

**MiNa-Council
Environment and Nature Council of Flanders**

Advice

of the 5th of April 2001

about

**the Integrated Coastal Zone Management
(ICZM)**

Introduction

This advice of the MiNa-Council deals with the integrated coastal zone management in Flanders. Given that this advice wasn't preceded by a formal question for advice, it can be considered as an own initiative.

The reason for this advice was a succession of facts and informal questions. Between the 2nd and the 5th of June 2000 a delegation of the MiNa-Council participated in a yearconference of the European Environmental Advisory Councils with integrated coastal zone management as a subject¹. The participation and the preparation on this conference inspired the Council, by establishing the program for 2001, to work on this subject.

On the 6th of December 2000, the vice-chairman of the MiNa-Council received a question from the chairmen of the CCIM-steering committees² "Trade and Environment" and "North Sea and Oceans" to give comment on two documents from the European Commission regarding the integrated coastal zone management:

- Proposal for a recommendation of the European Parliament and the Council concerning the implementation of the integrated coastal zone management in Europe;
- Information from the Commission and the Council and the European Parliament concerning integrated coastal zone management: a strategy for Europe.

Because the integrated coastal zone management was anticipated on the programming of 2001, the MiNa-Council decided on the 7th of December 2000 to seize this opportunity to publish an advice.

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¹ European Environmental Advisory Councils, The Coastal Zone Sustainable Development Policies in Europe, 8th Annual Conference, 2-5 June 2000, Sesimbra, Portugal, <http://www.eeac-network.org/>

² CCIM: Co-ordination Committee International Environmental Policy. Founded by "the Co-operation agreement of 5 April 1995 between the federal State, the Flemish Region, the Walloon Region and the Brussels Capital Region concerning the international environment policy" Moniteur Belge 13 December 1995.

I. Advice

1.1. General

[1] Description of the notion “Integrated Coastal Zone Management (ICZM)”

Integrated Coastal Zone Management (ICZM) is according to the European Commission³ a dynamic, multi-disciplinary and iterative process to promote sustainable management of coastal zones. It covers the full cycle of information collection, planning (in its broadest sense), decision-making, management and monitoring of implementation. ICZM uses the informed participation and co-operation of all stakeholders to assess the societal goals in a given coastal area, and to take actions towards meeting these objectives. ICZM seeks, over the long-term, to balance environmental, economic, social cultural and recreational objectives, all within the limits set by natural dynamics.

“Integrated” in ICZM refers to the integration of objectives and also to the integration of the many instruments needed to meet these objectives. It means integration of all relevant policy areas, sectors, and levels of administrations. It means integration of the terrestrial and marine components of the target territory, in both time and space.

The Mina-Council (Environment and Nature Council of Flanders) supports this formulation of the ICZM, but also finds that the definition actually defines sustainable zone-oriented management, that is applied in the specific context of coastal zones. A crucial element of the definition is the meaning of “*sustainable management*”. The definition of ICZM only represents a means to realise a sustainable coastal zone management.

[2] Juridical demarcations in the coastal zones. The coastal zones consist of a land part and a marine part. The marine part is composed of several marine juridical zones:

- The territorial sea within the limit of 12 nautical miles (or 12 nautical miles zone). A 1982⁴ UN Convention provides for a territorial sea of a coastal state that can extend to a maximum distance of 12 nautical miles from the baselines used to measure the territorial sea;
- The EEZ (Exclusive Economic Zone) extends from the territorial sea, in principle to a maximum distance of 200 nautical miles from the baselines. On the basis of the UN Convention, a country that creates an EEZ is responsible for managing its natural resources in its zone. The EEZ for Belgium exists since April 1999;

³ Proposal for a Parliament and Council recommendation concerning the implementation of integrated coastal zone management in Europe: COM(2000) 545, Annex 1.

⁴ United Nations Convention on the Law of the Sea, Montego Bay, 10 December 1982, Moniteur Belge 16 September 1999.

- The Continental Shelf of a coastal state consists of the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to the outer limit of the continental border, or to a distance of 200 nautical miles from the baselines used to measure the width of the territorial sea when the outer limit of the continental border does not extend to that distance. Within the limits of the Continental Shelf, a coastal state exercises sovereign rights for the purpose of exploring it and exploiting its natural resources;
- The Fishing Zone was created following the Council Resolution of 3 November 1976 on certain external aspects of the creation of a 200-mile fishing zone in the Community with effect from 1 January 1977. The demarcation of the fishing zone coincides for Belgium with the EEZ since its creation. Within the fishing zone, the EC fishing regulations apply.

[3] Definition of coastal zones. Due to their variety, coastal zones seldom correspond with administrative boundaries. Moreover, there are no scientifically acceptable motives to manage similar coastal zones at both sides of the frontiers or, at a larger scale, of borders of territorial competences, in a fundamentally different way. To give a univocal definition of a coastal zone is not only difficult, but also not absolutely necessary for a good development of the coastal zones. From the different sectors that operate in the coastal zone, a definition is available or it can at least be established⁵. However, the Mina-Council gives priority to a flexible and broader definition⁶. It is important to include both landside and seaside in the coastal zone.

[4] Coastal zones are vulnerable areas. The Council recognises that coastal zones are particularly vulnerable areas, subject to multiple and conflicting use and interests. Although the European marine protection of coastal zones has made some progress with regard to certain aspects, the Mina-Council thinks it insufficient to meet with the challenges of sustainable development in these areas. The Mina-Council demands a new policy in order to increase public awareness of all forms of administration, all kinds of sectors and the broad public, of the crucial importance of sustainable use of coastal zones. This also implies a need to become aware of the fact that, sometimes, one needs to go further than sustainable use, and mark out reserves.

In order to obtain a univocal definition of the notion “coastal zone”, all actors must have a clear vision of the coast. The old-fashioned, narrow view from the landside that the coast is a borderline, no longer holds true. The coastal zone and the sea must be considered as an essential part of the national and European area.

[5] The Mina-Council argues in favour of multidisciplinary initiatives. In its Communication, as part of the conclusions of the Demonstration Programme on Integrated Coastal Zone Management, the Commission mentions that, in complex areas with multiple users, such as coastal zones, uncoordinated sectoral policies tend to conflict and may even work at cross-purposes, resulting in policy gridlock. The

⁵ Example: The definition from the Ecosystem vision for the Flemish coast is “an ecological functional coherent project area, consisting out of beach, mud flat, salt march, dune and the polder area that is important for nature recovery and –development in dunes and polders”.

⁶ A broader definition that often is used “the coastal zone is a strip of land and sea of various width, that consists out of a part of land that is influenced by the neighbourhood of the sea and that part of sea that is influenced by the neighbourhood of land, and the natural coastal systems and the areas where human activities imply the use of coastal resources”.

Commission concludes by saying that the best means to avoid such gridlock and to ensure the effective implementation of many individual EU sectoral goals is through an integrated territorial approach. That is why the Mina-Council argues in favour of multidisciplinary initiatives in order to prove the economic, social and environmental value of coastal zones and to improve the commitment to concrete action. In order to be able to respond efficiently to the various pressures that affect the environmental balance of coastal zones, it is necessary to break through the policy inertia that forms a reflection of well-known political, scientific and institutional weaknesses:

- a lack of integration of environmental care in existing political strategies;
- fragmentation and overlap of competences
- sectoral inefficiency of administrative structures;
- insufficiency and dispersal of scientific research.

[6] Harmonisation of policies on cross-border coastal zone management. The North Sea already is the subject of an informal co-operation⁷ that can lead to some form of harmonisation of policies. In certain networks, scientific institutions and NGOs are also represented, apart from the authorities (among which the province of West Flanders and several municipalities). The Council thinks that the need to reorient, rearrange and formalise these existing networks is more urgent than the need to create new networks.

2.2. The European level

[7] Favourable to the EP proposal and the Commission's Communication. The Mina-Council is favourable to the proposal for a European Parliament recommendation and the Communication from the Commission to the Council and the European Parliament. Judging by the limited space in Flanders, the Mina-Council is an advocate of the ICZM. Accordingly, the Council even thinks these proposals of the European Parliament and of the Commission should grow into a means of stimulating the ICZM approach in Europe. However, the Mina-Council still has a few remarks and suggestions with regard to the European policy on the matter.

Point of view of the Flemish 'Boerenbond' on par. 7

Given the limited surface of the Flemish open space and the already abundant servitudes of public use that were imposed on that space through all kinds of overpressure, the 'Boerenbond' thinks there is no space left to organize, at landside, an excessive and extensive coastal zone management.

[8] A steering EU policy. The Mina-Council calls for concerted action, with clear targets and objectives, among all the actors involved in the process of sustainable development in European coastal zones. An enormous and long-term effort is needed in the domains of policy planning, administrative co-ordination and in the improvement of scientific input into decision-making processes. In order to attain these objectives, the Mina-Council actively recommends a more decisive EU leadership and guidance in promoting the integration between diverse developments of legislation on the subject of coastal zones.

The Mina-Council accordingly joins the advice of the Committee of the Regions⁸, notably:

⁷ Like the North Sea Commission and the European Union for Coastal Conservation (EUCC).

⁸ THE COMMITTEE OF THE REGIONS, commission 4 "Spatial planning, urban policy, energy, environment" about "Towards a European Integrated Coastal Zone Management (ICZM) strategy - General principles and policy options", 12 April 2000, COM-4/029.

- Further development of a European ICZM strategy is of crucial importance for the realisation of a good coastal zone management, and facilitates the development of a coherent ICZM policy in the Member States. Such a European strategy should consist of a number of coherent principles, measures, initiatives and a programme to support the regional authorities in the execution of the ICZM policy;
- Although coastal zones throughout Europe have to deal with similar problems, the solutions generally only apply to specific areas. That is why regional authorities should play a key part in the ICZM. For they are best equipped to implement an integrated coastal zone management;
- The next phase in the development of a European ICZM strategy consists of setting up a framework for the implementation of the integrated management. The general framework for ICZM should consist of a number of basic principles at transnational level, a policy framework at interregional level and more attention for the definition and implementation of the policy (among which detailed plans or strategies) at regional and local level;
- The EU has a key role to play in developing and maintaining a cross-border co-operation between Member States and with third states within the framework of the ICZM. An adequate coastal zone management requires cross-border agreements and co-operation. The EU is best placed to encourage this kind of agreements.

As a consequence, the Mins-Council agrees on the fact that a global policy is developed at European level, and that concrete policy plans have to be developed only at regional and local level.

[9] Integration of ICZM in EU legislation. The Mins-Council thinks a recommendation from the European Parliament and the Council is too informal to serve as the juridical basis for ICZM as it is free of commitments. That is why the Council is in favour of creating a new European Directive on the integrated coastal zone management, or embedding ICZM in existing directives and new directives with a wider range than only the coastal zone. Accordingly, the Mins-Council insists on an extensive revision of the whole of European policy that deals with coastal zones, and of all initiatives with a European dimension⁹. The Council suggests to evaluate all existing policy measures and to examine their impact on coastal zones.

The option to use more combined instruments will also have consequences for the legal framework (see further on in paragraph 10). The use of combined instruments can not only shape future legislation but can also be reflected in any changes in existing EU policies, as is the case of the 2002 Common Fishing Policy review.

The ICZM strategy must be completely integrated in the European Spatial Development Perspective (ESDP) that should also include the oceans.

In its advice on the Federal Plan for Sustainable Development, the Council stressed the importance of the revision of the Common Fishing Policy¹⁰. In that context, the

⁹ It not only concerns environmental policy but also policy about spatial planning as established in the ESDP, social-economical policy such as CAP, the fishery policy and programmes to support tourism and all support through structural funding that can have an influence on the development of coastal areas.

¹⁰ MINA-RAAD, Advice of 30 March 2000 about the Federal Plan Sustainable Development 2000-2003, ed. 2000/12, p.34/51. This plan was unanimously adopted with abstinence of ABVV, UNIZO and VEV.

Council argues once more in favour of an adjustment of the often very nature-unfriendly fishing methods that have turned fishing into the most important threat to the marine biodiversity and the fish stocks themselves. This adjustment has to be realised in consultation with the sector, and has to be combined with guidance for the sector and flanking measures.

The Mina-Council considers the Water Framework Directive to be an important step forward in integrating coastal zones, including near shore waters, in a more comprehensive water legislation. The Mina-Council calls for a rapid and effective implementation of the Directive's aim to restore ecological quality by controlling land-based and offshore sources of pollution. Institutional adjustments are essential to put into practice this overall strategy.

[10] Enlargement of the policy instruments. The EU and its Member States are confronted with old and new challenges facing coastal areas: diverse types of pollution, fisheries, agriculture impacts, population pressures translated both in urban spreading and out of control tourism growth, port expansion, among others. The Mina-Council incites the EU to adopt an inspiring strategy for ICZM. It is time to both fully implement existing policy instruments, and to develop new tools and mechanisms to enhance coastal sustainability. The Mina-Council emphasises the critical importance of incorporating coastal zones in future environmental policies, as well as in any sustainable development strategies of the European Union and its Member States. New indicators are needed to assess the success of new programmes and actions in preventing further environmental degradation, and bringing ecological recovery of coastal areas. That is why the Mina-Council asks the EU to support the development of such indicators.

The Mina-Council recommends a wider use of combined instruments, aiming at a better resources management respecting the ecological balance of marine areas.

[11] Demonstration projects to develop vision. The Demonstration Programme on Integrated Coastal Zone Management¹¹ constituted a significant step in the right direction of ICZM. The Mina-Council exhorts the European Council, the European Parliament and the European Commission to launch further and broader initiatives in this critical area, inspired by a holistic and long term perspective, fostering local specificity, opening ways for responsible participatory planning and monitoring¹².

[12] Financing development projects in coastal zones. The Mina-Council thinks it self-evident that the EU funding of development projects in coastal zones requires the development of a management plan for the coastal zone that strives for a balance between environmental, economic, social, cultural and recreational objectives, all of which within the limits imposed by natural dynamics. That is why the Mina-Council finds it advisable to develop, at EU level, an ICZM strategy within the framework of the EU spatial policy and environmental policy. This global strategic vision should be translated in a vision per Member State or region.

¹¹ EUROPEAN COMMISSION, *Lessons from the European Commission's demonstration programme on integrated coastal zone management (ICZM)*, 1999.

¹² Monitoring: the follow up at regular times of established parameters.

With regard to the EU funding in coastal zones, the Mina-Council argues in favour of linking financial project support to demands or measures in the field of environment and nature, after the example of cross compliance (as mentioned in the Regulation 1259/99). Cross compliance is one of the major lines of force in the reorientation of the Common Agriculture Policy within the framework of Agenda 2000.

Linking the financial project support to demands or measures in the field of environment and nature, applies in the first place to the fishing sector where several support measures are possible¹³ and where the concern for the environment and nature is actually only a marginal and unimportant criterion. This link should not only apply to the European level, but should also be imposed on the national and regional levels.

Point of view of the Flemish 'Boerenbond' on par. 12

The instrument introduced corresponds with the cross compliance instrument, which is not zone-oriented but uniformly concerns the Member State level. As a consequence, a plea for a specific extension with a similar instrument for the coastal zone represents an improper use.

[13] More public support for the indication and expansion of marine protected areas. The Mina-Council finds that the Habitats directive¹⁴ pays too little attention to the marine environment. As a consequence, it asks the EU to obtain more public support for the indication and expansion of marine protected areas on the basis of scientific criteria. These areas are particularly valuable to the marine ecosystems and a better understanding of their resistance and resilience before the face of human pressure. The Mina-Council recommends the full integration of marine and land-based protected areas as part of a wider nature conservation and a spatial planning strategy, which may help to overcome a traditional land-biased approach. Nevertheless, the Mina-Council emphasises the fact that multisectoral consultation will be a critical factor for adopting the indication and expansion of marine protected areas.

[14] A sustainability barometer for tourism. The Mina-Council considers the extraordinary increase in tourism in recent years, combined with its influence on transport and land use, as a major challenge for the European Environmental Policy.

¹³ Some examples of structural funds for fisheries

- FIGG (2002-2006) finances measures to conduct the restructuring of Fishery. There 5 main points under the Financial Instrument for Fisheries Guidance: 1. adjustment of fishing capacities; 2. renovation and modernising of the fishing fleet; 3. protection of marine resources, aquaculture, fishing port facilities, processing and marketing of fishery and aquaculture products and inland fishery; 4. other measures; 5. technical assistance.
- Objective 2 programme: this programme helps to support economic and social regeneration in regions seriously affected by industrial decline, f.i. fishermen that want to leave fishery and who want to try something new such as tourism;
- Structural programmes such as f.i. Interreg, Euregio;
- FIVA (Financial Instrument for the Flemish Fishery and Aquaculture). The FIVA is the financial instrument for the Flemish sector of fishery and aquaculture that provides start- and investment support for ship owners, fish farmers and their co-operatives. This subsidising of the Flemish government is mainly applied for buying new ships or important renovations to ships.
- With the "Provincial regulation concerning the modernising of coasters and the protection of all fishing vessels" ship owners can become 10% subsidies for investments with a maximum of 280.000 fr (7.000 €) per ship from the province of West Flanders.

¹⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, Official Journal L 206, 22/07/1992 p. 7 – 50.

There is a lack of appropriate mechanisms at different policy levels to control the influence of tourism. In this sense, the Mina-Council endorses the efforts developed by the European Environmental Agency (EEA), with the aim of providing reliable and flexible indicators for tourism. These indicators are a part of a larger set of indicators (see point “Enlargement of the policy instruments”) enabling better evaluation of the current environmental status, as well as the degree of success of present and future policies and management measures. Describing complex systems and processes with one-dimensional parameters (so-called key indicators) can only be a preliminary approach. The Mina-Council rather recommends functionality indicators and perspective monitoring due to concrete targets decided in a transparent, participative process. This set of indicators for tourism, reflecting the crucial relationship between economic and ecological systems, will try to be a clear and continuous counterpart to the environmentally blind GDP index.

The project to establish a sustainability barometer for the Belgian coast induced the Mina-Council to suggest the generalisation of the Flemish initiative to the whole of the EU.

[15] Implementation of the subsidiarity principle. Regional authorities are best placed to implement the ICZM as they are most directly confronted with coastal problems and have experience with questions and policies that require a multisectoral approach. Regional authorities represent the ideal administration layer to promote awareness of the ICZM questions; their role in spatial development will appear to be invaluable.

Regional authorities are able to react to local needs, by offering local solutions to mostly regional problems. Given the diversity of coastal zones, global policy measures will fail to achieve the desired effect. Regional authorities are best placed to develop a local ICZM policy.

2.3. Coastal Zone Management at Flemish and federal level.

2.3.1. Allocation of powers and initiatives at the Belgian coast

[16] Allocation of powers. There is a complex set of powers. The competence line between the federal authority and the Flemish Region coincides with the low-water line. The marine part of the coastal zone belongs to the federal competence, except for dredging and pilotage. The federal authorities are competent for navigation, fishing, development of natural resources, ... that are divided among different ministries (economy, agriculture, navigation, defence, ...).

The land part belongs to the competence of the Flemish Region. Different departments are also involved. Furthermore, there are the provinces and municipalities with their specific powers.

The Mina-Council finds that a number of initiatives concerning ICZM have been set up regarding co-ordination (CCIM, intercabinet steering group, VLIZ) as well as coastal zone management (Terra project and Life project).

[17] CCIM – Co-ordination Committee for International Environment Policies.

The CCIM was created within the framework of the Interministerial Conference for the Environment and, with regard to its specific powers, of the Interministerial Conference on Foreign Policy.

The CCIM is charged with:

- the preparation of the points of view to be adopted by the Belgian delegations in the bodies of the international organisations, except for the Council of the European Union, in the other bodies created by treaties involving the Kingdom of Belgium, and in international ministerial conferences, for matters mentioned in Article 6, par. 1, II and III, of the special law reforming the institutions, including the financial implications of the international co-operation, except for the existing obligatory contribution to the International Organisations, and the internal division of its charges;
- the organisation of consultation to obtain a co-ordinated implementation of the recommendations and decisions of international organisations;
- the preparation of the meetings of the Interministerial Conference for the Environment;
- the supervision of the gathering of information that is needed to react to the demands for information formulated by international organisations and, if need be, to draw up common reports for the benefit of these organisations.

[18] Intercabinet steering group “integrated coastal zone management”. The resolution 94/C 135/02 of the Council of the European Union of 6 May 1994 on a Community strategy, for integrated coastal-zone management, invited the Member States to intensify their efforts with regard to integrated coastal zone management, as to make sure the protection of coastal zones could be increased in the whole Community. This, among other things, resulted in the creation in 1994, by the then Flemish Minister for Environment, of an inter-cabinet steering group “integrated coastal zone management”¹⁵. The steering group was meant to present and discuss cross-sector or cross-policy themes with all the competent administrations and cabinets. The steering group met for the first time on 3 October 1994 and was given an official statute by the communication to the Flemish Government of 22 February 1995. Since July 1999, the steering group has met only once, in September 2000.

An official working group, the “task group coastal zone management”¹⁶, prepares the meetings of the inter-cabinet steering group and is charged with executive tasks by the steering group. The task group also takes care of the practical realisation of specific integrated projects.

[19] VLIZ – Flanders Marine Institute. By the Decree of 18 May 1999 concerning diverse stipulations with regard to the budget 1999 (Art. 20), the Flemish Government was authorized to become a founding member of the non-profit organisation Flanders

¹⁵ In 1994 the steering committee was composed of representatives of the cabinets of the federal minister of Environment, the Flemish minister of Environment and Housing and the Flemish minister of Public works and Spatial Planning and also of the federal service Management Unit of the North Sea Mathematical Models (MUMM), the Institute for Nature-conservation, the Administration Waterways and Marine affairs (Coastal Waterways division), the division ROHM West Flanders, AMINAL-division Nature, the NGO's WWF and Nature reserves and the Province of West Flanders.

¹⁶ In the task groups public servants of AWZ- Coastal Waterways division, AMINAL-division Nature, the division ROHM West Flanders, MUMM and the Institute of Nature Conservation are represented.

Marine Institute. The VLIZ acts as a co-ordinating and information platform for marine sciences in Flanders:

- 1° it functions as an international contact point;
- 2° co-ordinating platform for marine sciences: offer information and support to the co-ordination of research, both regionally and internationally;
- 3° act as Flanders Marine Data and Information Centre;
- 4° co-ordination of logistic support and awareness campaigns on marine sciences for the different target groups;
- 5° support and co-ordination within the framework of the co-operation between Flanders and the Netherlands with regard to marine sciences.

[20] The Terra-coastal zone management (Terra-czm). The Terra-czm project is a temporary project of interregional co-operation with regard to sustainable management of coastal zones, and is co-financed by the European Union. Through demonstration projects, specific coastal problems are dealt with, but they can also serve as an example for other regions.

The Terra-czm network consists of local and regional authorities of three European regions, which are Greece, Portugal and Flanders. The demonstration project for Flanders aims at:

“Rearranging the dune area De Fonteintjes between Blankenberge and Zeebrugge, taking into account the multifunctional use for coastal defence, nature development and conservation, recreation and fishing.”;

The Waterways and Marine Affairs Administration (AWZ – Coastal Waterways Division) of the Ministry of the Flemish Community is the project leader for Flanders. The Province of West Flanders acts as project co-ordinator.

[21] LIFE-project ICCI. From 1997 to 2000, the project ICCI (Integral Coastal Conservation Initiative) was implemented, with the support of the European LIFE NATURE-programme¹⁷. The project was sent in by AMINAL, MUMM (Management Unit of the Mathematical Model of the North sea, federal authority) and two NGOs (non-profit organisation ‘Natuurreservaten’ and the World wide Fund for Nature, WWF). The objective was to protect the coastal habitats more efficiently, and to obtain a certain harmonisation of the measures concerning the protection of these habitats, both on the landside and on the seaside. The main activities on landside consisted of biotope management in nature areas, purchase of dune areas and monitoring of management measures. At sea, preparatory activities for the indication of protected areas were performed, apart from monitoring and surveillance. The influence of certain activities, such as fishing from the shore, was estimated, and measures were proposed. Other important elements of the project consisted of informing the public and making sure the users of the areas were involved in the policy.

2.3.2. Findings

[22] Pressure points intercabinet steering group “integrated coastal management”. The report of the steering group TERRA-CZM of 23 June 2000, goes to show that:

¹⁷ ICCI, Integral Coastal Conservation Initiative. Life-Nature. Third interim report (1/12/98-1/12/99). Aminal division Nature, MUMM, Belgian Nature- and Bird reserves & WWF + annexes. B4-3200/96/483 C(96)3370 final/1.

- not all points discussed were put on the agenda; as a consequence, the adequate persons were not always present at the meeting;
- the intercabinet steering group did not meet regularly;
- there was no systematic follow-up of the themes that were discussed (among other things because nobody was specifically charged with integrated coastal management);
- not all sectors were represented in the task group, and nobody took on a co-ordinating task because of a lack of time and/or the lack of a specific mandate;
- the themes that were discussed in the steering group, were mainly oriented at the project and the practice. ICZM consists of many other tasks, such as communication, creation of a basis with actors and inhabitants, harmonisation of policies between sectors and policy levels, follow-up of international developments, follow-up of all initiatives in the coastal zone.

[23] Obstacles to ICZM in Belgium. The main obstacles are:

- there is no anchoring for coastal zone management: the actual project approach usually does not contain the possibility to continue the initiatives after the project, or to implement the actions. The projects are generally in the hands of one department that is not always best placed to be assigned with the complex task of ICZM;
- the powers are split up between the federal, regional, provincial and municipal levels of competence, and between the sectors. This results, among other things, in a lack of harmonisation between the legislation for the marine part and the land part of the coastal zone, and in the fact that the approach often remains sectoral out of necessity;
- there is no legal framework for the necessary co-operation between the federal state and the Flemish Region concerning the coastal zone management. The intercabinet steering group has prepared a co-operation agreement between the Belgian State and the Flemish Region, but it has not yet been signed;
- there is a lack of systematic follow-up of certain basic information. This monitoring should be permanent in time, should be realised for all the sectors and should cover the coast;
- the actual approach is sectoral. The numerous sectors that operate in the coastal zone often approach their policy and activities from a mere sectoral point of view. However, a multisectoral approach is the only long-term solution;
- there is a lack of co-ordination, consultation and communication in the coastal zone. Consultation between administrative levels and communication with the midfield and the public are of crucial importance for the creation of a basis for coastal zone management;
- within the administrations, it is not always clear what is meant by “integrated coastal zone management” and its implications;
- the planning at sea is lacking. Yet the sea is gaining importance as “spatial entity”. When choices have to be made for the location of windmill parks, the laying of pipes, the indication of priority fishing areas, the indication of nature reserves at sea, an adequate (spatial) planning is necessary.

2.3.3. Recommendations

[24] Attention to communication and consultation. Communication and consultation are not yet at their best in Flanders, and should therefore occupy a special place when drawing up a method of the type “integrated coastal zone management”.

In general, but also with regard to ICZM, the Council emphasises the fact that consultation and the formation of a basis begin with the preparation of a vision, of a plan, ... and not when the vision, the plan, ... are finished.

[25] Priority of an objective. In the paragraph on “Drawing up a strategic plan for the coastal zone”, the conclusion was drawn that the EU should take an initiative for an ICZM strategy that should be translated at the level of the Member States. We know different forms of plans, such as the structure planning at Flemish and provincial level, and marine planning (which is part of the Federal Plan on Sustainable Development) has been initiated. These plans should be harmonised, and should be based on one strategic vision for the coastal zone. The Mina-Council is convinced of the fact that an objective for the coast can promote the harmonisation between the different planning levels.

The Mina-Council also finds that certain sectors show some reticence about ICZM. The Council thinks an objective for the coast could break through this inertia.

The different sectors have to develop their own objective. So far, only the Nature sector has developed an objective, and the Tourism sector is preparing one. The Mina-Council points out that all sectoral objectives should be internally integrated. The Council expects these internally integrated sectoral objectives to be harmonised into one objective for the coast.

[26] A threefold structure for the ICZM. Just like the Mina-Council has argued, during the debate on the integral water policy, in favour of a threefold structure that distinguishes an administrative, an official and an advisory body, the Council thinks a similar structure could be useful for the ICZM as well. The Council considers the administrative body as the political level that is competent for the matter that is raised (i.c. the federal state and/or the Flemish Region). According to the Mina-Council, the official body is a formal and permanent structure, assisted by the co-ordination centre ICZM. This structure is responsible for drawing the strategic plan for the coastal zone. Finally, the advisory body is an instance where the different target groups organise their consultation and decide on the point of view they adopt with regard to the propositions of the official body before the administrative body takes a decision. The advisory body can also formulate advice at its own initiative.

[27] To prevent fragmentation. The European documents mention the fragmentation of powers. Apart from this type of fragmentation, there is undoubtedly a fragmentation of the economic and social – private and public – interests that are contradictory. The Mina-Council thinks one should strive for a decrease of fragmentation.

[28] A co-operation agreement. According to Europe, the biggest problem is not the fragmentation of powers, but the lack of adequate procedures. As the powers in Belgium are divided among the different levels, a co-operation between at least the federal and the Flemish authorities is essential for the management of the coast as a whole, through co-operation and consultation.

In the conclusions of the demonstration project of the European Commission and of the NORCOAST project (Interreg IIc), it is stipulated that there is a clear need for leadership for ICZM. In the Belgian context, it is not self-evident who will assume command.

The necessary “co-operation and consultation” can be organised either voluntarily or through entering into a formal co-operation agreement¹⁸. In its advice on the Federal Plan on Sustainable Development, the Mina-Council saw a federal-regional co-operation agreement as the answer to the strong fragmentation of powers. Moreover, this option offers the best guarantees. The co-operation agreement has to clarify the responsibilities of the authorities with regard to ICZM, the financial contribution, the structural and administrative organisation, the co-ordination, the consultation structure and the tasks of each administration. Apart from that, the co-operation agreement also represents the framework to establish procedures for taking political decisions (see point “A threefold structure for the ICZM”). This applies for instance to the political decision on the strategic plan for the coastal zone. The Council particularly underlines the necessity to insert, in the co-operation agreement, the condition of drawing up an objective and indicating which instance will be responsible.

That is why a formal and permanent official body should be operational as quickly as possible. The Mina-Council mentions the fact that the CCIM does not represent the adequate structure to that end, as the CCIM exclusively deals with the international environmental policy, in accordance with its mission.

[29] Regionalisation as a possible option. If a co-operation agreement does not work, the regionalisation of federal competences in the coastal zone is an option. The Mina-Council distinguishes a number of possible options, none of which offers a completely satisfying solution:

- The material transfer of powers by a special law. Precedents already exist, as a result of which Flanders is competent for dredging and pilotage. This option does not completely solve the problem of fragmentation, as certain federal competences will continue to exist (e.g. defence and navigation);
- The areas at sea become Flemish territory. This is also only a partial solution because a transfer of territory is only possible for the territorial sea. A transfer of territory is impossible for the EEZ as it does not belong to the state territory. This directly implies the transfer of powers within the 12 miles zone;
- A combination of the two options mentioned above.

The Mina-Council realises that none of these solutions are easy to carry out, but that they might become necessary in the long run for the realisation of the ICZM. In that context, it is clear that the third option offers the best results in preventing fragmentation.

Abstention ABVV

The ABVV abstains with regard to paragraph 29.

[30] Co-ordination centre ICZM. In order to obtain a sustainable coastal zone management, co-ordination, follow-up and structured consultation are required. Hence the recommendation to insert, in the co-operation agreement, also the creation of a co-ordination centre integrated coastal zone management.

¹⁸ In accordance with article 92 bis of the special law of 8 August 1980 to reform the institutions.

This centre should occupy a neutral position, and can therefore not be ranged under one policy sector.

It is impossible for this kind of centre to have expertise in all coast-related domains. Yet it can co-operate with all partners and take care of the harmonisation of activities and plans. A steering group containing representatives of the different action domains guarantees the expertise (cf. method for a study on environmental impact).

A minimum of the following tasks should be assigned to the co-ordination centre:

- Development and follow-up of the ICZM plan for the Flemish coast (started within the framework of the TERRA-czm project);
- Drawing up a list of indicators for sustainable development in the coastal zone;
- Follow-up of the evolution in time of all sectors, and report about the sustainability of the evolutions;
- Keep an inventory of ongoing and new projects and initiatives in the coastal zone;
- Promote integration of planning and policies of the sectors and policy levels;
- Promote co-operation between policy levels and sectors;
- Act as initiator and intermediary between sectors during the creation of one common objective for the coastal zone;
- (international) contact point in the coastal zone;
- follow-up of international and European developments with regard to integrated coastal zone management;
- Organise the realisation and follow-up of specific studies.

The Mina-Council thinks it is also advisable that the co-ordination centre offers support to the realisation of the Recommendation of the Council and the European Parliament with regard to ICZM.

The Mina-Council thinks it is advisable to launch an initiative to locate the co-ordination centre at provincial level. The Province of West Flanders, as an intermediary level, is well placed to act as partner and co-ordinator. Thus, the centre can be left out the discussion on the Flemish versus the federal level. However, the province should have the competence and the necessary means at its disposal to that end.

[31] Basic monitoring and database for the coast. Knowledge about the coast is an important condition for a good management. In order to guarantee success, co-ordination with the other administrative levels is indispensable. In order to intervene and take the right decisions, monitoring is required. The multitude of collected information should also be easily accessible to the end users. To that end, a database should be kept.

Much of the information is available, but not accessible or widely known. Therefore, the Mina-Council suggests to check which information is already available, and then to gather the missing information.

[32] Development of an ecosystem vision. In its advice about the Federal Plan on Sustainable Development, the Council mentioned the need for an ecosystem vision for the marine environment. This vision, together with other factors, should constitute the basis for a framework to evaluate policies with regard to the marine environment, and for an integrated coastal zone management that respects the natural capacity of coastal areas. In that context, the Council insisted on an evaluation and prevention of unwanted

effects on the environment and nature caused by all activities that may have an impact on marine ecosystems¹⁹.

In the context of that advice, the Council wants to add that other approaches than the ecosystem vision are of course possible as well.

[33] Starting up a policy cycle for long-term integrated coastal zone management. The description of ICZM by the European Commission (see point 1) shows that it is very important to guarantee the continuity of the process.

At procedural level, the concept of environmental planning is very suitable as a way of approaching the integrated coastal zone management. Four essential steps can be distinguished in this cycle:

1. the policy preparation: problem analysis and recognition;
2. the policy formulation, through medium- and long-term objectives;
3. the policy realisation, meant to draw up development routes and policy scenarios and to apply optimal combinations of measures and instruments;
4. the management through preservation, policy evaluation and policy revision.

In order to concretely work out such a policy cycle, it is advisable to draw up a strategic planning, that implies a number of characteristics: cyclic character, participative character, flexibility, action orientation and long-term approach.

[34] Need of spatial zoning at sea. The sea is an important zone to include in the integrated zoning. At sea, many activities take place (fishing, recreation, sand winning, nature protection, navigation, etc.) and other activities are attaining their full development (marine reserves, wind mill parks). Between the different sectors, tensions arise with regard to the claim to pressure on public space at sea. Zoning at sea is not yet done for the moment. But initiatives are being taken, such as the possibility of zoning protected marine areas in the Law on the protection of the marine environment²⁰. In its advice on the Federal Plan on Sustainable Development, the Mina-Council made a priority of the indication of protected marine areas, among other things within the framework of the European Bird and Habitat Directive²¹. Meanwhile, the Council thinks the adjustment of the Federal Plan on Sustainable Development at that point is a positive signal. Therefore, the Mina-Council very strongly insists on zoning at sea, on the basis of consultation.

[35] The rising level of the sea. To this day, only little attention was paid in Flanders to the effects of the rising level of the sea as a result of the climatic change. At international and European levels, a forum does exist to that end.

The climatic change in Europe will have an important impact on the coastal zones, as is described in a study of the European ACACIA project²². The report says that coastal

¹⁹ Such as fisheries, sand winning, dredging and dumping activities.

²⁰ Law of 20 January 1999 to protection of the marine environment in the sea areas under the jurisdiction of Belgium, Art. 7, Moniteur Belge, Publication: 12 March 1999.

²¹ This means among other things that shallow sandbanks, estuaries, mud flats and sandbars that arise above the sea level at low tide, need extra protection.

²² PARRY M., The Europe ACACIA project - A concerted action towards a comprehensive climate impact and adaptation assessment for the European Union, University of East Anglia, UK, 2000.

zones will be substantially and progressively modified by the climatic change. The dimensions of these changes are yet uncertain. Therefore, it is recommended to create an institutional basis to make it possible to take proactive measures. Another recommendation says there is an urgent need for strategic policy and management in the coastal zone, that should certainly deal with the conflict between sustainable socio-economic activities and the ecological functioning of the coastal zone. Possible effects of the rising level of the sea are the increased risk of flooding of the lower parts of the coastal zone and increased coastal erosion.

[36] Integral water policy in the coastal zone. In its advice of 1999 on integral water policy²³, the Mina-Council said the Flemish authorities intend to add the Yser basin and the Polders, in full accordance with the Framework Directive Water by the way, to the administrative organisation of the Scheldt basin. The Mina-Council could endorse these administrative extensions of the Scheldt basin, on the condition that the basin policy also takes into account the separate water systems of the Yser and of the Polders. In the context of this advice, the Council once more wants to underline the fact that this administrative extension cannot have any negative effects on the specific management of the small basins, in casu of the brooklets of the Polders.

[37] Conservation and restoration of nature values. In the resolution 94/C 135/02 of the Council of the European Union of 6 May 1994 on a Community strategy, for integrated coastal-zone management, the European Union shows concern for the biodiversity, the conservation of vulnerable natural habitats and natural processes²⁴. The Council of the European Union indicates that a strategy for ICZM implies that the principles of sustainability and good ecological and environmental practices are respected. Moreover, the Communication from the Commission to the Council and the European Parliament with regard to ICZM (COM (2000) 547 definitive) emphasises that the fundamental biophysical problem in coastal zones consists of the fact that the development does not stay within the capacity limits of the local environment. The Mina-Council concludes that protecting the coastal environment and the natural coastal ecosystem by an integrated approach is therefore the main concern for ICZM.

That is why the Mina-Council demands more attention from the federal and the Flemish policies to the conservation and restoration of the nature values. These should be a part of the condition for allowing other user functions such as tourism. The Council has some action points in mind:

- acquiring and managing the remaining dune areas;
- protection of every type of coastal habitat, at sea and on landside, through the creation of reserves, the run-down of harmful activities on certain habitats (e.g. ground water training in dunes), ...;
- ecologically sound recreational co-use;
- measures preventing all kinds of pollution, among which street litter.

2.4. Coastal zone management at the level of the Province of West Flanders

The ACACIA-project is an initiative of the European Commission, guided by DG XII Environment and Climate Programme, IV RTD Framework Programme, 1998-2000, Project No. ENV4-CT97-0531.

²³ MINA-RAAD, Advice of 21 December 1999 about guiding principles for integrated water management, ed. 1999/28, p.43/54.

²⁴ Official Journal nr C 135 van 18/05/1994 p. 2.

[38] One zone-oriented approach for the coastal area. At the moment, the Province of West Flanders is divided, within the zone-oriented approach, in three regions²⁵. The coastal zone is not considered to be a separate region. However, the zone-oriented policy requires the coastal zone to become a distinct zone of attention, that should be taken into account for all policy fields and by all sectors. With regard to the tourism policy, for instance, this has already been settled with the “Provinciaal Overheidsbedrijf voor Toerisme en Recreatie” (Provincial Publicly owned Undertaking for Tourism and Recreation) as executor. Also in the field of spatial planning, a spatial structure plan for the Coast preceded the Provincial Structure Plan of West Flanders.

In this context, the Mina-Council refers to the concept of the Spatial Development and Environment policy as it was developed in the Netherlands, and which contains the development of a region-oriented and integrated policy with regard to spatial development and environment.

²⁵ In the provincial zone-oriented approach there are three regions: Kortrijk-Roeselare-Tielt, the “Westhoek” (includes the districts Ieper-Veurne-Diksmuide), and Bruges-Ostend.