



Strategic Partnership for the Mediterranean Large Marine Ecosystem

**MedPartnership**

Together for the Mediterranean Sea



## **Together for the Mediterranean:**

Regional Workshop on  
harmonizing the national legal and institutional  
framework with the ICZM Protocol

### **Workshop Report** (Zagreb, 4-5 December 2012)

MedPartnership/2013/RWR.2  
MAP/Priority Actions Programme  
Split, March 2013



## **“MedPartnership”**

### ***Regional Workshop on harmonizing the national legal and institutional framework with the ICZM Protocol<sup>1</sup>***

**Zagreb, 4-5 December 2012**

#### **Background information**

In order to assist countries in understanding the legal aspects of the ICZM Protocol, as well as to build capacities for its ratification, transposition into the national laws and thereafter its implementation, a Regional Workshop on *harmonizing the national legal and institutional framework with the ICZM Protocol* was organised within the MedPartnership project. Adopted in 2008 and entered into force in 2010, the ICZM Protocol is the first legal regional instrument of this kind. At the time of the Regional Workshop, nine Contracting Parties ratified the Protocol (Albania, Croatia, France, Montenegro, Morocco, Slovenia, Spain, Syria, Tunisia and the EU). In addition, two more Regional Seas, the Black Sea and the Western Indian Ocean, are following the Mediterranean example and drafting their own Protocols to ensure sustainable coastal development. The workshop was intended for the national legal experts who possess an insight into the holistic character of the ICZM Protocol, whether they participated in its creation or whether they were familiar to it by the nature of their competences in their countries. The workshop consisted of three major blocks:

- I. Legal analysis of the key provisions of the ICZM Protocol
- II. Analysis of the Croatian legal framework in relation to the provisions of the ICZM Protocol
- III. Encouraging the ICZM Protocol implementation through in-country networking

Finally, the workshop was part of a wider ongoing UNEP/MAP action on greening its events being led by CP/RAC. The final step of the greening of this workshop will be realised through a carbon offsetting programme to compensate for the GHG emissions produced by the workshop. More details on PAP/RAC actions undertaken to green the workshop are given in Annex III to this report.

#### **Attendance**

The Regional Workshop was attended by 43 participants, including the representatives of ten GEF eligible countries (Albania, Algeria, Bosnia and Herzegovina, Croatia, Libya, Morocco, Montenegro, The Palestinian Authority, Tunisia and Turkey) and nine invited experts, as well as PAP/RAC representatives. Five participants secured financing for their attendance (i.e. the representatives of Italy and Spain, the MAP legal expert and an IDDRI expert). Two participants were not able to attend the workshop: a representative of Egypt, due to the late nomination, and a representative of Lebanon, who was hampered due to the difficulties with obtaining the visa. A complete List of participants is attached as Annex I to this report.

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<sup>1</sup> Strategic Partnership for the Mediterranean Large Marine Ecosystem (Med Partnership)

Regional Component: Implementation of agreed actions for the protection of the environmental resources of the Mediterranean Sea and its coastal areas

Component 1. Integrated approaches for the implementation of the SAPs and NAPs: ICZM, IWRM and management of coastal aquifers - Sub-component 1.2. ICZM

### **Dates and venue**

The Regional Workshop started on 4 December at 9.00 a.m. and ended on 5 December at 2.00 p.m. The workshop was held at the ARCOTEL Allegra Hotel in Zagreb, Croatia. The Agenda of the workshop is attached as Annex II to the report.

### **First day of the Regional Workshop, Tuesday, 4 December 2012**

#### **Agenda item 1: Opening of the Regional Workshop. Background and objectives**

1. Mr. Hrvoje Dokoza, Assistant Minister, the Croatian Ministry of Environmental and Nature Protection, opened the Regional Workshop and expressed his satisfaction to be able to welcome the meeting participants in his country and the city of Zagreb. He stressed that for more than 35 years Croatia was hosting PAP/RAC, the Centre that had led the preparation of the ICZM Protocol and the reference centre for its implementation. He then introduced the pressures to the coast in the Mediterranean and in Croatia, as well as the efforts of Croatia to manage its coasts. Mr. Dokoza informed the participants about the ratification of the ICZM Protocol by Croatia on 12 October 2012 pointing out that the ratification was an additional impetus to further development of ICZM in Croatia. He introduced several projects to be presented at the Workshop and thanked all Croatian institutions, as well as the French partners, for collaboration in all these projects. In addition, he emphasised the importance of the new GEF project on Climate Variability and Change in which Croatia participates as well. Finally, he expressed his satisfaction with the results of the analysis of the Croatian legislation compared to the ICZM Protocol and emphasised the importance of integration of all relevant policies and of securing co-ordination at all levels and sectors, horizontal and vertical.
2. Ms. Željka Škaričić, PAP/RAC Director, welcomed the participants on behalf of PAP/RAC. After presenting the background of the Regional Workshop, she introduced its objectives and the agenda. She, then, briefly described different projects that contributed to this Regional Workshop and the results of which would be presented, namely: the Protogizic project; the Impacts of the ICZM Protocol ratification on Croatia (GTZ project); and the Analysis of impacts of the ratification of the ICZM Protocol on the national legal and institutional framework in Montenegro. Finally, she stressed the MedPartnership contribution in upgrading the results, summing them up and organising the Regional Workshop. In conclusion, Ms. Škaričić introduced the Chair Lady for the first day of the meeting, Ms. Gordana Ruklić, Head of Division for General Environmental Policy and International Relations of the Croatian Ministry of Environmental and Nature Protection.

#### **Agenda item 2: Brief presentation of the MedPartnership**

3. Ms. Daria Povh, PAP/RAC Programme Officer, briefly presented the overall MedPartnership project, emphasizing its activities in supporting the implementation of the ICZM Protocol. After presenting the key information about the project, she reminded the participants of the history of the agreements on priorities for sustainability of the Mediterranean. She

presented the PAP/RAC activities within the MedPartnership project where the analysis of the national legislation and its harmonisation with the ICZM Protocol represent the first step for the Mediterranean countries that are planning or considering the ratification of the ICZM Protocol. Ms. Povh informed the participants that the MedPartnership was in its third year of implementation, which is a critical time for the development of plans, strategies and policy reforms. Finally, she presented a new sister project - "Integration of Climatic Variability and Change into National Strategies for the implementation of the ICZM Protocol".

**Agenda item 3: Analysis of the Mediterranean ICZM Protocol: contents and legal scope of the key provisions**

4. Mr. Julien Rochette, IDDRI Research Fellow on Oceans and Coastal Zones, presented the analysis of the Mediterranean ICZM Protocol performed in the framework of the Protogizc project and upgraded in the framework of the MedPartnership. The objectives of the analysis were to make the ICZM Protocol understandable to all Mediterranean coastal stakeholders and to identify ways of its implementation taking into account the specificities of national frameworks. He informed the meeting participants that the case studies within the project were prepared in Croatia, France, Italy and Lebanon. He introduced the document consisting of two parts, the analysis of the Protocol and the analysis of the legal scope of its provisions. The first part of the document is divided into four units: adapting the coast-related sectoral policies and regulating the coastal activities; changes in coastal zones governance; use of strategic planning in the coastal zones; and strengthening the regional co-operation. The second part, the analysis of the legal scope of Protocol's provisions, differs between the provisions to obligations of result; obligations of conduct; and other types of provisions. Finally, Mr. Rochette concluded by pointing out the interest of states, of the MAP Secretariat and of the coastal stakeholders for this document.
5. In the discussion that followed Mr. Rochette's presentation, the participants expressed their appreciation for the study emphasising that it helped to interpret and to clarify the Protocol. In order to justify that the Protocol is a practical instrument based on the experience, Mr. Prieur reminded the participants on the process of its creation. Namely, the ICZM Protocol resulted from the long experience with the implementation of practical coastal management projects in selected Mediterranean coastal areas – CAMPs, applying ICZM as a major tool. In order to ensure a more effective application of ICZM in the field, the adoption of a legally binding regional instrument proved to be the only truly viable instrument. To that end, the Contracting Parties decided to "work on a feasibility study of a regional legal instrument on sustainable coastal area management". The Feasibility Study offered three options for the regional legal instrument, one of which was the ICZM Protocol. After three years of discussions, it was decided that the Protocol was the right option and its preparation started. A representative of Montenegro informed the participants that her country had prepared an analysis prior to the ratification of the Protocol, while at the time of the Regional Workshop they were introducing the provisions into national legislation and setting institutions for enabling the Protocol implementation. A representative of Algeria also informed the participants of the experiences of her country where the ICZM Protocol represented the base for the elaboration of the coastal plan for the Reghaia area and for the National ICZM

Strategy. She mentioned a very interesting experience with the Inter-Ministerial and Inter-sectoral Committees that were established to steer and guide the above-mentioned projects. The participants discussed the options of having the thematic workshops or developing the guidelines for the implementation of the Protocol that each country could apply at the national level, but keeping in mind that different countries could still interpret the Protocol in a different manner. The Moroccan representative presented the experience of Morocco where the law on integration of the shoreline and sea was drafted, but stressed that the core problem was in implementation. The Tunisian representative informed the participants about the difficulties they were meeting when convincing the politicians to implement the Protocol. Problems were met when Article 8 of the Protocol was transposed to the national laws. He stressed that there were many problems with the implementation and that therefore precise instructions on how to implement Article 8 would be needed. The Italian representative informed the participants that Italy was ready to ratify the Protocol, but that the decision of the EU on how to proceed regarding the MSP and ICZM Directive was of the utmost importance for Italy. She underlined that very precise instructions for reporting and monitoring given by the EU were usually very helpful. Finally, the participants discussed the reporting obligation stressing the importance of providing a functional monitoring and reporting system that would clearly show the efficiency of the countries in Protocol implementation. It was proposed that the reporting on implementation of the Protocol should be effectuated every two years. Finally, the analysis report was assessed as useful for providing recommendations to the committee on reporting.

#### **Agenda item 4: The Mediterranean ICZM Protocol in face of the EU**

6. Mr. Matthieu Wemaëre, Permanent Representative of IDDRI to European Institutions in Brussels, presented the analysis of the ICZM Protocol and EU law. He explained the process of the EU approval of the ICZM Protocol stressing that the EU would have to take an ICZM initiative to implement the ICZM Protocol it had approved and that the key issue would be the form and contents of such an ICZM EU initiative. He pointed out that the ICZM Protocol was inferior to the primary EU Law (Treaties), but superior to the secondary EU Law (Directives, Regulations and Decisions). He said that the EU Acquis did not provide for sufficient measures to implement the ICZM Protocol (for ex. Art. 8; establishment of zones where construction is not allowed). Mr. Wemaëre informed the participants about the public hearing held on 30 May 2011 when the conclusion of the stakeholders was that the EU binding legislative framework would provide a better basis for the ICZM implementation. He announced the new framework Directive on ICZM and MSP – a proposal of the DG ENV of the EC that should be adopted in February/March 2013. This new directive should be “light” in its contents and focus on the development of the long-term national ICZM Strategies, on integration, cooperation and coordination, should take into account the loss of biodiversity and ecosystem services and climate change impacts and finally, link with Marine Strategies. Finally, he concluded by saying that the future ICZM Directive was expected to secure the cross-border co-operation and that it would be “light” in reporting demand, mostly focusing on the periodic self-evaluation.

7. In the discussion that followed the above presentation, it was emphasised that MSP was not regulated yet at the EU level and that, since MSP and ICZM both follow the ecosystem-based approach, their implementation should be linked, at least at the level of the authorities. It was pointed out that if there would be some additional requirements in the EC ICZM Framework Directive, these would also be applied to 17 Contracting Parties to the Barcelona Convention. Finally, it was mentioned that the EC was waiting for PAP/RAC and MAP to propose a reporting format for the ICZM Protocol.

**Agenda item 5: Article 8-2 Coastal setback zones in the Mediterranean**

8. Mr. Rochette presented the study on Article 8-2 of the Mediterranean ICZM Protocol, an emblematic article, the subject of a heated debate during the negotiations. He presented the objectives of the study pointing out that Article 8-2 was a tool that met many different policy objectives, like the protection of biodiversity, the provision of ecosystem services, the adaptation to climate change, the protection of landscape, as well as a tool for applying international treaties. Mr. Rochette dedicated specific attention to the possibilities of adaptation provided by Article 8-2b, stating the common framework for adaptation, as well as the conditions for adaptation. Finally, he concluded by pointing out that this article represented an obligation of result, and that, although there were broad possibilities for the adaptation, the conditions for adaptation should be strictly regulated and adapting should always be consistent with the objectives and principles of the ICZM Protocol.
9. In the discussion that followed the presentation, the importance of these studies for the Inter-Ministerial Committee of the Croatian Marine Strategy was emphasised. The representative of the Croatian MoE, Branch Unit of the Department for the Protection of Sea and Coastal Area, presented the idea and the intention to connect the two initiatives, the Croatian Marine Strategy currently under preparation, and the national ICZM Strategy. She pointed out the importance of linkages with climate change related initiatives. The necessity to link the Social and Economic Assessment needed for the Marine Strategy with the national ICZM Strategy preparation process was pointed out, and the potential support of PAP/RAC in that task was asked for. Finally, she introduced the Inter-Ministerial Committee established in October 2012 for the purpose of preparation of the Marine Strategy, pointed out its importance for the Inter-Ministerial co-ordination and co-operation and promoted this experience as an example to follow in other Mediterranean countries.
10. The participants from Spain and France illustrated the experience with the setback in their countries. The Algerian representative presented the experience with their law on coastal zones, dating from 2002. Algeria adopted the law because they wanted to facilitate the management of the development of the coastal zone, paying attention to the setback, but also to the need to limit the “ribbon” development (Art. 8-3). She reminded the participants of the importance of mutual understanding inviting PAP/RAC to design the guidelines for the implementation of Article 8 in particular, but also for all other provisions of the ICZM Protocol. One participant emphasised the futility of the discussions on the width of the setback since some countries asked for 300 or even 800 m. The experiences of Lebanon and

of Albania were also presented, emphasising particular significance of the implementation of the laws in both countries. However, it was emphasised that there were issues beyond the legal compliance, like how to balance development, and how to ensure public participation and stakeholder involvement. The participants agreed that the ratification of the ICZM Protocol was just a step enabling the stakeholders to use it as a tool to push for a sustainable coastal development, but also as an instrument of adaptation to the climate variability and change. At the moment of the workshop, 5 out of 12 GEF eligible countries have not ratified the ICZM Protocol yet.

**Agenda item 6: Analysing and promoting the ICZM implementation beyond purely legal issues (presentation and discussion moderated by Mr. Raphaël Billé, IDDRI)**

11. Mr. Raphaël Billé, IDDRI Programme Director of Biodiversity and Adaptation, presented the analysis of ICZM issues beyond legal issues. He introduced the analysis of the two contrasted examples, France that ratified the Protocol in September 2009, and Lebanon that neither signed nor ratified the Protocol, but the stakeholders there were keen on using the Protocol to call for changes. He emphasized the limits to legal compliance and proposed the means to go beyond it, like to include all the issues, to use all the instruments whatever their initial purpose may be, to focus on the efficiency of the implementation of instruments. In particular, he stressed the importance of understanding the quality of reached integration, like, for example, the integration of science and management; weaknesses and inconsistencies; and the current trends. Finally, he concluded by saying that the legal compliance was an obligation but not the panacea and invited the practitioners to focus on issues, implementation, enforcement and incentives and to use the Protocol as an instrument to meet their diverse needs.
12. In the discussion that followed Mr. Billé's presentation, the participants expressed their agreement with the importance of the efficiency of implementation of the laws. They also agreed that the ratification was only the first step in the long journey towards sustainability. At the moment of the workshop, 4 out of 10 present project eligible countries ratified the Protocol. The organisers invited the remaining countries to speed up the process of ratification, pointing out that the ratification was just the first step that enables different stakeholders to use the Protocol for their different needs in order to secure sustainable future of their coasts.

**Agenda item 7: Analysis of the Croatian legal framework in face of the Mediterranean ICZM Protocol's provisions**

13. Mr. Rochette presented the first of the four planned studies of this kind analysing to what extent the Croatian legal system complies with the provisions of the Protocol. He illustrated the methodology used and thanked all the experts who had helped IDDRI to perform that analysis. He emphasised a purely legal character of the analysis pointing out that Croatia had a well developed national legal framework and that its laws were in compliance with most of Protocol's provisions. He stressed that there was no existing National ICZM Strategy and that, therefore, it should be elaborated. Finally, he concluded that although the study had shown quite good results, the implementation of the existing laws should still be part of another



analysis, in particular since many challenges like urban sprawl, illegal urbanisation, tourism and institutional co-ordination were all very visible in Croatia.

14. In the discussions that followed Mr. Rochette's presentation, it was mentioned that the Croatian government was currently discussing about how to proceed with the National ICZM Strategy. It was again confirmed that the intention of Croatia was to link the Marine Strategy with the National ICZM Strategy which was supported by the participants of the meeting.

**Agenda item 8: Assessment of impacts of the ratification of the ICZM Protocol in Croatia with a focus on Article 8 of the ICZM Protocol**

15. Mr. Ivica Trumbić, Consultant, presented the study focused on the compliance of the Croatian legislation with the ICZM Protocol's Article 8. He explained the functions of the coastal setback and gave several examples of establishing the setback from around the world. He emphasised the role of setbacks in the context of coastal erosion and climate change. He stressed that the Croatian legislation most closely linked to ICZM was the one related to spatial planning. Therefore, he presented the relevant laws, strategies and acts important for the application of the setback in Croatia. He introduced the current use of the coastal zone in Croatia, the coastal urbanisation, the existing definition of the coastal zone and the official proposal of the application of the ICZM Protocol. He mentioned the exceptions defined by the Croatian laws and compared them with the adaptations possible by the ICZM Protocol. Mr. Trumbić presented the recent experience with the attempt of the Croatian Government to legalise the illegal construction, and, finally, concluded with some proposals for the adjustments of the existing Croatian laws.
16. In the discussion that followed the above presentation, the participants expressed their interest for the experience with illegal construction, explaining that since this was one of the key issues in many countries, the exchange of experience would be valuable. The Algerian representative presented how the coastal setback zone was established in her country by applying the coastal law of 2002. This law defines that the building ban may be extended from 100 m to 300 m for the reasons linked to the sensitive nature of the coastal environment. Each coastal region of Algeria was studied and the studies identified the coastal setback for every region. The border of the coastal setback zone was mapped. According to the rule, each request for the construction licence is examined by the inter-sectoral commission. She pointed out that from the moment when that rule was introduced, all the licences were approved in that way. She stressed that they managed to solve many problems of different sectors through that process. Many tourism development projects, for example, were refused because they were planning construction in the setback zone.

**Agenda item 9: ICZM and spatial planning: experience of Croatia and Montenegro**

17. Mr. Gojko Berlengi, COAST Project Manager, pointed out that there was no specific mention of spatial planning in the ICZM Protocol, but that one of the general principles of ICZM required formulation of land-use strategies, plans and programmes. However, he said, the

Protocol deals with different coastal issues which are spatial planning concerns as well, like the coastal land development, the coastal planning process, and the coastal planning tools prescribed by the Protocol. Mr. Berlengi stressed that while spatial planning was more static and offered images of preferred future at a given time horizon, the ICZM systems were more proactive, and that they had more ambition to guide and co-ordinate the process towards the future chosen in spatial plans. Therefore, the spatial planning may be considered as an instrument of ICZM. He summarised what spatial planning systems in Croatia and Montenegro provided and illustrated the institutional systems and planning tiers. After presenting the key coastal issues, he introduced the coastal urbanisation control instruments used in the two countries. He also emphasised the requirements to ensure the Protocol compliance and listed the CAMP Montenegro inputs for that purpose. Finally, he concluded by defining the prerequisites for the ICZM success.

18. In the discussion that followed Mr. Berlengi's presentation, the participants agreed on the key importance of the permanent multi-sectoral co-ordinating body with real operational powers capable to balance power of existing line agencies. Also, it was pointed out that the related guidelines and directions that could come from the EU or from PAP/RAC would be of great support to Mediterranean countries.

#### **Agenda item 10: ICZM Guidelines for Dubrovnik-Neretva County**

19. Ms. Škaričić presented the Initiative of the Regional Development Agency DUNEA and Dubrovnik-Neretva County including the development of the County Guidelines for ICZM. She introduced the process of preparation consisting of a series of trainings on ICZM organised for the representatives of the key County departments, followed by the consultative workshops. She pointed out the aim of the Guidelines in explaining the process of ICZM; promotion of a co-ordinated approach to management and planning; increase of awareness of coastal issues and the need for finding integrated solutions. The Guidelines found that many ICZM elements were already integrated, but that there were still some needs for improvement. The need for introducing dynamism and proactivity was identified, as well as the need for strengthening the frame for preparation, implementation and monitoring of plans for spatial, economic and social development. Finally, she pointed out the main achievements including the fact that the Guidelines were officially adopted by the County Council; the clear and vivid interest and enthusiasm were created; the stakeholders identified their willingness to create a Coastal Forum and launched the preparation of project proposals for the pilots proposed within the Guidelines.
20. In the discussion that followed Ms. Škaričić's presentation, the participants agreed on the key importance of the initiatives at the local level, where ICZM was actually taking place. It was pointed out that the quality of solutions for integrating land and the sea was clearly visible at the local and sub-national level.

## **Second day of the Regional Workshop, Wednesday, 5 December 2012**

### **Agenda item 11: Introduction to the discussion**

21. On 5 December, Prof. Michel Prieur, CRIDEAU Scientific Director, Professor Emeritus and the first author of the ICZM Protocol text, introduced different important details regarding the ICZM Protocol, as well as various useful conclusions. He gave particular importance to the “implementation” emphasizing that the implementation did not concern specific sectors, but that it had to be guided by the principles governing and guiding the entire Protocol (Articles 5 and 6 on the objectives and principles of ICZM, respectively). He pointed out that those articles were the prerequisites for the Protocol implementation. The guidance of Articles 5 and 6, he underlined, is particularly important for Articles 8 and 9, since these are the most complex articles that regulate the complete economic interest that might hinder the application of the Protocol. Mr. Prieur presented how the Protocol implementation at the regional level should look like. He emphasized different tasks for PAP/RAC and for UNEP/MAP, as well as for the Committee for monitoring the implementation of the Protocol for the Parties, and finally, for the civil society stakeholders. The following topics for the discussion were related to the national level: who was responsible, what were the priority areas and how implementation could be encouraged. A detailed report of Prof. Prieur is attached as Annex IV to this report.

### **Agenda item 12: Moderated discussion**

22. The first issue discussed was the identification of the legal, social, institutional, administrative and all other obstacles to the ICZM Protocol implementation. In replying to this question, the country representatives identified the following obstacles: lack of co-ordination, in particular lack of inter-sectoral co-ordination; lack of institutional co-operation; conflict of competences and jurisdictions; lack of harmonisation among different legislations; difficulties in positioning the National ICZM Strategies among other national strategies; insufficient political will additionally aggravated due to the economic crisis and, in some countries, due to political problems; lack of competences; weaknesses in understanding the Protocol provisions, e.g. a different degree of understanding at the national and at the local level; lack of training; lack of financing (particularly for training and for awareness raising); low knowledge about the ICZM Protocol at the local level; low participation; weak enforcement and execution of the laws. One participant pointed out the issue of different authorities responsible, explaining that when there were many responsible authorities, nobody was responsible. Representatives of several countries expressed their opinion that the countries were lacking strengths for the implementation of the Protocol. Few participants expressed their views that the ICZM Protocol should be harmonised with the EU Directives, since the EU Directives have more tools to ensure enforcement. One representative pointed out that the terms used in ICZM were not enough clear and that different terms had been used in a different manner. This issue has been particularly confirmed by some Arabic speaking representatives.
23. The next issue discussed was the identification of those who could help in the implementation of the Protocol, as well as countries’ expectations from PAP and UNEP/MAP

with that regard. In reply to these questions, the participants asked for PAP/RAC support at the Mediterranean (regional) level, at the sub-regional level, at the Adriatic level and at the trans-boundary level. They also asked for a joint response to different legal obligations, like MSFD, WFD and the ICZM Protocol. Country representatives recognised the need for PAP/RAC assistance in implementing pilot projects and in fund raising for this purpose; in the exchange of good experiences and examples of co-operation, in the exchange of information and in capacity building; in providing guidelines and tools; in creating political willingness; in developing the national ICZM Strategy, but also in creating the future EU Directive on ICZM and MSP. UNEP/MAP and PAP/RAC were requested to develop a timeline for the Protocol implementation and to keep a constant pressure on the national authorities to implement the Protocol. All RACs were requested to co-operate at the institutional and technical level, while UNEP/MAP was requested to organise and ensure the monitoring of implementation of the ICZM Protocol at the regional level.

24. The next topic for the discussion was the importance of a committee that should monitor the implementation of the Protocol. Country representatives agreed on the importance of the Compliance Committee for the Barcelona Convention and its Protocols which should take the lead for the ICZM Protocol as well. They were reminded of the duty of the countries to report every two years. Since many countries did not fulfil this duty, the Committee lacked the needed feedback and could not efficiently perform its duty to facilitate and ensure the implementation of the Protocol. Another task of informing countries about potential problems in Protocol implementation, or warning countries about such problems and providing guidelines on how to resolve them, fails unless countries provide reporting. The discussion was also raised on the ability of this Committee to deal with many different themes under the Barcelona Convention and its Protocols, as well as on the identification of those who should take part in this Committee.
25. It was suggested to establish similar tools at the national level and some countries proposed their solutions, such as the establishment of a National Coastal Committee in Algeria. Such committees could improve communication within and among the countries, but also between the countries and Centres and between a country and the Compliance Committee for the Barcelona Convention and its Protocols. Such national committees have been recognised as tools for the enforcement of the political will and of the funding.
26. In the discussion on who could help with the Protocol implementation, the country representatives recognised the spatial planning directorates, local authorities, inter-sectoral committees at the sub-national level but also the Focal Points whose role should be better defined and specified in more detail.
27. Regarding the NGOs role, the representatives agreed that the co-operation between NGOs and the states should be promoted, but also that the training, information and communication should be secured for NGOs. Collaboration with NGOs in organising the Coast Day celebration was pointed out and more efforts on co-ordination were requested.

28. In the discussion on networks the importance of the local and regional level networks of towns, and regions dealing with coastal management, was stressed, as well as of the sectoral and NGO networks. Besides creating the new ones, it was recommended that the existing ones should be strengthened.

**Agenda item 13: Closure of the meeting**

29. Finally, Ms. Škaričić summarized the discussion of the day emphasising the importance of co-ordination mechanisms being the key for the horizontal and vertical integration. She also stressed the importance of the sectoral integration, as well as the integration of the work of different MAP components. She emphasized the key importance of stakeholder involvement and participation, as well as the importance of securing financing for the awareness raising campaigns and education. She also underlined the importance of the National ICZM Strategies and Plans being developed in several Mediterranean countries, as well as the new ones that would be developed in the future.
30. Ms. Škaričić expressed her gratitude to all participants thanking them for their valuable contribution to the workshop which would help PAP/RAC and UNEP/MAP to focus more sharply on countries' needs. She declared the workshop closed on 5 December 2012 at 2.00 p.m.

## **Annex I**

### **List of participants**

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## Annex II

### Agenda

#### Tuesday, 4 December

09:30 - 09:50	Opening of the Meeting (Mr. Hrvoje Dokoza, Assistant Minister of the Croatian Ministry of Environmental and Nature Protection).
09:50 - 10:00	Background and Meeting objectives (Ms. Željka Škaričić, PAP/RAC Director).
10:00 - 10:15	Brief presentation of the MedPartnership (Ms. Daria Povh Škugor, PAP/RAC Programme Officer).
10:15 - 11:15	Analysis of the Mediterranean ICZM Protocol: contents and legal scope of the key provisions (presentation and discussion moderated by Mr. Julien Rochette, IDDRI).
11:30 - 12:00	The Mediterranean ICZM Protocol in face of the EU law (presentation and discussion moderated by Mr. Matthieu Wemaëre, IDDRI).
12:00 - 13:00	Article 8-2 Coastal setback zones in the Mediterranean (presentation and discussion moderated by Mr. J. Rochette, IDDRI).
13:00 - 13:30	Analysing and promoting the ICZM implementation beyond purely legal issues (presentation and discussion moderated by Mr. Raphaël Billé, IDDRI).
14:30 - 14:50	Analysis of the Croatian legal framework in face of the Mediterranean ICZM Protocol's provisions (Mr. J. Rochette, IDDRI). Discussion.
14:50 - 15:20	Assessment of impacts of the ratification of the ICZM Protocol in Croatia with a focus on Article 8 of the ICZM Protocol (Mr. Ivica Trumbić, Consultant). Discussion.
15:20 - 16:15	ICZM and spatial planning: experience of Croatia and Montenegro (Mr. Gojko Berlengi, COAST - UNDP). Discussion.
16:30 - 17:00	ICZM Guidelines for Dubrovnik-Neretva County (Ms. Ž. Škaričić). Discussion.

Wednesday, 5 December

09:00 - 09:20

Introduction by Prof. Michel Prieur, CRIDEAU Scientific Director,  
Professor Emeritus and first author of the ICZM Protocol text.

Moderated discussion on the following topics:  
(Moderator: Prof. Michel Prieur)

09:20 - 13:30

- Who are the institutions/individuals/sectors who could help in launching the Protocol's implementation? What could be the possible triggers for them?
- Who are the institutions/individuals/sectors who could slow down the Protocol's implementation?
- How to build in-country networks needed for the Protocol's implementation?

13:30 - 14:00

Summary of the discussion (Ms. Ž. Škaričić)

14:00

Closure of the meeting.



## Annex III

### Greening the MedPartnership Regional Workshop

#### WHY green meetings?

##### **Greening UN meetings is a significant and highly visible contribution to the sustainability goals of the United Nations**

According to the Green Meeting Guide 2009, any gathering, such as a meeting or conference, has negative environmental implications - arising for example from participants travelling to the meeting; heating and cooling the venue; the materials provided to participants; the catering for their meals and accommodation. They consume natural resources (energy, water), generate waste and cause local air and water pollution, and contribute to climate change through greenhouse gas emissions. Greening our meeting will reduce the direct environmental impact of it, but should also leave a positive and lasting legacy to the local community.

#### Actions undertaken by PAP/RAC to green the MedPartnership Regional Workshop

##### **Communication with participants / Avoided GHG emissions**

Detailed information about the Regional Workshop was provided at the new web site, specially designed for the purpose of this Workshop, namely: [http://www.pap-thecoastcentre.org/regional\\_medpartnership\\_workshop/](http://www.pap-thecoastcentre.org/regional_medpartnership_workshop/). In its communication with the meeting participants, PAP/RAC used electronic means of communication (e.g., e-mail, website); set up an electronic registration system; the documents of the meeting were not printed but were available online within the PAP/RAC website. Only a couple of announcements for the participants that hung on a board in front of the conference room were printed, keeping font size to a minimum (whilst ensuring readability), and minimising the use of colour copies.

Prior to the meeting, a detailed on-line information was prepared for the participants (in English and French), including: the meeting organisation; venue; accommodation; visa regulations; getting to the hotel; general information; useful links; tentative agenda; draft list of participants; registration form; documents for the meeting; and the greening the event information.

Because of the environmental practices undertaken, i.e. the lack of printing, the meeting **avoided 5,82 kg CO<sub>2</sub> eq.** (due to not printing). A detailed calculation of avoided emissions is as follows:

#### **AVOIDED EMISSIONS**

##### **PAPER:**

396	sheets	
80	g/m <sup>2</sup>	
Length	210 mm	
Width	297 mm	
Surface	0,06237 m <sup>2</sup>	
Weight	1,9758816 kg	
F.E.	2,95	kg CO <sub>2</sub> /kg Ecoinvent-only emissions
<b>GWP</b>	<b>5,82885072</b>	<b>kg CO<sub>2</sub></b>

##### **Catering services / Water use / Avoided GHG emissions**

Meals (breakfast, lunch) were served at the hotel restaurant - at the meeting venue. The meeting was held at the same hotel where the participants were accommodated. Seasonal and local food was served, with the possibility of serving vegetarian meals. For coffee breaks coffee / tea was served in reusable cups and on reusable plates; cookies served for coffee breaks were purchased from the local producers. The PAP/RAC responsible person informed the hotel personnel in time about the

exact number of participants for meals and refreshments. Tap water was used for drinking (water jars at tables during the meeting, coffee breaks and lunch). Participants were recommended local (eco-certified) restaurants in Zagreb with a rich offer of local food.

Because of the environmental practices undertaken, i.e. the lack of using plastic bottles, the meeting **avoided 11,84 kg CO<sub>2</sub> eq.** (due to not using plastic bottles). A detailed calculation of avoided emissions is as follows:

#### AVOIDED EMISSIONS

##### PLASTIC BOTTLES:

Number of bottles	200 units
Bottle weight	20 g/unit
F.E.	2,96 kg CO <sub>2</sub> /kg Ecoinvent – only emissions
<b>GWP</b>	<b>11,84 kgCO<sub>2</sub></b>

#### Transfer to the hotel / Local public transport / GHG emissions

Hotel location (in the centre of Zagreb) was accessible by public transport (a five-minute walk from the main bus station and the Zagreb airport bus station; a city tram stop was just in front of the hotel's entrance). Transfer of participants from the Zagreb airport to the Arcotel Allegra hotel (and back to the airport) was insured by ECO TAXI.

The Green House Gas (GHG) emissions caused by travel are **6204,71 kg CO<sub>2</sub> equivalent** (for more details see the table below).

#### GHG emissions calculation based on travel indicators

	Country of origin	Route	Means of transport	(long distance) km travelled (round trip)	kg CO <sub>2</sub> eq.	Comments
1	ALBANIA	Tirana - Zagreb - Tirana	plane	1170	152	
2	ALGERIA	Alger - Zagreb - Alger	plane	2935,4	372,4	
3	BOSNIA AND HERZEGOVINA	Sarajevo - Zagreb - Sarajevo	plane	556	89,53	
4	BOSNIA AND HERZEGOVINA	Sarajevo-Zagreb - Sarajevo	plane	556	89,53	
5	CROATIA	Rijeka - Zagreb - Rijeka	car	332	35	2 participants from Rijeka travelled together by car.
6	CROATIA	<i>idem</i> 5	car	332	35	
7	FRANCE	Paris - Zagreb - Paris	plane	2156	245,38	
8	FRANCE	Paris - Zagreb - Paris	plane	2156	245,38	
9	FRANCE	Paris - Zagreb - Paris	plane	2156	245,38	

10	MOROCCO	Rabat - Zagreb - Rabat	plane	4672	610	
11	MONTENEGRO	Podgorica - Zagreb - Podgorica	plane	904	122,36	
12	PALESTINE	Amman - Zagreb - Amman	plane	4608	600	
13	LIBYA	Benghazi - Tripoli - Zagreb - Tripoli-Benghazi	plane	4206	546,96	
14	LEBANON	Beirut - Zagreb - Beirut	plane	4242	554	
15	CROATIA	Split - Zagreb - Split	plane	490	86,48	
16	CROATIA	Split - Zagreb - Split	plane	490	86,48	
17	CROATIA	Split - Zagreb - Split	plane	490	86,48	
18	CROATIA	Split - Zagreb - Split	plane	490	86,48	
19	CROATIA, ST	Split - Zagreb - Split	plane	490	86,48	
20	TURKEY	Ankara - Zagreb - Ankara	plane	3042	396	
21	CROATIA	Split - Zagreb - Split	car	820	190	
22	FRANCE	Paris - Zagreb - Paris	plane	2156	245,38	
23	ALBANIA	Tirana - Zagreb - Tirana	plane	1170	152	
24	ALBANIA	Tirana - Zagreb - Tirana	plane	1170	152	
25	GREECE	Athens - Zagreb - Athens	plane	2166	200,82	
26	MONTENEGRO	Podgorica - Zagreb - Podgorica	plane	904	122,36	
27	MONTENEGRO	Podgorica - Zagreb - Podgorica	plane	904	122,36	
28	SPAIN	Barcelona - Zagreb - Barcelona	plane	2456	214,47	

**TOTAL kg CO<sub>2</sub> eq. 6170,71**

**16 ECO taxi transfers**

nº of drives	litres fuel used per drive	km per drive	total litres	total km	total kg CO <sub>2</sub> eq.
20	0,5	12	10	240	34
<b>TOTAL CARBON FOOTPRINT FORM TRANSPORT (kg CO<sub>2</sub> eq.)</b>				<b>6204,71</b>	

N.P.: The above calculation was done based on participants' attendance confirmations received by PAP/RAC before the workshop.

Calculator used: <http://www2.icao.int/en/carbonoffset/Pages/default.aspx>

<http://www.travelnav.com/flight-emissions/from/Tirana,+Albania/to/Zagreb,+Croatia>

<http://www.pe-international.com/spain/services-solutions/carbon-footprint/carbon-footprint-calculator/>

<http://www.terrapass.com/individuals-families/carbon-footprint-calculator/#air>

### Meeting room / Energy saving / Waste and recycling / Avoided GHG emissions

Size of the meeting room was adapted to real needs, i.e. to the number of participants. Use of heating equipment at the conference room was rationalised. Energy-efficient lightning was used. When not in use, all lightning and electronic equipment was turned off. Plates and badges were reused; in order to be reusable again, the participants were encouraged before and after the meeting to return their badges, namely, to put them in the "Green your Badge box".

The Green House Gas (GHG) emissions due to energy consumption, including the energy consumption of the hotel room lightning, bathroom lightning and conference room lightning are: **91,899 kg CO2 equivalent**. A detailed GHG emissions calculation based on hotel electricity expenditure is as follows:

Electricity:

#### Indicators for GHG emissions:

##### 1) Hotel room lightning:

-2 neon lamps (28 w each):	56 W			
-4 halogen lamps (20 w each):	80 W			
-1 compact fluorescent lamp (26 w):	26 W			
hours:	3 h			
Energy:	11664 Wh	11,664 kWh	41,9904 MJ	

##### 2) Bathroom lightning:

1 compact fluorescent lamp (36 w)	36 W			
Number of rooms: 24	864 W			
hours	1,5 hours			
Energy	1296 Wh	1,296 kWh	4,6656 MJ	

##### 3) Conference room lightning:

First day of the meeting: from 9 to 13.30 hrs and from 14.30 to 17 hrs = 7 hours in total, at "Galileo" + "Bachmann" conference rooms:

" Galileo"

-16 neon lamps (1 neon lamp of 2 tubes of 13w each: 32 x 13w = 416w)				
Energy	2912 Wh			
-2 halogen lamps: 16w x 2=32 of 35w each = 1,120w				
Energy	7840 Wh			
TOTAL	67,5864 MJ			

#### "Bachmann"

-20 neon lamps of 13w each =  $20 \times 13\text{w} = 260\text{w}$   
Energy 1820 Wh  
-20 halogen lamps of 35w each =  $20 \times 35\text{w} = 700\text{w}$   
Energy 4900 Wh  
-3 round neon lamps of 62w each =  $3 \times 62\text{w} = 186\text{w}$   
Energy 1302 Wh

Second day of the meeting: from 9 to 14 hrs = 5 hours in total, at "Bachmann" + "Hemingway" conference rooms:

#### "Bachmann"

-20 neon lamps of 13w each =  $20 \times 13\text{w} = 260\text{w}$   
Energy 1300 Wh  
TOTAL 37,908 MJ  
-20 halogen lamps of 35w each =  $20 \times 35\text{w} = 700\text{w}$   
Energy 3500 Wh  
-3 round neon lamps of 62w each =  $3 \times 62\text{w} = 186\text{w}$   
Energy 930 Wh

#### "Hemingway"

-20 neon lamps of 13w each =  $20 \times 13\text{w} = 260\text{w}$   
Energy 1300 Wh  
-20 halogen lamps of 35w each =  $20 \times 35\text{w} = 700\text{w}$   
Energy 3500 Wh

TOT Energy 152,1504 MJ  
F.E. 0,604 Kg cO<sub>2</sub>/MJ  
GaBi. Dataset power grid mix SI (Slovenia)  
**GWP 91,8988416 kg CO<sub>2</sub> eq.**

#### Offsetting

In conclusion, the total GHG emissions to be offset are:

**91,899 kg CO<sub>2</sub> eq. + 6204,71 kg CO<sub>2</sub> eq. = 6296,609 kg CO<sub>2</sub> equivalent**

The off-setting GHG emissions will be ensured by planting trees.

#### Monitoring and improvements

As part of PAP/RAC ongoing efforts to monitor and improve the environmental performance of meetings, workshops and events, the participants were asked for the feedback (i.e., to fill-in a short questionnaire) on PAP/RAC efforts to make the meeting sustainable. According to the so far received replies, PAP/RAC efforts made towards the greening of this meeting have been evaluated positively. It has also been recommended to continue developing the greening component, as well as to include it in all future PAP/RAC meetings.

## Greening Photo Gallery







The Regional MedPartnership Workshop on harmonizing the national legal and institutional framework with the ICZM Protocol, 4 - 5 December 2012, Zagreb, Croatia - Mozilla Firefox

Priority Actions Programme The Regional MedPartnership Workshop

www.pap-thecoastcentre.org/regional\_medpartnership\_workshop

Regional MedPartnership Workshop on harmonizing the national legal and institutional framework with the ICZM Protocol

4 - 5 December 2012, Zagreb, Croatia

**The Regional MedPartnership Workshop on harmonizing the national legal and institutional framework with the ICZM Protocol** will be held in Zagreb, Croatia, at the conference room of the ARCOTEL Allegra Hotel, on 4 - 5 December 2012. The Workshop will last for one day and a half.

The aim of the workshop is capacity building for implementation of the ICZM Protocol in the Mediterranean.

The structure of the workshop will consist of three major blocks:

1. Legal analysis of the key provisions of the ICZM Protocol
2. Analysis of the Croatian legal framework in relation to the provisions of the ICZM Protocol
3. Encouraging ICZM Protocol implementation through in-country networking

This workshop is intended for the national legal experts who possess an insight into the holistic character of the ICZM Protocol, whether they participated in its creation or are familiar to it by the nature of their competences in their countries.

The presenters at the workshop will be among the leading legal experts in the Mediterranean, as well as the national governmental legal experts and spatial planners with an extensive experience in ICZM.

PAP/RAC will take care of the logistical aspect of the meeting.

The working languages of the workshop will be English, French and Croatian and simultaneous interpretation will be provided.

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## **Annex IV**

### **Facilitating the ICZM Protocol implementation**

By Prof. Michel Prieur

It is about encouraging the Contracting Parties to the Barcelona Convention to implement the ICZM Protocol.

With a view to animate the discussion, a list of questions has been prepared. The answers will contribute to writing the conclusions of the workshop by PAP/RAC in order to facilitate the implementation of the Protocol.

Three preliminary observations for the Protocol implementation are:

- 1) The Protocol has a constant concern not to remain only a paper tiger. States are aware that the implementation is always complicated, but they clearly expressed their concern to see the Protocol efficiently applied. The expression “implementation” is repeated 18 times in the text. The words “efficiency” / “effectiveness” are repeated 8 times in the text of the Protocol. For example, in Article 33 – 2 d and e.
- 2) Implementation of the Protocol is dominated by the objectives and principles which permanently need to clarify the application of the text and help apply it through an interpretation of those objectives and principles. These ideas are not abstract, but Articles 5 and 6 are at the heart of the Protocol. Without these articles, the Protocol has no sense. Articles 5 and 6 are a guide of practical application. They are essential for the entire Protocol, and especially for Articles 8 and 9, which are the source of the major conflicts of interest caused by the pressure of economic interests.
- 3) Although the application of the Convention and its Protocols falls within the remit of States, it is in fact a collective effort which involves all stakeholders. The preamble of the Protocol states that the Mediterranean is a common natural and cultural heritage. We all have a common responsibility, possibly differentiated. Article 1 mentions the common framework for ICZM and foresees the strengthening of regional co-operation to that end. This is why the implementation is at the same time a regional collective effort, but also a national one, and is not the exclusive responsibility of the States.

I. Application of the Protocol at the regional level: who can contribute to and help the ICZM implementation?

I            the Secretariat and PAP/RAC (in the Protocol called, respectively, “Organisation” and “Centre”)

There are 7 instruments of action under their responsibility:

1. The report on the state of ICZM - Article 32-a-b “with a view to facilitate implementation”.
2. Exchange of information and carrying out of activities of common interest - Articles 27 and 32 -1-c.
3. Preparation of studies:

- on indicators - Articles 18-4 and 27-2-a; the goal of indicators on integrated management strategies and on plans and programmes is to evaluate their efficiency;
  - on the common regional framework - Articles 17 and 32-1-a;
  - on the establishment and updating of evaluations of the use and management of coasts - Article 27-2-b;
  - on co-ordination of Plans and Strategies in the framework of a transboundary co-operation - Articles 28 and 32-1-d;
  - formulation of guidelines for transboundary environmental assessments - Article 29-2;
  - explication and contents of the concept of the “carrying capacity” mentioned under Articles 6-b; 9-1-e; and 18-3; 19-3.
4. Ask the Parties to notify the Organisation about:
    1. Mechanisms of co-ordination foreseen for the national strategy (Article 18-1);
    2. National authorities habilitated to give information in case of natural disasters (Article 24-2).
  5. Participate to the establishment of networks:
    - coastal zone networks (Articles 16-2 and 32-1-d);
    - data sharing on coastal erosion (Article 23-4);
    - co-ordinate research, training, specialized centres (Articles 25 32-1-d).
  6. The Centre has to submit “any relevant information” to the Conference of Parties (COP) (Article 33-2-h).
  7. Carrying out of the Action Plan for the implementation of the ICZM Protocol in the Mediterranean (2012-2019) adopted by the COP in Paris, in February 2012 (Decision IG 20/2).  
The Secretariat and the Centre shall co-ordinate the implementation of the Action Plan.
- 1<sup>st</sup> objective: effective implementation:
- i) Ratification and transposition;
  - ii) Strengthening institutional governance through the common regional framework;
  - iii) Adoption of the National Strategy;
  - iv) Report on the implementation.
- 2<sup>nd</sup> objective: capacity building:
- i) Methodology through the guidelines and recommendations for the COP;
  - ii) Implemented projects;
  - iii) Training, education.
- 3<sup>rd</sup> objective: promote application:
- i) Public participation;
  - ii) Excellence research;
  - iii) Promotion of the Protocol;
  - iv) Networks.

For each objective, a task is assigned to MAP components. It is planned:

- 1-3 p. 17: guidelines for national strategies;

- 2-1-3 p. 20: guidelines for ICZM.

These two tasks shall be priorities for the Centre and lead, if possible as soon as the COP 2013, not only to simple guidelines, but to recommendations adopted by the Parties under Article 33-2-e.

## 2) The Compliance Committee:

Created in 2008 and implemented in 2009; see the programme of work 2012-2013.

Its role should be developed in order to help with the implementation of the Protocol, as well as of the Convention and all the other Protocols. It is about giving the Parties, on their request or spontaneously:

- Assistance
- Opinion
- Interpretation of the texts
- Follow-up of the application based on the reports and received information.

## 3) Civil society:

Decision 19/6 of the COP in Marrakech surprisingly ignored by the Action Plan for ICZM.

- Approve a code of conduct for MAP partners;
- Objective: contribute to the most efficient application of MAP activities.  
Are NGOs involved in decision making? Are they invited to meetings and seminars?

## II. Application of the Protocol at the national level:

### 1. Who?

a) The States and the EU are all concerned, to varying degrees.

Concerns all the Contracting Parties to the Barcelona Convention (22) as the coastal zone is being dealt with by the Convention since 1995 even for the States that have not signed the Protocol.

Three groups should be distinguished:

1. Those who signed and ratified the Protocol: 9, amongst which the EU;
2. Those who signed but did not ratify the Protocol: 6;
3. Those who did not sign the Protocol: 7, who may join.  
It should be noted that according to Article 35-1, the categories 2. and 3. are invited to participate in the Protocol implementation.

According to Article 35 -2, 9 countries from the 1st category shall ensure that no one is engaged in any activity contrary to the principles and objectives of the Protocol.

b) Public authorities: they are essential for the implementation. The Protocol gives them a prominent position: they should be associated and mobilized. There are 10 occurrences of this term in the text.

- Need for coherence between all decisions by the public authorities - Article 5-f;

- Need for institutional co-ordination - Articles 6-e; 7-1; and 2.
- c) NGOs (4 occurrences in the text), stakeholders and inhabitants
  - Mentioned in the penultimate paragraph of the preamble;
  - Article 14 on participation.

## 2. What? Which are the priority fields of application?

See the Action Plan of 2012 regarding the tasks of the States.

- 1) Adopt or adapt a national legislation = the transcription of the Protocol.  
It should not be a copy-paste, as the States do have a broad scope for discretion as long as they respect the “principles and objectives”. According to each national law (usually *via* the national judge), the effect will be or will not be direct. If the effect is direct, the application of the Protocol is immediate without transposition and citizens may evoke its violation in front of a judge, if it is a clear and precise provision of the Convention, which is sufficient to itself, meaning that there is no need for application measures.  
Ex: Article 3-1-a: no national measure needed;  
Article 3-1-b: national measure needed;  
Article 8-3: explicitly refers to national legal instruments.
- 2) Set up institutional and co-ordination mechanisms: it is an imperative to the discretion of the States as the Protocol is inaccurate in this respect.  
It only foresees the co-ordination principle in Article 7, but it is a general principle (Article 6-e) and an objective as well (Article 5-f), which is implicitly a part of the ICZM definition (Article 2-F) with “taking into account at the same time”.
- 3) Elaboration of the National Strategy (Article 18): not to forget to inform the Organisation (Art. 18-1);
- 4) Adapt the law on environmental impact assessment in special legislations in accordance with new substantive exigencies of Articles 19 and 29 regarding the contents of those environmental impact assessment studies.
- 5) Take risk mitigation measures: priority to the public interest: part IV Risks affecting the coastal zone, Articles 22-24; see motion 76 of the IUCN congress of September 2012 in Jeju.

## 3. How? How to push for the Protocol implementation?

No need for specific regulations - operational measures, initiative, imagination and some funding are enough.

- 1) Awareness raising, education, research - Article 15: train judges and administrators;
- 2) Actors and public participation - Article 14: as a priority, mobilize and inform MAP NGOs (code of conduct 2009); strengthen links with the Focal Point whose responsibility has to be increased (Action Plan, p. 12).  
Inform and include in decision making - Article 14-1: in plans, programmes and authorizations (i.e.: Morocco’s decree of 21 May 2009 on publication of draft regulations and laws).
- 3) Monitoring, observation, networks - Article 16

Role of indicators: economic activities - Article 9-1-e

- Strategies, plans and programmes efficiency - Article 18-4 (for improvement of implementation);
  - General ICZM - Article 27-2-a;
  - Add legislative indicators.
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Questions asked to each participant:

- 1) What are the obstacles to implementation? Institutional, political, legislative, economic?
- 2) Role of the Secretariat and of the Centre. What are you expecting from them?
- 3) Are you acquainted with the Action Plan? Are you using it?
- 4) What are you expecting from the Compliance Committee? Are you aware of its existence?
- 5) What are you expecting from the NGOs?
- 6) Are you acquainted with the code of conduct? Which relations do you have with the NGOs?
- 7) Can territorial communities contribute to the application of the Protocol? How? Usefulness and role of experimental areas?
- 8) What are you doing yourself for the implementation?
- 9) Which institutional mechanisms shall be adopted for ICZM?
- 10) Which good practices in education and training? Which communication strategy do you have for ICZM with the media?
- 11) Can the reports planned under Article 31 help you? Who is preparing the reports?
- 12) How to implement networks? Which one of them? What are you proposing? National networks? Regional networks?

Michel Prieur, 16 December 2012