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## Heritage Legislation - Bosnia-Herzegovina

**Country:** Bosnia-Herzegovina

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### 7.1.A Council of Europe conventions which have been signed and ratified by the state

**7.1.A Council of Europe conventions which have been signed and ratified by the state:**

**Convention    Date de signature (dd/mm/yyyy)    Date de ratification (dd/mm/yyyy)**

Granada

Valetta

Florence

Faro

### 7.1.B If your state has not yet ratified all of these conventions, please briefly describe the efforts being made to reach this

#### **Brief overview**

**Faro:**

### 7.1.C Council of Europe Recommendations about cultural heritage reflected / incorporated in legislation or policy of yourstate.

#### **7.1.C Recommendations:**

<b>Recommendation</b>	<b>Theme</b>	<b>Reflected/incorporated in Legislation</b>	<b>Reflected/incorporated in Policy</b>	<b>Not applic</b>
Rec (1980) 16	Specialised training	No	No	No
Rec (1981) 13	Declining craft trades	No	No	No
Rec (1985) 8	Film heritage	No	No	No
Rec (1986) 11	Urban open space	No	No	No
Rec (1986) 15	Architectural heritage - Craft trades	No	No	No
Rec (1987) 24	Industrial towns	No	No	No

Rec (1989) 5	Archaeology - town / country planning	No	No	No
Rec (1989) 6	Rural architectural heritage	No	No	No
Rec (1990) 20	Industrial, technical and civil engineering heritage	No	No	No
Rec (1991) 6	Funding architectural heritage	No	No	No
Rec (1991) 13	20th Century architectural heritage	No	No	No
Rec (1993) 9	Architectural heritage / natural disasters	No	No	No
Rec (1995) 3	Documentation architectural heritage	No	No	No
Rec (1995) 9	Cultural Landscapes	No	No	No
Rec (1996) 6	Protection against unlawful acts	No	No	No
Rec (1997) 2	Physical deterioration - pollution	No	No	No
Rec (1998) 4	Historic complexes, immoveable and moveable property	No	No	No
Rec (1998) 5	Heritage education	No	No	No
Rec (2001) 15	History teaching	No	No	No
Rec (2003) 1	Tourism as a factor for sustainable development	No	No	No
Rec (2004) 3	Geological heritage	No	No	No
Rec (2005) 13	University heritage	No	No	No
Rec (2008) 3	Guidelines - implementing	No	No	No

## ▼ 7.1 Commentary

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#### **Integrated approach**

Fundamental reference laws and regulations governing heritage protection

- General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 8 – Agreement on Commission to Preserve National Monuments, 1995
  - Decision of the Presidency of Bosnia and Herzegovina on the Commission to Preserve National Monuments, 2001 (Official Gazette of Bosnia and Herzegovina nos. 1/02 and 10/02)
  - Rulebook on Activities of the Commission to Preserve National Monuments as regards International Cooperation (Official Gazette of Bosnia and Herzegovina no. 29/02)
  - Criteria for designating properties as national monuments, 2002/2003 (Official Gazette of Bosnia and Herzegovina nos. 33/02 and 15/03; Official Gazette of the Federation of Bosnia and Herzegovina [FBiH] no. 59/02; Official Gazette of Republika Srpska [RS] no. 79/02)
  - Law on the Implementation of the Decisions of the Commission to Preserve National Monuments, established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina, 2002, enacted by the Parliament of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH nos. 2/02, 27/02, 6/04 and 51/07)
  - Law on the Implementation of the Decisions of the Commission to Preserve National Monuments, established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina, 2002, enacted by the Parliament of Republika Srpska (Official Gazette of RS nos. 9/02, 70/06 and 64/08)
  - Law on the Implementation of the Decisions of the Commission to Preserve National Monuments, established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina, 2002, enacted by the Assembly of Brčko District (Official Gazette of Brčko District nos. 2/02 and 19/07)
  - Law on Spatial Planning and Land Use of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH nos. 2/05 and 72/07)
  - Law on Spatial Planning – consolidated text (Official Gazette of RS nos. 84/02, 55/02, 14/03, 112/06 and 53/07)
  - Law on Spatial Planning (Official Gazette of Brčko District nos. 9/03, 23/03 and 15/04)
  - Criminal Code of Republika Srpska – Arts. 253 and 254 (Official Gazette of RS no. 49/03)
  - Criminal Code of the Federation of BiH – Arts. 321 and 322 (Official Gazette of FBiH nos. 36/03, 37/03, 21/04 and 18/05)
  - Criminal Code of Brčko District of Bosnia and Herzegovina (Official Gazette of Brčko District nos. 10/03 and 45/04)
  - Law on Environmental Protection (Official Gazette of FBiH no. 33/03)
  - Law on the Protection of Nature (Official Gazette of FBiH no. 33/03)
  - Law on the Protection of Nature (Official Gazette of RS no. 50/02)
  - Law on the Protection of Nature (Official Gazette of Brčko District no. 24/04)
  - Law on Environmental Protection (Official Gazette of FBiH no. 33/03)
  - Law on Environmental Protection (Official Gazette of RS no. 53/02)
  - Law on Environmental Protection (Official Gazette of Brčko District no. 24/04)
  - Law on Inspection of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH no. 69/05)
- Since 2007 the Government of the Federation of Bosnia and Herzegovina has adopted a set of orders governing issues of importance for the preservation of the cultural heritage in the Federation of Bosnia and Herzegovina, such as:
- Order on the type, content, designation and preservation, control and validation of investment-related technical documentation (Official Gazette of FBiH nos. 88/07 and 51/08)
  - Order on the publication of preliminary works of an investigative nature on national monuments (Official Gazette of FBiH no. 36/08)
  - Order on the organization of building sites, mandatory documentation on the building site and participants in construction (Official Gazette of FBiH nos. 48/09 and 75/09).

Other laws in force:

- In Republika Srpska: Law on Cultural Properties, 1995 (Official Gazette of RS no. 11/95) and Law on Amendments to the Law on Cultural Properties (Official Gazette of RS no.103/08).
  - In the Federation of Bosnia and Herzegovina: Law on the Protection and Preservation of Cultural and Natural Heritage, 1985, amended 1987, 1993 and 1994, applicable and enforceable in the cantons that have not enacted their own laws: Posava Canton, Tuzla Canton, Bosnian Drina Canton, Central Bosnia Canton and Hercegbosna Canton
- Cantons that have enacted heritage laws:
- Sarajevo Canton: Law on the Protection of Cultural Heritage (Official Gazette of Sarajevo Canton no. 2/00)
- West Herzegovina Canton: Law on the Protection and Use of Cultural and Natural Heritage (Official Gazette of West Herzegovina Canton no. 6/99)
- Zenica-Doboj Canton: Law on the Protection of Cultural Heritage (Official Gazette of Zenica-Doboj Canton no. 2/00)
- Herzegovina-Neretva Canton: Law on the Protection of Cultural Heritage in Herzegovina-Neretva Canton (Official Gazette of Herzegovina-Neretva Canton no. 2/06) and Law on Approval to Build Outside the Boundaries of National Monuments or Outside Provisional Boundaries and Implementation of Protection Measures (Official Gazette of Herzegovina-Neretva Canton no. 5/08)
- Una-Sana Canton: Law on the Protection of Cultural Heritage (Official Gazette of Una-Sana Canton no. 3/04).
- The fundamental reference laws are available on the Commission's web site, [www.kons.gov.ba](http://www.kons.gov.ba).
- National Environmental Strategy or Action Plan
- BiH Cultural Policy Strategy (Official Gazette of BiH, no. 93/08)

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