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The Permanent Mission of Bosnia and Herzegovina to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and regarding the Letter dated 11 April 2019 related to the Special Rapporteur's questionnaire on human rights issues related to a safe, clean, healthy and sustainable environment has the honor to attach here with responses to the questionnaire.

The Permanent Mission of Bosnia and Herzegovina to the United Nations Office and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration. *JK*

Geneva, 03 September 2019



To the Office of the High Commissioner for Human Rights
GENEVA

Email: srenvironment@ohchr.org

Answers to the Special Rapporteur's questionnaire on human rights issues related to a safe, clean, healthy and sustainable environment

BiH

Environment is a complex natural and social term for the area of the Earth, which was shaped by complex and substantially fulfilled by complex natural and social processes. The environment consists of the natural environment, soil, air, water, biosphere and the built (artificial) environment, created as a result of human factor activity. Bosnia and Herzegovina faces numerous environmental issues, especially underdeveloped capacities and a lot of socio-economic and institutional issues.

BiH's accession process to the European Union is one of the main drivers of environmental reform, largely related to approximation of domestic legislation with the EU acquis. In addition to the legislation, implementing regulations, rules and procedures adopted and a lot of international agreements ratified, a number of strategic documents has been drafted and underlie BiH's continued work on the implementation of environmental reforms.

In Bosnia and Herzegovina, responsibility for the environment is divided among several administrative levels. The Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina is responsible for environmental issues, development and use of natural resources at the state level. The Department of Environmental Protection operates within this framework and its tasks are coordination and cooperation with competent environmental institutions at all levels of government in BiH; participation in the implementation of international environmental agreements; participation in the work of international environmental authorities; preparation and implementation of projects in the field of environmental protection; implementation of the procedure for signing and acceding to international agreements, conventions and protocols; monitoring the implementation of IPA projects and environmental projects of other international organizations; preparation of environmental information; collecting, monitoring and reviewing data on environmental trends in the country and world wide; cooperation and exchange of information with global and regional international organizations and forums.

Long-term environmental protection at the national level will be ensured by inclusion of environmental requirements, needs and goals in the planning and development documents of all sectors that are sources of environmental pressure.

Federation of BiH

- 1. Question: Please provide examples of ways in which climate change is already having adverse impacts on the human rights of people within your State.**

Answer: BiH is a country in transition that is exposed to various economic, environmental, social and other impacts and challenges. In particular, when it comes to climate change, the most affected group of population is precisely the poorest people, people in rural areas. In our country, climate change is reflected in an increase in the amount of precipitation causing

flooding, an increase in droughts that reduce crop yields, snow and hail in the early spring months that destroy young fruits and vegetables. These consequences directly affect lives of people in agriculture who have houses on the banks of rivers inadequately protected and engaged in growing berries. Floods result in the removal of debris from rivers that further pollute the soil, deposits caused by precipitation cause pollution of watercourses, which can in turn affect human health, jeopardizing sanitary conditions and comfortable life.

2. Question: What are the specific obligations of States and businesses in terms of addressing the main drivers of climate change?

Answer: Specific obligations of States stem from the Framework Convention on Climate Change (UNFCCC), the Paris Agreement and the Katowice Agreement, the Parties to which have committed to put efforts in the coming years to reduce greenhouse gas emissions (transition to renewable energy, an increase in energy efficiency, reduction and complete elimination of fossil fuels), adaptation to climate change (improvement of agriculture, forestry, adequate river basin management, development of flood forecasting plans, development of economic activities that are in line with adaptive capacities of states) and reporting on funds invested and funds granted by international organizations and developed countries for the purpose of climate change adaptation promotion. In addition, the Integrated National Energy and Climate Plan (NECP), which is under development will be binding for BiH as a member of the Energy Community.

Question: 3. Please provide examples of good practices in preventing, reducing, or eliminating the adverse impacts of climate change on human rights.

Answer: Preparation of legislation addressing climate change, in line with developed strategies and international commitments, addressing issues and official designation of particular institutions for specific topics and activities, developing of climate monitoring and reporting systems (emissions, sinks, mitigation measures and adaptation), continuous education of employees. A national emission reduction plan, which has been adopted by the Energy Community, has been prepared and a model for reporting on measures is currently worked on. The NECP is in the preparation phase. The preparation of the Fourth National Report and the Third Biennial Report on Climate Change, the revision of the Low Carbon Development Strategy and Nationally Determined Contribution (NDC) are under way.

3. Question: 4. If your State has set a deadline for eliminating coal-fired electricity generation, please provide details.

Answer: There is no deadline for for eliminating coal-fired electricity generation.

4. Question: If your State imposes a price on carbon emissions, please provide details.

Answer: No, our State does not impose a price on carbon emissions.

5. Dostavite 5. Please provide evidence related to the implementation, enforcement, and effectiveness of the measures identified in your responses to Questions #3 and 4.

Answer: In accordance with the FBiH Government's Activity Program, the FBiH Ministry of Environment and Tourism, as the legislation drafter, has drafted the Law on Air Protection with the aim of further alignment with EU regulations covering the field of air quality and climate change. We remind that the new Law introduces climate change as a novelty. In April 2019, it was sent to the FBiH Government for the purpose of determining the draft. The BiH Climate Change Adaptation and Low Emission Development Strategy was adopted by the Council of Ministers in 2013. The strategy has two main goals in adaptation to climate change and reduction of greenhouse gas emissions:

- increasing resistance to climate variability and climate change
- reaching the highest value and stopping the growth of greenhouse gas emissions, which is projected to be below the EU27 average per capita by 2025.

The strategy focuses on analyzing general scenarios and policy options, identifying concrete measures to mitigate climate change and linking to existing sustainable development goals and strategies, poverty reduction strategies and economic growth strategies in BiH and the region.

The strategy component of climate change adaptation focuses on seven priority sectors: agriculture, water management, tourism, population health, transport, biodiversity and fragile ecosystems and forestry. The low carbon component focuses on three sectors: electricity generation, construction and district heating. A positive trend in the Strategy implementation is evident in the preparation and proposal of climate change mitigation measures. Institutional mechanisms related to the new Strategy cover all levels of government. A contact institution under the United Nations Framework Convention on Climate Change and the Authorised Body for the implementation of Clean Development Mechanism projects and the implementation of Climate Change Mitigation Measures have been designated.

Representatives of the Ministry of Environment and Tourism are members of working groups in the following project:

- URBAN LEDs Project: Launching Environmental Financing for Low-Carbon Urban Development, UNDP,
- Project: Energy Efficiency in BiH for the Federation of BiH
- MoFTER-GIZ Project: Development of Integrated National Energy and Climate Plan

6. Question: What are ways in which high-income States should assist low-income States in responding to climate change, while simultaneously contributing to sustainable development in those low-income States?

Answer: High-income States should assist low-income States through:

- Technology transfer
- Know-how transfer
- Implementation of projects that will enable concrete results to be achieved through planned investments (irrigation, landslide remediation, construction of dams, investment in modern agricultural machinery, investment in low carbon vehicles in the sectors of tourism, agriculture, waste management and public transport).

Republika Srpska

The Ministry of Spatial Planning, Construction and Ecology of the Republika Srpska has actively participated in the preparation and approval of the report by the Republika Srpska Government and the Secretariat of the Convention. The Republika Srpska Government has approved three reports under the Convention (2010; 2013 and 2017), the 2013 Adaptation to Climate Change and Low Emission Development Strategy, the First and Second Biennial Report on Greenhouse Gas Emissions (2014 and 2017), as well as the BiH Report on Intended Nationally Determined Contribution (INDC), in October 2015 the Republika Srpska Government agreed on drafting the Fourth BiH Report and the Third Biennial Report on Greenhouse Gas Emissions. In parallel with the preparation of the Fourth BiH National Report - to be submitted to the Convention bodies by December 2019 - activities to develop a revised Report on Nationally Determined Contribution (NDC) commenced together with development of an implementation plan and the Adaptation to Climate Change and Low Emission Development Strategy. In addition to the above projects, several projects are currently underway that are relevant for the implementation of programme activities in the field of climate change, including:

- Integrating Climate Change and Reducing the Risk of Flooding in the Vrbas River Basin Project. Bearing in mind the consequences of catastrophic floods in BiH in 2010 and 2014, this project defines measures and solutions for flood risk and flood consequences and associated negative impacts on the population and key social and economic sectors in vulnerable river basin regions.
- Advance the National Adaptation Plan (NAP) Process for Medium-Term Investment Planning in Climate Sensitive Sectors in BiH Project stems from the Climate Change Adaptation and Low Emission Development Strategy. It is based on four specific outcomes: supporting evidence-based policy development for climate change risks, vulnerabilities and opportunities; creating effective institutional and regulatory frameworks; mainstreaming climate change adaptation approaches into decision making; and effectively assigning resources and reaching implementation goals.
- The Second Solid Waste Management Project overall objective is to improve the availability, quality, environmental soundness, and financial viability of solid waste management services in participating utilities and regions: Banja Luka Region, Bijeljina Region, Prijedor Region and Zvornik Region.
- Bosnia Energy Efficiency Project (BEEP), which includes the reconstruction of the heating system and the replacement of joinery in schools, colleges and hospitals.

-Regional Energy Efficiency Project (REEP) provides technical assistance in terms of making recommendations for the design and adjustment of software tool to the needs of calculating the energy performance of buildings, meeting the requirements planned by the methodology for calculating the energy performance of buildings.

- Energy Efficiency Consultancy in BiH Project, which aims to provide technical assistance in drafting the legislative framework in the field of energy efficiency and establishing a comprehensive, transparent and efficient Internet energy efficiency information system in the Republika Srpska. In addition to financial and technical support, three rulebooks of the Republika Srpska that regulate energy efficiency in buildings have been drafted as part of their project.

The drafting of the Fourth BiH Report in accordance with the UNFCCC in parallel with the Third Greenhouse Gas Emissions Report of BiH provides a continuation of the fulfilment of obligations by BiH as a Party to the Convention having the status of a developing Party, i.e. a Party outside Annex I. These obligations primarily relate to the preparation of reports containing information on the GHG inventory, vulnerability and adaptation assessment, mitigation measures and measurement, reporting and verification (MRV) systems and information on public awareness, education, training, research and systematic observation and technology transfer. In the process of preparing these reports, the most significant negative impacts of climate change on agriculture, forestry, tourism, water resources and, in general, natural habitats and ecosystems have been identified. Assessment and monitoring of these impacts is under way within preparation of the fourth report, and as far as the impact on human health is concerned, there is still no monitoring system for individual indicators, such as the incidence of certain diseases in an area that could be related to changes in individual climatic parameters and the occurrence of natural disasters. In this regard, it is necessary to carry out various forms of research and to build a climate change monitoring system with sustainable financial support and to develop research capacities addressing climate change adaptation and defining the roles of various actors involved in these issues.

Obligations of legal/business entities within the framework of actions aimed at mitigating the climate change effects are defined in the environmental protection and air protection legislation and international agreements/conventions and treaties BiH has acceded to, which have a binding character. The Law on Air Protection (RS Official Gazette 124/11, 45/17) defines the instruments of air protection policy and planning tools consisting of the air protection strategy, air quality plans, short-term action plans and RS programs for the gradual reduction of annual maximum pollutant emissions in the RS and operators' plans to reduce emissions from stationary plants.

The Air Protection Strategy provides conditions for the establishment of an institutional system on the basis of which measures are taken to avoid, prevent or reduce air pollution and adverse effects on human health and the environment. The existing Air Protection Strategy was adopted for the period 2011-2017 and it is being updated as part of the Environmental Strategy, with financial support from the Swedish International Development Agency (SIDA). The BiH National Emission Reduction Plan addressing the reduction of SO₂ and NO_x and

particulate matter from large combustion plants under the Industrial Emissions Directive has been adopted at the level of BiH. In accordance with the Pollutant Emission Reduction Plan of the RS Electric Power Company, which was developed in accordance with the guidelines of the Energy Community by applying appropriate measures to limit emissions of certain pollutants into the air from large combustion plants in the RS electric power system, the requirements of Large Combustion Plants Directive 2001/80 / EC are met.