



Environmental Law Clinic

Projekt realizuju



Centar za
životnu sredinu



Laws on Environmental Protection

Federation of Bosnia and Herzegovina

- Law on Environmental Protection („Official gazettes of FBiH“ no: 33/03 i 38/09).

Republic of Srpska

Law on Environmental Protection („Official gazettes of RS“ no: 71/12, 79/15)

.

How to ensure public participation in decision-making in the field of environmental protection?

The public is informed about the possibility of participation:

- information through the media.

Public participation is achieved through:

- public hearing;
- public access to the exposed documents.

Public participation should be required to provide to:

- procedures of environmental impact assessment of projects on the environment;
- procedures of issuing environmental permits;
- proposed activities that may have a significant impact on the environment.

What information must be provided during public access to documents?

For free access must be provided with information relating to:

- description, location, physical and technical characteristics of the proposed activity, including the estimation of emissions;
- description of the significant effects of the proposed activity on the environment;
- description of the measures envisaged to prevent and / or reduce the harmful effects, including emissions;
- brief non-technical summary of the above data;
- see basic alternatives screwed by the applicant;

What information must be provided during public access to documents?

basic reports and expert opinions, which are prepared by the authorities responsible for nature protection, protection of cultural, historical and natural heritage, agriculture, forestry, water management, health and other stakeholders have authorities (to the authorities whose opinion obtains to consider in deciding on the request for preliminary of environmental impact assessments).

Deadlines for responding to a public announcement of decisions of authorities

In the process of public access to documentation, 30 days from the first day of insight interested party may submit comments, suggestions or opinions;

Submitted proposals, opinions and suggestions - the public authorities are not obliged to adopt, but are required to register and explain.

Public participation in environmental matters

- SEA;
- EIA;
- Environmental permmit.

Legal remedies against the decision of a public authority

- First decision of local authorities - the second instance appeal body;
- Appeal decision - an administrative action against the authority which issued the decision

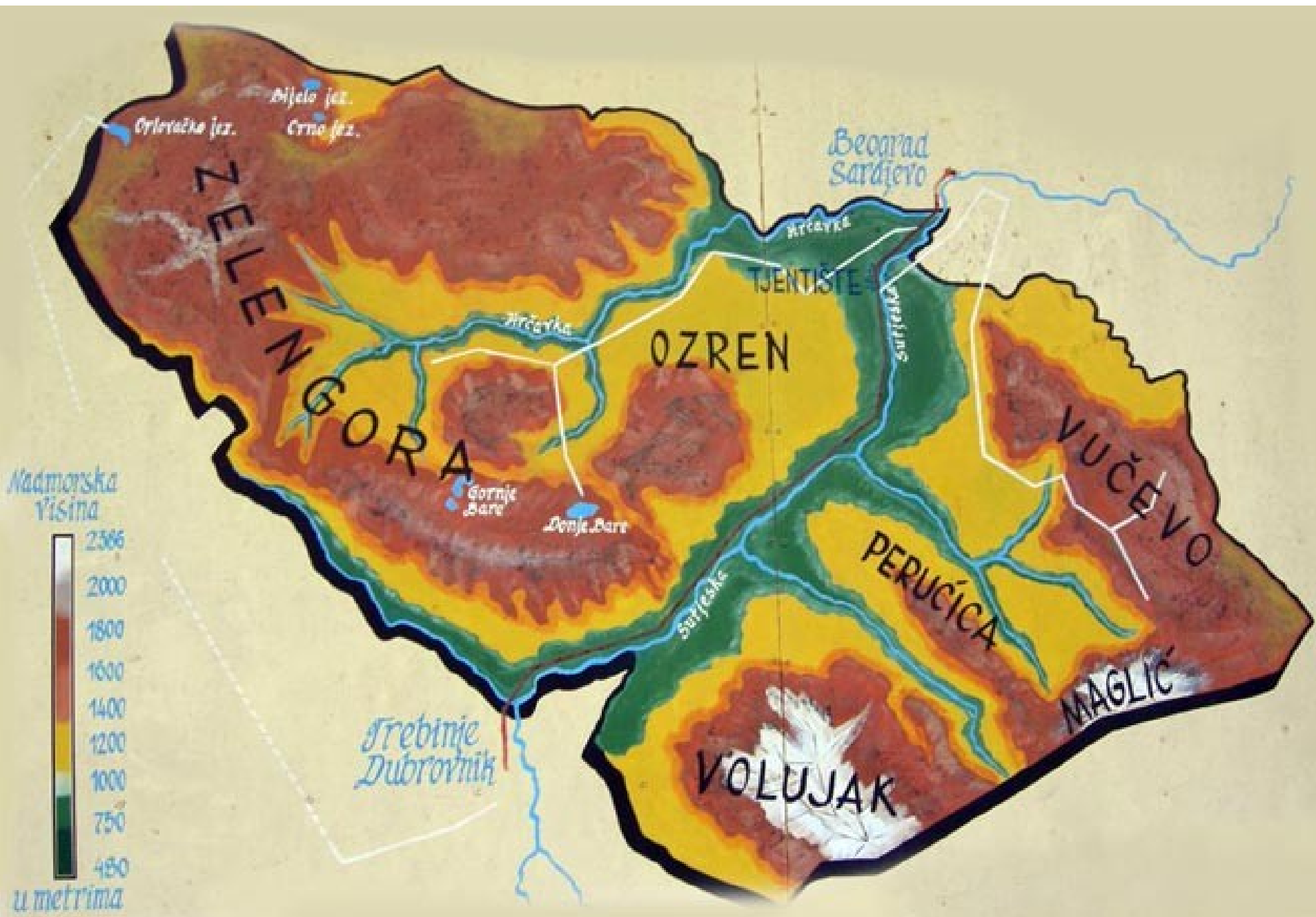
Case study

Small Hydro power plants in National Park Sutjeska

Procedures in the course of the proceedings, concerning the application of the second and third pillars of the Aarhus Convention are carried out in accordance with the applicable regulations.

The concessions granted in the National park Sutjeska have not been considered in terms of specific environmental protection. In this regard, as the Court noted, were not taken into account the provisions of *lex specialis*.





BITKA ZA

SUTJESKU



Case study

Small Hydro power plants in National Park Sutjeska

In this procedure, the question of quality EIA studies, because the judgment of particular interest in terms of the merits.

The Court is in the process of annulment of the Decision approving the EIA study for the first time in practice commented the quality of the study.

However, it is still unclear whether the court during its case consideration, was obliged to engage court expert (environment profession), but the future practice and the continuation of the proceedings will show.

Project funded by

TRANSITION

Ministry of Foreign Affairs of the Czech Republic

Project co-funded



Thank you for attention!
Viktor Bjelic

Project implementing by



Centar za
životnu sredinu

