, developed in accordance with the most modern strategic planning methods, contains all the planned activities of BiH by years and retroactively from 2000 until 2005, that is, until the first “control year”, when, in line with the rules of the Montreal Protocol and its Amendments, the cross-section of consumption is performed, i.e. the control of the obligations implementation by the Parties – the phase-out of the ODS consumption in “Article 5 Countries of the Montreal Protocol”, which also includes Bosnia and Herzegovina.

These are, above all, the activities for the project preparation and implementation (investment and institutional) and the Ozone Unit is the implementation coordinator and the key holder, as well as for the establishment of the so-called “Ozone Legislation”, i.e. legislative regulations and documents in both entities and at the state level which would present the basis for the operative implementation of the adopted strategic documents and the Montreal Protocol.

This document also initiated the potential projects for the “Gradual ODS Phase-Out in BiH” identified at the time, as well as their carriers, that is, the future project beneficiaries in the industrial and agricultural production sectors.

This Action Plan also schedules, over a longer time period (2001-2005) widespread actions and activities in BiH to raise awareness about the necessity of the Ozone Layer Protection as well as the training programmes (additional) for the expert staff in all the fields included in the Implementation Process of the Montreal Protocol and the Local BiH Programmes and Projects.

**Annual Operative Plans for the Implementation of the Action Plan.** For each calendar year, starting from 2001, the Ozone Unit prepared and implemented the Annual Operative Plans for the Implementation of the Action Plan which were subject to the UNIDO monitoring.

Reports on the Annual Operative Plans Implementation developed in line with the model prescribed by the Executive Committee of the Multilateral Fund for the Montreal Protocol Implementation were sub-

mitted the Executive Committee of the Montreal Protocol every year through UNIDO, international organisation (accepted by Bosnia and Herzegovina) competent for the implementation of the Montreal Protocol and all other programmes and projects in BiH.

**Team for the National ODS Phase-Out Plan for the Montreal Protocol (NOPP – BiH).**

In line with the Decision of the Executive Committee of the Multilateral Fund for the Montreal Protocol from July 2002, Bosnia and Herzegovina was, like the rest of the “Article 5 Countries of the Montreal Protocol” obliged to, with the help of one of the denominated International Implementation Agencies of the Montreal Protocol (for BiH this was UNIDO), prepare the “National ODS Phase-Out Plan” – NOPP and submit it to the MLF Executive Committee for approval. UNEP – the Ozone Secretariat published the general “NOPP Development Manual”, and the Ozone Unit BiH developed the detailed instructions and the concept of the future NOPP Documents content. “National Team for the Development of the BiH NOPP” was formed through the Ozone Unit of BiH at the proposal of UNIDO in October 2002.

The task of this National Team of Experts was to conduct the detailed research, within 6 months, of the ODS consumption for all users and consumers in BiH, their applied production technologies in the industrial and agriculture sectors as well as in the sector of refrigeration and air-conditioning devices service activities, to determine the potential users and the investment projects basis and prepare the final Programme/Strategy of the ODS Reduction (especially CFC substances and Methyl Chloroform in industry and Methyl Bromide in the agricultural production) and gradual phase-out in line with the deadlines set for the developing countries and economic transition (Article 6 Countries of the Montreal Protocol).

**Main NOPP Programmatic Activities.** Since it was a known fact, during the NOPP-BiH preparation, that this was the final National Programme for the Implementation of the Montreal Protocol by 2010, and that it ought to contain all the past adopted programmes and plans for the gradual ODS reduction and phase-out, as well as all previous implementation activities (2001) from the previously developed Country Programme and Action Plan (2002), and that it was expected that NOPP Implementation would start immediately after it got approved by the MLF Executive Committee, by 2004 at the latest, its activity structure was adapted to the results of studies on the ODS use and Consumption in BiH, especially service activity sector and the sector of refrigeration and air-conditioning devices which was not the case before 2004 (CFC Substances consumption in the refrigeration devices service sector has not been previously studied but only approximately evaluated).

Therefore, NOPP BiH that ended in BiH in the summer of 2003, approved by the MLF Executive Committee in December 2003, contained the following programme activity “packs” that were to be implemented in BiH over the period of 6 years (2004-2010):

- establishment of the so-called “Ozone Legislation” in BiH (at the State and Entity Level) with a special emphasis on the ratification of the Montreal Protocol Amendments (London, Copenhagen and Montreal) and establishment of the licensing system, quotas and ODS export/import permits for BiH;
- Preparation and realisation of the 6 Project “Packs” (investment projects in the field of refrigeration technology, foam production, electro-machinery industry and agricultures), training projects for customs officers, refrigeration and air-conditioning service technicians and the establishment of BiH Operative Centres for the CFC Substances Recycling. The total value of these approved projects was 1.090.160 US\$.

**NOPP Implementation Results for the Time Period 2003-2008.** It is important to emphasise that all implementation plans and programmes for the Montreal Protocol in every country, full Party of the International Agreement that is also often referred to as the “International Ozone Treaty” in the international terminology, ought to be passed and adopted at the state level in the respective country and harmonised (practically approved) by the competent Authorities of the Montreal Protocol – the Implementation Committee of the Montreal Protocol.

The realisation plan of the outlined programmes was aimed at achieving the basic NOPP goal, and the implementation of the Montreal Protocol in BiH, at least with regards to the gradual reduction and phase out, that is, elimination of the basic and targeted ODS from use in BiH, and in line with the dynamics agreed upon with the Implementation Committee of the Montreal Protocol, this relates to:

- the full phase-out of Methyl Bromide in Agriculture by the end of 2006,
- the full phase-out of solvents/cleaning products/degreasers (above all Methyl Chloroform) in Industry by the end of 2006
- The full phase-out/import ban on the VFV substances in BiH and on the equipment that contains/uses these substances by January 1<sup>st</sup> 2009.

Planned implementation and completion of certain projects with an overview of reduction/phase-out of some ODSs is shown in the table below.

Table 10. Implementation plan for the approved projects in BiH

PERIOD OF THE (PLANNED) PROJECTS IMPLEMENTATION						
PROJECT	ODS Elimination (tons)	2002	2003	2004	2005	2006
<i>Projects of Phase One</i>						
<b>Soko, Mostar</b>	<b>21,2</b>					
<b>Inga, Gradiška</b>	<b>21,0</b>					
<b>Bira, Bihać</b>	<b>33,4</b>					
<b>Stirokart, Srbac</b>	<b>33,0</b>					
<i>Projects of Phase Two</i>						
<b>Umbrella-1</b>	<b>14,9</b>					
<b>Umbrella-2</b>	<b>28,5</b>					
<b>RMP</b>	<b>85,0</b>					
<b>Methyl Bromide</b>	<b>19,65</b>					

**Legend:**

- **Soko, Mostar**- Project approved in November 2001
- **Inga, Gradiška**- Project approved in November 2001
- **Bira, Bihać**- Project approved in November 2001
- **Stirokart, Srbac**- Project approved in March 2003
- **Umbrella 1** - investment projects for the companies Soko-paneli, Ljubinje; Kuća leda Mostar and Soko-IPV, Čitluk, - Project approved in March 2003
- **Umbrella 2** - investment projects for the companies Slatkom and Eko-elektrofrigo, Banja Luka; Ordagić, Srebrenik ;Sofrel and Santa, Sarajevo and SP Mont, Brčko,- Project approved in November 2003
- **RMP** – Management plan for refrigeration devices - Project approved in July 2003
- **Methyl Bromide** – Project approved in July 2003

**NOPP Investment Projects - by sectors.** In addition to the previously approved projects (2001 and 2002) and for the implementation of the planned and above-mentioned projects, the following investment projects were prepared as part of NOPP and passed the evaluation procedures of the MLF Executive Committee for the period 2003-2004, and were approved for Bosnia and Herzegovina, according to the following sectors (project beneficiaries are in brackets):

- Foam production (**Meboš, B. Šamac**);
- Solvents conversion (**Metal Industry – MIK, Kupres**) and
- Refrigeration devices production (**Group Project „Umbrella 2“** for 6 small and middle producers of commercial refrigeration devices and cooling systems)

The implementation of these projects, i.e. the technological restructuring of the production facilities of these companies and the introduction of new technologies that do not use CFC substances and Methyl Chloroform/ Trichloroethane, phase-out of additional 28 tons of the substances CFC-11 and CFC-12 and 12 tons of Trichloroethane was planned.

Three biggest BiH Companies for the tobacco cultivation and processing: BOSANAC, Orašje, DUHAN, Gradačac and DUVAN, Bijeljina were responsible, as the main beneficiaries of the Project, for the implementation of “Gradual Methyl Bromide Phase-Out from the Sector for Tobacco, vegetables and Flowers Seedling Production” Project in cooperation with the Faculty of Agriculture in Sarajevo and a group of eminent BiH experts.

The goal of this project was to introduce a new cultivation technology for the tobacco, vegetables and flowers seedlings in the greenhouse production without the use of Methyl Bromide for the elimination of weeds in the soil and greenhouse disinfection during the three years of project implementation. The total MLF granted funds for this project amounted to 229.000 US\$.

**Awareness Raising Programmes and Expert Staff Training in BiH.** The second group of projects/programmes adopted within the NOPP-BiH were the Awareness Raising Programmes and the professional training for the multiple categories of sector workers as part of the strategic “Refrigeration Management Plan”. Programmes and projects that form the composite part of this NOPP segment are, by the nature of the activity content, actually Awareness Raising Programs and expert staff professional training. They are now, and will be in the future, more oriented towards implementing the NOPP operative activities: conducting and controlling ODS export/import and the equipment that uses these substances in BiH (customs officers, State Border Crossing Officers, economic organisation that deal with ODS import and internal traffic/sales in BiH), service technicians, operators that provide maintenance for refrigeration and air-conditioning devices who are already and will definitely become a key factor in the future for the use of global experiences of “good practice” in servicing the existing refrigeration, air-conditioning and cooling systems devices and for the prevention of an uncontrolled release of ODS – cooling agents/gases into the atmosphere.

The following subprojects were developed and approved within NOPP-RMP:

- strengthening the customs sector in BiH (customs officers training for the implementation of the local legislation and the Montreal Protocol, development and printing of the Customs Officers Manual);
- establishment of the centres for the professional training and training programs for trainers and maintenances staff – technicians and mechanics about the “good practices” in maintenance, reconstruction and servicing of refrigeration and air-conditioning devices and the publishing of the “Manual of Good Practices in Servicing and Maintenance of Refrigeration and Air-Conditioning Devices”;
- Establishing and equipping the Recycling Centres for the Cooling Agents/Matters – CFC and HCFC Substances

**Establishment of the Training Centres for the Refrigeration and Air-Conditioning Devices Service Technicians.** One of the key activities of the BiH Ozone Unit for the RMP Programme implementation is the establishment of (2 according to the plan) the “Training Centres for the Refrigeration and Air-Conditioning Devices Service Technicians”. Operative Activities Plan envisages the equipping of these centres (that should be located in the existing educational institutions that provide regular training for the staff from this field) with the modern training equipment and tools that are used in servicing and maintenance of the refrigeration and air-conditioning devices and installations.

These Training Centres would have to provide training for 300 BiH service technicians – mechanics for refrigeration and air-conditioning devices during the implementation of training, and the best organised legal – registered services in BiH would be awarded, as a grant, some servicing equipment necessary in their service activity and the implementation of modern technologies in the refrigeration and air-conditioning maintenance.

After the completion of the tender offer with the cooperation of the Ozone Unit and UNIDO, the following two were selected for the “Training Centres for the Refrigeration and Air-Conditioning Devices Service Technicians”:

- in Sarajevo: „Faculty of Mechanical Engineering“ and
- in Banja Luka: „Faculty of Mechanical Engineering“.

At the beginning of 2000, the UNIDO and MoFTER initiated a process of establishing the organisational structure that would coordinate the implementation activities of the Montreal Protocol in BiH – Ozone Unit of BiH.

**Establishment of the Ozone Unit and the international Cooperation of BiH in the Implementation of the Montreal Protocol.** Establishment and Activities of the Ozone Unit of BiH.

In July 2000, the Council of Ministers adopted the “UNIDO Project on the Establishment of the Ozone Unit – BiH. The Seat of the Ozone Unit of BiH is in MoFTER with Ozone Unit Departments in the Entity Environmental Ministries /Federation of BiH), i.e. Ecology (RS).

In November 2000, the Minister of Foreign Trade and Economic Relations and the General Director of UNIDO signed the “Project Document/Agreement” between the Council of Ministers of BiH and UNIDO for the establishment and the development of the BiH Ozone Unit.

Thus, the organisational unit was established in Bosnia and Herzegovina and incorporated in the organisational structure of the Ministry of Foreign Trade and Economic Relations of BiH, competent and responsible for coordinating all the activities in the Implementation of the Montreal Protocol as a binding International Agreement for Bosnia and Herzegovina, on the behalf of BiH.

**Programme and Action Plan for the Gradual Phase-Out of Substances that Deplete the Ozone Layer in BiH.** The development of the “BiH Programme for the Gradual Phase-Out” in 1998, a group of BiH consultants led by International UNIDO Experts prepared the first version of the “BiH Programme for the Gradual Phase-Out of the Substances that Deplete the Ozone Layer – ODS”.

After the BiH Ozone Layer Unit was established, the Ministry of Foreign Affairs and Economic Relations, with approval from the Entity Ministries of Environment (Federation of BiH) and Ecology (RS) formed the “national expert team” composed of all the representatives from the Ministries and one expert from the non-governmental sector that completed, within the time period June-September 2001, the “Country Programme for the Gradual ODS Phase-Out in BiH”, which after obtaining the support from the both Entities, the Brčko District Government and the BiH Council of Ministers and the approval from the Multilateral Fund for the Implementation of the Montreal Protocol became the “National Strategy for the Implementation of the Vienna Convention and the Montreal Protocol in Bosnia and Herzegovina”.

“Action Plan for the Period 2001-2005” was developed in the BiH Ozone Unit based on the Programmatic Implementation Basis for the “Country Programme”.

For each Calendar year, starting from 2001, the Ozone Unit prepared and implemented the **operative annual activity plans for the Action Plan implementation**, subject to the UNIDO Monitoring.

**Establishment and Development of the Regional Ozone Network for Europe and Central Asia (ECA). Members of the Regional ECA Ozone Network.** In 2003, countries from this region became the full members of this regional organisation: Albania, Armenia, Bosnia and Herzegovina, Georgia, Croatia, Kirgizstan, Macedonia, Moldavia, Turkey, Turkestan and Federal Republic of Yugoslavia (later Serbia and Montenegro), and the partner countries: Sweden, the Czech Republic, Hungary, Slovakia.

Later (in the period 2006-2009) this network is joined by Azerbaijan, Kazakhstan, Tajikistan and Uzbekistan together with the partner countries and organisations: Poland, European Union, OSCE, WCO, UNCTAD, ILO and many other international agencies and associations.





## 6 Thematic Assessments/Priorities per Convention

### 6.1 Priority Thematic Assessments of the Convention on Biological Diversity

#### 6.1.1 Basic Requirements of the Convention on Biological Diversity

The fundamental obligation of every country that has acceded to the Convention is to determine its own biodiversity, the endangerment thereof and problems related to protection and to adopt and implement an adequate national strategy.

By signing the Convention, the country assumes the following obligations:

- to prescribe general guidelines for the conservation of biodiversity and for a sustainable use of natural assets;
- to ascertain and monitor the state of biodiversity (inventorization and monitoring);
- to primarily conserve biodiversity through the in situ method (within natural habitats) by establishing a system of protected areas and through the ex situ method (out of natural habitats);
- to ensure a sustainable use of natural assets by incorporating measurements for biodiversity conservation into all spheres of spatial planning and in all aspects of use of natural assets (forestry, agriculture, hunting, fishery, water management etc.)
- to research biodiversity, to educate and inform the public about biodiversity;
- to reduce or prevent harmful impacts on biodiversity;
- to ensure access to genetic sources;
- to regulate problems regarding biotechnology and biological safety;
- to ensure information exchange and technical and scientific cooperation;
- to regulate problems regarding biotechnology and biological safety;
- to ensure information exchange and technical and scientific cooperation;
- to ensure the financing of national activities that will contribute to achieving the objectives of the Convention;
- to develop periodic reports:
  - National Report One
  - National Report Two
  - National Report Three
  - National Report Four
- to develop thematic reports:
  - report on invasive foreign species,
  - report on access to genetic resources and distribution of benefits,
  - report on forest ecosystems,
  - report on mountain ecosystems,
  - report on protected areas,
  - report on transfer of technologies and cooperation,
  - report on the global taxonomy initiative.

The most important issues related to all thematic programmes are the following:

- access to genetic resources and distribution of benefits,
- invasive species,
- traditional knowledge, innovations and skills,
- biodiversity and tourism,
- climate change and biodiversity,
- economy, trade and incentive measures,
- ecosystematic approach,

- global strategy for plant protection,
- biodiversity 2010,
- global taxonomy initiative,
- impact assessment,
- indicators,
- responsibility and remuneration,
- protected areas,
- education and public awareness,
- sustainable use of biodiversity,
- cooperation and technology transfer.

### 6.1.2 GAP analysis/analysis of problems in the implementation of the Convention on Biological Diversity in Bosnia and Herzegovina

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/ mission (steps to be taken)	How to maintain achieve- ments? (sustainability)
The implementation of the Convention on Biological Diversity is insufficient in BiH	Achievement of three objectives of the CBD in BiH	By establishing and developing capacities	1. By establishing objective in line with the CBD Strategic Plan 2011-2020 2. By establishing monitoring of the implementation process 3. By establishing monitoring of the state of biodiversity
The role of the institution (NFP) in charge of the implementation of the CBD and the related European directives and initiatives is not clearly defined	Establishment and development of the sector for the protection and sustainable management of nature in Bosnia and Herzegovina	By adopting legislation at state level and by harmonising the current Entity laws and implementation acts with state legislation	By establishing and strengthening capacities at state level as a response to the international obligations of BiH
There is no umbrella law	Establishment of a legal basis for the protection and sustainable management of nature in the territory of Bosnia and Herzegovina	By preparing and adopting a law on the protection of nature at state level	By implementing the law on the protection of nature in the entire territory of B&H in line with the requirements of the European Habitats directive
Lack of finances and funds for scientific, research and professional work	Ensuring funds	By developing capacities for preparing projects financed by international and local funds	By developing cooperation with the forestry, agriculture, energetic and spatial planning sector

### 6.1.3 Priority Assignments of Bosnia and Herzegovina in the Application of the Convention on Biological Diversity

The priority assignments of BiH are the protection and sustainable development of biodiversity, conservation of the overall biodiversity, sustainable use of components of biodiversity and an equal distribution of benefits arising from the use of genetic resources. Three strategic directions that BiH is to take to achieve the objectives of the Convention on Biological Diversity have been identified in the BiH 2008 - 2015 National Biodiversity Strategy and Action Plan (NBSAP BiH 2008 - 2015):



1. Reducing biodiversity loss in BiH:
  - conservation of species diversity,
  - conservation of ecosystem and landscape diversity,
  - conservation of genetic diversity.
2. Establishing a system of conservation and sustainable use of biodiversity in BiH:
  - establishment of financial mechanisms,
  - establishment of an efficient institutional framework,
  - intersectoral approach to nature management,
  - exchange of scientific and technological information,
  - preservation of traditional knowledge and practices.
3. Reducing the pressure put on biodiversity in BiH:
  - control of habitat conversion,
  - monitoring effects of global climate changes,
  - control of invasive species,
  - strengthening public awareness.

Priority assignments of BiH are:

- BiH National Biodiversity Strategy and Action Plan – amendments and supplements in line with the conclusions of the conference of the UNCBD Member States held in Nagoya, Japan
- Adoption of a legal act (law or some other legal act) for the implementation of the Convention at state level in agreement with the Entities and the Brčko District BiH (institutional responsibility, determination of the NFP)
- Establishment and strengthening of Entity and state institutions competent for the protection of nature and biodiversity
- Capacity strengthening (employing new experts) at Entity and state levels
- Development of the 5<sup>th</sup> Report for the UNCBD Convention and the 2<sup>nd</sup> Report for the Cartagena Protocol
- Plan for using proceeds of the Environmental Protection Fund of FBiH for implementing activities included in the Action Plan of the National Biodiversity Strategy and the Entity strategies for the protection of nature
- Implementation of activities included in the Action Plan of the BiH National Biodiversity Strategy
- Ensuring the support of the GEF for the development of national reports and implementation of activities included in the National and Entity reports within the Cartagena Protocol through the mechanisms of the Biosafety Clearing House (BCH)
- Establishment of indicators for monitoring the state of biodiversity and of the implementation of processes according to own objectives until 2020.

At the meeting of the Conference of Parties to the Convention held in Nagoya, Japan from 18<sup>th</sup> to 29<sup>th</sup> October 2011, a new ten year Strategic Plan of the Convention for 2011 – 2020 was adopted as the fundamental document for directing international and national activities in order to conserve biodiversity and to contribute to the fulfilment of the three fundamental objectives of the Convention.

The new Strategic Plan of the CBD contains 20 objectives to reduce the loss of and pressure on biodiversity, to conserve biodiversity at all levels, to improve and maintain benefits/services that we get from biodiversity and to ensure capacity strengthening.

Some of the most important objectives that the Parties to the Convention undertook include the aim to fully stop the loss of natural habitats (to cut the loss in half at least), including forests, the protection of 17% of the surface area of land and freshwaters and 10% of seas and coastal ecosystems.

The Parties to the Convention agreed to transpose the Strategic Plan, as an overall framework for the conservation of biodiversity, into national strategies and action plans for the conservation of biodiversity and to implement it within 2 years. Also, a Strategy for Resource Mobilisation was adopted, whereby guidelines for different manners of financing were specified in order to achieve the objectives of the Convention. The Parties undertook to increase the funds for the implementation of the Convention. Over 30 other de-

cisions were adopted that define the manners of and needs for a more efficient implementation of the Convention and for achieving the objectives thereof, primarily in the following fields:

- biodiversity of freshwaters,
- biodiversity of seas and coastal ecosystems,
- biodiversity of mountain areas,
- biodiversity of forest ecosystems,
- protected areas,
- invasive alien species,
- sustainable use of natural assets,
- biodiversity and climate changes,
- global strategy for plant conservation.

#### 6.1.4 Identification and Analysis of Stakeholders to the Convention on Biological Diversity

Stakeholder	Role	Significance (low/high/ medium)	Influence (low/high/ medium)	Participation in implementation (informing/ consulting/direct participation)
Federation Ministry of Agriculture, Water Management and Forestry	Incorporation of the provisions of the Convention into the legislation	high	high	Consulting and direct participation
Federation Ministry of Spatial Planning	Incorporation of provisions into the legislation of the Ministry	high	high	Consulting and direct participation
Hutovo Blato Nature Park	Implementation of the protection of biodiversity and landscape	high	high	Direct participation
Public Institution for the Management of Protected Areas – Canton Sarajevo	Implementation of the protection of biodiversity and landscape	high	high	Direct participation
Banja Luka Institute for the Protection of Cultural - Historical and Natural Heritage	Giving professional input	high	high	Informing and consulting
Una National Park	Protection of biodiversity and landscape	high	high	Direct participation
Sutjeska National Park	Protection of biodiversity and landscape	high	high	Direct participation
Kozara National Park	Protection of biodiversity and landscape	high	high	Direct participation
Blidinje National Park	Protection of biodiversity and landscape	high	high	Direct participation
REC	Support and coordination	high	high	Informing
scientific and research institutions and centres in BiH, museums and the NGO network				

### 6.1.5 Capacity Assessment in the Implementation of the Convention on Biological Diversity

Except for the Focal Point, there are no capacities in Bosnia and Herzegovina in charge of the implementation of the Convention on Biological Diversity.

At the level of BiH, there is no professional institution in charge of issues concerning the evaluation and re-evaluation of natural values and heritage and for the development of a legislative and institutional framework for a sustainable development thereof.

Next to the above, it is necessary to stress that scientific and professional institutions (faculties, centres, institutes, agencies and public administrative bodies) are not networked in the system to a sufficient extent to provide adequate protection and sustainable management of biodiversity.

A professional institution for carrying out professional tasks on the behalf on the Ministry has not been established in the Federation of BiH.

It is not possible to implement the Law on the Protection of Nature without a professional institution in place in the Federation of BiH.

Currently, the assistant to the minister and the head of the Department for the Conservation of Biological and Landscape Diversity and Natural Values, a graduated biologist, work on such tasks. Nobody has been employed at the Department for 10 years. A graduated architect works at the Department for Protected Areas.

According to the Rulebook on Job Systematisation, 12 employees are envisaged for these posts. The development of a new Rulebook on Systematisation is envisaged.

In cantonal environmental ministries in the Federation of BiH, there are no employees working on these tasks.

The coordination between different administration levels is lacking.

In cantonal environmental ministries there are no employees working on these tasks. The coordination between different administration levels is not efficient.

It is necessary to employ more experts at the Ministry should that be approved by the government of the Federation of BiH and to train new employees.

Our conclusion is that professional and scientific capacities are insufficient.

As for capacity development, it is necessary to develop a strong administrative support at the level of the relevant Entity ministries. Current capacities for the implementation of this Convention together with the development of legislation in line with the EU requirements are insufficient.

It is necessary to stress the lack of infrastructural and institutional support (faculties, centres, institutes, agencies and public administrative bodies) for adequate protection and sustainable management of biodiversity.

Table 11 Capacity Assessment in the Application of the Convention on Biological Diversity

Capacity / Indicator	Descriptive grading			Grade	Result of grading	Comment
RK 1: Ability to engage in the implementation of environmental agreements (conventions)						
Indicator 1 - Level of involvement of leading environmental institutions / organisations	Responsibilities for implementing the Convention in BiH are not clearly defined		0	1		In line with the Constitution of BiH and the constitutions of the Entities, the environmental problems of Bosnia and Herzegovina are dealt with at Entity level and not state level. Simultaneously, BiH assumes international obligations (such as the UNCBD) and shall organise an adequate structure for the implementation of such obligations  In that regard, it is necessary to adopt an adequate law at the level of BiH and to establish adequate professional institutions for the protection of nature at Entity level.
	Organizational responsibilities for implementing the Convention are identified		1			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are partly recognised by stakeholders		2			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are recognised by stakeholders		3			
Indicator 2 –The existence of a joint management operating mechanism	There is no joint management mechanism		0	1		The Entity governments and the BiH Council of Ministers have signed a Memorandum of Understanding (MoU) for the establishment of an environmental monitoring system identifying the relevant institutions for all components of the environment, including nature and biodiversity, but it is not being adequately implemented. It is important to emphasise the need for including other institutions in the system, especially at state level, which can be referential for certain activities (e.g. the Food Safety Agency is to take a focal role with regard to the Protocol on Biosafety and the so called Biosafety Clearing House-BCH)
	There is a joint management mechanism and it is operating		1			
	Some joint management mechanisms have been formally established by way of agreements, memorandums of understanding etc.		2			
	Elaborate joint management mechanisms have been formally established and are operating and functional		3			

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 3 – Cooperation between stakeholders	Low degree of identification of stakeholders and their participation/involvement in management and decision making relevant for the implementation of the Convention	0	1	
	Stakeholders have been identified, but their participation in management and decision making is limited	1		
	Stakeholders have been identified and regular consultancy mechanisms regarding the implementation of the Convention are defined	2		
	Stakeholders have been identified and are actively contributing to decision making processes	3		
RK 2: Capacities for accessing and using knowledge and information				
Indicator 4 –Level of environmental awareness of stakeholders	Stakeholders are not aware of global environmental issues arising from the Convention and of possible solutions for such issues (multilateral environmental agreements)	0	1	
	Stakeholders are aware of global environmental issues arising from the Convention, but are neither aware nor have knowledge of possible solutions (multilateral environmental agreements)	1		
	Stakeholders are aware of global environmental issues arising from the Convention and of possible solutions for such issues, but have no knowledge of how to participate.	2		
	Stakeholders are aware of global environmental issues arising from the Convention and are actively participating in implementing certain solutions	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 5 –Access to and distribution of environmental information arising from the Convention to stakeholders	Information on environmental protection as promoted by the Convention has not been identified and the information management structure is inadequate.	0	1	
	Information on environmental protection as promoted by the Convention has been identified, but the information management structure is inadequate.	1		
	Environmental protection information as per the indications of the Convention is partially available and has been distributed amongst stakeholders, but all focal areas are not covered and/or the information management infrastructure, i.e., public access to information is limited	2		
	Comprehensive information on the relevant Convention and environmental aspects are available and there is an adequate information management infrastructure	3		
Indicator 6 –Degree of inclusion/use of traditional knowledge in the decision making process concerning the field of environmental protection	“Traditional knowledge” is ignored and not considered in the relevant decision making processes	0	1	
	“Traditional knowledge” is identified and importance is placed on such knowledge, but it is not used in the relevant decision making processes	1		
	“Traditional knowledge” is gathered, but is not systematically used in the relevant decision making processes	2		
	“Traditional knowledge” is gathered, used and distributed for efficient application in decision making processes	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 7 – Existence of environmental educational plans addressing the topics of the subject Convention	There are no curriculums and syllabuses addressing environmental education	0	1	Such problems are partly comprised in the Action Plan of the Federation Environmental Protection Strategy that includes both the protection of nature and biodiversity.
	Curriculums and syllabuses for environmental education have partly been developed and are partly applied	1		
	Curriculums and syllabuses for environmental education have been fully developed, but are not fully implemented	2		
	Comprehensive curriculums and syllabuses for environmental education have been developed and are fully implemented	3		
Indicator 8 –Extent of connection between environmental research/science and the development/implementation policy for the Convention	There is no connection between the development of an environmental protection policy and scientific/research strategies, plans and programmes	0	2	After receiving the prior support of the Entity governments, the Bosnia and Herzegovina National Biodiversity Strategy and Action Plan (NBSAP BiH 2008-2015) was adopted by the BiH Council of Ministers. A revisions of the Strategy will ensue (GEF/UNEP Project)
	The requirements for developing an environmental policy for implementing the Convention have been identified, but are not translated into the relevant research strategies, programmes and plans	1		
	The relevant research strategies, plans and programmes for developing environmental policies are in place, but do not fully correspond to policy development needs.	2		
	The relevant research results are available and are the basis for developing an environmental protection policy	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
RK 3: Capacity for developing strategies, policies and regulations				
Indicator 9 –Contribution of environmental planning and of the strategy development process	Environmental planning and the strategy development process are not coordinated and adequate environmental plans and strategies are not produced	0	2	The Bosnia and Herzegovina National Biodiversity Strategy and Action Plan (NBSAP BiH 2008-2015) has been developed. It was also adopted by the BiH Council of Ministers. It will now be revised and supplemented in line with the conclusions reached at the meeting of the COP to the UNCBD held in Japan (Nagoya). In line with the said Strategy and other frameworks, Entity strategies for the protection of nature have been adopted. It is necessary to work on a more efficient mobilisation of resources, especially of economic instruments, in order to improve the implementation. The established Entity environmental protection funds will play an important role in this.
	Environmental planning and the strategy development process are producing adequate environmental plans and strategies, however, they are not being implemented	1		
	Adequate plans and strategies have been developed, but they are only partly implemented because of financing restrictions and/or other reasons	2		
	Environmental planning and the strategy development process are adequately coordinated by key environmental protection organisations/institutions and the necessary plans and strategies are produced and implemented	3		
Indicator 10 – Existence of an adequate environmental	The environmental protection policy and legal framework are insufficient and do not provide an adequate basic protection	0	1	
	Some relevant protection policies and regulations regarding environmental protection are in place, but only a few are implemented	1		
	An adequate policy and regulations regarding environmental protection are in place, but there are certain problems in terms of implementation	2		



Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 11 –Adequacy of available information regarding the environment as a basis for decision making	An adequate framework, policies and regulations regarding environmental protection are in place and are being implemented, hence an adequate atmosphere is ensured; a harmonisation and implementation mechanism has been established and is functioning	3	1	
	Environmental information is not available for adequate decision making	0		
	There is some information regarding environmental protection, but it is insufficient for adequate decision making	1		
	The relevant information regarding environmental protection is available to decision makers, but the process of updating such information is inadequate	2		
	Updated environmental information is available and used by decision makers for the purpose of making adequate environmental decisions	3		
RZ 4: capacities for managing and implementing the Convention				
Indicator 12 –Existence of resources and mobilisation thereof	Organisations/institutions for environmental protection do not have adequate resources for their programmes and projects and requests for resources have not been defined	0	1	Insufficient resources.
	Requests for resources have been identified, but have not been granted	1		
	Financing sources for resource requests have partly been defined and have partly been granted	2		
	Adequate resources have also been mobilised for the operation of the management of environmental protection organisation/institution	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 13 – Availability of necessary technical skills and technology transfer	The necessary skills and technology are not available and needs have not been identified	0	0	
	The necessary knowledge and technologies and their sources have been identified	1		
	The necessary knowledge and technologies are available, but access thereto depends on foreign sources	2		
	The necessary knowledge and technologies are available and there is a basis in the national mechanism for upgrading the necessary skills and technology	3		
RZ 5: Adequacy of the Convention implementation monitoring process				
Indicator 14 –Adequacy of the Convention implementation monitoring process	Improper monitoring is conducted without an adequate monitoring framework detailing how it is to be conducted	0	1	The Entity governments and the BiH Council of Ministers have signed a Memorandum of Understanding (MoU) for the establishment of an environmental monitoring system identifying the relevant institutions, as well as their duties, for all components of the environment, including nature and biodiversity, but it is not being adequately implemented.
	An adequate framework for conducting monitoring is in place, but monitoring is not implemented at all levels	1		
	Results of the implementation process are regularly monitored, but such information is partly used	2		
	Monitoring is timely and correctly conducted and the results are applied as a basis for creating knowledge and possibly as a basis for changing the course of action and activities in terms of the implementation of the Convention	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 15 – Adequacy of the evaluation of the implementation process	Evaluation is either not carried out or is inefficient, because it is carried out without adequate assessment, that is, it does not affect the implementation	0	0	
	There is an adequate evaluation plan, but implementation activities associated with evaluation are not carried out regularly	1		
	Evaluation is carried out in line with the evaluation plan, but evaluation results are only partly used for the implementation of the Convention, that is, they are used as input for planning other relevant implementation activities	2		
	Effective evaluations are carried out timely and correctly and are used as the basis for changing activities and as insight for further implementation of activities	3		

#### *6.1.6 Identified Limitations to Capacity and the Need for implementation Capacity Building for the Application of the Convention on Biological Diversity*

Major obstacles to implementing the Convention are as follows (Strategy and Action Plan for the Conservation of Biological and Landscape Diversity of Bosnia and Herzegovina):

- an incomplete and non-functional institutional framework for efficient protection and management of biological diversity, natural resources and integral natural values;
- inability to implement current legislation;
- horizontal and vertical disconnection, lack of cooperation and information flow between socio-political and all other organisational systems of Bosnia and Herzegovina;
- lack of a strategy for exploiting space resources at the national, Entity and local levels;
- lack of harmonisation and disconnection between strategic and related development documents (in the forestry, agricultural and water management sector) and the field of biodiversity management;
- lack of a strategy and related development documents in the field of the herbal sector (economically relevant species)
- non-existence of a clear legal framework and a monitoring mechanism for trade in GMOs and in biotechnology and genetically engineered products;
- an insufficiently democratic and transparent system of making decisions concerning the use of natural resources and the biodiversity thereof at all levels of legislative responsibility in BiH;
- lack of financial resources and funds for scientific research and expert work in the field of biodiversity;
- lack of defined socially targeted research with a view to solve current issues regarding biodiversity and the implementation of relevant international conventions and directives;
- insufficient and unarranged data on biological and landscape diversity of Bosnia and Herzegovina and the availability thereof to researchers, planners and the public;
- insufficient human and technical capacities dedicated dealing with biodiversity and its management;
- exceptionally low public awareness of the importance of biodiversity in preserving fundamental environment values, especially in terms of regulating climate change and generating profit and reducing general poverty;
- lack of available and functional data on the state and potential of biodiversity as a resource in the context of the MEA;
- lack of methodological solutions for implementing the Millennium Development Goals (UNDO, 2003);
- inefficient implementation of goals concerning biodiversity and natural and cultural heritage protection identified in the National Environmental Action Plan (NEAP, 2003);
- inadequate understanding of ecological and environmental issues and the involvement of unrecognised institutions and individuals in managing, solving and researching environmental issues, especially the biodiversity of BiH;
- disconnection and poor coordination between the government and non-government sectors and between the academic and general public in Bosnia and Herzegovina;
- insufficient influence of the relevant ministries at all levels and inadequate positioning of biodiversity in the system of the general socio-political model of BiH.

#### *6.1.7 SWOT Analysis of the Convention on Biological Diversity*

General characteristics and assessment of the biodiversity management process in Bosnia and Herzegovina (Strategy and Action Plan for the Conservation of Biological and Landscape Diversity of Bosnia and Herzegovina)

- insufficient data on the spatial and temporal organization of the overall biological and landscape diversity of BiH and the heterogeneity, operability and reliability thereof from a scientific and expert point of view;
- low level of implementation of legal regulations and international conventions concerning biodiversity management (as well as environment management as a whole);
- lack of mechanisms and methodologies for protecting biodiversity;
- lack of infrastructural and institutional support (centres, institutes, public administration agencies and bodies) for adequate protection and sustainable management of biodiversity;

- lack of interdepartmental connections in terms of making decisions on the use of biological and landscape diversity.

Table 12 SWOT analysis of the Convention on Biological Diversity

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• Ratification of the Convention;</li> <li>• Current good understanding and knowledge of the concept of goals of the Convention on Biological Diversity;</li> <li>• Good knowledge of different work programmes, cross-questions and initiatives of the Convention</li> <li>• Good scientific knowledge of the biodiversity of Bosnia and Herzegovina</li> <li>• Good knowledge of the ecosystem approach developed during the Convention on Biological Diversity</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of mechanisms and a methodology for biodiversity protection</li> <li>• lack of infrastructural and institutional support (centres, institutes, agencies and bodies of state administration) for adequate protection and sustainable management of biodiversity;</li> <li>• low level of public awareness;</li> <li>• inadequate positioning of biodiversity in the planning process;</li> <li>• lack of government's interest and strategy for protecting nature;</li> <li>• an intense transition and privatisation process without defined planning documents;</li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• Implementation agencies of the GEF: the UNDP, the UNEP, the World Bank, Secretariat of the Convention</li> <li>• Financial and technical support</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of biodiversity in BiH</li> </ul>

## 6.2 Priority Thematic Assessments for the Convention to Combat Desertification/Land Degradation

### 6.2.1 Basic Requirements of the Convention to Combat Desertification/Land Degradation

Programmes and decisions on fighting desertification, i.e., mitigating the consequences of drought are, as a rule, adopted with the participation of the people and the local community and in a favourable environment at higher levels, thus facilitating actions at the local and state level.

Coordination and cooperation at sub-regional, regional and international levels will be improved in the spirit of international solidarity and partnership for the purpose of improving the steering of financial, human, organisational and technical resources.

The cooperation at all levels of government, communities, NGOs and land owners should be developed in the spirit of partnership with a view to improve knowledge and sustainable use of nature and the values of land, i.e., scarcity of natural water resources in afflicted areas.

### 6.2.2 Analysis of Shortfalls in the Application of the Convention to Combat Desertification/Land Degradation

Table 13 Analysis of Shortfalls in the Application of the Convention to Combat Desertification/Land Degradation

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/mission (steps to be taken)	How to maintain achievements? (sustainability)
The NFP is in place	To draft the NAP	Establishment of a national coordination body	By planning budget funds
The Interim Report and the National Report have been drafted	To work on raising awareness of the importance of the UNCCD	Ensure donor funds for the purpose of a more expedite and efficient implementation	By participating in international and local projects

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/mis- sion (steps to be taken)	How to maintain achieve- ments? (sustainability)
Lack of finances for this Convention	To create a framework law on land comprising all segments of the Convention	Creation of a web site with regular monitoring and reporting	
Insufficient awareness of the significance of the UNCCD	To develop a land protection strategy		
Lack of a National Coordination Body			

### *6.2.3 Priority Assignments of Bosnia and Herzegovina regarding the Application of the Convention to Combat Desertification/Land Degradation*

Two fundamental obligations of BiH (both Entities: FBiH and RS and the Brčko District BiH) that arise from the ratification of the UNCCD and that every member state is to submit an annual and/or biannual report on are the following:

1. drafting a National Action Plan (NAP) and
2. drafting a National Strategy to Combat Land Degradation/Desertification

Future steps that need to be taken in order to achieve a more expedite and successful implementation of the UNCCD in BiH are as follows:

- to develop a National Action Plan to combat land degradation – high priority;
- to establish an institutional and organisational framework for supporting the implementation of the Convention – nomination of a National Coordination Body (NCB);
- to work on raising awareness of problems related to desertification, land degradation and drought;
- to incorporate principles of the NAP into the legislation, strategies and programmes;
- to develop a Sustainable Land Management (SLM) strategy for BiH;
- to harmonise legislation in order to support the implementation of the principles of the NAP;
- to strengthen capacities for the implementation of natural resources management at the Entity, cantonal and local levels;
- to strengthen existing capacities for higher education and research;
- to strengthen the synergy between the three Rio conventions: the UNCBD, the UNFCCC and the UNCCD;
- to establish local funds and to ensure local proceeds for the implementation of the UNCCD at the level of BiH, the Entities, cantons and local communities;
- to mobilise foreign donor funds to achieve a more expedite and efficient implementation of the UNCCD in BiH (e.g. GEF – LADA, WB);
- to propose that financing resources are ensured;
- to develop long term integral strategies for afflicted areas;
- to improve land productivity;
- to introduce a system of remediation, recultivation in order to rehabilitate damaged land;
- to develop a husbandry programme in order to preserve and to sustainably manage land resources;
- to develop a program to combat land erosion;
- to adopt a land melioration programme for afflicted areas;
- to form and/or nominate a National (state) Reference Centre (NRC) and a Land Monitoring Centre (LMRC)
- to establish and implement permanent monitoring of soils/land
- to establish and maintain an information system of soil/land.

### 6.2.4 Identification and Analysis of Stakeholders in terms of the Application of the Convention to Combat Land Desertification/Land Degradation

Table 14 Stakeholders to the Convention to Combat Land Desertification/Land Degradation

Stakeholder	Significance (low/high)	Influence (low/high)	Participation in implementation (informing/consulting/direct participation)
MoFTER	high	high	direct participation
Federation Ministry of Agriculture, Water Management and Forestry	high	high	direct participation
RS Ministry of Agriculture, Forestry and Water Management	high	high	direct participation
Federation Ministry of Environment and Tourism	high	high	direct participation
Federation Ministry of Spatial Planning	high	high	direct participation
RS Ministry of Spatial Planning and Environment	high	high	direct participation
Environmental Protection Fund of RS	high	high	direct participation
Environmental Protection Fund of FBiH	high	high	direct participation
Federation Institute for Agropedology	high	high	direct participation
Agricultural Institute of RS	high	high	direct participation
Federation Institute for Agriculture Sarajevo	high	high	direct participation
Federation Agromediterranean Institute Mostar	high	high	direct participation
Cantonal ministries for agriculture, water management and forestry	high	high	informing
Cantonal environmental ministries	high	high	informing
Faculty of Agriculture and Food Sciences Sarajevo	high	high	education, consulting, direct participation
Faculty of Agriculture Banja Luka	high	high	education, consulting, direct participation
Faculty of Agronomy and Food Technology of University of Mostar	high	high	education, consulting, direct participation
Agromediterranean Faculty Mostar	high	high	education, consulting, direct participation
Faculty of Biotechnology Bihać	high	high	education, consulting, direct participation
Faculty of Agriculture East Sarajevo	high	high	education, consulting, direct participation
Institute for Agriculture Bijeljina	low	low	informing
Institute for Agriculture Doboj	low	low	informing



Stakeholder	Significance (low/high)	Influence (low/high)	Participation in implementation (informing/consulting/direct participation)
Institute for Agriculture Bihać	low	low	informing
Institute for Agriculture Tuzla	low	low	informing
BiH Co-operative Union	low	low	informing
Association of Agricultural Engineers and Technicians	low	low	informing
FBiH Chamber of Agronomy	low	low	informing
Fondeko	low	low	informing
BiH Soil Science Society	low	low	informing

## 6.2.5 Capacity Assessment in the Application of the Convention to Combat Land Desertification/Land Degradation

Table 15 Capacity Assessments for the Convention to Combat Land Desertification/Land Degradation

Capacity / Indicator	Descriptive grading			Grade	Result of grading	Comment
RK 1: Ability to engage in the implementation of environmental agreements (conventions)						
Indicator 1 - Level of involvement of leading environmental institutions / organisations	Responsibilities for implementing the Convention in B&H are not clearly defined		0	1		Due to the non-existence of a unique systemic environmental policy at the level of BiH, the extent of involvement of certain institutions differs significantly. As for this Convention, activities predominately originate from Focal Point and two reports have been developed so far. Other engagements are related to scientific and expert institutions as well as to the non-government sector, which occasionally, through different problems and accidents, draws attention to the land degradation problem and worrying proportions of losses. It is necessary to adopt a common strategy that would be implemented in both Entities and would become a part of the future intense economic and rural development that is expected to take place during the preparatory period before accessing to the EU.
	Organizational responsibilities for implementing the Convention are identified		1			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are partly recognised by stakeholders		2			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are recognised by stakeholders		3			
Indicator 2 –The existence of a joint management operating mechanism	There is no joint management mechanism		0	1		Joint management mechanisms (horizontal and vertical) must be regulated by law.
	There is a joint management mechanism and it is operating		1			
	Some joint management mechanisms have been formally established by way of agreements, memorandums of understanding etc.		2			
	Elaborate joint management mechanisms have been formally established and are operating and functional		3			

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 3 – Cooperation between stakeholders	Low degree of identification of stakeholders and their participation/involvement in management and decision making relevant for the implementation of the Convention	0	1	Cooperation is limited and it needs to be improved in order to achieve a more efficient implementation of the Convention. The legislation is incomplete and uncoordinated. A unique body comprising experts from different relevant fields needs to be formed as soon as possible to monitor the implementation of this Convention. That body should assist Focal Point and different levels of government in carrying out assignments arising from this Convention.
	Stakeholders have been identified, but their participation in management and decision making is limited	1		
	Stakeholders have been identified and regular consultancy mechanisms regarding the implementation of the Convention are defined	2		
	Stakeholders have been identified and are actively contributing to decision making processes	3		
RK 2: Capacities for accessing and using knowledge and information				
Indicator 4 –Level of environmental awareness of stakeholders	Stakeholders are not aware of global environmental issues arising from the Convention and of possible solutions for such issues (multilateral environmental agreements)	0	2	The level of environmental awareness of this Convention is the lowest in society. It is difficult to detect changes in and on the land, especially spores, therefore no one is taking this issue seriously and making it a priority. Besides that, the agriculture and rural space development policy has been inadequate so far, which has resulted in putting a lot of pressure on the urban population, whilst rural space has remained void and unpopulated.
	Stakeholders are aware of global environmental issues arising from the Convention, but are neither aware nor have knowledge of possible solutions (multilateral environmental agreements)	1		
	Stakeholders are aware of global environmental issues arising from the Convention and of possible solutions for such issues, but have no knowledge of how to participate.	2		
	Stakeholders are aware of global environmental issues arising from the Convention and are actively participating in implementing certain solutions	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 5 – Access to and distribution of environmental information arising from the Convention to stakeholders	Information on environmental protection as promoted by the Convention has not been identified and the information management structure is inadequate.	0	1	The general public does not have information on this Convention, only narrow professional circles do. Should a strategic plan be developed with the full support of the body (NCB) proposed to monitor this Convention and to popularize these issues, then preliminary effects of strengthening awareness could be achieved. Strengthening awareness should be continuous, especially in the educational system.
	Information on environmental protection as promoted by the Convention has been identified, but the information management structure is inadequate.	1		
	Environmental protection information as per the indications of the Convention is partially available and has been distributed amongst stakeholders, but all focal areas are not covered and/or the information management infrastructure, i.e., public access to information is limited	2		
	Comprehensive information on the relevant Convention and environmental aspects are available and there is an adequate information management infrastructure	3		
Indicator 6 – Degree of inclusion/use of traditional knowledge in the decision making process concerning the field of environmental protection	“Traditional knowledge” is ignored and not considered in the relevant decision making processes	0	1	Traditional knowledge is occasionally implemented through separate projects or rural development projects (ethno villages, protection of traditional products etc.) mostly implemented by the international community. There is no systematic approach for upholding and protecting traditional knowledge and products related to land.
	“Traditional knowledge” is identified and importance is placed on such knowledge, but it is not used in the relevant decision making processes	1		
	“Traditional knowledge” is gathered, but is not systematically used in the relevant decision making processes	2		
	“Traditional knowledge” is gathered, used and distributed for efficient application in decision making processes	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 7 – Existence of environmental educational plans addressing the topics of the subject Convention	There are no curriculums and syllabuses addressing environmental education	0	1	
	Curriculums and syllabuses for environmental education have partly been developed and are partly applied	1		
	Curriculums and syllabuses for environmental education have been fully developed, but are not fully implemented	2		
	Comprehensive curriculums and syllabuses for environmental education have been developed and are fully implemented	3		
Indicator 8 –Extent of connection between environmental research/science and the development/implementation policy for the Convention	There is no connection between the development of an environmental protection policy and scientific/research strategies, plans and programmes	0	1	Scientific research projects are sporadically supported in the form of grants, however, funds are very low and the effects of invested money are limited. Research goals for certain fields and priorities have not been defined, whereby research into the field of land would be made a priority.
	The requirements for developing an environmental policy for implementing the Convention have been identified, but are not translated into the relevant research strategies, programmes and plans	1		
	The relevant research strategies, plans and programmes for developing environmental policies are in place, but do not fully correspond to policy development needs.	2		
	The relevant research results are available and are the basis for developing an environmental protection policy	3		

Capacity / Indicator	Descriptive grading			Grade	Result of grading	Comment
RK 3: Capacity for developing strategies, policies and regulations						
Indicator 9 –Contribution of environmental planning and of the strategy development process	Environmental planning and the strategy development process are not coordinated and adequate environmental plans and strategies are not produced		0	2		Planning in rural space must finally commence, otherwise unplanned development may lead to severe environmental consequences and disturbances in ecosystems on which urban life is dependant as well. This is especially pertinent to valuable and protected areas.
	Environmental planning and the strategy development process are producing adequate environmental plans and strategies, however, they are not being implemented		1			
	Adequate plans and strategies have been developed, but they are only partly implemented because of financing restrictions and/or other reasons		2			
	Environmental planning and the strategy development process are adequately coordinated by key environmental protection organisations/institutions and the necessary plans and strategies are produced and implemented		3			
Indicator 10 – Existence of an adequate environmental	The environmental protection policy and legal framework are insufficient and do not provide an adequate basic protection		0	0		The set of environmental protection laws at Entity level do not address land protection issues to a sufficient extent and do not provide an adequate basic protection.
	Some relevant protection policies and regulations regarding environmental protection are in place, but only a few are implemented		1			
	An adequate policy and regulations regarding environmental protection are in place, but there are certain problems in terms of implementation		2			

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 11 –Adequacy of available information regarding the environment as a basis for decision making	An adequate framework, policies and regulations regarding environmental protection are in place and are being implemented, hence an adequate atmosphere is ensured; a harmonisation and implementation mechanism has been established and is functioning	3	1	
	Environmental information is not available for adequate decision making	0		
	There is some information regarding environmental protection, but it is insufficient for adequate decision making	1		
	The relevant information regarding environmental protection is available to decision makers, but the process of updating such information is inadequate	2		
	Updated environmental information is available and used by decision makers for the purpose of making adequate environmental decisions	3		
RZ 4: capacities for managing and implementing the Convention				
Indicator 12 –Existence of resources and mobilisation thereof	Organisations/institutions for environmental protection do not have adequate resources for their programmes and projects and requests for resources have not been defined	0	2	
	Requests for resources have been identified, but have not been granted	1		
	Financing sources for resource requests have partly been defined and have partly been granted	2		
	Adequate resources have also been mobilised for the operation of the management of environmental protection organisation/institution	3		



Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 13 – Availability of necessary technical skills and technology transfer	The necessary skills and technology are not available and needs have not been identified	0	2	
	The necessary knowledge and technologies and their sources have been identified	1		
	The necessary knowledge and technologies are available, but access thereto depends on foreign sources	2		
	The necessary knowledge and technologies are available and there is a basis in the national mechanism for upgrading the necessary skills and technology	3		
RZ 5: Adequacy of the Convention implementation monitoring process				
Indicator 14 –Adequacy of the Convention implementation monitoring process	Improper monitoring is conducted without an adequate monitoring framework detailing how it is to be conducted	0	1	The monitoring methodology is uncoordinated.
	An adequate framework for conducting monitoring is in place, but monitoring is not implemented at all levels	1		
	Results of the implementation process are regularly monitored, but such information is partly used	2		
	Monitoring is timely and correctly conducted and the results are applied as a basis for creating knowledge and possibly as a basis for changing the course of action and activities in terms of the implementation of the Convention	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 15 – Adequacy of the evaluation of the implementation process	Evaluation is either not carried out or is inefficient, because it is carried out without adequate assessment, that is, it does not affect the implementation	0	1	
	There is an adequate evaluation plan, but implementation activities associated with evaluation are not carried out regularly	1		
	Evaluation is carried out in line with the evaluation plan, but evaluation results are only partly used for the implementation of the Convention, that is, they are used as input for planning other relevant implementation activities	2		
	Effective evaluations are carried out timely and correctly and are used as the basis for changing activities and as insight for further implementation of activities	3		

### 6.2.6 Identified Limitations and Needs for Developing Capacity regarding the Implementation of the Convention to Combat Desertification/Land Degradation

Necessary future steps:

- Nomination of a National Coordination Body (NCB) for the purposes of the UNCCD.
- Development of a National Action Programme (NAP) to combat land degradation – high priority.
- Reporting (reports five and six followed by other reports regarding the UNCCD as well as subsequent reports (biannual))
- Development of the Strategy for Combating Desertification
- Establishment of an institutional and organizational framework for supporting the implementation of the Convention.
- Harmonisation of legislation and integration into sectoral regulations and policy.
- Preparation of the State of Land Pollution in Bosnia and Herzegovina.
- Development of the Land Monitoring Plan and selection of indicators in line with the methodology of the EEA – EONET.

Table 16 SWOT Analysis of the Convention to Combat Desertification/Land Degradation

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• ratification of the Convention</li> <li>• inclusion of the results of existing and current projects into the development of the NAP</li> <li>• existence of quality statutory solutions</li> <li>• existence of relevant scientific and expert institutions</li> <li>• experiences in developing existing quality sectoral plans</li> </ul>	<ul style="list-style-type: none"> <li>• non-existence of the NAP</li> <li>• lack of funds and personnel, absence of stimulating instruments for fighting desertification/degradation</li> <li>• non-existence of a framework land law</li> <li>• lack of harmonisation between existing laws and subordinate legislation</li> <li>• non-existence of the National Coordination Body (NCB)</li> <li>• non-existence of an institutional and organizational framework for supporting the implementation of the Convention</li> <li>• low ecological rating in B&amp;H</li> <li>• lack of international cooperation and correlation</li> <li>• unavailability of information</li> <li>• low awareness level of the significance of the Convention</li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• raising the level of protection and preservation of the values of the potential or resource that is the subject of the Convention;</li> <li>• development of ecologically acceptable industries (tourism and agriculture) etc.</li> <li>• socio-political support of the implementation</li> <li>• attaining funds from international sources</li> <li>• higher level of international cooperation</li> <li>• establishment of an integral environment monitoring system</li> <li>• integration of measures for fighting desertification and of mitigation measures for consequences of drought into certain sectoral plans</li> </ul>	<ul style="list-style-type: none"> <li>• high costs</li> <li>• problem solving at a lower level than prescribed by the Convention</li> <li>• possible political consequences due to failure to implement the Convention</li> </ul>

## 6.3 Priority Thematic Assessments for the Convention on Persistent Organic Pollutants (Stockholm Convention - POPs)

### 6.3.1 Basic Requirements of the Convention on Persistent Organic Pollutants

The basic requirements of the Convention include a continuous reduction of persistent organic pollutants as far as possible and wherever possible as well as a final elimination of the emission of inadvertently produced POPs such as dioxins and furans.

The basic obligations of the Convention members are:

- to control the production, import, export, disposal and use of POPs;
- to promote the best existing technologies and practices for replacing existing POPs and to simultaneously stop the development of new POPs;
- to make maximum efforts to identify, mark and remove equipment containing PCB no later than 2025 (transformers, condensers etc.);
- to manage such waste in line with environmental protection legislation;
- to apply the Convention through the National implementation Plan (NIP).

### 6.3.2 Analysis of Shortfalls in the Application of the Convention on Persistent Organic Pollutants in BiH

Table 17 Analysis of Shortfalls in the Implementation of the Convention on Persistent Organic Pollutants in BiH

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/mission (steps to be taken)	How to maintain achievements? (sustainability)
Ratification of the Convention	Completion of the NIP, strategies and the Action Plan	Develop the NIP	Ensure sustainability
Approval of the project for the implementation of the Convention by GEF	Establishment of a structure for implementing the Convention in BiH	Ensure budget funds at all levels	Reduce implications to the social sector
Regional project for Western Balkan and Caucasus states Action Plan for BAT/BEF		Bilateral assistance	
Pesticides banned in BiH and included on the POPs list		Involve of IFIs	
		Develop the necessary legislation	
		Form new institutions	

### 6.3.3 Priority Assignments of Bosnia and Herzegovina regarding the Implementation of the Convention on Persistent Organic Pollutants

As a priority, it is necessary to adopt adequate laws and subordinate legislation, to ensure that implementing institutions are in place and to monitor work results and to define financing.

Other priorities will be defined in the NIP. Also, it is necessary to limit and ban the production, use and emission of highly toxic substances known to be persistent organic pollutants in order to protect public health and the environment.

### 6.3.4 Identification and Analysis of Stakeholders of the Convention on Persistent Organic Pollutants

Table 18 Stakeholders of the Convention on Persistent Organic Pollutants

Stakeholder	Interests	Significance (low/medium /high)	Influence (low/medium /high)	Participation in implementation (informing/consulting/ direct participation)
MoFTER	Fulfilment of obligations assumed under the Convention	high	high	Coordination, informing/ consulting/direct participation
BiH Plant Health Administration	Fulfilment of obligations concerning pesticides assumed under the Convention	high	high	Coordination, informing/ consulting/direct participation
Indirect Taxation Authority	Supervision over foreign trade turnover	high	high	Supervision and informing, consulting
Federation Ministry of Health	Fulfilment of obligations assumed under the Convention in FBiH	high	high	Direct implementation, coordination, informing/consulting/direct participation
The Brčko District Department of Health	Fulfilment of obligations assumed under the Convention in BD	high	high	Direct implementation, coordination, informing/consulting/direct participation
RS Ministry of Health and Social Protection	Fulfilment of obligations assumed under the Convention in RS	high	high	Direct implementation, coordination, informing/consulting/direct participation
Federation Ministry of Environment and Tourism	Fulfilment of obligations assumed under the Convention in FBiH	high	high	Direct implementation, coordination, informing/consulting/direct participation
RS Ministry of Spatial Planning, Construction and Ecology	Fulfilment of obligations assumed under the Convention in RS	high	high	Direct implementation, coordination, informing/consulting/direct participation
Federation Ministry of Agriculture, Water Management and Forestry	Fulfilment of obligations assumed under the Convention in FBiH	high	high	Direct implementation, coordination, informing/consulting/direct participation
RS Ministry of Agriculture, Forestry and Water Management	Fulfilment of obligations assumed under the Convention in RS	high	high	Direct implementation, coordination, informing/consulting/direct participation
Federation Ministry of Energy, Mining and Industry	Fulfilment of obligations assumed under the Convention in FBiH	high	high	Direct implementation, coordination, informing/consulting/direct participation

Stakeholder	Interests	Significance (low/medium /high)	Influence (low/medium /high)	Participation in implemen- tation (informing/consult- ing/ direct participation)
RS Ministry of Industry, En- ergy and Mining	Fulfilment of obligations as- sumed under the Conven- tion in RS	high	high	Direct implementa- tion, coordination, in- forming/consulting/dir ect participation
BiH Foreign Trade Chamber	Informing and liaison with members	medium	medium	Coordination, inform- ing/consulting
Entity and cantonal eco- nomic chambers in BiH	Informing and liaison with members	medium	medium	Coordination, inform- ing/consulting
Electrical companies in BiH	Phase-out the use of PCBs and implementation of BAT/BEP	high	high	Direct participation
Non-government organiza- tions (e.g. FONDEKO)	Informing, strengthening awareness of the signifi- cance of environmental pro- tection, public participation	high	low	Informing and public participation

### 6.3.5 Capacity Assessment in the Application of the Convention on Persistent Organic Pollutants

Table 19 Capacity Assessment in the Application of the Convention on Persistent Organic Pollutants

Capacity / Indicator	Descriptive grading			Grade	Result of grading	Comment
RK 1: Ability to engage in the implementation of environmental agreements (conventions)						
Indicator 1 - Level of involvement of leading environmental institutions / organisations	Responsibilities for implementing the Convention in B&H are not clearly defined		0	1		The Stockholm Convention on POPs has been ratified, but the legal framework for its implementation has not adopted (hence competent bodies for implementing the Conventions have not been nominated).
	Organizational responsibilities for implementing the Convention are identified		1			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are partly recognised by stakeholders		2			
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are recognised by stakeholders		3			
Indicator 2 –The existence of a joint management operating mechanism	There is no joint management mechanism		0	0-1		This field is partly defined in Republika Srpska under the Law on Chemicals and the List of Restrictions and Bans (Annex XVII to Directive 1907/2006/EEC).
	There is a joint management mechanism and it is operating		1			
	Some joint management mechanisms have been formally established by way of agreements, memorandums of understanding etc.		2			
	Elaborate joint management mechanisms have been formally established and are operating and functional		3			



Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 3 – Cooperation between stakeholders	Low degree of identification of stakeholders and their participation/involvement in management and decision making relevant for the implementation of the Convention	0	0-1	Stakeholders have been identified in one Entity – RS - and involvement in the implementation of the part of the Convention regulated by Annex XVII to Directive 1907/2006/EEC is good.
	Stakeholders have been identified, but their participation in management and decision making is limited	1		
	Stakeholders have been identified and regular consultancy mechanisms regarding the implementation of the Convention are defined	2		
	Stakeholders have been identified and are actively contributing to decision making processes	3		
RK 2: Capacities for accessing and using knowledge and information				
Indicator 4 –Level of environmental awareness of stakeholders	Stakeholders are not aware of global environmental issues arising from the Convention and of possible solutions for such issues (multilateral environmental agreements)	0	2-3	Considering that there is no legislative mechanism for the implementation of the Convention, stakeholders have highly developed awareness of the global environmental issue, however, they implement certain activities on the basis of other legislation such as the Law on Chemicals, Law on Biocides, the Rotterdam Convention and related rulebooks.
	Stakeholders are aware of global environmental issues arising from the Convention, but are neither aware nor have knowledge of possible solutions (multilateral environmental agreements)	1		
	Stakeholders are aware of global environmental issues arising from the Convention and of possible solutions for such issues, but have no knowledge of how to participate.	2		
	Stakeholders are aware of global environmental issues arising from the Convention and are actively participating in implementing certain solutions	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 5 – Access to and distribution of environmental information arising from the Convention to stakeholders	Information on environmental protection as promoted by the Convention has not been identified and the information management structure is inadequate.	0	1	Environmental protection information that are the subject matter of the Convention have been identified and recognized, but the information management structure is inadequate.
	Information on environmental protection as promoted by the Convention has been identified, but the information management structure is inadequate.	1		
	Environmental protection information as per the indications of the Convention is partially available and has been distributed amongst stakeholders, but all focal areas are not covered and/or the information management infrastructure, i.e., public access to information is limited	2		
	Comprehensive information on the relevant Convention and environmental aspects are available and there is an adequate information management infrastructure	3		
Indicator 6 – Degree of inclusion/use of traditional knowledge in the decision making process concerning the field of environmental protection	“Traditional knowledge” is ignored and not considered in the relevant decision making processes	0	1	Traditional knowledge is used to a significant extent by stakeholders, but it is not supported by the management of newly formed and privatised economic entities.
	“Traditional knowledge” is identified and importance is placed on such knowledge, but it is not used in the relevant decision making processes	1		
	“Traditional knowledge” is gathered, but is not systematically used in the relevant decision making processes	2		
	“Traditional knowledge” is gathered, used and distributed for efficient application in decision making processes	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 7 – Existence of environmental educational plans addressing the topics of the subject Convention	There are no curriculums and syllabuses addressing environmental education	0	1	Environmental education plans are predominately developed as a part of postgraduate studies and occasionally as a part of the activities of the non-government sector with a view to raise environmental awareness of the general public. Such an approach is insufficient, because employees at a certain level within the government sector do not have the opportunity to receive further education. Postgraduate curriculums seldom respond to the requirements of certain conventions.
	Curriculums and syllabuses for environmental education have partly been developed and are partly applied	1		
	Curriculums and syllabuses for environmental education have been fully developed, but are not fully implemented	2		
	Comprehensive curriculums and syllabuses for environmental education have been developed and are fully implemented	3		
Indicator 8 –Extent of connection between environmental research/science and the development/implementation policy for the Convention	There is no connection between the development of an environmental protection policy and scientific/research strategies, plans and programmes	0	1	The requirements for developing an environmental policy for implementing the Convention have been identified, but are not translated into the relevant strategies, programmes and plans.
	The requirements for developing an environmental policy for implementing the Convention have been identified, but are not translated into the relevant research strategies, programmes and plans	1		
	The relevant research strategies, plans and programmes for developing environmental policies are in place, but do not fully correspond to policy development needs.	2		
	The relevant research results are available and are the basis for developing an environmental protection policy	3		

Capacity / Indicator	Descriptive grading			Grade	Result of grading	Comment
<b>RK 3: Capacity for developing strategies, policies and regulations</b>						
Indicator 9 –Contribution of environmental planning and of the strategy development process	Environmental planning and the strategy development process are not coordinated and adequate environmental plans and strategies are not produced			0	1	The strategy and action plan for implementing the Stockholm Convention on POPs have not been developed as of yet. They are a part of project “Enabling Activities for the Implementation of the Stockholm Convention on POPs in BiH”, the implementation of which is expected.
	Environmental planning and the strategy development process are producing adequate environmental plans and strategies, however, they are not being implemented			1		
	Adequate plans and strategies have been developed, but they are only partly implemented because of financing restrictions and/or other reasons			2		
	Environmental planning and the strategy development process are adequately coordinated by key environmental protection organisations/institutions and the necessary plans and strategies are produced and implemented			3		
Indicator 10 – Existence of an adequate environmental	The environmental protection policy and legal framework are insufficient and do not provide an adequate basic protection			0	1	There is no legislation in place at the level of FBiH that would provide a legal framework for taking action to implement the Stockholm Convention. Also, it is necessary to adopt legislation at the level of BiH in order to harmonise procedures and facilitate the adoption of subordinate regulations related to the implementation of the Stockholm Convention. This field is partly regulated in Republika Srpska under the Law on Chemicals and the List of Restrictions and Bans (Annex XVII to Directive 1907/2006/EEC)
	Some relevant protection policies and regulations regarding environmental protection are in place, but only a few are implemented			1		
	An adequate policy and regulations regarding environmental protection are in place, but there are certain problems in terms of implementation			2		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 11 –Adequacy of available information regarding the environment as a basis for decision making	An adequate framework, policies and regulations regarding environmental protection are in place and are being implemented, hence an adequate atmosphere is ensured; a harmonisation and implementation mechanism has been established and is functioning	3	1	
	Environmental information is not available for adequate decision making	0		
	There is some information regarding environmental protection, but it is insufficient for adequate decision making	1		
	The relevant information regarding environmental protection is available to decision makers, but the process of updating such information is inadequate	2		
	Updated environmental information is available and used by decision makers for the purpose of making adequate environmental decisions	3		
RZ 4: capacities for managing and implementing the Convention				
Indicator 12 –Existence of resources and mobilisation thereof	Organisations/institutions for environmental protection do not have adequate resources for their programmes and projects and requests for resources have not been defined	0	0-1	
	Requests for resources have been identified, but have not been granted	1		
	Financing sources for resource requests have partly been defined and have partly been granted	2		
	Adequate resources have also been mobilised for the operation of the management of environmental protection organisation/institution	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 13 – Availability of necessary technical skills and technology transfer	The necessary skills and technology are not available and needs have not been identified	0	0-1	
	The necessary knowledge and technologies and their sources have been identified	1		
	The necessary knowledge and technologies are available, but access thereto depends on foreign sources	2		
	The necessary knowledge and technologies are available and there is a basis in the national mechanism for upgrading the necessary skills and technology	3		
RZ 5: Adequacy of the Convention implementation monitoring process				
Indicator 14 –Adequacy of the Convention implementation monitoring process	Improper monitoring is conducted without an adequate monitoring framework detailing how it is to be conducted	0	0-1	
	An adequate framework for conducting monitoring is in place, but monitoring is not implemented at all levels	1		
	Results of the implementation process are regularly monitored, but such information is partly used	2		
	Monitoring is timely and correctly conducted and the results are applied as a basis for creating knowledge and possibly as a basis for changing the course of action and activities in terms of the implementation of the Convention	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 15 – Adequacy of the evaluation of the implementation process	Evaluation is either not carried out or is inefficient, because it is carried out without adequate assessment, that is, it does not affect the implementation	0	0	
	There is an adequate evaluation plan, but implementation activities associated with evaluation are not carried out regularly	1		
	Evaluation is carried out in line with the evaluation plan, but evaluation results are only partly used for the implementation of the Convention, that is, they are used as input for planning other relevant implementation activities	2		
	Effective evaluations are carried out timely and correctly and are used as the basis for changing activities and as insight for further implementation of activities	3		



### 6.3.6 SWOT Analysis of the Implementation of the Convention on Persistent Organic Pollutants

Table 20 SWOT analysis of the Convention on Persistent Organic Pollutants in BiH

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• Ratification of the Convention</li> <li>• Strategy and Action Plan</li> <li>• Synergy of three conventions (the Basel, Stockholm and Rotterdam Conventions)</li> <li>• Existence of quality statutory solutions in this field</li> <li>• Experience from existing project and the new MAP</li> </ul>	<ul style="list-style-type: none"> <li>• Non-existence of a strategy and law on chemicals at state level</li> <li>• Non-existence on institutions at state level</li> <li>• Non-existence of implementing structures at state level</li> <li>• The structure for the implementation of conventions pertaining to chemicals has not been established</li> <li>• Lack of coordination and necessary capacities</li> <li>• Low level of knowledge about the Convention</li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• Social and political support for the implementation of the Convention</li> <li>• Establishment of an integral system for implementation and monitoring</li> <li>• Raising the level of awareness of the industry and the public</li> </ul>	<ul style="list-style-type: none"> <li>• Consequences of failure to fulfil the obligations under the Convention</li> <li>• Compliance status – COP 6</li> <li>• Non-allocation of funds for supporting the implementation of the Convention, trainings and other activities</li> </ul>

## 6.4 Priority Thematic Assignments for the Convention for the Protection of the Ozone Layer

### 6.4.1 Basic Requirements of the Convention

Parties to the Convention shall assume the following obligations:

- Co-operate by means of systematic observations, research and information exchange in order to better understand and assess the effects on human health and the environment from modification of the ozone layer;
- Adopt appropriate legislative or administrative measures and co-operate in harmonizing appropriate policies to control, limit, reduce or prevent human activities under their jurisdiction or control should it be found that these activities have or are likely to have adverse effects resulting from modification or likely modification of the ozone layer;
- Co-operate in the formulation of agreed measures, procedures and standards for the implementation of this Convention, with a view to the adoption of protocols and annexes;
- Co-operate with competent international bodies to implement effectively this Convention and protocols to which they are party.

### 6.4.2 Analysis of Shortfalls in the Application of the Convention for the Protection of the Ozone Layer in BiH

Table 21 Analysis of Shortfalls in the Implementation of the Convention for the Protection of the Ozone Layer BiH

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/mis- sion (steps to be taken)	How to maintain achieve- ments? (sustainability)
An institutional frame- work in place	Improvement of the insti- tutional framework	By strengthening coopera- tion and coordination be- tween all competent insti- tutions	By strengthening capaci- ties of institutions, contin- uous trainings and edu- cation

Where do we stand now? (current situation)	Where do we want to go?	How to achieve the vision/mis- sion (steps to be taken)	How to maintain achieve- ments? (sustainability)
A legal framework is in place	Improvement and har- monisation of current leg- islation	By forming a work group for amending existing laws and by the activity of such a work group	By full implementation of all current and planned legislation
Strategic documents are in place	Full implementation	By implementing the ac- tion plan	By regularly revising ex- isting strategies
A great part of the state programme action plan and the national ODS pha- se-out plan has been car- ried out	Finalisation of implemen- tation	By implementing project IS-II etc.	By continuing the imple- mentation of the HPMP
Customs officers have been trained	Continuous training	Through projects IS-II and the HPMP	Through projects IS-II and the HPMP
Campaigns for strength- ening public awareness are carried out every year	Continuation of activities	Through projects IS-II and the HPMP	Through projects IS-II and the HPMP
Regular annual reporting to the Ozone Secretariat and to the MLF	Regular activity	Through projects IS-II and the HPMP	Through projects IS-II and the HPMP
Regular participation in annual conferences of member states as well as in regional ECA ozone network conferences	Regular activity	Preparations and coordi- nation for participation	By active and regular par- ticipation of all partici- pants with the support of UNEP's Ozone Secre- tariat
The development of the HPMP strategic docu- ment for HCFC phase-out is ongoing	Finalization of the strat- egy, submission of the strategy for the approval of the MLF	By developing and imple- menting the HPMP action plan through investment projects, training pro- grammes and institutional strengthening projects	The target year for HCFC phase-out is 2030 and until then it is necessary to regularly fulfil obliga- tions assumed under the HPMP

#### 6.4.3 Priority Assignments of Bosnia and Herzegovina in the Application of the Convention for the Protection of the Ozone Layer

- Strengthening administrative capacities for the implementation of the Montreal Protocol at all levels of government.
- Improvement of cooperation with the customs sector of UNIDO.
- strengthening and continuous education of the network of experts about all relevant fields in which the current laws at state and Entity levels will be amended and supplemented for the purpose of phase-out;
- establishment of a schedule for HFCF phase-out;
- harmonisation of the Customs Policy Law, the Decision on Customs Tariffs and the Law on the Classification of Goods under the Licensing Regime;

- finalisation and submission of the HPMP at the 65th meeting of the Executive Committee for the Implementation of the Montreal Protocol;
- implementation of the HPMP through investment projects, institutional strengthening projects and programme trainings;
- further strengthening of international cooperation.

#### 6.4.4 Identification and Analysis of Stakeholders

Table 22 Analysis of Shortfalls in the implementation of the Conference for the Protection of the Ozone Layer

Stakeholder	Role	Significance (low/medium /high)	Influence (low/medium /high)	Participation in implementation (informing/consulting/direct participation)
Ministry of Foreign Trade and Economic Relations	Represents BiH at ozone conferences, coordinates the implementation of the provisions of the Vienna Convention and the Montreal Protocol, implements the state ODS phase-out programme, applies for projects with the Multilateral Fund for the Implementation of the Montreal Protocol, prepares annual reports to the Ozone Secretariat and MLF, issues licences, annual quotas and permits for ODS import quotas.	H	H	Direct participation and coordination
BiH Ozone Unit	Represents BiH at ozone conferences, coordinates the implementation of the provisions of the Vienna Convention and the Montreal Protocol, implements the state ODS phase-out programme, applies for projects with the Multilateral Fund for the Implementation of the Montreal Protocol, prepares annual reports to the Ozone Secretariat and MLF, issues licences, annual quotas and permits for ODS import quotas.	H	H	Direct Operational
RS Ministry of Spatial Planning, construction and Ecology	Implementation of rulebooks on ODS, participation in the work of the Ozone Unit, issuing of preliminary approvals and opinions for issuance of licences, annual quotas and permits for ODS import quotas.	H	H	Direct
Federation Ministry of Environment and Tourism	Implementation of rulebooks on ODS, participation in the work of the Ozone Unit, issuing of preliminary approvals and opinions for issuance of licences, annual quotas and permits for ODS import quotas.	H	H	Direct
Indirect Taxation Authority, Customs Sector	Control of ODS trade and participation in developing annual reports to the Ozone Secretariat and MLF	H	M	Consulting and supervision

Stakeholder	Role	Significance (low/medium /high)	Influence (low/medium /high)	Participation in implementation (informing/consulting/direct participation)
Economic and business entities, foam manufacturing sector and refrigeration and air conditioning service technicians	Adjustment of the technological process to the provisions of the Montreal Protocol and amendments thereto	H	M	Consulting and supervision
Centres for training of refrigeration and air conditioning service technicians, Banja Luka Faculty of Mechanical engineering, University of Banja Luka, Sarajevo Mechanical engineering Faculty, University of Sarajevo	Education	H	H	Consulting and informing
Collection and recycling centres	Collection of ODS prior to disposal at storage areas	H	L	Informing Consulting
Associations of citizens	Strengthening awareness	H	L	Informing
NGO KULT Iskra znanja	Strengthening awareness	H	M	Informing
Educational institutions, elementary schools, secondary schools, universities	Strengthening awareness, education	H	L	Informing
Ministry of Education	Strengthening awareness, education	M	L	Informing
Health institutions	Strengthening awareness, education	M	L	Informing
Economic chambers	Statistics, coordination	M	M	Informing Consulting
Foreign Trade Chamber	Statistics, coordination	M	M	Informing Consulting
Association RAC	Statistics, coordination, cooperation, monitoring of trends and new alternative technologies, participation in international assemblies	H	H	Informing Consulting

#### 6.4.5 Assessment of Capacities for the Application of the Convention for the Protection of the Ozone Layer

The BiH Ozone Unit, with its (administrative) head office at the BiH Ministry of Foreign Trade and Economic Relations, is competent for the overall monitoring and control of import, export and consumption of ODS, i.e., for the overall supervision of the monitoring of the implementation of the Montreal Protocol in Bosnia and Herzegovina.

***The role and assignments of users – consumers of ODS in the implementation of the BiH National Programme for the Manufacturing Sector.*** Next to all assignments and activities for implementing the Montreal Protocol and the National Programme, the focus of practical actions and activities in the process of ODS phase-out lies on the manufacturing sector, which in Bosnia and Herzegovina is comprised of refrigeration manufacturing, foam manufacturing, mechanical industrial manufacturing and agricultural production (primarily tobacco, vegetable and cut flowers transplant production). The basis for ODS phase-out is to switch to using other substances, in the manufacturing process, that either have no or have a minimal impact on ozone degradation, that is, on ozone depletion – a technological restructuring.

Regarding such a technological undertaking – technological restructuring of all manufacturing capacities (manufacturing companies), the Multilateral Fund for the Implementation of the Montreal Protocol provides financial aid by way of development and realisation of investment projects dedicated to all developing countries and transition economies, the so called Article 5 countries.

The above aid comprises professional assistance and financing of the realisation of programmes and projects for introducing new technologies, primarily concerning the industrial manufacturing and service sectors and agricultural production.

For the realisation of such programmes and projects, the Multilateral Fund approves grants to some countries that have met certain requirements in line with the rules of the Montreal Protocol. Such funds and technical assistance are intended for the use of the project beneficiary, primarily economic organisations, which are replacing ODS with other, so called, pro - ecological substances in the course of their technological restructuring of the manufacturing process, thus directly influencing the implementation of the Montreal Protocol in the beneficiary country and contributing to the global protection of the ozone layer.

With the approval of individual or group investment projects and grants for their realization, each and every project beneficiary (economic organisation – project leader) undertakes basic obligations pertaining to the realization of their projects and to a decrease in the use of and final phasing-out of targeted ODS in the manufacturing process.

The above primarily implies:

- an obligation to continue applying, after the realization of the project, the same / dedicated manufacturing process which was subject to a technological restructuring of manufacturing plants for the purpose of which funds and technical assistance and certain technological equipment and installations were provided;
- the realisation of an approved project within the prescribed time period;
- the destruction of all equipment that was used for old technologies and that has been replaced with equipment newly procured out of projects funds;
- an obligation to regularly (annually) report on the procurement and rate of ODS used during the realization of the project and subsequent reporting on the use of replacement substances during the continuation of the manufacturing process.

All projects approved by the Multilateral Fund in Bosnia and Herzegovina are coordinated by and managed by the BiH Ozone Unit with the participation of local experts / consultants who are engaged by the UNIDO with the approval of the BiH Ozone Unit. The monitoring of the realisation of all approved projects is conducted by UNIDO's International Environmental Agreements Sector and financial management, including procurement of investment equipment for every project, is conducted by UNIDO's Procurement Sector in Vienna.

After the project is successfully carried out and project objectives are achieved and after the final report on project realisation is developed by the UNIDO and the BiH Ozone Unit with the participation of the project beneficiary, the equipment and installation financed from the proceeds of the grant and delivered under the project become the property of the BiH economic organization (legal entity) that carried out the project, which is demonstrated by "record on handover of ownership of project equipment" signed, in BiH, by the UNDP – Permanent Representation to BiH as the representative of the UNIDO and as the authorized entity of the project beneficiary.

**Role and tasks of the refrigeration and air conditioning service sector.** Similar to the manufacturing sector, the refrigeration and air conditioning sector (represented by authorised/registered service shops as business entities) has certain tasks, rights and obligations regarding the realization of the National Programme and the practical implementation of the Montreal Protocol, especially from the aspect of "a controlled use of ODS" as refrigerants for maintaining and servicing refrigeration and air conditioning devices operating all around the country.

The rights to or advantages of obtaining certain benefits are reflected in that service shops, i.e., registered refrigeration and air conditioning service technicians, have the opportunity, through the planned activities programme for the implementation of the National Programme and the subsequent Final Programme for ODS Phase-out in BiH, to participate in professional training (seminars) about the latest achievements in and technologies of the refrigeration technique as well as to receive certain grant equipment for providing good quality service.

The obligations of service shops, that is, their employees – refrigeration and air conditioning mechanics and technicians come down to literally applying modern refrigeration and air conditioning service technologies, thereby bearing in mind and preventing to a maximum degree, through their operations, an uncontrolled emission of ODS – refrigerants / Freons into the air as well as adhering to the legally prescribed supply of necessary refrigerants and reporting on the annual consumption of such substances and their origin (newly produced and imported Freons or Freons that have been recycled in-country and put into the allowed local trade) to the competent institutions of BiH.

**The role and tasks of ODS importers in BiH and customs bodies.** ODS importers from Bosnia and Herzegovina (economic organisations that import and trade in/sell such chemicals at the local market) play an important role in applying local and international regulations for supplying – importing and distributing ODS at the local market, thus contributing to the implementation of the local so called "ozone legislation" in BiH, the National Programme and the Montreal Protocol.

The best contribution of trading representatives to the implementation of international obligations of BiH as per the Montreal Protocol is to properly apply local regulations for the importation of goods, especially ODS and replacement substances, and to adhere to internationally verified norms and rules that have been introduced into the legal system of BiH and its Entities.

In that regard, the participation of such trading companies (and other ODS users who import ODS for their own needs) in applying the established licensing system, import quotas and import licences for import quotas on ODS in BiH and in adhering to regulations and procedures for importing controlled chemicals as well as to procedures for maintaining records of import and distribution of these substances at the BiH market, in cooperating with the competent customs service and the BiH Ozone Unit and in applying the prescribed reporting systems is the best manner in which they can contribute to regular trade lines of these substance within the country and to stopping illegal ODS trade.

**Local professional personnel – consultants of the Ozone Unit.** Even though the BiH Ozone Unit was formally established as an organisational unit responsible for coordinating all activities in Bosnia and Herzegovina concerning the implementation of the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol, as the executive document for the implementation of this Convention, its operation includes a much wider scope of in-country activities and international cooperation of Bosnia and Herzegovina in implementing the above stated international agreements. The Ozone Unit, based at the BiH Ministry of Foreign Trade and Economic Relations, does not practically have any other permanent staff, except for the manager of the Ozone Unit, either in the state or Entity administrations – ministries.

The most important operation of the BiH Ozone Unit and almost all activities implemented up to date (from 2001 to 2009) have been realised through engaging almost exclusively local expert consultants and specialised local consulting companies to a lesser degree. All local staff, who have made an immense contribution to the development and successful operation of the BiH Ozone Unit are, in fact, still a part of an active network of staff members of the Ozone Unit – and that is actually the BiH Ozone Unit.

In the period between 2001 and 2009, over 20 local consultants of all professions: electrical engineers, mechanical engineers, civil engineer, architects, chemical engineers, technology and agricultural engineers, economists, lawyers and journalists took part in various activities and professional management of certain operational activities of the Ozone Unit, including various research, development of strategic documents (national programmes and action plans), development of proposals and project documents for over 25 various investment project, capacity development and institutional strengthening projects, awareness raising and staff education at seminars and workshops. Several millions of US \$ in the form of quality grants, approved and realised via the so called “ozone projects” and financed by the Multilateral Fund, the UNIDO and the UNEP, have reached this country through such projects to which local expert consultants of the Ozone Unit have and are making great contributions.

***The Multilateral Fund for the Implementation of the Montreal Protocol (MLF).*** The Multilateral Fond for the Implementation of the Montreal Protocol is an international financial fund established in 1991, the fundamental task of which is to provide technical and financial support to developing countries, parties to the Montreal Protocol, the so called Article 5 countries (countries with a low annual consumption of ODS - less than 0.3 kg per capita), in preparing and carrying out their national programmes and project for the implementation of operational and control measures. Developed industrial countries provide donor funds to the Multilateral Fund for a period of three years of work and operation in principle.

So far, BiH has exclusively received funds from the MLF, but it should explore other options in the future.



Table 23 Capacity Assessment in the Implementation of the Convention for the Protection of the Ozone Layer

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
<b>RK 1: Ability to engage in the implementation of environmental agreements (conventions)</b>  Indicator 1 - Level of involvement of leading environmental institutions / organisations	Responsibilities for implementing the Convention in BiH are not clearly defined	0	2	<p>In line with the Constitution of BiH and the constitutions of the Entities, the environmental problems of Bosnia and Herzegovina are dealt with at Entity level. At the state level, BiH MoFTER has competence in creating and implementing the environmental policy and in co-ordination and harmonisation. Simultaneously, BiH assumes international obligations and shall organise an adequate structure for the implementation of such obligations and the Entity and the Brčko District shall adhere to the established structure and division of duties between the state and the Entities and the Brčko District. In that regard, it is necessary to adopt an adequate law at the level of BiH and to establish adequate professional associations such as an association of experts in the field of refrigeration techniques.</p> <p>The decision of the Council of Ministers, Entity laws and regulations are in place, whereby the implementation of the VC and the MP (Vienna Convention and the Montreal Protocol) is enabled. The environmental law at the level of BiH should incorporate solutions that are missing now and introduce obligations and mechanisms for fulfilling provisions of ratified international environmental conventions. It is important to note that the VC and the MC include trade provisions and that the competence for foreign trade lies with the state in line with the constitution of BiH and ODS are regulated under the licensing regime and a system of issuing licences, annual quotas and import and export licences has been established under the current legislation.</p>
	Organizational responsibilities for implementing the Convention are identified	1		
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are partly recognised by stakeholders	2		
	The authority and legitimacy of all leading institutions responsible for managing matters arising from the Convention are recognised by stakeholders	3		



Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 1 - Level of involvement of leading environmental institutions / organisations			2	Therefore, the VC and the MP are multidisciplinary and complex and next to the primary environmental aspect, they include a trade aspect as well as many other aspects such as the economic, health, agricultural aspects etc., hence it is necessary to involve Entity environmental and state institutions (MoFTER Sector for Environmental Protection, MoFTER Sector for Customs Policy, MoFTER Sector for Customs Tariffs, Indirect Taxation Authority - Customs Sector) and the FP and the manager of the Ozone Unit are responsible for the overall coordination in line with the conclusion of the BiH Council of Ministers on the establishment of the BiH National Ozone Unit (BiH NOU). The provisions of the MP are implemented through joint activities of the BiH MoFTER and the competent Entity institutions, RS Ministry of Spatial Planning, Construction and Ecology and the Federation Ministry of Environment and Tourism, within the structures of the NOU.
Indicator 2 –The existence of a joint management operating mechanism	There is no joint management mechanism	0	2	The conclusion of the BiH Council of Ministers on the establishment of the BiH NOU in 2001, whereby the institutional framework for the implementation of the VC and the MP was established. It is necessary to enhance the existing vertical and horizontal cooperation.
	There is a joint management mechanism and it is operating	1		
	Some joint management mechanisms have been formally established by way of agreements, memorandums of understanding etc.	2		
	Elaborate joint management mechanisms have been formally established and are operating and functional	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 3 –Cooperation between stakeholders	Low degree of identification of stakeholders and their participation/involvement in management and decision making relevant for the implementation of the Convention	0	2	
	Stakeholders have been identified, but their participation in management and decision making is limited	1		
	Stakeholders have been identified and regular consultancy mechanisms regarding the implementation of the Convention are defined	2		
	Stakeholders have been identified and are actively contributing to decision making processes	3		
RK 2: Capacities for accessing and using knowledge and information				
Indicator 4 –Level of environmental awareness of stakeholders	Stakeholders are not aware of global environmental issues arising from the Convention and of possible solutions for such issues (multilateral environmental agreements)	0	3	It is always possible to make improvements as well as to widen the circle of participants. Awareness is raised through education and in that regard numerous trainings have been held for groups of stakeholders starting from the government sector, decision makers to customs officers who play an important role in this process and who have been trained in recognising ODS; further, preparations for training refrigeration and air conditioning service technicians are being finalised, a series of lectures on the obligations and activities of the BiH NOU have been held in elementary and secondary schools and at the postgraduate course at the Sarajevo Faculty of Mechanical Engineering. Online education and a quiz for elementary and secondary school children are ongoing.
	Stakeholders are aware of global environmental issues arising from the Convention, but are neither aware nor have knowledge of possible solutions (multilateral environmental agreements)	1		
	Stakeholders are aware of global environmental issues arising from the Convention and of possible solutions for such issues, but have no knowledge of how to participate.	2		
	Stakeholders are aware of global environmental issues arising from the Convention and are actively participating in implementing certain solutions	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 5 – Access to and distribution of environmental information arising from the Convention to stakeholders	Information on environmental protection as promoted by the Convention has not been identified and the information management structure is inadequate.	0	2	Some information is available at the web sites of the MoFTER, the RS Ministry of Spatial Planning, Construction and Ecology and the Federation Ministry of Environment and Tourism, however, it is necessary to make improvements and to develop a subpage for BiH NOU on the MoFTER web site. On the other hand, the NOU can be reached via telephone and e-mail communication for giving detailed instructions to importers regarding procedures for submitting requests for issuing licences, annual quotas and licences for import and export of ODS. Also, the NOU is fully available to other stakeholders for giving all information it has at its disposal and it works very hard on disseminating information, on education and on trainings. A lot has been done, but improvements are necessary.
	Information on environmental protection as promoted by the Convention has been identified, but the information management structure is inadequate.	1		
	Environmental protection information as per the indications of the Convention is partially available and has been distributed amongst stakeholders, but all focal areas are not covered and/or the information management infrastructure, i.e., public access to information is limited	2		
	Comprehensive information on the relevant Convention and environmental aspects are available and there is an adequate information management infrastructure	3		
Indicator 6 –Degree of inclusion/use of traditional knowledge in the decision making process concerning the field of environmental protection	“Traditional knowledge” is ignored and not considered in the relevant decision making processes	0	2	Traditional knowledge exists in the fields of tobacco cultivation, mill industry, food industry, refrigeration and air conditioning technique, service sector, foam sector and such knowledge is also used in other sectors to a great extent for the purpose of decision making.
	“Traditional knowledge” is identified and importance is placed on such knowledge, but it is not used in the relevant decision making processes	1		
	“Traditional knowledge” is gathered, but is not systematically used in the relevant decision making processes	2		
	“Traditional knowledge” is gathered, used and distributed for efficient application in decision making processes	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 7 – Existence of environmental educational plans addressing the topics of the subject Convention	There are no curriculums and syllabuses addressing environmental education	0	1	These problems have been addressed in the National ODS Phase-out Programme, the education programme for refrigeration and air conditioning service technicians and for customs officers has been developed. These problems have also been addressed in the HPMP document – HCFC Phase-out Management Plan that is being finalised.
	Curriculums and syllabuses for environmental education have partly been developed and are partly applied	1		
	Curriculums and syllabuses for environmental education have been fully developed, but are not fully implemented	2		
	Comprehensive curriculums and syllabuses for environmental education have been developed and are fully implemented	3		
Indicator 8 –Extent of connection between environmental research/science and the development/implementation policy for the Convention	There is no connection between the development of an environmental protection policy and scientific/research strategies, plans and programmes	0	2	After obtaining the prior support of Entity governments, the BiH Council of Ministers adopted the BiH National Programme and Action Plan for ODS Phaseout.
	The requirements for developing an environmental policy for implementing the Convention have been identified, but are not translated into the relevant research strategies, programmes and plans	1		
	The relevant research strategies, plans and programmes for developing environmental policies are in place, but do not fully correspond to policy development needs.	2		
	The relevant research results are available and are the basis for developing an environmental protection policy	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
<b>RK 3: Capacity for developing strategies, policies and regulations</b>				
Indicator 9 –Contribution of environmental planning and of the strategy development process	Environmental planning and the strategy development process are not coordinated and adequate environmental plans and strategies are not produced	0	2	<p>The National Programme and Action Plan for ODS Phaseout has been developed and adopted by the BiH council of Ministers and is being implemented.</p> <p>There is a financing source, the Multilateral Fund for the Implementation of the Montreal Protocol, but the reasons for the slow implementation are unpreparedness for cooperation, slow reaction, insufficient administrative capacities and low awareness of the binding character of ratified international agreements in terms of the need to amend all current laws, if necessary, in order to fulfil obligations under the ratified convention; generally, non-existence of an adequate system for the implementation of ratified international environmental agreements.</p> <p>Since the VC and the MP include trade provisions, they are extremely complex to implement and a timely and active participation is necessary on the part of competent state institutions (Indirect Taxation Authority – Customs Sector, MoFTER Sector for Customs Policy, MoFTER Sector for Customs Tariffs, Ministry of Foreign Affairs, Ministry of Civil Affairs – Department of Health, Ministry of Communications and Transport, Ministry of Justice, Ministry of Finance and Treasury, MoFTER Sector for Agriculture, MoFTER – Plant Health Administration) and Entity institutions, which is not always the case, because there is a lack of response and understanding of the importance of timely fulfilment of obligations, since the Montreal Protocol as well as other protocols evolve very fast and timeliness is crucial, otherwise activities become pointless if they are significantly delayed and the country receives the undesired</p>
	Environmental planning and the strategy development process are producing adequate environmental plans and strategies, however, they are not being implemented	1		
	Adequate plans and strategies have been developed, but they are only partly implemented because of financing restrictions and/or other reasons	2		
	Environmental planning and the strategy development process are adequately coordinated by key environmental protection organisations/institutions and the necessary plans and strategies are produced and implemented	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 9 –Contribution of environmental planning and of the strategy development process			2	status of non-compliance, since the implementation Committee of the Montreal Protocol monitors the fulfilment of obligations on an annual basis and invites the representatives of BiH for discussion to give explanations and clarifications as to why delays occur and to submit an action plan for overcoming delays.
Indicator 10 – Existence of an adequate environmental	The environmental protection policy and legal framework are insufficient and do not provide an adequate basic protection	0	2	There are implementation problems at all levels because of a complex administration system and insufficient administrative capacities.
	Some relevant protection policies and regulations regarding environmental protection are in place, but only a few are implemented	1		
	An adequate policy and regulations regarding environmental protection are in place, but there are certain problems in terms of implementation	2		
	An adequate framework, policies and regulations regarding environmental protection are in place and are being implemented, hence an adequate atmosphere is ensured; a harmonisation and implementation mechanism has been established and is functioning	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 11 –Adequacy of available information regarding the environment as a basis for decision making	Environmental information is not available for adequate decision making	0	2	
	There is some information regarding environmental protection, but it is insufficient for adequate decision making	1		
	The relevant information regarding environmental protection is available to decision makers, but the process of updating such information is inadequate	2		
	Updated environmental information is available and used by decision makers for the purpose of making adequate environmental decisions	3		
RZ 4: Capacities for managing and implementing the Convention				
Indicator 12 –Existence of resources and mobilisation thereof	Organisations/institutions for environmental protection do not have adequate resources for their programmes and projects and requests for resources have not been defined	0	2	Insufficient resources, necessary improvements regarding this matter.
	Requests for resources have been identified, but have not been granted	1		
	Financing sources for resource requests have partly been defined and have partly been granted	2		
	Adequate resources have also been mobilised for the operation of the management of environmental protection organisation/institution	3		

Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 13 – Availability of necessary technical skills and technology transfer	The necessary skills and technology are not available and needs have not been identified	0	2	
	The necessary knowledge and technologies and their sources have been identified	1		
	The necessary knowledge and technologies are available, but access thereto depends on foreign sources	2		
	The necessary knowledge and technologies are available and there is a basis in the national mechanism for upgrading the necessary skills and technology	3		
RZ 5: Adequacy of the Convention implementation monitoring process				
Indicator 14 –Adequacy of the Convention implementation monitoring process	Improper monitoring is conducted without an adequate monitoring framework detailing how it is to be conducted	0	3	The BiH NOU regularly submits annual reports:  1. to the Multilateral Fund for the Implementation of the Montreal Protocol, in the prescribed format, on the implementation of the National Programme and Action Plan for ODS Phase-out  2. an annual report, the so called Article 7 Report on ODS Consumption, is regularly submitted in the prescribed format to the Ozone Secretariate  3. to the BiH Council of Ministers on the execution of activities from the Council of Ministers' work plan that includes the activities of the NOU as a part of the work of MoFTER  4. to UNIDO implementing agency on the accomplished activities of NOU
	An adequate framework for conducting monitoring is in place, but monitoring is not implemented at all levels	1		
	Results of the implementation process are regularly monitored, but such information is partly used	2		
	Monitoring is timely and correctly conducted and the results are applied as a basis for creating knowledge and possibly as a basis for changing the course of action and activities in terms of the implementation of the Convention	3		



Capacity / Indicator	Descriptive grading	Grade	Result of grading	Comment
Indicator 14 –Adequacy of the Convention implementation monitoring process			3	There is a problem regarding the availability and accuracy of information and improvements are needed in that sense, especially in cooperation with the Indirect Taxation Authority and the MoFTER Sector for Customs Tariffs and Sector for Customs Policy in order to precisely identify imported quantities and to improve customs reports that are the basis for all other reports.
Indicator 15 – Adequacy of the evaluation of the implementation process	Evaluation is either not carried out or is inefficient, because it is carried out without adequate assessment, that is, it does not affect the implementation	0	3	
	There is an adequate evaluation plan, but implementation activities associated with evaluation are not carried out regularly	1		
	Evaluation is carried out in line with the evaluation plan, but evaluation results are only partly used for the implementation of the Convention, that is, they are used as input for planning other relevant implementation activities	2		
	Effective evaluations are carried out timely and correctly and are used as the basis for changing activities and as insight for further implementation of activities	3		

#### 6.4.6 SWOT Analysis of the Convention for the Protection of the Ozone Layer

Table 24 SWOT Analysis on the Convention for the Protection of the Ozone Layer

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• Ratification of amendments to the Montreal Protocol: London, Copenhagen and Montreal amendments;</li> <li>• establishment of the BiH Ozone Unit;</li> <li>• adoption of the National ODS Phaseout Strategy;</li> <li>• adoption and implementation of the National ODS Phaseout Plan;</li> <li>• establishment of a national (administrative) infrastructure for carrying out programmes (limitations to ODS consumptions, determination of import quotas, control of import and export);</li> <li>• establishment of a legal framework concerning the conditions and manner of implementing the Montreal Protocol and ODS phase-out in BiH through the Decision of the Council of Ministers and Entity rule-books;</li> <li>• development of an information gathering operating, monitoring and ODS consumption system in BiH;</li> <li>• reporting to international bodies – the Secretariat of the Vienna Convention and the Multilateral Fund for the Implementation of the Montreal Protocol;</li> <li>• implementation of the ODS replacement project;</li> <li>• membership in the regional ozone network.</li> </ul>	<ul style="list-style-type: none"> <li>• complex institutional framework for environmental protection in BiH;</li> <li>• non-existence of a legal framework in the field of environmental protection at the level of BiH;</li> <li>• partial harmonisation with the EU legislation;</li> <li>• delay in the approving procedure for the II stage of the Institutional Strengthening Project of the BiH Ozone Unit;</li> <li>• “non-compliance country” status up to 2008.</li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• ratified the Beijing amendment;</li> <li>• establishment of a Freon collection centre;</li> <li>• establishment of an educational centre for refrigeration and air conditioning service technicians;</li> <li>• licensing system for service technicians working with refrigeration techniques;</li> <li>• training of the customs service in the import/export system for ODS and in equipment containing ODS;</li> <li>• further institutional strengthening of the BiH Ozone Unit;</li> <li>• strengthening capacities in professional circles in the field of refrigeration techniques.</li> </ul>	<ul style="list-style-type: none"> <li>• low economic development;</li> <li>• possibility of illegal trade in ozone depleting substances;</li> <li>• low living standard of the population;</li> <li>• complicated and long-lasting decision making procedures caused by the environmental protection institutional system in BiH.</li> </ul>

#### 6.4.7 Identified Capacity Limitations and Needs for Capacity Development

The most significant obstacles to the implementation of the Convention:

- insufficient political support and will,
- lack of capacities for the implementation of the Convention,
- lack of financial, staff and technical potentials,
- lack of horizontal cooperation between participants,
- limited possibility to act caused by institutional weaknesses,
- limited participation of the public and participants,
- lack of successful cooperation,
- deficiencies in the transmission of technologies and knowledge,
- lack of economic incentive measures.

## 7 Possibility of Synergetic Connection between Capacities (Cross – Cutting Analysis)

### 7.1 Specification of Priorities per Convention

#### 7.1.1 Convention on Biological Diversity

- BiH National Biodiversity Strategy and Action Plan – amendments and supplements in line with the conclusions of the conference of the UNCBD Member States held in Nagoya, Japan
- Adoption of a legal act (law or some other legal act) for the implementation of the Convention at state level in agreement with the Entities and the Brčko District BiH (institutional responsibility, determination of the NFP)
- Establishment and strengthening of Entity and state institutions competent for the protection of nature and biodiversity
- Capacity strengthening (employing new experts) at Entity and state levels
- Development of the 5<sup>th</sup> Report for the UNCBD Convention and the 2<sup>nd</sup> Report for the Cartagena Protocol
- Plan for using proceeds of the Environmental Protection Fund of FBiH for implementing activities included in the Action Plan of the National Biodiversity Strategy and the Entity strategies for the protection of nature
- Implementation of activities included in the Action Plan of the BiH National Biodiversity Strategy and Action Plan
- Ensuring the support of the GEF for the development of national reports and implementation of activities included in the National and Entity Reports within the Cartagena Protocol through the mechanisms of the BHC
- Establishment of indicators for monitoring the state of biodiversity and of the implementation of processes according to one's own objectives until 2020.

#### 7.1.2 Convention to Combat Land Desertification/Degradation

- to develop a National Action Plan to combat land degradation – high priority;
- to establish an institutional and organizational framework for supporting the implementation of the Convention – nomination of a National Coordination Body (NCB);
- to work on raising awareness of problems related to desertification, land degradation and drought;
- to incorporate principles of the NAP into the legislation, strategies and programmes;
- to develop a Sustainable Land Management (SLM) strategy for BiH;
- to harmonise legislation in order to support the implementation of the principles of the NAP;
- to strengthen capacities for the implementation of natural resources management at the Entity, cantonal and local levels;
- to strengthen existing capacities for higher education and research;
- to strengthen the synergy between the three Rio Conventions: the UNCBD, the UNFCCC and the UNCCD;
- to establish local funds and to ensure local proceeds for the implementation of the UNCCD at the level of BiH, the Entities, cantons and local communities;
- to mobilise foreign donor funds to achieve a more expedite and efficient implementation of the UNCCD in BiH (e.g. GEF – LADA, WB);
- to propose that financing resources are ensured;
- to develop long-term integral strategies for afflicted areas;

- to improve land productivity;
- to introduce a system of remediation, recultivation in order to rehabilitate damaged land;
- to develop a husbandry programme in order to preserve and to sustainably manage land resources;
- to develop a program to combat land erosion;
- to adopt a land melioration programme for afflicted areas;
- to form and/or nominate a National (state) Reference Centre (NRC) and a Land Monitoring Centre (LMRC)
- to establish and implement permanent monitoring of soils/land
- to establish and maintain an information system of soil/land.

### **7.1.3 Convention on Persistent Organic Pollutants**

- to control the production, import, export, disposal and use of POPs;
- to promote the best existing technologies and practices for replacing existing POPs and to simultaneously stop the development of new POPs;
- to make maximum efforts to identify, mark and remove equipment containing PCB no later than 2025 (transformers, condensers etc.);
- to manage such waste in line with environmental protection legislation;
- to apply the Convention through the National implementation Plan (NIP);
- to implement the Convention through the National implementation Plan (NIP);
- to ban and/or limit the production, import, export, disposal and use of POPs as well as to undertake to reduce, that is, to eliminate emissions into the environment and to supervise the obligations regarding the implementation of the Convention;

### **7.1.4 Convention for the Protection of the Ozone Layer**

- strengthening and continuous education of the network of experts about all relevant fields in which the current laws at state and Entity levels will be amended and supplemented for the purpose of phase-out;
- establishment of a schedule for HCFC phase-out;
- harmonisation of the Customs Policy Law, the Decision on Customs Tariffs and the Law on the Classification of Goods under the Licensing Regime;
- finalisation and submission of the HPMP at the 65<sup>th</sup> meeting of the Executive Committee for the Implementation of the Montreal Protocol;
- implementation of the HPMP through investment projects, institutional strengthening projects and programme trainings;
- further strengthening of international cooperation.

## **7.2 Identified Synergies**

By combining the following priorities, it is possible to achieve correlation in the implementation of the UN conventions comprised in the NCSA Project and to produce synergetic effects:

1. organisational unity for the legal and institutional framework of the NCSABiH;
2. methodological unity in organising and developing systems for supporting the implementation of conventions;
3. unity in information flow (data reporting) and in raising awareness, especially in strengthening the awareness of decision makers and competent institutions about the importance and complexity of fulfilling obligations under ratified conventions;
4. defining the obligations and responsibilities of all participants as well as joint training of all participants in the implementation of conventions (national support and international cooperation);
5. strengthening public awareness of the importance of fulfilling obligations under conventions;
6. amalgamation of financing,
7. strengthening synergy.

### ***7.2.1 Organisational unity for the legal and institutional framework of the NCSABiH – methodological unity in organising and developing systems for supporting the implementation of conventions***

It is necessary to precisely define the organisational structure of all conventions and to take a uniform approach. It has been stressed that the National Coordination Body needs to be established/to continue with its work. When conceiving and subsequently forming structures, the guiding principle should be unification, that is, an organisational model for implementation should be developed, which should be the basis for an implementation structure that would be common to all conventions. The role of the Secretariate of the GEF should be strengthened.

### ***7.2.2 Unity in information flow (data reporting) and in raising awareness***

There is a proposal for establishing an information system within the framework of which data on specific thematic areas would be collected and gathered in a uniform methodological manner. As for the Convention for the Protection of the Ozone Layer, a record needs to be established, followed by registries/inventories of importers of ODS and equipment containing ODS, certified of service technicians etc. Similar databases need to be prepared for other conventions.

### ***7.2.3 Joint training of all participants in the implementation of conventions (national support and international cooperation)***

The manner of inclusion of all stakeholders, direct stakeholders (public bodies – e.g. ministries, administrative bodies etc.) and indirect stakeholders (universities, institutes etc.), needs to be defined as a part of future steps for strengthening capacities, both in terms of national support and international cooperation, also, professional and legal competencies need to be separated.

It is necessary to prescribe the *modus operandi*, responsibilities and organisational structure of the NFPs.

### ***7.2.4 Strengthening public awareness of the importance of fulfilling obligations under conventions***

This activity includes educating all stakeholders about the necessity to implement conventions, regardless of which convention is involved. Public campaigns and educational seminars are activities common to all conventions.

### ***7.2.5 Amalgamation of financing***

Even though this measure is largely not relevant for some conventions, since e.g. the implementation of the Convention for the Protection of the Ozone Layer is solely financed from donor funds of the MLF, it is necessary to plan and ensure continuous budget funds, because the status of BiH will be changing in the context of the EU integrations, which will lead to reduced donor funds. Besides, it is necessary to plan, to the extent possible, equal funds and equivalent financing for the implementation of all conventions.

### ***7.2.6 Strengthening synergy***

It is necessary to continuously work on strengthening synergy of the Convention for the Protection of the Ozone Layer primarily with the UNFCCC and then with POPs, the Basel and Rotterdam conventions, the three Rio Conventions etc.



## 8 Sustainability Plan

The Initial Report clearly initiates the need for a visible strategy for project sustainability and recognises all activities carried out within the project as well as project results. The purpose of preparing this document is to identify project activities that demand a sustainable approach and continuation.

The connection with the National Focal Points (NFP) proved to be the most important one for the general sustainability of the Project. The participation of and discussions with experts proved to be key to Project implementation as well as contributions and dedication to certain Project activities and results. Next to this, final Project results should be submitted to key stakeholders in due time.

### 8.1 Sustainability Analysis

A sustainability analysis is conducted for the purpose of developing a sustainability plan, whereby sustainability indicators of the project are determined with a view to:

- improve the level of implementation of obligations under conventions,
- implement changes initiated by the Project,
- develop new initiatives/activities induced by/arising out of the Project.

The Project sustainability analysis needs to be conducted when preparing a project, however, since the NCSA Project has undergone changes and since the implementation has been put on hold for several years, the analysis was not conducted. In order to define the sustainability plan, the analysis is conducted as a part of this document to ensure that the activities defined in the Project are implemented.

For the purpose of the sustainability analysis, it is necessary to determine sustainability indicators and to list extenuating circumstances and factors that limit sustainability. By adequately choosing indicators, the overcoming of potential problems is ensured due to the fact that the Project is in its final stage.

Project sustainability depends on many aspects, especially:

- legal sustainability,
- technical sustainability,
- institutional sustainability and
- financial sustainability.

The following indicators were used for the purposes of the analysis:

Indicator	Yes	No	Undetermined
Relevance			
Is the Project compliant with national obligations?	✓		
Has the competent body for Project implementation accepted all Project obligations?	✓		
Project acceptability			
Have all stakeholders been consulted during the course of the Project?	✓		
Have all beneficiaries been clearly identified in the Project?	✓		
Have leaders of project activities been specified?	✓		
Economic acceptability of the Project			
Are funds for the implementation of all activities in place?			✓
Are project benefits comparable with costs?	✓		
Legal acceptability of the Project			
Are activities envisaged in the project feasible within the existing legal framework?			✓

Indicator	Yes	No	Undetermined
Institutional acceptability of the Project	✓		
Are the institutions competent for implementing activities clearly specified in the Project?	✓		
Implementation and monitoring strategy	✓		
Is the implementation period (as per the Action Plan) realistic?	✓		
Has a monitoring plan been developed within the Project?	✓		
Have the manners of monitoring and competence been proposed in the project?		✓	
Implementation of activities after project completion?	✓		
Has the responsibility for executing and monitoring activities after project completion been clearly defined?	✓		

## 8.2 Sustainability Plan

The Sustainability Plan, as defined in the strategy, is a continuation of Project activities and it points to different sustainability elements involved in the initial stage of the Project as well as to those that were identified during the course of the Project. The Plan identifies supplements or obstacles for the purpose of Project sustainability and it defines the conditions for accepting/solving such supplements or obstacles either during the Project or during the execution of activities specified in the Action Plan.

Need for sustainability per activity:

Project results	Need for sustainability	Activities for ensuring sustainability
State of conventions in BiH	Yes	Review of the state; preparation of a report on the state after the implementation of certain activities
GAP analysis		
Cross-Cutting Analysis		
Capacity assessment	Yes	Establishment of capacities; ensuring responsibilities, execution of activities
Action Plan	Yes	

Sustainability Action Plan:

Activity	Project Responsibility	Deadline
<b>Adoption of the Report and Action Plan</b>		<b>March 2012.</b>
Drafting a rulebook on NFPs	MoFTER	30.12.2012.
Adoption of the Rulebook on NFPs		30.03.2013.
Establishment of an organisational structure (OS) for all conventions, as follows:		
Adoption of a decision on the OS by the BiH Council of Ministers	Council of Ministers,	30.04.2013
Establishment of the OS – preparation of the project for the establishment	MVTEO and NFP	30.05.2013
Implementation of the project for establishing the OS		30.12.2013
Ratification of all documents related to the Convention		Continuous
Making a decision of naming the NFPs		30.03.2013
Holding regular meetings with the NFPs	MoFTER+GEF+NFP	Continuous semi-annual



Activity	Project Responsibility	Deadline
Development of a plan for establishing capacities per stage		30.02.2013.
Establishment of capacities I stage		30.06.2013.
Establishment of capacities II stage		30.06.2014.

### 8.3 Project Monitoring

Since every convention has a defined manner in which monitoring is carried out and for the purpose of simplification, a unique system has not been specified in this Plan. Should the need for unification arise during the working process, it is then necessary to carry it out in the next stage of the NCSA Project.

It is proposed in the Project that only joint monitoring of all activities per convention is carried out and sent annually to the GEF Operational Focal Point by the NFPs. The proposal is that this type of monitoring is carried out semi-annually and the table for recording the Implementation Plan is set out below.

#### Implementation Plan for the NCSA

Activity	Responsibility	Planned deadline and objective	Achieved implementation level (%)	Indicator (name)	Value of indicator	Comments
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*Note: The annual Implementation Plan presents a summary report of quarterly and semi-annual reports and it is based on activities specified in the Action plan.*



## 9 Action Plan

### 9.1 Scope of the Action Plan

The purpose of the NCSA BiH is to determine priority needs and to develop the Action Plan for capacity building in order to fulfil obligations in line with international obligations pertaining to environmental management that were assumed by acceding to the subject conventions.

The Action Plan specifies common obstacles that limit the implementation of all six conventions in the country, as activities concerning priority capacity building. After finalization, the Plan will be approved/adopted by GEF's Operational and Political focal point and after consultations with Entity ministries, it will be sent to the BiH Council of Ministers for adoption, after which it will be forwarded to the GEF.

### 9.2 Proposed Implementation Strategies

Based on the structure of BiH, it is proposed that the following bodies play a key role and assume obligations regarding the implementation of the NCSA in BiH:

1. **The BiH Ministry of Foreign Trade and Economic Relations** –the body responsible for coordination and consultative planning in the field of environment and natural resources management should be responsible for and supervise the execution of the Action Plan;
2. **Institutions** designated as **NFP** for individual conventions and **persons** identified as NFPs, as follows:

Convention	NFP institution	NFP person
United Nations Convention on Biological Diversity (UNCBD or CBD)	Federation Ministry of Spatial Planning and Environment	Mr. Mehmed Cero, PhD
United Nations Convention to Combat Land Desertification/Degradation (UNCCD or CCD)	Republika Srpska Ministry of Agriculture, Forestry and Water Management	Mr. Mihajlo Marković, PhD
Stockholm Convention on Persistent Organic Pollutants (POPs)	Bosnia and Herzegovina Ministry of Foreign Trade and Economic Relations	Ms. Nermina Skejović-Hurić
Vienna Convention for the Protection of the Ozone Layer	Ozone Unit of the Bosnia and Herzegovina Ministry of Foreign Trade and Economic Relations	Ms. Azra Rogović-Grubić, MSc
United Nations Framework Convention on Climate Change (UNFCCC)	RS Ministry for Spatial Planning, Construction and Ecology	-
Convention on the Protection and Use of Transboundary Watercourses and International Lakes	Federation Ministry of Agriculture, Water Management and Forestry	Ms. Esena Kupusović

It should be proposed to the BiH Council of Ministers that they adopt a **legal act defining the position, rights and obligations of the nominated NFPs**.

The project team of the NCSA BiH **proposes practical measures that will be undertaken in the implementation of the Plan** and that are the most efficient instrument for enforcing the Plan. Also, all recom-

recommendations contained in the Plan are compliant with other plans related to the environment and it has been stressed that this Plan is to be enforced in synergy/harmonisation with existing plans.

As for the subject conventions, the following **joint recommendations** arising from the Project are a good **basis for capacity building**:

1. all NFPs have stressed the need for strengthening coordination by the MoFTER and / or the Steering Committee for the Environment and Sustainable Development of Bosnia and Herzegovina as well as for a legal and administrative framework for a coordinated implementation of the Activity Plan. In order to accomplish this, it is necessary to have the support of Entity and cantonal ministries for agriculture, forestry and water management, ministries for environment and spatial planning as well as of the Department for Agriculture of the Brčko District. It is necessary to have units within the said ministries for collecting data from the relevant institutions and for monitoring the state of changes and priorities in the field of land protection pertaining to this Convention. The collected data will be submitted to the MoFTER (NFP).
2. to ensure continuous financing sources for the implementation of the Convention;
3. to nominate a National Coordination Body (NCB) for all conventions;
4. it is necessary to strengthen inter-sectoral coordination – horizontal and vertical;
5. it is necessary to harmonise sectoral strategies and policies;
6. it is necessary to strengthen capacities and to define the financing thereof for the implementation of Entity and cantonal environmental policies, laws and standards in the field of sustainable management and land protection.

Specific:

1. development of a National Action Plan (NAP) for combating land degradation – high priority. It is necessary to ensure funds from the international community, the relevant ministries and environmental protection funds in order to develop the NAP;
2. it is necessary to work on strengthening political support for strategies and policies concerning sustainable management and land protection;
3. as for decision makers, it is necessary to strengthen awareness about sustainable management and land protection issues;
4. establishment of a land monitoring system in line with the combined methodologies of the UNCCD and the EEA;

### 9.3 Strategic Objectives

The following priority strategies for capacity strengthening have been identified within the NCSA Project:

1. capacity development for the purpose of developing the land use policy and of planning at the state, Entity and cantonal levels;
2. strengthening capacities for the implementation of natural resource management at the Entity, cantonal and local levels;
3. strengthening of existing capacities for higher education and research;
4. basis for support to environmental management;
5. strengthening the awareness of politics and decision makers and key public sectors about the role of multilateral agreements and environmental management in BiH.

## 9.4 Action Plan –Convention on Biological Diversity

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
UNCDB							
National Biodiversity Strategy and Action Plan – amendments and supplements in line with the conclusions of the meeting of the Conference of Parties to the UNCDB held in Nagoya, Japan	1. Incorporation of amendments and adoption of a supplemented strategy	Harmonization with decisions made by the COP in Nagoya is necessary	Meetings Announcement of coordinators and forming of work groups	Scientific, professional and education communities, competent ministries at state, Entity and cantonal levels, NGO	MoFTER – coordination; NFP operational role	A year from the commencement of the project	350.000
Adoption of a legal act (law or some other legal act) for the implementation of the convention at state level with agreement of the Entities and the Brčko District (institutional responsibility, determination of the NFP)	Legal act	Unregulated action and responsibility structure of the NFPs	Preparation/ development and adoption of acts	NFP, NRCs	MVTEO	Pre-draft March 2012 Adoption by the end of 2012	

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Establishment and strengthening of Entity and state institutions competent for the protection of nature and biodiversity	Relevant institutions have been established and additional staff has been employed	A basis (institutional order) is needed for implementation of activities	Decision making (government) Implementation on the basis of decisions made	MoFTER and Entity ministries	MoFTER and Entity ministries	Decisions; commencement in 2013	
Development of the Report 5 for the UNCBD Convention and the 2 <sup>nd</sup> Report for the Cartagena Protocol	Development of reports	Obligation under the Convention and the Protocol	Determination of coordinators and forming of work groups	MoFTER and Entity ministries, i.e., government sector; institutions for research, inventory and conservation of biodiversity and NGOs	NFP	A year from the commencement date of the project (depends on the funds)	20.000+20.000
Plan for using proceeds of the Environmental Protection Fund of FBH/RS for implementing activities included in the Action Plan of the National Biodiversity Strategy and the Entity strategies for the protection of nature	Plan prepared Funds ensured	Lack of proceeds and funds for scientific, research and professional work; execution of activities included in the Action Plan of the National Strategy	Preparation of annual dedication plans and ensuring funds	Scientific, professional and education communities, ministries at the state, Entity and cantonal levels, NGO	Environmental Protection Fund and indirectly the NPF	Continuous	In accordance with annual plans

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Implementation of activities included in the Action Plan of the BiH National Biodiversity Strategy	Evaluation of the Strategy and fulfilment of activities	Obligation under the Convention	Refer to the National Strategy	Scientific, professional and education communities, competent ministries at state, Entity and cantonal levels, NGO, general public	Entity Funds, ministries and governments	10 years as of the beginning of implementation	100.000.000
Ensuring the support of the GEF for the development of national reports and implementation of activities included in the National and Entity reports within the Cartagena Protocol through the mechanisms of the BHC	Annual funds have been ensured The mechanisms for ensuring funds have been defined	Insufficient funds for the implementation of activities	Meetings of the NFP at the GEF; Responsibilities and activities are to be defined in a legal act that needs to be adopted (activity 1 of this plan)	Scientific, professional and education communities, competent ministries at state, Entity and cantonal levels, NGO, general public	NFP	Continuous	-
Establishment of indicators for monitoring the state of biodiversity and of the implementation of processes according to own objectives until 2020	Indicators have been defined and established	Inability to implement the strategy and activity	Establishment of institutions (activity 3 of this Plan); Defining indicators by professionals and committees within institutions	MoFTER, NFP	MoFTER, Entity ministries	After the completion of activities in the 3 <sup>rd</sup> and 4 <sup>th</sup> month	-

## 9.5 Action Plan –Convention to Combat Land Desertification/Degradation

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Convention to Combat Land Desertification/Degradation (UNCCD)							
Nomination of a National Coordination Body (NCB) for the purposes of the UNCCD	I National Report (I NR), meetings held, minutes	Obligation under the Convention	Drafting the nomination act, harmonization, nomination of members of the NCB	NFP, MoFTER, competent Entity ministries, scientific, professional and education communities, NGO	NFP institution, MoFTER, competent Entity ministries for agriculture and environment	March 2012	-
Development of a National Action Programme (NAP) for combating land degradation – high priority	I NR, meetings held, minutes	Obligation under the Convention	Preparation of the Proposal, determination of the contents of the Programme, nomination of coordinators and forming of work groups, document development, workshops, public debate	All government levels in B&H, MoFTER, competent Entity ministries, environmental protection funds, scientific, professional and education communities, NGO	NFP institution, MoFTER, competent Entity ministries for agriculture and environment, institutes at the Entity and local levels	30 April 2013	150.000 (GEF + relevant ministries and environmental protection funds)
Reporting (the fifth and sixth report followed by other reports regarding the UNCCD as well as subsequent reports (biannual))	I NR, meetings held, minutes	Obligation under the Convention	Preparation of reports, dissemination, submission of reports to the Secretariate of the UNCCD	NFP, MoFTER, competent Entity ministries, environmental protection funds, scientific, professional and education communities, NGO	NFP, MoFTER	November 2012 November 2014 (and then biannually)	20.000+20.000 (then 20.000 continually on a biannual basis)



Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Development of the Strategy for Combating Land Desertification/Degradation	I NR, meetings held, minutes	Lack of awareness and poor coordination between entities (public institutions, private sector and land users); in order to implement the Convention and to preserve and protect land in a more efficient manner for the sake of future generations	Preparation of the Proposal, determination of the contents of the Programme, nomination of coordinators and forming of work groups, document development, workshops, public debate	All government levels in B&H, MoFTER, competent Entity ministries, environmental protection funds, scientific, professional and educational communities, NGO	NFP institution, MoFTER, competent Entity ministries for agriculture and environment, environmental protection funds, scientific, professional and educational communities, NGO	30 June 2013	120.000 (relevant ministries and environmental protection funds)
Establishment of an institutional and organizational framework for supporting the implementation of the Convention	I NR, meetings held, minutes	Lack of coordination between Entities; obligation to implement the convention	Establishment of a complete implementation structure	All government levels in B&H, MoFTER, competent Entity ministries	NFP institution, MoFTER, competent Entity ministries for agriculture and environment	30 June 2013	
Harmonization of legislation and integration into sectoral regulations and policy	I NR, meetings held, minutes	Uncoordinated legislation concerning land; lack of a law on land; Unequal treatment of land laws compared to water and air; obligation to implement the convention	Harmonisation of legislation and integration into sectoral regulations and policy	All government levels in B&H, MoFTER, competent Entity ministries	NFP institution, MoFTER, competent Entity ministries for agriculture and environment	30 June 2013	

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
State of Land Pollution in Bosnia and Herzegovina			Assessment of the state of land pollution in Bosnia and Herzegovina				
Land Monitoring Plan and selection of indicators in line with the methodology of the EEA – EONET			Development of the Land Monitoring Plan and selection of indicators in line with the methodology of the EEA – EONET.				

## 9.6 Action Plan –Convention on Persistent Organic Pollutants

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Capacity strengthening for the implementation of the Stockholm convention on POPs							
<ul style="list-style-type: none"> <li>Development of the NIP, strategies and the Action Plan</li> <li>Established structure for the implementation of the Convention in BiH</li> </ul>	Policies and laws at the state, Entity and local levels	Uncoordinated policies, Non-existence of necessary legislation	Meetings between decision makers, enforcement of decisions, supervision over the enforcement of decisions, necessary trainings through workshops and seminars Studies	Competent institutions (state, Entity and local levels), legal entities – beneficiaries, scientific and professional institutions, non-government sector	Steering Committee for the Environment and Sustainable Development of Bosnia and Herzegovina NFP institution Competent institutions at Entity and local levels	24 months –end of 2013	

## 9.7 Action Plan –Convention for the Protection of the Ozone Layer

Results	Indicators	Reason/basis	Activities	Target groups	Responsibility	Period	Costs (\$)
Strengthen capacities for the implementation of the Vienna Convention and Montreal Protocol on ODS							
<ul style="list-style-type: none"> <li>Fulfillment of obligations under the VC and the MP</li> <li>Implementation of the National Programme and the NOPP as a strategic document and Action plan</li> <li>Finalization of the HPMP</li> <li>Implementation of the HPMP</li> <li>Established improved structure for the implementation of the Convention</li> <li>Revision, harmonisation of the legislative framework for the purpose of implementation in BiH</li> </ul>	Policies and laws at the state, Entity and local levels	The need to harmonise policies and legislation with obligations under the ratified Beijing Amendment and with the relevant EU ODS legislation	Meetings between decision makers implementation of decisions, laws, programmes, plans and projects supervision, monitoring, reporting and evaluation concerning the implementation of decisions, laws, programmes, plans and projects Necessary training through workshops and seminars Studies	Competent institutions (state, Entity and local levels), legal entities – beneficiaries, scientific and professional institutions, non-government sector	Secretariate of the GEF  NFP institution  Competent institutions at Entity and local levels	<p>End of 2030</p> <p>End of 2012</p> <p>Mid 2012</p> <p>Mid 2020</p> <p>End of 2012</p> <p>During 2012</p>	1,3 million US\$



# 10 Addendum

## 10.1 Relevant International Agreements

Table 25 Relevant International Agreements to which BiH Committed

International Agreements BiH	
Full title of the international agreement	„Official Gazette of BiH“ – International Agreement Nr.
Convention for the Protection of the Ozone Layer	Official Gazette of SFRY-MU 1/90 and RBiH 13/94
Montreal Protocol on Substances that Deplete the Ozone Layer	Official Gazette of SFRY-MU 16/90 (aource: NEAP BiH)
London Amendment to the Protocol on Substances that Deplete the Ozone Layer	BiH – MU 8/03
Copenhagen Amendment to the Protocol on Substances that Deplete the Ozone Layer	BiH – MU 8/03
Vienna Amendment to the Protocol on Substances that Deplete the Ozone Layer	BiH – MU 8/03
Bejing Amendment to the Protocol on Substances that Deplete the Ozone Layer	BiH – MU 8/03
Montreal Amendment to the Protocol on Substances that Deplete the Ozone Layer	BiH – MU 8/03
UN Convention to Combat Desertification in Those Countries Experiencing Drought and/or Desertification, Particularly in Africa	BiH – MU 12/02
Convention on Biological Diversity	BiH – MU 12/02
Cartagena Protocol on Biosafety	BiH – MU 12/08
Stockholm Convention on Persistent Organic Pollutants	BiH – MU 1/10
Convention on Long-Range Transboundary Air Pollution	Official Gazette of SFRY - MU 11/86 and R BiH 13/94
Protocol on Long Term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP)	Official Gazette of SFRY - MU 2/87 and R BiH 13/94
Convention on Environmental Impact Assessment in a Transboundary Context	BiH-MU 8/09
UN Framework Convention on Climate Change	BiH 19/00
Kyoto Protocol	BiH-MU 3/08
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal	BiH 31/00
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	BiH-MU 14/06
International Plant Protection Convention	BiH-MU 8/03

## 10.2 Relevant Regulations

Table 26 Laws Relevant to the Convention on Biological Diversity

Federation of BiH	
Full title of the law	Official Gazette of FBiH No.
Law on Nature Protection	33/03
Law on Environmental Protection • Amendments and Supplements to the Law on Environmental Protection	33/03 38/09
Law on Air Protection • Amendments and Supplements to the Law on Waste Management	33/03 4/10
Law on Water Protection • Amendments and Supplements to the Law on Water Protection	33/03 54/04
Law on Waste Management • Amendments and Supplements to the Law on Waste Management	33/03 72/09
Law on the Environmental Protection Fund	33/03
Republika Srpska	
Full title of the law	Official Gazette of RS No.
Law on Nature Protection	113/08
Law on Environmental Protection • Amendments and Supplements to the Law on Environmental Protection • Law on Amendments to the Law on Environmental Protection	28/07 29/10, 109/05 41/08
Law on Air Protection	107/05
Law on Water Protection	75/10
Law on Waste Management • Amendments and Supplements to the Law on Waste Management	53/02 65/08
Law on the Environmental Protection Fund • Amendments to the Law on the Environmental Protection Fund	54/04 53/07, 65/08
Brčko District BiH	
Full title of the law	Official Gazette of BD BiH No.
Law on Nature Protection • Amendments and Supplements to the Law on Nature Protection • Amendments to the Law on Nature Protection • Amendments and Supplements to the Law on Nature Protection	24/04 1/05 19/07 9/09
Framework Law on Environmental Protection	24/04
Law on Air Protection • Amendments and Supplements to the Law on Air Protection • Amendments to the Law on Air Protection • Amendments and Supplements to the Law on Air Protection	25/04 1/05 19/07 9/09
Law on Water Protection	25/04

Brčko District BiH	
Full title of the law	Official Gazette of BD BiH No.
• Amendments and Supplements to the Law on Water Protection	1/05
• Amendments and Supplements to the Law on Water Protection	19/07
Law on Waste Management	25/04
• Amendments to the Law on Waste Management	2/08
• Amendments to the Law on Waste Management	19/07
• Amendments and Supplements to the Law on Waste Management	1/05
• Amendments and Supplements to the Law on Waste Management	9/09
Law on Public Services and Utilities	30/04
• Amendments and Supplements to the Law on Public Services and Utilities	24/07

Table 27 Laws Relevant to the Convention to Combat Land Desertification/Degradation

Bosnia and Herzegovina	
Full title of the law	Official Gazette of BiH No.
Law on Concessions	32/02
• Law on Amendments to the Law on Concessions	56/04
Law on Agriculture, Food and Rural Development of BiH	50/08
Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
Law on Concessions	40/02
• Law on Amendments and Supplements to the Law on Concessions	61/06
Law on Environmental Protection	33/03
• Law on Amendments and Supplements to the Law on Environmental Protection	38/09
Law on Nature Protection	33/03
FBiH Law on the Environmental Protection Fund	33/03
FBiH Law on Inspections	69/05
FBiH Law on Spatial Planning and Land Use	2/06
Law on Supplement to the FB&H Law on Spatial Planning and Land Use	13/10
• Law on Amendments and Supplements to the FB&H Law on Spatial Planning and Land Use	72/07, 32/08, 4/10, 13/10
Law on Water	70/06
Law on Agriculture	88/07
• Law on Amendments and Supplements to the Law on Agriculture	4/10
Law on Una National Park	44/08
Law on Agricultural Land	52/09
Law on Geological Survey	9/10
Law on Waste Management	33/03

Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
• Law on Amendments and Supplements to the Law on Waste Management	72/09
FBiH Law on Mining	26/10
Law on Land Registry	19/03
• Law on Amendments and Supplements to the Law on Land Registry	54/04
Decree on Amendments to the Decree on Forests	38/10
Republika Srpska	
Full title of the law	Official Gazette of RS No.
Law on Environmental Protection	53/02
• Law on Amendments and Supplements to the Law on Environmental Protection	109/05, 29/10
• Law on Amendments to the Law on Environmental Protection	41/08
Law on Environmental Protection (Revised text)	28/07
Law on Nature Protection	50/02
• Law on Amendments and Supplements to the Law on Nature Protection	34/08, 59/08
Law on Nature Protection (Revised text)	113/08
Law on the Environmental Protection Fund	51/02
• Law on Amendments to the Law on the Environmental Protection Fund	53/07
Law on Concessions	25/02
• Law on Amendments and Supplements to the Law on Concessions	91/06, 92/09
Law on National Parks	21/96
• Law on Amendments and Supplements to the Law on National Parks	74/05
Law on Organic Food Production	75/04
• Law on Amendments and Supplements to the Law on Organic Food Production	71/09
Law on Geological Survey	51/04
• Law on Amendments and Supplements to the Law on Geological Survey	75/10
Law on Water	50/06
• Law on Amendments and Supplements to the Law on Water	92/09
Law on Agriculture	70/06
• Law on Supplements to the Law on Agriculture	20/07
• Law on Amendments to the Law on Agriculture	86/07
• Law on Amendments and Supplements to the Law on Agriculture	71/09
Law on Agricultural Land	93/06
• Law on Supplements to the Law on Agricultural Land	86/07
• Law on Amendments and Supplements to the Law on Agricultural Land	14/10
Law on Forests	75/08
Law on Nature Protection (revised text)	113/08
Law on Spatial Planning and Construction	55/10
RS Law on Meteorological and Hydrological Activities	20/00



Republika Srpska	
Full title of the law	Official Gazette of RS No.
Law on National Parks	75/10
Law on Mining • Law on Amendments and Supplements to the Law on Mining	107/05 75/10
Law on Waste Management • Law on Amendments and Supplements to the Law on Waste Management • Law on Amendments and Supplements to the Law on Waste Management	53/02 65/08
Brčko District BiH	
Full title of the law	Official Gazette of BD No.
Law on Nature Protection • Law on Amendments to the Law on Air Protection • Law on Amendments and Supplements to the Law on Air Protection	24/04 19/07 1/05, 9/09
Law on Concessions • Law on Amendments and Supplements to the Law on Concessions	41/06 19/07, 2/08
Law on Spatial Planning and Construction	29/08
BiH Brčko District Law on Forests	14/10
BiH Brčko District Law on Water Protection	25/04, 19/07
Law on Waste Management • Law on Amendments to the Law on Waste Management • Law on Amendments and Supplements to the Law on Waste Management	25/04 19/07 1/05, 2/08, 9/09
Law on Environmental Protection • Law on Amendments to the Law on Environmental Protection • Law on Amendments and Supplements to the Law on Environmental Protection	24/04 19/07 1/05, 9/09
Law on Agricultural Land • Law on Amendments to the Law on Agricultural Land	32/04

Table 28 Laws Relevant to the Convention on Persistent Organic Pollutants

Bosnia and Herzegovina	
Full title of the law	Official Gazette of BiH No.
Law on Phytopharmaceutical Substances	49/04
Law on Food Safety	50/04
Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
Law on Waste Management • Law on Amendments and Supplements to the Law on Waste Management	33/03 72/09
Law on Poisons	Preuzet od SFRJ koji broj notifikacija o sukcesiji

Republika Srpska	
	Official Gazette of RS No.
Law on Waste Management	53/02
• Law on Amendments and Supplements to the Law on Waste Management	65/08
Law on Chemicals	25/09
Law on Biocides	37/09
Brčko District BiH	
Full title of the law	Official Gazette of BD No.
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Table 29 Subordinate Legislation Relevant to the Convention on Persistent Organic Pollutants

Bosnia and Herzegovina	
Full title of the law	Official Gazette of BiH No.
List of active substances permitted to be used in phytopharmaceutical substances	11/11
Decision banning import registration of and trade in active substances and phytopharmaceutical substances containing active substances the trade and use of which are banned in the European Union	55/08, 35/10 i 79/10
Decision banning import registration of and trade in active substances and phytopharmaceutical substances containing active substances the trade and use of which are banned in the European Union	47/09, 15/10 i 2/11
Decision banning import registration of and trade in phytopharmaceutical substances containing active substance bifenthrin	72/10
Decision banning import registration of and trade in phytopharmaceutical substances containing active substance butoxycarboxim	72/10

**Note:** by virtue of the above decisions, it is forbidden to register, import, trade in and used phytopharmaceutical substances containing active substances that are banned in the European Union. These decisions ban active substances that were present in the B&H market and that are a part of the Stockholm convention

Table 30 Laws related to the Vienna Convention for the Protection of the Ozone Layer

Bosnia and Herzegovina	
Full title of the law	Official Gazette of BiH No.
Decision on the terms and manner of implementing the Montreal Protocol and of ozone depletion substances phase-out in Bosnia and Herzegovina	36/07
Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
Law on Air Protection	33/03, 4/10

Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
Rulebook of the Federation Ministry of Spatial Planning on ozone depletion substances phase-out	39/05
Republika Srpska	
Full title of the law	Official Gazette of RS No.
Republika Srpska Law on Air Protection	53/02
Decree of the government of Republika Srpska on ozone depletion substances phase-out	Sl. Glasnik RS br. 94/05)
Brčko District BiH	
Full title of the law	Official Gazette of BD No.
Brčko District BiH Law on Air Protection	25/04, 1/05

Table 31 Subordinate Legislation related to the Vienna Convention for the Protection of the Ozone Layer

Bosnia and Herzegovina	
Full title of the law	Official Gazette of BiH No.
Decision of the Council of Ministers on the terms and manner of implementing the Montreal Protocol and of ozone depletion substances phase-out in Bosnia and Herzegovina	36/07
Federation of Bosnia and Herzegovina	
Full title of the law	Official Gazette of FBiH No.
Rulebook of the Federation Ministry of Spatial Planning on ozone depletion substances phase-out	39/05
Republika Srpska	
Full title of the law	Official Gazette of RS No.
Decree of the government of Republika Srpska on ozone depletion substances phase-out	94/05