



Participatory models of governance in protected areas – how experiences from Croatia can benefit Kosovo's protected areas

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I Introduction:

The protection of nature and the human environment belong to the highest values of the constitutional rights in most countries. It is regulated by many international guidelines and conventions. A protected area is a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values. (IUCN Definition 2008)

This background paper explains the importance of governance for the effective management of protected areas and explores the role of the participation of the local communities in this process. It provides an overview of the governance models in the international arena, some regional experiences in Southeastern Europe and focuses further on two countries. One of them is Croatia, as a “young” member of the European Union and the other is Kosovo, a country aspiring to be an EU member. Both countries also share a post-conflict reality and an experience of intense harmonization of their legal framework due to the harmonization with the EU Acquis.

Recognizing the need of putting environmental issues not only on the national agenda, but hopefully to strengthen local governance and civic activism in Kosovo.

To reach the ideal of co-management or shared power in management and governance of protected areas maybe a slow and demanding task but first steps lie in community participation in the existing governance models. Nature conservation goals cannot be effectively reached only by enforcement of nature conservation laws. Constant inter-sectoral cooperation on one side and constant work with all the stakeholders, local population especially, must be part of the effort of management bodies in order to ensure sustainability.

Currently there is a lack of interest and/or understanding of decision takers and policy makers in understanding and adopting innovative systems of protected area governance, especially in countries with a traditionally centralized system of decision taking.

Improving knowledge on the existing governance types, on their importance, legal and administrative frameworks and resources needed for their use will contribute to adopting appropriate governance types in the countries. Examples from Croatia where some sort of collaborative bodies in protected areas management are starting to emerge independently from the legal framework may offer a valuable perspective. In the annex there is a short case study on the commonly protected pasture Gajna which shows that co-management and public participation in the governance of protected areas may de facto (in reality) precede the legal possibilities.

Although initially demanding for all actors involved, the author believes the process of engaging the resources both of management bodies and the stakeholders is an invaluable investment for all.

II – Protected Areas Governance – Global overview

Signed by 150 government leaders at the 1992 Rio Earth Summit, **the Convention on Biological Diversity (CBD)** is dedicated to promoting sustainable development. Conceived as a practical tool for translating the principles of UN sustainable development document Agenda 21 into reality, the Convention recognizes that biological diversity is about more than plants, animals and micro-organisms and their ecosystems – it is about people and our need for food security, medicines, fresh air and water, shelter, and a clean and healthy environment in which to live.

CBD is the world's most significant attempt to conserve and sustainably use biodiversity and the one that recognizes the link between biodiversity and sustainable development. Its Work in Protected Areas Program (PoWPA) partially aims at contributing to reducing poverty and implementing sustainable development, and supports the Millennium Development Goals (MDG).

The International Union for Conservation of Nature (IUCN) is a membership union uniquely composed of both government and civil society organisations. It provides public, private and non-governmental organisations with the knowledge and tools that enable human progress, economic development and nature conservation to take place together.

Management categories are – according to IUCN - applied with a typology of governance types – a description of who holds authority and responsibility for the protected area. IUCN defines four governance types.

According to the “Stanciu, E. i Ionita, A. (2013): Governance of Protected Areas in Eastern Europe – overview on different governance types, case studies, and lessons learned” - *The types of protected area governance described by the IUCN indicate who (in terms of state and non-state actors) owns the power and legal responsibility for management and decision-making, who has the control and influence over the management process throughout the protected area life cycle and to what extent the non-governmental stakeholders can have the power to influence.*

Type A. Governance by government:

Federal or national ministry/agency in charge; sub-national ministry or agency in charge (e.g. at regional, provincial, municipal level); government-delegated management (e.g. to NGO).

Type B. Shared governance:

Trans-boundary governance (formal and informal arrangements between two or more countries); collaborative governance (through various ways in which diverse actors and institutions work together); joint governance (pluralist board or other multi-party governing body).

Type C. Private governance:

Conserved areas established and run by individual landowners; non-profit organisations (e.g. NGOs, universities) and for-profit organisations (e.g. corporate landowners).

Type D. Governance by Indigenous peoples and local communities:

Indigenous peoples’ conserved areas and territories - established and run by Indigenous peoples; community conserved areas – established and run by local communities.

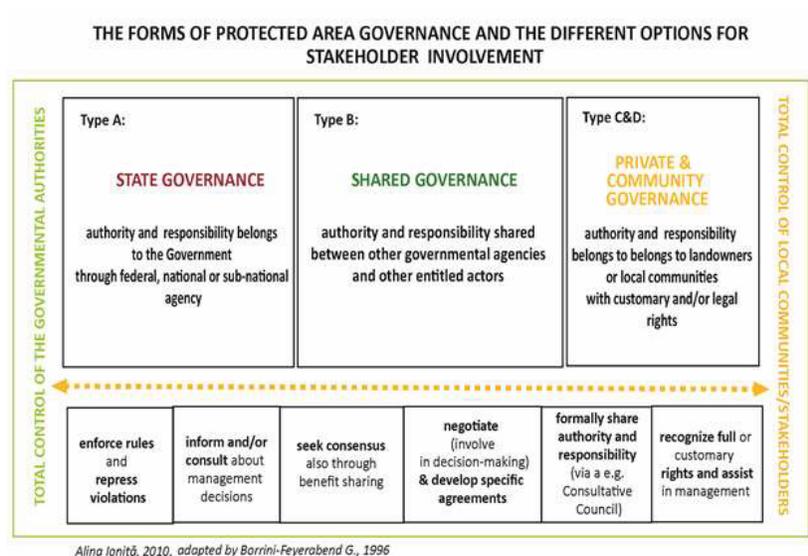


Figure 1– Forms of PA governance and the options of PA authorities concerning the involvement of stakeholders

Another document of international importance regarding citizen's participation is the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, usually known as the Aarhus Convention, signed in 1998. It entered into force on 30 October 2001. As of 23 November 2011, there were 45 parties to the Convention, (primarily European and Central Asian). The Aarhus Convention grants the public rights regarding access to information, public participation and access to justice, in governmental decision-making processes on matters concerning the local, national and transboundary environment. It focuses on interactions between the public and public authorities.

III Legal framework for establishment and governance of PA's in Kosovo

Kosovo is a biodiversity rich country and an important part of the Balkan Peninsula's biodiversity hotspot in Europe. After the declaration of independence in 2008, Kosovo has sought to reach EU legal thresholds of environmental and nature protection by adopting a wide environmental legal framework. However most available studies on the subject and the experiences shared from Civil Society Organizations proclaim this part of the legislation is still suffering from important problems of enforcement and compliance.

According to *National assessment of biodiversity information management and reporting baseline for Kosovo* published by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in 2017, it is assessed that more than 60% of the overall EU environmental acquis has been transposed into Kosovo's national environmental legislation. (https://balkangreenenergynews.com/wp-content/uploads/2017/08/Kosovo-Assessment_ENG-1.pdf)

However, the Kosovo 2018 Report accompanying the document - *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions* warns that "*Kosovo is at an early stage of preparation on environment and climate change. No progress has been achieved and serious environmental problems continue to impact people's livelihoods and health. Environmental protection and climate change requires considerably more political willingness to tackle the growing challenges.*"

On the issues on nature protection the Report states:

Effective protection for designated protected areas is not in place. Illegal construction in protected areas needs to be combatted effectively. Infrastructure plans need to ensure that nature protection obligations are respected, particularly in areas that could potentially become protected Natura 2000 sites. The process of Natura 2000 designation is still at the very beginning due to a lack of technical and staff capacities in relevant institutions. However steps have been taken to start the inventory and mapping of natural habitats types and of biodiversity. (<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-kosovo-report.pdf>)

Main bodies dealing with the nature protection issues are: The Ministry of environment and spatial planning (MESP) and its' Division of Nature Protection within the Department of Environment performing administrative and professional services related to the protection and conservation of biodiversity.

The Kosovo environmental protection agency (KEPA) – which, also a part of the MESP, is in charge of management of national parks and protected areas, environmental monitoring, environmental information and continuous reporting on the environmental situation.

The Kosovo Institute for Nature Protection (KINP) is mandated to provide scientific support.

The Directorate of National Park "Sharri" and the Directorate of National Park "Bjeshket e Nemuna" are in charge of management of the two National Parks in Kosovo. They also collect sporadically biodiversity and ecosystem information from the field.

Kosovo Constitution

Article 52 [Responsibility for the Environment]

1. Nature and biodiversity, environment and national inheritance are everyone's responsibility.
2. Everyone should be provided an opportunity to be heard by public institutions and have their opinions considered on issues that impact the environment in which they live.
3. The impact on the environment shall be considered by public institutions in their decision-making processes.

Article 122 [Use of Property and Natural Resources]

1. The people of the Republic of Kosovo may, in accordance with such reasonable conditions as may be established by law, enjoy the natural resources of the Republic of Kosovo, but they may not infringe on the obligations stemming from international agreements on economic cooperation.

2. Natural resources such as water, air space, mineral resources and other natural resources including land, flora and fauna, other parts of nature, immovable property and other goods of special cultural, historic, economic and ecologic importance, which have been determined by law to be of special interest to the Republic of Kosovo, shall enjoy special protection in accordance with law.

Kosovo has about 11% of its territory protected by law, under which are included the protected areas of different categories such as national parks, nature reserves, nature parks, protected monuments and other natural areas of special importance. (Annual Report State of the Environment in Kosovo, Prishtina 2017).

The number of protected nature areas in Kosovo (2016) is 173 and includes an area of 126070.29 ha, or 11.55% of Kosovo's total area.

Within these areas there are 19 Strict Nature Reserves ("Koretnik", "Lubeteni", "Arnen Reservoir", "Maja e Rops", "Rusenica", "Kamilja", "Pisha e Madhe", Bistra etc.), 2 National Parks (NP "Sharri", PK "Bjeshkët e Nemuna"), 1 Nature Park (Pashtriku and Lake Vermicë), 146 Monuments of Nature ("Drini i Bardhë with Radavc cave", "Cave of Gadime", "Mirusha Waterfalls", "Rugova Gorge", "Drini i Bardhë Canyon at the Ura e Fshejtë", Trungu i Rrapit në Marash", Shpella e Panorcit, etc.), 5 Landscapes ("Gërmia", "Shkugeza", etc.), and 1 Special Protected Zone of Birds ("Ligatina e Hencit, Radeva").

The largest areas of protected areas are National Parks "Bjeshkët e Nemuna" and "Sharri", Nature Park "Pashtrik Mountain and Lake Vermicë", Protected Landscapes "Germia" and "Waterfalls of Mirusha" etc.

Table 5. Protected Areas by Categories (2016)

IUCN Category	Name	Nr.	Area in ha	Share in the protected areas %
I	Strict Nature Reserves	19	10,885.82	0.99
II	National Parks	2	115,957	10.6
III	Nature Monuments	145	6,010.79	0.56
V	Nature Park	1	5,934	0.5
V	Protected Landscape	5	2,437	0.2
V	Special Protected Zone of Birds	1	109.5	0.01
	Total	173	126070.29	11.55 %⁸

Kosovo is not yet a signatory party of any international convention or agreements in the field of nature protection and biodiversity which would make reporting on biodiversity mandatory. The government has, however, taken steps toward becoming a signatory party of the CBD and in this regard it also prepared National Biodiversity Strategy and Action Plan 2011-2020 and updated version: Action Plan for Biodiversity 2016 – 2020.

The status of nature protected areas is defined with bylaws in accordance with laws which established the category of protection and management guidelines. For each protected area the level of protection is ascertained.

Most of the protected areas do not have a specific management body or management plan(s). The National park Sharri has Management and Spatial Plans validated by the MESP. The draft of Spatial Plan for the NP “Bjeshket e Nemuna” has been developed, but it is “under approval procedure” since 2015. Management of the National Park “Sharri” is made by the Park Directorate, which has its headquarters in Prizren. Recently there has been established also the Directorate for new National Park “Bjeshket e Nemuna” with headquarters in Peja. The Regional Park “Germia” is managed by Prishtina Municipality who has committed the Local Public Enterprise “Hortikultura” to care about this zone. Most of protected areas are managed by respective local authorities.

In Germia Park WWF through the project “Protected Areas for Nature and People” has managed to create the link between local municipal institutions and government central institutions which resulted with declaring Germia a Protected Landscape. Also WWF through their partners has put to function the Recreational Centre inside the park, which now is being used for Educational Camps, where more than 2000 children has participated so far in last three years.

The participation of the local population and other stakeholders in the nature protection management is low. The Kosovo State of Nature Report in the conclusions and recommendations does not identify the cooperation with the local population and other stakeholders as a challenge nor recommends the activities in the direction of enhanced cooperation. The institutional framework offers many possibilities and is expected to progress in the EU accession process but the process of implementation faces many challenges.

IV – Regional experiences and models of governance of PA's– with emphasis on Croatian institutional framework

According to Stanciu, E. i Ionita, A. (2013) and their study conducted in 19 countries in the wider region of Eastern Europe "...after more than two decades of history in exercising democracy, there is little practical experience for clearly defining roles, responsibilities and procedures for good quality governance systems in the environmental sector. Stakeholder involvement is still regarded very much as an unnecessary burden by many of the responsible authorities and agencies, even if all the countries have signed the Aarhus Convention. Accountability, transparency, stakeholder consultation are concepts that are not yet fully adopted, especially by governmental institutions and agencies. "

Examples of delegated management in SE Europe

Delegated management in Romania

The Ministry of Environmental Protection and Forests has the possibility for all protected areas and the ecological network (apart from that in Delta Danube) to delegate jurisdiction over contracts lasting 10 years. A custodian to whom authority's delegated must provide funding and report regularly to the Ministry on its activities. At present there are numerous models of public, private examples (eg institutes, private forest management, non-governmental organizations) as well as partnerships (public-private, private-private, public-public). The most widely-used state forest management is followed by non-governmental organizations, the private sector and scientific / research institutions.

Delegated management in Slovenia

The management of the three protected areas in Slovenia is entrusted to private and non-governmental organizations which have the duty to provide professional staff and finance activities. In the Natural Reserve of Škocjanski Gulf - it is a non-governmental organization, in the Logarska Dolina Landscape Park - it is local self-government, and in Sečovelje Salina Nature Park it is a private company.

Delegated management in Serbia

There is also the possibility of delegating jurisdiction to Serbia (???) - the largest individual management body is certainly the public institutions of Serbia and the Vojvodina forests, which manage more than 70% of all protected areas in Serbia. But there are many other bodies entrusted to such authority (eg non-governmental organizations: ecological, eg Special Nature Reserve of the Land, as well as hunting, local self-government, church, water management, tourism organizations, etc.).

The study emphasizes Albania, Croatia, Finland, the Czech Republic and Slovakia as the most centralized systems, where only the state is involved in the management of protected areas. Sometimes (like in Finland) where the most protected areas are in fact government land in terms of property rights, this can be effective. But in countries where protected areas encompass a vast number of privately owned land it can create resistance of the ones directly influenced by the decisions made by nature protection institutions which reduces the management efficiency, and in the end, endangers the goals of protective measures.

Delegation of State power is the most frequent option for devolving power from central to regional or local level and from state to private and non-governmental actors. Although envisaged by the law in most of the countries, in some there are only few actual examples in place. Romania, Serbia and Slovenia are countries with most such examples.

In some countries responsible authorities can delegate PA management responsibility to both public and private entities, as can be seen in the text below.

Croatian institutional framework for management of protected areas:

By the current Nature Protection Act all protected areas in Croatia are managed by the Public Institutions (PI's) for protected areas. The main objective of their activities is the management of protected areas in terms of protection, maintenance and promotion, and the safeguarding of unhindered natural processes and the sustainable use of natural resources.

PI's can be established by the State or on the County administration, allowing counties to delegate their powers of control to local self-government units. The area of the Ecological Network (Natura 2000) which is a sort of another layer of protection, which may or may not correspond with nationally protected areas is also managed by a regional or local Public Institution. There are 409 nationally protected areas in nine categories (table 1 below) which covers 8,6 % of Croatian territory. As for ecological network/Natura 2000 its area covers 36,7of land and 15,4 of coastal sea in Croatia. (http://www.haop.hr/sites/default/files/uploads/publications/2017-10/OPSO_2016_web.pdf)

Public institutions of national parks and nature parks are founded by the Republic of Croatia issuing a Government decree. Public institutions for the management of other protected areas and / or other protected areas of nature have been or shall be established by the representative bodies of the regional self-government unit by a prospective assembly decision.

There are currently 19 public institutions in the Republic of Croatia, 20 in the county (City of Zagreb has not established a special JU for its entire area) and 6 in the local level. There are 9 national Public Institutions for National Parks: Brijuni, Kornati, Krka, Mljet, Paklenica, Plitvice Lakes, Risnjak, North Velebit. For nature parks there are 11 Public Institutions: Biokovo, Kopacki rit, Lastovo islands, Lonjsko polje, Medvednica, Papuk, Telaščica, Učka, Velebit, Vransko jezero, Žumberak. County public institutions for the management of protected areas - for 21 counties. Public Institutions for the Management of Protected Areas established by local Government Units are: Lokrum Reservoir, Maksimir Forest Park, Marjan Forest Park, Kamenjak, Grabovača Cave Park, Rakovica Municipality, Arboretum Trsteno.

The Nature Protection Act stipulates nine categories of protected areas. The national categories largely correspond to the internationally recognized IUCN protected area categories.

Table 1: Protected Areas categories in Croatia

Protection category	Intent	Management level	Proclaiming body
STRICT RESERVE	Conserve intact nature, monitor the state of nature and education	county	Government of the Republic of Croatia
NATIONAL PARK	Conserve intact natural values, scientific, cultural, education and recreation intent	national	Croatian Parliament
SPECIAL RESERVE	Conservation due to its uniqueness, rarity or representativeness, and of particular scientific significance	county	Government of the Republic of Croatia
NATURE PARK	Protection of biological and landscape diversity, education, cultural, historical, tourism, recreation intent	national	Croatian Parliament
REGIONAL PARK	Protection of landscape diversity, sustainable development and tourism	county	County Assembly of City Assembly (City of Zagreb)

NATURE MONUMENT	Ecological, scientific, aesthetic or educational intent	county	County Assembly of City Assembly (City of Zagreb)
SIGNIFICANT LANDSCAPE	Conservation of landscape values and biological diversity, or cultural and historical values or landscape of preserve unique characteristics, and for rest and recreation	county	County Assembly of City Assembly (City of Zagreb)
PARK FOREST	Conservation of natural or planted forests of greater landscape value, rest and recreation	county	County Assembly of City Assembly (City of Zagreb)
PARK ARCHITECTURE MONUMENT	Conservation of artificially developed areas or trees having aesthetic, stylistic, artistic, cultural, historic, ecological or scientific values	county	County Assembly of City Assembly (City of Zagreb)

V Participatory models in governance – engagement of local communities – examples from Croatia

Participation of stakeholders in the Republic of Croatia Analysis of the State of Nature Protection 2008-2012. (SINP 2014) states: *“In the management of protected areas, the public and stakeholders are mainly involved through cooperation in the implementation of projects or activities, mostly related to research, public information, education of children and cleaning actions. The practice of structured involvement of stakeholders in managing and concluding long-term partnerships in the implementation of nature protection has not yet been developed. The management planning process indicated the need for stronger involvement of stakeholders, especially the local community in management. The establishment of the cooperation councils of the individual protected areas has made a significant step forward on this issue.”*

In the last decade there have been several examples of different collaborative bodies in areas of environment and nature protection established in Croatia. Some of them are connected to the local and regional government units (City of Split, Šibenik-Knin County), but most of them are connected to the respective protected areas. Pioneers in that field were public institutions in wider Lonjsko Polje Nature Park area – the first council was established in 2004, with more than 80 members and then reorganized in 2011. Nature Park Lonjsko Polje also established a Council for the sustainable tourism, along with two other parks- Nature Park Medvednica and National Park Kornati. The names of the collaborative bodies vary - cooperation councils, coordination councils, councils for environment etc. Some of the protected areas that formally established such bodies are Nature park Telašćica, Nature park Lastovo island, Significant landscape Gajna, significant landscape Odransko Polje-Turopolje, significant landscape Sunjsko polje, 4 smaller protected areas in Sisak-Moslavina County etc.

Most collaborative bodies emerged during the different projects where the donors were interested in the public participation and that is a fact that has to be taken into account considering their sustainability. It is relatively easy to establish this kind of non-formal body but it is very challenging to sustain the commitment of all the stakeholders.

Regarding public participation, it can be concluded that despite certain efforts invested in the training of civil servants during the previous period, and despite a range of established advisory mechanisms and structures, efficient and high-quality mechanisms of citizen and CSO participation in the processes that shape public policies and in decision-making processes are still not fully developed. (CBD Fifth National Report – Croatia <https://www.cbd.int/doc/world/hr/hr-nr-05-en.pdf>)

VI Steps and recommendations for establishment of participatory bodies in PA's

Croatia was very recently, same as Kosovo, a post-conflict society with economic challenges on its way to EU. In such socio-economic environment it is very challenging to put environmental issues at the agenda. Also the practices of citizens' involvement is very low even when formal possibilities are there. The transposition of the environmental legislation alone can not change things for the better. As most important problems Kosovo's Action Plan for Biodiversity 2016 – 2020 states the following: "Implementation and enforcement of legislation is very poor, creating pressure on the environment and therefore, leading to biodiversity loss and unpredictable impacts on human well being; In many cases, there is lack of harmonization of laws between the sectors It is very important that the local population embraces the postulates." The problems with the pressures of the local communities on natural resources as well as communication with other sectors can be alleviated with continuous work in cross-sectoral and participatory bodies. Participatory management planning and implementation is the best way to jointly identify priority needs for effective management of natural resources and to develop a plan of activities to address them.

The communities living currently within protected areas whose activities are crucial for the preservation of habitats, species and eco-systems should be included in protected areas management through innovative means of co-management (cooperation councils, cooperatives, consultative meetings etc.).

A number of questions may be asked to help identify stakeholders, most importantly -who will be affected by the work and whose voices and interests people in the council should represent. It is also important to identify people who can facilitate or impede the outcome through their participation, non-participation or opposition. Another technical issue is also who can contribute financial or technical resources towards the work. The communication with different stakeholders takes up a considerable effort and human resources. Most stakeholders come from the following groups (list is not exhaustive): government departments and politicians, government agencies, industry/producer representative bodies/associations, media, trading partners, land owners, managers and users, special interest/lobby groups, national representative and advisory groups, research organizations, professional groups and their representative bodies, NGOs, community groups etc. In the smaller communities it is also very important to make connections with formal or informal community leaders.

The more dynamic and enthusiastic parts of communities often organize in civil society organizations and they can be easier to reach but a great challenge is to find the most suitable way to include also the hard-to-reach and passive parts of the community.

STAKEHOLDERS: The term "stakeholder" is mentioned in the literature from the 18th century. It comes from the tradition of sticking the stake into a ground where a right is claimed. In the contemporary theory of management of protected area, the stakeholders are mainly defined as:

"Users and managers of protected areas" or "those who have immediate, significant and specific interest for a specific area or natural resources". (Borrini Feyerabend, 1997).

Involving stakeholders in the process becomes more and more common practice in nature conservation and management of protected areas. Managers of protected areas realize that exclusion of local people from decision-making results in a lack of support and sometimes potential hostility to the protected area.

Participating in management planning has some clear advantages but also some risks- according to Appleton, M.R. and Hotham, P.A.E (2007) "Creating Protected Areas Management Plans in Croatia- Manual" and they are the following:

THE BENEFITS OF INCLUSION OF THE STAKEHOLDERS

- Better information, skills and attitudes appear in the planning process;
- Understanding the true attitudes of different stakeholders can make plans more realistic, more effective and more sustainable;
- Participants become more aware of problems, resources and opportunities;
- Inclusion in the process can support the implementation of the plan;
- Relationships can be strengthened and dialogue reinforced.

RISK OF INCLUSION THE STAKEHOLDERS

- Some groups or individuals may not be confident in openly expressing their views in official situations;
- Managers of protected area can take involvement as a threat if they feel that will weaken their decision-making power;
- Poor communication and dialogue can undermine the stakeholder participation process;
- It may be necessary to make some compromises in the protection goals, where focusing on the stakeholder participation may weaken the focus on technical issues;
- Participation does not mean that everyone can get what they want. The process can create unrealistic expectations and bring disappointment.

Participation of stakeholders implies that those directly or indirectly associated with a plan or program (stakeholders) can contribute to the development of the plan with its attitudes, knowledge, experience or ideas. Stakeholders' participation is very important and is based on the belief that people involved in the process will be better informed for making decisions about how to use natural resources and the protected area and their impact on them. In this group, they differ from the positions of the holders of certain rights (formal or traditional right over land or resources) and those who come from the position of the user of that resource.

Existence or establishment of bodies for the involvement of stakeholders in the management is not regulated in any legal or subordinate legislation in the Republic of Croatia, Kosovo, or most of the countries - so there are various ways in which such body can be established. **The decision is solely on the stakeholders in the process - from the very name to the way of functioning, possibilities of influence, frequency of joint work and mutual rights and obligations.** Here we propose only one of the possible ways that can and should be adapted to the area in which it is founded as well as the structure of the stakeholders. Be active and cooperative and make your own models!

Cooperation Council - an example of the form of stakeholder participation

How to establish a cooperation council?

Steps:

1. Identification of stakeholders

For each area, stakeholders are specific but the most common ones are in forestry, water management, hunting (hunters), energy (companies), fishing (fishermen), agriculture (associations of agricultural producers, landowners and land users, non-governmental organizations in the field of nature protection and the environment, as well as other associations active in the area (eg local action groups,)), local and regional self-government units as well as individual stakeholders (natural or legal persons) whose activities are closely related to the protected area.

2. Informing the public and stakeholders about the establishment of the cooperation council and calling for stakeholders

Different methods of communication may also be used depending on the characteristics of the specific area- for institutional stakeholders it is customary to refer a written call to the local population, eg to distribute leaflets per area of local self-government or traditional gathering places, to send a notification to local media.

3. Initial meeting

It should contain an introduction on what the cooperation council is, to present a manager and the protected area, prepare a draft of the Rules of Procedure and establish mutual expectations. In the case of major areas or special problems, working groups may be formed within the cooperation council. It is important that a good moderator provides sufficient space for short presentation of all and mutual acquaintances and identification of activities for which particular stakeholders are interested.

4. Establishment of a cooperation council

After receiving the comments and decisions are made, the Rules of Procedure should be accepted and it is important to determine the frequency of meetings and mutual rights and obligations.

Establishing collaboration is just the first step!

The founders and stakeholders must ensure regular work through personal and institutional commitments.

The main recommendation from most studies is that Eastern European countries should allow for more "open", participatory governance systems by providing the appropriate framework for stakeholders to engage proactively in protected area management and decision making.

Several types of recommendations are suggested, depending on the position of influence in protected areas:

Recommendations for decision makers and State regarding the development of management systems for protected areas and ecological network but also participation of stakeholders in it

1. Strengthen the capacities of protected areas management bodies for organization of advisory bodies, create education programs for "Public Involvement in the Management of Protected Areas";
2. In defining the guidelines for the development of protected areas, pay attention to those smaller protected areas and allow different modes of governance, in the legal framework, that will recognize different management models (private, shared ...);

3. At the national level, establish a body that will communicate problems with other sectors and align with other sectoral policies - water management plans, forestry plans, hunters, fishermen, etc.

Recommendations for Management Bodies in Protected Areas

- Carry out coordination activities with the bodies of other sectors (forestry, water management, hunters, fishermen, energy, agriculture...) in defining the nature conservation conditions and measures related to the management of certain natural resources;
- Engage in ongoing cooperation/consultation with spatial planners, local government bodies, local businessmen, local communities and other stakeholders;
- Encourage cooperation between organizations of civil society organizations, State and local authorities in developing partnerships and designing and implementing joint projects and activities;
- Include in the Administrative Councils of Institutions people outside the ranks of political parties - experts/scientists, representatives of non-governmental organizations, representatives of local communities, other interested sectors and others;
- Ensure transparency in the work of public institutions as a basis for trust - public announcement of annual programs and reports;
- Active participation in commenting on strategic documents–

Recommendations for stakeholders

- Ask a public institution if there is already an organized management engagement model and request it to be included in it;
- Be active and engage in the work of a public institutions- monitor annual plans and programs published by public institutions if not - search for their publication;
- Be constructive and observant;
- Be aware of the legal obligations that arise from the specialty of the protection of the area you live in.

There is no universal recipe – every protected area has its own set of circumstances – but the key is always people and their engagement, even when the institutional framework is lacking.

4.7.3.1. Framework for adaptable management

- In the legislative framework of nature protection introduce the obligation of structured stakeholder involvement in the planning process of management at all stages of the process;
- Develop technical guidance on the structure of the planning process of the ZP/EM areas management by applying the principle of participatory planning;
- Encourage the involvement of stakeholders (local communities and interest groups) in the management of ZP/EM areas through cooperative councils, establishment of long-term partnerships in certain management segments and use of existing legal mechanisms (custody);
- Promote examples of good practice of managing ZP by physical and legal persons and enabling the development of such models in Croatia;
- In the legislative framework of nature protection, the obligation to include stakeholders in the process of drafting the Ordinance on Protection and Conservation and Decision on Protection Measures should be introduced;
- Provide mechanisms for inclusion and recognition of OCD as interested public in drafting legal and subordinate acts and strategic documents in the area of nature protection and use of natural resources;
- Introducing a structured involvement of stakeholders in the planning and management process at all stages of the process (ASP).

From the Analysis of the State of Nature in Croatia 2008-2012

ANNEX: CASE STUDY: GAJNA



Gajna : an area protected on local level, de facto governed by members of local community from 19th century, co-managed by local grass root CSO from 1989, formally managed by the County Institution for Management of Protected Natural Values from 2007.

Gajna is an area protected as Significant Landscape under the Croatian Nature Protection Law from 1989, but also a grazing area protected on the local (county) level and directly dependant on the activities and management of the local communities. The community has had different forms of managing grazing through different social systems but it has always been some sort of communal system.

Gajna (380 hectares) is a flooded grassland enriched by marsh flora and fauna and an important fish spawning and birds feeding and nesting place. In the category of strictly protected and protected species there are 12 mammal species, 37 bird species, 11 amphibian and reptile species, 24 fish species and 39 plant species out of many more valuable ones but not yet in a protected categories. As a landscape made by anthropogenic influence it is directly dependant on activities of local community for its preservation. The area is important for biodiversity due to the large wet grasslands, old oxbows and wetland vegetation as well as numerous alluvial depressions in which in spring and autumn floods water is retained. Dykes against the floods, responsible for creating such areas were built in three periods, in years 1722, 1880 and finally in 1953. In this fertile part of the country, all the land of poor quality at the beginning of century has been left for grazing cattle.

Gajna was partly formed from the so-called 'authority rights' : every household had to allocate part of their private land in order to have the right to freely graze the cattle on the communal grassland. By decision of the Parliament of the Socialist Republic of Croatia in 1953 all such areas have been turned to the state or state companies owned land. Gajna was also affected by this decision, given to the State Forestry Department. Since it is alluvial, the State forestry never conducted the usual management measures and the local population stayed continuously as users of the area and grazed their cattle.

Unfortunately, the abandonment of the extensive grazing practice is also present at Gajna and as a result there is a tendency of overgrowth by the invasive species, a common problem in the Sava and Danube River flooded areas. A local ecological CSO (Ecological Society of Brod – BED) is actively taking care of the Gajna area over the last three

decades by engaging and stimulating the local community to stick to the traditional grazing, ensuring a favourable water regime, destroying the invasive species and preserving the biodiversity throughout a series of projects.

After 1990 and the end of socialist system, the land was formally listed as property of the State of Croatia. Unfortunately, due to the ambiguities in the current law and the overlapping of the jurisdiction, the Croatian Waters, local Municipality of Oprisavci, Croatian Forest Company and the County's Public Institution for Protected Nature Values all have certain management rights over the area.

In 2007, a local cooperative was founded in an attempt to organize the little remaining cattle holders still present on Gajna, serving as predecessor to the Pasturing Communities. From the initial 7 agricultural holdings, the cooperative (Pasturing community veterans cooperative Eko-Gajna) today holds 16 agricultural holdings in tis membership.

In 2015 foundation of a Cooperation Council on Gajna gathered most of individuals, groups and organizations in some ways interested in Gajna. Apart from previously-mentioned organization BED, cattle owners from the Eko-Gajna Cooperative and Public Institution for Managing Protected Natural Resources of Brod-Posavina, there are many other stakeholders such as fishermen and hunter associations, municipality and police representatives, local women's organization, representatives of tourist boards, firemen, water and forest authorities, museum, bee keepers etc.

The Coordination Council meets at least once a year and the representatives of each sector use this opportunity to disclose their annual plans and the individual stakeholders to communicate their problems.

Gajna is a multi-functional area characterised by land management combination that supports multiple land uses in the same spatial area (e.g. grazing, flood control, recreation) but as a protected area strongly supports local biodiversity.

In spite of constant challenges and economic, legal and social pressures, the dedication of the local actors keeps Gajna alive, as a site which portrays natural and cultural heritage. Gajna teaches the future generations the importance of common governance, biological diversity and traditional knowledge and valuing genetic resources.



Establishment of Coordination Council Gajna in 2015. , photo by BED

Literature/references:

- CBD (2011): Aichi Biodiversity Targets. <http://www.cbd.int/sp/targets/> .

- Strategija i akcijski plan zaštite biološke i krajobrazne raznolikosti Republike Hrvatske. Narodne novine 143/08
- State of Nature in Croatia for 2008.-2012., DZZP 2014.
- Nature Protection Act, Croatia (Narodne novine, 80/2013, 15/2018) - 51. Zakon o zaštiti prirode. Narodne novine 70/2005, 138/2008, 57/2011
- UNDP (2013): Strengthening the Institutional and Financial Sustainability of the National Protected Area System (Croatia). Component 3: Environmental Governance. Project Document. Croatia.
- Appleton, M.R. i Hotham, P.A.E (2007) Izrada planova upravljanja zaštićenim područjima u Hrvatskoj - Priručnik. Fauna & Flora International, Cambridge, UK.
- Beneš, I. (2012): Recognition and Support of ICCAs in Croatia. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies. Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Tech. Series no.64.
- Stanciu, E. i Ionita, A. (2013): Governance of Protected Areas in Eastern Europe – overview on different governance types, case studies, and lessons learned. BfN-Skripten <https://www.iccaconsortium.org/wp-content/uploads/2012/02/EE-Governance-Study.pdf>
- Stolton, S. i Dudley, N. (2012): Definicija zaštićenih područja, kategorije upravljanja i vrste uprave prema IUCN-u.
- Stolton, S., Shadie, P. i Dudley, N. (2013): IUCN WCPA Best Practice Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types. U Dudley, N. (ed.) (2013): Guidelines for Applying Protected Area Management Categories. IUCN, Gland, nadopunjeno izdanje
- MZOIP (2018): Website of Ministry of Environment and Energy of Croatia . <http://www.mzoip.hr>
- MZOE (2018): Nature Protection Portal of Republic of Croatia . <http://www.zastita-prirode.hr/>
- Beneš I - Protected pasture Gajna, Croatia – long battle for recognition of common governance in a place of rich natural and cultural heritage; Journal: Biodiversity (TBID) Article ID: TBID 1366871, (2017) [Issue 2-3](#).
- Beneš I- Analysis – Participation in naturally valuable areas in Croatia, IPA project Sava-Culture-Nature, 2015
- National Strategy and Action Plan for the Protection of Biological and Landscape Diversity (NSAP) (OG 81/99 and 143/08), Croatian Parliament 1999 and 2008.
- Strategy and Action Plan for Biodiversity 2011 – 2020 Republic of Kosovo, Action plan for Biodiversity 2016-2020
- Annual Report State of the Environment in Kosovo, Prishtina 2017.
- Law of Nature Protection Nr. 03/L-233, declared by decree Nr. DL-054-2010, on 18.10.2010 and published in Official Gazette of Republic of Kosovo nr. 85 date 09.11.2010.
- Kosovo 2018 Report accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018 Communication on EU Enlargement Policy
- Guidelines for Kosovo National Park Management Plan, EU Twinning project “Further support to sustainable forestry management in Kosovo”

EU Biodiversity Strategy 2020 targets ; 2030 Agenda of Sustainable Development Goals (SDGs) which integrates Aichi Biodiversity Targets.

<https://www.iucn.org>

www.bed.hr

We kindly acknowledge comments from the WWF Adria office in Kosovo.

More on WWF work in Kosovo :

http://d2ouvy59p0dg6k.cloudfront.net/downloads/making_germia_a_modern_park_1.pdf