



PROPOSALS FOR UPGRADING THE EXISTING GOVERNANCE STRUCTURE FOR ICZM (Article 7) (REGION OF ISTRIA, CROATIA)

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Background

Due to the global intentions of deterioration of marine environment and marine natural resources (particularly in coastal areas), at global and regional levels, by different international institutions has been initiated management of the marine environment based on the "ecosystem approach". European Commission on the basis of the strategic guidelines for the protection of the marine environment made in early 2000, passed in 2008. **Marine Strategy Framework Directive (2008/56/EZ)**. Applying the Directive, EU Member States will improve its system of protection and management of the marine environment and will be able to take coordinated and concerted activities at the regional and sub-regional levels in order to reduce the intensity of those human activities that result in adverse effects on the marine environment.

The Rio Conference in 1992 has made a remarkable shift away shading the light on new perspectives in understanding the coastal zone management. The traditional and often separated coastal or marine management approaches were *supplemented* with a new dimension, "**integration**". Considered as a "*missing link*" such an approach proves enough evidences in its capability to over-bridge the gaps among different relevant sectors and interested groups at all governmental levels arguing that terrestrial and marine parts of the coastal zone should be perceived as a unique subject of **governance**.

The concept of Integrated Coastal Zone Management (ICZM) as a dynamic, interactive and continues planning process appears as a rising challenge that proves to be able not only to initiate momentum for deep policy reforms and institutional re-organisation but also to provide a prominent spectre of benefits in achieving a long-term sustainability of coastal areas.

The "mapping" of the many relevant institutions, along with their policies and functions, is therefore an essential first step in defining the operating context of the ICZM process.

The **Protocol on Integrated Coastal Zone Management in the Mediterranean** (adopted in January 2008 and entered into force in March 2011.) as an international legally binding instrument clearly invites within its Article 7 (Co-ordination) all the Contracting Parties to ensure all necessary measures for establishing the inter-sectoral and intra-governmental co-ordination (Provisions 7.1.b-c and 7.2.), as well as for creating institutional integration mechanisms (Provisions 7.1a and 7.2) in compliance with objectives and principles of the Protocol listed in Articles 5 and 6.

The Republic of Croatia has signed and ratified the Protocol on 14th November 2012 (OG-IA 6/12) and entered into force on 28th February 2013.

1. Analysis

1.1. The current situation (baseline) with regard to the ICZM co-ordination mechanism

Existing national co-ordination body for implementation of ICZM Protocol is Ministry of Environmental and Nature Protection.

Marine and coastal activities in the Republic of Croatia are co-ordinated by 7 different Ministries. The regulatory system that governs sea areas is characterised by a sectoral approach of powers vested in national authorities - harbours, fishery, and mariculture, transport, navigation, energy, directorates and public companies managing particular resources.

Although the spatial planning law requires the co-operation of the majority of institutions dealing with ICZM; *this co-operation is only formal and thus not working properly in terms of the weighting of the different sectors' views and interests. This co-ordination are often characterised by political, administrative and budgetary conflicts among different levels of government.*

Ministry of Environmental and Nature Protection began (2011) coordination of the preparatory documents for Marine Protection Strategy in cooperation with central state administration bodies competent for: the sea, tourism, transport and development, the economy, agriculture, forestry, water management, nature science and health.

There is no ICZM strategy in the Republic of Croatia, the Marine Protection Strategy is not adopted yet, but first steps are made it.

Regulation of establishing a framework for action of the Republic of Croatia in the field of marine environmental protection (OG 136/11) regulates the baseline and benchmarks for the design, development, implementation and monitoring for the implementation Marine Protection Strategy, and other issues related to it. Regulation was transposed into national law, **Directive 2008/56/EZ** and related **Commission Decision 2010/477/EU** on criteria and methodological standards on good condition marine environment, establishing a framework for Community action in the field of marine environmental policy.

The body responsible for the implementation Regulation is the Ministry of Environmental and Nature Protection, which is the Coordinator of cooperation with defined authorities. Coordination is carried out through the Committee for Coordination (ministers) and the National Board for Professional execution of the tasks defined by the Regulation (State Institutes, Public authorities, Scientific institutions, Regional Institutes for Public Health).

Key challenges to sustainable development of the Republic of Croatia, according to **Strategy for Sustainable Development of the Republic of Croatia (OG 30/09)**, is protection of the Adriatic Sea, coastal area, and islands. The sea is a large and important area of the Republic of Croatia (35.4% of the total surface area) both in relation to the protection of nature and the environment and the conservation of biodiversity as well as in relation to a large number of various activities (maritime transport, construction of transport and municipal infrastructure, tourism and nautical tourism, economic activities associated with fisheries). All of the above is of great importance and interest for the sustainable development of the

Republic of Croatia. Reduce the loss of marine and coastal biodiversity and increase the number of protected areas is one of the activities for overall objectives of the Strategy for Sustainable Development of the Republic of Croatia. Additionally, transport connection of islands with the mainland as well as their mutual interconnection is insufficient and does not ensure the sustainable development of islands. *Overall Objective is improved interconnection of all parts of the national territory and islands and the mainland so as to make the transport system sufficient for all economic, social and environmental needs of the Republic of Croatia while minimising their undesirable impacts on the economy, society and environment.*

2. Assessment

2.1. Assess the effectiveness: weaknesses, gaps, strengths (vertical and horizontal co-ordination)

For the purposes of integrated coastal zone management, according to *article 7 of Protocol, the Parties shall:*

(a) ensure institutional coordination, where necessary through appropriate bodies or mechanisms, in order to avoid sectoral approaches and facilitate comprehensive approaches;

(b) organise appropriate coordination between the various authorities competent for both the marine and the land parts of coastal zones in the different administrative services, at the national, regional and local levels;

(c) organise close coordination between national authorities and regional and local bodies in the field of coastal strategies, plans, and programmes and in relation to the various authorisations for activities that may be achieved through joint consultative bodies or joint decision-making procedures.

Competent national, regional, and local coastal zone authorities

shall, insofar as practicable, work together to strengthen the coherence and effectiveness of the coastal strategies, plans, and programmes established.

Intra-governmental (vertical) and inter-sectoral (horizontal) co-ordination, as well as institutional integration mechanisms, represent a basis for understanding the role and relationship between different stakeholders involved in governing processes of coastal areas.

The EU Recommendation defines the principles of coastal planning and management including the need for base planning on sound and shared knowledge taking into account a long-term and cross-sectoral co-operation by involving all stakeholders relevant for governing, both terrestrial and the marine components of the coastal zone.

Article 7 of the Protocol endeavours the Parties of the **Barcelona Convention** to initiate momentum for strengthening co-operation among different administrative levels (national/regional/local) in the sense of **intra-governmental (vertical) co-ordination** and to foster the **inter-sectoral (horizontal) co-ordination** between all associated administrative departments, sectors, and services comprising the single level of government. Besides this, the Protocol pays special attention to institutional integration inviting the Parties for the

establishment of an *“appropriate co-ordinated body”* or a *“special authority”* aimed to facilitate and catalyze the overall ICZM institutional and cross-sectoral co-ordination processes taking into account both the *“marine and the land parts of the coastal zone”*. In addition, the aforementioned tasks stipulated in Article 7 fully underlie to the Protocol Objectives within Article 5: *“The objectives of integrated coastal zone management are to: (...) achieve coherence between public and private initiatives and between all decisions by the public authorities, at the national, regional and local levels, which affect the use of the coastal zone”* (Article, 5-f).

“Integration” is being considered as a complex and crucial component of coastal zone management that comprises various management levels. The following additional components have to be distinguished:

- Intra-governmental integration (vertical co-ordination)
- Inter-sectoral Integration (horizontal co-ordination)
- Spatial Integration (vertical/horizontal co-ordination)
- International Integration (vertical/horizontal)
- Science-Management Integration (different disciplines)

The matter of creating a special authority is not clearly formulated within the Provision 7(a) of the ICZM Protocol, which only mentions the need for establishment of *“appropriate bodies or mechanisms”* in order to *“ensure institutional co-ordination.”* In 1995, UNEP has called for the *“designation of a lead agency for coastal management at the national level (...)”*, while Article 27 of the Model Law on Sustainable Management of Coastal Zones proposed by the Council of Europe in 1999 clearly proposes that at national level and *“in order to facilitate integrated coastal-zone management, a clearly identified ministry, inter ministerial committee or national coastal-zone agency shall be responsible for giving impetus to and co-ordinating the action of the various authorities in charge of coastal zones”*.

2.1.1. General features of the administrative organization

Bodies of state administration that are divided into carry out Croatian state administration work: central bodies of state administration (ministries and state administrative organizations) with their regional units in counties, towns, and municipalities.

The county is a unit of regional self-government whose area represents a natural, historical, traffic, economic, social and self-governing entity; it is constituted to perform activities of regional interest, and especially activities related to: schooling, health, physical and urban planning, economic development, traffic and traffic infrastructure, planning and developing a network of educational, health, social welfare and cultural institutions.

A town is a unit of local self-government that is a county seat that is an urban, historical, natural, economic, and social entity.

A municipality is a unit of local self-government. It is usually founded for an area with several settlements that represent natural, economic, and mutual interests of the inhabitant’s link social entity and that.

The town and the municipality perform local self-government activities that directly satisfy the needs of their inhabitants, except activities that have by the Constitution or law been

assigned to state bodies. They especially carry out activities that relate to: settlement development and housing, physical and urban planning, utility activities, child care, social welfare, primary health protection, education, culture, physical culture and sports, consumer protection, environmental protection and development, fire protection and civil defence. Units of local self-government found local committees to directly involve citizens in deciding on local activities that immediately affect their everyday life and work. A local committee is founded for a single settlement, several small settlements or for part of a bigger settlement that is separate from other settlements and forms a delimited entity. Units of regional and local self-government are legal persons with representative bodies (county assembly, town council, and municipal council). The representative bodies pass regulations and other acts within their scope of work.

2.1.2. Division of competences in the field of physical planning (vertical co - ordination)

National level

The Croatian Parliament (Sabor) adopts strategic physical planning documents (National Physical Planning Strategy and Programme), a four-year programme of measures for improving conditions throughout the state.

Regional level (counties) and local level (towns and municipalities)

In the context of physical planning, representative bodies of regional and local self-government units adopt regional plans and four-year programme of measures for improving physical conditions on the territory and at the level covered by the unit. They also give their opinion on physical planning documents for a wider territory or a higher level. County physical planning institutes, if they fulfil the prescribed requirements, may prepare county physical plans.

2.1.3. Cooperation between different departments and public participation (horizontal co-ordination)

All the departments whose activities are related to the environment in any way should and have the duty to work together, and with the public at large, in the procedure of creating and adopting physical planning documents. This stems from the very principles that underpin physical planning and especially from the principle of an integral approach to planning and the principle of coordinating the interests of the users of an area with the priority activities in the area. These principles are implemented in two ways.

The first are prescribed by the Physical Planning and Building Act and consist of the obligations of state administration bodies (certain departments) and legal persons with public authority. They must provide data for physical planning documents; participate in the procedure of creating the documents. Any interested physical and legal person may participate in this public discussion by giving their remarks, proposals and ideas, regardless of whether they have a personal interest, and everyone has the right to an explanation of the reasons why these remarks, proposals, and ideas were rejected.

The second group of methods is contained in, or stems from, a majority of special (department) laws. It mainly consists of prescribing certain criteria and expert foundations (department plans, strategies and similar) which represent a starting point, or which need to be considered, while creating the physical planning document; of the obligation of a particular body of state administration to participate in the preparation of a particular physical planning document; and of the obligation to secure the opinion or (rarely) the consent of such a body about the proposed physical planning document before it is adopted.

Provisions of the Physical Planning and Building Act lay down the obligation to vertically coordinate physical planning documents with one another. This means that a physical planning document of a smaller area must be coordinated with the physical planning document of the wider area. The above rule, and simultaneous control of the horizontal harmonization of physical planning documents and their legality, is implemented and supervised through the opinions and consent of specific bodies about the proposed physical planning documents, which must be secured before the plan can be adopted. This means that the county cannot adopt their physical plan without securing the necessary approval of the Ministry of Construction and Physical Planning that the plan complies with the provisions of the Physical Planning and Building Act, and the National Physical Planning Strategy and Program. For the areas within the protected coastal area, the Ministry of Construction and Physical Planning and/or physical planning institutes and/or president of the county issue approval to all physical plans within protected coastal area.

Marine and coastal activities in the Republic of Croatia are co-ordinated by 7 different Ministries:

- Ministry of Environmental and Nature Protection
- Ministry of Construction and Physical Planning
- Ministry of the Maritime affairs, Transport and Infrastructure
- Ministry of Economy
- Ministry of Agriculture
- Ministry of Tourism
- Ministry of Culture

and several governmental institutions. Underlying on inter-sectoral integration it aims for co-operation between sectors, agencies, and service involving different stakeholders within a single level of government.

In Croatia the regulatory system that governs sea and coastal areas is characterised by a sectoral approach of powers vested in national authorities - harbours, fishery, and mariculture, navigation, energy, transport, directorates and public companies managing particular resources.

2.1.4. Spatial integration

The **Physical Planning and Building Act (OG 76/07, 38/09, 55/11, 90/11, 50/12)** requires the co-operation of the majority of institutions dealing with ICZM; this co-operation is only formal and thus not working properly in terms of the weighting of the different sectors' views and interests.

2.1.5. International Integration

Harmonization in the sub-region level, or marine region will be coordinated by the Ministry, will be implemented through existing international and intergovernmental agreements on cooperation in the protection and management of the marine environment:

- Cooperation at the level of sub-region through the work of the Mixed Commission for the Protection of the Adriatic Sea and coastal areas (starting document: Decree on ratification Yugoslav - Italian Agreement on Cooperation for the Protection of the Adriatic Sea and coastal areas from pollution, the Official Gazette of SFRY - International Treaties, 2/1977) of 25 0506-18/92 note March 1992. year and note 233 of 22 January 1993. Between the Ministry of Foreign Affairs and European Integration of the Republic of Croatia and Italian Republic Embassy in Zagreb contracted the validity of the agreements concluded between the former Yugoslavia and the Italian Republic in the relations between the Croatian and the Italian Republic, and on the basis of the rules of international law on succession of States in respect of Treaties);

The Joint Commission for the protection of the Adriatic Sea and coastal areas established in 1977 under the Agreement on Cooperation for the Protection of the Adriatic Sea and coastal areas from pollution concluded in 1974 between the former Yugoslavia and Italy to address environmental issues in the Adriatic region in a multidisciplinary manner. The Republic of Croatia is a party to the Agreement on Co-operation pursuant to the succession of international agreements, and other member states of the Commission are the Republic of Slovenia, the Italian Republic, and Montenegro. Each state appoints a chairperson and members of the Commission. Experts whose work concerns issues of protection of the Adriatic also participate in the work of the Joint Commission. The Commission considers all issues relating to pollution of the Adriatic Sea waters and coastal areas, makes proposals and recommendations to governments on the issue of research it considers necessary, gives an opinion on programmes and takes care of their alignment, proposes to the governments what measures should be taken in order to remove existing and prevent new causes of pollution of the Adriatic Sea.

The Commission has dealt with following activities:

- working together on a continuous examination of the Adriatic Sea ecosystem,
- cooperation and mutual direct assistance in combating pollution incidents and special protection of sensitive areas as well as adoption of a common (sub-regional) Contingency Plan for accidental pollution of the Adriatic (Sub regional Contingency Plan was signed in 2005 in Portorož)
- establishing a traffic separation scheme and establishing of sailing routes in the Adriatic,
- identification and control of pollution caused by inadequate handling and disposal of solid and hazardous waste,
- cooperation concerning revitalization and protection of environmental values (landscape, nature and construction heritage),

- remediation of the most burdened areas (Po, Bay of Trieste, Bay of Koper, Rijeka Bay, Kaštela Bay) and other areas of larger cities, industrial zones and ports,
- cooperation in preventive protection and further implementation of development strategies aligned with resource conservation,
- information activities,
- solving the issue of ballast waters in the Adriatic

The Commission's work currently takes place in three sub-committees. One of them is: **Sub-Commission for the preparation of addendums to the Sub-regional contingency plan** began work in 2009 with the aim of preparation of technical addendums for the implementation of the **Sub-regional contingency plan for the prevention of, preparedness for and response to larger scale pollution incidents in the Adriatic**. The Sub-regional Plan was drawn up with the technical assistance from the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), the Mediterranean Action Plan of the United Nations Environment Programme (UNEP / MAP), as part of an initiative to develop a sub-regional system for the entire Adriatic Sea. The signatories of the Agreement on the sub-regional contingency plan are Croatia, Italy and Slovenia. The purpose of the Agreement is to establish a joint cooperation mechanism by which the national authorities in Croatia, Italy and Slovenia will coordinate and unify their actions in preventing and responding to sea pollution that affect or could affect the waters under their jurisdiction, the coast and related interests of one or more of these countries, or accidents that exceed the available capacity for response of each individual country.

Sub-regional Contingency Plan for Prevention of, Preparedness for and Response to Major Marine Pollution Incidents in the Adriatic Sea (the Sub-regional Plan) is the Contingency Plan whose objective is to establish a mechanism of joint cooperation via which the competent national bodies of the Adriatic countries will cooperate for the purpose of achieving harmonisation and joint actions in relation to prevention and response to accidental marine pollution, which affects or may affect the territorial sea, coasts and related interests of one or several Adriatic countries, or accidents which exceed available response capacities of each individual State.

If marine pollution is likely to threaten the territorial seas and the areas of interest of other countries, the Headquarters immediately notifies operational bodies of other countries and REMPEC through the MRCC, that is, if the accident occurs:

- within the area of responsibility of the Republic of Croatia and if it is likely to cause or has caused pollution of other country's area,
- outside the area of responsibility of the Republic of Croatia, if there is a threat for the area of responsibility of the Republic of Croatia, according to assessment made by Headquarters,
- within the area of responsibility of the Republic of Croatia, when scope of action requires involvement of personnel and/or technical/material resources and equipment which, according to the assessment made by the Headquarters, surpasses the response capabilities of the Republic of Croatia

Monitoring of marine environment is carried out through:

- regular coordinated patrolling of the area covered by the Contingency Plan by vessels (sea-cleaning and other Coast Guard and harbour masters' offices vessels), fixed-wing aircraft, helicopters, unmanned aircraft, radars and satellites,

- Sampling and analysis of sea water in the area covered by the Contingency Plan,
- informing the public.

Designating and management of the particularly sensitive sea areas (PSSAs) in line with the Sub-regional Plan, the Headquarters and other countries shall:

- cooperate in relation to the designation of the particularly sensitive sea areas (PSSAs) in the area covered by the Contingency Plan,
- propose to IMO particularly sensitive sea areas, as well as Associated Protective Measures,
- control the traffic in the particularly sensitive sea areas or in their vicinity.

The following technical resources and services shall be providing for the implementation of procedures for predicting, as well as for the implementation of measures for preventing and restricting sea pollution:

- Radio communications network at sea (MRCC, harbour masters' offices and coastal radio stations),
- Meteorological service (Croatian Meteorological and Hydrological Institute, Maritime Meteorological Service),
- Service for monitoring of sea currents (Hydrographical Institute of the Republic of Croatia),
- Service for search and rescue (SAR) at sea (Service for Search and Rescue in the Republic of Croatia),
- Vessel Traffic Management Information System (VTMIS) (MRCC-Rijeka),
- Vessels, equipment and strike teams in case of assistance and support to ship in distress, marine pollution and fire at sea (legal persons and natural persons, National Protection and Rescue Directorate - Fire Fighting Service),
- Port reception facilities for ship generated waste (port authorities)
- reception facilities for recovered (polluted) material from the sea and shore (COCs in cooperation with competent county bodies, as well as legal persons and natural persons), - shoreline clean-up personnel (legal persons and natural persons, National Protection and Rescue Directorate - Civil Protection Service and, if necessary, volunteers), -emergency medical services for providing first aid and care to injured persons (emergency rescue and medical institutions),
- responsible services for securing the polluted areas (at sea and/or on the shore) imposing fishing bans as well as for restricting movement and activities of unauthorised persons in those marine areas (central state administrative body competent for internal affairs). County contingency plans contain lists of overall equipment and resources with defined locations and quantities of equipment and resources owned by a county as well as by legal persons and natural persons who participate or may participate in the response operations upon request by a COC or the Headquarters.

2.1.6. Science-Management Integration

The "Ruđer Bošković" Institute regarded as Croatia's leading scientific institute in the natural and biomedical sciences as well as marine and environmental research. It has continuously operated with the task of conducting fundamental research in the natural and biomedical sciences. Over 550 scientists and researchers in more than 80 laboratories pursuing research in theoretical and experimental physics, physics and materials chemistry, electronics,

physical chemistry, organic chemistry and biochemistry, molecular biology and medicine, the sea and the environment, informational and computer sciences, laser and nuclear research and development. *The Centre for Marine Research (CMR)* of the “Ruđer Bošković” Institute in Zagreb is an interdisciplinary centre, whose activities are focused upon basic and applied oceanographic research, including the following areas: processes and dynamics within and between trophic levels (primary and secondary production, cycle of basic and biogenic elements); investigation of water mass dynamics; flora, fauna and animal communities (taxonomy, ecology and organism communities in natural and polluted areas); ecological, physiological and genetic research on marine organisms and the impacts of pollution; monitoring of pollution and marine water quality; investigation of eutrophication.

Institute of Oceanography and Fisheries from Split was the first national scientific and research institution dealing with research of the sea. The Institute carries out a very complex research in the fields of biological, chemical and physical oceanography, sedimentology, and fisheries biology and aquaculture. The aim of this research is extending the knowledge of the structure of different plant and animal populations in the Adriatic Sea, as well as their relation to various abiotic and biotic factors important for the balance of the Adriatic ecosystem, and the definition of coast-open sea interdependence, in order to recognize possible changes resulting from climatic and anthropogenic factors. The basic mechanisms of action of population dynamics, biology and ecology of marine organisms are also under research, especially the most economical fish species and edible invertebrates (crustaceans and cephalopods), in order to determine the biologically acceptable level of their exploitation.

The activities of the *Institute for Marine and Coastal Research-Dubrovnik* are basic and concern the research of natural features in the Adriatic Sea and its coastline, particularly research into the structure and processes of ecosystems. The Institute also develops other activities, such as: monitoring living marine and land resources, monitoring sea quality, experimental rearing of plant and animal species with the aim of acquiring fundamental knowledge and studying the various stages of natural processes, maintenance and popularization of aquarium, maintenance and popularization of the Botanical Garden on the Lokrum island, formation of scientific and expert collections, as well as the organization of courses and lectures.

All Institutes are included from 1998. in project “*Adriatic*” - *Systematic Research of the Adriatic Sea as a Base for Sustainable Development of the Republic of Croatia*.

The weaknesses, gaps, strengths and opportunities of vertical and horizontal co-ordination in Republic of Croatia, is shown in *Figure 1*.

Figure 1: The SWOT analysis of vertical/horizontal co-ordination mechanisms and institutional integration issues

Strengths	<ul style="list-style-type: none"> - Continuity of physical planning - Satisfactory implementation of physical plans - Constant monitoring of bathing water, air, drinking water and waste water 	<ul style="list-style-type: none"> - Lack of national strategies - Sectoral approach and legislation divided within several ministries - Frequent changes to legislation (without specific regard for a given local context) - Lack of analysis in the field of biodiversity - Intersectoral conflicts (insufficient cooperation between different administrative levels) - Discontinuity in management arrangement for land and sea - The linkages between sectoral and territorial planning are often inadequate - Conflicts between short-term socio-economic needs and longer-term sustainability issues - Limited public confidence in institutions 	Weaknesses
Opportunities	<ul style="list-style-type: none"> - Strengthening regional cooperation between partners from Adriatic-Ionian Macro-Region - Coastal plans and programmes as tools for implementing national strategies - Establishing a coastal setback zone according to ICZM - Sustainable development of the coastal and marine zone 	<ul style="list-style-type: none"> - Coastal area is suffering the biggest pressure of various user - Many users, growing pressure, cumulative impact - Irreversibly destroyed coastal zone - Limited integration of environment/biodiversity considerations in decision making - Inadequate financing - Limited technical capacity for ICZM 	Threats

The coastal zone is of great environmental, economic, social, cultural and recreational importance to Croatia.

It is essential to implement an environmentally sustainable, economically equitable, socially responsible, and culturally sensitive management of coastal zones, which maintains the integrity of this important resource while considering local traditional activities and customs that do not present a threat to sensitive natural areas and to the maintenance status of the wild species of the coastal fauna and flora. Population growth and the development of economic activities are increasingly threatening for both the environmental and social

equilibria of coastal zones. The Coastal municipalities must promote integrated management on a larger scale by means of horizontal instruments. These activities therefore contribute to integrated coastal zone management.

Lack of ICZM Strategy and MSP in Croatia several problems have been resulted:

- **Limited trust in the institution:** the public does not have full confidence in resource management or results from instruments such as planning and environmental assessments
- **Limited integration between land and sea:** there is limited understanding and consensus on the need for the integration of land and sea areas
- **Inadequate financing:** decision makers do not have a clear understanding of ICZM resulting in a predominant focus on spatial planning to solve the coastal development problems
- **Limited sectoral integration:** national spatial strategy and county spatial plans imply little sectoral integration (the essence of ICZM). According to feedback from the government, the different sectors should have adopted their respective strategies which would have contributed to coordination of sectors in this area
- **Limited vertical integration:** a certain level of vertical integration is achieved on land; vertical integration on the seaside has not been achieved
- **Limited integration of environmental/biodiversity consideration in decision making**
- **Limited technical capacity for ICZM:** no educational or training systems for ICZM have been established
- **Limited public participation:** public participation in ICZM and answers raising programs for ICZM are poorly developed

3. Results

3.1. Conclusions of the analysis

Article 7 of the ICZM Protocol does not explicitly call for designing a unique institutional co-ordination pattern but rather leaves an open space advocating the creation of sound understanding co-ordination mechanisms, which will uniquely suit to specific circumstances of coastal polices (legal administration arrangements), traditions and socio-economic conditions of each Mediterranean country remaining in compliance with the principles and objectives of sustainable development. Giving special attention to the establishment of the “*appropriate co-ordination body*,” the Protocol in its provision 7.1a undoubtedly marks a shift away from the traditional single line management of coastal zones.

Marine and coastal activities in the Republic of Croatia are co-ordinated by 7 different Ministries. The regulatory system that governs sea areas is characterised by a sectoral approach of powers vested in national authorities - harbours, fishery, and mariculture, transport, navigation, energy, directorates and public companies managing particular resources. Although the spatial planning law requires the co-operation of the majority of institutions dealing with ICZM; this co-operation is only formal and thus not working properly in terms of the weighting of the different sectors' views and interests. This co-ordination are often characterised by political, administrative and budgetary conflicts among different levels of government.

On the other hand, Croatia has many years experience working in the International Commission for the Protection of the Adriatic, and very good coverage on the Croatian side of the Adriatic with scientific institutes. Establishing a reference center for the Sea (Institute of Oceanography and Fisheries, Split), Croatia, in accordance with the practice of the European Environment Agency (EEA) and its thematic centers for certain areas, equally involved in the development of monitoring and reporting, and creating marine environmental protection policies at the European level.

There is no ICZM strategy in the Republic of Croatia, the Marine Protection Strategy is not adopted yet, but first steps are made it.

Adopted Regulation of establishing a framework for action of the Republic of Croatia in the field of marine environmental protection governing the baseline and benchmarks for the design, implementation and monitoring of the implementation of the Marine Protection Strategy (marine strategy) and other matters in connection therewith, to serve as the legislative foundation for a way of making marine strategy for the Croatian part of the Adriatic, all in order to achieve and / or maintain a good state of the marine environment by 2020. year, by taking account of regional and sub-regional approach.

Several provisions that are not yet covered by legislation in the country so to comply with the ICZM Protocol:

- Adopt a regulation to establish the landscape management plan for the Republic of Croatia
- Prepare the Ballast Water Management Strategy for the Adriatic Sea
- Prepare the Marine Environment Protection Strategy
- Prepare the Act on the Marine and Submarine Areas

- Prepare the Integrated Coastal Management Strategy

Up to date, ***no specially constituted bodies for ICZM institutional co-ordination exist***. An initiative has been launched in 2009. aimed to ensure the establishment of an inter-ministerial co-ordination body for ICZM. Such a *head co-ordination body*, set up at the national level, could facilitate the participation in the process of the ICZM Protocol ratification, steering the policy and legal instruments related, or having influence to protection and management of the coastal area paving the way for the implementation of the ICZM Protocol provisions after its ratification. However, it is worth mentioning that several meetings related to the ICZM Protocol were organised with representatives of relevant ministries.

Croatia has a problems with national/regional/local capacities mainly arise in insufficient number of involved staff (e.g. experts) which, no matter how competent are, cannot cover all the aspects of management required for governing the coastal areas.

Croatia must take into account a strategic approach to the management of coastal zones, in particular should be based on:

- protection of the coastal environment, based on an ecosystem approach preserving its integrity and functioning, and sustainable management of the natural resources of both the marine and terrestrial components of the coastal zone;
- recognition of the threat to coastal zones posed by climate change and of the dangers entailed by the rise in sea level and the increasing frequency and violence of storms;
- appropriate and ecologically responsible coastal protection measures, including protection of coastal settlements and their cultural heritage;
- sustainable economic opportunities and employment options;
- a functioning social and cultural system in local communities;
- adequate accessible land for the public, both for recreational purposes and aesthetic reasons;
- in the case of remote coastal communities, maintenance or promotion of their cohesion;
- Improved coordination of the actions taken by all the authorities concerned both at sea and on land, in managing the sea-land interaction
- involving all the parties concerned (economic and social partners, the organisations representing coastal zone residents, non-governmental organisations and the business sector) in the management process, for example by means of agreements and based on shared responsibility
- use of a combination of instruments designed to facilitate coherence between sectoral policy objectives and coherence between planning and management

4. Proposals

4.1. Proposals for the improvement of the existing co-ordination mechanism or the establishment of a new one

The Croatian legal-administrative frameworks and arrangements related to coastal management still lack a sufficient institutional co-ordination. The State have to encourage the establishment of administration mechanisms on intermediate (sub-regional) scale in order to facilitate the vertical co-ordination between national/regional and local level of governance through:

- the provision of expertise and technical advices (as capacity that is generally lacking at regional/local level),
- the ability to establish a wider geographical view and a more strategic approach that still retains (compared with the national level),
- an understanding and relevance to the local areas, and
- their ability to assist in cross-border integration (between municipalities).

According to Regulation of establishing a framework for action of the Republic of Croatia in the field of marine environmental protection, the state is recognized by the competent authority for the implementation of Regulation (Ministry of Environment and Nature Protection), and other bodies that are competent to implement the regulation in collaboration with the above Ministry. But, the State has "forgotten" the Ministry of Construction and Physical Planning, as a necessary factor in the spatial organization of the state. Also, the State did not take into account any of the bodies responsible for regional physical planning in seven coastal counties of the Republic of Croatia.

Spatial integration should be looked as a fundamental dimension in a co-ordination process where horizontal and vertical overlaps confirming their inseparability as components for establishment of any multilevel collaboration on ICZM initiative.

All authorities dealing with the development of the Croatian Adriatic must participate in the development of an Integrated Coastal Management Strategy of Croatia.

Attention have to being given to strengthening the national/regional/local administration level and its active involvement in the decision-making process highlighting the concept of subsidiarities as a favourable solution in overwhelming the top-down communication gap inherent for vertical co-ordination.

Upgrading the existing Croatian Governance Structure for ICZM at the national, regional, and local levels is shown in *Figure 2*.

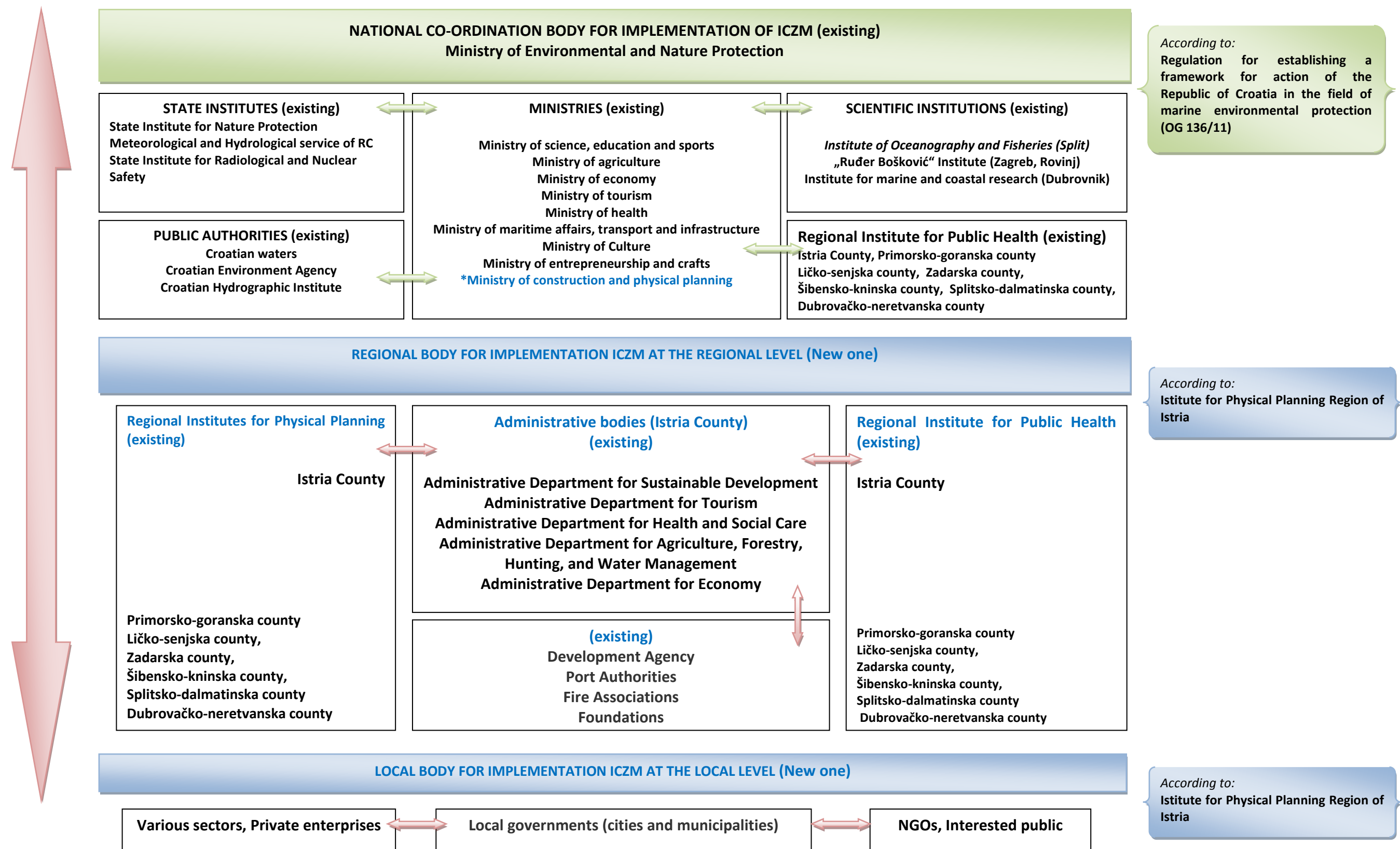


Figure 2: Upgrading the existing Governance Structure for ICZM in the Republic of Croatia at the national, regional and local levels-vertical and horizontal co-ordination

**Added by Institute for Physical Planning Region of Istria*

Within such a developed framework, it will be possible to organize all key actors in the management of the coastal area strengthening the co-ordination more efficiently in the future.

Figure 2 takes into account all relevant administrative bodies at national, regional and local level between which appropriate links should be established or maintained with the aim of improved coordination of the various existing policies. Partnership with and between national-regional-local authorities and sectors have to be much stronger and have to cover all vertical and horizontal levels because of:

- developing national strategic plans for the coast to promote integrated management ensuring, *inter alia*, the control of additional urbanisation and of the exploitation of non-urban areas while respecting natural features of the coastal environment;
- land purchase mechanisms and declarations of public domain to ensure public access for recreational purposes without prejudice to the protection of sensitive areas;
- developing contractual or voluntary agreements with coastal zone users, including environmental agreements with industry;
- harnessing economic and fiscal incentives, and working through regional development mechanisms;
- develop or maintain national and, where appropriate, regional or local legislation or policies and programmes which address both the marine and terrestrial areas of coastal zones together;
- identify measures to promote bottom-up initiatives and public participation in integrated management of the coastal zone and its resources;
- include adequate systems for monitoring and disseminating information to the public about their coastal zone. These systems should collect and provide information in appropriate and compatible formats to decision makers at national, regional and local levels to facilitate integrated management.

Within such a developed framework, it will be possible to organize all key actors in the management of the coastal area strengthening the co-ordination more efficiently in the future.

5. Reference

Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona 1976)

Marine Strategy Framework Directive (2008/56/EC)

Protocol on Integrated Coastal Zone Management in the Mediterranean (January 2008.)

Strategy for Sustainable Development of the Republic of Croatia (OG 30/09)

The National Environmental Protection Strategy (OG 46/02)

Regulation on the Environmental Information system (EIS) (OG 74/99)

Regulation for establishing a framework for action of the Republic of Croatia in the field of marine environmental protection (OG 136/11)

The Environmental Protection Act (OG 110/07)

The Contingency Plan for Accidental Marine Pollution (Official Gazette 92/08)

The Maritime Domain and Seaports Act (OG 158/03, 141/06)

The Physical Planning and Building Act (OG 76/07, 38/09, 55/11, 90/11, 50/12)

Ensuring appropriate co-ordination: An explanatory report on Article 7 of the ICZM Protocol (Including an Outline for the report on institutional framework for sustainable ICZM coordination, PAP/RAC, Split, January 2013).