

D2.2A

Final global results of the ICZM stock-taking

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List of Acronyms

APAL: *Agence de Protection et d'Aménagement du littoral (Tunisie)*

BSC PS: Permanent Secretariat to the Commission on the Protection of the Black Sea Against Pollution

CAMP: Coastal Area Management Programmes

CNL: *Conservatoire National du Littoral (Algérie)*

COAST: Conservation and Sustainable Use of Biodiversity in the Dalmatian Coast through Greening Coastal Development

ICZM: Integrated Coastal Zone management

EEZ: Exclusive Economic Zone

EIA: Environmental Impact Assessment

ENCORA: European Network for Coastal Research

EU: European Union

FFEM: *Fond Français pour l'Environnement Mondial*

GEF: Global Environment Fund

GIS: Geographic Information System

IUCN: International Union for Conservation of Nature

MATE: *Ministère de l'Aménagement du Territoire et de l'Environnement (Algérie)*

MEDCOAST: Mediterranean Coastal Environment

MedPAN: Development of a Mediterranean marine and Coastal Protected Areas Network

MED POL: Mediterranean Pollution Monitoring and Research Programme

MPA: Marine Protected Areas

MSFD: Marine Strategy Framework Directive

NFP: National Focal Points

NGO: Non-Governmental Organisation

NICZMS: National ICZM Strategies

PAP/RAC: Priority Actions Programme Regional Activity Centre

PEGASO: People for Ecosystem based Governance in Assessing Sustainable development of Ocean and coast

REMPEC: Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea

RFRC: *Réseau Français de Recherche Côtière*

SEA: Strategic Environmental Assessment

SMAP: Short and Medium-term Priority Environmental Action Programme

UNEP/MAP: United Nations Environment Programme / Mediterranean Action Programme

Introduction & Background

In order to achieve maximum efficiency and effectiveness of the PEGASO Project, a benchmark assessment of the current state of ICZM in the Mediterranean and Black Sea regions was required. In the case of the Mediterranean, this state is best assessed in relation to the ICZM Protocol. The same approach is also seen as relevant for the Black Sea, since the Project will produce recommendations and a roadmap for revitalising ICZM in that region. A “stock-taking” for Integrated Coastal Zone Management (ICZM) has therefore been carried out for both the Mediterranean and Black Seas.

The stock-taking includes an analysis of current legislative, institutional, policy and financial framework for ICZM governance for both the 21 states of the Barcelona Convention for the Mediterranean and the 6 states of Bucharest Convention for the Black Sea. Turkey is included in both Conventions.

Fig. 1. Countries included in Stock-taking



Purposes of the Stock-taking

a) to inform the policy, legal and institutional stock-take required from PAP/RAC as the basis for the future implementation of ICZM

(b) to support the aim of the PEGASO project funded under the EU's Framework 7 Programme - to build on existing capacities and develop common novel approaches to support integrated policies for the coastal and maritime realms of the Mediterranean and Black Sea Basins in ways that are consistent with and relevant to the implementation of the ICZM Protocol for the Mediterranean and the ICZM Guidelines for the Black Sea.

The process was based around a comprehensive and exhaustive ICZM Implementation Audit Questionnaire, closely reflecting the structure of the Protocol on ICZM in the Mediterranean¹. Although, the Protocol on ICZM in the Mediterranean does not apply to Black Sea countries, the Permanent Secretariat to the Commission on the Protection of the Black Sea Against Pollution (BSC PS) agreed to use it as the model for the stock-take in the Black Sea basin (September 2010). A limited number of modifications to the questionnaire were required between two sea basins, but the approaches were essentially similar and results of the stock-taking can be considered as comparable between the two marine regions.

NB: Turkey, which borders both the Black Sea and the Mediterranean, completed separate Audit Questionnaires for each coast.

This paper reports on the results of the stock-taking as a snapshot of ICZM implementation in 2010. The following important caveats to the stock-take results should be recognised:

- **It is a measure of the practical implementation of ICZM policy and practice *as perceived by the countries themselves* at 2013. The individual country responses are the definitive texts.**
- **The range of ICZM policy and practice is defined by, and limited to, the Articles of the ICZM Protocol for the Mediterranean.**
- **The stock-take is intended to report on the *implementation and application* of ICZM measures. It is not intended to be, nor should it be interpreted as, a measure of the *effectiveness* of ICZM itself at either a regional sea or national level.**
- **Countries may not always establish new mechanisms to implement the Protocol, but could use existing mechanisms. The use of existing mechanisms will be detailed in the individual country and question responses.**
- **Scale is an important factor; in very small states the coastal zone may comprise all or a very high proportion of the national territory and therefore the policies and measures encompassed in the questionnaire are likely to be closely interrelated with existing policy instruments. The coastal zone in larger states in contrast is more likely to be dealt with as a distinct spatial policy “entity” requiring distinct measures.**

It is intended that the stock-take will provide the benchmark against which to measure the progress over the long term. Indeed, during the 17th Ordinary Meeting to the Convention for the Protection of the marine Environment and the Coastal Region of the Mediterranean and its Protocols, held in Paris (France) on 8-10 February 2012, the Contracting Parties, in the Decision IG.20/3 decided to update bi-annually the data provided through the stock-taking questionnaire. This report on the stock-take, once finalised, can therefore be considered as reporting on measures taken to implement the ICZM Protocol until the final reporting format is adopted by the Contracting Parties.

¹ The ICZM Protocol for the Mediterranean entered into force in March 2011. The Protocol provides a comprehensive legal framework for future action, placing obligations on all states to carry out actions and develop policies within their borders and with their neighbours, and to cooperate internationally across many fields for the sustainable development of the Mediterranean coast. It will allow the countries to better manage their coastal zones, as well as to deal with the emerging coastal environmental challenges, such as the climate change. (www.pap-thecoastcentre.org)

Survey Format, Validation and Completion Process

Survey Format

The survey was based on a questionnaire distributed in Word format for each of the two sea basins. The format was chosen as the most widely used and compatible across such a wide area, anticipating that the questionnaires would require dissemination and consultation within each country. On-line and proprietary survey formats were rejected at an early stage for the above reasons.

The questionnaires for both the Mediterranean and the Black Sea contained 53 questions grouped into 16 core themes:

- Coastal zone boundaries
- ICZM and/or coastal legislation
- Coordination
- Protection and sustainable use of the coastal zone
- Economic activities
- Coastal ecosystems, landscapes & cultural heritage
- Participation
- Awareness raising, training, education & research
- Monitoring & review
- National coastal strategies, plans and programmes, transboundary cooperation
- Environmental and strategic assessments
- Land policy
- Economic, financial & fiscal instruments
- Natural hazards & coastal erosion
- Exchange of information and activities of common interest
- Transboundary cooperation.

The structure was derived from the relevant Articles of the ICZM Protocol for the Mediterranean and the wording adapted where necessary for the Black Sea. Articles of ICZM Protocol for the Mediterranean were provided for information purposes to illustrate the questions. The questionnaires and responses were in English and in French.

The response to each question was in two parts: firstly, a simple YES/NO/P (In Preparation)/NA (Not Applicable) tick box was provided.

Secondly, text boxes limited to 3000 characters (approximately 300 words) were provided to expand responses regarding the level of implementation or efficiency/effectiveness of the measures listed, or links to supporting documentation. The two versions of the distributed questionnaires are shown in Appendix 2 to this report.

Fig. 2. EXAMPLE of question format

ICZM LEGISLATION				
	YES	NO	P	N/A
Has national legislation for Integrated Coastal Zone Management or a Coastal Law been approved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Title or citation of statute, summary of main articles, current status				

Validation

The draft questionnaire was prepared by PAP/RAC and widely consulted upon, including a workshop with National Focal Points (NFPs) for the Mediterranean in Portorož, Slovenia, in September 2010. The Mediterranean NFPs subsequently validated the Mediterranean questionnaire, whilst the Advisory Group on the Development of Common Methodologies for ICZM validated the questionnaire for the Black Sea on behalf of the Commission for the Protection of the Black Sea Against Pollution, also in September 2010.

Completion Process

In October 2010, 27 questionnaires were distributed to NFPs: 6 to the Black Sea countries and 21 to the Mediterranean countries. Turkey received the questionnaire in both formats. The questionnaires were to be completed by the relevant NFP, their nominated experts or national PEGASO partner, and validated by the NFP. In countries with a PEGASO partner, those partners were mandated to assist the NFP in completing the Questionnaire. The Black Sea Commission Permanent Secretariat coordinated the responses of the Black Sea countries.

A completion and return date of 31st March 2011 was requested, and the majority of questionnaires were completed by this date. However, a number of minor errors and anomalies were detected and the questionnaires were redistributed in October 2011 and returned up to 31 March 2013. All countries provided a response by this date.

The responses are from, and validated by, the individual countries. As such, this analysis does not attempt to reinterpret or critically analyse individual responses. A separate commentary is provided for each of the regional seas. Of necessity in a survey of this scale and breadth, this analysis can only be an overview, but the results provide a wealth of information for the life of the PEGASO Project and beyond. Full results will be available subject to national approvals.

The following documents are shown as Appendices to this report:

- 1. Mediterranean questionnaire**
- 2. Black Sea questionnaire**
- 3. Mediterranean and Black Sea maps for all answers**

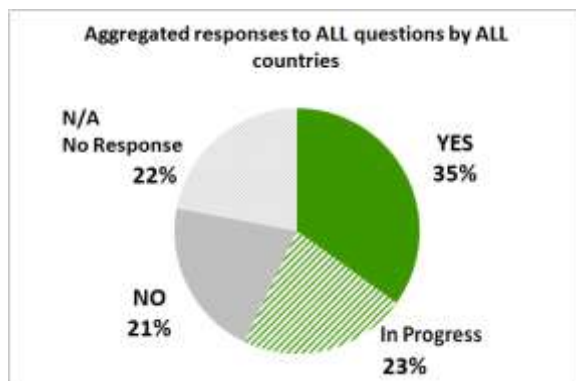
Statistical Analysis – Overview & ICZM Progress

The simplest statistical analysis of the stock-take is through the tick box YES/NO/P/NA responses to each of the questions. Caution should be exercised however in drawing definitive conclusions from this - as the text responses illustrate, there is a wide diversity of interpretations of the questions reflecting the wide diversity of legal and cultural “systems” from which the questions are being interpreted.

Cumulative responses: Mediterranean

At a very basic level, the aggregated YES/NO/P/NA answers could be seen as a simple snapshot of the scale of ICZM activity measured against the Articles of the ICZM Protocol as perceived by the individual respondents. Caution should of course be exercised in over-interpreting the responses at this level as they are based on the subjective interpretation of the individual respondents, but they do provide useful pointers to the perceived level of activity both geographically and thematically. For example, as fig. 3 below illustrates, the engagement of the countries is substantially positive with 35% of the responses to ALL 53 questions given as a YES - indicating a completed or operational status, and 22% as P (In Preparation), a combined total of 57% positive responses.

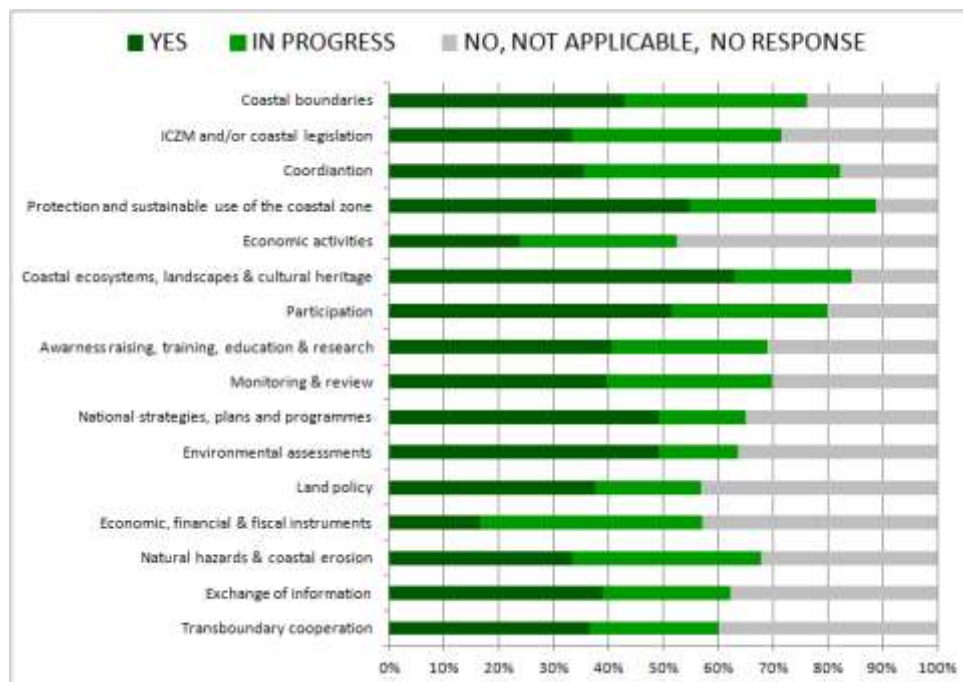
Fig. 3: Aggregated responses to ALL questions by ALL Mediterranean countries



The relative level of positive activity as indicated by this analysis is probably higher than would have been anticipated. If the purpose of the Articles of the ICZM Protocol is to provide a sound foundation for the effective implementation of ICZM and - by this simple measure - it would indicate that a substantial part of that foundation may already be in place at country level, and that the concentration of efforts should be on geographic and thematic gaps, and on supporting effective implementation.

As interesting, is the breakdown between the 16 core “themes” listed earlier as shown in fig.3 below:

Fig.4: Aggregated responses by theme: Mediterranean



As can be seen, there are a wide variety of responses by theme. The highest negative levels relate to the themes; use of economic, financial & fiscal instruments, economic activities (indicators), and land policy. Conversely, the highest positive levels relate to aspects of environmental protection and management, reflecting arguably the concentration of effort in the past decades. Encouragingly, the level of positive response in those themes relating to ICZM capacity such as Participation, Awareness-raising, Training and Research, and Coordination is relatively high.

Cumulative responses: Black Sea

In the case of the Black Sea following the initial stock-taking iteration of 2010 there were concerns expressed that self-ratings were rather optimistic compared to realities with coastal governance in each Black Sea country. After detailed review by BSC PS and reconsiderations by country representatives, self-rating indicators, summarised in the table below, were found to be more realistic and accurate in setting the baseline - despite the fact that quantitative figures should be considered with due care. Despite wide variations in self-rating scores, it should be acknowledged that the level of advancement with ICZM is in general very comparable in all Black Sea countries.

Fig. 5: Aggregated responses to ALL questions by ALL Black Sea countries

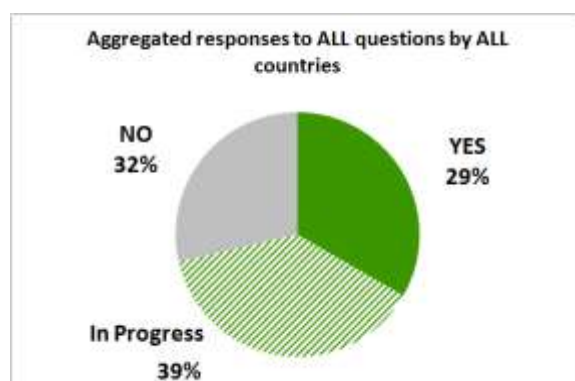
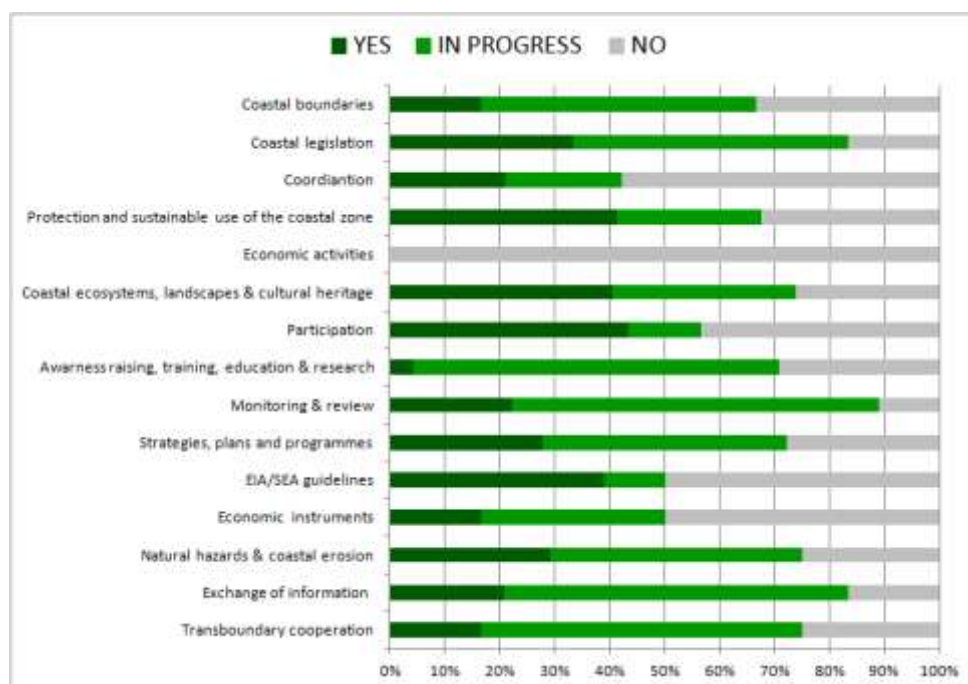


Fig.6: Aggregated responses by theme: Black Sea



As with the Mediterranean there are a wide variety of responses by theme. The highest negative levels relate to the themes; use of Economic, financial & fiscal instruments and Economic activities (indicators). The highest positive levels relate to aspects of environmental protection and management. The comparatively high level of themes “in Progress” potentially represents the lack of a formal agreement such as the Protocol for the Mediterranean against which to establish a common benchmark. Conversely, caution should be taken in interpreting or comparing the responses between the two seas in view of the lower number of countries in the Black Sea (6).

Analysis of Narrative Responses for the Mediterranean

The questionnaire provided a text box for a narrative response to each question. This provided opportunity to provide more detail, qualifications, citations, examples or other descriptive material. Across the two seas this yielded over 1300 individual responses.

The analysis of the Mediterranean responses is set out in the following sections. The Black Sea responses are detailed in the report “ICZM Implementation Audit (2012) Stock-Taking on ICZM in the Black Sea Region”, prepared by E. Antonidze et al. PEGASO Report: 2013.04.10 (v3.0).

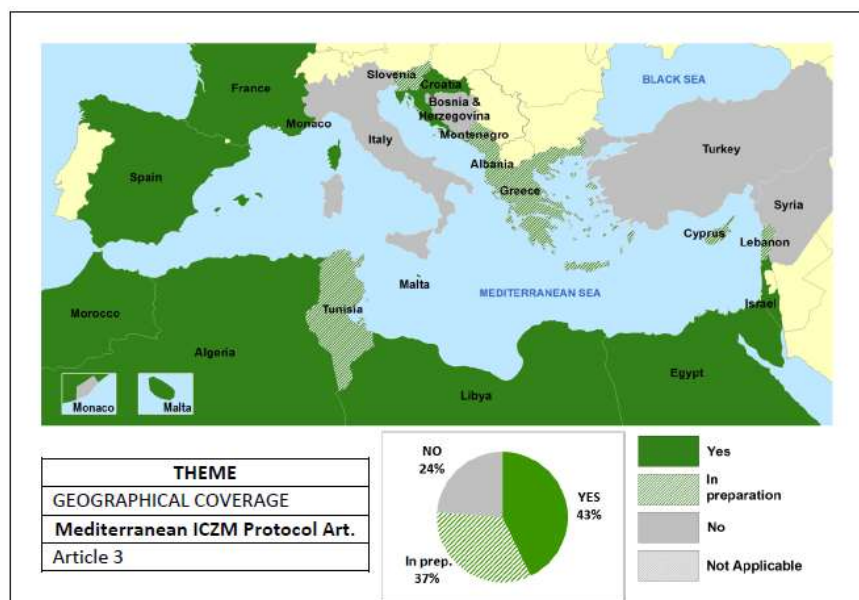
The responses to the individual questions and themes between the Mediterranean and Black Sea are not directly comparable owing to specificities of the Protocol for the Mediterranean. The responses to each question are therefore reported separately to reflect this.

Responses to Individual Questions and Commentary: Mediterranean

The broad conclusions to each question are set out under the relevant Protocol Article and followed by **bulleted examples**. These examples are selected to illustrate the broad range of responses to implementing the Protocol, or to highlight specifically individual approaches. They are not intended to be a comprehensive list of responses. The individual country responses (not include in this report but available in PAP/RAC) are the definitive text.

Article 3 GEOGRAPHICAL COVERAGE

Has the landward limit of your coastal zone according to Article 3 of the Protocol been legally defined at a national scale?



A total of 9 countries have fully defined the extent of the coastal zone and 7 are in the process of identification. Egypt and Croatia specifically use the geographical interpretation of the Protocol as a legal base. Countries in the process of defining the coastal zone or with no pre-existing definition are also using the Protocol, including Montenegro and Italy that use the Protocol as the “default” definition.

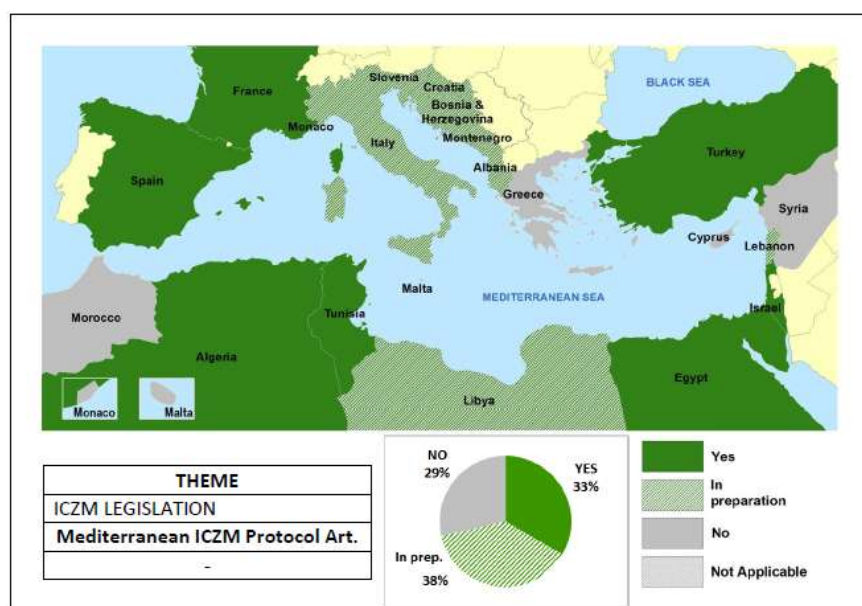
The landward limit of the coastal zone varies widely, from narrow coastal strips to the limits of the administrative territories as recommended by the Protocol. Those with a pre-defined terrestrial zone take several forms including: boundaries defined by spatial plans, descriptive zones using physical or public domain definitions, or simple measures in metres - reflecting the wide variety of purposes for which the coastal zone was defined.

It is rare to find the terrestrial and maritime dimensions of the coast referred to within the same piece of legislation or competence. Simply, the coastal zones have, in general, been defined for specific sectoral purposes such as development limits, access, and water quality or fisheries rather than coastal management.

The Protocol gives clear orientations for the definition of the coastal zone, but the specificities of various countries’ local administrative structures, topography and ecosystems varies radically. The Protocol may provide the Contracting Parties with the closest to what can be called a regional definition for Mediterranean coastal zones, but its application to local circumstances raises significant challenges and the opportunity for shared experience.

- Spain - any new initiative for the Spanish coastal zone must conform to the Coastal Law of 1988. This legal instrument defines the landward limit of the public domain as the limit of coastal dynamics and the seaward limit as the continental shelf or the Exclusive Economic Zone (EEZ). This law also defines a protection zone that extends 100 metres from the limit of the public domain (or 20 metres for urbanised zones), where housing is forbidden. Urban plans can be modified to protect the public domain extending 500 metres from the seaward limit.
- Israel - two legal instruments have been used to define the landward limit in Israel:
 - 300 metres according to the Law for the Protection of the Coastal Environment 2004;
 - 1/2 kilometre inland according to the boundary of the National Plan for the Mediterranean Coast approved in 1983 under the Planning and Building Law. A natural or manmade feature, such as the coastal highway, generally defines the boundary.
- Croatia has fully integrated the geographical coverage through the ratification of the Protocol - the geographical coverage of the Protocol is defined by the external limit of the territorial sea of the Republic of Croatia. The landward limit of the coastal zone is based on local self governed units whose part of the territory includes the land part of the protected coastal zone of 1000 m.

Has national legislation for Integrated Coastal Zone Management or a Coastal Law been approved?



A total of 7 countries responded YES to this question and 6 are in the process of drafting or approving national legislation for ICZM. Morocco, Egypt and Montenegro have, or are in the process of preparing, legislation that is specific for coastal zones.

The remaining countries have a variety of coastal laws for spatial planning, integrated water or natural resource management, or environmental protection, etc., which reflect to a greater or lesser extent ICZM principles and cover the coastal zone. A number of states such as Greece and Croatia are adapting existing instruments to deal with coastal planning and management issues, or have spatial development plans that include the coastal zone, but do not treat it as a distinct entity.

- Greece raise the point that, as an EU Member State, they consider that, after ratification of the ICZM Protocol by the EU, the Protocol is now *acquis* Communautaire and therefore binding on all Member States, regardless of whether or not they have ratified the Protocol themselves or not.
- Monaco is an example of a small state entirely coastal in nature. As the country is fully included in what may be a coastal area, there is not, strictly speaking, legislation dedicated to ICZM. However, all components of

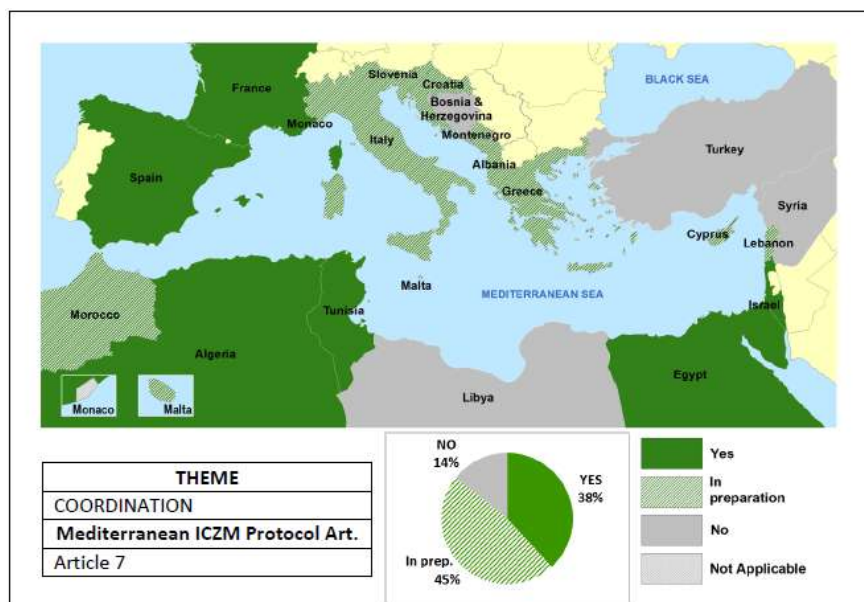
such legislation are included in the texts relating to the planning and management of land and the marine environment.

- Croatia plan to link the obligations arising from the ICZM Protocol and EU Marine Strategy Framework Directive 2008/56/EC (MSFD) in a way to prepare a unique national strategic document (Strategy for Management of Marine Environment and Coastal Zone) which would integrate the above mentioned obligations and include adaptation to climate changes issues. This may be an example for the EU states in view of the proposed EU Directive (2013/0074 - COD) establishing a framework for maritime spatial planning and integrated coastal management

Article 7 COORDINATION

Have bodies or mechanisms of institutional coordination been established at the national, regional and local levels for the purposes of ICZM in the following categories?

a. between the land and marine parts of the coast



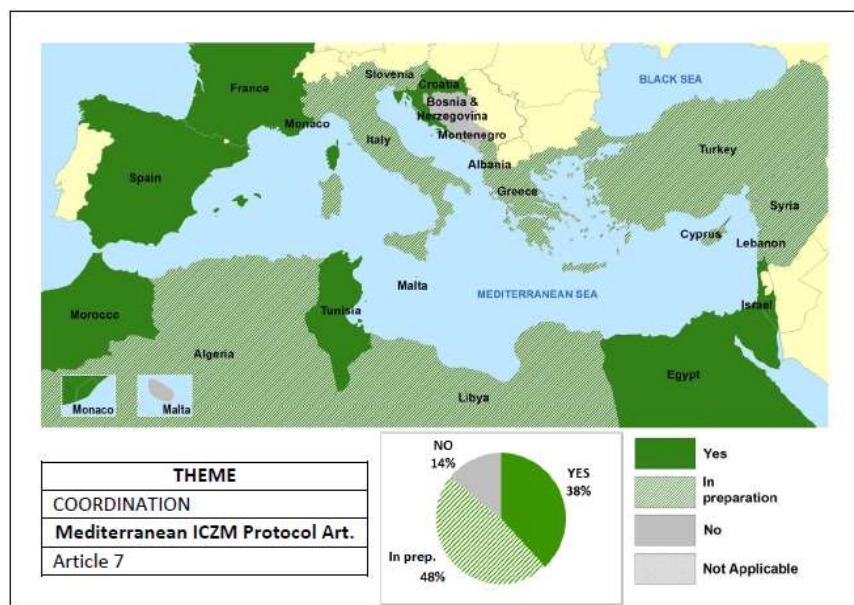
Only 6 of the countries have mechanisms for land-marine coordination, and these are noticeable by their recent origin. A relatively high number, 11 countries, have mechanisms “in preparation”. The importance of bodies and mechanisms for land and sea coordination at national, regional and local level are key components for integration.

Where coastal and maritime areas are not yet under the same coordinating body, countries tend to set comprehensive or partial ICZM programmes. It is now a recognised prerequisite of coastal management to identify how activities on land affect the condition of the sea; and how reciprocally, activities at sea affect the land and intertidal areas. The identification of “spill over” effects such as pollution, loss of wildlife habitat and aesthetic degradation have highlighted the need to address land and sea issues simultaneously. In many cases arrangements can be described as *ad hoc* without recognised institutional mechanisms. However the development of coordinating mechanisms at national level (e.g. Algeria, Greece, Israel) or regional level (e.g. Albania, Italy, Slovenia, Spain) provide fora for coastal management.

In the framework of the Barcelona Convention and the Mediterranean Action Plan, the implementation of the ICZM Protocol calls for close interaction with other programmes and the implementation of other Protocols (dumping and pollution from ships, biodiversity, etc.).

- Models of round tables include the “Grenelle de l’environnement” in France. In Spain, with the consortium “Colls Miralpeix” is an example of an institution created with the purpose of implementing the ICZM Protocol, which acts as a coordination body at the regional and local level.

b. Horizontally between different services and other organisations at the same administrative or geographical level

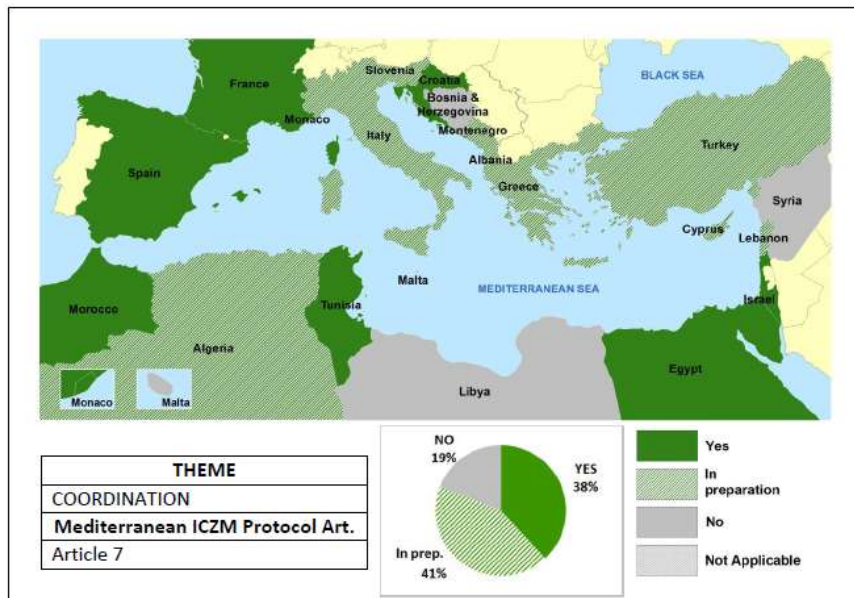


The countries that have mechanisms for horizontal coordination (8), or are in preparation (11), record a variety ranging from formal inter-ministerial committees or fora, to *ad hoc* management structures for specific geographical or protected areas.

In those countries with inter-ministerial coordination, regional or sub-regional examples flourish as well. Therefore, horizontal national level coordination tools seem to stimulate local examples. Operative examples are to be found at the regional level, with structures for specific geographical or protected areas.

- There are relatively few examples of institutional structures at local level with ICZM as their prime purpose. CAMPs (Coastal Area Management Programmes) at the local level act as drivers to establish such bodies but are not always sustained as ICZM-specific entities in the long-term, as exemplified by the case of Slovenia.

c. Vertically between different services and other organisations at different administrative or geographical levels



Those countries that have established formal horizontal coordination mechanisms are more likely to also have, or are preparing, vertical mechanisms - usually under the same legislation or institutional structures.

A number of states refer to partial mechanisms involving only regional-local structures, or for specific coastal areas. Countries preparing, implementing or operating vertical coordination mechanisms all recognise informal coordination processes.

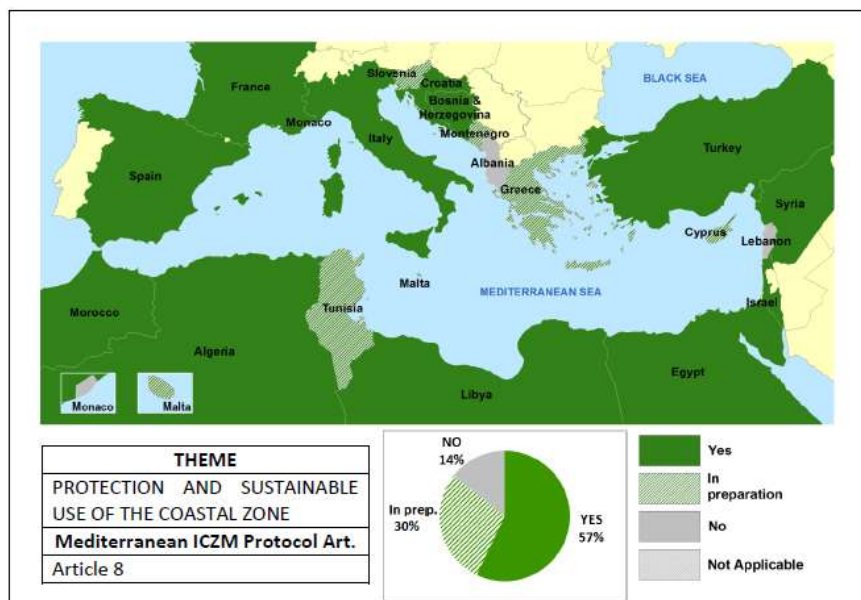
Where vertical coordination mechanisms for ICZM purposes do not yet exist, but where the ICZM process is initiated, it appears that *ad hoc* sectoral committees or bodies are to be found for specific coastal issues (coastal urban planning, beach management, etc.).

Some parallels can be drawn between vertical and horizontal coordination processes, particularly:

- (i) in terms of informal cooperation mechanisms,
 - (ii) the national level commitment as a driving force and
 - (iii) the progresses made due to transboundary cooperation.
- In Italy and Spain, the autonomy that regions have acquired strengthens the vertical coordination process, and provides an environment for vertical political negotiation. It also fosters synergy between national, regional and local levels.

Article 8 PROTECTION AND SUSTAINABLE USE OF THE COASTAL ZONE

In accordance with Article 8.2 (a), has a zone not less than 100 metres in width where construction is not allowed been legally established?

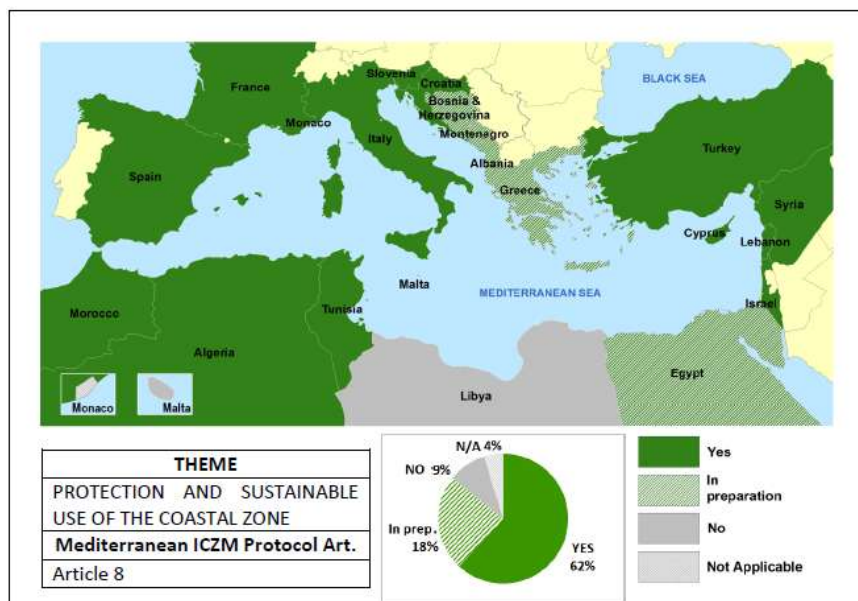


Twelve of the countries have or are setting up a 100-metre zone where constructions are banned. Generally the prohibition excludes buildings or facilities for public services or activities whose location at the edge of the sea is necessary because of their nature. The “set-back” approach required by the ICZM Protocol is subject to diverse measuring methodologies. In the 12 countries that have a law forbidding constructions within a 100-metre strip from the shoreline, there are certain conditions allowing the exploitation of the public maritime domain. Mostly it is a matter of public utility or because the immediate proximity of the sea is required for certain economic interests.

Another 6 countries are either implementing such legislation, or have established smaller zones, typically 25 or 50 metres, where constructions are not allowed, or have binding laws for sensitive selected coastal areas or economic sectors. Greece point out that a 100 metre prohibition would be inappropriate and has not been legally established as it would not be appropriate in a great number of cases for reasons related to geomorphology or the small size of several islands.

- Lebanon and Egypt - report a 200 metre zone from the high water mark in which construction is forbidden.
- Italy - has established a 300 metre prohibition zone with stronger restrictions in certain regions. Exceptionally, a 2,000 metre zone has been established in the Sardinia region.
- Cyprus – the Foreshore Protection Act protects the defined zone as “lands within a distance not exceeding one hundred yards (91.44 metres) from high water mark”, and the Foreshore Protection Zone varies in width across the coastline of Cyprus, sometimes exceeding 100m from the shoreline.
- Monaco – as a microstate is a notable exception - a declaration by the Principality of Monaco when signing the Protocol states that, “while recognizing the possibilities offered by paragraph b) of paragraph 2 of Article 8, that the establishment of a setback as provided for paragraph a) of paragraph 2 of Article 8 is not fully compatible with its specificities and urbanized coastal State”.
- Other states have “qualified” setback zones in which development may be subject to specific conditions or restrictions.

Have other existing measures been adapted in a manner consistent with this article of the Protocol?



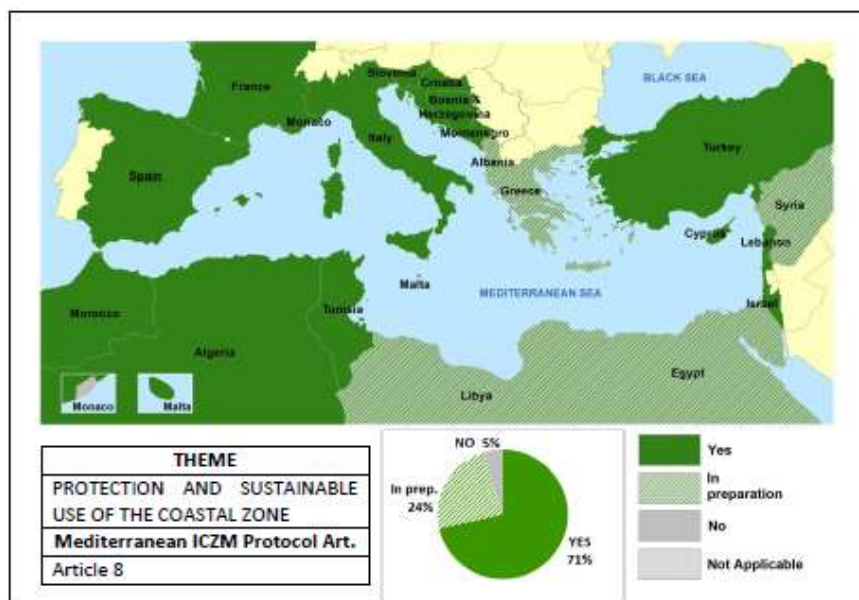
A total of 13 countries have other existing measures consistent with this Article of the Protocol. Five countries have partially extended legal tools through, for example, national strategies for sustainable development.

In developing orientations for territorial planning and sustainable development at national level, the Mediterranean countries in general correspond to the Protocol. A wide range of measures has been adopted across the Mediterranean to enhance the protection and the sustainable use of the coasts through spatial planning. These regulations provide restrictions to maritime transport, urbanisation and tourism development, tackling biodiversity loss, pollution risk, etc.

- Algeria - the development and sustainable development of the coast is an integral part of the national policy for the harmonious and sustainable development of the entire national territory. Through the National Master Plan which sets terms of conservation, protection and enhancement of coastal zones and continental shelf, to the "Master Plan du Littoral" for coastal and marine areas setting specific requirements of conservation and recovery.

Do national legal instruments include one of the following measures or criteria for sustainable use of the coastal zone?

a. Identifying and delimiting areas in which urban development and other activities are restricted or, where necessary, prohibited

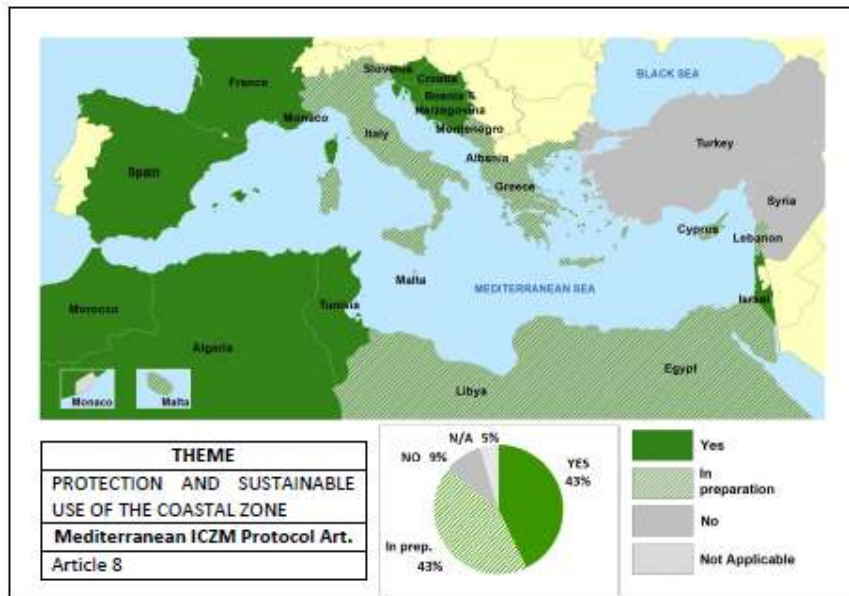


For 15 countries urban development is subject to statutory restrictions. Five countries do not have comprehensive restrictions to urban development. The restrictions are of various kinds, from limitations, mainly for the industrial and tourist sectors, to the prohibition of development in protected areas. In other cases, the limitation concerns specific activities, such as soil or underground resource exploitation.

The definition of areas of special interest where urban development is restricted depends on the national strategies and plans for specially protected areas, and for strategic economic activities of public interest. Natural parks, cultural heritage, green zones.

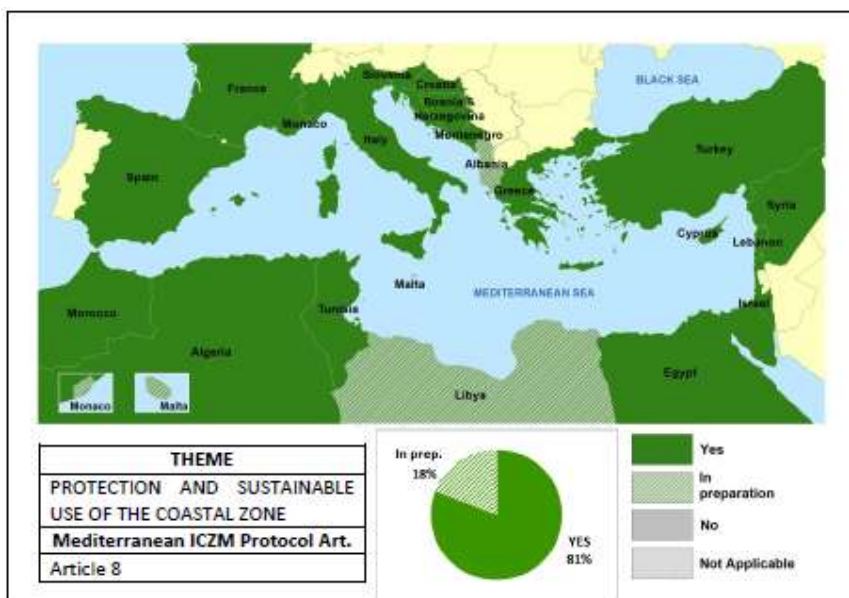
- Italy - the national strategy of adaptation to climate change deals with the specifics of “hydrogeological” risk which include coastal areas - introduces urgent “Measures of Safeguard” prohibiting residential, services and infrastructures in zones already classified as “Areas characterized by very high level of hydrogeological risk”.
- Montenegro - within the CAMP Montenegro project, an analysis of the urbanization of the Coastal Zone in Montenegro is being prepared. Beside the guidelines for establishing non-building zone, this analysis will also offer guidelines for identifying and delimiting areas in which urban development and other activities are restricted or prohibited.

b. limiting the linear extension of urban development and the creation of new transport infrastructure along the coast



Although linear urban expansion and the development of new transport infrastructure are both widely considered (9 countries “in preparation”), only 9 countries have legal frameworks consistent with the Protocol requirements. Most countries answered “no” to this question: although they may have regulations limiting linear urbanisation but not yet on transport infrastructure, or vice versa.

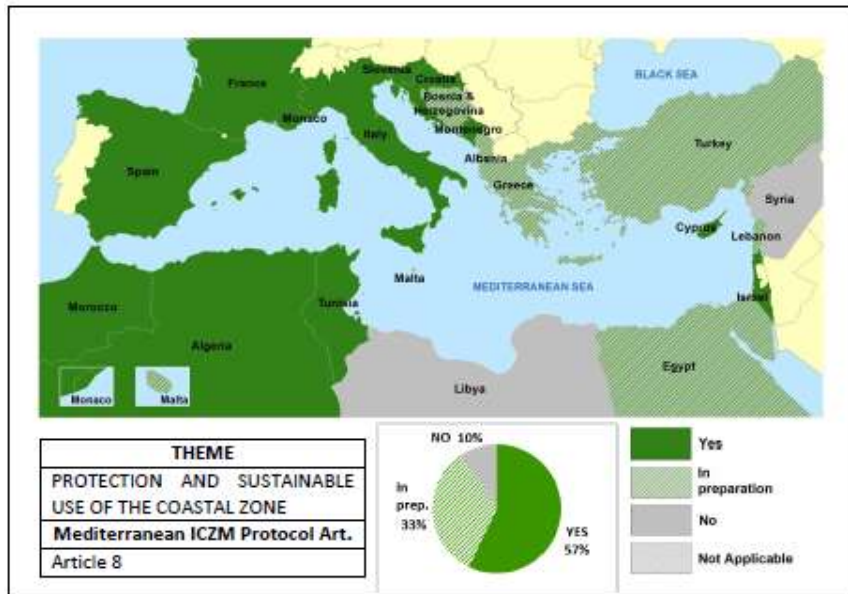
c. providing for freedom of access by the public to the sea and along the shore



Freedom of access by the public to the sea and along the shore is a widespread principle, considered as a common basic right. It is a right protected by law in 17 countries. Key gaps are to be found in the Mediterranean in terms of enforcement of the laws.

In some cases the right is expressed in very general terms, but in others is very specific: such as a right of passage along the coast, with a width of 3 metres on private property in France; or where non urban properties in Greece, within 500 metres of the seashore are not allowed to have fences, except for cultivated land or other special uses.

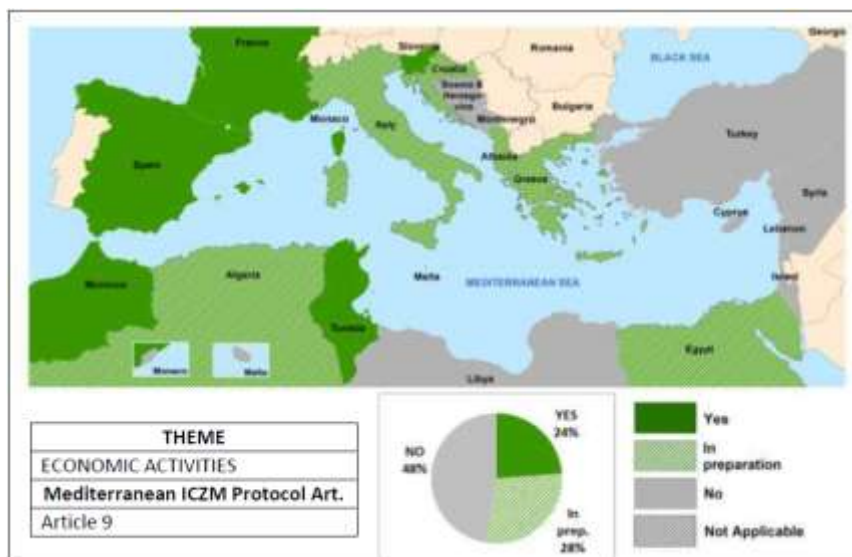
d. restricting or, where necessary, prohibiting the movement and parking of land vehicles, as well as the movement and anchoring of marine vessels, in fragile areas on land or at sea, including beaches and dunes



For this Article of the Protocol, 12 countries answered YES, and 6 are In Preparation. For those countries answering positively, we find clear national guidelines for managing protected areas, based on international agreements, or national strategies with local administration implementing integrated local management plans.

Article 9 ECONOMIC ACTIVITIES

Are there any specific economic indicators relating to the sustainable use of the coastal zone?



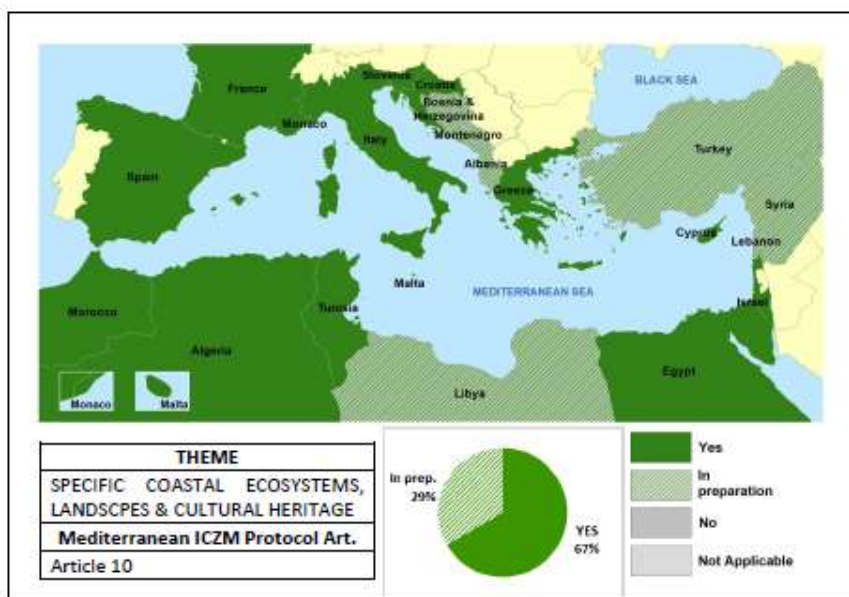
A majority of countries (10) have no indicators to evaluate the economic impact of the sustainable use of coastal zones. Most of the countries monitor the impact of specific sectors on their coastal economy. Five evaluate the sustainable use of coastal zones, basically in regards to tourism and fisheries. Participating in transboundary projects, a number of states have set up pilot zones to implement indicators.

- France - indicators are maintained by the *Observatoire National de la Mer et du Littoral*, and for the Mediterranean: Plan Bleu, and by local/provincial/regional observatories. The nature of the indicators was not specified.
- Slovenia - even where countries are implementing sets of sustainable use indicators, there are none with economic indicators relative to sustainable use of coastal zones. Slovenia provides an exception to this; the Regional Development Programme of South Primorska for the period 2007–2013 was set up with economic indicators for the implementation of the programme, and indicators relating to the sustainable use of the coastal zone.
- Spain - reports a number of regional initiatives to develop economic indicators including the Balearic Islands.
- Tunisia – APAL, the Observatory for Environment and Sustainable Development is developing a range of indicators that will include specific economic measures.

Article 10 SPECIFIC COASTAL ECOSYSTEMS, LANDSCAPES & CULTURAL HERITAGE

1. Wetlands

a. Are measures in place to regulate or, if necessary, prohibit activities that may have adverse effects on wetlands and estuaries?



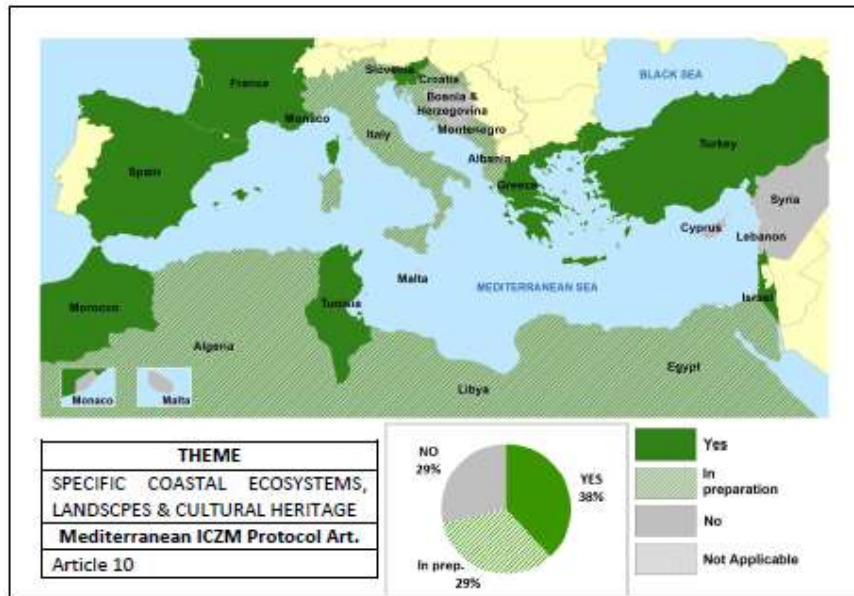
Fourteen countries have measures to regulate and/or prohibit activities in wetlands and estuaries. Seven countries are working on it.

In legal frameworks across the Mediterranean, wetlands and estuaries are clearly identified as special areas for biodiversity conservation. Most of the countries have signed the RAMSAR Convention. Most countries classify natural reserves in coastal areas to comply with the RAMSAR Convention and other obligations - in the EU often as Natura 2000 sites, in Albania under the IUCN categorisation. In other countries, the protection of those areas is indirect, but covered by various sectoral regulations (water, forestry, etc.). Many countries report that impact assessments are coordinated within the EIA procedure.

Most states have specific protection in place for nominated wetlands, whilst others report additional measures defining and protecting all surface waters and wetlands as part of national ecological networks (e.g. Croatia).

Morocco cites that wetlands have no special legal status but are protected indirectly by the law on Protected Areas and the Water Act.

b. Have degraded coastal wetlands been restored to reactivate their positive role in coastal environmental processes?

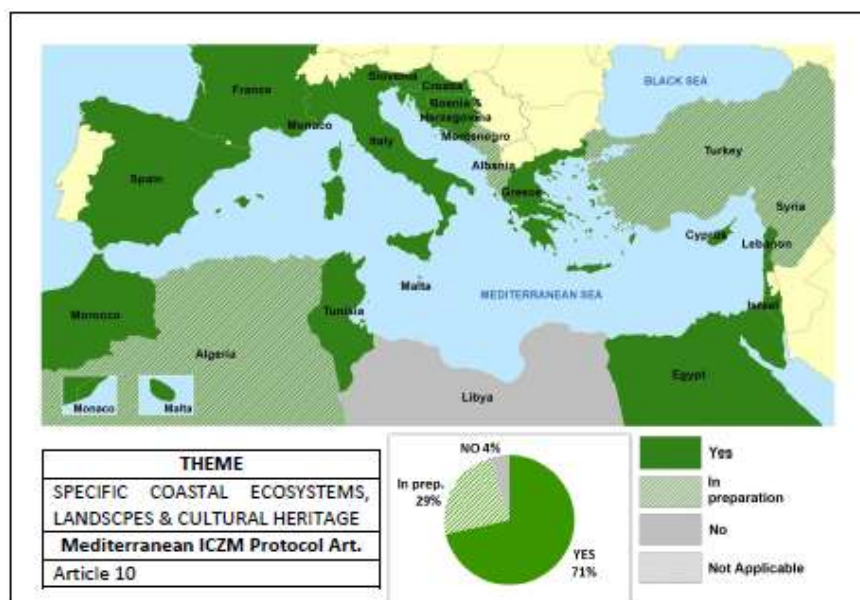


Fewer countries (8) have taken positive measures to restore and reactivate the positive role of coastal wetlands. Where it occurs, wetland restoration is often part of a larger project, covering not only the wetland area including fluvial restoration, water sanitation, agricultural development, landscape management, etc.

- Israel - particular attention has been paid to restoring stream channels, both for their ecological value and as corridors for recreation.
- Italy - provides examples of constructed wetlands for wastewater treatment as part of the Agro Pontino project.

2. Marine habitats

a. Have measures to ensure the protection and conservation through legislation, planning and management of marine and coastal areas been adopted?

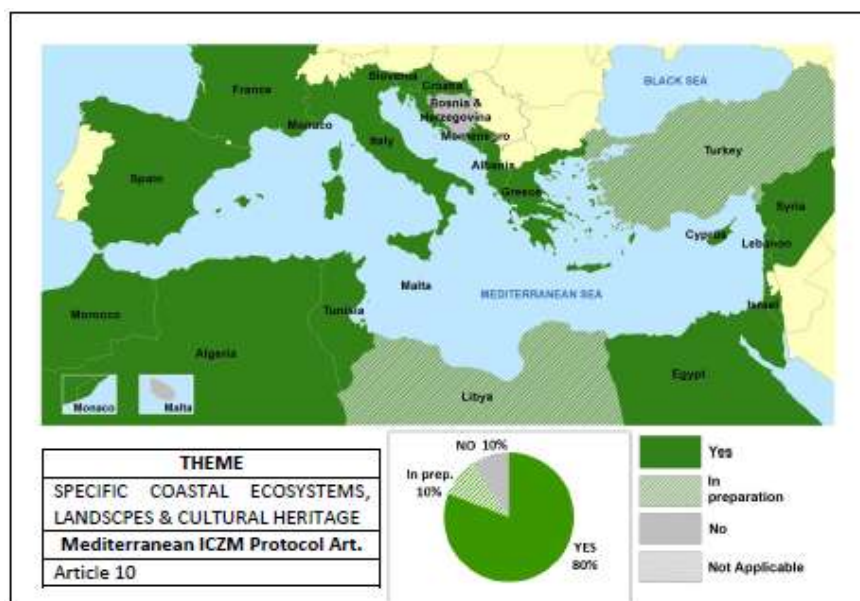


Measures concerning this requirement of the Protocol have been largely adopted (17 countries, 2 in preparation). International and European agreements have in the last 10 years stimulated a high level of activity around the Mediterranean in the field of coastal and marine habitat conservation and protection, with most countries reporting coastal reserves or protected areas.

Some countries have not only adopted laws, they have also created institutions dedicated to coastal and marine protection, which help regulate planning and management in specially protected areas. Elsewhere, coastal and marine protection is still embedded in larger environmental legal structures. Examples of submarine archaeological parks also bring innovative approaches to marine conservation with the idea of submarine cultural heritage also being considered.

- Transboundary projects such as the Pelagos Sanctuary for Marine Mammals between south-eastern France, Monaco, north-western Italy and northern Sardinia, and encompassing Corsica and the Tuscan Archipelago is an example of a large scale project for the development of specific measures ensuring the protection and conservation of marine and coastal habitats.
- Greece - has enforced marine zoning in the Sporades National Park, with protected zones in which only certain activities are allowed. Similar zones have been set out in legislation for the Protected Area of Zakynthos Island. Very recently, the foundations of an integrated Marine Strategy in Greece were laid down through the enactment of the "Law on the National Strategy for the protection and management of Marine Environment".

b. Are there any international co-operation programmes, agreements or activities to protect marine habitats



There is a high level of participation in international cooperation programmes in this field. Only 2 countries report no activity.

The answers point out two main streams in terms of international agreements and transnational cooperation programmes: (i) European Union funds, (ii) international conventions, protocols, etc.

(i) Cooperation at the European level: ENCORA, LIFE Programme, INTERREG, Natura 2000 network. These European funds finance Member State programmes, Candidate and Accession countries in a process of EU integration, and Neighbourhood countries.

(ii) International conventions: Barcelona Convention and its Protocols, the Convention on Biodiversity, mostly on specific topics (specific species or protected areas), RAMSAR, RAMOGE, Climate Change, etc. Numerous international agreements through the Mediterranean aim at strengthening cooperation efforts on fighting the risk of oil pollution.

The great diversity of bilateral approaches is to be noted. NGOs are very active in all those transboundary projects. NGOs offer experience and expertise in fund-raising as well as in project management and networking. The long experience of CAMP projects is a good example of networking and good practice exchanges, CAMP projects have been implemented during the last 20 years, others are in full implementation or being negotiated.

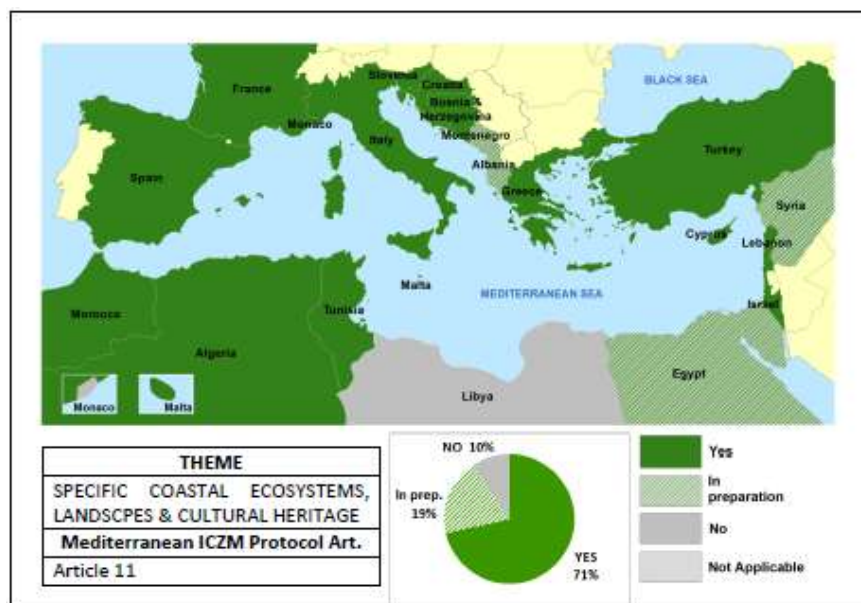
A great diversity of projects and programmes are to be found concerning marine and coastal protection. Generally, the focus is on smaller pilot areas.

Specific topics like Marine Specially Protected Areas have been monitored as efficient tools to implement and transfer ICZM practices, so that related issues, research programmes, programmes to enhance management effectiveness are more likely to be financed, especially by international funding organisations such as FFEM and GEF.

- MedPAN = since 1990, the MedPAN network has brought together the managers of Mediterranean Marine Protected Areas (MPAs) and to support them in their management activities. A legally independent structure since the end of 2008, MedPAN has recently staffed its permanent secretariat and established it in Hyères, France. The network aims at improving the effectiveness of management practices in MPAs; it has over 40 members, and is mutually cooperating for the creation of several new sites.

- Croatia, Tunisia and Algeria pointed out the MedPAN South Project, part of the Biodiversity Component of the MedPartnership GEF full-sized project “Strategic partnership for the Mediterranean Sea Large Marine Ecosystem” led by UNEP. Spain also mentioned the MedPAN North programme.

3. Coastal landscapes



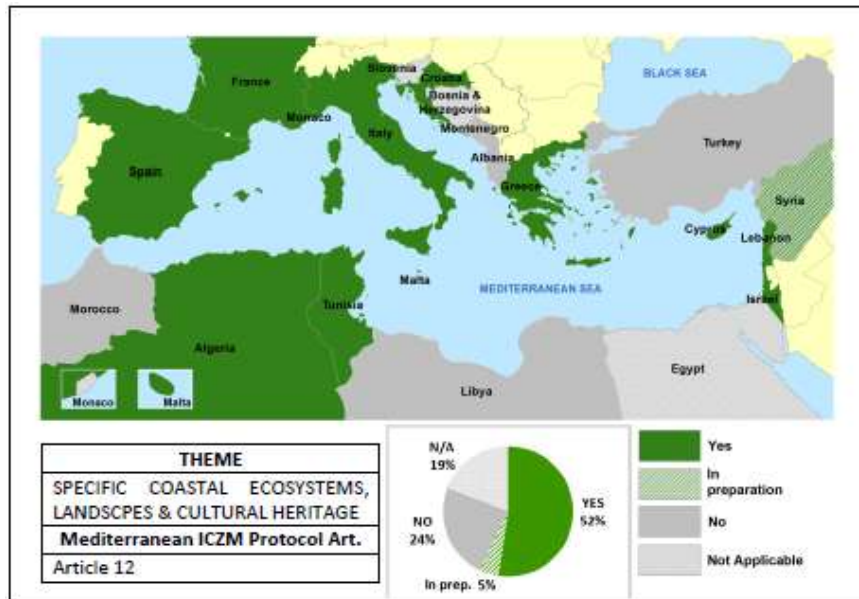
Most Mediterranean countries have adopted measures protecting their coastal landscapes (15 and 4 are in preparation). In practice, the landscape protection is intended primarily for the conservation of sites with biological, geological and historic/cultural value. Landscape protection is both natural and cultural, so landscape protection in the terms of this Protocol article is covered by a wide variety of national legislations. The ratification of the European Landscape Convention is an example of a national commitment to consider landscape conservation as a specific field. Mostly, measures related to landscape protection are intended for the entire national territories, and not specifically for the coastal zones.

In order to deal with the challenges of landscape conservation, an inventory of landscape typologies and values is crucial, and most of the countries are investing in research and studies into this.

As a result of different legislative frameworks, we find diversified typologies to define sites that are considered to have aesthetic, natural and cultural value.

- Greece - after the ratification of the Landscape Convention by Greece Regional Frameworks of Spatial Planning will introduce for the first time a systematic approach for the identification, analysis and evaluation of the landscapes, as well as proposals for coordinated actions for their protection and valorization. These proposals will be then adapted to the specificities of each area and acquire binding power through lower-tier planning instruments (Master Plans, General Urban Plans, Urban Control Zones etc).
- Montenegro - measures for the protection of landscape values is an obligatory chapter of every Spatial Plan, The Programme of Work for development of new Coastal Area Spatial Plan created an obligation for a study on landscape in Coastal Zone. The Study is in the preparation procedure, and will be taken into account in the Coastal Area Spatial Plan.
- Turkey - there are numerous coastal sites that are designated as “cultural site” and “natural site” according to the Law for Protection of Cultural and Natural Wealth. First degree sites (both cultural and natural) are strictly protected

4. Islands - are the specificities of islands taken into account in coastal strategies, plans and programmes?



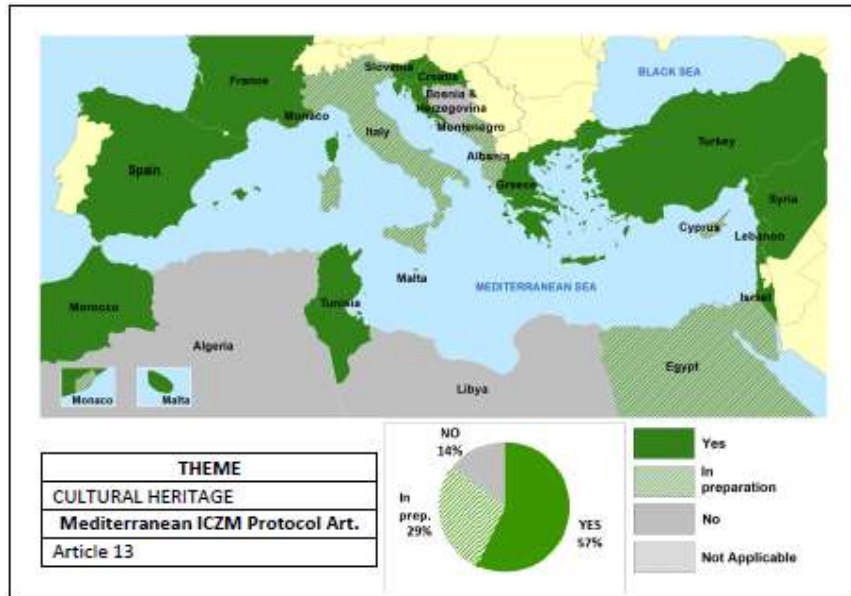
A majority of countries have legislation taking into account the islands specificities.

Generally, where just a few islands are to be found (Israel, Albania or Montenegro), islands have no specific status, but are often protected as special natural areas or natural reserves.

- Croatia - has an Island Act that governs island development. In addition, programmes of sustainable island development have been prepared for groups of islands defining their needs, objectives and activities that require attention and financing. Similarly, in Greece islands are a special focus in the guidelines of the "General Framework of Spatial Planning". Likewise, all sectoral "Frameworks of Spatial Planning" (Tourism, Renewable Energy units etc.) make special reference to the islands.
- Spain - the Balearic Islands are an example of regional planning where specific management tools have been developed reflecting the unique size of the archipelago. Guidelines have been established for best practice to be repeated on other islands.

Article 13 CULTURAL HERITAGE

Have appropriate measures to preserve and protect the coastal cultural heritage including the underwater heritage been taken?



A total of 12 countries have measures for the protection of coastal cultural heritage, and 4 are in process. In general, the measures to preserve and protect cultural heritage sites are defined for the whole territory, not specifically for coastal heritage.

Some countries have a long history of protecting their cultural heritage with solid and precise inventories. They have set up binding measures, and are moving forward with integrating underwater heritage into protection plans. Innovative actions are undertaken in the field of underwater mapping, or underwater archaeological parks, etc.

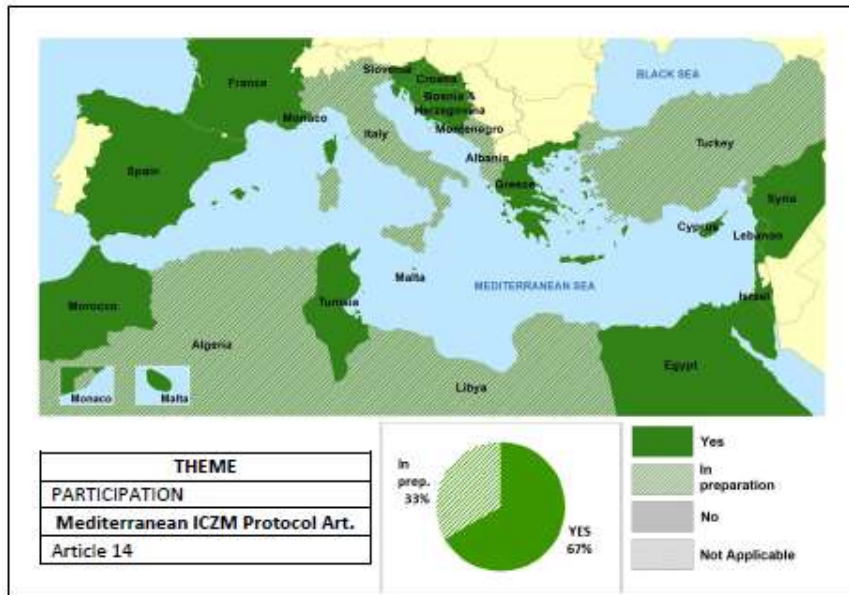
Concerning underwater sites, most countries are still thinking in terms of protection in order to study those sites, but not yet about accessibility.

- Israel - coastal antiquities are protected by the Antiquities Authority under the Antiquities Law which protects cultural heritage to 1700. More recent cultural heritage is protected within National Parks as historical heritage. The Antiquities Authority protects underwater archaeological heritage.
- Spain - Shores Act of 1988 sets that one of the aims of the Act is the protection of historical heritage. The National Protection Plan of Underwater Archaeological Heritage of 2007 sets the elaboration of underwater archaeological maps by the coastal regional governments. The ministries of Culture and Defence collaborate in the preparation of underwater archaeological maps, detection of water wrecks and debris, surveillance against underwater heritage theft and provision of historical archives of the Navy for research.
- Greece - all major decisions concerning cultural heritage – coastal or otherwise – go through the Central Archaeological Council. As regards underwater heritage in particular, very detailed provisions exist in law, while the Underwater Antiquities of the Ministry of Culture is the responsible administrative department.

Article 14 PARTICIPATION

Are the following measures used to ensure the involvement of stakeholders in: the formulation and implementation of coastal and marine strategies, plans and programmes or projects, the issuing of authorizations.

a. Consultative bodies

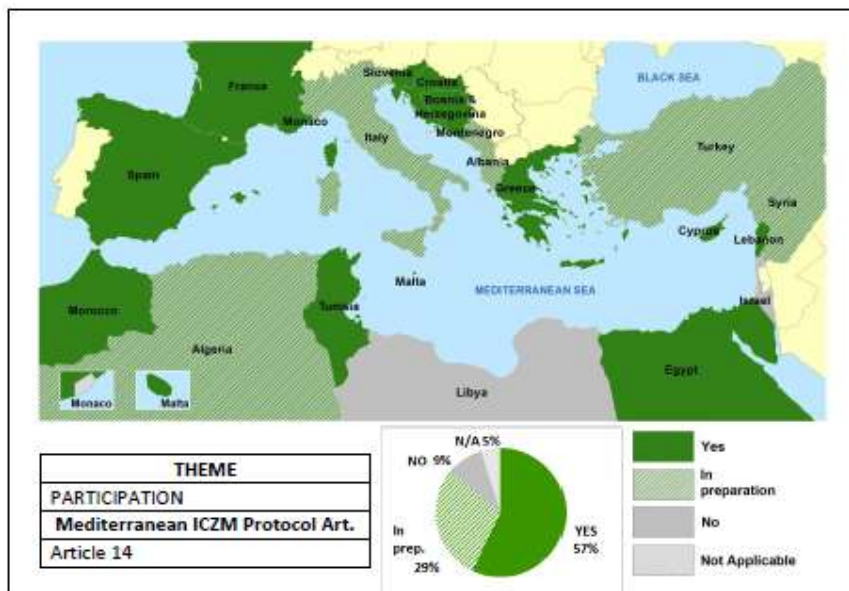


In 14 countries measures have been taken to involve relevant stakeholders in the processes of formulation and/or implementation of coastal and marine strategies, plans and programmes. Consultative bodies are generally established at national level.

Consultative bodies are made up of experts, representatives of authorities and the public. Such bodies have more of a mediation role, rather than the authorisation of plans and programmes.

More often, consultative bodies participate in planning for coastal and marine management when it comes to specific issues, projects or for a specific area.

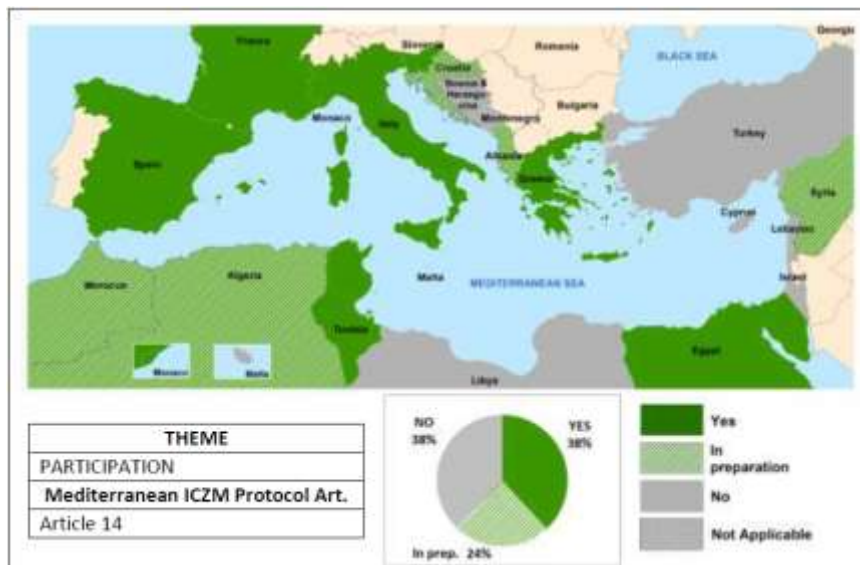
b. Inquiries or public hearings



A total of 12 countries have measures for inquiries and/or public hearings in the formulation and implementation of coastal and marine strategies. Six countries have partially set up those practices. Physical planning is now generally submitted to impact studies, where public inquiries are an obligatory step, to which all government bodies are obliged to respond to.

Where public inquiries are mandatory for any spatial planning project, the public has a right to make representations. Inquiries or public hearings range from the mandatory for certain prescribed types or scale of development, to more *ad hoc*, discretionary arrangements.

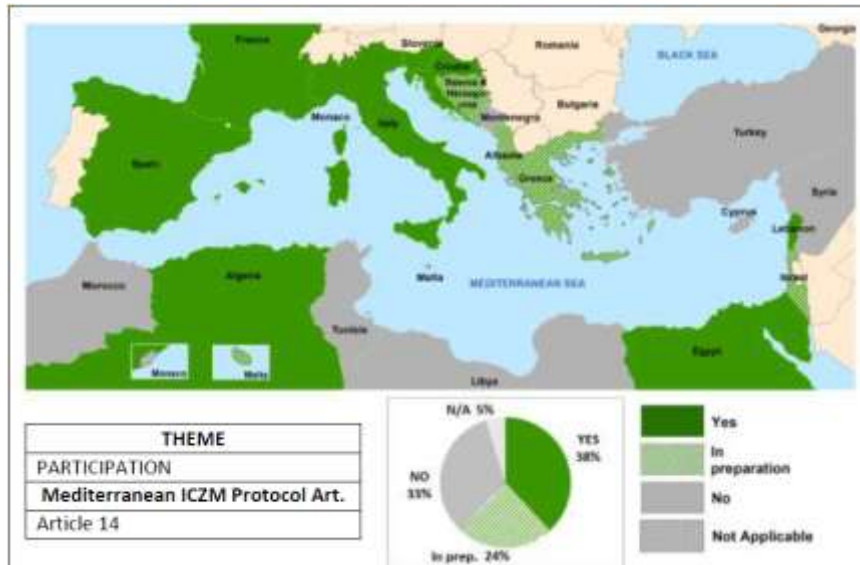
c. Partnerships



A total of 8 countries have measures for partnerships to ensure the involvement of stakeholders. 8 have no measures at all, 5 are in preparation. Measures include rights by decree, but more often through voluntary cooperation in projects, sectoral partnerships, or Agenda 21. In practise, what is intended by partnership consists of a co-operation initiated by national, regional or local authorities, with universities, research institutes, associations, experts and NGOs. Associations representing the public are mostly sectoral; representing for example; tourism, fisheries or cultural heritage.

Partnerships are often initiated through international co-operation projects. Otherwise, public-private initiatives tend to focus on awareness raising and the dissemination of results, and do not play a role in the definition of coastal zone management plans or programmes. NGOs across the Mediterranean are very active, particularly in terms of project implementation and not usually involved in the decision-making process or the strategic orientations.

d. Mediation or conciliation procedures with respect to plans, programmes or projects concerning the coastal zone

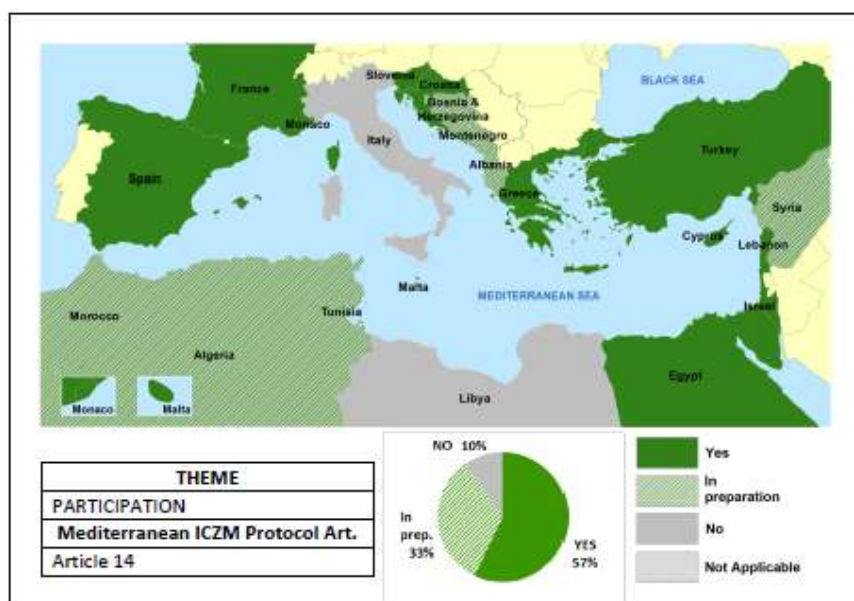


Eight countries have conciliation or mediation procedures concerning the coastal zone. Seven countries state no measures, and 5 are working on the topic. Countries at the 'in preparation' stage are principally working on enacting legislation for EIA. In various countries, the mediation process is rather informal.

Even where there is no national legislation or specific measures for coastal and marine zones, some countries proposed examples of local coastal development projects which were built and implemented through a participatory process. These local initiatives would involve local communities, NGOs and local sectoral authorities.

- France - an independent agency, "*le Mediateur de la République*" was created to improve relations between the public and the government and is present at different administrative levels.

e. A legal or administrative right to challenge plans, programmes or projects concerning the coastal zone



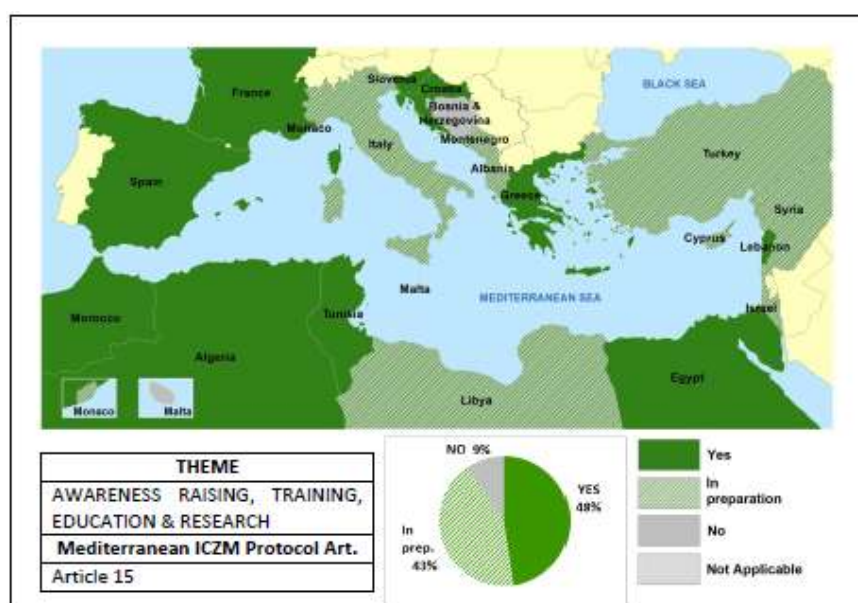
A majority of 12 countries have such measures in their legal framework, 7 are implementing them.

In practice, as part of the validation process of planning instruments and land management, the public parties have the right to oppose and challenge.

The statutory bodies that the public have to refer to in order to oppose a plan differ between countries. Even though they are different (committees, administrative or/and civil courts). The common approach is to ensure the involvement of stakeholders through the implementation of EIA and SEA guidelines.

Article 15 AWARENESS-RAISING ACTIVITIES, EDUCATIONAL PROGRAMMES, TRAINING AND PUBLIC EDUCATION

a. National level



Nearly half the countries report some awareness raising, education, training and public programmes at national level. However, the response is characterised by a huge variety of approaches, from national or international conferences (Morocco) to awareness raising as part of the National ICZM Strategy (Montenegro).

- Most include programmes aimed at the general public, often in the form of short duration campaigns or one-off events such as beach days in Algeria, Morocco and Tunisia. Turkey and Montenegro refer to the Mediterranean Coast Day as an example of this activity.
- Other target groups include children through inclusion in the curriculum in Greece and Egypt for example.
- University courses ranging from short-term diplomas up to degree level as in France are available.
- Spain specifically targets civil servants in public administrations through the "Help Model for Coastal Management". Researchers are viewed as another target group with the formation of national networks.
- Israel - awareness raising may also be targeted to single issue such as "Clean Beaches".

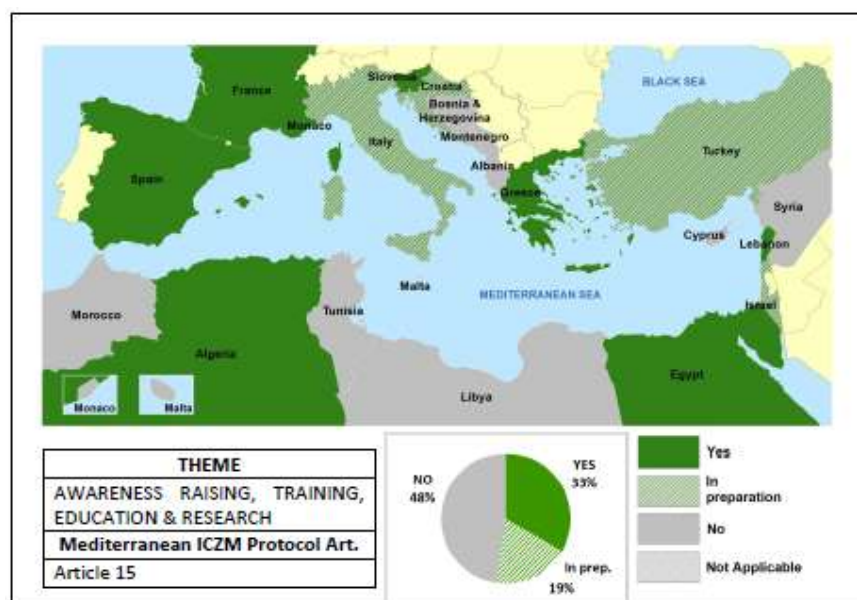
b. Regional and local level

The scale the regional and local, and even national activities overlap according to geographic specificities. It is noticeable however that local awareness raising activities are primarily project based, and therefore relatively short-term in duration.

This category is too broad to draw simple conclusions. However, the responses indicate a surprising wealth of experience that could be shared across the region. In particular, there may be benefits from a continued shared training or promotional materials and potential for shared activity. The key question would be how to develop a communication platform between the diverse promoters of the activity.

- Mention is made of local campaigns at municipality or regional level including workshops (Albania) and training (Croatia, Egypt).
- There are a number of region-based ICZM-related courses (Algeria, Spain and France), ranging from Masters degree level to short courses for public administration.
- CAMP projects at the local level include awareness-raising activities, educational programmes, training and public education on ICZM.

c. Research centres for ICZM



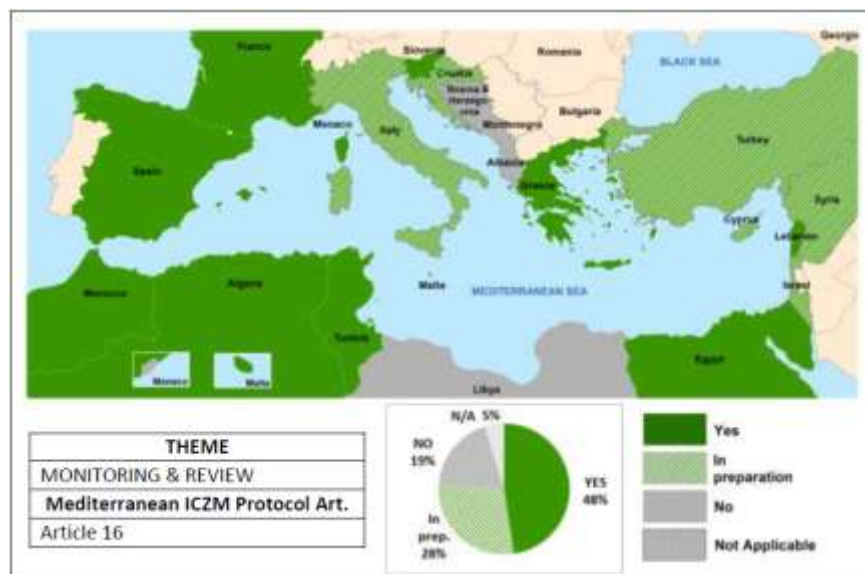
Centres related specifically to ICZM or coastal management are relatively few (7). The topic is however dealt with as a module in a range of already established national or regional centres for oceanography, marine sciences, fisheries, etc.

- More typical are efforts to co-ordinate national coastal research such as the French “National Programme of Coastal Research”, Algeria’s “*Le Commissariat du Littoral National (CNL)*”, or the “National Committee for the Coastal Zone” in Turkey. Two Mediterranean regional centres are mentioned, EUCC Mediterranean based in Spain, and MEDCOAST based in Turkey.
- Turkey - the MEDCOAST Secretariat that has been operating from the Middle East Technical University in Ankara since the early 1990s has contributed significantly to the advancement of ICZM across the Mediterranean. It targets students, managers, planners, decision makers, community activists, and resource users.

Article 16 MONITORING AND OBSERVATION MECHANISMS AND NETWORKS

NATIONAL COASTAL INVENTORY

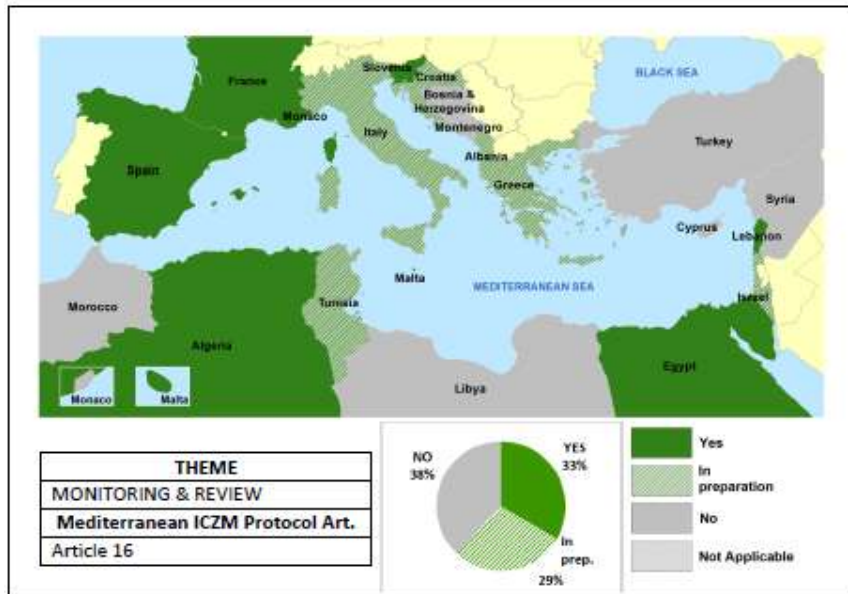
a. Resources and activities



Ten countries have completed, or are undertaking national inventories of resources and activities. In some cases, the inventories are habitat specific, notably for wetlands such as in Albania. A number of countries (6) report the preparation of coastal stock-takes but refer to the problem of maintaining and updating them. Several stock-takes were 'one-off' events linked to projects or requests from the EU.

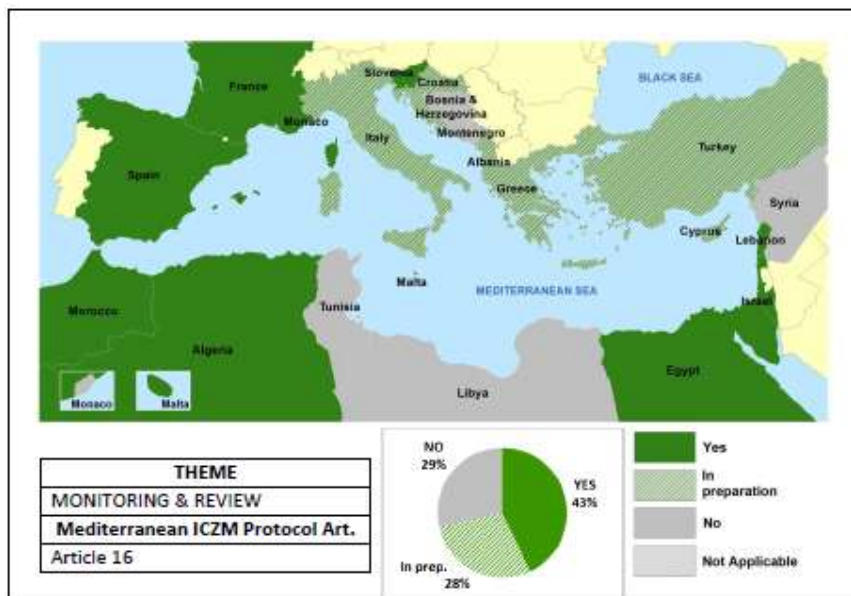
- Algeria – the Cadastre national du Littoral in 2005 made a detailed inventory of human activities in coastal areas and sensitive habitats
- France - the heritage of the coastal marine area - the *le Référentiel Géographique du Littoral* to map human activities and the "portal of portals" for all information systems on water, nature and landscapes, and a future Observatory of the sea and coast.
- Israel – the Nature and National Parks Authority has prepared a GIS inventory of coastal and offshore marine ecosystems that will be accessible to the public on the web in the near future.

b. Institutions



Only one-third of the countries have carried out an inventory of institutions. Many are now out-dated, in some cases by a decade or more.

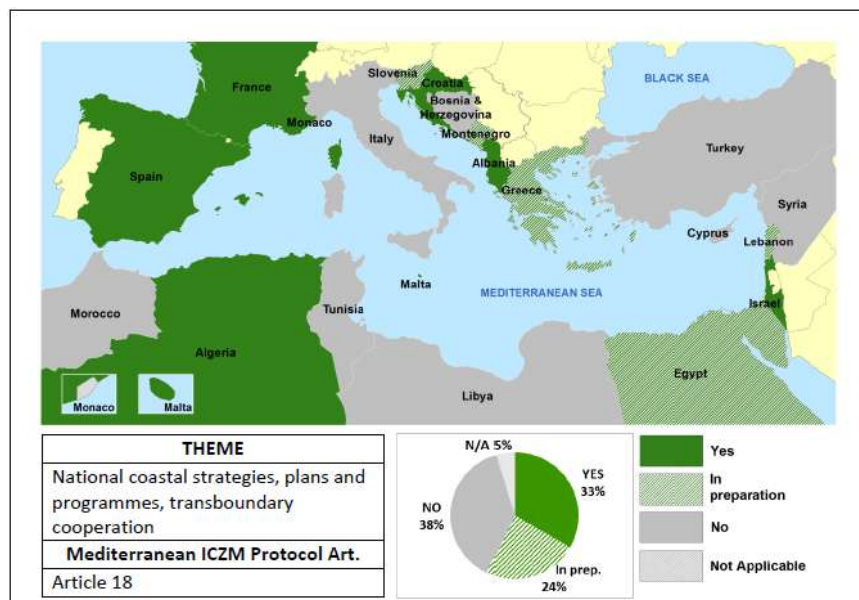
c. Legislation & planning



Similar comments apply to inventories of legislation and planning. Although the majority of countries report activity to prepare inventories, there appears to be little consistency. Inventories are often prepared to meet a specific requirement or project that creates issue of maintenance and updating. The Protocol is not clear on what is meant by such inventories, so there may be scope for some further discussion and guidance in the future.

Article 18 NATIONAL COASTAL STRATEGIES, PLANS AND PROGRAMMES

National Strategies for Integrated Coastal Zone Management

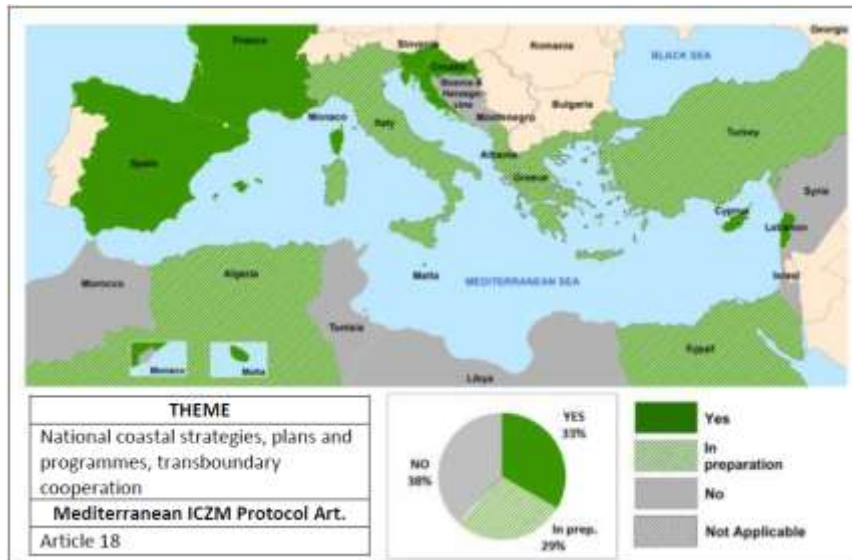


Seven of the Mediterranean countries have an approved national strategy for the coast. A number of these are now significantly out of date according to the countries themselves. Five are in preparation or are proposed. The Protocol has had little time to influence the shape of national strategies although Algeria and Montenegro are preparing their strategies based on the Protocol principles.

Guidelines for the preparation of national coastal strategies in conformity with the Protocol are already available from PAP/RAC, "Guidelines for the preparation of the National ICZM Strategies" (NICZMS). It is clear from the responses that a major opportunity exists to create a 'family' of national strategies as a bridge between the Protocol and local activity.

- Algeria - an operational ICZM strategy has been developed by the Algerian Ministry of Physical Planning and Environment (MATE) in 2005 and financed by the World Bank. The implementation of this strategy is underway. However, the need was felt to prepare a new National ICZM Strategy according to the Protocol principles; this strategy is being prepared based on the PAP/RAC Guidelines.
- Montenegro - began drafting the National ICZM Strategy in 2006. The Strategy was finalized in 2008 and submitted to the Government, but is not yet adopted. The Montenegrin National ICZM Strategy will be revised to conform to the ICZM Protocol.
- France – "Blue Book: a national strategy for the seas and oceans" which sets out the national strategic directions for the sea and coastline was adopted in 2009.
- Spain – the Ministry of the Environment and Rural and Marine Affairs (*Ministerio de Medio Ambiente Medio Rural y Marino*) co-ordinated in 2007 the development of the *Estrategia para la Sostenibilidad de la Costa*.
- Croatia - the Sustainable Development Strategy for Croatia proposes a national ICZM Strategy. The Croatian response points out that the EU Marine Strategy Framework Directive and ICZM Protocol, places an obligation to develop two strategies; a Marine Strategy and an ICZM Strategy. Since both strategies are connected and based on the same principles it was decided to combine these two strategies in one strategic document – the "Strategy for the Management of Marine Environment and the Coastal Zone".

Up-to-date assessments of the use and management of coastal zones

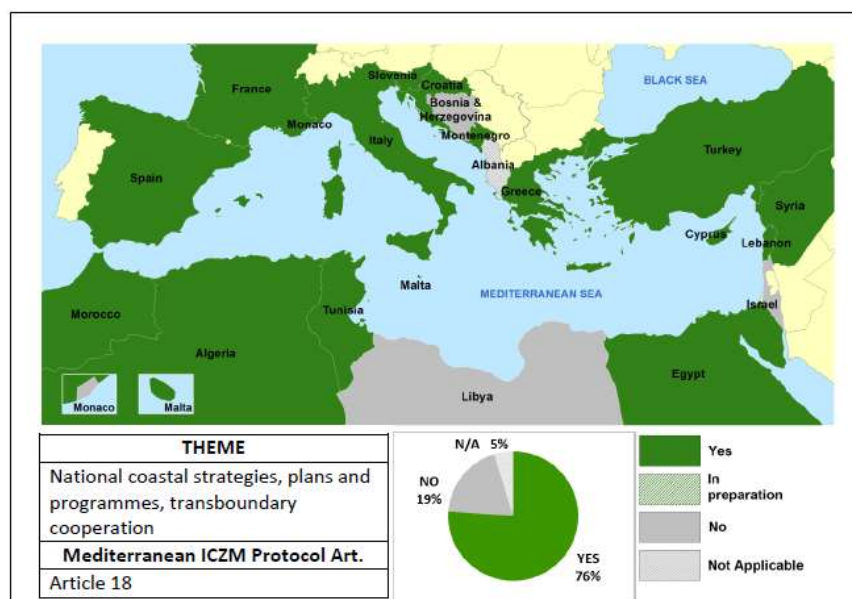


Only a minority of countries report a comprehensive and up-to-date assessment of the use and management of the coast.

- Methodologies vary from specific national reports following the EU Recommendation on ICZM such as Italy, regular coastal assessments such as annual “State of the Environment” report in Malta, and multiple sectoral assessments in France. Israel reports the powerful role of NGOs in assessing development and the use of and access to the coast. Cyprus uses the development plan process through which the land use of the coastal zones is reviewed every 5 – 7 years.

There is no common methodology for interpreting the nature or the undertaking of such assessments. This may provide an area for further development.

ICZM Projects which have or will help the development of the national strategy

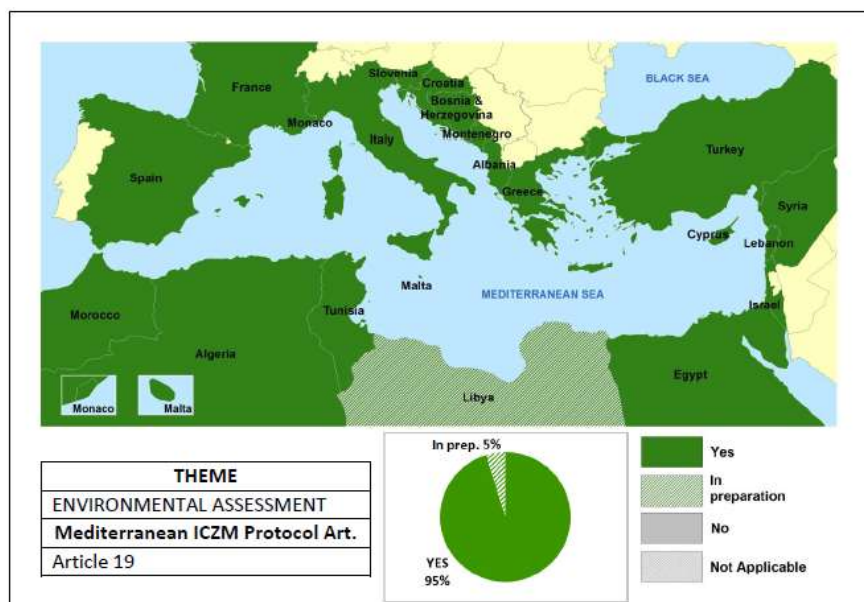


The overwhelming majority (16) provided a positive response to this question. Most countries report the importance of local pilot projects in developing a national strategy. The majority of these projects are international donor funded including the EU, World Bank, GEF etc. The CAMP projects predominate along with a lesser number supported by the EU SMAP III project.

- In general, the local projects provide lessons for up-scaling to national level. In a number of cases the CAMP boundaries coincide with national boundaries such as in Slovenia and Montenegro.
- Syria - a national Policy Brief has been drafted.
- Egypt - a PAP/RAC supported project has been used to provide the basis for a national strategy.
- Italy – CAMP Italy, a single multi-area project is in preparation by PAP/RAC, extends to sub-areas situated in the territory of five coastal regions. The focus of the project is on the implementation of integrated coastal area management through the application of both the ICZM Protocol and the EU ICZM Recommendation (2002). In particular the projects aim to reduce criticalities (coastal erosion, loss of biodiversity, pollution, etc.), promote the sustainable management of natural resources, the conservation of natural habitats and biodiversity effects, and identify evolving scenarios which intervention policies will have to address.
- Turkey – a number of ICZM planning projects have been carried out by the Directorate General of Spatial Planning. These strategies will constitute the basis of the coastal development strategies that in turn contribute to the national strategy.

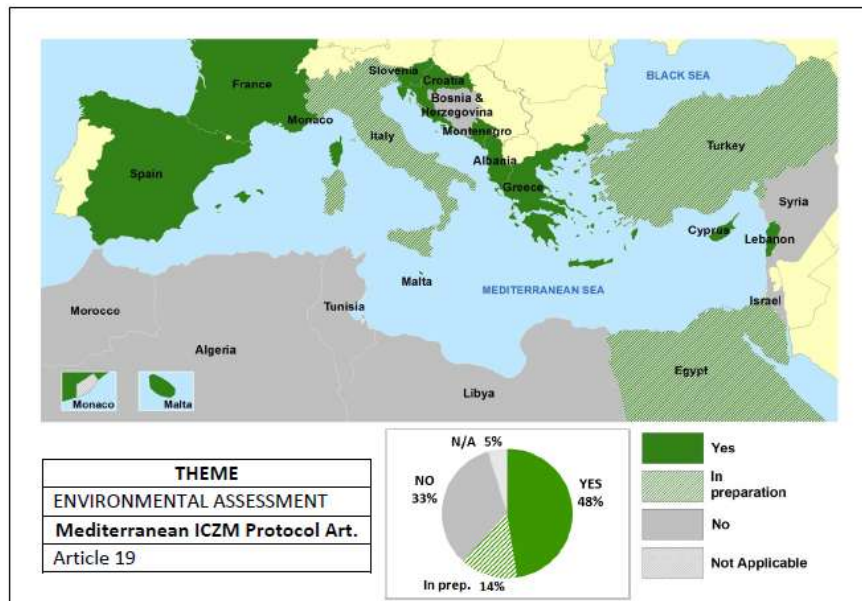
Article 19 ENVIRONMENTAL ASSESSMENT

EIAs required for public and private projects likely to have significant environmental effects on the coastal zones



Simply, the answer to this is a 'YES' in all but one case (Libya – In Preparation). In most cases the legislation for this has been in place for many years. The effectiveness of the process was not questioned.

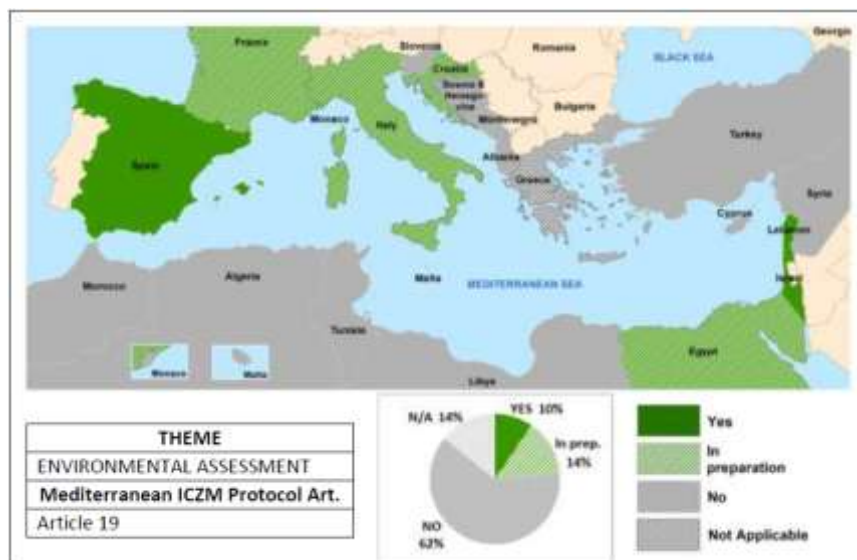
SEA (Strategic Environmental Assessment) of plans and programmes affecting the coastal zone required



SEA is already a statutory requirement in EU Member States and in the environmental *acquis* of candidate countries. There is a noticeable north-south divide in the response to this question.

- A number of the non-EU states have implemented preliminary SEA legislation or other commitments such as the inclusion of SEA in the National Charter for Environment and Sustainable Development of Morocco.
- In Turkey - the use of SEA is already included in the Environmental Law, but has not yet been enacted.

Specific guidelines for SEA for coastal zones



Only two countries, Lebanon and Spain, report the existence of specific coastal guidelines for SEA. Given the growing importance of SEA, the need for regional guidelines and training should be assessed.

Article 20 LAND POLICY

Mechanisms for the acquisition, cession, donation or transfer of land to the public domain and institute easements on properties in the coastal zone.

Area or percentage of land acquired and responsibility for management

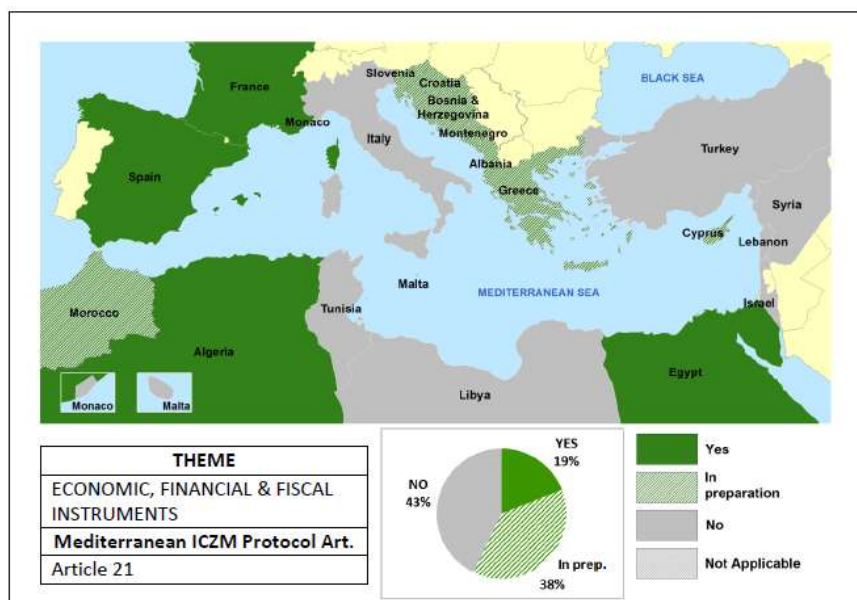
The responses to the questions on mechanisms for the transfer and management of coastal land in the public domain are characterised by their diversity.

Only four countries were able to report on the amount of land in public ownership. Several rely on the provisions of general legislation for public acquisition whilst others have developed coast-specific mechanisms. The various models currently available in the Mediterranean may be worth further consideration for their transferability to administrations currently lacking suitable powers or effective legislation. It is worth considering the range of coast-specific approaches illustrated by the following examples:

- Montenegro – a new law on public maritime domain currently under consideration includes several articles regarding the mechanisms for the acquisition, cession, donation or transfer of land to public domain.
- Greece - a Green Fund is envisaged according to a law of 2010 with an integrated funding system for all types of environmental actions. Various categories of financial resources will feed into the Green Fund, including “green” taxes, fines from the legalization of unauthorized buildings, fines for environmental damage or violations etc.
- Italy – the Coastal Conservatory of Sardinia, a new agency of the Sardinia Region, can acquire coastal territories when human impacts are threatening the integrity of the area, and when the uses of the area are generating conflicts.
- Morocco - has several land acquisition mechanisms such as the expropriation for public utility, the decommissioning of the public domain, and the acquisition mechanism for the construction by the State. However, the use of these mechanisms of acquisition is constrained by fiscal issues, and lengthy administrative and judicial proceedings.
- Tunisia – the law establishing APAL (Coastline Protection and Development Agency) empowers APAL to control building on the coast by acquisition or expropriation by the state. A diagnosis of sensitive coastal areas threatened by urbanization identified 18 areas to be acquired by APAL.
- France – best known for the “*Le Conservatoire de l'espace littoral et des rivages lacustres*” established in 1975. The Conservatoire is able to benefit from transfer of public properties, donations or free transfers or payment. Additionally, the “*La Taxe Départementale des Espaces Naturels Sensibles*” is collected by the state on construction projects and re-distributed to the local départements for land policies for protection and/or the enhancement of sensitive areas.
- Israel – the Lands Administration manages 93% of land outside the urban areas in the coastal zone. The beach zone is identified under the Lands Law as public property.
- Spain – the Shore Act (1988) gives national administration competence for acquisition and easements. The national programme of the Ministry of Environment on the acquisition of land at the Spanish coast to enlarge the Maritime and Terrestrial Public Domain has obtained 11,227,308 m² of coastal land during the period 2005-2007 on both the Atlantic and Mediterranean coasts.
- Turkey – the land within the 50 metres of the shoreline has to be planned as a recreational area including parks, green areas, roads and open space in development plans. If there is a private property in this area, it has to be expropriated and/or allocated for public use.

Article 21 ECONOMIC, FINANCIAL AND FISCAL INSTRUMENTS

Economic, financial and/or fiscal instruments to support ICZM

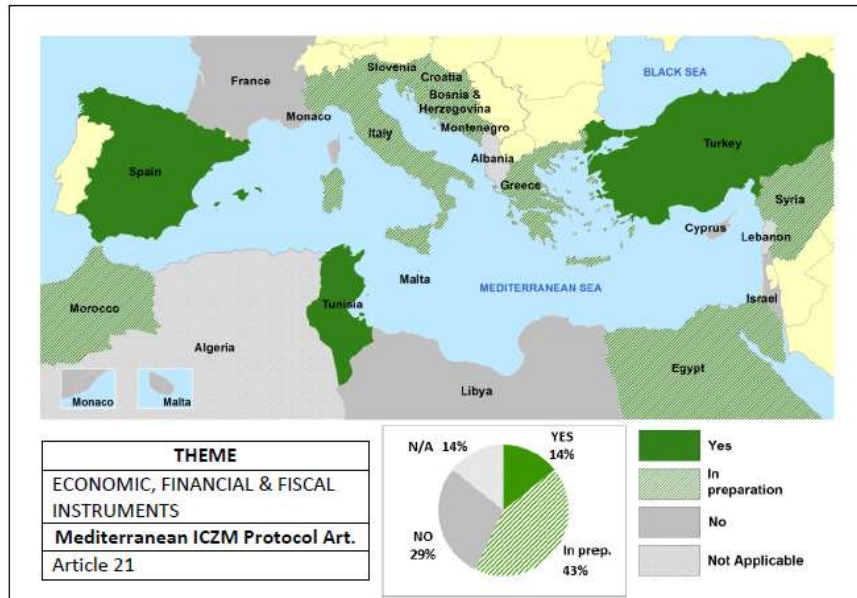


Only a minority of states (3) indicate a positive use of economic or financial instruments to support ICZM. Such measures are under consideration in a further 7 countries.

Once again, the approaches are diverse ranging from mechanisms specifically designed to achieve environmental benefits, such as the Balearic Islands' "ecotax" – a *tax de sejour* on tourists, to the adaptation of local taxes on activities, such as fisheries, designed to raise revenue for environmental purposes.

- Slovenia - demonstrated the use of the CAMP project to develop a link between ICZM and the European regional development funds.
- Greece has legal provision for a 'Green Fund' described above.
- Montenegro – a Public Enterprise for Coastal Zone Management rents parts of the coastal zone for seasonal activities and temporary structures, and reinvests the income into the coastal zone in accordance with the Annual Investment Plan adopted by the Government.
- Algeria - includes a fund to finance the implementation of measures for coastal protection and coastal areas. Economic Incentives and taxes favour the application of clean technologies and other means consistent with the internalization of environmental costs, for integrated management and sustainable development in coastal areas. Legislation and environmental taxation may fund actions to protect and preserve the coastline.

Economic, financial and/or fiscal instruments which are potentially counter to the objectives of ICZM

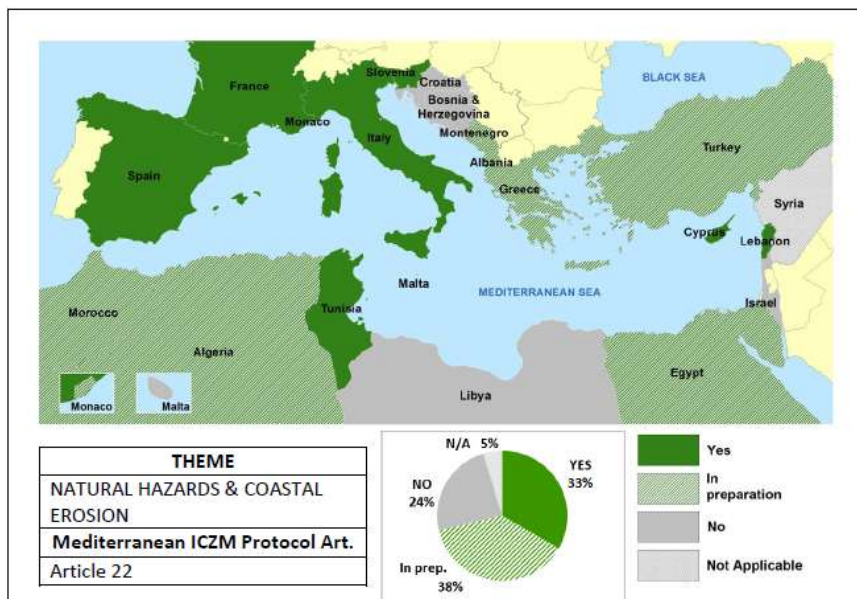


There is a low level of narrative response to this question, and only 3 countries report instruments with potentially negative effects on ICZM.

- Algeria - reports the potentially negative impact of financial support for fishing boat acquisition.
- Morocco - highlights grants for tourism development and permits for sand extraction from coastal dunes.
- Spain - refers to the historic tax deductions for home purchase that encouraged a boom in construction along the coast.

Article 22 NATURAL HAZARDS

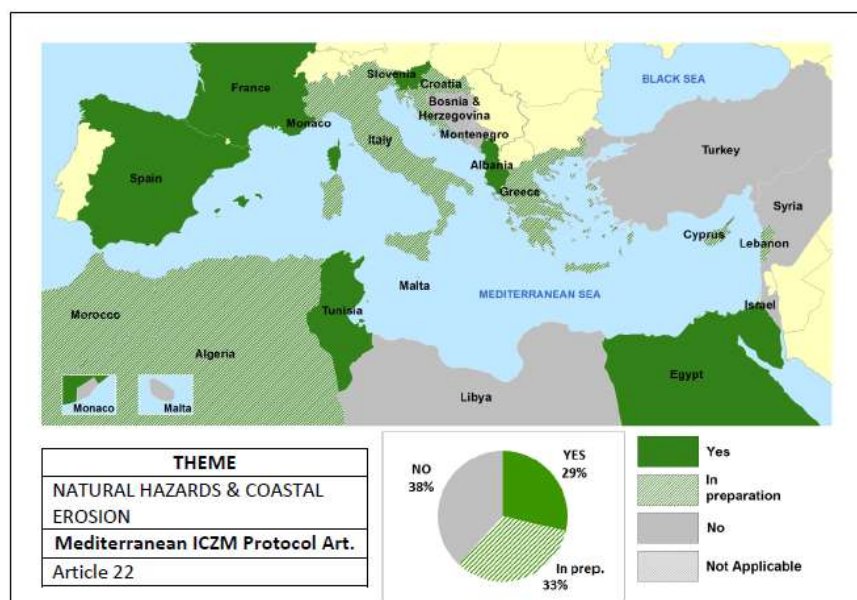
Vulnerability and hazard assessments of coastal zones



There are relatively few assessments specific to the coastal zone (7). Given the growing uncertainty regarding climate change and the increasing anthropogenic pressures, this could be a priority area for discussion and supportive guidance and pilot activity. In many cases risk assessments are sectoral or single issue such as erosion or seismic risks. Risks range from the natural to the anthropogenic such as accidental pollution included in Slovenia's "National Contingency Plan for spills of oil and other harmful and noxious substances". Others are limited to specific areas of the coast considered to be vulnerable from a particular risk.

- France – through the National Programme for Coastal Environment maritime pollution, erosion and their impacts are analysed for coastal municipalities.
- Italy - the Atlas of Beaches is a National project with the goal of providing a national study on the subject of risk in coastal areas.
- Lebanon and Syria - the CoLD project (Improving Coastal Land. Degradation Monitoring) in Lebanon and Syria was funded by the EU LIFE programme.
- Comprehensive climate change assessments for the coast are rare, exceptions being Spain and Montenegro. Other assessments of flooding, erosion and instability have not fully incorporated the implications of climate change. A vulnerability study of Bosnia-Herzegovina was prepared in 2008, and mostly covers the spatial vulnerability of the coastal area.
- Montenegro – seismic vulnerability is assessed and included in all spatial plans. Climate change vulnerability has been assessed into national strategies to implement the ICZM Protocol in the Mediterranean.
- Croatia - the adopted Contingency Plan for Accidental Marine Pollution includes risk assessment and sensitivity mapping of the marine area.

Prevention, mitigation and adaptation measures to address the effects of natural disasters, in particular of climate change and national contingency plan for natural disasters

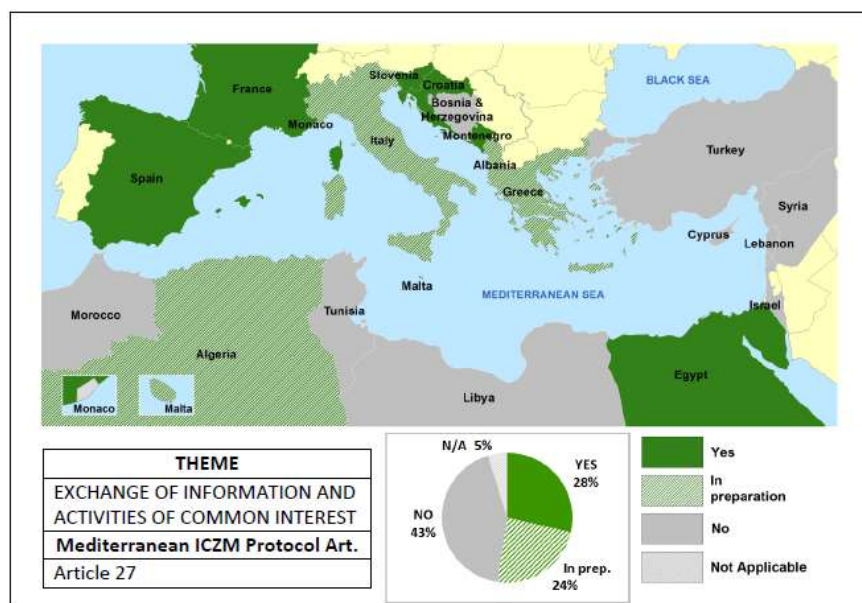


Only a minority of countries (6) have carried out comprehensive analyses of the potential impacts of climate change. The type and range of national contingency plan for natural disasters, and the responsibility for implementing them varies widely from country to country. As with hazard assessments, they reflect locally perceived risk priorities - whether natural or anthropogenic.

- Specific actions and measures are relatively few including for example the restoration or the reforestation of coastal dunes in Italy and Morocco.
- Slovenia - has included a requirement in the early stage of spatial planning process for mitigation and adaption measures to address the effect of natural disasters, in particular climate change.
- Israel – the delineation of the 100metre setback was based partly on a consideration of the realignment of the coastline likely to result from climate change and a consequent rise in sea level. Measures under consideration to cope with the risks of coastal cliff instability include an assessment that such instability will increase with climate change and rising sea levels.
- France – *l’Observatoire National sur les Effets du Réchauffement Climatique*, proposed a National Strategy for Adaptation to Climate Change in 2007.
- Cyprus - has developed the national strategy for adaptation to climate change, co-financed from the LIFE+ Programme.
- Spain – the Ministry of Environment (2006) published the National Plan of Climate Change Adaptation, plus regional level plans.

Article 27 EXCHANGE OF INFORMATION AND ACTIVITIES OF COMMON INTEREST

Coastal management indicators

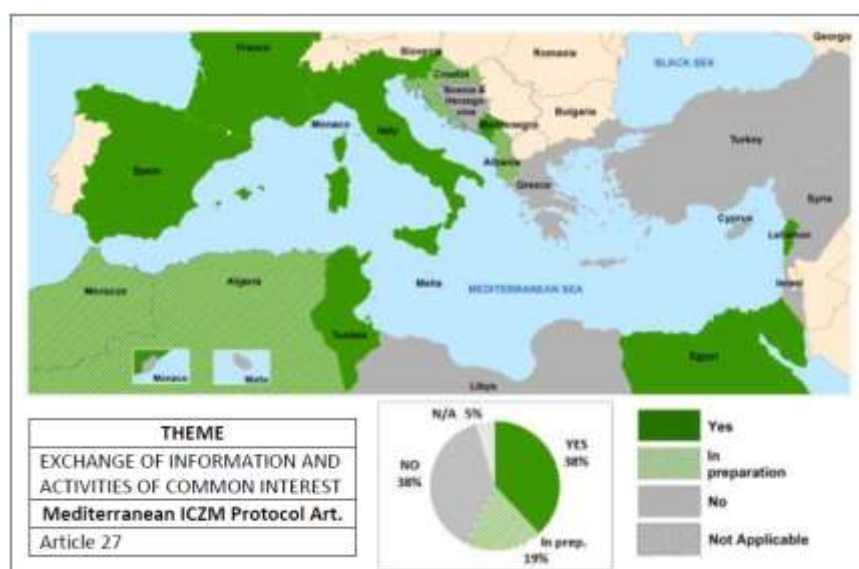


Only 6 countries have a set of indicators for the coast, and there was some confusion in the responses between the 'state' and 'process' indicators. There is clearly scope for further guidance on the issue of indicators both in terms of the indicators required and the means of implementation.

- Algeria - a database is being produced, and a GIS system is being implemented on the entire coastal zone, based on the indicators defined within the CAMP Algeria.
- Tunisia - the Coastal Observatory (part of APAL) defined a set of state, pressure, response indicators, which are being implemented.

- France - the *Observatoire du littoral* is in charge of monitoring indicators of coastal management.
- Spain - following the 2006 EU Recommendation on ICZM a state-of-the-art assessment report was prepared by applying the EU's ICZM progress indicators. The indicators was applied and tested for the sustainability of the coast in Catalonia within the INTERREG IIIC DEDUCE at regional and local level (2004-2007). ICZM indicators were applied to the Balearic Islands as part of the Coastal Observation System of Balearic Islands. A system of indicators for Integrated Coastal Zone Management in the Balearic Islands was created in 2008.
- Slovenia -The Regional Development Programme of South Primorska for the period 2007–2013 included indicators related to coastal management.

Up-to-date assessments of the use and management



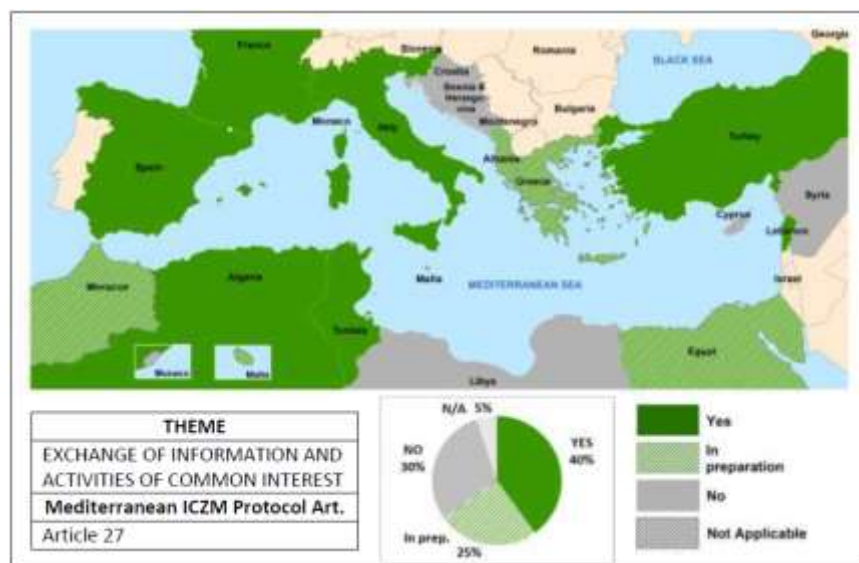
The assessments obtained constitute a very partial picture with some countries undertaking coastal assessments as part of the regular review of the environment. Other assessments are based on short-term, one-off projects. Less than half of countries (8) have carried out any assessment.

As to the potential for co-ordination and the sharing of standards, significant encouragement and donor support may be necessary to achieve a comprehensive assessment.

- Montenegro – A proposed new law on public maritime domain that proposes a creation of a database on the use and management of the public maritime domain.
- Algeria - Several operations have been conducted or are underway to strengthen ICZM in Algeria including:
 - i. Preparation of the coastal cadastre.
 - ii. Preparation of the Algerian coastal management programme.
 - iii. Development of coastal management plans at 14 coastal *wilayas*.
 - iv. Implementation of the AMIS SMAP III project on the development of an integrated development plan for the coastal area of Algiers.
 - v. Supporting the development of the National Coastal Cadastre, including, through a training component, on advocacy and communication, but mostly a demonstrative component with the establishment of local steering committees for pilot operations.
 - vi. Training in ICZM.
 - vii. The National ICZM Strategy for Algeria in preparation.

- Lebanon – a State of the Environment Report 2010 was under preparation.
- France - the *Observatoire du littoral* monitors indicators and data on the use and management of coastal areas.
- Spain – The Ministry of the Environment and Rural and Marine Affairs prepared an Environmental Profile of Spain 2009. Chapter 2.5 of this indicator-based report deals with coasts and marine environment.

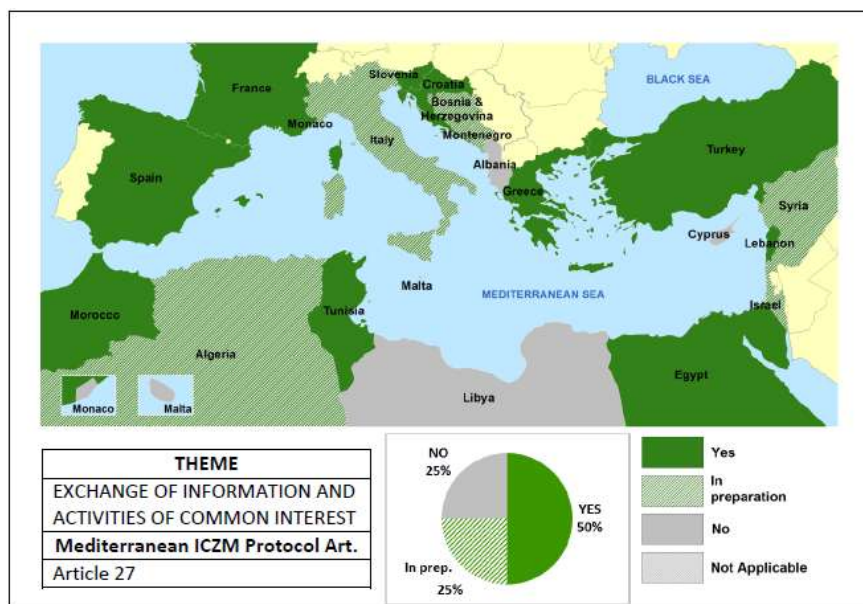
Activities of common interest, such as demonstration projects of integrated coastal zone management



Most countries report demonstration projects either completed or in progress (13), CAMP (Coastal Area Management Programme) projects predominating. EU-supported and bilateral projects are also important. The projects have had a significant impact across the stock-take, underlying their wider importance as ‘test beds’ for the development of ICZM.

- The wider significance of CAMPs is their multi-level nature, being primarily oriented at local level, but contributing to wider experience and policy formulation at higher national and Mediterranean level, and to the wider UNEP Regional Seas Programme.
- Croatia - a UNDP funded project, “COAST” (Conservation and Sustainable Use of Biodiversity in the Dalmatian Coast through Greening Coastal Development) was reported by Croatia.

Centres of specific ICZM scientific capacity

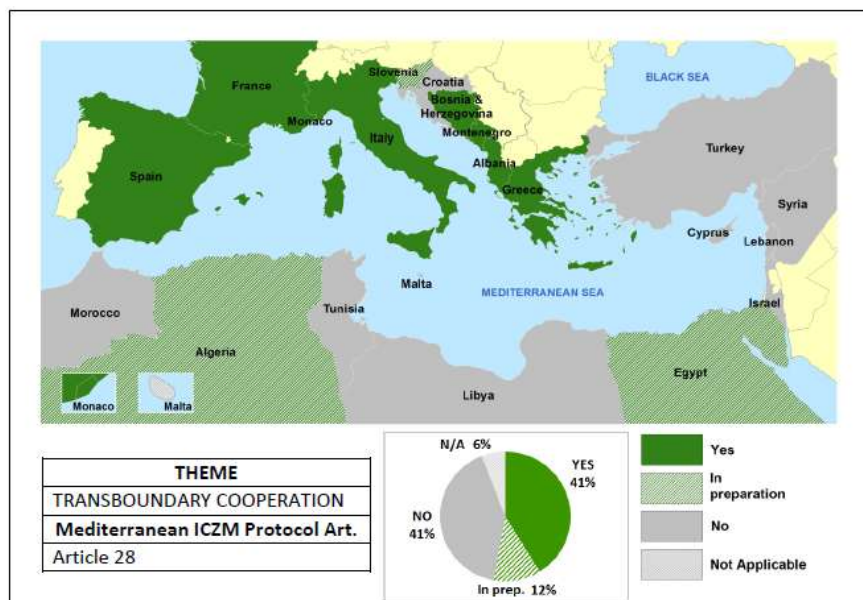


A wide variety of host institutions are listed including; oceanographic, fisheries, water, marine studies, geography, etc. These are predominantly academic or national institutions. However, a number are “coast specific” as shown in examples below, including coastal “observatories”.

- France is developing a “network of networks”, the *Réseau Français de Recherche Côtière* (RFRC).
- MEDCOAST - based in Turkey acts as a Focal Point for the Mediterranean coastal research through regular conferences.
- Algeria – *l'Ecole Nationale des Sciences de la Mer et de l'Aménagement du Littoral* (ENSSMAL/MESRS), *Commissariat National du Littoral* (CNL/MATE).
- Lebanon – the Marine Resources and Coastal Zone Management Programme; Institute of the Environment; University of Balamand.
- Tunisia - *l'Observatoire du littoral* comprises a monitoring system and an information system of the coasts.

Article 28 TRANSBOUNDARY COOPERATION

Bilateral or multilateral national coastal strategies, plans and programmes co-ordinated in contiguous coastal zones

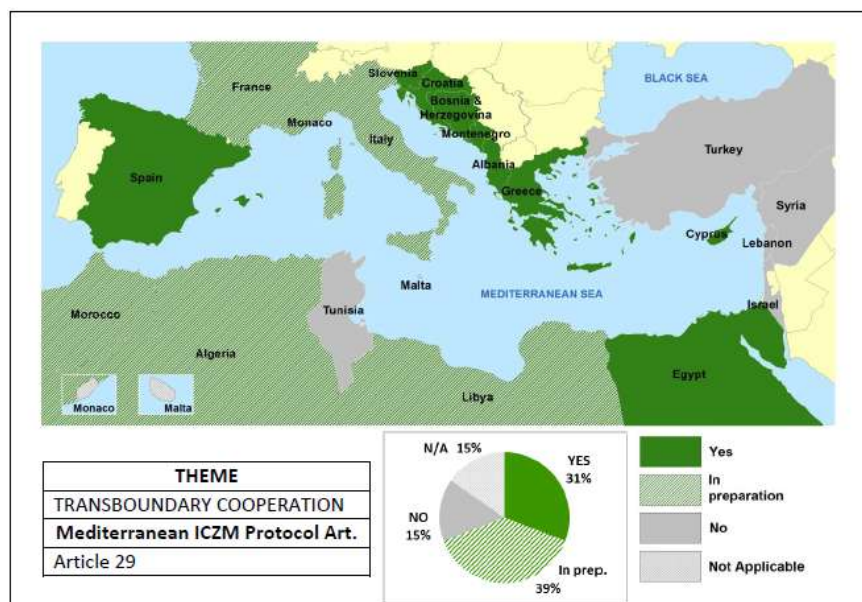


Bilateral Memoranda of Understanding or projects are common, particularly in the water sector. Sub-regional co-operation programmes for the Adriatic and Ionian Sea are well supported. European programmes such as INTERREG have been particularly successful in promoting cross-border, transnational and interregional co-operation.

- France and Italy - a proposed *Parc international des Bouches de Bonifacio*, a cross-border co-ordination of actions for the conservation of marine and coastal areas.
- Spain and France - a joint initiative to create a Marine Protected Area of the Western Pyrenees.
- Transboundary ICZM Plan for rivers Buna/Bojana between Montenegro and Albania, in the frame of the Strategic Partnership for Mediterranean Large Marine Ecosystem (MedPartnership, in progress).

Article 29 TRANSBOUNDARY ENVIRONMENTAL ASSESSMENT

Co-operation by means of notification, exchange of information and consultation in assessing the environmental impacts of plans, programmes and projects



Co-operation exists on marine pollution prevention, but not on the environmental impacts of development, plans or programmes. Some countries have ratified the Espoo Convention (Convention on Environmental Impact Assessment in a Transboundary Context), but sustained transboundary co-operation on plans, programmes and projects is not universally systemic. Various bilateral agreements exist.

- Italy - actively participates in international mechanisms and technical working groups, for example: the RAMOGE Agreement, a trilateral agreement between France, Italy and Monaco; the establishment of the Pelagos Sanctuary; the Adriatic and Ionian Initiative (AII); the Barcelona Convention system, including MED POL, REMPEC; etc.
- Bosnia and Herzegovina – a transboundary consultation is enshrined in law; the Law on Environmental Protection of Federation of Bosnia and Herzegovina which refers to the possibility of transboundary environmental effects.
- Greece - where plans/programmes may have environmental consequences on neighbouring countries, members of the EU, and vice versa, the other country is invited to participate officially in the consultation process of the SEA. Conversely, the Greek Ministry of Environment requests to participate in the SEA or other similar process of a neighbouring country before the approval of a given plan/ programme, which is deemed to have potentially negative environmental impact on Greek territory.

Interrelationship with issues of concern from the PEGASO End-User Committee

The End User Committee is a consultative panel that brings together various stakeholders interested by the outcomes of the PEGASO project. The end-users are defined as persons who can use the results, products and outputs of the project. They belong to different communities such as decision-makers, experts and consultants, planners and practitioners, and administrators in governments and other organisations, technicians, civil servants, stakeholders in general, as well as professional representative and environmental NGOs who are concerned with, or have an interest in, the management of coastal areas and resources.

Considering the Consultation of the End User Committee to identify priority issues and main drivers for the future², there are a number of priority areas and drivers that the stock-take can inform:

Geographical Coverage and Protection and Sustainable use of the Coastal Zone

- The need for ecosystem management. The need for spatial planning process, and considering spatial planning as a process and not as a tool.
- The recognition of issues through the sharing of the ICZM stock-take report for categorising common and specific issues at several scales and in different contexts.

Participation, Awareness-Raising, Educational Programmes, Training and Public Education

- The need for stakeholder involvement, the need for capacity enhancing, and the need for a decision-makers' communication tool.
- The need for a participative approach (including the necessity of consensus) to facilitate decision-making.
- The need to inform people and especially young people, and the need for targeting the general public through common elements and more sensitive means rather than formal mechanisms.
- The need for training on tools such as indicators.

Economic Activities

- The need for tools on economic assessment (e.g. the costs of ecosystem degradation) especially adapted to decision makers' uses and/or for helping decision-making.
- Putting the environment into an economic context.

Monitoring and Observation Mechanisms and Networks

- The need for a better data collection, maps and material.
- The need for supporting justifications of policies and options chosen by decision makers:
- Deliverables and tools: scenarios, marine spatial plans and monitoring mechanisms.
- The need to take into consideration past, present and future trends at several scales: Mediterranean and Black Sea basins, intraregional, National, and Local (CASES).

² Regional Assessment (T5.2), Consultation of the End User Committee to identify priority issues and main drivers for the future. Julien Le Tellier, Participatory coordinator, 06 07 2011 (v1.0)

Natural Hazards

Need for tools to facilitate pollution control. Need for early warning system.

Considerations with regard to the format and content of ICZM Audit questionnaire

Generally, the overall experience with ICZM stock-taking questionnaire was considered satisfactory and provides a valuable benchmark of implementation progress, including for the Black Sea countries. The pre-distribution consultation process enabled the improvement of the format and content.

The breadth of issues covered by the Protocol, its relative newness, and the wide diversity of legal and political systems led to differences in interpretation of a number of the questions. This can be improved over time in subsequent iterations of the stock-take, in particular through the official UNEP/MAP reporting on the ICZM Protocol implementation.

However, there are a number of specific areas that require consideration in any future stock-take:

Article 3 - the question on ICZM legislation and coastal legislation should be divided to enable the identification of ICZM-specific legislation from general coastal laws.

Article 15 - the question concerned with 'Research centres for ICZM' overlaps with another question that refers to 'centres of specific ICZM scientific capacity'. The distinction between these questions was not clear to respondents.

Article 16 - there is an apparent duplication between the questions on national inventory of coastal resources and activities... with the question, 'are there up-to-date assessments of the use and management of coastal zones?'.

Article 20 - the questions regarding 'who is responsible for the management of the land?' and 'what is the area or percentage of land acquired in the country?' could not be rated Y/N/P/NA, and proved difficult to answer owing to the generality of the question.

Article 21 – the question, 'economic, financial and/or fiscal instruments potentially counter to the objectives of the ICZM', proved almost too broad to answer and would benefit from guidance on the type of instrument referred to.



Conclusions and the Way Forward

The stock-take offers a wealth of data and information on the current state of ICZM in both the Mediterranean and the Black Seas, and the implementation of the ICZM Protocol in the Mediterranean. The broad pattern that emerges is that there is a substantial level of activity overall, but that the distribution is uneven both thematically and geographically.

The early results have already informed the approved Action Plan for the implementation of the ICZM Protocol in 2012-2019 (UNEP/BUR/71/4).

The conclusions of the overall responses to the individual Articles are summarised below, along with a simplified and subjective graphic ‘scoring’, to identify the progress on their implementation.

Summarised Conclusions for the Mediterranean by individual Protocol Article

Key:  Good Progress  Limited Progress  Limited or No Progress

Article 3 Geographical Coverage

The harmonised delimitation of Coastal Zone boundaries is still incomplete. Whilst some countries are adopting the Protocol coastal zone definition, the landward limit varies widely, from narrow coastal strips measured in metres, to those recommended by the Protocol.



There is good progress in the complex process of transposing ICZM into national legislation. There are a wide variety of approaches reflecting the breadth of national administrative and legal structures, and there is potential to share this experience across the region, and indeed globally.



Article 7 Coordination

Progress is slow in establishing ICZM consultative mechanisms with some examples of good practice. Interestingly, progress in establishing coordination at national level corresponds to improved coordination at local levels. Developing coordination at the relative spatial levels of government does not appear to mutually exclusive – improved coordination at one level supports the development of coordination mechanisms at others.



Article 8 Protection and Sustainable Use of the Coastal Zone

The principle of a “set back” zone for development is widely accepted and, in many cases, long established. In some cases national legislation already exceeds the Protocol’s 100 metres. However setback zones are proving to be an evolving challenge – with the arbitrary 100 metre setback as a minimum - but with factors such as natural risk and climate change, or of the need to protect natural and landscape heritage, dictating a more flexible and dynamic approach. Enforcement remains a challenge.



Similarly, control of urbanisation remains a problem as only a minority of countries have a development control provisions consistent with the Protocol.



Freedom of access rights to the foreshore and sea by the public are widespread and are seen as common rights across much of the Mediterranean.



Article 9 Economic Activities

The use of indicators to evaluate economic impacts on the coastal zone is very limited with no comprehensive activity in this field.



Article 10 Specific Coastal Ecosystems

The protection and regulation of sensitive areas through designation is well advanced. Most states have specific protection measures in place for nominated sites. In contrast however, few countries have yet taken positive measures to restore and reactivate the positive role of coastal wetlands.



In the last 10 years international and European agreements have stimulated a high level of activity around the Mediterranean in the field of coastal and marine habitat conservation and protection, with most countries reporting coastal reserves or protected areas.



There is a high level of participation in international cooperation programmes, agreements or activities to protect marine habitats, with numerous and diverse positive examples. The region-wide MedPAN network is active in promoting Mediterranean marine protected areas (MPAs) and supports management activities.



Landscape protection is intended primarily for the conservation of sites with biological, geological and cultural values rather than aesthetic values. Coastal landscape protection is generally contained within measures intended for the entire national territory rather than specifically for the coast. There is an interesting diversity of landscape typologies.



The specificity of islands is generally recognised in national legislation.



Article 13 Cultural Heritage

The protection of land-based cultural heritage is well established. The protection and accessibility of underwater sites however is still underdeveloped.



Article 14 Participation

There is little consistency in the involvement of stakeholders through consultation, formal inquiries or mediation across the Mediterranean. It is not seen as a basic right in all countries and where it exists, it ranges from a mandatory right to *ad hoc* discretionary arrangements. Similarly, arrangements for partnerships are more often short-term and project based. The right to challenge plans, programmes or projects is better developed with most countries having statutory mechanisms. There is considerable scope for improvement in this field.



Article 15 Awareness Raising, Training, Education and Research

Awareness raising, education, training and public programmes are characterised by a huge variety of approaches and a wealth of experience. Target audiences range from key civil servants to the general public. The annual Mediterranean Coast Day is seen as key activity. There is an opportunity to share ideas and innovation in this field.



There are relatively few dedicated ICZM centres, but many operating in related fields dealing with the subject. There is a continued need for networking research activity. PAP/RAC and the MEDCOAST are identified as region-wide networking organisations.



Article 16 Monitoring & Review

There is a low level of national inventories of coastal resources and activities, institutions, legislation and planning. Although the majority of countries report some activity, there appears to be little consistency. The Protocol is not clear on what is meant by such an inventory so there may be scope for some further discussion and guidance.



Article 18 National Coastal Strategies, Plans & Programmes, Transboundary Cooperation

There are few national coastal strategies. However, this is a relatively new area of activity and the Protocol has had little time to influence their shape. Guidelines are now available, and a number in preparation. The sharing of experience would help maintain the momentum across the region.



Only a minority of countries report a comprehensive and up-to-date assessment of the use and management of the coast. There is no common methodology for interpreting the nature or the undertaking such assessments. This may be an area for further development.



ICZM Projects have been common throughout the Mediterranean in the past decade, and nearly all countries report their value in developing national strategy. The CAMP projects predominate both spatially and over time.



Article 19 Environmental Assessment

The EIA process is widely used in all but one country. Its effectiveness was not questioned. SEA's on the other hand are predominantly used in EU Members and Candidates. There is a potential for improved guidance on this subject, particularly on its applicability to the coastal zone.



Article 20 Land Policy

Mechanisms for the transfer and management of coastal land in the public domain are characterised by their diversity. Little is known of the amount of coastal land in the public domain. There are public domain models that may be transferable and could provide the basis for transnational projects. The various models currently available in the Mediterranean may be worth further consideration for their transferability to administrations currently lacking suitable powers or effective legislation.



Article 21 Economic, Financial & Fiscal Instruments

Only a small minority of states indicate the use of economic or financial instruments to support ICZM. There would appear to be large potential, and need, for further development and testing of such measures.



Article 22 Natural Hazards

Comprehensive risk assessments for the coast are rare. There are many sectoral risk analyses such as flooding or pollution, but few have considered the implications of climate change. There is considerable scope for common working on this matter as many risks are shared.



Article 27 Exchange of Information and Activities of Common Interest

Only a minority of countries have carried out comprehensive analyses of the potential impacts of climate change and there only a handful of specific examples cited of adaptation and mitigation measures. It is a matter of concern that this important area is so underdeveloped in the region.



Only four countries have a set of indicators for the coast, and there was some confusion in the responses between the 'state' and 'process' indicators. There is clearly scope for further guidance on the issue of indicators and environmental assessments both in terms of the indicators required and the means of implementation.



Demonstration projects have had a significant impact across the stock-take, underlying their wider importance both as 'test beds' for the development of ICZM and contributing to wider experience and policy formulation at higher national and Mediterranean level, and to the wider UNEP Regional Seas Programme.



There are a wide variety of host institutions for ICZM scientific capacity across the region. There is on-going potential for sharing this expertise through a meta-network such as a "Mediterranean Network of Coastal Research".



Article 29 Transboundary Environmental Assessment

Bilateral memoranda of understanding or projects are common and have been particularly successful in promoting cross-border, transnational and interregional co-operation.



Co-operation between states exists concerning marine pollution prevention, but sustained transboundary co-operation on plans, programmes and projects is not universally systemic.



The Way Forward

Finally, the comments and recommendations of the National Focal Points provide a guide as to the use of this stock-take and any subsequent iteration:

- **The results of the stock-take should be considered as a tool for ICZM practitioners.**
- **The questionnaire is a benchmark and a "reality check" for the implementation of the ICZM Protocol, giving indications at the level of engagement and at the actual level of support in different Articles of the ICZM Protocol implementation.**
- **In future iterations of the stock-take there is need for further clarification and interpretation of a limited number of the questions.**
- **There is considerable potential for regional cooperation at regional scale in the implementation of the Protocol Articles, by sharing best practice, innovation, experience and methodologies. This stock-take points out some good examples that can serve as models, templates, or simply an inspiration to others.**
- **In the framework of the Barcelona Convention, this initial stock-take will serve as the basis for the preparation of the official reporting format to assess the implementation of the ICZM Protocol.**

References

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