

## **Environmental Law, Politics, and Ecological Awareness in Southeast Europe with a Significant Focus on Bosnia and Herzegovina**

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**Abstract:** The research determines the hypothesis: Bosnia and Herzegovina has not effectively adjusted the environmental protection policy and has insufficient ecological awareness. The study presents theoretical determinants and ecological legislative policies of former Yugoslavia (focusing on B&H) associated with the EU, analysing strategies and environmental awareness within the "green" political ideology. The ineffectively developed environmental normative and institutional framework and the complex architecture of the Dayton Constitution complicate ecological policies. In addition, institutional ethnopolitical fragmentation and frequent disputes over the division of competencies between levels of government have contributed to the gravity of the position. A prerequisite for responsible behaviour towards the environment is to acquire knowledge about the interdependence of development and the current environmental policies in more environmentally advanced nations, not exclusively within the EU. The weak general environmental culture, traditional Yugoslavia socialism industrialization, labour heritage, and war region legacy (hazardous substances, depleted uranium, genetically modified, bacteriologically, chemically defective food, expired medications) have degraded environmentalism. B&H necessitates civic awareness of the convention, environmental rights, civic participation, and public responsibilities concerning environmental and well-being decision-making. Besides institutions, the ecological transition should start among individuals and communities. It is delinquent when action policies have been adopted, financial resources consumed - environmental consequences affect citizens' health. The development of green politics will largely depend on the social, political, and legislative development of the EU.

**Keywords:** *Environment, Southeast Europe, Ecological policies, Green politics, Law, Bosnia*

### **Introduction**

The research's defined problem, subject, and object determine the primary working hypothesis: Bosnia and Herzegovina have not effectively adjusted the environmental protection policy, and ecological awareness is insufficient. The study presents theoretical determinants and ecological legislative policies of former Yugoslavia (with a significant focus on B&H) associated with the European Union (EU), analysing strategies and environmental awareness within the "green" political ideology. Man's attitude towards the environment has been based on anthropocentrism for almost two centuries, leading to several global, regional, and local environmental problems, culminating in an environmental crisis. The numerous and long-term consequences of the crisis require a responsible attitude of modern society and state policies towards the environment. Therefore, this paper problematizes the importance of environmental legislation, policies, and ecological consciousness in establishing the balance of man and his environment as part of social consciousness. The former Yugoslav countries are post-socialist, post-communist countries. Post-war country Bosnia and Herzegovina (B&H), during socialist industrialization and labour self-management, had colossal economic growth but tremendous environmental degradation and dejected general ecological responsiveness.

During the war and post-war period, B&H as an active military region was a landfill to dispose of hazardous substances, an experimental test site for depleted uranium, a territory for genetically modified, bacteriologically, chemically defective food, and expired medications. Presently, post-war B&H has one of the most complex constitutional structures and public administrations globally, and thus environmental laws and ecological policies consequentially affect observed phenomena. The complexity of B&H's constitutional structure results in several similar laws that define the same area

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but refer to different levels of government. Within the legislative framework, we must indicate the following: B&H is a state consisting of two entities - the FB&H (Federation of B&H) and the Republic Srpska (RS), and the one District - Brčko District (DB B&H). A post-war divided country, the complex structure of two entities and one district, the ethnoreligious division, EU and NATO integration, is complicated. At the same time, in B&H, the entities have increased the possibilities of monopoly and power over the territory. Identity politics emphasizes ethnopolitical attitudes among the bearers of political decisions in the Balkans, particularly B&H, resulting in more deficient public policies and political instability (Hadzic, 2021). These processes created hybrid political wars, maintaining the developmental, legislative, and socio-political status quo, opening further division and conflicts prospects. Since the paper explores the former Yugoslav (focusing vastly on B&H) environmentalism and ecology and partially corresponds to the EU legislations regarding laws and policies, it is crucial to touch the Western Balkan's general socio-political and legislative climate. Florian Bieber's noted that "stability" in the Western Balkans countries, including Croatia, creates an image that Balkan hybrid regimes are possible only with the existence of the EU - who close eyes to the rule of law in the Western Balkans. He explored the competitive authoritarianism and democratic institutions in the Western Balkans, stating that EU accession is attractive only as an instrument, a tool for securing the electorate's support, and a potentially better standard of living (Bieber, 2019). The latest B&H political crisis (2021) is the most challenging moment since the 1995 Dayton Peace Accords, which ended a war that cost hundreds of thousands of lives and displaced more than 2 million people. The Balkan's stability has been eroded by the disengagement of the EU and the United States (US). Like most B&H issues, policies and laws, such as water management, are primarily ethnopolitical issues. An important factor that has contributed and continues to contribute to the pressure on the environment is the irresponsible attitude of man towards the environment, i.e., the non-existence or insufficient level of environmental awareness, which is expressed in the Balkans, *ie.* B&H. Southeast Europe is one of the wealthiest parts of Europe in terms of biodiversity. At the same time, the Western Balkans have been one of the worst air quality regions in Europe for years. The cities of this region often occupy the first places on the list of the most polluted in the world. When the global COVID-19 pandemic marked 2020 is still going on is added to the poor air quality, an additional increase in respiratory disease, and higher mortality (Eko Forum, 2021).

The knowledge acquired in the educational process is an essential but insufficient support for the practical environmental and pedagogical activity. The value system designs this knowledge; the focus is on achieving specific goals, in this case, on protecting and improving the environment. Practical action on nature, based on the need for harmony with nature, requires a high level of environmental awareness. We strive for the adopted attitude of each individual to be: "My attitude towards my environment is my consciousness." Through its activities, the school influences the value system not only in one micro-environment but also in the value system in society. The goal of environmentally engaged students has contributed a lot to thinking "ecological" future and society. However, education on the environment and sustainable development are not adequately addressed in B&H. Contents from ecology, environmental protection, and sustainable development are not satisfactorily represented in primary and secondary education curricula. B&H citizens' ecological awareness and environmental culture are not satisfactory because no significant workshops are organized to teach staff to improve environmental protection and sustainable development - teacher training. Society, in general, does not sufficiently promote value patterns about environmental protection. The research on information and awareness of the citizens of Tuzla Canton on the legal legislation of all levels of government in B&H have alarming results. 63% of respondents say they are not familiar with the legislation on ecology and environmental protection in the area where they live. Surveying the awareness of Tuzla Canton citizens about environmental problems in their places of residence, 46% of respondents see waste disposal in populated areas as the most common environmental problem, which indicates that citizens are aware of environmental problems in their communities (Omerovic & Ciric, 2016).

Based on research in Croatia, the only Western Balkans EU member, the analysis showed students' interest in environmental problems, insufficient knowledge of the environment, and insufficient respondents' engagement in environmental protection. A substantial proportion of students (over 90%) believe that, according to their experience, in the educational process in Croatia (kindergarten, primary school, secondary school, faculty), environmental protection was not

sufficiently represented. Two-thirds of students believe that the competent state authorities in Croatia are not doing enough on environmental protection, and all respondents said that there was not enough in Croatia to invest in environmental protection. When asked whom they would turn to if they wanted to propose environmental protection, half of the students (51%) would turn to an environmental association, one-third to the Ministry of Environmental Protection and Physical Planning of the Republic of Croatia (35%). Moreover, 7% of students believe that food produced in Croatia is not healthy. Assessments of students' attitudes are significant because they indicate their sensitivity/insensitivity to environmental problems and readiness to preserve them. (Afric, 2002)

Political ideologies such as monism, pluralism, and others are distinct. However, these ideologies can be classified and distinguished if we classify them according to two criteria. The first is a socio-economic criterion that encompasses the most critical economic issues and is symbolically expressed in the question: is someone more on the side of labor or capital? The second is a socio-cultural criterion encompassing topics and issues subsumed under worldview issues in public discourse. These are, for example, issues of the right to abortion, the rights of different sexual and other minorities, and the attitude towards the role of religion in public life in general. Finally, it should be added that these ideologies are not the only pluralistic political ideologies, but some others that emerged during the 20th century and to some extent influenced the political processes in democratic societies. Here, we mean feminism and "green" ideology, which puts the preservation of the environment as the primary focus of its political activity. The European "Green Deal" is the EU's response to climate change. It is a new European development strategy to transform the EU into a just and prosperous society with a modern, efficient, and competitive economy with zero net greenhouse gas emissions by 2050 through research, innovation, and environmental protection. In addition, the EU aims to transform its society and economy to make them more sustainable, protect and preserve natural resources, protect the health and well-being of citizens from environmental risks, and make a social transition so that no individual or region is neglected. Namely, the Green Plan puts people first and pays special attention to the regions, industries, and workers who will face the most significant challenges (European Commission, 2019).

B&H, like other countries in the Western Balkans, except Croatia, is not a member of the EU. However, it does not mean that these measures do not apply to them. Namely, the EU is currently considering adopting the Green Plan to the Western Balkans, where environmental policy is in the hands of corrupt ruling elites, who have not regulated pollutants, do not encourage clean energy and transport, but continue their dependence on coal and other fossil fuels (Heinrich Boll Stiftung, 2020). B&H is mentioned much more often in Brussels in the Western Balkans group. The European Green Deal will be adjusted to the Western Balkans and not individual countries. It is still not entirely clear how the countries of the Western Balkans will participate. Green agenda is being prepared, purposefully adjusted to the countries of the Western Balkans (Suljic, 2020).

### **Environmental law and ecological policies**

There are different political ideologies, but despite these differences, they can be classified as a standard category because they all consider legitimate the existence of different, heterogeneous social groups, ideas, interests, attitudes, and values that exist in a society and compete with each other for the opportunity to manage that society temporarily. Monism, therefore, as an ideology encompasses ideologies that differ in a whole range of features but at the same time share one common feature: there is only one absolute political truth and only one correct way of organizing political life. At the same time, which is also common to all monistic ideologies, any attempt to question this political monopoly is not allowed and punished, regardless of whether the monopoly was based on class, race, or religion. We have fascism as monistic political ideologies, communism, and religious fundamentalism. Another political ideology is pluralism, by which we mean a higher gender term for all those political ideologies that accept a pluralistic view of politics and the political process and a pluralistic structure of the political community. Pluralism as an ideology and certain pluralistic ideologies take as their starting point the fact that we live in societies that are heterogeneous in several aspects (ethnicity, religion, class, interests). We are committed to meeting diverse citizens; we try to find fairways to organize a common political space.

Green politics, or ecopolitics, is a political ideology that aims to foster an ecologically sustainable society often, but not always, rooted in environmentalism, nonviolence, social justice, and grassroots

democracy. However, these ideologies are not politically powerful to the extent mentioned above. Early socialism developed through egalitarian ideas in France and Britain, but Karl Marx provided its classical theoretical basis. Industrialization took hold, and a social group depended entirely on their labour to support themselves. Strengthening Green Parties intensifies in Western European countries, and critics debate whether the Green Parties can replace the European left.

Contrary to the socio-political process in almost all parts of Europe, nationalist and far-right parties fight for elections or lead the opposition in EU politics. At the same time, in these countries, environmental policy initiatives do not receive much attention in right-wing policy programs. Are above-average temperatures, climate disasters, environmental pollution, and social injustices happening only in Western countries, so they need more influence from the Green Parties? The Greens parties are not for the shortcuts that populists usually use. Nevertheless, given the importance of climate change, which is at the heart of green politics, it will soon become a social majority party in much of Europe. There are no profound green parties except Serbia, Macedonia, and Croatia in the Western Balkans. "There is a great misconception among people that only environmental parties are green. They do not understand that green policies are much broader than that and deal with social issues, regional reconciliation, nonviolence. We need to work on educating citizens. When they recognize the breadth of these policies, the Greens will grow stronger." (Cabradi, 2019) Decarbonization of the energy sector and the supply of clean, affordable, and secure energy are vital to meeting the 2030 and 2050 climate targets. More than 75% of EU greenhouse gas emissions result from energy production, and use and energy efficiency will be a priority. The electricity sector will have to rely mostly on renewables, with a gradual cessation of coal use and a reduction in carbon dioxide. It intends to transform the entire industrial sector in the next 25 years to achieve a climate-neutral, circular economy and sustainable industry. Sustainable agriculture "From the field to the table" and sustainable mobility are also occupied essentially in the European Green Plan. All public policies in the EU will have to be viewed through the prism of sustainability. One of the measures currently being considered in the EU in response to unsustainable environmental policies in the Western Balkans is the introduction of a tax on carbon dioxide emissions, which could be a significant blow to electricity prices and thus the export competitiveness of power companies in the region. Such a move would perhaps hit the possibility of exporting electricity from B&H the hardest. Respect for the Paris Agreement is essential for all future trade agreements and relations (Heinrich Boll Stiftung, 2020).

Historically, in Yugoslavia socialism, the idea of linking economics and ecology in socialism was a pure illusion. In the "workers' desire" to build a new society and raise the standard of living, in competition with labor heroes, such as Alija Sirotanović (a Bosnian miner, Hero of Socialist Labour, and perhaps the most famous of all Yugoslav udarniks). He was held up by the Communist Party of Yugoslavia to be a model of a hard worker. As a result, the environmental reasoning was marginalized and hazardous for record-holders in coal mining and other hard workers. In an ideologized society, high party and state bodies obstruct the development of society or "place clips in the wheels of the revolution." In such conditions, B&H invested all its energy in accelerated industrialization and zealously fulfilled parties, and state tasks did not pay much attention to the environment.

On the contrary, industrial chimneys were also incorporated in the coat of arms of B&H. Moreover, during the war and post-war years, B&H was a landfill to dispose of hazardous substances from European countries, an experimental test site for depleted uranium of the NATO alliance, a territory for genetically modified, bacteriologically, and chemically defective food, and expired medications. Suppose we add to this the unnecessary war, ethnic cleansing, and genocide, as well as the military presence where an intense arsenal of weapons, used and depleted uranium missiles, the image of B&H as an environment, becomes complete. In addition, the low level of general culture and traditional heritage have further damaged, and even today spoil, the ecological image of B&H (Pejicic, 2014).

In order to preserve and use biodiversity and valuable natural resources sustainably within a regionally harmonized approach, it is necessary to reach a regional consensus and adequately establish a biodiversity information management and reporting mechanism (BIMR) that is in line with the Convention on Biological Diversity/Biodiversity (CBD) and the requirements of the EU. It will enable a regional exchange of data and information for collaborative monitoring, reporting, and management of (shared) resources in biodiversity. EU accession is the goal of all economies of Southeast Europe. An essential precondition in this process is the transposition and full implementation of the acquis

communautaire in the field of environmental protection, in particular the Birds Directive (2009/147 / EC) and the Habitats Directive (92/43 / EC) (Deutsche Gesellschaft für Internationale Zusammenarbeit, 2017), and the EU Biodiversity Strategy 2020. It is, therefore, a key component for all economies in the South European region and is necessary to manage its improvement. Roughly speaking, there are significant shortcomings at different levels within each economy in Southeast Europe. For example, the most vital challenges in all economies relate to the insufficient technical, organizational, and financial capacity of the relevant institutions (especially ministries and agencies for environmental protection and institutions responsible for nature parks), as well as the lack of collection standards, verification and confirmation of data and indicators based on which, according to the recommendations of the CBD (Convention on Biological Diversity/Biodiversity), the implementation of national action plans and objectives is monitored. It is one of the initiatives to establish and improve biodiversity information systems in the region successfully. Environmental policy is a conscious and organized guiding social activity, which, through the state and society, especially political organizations or parties, directs society's attitude towards nature to protect and improve the human environment. The threat to the human environment has reached drastic proportions in the last century, increasing the need to consider and implement measures to protect it. Environmental protection is becoming a critical factor in the survival of civilization. The limited resources of the European continent require all countries to contribute to its preservation with their national environmental policies. For forty years, the European Commission, assisted by other structures of the EU, has played an indispensable role in preparing programs and strategies and imposing financially and administratively demanding standards on members and associate members of the EU. The Western Balkans as a whole, especially Croatia, as a member state of the EU, must harmonize its legislation with that of the EU. Environmental protection is, in essence, a shared competence of the EU and the Member States. One of the segments of environmental protection policy is waste management policy, which implies exceptionally high financial requirements. The EU's Member States, including Croatia, as the only EU member in the Western Balkans, often cannot execute (Central Office for Development Strategy and Coordination of EU Funds, 2009).

The EU's environmental policy is focused on more systematic solutions to problems related to the protection of natural resources. To this end, the Seventh Environmental Action Program and the Biodiversity Strategy until 2020 have been adopted. The goals aim to protect, preserve, and increase the EU's natural resources, create conditions for life within the planet's ecological boundaries, sustainably manage natural resources, protect biodiversity, and more. With the development of civilization, man's power towards the environment increased, but his negative influence towards it also increased. Ecological consciousness, as part of social consciousness, is a historical and dynamic category determined by society's historical state and stage of development. It coincides with industrial development, intending to align industrial development with the possibilities of the environment. Preserving the environment requires a system of access and coordinated action by all involved: international organizations, national, regional, and local authorities, the economy, the NGO sector, and individuals. Many international institutions and organizations that, directly or indirectly, focus on establishing a balance between man and his environment are an indicator of the increasingly developed environmental awareness at the international level.

In June 1992, when the whole world was preoccupied with the idea of sustainable development and the conference in Rio de Janeiro, B&H was already entering the third month of the war, which lasted almost four years. The war caused considerable human, material, and irreparable environmental damage. Five years later, at the time of Rio + 5, B&H, with the international community's help, began rebuilding the war-torn country and its infrastructure and establishing a new state system, which is still ongoing. Unfortunately, this situation resulted in B&H's lack of involvement in developing sustainable development based on environmental principles. Nevertheless, despite the difficult situation caused by the war, B&H, through several regional international programs undertaken since 1997, has managed to develop this idea and sustainable development on the principles of environmental protection. These are, first of all, the PHARE and CARDS programs of the European Community and the World Bank projects: the National Environmental Action Plan / NEAP B&H and the Solid Waste Management Strategy in B&H, and the Regional Environmental Reconstruction Program in Southeast Europe / REReP within the Stability Pact; then other regional programs: Mediterranean and Danube, within the framework of the Mediterranean Action Plan (MAP) and the ICPDR (International Commission of

Protection of the Danube River) project and DALLAS (Danube-Black Sea) within the framework of the Danube Convention and the Black Sea Convention (World Bank, 2003).

One of the crucial functions of the environment is the assimilation of waste. The intensification of production and consumption processes, principally in developed countries, increases the pressure on the environment, both due to the amount and composition of waste. It mainly refers to nuclear and hazardous waste disposal and increasing municipal and technological waste quantities. It is estimated that developed countries have a significantly more significant impact on environmental pollution than underdeveloped countries. Thus, one American burden the global environment about fifteen times more, one German about ten times more than one Egyptian, Argentine, or Filipino. Eighty million Germans burden the global environment with more than 900 million Indians (Glavac, 2001).

The Dayton Peace Accords in B&H determined the constitutional framework of the country. Twenty-six years of the Dayton Accords and state aggregation of B&H has not overcome the contradiction of its political system, nor does it consent the constituent subjects of fundamental issues of the functioning of the state and society. Almost all issues essential for the maintenance and functioning of the state are disputable, and political conflicts are also theoretical discussions divided by ethnic-national affiliation. Moreover, within the Dayton Peace Accords and its Constitution, at any point in any political process in B&H institutions concerning any issue or problem, politics can face a wall of "vital national interest" as absolute inviolability, taboos, holy place, which paralyzes politics and deprives it of meaning and purpose (Hadžić, 2021). B&H has one of the most complex constitutional structures and public administrations globally, and thus environmental law and ecological policies consequentially affect observed phenomena. The complexity of B&H's constitutional structure results in several similar laws that define the same area but refer to different levels of government. Within the legislative framework, we must indicate the following: B&H is a state consisting of two entities - the FB&H (Federation of B&H) and the Republic Srpska (RS), and the Brčko District (DB).

In the book "The rise of authoritarianism in the Western Balkans, New Perspectives on South-East Europe" (2019), Florian Bieber summarized political and social development in the six "EU impending" countries - Serbia, B&H, Montenegro, Northern Macedonia, Albania, Kosovo, and Croatia. He uses the term "autocrat" in the Balkans to in the sense of "competitive authoritarianism" - democratic institutions, elections are recognized and seen as the only way to come to power (Bieber, 2019). B&H, a post-war divided country, the complex structure of two entities and one district, the ethno-religious division, EU and NATO integration, is complicated. At the same time, in B&H, the entities have increased the possibilities of monopoly and power over the territory, leading to hybrid political wars and non-consensus. The way of ethnicity presence in Western Balkans, particularly in B&H, leads to the radicalization of current political decision-makers because such a way of conducting politics enables them to retain the permanent status quo and the anti-progress positions. In analysing peace imposed by economic, political, spatial reasons, we need to combine the systemic historical, social, and psychological levels (Hadžić, 2021). The signing of the Dayton Peace Agreement ended the long-running war on the territory of B&H. The General Framework Agreement for Peace in B&H established the concept of the constituency of the people throughout the country states, with Bosniaks, Serbs, and Croats as constituent peoples. The principle of the constituency of the people should be understood as a "temporary measure." It was established in a period of mass violations of human rights, ethnic cleansing, genocide, and that in that period, it was necessary to stop the war and establish international peace and security.

Like most B&H issues, policies and laws, such as water management, are primarily political issues. The existing administrative-institutional structure of the water sector in B&H entirely reflects the existing administrative-political structure of the country. Coordinating activities and activities of international cooperation are within the competence of the state. Those crucial for the safety and living standards of B&H citizens, operational activities related to water management in B&H are the responsibility of the entities and the BD B&H. However, at the same time, the penal policy related to an environmental violation that B&H currently has is insufficient even to repair the damage from pollution. Of course, no punitive policy can restore human lives, but it must be just as harmful to the worldview as profit is ahead of human health, just as that worldview is harmful to the environment. So, eradication, especially in the industry, is needed.

B&H's accession to the EU is the goal to which B&H formally committed itself by signing the Stabilization and Association Agreement (SAA) in 2008. In line with the Copenhagen and Madrid EU criteria, in countries aspiring to join the EU, regulatory harmonization is an outstanding obligation accepted by the signing of the SAA. The harmonization process harmonizes all regulations, rules, and procedures applicable in the acceding country with the *acquis communautaire* (regulations, directives, decisions). In line with EU Agenda 2000, EU candidate countries need to adopt realistic long-term national strategies to gradually and effectively align their legislation with the EU *acquis*. This process must begin before accession, especially tackling water pollution and air. These strategies should define the key priority areas and objectives to be achieved by the date of accession and a timetable for future full compliance; therefore, compliance insurance is included in the SAA. It also refers to the harmonization of regulations in environmental protection in B&H; the environment is one of the issues that B&H will negotiate with the EU by Chapter 27 of the SAA. In the case of B&H, in its 2013 Progress Report, the European Commission assessed that the lack of real political support for the EU program resulted in minimal progress in aligning with EU laws and standards (European Commission, 2013). Therefore, the EU has set clear expectations that B&H will adopt a single country-wide harmonization strategy for environmental regulations (EAS, 2017). The EU provided financial support for the drafting of the EAS as part of the implementation of the IPA project EnvIS (2011-2014) (European Union Special Representatives in Bosnia and Herzegovina, 2014), which was delivered in December 2014. Adopting the EAS is also a precondition for B&H's participation in the EU IPA II program. B&H- financial assistance is under Instrument for Pre-accession Assistance II (IPA II). However, unlike other countries in Southeast Europe (SEE), due to the complexity of the constitutional order in B&H, the approach to harmonizing regulations in the field of environmental protection consists of a set of strategic planning documents - one applicable to the entire territory and three to the territories, within the constitutional units of B&H.

Within the environmental policies in B&H, only all documents together (where each document is adopted and implemented by the competent authorities) will form a harmonized body of the harmonization strategy, instead of one national strategy document (EAS) (EAS – B&H, 2017), which is the case in other (potential) candidate countries. Therefore, adopting EAS-B&H and entity or BD B&H strategies (Skupština Brčko District, 2016) for implementing EAS-B&H by the competent authorities in B&H, entities Federation of Bosnia and Herzegovina-FB&H (Federal Hidrometeoroloski zavod, 2008), the Republic of Srpska-RS (Ministarstvo vanjske trgovine i ekonomskih odnosa Bosne i Hercegovine, 2016), and Brcko District-BD B&H, following favourable laws and relevant procedures, is a step follows the delivery of the results of the EnvIS project. The FB&H is one of the two entities composing the State of Bosnia and Herzegovina. The FB&H consists of 10 autonomous cantons with their governments and legislatures. RS (Republic of Srpska) is one of the two entities of B&H. RS is a parliamentary-style government with the National Assembly holding legislative power within the entity. Thus, RS is relatively centralized, although split into 64 municipalities. The legislature holds 83 seats, and the current session is the ninth since its founding. BD B&H is a self-governing administrative unit in the north-eastern B&H.

According to the agreed concept, EAS-B&H and entity and BD B&H documents for implementing EAS-B&H are designed to form part of single strategic planning documentation, ensuring the following conditions. B&H complies with its accepted international obligations under the SAA (2008). By adopting EAS-B&H, B&H will have a vital strategy applied throughout the country. FB&H, RS, and BD B&H provide the necessary support to B&H in fulfilling the assumed international obligations by the Constitution of B&H. Strategic documents at the level of FB&H, RS, and BD B&H will simultaneously ensure the implementation of EAS in their territories and complete fulfilment of its constitutional competencies regarding the transposition, implementation, and enforcement of the *acquis*. The EU *acquis* in environmental protection, contained in these strategic documents, consists of eight legislative instruments: horizontal, water, waste, xvi air quality and climate change, industrial pollution, chemicals, nature protection, and environmental noise/environment. EU legislation is presented in the EAS in as much detail as is necessary for harmonization purposes. Annex I contain an exhaustive list of regulations that are subject to transposition. The EAS does not address the specifics of the international obligations that B&H has undertaken in environmental protection. However, given that the EU is a party to a large number of international treaties on environmental protection, and that in many cases, the requirements of such

international treaties are incorporated into EU law (which is the basis of transposition), it was inevitable that the EAS into some extent includes content related to such international agreements. A list of sources of B&H's international obligations in environmental protection can be found in Annex II of this Strategy. The process of joining and joining the EU, from the perspective of legal systems in B&H is a complex and iterative process consisting of three interrelated segments: transposition of the *acquis communautaire* in the field of environmental protection into the legal systems of B&H, FB&H, RS, and BD B&H; implementation of regulations transposing the EU *acquis* in the field of environmental protection; which includes the establishment of an institutional framework (at the level of the state, entities and BD B&H), capable of implementing in practice the new legislation harmonized with EU laws; creation of executive mechanisms (at all administrative levels) through which good behaviour of all entities and compliance with new regulations (harmonized with the *acquis communautaire* in the field of environmental protection) will be ensured, using the supervisory system and punitive and incentive measures (European Commission, 2019). Relevant constitutional, legal, and institutional issues in B&H represent the basis for identifying existing shortcomings and recommendations for their solution.

Current document EAS-B&H and the manual of the entity and BD B&H documents were developed based on previously performed thorough analyses of legal, institutional, and economic shortcomings relevant to the harmonization of regulations in the field of environmental protection in B&H and conducted according to the accepted methodology for the implementation of the project. Therefore, by previous analysis, all strategic guidebooks should be harmonized with the constitutional competencies of B&H, FB&H, RS, and BD B&H and their legal systems and reflect their specific development needs. According to users' needs, the agreed approach is limited by excluding the possibility of drafting new or amending existing laws and creating and proposing new institutions. By in-depth analysis of these documents, there are shortcomings in the existing regulations in environmental protection in B&H, the entities, and the BD B&H - compared to the relevant EU laws. Therefore, although the achieved level of progress in transposing EU laws (the 2020 EU requirements) (European Commission, 2020) in environmental protection into the legal system of B&H and the legal systems of its constituent units is evident, more necessitates creating an institutional framework in line with EU law and a high level of protection, preservation, and improvement of the environment. Within the economic framework, according to the strategy for harmonization of the regulations in the field of environmental protection of B&H, funded by the EU in 2017, it was possible to estimate that the total cost of compliance would be around € 7.1 billion over 30-40 years. In the same period, the value of the adjustment benefits is estimated at € 13.2 billion. All estimates for B&H are based on sectoral cost estimates (water, waste, air quality, and climate change) and reflect the estimated compliance costs in FB&H, RS, and BD B&H (Vijeće Ministara B&H, 2017).

Due to the extreme complexity of administrative competencies in B&H, it is necessary to have a high political level to conduct a detailed discussion on the possibilities of financing biodiversity from domestic sources of funds. The analysed data shows that B&H has not developed capacities for mobilizing available resources for the conservation and sustainable use of biological diversity. This fact stands when it comes to the mobilization of domestic funds (funds of environmental funds in the FB&H and RS, and the BD Environmental Protection Fund, which has yet to be established) and when it comes to foreign mobilization biodiversity funds (GEF funds, IPA funds, and funds from other potential sources). It should be noted that there is no coordinated activity or indebted structures that monitor the state of finances for the area conservation and sustainable use of nature. We conclude that the current state of environmental infrastructure is not sufficient and that an extended transition period and proportionally high investments will be needed to meet adaptation requirements to high investment directives. One of the central difficulties facing B&H is the lack of a mandate for environmental issues, agencies, and environmental capacity at the state level. It contributes to several issues, particularly the lack of policy coherence between the state and the entities. Furthermore, as there is continued opposition to any increase in powers at the state level, the possibility of strengthening environmental competencies at the level where it is most needed will remain questionable. In addition to these fundamental political challenges, economic recovery remains a crucial issue for B&H (United Nations, 2011).

B&H, as the central federal unit in the former Socialist Federal Republic of Yugoslavia (SFRJ), has been given the role of a raw material and energy base within the country's strategic development

plan. Also, the area of B&H was destined to develop essential and military industry, given that the "central Yugoslav republic" had large reserves of coal and ore, hydro and thermal potential. Almost 70 % of Yugoslav production of iron, aluminium, lead, and zinc and 50 % of electricity production, a large percentage in thermal power plants, was realized in B&H. Today, 53 % of energy in B&H is generated in hydroelectric power plants and 47 % in thermal power plants, and 2006 was among only three exporters of electricity in the Balkans. B&H is positioned well to supply all its neighbours from Slovenia to Greece and Albania, thanks to its central position. By building new production capacities, B&H will contribute to the development of the whole region" (European Stability Initiative, 2007, 2007). Thus, the current situation looks like pre-war. Most of the chemical industry plants based on nitrogen and chlorine are also located in the central Yugoslav republic, and the main characteristic of these technologies is their obsolescence, which causes excellent pollution and devastation of the environment. In addition, we should not forget the fact that for years in the former Yugoslavia, the real-socialist, i.e., planned economy, was applied, dictated by non-market relations, whereby the faultiest federal unit, B&H, (provided) raw materials and energy, suffering significant economic consequences and the most outstanding environmental pollution (WHO, 2017).

High levels of air pollution, limited water and waste management capacity, uncontrolled construction, and other environmental problems combine. B&H has one of the worst effects in terms of environmental protection in Europe and globally. The Environmental Efficiency Index (EPI), compiled jointly by Yale and Columbia Universities, in cooperation with the World Economic Forum, ranks B&H 158th out of 180 countries. Environmental issues threaten living standards, health, and security, representing a severe obstacle to sustainable development in the country by causing illness and premature death, endangering existence, and damaging relations between communities and within communities. According to the European Environment Agency, more than a quarter of deaths in B&H are possibly attributed to environmental factors, which is the highest percentage in Europe. The World Bank has recently estimated that air pollution alone with fine airborne particles (PM 2.5) causes 3,300 premature deaths in B&H every year and a loss of more than 8% of GDP. Inadequate focus on the environment at the highest levels of political decision-making, lack of environmental expertise the right, and limited public awareness of the negative impact of environmental degradation together represent an obstacle to positive change in this sphere (Iordanidi, 2021). From year to year, especially when the colder days come, the citizens of B&H face enormous air pollution, resulting in severe damage to health, especially among the more sensitive categories of the population. Up to frighteningly high values, this pollution is present during the winter period in our larger cities such as Sarajevo, Zenica, Tuzla, other urban areas, and even many villages. This pollution is mainly caused by the increasing use of coal in industrial furnaces, heating plants, private furnaces, and fuel combustion in motor vehicles. However, air pollution is not the only environmental problem, but only one in a series of environmental problems facing B&H, the region's countries, and the entire world globally. For example, the World Health Organization (WHO) recently announced that 1.7 million children under five die annually due to a polluted environment.

In order to increase the environmental awareness of B&H citizens, it is necessary to raise the issue of environmental education in the context of lifelong learning, which would improve the growth of general and eco-culture. Continuous environmental education of teachers would certainly mean strengthening the environmental competencies of all citizens. Within the project entitled "Environmental education in the system of curricula" (2016) in B&H, the research included a study of the representation of environmental education content in secondary education. The results indicate that in the subjects Biology and Geography, the most significant attention is paid to the study of content on ecology and environmental protection, which is still insufficient if we take into account that man as part of the ecological environment still needs to develop an awareness of where he lives and what kind of ecocultural identity he forms in his eco-environment. In addition, 50% of respondents from Tuzla Canton, in B&H, are not aware of the Declaration on Environmental Protection issued by the Ecological Association ECO GREEN of Tuzla Canton, which indicates that public awareness and care for the environment is low, which provides guidelines for action. Continuous eco-pedagogical education of citizens to raise awareness of ecology and environmental protection to a higher level (Omerovic & Ciric, 2016).

Furthermore, relevant databases (WHO, 2011) suggest that the diseases of every other person being treated clinically are associated with a lack of clean and consumed contaminated water. It is not

uncommon, especially in arid and scarce areas, to see scenes of ordinary watering cans for livestock and humans. The Food and Agriculture Organization of the United Nations (FAO) predicts that almost seventy countries in the world will face severe shortages of drinking water in the next fifty years (The Food and Agriculture Organization of the United Nations, 2021). Instead of spending millions every year on imported water, our enterprising and business people should take advantage of this water-rich country's benefits and comparative advantages, embark on mass bottling of water, and try to open up to the international market with quality. Future wars will be fought over water, not oil. At this time, we are witnessing all kinds of contamination of soil and arable land. People increasingly resort to fertilizers, various chemical substances (pesticides, herbicides), and irrigation from polluted watercourses to achieve better yields in agriculture, farming, and fruit growing. Driven by capital interest, today's man does not think much about the consequences but only about quantity. Today, buying fruit or vegetables is a double-edged concern because we do not know its extent and treat everything. What worries today's man is the fact that what he produces for himself and his loved ones is not treated with anything or perhaps to a lesser extent, and what goes to the market, market, or for export can be treated several times without strict adherence to the instructions for use in treatment with various chemicals.

A successful and efficient environmental and social management system is a dynamic and ongoing process that initiates and supports management and implies purposeful communication between the client, its workers, and the local population affected by the project or activities of the company concerned as a client. It requires a methodical approach consisting of planning, implementation, evaluation, and a well-designed response to the results achieved to ensure continuous performance improvement. Ecological interest is primarily oriented towards responsibility towards life and the atmosphere, not profit-oriented, and often in its (self) realization. Therefore, it must not have any capital accumulation in the background. Besides, research shows that democratic distrust is expressed in B&H, which, together with the lack of a "reserve of democratic legitimacy," necessary in political crises for the system to overcome difficult times, alarmingly warns that citizens could reach for crises some undemocratic solutions again (Salaj, 2009). Distrust towards democracy characterizes a great distrust of all political institutions and the present international factor. Moreover, the Western Balkans region's specificity (former Yugoslavia ethnonationalism wars, genocide, and economic destructions) and B&H as the country should not have any ethnopolitical interest terminating any pragmatic policy.

### **Environmental awareness**

Active public participation in the creation and implementation of environmental policy is a prerequisite for realizing the already mentioned principle of sustainable development. In Western Balkans, the general public is poorly informed about environmental issues, and even less with the possibility of active participation in adopting and applying specific legal provisions, even if there is a legal basis. Recognizing the importance and power of the public, especially in these matters, the EU first set out to institutionalize the collection and flow of information. Starting with Directive 90/313 / EEC (see: EUR-LEX) on the right to request environmental information, it opened up the possibility for individuals to request all information from environmental authorities without first proving their interest and need for such information. A step forward for the EU was public participation in the strategic planning of distinct environmental interventions. Directive 85/337 / EEC (see: EUR-Lex), as amended by Directive 97/11 / EC on assessing the impact of particular public and private projects on the environment, enables the provision of information and public participation in developing strategies for environmental protection plans and programs. Accordingly, the Aarhus Convention on access to the Public, Participation in Decision-Making, and Access to Justice was adopted. The most important international instrument in information and public participation in the UN / ECE Convention consists of the first pillar - access to information, the second pillar - public participation in decision-making, and the third pillar - access to justice in environmental matters. The convention was signed in 1998 in Aarhus, Denmark, by the EU and all 15 of its members. Subsequently, the question of its ratification and application in the legal systems of each member state arose. Current environmental issues, which seriously threaten humanity, be it ozone holes, global warming, toxic pollution, acid rain, and other scourges of the modern world, are taking on more and more "subtle" forms and are generally invisible to the naked eye. Only the most extreme cases or their consequences are visible, such as this year's

floods in B&H, the consequences of which are "measured" in billions of dollars. They provoke immediate public reactions and activities "caused by the force of circumstances," which most often become part of oblivion when the danger passes. For example, fires have destroyed 33,000 hectares of quality forest in 2955 cases in B&H in the last decade (Food and Agriculture Organizations of the United Nations, 2015). These natural disasters and other environmental pollution that seem to have a local character know no borders and transform into a global ecological crisis. Also, by its (in) action, man produces new forms of environmental pollution daily, which are growing quantitatively, and thus the consequences are taking on exponential growth.

The perception of the B&H scientific, professional and general public about the depth of the ecological crisis is usually not an expression of the reality of the current problem, so the design, adoption, and implementation of environmental policy lags far behind the EU and those countries that were far behind B&H. If we accept the position of a large number of theorists; that the care for the environment is closely dependent on the severity of the environmental problem, degree of environmental awareness and education of the population and their political representatives, the development of democracy and the stability of the political system, then opens a series of issues that in B&H, deeply divided, transitional and insufficiently democratic, challenging to solve. All the more so because the general public, preoccupied with existential problems, often ignores the potential danger, not realizing that solving environmental protection is causally related to them and the existence of their descendants (Pejicic, 2014).

In most urban settlements without treatment plants, the sewerage network derives into rivers whose water, albeit industrially processed, is used for drinks. Waste is still deposited according to the principle "where whoever arrives," the inherited culture is at a low level, and environmental awareness the privileges of only a tiny number of citizens. Nevertheless, the impression is that a critical mass is gradually appearing in the B&H public, putting pressure on the government and polluters to change things for the better. The pressure of the international community and the EU also accommodated. The set of laws on environmental protection in the entities was passed according to directives outside B&H. Regardless of institutional problems, ignorance, slowness, inconsistency, the desire of self-organized citizens to participate in defining environmental policy and act practically is obvious, preventively, or to eliminate the consequences. Therefore, it is crucial to understand the essence of environmental policy. Its theoretical definition derives from various concepts, i.e., interdisciplinary results of scientific study. Environmental policies should not be understood as state policy, as the exercise of state power, although the state is a significant factor in its implementation because experience shows that environmental problems cannot be solved only by classical measures of state policy. When transition processes are part of the overall global social changes that have "generated" the global environmental crisis, environmental policy is becoming part of government policies and global processes. Thus, in addition to national and state, the environmental policy becomes regional and global and is correlated with other policies. They intertwine, touch, permeate or oppose each other, depending on the interest, current environmental issues, balance or imbalance of political, economic, or military forces.

B&H is not an "isolated case," and the way of conceiving and implementing environmental policy in this country concerns neighbouring countries and, of course, the EU. It was confirmed by the Balkan interstate agreements and inter-entity agreements during the floods, which, unfortunately, was a belated reaction to a natural disaster rather than an expression of the environmental awareness of policymakers. Therefore, it is necessary to respect the principle of democracy, voluntariness, negotiation, publicity of work in environmental policy, i.e., to give importance to sustainable development, use of scientific and technological development and progress, in order to develop society in a way that does not jeopardize current or generations to come. Since it is a specialized policy, whose goal is to preserve the ecological balance in nature, within the policy as a social activity that seeks to achieve specific societal goals, environmental policy has a wide range of elements, starting with its goals, subjects, activities, resources, and direction. It is multidisciplinary and implies a connection of political, legal, sociological, economic, communication, pedagogical, psychosocial, and other social activities and their interaction with technical and technological solutions with particular respect for environmental laws. That is why it is necessary to "green" the economy in B&H. It implies sustainable development on the one hand and the danger of closure of non-ecological industrial capacities, dismissal of workers, and social unrest. The consequences of climate change, which have

been repeated for years as "natural disasters" causing significant damage to the people of B&H, impose a whole spiral of changes in political, legal, institutional, cultural, psychosocial, and other segments of social life in order to break down barriers to conception, definition, adoption, and implementation of environmental policy which will be important in the period ahead - survival policy (Pejicic, 2014). The most important social factors in B&H and the region have learned the necessary training from the 2014 Southeast Europe tragic massive floods. One inquest is inevitable; natural disasters broke previous stereotypes, including conflicts and lack of cooperation, and forced "enemies of the day before yesterday" to solve the problem together, following Chinese wisdom that the journey of a thousand kilometres begins with the first step. The historical heritage determines its duration and weight.

Within the environmental awareness framework, it is just for a perceptive observer to walk through some of the cities, villages, forests, picnic areas to hover over the banks of rivers and streams. It is evident how forests have been exterminated, carried out unplanned and randomly, without adequate afforestation. Even though forests, in addition to air and clean water, are among the most important and most precious planetary resources and extremely important for the entire chain of flora and fauna, they are in B&H and many parts of the world exposed to mass destruction. Exploitation rather than for the expansion of agricultural land. The suffering of forests due to acid rain is a particular issue. Miodrag Dakić, the Banja Luka Centre for the Environment project coordinator and the coordinator in the alliance of 13 joint environmental organizations from B&H called "Energy," claims that environmental awareness in B&H is almost non-existent, warning that it could soon be excessively late. Moreover, "B&H does not have an official state waste management strategy, which should then be lowered to the local level so that each community at the local level has its waste management strategy (Dizdar, 2021)."

Experts estimate that forests annually provide the atmosphere with approximately 81 billion tons of oxygen, and on the other hand, absorb 119 billion tons of carbon dioxide (Harris and Gibbs, 2021). We wonder if it will be too late for catharsis if forest resources continue to be destroyed at this rate. If we hover over the banks of rivers, we will see that they are so polluted, covered with all kinds of waste. Some rivers and streams have become large landfills (plastic and glass packaging, textiles, electronic devices, obsolete household appliances). Not to mention that in many places, sewage and wastewater go directly into a river or stream, without any separators, filters, or purifiers. There are many settlements and villages where garbage and waste disposal at one of the regional landfills have not been systematically resolved. In such cases, where this issue is not adequately regulated, illegal landfills spring up, mostly somewhere along the road, on the banks of nearby rivers or streams, in a forest or glade. It is hazardous if these landfills are located in a water catchment area.

Although B&H is among the naturally wealthiest countries in Europe, due to carelessness and irresponsible attitude towards the environment, the country is facing an increasing number of cases where citizens have a health problem, a problem not only bacteriologically but also chemically defective water (United Nations, 2011). Of the total water mass on land, only 2.5% is fresh (drinking) water, while 97.5% is sea saltwater. Another problem is that 68.7% of drinking water is concentrated at the earth's poles in glaciers and snow deposits in Antarctica and the Arctic. Slightly more than 1% falls on lakes and river systems and 29.9% on underground reservoirs. While rivers are the most modest opportunities, they are most endangered because of sewage and wastewater and because more and more people are referred to them, not only because of drinking and industrial water but also because of irrigation of agricultural land. Due to the lack of drinking water globally, about 4 million children under five die every year (Unesco, 2009).

In the Western Balkans, the people's behaviour is concerning. For example, while destroying weeds and preparing fields and orchards for the season, they irresponsibly behave and causes many fires by burning various plants (Goldammer *et al.*, 2013). The consequences of global changes in the ecosphere affect each individual, but each individual with their work, consumption, or way of life, to a greater or lesser extent, affects the change of the global environment.

In the regional survey, for example, Croatia, the most suitable level of the educational process for acquiring knowledge about the environment for most students is a primary school (56%) and secondary school (15%). As the first necessary "step" in acquiring knowledge about environmental protection, kindergarten was chosen by 15% of students. One-sixth of students, primarily fourth-year students, believe that environmental knowledge needs to be acquired more than once during the

education process. Almost half of the surveyed fourth-year students (42%) and as many as two-thirds of lower-year students believe that environmental protection is opposed to economic development. (Afric, 2002) It indicates the need to educate young people about sustainable economic development. In selecting the subjects that should have the most significant influence in environmental conservation efforts and solving environmental problems, students selected economic enterprises, authorities, citizens' initiatives, and environmental associations and movements. A quarter of the students opted for each of the above answers. Political parties were not selected as the fifth answered by any surveyed student. The lack of a state-level environmental agency in B&H, the unclear division of responsibilities between different levels of government, insufficient capacity, and a low level of political will and public awareness jointly hamper further progress on environmental protection. (United Nations, 2011) Citizen participation in environmental decision-making is still low, but interest in environmental issues is not lacking. For example, a public opinion poll conducted by the OSCE Mission in the Central B&H Canton in 2021 (results not announced yet) showed that almost all respondents said they were concerned due to the state of the environment in their place of residence, as well as globally and that they are ready to change habits and behaviour. Moreover, young people in B&H are particularly aware of environmental issues. However, the fact is that the disadvantaged citizen engagement and the lack of meaningful public consultations and public hearings often open powers to those who implement policies, actions, and projects to the detriment of the environment, health, and welfare of citizens (Iodanidi, 2021).

## **Conclusion**

Although the impact of developed countries on the environment is much more significant than the impact of developing countries, environmental development can only be achieved through the cooperation of all countries, especially in this context, Southeast Europe. A prerequisite for responsible behaviour of individuals towards the environment is to acquire knowledge about the interdependence of development and the current environmental policies in more environmentally advanced nations and education, not exclusively within the EU but globally. In addition, it is necessary to provide information on environmental policies, sustainable development, how to implement it, and the results achieved. These methods can raise public awareness of the environmental impact, thus increasing motivation and personal responsibility for the environment. However, B&H's normative and institutional framework in environment and ecology has not effectively developed. B&H, a flourishing country in terms of natural resources and biodiversity, is a low-quality environmentally-protected European region, affecting citizens' health, and well-being, within the critical human security conceptualization. In addition, the weak general environmental culture, traditional Yugoslavia socialism industrialization, labour heritage, and war region legacy (hazardous substances, depleted uranium, genetically modified, bacteriologically, chemically defective food, expired medications) have degraded environmentalism.

The complex architecture of the B&H Constitution, adopted as an integral part of the Dayton General Framework Agreement for Peace, complicates environmental policies. In addition, ethno-political institutional fragmentation and frequent disputes over the division of competencies between levels of government have contributed to the gravity of the position. The complex constitutional structure and difficulties with revising the constitutional order are presented to justify inaction and find functional solutions by reaching pragmatic compromises.

The development of green politics will largely depend on the social, political, and legislative development of the EU. Authorities should be transparent in their decision-making, including informing citizens about their rights and responsibilities and taking responsibility for health protection and public welfare. However, unfortunately, that is not the state presently. That is why citizens must call the authorities to account for all acts that affect their lives by engaging in all discussions and initiatives that may impact the environment. Furthermore, it is necessary to strengthen the awareness of political leaders. Ecological consciousness finds a position within the renewal of democratic cognizance and the critique of socio-political relations. B&H necessitates civic awareness of the convention, environmental rights, civic participation, and public responsibilities concerning environmental and well-being decision-making. Any uncertainty in environmental education, which the non-implementation of adopted environmental laws would continuously accompany, endangers every citizen's environmental and human security. Of course, this predicament cannot be solved

momentarily, but the long-term joint environmental action can change the current course. Besides institutions, the ecological transition should start among individuals and communities. It is delinquent when action policies have been adopted, financial resources consumed - environmental consequences affect citizens' health. Therefore, several crucial questions arise for humankind: what is our ecological awareness, and how environmentally aware are we? What can we accomplish concerning environmental protection?

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