

**UNECE, Ninth meeting of the Working Group of the Parties to the Protocol on PRTRs
Geneva, 24-25 November 2022**

*Topic: Subregional and national activities: achievements, needs and challenges for
capacity building*

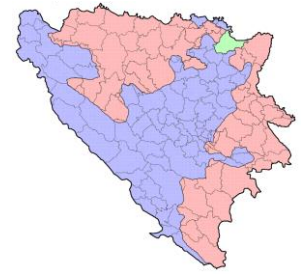


Implementation of the PRTR Protocol in Bosnia and Herzegovina - achievements, needs and challenges for capacity-building



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Constitutional arrangement of Bosnia and Herzegovina



- Bosnia and Herzegovina is a decentralized state consisting of two entities: Federation of Bosnia and Herzegovina and Republic of Srpska and Brčko District.
- Federation of Bosnia and Herzegovina consists of 10 cantons with which it shares responsibility for environmental protection, and Republic of Srpska has 6 regions.
- According to the Constitution of Bosnia and Herzegovina, the field of environment is at the entity level.
- **There is no Law on Environmental Protection at the state level.**
- Ministry of Foreign Trade and Economic Affairs of Bosnia and Herzegovina (MOFTER of Bosnia and Herzegovina), performance of duties and tasks in the field of environmental protection, development and use of natural resources.

Commitment to rapprochement with the EU and ratification of the PRTR Protocol

- The obligation to harmonize the legislation of Bosnia and Herzegovina is determined by the Stabilization and Association Agreement between the European Community (entered into force in 2015) and their member states, on the one hand, and Bosnia and Herzegovina , on the other.
- In 2019, the Council of Ministers of Bosnia and Herzegovina adopted the Information on the Compliance of the Regulations of Bosnia and Herzegovina with the EU acquis, and concluded "All institutions of Bosnia and Herzegovina are obliged to intensify activities on additional harmonization of all regulations with the valid relevant EU acquis".
- The PRTR protocol is a part of the state Strategy for harmonization of Bosnia and Herzegovina regulations with the legal body of the EU in the field of environmental protection, Chapter 27. Horizontal Legislation and industrial pollution.
- Currently, for the first time in Bosnia and Herzegovina, the Environmental Protection Strategy is being adopted at the state level (for the period 2022-2032).

Ratification process of the PRTR Protocol

- Bosnia and Herzegovina signed the PRTR Protocol of the United Nations Economic Commission for Europe (UNECE) in accordance with the Aarhus Convention in 2003.
- The MOFTER of Bosnia and Herzegovina has prepared an explanation of the initiative for launching activities around ratification in 2016.
- The ratification process is still not finished.

Previous EU projects to support the establishment of PRTR

- EU LIFE program for third countries, CARDS, IPA I, which were implemented in the period from 2003 to 2012.
- EU project IPA -2007 "Support for the implementation of the IPPC Directive in Bosnia and Herzegovina" (2010 - 2012) it contained a component of improving the existing PRTRs.
- After the finalization of these projects, no significant developments were recorded at the state level.
- Even to this day, the state register has not been established, the state regulation on keeping the PRTR, submitting data to the institutions of the EU has not been adopted (given that there is no state law on environmental protection).

Current situation regarding PRTR

- The currently existing regulations in both entities ensure the obligation to submit data on industrial facilities, released polluting substances, and prescribe the manner of reporting.
- Since 2008, industrial facilities have been submitting reports with data in hard copy and/or electronically.
- PRTRs entity registers function in such a way that industrial facilities deliver data in hard copy, the data is entered into Excel tables and processed. In the Federation of Bosnia and Herzegovina , from 2011 to 2018, an electronic database was in operation, which was not maintained and improved.
- The data that was entered is publicly available.
- Verification of data based on comparability and calculation (where applicable) is performed by the institution to which the data is submitted.
- Reference centres for data verification were planned by law, but due to under capacity, they did not take on this role.
- In case of non-fulfillment of the obligation to submit data to PRTR, environmental protection inspectors impose fines in accordance with the Law.

Current activities

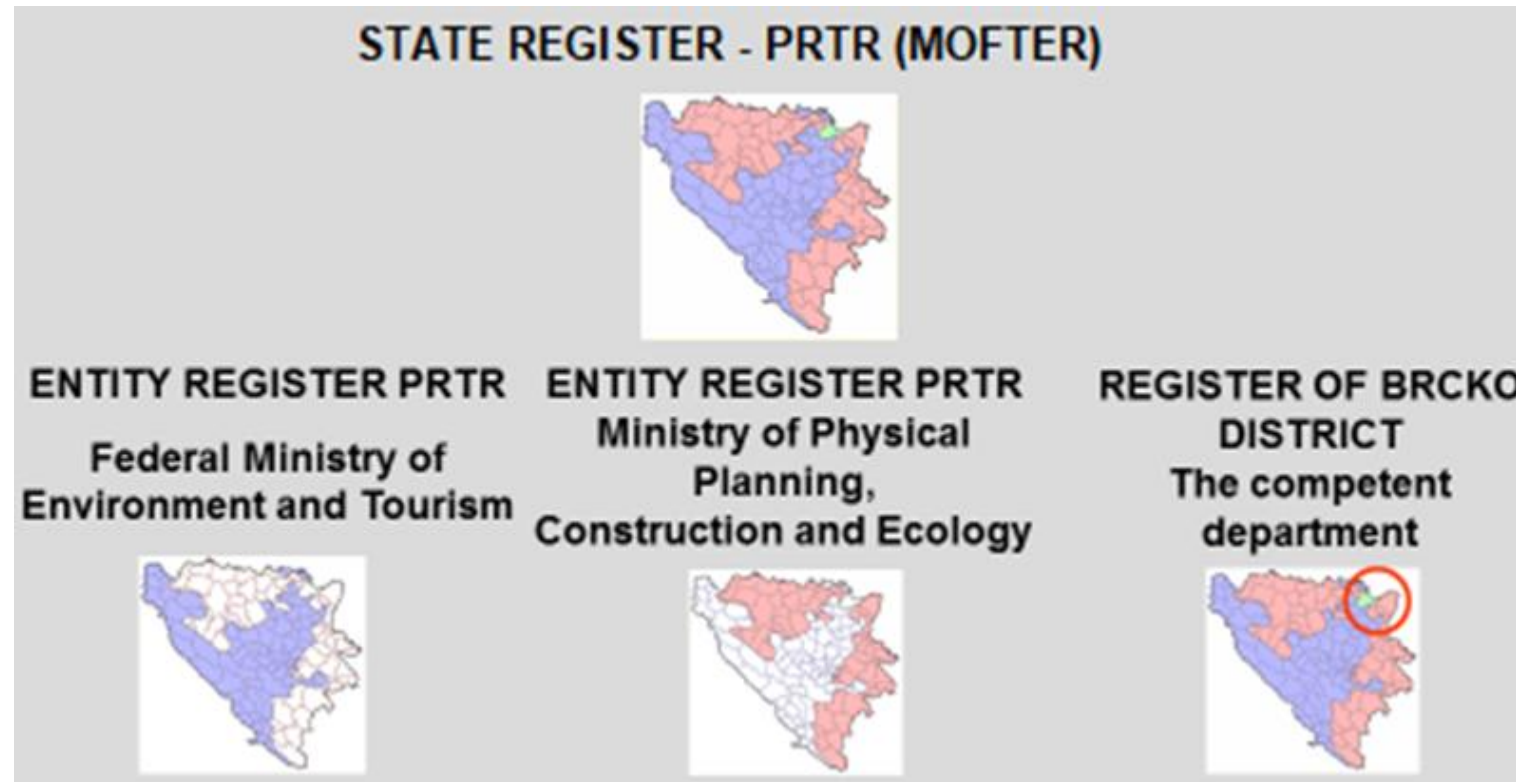
- Project: "Development of registers of pollutants in the region of the Western Balkans and the Republic of Moldova"
- The project is financially supported by Federal Ministry for the Environment, Nature Protection and Nuclear Safety of Germany and the German Federal Environment Agency within the framework of the Advisory Assistance Program (AAP) for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia.
- The establishment of the capacity of competent authorities in Albania, Moldova, Montenegro, Bosnia and Herzegovina and Kosovo aims to establish the PRTR System in these countries.
- **A workshop was held in Sarajevo (September 2022) on the topic of establishing the PRTR in Bosnia and Herzegovina. So far, the following has been done as part of the project:**
 - created a GAP analysis "Assessment of legal, institutional, technical and needs for capacity building, and for the preparation of a proposal for the establishment of the PRTR",
 - full transposition Regulation EC 166/2006 of the new PRTR Regulations for both entities and Brčko District,
 - an analysis of IT solutions for the development of tools/applications for the PRTR was carried out,
 - help was provided by PRTR experts from the Republic of Serbia.

Planned future activities

- **Successful results of the project "Development of registers of pollutants in the region of the Western Balkans and the Republic of Moldova"**, which will achieve:
- Ratification of the PRTR Protocol,
- Updating the legal framework and institutional arrangements for the establishment of a functional and sustainable the PRTR database,
- Establishment of a functional registry of the PRTR at the state level - enabled **"on-cloud" access** to data in the PRTR according to the chosen model through the agreement of all levels of government,
- Regulating the reporting process in E-PRTR,
- Ensuring public access to data from the PRTR register through the web portal,
- Securing regular budget funds for the upgrade and development of the PRTR application,
- Capacity building, raising public awareness, education.

Structure of the PRTR data base (IT solution) in Bosnia and Herzegovina

The optimal solution with regard to the constitutional arrangement



Obligations arising from the Environmental Protection Strategy of Bosnia and Herzegovina 2022-2032.

Indicator	Baseline value (2021.)	Target value (2024.)
Functionality of the PRTR register in Bosnia and Herzegovina	<ul style="list-style-type: none"> - The PRTR register has been established in in both entities and Brčko District, however, an insufficient number of operators submits their data and fulfills legally prescribed obligations regarding PRTR reporting. - There is no system of verification of data entered in the PRTR register by the operator. - The mutual inconsistency of the PRTR registers in both entities leads to the problem of unifying data at the state level. - The data collected for the PRTR in the entities and Brčko District are not forwarded to the Bosnia and Herzegovina institutions for the time being, given that this process is not regulated. - Also, the process of transferring this data to EU institutions is not regulated either (2021). 	<ul style="list-style-type: none"> - The PRTR protocol ratification process is completed. - A functional PRTR register in Bosnia and Herzegovina that is compatible and coordinated with the registers in both entities and Brčko District. - The data is publicly available to the public. - The process of reporting data from PRTR registers is regulated according to Bosnia and Herzegovina institutions, and according to EU institutions (2024).

