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Ensuring appropriate co-ordination:

An explanatory report on Article 7 of the ICZM Protocol

PAP/RAC

SHAPe between coast and sea

Let's grow up together Adriatic IPA Cross-Border Cooperation 2007-2013

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Background

The SHAPE project “Shaping an Holistic Approach to Protect the Adriatic Environment: between the coast and sea” is an IPA Adriatic Cross Border Co-operation initiative. The ultimate idea of the SHAPE project complies not only with the main objectives and principles of the Protocol on Integrated Coastal Zone Management in the Mediterranean (ICZM Protocol) but also meets all requirements and guidelines proposed within the Roadmap for Maritime Spatial Planning. In this respect, it aims at the sustainable development of the Adriatic region by strengthening the protection and enhancement of the marine and coastal environment through an integrated multilevel cross-sectoral governance approach seeking the most acceptable and consistent solutions in order to ameliorate conflicts among different uses that are being considered as an inevitable part of human presence in coastal zones.

The role of PAP/RAC as a WP co-ordinator within the SHAPE project is to provide its expertise and *know-how* experience in bringing the regional partners together for a successful cross-national and cross-sectoral co-operation within the ICZM framework. In this respect and in accordance with the Work Package 3/Action 3.2, PAP/RAC’s main task is to provide an explanatory report on Article 7 of the ICZM Protocol addressed to vertical and horizontal dimensions of co-ordination and institutional integration. The primary aim of such a report underlies a better understanding and the importance of co-ordination processes from the ICZM perspective, as well as encourages the involved Project partners to adjust their legal instruments according to the requirements of the ICZM Protocol.

1. Introduction

1.1 The role of ICZM in changing the perspective on institutional co-ordination

Even though terms such as coastal zone management, coastal resource management or coastal area management are well entrenched in the coastal policies worldwide since mid seventies, the term "*integrated*", in the context of coastal management, begun to be frequently used short after the Rio Conference (1992) and since then is promoted as an inevitable component in holistic understanding of the sustainable coastal zone management. Despite the fact that in the last twenty years, especially in the Mediterranean region, considerable efforts have been made towards strengthening the integration between sectors relevant to coastal zone management (both from the scientific and policy decision standpoint), a great portion of evidences reveal that, still nowadays, coastal zones are being managed in accordance to traditional-narrow assessments along government agency lines created to serve singular socio-economic sectors very often delaminating their scope of concern solely to near shore or land-side part of the coastal zone (e.g. coastal erosion or shore-land use). For example, one of the weakest points of such a sectoral approach in dealing with multiple and often overlapping coastal management issues refers to transferring the problems from the realm of a certain sector, where they were originally created, to the "jurisdiction" of another sector often without any contribution in their solving. The occurrences of such chains of inefficiency in the decision-making system often result with *"unhealthy"* competitions between sectors unready to answer the demands of a highly dynamic nature of the coastal zone management.

The Rio Conference in 1992 has made a remarkable shift away shading the light on new perspectives in understanding the coastal zone management. Precisely, the traditional and often separated coastal or marine management approaches were *supplemented* with a new dimension, "***integration***". Considered as a "*missing link*" such an approach proves enough evidences in its capability to overbridge the gaps among different relevant sectors and interested groups at all governmental levels

arguing that terrestrial and marine parts of the coastal zone should be perceived as a unique subject of **governance**[1].

> *"Governance (...) addresses the values, policies, laws and institutions by which a set of issues are addressed. It probes the fundamental goals and the institutional processes and structures that are the basis for planning and decision making."* (Olsen et al, 2009).

In this respect, the concept of Integrated Coastal Zone Management (ICZM) as a dynamic, interactive and continues planning process appears as a rising challenge that proves to be able not only to initiate momentum for deep policy reforms and institutional re-organisation but also to provide a prominent spectre of benefits in achieving a long-term sustainability of coastal areas. Avoiding the old paradigms, ICZM endeavours a *collaborative management* based on a holistic system perspective fostering the integrated and multi-sectoral co-ordination through the *decentralisation of power and improved public participation* taking into account vertical, horizontal and spatial dimensions of co-ordination and their implementation within each governmental level (international, national, regional). Moreover, ICZM aims for an active participation and co-operation of all relevant stakeholders in order to assess the societal equilibrium often considered as "*acid issue*" when dealing with sustainable development of coastal areas (CEC, 2000; Briassoulis, 2004).

The "mapping" of the many relevant institutions, along with their policies and functions, is therefore an essential first step in defining the operating context of the ICZM process. A thorough understanding of key institutional, legal and policy drivers at international, national and local scales is key to ensuring the relevance and effectiveness of a strategy, plan or programme.

[1] According to Juda (1999) a term governance is defined as "*the formal and informal arrangements, institutions, and mores which determine how resources or an environment are utilised*".

2.

Article 7 (Co-ordination) of the ICZM Protocol: The legal scope

Intra-governmental[2] (vertical) and inter-sectoral (horizontal) co-ordination, as well as institutional integration mechanisms, represent a basis for understanding the role and relationship between different stakeholders involved in governing processes of coastal areas. The necessity for the establishment of such mechanisms, on the global level, is subject of great concern. Various policy legal instruments, such as Agenda 21 (UNCED, 1992), Jakarta Mandate to the Convention on Biological Diversity clearly oblige the Member States to define/design appropriate co-ordination mechanisms whose scope should be wide enough to diminish and avoid different and often contrastive sectoral interests, within all levels of government.

With regard to the Mediterranean region, the importance of a co-ordination mechanism in terms of ICZM is being a burning issue since the late seventies. To confirm, one of the first efforts in dealing with the institutional arrangements on supra-national level has been particularly highlighted within Article 13 (Institutional arrangements) of the Barcelona Convention for the Protection of the Mediterranean Sea Against Pollution[3] (Figure 1) calling the Parties...:

> *"...to ensure the necessary co-ordination with other international bodies which the Contracting Parties consider competent, and in particular, to enter into such administrative arrangements as may be required for the effective discharge of the secretariat functions".*

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[2] In the Mediterranean the term "*intra-governmental*" is used for a co-operation between different levels of administration/authorities (national, sub-national and local) in one country, whereas the term "*inter-governmental*" means co-operation between the countries/ governments.

[3] In 1975, sixteen Mediterranean countries and the European Community adopted the Mediterranean Action Plan (MAP), the first-ever Regional Seas Programme under UNEP's umbrella. In 1976 these Parties have also adopted the Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona Convention). Seven Protocols addressing specific aspects of Mediterranean environmental conservation complete the MAP legal framework.

Further, strenuous attempts have been continued during the nineties, after the Rio Conference (1992), where the importance of functioning of the co-ordination mechanism became a crucial issue for implementation of any ICZM programme. One of the major contributions to these efforts can be attributed to a series of UNEP/MAP Workshops on Integrated and Sustainable Management of Coastal Zones which led to the creation and adoption of EU Recommendations (2002) for ICZM. In short, the EU Recommendation defines the principles of coastal planning and management including the need for base planning on sound and shared knowledge taking into account a long-term and cross-sectoral co-operation by involving all stakeholders relevant for governing, both terrestrial and the marine components of the coastal zone.

Figure 1. Contracting Parties of the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution

With regard to the Mediterranean region, one of the latest successes in justification of the requirements for institutional co-ordination on supra-national level constitutes the "Protocol on Integrated Coastal Zone Management in the Mediterranean", adopted in January 2008 and entered into force in March 2011. The ICZM Protocol as an international legally binding instrument clearly invites within its Article 7 (Co-ordination) all the Contracting Parties (as shown in Figure 1.) to ensure all necessary measures for establishing the inter-sectoral and intra-governmental co-ordination (Provisions 7.1.b-c and 7.2.), as well as for creating institutional integration mechanisms (Provisions 7.1a and 7.2) in compliance with objectives and principles of the Protocol listed in Articles 5 and 6.

Article 7
Coordination

1. *For the purposes of integrated coastal zone management, the Parties shall:*
   (a) *ensure institutional coordination, where necessary through appropriate bodies or mechanisms, in order to avoid sectoral approaches and facilitate comprehensive approaches;*
   (b) *organize appropriate coordination between the various authorities competent for both the marine and the land parts of coastal zones in the different administrative services, at the national, regional and local levels;*
   (c) *organize close coordination between national authorities and regional and local bodies in the field of coastal strategies, plans and programmes and in relation to the various authorizations for activities that may be achieved through joint consultative bodies or joint decision-making procedures.*
2. *Competent national, regional and local coastal zone authorities shall, in so far as practicable, work together to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established.*

Box 1. Article 7 (Co-ordination)
(From: Protocol on the Integrated Coastal Zone Management in the Mediterranean, 2008)

Article 7 of the Protocol endeavours the Parties of the Barcelona Convention to initiate momentum for strengthening co-operation among different administrative levels (national/ regional/local) in the sense of **intra-governmental (vertical) co-ordination** and to foster the inter-sectoral (horizontal) co-ordination between all associated administrative departments, sectors and services comprising the single level of government. Besides this, the Protocol pays special attention to institutional integration inviting the Parties for the establishment of an "*appropriate co-ordinated body"* or a "*special authority*" aimed to facilitate and catalyze the overall ICZM institutional and cross-sectoral co-ordination processes taking into account both the *"marine and the land parts* of *the coastal zone*". In addition, the aforementioned tasks stipulated in Article 7 fully underlie to the Protocol Objectives within Article 5:

> *"The objectives of integrated coastal zone management are to: (…) achieve coherence between public and private initiatives and between all decisions by the public authorities, at the national, regional and local levels, which affect the use of the coastal zone" (Article, 5-f).*

Even the Mediterranean countries play one of the pivotal roles in creating the regional ICZM on the global scale, the majority of their governance systems still rely on sectoral and mono-disciplinary approaches to coastal management deeply woven into the consciousness of their policy makers (Shipman and Stojanovic, 2007). Thus, designing and practical establishment of new administrative multilevel co-ordination mechanisms capable to cope with the complex coastal management issues undeniably will stand as a

burning issue for many Mediterranean countries and their governments. It should be borne in mind that finding the "best/universal" co-ordination mechanism that may be equally applicable for all government arrangements is an extremely difficult, if not impossible task. However, each country government together with associated stakeholders should develop its own sound understanding co-ordination mechanisms which, in the first line, will be in compliance with the provisions of the ICZM Protocol but also uniquely suit to specific circumstances of coastal policy in the sense of its institutional and governmental arrangements as well as to its traditions and socio-economic conditions. A figure below highlights the most common problems in dealing with functioning of vertical/horizontal co-ordination mechanisms and institutional integration issues.

Figure 2. The most common problems in dealing with functioning of vertical/horizontal co-ordination mechanisms and institutional integration issues

2.1 The concept and dimensions of intra-governmental (vertical) and inter-sectoral (horizontal) co-ordination

Despite the fact that different dimensions of institutional co-ordination mechanisms are well defined in numerous research papers and management reports worldwide, particularly in the context of coastal management the general consensus highlights the **vertical and horizontal co-ordination** as baselines for making any program within ICZM (Cinin-Sain and Knecht, 1998; Sorenson, 1997).

The vertical coordination

Refers to integration of different levels of governmental authority (national/state, provincial/ counties and local /municipalities) and non-government organisation which significantly influence the planning and management of coastal resources and environment.

The horizontal coordination

Refers to different sectors, services and agencies (e.g. fisheries, agriculture, tourism, transport) comprising the single level of government.

Box 2. Vertical and horizontal co-ordination

However, regarding the fact that *integration* is being considered as a complex and crucial component of coastal zone management, the aforementioned co-ordination lines should be looked from a broader perspective that comprises various management levels. In that sense, following the initial identification (vertical and horizontal co-ordination), five additional components then have to be distinguished:

- Intra-governmental integration (vertical co-ordination);
- Inter-sectoral Integration (horizontal co-ordination);
- Spatial Integration (vertical/horizontal co-ordination)[4];
- International Integration (vertical/horizontal);
- Science-Management Integration (different disciplines).

In general, vertical and horizontal co-ordination encompasses the international and spatial (territorial) aspects of integration. International integration refers to transboundary issues when national borders are enclosed or semi enclosed taking into account both perspectives, first, as a dimension under vertical integration (e.g. level of government) and second, in the context of horizontal integration when inter-sectoral co-ordination requires a cross boundary co-operation between different sectors, agencies and other relevant stakeholders within single level of government. These overlaps, with no doubt, will entail many policy questions leaving the space for different interpretations.

[4] Take into accounts the interrelationships and interdependencies between the terrestrial, estuarine, littoral, and offshore components of the coastal zone. (GRSAMP,1996)

Figure 3. Basic co-ordination framework in ICZM
(Adapted form: Cicin-Sain and Knecht, 1998)

Although the dimension of spatial integration is often associated exclusively to horizontal line of co-ordination, it could not always be considered within a single administrative level. Thus, spatial integration should be looked as a fundamental dimension in a co-ordination process where horizontal and vertical overlaps confirming their inseparability as components for establishment of any multilevel collaboration on ICZM initiative. A table below helps in clarifying the aforementioned statement revealing that spatial integration should be considered as a basis on which other co-ordination lines have to be determined emphasising the need for a broader understanding of the relationship between co-ordination lines in regard to land-sea territorial integration.

Table 1. Spatial integration and level of government interests in Coastal/Ocean Areas
(Adapted from: Cicin-Sain, 1993)

	Land-sea spectrum				
	Inland areas	***Coastal lands***	***Coastal waters***	***Offshore waters***	***High seas***
Nature of property	Public/Private	Public/private	Predominantly public		
Levels of government	Local/provincial	Local/Provincial/National		National	International

2.1.1 Vertical co-ordination

Co-ordination processes at vertical level are often characterised by political, administrative and budgetary conflicts exposed to problems in allocating responsibilities among different levels of government. One of issues that has always been under the subject of certain suspicion refers to a degree of the centralisation within governmental levels and decision-making processes.

In many European and Mediterranean countries, attention is being given to strengthening the local administration level and its active involvement in the decision-making process highlighting the concept of subsidiarities as a favourable solution in overwhelming the

Figure 4. Vertical (intra-governmental) co-ordination

highlighting the concept of subsidiarities as a favourable solution in overwhelming the top-down communication gaps inherent for vertical co-ordination. To clarify, the concept of **subsidiarity** advocates that the decision-making power should be delegated to the lowest level of decision and consequently necessitates that a central authority should have a subsidiary function, performing only those tasks which cannot be accomplished effectively at a more immediate or local level. Furthermore, stakeholder involvement, especially within the local level, should be taken with serious concerns not treating them only as a participatory tool but rather provide them opportunity for a close contribution as co-operative partners in any decision-making processes. Article 15 of the Barcelona Convention already sets out certain provisions on stakeholder participation which are also highlighted within Provisions 6d and 14-1 of the ICZM Protocol.

"Appropriate governance allowing adequate and timely participation in a transparent decision-making process by local populations and stakeholders in civil society concerned with coastal zones shall be ensured" (6d).

"With a view to ensuring efficient governance throughout the process of the integrated management of coastal zones, the Parties shall take the necessary measures to ensure the appropriate involvement (...) of the various stakeholders" (14-1).

Box 3. Protocol on Integrated Coastal Zone Management in the Mediterranean: Provisions 6d and 14-1

The degree of centralisation opens many questions and doubts. Planning on local level is traditionally more responsive to local needs and concerns and therefore governance that largely grounds on local perspective is often characterized as being parochial in outlook. However, local politicians driven by commercial interests and short-term economic goals very often interfere with the regional or national decision-making processes and planning concepts. For example, encouragement of urbanization or development of tourism infrastructure, in order to increase tax revenues at the level of the municipality, may be in contradiction with sustainability objectives. From this perspective, there is reasonable concern that decentralised coastal planning decisions may lead to "*opposite effect*" resulting with *"fragmentation of policy and inconsistencies between the strategies drawn up by different areas"* (Humphrey and Burbridge, 2010). Besides this, the provision of technical support, particularly in some of the specialized technical areas required for coastal management, should be also considered as human

resources can be very limited at the local levels. Problems with local capacities mainly arise in insufficient number of involved stuff (e.g. experts) which, no matter how competent are, cannot cover all the aspects of management required for governing the coastal areas. Thus, in order to mitigate similar problems, many European and Mediterranean countries tend to encourage the establishment of administration mechanisms on intermediate (sub-regional) scale in order to facilitate the vertical co-ordination between local and national level of governance through:

(i) the provision of expertise and technical advices (as capacity that is generally lacking at local level);
(ii) the ability to establish a wider geographical view and a more strategic approach that still retains (compared with the national level);
(iii) an understanding and relevance to the local areas; and
(iv) their ability to assist in cross-border integration (between municipalities).

Thus, to ensure a stable communication and to mitigate the problems caused by centralization/decentralization synchronisation of key planning operations is needed particularly in hierarchical context as well as a prior consultation in preparing any further planning operations.

2.1.2 Horizontal co-ordination

Co-ordination within a horizontal line of governance is another challenge. Underlying on inter-sectoral integration it aims for co-operation between sectors, agencies and service involving different stakeholders within a single level of government. In the context of ICZM, several examples from the Mediterranean and European countries

Figure 5. The concept and main features of ICZM networking approach (Based on: Taussik and Gubbay, 1996)

have shown worth mention results by using the ICZM networking[5] aimed to create a synergy between different competences and interested groups in order to deal with complex and interlinked problems of horizontal co-ordination in coastal management. Figure 5 shows the potentials of ICZM networking and its applications.

2.1.3 Institutional integration mechanism

"...to ensure institutional coordination, where necessary through ***appropriate bodies or mechanisms****, in order to avoid sectoral approaches and facilitate comprehensive approaches."*

Box 4. Protocol of the ICZM in the Mediterranean Sea: Provision 7(a)

The matter of creating a special authority is not clearly formulated within the Provision 7(a) of the ICZM Protocol, which only mentions the need for establishment of "*appropriate bodies or mechanisms*" in order to "*ensure institutional co-ordination*". However, creation of such a body/mechanism has been highlighted in various other reports and documents advocating the establishment of a head authority specialized for institutional integration for the purposes of ICZM. In 1995, UNEP has called for the "*designation of a lead agency for coastal management at the national level (…)*", while Article 27 of the Model Law on Sustainable Management of Coastal Zones proposed by the Council of Europe in 1999 clearly proposes that at national level and "*in order to facilitate integrated coastal-zone management, a clearly identified ministry, inter ministerial committee or national coastal-zone agency shall be responsible for giving impetus to and co-ordinating the action of the various authorities in charge of coastal zones*". Furthermore, in regard to improvement of institutional frameworks for coastal zone management in the Mediterranean region, a considerable progress has been made during the International Workshop on Integrated and Sustainable Management of Coastal Zones held in Benidorim, in 1997 where the MCSD[6] members were asked to establish *"national, regional and local agencies for coastal zone management"* in order *"to facilitate co-ordination actions among competent authorities"* as well to *"secure cooperation among various administrative bodies, institutions and organizations active in coastal zone management in order to avoid duplication of efforts".*

To achieve a desired stage where institutional integration stems as a result of a structured and efficient vertical, horizontal and spatial co-ordination, attention should be directed towards fostering the **co-operation mechanisms** including both, the

[5] Networking is an efficient mechanism for strengthening coastal zone initiatives through connecting, informing and engaging stakeholders and facilitating information and knowledge exchange (National Resource Management Ministerial Council, 2006).

[6] At that time MCSD was composed of 35 members including, besides signatory countries of the Barcelona Convention, various NGOs, professional associations and organisations, cities, etc. The technical and professional support has been provided by MAP which acted as MCSD secretariat. (Available at: http://www.pap-thecoastcentre.org/about.php?blob_id=59&lang=en)

involvement and **collaboration** of all the administrative partners at different levels of government as well as all relevant sectoral branches of the administration within a single level of government. In this respect, for any successful co-operation previous and well-establish co-ordination mechanism of policy arrangements should be ensured. Bearing in mind that institutional co-operation is considered as one of the most expensive and time consuming elements of ICZM, there is an urgent need for settling the scrupulous and explicit strategy on how to hasten and steer the co-operation processes for the ICZM purpose (CEC, 1999).

Thus, in order to pave the way for the establishment of an efficient institutional integration, two approaches should be reconsidered. First approach refers to establishment of a new head institution or agency responsible for institutional integration which could be formed as a result of reorganisation or redefinition of existing legislative regulations and other government arrangements into new specific ICZM legislation. Although this approach has several advantages in terms of the enforcement of a new mechanism designed to facilitate co-operation, it may be resisted by existing sectors fearing of loss of power and autonomy (Sorensen and McCreary, 1990). Moreover, several examples from developing countries showed that the lack of financial resources is imposed as one if not the most limiting factor in the process of establishment of such a new co-ordination body.

Alternative approach refers to no new specific legislation enactment or establishment of a particular co-ordination body. It means that the existing government sectors and institutions remain, but a kind of a network system is established, binding together pre-existing approaches into a well defined coastal zone management strategy. In addition, this approach fully complies with the general ICZM concept which, in its basis, does not necessarily call for creation of new institutions or agencies but rather calls for "*reduction of administrative barriers and the organization on a permanent basis of appropriate co-ordination so as to achieve territorial integration with regard to the land-sea division*[7]". Besides, this solution is being widely confirmed by different coastal management initiatives also stressing the importance of working with existing management structures rather than attempting to introduce new ones (Clark, 1997; Scura *et al*., 1992).

In any case, such administrative bodies should be initiated and delegated by a higher political government level, national or regional, in the first line to facilitate and strength the intra-governmental (vertical) and inter-sectoral (horizontal) collaboration providing a forum for conflict resolution among involved levels and sectors as well as to minimise duplication of functions by monitoring the overall ICZM process (Cicin-Sain and Knecht, 1998).

[7] MAP/UNEP, Draft Protocol on Integrated Coastal Zone Management in the Mediterranean, Meeting of MAP Focal Points, Athens, Greece, 21-24 September 2005, p. 26

3.

Co-ordination mechanisms at the Mediterranean and European level

According to a comprehensive study "Sectoral and Territorial Co-operation in the European Demonstration Programme on ICZM"[8], a majority of the Mediterranean/ European countries have reported lack in co-ordination mechanisms with regard to coastal management. For instance in Norway, Sweden and Denmark, coastal management is regarded principally as a component of the territorial planning, while countries such as Belgium, Greece, Spain and the UK, although having formally established national steering bodies for coastal management, serve mainly as an advisory or consultative capacity. Good examples represent Sweden and Italy, with the established mechanisms for the ICZM inter-sectoral co-ordination even though not being specifically designed for this purpose.

In the following subchapters, examples from different Mediterranean and European countries will be highlighted with special reference to institutional co-ordination initiatives that have been undertaken. With regard to the SHAPE project and its involved partners, the current state of functioning of co-ordination mechanisms will be examined for each Adriatic country using the recent and preliminary data obtained within the Pegaso project "ICZM STOCK-TAKE for the Mediterranean and Black Seas".

3.1 Stock-taking analysis 2013

The ICZM stock-taking analysis within the PEGASO project represents one of the latest and most detailed assessments of the ICZM progress among the Mediterranean and Black Sea countries. In order to collect such a complex amount of data, a structured questionnaire has been prepared by PAP/RAC to address current legislative, institutional, policy and financial frameworks and distributed to 26 countries (5 Black Sea countries

[8] Sarah Humphrey & Peter Burbridge (2003): *Sectoral and Territorial Co-operation in the European Demonstration Programme on ICZM*

and 20 Mediterranean countries including Turkey which lies between both seas). The questionnaire was structured in such a way that covers all relevant Articles of the ICZM Protocol. One of the highlighted questions has been referred to Article 7 (Co-ordination) of the ICZM Protocol (Figure 6). The elements of the stock-taking analysis presented below are the results of the latest run of consultation for the Mediterranean in 2013.

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

a) Between the marine and land parts of the coast?
b) Horizontally between different services and other organisations at the same administrative or geographical level?
c) Vertically between different services and other organisations at different administrative or geographical levels?

The Table 2 refers to the current state of co-ordination mechanisms in the Mediterranean region. With regard to establishment of a land/marine co-ordination mechanism (Answer A) only six (6) countries replied positively and these are noticeable by their relatively recent origin. Besides this, ten (10) countries have confirmed the "preparation" of such a mechanism. In respect to horizontal co-ordination (Answer B) mechanisms, eight (8) countries confirmed establishment of such a mechanism, while ten (10) are still in the process of "preparation". However, they all emphasised the establishment of some other mechanisms ranging from the formal inter-ministerial committees to other management structures for specific geographical or protected areas aimed to facilitate horizontal co-ordination and communication. Interestingly, those countries that have had established formal horizontal co-ordination mechanisms are more likely to have (or still preparing) mechanisms for vertical co-ordination (Answer C). In addition, the results indicated that both, horizontal and vertical co-ordination mechanisms very often remain under the same legislation or institutional structures. A disturbing fact is that a considerable number of examples still indicate the presence of sectoral/ centralised governance mechanisms in many countries.

Table 2. Quantitative results for the question No. 7 of the Stock-taking analysis (2013)

	Answer a)		Answer b)		Answer c)	
	n	***%***	***n***	***%***	***n***	***%***
Yes	6	28	8	38	8	38
In Preparation	10	48	10	48	9	43
No	4	19	3	14	4	19
N/A	1	5	0	/	0	/
Total	**21**	**100**	**21**	**100**	**21**	**100**

a)

b)

c)

Figure 6. Co-ordination processes (a, b & c) in the Mediterranean (Stock-taking analysis, 2013)

Stock-taking analysis for the Adriatic countries

Albania

Since 1995, Albania has officially established an Integrated Coastal Zone Management Plan. Besides, the Law on Territory Planning covers several provisions stipulating the establishment of co-ordination institutions and bodies at the national, regional and local level. Although these institutions or bodies exist, hitherto, they are not set-up for the single purpose of the ICZM. Furthermore, Albania has confirmed the establishment of the management committees for Protected Areas. The legal status of such committees lies on a Government Decree of 2005 and includes the local government authorities, district representatives, representatives of the Ministry of Public Works, and Protected Areas responsibilities and administration.

Croatia

Although in Croatia, to date, no specially constituted bodies for ICZM institutional co-ordination exist, in 2009, an initiative has been launched aimed to ensure the establishment of an inter-ministerial co-ordination body for ICZM. Such a head co-ordination body, set up at the national level, facilitates the process of the ICZM Protocol ratification, steering the policy and legal instruments related or having influence to protection and management of the coastal area paving the way for the implementation of the ICZM Protocol provisions after its ratification. After several meetings related to the ICZM Protocol were organised with representatives of relevant ministries, on October 12, 2012, the Parliament of Croatia adopted the Law on Ratification of the ICZM Protocol after a thorough discussion, in which all of the members of the Parliament expressed their appreciation of the Protocol and raised hopes that it would be successfully implemented.

After ratification of the ICZM Protocol, it was decided to formalize the Inter-ministerial coordination. It would be done in a way to expand the membership of the National committee for implementing the obligations from the MSFD transposed into national legislation by Regulation establishing the framework for action of the Republic of Croatia in the field of marine environment protection (OG 136/11).

According to the EU Marine Strategy Framework Directive and ICZM Protocol, Croatia has an obligation to develop two national strategies, the Marine Strategy and ICZM Strategy. Since both strategies are connected and based on complementary principles, it was decided to combine these two strategies in on strategic document, i.e. the Strategy for management of marine environment and coastal zone. For the development and implementation of the Marine Strategy, the National committee was established, whose members were appointed by the Croatian Government. Since there is this initiative to connect two strategic documents in one, the National Commission will be extended with the members of Inter-ministerial coordination for ICZM.

Vertical co-ordination exists in the physical planning process, as well as in environmental protection planning.

Italy

The co-ordination mechanism for integrated management of the marine and terrestrial part of the Italian coast is based on two decrees: a Legislative Decree No. 190/2010 (Directive 2008/56/CE) and a Legislative Decree No. 152/2006 (Directive 2000/60/CE). The first decree designates the Ministry of Environment, Land and Sea (MELS) as a competent co-ordination authority established in the form of a technical committee consisting of representatives of different Ministries, Regions and autonomous Provinces, the Union of Italian Provinces and the National Association of the Italian Municipalities. The second decree defines eight national hydrographical districts. Both decrees encompass substantial regulations. The Management Plans of Hydrographical Districts provided by Art. 13 of the Directive 2000/60/CE have been all adopted. Their update is in progress.

Several MELS general directories are continuously involved in the initiatives and actions related to ICZM issues. "*Reparto ambientale marino del Corpo delle Capitanerie di Porto (RAM)*" (Port Authority-Marine Environment Department), established in accordance to Law No. 179/2002, should be considered as a good practice for the implementation of horizontal and vertical co-ordination mechanisms. In short, the Italian Ministry of Agricultural, Food and Forestry Policies established two co-ordinated bodies, a "Light-blue Table" and a "Committee for fishery and aquaculture" where the former is focused on co-ordination of all the regions in the field of fishery management, while the latter exists as a central fishery and aquaculture consulting body in co-ordination with the other Administrations, Research Institutes and Private Enterprises. Further, the National Consultancy for Territory and Environment Information has also been established as an institutional connection body among the public administrations (at the different administrative levels) aimed at promoting a different co-ordination mechanism based on the technical data collected through territorial information systems and environmental monitoring.

At the regional level, some important institutional entities have been established: the Sea Direction Cabin of the Lazio Region and the Regional Coast Conservatory Agency of the Sardinia Region.

Montenegro

Even though the Public Enterprise for the coastal zone management has (to some extent) jurisdiction over both the coastal (land part) and territorial sea (marine part), it is not considered as a co-ordinating body or mechanism specialised for ICZM.

To enable monitoring of CAMP activities at appropriate expert level, the Advisory Committee was established to serve as the advisory body to the Steering Committee with the following composition:

- The Public Enterprise for Coastal Zone Management represented by the Director or representative responsible for sustainable development and environmental protection of the coastal zone;
- The Environmental Protection Agency represented by Director or Deputy Director responsible for monitoring of the state of the environment of the coastal zone;

- The Institute for Nature Protection represented by Director or representative responsible for terrestrial biodiversity and protected areas;
- The Hydro-meteorological Institute of Montenegro represented by Director or representative responsible for monitoring of the state of marine biodiversity and hydrographics;
- The Institute for Marine Biology represented by Director or representative responsible for monitoring of the state of marine ecosystem, including the marine biodiversity;
- The coastal municipalities: Herceg Novi, Kotor, Tivat, Budva, Bar and Ulcinj represented by the experts/officers responsible for the policies of importance for integrated coastal zone management;
- National Co-ordinator for the CAMP Montenegro; and
- NGO sector representative.

The structure is the basis for a future Coastal Forum that is expected to be the result of the institutional set up proposal to come out from the CAMP Montenegro and the National Strategy on ICZM. The second phase of the CAMP Montenegro initiated in 2012 is devoted to definition of the appropriate institutional framework for ICZM in Montenegro.

The Steering Committee set up for the realisation of the CAMP Montenegro project represents the first formal co-ordination body for ICZM in Montenegro. It is expected, as one of the CAMP Montenegro project result, that this body, with adjustments, becomes the permanent co-ordination body for ICZM in Montenegro.

Slovenia

In Slovenia, different bodies and mechanisms of institutional co-ordination have been established at the national, regional and local level for the purpose of ICZM during the Coastal Area Management Programme “CAMP Slovenia Project” (adopted by the Steering Committee in June 2007). In the period 2004-2007, the partners jointly managed the CAMP process, involving all most relevant stakeholders, dealing with selected coastal issues. It should be noted that the regional development management structure entrusted with the implementation of ICZM (or CAMP – Coastal Area Management Programme) failed to fulfil its role. The major weakness was that a broad partnership, which accompanied the preparation of the CAMP Slovenia and brought together the key players in coastal management both at the national and local levels, unfortunately, did not persist although there were no legal impediments to maintain such a co-operation in the context of regional development. Recently, a new Act on the promotion of balanced regional development adopted in March 2011 brought a new element: an obligatory partnership approach to regional programming where the Regional Development Council shall assume the key role, while for priority development areas, committees should be established consisted of regional development network representatives, external experts, representatives of municipalities, offices of national bodies and other institutions operating in the region which are relevant for its development. Council committees should be led by regional managers. Within such a developed framework, it will be possible to organise all key actors in the management of the coastal area strengthening the co-ordination more efficiently in the future.

3.2 Examples of the establishment and functioning of a co-ordination mechanism in Europe and the Mediterranean

3.2.1 Establishment of an Inter-Ministerial Committee for ICZM in the Syrian Arab Republic

Syria, amongst the Mediterranean countries, has signed and ratified the ICZM Protocol, expressing with this the intention to benefit from and comply with this extremely important legal instrument. Unfortunately, due to the absence of a coastal zone law and other legal or administrative identification of the coastal zone, Syria is being faced with a considerable lack of cross-sectoral and unified coastal management mechanisms that consequently reflects to poor spatial and cross-sectoral planning, conflict of interests and overlapped competencies, weak public awareness and overall lack of financial resources including the scarcity of skilled human resources in particular.

As a part of the EU SMAP III project, the General Commission for Environmental Affairs, under the Ministry of Local Administration and Environment, has prepared a Policy Brief towards creating a strategy for integrated management of the Syrian coast. Results obtained proved enough evidences for the urgent need for a policy and institutional reform and also to confront the already accumulated problems in the coastal zone.

One of the Brief's recommendations was to establish an Inter-Ministerial Committee (IMC). To achieve this goal, initial consultations with stakeholders have been undertaken in order to start the process of establishing the proposed IMC. For this purpose, the process began with a preliminary communication at the Ministry of Local Administration and Environment which then visited all other concerned ministries including the regional governorates. The general agreement emphasised that such an IMC should, *inter alia*, include high-level representatives from different ministries or institutions responsible for the environment, local administration, developmental planning, spatial planning, urban development, health, water management, agriculture, fisheries, industry, transportation, tourism, maritime authority, economy, in addition to representatives of the public. This wide spectrum of authorities has been involved to ensure a wide consensus in regard to expected outcomes.

Highlighted requirements proposed by involved stakeholders

1. Necessity of representing their institution in the IMC by the deputy minister, general director or other high position representative.
2. Importance of participating through sectoral experts who could participate in formulating and precising proposals for setting up the national vision and policy towards ICZM.

Box 5. Requirements proposed by involved stakeholders

Finally, in 2008, a Memorandum of Understanding has been signed between the Ministry of Local Administration and Environment and PAP/RAC for supporting the function of the IMC. Soon thereafter, two decisions have been issued related to the establishment of IMC.

*Decision No/**2256**/ on 29/9/ 2008 had been issued by Minister of Local Administration and Environment, concerning the establishment of the IMC, illustrating the objective, tasks, duties of the IMC.*

*Decision No/**2257**/ on 29/9/ 2008 had been issued by Minister of Local Administration and Environment, concerning the establishment of the NST, illustrating the objective, tasks, duties, and remuneration of the NST.*

Box 6. Decisions No/2556/ and No/2557/

At the time of finalising the SMAP III project, a structured framework of the Inter-Ministerial Committee (IMC) has been drafted and presented as is shown in Figure 7.

Figure 7. Inter-Ministerial Committee (IMC) framework in Syria

3.2.2 The Egyptian ICZM institutional settings (National Committee for ICZM administration)

In Egypt, until 1994, the institutional co-ordination strategies for the coastal areas have been exclusively considered within the single/sectoral lines of government often lacking in co-ordination and co-operation between administrative levels and departments addressing coastal zone issues. In 1994, the Egyptian Environmental Affairs Agency (EEAA) was given the authority to participate with the concerned agencies and ministries in the preparation of a National Integrated Coastal Zone Management Plan for the Mediterranean and the Red Sea coasts according to Article 5 of the Environmental Law No 4 of 1994 (Law 4/1994). Based on this law by the Ministerial decree number 173/1994, a **National Committee for ICZM** was established. The Committee consisted of 14 members from different authorities. In 1998, the Ministerial decree number 59/1998 extended the National Committee for ICZM with representatives from the Non-Governmental Organizations (NGOs), the private sector, the public enterprise sector and all other relevant authorities.

The mandate of the National Committee for ICZM

- To coordinate all coastal activities between the competent authorities towards ICZM (drafting, setting and approval of general guidelines).
- To maintain the development activities in the coastal areas and to ensure wide participation in drafting and preparing the ICZM Plan.
- To supervise the implementation of the commitments of the Egyptian Government to Regional and International conventions concerning the protection of the marine environment and coastal areas.
- To approve programs and plans aiming at restoring and rehabilitating coastal ecosystems.
- To coordinate and specify mandates for different authorities in the coastal area.
- To approve national arrangements related to the protection of the environment in the coastal area and contingency plans.
- To study and evaluate all major projects to be executed in the coastal zone, especially projects. which may lead to conflict of interest between ministries or other governmental bodies while reaching a final decision.
- To look at any activities or projects relevant to ICZM.

Box 7. The main goals of the National Committee for ICZM in Egypt

Figure 8. Coastal and Marine Zones General Department includes the Red Sea and Mediterranean areas

Until 2003, in Egypt, institutional arrangements at different administrative levels (national, regional, local) for taking responsibility for ICZM have been established (Borhan *et al.,* 2003).

Figure 9. Organizational Structure of CZM Institutional Arrangements (From: Borhan *et al.*, 2003)

It is worth mentioning that for the preparation of the **National ICZM Strategy for Egypt** (2008-2009) the National ICZM Committee has been fully utilised. Technical part of the process was done by the national, international experts and PAP/RAC, whereas the members of the Committee actively contributed by participating at the workshops.

Figure 10. ICZM process at work: National ICZM Strategy, Egypt (Picture by: Philippe MacClenahan)

3.2.3 Local integration in co-ordination processes: issues and examples

Whilst the legislation is generally considered as national (or federal state) level issues, governance and management of the coastal zone is very often the responsibility of a local government and therefore it greatly depends on how well the current national structures serve the needs of those implementing at the **local scale*.**

Local Agenda 21* initiatives are a mechanism to involve different levels and sectors and are increasingly being used in some countries as a bottom-up approach which can kick-start both vertical and horizontal integration and communication.

Box 8. Local Agenda 21

Since the focus of this section is to provide key features in regard to improvement of **local integration in co-ordination processes,** it should be noted that although the national co-ordination frameworks in European and Mediterranean countries have a number of similarities, these do not necessarily lead to similar patterns of local implementation which much depends on local historical and cultural attitudes to local autonomy, decision-making, the coast and its values and uses. However, building positive working partnerships among the different levels of government and the sectors involved is essential to implement the ICZM process effectively.

CAMP Levante de Almeria

CAMP Levante de Almeria is a very good example of how the ICZM process, its technical and governance part, work hand in hand according to their mandate and capacities. The so called 'institutional coordination and public participation framework', i.e. the governance structure of an ICZM process, has three levels. **Namely, the Coastal Council, Coastal Commission and Coastal Forum**. The latter represents a platform that involves all citizens or associations in order to catalyses debate on the issues addressed during the development of the project through its website, www.camplevantedealmeria.com.

The Coastal Commission dimension brings together public authorities from **21 administrations** with responsibilities for coastal management in the project area. These are the eight municipalities in the CAMP Area, the Association of Municipalities of the Levante Almeriense area, the Provincial Council of Almeria, the seven provincial Offices of the Regional Ministries of the Andalusian Regional Government and four organisations belonging to the Central Government. Within the Coastal Commission, two different segments can be identified. Obviously, there are the decision-makers, the political representatives. However, from an operational point of view, it was essential to include the technical segment of the administration identified as a key element in this process. These are the Technical Delegates that form part of the expert groups of the singular projects and are responsible for advising and offering a multisectoral viewpoint to the technical consultants running the singular projects. In this way the process facilitates the exchange of experiences and knowledge between managers and scientists and, therefore, it provides backing and scientific rigour to the process. They represent a connection between public authorities and civil society.

The Coastal Council represents the interested parties or public stakeholders that come form social collectives, environmental organisations or business sectors. They are closely connected with the problems of the singular projects, i.e. issues related to water resources, landscape management, natural and cultural heritage, public domain, marine resources and the main productive activities in the area (agriculture, tourism, urban development).

The Imagine workshops as a tool for scenarios building and indicators is a fundamental node where everybody meets. The overall process is managed on a periodical basis by the project Steering Committee.

Box 9. CAMP Levante de Almeria, Spain

According to a report entitled "Policy Instruments for ICZM in Nine Selected European Countries", a frequent perception is that the national level decisions have little bearing on local situations. Besides, the national governments tend to be more involved with international and national issues whilst local authorities inevitably focus more on local problems. In this regard, improving the communication and co-operation between these levels of government beyond dispute is essential. Unfortunately, negative circumstances of insufficient vertical co-ordination between national and local governmental levels

and administrations are perceived to be more pronounced at the local than at the national level. As a result, many local communities felt *removed* from the central government often with poor understanding or knowledge of how the system actually operated at the national level confirming the fact that the complex national ICZM frameworks are implemented inconsistently within the sub-region *real demands*. In order to ameliorate the top-down communication, many European and Mediterranean riparian countries have recognised the importance of implementation of an intermediate/ regional government level aimed to fulfil the gap and assist vertical co-ordination processes between the local and national government levels. Based on the concept of subsidiary, the benefits of implementation of such an administration level should pave the way in helping the local governments to build the capacity that generally lacks at the local level, for example: expertises and technical advices, understanding a wider geographical (local cross boundary co-operation) and strategic perspectives and their relevance to the local areas. However, the regional involvement can be also regarded as an impediment, by creating an extra layer between the national and local levels, leading to an increased complexity and confusion over roles and powers.

Norway (Case study: Helgeland)

The Norwegian project on "Local management plans for the Norwegian coast" was a municipal level ICZM initiative. During the project problems emerged regarding conservation and fisheries conflicts. Due to the inability of these conflicts to be resolved at the local/municipal level a new ICZM project was initiated, this time at the county/regional level. Although it was accepted that this regional level would be in a better position to resolve such issues, concerns were expressed at the local level regarding a possible future shift of power or authority to the county, despite the long tradition of local autonomy.

The most common suspicions of local communities in regard to establishment of regional administration level:

- Shift of power and/or authority away from local level
- Reduction/constraint of discretionary powers
- Perception of an additional cost/resource burden without additional resources or other local benefits.

Box 10. Case study: Helgeland, Norway

Notwithstanding the communication between the local and national level, the government level appears to be an essential issue in any type of co-ordination processes; so, attention should be particularly given to state of the local government autonomy because its strengthening may lead in increase of decision-making powers of local politicians often being focused on economic interest of a particular sector such as tourism, fisheries or urbanisation. In addition, dispersion of governance presented at the local/regional level also may cause an adverse effect on the implementation or adoption of agreed higher/national policies and as a consequence lead to failure of a whole programme.

Norway

According to the Department of Environment, municipalities tend to grant too many dispensations and allow building within the national policy guideline of a 100 meter set-back line. The Dept. of Environment are now working towards a national guideline advocating stronger protection for the set-back zone to control development, from the border of Sweden up to the county of Rogaland.

Turkey

The Tourism Incentive Law of 1982 (amended 1993) in Turkey provides for the designation of "tourism areas" where tourism takes priority over all other uses of coastal and marine resources which has led to considerable negative impacts.

Spain

The Spanish Coastal Law of 1988 (Law 22/1988) defines a coastal setback of at least of 100 m behind the limit of the Maritime-Terrestrial Public Domain (landward most distant location reached by the most extreme storms of the historical record). This regulation, based only on physical processes showed numerous limitations and have resulted with urbanisation of 87,2% of the Spanish coastline mainly for mass tourism development

Bermeo, northern Spain

In Bermeo municipality, the Basque region, north-eastern Spain, difficulties in implementing a management plan for a Biosphere Reserve have been encountered due predominantly to the many different levels of government involved:

- *Coastline: Central State*
- *Ports and territorial Planning: Basque Government*
- *Roads: Provincial Government of Biscay*
- *Nature Management: Urdaibai Biosphere Reserve Trust*
- *Urban Planning: Bermeo municipality*

Each of these levels and organisations are controlled by different political parties and there is a tendency to allow these differing political approaches and short term political gains to override management principles for the area.

Box 11. Case studies: Local integration in co-ordination processes

4.
Conclusion

In a majority of Mediterranean countries, the legal-administrative frameworks and arrangements related to coastal management still lack a sufficient institutional co-ordination, which, very often, remains "*buried*" under the old-fashioned and poorly co-ordinated sectoral governance. Besides, this issue is greatly underpinned by heterogeneity among institutional arrangements, management traditions and priorities. Thus, creation of a uniform co-ordination mechanism, exact enough and flexible at the same time, that may cope with a wide spectra of requirements needed for governing the coastal areas at the regional (Mediterranean) level is unlikely, if not impossible to expect.

Aware of these facts, Article 7 of the ICZM Protocol does not explicitly call for designing a unique institutional co-ordination pattern but rather leaves an open space advocating the creation of sound understanding co-ordination mechanisms, which will uniquely suit to specific circumstances of coastal polices (legal administration arrangements), traditions and socio-economic conditions of each Mediterranean country remaining in compliance with the principles and objectives of sustainable development.

Giving special attention to the establishment of the "*appropriate co-ordination body"*, the Protocol in its provision 7.1a undoubtedly marks a shift away from the traditional single line management of coastal zones. However, creation of such a body should not be looked as a final result in the process of establishment of any co-ordination mechanism but rather as an initial *impetus* aimed to ameliorate further administrative policy issues in the coastal zone management. To clarify the importance of implementation of Article 7, several examples from different Mediterranean countries have been given showing how different administrative regimes can manage their interest in order to create a platform (i.e. a co-ordination body) for sustainable coastal governance. Regardless of the extent of their implementation, either at the national (e.g. Syria and Egypt) or sub-national (e.g. CAMP Levante de Almeria and CAMP Slovenia) level, these examples primarily intend to show efforts of different Mediterranean countries in dealing with functioning of co-ordination mechanisms required for an efficient ICZM. PAP/RAC, by implementing demonstration projects

such as CAMPs, promotes or requires establishment of *ad hoc* co-ordination bodies for the needs, first of all, of the implementation of the project itself. However, the tendency for the creation of such bodies is to become permanent and embedded into the overall governance structure at a relevant administrative level(s).

In sum, these examples should not be taken as single or short-term achievements but rather as useful guides for further processes of strengthening and improvement of the ICZM co-ordination policy.

5.
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Annex:
Outline for the report on institutional framework for sustainable ICZM co-ordination

Introduction

This Outline makes part of the WP3 – Action 3.4 Proposals for upgrading the existing governance structures for ICZM. In addition to the Explanatory report on Article 7 Institutional co-ordination (the main report), PAP/RAC is providing partners with the Outline on how to establish a new or enhance the existing structure for the institutional framework for the ICZM co-ordination. This Outline, therefore, explains the logical steps that lead the SHAPE partners and all the other interested actors in the preparation of proposals for the national/regional ICZM co-ordination mechanisms.

Contents

1. **Analysis**: Identify the current situation (baseline) with regard to the ICZM co-ordination mechanism
   - Overview
     Does such an instrument already exist? Are there any other similar co-ordination frameworks that serve similar tasks, such as for example the co-ordination mechanism for the Integrated Maritime Policy (if already existing according to the EU MSFD)? Can they be adapted for the ICZM purposes?
   - Legislation
     Is there a specific legislation (law, decree, etc.) in place that requires the existence of such a co-ordination mechanism? If not, on what basis do these frameworks exist (for example, on an ad hoc basis, on a project basis, etc.)?
   - Structure and composition of the co-ordination mechanism
     If existing, present its structure and composition.

There is a close link of this task with the analysis already undertaken for the Action 3.1 "Analysis of the existing national legislation and its comparison with the ICZM Protocol requirements" where the institutional framework and the existing governance structures for ICZM at various levels of decision making have already been studied.

2. **Assessment:** Assess the effectiveness: weaknesses, gaps, strengths (vertical and horizontal co-ordination)

   On the basis of the previous chapter, make an assessment on what the gaps, strengths, weaknesses, etc., in the case of an existing co-ordination mechanism, are. The main criteria for the assessment should be the requirements of the Protocol. Make a comparison of the existing legislation (if in place) with the requirements of Article 7 of the ICZM Protocol. Is there a full compliance or not? What is missing, etc.?

   Provide information on how (in the case of an existing mechanism) such a co-ordination works in practice, i.e. implementation.

3. **Results:** Conclusions of the analysis

   Summarise the main conclusions which will assist you in structuring the proposal on how to improve an existing co-ordination mechanism or how to make a proposal for the establishment of a new one.

4. **Proposals:** Proposals for the improvement of the existing co-ordination mechanism or the establishment of a new one

   Based on the previous points and taking into account the report prepared for the Action 3.1 "Analysis of the existing national legislation and its comparison with the ICZM Protocol requirements" propose a feasible co-ordination structure that would fit the situation in your country/region, having in mind the requirements of the ICZM Protocol. Use graphics, diagrams or other illustrations to present the proposal.