

TERMS OF REFERENCE (ToR)

for a Contractor to prepare a Thematic Analysis Report on coastal governance in Croatia

Scope of the Assignment

This ToR refers to the tasks related to the coastal governance in the coastal area of Croatia. The assignment is undertaken in preparation of the Coastal and Marine Strategy (in further text: the Strategy) for Croatia. The preparation of the Strategy will follow the steps envisaged in the ICZM process¹ developed by PAP/RAC, and will aim at fulfilling the requirements of the EU Marine Strategy Framework Directive² and the Mediterranean ICZM Protocol (Official Gazzete, International Contracts, 8/12)³. Furthermore, the preparation of the Strategy is based on the Decision of the Government of Croatia to prepare the respective strategy (Official Gazette, 112/14)⁴.

Duration of the Assignment

The assignment will be carried out in the period from mid February 2015 to the end of May 2015.

Background

Following the obligations arising from the ratification of the Mediterranean ICZM Protocol by the Croatian Parliament, as well as the adoption of the EU legal *acquis*, in particular the Regulation establishing a framework for action in the field of marine environment protection, the Croatian Ministry of Environment and Nature Protection (MENP) decided that a Coastal and Marine Strategy will be prepared. It is meant to be a strategic document for the Croatian Adriatic Region (in principle, covering the area of seven coastal countines in Croatia as well as entire area of Croatian national marine waters) that will integrate coastal and marine management. In doing so, Croatia will fulfil requirements of both the MSFD and the ICZM Protocol. The rationale for the development of an integrated strategy is to respond to the need for interconnectedness between the coastal terrestrial and marine areas, to deal with the impacts of the overlaps of the territorial coverage between relevant EU Directives and ICZM Protocol, and to rationalize the management framework and the use of institutional resources. It should also be mentioned that this initiative follows the most recent international trend towards adopting more strategic, precautionary and integrated approaches to coastal and marine management.

The preparation of this Strategy is carried out within the replication component of the the MedPartnership Project. In addition, PAP/RAC is currently guiding the preparation of two national ICZM strategies (Algeria and Montenegro), both within the MedPartnership project. These strategies are being prepared in accordance with the requirements of the ICZM Protocol (Art. 18) and following the Guidelines for the Preparation of National ICZM Strategies⁵.

The Croatian Strategy follows the same principles as outlined in the abovementioned Guidelines. These principles were the basis for the Government's Decision to prepare the Strategy, in particular in the Decision's section related to the coastal area of Croatia. The difference between the Algeria's and Montenegro's strategies and the Croatian strategy is that the latter also aims at fulfilment of the EU MSFD's requirements, which is not compulsory for non-EU countries. It is also expected that the

¹ http://www.pegasoproject.eu/wiki/The_ICZM_Process_-_a_Roadmap_towards_Coastal_Sustainability_-_Introduction

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

³ http://narodne-novine.nn.hr/clanci/medunarodni/2012_11_8_96.html

⁴ http://narodne-novine.nn.hr/clanci/sluzbeni/2014_09_112_2141.html

⁵ http://pap-thecoastcentre.org/pdfs/National%20ICZM%20Strategy%20Guidelines_0712.pdf

Croatian Strategy will follow the Ecosystem Approach (EcAp), as implemented by the Mediterranean Action Plan.

UNEP/MAP is also implementing GEF project "Integration of Climatic Variability and Change into National Strategies to Implement the ICZM Protocol in the Mediterranean". Within this project, PAP/RAC is developing a Coastal Plan for the Šibenik-Knin County in Croatia, which is one of the most climate change exposed coastal counties in Croatia. Climate change adaptation is the main focus of the plan and it will be linked to ICZM for implementation. In addition, PAP/RAC is preparing a guide to integrate climate variability and change into ICZM, and a study to assess the environmental and socio-economic costs of the climate variability and change for Croatian coast. The results of all the above activities will be, as much as possible, integrated in the Strategy.

The first step in the development of the Strategy is to prepare a Diagnostic Analysis. These Terms of Reference refer to the Diagnostic Analysis stage of the Strategy only. It has to be mentioned that the marine area of Croatia has already been analysed and an assessment of the current situation has been made. For that reason, this Analysis will mainly concentrate on the coastal area of Croatia. It will elaborate the current state of the coastal zone, root causes of major problems, risks and potential future scenarios. It will focus on major aspects of coastal development, and in particular the coastal natural resources use including protection of coastal ecosystems and utilisation of coastal ecosystems' services, coastal spatial development, and coastal governance mechanisms. Impacts of climate variability and change within each of the above subjects will be emphasised. Although the coastal productive capacity and social aspects of coastal development have been studied in the Economic and Social Analysis (ESA), reference to ESA's results should be made whenever necessary.

Nature and Objective of the Assignment

The thematic expert is required to analyse the aspects of coastal governance in Croatia. Among many definitions of governance, the following stands out stating that governance is "...the formal and informal arrangements, institutions, and mores that structure: how resources or an environment are utilized, how problems and opportunities are evaluated and analyzed, what behavior is deemed acceptable or forbidden, and what rules and sanctions are applied to affect the pattern of use."⁶ It is important to note that three major groups of stakeholders actively participate in any governance mechanism: government, private sector and civil society. Therefore, governance should not be equated with the government because it should also be considered as "...the ability to get things done without necessarily having the legal competence to command that they be done"⁷.

An Analysis Guidance document, detailing structure for this theme, will be prepared by the PAP/RAC and the thematic expert will review the relevant part and give his/her substantial comments.

The main objective of the assignment is to determine key issues in existing coastal governance in Croatia. The analysis should examine current coastal management mechanisms at the state, county and local level and assess the elements of governance in it, as well as assess the potential for future coastal governance in Croatia. The expert will take in consideration the work already done, including State of the Marine Environment report⁸, and see how its relevant aspects could be integrated in this report. The expert will also refer to the Economic and Social Analysis (ESA) that has already been prepared for this Strategy. Finally, the expert will outline main elements of the vision for the future coastal governance.

⁶ Mahon, R. et al. A governance perspective on the large marine ecosystem approach. *Marine Policy* (2008)

⁷ *ibid.*

⁸ http://mzoip.hr/doc/pocetna_procjena_stanja_i_opterecenja_morskog_okolisa_hrvatskog_dijela_jadrana.pdf

While performing the assignment, the expert will examine the relevance of the work done by the Ministry of Administration towards reforming the Croatian administrative system. It is important to emphasize that no new institutions for coastal governance should be planned. The expert is also required to have interviews with all major stakeholders to identify their views on the subject and seek proposals to improve the coastal governance in Croatia.

It is important to mention that, overall, the Strategy primarily aims at identifying and proposing the most appropriate mechanism for integrated management of Croatian marine and coastal area. Consequently, the analysis of coastal governance should focus primarily on the management aspects of the ICZM. In this respect, an analysis of the state of coastal governance serves the purpose of setting the stage for the integrated management strategy.

Key tasks

1. Review the Analysis guidance document (prepared by PAP/RAC) and add, if needed, the elements for the Thematic analysis on coastal governance, with regard to the ICZM Protocol requirements.
2. Prepare an Annotated Outline of the Thematic Analysis on coastal governance.
3. Prepare the Draft Thematic Analysis report on coastal governance, which will include the following: mapping of relevant institutions dealing with coastal issues, an assessment of efficiency of current coastal governance mechanism(s), an analysis of current capacities for ICZM at state, county and local level, and analysis of relationship between ICZM and spatial planning. The report should have two parts. In the first part, each of the abovementioned aspects should be briefly analysed and key issues and problems identified and presented. The expert should also identify root causes of these issues. Wherever possible, the expert should outline probable trends for each of the aspects of coastal development and key issues. In the second part of the report, the expert should outline main elements of the vision of coastal governance and indicate how future management mechanism, which will be part of an integrated mechanism, should assist realising that vision. Draft Thematic Analysis report shall be prepared by conducting field surveys, where appropriate.
4. Prepare the Final Thematic Analysis report upon consultation with other experts in the Strategy's Working Team (composed of the Team Leader and Thematic Experts) and taking in consideration the comments and suggestions received during the consultation period with national stakeholders. The Final Thematic Analysis report shall include a set of indicators to monitor improvement in coastal governance.
5. Participate at team meetings, as well as at the presentation meetings/workshops (3 workshops in different coastal counties; 1 national workshop/meeting).

Final Deliverables

1. Annotated outline of the Thematic analysis report
2. Thematic analysis report on coastal governance

The outputs will be delivered in Croatian language, with the executive summary in English.

Obligatory Meetings

1. Meetings with thematic experts.
2. Presentation meetings/workshops.

Qualifications

The contractor should have the following educational and professional qualifications:

- Professional level with a minimum of five years experience in governance issues, preferably in Croatia;
- Recognised degree in social or political sciences, or another related discipline;
- Ability to analyse issues and information and prepare briefs and summaries on key ideas;
- Strong research skills, combined with superior communication and interpersonal skills;
- Strong skills in Croatian language, both in written and oral format;
- Good knowledge of English language.

In case of companies, the Contractor shall, in addition to Company's profile, demonstrate the required qualifications of staff involved in undertaking the assignment.

Responsibilities and communication

The Contractor will work under the direct supervision of the Ministry of Environmental and Nature Protection and PAP/RAC.

Outputs and Deadlines

Outputs	Deadline
1. Deliverable 1	20 February 2015
2. First draft Deliverable 2	10 March 2015
3. Draft Deliverable 2	30 March 2015
4. Final Deliverable 2	30 April 2015

Costs & Remuneration

For the execution of tasks defined by this ToR, the Contractor will be remunerated by a fee of 8.000 USD.

Travel and accommodation costs pertaining to meetings to be attended and the field work are included in the aforementioned amount.

The payments will be made on an output delivery basis, upon submission of outputs defined in point above, subject to clearance of the team leader and PAP/RAC, as follows:

Instalments	Payments
First instalment, upon clearance of the Deliverable 1	30%
Second instalment, upon clearance of the draft Deliverable 2	50%
Third instalment, upon clearance of the final Deliverable 2 and finalisation of all the tasks	20%