



Strasbourg, 14th May 2025

T-PVS/Files(2025)2024-5_comp

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

45th meeting

Strasbourg, 8-12 December 2025

Bureau of the Standing Committee

Autumn 2025

Strasbourg

New complaint: 2024/5

**Alleged threat to habitat and protected species from the
'Upper Horizons' Hydropower Project (Bosnia and
Herzegovina)**

- COMPLAINT FORM -

*Document prepared by
Resource Aarhus Center in B&H", Sarajevo (ACSA); Center for the Environment (CZZS), Banja
Luka; RiverWatch; CEE Bankwatch Network & EuroNatur*

Convention on the Conservation of European Wildlife and Natural Habitats



Bern Convention Secretariat

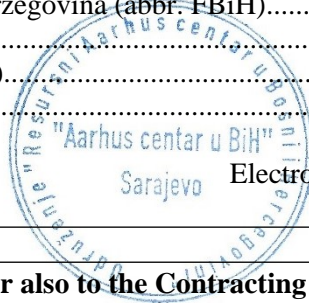
Directorate of Democratic Participation

Council of Europe

F-67075 Strasbourg Cedex

E-mail: Bern.convention@coe.int

First name: Emina.....
 Surname(s): Veljović.....
 On behalf of (if applicable): **Association "Resource Aarhus Center in B&H", Sarajevo (ACSA); Center for the Environment (CZZS), Banja Luka; RiverWatch; CEE Bankwatch Network & EuroNatur**
 Town/City: Sarajevo.....
 County/State/Province: Federation of Bosnia and Herzegovina (abbr. FBiH).....
 Postcode: 71000.....
 Country: Bosnia and Herzegovina (abbr. BiH).....
 E-mail: koordinator@aarhus.ba.....
 Website: <https://aarhus.ba/>.....
 Date: Friday 27th September, 2024.



1. Please state the reason of your complaint (refer also to the Contracting Party/ies involved and the Articles of the Convention which might be violated)

BiH, and specifically the Republika Srpska entity, has violated Articles 3, 4, 5, 7 and 10 of the Bern Convention by approving the construction of the Upper Horizons hydropower scheme (*Gornji Horizonti*). It is currently building the first of three planned large hydroelectric plants, namely *Dabar* on the Zalomka River, with an installed capacity of 159.15 MW. The *Nevesinje* (60 MW) and *Bileća* (33 MW) plants are also planned. Upper Horizons was originally conceived in the mid-20th Century and its impacts will be extremely far-reaching. It is planned in a region characterized by complex karst hydrology and hydrogeology that is difficult to assess. Important technical decisions have been made on the basis of high uncertainty and as such carry a high risk of unplanned impacts. For the *Dabar* plant, between 2011 and 2021 the Republika Srpska authorities signed a concession agreement and issued almost all the necessary permits (environmental, water and most of the construction permits), based on a very poor quality environmental impact assessment (EIA) from 2012. In 2017 and 2022 the environmental permit was renewed, but no new EIA was carried out and the renewal process was not announced publicly. Thus, the public was denied the right to provide input.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention that are potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

Fish: *Telestes dabar*, *Telestes tobiensis*, *Delminichthys ghetaldii* (all three endemic to the fields and included in Resolution 6 as *Phoxinellus spp.*); *Petromyzon marinus*, *Acipenser naccarii*, *Alosa fallax*, *Salmo marmoratus*, *Lampetra sp.*, *Alburnus neretvae* (*A. albidus*), *Aphanius fasciatus*, *Barbus plebejus*, *Chondrostoma knerii*, *Cobitis narentana*, *Cobitis illyrica*, *Knipowitschia panizzae*, *Knipowitschia croatica*, *Squalius svallize*, *Lethenteron zanandreae* (*Lampetra soljani*), *Delminichthys adspersus*, *Pomatoschistus canestrinii*, *Salmo obtusirostris*, *Salmo farioides* (*macrostigma*), *Squalius microlepis*; **Amphibians:** *Olm* (*Proteus anguinus*). **Mammals:** Otter (*Lutra lutra*). **Invertebrates:** White-clawed Crayfish (*Austroptamobius pallipes*). For birds and all other species see **Annex I**.
Habitats with Natura 2000 codes: wetlands (3130, 3170, 3180*, 3270), scrublands (5130, 5210), grasslands (6110*, 62A0*, 6410, 6430, 6450, 6510, 6540), bogs and springs (7110, 7120, 7230), caves (8310), riparian forests (91E0*, 91F0).

3. What might be the negative effects for the specie/s or habitat/s concerned?

First, the unique karst fields (*polje*) in Republika Srpska would be completely destroyed. Underground karst rivers, caves and springs will be left with almost no water even before their biodiversity is properly studied. Three endemic fish species (*Telestes dabar*, *Telestes metohiensis*, *Delminichthys ghetaldii*) would probably be driven to extinction. Second, the project would also involve closing or drying several sinkholes, which may endanger the water flow to the iconic **Buna**, **Bunica** and **Bregava** rivers that are of crucial importance to towns in FBiH, like Mostar, Blagaj and Stolac, as well as being home to protected species. **More than 85%** of these rivers' water would be diverted towards the Bileća reservoir, and most will **not be** returned to the Neretva basin. The Biograd sinkhole in the Nevesinjsko karst field, one of the biggest in Europe, will be among those impacted. The already seriously impacted [Hutovo blato wetland](#), of international importance according to the Ramsar Convention, would receive even less water than now if all of Upper Horizons is built. Third, the project would decrease the flow of the river Neretva, whose delta in Croatia is already suffering from salination. BiH is already violating the Bern Convention by not proposing Hutovo blato and lower Neretva and its tributaries as Emerald sites. Hutovo blato's wetlands receive **most of their** water from Republika Srpska, and discharge it towards Croatia. These waters perform several critically important ecological services, from providing migratory stopovers for birds along the Adriatic Flyway, to purifying fresh water, preventing salinization of groundwater, providing natural resources and protecting against floods, with 28 plant species present on the *List of Rare, Endangered and Endemic Plant Species* of BiH. A study by WWF Adria (see appendices) confirmed that the degradation of bird habitats and floodplains has caused a 48% decrease in recorded species and due to the existing hydroelectric power plant network, Hutovo blato has already **lost over 50%** of the water that previously filled it through various sources. Also, the fish fauna (44 taxa of fish, 15 of which are endemic) has suffered from significant habitat degradation, characterized by an increasing dominance of foreign species compared to native and migratory species. The white-clawed crayfish lives in the Bregava river, Nevesinjsko polje, Fatničko polje and Mostarsko Blato, as stated in [Distribution of the white-legged crab *Austropotamobius Pallipes* Species Complex \(*Astacoidea*, *Astacidae*\) in Bosnia and Herzegovina, \(p.161\) by Sadbera Trožić-Borovac PhD](#). Article 5 of the *Regulation on strictly protected and protected wild species of Republika Srpska* ([Official Gazette of RS, no. 65/20](#)) designates the white-clawed crayfish as a **strictly protected species**, and **prohibits all activities** that may damage its habitat.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald Network, UNESCO site? Are there pending procedures within another international institution?

The area where Upper Horizons is planned (and partially built) is extremely sensitive and is not yet adequately protected by law, although it is planned. The Spatial Plan of Republika Srpska until 2025 includes Nevesinjsko, Dabarsko, and Fatničko polje, part of Gatačko polje and the Bregava River as areas designated for protection, ([Habitat Management Area](#) - **IUCN category 4**), and Bilećko Lake as a Nature Park (**IUCN category 5**) until 2025. However, the Plan does not analyze or resolve the conflicts between planned hydropower plants and planned protected areas.

Nevesinjsko (**BA0000025**), Dabarsko (**BA0000024**), Fatničko (**BA0000023**) and part of Gatačko polje (**BA0000026**) are candidate sites of the Emerald network. Hutovo Blato (BiH) was recognized as a wetland of international importance under the Ramsar Convention in 2000. The Neretva Delta (Croatia) has been included in the List of Ramsar Wetlands of International Importance since 1992, as well as the European ecological network NATURA2000 since 2014. 12,000 ha of the Neretva Delta belongs to the Republic of Croatia, which is the main nesting place of [as many as 115 nesting bird species, out of over 310 recorded bird species](#), in the area. 8,000 ha of the Neretva Delta belongs to BiH. As one of the few major wetlands on the eastern Adriatic coast, the Delta presents a vital stopover for migratory birds travelling on the Adriatic flyway between their breeding and wintering grounds. The fact that the Upper Horizons will affect an EU Member State, Republic of Croatia, mean that the Habitats, Birds and Water Framework Directives are all applicable, as are the Espoo Convention, Aarhus Convention and Ramsar Convention, which have all been ratified by BiH. In fact, we have evidence of clear violations of all these conventions, and we intend to bring the case to their attention. The [Law on the Restoration of Nature](#) has recently entered into force, and the Republic of Croatia, will have to implement it. Several species affected are in Appendix I of

CMS (*Aythya nyroca*, *Pelecanus crispus*, *Pelecanus onocrotalus*, *Haliaeetus albicilla*, *Coracias garrulus*, *Falco naumanni*, *Falco vespertinus*) while many more are in Appendix II. Three sites from the Tentative list of UNESCO World Heritage Convention will be impacted by Upper Horizons by drying their rivers - [The natural and architectural ensemble of Blagaj](#), [The natural and architectural ensemble of Stolac](#), and the iconic [Old Bridge in Mostar](#).

5. Have you attempted to address this issue with the relevant local and national authorities? Please describe. Are there any pending procedures at national level regarding the object of your complaint?

Following the approval of the EIA in 2012, the FBiH authorities challenged the decision in court, but the Republika Srpska courts rejected the complaint.

After our 2020 Bern complaint on the *Possible negative impact of hydro-power plant development on the Neretva river*, the Upper Horizons, as part of the Neretva Basin, was included in Recommendation No. 217 (2022). After this, ACSA and CZZS pointed out to the competent institutions in BiH that the Upper Horizons project will have incalculable consequences for the environment, especially **in cumulation** with the already built and planned projects in the Upper Neretva are, where the Ulog hydropower plant is undergoing test filling, and in summer 2024 already caused a fish die-off and [terrible clouding of the well-known](#), emerald green colour of the Neretva. However, the competent institutions did not react.

In June 2023, ACSA filed a lawsuit against the issued renewed environmental permit for *Dabar*. The local district court rejected this lawsuit, and in June 2024 ACSA requested an extraordinary review of the verdict. Moreover, ACSA and CZZS, after almost two years of trying to formally obtain the project's construction permits, finally succeeded, and both associations individually challenged **all five Dabar construction permits** in court. In August and September 2024, the District Court in Banja Luka **upheld three** ACSA lawsuits and **one** CZZS lawsuit (Appendix VII) and annulled the construction permits for: 1. the underground tunnel 2. the surrounding buildings and 3. the transmission line. Two more lawsuits against other construction permits are still pending, as is the extraordinary review regarding the renewed environmental permit. However, immediately after these three verdicts, the Ministry of Spatial Planning, Construction and Ecology of Republika Srpska issued new construction permits for the transmission line and for the tunnel (Appendix VIII), and **again, did not include** ACSA and CZZS in the decision-making. This means that the Ministry did not comply with these verdicts, and ACSA and CZZS will need to go to court again.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc) (for large files, please add a separate annex document, as mentioned in the above instructions)

The relevant annexes are:

- **Appendix I** - [List of Bern-protected species and habitats that will be endangered by Upper Horizons](#);
- **Appendix II** - [List of fish species that will be endangered by Upper Horizons in the Hutovo Blato Nature Park](#);
- **Appendix III** - [Project description: Upper Horizons](#);
- **Appendix IV**- [Relevant maps](#);
- **Appendix V** - [Article \(pages 12-15\), by Muriz Spahić PhD, founder of the Association of BiH Geographers and former dean at the Faculty of Science and Mathematics in Sarajevo](#);
- **Appendix VI** - [Position Paper and Opinion about the Upper Horizons, prepared by WWF Adria](#);
- **Appendix VII** - [Judgments of the District Court in Banja Luka August and September 2024](#) &
- **Appendix VIII**- [New construction permit for the underground tunnel](#)