**Project Information**

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| ***Project Information*** |  |
| 1. Project Title | Strengthening Environmental Rule of Law in Bosnia and Herzegovina (SERL) |
| 2. Project Number | Award ID BIH10/00147504 |
| 3. Location (Global/Region/Country) | Bosnia and Herzegovina |

**Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability**

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| **QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?** |
| ***Briefly describe in the space below how the Project mainstreams the human-rights based approach*** |
| Project interventions under this project directly aim to support strengthening country’s legal, institutional, and strategic frameworks pertinent to environmental rule of law. Additionally, the project shall work with a network of Civil Society Organizations (CSOs) from Bosnia and Herzegovina dealing with environmental issues but also duly considering human rights nexus.  Research undertaken in project design stage showed that in several communities across the country, infrastructural projects were commenced and financed (especially concession agreements during the first year of Covid-19 pandemic) that ignored the public information and public participation segments. That created a lot of grievances, and in some cases, community protests. One of the more notable ones is the case of Women of Kruscica that mobilized against the construction of a small hydropower plant in their village, and were exposed to police brutality at some point (<https://www.euronatur.org/en/what-we-do/news/the-brave-women-of-kruscica-must-fight-again>)    As the project has a distinct component of engagement with environmental NGOs via EKOBiH to identify, map and adequately record and report environmental human rights violations in various communities across Bosnia and Herzegovina, it is expected that it will have a positive impact on the state of environmental human rights, allowing more public visibility to such cases but also educating the public about their environmental human rights.  The Project shall also give full consideration and rely on the recently adopted United Nations General Assembly (UNGA) resolution (passed on 28 July 2022) with an emphasis on the international rights-based efforts to make working environments safer and healthier. The right to a clean, healthy and sustainable environment is also linked to other rights and parts of existing international human rights law. |
| ***Briefly describe in the space below how the Project is likely to improve gender equality and women’s empowerment*** |
| As part of Generation Equality efforts, UNDP will be convening the local Feminist Coalition for Climate Justice that particularly examines the gender and environment data gaps. The research undertaken under the Coalition work will be ready prior to the start of this timeframe. Preliminary research indicates that statistical data on gender and environment nexus is not fully understood or systematically collected by the statistical agencies (at State and Entity levels) nor are the environmental laws and policies informed by gender data in the environmental field. Under this timeframe of the Project, UNDP will particularly focus on women environmental and climate change activists within the framework of the Project’s cooperation with EKOBiH. They will be empowered with survey data to assist them in their advocacy efforts. |
| ***Briefly describe in the space below how the Project mainstreams environmental sustainability and resilience*** |
| Implementation of this Project would enable UNDP CO BiH to strengthen its track-record of engagement with a range of stakeholders in the judiciary, government, academia, and NGO sectors. In general, stakeholder analysis carried out during project design showed that there is very low level of engagement by international and CSO actors in this important field, or that other international actors are choosing a ‘parcel approach’ focusing on one segment of the environmental rule of law spectrum (for example, OSCE Mission in Bosnia and Herzegovina has sporadically sponsored environmental law clinics for students while Regional Environment Center has organized project-based training for judges and prosecutors). This Project was designed to work across four distinct but mutually reinforcing pillars:   * Policy and legislation * Enforcement * Access rights * Awareness and education     In that vein, the relationship with judicial institutions would be strengthened through thematic capacity building which is currently inexistent and discontinuous. With environmental human rights coming into the fray more significantly since the UN Security Council Resolution recognizing the right to a safe and clean environment as a fundamental human right, UNDP CO BiH has the political capital to work across a spectrum of stakeholders and jurisdictions as a neutral convener. This Project will enable UNDP CO BiH to engage with them in a systematic manner and support mobilization of further funding for a longer intervention. |
| ***Briefly describe in the space below how the project strengthens accountability to stakeholders*** |
| UNDP will ensure that stakeholders who may be adversely affected by a UNDP Project can communicate their concerns about the social and environmental performance of the Project through various entry points, scaled appropriately to the nature of the activity and its potential risks and impacts. Potentially affected stakeholders will be informed about available entry points for submitting their concerns as part of the stakeholder engagement process (by publishing link to the available corporate mechanism). |

**Part B. Identifying and Managing Social and Environmental Risks**

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| **QUESTION 2: What are the Potential Social and Environmental Risks?**  *Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any “Yes” responses). If no risks have been identified in Attachment 1 then note “No Risks Identified” and skip to Question 4 and Select “Low Risk”. Questions 5 and 6 not required for Low Risk Projects.* | **QUESTION 3: What is the level of significance of the potential social and environmental risks?**  *Note: Respond to Questions 4 and 5 below before proceeding to Question 6* | | | | **QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?** | |
| ***Risk Description*** | ***Impact and Probability (1-5)*** | ***Significance***  ***(Low, Moderate, High)*** | ***Comments*** | | ***Description of assessment and management measures as reflected in the Project design.*** | |
| Risk 1: Potential risk for adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups. | I = 3  P = 3 | **Low** | **n/a** | | As the project concerns development of amendments to existing legislation, new legislation and pertinent strategies concerning environmental rule of law, possible restrictions and political impediments regarding enjoyment of civil rights may be expected. The project is addressing that risk through careful examination and alignment of all proposals with relevant EU directives and other horizontal legislation and international treaties in force in Bosnia and Herzegovina. | |
| Risk 2: Duty-bearers do not have the capacity to meet their obligations in the Project | I = 3  P = 3 | **Low** | **n/a** | | The initial assessment conducted during consultation process ahead of development of the Project have confirmed the fragmented and under-capacitated context of duty bearers in this field. The level of capacity differs significantly across governance levels and bodies. However, the project has committed to producing relevant documents that would be further taken into consideration by the duty bearers in a phased approach, respecting relevant capacity levels. | |
|  | **QUESTION 4: What is the overall Project risk categorization?** | | | | | |
| **Select one** | | | | | **Comments** |
| ***Low Risk*** | | | **X** | | The project is assessed as a low-risk category, particularly from human rights aspect viewpoint. |
| ***Moderate Risk*** | | | **☐** | |  |
| ***High Risk*** | | | **☐** | |  |
|  | **QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?** | | | | | |
| Check all that apply | | | | | **Comments** |
| ***Principle 1: Human Rights*** | | | **x** | | N/A |
| ***Principle 2: Gender Equality and Women’s Empowerment*** | | | **x** | | N/A |
| ***1. Biodiversity Conservation and Natural Resource Management*** | | | ☐ | | N/A |
| ***2. Climate Change Mitigation and Adaptation*** | | | ☐ | | N/A. |
| ***3. Community Health, Safety and Working Conditions*** | | | ☐ | | N/A |
| ***4. Cultural Heritage*** | | | **☐** | | N/A |
| ***5. Displacement and Resettlement*** | | | **☐** | | N/A |
| ***6. Indigenous Peoples*** | | | **☐** | | N/A |
| ***7. Pollution Prevention and Resource Efficiency*** | | | ☐ | | N/A |

**Final Sign Off**

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| Signature | Date | Description |
| QA Assessor  Sejla Brankovic-Merdzo |  | UNDP staff member responsible for the Project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted. |
| QA Approver  Edin Serezlic |  | UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC. |

**Social and Environmental Risk Screening Checklist**

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| **Checklist Potential Social and Environmental Risks** |  |
| **Principles 1: Human Rights** | **Answer  (Yes/No)** |
| 1. Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups? | Yes |
| 2. Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? | No |
| 3. Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups? | No |
| 4. Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them? | No |
| 5. Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project? | Yes |
| 6. Is there a risk that rights-holders do not have the capacity to claim their rights? | No |
| 7. Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process? | Yes |
| 8. Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals? | No |
| **Principle 2: Gender Equality and Women’s Empowerment** |  |
| 1. Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls? | No |
| 2. Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits? | No |
| 3. Have women’s groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment? | Yes |
| 4. Would the Project potentially limit women’s ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services?  *For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being* | No |
| **Principle 3: Environmental Sustainability:** Screeningquestions regarding environmental risks are encompassed by the specific Standard-related questions below |  |
| **Standard 1: Biodiversity Conservation and Sustainable** [**Natural**](#SustNatResManGlossary) **Resource Management** |  |
| 1.1 Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? | No |
| 1.2 Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities? | No |
| 1.3 Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5) | No |
| 1.4 Would Project activities pose risks to endangered species? | No |
| 1.5 Would the Project pose a risk of introducing invasive alien species? | No |
| 1.6 Does the Project involve harvesting of natural forests, plantation development, or reforestation? | No |
| 1.7 Does the Project involve the production and/or harvesting of fish populations or other aquatic species? | No |
| 1.8 Does the Project involve significant extraction, diversion or containment of surface or ground water?  *For example, construction of dams, reservoirs, river basin developments, groundwater extraction* | No |
| 1.9 Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development) | No |
| 1.10 Would the Project generate potential adverse transboundary or global environmental concerns? | No |
| 1.11 Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area?  *For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.* | No |
| **Standard 2: Climate Change Mitigation and Adaptation** |  |
| 2.1 Will the proposed Project result in significantgreenhouse gas emissions or may exacerbate climate change? | No |
| 2.2 Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change? | No |
| 2.3 Is the proposed Project likely to directly or indirectly increase social and environmental [vulnerability to climate change](#CCVulnerabilityGlossary) now or in the future (also known as maladaptive practices)?  *For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population’s vulnerability to climate change, specifically flooding* | No |
| **Standard 3: Community Health, Safety and Working Conditions** |  |
| 3.1 Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities? | No |
| 3.2 Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)? | No |
| 3.3 Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)? | No |
| 3.4 Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure) | No |
| 3.5 Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions? | No |
| 3.6 Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)? | No |
| 3.7 Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning? | No |
| 3.8 Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)? | No |
| 3.9 Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)? | No |
| **Standard 4: Cultural Heritage** |  |
| 4.1 Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts) | No |
| 4.2 Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes? | No |
| **Standard 5: Displacement and Resettlement** |  |
| 5.1 Would the Project potentially involve temporary or permanent and full or partial physical displacement? | No |
| 5.2 Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)? | No |
| 5.3 Is there a risk that the Project would lead to forced evictions? | No |
| 5.4 Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources? | No |
| **Standard 6: Indigenous Peoples** |  |
| 6.1 Are indigenous peoples present in the Project area (including Project area of influence)? | No |
| 6.2 Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples? | No |
| 6.3 Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)?  *If the answer to the screening question 6.3 is “yes” the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.* | No |
| 6.4 Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned? | No |
| 6.5 Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples? | No |
| 6.6 Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources? | No |
| 6.7 Would the Project adversely affect the development priorities of indigenous peoples as defined by them? | No |
| 6.8 Would the Project potentially affect the physical and cultural survival of indigenous peoples? | No |
| 6.9 Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices? | No |
| **Standard 7: Pollution Prevention and Resource Efficiency** |  |
| 7.1 Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or [transboundary impacts](#TransboundaryImpactsGlossary)? | No |
| 7.2 Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)? | No |
| 7.3 Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs?  *For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol* | No |
| 7.4 Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health? | No |
| 7.5 Does the Project include activities that require significant consumption of raw materials, energy, and/or water? | No |