



Banja Luka, 31st August 2021

Input to the UN Committee for Economic, Social and Cultural Rights by CSO Center for Environment, Bosnia and Herzegovina

Center for Environment is the largest environmental advocacy organisation in Bosnia and Herzegovina working over 22 years on all administrative levels in the country (municipal, cantonal, entity, state) and also internationally on many environmental topics. In this input we combined the recommendations we already developed through various processes:

- In 2020 together with 26 organizations from the entire Bosnia and Herzegovina we sent requests and recommendations for sustainable recovery and public policy reform with an aim to easier overcome current crisis caused by pandemics, but also long-term unsustainable resource management. Full document is available at our website: <https://czzs.org/wp-content/uploads/2020/07/Requests-and-recommendations-for-a-sustainable-recovery-and-public-policy-reform.pdf>,
- Recommendations that members of our organisation developed through working group "Biodiversity and Nature Conservation", linked to the Green Agenda for the Western Balkans,
- Legal analysis developed through the regional project "Stay Safe and Speak Out", we are coordinating in five Western Balkan countries, focusing on the security of environmental defenders.

Introduction

Environmental policy and other relevant sub-sectoral policy are not the high priority of any Bosnia and Herzegovina's government. However, ongoing processes and occasions, such as this one, are creating an opportunity to once again address the major environmental issues our country is facing.

From the latest Progress report for Bosnia and Herzegovina it is visible that environmental policies are facing rather limited progress. "Bosnia and Herzegovina is at an early stage of preparation/has some level of preparation in the area of environment and climate change. Limited progress was achieved during the reporting period. A countrywide harmonised approach in strategic planning needs to be ensured to address alignment with the EU environmental acquis at all levels of government in a consistent and

comprehensive manner, including on air quality. Significant efforts are needed on implementation and enforcement.”

Requests for the sustainable recovery

Sustainable transport, urban mobility and public spaces

When it comes to the development of traffic infrastructure and transport models, road motor traffic development has traditionally been highly prioritised in BiH. While developed countries turn to development and modernization of railway traffic for the transport of goods and passengers, we are still planning a network of economically unfeasible highways for which we are unjustifiably indebted. Although only the Vc highway is partially profitable, it is unreasonable to rush towards the construction of an unnecessary network of highways that will soon have no one to use it, due to the high degree of migration, which is at least partly, a result of the bad decision making. Although we understand the need to modernize the road network, we believe that there is an urgent need to enter into the implementation of modernization and construction of a well thought-out railway infrastructure, which would connect the cities of BiH with each other, as well as BiH with neighboring countries, and thusly the whole continent.

Cities must step forward in terms of developing urban mobility to make transportation more efficient and sustainable, so that over time the car can be “kicked out” of urban areas, so a system of public transport, urban bicycles, pedestrian zones without motor vehicles, as well as cycling infrastructure could be developed. Governments must encourage cities and municipalities to develop sustainable urban mobility plans and subsidize purchase of bicycles and electric bicycles for their citizens. There is an urgent need to give more space to non-motorized traffic in urban areas in order to maintain the psycho-physical health of the population, which would reduce the pressure on the health system, the economy, and public space, while increasing the quality of life of citizens. Some of the urgent measures that will enable faster recovery from this specific crisis, but also, lay the foundation for the improvement of non-motorized traffic in the coming period are:

- widening of sidewalks - if the pedestrian paths are too narrow (and further narrowed by numerous waste bins and/or terraces of cafes), it is necessary to expand them to a part of the road surface with special markings on them;
- establishment of bicycle lanes on multi-lane roads (“Pop Up Bike Lanes” as already established in Budapest and Berlin, for example) that enable safer movement and encourage new cyclists to find safe routes through the city;
- relocation of bicycle traffic to roads in streets too narrow for separated traffic (the presence of a larger number of cyclists on the road should be emphasized by additional signalization and speed limits for cars) and turning insufficiently wide streets into one-way in accordance with analysis and scientifically based urban mobility planning;
- establishment of streets for bicycles and pedestrian traffic or calm traffic zones: conversion of selected roads into zones with significantly reduced motorized traffic; Temporary traffic calming also helps relieve parks from the pressure of large numbers of people by providing them alternative spaces for outdoors recreation and socializing, and

allows them to move without the risk of infection; speed reduction in most residential and non-transit streets to 30km/h and 50km/h in the rest of the city;

- introduction/expansion of networks of stations of bike-sharing systems;
- expansion of bicycle parking networks in all locations of public importance, but also in streets with a larger number of residential units and private business facilities;
- spatial planning in accordance with the principles of sustainable development, instead of complying with investor requirements.

Public spaces in urban and peri-urban areas, whether they are parks and green areas, urban gardens or nearby forests, should be preserved from urbanization and occupation of space, which would allow citizens to use these spaces more actively to improve their health. Preservation of public and green areas is crucial, not only of the psychophysical health of the population, but also because of the practical reduction of negative impacts brought upon by the climate crisis, air pollution, floods and torrents, and other extreme phenomena such as the pandemic itself.

Energy and climate change

In order to create a stable, financially sound as well as a clean energy system in BiH, an energy transition is unavoidable. Such a transition would mean parting ways with fossil fuels such as coal, but safeguarding our rivers and other natural resources. Additionally, we are obliged by several international treaties, including our European Union accession, to significantly lower our GHG emissions. It is for these reasons that an intensive decarbonisation of the energy sector and a shift to renewables, has to be a question of utmost priority for our stakeholders in the upcoming decade.

A series of researches and papers shows that such an energy transition is the most economically feasible and rewarding scenario for BiH as well as other countries, especially if it is done sooner rather than later. The current electrical energy system imposes a huge burden for both budgets of the state and its citizens' who are partly financing dirty projects, which are harming both their environment and their quality of life.

In order to create a reliable, accessible, clean and sustainable energy and economic system, we suggest:

- A gradual and well planned termination of subsidies which use public budgets and citizens' money which is awarded to the coal sector, as well as termination of ungrounded state/entity warranties for energy projects which are not in line with a long-term decarbonisation plan and BiHs international obligations;
- A complete stop to new coal thermal power plants and blocks, with simultaneous turnaround towards energy efficiency and renewables;
- A transparent and participative revision, adaptation and implementation of an energy strategy which entails a scenario of complete decarbonisation of the energy system by 2050 the latest, with a strong focus on wind and solar energy, smart grids, citizens energy and energy storage;
- Reform of incentive policies for all hydro energy units in BiH;
- Introduction of a moratorium on all new hydro energy projects, until a revised energy strategy is adapted, throughout the entire territory of BiH;

- To put a stop to signing of new concession contracts for water resource exploitation in the energy sector, while terminating existing ones where obligations spanning from the concession contract have not been met;
- A detailed economic analysis of the profitability of the coal mines, which would determine all direct and indirect costs of coal production, accumulated losses and debts of the mine, as well as a plan for care and retraining of miners;
- Creation of a Fund for a just energy transition, and divestment from harmful energy projects, in accordance with a detailed strategy made in a transparent manner, for a gradual socioeconomic transformation, which will enable the creation of long-term green jobs and help vulnerable local communities in creating and developing alternative economic activities;
- Strong promotion and support of the process of democratization and decentralization of energy production by enabling and developing civic energy initiatives: such as self-production, collective self-production and energy cooperatives, and through the introduction of legal changes that will make this possible throughout the country, as well as providing financial assistance to citizens for the implementation of civil energy projects, including direct incentives (from the RES fee) and tax relief.

We believe that in the current policy of hidden and direct subsidies to harmful energy projects, significant funds are allocated that can be redirected to where they are currently most needed. These funds are unjustifiably failing to be used in ensuring a fair energy transition of our society, which should in the future legitimately and completely soberly participate in the creation and implementation of public policies that have or may have an impact on the environment.

Biodiversity and protected areas

The coronavirus pandemic has shown us the importance of nature, green spaces, forests and other ecosystems. In this new reality human population turned to nature in search of security and peace. It is important to work on preserving biodiversity since only by preserving the natural balance can we prevent phenomena similar to the spread of the harmful coronavirus. At the same time, nature offers solutions to problems of modern society such as extreme droughts, diseases and many others to which we become more exposed with each new extinct species and ecosystem destroyed.

The emergence of a new coronavirus, which have had a wild species as a host, has shown that due to the destruction of wild species and habitat disturbance, we have led some microorganisms to find a new host (in the case of human coronavirus) which can ultimately result in epidemics, pandemics and other negative effects on the health of humans and other species. We want our society to take a lead in biodiversity conservation because the wealth of species that inhabits the space of our country deserves to be recognised as our greatest wealth.

To achieve greater resilience to future threats, we must aim to:

- conservation and improvement of natural habitats and biodiversity through systematic support to research and nature protection accompanied by development of funds that would enable these activities;
- ensuring ecological connectivity of ecosystems and habitats through development of ecological networks, and integrating the principles of biodiversity conservation into spatial planning and infrastructure development;

- responsible attitude towards natural resources, which are often seen only as a resource for exploitation (rivers, forests). It is important to preserve our forests, waters and wild rivers as well as all other ecosystems;
- support for multifunctional forest management because the production function of forests is only one segment of the set of functions that our forests provide us with. The protective and social role of forests should not be neglected because they provide services of immeasurable values for our society, such as oxygen production, water filtration, soil conservation, biodiversity and many others;
- more protected areas and clear and protocol-based conservation, management of protected areas, species and specific habitats;
- stronger institutional and financial support for the management of existing protected areas, in order to ensure their primary function - nature protection;
- developing a system of monitoring and effective penalty for poaching, poisoning and abuse of wild animals, illegal logging, man-made fires and other activities that act to a detriment of biodiversity;
- harmonization of B&H legislation with EU directives and in compliance with international agreements in the field of biodiversity protection;
- harmonization of legislation related to the field of biodiversity and harmonization at all levels of government and with other sectoral legislation in order to more effectively protect biodiversity.

We want our society to recognize the importance of preserving ecosystems - which are basic for the survival of our and other species. Importance of nature we have recognized so many times in crises, natural disasters or after permanent loss of certain natural resources.

Food sovereignty

Modern agriculture is considered as one of the biggest polluters of the environment, and the current crisis caused by the pandemic has clearly shown how important it is to turn to sustainable food production in local communities, strengthening the competitiveness of domestic producers and reduce dependence on imports. The message of science is clear: we urgently need to switch to nature-friendly agriculture if we want long-term food security, biodiversity conservation and climate change mitigation.

In order to produce sufficient quantities of quality and healthy food, while preserving natural resources, it is necessary to invest in:

- introduction of new and increase of existing subsidies for the establishment and certification of organic agricultural production, with mandatory education of agricultural producers;
- provide subsidies for labeling of domestic products that do not contain genetically modified organisms (GMOs);
- launch a program of regular monitoring of the glyphosate use and its presence in human food, animal feed and environment, with special emphasis on water bodies;
- support for small family farms in the form of partial funds return for investments in organic agricultural production;
- support for the strategy "From farm to fork" as a condition for EU integration and the way of production of safe food with maximum preservation of the environment;
- support for the development of rural tourism;

- support for the creation of green gardens with the aim of food production in urban areas;
- support for branding of products with eco-label and geographical origin;
- linking agricultural production and food industry through contracting the purchase of domestic agricultural products;
- improving energy efficiency in agriculture.

General recommendations

Through our work, we are improving the implementation of the Aarhus Convention in BiH, which is an international agreement that establishes environmental rights as a reliable basis for involving citizens in environmental policies and confirms our obligations to future generations, through all three pillars.

Through this activity we strive to improve public participation in decision making, and therefore insist on:

- more transparent processes and better public participation in decision-making;
- timely public access;
- free access to information;
- faster and fairer access to justice, ie shorter-term processes before the judiciary when it comes to environmental protection court processes;
- more diligent work of inspections, strict punishment of polluters and cooperation of institutions with citizens.

Additionally, it is important to have a constructive dialogue with the civil sector, which possesses knowledge and experience in the field of environmental protection, and can contribute to the strengthening and joint dissemination of good practices and experience across European countries. Civil society organizations have over time selflessly offered their experiences and knowledge with the aim of preserving natural resources that must not be brought to the brink of destruction by human activity. We emphasize that a much more significant investment in the future of our country is a must, especially in education and science. Only highly educated and professionally evolved staff can create modern, relevant and long-term economically and environmentally sustainable branches of the economy.

Recommendations from the CSOs input into Green Agenda for the Western Balkans (Biodiversity and Nature Conservation)

Governments should:

- ensure that professional staff in the protected areas and in the scientific and governmental institutions is merit-based and adequately qualified, receiving regular training.
- appoint relevant and qualified focal points for nature-related conventions.
- make presence of the Biodiversity Task Force obligatory in the promotion and implementation of the Green Agenda for the Western Balkans.
- support the BioNET network and its members financially and structurally.
- introduce a legal obligation that cases related to the environment and the nature are prioritized in the judicial systems.
- coordinate and finance regional biodiversity policies and activities.

- increase the inter-sectoral cooperation by organizing the roundtables on sustainable farming and biodiversity in the areas important to biodiversity.
- introduce the financial scheme "Green direct payments", which supports farmers who adopt and maintain environment and climate-friendly farming.
- set up standards for companies and farmers by building a "Friendly Food System" with a focus on biodiversity.
- set a moratorium on hydro power plants across the Western Balkans.
- increase the quality and standard for the Environmental Impact Assessments (EIAs) and secure the obligatory involvement of relevant CSOs in its development and in the monitoring of the environmental management.
- increase the percentage of protected areas by 30%, in accordance with the new UN post-2020 Global Biodiversity Framework and EU Biodiversity Strategy until 2030, with an obligatory adjustment of the national biodiversity strategies.
- improve governance of the protected areas and natural landscapes.
- ensure full transposition of the Habitat and Bird Directives into the national legislation.
- develop management plans for large carnivores and key migratory species on the regional level.
- improve sectoral cooperation and mainstreaming biodiversity in the sectoral policies for energy, agriculture, water management, forestry, spatial and urban planning, and the construction sectors.
- recognize and value the contribution of civil society organizations in the nature conservation sector and to enhance opportunities for them to participate in decision-making, planning, implementation, monitoring, and reporting processes.
- mainstream biodiversity into annual national budgets, with clear funding for the protected areas, biodiversity protection, and mechanisms to ensure responsible spending.

The EU and its Member States should:

- recognize and support the work of national conservation CSOs and regional networks.
- sanction WB governments when not responding or not giving adequate answers to the e.g., the Bern Convention and other conventions.
- strengthen the European Commission's monitoring of nature protection in WB countries and provide more effective support to WB governments, in order to achieve EU standards in biodiversity conservation and public participation in decision-making without further delays.
- create mechanisms for EU investments in the Western Balkans, in order to secure that they will boost biodiversity and nature conservation, not threaten them.

Environmental Human Rights Defenders

Human rights defenders and journalists in BiH often face different pressure from the public, business sector and the authorities. According to the Frontline Defenders report, judicial harassment, trumped up charges, smear campaigns followed by anonymous online threats, hate speech and threatening phone calls are often used by the authorities and non-state actors to intimidate human right defenders with the aim to undermine their peaceful and legitimate work.

Regarding the work of the Human Rights Defenders, recommendations to the authorities are:

- Adequate implementation of legislation with the aim to provide efficient protection of human rights for environmental activists; recognition of environmental activists as Human Rights Defenders,
- Change and amend existing legislation regulating the issues of registration of CSOs to reduce excessive procedures and necessary documents required for registration. Reduce the deadlines for registration, reduce or cancel the registration fees as associations are nonprofit organizations working to enhance and promote public wellbeing,
- Sanction authorized police agencies which refuse to issue permits for peaceful gathering/protests on false grounds,
- Sanction authorized officials who fail to submit requested information within legal deadlines, in accordance with the Law on Administrative Procedures of FBiH,
- It is necessary that police undertake a more efficient approach to protection environmental activists due to frequent death threats, violent attacks, hate speech and threats issued on social networks,
- Human Rights Ombudsman Institution in BiH should exercise their authorities not only in the context of providing recommendations but also initiating court proceedings where necessary, with the aim to efficiently protect environmental activists.

Recommendations to the international community:

- Act within their scope of authority and status to exert additional pressure on public institutions to start adequate implementation of legislation,
- Organize education of activists and media on how to prevent and defend against such attacks,
- Where necessary and possible, provide assistance to activists in their defense, in accordance with respective mandates.

Sincerely,



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