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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

45th meeting

Strasbourg, 8-12 December 2025

Bureau of the Standing Committee

16-18 September 2025

Strasbourg

Stand-By File: 2022/07

**Possible negative impact of mining activities in Trstionica
– Gornja Bukovica and Vareš (Bosnia & Herzegovina)**

- COMPLAINANT REPORT -

Document prepared by Hajrija Čobo

Update Report dated 31 July 2025

To the Bern Convention Secretariat

July 31st, 2025

Dear Sir/Madam,

Thank you for the opportunity to contribute with this Report on the status of the project of mining activities in Trstionica Gornja Bukovica and Vareš.

Please find below my Report for the Autumn 2025 Bureau meeting.

Complaint No. 2022/07: Complaint on Stand-By: Bosnia and Herzegovina: Possible negative impact of mining activities in Trstionica – Gornja Bukovica and Vareš**1. Legal Background and Protection of State Property**

The competent institutions in Bosnia and Herzegovina have not acted in accordance with the conclusions of the Bureau of the Standing Committee to the Bern Convention, nor in accordance with domestic legal regulations and the decisions of the Constitutional Court of Bosnia and Herzegovina.

In earlier reports by the complainants, it was explained that the area of Gornja Trstionica – Bukovica is designated for strict protection in the Spatial Plan of the Zenica-Doboj Canton. The core of this area is the Trstionica primeval forest.

The protection of this area has not been implemented. On the contrary, information has appeared in public about a possible expansion of a heavy metal mine in this area. The Gornja Trstionica – Bukovica area consists of centuries-old forests, mountain meadows, and rivers, with 90% of the land being state-owned.

The Law on the Prohibition of Disposal of State Property was not enforced in this case. Instead, favorable concessions were made to the investor, whereby cantonal authorities unlawfully concluded a concession agreement on the subject land, which is state-owned. Subsequently, both cantonal and federal authorities issued accompanying permits despite the fact that:

- The concession agreement is legally null and void — it was concluded by unauthorized institutions on state-owned land without the consent of competent statelevel institutions;
- Cantonal and federal authorities acted unlawfully by issuing permits for the use of resources on state property and by changing the land use from forest to construction purposes without respecting the Law on the Prohibition of Disposal of State Property, making all those permits legally void as they were based on a null and void concession agreement;
- Cantonal and federal authorities failed to implement the decisions and positions of the Constitutional Court of Bosnia and Herzegovina, which clearly state that all mining

operations in the area of Gornja Trstionica – Bukovica should be stopped immediately and that the concession agreement should be officially declared legally null and void.

In the responses to a parliamentary question by Sanja Renić¹, a representative of the ZenicaDoboj Cantonal Assembly, it is clearly shown that the institutions mentioned above did not have the consent of the state for any use or disposal of the state-owned land in question. Instead, they acted unlawfully and unconstitutionally by excluding the owner^{2**} (the state) from the decision-making process regarding land it owns.

AI Summary

This document is an official response from the Ministry for Economy of the Zenica-Doboj Canton in Bosnia and Herzegovina to a parliamentary question posed by Sanja Renić during the 38th session of the Canton Assembly on April 23, 2025. The question concerns the process of granting concessions for mining, exploration, and exploitation of mineral resources, particularly regarding state-owned property and compliance with relevant laws.

The Ministry clarifies that all concessions are granted in accordance with the Law on Concessions and require approval from local self-government units. After local approval, a Commission for determining public interest is appointed to set conditions for the concession, which are then published in a public call. The final decision on granting concessions is made by the Canton Government, and the Ministry concludes the concession agreement after obtaining legal opinions from the Cantonal Attorney's Office.

The document emphasizes that the procedure for granting concessions is the same for both state and private property and adheres to the relevant laws and regulations.

AI Summary

The document is an official response from the Federal Ministry of Energy, Mining, and Industry of the Federation of Bosnia and Herzegovina to a parliamentary inquiry regarding the issuance of permits for exploration and exploitation to Adriatic Metals BH d.o.o. in Vareš.

Key points:

- 1. 'Legal Framework': The Ministry acted in accordance with the Law on Mining and the Law on Geological Research of the Federation of Bosnia and Herzegovina, which outline the requirements for issuing permits for exploration and exploitation of mineral resources.*
- 2. 'Permit Issuance': Adriatic Metals BH d.o.o. provided all necessary documentation and fulfilled the legal requirements for both exploration and exploitation permits. This included*

¹ https://drive.google.com/file/d/11STtOSBRYik6PZfPYJzLmPhsXSmEodp2/view?usp=drive_link (BOS)
https://drive.google.com/file/d/15ncZzdARM3fSpcFRe-3CZJxhVRG5CPNF/view?usp=drive_link (EN)

² https://drive.google.com/file/d/1BIXsBZtks1zq3tBGHYl6-_D0_59tHtY2/view?usp=drive_link

documents such as concession agreements, environmental permits, urban planning approvals, and proof of land ownership or usage rights.

3. *'Public Involvement': Public hearings were held before the permits were issued, allowing all interested parties to review the submitted documentation.*

4. *'State Property Consent': The Ministry clarified that it was not required to obtain consent from the Commission for State Property Management or the Council of Ministers of Bosnia and Herzegovina, as this is not mandated by the Law on Mining. For private land, the company resolved property issues directly with landowners, while state land conversion was handled by the Federal Ministry of Agriculture, Water Management, and Forestry.*

5. *'Legal Validity': The Ministry emphasized that the permits issued are legally valid and cannot be revoked without the consent of the permit holder, as per the applicable laws.*

In conclusion, the Ministry asserts that it acted within its legal authority and followed all prescribed procedures in issuing the permits to Adriatic Metals BH d.o.o.

2. Loss of habitats

The current situation in the Gornja Trstionica – Bukovica area can best be described as “dire.” Wild animals attempted to return in early spring, as noted by activists, but they soon abandoned the area again. The noise from heavy trucks is deafening, the dust makes breathing difficult, and vehicles belonging to the investor and employees travel at speeds of up to 80 km/h, making it nearly impossible for animals to escape when on the gravel roads.

The "Vrući potok" (Hot Stream), which once provided clean drinking water for both humans and animals, and served as a habitat for crayfish, trout, frogs, various insects, and algae, is now completely dead — no life remains in it.

The Trstionica River, into which Vrući potok flows, is completely lifeless for about 2 kilometers downstream, after which only a few surviving organisms can be observed.

The trees along the river are dying. Many trees have been marked for removal because they are dead. These include trees already mentioned in the previous report, whose trunks — over 2 meters tall — are now buried under illegally dumped mining waste.

Despite all the reports filed by nature protection activists, the competent authorities have taken no action to stop the destruction of the area's nature and biodiversity — an area they themselves have identified as valuable and unique (as seen in the Spatial Plan of the ZenicaDoboj Canton, the ESIA report by Adriatic Metals, and a recently published brochure on primeval forests in Bosnia and Herzegovina by the Environmental Protection Fund³):

„The Trstionica Primeval Forest, covering an area of 32.5 hectares at an altitude between 1,005 and 1,112 meters, represents an important site for forestry, science, and nature conservation. According to the IUCN, it falls under Category I as a strictly protected area

³ https://drive.google.com/file/d/1tNr5J9Fu2iM7TeCNK-VKCGtEfFKGSTlf/view?usp=drive_link (page 9)

designated exclusively for scientific research. Additionally, Trstionica is classified as a Category II High Conservation Value Forest (HCVF), further confirming its importance for biological diversity.. “

The destruction of the area is visible even in comparative Google Earth images from 2020 and 2025:

https://drive.google.com/file/d/14WqPF9-O5EIDjkoXEtSh6awcDm4XPnx_/view?usp=drive_link

Conclusion

Bosnia and Herzegovina does not act in accordance with the principles of the Convention through its institutions and fails to implement legal norms from both international and domestic law.

Nature protection is not a priority for the institutions of Bosnia and Herzegovina. As a result, lower-level authorities are acting arbitrarily and are pushing the nature and biodiversity of this part of the European continent toward complete disappearance — along with the people whose rights to a healthy environment, drinking water, and clean air are increasingly endangered every day.

Thankfully,

Hajrija Čobo