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Montenegro and Marine Protected Areas

Legal and institutional framework assessment
for conservation of coastal and marine biodiversity
and the establishment of MPAs

2014

This document delivers the state of the art of the legal and institutional framework for establishment and management of MPAs in Montenegro. The expert analyse has been developed by the IUCN-Med and IUCN ELC recruited by SPA/RAC in period 2012-2013. Following developments in national institutional and legislative framework that occurred in meantime and which were not fully and properly taken into account by expert team, Ministry of Sustainable Development and Tourism has requested the update of the Study. The Study produced in 2013 was updated following the Ministry's request to take into account changes that took place between mid-2013 and mid-2014. The update was carried out by Marina Markovic (national expert) and Mia Fant (international experts) who amended the 0.7(i)-2(de)f UAgest

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The present document, entitled *“Montenegro and Marine Protected Areas: Legal and Institutional framework assessment for conservation of coastal and marine biodiversity and the establishment of MPAs 2014”*



The Regional Project for the Development of a Mediterranean Marine and Coastal Protected Areas (MPAs) Network through the boosting of MPA Creation and Management "MedMPAnet Project" (<http://medmpanet.rac-spa.org>) is a -hVžkVšd bčYč_ _ W/\$" #" Ž\$" #' fi VYVUgfVW`Tk`fZWDW [a` S^ Activity Centre Specially Protected Areas (RAC/SPA – UNEP/ MAP; www.rac-spa.org) as part of the Strategic Partnership

With an area of 13,812 km², Montenegro is mostly mountainous and covers both Sub-Mediterranean and Mediterranean regions. Montenegro is bordered by Bosnia & Herzegovina to the north-west, Serbia (Kosovo) to the north and north-east, Albania to the east and south-east, Croatia to the west and the Adriatic sea to the south-west. Its capital and largest city is Podgorica, while Cetinje is designated as the *Prijestonica*, meaning the former Royal Capital City.

The population of Montenegro is 620,029 (2011 census). The main cities, that account for over half of the population of the Uag` fckl` SdW fZW USb[FS^ BaVYadUS` /STagf#* (t" " " fi` @[] ÷[t` Herceg Novi, Pljevlja, Budva, Bar, Bijelo Polje and Cetinje.

The economy of Montenegro is a service based economy, and tourism is one of the leading sector of the national economy. Gross domestic product (GDP) of Montenegro amounted in total 3,149 million EUR, and GDP per capita is 5,063 EUR in 2012 (Monstat, 2013). Since June 3, 2006, Montenegro is an independent country that proclaimed its new constitw3(e)-04xot p(d)2-5.3*0043>302.2002F>6.8004A343(e 3)-8.32(o)3(a i)4.1(s 5)72.2

Also some very important habitats and species that are protected under the EU Habitats Directive were observed during the surveys, and are listed in the table below.

Table 3. List of very important habitats and species that are protected under the EU Habitats Directive in Montenegro

| Habitats Directive | |
|--------------------|---|
| Annex I | <ul style="list-style-type: none"> — <i>Posidonia beds (Posidonia oceanica) priority habitat</i> [code 1120] — Reefs [code 1170] — Submerged or partially submerged caves [code 8330] — Coralligenous habitat [code 1170] |
| Annex II | <ul style="list-style-type: none"> — <i>Tursiops truncatus</i> |
| Annex IV | <ul style="list-style-type: none"> — All species of <i>cetacea</i> — <i>Lithophaga lithophaga</i> — <i>Pinna nobilis</i> |
| Annex V | <ul style="list-style-type: none"> — <i>Scyllarides latus</i> |

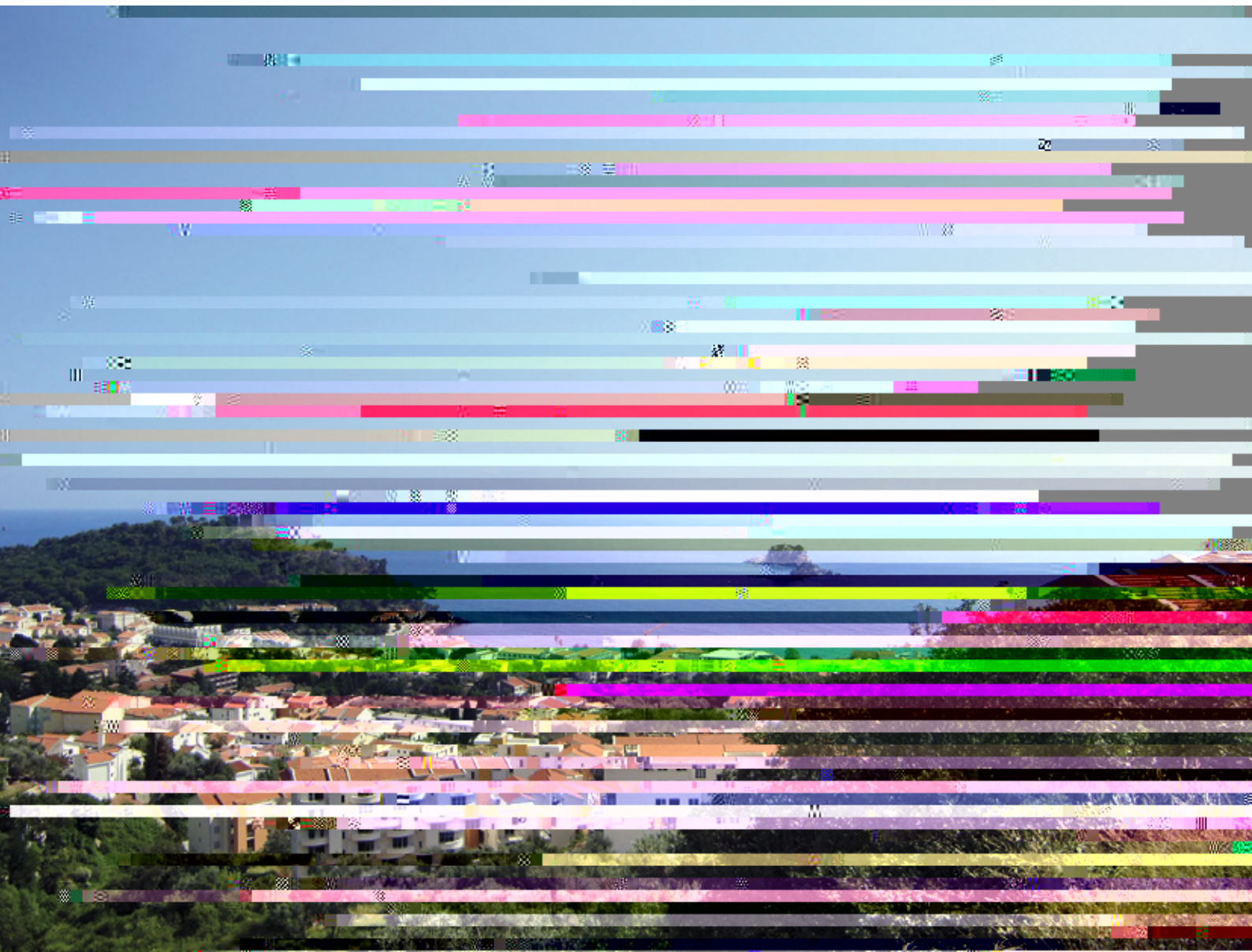
Based on the surveys, 16 marine habitats types were identified for the Mediterranean region developed by UNEP in 2006⁵ within the framework of the Mediterranean Action Plan of the 4th Session of the High Level Group of Experts on the Mediterranean Environment (HLEG) in 2004. The list of habitats is elaborated in the Annex 11.

protected areas, 48, fall under different categories such as monument of nature, special natural features area and (general and special) reserves.

Proposed Protected Areas

Emerald network

As a Party to the Bern Convention on the Conservation of European Wildlife and Natural Habitats, Montenegro developed a list of 32 candidate Emerald Ecologic Network



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I. LEGAL AND POLICY FRAMEWORK FOR MARINE PROTECTED AREAS

A. Legal instruments for MPAs

Marine Protected Areas in Montenegro. Instead, the main laws and strategic documents that apply for Protected Areas in general also apply for MPAs.

Coastal ecosystems are protected under the Law on Nature Protection, as follows: Article 21 (protection of the sea and eVSTVWfi 3dfUW % \VW- [ffa` aX bdfWUfW` `Sfgd^ SdVSeff Article 49 (categorization of protected natural areas), Article 54 (establishing protection zones in the protected nature areas), Article 45 (establishing the list of strictly protected and protected wild species of plants, animals and fungi). The provisions of the Law regarding the management of protected areas (Article 62 and Article 65-67), are also relevant, especially in terms of establishment and management of protected areas on land and sea. Furthermore, by a set of regulations - such as Law on Nature Protection ("Off. Gazette of Montenegro", no. 51/08, 21/09 , 40/11, 62/13)), Law on Forests ("Off. Gazette of Montenegro", No. . 74/10), Law on Marine Fisheries and Aquaculture ("Off. Gazette of Montenegro", no. 56 /, 40/11), Law on Public Maritime Domain ("Off. Gazette of Montenegro", no. 14/92) (proposal of the new Law is in the process of SVabffa` ffi Z bdfWUfW` `aXea_ WebWU[-U` WJaekefW_ e`egUZ` as wetlands, marine habitats, forests, dunes and islands, and protection areas are provided. Law on Spatial Planning and Construction of Facilities ("Off. Gazette of Montenegro", no. 51/08, 40/10, 34/11, 47/11, 35/13, 39/13) (Article 5) prescribes that the use of space needs to be based on the principles of rational use and protection of natural resources as well as the protection and improvement of the environment. Rulebook on detailed content and form of the planning document, the criteria of land use, zoning regulation elements and unique graphic symbols (hereinafter referred to as the Rulebook) in Article 9 stipulates that the plans must contain guidelines for the protection of natural and landscape values and cultural ZWfSYWTgfi [Zagf bdfWUfW` `Y`aT`Y`Sffa` e`dVSW` fa`ebWU[-U` topics regarding nature protection.

The three major legal acts governing the proclamation and management of Protected Areas, including marine protected areas, in Montenegro are:

- The Law on Nature Protection
- The Law on National Parks
- The Law on Public Maritime Domain

The texts of the Law on Public Maritime Domain are currently under revision (at the level of parliament).

A.1. Law on Nature Protection

The *Law on Nature Protection* was adopted in August 2008 /A X-U[S^9 SI WfWaX? a` fW W`da`@až' #!" *fiS_ [Y`fa`fd` ebaeW the key EU legislation in this area, such as Habitats and Birds Directives. It had several subsequent changes and amendments, the last one in December 2013.

The main goal for adoption of changes and amendments of the Law was to prescribe procedures for designation of protected areas (including a requirement for designation of managers for each category,) and to improve a legal basis for establishment

measures to be taken in order to:

— protect particularly valuable and preserved parts of nature,

—

Furthermore, the Agency will have a Department for protection of marine assets with special obligation to protect natural zone. It is important to enable this Department to be involved in carrying out inspection controls in the coastal zone together with competent inspection bodies.

B. Other relevant legal instruments

In addition to the Law on Nature Protection and the Law on National Parks, other legal instruments are also relevant for MPAs including:

- Law on Environment
- Law on Spatial Planning and Construction of Facilities
- Law on the Sea
- Law on Marine Fisheries and Aquaculture
- Laws on SEA and EIA
- Law on Water
- National List of Protected Species (Decree on protection of rare, declining, endemic and endangered plant and animal species ("Off. Gazette of MNE", no. 76/06)
- International Conventions to which Montenegro is a party

B.1. Law on Environment

The Law on Environment (OG 48/2008) introduces an integrated approach to environmental management and monitoring programs and requires the establishment of an environmental information system (EIS). It prescribes the data requirements for, reporting obligations and public access to the EIS. Other issues regulated by the Law include liability for plans and strategies required under certain multilateral environmental agreements, etc.

The Law on Environment also stresses the need to have data and information pertaining to the quality of the environment available to the public.

C. Existing policies regarding biodiversity conservation in Montenegro

Apart from legislation, a strategic framework for the protection of biodiversity was developed including:

- The National Strategy on Sustainable Development
- The Spatial Plan of Montenegro 2020, and in particular Special Purpose Spatial Plan for the Public Maritime Domain adopted in 2007(as mention before, Special Purpose Spatial Plan for the Coastal Zone of Montenegro is underway in 2014)
- The National Biodiversity Strategy and Action Plan 2010-2015

C.1. National Strategy on Sustainable Development (NSSD, 2007)

The basis of strategic planning of nature protection and biological diversity preservation has been laid down in the National Strategy on Sustainable Development (NSSD) of

As already mentioned, preparation of a new special purpose spatial plan that will cover not only the narrow coastal strip

— Step 3: start the legal procedure for proclamation, based on the selected type of PA to be established.

The process of establishing protected natural assets according to Law No. 51/08, 21/09, 40/11 and 62/13) begins with a request for development of a Study on Nature Protection. Request should be submitted by the Ministry or the local government depending on related protection category. The Agency for Environmental Protection in cooperation with the Institute of Marine Biology in the case of marine protected areas, are in charge of developing a Study on Nature Protection.

In Chapter IV, article 35, of the Law on Nature Protection, it is written that PAs can be of international, national or local importance. Their categorization is based on a Study on Nature Protection (later detailed in article 56) prepared by the competent administration body. The actual designation of a PA is done by the Parliament of Montenegro, the Government or the local government depending on its category of protection.

Chapter VI, Articles 55-61 of the Law on Nature Protection describe procedures of designation, abolishment, preventive protection and registration of all protected areas:

Designation of protected areas

Article 55

National Park is declared by the Parliament of Montenegro (hereinafter referred to as the Parliament) by a special law

Strict and special nature reserves and strictly protected and protected species and habitats are designated by the Government of Montenegro (hereinafter: the Government).

Regional nature park, nature reserve and area of outstanding features are declared through decisions of the local government (the assembly of the local government), upon obtaining the consent of the Ministry and the opinion of the Ministry of Agriculture, Forestry and Water Management, in the

consent of the local government (the assembly of the local government) upon obtaining the consent of the Ministry and the opinion of the Ministry of Agriculture, Forestry and Water Management, in the

Publication of the Act of Designation

Article 58

The act of designation of a protected area referred to in Article 55 paragraphs 1 and 2 of this Law shall be published in the "Official Gazette of Montenegro", and the act of designation of a protected natural resource under Article 55, paragraph 3 of this Law shall be published in the "Official Gazette of Montenegro - municipal regulations."

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B.2. Planning documents

According to the Law on Nature Protection there are 3 major planning documents prepared for each protected natural SeeWf, S'ebWUJS^bgdæWebSf[S^b S' f S'-hWkVSc_ S` SYW_ W f plan and an annual management programme.

The Law on Spatial Planning and Construction of Facilities

**C. Roadmap and Timeframe of the Process
of Establishment of Protected Natural Assets**

Table 5.

D. Financing

Financing of the operation of protected areas is described in article 64 of the Law on Nature Protection:

Funds for the operation of protected areas managers

Article 64

Funds for the operation of managers shall be provided from:

- The budget of Montenegro or the budget of the local government in accordance with the annual programs, plans and projects in the field of nature protection;*
- Charges for the use of protected natural assets;*
- Donations;*
- Other sources in accordance with the law.*

For the time being, an operational management structure (PE

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~`S`U[S^_V\$`e`[e`See[Y`W`i [fZ`fZWbch[e]a`e`aXfZW>Si`
on National Parks, and the other types of protected natural

of The Decree on the organization and operation of Public Institute for Nature Protection became a part of Environmental Protection Agency of Montenegro. In accordance with that, experts from Institute for Nature Protection are now part of Environmental Protection Agency. Internal organizational units of the EPA are the following:

- Sector for nature protection, monitoring, analysis and reporting;
- Sector for the issuance of permits;
- Sector for communication and information system management;
- Aarhus centre;

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- Department of chemicals;
- Department of ionizing radiation.

EPA has numerous competences related to nature protection, such as: monitoring of the state of habitats and species, development of Nature Protection Studies in the process of establishment of protected areas, preparation and realization of monitoring programs, preparation and maintenance of the database on the environment (9.2(4t8(n)-2.2(t)-1.6.9(a)5.9(t)-0.78(n)-2-4.5(n4.3(u)1(I5)0.8(≥11tDFs)152.3(a)-1.3(b)6.2(i8 0 TdØ

A.2. Other relevant governing bodies and stakeholders

Other ministries which are relevant for MPAs are:

- Ministry of Agriculture and Rural Development
- Ministry of Transport and Maritime Affairs
- Ministry of Culture
- Ministry of Education
-

and landscapes with outstanding characteristics. Similar provisions were already in place under previous legislation, although the actual performance of municipalities in relation to these competences remained limited because of the lack of

Local governments are also in charge for:

- Implementation of Biodiversity Strategy through dev

I. NON-GOVERNMENTAL STAKEHOLDERS INVOLVED IN MARINE CONSERVATION

Beside government bodies and management authorities who were described in PART I, there are other types of stakeholders

of Solid Waste;), organization of clean-up activities for Long Beach in Ulcinj, Breznica riverbed in Pljevlja and similar. development of the project idea entitled *Eco Agro Tourist Village Bijela - Savnik*; and development of a concept design on *Ecological Protection of Lake Biogradsko*.

- **Nautilus**, Kotor: This NGO deals with animal protection, wildlife, biodiversity, environmental education, education for sustainable development and water issues.
- **MedCEM**²⁶: Mediterranean Center for Environmental Monitoring in Sutomore (Montenegro) was founded in 2005 by a group of various experts. The idea was to raise awareness on ecosystems of Adriatic Sea, Coastal region and Skadar Lake. The implemented activities relate to management, application of knowledge and provision of

There are numerous divisions of stakeholders but the most common is:

—

A. Procedure for the involvement of stakeholders

As stipulated in the Law on Nature Protection (Article 109 cited above), adequate steps have to be made to ensure access to information in the processes of establishing and developing management plans for protected areas as well as to ensure participation of different stakeholders through public debate (submission of objections and opinions).

This should be considered as a minimum requirement in relation to the involvement of stakeholders. The Law does not preclude

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IV. ONGOING INTERNATIONAL PROJECTS AND NETWORKING

In relation to activities developed within the framework of the Barcelona Convention, two important projects were developed since 2004 in Montenegro: the Strategic Action Plan for Biodiversity (SAP/BIO) and the Coastal Area management Plan (CAMP-Montenegro).

The Strategic Action Plan for the Protection of Biological Diversity in the Mediterranean Region of the Mediterranean (SAP/BIO) was developed in compliance with the requirements of the Barcelona Convention and its SPA/BD Protocol on specially protected areas and biodiversity of the Mediterranean. A report on the status, problems and preservation of marine and coastal biodiversity in Montenegro was drawn up and [fW dSfW i [fZ[' E3B 4;A ' ~ S^ hV[a` [' \$" " & i ZW fZW country joined the Barcelona Convention.

The report included an assessment of the situation of T[aV[hV[e]fk' [' fZWUaSeS^Sd/S aX? a` fW VW d` S` V [VW f[-W' the key problems and the measures for nature protection that need to be implemented. Five priority actions (out of 24) were prepared in the form of National Action Plans aiming at being implemented within SAP/BIO:

- Inventory and mapping of the sensitive areas,
- Action plan and protection of Dalmatian Pelican (*Pelecanus crispus*),
- Assessment and review of the status, regime and management practice of protected areas,
- E ;VW f[-USf[a` ` aX` W ` b d fWUfW` Sd/S e' [' fZWUaSeS^I a` W and analysis of the possibilities, and
- Formulation of an adequate Funding Strategy for Marine

For Montenegro, the project activities were outlined in consultation with the national authorities represented by the Ministry for Sustainable Development and Tourism. They consist of an assessment of legal and policy needs, a small

- Further efforts on a national level as well as greater cooperation, coordination and mutual assistance on a Mediterranean level,
- New integrated management and governance approaches at all levels that are translated into political commitments.

Montenegro is also member of the AII, Adriatic-Ionian Initiative.³⁰

The AII was originally founded with the aim of providing common and concerted solutions to shared problems, from the natural environment of the Adriatic-Ionian Sea.

Many years after the establishment of the Adriatic-Ionian Initiative the geopolitical environment around has deeply changed. Out of the AII Participating Countries, Slovenia in 2004 and Croatia in 2013 entered the EU while the other Adriatic-Ionian east side coastal countries (Albania, Bosnia and Herzegovina and Montenegro), even if with different timeframes and conditions, are gradually approaching the EU within the Stabilization and Association Process framework, as a prelude to a future EU membership. Notwithstanding these changes, the reasons which had grounded the establishment of AII still persist, and they have even become stronger across time.

Adriatic-Ionian Macroregion

The basic task of the Adriatic-Ionian Macroregion is connecting the territories with the aim to promote their sustainable development and, at the same time, to protect the fragile sea, coastal and inland environment.

The boundaries; it is a functional area, composed of national, regional, and local bodies coming together to tackle a number of shared issues and territorially it comprises Albania, Bosnia-Herzegovina, Croatia, Greece, Italy, Montenegro and Slovenia.

Adriatic Protected Areas Network (**AdriaPAN**)³¹ is a *bottom-up initiative* the aim of which is *to make contacts between Protected Areas in the Adriatic easier, to improve their partnership effectiveness, both in management and planning activities. AdriaPAN is a growing network with a great potential for joining efforts in environmental protection and sustainable development.* It is an integral part of the wider MedPAN.

³⁰ <http://www.aii-ps.org/>

The comments and recommendations were drawn from the analysis of the legal and institutional framework as well

planned land uses set under different spatial and sectorial of the present status of coastal area under umbrella of CAMP Montenegro).

A. Legislation and policy

In Part I, Chapter III a number of gaps were recognized, related to existing procedure of proclamation and establishment of protected areas as well as to establishment of management structure.

Also in general, participants to the national workshop also recognized that:

- There is poor harmonization of legal and inter-institutional responsibilities

Regarding analyses of the gaps in legislation and policy framework, general recommendations would be:

- **To clearly define marine protected areas³⁶ and their objectives in the new versions of the Law on Nature Protection and the Law on National Parks through specific Articles on MPA-s**

As recommended by IUCN Guidelines for Protected Areas Legislation, legal framework and national strategies should be *tuned to the special threats, scientific knowledge and management challenges faced for MPAs.*

Today, scientists and policy experts alike recognize that MPAs require special legal consideration to address their distinct features. In response, states are increasingly enacting legislation to take into account the unique

opinion local authorities and PE Morsko dobro that is

the protected areas of nature and indicate conditions for their protection. There is no need to make the planning process more complex than it is now. The laws on nature protection and spatial planning need to be aligned as regards type of protected natural assets for which it is mandatory to prepare special purpose spatial plans. The spatial planning legislation and practices need to be expanded to include marine spatial planning (as one of the important tools for designation and management of MPAs).

- In the process of Management Plan approval the expert institutions should be involved (Environmental Protection Agency or Institute for Marine Biology)
- Evaluation of management effectiveness may be an

Scenario n.2: MPAs are all declared Regional Parks or Park of Nature

The Marine Protected Areas are locally managed to ensure the highest level of participation of local communities. Despite the recognition of the international and national importance of marine and coastal habitats and species to be protected, it is decided to assign a "lower" category to these protected natural assets and declare them Regional Parks or Park of Nature.

The Managing Authority is PE *Morsko dobro*.

In view of declaring the MPAs as Regional Parks, the procedure for proclamation shall be the following:

C. Coordination with existing Marine and Coastal Management Structures

Establishing of a strong coordination mechanism for planning and management of MPAs within the planned scheme of coordination mechanism for ICZM

As a result of CAMP Montenegro project, the need for establishment of overall coordination is recognized. The establishment of appropriate coordination mechanisms should be established at two levels:

- level of decision-making, and
- professional-administrative level.

Establishment of the ICZM Council (by the Government) could provide an effective inter-sectorial coordination mechanism at the political, policy implementation and decision making level, as well as a mechanism for institutional vertical and horizontal coordination, between competent authorities and institutions at national and local levels.

In case that the new Council couldn't been established, the alternative scenario would be that National Council for Sustainable Development and Climate Change is transformed to perform its func

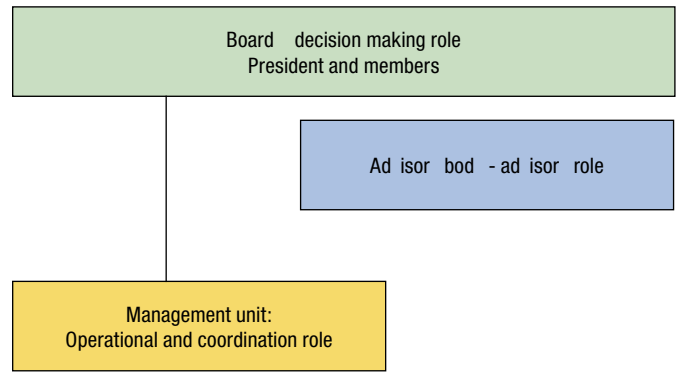
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of funds obtained by activities within the protected area. The funds should be mainly used for protection measures and development of the area.

If necessary, an Advisory body could be created in order to provide expert advices to the management unit (PE *Morsko dobro*) and the Board. Advisory body might include representatives of different institutions (expert level) and other ministries, especially the Ministry of Agriculture and Rural Development, the Ministry of Culture, as well as the local associations, businessmen, representatives of local communities in the area etc.

A Public Forum on Marine Protected Areas should be activated by the manager for maintaining constant communication with public, local communities and other civil society organization.

Figure 2. Joint management structure



III. MECHANISM FOR STAKEHOLDERS INVOLVEMENT

A Public Forum on Marine Protected Areas should be established in order to enable stronger involvement of stakeholders. The main steps in stakeholder involvement are:

— Informing

(grants, soft-loans and similar) for national environmental priorities, including nature protection. Revenues of the fund were supposed to include, among other sources, economic instruments such as environmental taxes, charges and fees. A comprehensive feasibility assessment for establishment of

Based on discussions presented above, the following key management of MPAs can be made:

An overall **strategy on MPA financing** should be developed assessing potential of existing nature protection charges, (such as water charges, concessions, tourism taxes etc.) as well as looking into possibilities for development of new instruments (e.g. payments for ecosystem services, possibilities related to carbon markets and others.) The

ANNEX I
CASE STUDIES OF MPA NETWORK MANAGEMENT:
ITALY, FRANCE AND CROATIA

that are important for biodiversity or for genetic resources

conservation. Natural reserves can be national or regional1.3(o)-6.8(n)2.2(al 96D[c]-5.9(o)-6.8(de-6.9(r)-5.9(t)6.4(t)03)4.)12.6(e)2.9()03

24,568 km²). In addition, 58 sites of the Natura 2000 ecologic network are established in the territorial waters of France, with a total area of 14,776 km².⁴⁰

MPA categories

FZW >Si ' a' ' BdaFWUFW' 3dVSe' VW' Vè' +' _ S[' USfW adVè' aX _ Sd[W bdaFWUFW' SdVSe' VSUZ' aX fZW _ _ VWV[Y' ebWU[-U' objectives whilst complementing each other. Marine protected areas are seen as tools to enable sustainable management aXfZW _ Sd[WS' V' UaSeS^W h[da' _ W fZ FZVK' SdVWV' VW' Se' "a defined space that meets the objective of protecting nature over the long term, not excluding a controlled economic development, for which management measures are defined and implemented"; thus incorporating the concept of people's [ha^W _ W f S' V' bSd[U]bSf[a' ' [' fZW VW' [fa' ' aX geVè' S' V' management of PAs.

MPA establishment and management

When the protection of species or habitats established by law is common to all MPAs, each of them has an objective which makes it different from the others. **The size of marine protected areas** VVbW Ve'a' fZWebWU[-U'aT'WUf[hVè fZSfZShW been set in the establishment process; while the management, and in particular the choice of the parties involved in the decision-making process, depends on the local context.

Main objectives for the creation of MPAs are listed as follows:

- **F1.** The healthy state of listed and heritage species and habitats or those that deserve to be protected under other circumstances (rare species threatened species);
- **F2.** The healthy state of unlisted species and habitats (exploited halieutic species, very locally abundant species giving biogeographical value to the site);
- **F3.** The yield of key economic functions (spawning grounds, nurseries, productivity, resting, food supply, migration);
- **F4.** The healthy state of marine waters;
- **F5.** The sustainable use of resources;
- **F6.** The sustainable development;
- **F7.** The maintenance of maritime cultural heritage;
- **F8.** 3VVW hSgW/eaU[S^WJa' a_ [U' eU[W f[-U' S' V' educational).

40 Agence des Aires Marines Protegee <http://www.aires-marines.com/>

The AAMP (Agence des aires marines protégées) is a French public establishment of an administrative nature, is placed under the governance of the Ministry of Ecology, Sustainable Development, Transport, and Housing. Its government is exercised by an executive board on which other deliberating authorities are dependent (the Natural Marine Park management advisory councils and board) and a consultative [efS` UW /fZW EU[W f[-U` 5ag` U[fz` FZW 3YW Uk` [e` fZWV%adV responsible for **supporting the creation and management** of marine protected areas.

Marine protected areas with different statutes can be superimposed on the same territory, which sometimes makes [f V[X-Ug` f` fa` g` VWefS` V` fZW` aY[U` dW` SdV[` Y` fZW` dTag` VSdV` and governance. This is why the policy makers have planned for Natura 2000 sites that are included in natural marine parks, to be managed by the park.

National Agency for MPAs: Bodies, Duties and Tasks

Deliberating authorities

The Executive Board

The Executive Board is the main decision-making authority of the MPA Agency. Its members are appointed for three years and the President is selected among internal members .

The executive board is made up of two colleges

- State representatives (16 members)
- elected members, users, and associations (23 members)

3df[UW` D%&Z` aX` fZW` 7` h[da` _` W` fS` ^` 5aVW` VW` We` fZW` Vgf[Ve` aX` fZW` WY` WUgf[hWT` aSdV` i` Z[UZ` [` U` gVW` fZW` VW` [f[a` aX` Natural Marine Park and Marine Protected Area management policies in its sphere of competence (creation, management, evaluation). The executive board meets approximately 3 times per year.

The Executive Committee

Within the Executive Board there is an Executive Committee which includes the executive board president, the vice presidents, a representative of the governing ministry, a representative of the ministry rino coOF,

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management of protected areas, the following management documents have to be endorsed: governance plan and spatial plan of the area distinguished by particular features.

The governance plan

ANNEX II
REPORT OF THE NATIONAL WORKSHOP ON MPAS
HELD IN PODGORICA, MONTENEGRO IN JULY 2013,
ORGANIZED BY THE MINISTER OF SUSTAINABLE
DEVELOPMENT AND TOURISM, RAC/SPA AND IUCN-
MED

The following is an extract of the "Report of the national consultation regarding Priority needs for legal, policy and institutional reforms to strengthen the creation processes and the management of marine protected areas in Eastern Adriatic", issued in September 2013.

CONTEXT

In the framework of the activity entitled "Assessment and support to Adriatic countries' priority needs for legal, policy and institutional reforms to strengthen the creation processes and the management of marine protected areas" of the the **MedMPAnet Project** – Regional Project for the Development of a Mediterranean Marine and Coastal Protected Areas (MPAs) Network through the boosting of MPA Creation and Management (<http://medmpanet.rac-spa.org/>), the Regional Activity Centre for Specially Protected Areas (UNEP/MAP – RAC/SPA) and the Centre for Mediterranean Cooperation of the International Union for the Conservation of Nature (IUCN-Med) organized national workshops on MPAs legal and institutional frameworks in Albania, Croatia and Montenegro.

Those events were held in the different countries at the following dates:

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Table 11. Agenda

| Agenda Montenegro, Podgorica , 26 of July 2013 |
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| |
| the workshop |
| Findings of the study (state of the art) |
| <i>Coffee break</i> |
| |
| <i>Lunch</i> |
| diagnosis |
| |
| <i>Coffee Break</i> |
| |
| |

COMMENTS OF WORKSHOPS' PARTICIPANTS TO THE WORKING DOCUMENTS

In Montenegro

The following general comments were done by the participants during the workshops:

E ...

CONTENTS

The workshops were all facilitated by IUCN-Med, Alain Jeudy de Grissac.

A brief research and brief analysis based on legal documents in Montenegro and other countries' National Focal Points for SPA (in Montenegro: the Department for Nature Protection, Monitoring, Analyses and Reporting of the Environmental Protection Agency) and some key national stakeholders (other governmental agencies and NGOs).

In Montenegro, the meeting was co-hosted by the Ministry of Sustainable Development and Tourism.

The following three working documents were distributed to the participants prior to all meetings for comments and review:

- Legal and Institutional country assessment for MPAs;
- Matrix summarizing the existing framework and identifying priority needs to improve the establishment and management of MPAs;
- General Stakeholder Participation Toolkit.

| | Items for assessment | Status and planned changes | Priorities to consider |
|---|--|--|--|
| | Protected Areas Generic Legal Framework | Protected Areas Generic Legal Framework | Protected Areas Generic Legal Framework |
| 1 | Provide an overview of the country (economic situation, status of the natural resources and ecosystems, surface covered by the Marine Protected Area national system, etc...). | | |
| 2 | What are the primary protected area legal instruments? Give the full title of each (if there is more than one) and the year adopted or issued. Does the legal instrument govern the protected areas system overall (both terrestrial and marine instrument for the marine protected areas system; explain | | |
| 3 | Identify the level of government that enacted the instrument (national parliament, sub-national parliament, ministerial level, etc.) | | |
| 4 | Identify the Minister or other policy level body with overall powers for implementation of the PA instrument. | | |
| 5 | Identify any specialized protected areas agency/department responsible for daily implementation/oversight of the protected areas system (both terrestrial and marine PAs or only MPA)? | | |
| | Scope of legal framework | Scope of legal framework | Scope of legal framework |
| 6 | Does the legal framework for the PA system recognize governance and management options? Centralized approach where the protected area is entirely publicly by government at national level; Decentralized approach where management of public land may be delegated to provincial/state or local government units; Public/private partnership through a co-management arrangement between the government and other stakeholder(s), including communities; are owned and voluntarily managed by private sector entities (Private Protected Areas [PPAs], both non- Management by the indigenous peoples and local communities. | | |

| | Items for assessment | Status and planned changes | Priorities to consider |
|----|-------------------------------|----------------------------|------------------------|
| | Finance | Finance | Finance |
| 24 | Does the protected area legal | | |
| | | | |
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ANNEX III
PLAN FOR FUTURE MPAS IN MONTENEGRO

The Special Purpose Spatial Plan for the Coastal Zone of Montenegro (2007) provides basis for three MPA areas: Platomuni, Katici islands and Old Ulcinj island.

Documents that are basis for the proclamation of two areas

— The GEF funded project “Strengthening the sustainability of the protected area system of Montenegro” carried out by UNDP, started in 2009, includes development of a new MPA in Platomuni.

— The “National Strategy for Sustainable Development of Montenegro” developed by DFS Engineering Montenegro in 2009-2010, within the Italy-Montenegro cooperation for the implementation of the National Strategy for Sustainable Development of Montenegro.

— In 2012 an assessment of the coastal zone was carried out by the “Assessment of Marine and Coastal Ecosystems along the Coast” (MPA2 project) to identify the areas of the Montenegrin coast where



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