**Annex 4**

**Preparation of the analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol and a proposal of a coordination mechanism for ICZM in the frame of the CAMP B&H and GEF MedProgramme project**

**Background**

Adopted in January 2008 by the Contracting Parties (CPs) to the Barcelona Convention, the Mediterranean ICZM Protocol is the first supra-state legal instrument aimed specifically at coastal zone management. It entered into force in March 2011. Previously, coastal zones were still governed in a fragmented way by international law, while the rare instruments aimed at transcending sectoral policies and guiding national systems towards integrated coastal management were confined to the realm of soft law. As Mediterranean coastal zones have been on an unsustainable development path for the last few decades, the application of this new legal tool is of vital importance for the future of the Mediterranean basin.

Bosnia and Herzegovina has not yet ratified this legal instrument for ICZM; however, the process has been initiated by the responsible national authorities. Two major international projects have the objectives to support this process: first, the CAMP B&H project is devoted to the specific issues related to the entry into force of the Protocol; and second, this is also a crucial objective of the GEF MedProgramme project that supports the ratification of this legal instrument by the Mediterranean countries. The goal of this work is also to gradually create the conditions for the future implementation of the ICZM Protocol in various fields ranging from the legal framework to capacity building (administrative and legal staff, etc.), the use of planning documents (cadastres, land use plans, MSP, etc.) and the integration of climate change issues in planning and ecosystem protection decisions. Consequently, the analysis should take into account all driving forces and barriers to integration identified within public policies (both environmental and sectoral) as well as in the way in which they are implemented. The analysis should thus be able to draw conclusions on the dimensions or challenges of integration that have already been effectively addressed and on those that will be at the heart of efforts to implement the Protocol. Coordination and integration of all actors and stakeholders dealing with coastal zone management is of utmost importance for the implementation of the Protocol. Therefore, such coordination mechanism should be established as a priority.

**Aims of the report**

The aim of the report is twofold. First, to analyse the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol that should assist the country to ratify it; and second, to propose a coordination mechanism for ICZM as an important body that will coordinate the implementation of the Protocol on the ground.

**Task 1:** **Analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol**

The analysis of national legal mechanisms for coastal zone management should be based on bibliographical research as well as on the study of the relevant legal texts in B&H. Other interesting supports may include the national reports submitted to the secretariats of certain conventions – the Barcelona Convention, the Convention on Biological Diversity, the Ramsar Convention on Wetlands, the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, etc. – as well as the findings of pilot projects already underway at the state level, especially those conducted with the support of the EU and GEF. Interviews should also be held with national experts.

This information collection should be systematically accompanied by *in situ* observations: the main aim is to gather actors’ interpretations of coastal management issues, the integration process, the contribution of the concept of integrated management, its division between different administrative levels, the progress of a specific ICZM initiative or the implementation of a specific legal provision, the difficulties encountered and options for making it more efficient. A key part of the information will therefore come from interviews held at different levels with the political-administrative officials concerned, representatives of associations and the private sector, etc. The selection of officials should be done according to three complementary approaches: (1) the first is position-based, according to their institutional status; (2) the second is decision-based, according to their functional role in the management systems; (3) the third is reputation-based, on recommendation by actors encountered through the first two approaches. The vast majority of these interviews should be semi-structured, based on a certain number of predetermined questions and discussion points, but leaving room for improvisation (an interview “framework” rather than a “guide”).

As an example, a similar analysis the report “Analysis of the Croatian legal framework in relation to the provisions of the Mediterranean ICZM Protocol” prepared by Julien Rochette, Institute for Sustainable Development and International Relations (IDDRI) and Guillaume du Puy-Montbrun, Chaire MADP, Sciences Po, is suggested to be taken into account. The analysis should provide a summary of the legal compliance, preferably presented in a table (following the above-mentioned report).

**Task 2: Proposal of the coordination mechanism in B&H**

Article 7 “Coordination” of the ICZM Protocol requires that the CPs ensure institutional co-ordination, where necessary through appropriate bodies or mechanisms, in order to avoid sectoral approaches and facilitate comprehensive approaches. This can be done with appropriate co-ordination between various authorities competent for both the marine and the land parts of coastal zone in different administrative services at the national, regional and local levels in order to work together to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established. B&H is in the process of ratification of the ICZM Protocol and such co-ordination is at present very vague or missing. Therefore, such a mechanism will have to be established as a priority, and the CAMP project offers a unique opportunity to do so.

In order to facilitate the establishment of such a mechanism, mapping of stakeholders should be done as the first step. The methodology for Stakeholders’ mapping prepared by PAP/RAC could serve for this purpose. This should be followed with a proposal of the composition of the coordination mechanism, i.e. the selection of institutions to become its members. It should include the main sectors dealing with coastal zone, represented at relevant administrative levels. In addition, a proposal for the mission and the tasks of this mechanism should be drafted as well as its ‘modus operandi’ (elaborate on the way the chair is selected, organisation of the meetings, reports of the meetings, decision making and alike).

Both draft reports should be presented and discussed at the CAMP B&H Steering Committee meeting. The comments and suggestions of the meeting should guide the consultant to finalise the outputs.

**Outputs and timeframe**

The consultant will prepare the following outputs:

1. Report of the Stakeholders mapping; by 30 September 2021

2. Draft report: Analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol; by 15 November 2021

3. Draft report: Coordination mechanism for ICZM in B&H; by 15 November 2021

4. Report of the meeting with the CAMP B&H Steering Committee; 28 December 2021

5. Final report: Analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol; by 30 January 2022

6. Final report: Coordination mechanism for ICZM in B&H; by 30 January 2022.

**Remuneration**

For the delivery of the Outputs the consultant will be remunerated with the amount of 7.000 USD gross. Payment will be made after the clearance by PAP/RAC. The reports should be submitted in English and one of the official languages of B&H, in Word format.

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| 1st part:  Report of the Stakeholders mapping | 30 September 2021 | 15 % |
| 2nd part:  Draft report: Analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol  Draft report: Coordination mechanism for ICZM in B&H | 15 November 2021 | 40 % |
| 3rd part:  Report of the meeting with the CAMP B&H Steering Committee; end December 2021 | 28 December 2021 | 10 % |
| 4th Part:  Final report: Analysis of the B&H legal framework in relation to the provisions of the Mediterranean ICZM Protocol.  Final report: Coordination mechanism for ICZM in B&H. | 30 January 2022. | 35 % |