

Governance assessment for the establishment of the IMC and the preparation of the ICZM Strategy for Montenegro

Scope & Duration

This ToR refers to the tasks related to the analysis of the governance platform (with the emphasis on the stakeholder assessment and involvement) being the initial steps for the preparation of the ICZM Strategy and Plan for Montenegro, in particular its legislative-institutional framework. The activities elaborated within this ToR primarily relate to six coastal municipalities in Montenegro.

Duration: March 2013 - March 2014

Background

Preparation of the ICZM Strategy and Plan is the main activity of the CAMP Montenegro (and one of the demo activities of the MedPartnership project) and a vehicle for putting into practice integrated approaches and new institutional/co-ordination mechanisms. It is directly related to Article 18 of the ICZM Protocol (obligation to formulate national ICZM strategies, plans and programmes). The National ICZM Strategy will define the set of long-term objectives, within a 20-year time frame. The ICZM Plan will be supporting a roadmap to achieve the Strategy. The ICZM Strategy and Plan refer to the entire coastal area, whereas special efforts will be made to co-ordinate activities with, and integrate results of the Transboundary Integrated Management Plan for Bojana / Buna river.

In preparing the ICZM Strategy and Plan, the analysis of the governance system, relevant for the coastal zone, is one of the key steps. Governance could be understood as a stage within which management occurs. It encompasses values, policies, laws and institutions that influence how resources are utilised; how problems and opportunities are evaluated; what behaviour is acceptable (or forbidden); what instruments are applied to affect how natural resources are distributed and used.

In addition, participatory process ensuring involvement of the stakeholders is a critical component of any ICZM process and in particular those related to the assessment and initiation of changes within the governance system. Therefore, particular emphasis in commencing the task would be to undertake the appropriate steps ensuring timely stakeholder involvement.

Objective of the tasks

The main objectives of the tasks covered within this ToR are to:

- i. understand the existing institutional and legal system related to the management of coastal area of Montenegro, its strengths and weaknesses in terms of its ability to practice integrated management of the coastal zone;
- ii. propose the modalities for improvement of the legislative set up and the institutional system related to the management of the coastal area of Montenegro with the aim to enable their harmonization with the ICZM Protocol requirements;
- iii. ensure timely stakeholder involvement and their appropriate contribution to preparation of the ICZM Strategy and Plan.

Key Tasks

1. Undertake the initial assessment of key institutions (stakeholders) relevant for the integrated coastal zone management in Montenegro. It needs to look at the main government and administration (local and national) institutions; civil society; expert/research/scientific institutions, investment and business sector. It needs to identify their targeted sector and/or theme, their role and the institutional frames relevant to the theme they deal with. Initially, this identification needs to be done as a result of desk research and consultation with sectoral experts, being part of the project team.
2. Based on the initial assessment, undertake the field research (study) to identify their real competencies/roles, their importance for the implementation of the integrated coastal zone management in Montenegro and their capacity. It is important to identify what their perceived outside (environmental/social) and inside problems (for functioning of their institution) are and how do they respond to those problems. It is important to identify relationships (e.g. cross-cutting responsibilities, missing and overlapping responsibilities, rights, levels of conflict) within and between institutions in horizontal and vertical dimension of the governance system.
3. Analyse and identify legislative gaps of relevance for the ICZM Protocol implementation, including a preliminary analysis of the enforcement of the key legal documents;
4. Identify the most important and tangible issues for the proper functioning of the ICZM governance system necessary for achievements of the strategic objectives of the sustainable coastal development, including:
 - Identification of links between key sectoral issues relevant for the coastal zone (identified within the assessments of the CAMP sectoral experts) and key issues in the governance (institutional/legal) frame.
 - Identification of the possible examples that could be used as case studies demonstrating possible conflicting situations or other forms of inadequate response of the governance system relevant for coastal management. Undertake the analysis of a selected number of case studies.
 - Assessing the functioning of the existing Steering Committee of the CAMP/Strategy project as an ICZM co-ordination mechanisms that could serve as a model for the future permanent Inter Ministerial Committee (IMC);
5. Based on identified issues in the governance system, as well as functioning of the test IMC, propose the modification of the existing national legislative and institutional set up in order to be harmonized with the ICZM Protocol. In particular, propose the ICZM co-ordination mechanisms that could contribute towards the improvement of the system for integrated coastal management in Montenegro, in line with the ICZM Protocol and existing strategic documents relevant for the coastal zone. Relevant outputs from the CAMP project (i.e. ICZM Strategy Position paper) and SHAPE project (ICZM Co-ordination mechanisms) should be consulted and taken into consideration;
6. Provide inputs and comments on the draft ICZM Strategy and Plan and in line with the participatory process outputs as it is defined in task 7;
7. Organise the participatory process as a support for the preparation process of the ICZM Strategy and Plan. In addition, define the model and programme of the participatory process organization, including:
 - Definition of the forms/modalities for organization of the consultations, evaluation and elaboration of the collected data, and communication of the evaluated data towards expert focus groups and Advisory and Steering Committee members;

- Selection of priority themes of relevance for implementation of integrated coastal zone management for consultations with relevant stakeholder groups for each phase of the process;
 - Organization and facilitation of different modes of stakeholder engagement in all the phases of the project with the aim of contributing towards development (and possibly future implementation) of the National ICZM Strategy and Plan. Some of the specific inputs required from stakeholders would include (but are not limited to) their inputs/feedback related to key issues (including prioritisation), vision and objectives, instruments, measures, actions and indicators to be proposed within these documents. The approach should include appropriate spectrum of engagement techniques, such as focus groups, interviews, structured workshops and alike;
8. Assess the current level of awareness of the project and ICZM. In particular, assess if those that will be affected by the project and that are benefiting from coastal goods and services (the users) understand and support the objectives and activities of the ICZM and CAMP; also, assess if there is public support for the programme;
 9. Asses the general awareness of the project and ICZM at the end of the project.

Detailed deliverables

1. Description of the methodology used for desk/field assessment of institutional and legal system (related to tasks 1-3);
2. Proposal of the participatory process with description of programme of work for involvement of stakeholders, techniques and form to be used in all phases of the process (related to task 7); in addition, proposal of the methodology used for the awareness assessment;
3. Analysis of the current legal framework and institutional roles and responsibilities and identification of obstacles to effective management of the coastal zone (related to tasks 1-4);
4. The proposal for the establishment of the governance system for integrated coastal zone management in Montenegro (institutional and legislative set up) with the specific proposal of possible co-ordination mechanisms that could contribute towards improving the system for integrated coastal management (related to task 5);
5. Reports of the consultative meetings with a broad range of policy and expert institutions, as well as non-governmental institutions, related to communication on development of the National ICZM Strategy and Plan (related to task 7);
6. Awareness status report (related to tasks 8 and 9).

Meetings

1. CAMP team meetings;
2. Project meetings (conferences, workshops);
3. Meetings with sectoral experts.

Responsibility and Communication

The expert institution will be directly responsible to the General Co-ordinator of CAMP (on behalf of the Ministry of Sustainable Development and Tourism) and PAP/RAC. It will consult and work in collaboration with the sectoral experts engaged in the project, under the co-ordination of the CAMP General Co-ordinator.

Qualifications

The expert institution should have the following educational and professional qualifications:

- Senior professional level with a minimum of five years experience in related social studies (primarily assessment of stakeholders) and field work, preferably in Montenegro;
- Senior professional level with a minimum of five years experience in organising and facilitating stakeholder participation events;
- Recognised degree in any of project relevant fields; preference for PhD level;
- 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 Montenegrin language (Bosnian, Croatian or Serbian are equally accepted), both in written and oral format; knowledge of English will be an advantage.

Deadlines

Deliverables	Deadline
1. Deliverable 1	15 March 2013
2. Deliverable 2	25 March 2013
3. Draft deliverable 3	30 May 2013
4. Draft deliverable 4	30 July 2013
5. Draft deliverable 5	15 days after the meeting
6. Deliverables 6	30 December 2013

Draft versions of deliverables 3 and 4 should be prepared in Montenegrin with a short summary in English language. Final versions should be prepared in Montenegrin and English versions. Deliverables 1, 2, 5 and 6 should be prepared in Montenegrin with a short summary in English.

Remuneration

For the execution of tasks defined by this ToR, the contractor will be remunerated for the costs of undertaking the field studies, providing assessments and organising/facilitating the participatory processes. The operational costs for the stakeholder meetings (such as catering, workshop facilities and alike) fall under the responsibility of the Ministry of Sustainable Development and Tourism and PAP/RAC.

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

Instalments	Payments,
First instalment, upon clearance of the deliverables 1 and 2	30%
Second instalment, upon clearance of the draft deliverables 4, 5 and 6	40%
Third instalment, upon clearance of the final versions of all the outputs	30%

