

## CASE STUDY

### *Selected aspects of public participation in Polish Coastal Zones*

#### **ABSTRACT:**

Public participation is an important factor in ICZM projects and practice and can contribute the success of these initiatives. In the Baltic Sea region there are several ICZM and other cooperative projects that help to promote public participation in the region. Poland is a country in the Baltic Sea Region that has made much and rapid progress in the field of coastal democracy since the fall of the communist regime.

#### **LOCATION:**

*Baltic Sea Region, Poland*

#### **KEYWORDS:**

*Governance, Stakeholder and Public Participation*

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## EXECUTIVE SUMMARY

Since the Århus Convention (1998), people are guaranteed the right to public participation. In Integrated Coastal Management projects public participation is an important factor that contributes to the success of such initiatives. The public can put in local knowledge and expertise and its involvement ensures democracy and pluralism. In the Baltic Sea Region there are several ICZM projects that include public participation initiatives and the healthy Scandinavian and German economies can contribute a great deal to the economic and democratic development of former communist countries like Poland, where much progress has been made in the past 15 years. There are many challenges for public participation in the Polish coastal zone, like low public awareness and distrust of the government. The main problem is lack of clear law inputs and bad communication between stakeholders.

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## Public Participation

Public participation in environmental issues is a very hot item in contemporary society. There are not only the political problems as with *Green* politicians who nearly always try to incorporate participatory methods because they believe that participatory practises can bring about social change and decrease the power of bureaucracies (Participatory Democracy, 2006). People have become more and more aware of problems concerning the environment, including climate change, natural disasters, loss of natural habitats and erosion. The news is saturated with shocking messages about the environment of our planet Earth and decisions made by politicians and bureaucrats concerning the environment can literally be a matter of life and death. Therefore it is in the interest of the public – tourists, NGOs, coastal inhabitants, popular fora etc.- to get educated, be aware and communicate their views on a public issue. Full stakeholder participation and therefore public participation is an important prerequisite for Integrated Coastal Zone Management. One of the main reasons is that the public can represent local interests and opinions and since they actually live in the area, they provide first hand information about certain coastal issues.

This clear message in many points is not going hand-to-hand with realities in Poland. The former decades did not gave any possibilities to try what public participation means, how far we can go with it and what are the legal instruments to make it possible. Moreover the lack of education about environment and not enough communication tools make this problem really crucial and difficult.

## Århus Convention

Since the Århus Convention (1998), people are guaranteed the right to public participation. Even though this Convention is criticized and does have its shortcomings, one aspect of it is perfectly clear; the document gives people the *right* to participation and this does not mean that they have to participate and that they will participate but it means that they *can* participate and that they are *allowed* to participate. In this way the public can interfere in politics more effectively because it would be against the law to deliberately exclude them. Several states that ratified the treaty are new European democracies that are now taking the same road towards public participation as Western European states. In this paper the role of public participation in the Baltic Sea Region, with an emphasis on the countries of Central and Eastern Europe (CEE) like Poland, is discussed.

## Baltic Sea Region

The Baltic Sea borders nine countries: Sweden, Finland, Russia, Estonia, Latvia, Lithuania, Poland, Germany and Denmark. Around 16 million people live on the Baltic Sea coast, which is a rather small number compared to the densely populated North Sea Coast. It is an almost closed area of water with an outlet to the Atlantic Ocean around the Denmark area. The countries of the Baltic Sea have very different economic and social situations with the high labour cost- Scandinavian countries plus Germany and the new democracies on the other side. Having rich neighbours can be an advantage to the poorer Baltic countries and may help them to make the necessary reforms. Scandinavia has very good public participation traditions; they have long understood the positive effects on democracy and decision making. Since all of the Baltic countries, except Russia are now members of the European Union there is yet more ground for cooperation in the region. This willingness to cooperate and the (economic) interest in one another is a good ground for better public participation. However, factors like low citizen awareness and distrust in the government still have very bad effects on public participation in the coastal zones of former communist states.

## Projects and Initiatives

The Helsinki Commission or HELCOM<sup>1</sup> is one of the most important ICM initiatives in the Baltic Sea region. Through intergovernmental cooperation it aims to protect the marine environment of the Baltic Sea from pollution and is the governing body of the “Convention on the Protection of the Marine Environment of the Baltic Sea Area” or Helsinki Convention. The goals of HELCOM do not directly aim for better public participation but the various ICM project it supports and leads do.

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<sup>1</sup> Project Website: [www.helcom.org](http://www.helcom.org)

The Baltic 21<sup>2</sup> was developed in 1996 by the Prime Ministers of the Baltic Sea region and it is the first effort ever of a region to adopt common regional goals for sustainable development. Members of this “Baltic” Agenda 21 are the member states, the European Commission, intergovernmental organizations, international financial institutions, international sub regional, city and business community networks and several NGOs. All of the members are committed to regionalism, transparency, democracy and public participation. Besides the two major initiatives above there are of course several European Union funded projects that implement ICM and promote public participation like Procoast, an Interreg IIC project in the Baltic Sea Region and South Baltic Arc, another INTERREG project.

A very important initiative concerning ICM or ICZM (and therefore public participation) in the Baltic Sea region (and also the Black Sea region), is a “multimedia distance training package on Integrated Coastal Zone Management” and an initiative of the EUCC.<sup>3</sup> CoastLearn is translated in many languages, including Russian, Turkish, Estonian, Latvian and Romanian and can be accessed from any computer with an internet connection. The module is also available on CD-ROM. It is a self-learning tool that also contains a module on public participation with several case studies.

## Poland

Poland is a Central European country in the Baltic Sea Region. Neighbouring countries are Germany, Russia, Belarus, Czech Republic, Slovakia and Lithuania and Poland shares a maritime border with Denmark. The population is just over 38 million, the capital is Warsaw and a large percentage of the Polish is catholic. Poland is a democratic republic and its constitution stems from 1997. With the collapse of communism in the early nineties, Poland’s economy proved to be one of the most prosperous in Central and Eastern Europe. Poland has been a member state of the European Union since May 1, 2004. Like many other CEE countries, Poland still struggles with its communist past but has had to make many changes to conform to EU norms.

Environmental idealism and the corresponding law is not new to Poland and laws have included public participation provisions for quite a long time. However, these were not respected until a change of regime and attitude in the nineties. An important force behind public participation in Poland are Western investors and NGOs that encouraged Polish officials to put public participation into practise (Jendroska, 1998).

## Legislation

Poland’s new constitution is known as one of the most environmental orientated in Europe and includes several provisions directly related to environmental protection. There are several laws acts connected with coastal zone. The most important are:

1. Act of Parliament: “On the Sea Areas of Poland and on Maritime Administration” (1991)

The Act gives a definition of the coastal belt. “The coastal belt comprises: 1/ the technical belt – which is the zone of interaction of sea and land; it is an area set apart for maintaining the coast in proper state according to requirements of safety and environmental protection, 2/ the protective belt – which covers the area in which human activity has direct influence on the state of technical belt.”

The Act also established ranges of competence of the maritime administration and other of governmental or local authorities. Generally it should be summarised to the main facts as:

On the sea: Maritime administration is fully competent and responsible.

In the technical belt: Maritime administration is responsible for planning and execution of coastal and environmental protection, also issues permissions for all kinds of use or construction in the belt except permits for water use: these last are issued by other authorities, but have to obtain agreement of the appropriate Maritime Office. On all permits by the maritime administration opinion of local authorities is required.

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<sup>2</sup>Project Website: [www.baltic21.org](http://www.baltic21.org)

<sup>3</sup>[www.coastlearn.org](http://www.coastlearn.org)

In the protection zone: All construction or land- or water-use permits issued by local governmental authorities, which may have influence on the state of the technical belt, also regional development plans at all stages of elaboration must be agreed upon with maritime administration.

Expected impact: very important position of maritime administration gives a kind of guarantee that no local particular interest can have influence for system of protection. However in the last months new discussion has started to change this kind of “up-down” decisions making system and to give more influence for planning to the local communities.

2. Act of Parliament “On Nature Protection” (1991/2004)

The act established the system of nature protection in Poland. For about 20 % of our coastline zone (2 National Parks, 3 Landscape Parks, several small reserve area) makes a system of regulations where the man impact is strictly reduced, partly only to the necessary coastal defence

Expected impact: reduction of threats connected for example with development of tourism and local business.

3. Act of Parliament “ On the Forests” (1991)

This act describes also forest category, where forest which are in coastal belt are understand as “protective forests” and which are not under economical regulations according to forests use.

Expected impact: straighten of coastal nature system protection (as succession), reduce economical development.

The other mentioned bellow acts have no direct consequences in CZM, but must be respected in any activities here:

4. Act of the Parliament: “On the Protection and Creation of Environment” (1990)

5. Act of the Parliament: “ On Spatial Development” (1994)

These acts are under reconstruction now, what can have significant influence for built areas in the coastal zone – negative for coastal conservation.

6. Act of the Parliament : “On the Wastes” (1997)

7. Act of the Parliament: “On change of some acts concerning the competence of public administration organs in connection with the reform of the state administration” (1998)

Implementation of European directives does not cause any problems because the requirements are not very specific. But from the other hand some problems can be from the political backgrounds and many from regulation’s implementation have found problems. These happened to agricultural policy and Natura 2000 implementation and also there is much criticism in the case of fishery policy.

### ICZM and Public Participation

Society for the Coast (EUCC - Poland) and the international office have been working together for a decade to establish the Odra Delta Nature Park, a project in which the involvement of all stakeholders can be called a success. This project is also used as an example in the CoastLearn module on public participation. Another ICZM project in the Odra / Oder Delta is a collaboration between EUCC Poland, EUCC Germany and the international office in The Netherlands. This project is linked to Agenda 21 of the Rio Summit and aims to involve the regional population of the Oder Delta.<sup>4</sup> The Odra delta Nature Park project and initiative is showing a typical bottom-up approach in implementation ICZM together with practical aspects of European Ecological Network “Natura 2000”. It has been clearly mentioned during European Green Week 2006 (Brussels, 30.05 – 02.06.2006.) It must be clearly said, that this initiative was a first in Poland and in this part of Europe of this kind.

For the administration and coastal management the three Maritime Authorities in Poland that have statutory duties on issues that concern also coastal protection. Maritime Authority in Szczecin is responsibility for western part of coast, Maritime Authority in Słupsk for middle area of coast and

<sup>4</sup>Policy and Projects, [www.eucc.net](http://www.eucc.net)

Maritime Authority in Gdynia works for eastern part, Actually realised administration changes in Polish government situate Maritime Authorities just under Ministry of Communication. So there are independent from local, regional and province administration.

There are at least three levels on public participation in “coastal life”, what is close to ICZM.

The first is level of administration and science. Here should be mentioned:

- maritime authorities
- harbour management
- maritime high schools
- universities
- technical academies.

The second group are represents by:

- local communities administration
- regionals / land administration
- province administration
- particular group of business (as fishery, tourism, forestry).

The third one is represented by NGOs working for nature, sustainable development and culture.

The following table illustrates the situation in public participation in details, on the particular example of Stepnica Local community area of inland coastal land and waters of Szczecin Lagoon (Odra estuary)

Level	Institution / organisation	Influence for coastal zone management
Administration and science	Maritime Authority in Szczecin	very high
	Szczecin – Świnoujście Port Authority	high
	Group of high schools (University of Szczecin, Maritime Academy, High Technical University, Agriculture Academy)	medium
	Westpomerania Province Office	high, very high
	Regional/ Land Authority in Goleniów	medium, low
	Stepnica Local Community	medium
	Fisheries Cooperative	low
	Tourism enterprises	low
	Forestry	low
	Regional Water Board	medium
	Society for The Coast	low, medium
	Community Culture Club	any

## Is the Public a Stakeholder?

This question should not have an easy answer. Generally speaking any public bodies working for coastal zone should be identify as stakeholders. But regarding to still existing top-down approach in coastal management for such an institutions, as Maritime Authority is quite hard to say that. However changes in administration and more constructive possibilities of such a bodies involvements as local communities, NGOs, scientists should be taken into consideration.

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#### Websites :

Project website of Baltic 21: [www.baltic21.org](http://www.baltic21.org)

Project website of EUROSION Project

Policy and Projects website: [www.eucc.net](http://www.eucc.net)

Project website of HELCOM: [www.helcom.org](http://www.helcom.org)

CoastLearn: [www.coastlearn.org](http://www.coastlearn.org)