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REPORT

FINAL EVENT WITHIN THE EU PROJECT

"Support to SECO ETE in lobbying activities for adoption of environment related strategic documents"

Sarajevo, Bosnia and Herzegovina, 7th September 2016



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INTRODUCTION

Association "Aarhus Center in BiH" and 7 civil society organizations (CSO) for establishment of BiH sectoral mechanism in the fields of environment, transport and energy in the processes of EU integrations (SECO ETE) have organized a final event within the "Support to SECO ETE in lobbying activities for adoption of environment related strategic documents" project on the 7th September 2016 in the Parliamentary Assembly of BiH. A total of 55 participants were present at the final event; there were representatives of the governmental sector, non-governmental sector, international organizations and companies from the entire BiH. The Direction for European Integrations BiH and Mission of OSCE to BiH supported "Aarhus Center in BiH" in the organization of this event.

BACKGROUND OF ACTIVITIES

Association "Aarhus Center in BiH" and 7 partner CSOs (Centar za održivi razvoj Brčko District BiH, Centar za menadžment, razvoj i planiranje MDPi Doboj, Centar za okolišno održivi razvoj Sarajevo, Društvo za istraživanje i razvoj Tuzla, Eko Element Bugojno, Eko Most Mostar i LIR Evolucija Banja Luka) have started the Initiative for adoption of Strategy for alignment of BiH regulations in the field of environmental protection with the EU acquis, and Action plans for implementation of this strategy in the entities and Brčko District in May 2016. By adopting these documents, BiH would accomplish one of the most important requirements of the European Commission for continuation of the BiH integration to EU process, and utilization of the IPA II Programme funds for the environmental sector for the period beyond 2017. Members of SECO ETE from Banja Luka, Brčko, Bugojno, Doboj, Mostar, Sarajevo and Tuzla have organized street campaigns in 4 cities of BiH on the 14th June 2016, where they collected signatures from citizens, but also the respectful ministries and institutions in the field of environment at all levels, local governments, academia, NGOs, companies working in this field and all other interested parties. The aim of this initiative is to integrate the environmental sector into the pre-accession assistance program EU IPA II for BiH. The initiative was implemented in the framework of the project "Support to SECO ETE in lobbying activities for adoption of environment related strategic documents", which is supported by the European Union. The project ended with a meeting, at the Parliamentary Assembly of BiH, on 7th September 2016, where the Aarhus Center and SECO ETE members presented the results obtained during the three-month campaign.

OBJECTIVES OF THE FINAL EVENT

- Present the results of the Initiative for adoption of Strategy for alignment of BiH regulations in the field of environmental protection with the EU acquis for BiH, and Action plans for implementation of this strategy in the entities and Brčko District;
- Convey a message to representatives of higher governmental levels (above all the Council of Ministers BiH, and governments of entities and Brčko District BiH) about the importance and urgency for adoption of the mentioned strategic environmental documents;
- Introduce the content of the draft strategic environmental documents to the participants.



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INFORMATION ABOUT PARTICIPANTS

There were 55 participants including the organizers and lecturers (33 women and 22 men) present at the final event within the "Support to SECO ETE in lobbying activities for adoption of environment related strategic documents" project.

Delegation of EU: **4**

Institutions BiH: **11** (total of 17 representatives)

NGOs: **11** (total of 26 representatives)

TASCO BiH: **1**

International organizations: **3**

Business sector: **4**

INTRODUCTORY GREETINGS



The final event was opened by representatives of 2 organizations, partners in the "Support to SECO ETE in lobbying activities for adoption of environment related strategic documents" project: Edin Mujačić from the Center for Sustainable Development Brčko District BiH and Sabina Jukan from Association 'Aarhus Center in BiH' from Sarajevo. They noted that the purpose of holding the final event is to present the results of the Initiative for adoption of

the strategy of alignment with the EU acquis in the field of environmental protection in BiH and Action Plans for the implementation of this strategy in the entities and Brčko District, as well as to send a message to the higher levels authorities of the importance and urgency of making strategic environmental documents, as well as to introduce participants to the existence and content of the draft of strategic environmental documents.

In the name of Delegation of EU in BiH (DEU BiH) Mariangela Fittipaldi, acting Head of operations in the Department for economy, development and natural resources in DEU BiH, talked at the event and emphasized that the project "Support to SECO ETE in lobbying activities for adoption of environment related strategic documents" has started and strengthened the public debate in the environmental sector. She considers important the continuation of activities on all levels of governance so that the strategical documents could be adopted, and IPA II funds for financing the environmental sector accessed. She highlighted that the participation of the public and NGO is an extremely important part of decision making in the field of environment. Because of the lack of a sector strategy on the state level, BiH did not receive any financial support in the field of environment from the EU within the IPA 2012-2015. Since 2014 the EU is in the process of implementing the second phase of IPA funds for the region, the so call IPA II 2014-2020. Further support of the EU, which could be secured through the IPA II, is conditioned with adoption of strategical documents. Through EnvIS project, 53 documents were created so that the access to IPA II funds could be easier.



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In the name of Directorate for European Integration (DEI BiH) Angelina Pudar, Chief of the Department for support of BiH participation in programs of the EU, talked at the meeting and highlighted the importance of activism of the CSOs in this segment. She considers it is time for a breaking point for adoption of strategical documents in the field of environment, so that work within the EU integration could continue.

PRESENTATIONS AND DISCUSSION



RENATA ABDUZAIMOVIĆ, program manager in DEU BiH, stressed that BiH assumed the obligation of adopting strategic documents in the field of environment when it signed the Stabilization and Association Agreement. In fact, it is a strategy that involves the whole country with objective to enable a harmonized implementation of the EU acquis. Due to the lack of a comprehensive strategy of Bosnia and Herzegovina, the environmental sector has not been subject to EU financial support since 2011. In the period 2007-2011, the EU has, through the IPA program, supported the environmental sector in BiH in the amount of 90 million euros, including infrastructure projects. The EU assistance is provided for the period 2014-2020, which falls under the

second generation of the Instrument for Pre-Accession Assistance IPA II, and it is based on a sectoral approach. This is exactly the reason why BiH must adopt strategic documents in the area of environment to be able to use these funds. Also, approximation with the EU acquis in the environmental sector should be carried out with the implementation of the so-called soft measures (institutional and legal framework to ensure further harmonization) and infrastructure investments. Currently, Bosnia and Herzegovina is reviewing the strategic documents in the field of environment, and if this chance is not used, the funds for the period 2018-2020 will not include the environmental sector.

Professor **SLAVKO BOGDANOVIĆ** gave a presentation and introduced the participants with the instruments of approximation, current status and activities to overcome the current situation. The obligation of Bosnia and Herzegovina based on approximations of the transposition of EU legislation, the application of national legislation which is the transposition was performed, and the execution of national legislation which transposition was performed. The European Union and Euratom are committed to provide Bosnia and Herzegovina with all technical and financial assistance necessary for the fulfilment of commitments. One form of assistance was the EnvIS project, which has resulted in, among other things, drafting the texts of strategic planning documents and policy documents, whose adoption is a condition for the continuation of EU support through the pre-accession assistance. However, the European Union has fulfilled its obligation as opposed to Bosnia and Herzegovina. Slavko Bogdanović emphasized that this meeting should be used to talk about the plan to carry out this approximation. Successful execution of the obligations of Bosnia and Herzegovina is possible through a joint coordinated action of all the bodies responsible for the environment, at all levels, in accordance with the applicable regulations. Unfortunately IPA II funds



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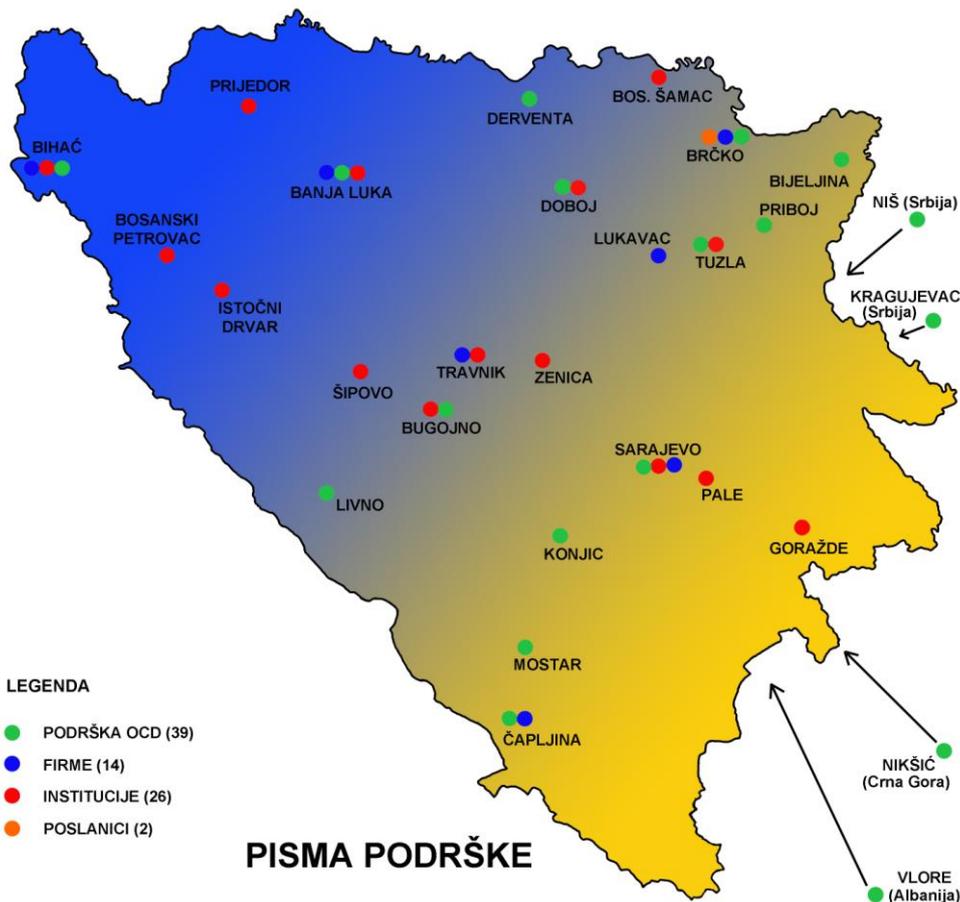
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are not yet available to Bosnia and Herzegovina, because the country has still not adopted the Strategy of approximation. Revision of the IPA II will be done in 2017, and if the strategy is not timely made, the funds IPA II will remain inaccessible to BiH by the end of the IPA II period. All 4 documents constitute together a strategic platform for the approximation in environmental field, covering the entire territory of Bosnia and Herzegovina, which allows the access to the BiH IPA II program and continuation of the process of bringing this sector closer to the European Union.



SABINA JUKAN, Executive Director of the Association "Aarhus Center in BiH", presented the results of a three-month campaign in which it held 65 meetings with representatives of legislative and executive authorities at various levels, civil society organizations, public institutions, businesses and individuals. She pointed out that within the campaign 5,000 promotional flyers were distributed, 3148 signatures of citizens from all over Bosnia and Herzegovina and the region and Europe collected, as well as 81 letters of support

institutions with the state, entity, cantonal and local levels, civil society organizations, the business sector and MPs. From the collected signatures and letters of support 4 scripts have been created, and these will be sent to the Council of Ministers and the governments of the entities and Brčko District, which are responsible for adoption of these documents.



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ANGELINA PUDAR, Head of the Department for support of BiH participation in EU programs, has stated that the reason for the reduced IPA II package for Bosnia and Herzegovina is primarily the lack of sectoral strategies/ strategic documents (whole-country sector strategies), including in the environmental sector, and given that IPA II requires a sectoral approach in the use of aid. Due to the lack of sectoral strategies/ strategic documents, Bosnia and Herzegovina is currently not able to use available regional IPA II funds in the environmental sector, including the funds of the Investment Framework for the Western Balkans. Within the project EnvIS, proposals of necessary strategic documents for the environmental sector have been made. The European Commission has

confirmed that the adoption of the same is sufficient to meet the aforementioned conditions of the existence of sector strategies/ strategic document, and the inclusion of the environmental sector in the IPA II. The European Commission has launched the mid-term revision of indicative strategic documents for IPA II for all beneficiary countries of the IPA II. The audit in the case of Bosnia and Herzegovina represents the preparation of this document for the coming period 2018-2020. An audit also represents an opportunity to extend the Indicative Strategic Document for IPA II for BiH on the other missing sectors, including the environmental sector, as well as to enlarge the IPA II allocations for the country accordingly. A precondition for this is the progress in adopting a whole-country sectoral strategy. The first round of consultation regarding the revision of the Indicative Strategic Document for IPA II for Bosnia and Herzegovina with institutions in Bosnia and Herzegovina, as well as with civil society, will be held in September 2016. Further consultations regarding the Indicative Strategy Paper are planned in October and November 2016. The completion and adoption of the document by the European Commission will follow in the first half of 2017. To include the environmental sector in the IPA II, it will be necessary to ensure progress in the adoption of sectoral strategic documents for the environment during the consultation period.



NERMINA SKEJOVIĆ-HURIĆ, Senior Advisor at the Ministry of Foreign Trade and Economic Relations of BiH (MoFTER), stressed that funds equal to 87,100 billion euros have been approved for the environmental sector 2007-2011, through IPA I, for realization of 30 projects (technical support and infrastructure). BiH is a beneficiary of WBIF instruments and has the highest number of financed projects in the region. IPA I funds were stopped for the period 2012-2013 by the European Commission because they concluded that BiH does not have the absorption capacity for the withdrawal and the implementation of aid. The condition to use IPA II funds is the existence of adopted Strategic documents that define specific goals in evaluation of the

success progress. Project under the title “Strengthening of the institutions for protection of environment in BiH – EnvIS” resulted in draft packages of 53 documents: Strategy for alignment of BiH regulations in the field of environmental protection with the EU acquis, and Action plans for implementation of this strategy in the entities and District Brčko. As well as other documents necessary for BiH integration to EU in the field of environment. These documents should have been finalized on different levels of environmental governance during year 2015. This has not been accomplished, because the condition for



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continuation of activities with conclusion of the RS government, was to achieve an agreement on the mechanism of coordination. Government of FBiH has adopted the suggestion for document finalization, and Brčko District has put the same in the work plan of Brčko District government.

To date, MoFTER has repeatedly held meetings with the ministries of the environment and the Directorate for European Integration, European Commission, sent a number of acts and calls to entities and Brčko District to form working groups for finalization and of the mentioned documents. Continuation of the project activities was also the subject of many meetings of the Committee for EU projects monitoring. Relevant institutions from state and FBiH levels have delivered to MoFTER BiH names for representatives in the working groups. However, the Government of RS decision issued a decision to wait for adoption of the coordination mechanism. Since the coordination mechanism was adopted on the 23rd August 2016 by the Council of Ministers, it is expected that the relevant ministries from Republic of Srpska will also designate representatives to work in the working group soon, so that the strategic documents could be adopted. Up to date, sector of environment is the only sector which had 11 views of EU approximation legislative in BiH, through multi-users projects RENA and ECRAN. BiH does not have an environmental law on the state level yet. Approximation of the regulations will be done at all levels of environmental governance. Coordination and harmonization of all regulations will be done by the MoFTER BiH, in accordance to the Law on Ministries and Other Authority Organs.



AMER HUSREMOVIĆ, Head of Department for the development and international commitments in the Department for Waters of the Federal Ministry of Agriculture, Water and Forestry, has pointed out that his Ministry has, upon the request of MoFTER BiH, for the purpose of developing an action plan for completion, adoption and implementation of strategic documents and plans for the environmental sector prepared through project EnvIS, submitted the names of the representatives of the water sector for the 8 planned working groups on the 24th August 2015. This Ministry has included the participation in the said Action Plan in its work program for 2016, but to date no action has been taken on the subject because the activities of the Working Groups have never even started.

Failure to adopt strategic documents in the field of environment at the national level, except for the area of flood protection for which the Council of Ministers adopted an action plan for flood protection and water management (2014-2017), IPA funds were blocked for additional support to current and planned capital projects in the field of water, with particular emphasis on infrastructure projects in the field of water utility directives of the EU where there is an apparent lack of grant funds for financial completion of implementation. For these reasons Federal Ministry of Agriculture, Water and Forestry has prepared information for the Government of FBiH about the need to provide additional support to current and future capital projects, construction of municipal / city water supply systems, the collection, drainage and wastewater treatment in municipalities and cities. Although the Federal Government has adopted the information and conclusions of this Ministry (V. No. 629/2016 of 10.03.2016.), they have not provided funds for additional support for water and sanitation projects in FBiH in the required amount of 12 million BAM/ year. In doing so, further development of the water and sanitation sector in BiH without grant support of the EU will not be possible. There is the need for large capital investments in development projects, which are only for the FBiH estimated in the amount of about 4.5 billion BAM for the next 30 years, out of which the EU is expected to provide 60-90%. Therefore, they appeal for urgent adoption of



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strategic documents in the field of environment in BiH, thus unblocking the EU grant funds for this purpose, in order to maintain and improve the current continuity in the implementation of the Water Framework Directive of the EU.



ALMIRA KAPETANOVIĆ, Head of the department for strategic and planning documents in the Federal Ministry of Environment and Tourism, pointed out that the Ministry initiated activities after the end of EnvIS project. Priority activities were inserted in the Ministry's work program for 2015. During 2015, they had an aggravating circumstance of a shift of the Minister, so that the prepared initiative did not go to the Government of FBiH in August of the same year. After the meeting between representatives of the Association "Aarhus Center in BiH" and the Minister Edita Đapo in 2016, the Ministry renewed the initiative and sent it to the Government of the Federation BiH. The Ministry also submitted the inquiry to the Council of Ministers BiH and the MoFTER to find out the order of steps for full

adoption of the documents.



LEJLA ŠUMAN, Director/ Head of REC mission in Bosnia and Herzegovina has expressed her satisfaction with the fact that non-governmental organizations began to work strategically. She also pointed out that NGOs can count on the support of REC.

ZLATAN ČIZMIĆ, Head of Department for communal activities and environmental protection in Bihać City administration, gave support to this initiative as a presentative of Bihać City. He stressed that it is very important to provide funding for the environment from IPA II in order to solve important environmental issues.



NIKOLA LOVRINOVIĆ, chairman of the Joint Committee for European Integration in the BiH Parliamentary Assembly, said that the Members of Parliament are not well informed about this issue. He considers that the Parliamentary control must be stronger, and that they need to be more involved in addressing this issue. The Parliament needs to get information why the whole process is being obstructed by the executive government, so to influence and speed up the process.



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CONCLUSIONS:

1. All project activities were carried out in accordance with the plan.
2. The public, that is aware of the SECO group initiative, strongly supported the request to the authorities in the field of environment at all levels of Bosnia and Herzegovina, to immediately begin the necessary actions and adopt the Strategy for approximation BiH for the environmental sector and Action plans for the implementation of the Strategy in the Federation of BiH, RS and BD and other strategic documents prepared by the project EnvIS. Adoption of these documents is a prerequisite for use of the EU IPA II programs in the environment sector and to continue the process of EU integration in this sector.
3. In this moment, two years after the preparation of strategic planning documents for the environment sector, further delay in adoption of these documents would jeopardize the chance for BiH to use IPA II funds in the period after 2017 and prevent the continuation of the process of EU integration in this sector.



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