

## *Coordination mechanism for ICZM in Bosnia and Herzegovina*



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**Contracting authority:** Priority Actions Programme Regional Activity Centre  
21000 Split, Kraj Sv. Ivana 11

**Consultancy provider:** Veleno Djukić

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**Contracting authority's representative:** Marko Prem

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## Summary

We are witnessing a growing negative anthropological impact on the world's seas, which results in an increasing amount of waste in marine waters and the sea as such is increasingly reminiscent of floating landfills of enormous capacity. In addition to waste, the seas are polluted by wastewater from the sewage system of coastal areas. Most municipalities in Bosnia and Herzegovina do not have a regulated system of wastewater and sewage disposal. Most of these untreated waters reach directly into marine and river ecosystems.

Sea environment pollution is constantly increasing as the result of the pollution from shore, due to the population increase, as well as from seagoing vessels due to the increased sea traffic. Coastal sea pollution consequently has an impact on economy and public health. It has a special influence to the loss of marine biodiversity and means the threat for sea species. Aware of the above mentioned facts, the international community is making great efforts to stop or at least to slow down the negative trends in the pollution of coastal waters. The reasons for the lack of efficiency in the protection and conservation of the sea are complex and numerous.

Besides economic, political and other differences and problems of limited state financial resources, in particular there is still a low political priority of the environment, and insufficient public awareness of the environmental problems in individual countries. Concepts in the understanding of environmental protection, such as "Sustainable Development" and "Integrated Coastal Zone Management" and the efforts of the international community in applying the above concepts to the growing number of countries and regions, helps in more efficient prevention of sea pollution and many other negative consequences.

Regarding the Article 7 Coordination of the ICZM Protocol, it is important to note that the existing system of public administration in Bosnia and Herzegovina is complex, both in terms of the level of state administration, entity and cantonal levels, and in terms of sectoral competencies belonging to numerous ministries and administrative bodies and local governments. Although there is a significant number of established institutions and agencies at the horizontal and vertical level of activity, however, cooperation between departments is not integrated into all processes and activities relevant to coastal zone management.

The European Community has a major contribution to the protection of sea and coastal areas through the adoption of a series of Acts that are obligatory for its current and future members, but also for all States Parties to the Conventions and Protocols on the level of the Mediterranean region. Sustainable Development and Integrated Coastal Zone Management indicate the necessity of enriching the ecological network of protection and conservation of the sea, especially when it comes to strategic and political models of partnership and good neighbourly relations with the countries outside the European Community.

Considering that the EU is one of the contracting parties to the Barcelona Convention which has ratified the Protocol, it, as an integral part of the *acquis communautaire*, becomes binding on all member states and countries in the process of accession. Bosnia and Herzegovina, given its pre-accession status, is obliged to respect the provisions of the Barcelona Convention and its protocols.

## 1. ICZM Coordination mechanism meaning

In Bosnia and Herzegovina, the ICZM Approval and Ratification Process will significantly increase the relevance and importance of ICZM in the Adriatic. Its key provision is the requirement for preparation of National ICZM strategies with implementation of coastal plans and programs in line with objectives and principles of the Protocol. In accordance with Article 18 of the National ICZM Strategies should enable sustainability coastal zone development. The strategy will establish a national framework for environmental improvement as well as economic and social impact in an integrated way.

The preparation of the National ICZM Strategies is a key result of the Action Plan for the Implementation of the ICZM Protocol for Mediterranean.

ICZM contributes to environmental, economic and social progress through:

- Reduction of direct damage and costs to the coast as a consequence of the natural processes of erosion and floods, and the effects of human activities that lead to congestion and overdevelopment;
- Prevent coastal pollution and overexploitation of natural resources;
- Mitigation of coastal pollution and reduction of economic and human costs;
- Mitigation of overexploitation of natural resources coastal resources;
- Increasing the effects of the coastal area for economic sectors;
- Preservation of unique coastal ecosystems with its habitats and species;
- Preservation of cultural heritage, landscapes and coastal geomorphology;
- Maximizing coastal ecosystem services including: climate regulation, water resource conservation and supply, erosion and pollution prevention, biological control, food and raw material security and production, genetic protection of resources, in addition to recreation, educational and cultural services;
- Maximize the economic efficiency of business on shores including: improvement ecological impact of coastal industries, reducing economic conflicts and time between competitive uses, maintenance or restoring coastal welfare landscapes to attract and maximize investment in tourism;
- Promoting social cohesion and improving quality of life of coastal communities.

The price of inaction of these policies is clearly visible in the sense the most recognized indicators of environmental development, pollution and degradation The ICZM Protocol is the only obligation of the entire Mediterranean to reverse this situation.

Regarding the Article 7 that requires to establish a coordination mechanism for ICZM, it is important to note that the existing system of public administration in Bosnia and Herzegovina is complex, both in terms of the level of state administration, entity and cantonal levels, and in terms of sectoral competencies belonging to numerous ministries and administrative bodies and local governments. Although there is a significant number of established institutions and agencies at the horizontal and vertical level of activity, however, cooperation between departments is not integrated into all processes and activities relevant to coastal zone management.

In accordance with the above, we conclude that ICZM is a continuous process aimed at implementing the sustainable development of coastal areas and preserving their diversity. It seeks to reconcile the different uses of the coast to meet the needs of society, now and in the future. ICZM is useful from an environmental perspective because it reduces or prevents damage to the environment - but also from an economic perspective because it brings long-term economic benefits, which can be divided into two groups - ethical and economic.

- Ethical benefits - ICZM helps to preserve nature and its resources for future generations (sustainable development), helps to preserve and promote social equality and to preserve traditional rights to equal access to and use of coastal resources. In short, ICZM helps to implement the principles in the Rio Declaration.
- Economic benefits - in addition to ethical benefits, ICZM implementation can have economic benefits: proactive planning saves money on response measures, and sectoral planning has higher overall costs compared to integrated planning if all sectoral planning costs are added together. ICZM is a dynamic process of achieving the goals of environmentally sustainable development, within the limits set by physical, social and economic conditions and the legal, administrative and financial system of a particular coastal area.

The basic premise of ICZM is to understand the relationship between coastal resources (including land and sea), ways of their exploitation and impact on the environment of the coastal area, which implies a continuous, flexible and proactive process. It has been accepted and implemented by numerous countries and international organizations (UNEP, FAO, World Bank, UNDP, UNESCO, etc.).

The European Commission defines ICZM as a "continuous management process whose fundamental goal is to implement sustainable development, preserve coastal areas and maintain their biodiversity."

To this end, ICZM seeks to achieve and maintain the most effective level of sustainable development and activities (uses) in the coastal area, and over time, to improve the physical status of the coastal environment. " To achieve this, ICZM seeks to more effectively manage, establish and maintain the best use and sustainable levels of development and activities in the coastal area, and over time improve the physical status of the coastal environment in accordance with commonly agreed norms. The existing system of public administration in Bosnia and Herzegovina is complex, both in terms of the level of administration of state, entity and cantonal levels, and in terms of sectoral competencies belonging to numerous ministries and administrative bodies and local governments. Although there is a significant number of established institutions and agencies at the horizontal and vertical level of activity, however, cooperation between departments is not integrated into all processes and activities relevant to coastal zone management.

Europe, with its relatively long coastline and diverse natural, social and economic conditions, began work on ICZM in 1996. The US and Europe have differing views on ICZM. In the US, ICZM is focused on planning, and in Europe on integrating user functions.

In democratic countries in Western Europe, spatial planning has been developed in recent centuries to determine land use in a democratic way. The basic principle is that an individual resource cannot be used individually, but jointly.

EU policy is crucial for cooperation with ICZM, in terms of the direct impact they can have on the physical environment of the coastal area, both land and sea, and in terms of the impact on the overall integration of separate policy measures.

Currently, there is a wide range of different policies in the EU (common agricultural policy, common fisheries policy, common funds, trans-European transport network (TEN-T), habitat regulations, receiving policies of candidate countries from Central and Eastern Europe, renewables policy energies that in different scales and forms affect the development of the coast and its management). The European Union has its own legislative force.

The Commission has implemented the Demonstration Program on Integrated Coastal Zone Management (ICZM). The aim of this program was to obtain technical information on sustainable coastal zone management and to stimulate a broad debate between the various actors involved in the planning, management or use of the European coastal zone. Given the measures needed to stimulate ICZM in Europe, the program has been designed to lead to consensus.

BiH needs to develop a fairly detailed system of laws and regulations on spatial planning, together with the institutions that conduct the planning process. Given that the coastal space in BiH is very limited and not a large resource, it is necessary to plan the use of that space / resource. This can basically mean a new "draft law" that would instruct the state and the entity on how to establish authority over the management of the coastal zone.

Coastal zone management in BiH must focus on institutional arrangements. There was no need for institutional arrangements in Europe because all the necessary institutions actually already existed. There are institutions in Bosnia and Herzegovina but their responsibilities for implementing the provisions of the ICZM Protocol are not clearly defined. **Weakness is also the cooperation between the various institutions involved in governance.** Therefore, coastal zone management needs to focus more on a systems approach, and define a mechanism for implementing the provisions of the ICZM Protocol.

The main objective of the ICZM Protocol is to provide a legal framework that will ensure that the national legislation of the Mediterranean countries introduces appropriate definitions of the coastal zone and that all activities carried out in this area are covered by integrated management, and among other obligations to establish a coordination mechanism for the Protocol implementation.

It is equally important, based on the provisions of the Protocol, to ensure vertical coordination of local, entity and state bodies and horizontal coordination of state and entity bodies (sectors), at the level of local self-government units. The management system in BiH do not have the opportunity to adequately contribute to the coordination of activities in terms of implementing the provisions of the Protocol. It is not uncommon for public policies to be implemented without sufficient cross-sectoral coordination, resulting in their inconsistent or insufficiently coordinated implementation. Insufficient integration of economic, social, cultural, and environmental goals to achieve rapid economic effects, with insufficiently clear implications for the environment and social development,

is also one of the significant shortcomings when it comes to integrated and coordinated responses to management challenges coastal area.

Aiming to provide quality coordination and in accordance with the requirements of the protocol, it is necessary to establish a body or group for coordination between the state, entity, cantonal and local levels of government in the field of coastal strategies, plans and programs, to work together to strengthen programs that will also need to be developed after the ratification of the ICZM protocol.

BiH should accept part of the obligations even before the accession to the EU, with the aim of strengthening the system of environmental protection and nature, with a consequent impact on the spatial planning system. Accepting new commitments requires capacity building at all levels, which in this time of pandemic requires additional effort, cost and motivation. It is necessary to create conditions for the modernization of public administration, strengthening professional capacities, development of new educational programs and introduction of new institutional solutions.

For BiH, it is realistic to assume that the development of ICZM will be based on the spatial planning system as the main determinant of the future system of integrated coastal zone management in BiH. Also, accession to the EU implies the obligation to accept the implementation of the common acquis which regulates virtually all areas of life.

## 2. Establishing of the Coordination mechanism for ICZM

The establishment of appropriate and functional coordination mechanism for the implementation of ICZM in BiH could require involvement of such structure within several stages in which the ICZM process itself is implemented. One of the models is the five stages:

1. start (initiation) problem identification (condition analysis),
2. planning (includes data collection, program policy development and decision making),
3. formal acceptance and finding of funds,
4. implementation (includes plan execution, operation and maintenance),
5. monitoring,
6. evaluation.

Each of the 6 phases of ICZM implementation consists of tasks that are part of the stage. It is important to determine exactly what needs to be done during each phase. Individual stages should be carried out through a repetitive circular approach (cycle model).

Understanding the need for ICZM can be improved by external influences such as the international consensus on promoting ICZM. Political decisions are also needed to move towards ICZM. Therefore, decision-makers should be provided with data indicating the urgency and benefits of an integrated approach. The level of access of decision makers in BiH is divided into several levels: local, regional / county, entity and state. For the proposed mechanism for establishing the ICZM Protocol to be successful, it should be presented as an opportunity to strengthen synergies and help achieve common goals, rather than as a threat to existing structures.

## 2.1 Planning (data collection)

The purpose of the planning stage is to identify and support the proposals of decision makers that would establish permanent and integrated coastal and maritime management. Three sub-stages can be distinguished: data collection, development policy and decision making.

sub-stage: planning (development policy) Secondly, based on the profile, it is necessary to determine the development policy that is the basis of ICZM according to its program. This document provides: a definition of a specific area, the objectives of the ICZM program, the strategy, the proposed institutional arrangement, funding and staffing needs, a list of formal procedures for the official adoption of the plan and the proposed period for its implementation. b. substage: planning (decision making) Finally, the ICZM program must be accepted and implemented by decision makers.

## 2.2. Formal acceptance and financing (funding)

ICZM can be financed by the central government budget, establishing a new category in it, or by reprogramming and optimizing existing budget items and human resources from participating institutions. Decentralization of resources to local authorities can ensure that local authorities are interested in the ICZM process. An alternative strategy is to give greater autonomy to local authorities, which can create a specific fund of funds from taxes and other earnings from that local area. The new ICZM funding mechanisms are:

- Public-private partnership - the approach involves risky ventures between local community and private sector.
- Private sector funding - includes co-financing of coastal beneficiaries, which can increase accountability and increase financial efficiency.
- Investment funds - includes the opportunity for investment that brings capital.

## 2.3 Implementation

After the approval of the program, it should be implemented.

The realization of the plan is based on the effectiveness of the agreements planned in the ICZM program and which need to be done. There are the following types of plan execution:

- institutional arrangements - establishment of an administrative structure that ensures horizontal and vertical integration of management,
- legal arrangements - conventions, laws, proclamations and standards that enable management,
- financial arrangements - the allocation of funds to pay for costs during the process. The ICZM program should begin to yield the desired results if all preparations are well and thoroughly made. However, managing a complex and iterative process such as ICZM is not such a simple task. Feedback gathered from monitoring and evaluation programs can lead to changes in the current program, and new conflicts of interest sometimes cause unexpected problems.

## 2.4. Monitoring

The monitoring program starts as soon as the ICZM program becomes operational. Monitoring constantly collects data and they are then evaluated and given feedback for other stages, and can lead to the realization that policy needs to be changed. The type of monitoring depends largely on the objectives of the ICZM program. A good coastal monitoring system covers the whole area of interest, over a long period of time. The data covered by the monitoring can be:

- social - birth rate, health, quality of life,
- economic - eg personal income, number of industrial companies, turnover between the two regions,
- ecological - eg number of individual plants, “health” of the population, number of fruits,
- physical - eg shore position, canal depth and more. Data can already be stored in several institutions. Then they need to be collected in one place from which they can be used for evaluation.

In the evaluation phase, the analysis of the collected data reveals the extent to which the procedures in the ICZM program are focused on the problems determined by the objectives of the program and their solution. If the evaluation shows the need to adjust the functioning of the ICZM program, care should be taken to evaluate the new, adapted method of work in advance.

For successful ICZM implementation, two basic levels should be focused on:

- 1) Formal structure: institutional structure - administrative structures that ensure horizontal and vertical integration of management; legal structure - laws, conventions, decisions and standards that enable management; financial structure - money needed to cover costs during the process.
- 2) Information structure: methods, means and techniques that provide managers with the necessary information on which their decisions are based.

***In order to facilitate the work of ICZM, it is important to rely on Institutional Agreements that take care of the coordination of governance at different levels (vertical integration) and sectors (horizontal integration) of public institutions. Given that these institutions in BiH (ministries, research institutes, departments) already exist, it is important to strengthen them and create a clear link between them to establish a coordination mechanism for the implementation of the provisions of the ICZM Protocol.***

Given that the necessary institutions with appropriate professional and experienced staff already exist in BiH, and most of the data on the coastal profile is already available, then BiH does not need additional financial resources during the initial phase and the planning phase.

Professional staff can be seconded to the ICZM office, leaving several selected positions open for funding. They can be financed from the entity or possibly the state budget or an international agency. However, if there is no professional staff or it is necessary to hire them, and if the institutions are not established, then greater financial resources are needed. This will be particularly the case if major projects in the coastal area are launched during implementation. International agencies and donors are increasingly funding ICZM-related activities. One of the reasons is that international agreements indicate that any activity in the coastal area at the state level must be

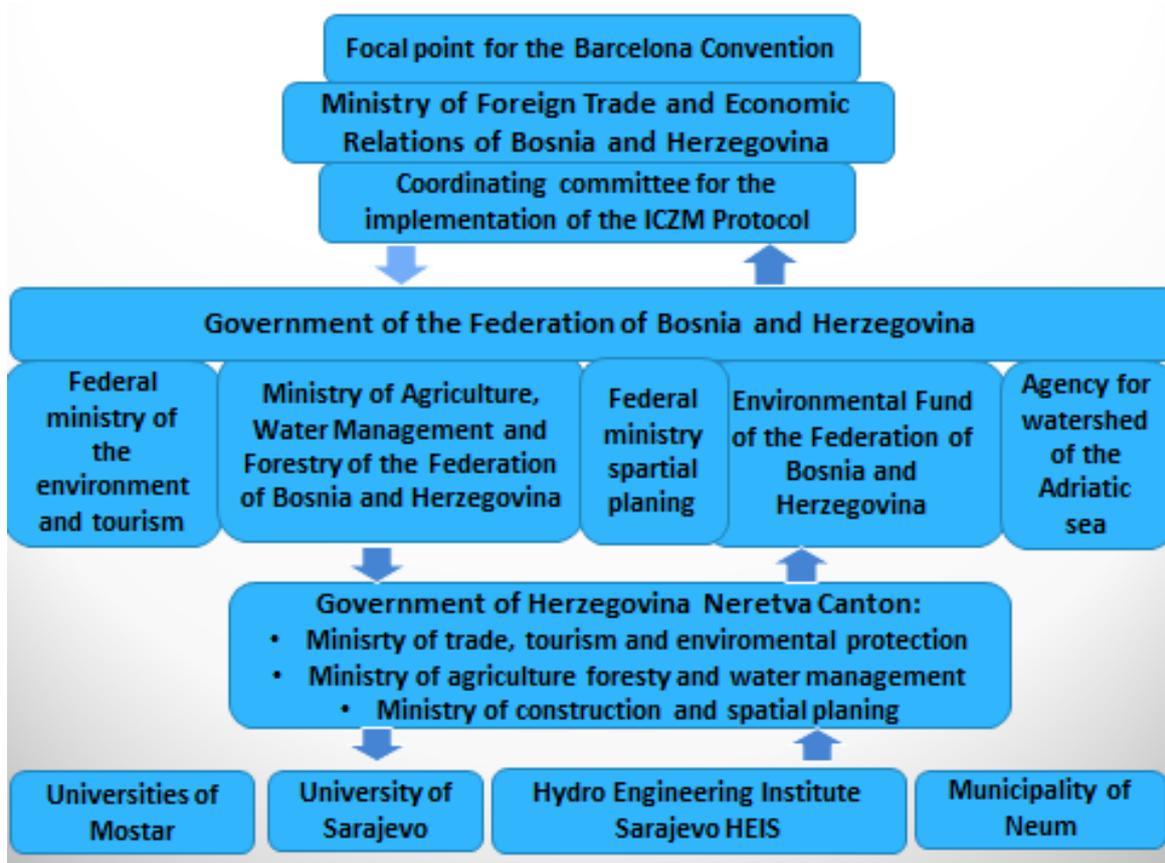
carried out within the framework of ICZM. Funding can be provided by the World Bank, the Bank for Regional Development, the Global Environment Facility (GEF) and international aid agencies from several countries. The European Union also funds ICZM-related projects.

There is no single comprehensive document on the protection of the marine environment at European Union level. Various legal instruments to prevent pollution and create strategic and political models, especially those related to cooperation with Mediterranean partner countries (non-EU countries).

In addition to the Protocol on Integrated Coastal Zone Management in the Mediterranean, there are many important legal instruments on the prevention of marine pollution.

Institutional, legal and financial agreements are needed to facilitate the implementation of ICZM. The European Community has made a major contribution to the process of protecting the sea and the coastal area by adopting a number of legal acts that are binding on its current and future members, but also on all signatory states to Mediterranean conventions with all their seas. Sustainable development and Integrated Coastal Zone Management show how indispensable it is to strengthen the ecological network of marine protection and conservation, especially when it comes to strategic and political models of partnership and good neighbouring countries and outside Europe.

## 2.5. Scheme for temporary Coordination model in BIH



This scheme presenting a temporary Coordination Mechanism for the ICZM Protocol in Bosnia and Herzegovina, but can also be used for other issues and reporting related to the Barcelona Convention and related protocols, with involvement of relevant institutions.

The temporary Coordination Mechanism means that if, after ratification of the ICZM Protocol in Bosnia and Herzegovina, there is a need for any changes and harmonisations in the scheme, the structure of relevant institutions can be changed and formalized by a decision or other legal act adopted by higher authorities. If this mechanism proves to be functional, it can be formalized as a permanent coordinating scheme.

According to this scheme, the planning and obligation to collect data and information for coordination according to ICZM standards of BiH is obtained through the FP for the Barcelona Convention. After submitting the information, the FP informs MOFTER BiH, which is obliged to, in accordance with the program development policies, with the involvement of all relevant institutions, provide a statement of the submitted information, in order to validate the process and confirmation of conclusions and proposed measures.

At this stage, the processed data are submitted to the relevant entity institutions according to the scheme, ie to those who participated in the data collection, as well as to other stakeholders as needed. Their task is to review the submitted information, and then formally confirm and accept it. After that, they submit a written consent to accept the processed data.

Further implementation of activities related to collected, processed and formally accepted information will be continued by relevant institutions as well as those who participated in the process of data collection, processing and acceptance or possibly a commission or body appointed as necessary after ratification of the ICZM Protocol. The eventually designated commission or body with possible changes in the structure depending on the nature of the protocol and the area to which it refers and with the consent of all relevant institutions may be used for other related protocols of the Barcelona Convention, as well as for other conventions and activities related to coastal and marine protection and sustainable development. In accordance with the existing administrative structure in BiH, monitoring should be performed by the Federal level of government in cooperation with representatives of the cantons and the municipality of Neum. In order for the results to be visible and properly evaluated, the evaluation of the data should be performed by the responsible institution for monitoring in BiH.

A proposal for the Coordination mechanism is important part of the implementation of ICZM Protocol in Bosnia and Herzegovina. Thus, the establishment of the Coordination Committee that will play a key role in that process. Having in mind Article 7 of the ICZM Protocol discussed among all stakeholders in Bosnia and Herzegovina, it is obvious that the coordination committee could be consist by the representatives of the following institutions:

1. Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina
2. HEIS Sarajevo (Focal Point for Barcelona Convention on Behalf of Bosnia and Herzegovina)
3. Federal ministry for spatial planning
4. Federal ministry of the environment and tourism
5. HNŽ
6. Municipality of Neum
7. Academic institutions

One of the tasks of the Coordination committee could be to be involved in coordination activities regarding the implementation of ICZM Protocol, in particular to propose measures in order to improve the environmental status as well as coordination as elaborated above concerns implementation of several Protocols in the frame of the Barcelona Convention. This is an important task for BiH, to have an effective monitoring system with responsible institutions in place. However as said, this is just temporary scheme and Coordination Committee that are now linked with the ICZM Protocol. After the ratification of ICZM Protocol in Bosnia and Herzegovina it will be of extremely important for Bosnia and Herzegovina to adopt decision on implementation of ICZM that will include the Permanent scheme for the coordination in that regard.

## 2.6 Evaluation

If it could be necessary in the process of evaluation of implementation of ICZM Protocol in Bosnia and Herzegovina there is a need for technical support, the PAP/RAC will provide it to the Coordinating Committee, and all other stakeholders inside this scheme will contribute with their respective technical support. All these in accordance with the mandate of the PAP/RAC within the Barcelona Convention.