



---

Date: 5 January 2023

No: Oi – K – BL – 995/23

Office of the High Commissioner for Human Rights (OHCHR)  
Environment and Climate Change Team

Deliver to:

[ohchr-registry@un.org](mailto:ohchr-registry@un.org)

[ohchr-right2environment@un.org](mailto:ohchr-right2environment@un.org)

Subject: Contribution to the research and report that the Office of the High Commissioner for Human Rights (OHCHR) is preparing in accordance with Human Rights Council resolution 53/6 of 7 July 2023 entitled “Human rights and climate change”

Dear Sir,

Please find below the responses to the questions provided, noting that for a certain number of them we have no precise data.

1. Please describe through concrete examples and stories the impacts of loss and damage from the adverse effects of climate change on the full enjoyment of human rights in your country. Please indicate whether the impact was exceptional or whether an example of many similarly situated cases. Please estimate the number of cases that may be similar in your country.

As part of our work, we can notice complaints in which citizens, mostly in rural areas, complain about problems with water supply because there are more and more frequent dry periods or periods with less rainfall. These problems are in particular present in communities that manage these waterworks themselves, i.e. they are not part of public utility companies.

It is difficult for us to estimate the scope and number of such cases, but from communication with citizens we have learned that this problem has become more prevalent in the last decade. Likewise, the impact is difficult to assess, but it undoubtedly contributes to the continued exodus of rural communities.

2. Please describe any relevant quantitative and qualitative data, as well as mechanisms and tools to measure, monitor, report on, and evaluate the impacts of loss and damage, including from extreme weather and slow-onset events, on the full enjoyment of human rights. Please take into account, inter alia, the disproportionate effects on women and girls, children, youth, older persons, persons with disabilities, Indigenous Peoples, migrants,

persons living in poverty and others in vulnerable situations.

In general, there is no comprehensive system of collecting quantitative and qualitative data that we are familiar with, which could be classified under all the mentioned categories. Hydrometer logical institutes monitor the increase in temperature and oscillations in precipitation, but so far there is no more precise analysis of these data in relation to data that could be influenced by the sectors of agriculture, damage in forestry, and winter tourism. It is partly connected with incomplete records of economic activities in those sectors.

Regarding slow events, i.e. continuous changes, certainly significant temperature increases in the summer months, i.e. heat waves contribute to greater exposure of especially the elderly and disabled to greater risks to their health.

If we are talking about extreme climate changes and, conditionally speaking, we can include the 2014 floods, which, in addition to Bosnia and Herzegovina, affected the wider South-eastern Europe. Of course, please note that they have never been directly linked to climate change, but are part of the general change in climate and major climate disasters. In the 2014 floods, which claimed 21 lives in BiH, and the elderly and persons with disabilities were among the most affected categories in terms of rescue. The exposure of these categories due to weather and other disasters is attempted to be reduced through disaster response planning programs.

For the past couple of years in Bosnia and Herzegovina, the question has been raised how energy and the buildings in which citizens live contribute to the so-called energy poverty, i.e. that citizens, due to poverty or insufficient funds, use energy sources that pollute a lot and put their health at risk, and due to higher temperatures due to poor quality construction, they are not able to adequately cool those spaces. Please note that we do not have precise data on the prevalence of this phenomenon.

3. Please describe any specific measures, including public policies, legislation, practices, strategies, or institutional arrangements that your Government has undertaken or plans to undertake at a national, sectoral or sub-national level, in compliance with applicable international human rights law, to avert, minimize and address loss and damage, including equity-based approaches and solutions. Please also identify any relevant mechanisms for ensuring accountability, including means of implementation.

Bosnia and Herzegovina has finalised the Climate Change Adaptation Plan (NAP) to the United Nations Framework Convention on Climate Change (UNFCCC), and it was officially published on 21 December 2022 and you can access it at <https://napcentral.org/submitted-NAPs>.

Given that Bosnia and Herzegovina is classified as a developing country, the climate change accountability mechanisms taking into account total emissions are currently not stressed.

4. Please identify and share examples of promising practices and critical challenges in the promotion, protection, and fulfilment of the full enjoyment of human rights in the context of loss and damage, including examples that highlight multilateral cooperation and approaches, at global and regional levels, including equity-based approaches and solutions.

We have not been able to identify the mentioned practices outside the framework that is applied in Bosnia and Herzegovina, as well as in European countries, which is the principle that the polluter pays according to the harmfulness of the emissions they emit. We emphasise that the stated principle is applied in terms of payments to the authorities, i.e. state bodies, and not to individuals or communities that could be claimed to be directly affected.

5. Please provide specific recommendations, if possible, on how to address the critical challenges that have been identified, including actions to be taken at country, regional, and global levels, as well as by different groups of stakeholders, Governments, development agencies, financing institutions, and others.

We are unable to provide specific examples of this type.

6. Please provide any additional information you believe would be useful to support climate action and justice that promotes the full enjoyment of human rights in the context of loss and damage.

In the context of damage records and loss measurement, especially in smaller and rural communities, one of the biggest problems is the impossibility of having full records, given that numerous economic activities and forms of business are not formally recorded. We are referring to small farms, informal irrigation and irrigation systems, etc.

Also, it is not rare that very often the land and ownership registers do not match the real situation, in the sense that, for example, land used for agriculture is recorded as forest, and that land recorded as pasture has essentially been construction land on which buildings have been built for decades.

Major natural disasters (such as floods) often indicate the situation that a part of the damaged or destroyed buildings was outside of all forms of records, which subsequently made the reconstruction program difficult in many respects.

Best regards,

The Human Rights Ombudsperson Institution of Bosnia and Herzegovina