I. MONTENEGRO

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This document has not been adopted by the European Commission and should therefore not be relied upon as a statement of the European Commission. The purpose of this document is merely to provide a comprehensive overview based on available information without claiming to be exhaustive. Although stakeholder consultation has taken place to verify the collected information, it is possible that this document does not reflect the view of all stakeholders involved. This document has been updated until February 2011.

This country report provides a comprehensive overview and assessment of the current state-of-play with regard to Maritime Spatial Planning (MSP) in Montenegro¹. After detailing Montenegro’s country characteristics, its most important maritime activities are presented. Next, the country report discusses the legal aspects, key players, plans and projects related to Integrated Coastal Zone Management (ICZM) and MSP as well as the relevant international initiatives and platforms for cooperation. To conclude, the main findings related to Maritime Spatial Planning are summed up. The sources of information used and persons contacted are listed at the end. Please note that Montenegro forms part of one of the four marine areas which were studied in further detail.

I.1. COUNTRY CHARACTERISTICS

Montenegro is a country in South Eastern Europe and is one of the Mediterranean countries having a coastline on the Adriatic Sea. At the seaside, Montenegro is bordered by Croatia in the northwest and by Albania in the southeast. A summary of the most important country characteristics is presented in Table 1.

¹ For the purpose of this study 20 country reports have been drawn up in total. Relevant available information on Monaco is included in the case study of the Western Mediterranean and information on the United Kingdom (Gibraltar) is included in the case study of the Alboran Sea.
Exploring the potential of maritime spatial planning in the Mediterranean

Table 1: Country characteristics – Montenegro

<table>
<thead>
<tr>
<th>Country characteristics</th>
<th>Montenegro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal regions</td>
<td>(1) Coastal zone – Public Maritime Domain as defined in the Spatial Plan for the area of special purpose – coastal zone* (&lt;br&gt;(2) Coastal area as defined in the draft National Strategy on Integrated Coastal Zone Management**</td>
</tr>
<tr>
<td>Coastline length***</td>
<td>294 km</td>
</tr>
<tr>
<td>Water depth</td>
<td>The deeper parts of the Adriatic are found near the Montenegrin coast (deepest point: 1330 m)</td>
</tr>
<tr>
<td>Maritime zones****</td>
<td>Breadth: 12 nm, Area (km²): /</td>
</tr>
</tbody>
</table>

* The coastal zone as defined in the Spatial Plan for the area of special purpose – coastal zone (Morsko Dobro) was adopted by the Montenegrin Parliament in 2007 <br>** The coastal area as defined by the National Strategy on Integrated Coastal Zone Management is not yet officially adopted in Montenegro <br>*** Source: MedPAN, www.medpan.org <br>**** Based on the the national acts or decrees of the maritime zones

Source: Policy Research Corporation

A Spatial Plan for the coastal zone / Public Maritime Domain as a Special Purpose Area was adopted by the Parliament of Montenegro in 2007. It was the first step Montenegro took towards an integrated view of the zone, encompassing both the land and the sea area of the entire region⁴:

– A marine part: the area of the territorial sea;
– A land part: a narrow coastal strip that makes a functional unit with the sea.

The plan defines all important activities relating to the economy and the use of the coast.

The management of this area is entrusted to the Public Enterprise for Coastal Zone Management – Morsko Dobro. The drafting and realisation of the spatial plan is the responsibility of the Ministry of Spatial Planning and the Environment⁵. The Public Maritime Domain is presented in Figure 1.

More detailed planning documents in the coastal zone are the State Location Studies.

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⁴ Consequently, some elements of Maritime Spatial Planning are already existent in Montenegro; Public Enterprise for Coastal zone Management of Montenegro, e-mail March 30, 2010; PAP/RAC, 2007, National Report on Current Policy, Procedures, Legal Basis and Practice of Marine Spatial Planning in Montenegro, Budva.

The Spatial Plan for the area of special purpose – coastal zone / morsko dobro presented a basis for drafting the National Strategy for Integrated Coastal Area Management in Montenegro⁴.

The **draft National Strategy on Integrated Coastal Area Management (NS ICAM)** defines the ‘coastal area’ – an area of special importance for the Republic of Montenegro – as an area with the following boundaries⁵:

- **Marine border**: outer line of the territorial sea;
- **Land border**: set at the administrative border of the six coastal municipalities (Herceg Novi, Kotor, Tivat, Budva, Bar and Ulcinj) towards the hinterland, with an exception of the Skadar Lake National Park territory in the Bar municipality.

*Figure 2* illustrates the coastal area as defined in the draft National Strategy on Integrated Coastal Area Management (NS ICAM). The figure at the left presents the marine part of the definition, while the figure at the right presents the land part. The coastal area as defined in the draft NS ICAM comprises a wider area than the coastal zone / Public Maritime Domain as defined in the Law on Public Maritime Domain, adopted in 1992⁶.

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⁶ Public Enterprise for Coastal zone Management of Montenegro, e-mail March 30, 2010.
I.2. MARITIME ACTIVITIES

In Montenegro, fisheries and mariculture constitute activities with a low share in the national GDP. In 2008, fish catches amounted to 900 tonnes\(^7\). The national fishing fleet is rather limited (22 vessels of which 19 trawlers in the year 2008). Other fishing activities are performed by small-scale gears in the littoral part of the sea. There are currently no major energy generation facilities in the coastal zone and no plans to build one. Limited offshore oil and gas explorations were conducted and plans for their continuation exist. The Montenegrin tourism sector contributed to around 15% of national GDP and is one of the country’s main development priorities. Montenegrin coastal waters and the Montenegrin coast are primarily used for beach tourism, the most developed tourism branch in Montenegro. There are about 75 long, sandy beaches and numerous bathing areas\(^8\).

With regard to maritime transport, it must be noted that several international ports are in operation (ports of Bar, Kotor, Zelenika and Risan – the latter three being located in the Bay of Boka, which implies intense use of space in the relatively small area of the Boka Bay (see Figure 3)). The port of Kotor is exclusively used as a passenger terminal for liners and cruisers and accounts for 100% of cruising vessels turnover and 84% of nautical tourism turnover in Montenegro. In general, the volume of maritime transport (2.5 millions tonnes of goods and 66 000 passengers in 2008) is relatively low although better use of port, railway and road capacity is planned. Nautical tourism is considered to be the development area for the future. Currently, demand is higher than supply, which implies the need

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\(^7\) FAO, Yearbook of fishery statistics.

\(^8\) Public Enterprise for Coastal zone Management of Montenegro, e-mail March 30, 2010; PAP/RAC, 2007, National Report on Current Policy, Procedures, Legal Basis and Practice of Marine Spatial Planning in Montenegro, Budva; Dubljevic, V., Oil and Gas in Montenegro: PowerPoint presentation
for more docks and small ports. These docks and ports are also needed for (more limited) coastal passenger and tourist transport\(^9\).

**Figure 3:** Overview Bay of Boka and Montenegrin international ports

According to the Network of Managers of Marine Protected Areas in the Mediterranean (MedPAN)\(^10\), Montenegro has not yet established any **Marine Protected Areas (MPAs)**\(^11\); however, during the process of developing the National Action Plan for Reduction of Pollution from Land Based Sources, pollution hotspots and sensitive areas in the coastal sea were identified. **Figure 4** illustrates that most pollution hotspots (marked with red dots) and sensitive areas (marked with yellow dots) are located in the Bay of Boka\(^12\).

**Figure 4:** Pollution hotspots and sensitive areas in the Montenegrin coastal sea


\(^11\) However, in 1968, two beaches were protected as natural monuments. Currently the process of revision of the protection status of the existing beaches is ongoing in accordance with the 2008 Nature Protection Law. The area of Tivat’s Solila wetlands is a newly protected coastal wetland in the municipality of Tivat; Public Enterprise for Coastal zone Management of Montenegro, e-mail March 30, 2010.

I.3. **LEGAL ASPECTS AND KEY PLAYERS**

The *following legislation* is considered relevant to ICZM and MSP¹³:

− Law on Public Maritime Domain;
− Law on Spatial Planning and Construction;
− Environmental, nature protection and cultural heritage legislation:
  o Environment Law;
  o Law on Environmental Impact Assessment;
  o Law on Strategic Environmental Assessment;
  o Law on Integrated Prevention and Pollution Control;
  o Waste Management Law;
  o Nature Protection Law;
  o Law on Protection of Cultural Monuments.
− Natural resources laws:
  o Water Law;
  o Law on Forests;
  o Law on Hunting;
  o Law on Construction.
− Maritime legislation
  o Law on Yachts;
  o Law on Sea;
  o Law on Ports;
  o Law on Maritime and Inland Navigation.
− Legislation regulating other economic activities:
  o Law on Tourism;
  o Law on Olive growing;
  o Law on Marine Fisheries and Mariculture.

The Montenegrin key player with regard to spatial planning is the Ministry of Spatial Planning and the Environment. With regard to marine policy, key competences lie with the Ministry of Maritime Affairs, Transport and Telecommunications¹⁴.

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¹⁴ Public Enterprise for Coastal zone Management of Montenegro, e-mail March 30, 2010.
Furthermore, among others the following actors are involved in some aspects of spatial planning and/or marine policy:

- Ministry of Tourism;
- Ministry of Water Management;
- Ministry of Agriculture, Forestry and Water Management;
- Coastal municipalities.

Montenegrin laws require the preparation of Environmental Impact Assessment for all facilities that pose a threat to the environment, while plans and projects with a bigger scope of work need to have a Strategic Environmental Assessment.

I.4. NATIONAL AND SUB-NATIONAL PLANS, PROJECTS AND STUDIES RELATED TO ICZM AND MSP

In 2005, the decision to carry out a Coastal Area Management Programme (CAMP) for Montenegro was approved at the 14th Ordinary Meeting of the contracting parties to the Barcelona convention:

- Proposed budget: € 456 000 (€177 000 through Mediterranean Action Plan (MAP), € 279 000 through national contribution (Ministry of Tourism and Environment indicated to provide the predominant share (€ 240 000) of the funding);
- The implementation phase of the CAMP Montenegro is planned from mid-2009 to mid-2011.

During the period December 2007 – May 2008, a feasibility study for the CAMP Montenegro was prepared. Among others the following steps were taken:

- Identification of needs and gaps for Integrated Coastal Zone Management in Montenegro;
- Proposal of the CAMP area (the whole Montenegrin coast) and CAMP activities aiming at long-term sustainability.

In 2007, a National Strategy for Sustainable Development was approved upon. This National Strategy sets out the overall framework for application of integrated approaches in managing natural resources (including water and the coastal zone) and protecting the environment. One of its priority tasks is the introduction of ICZM and the reduction of pollution of the sea and the coastal zone.

Moreover, the final draft of the National Strategy for Integrated Coastal Area Management (NS ICAM) was approved. The NS ICAM was developed with a reference to the National Strategy of Sustainable Development, the Mediterranean Strategy on Sustainable Development as well as to the

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15 Public Enterprise for Coastal Zone Management of Montenegro, e-mail March 30, 2010.
Barcelona Convention, its protocols and the EU guiding documents for the marine and coastal environment. It identifies key issues, challenges and strategic goals for Integrated Coastal Zone Management and comprises a set of operational objectives for each goal, with measures, activities, indicators and potential partners for the implementation.


The Coastal Area Management Programme for Montenegro is believed to contribute to the actual implementation of the National Strategy for ICAM and the ICZM protocol. Successful application of the concept of an integrated (ecosystem-based) approach to the management of natural resources is of crucial importance as the country aims to accede to the EU and is trying to ensure sustainable economic development in the long-term.

With regard to the coastal and Maritime Spatial Planning, it should be noted that the planning system in Montenegro in general is well-developed, comprehensive and integrated. However, it was noticed that there was a lack of plans or adequate solutions for the coastal and marine area issues18. Consequently, Public Enterprise Morsko Dobro decided to prepare an integrated (sea-use) plan for the Boka Kotorska Bay, a pilot project for Montenegro. Following the enforcement of the Spatial Plan for the Maritime Domain as a Special Purpose Area, the sea-use plan will represent the programme for a further detailed development of the marine area and will become a prototype document for the rest of the coast and the sea of Montenegro.

The current Planning Law does not foresee the development of sea-use plans. Therefore it is necessary to use this opportunity (pilot project) to introduce this new type of plans in Montenegro19. Based on the results obtained, adequate changes in legislation should be proposed by which the sea-use plans would get the appropriate place in the planning system.

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I.5. **INTERNATIONAL INITIATIVES RELATED TO ICZM AND MSP**

International initiatives (including EU-funded projects) related to ICZM and MSP in the Mediterranean Sea basin are presented in *Annex II* of the final report.

*Montenegro* was / is involved in:

- The *Adriatic Euroregion* (26 members - Regional and local governments from Italy, Slovenia, Croatia, Bosnia and Herzegovina, Montenegro, Albania and Greece);
- The *Adriatic-Ionian Initiative* (Albania, Bosnia and Herzegovina, Croatia, Greece, Italy, Slovenia and Montenegro);
- The *Trilateral Commission* (*for Protection of the Waters of the Adriatic Sea and Coastal Areas from Pollution*) (Croatia, Italy, Slovenia and Montenegro);
- The following EU-funded project:
  - The *IPA Adriatic Cross-Border Programme* (within this programme, different projects will be set up involving different Adriatic countries, such as the project *Shape* (Albania, Bosnia and Herzegovina, Croatia, Italy, Slovenia and Montenegro));
  - The *PlanCoast* project (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Germany, Italy, Montenegro, Poland, Romania, Slovenia and Ukraine).

I.6. **MAIN FINDINGS RELEVANT FOR MARITIME SPATIAL PLANNING**

The main findings with respect to the potential for the application of Maritime Spatial Planning in Montenegro are:

*Country characteristics and maritime activities:*

- Competition between maritime uses is primarily experienced in the Bay of Boka;
- Most pollution hotspots and sensitive areas are located in the Bay of Boka.

*Current status of Integrated Coastal Zone Management:*

- Interest in ICZM was shown through a number of initiatives such as the decision to carry out a CAMP for Montenegro, followed by its feasibility study;
- A National Strategy for Sustainable Development and a National Strategy for Integrated Coastal Area Management (NS ICAM) were developed;
- Montenegro signed the ICZM Protocol.
**Current status of Maritime Spatial Planning:**

− Montenegro has a well-developed planning system;

− First steps towards Maritime Spatial Planning are taken by the adoption of the Spatial Plan for the Maritime Domain as a Special Purpose Area and the development of a sea-use plan for the Boka Kotorska Bay (pilot project initiated Public Enterprise JP Morsko Dobro);

− The Boka Kotorska Bay pilot project is believed to become a prototype for the rest of the coast and sea of Montenegro.

**International cooperation:**

− Montenegro was involved in cross-border projects involving the other Adriatic countries and is a member of the Adriatic-Ionian Initiative.
I.7. **OVERVIEW OF SOURCES OF INFORMATION USED AND PERSONS CONTACTED**

**Sources of information used:**
- Dubljevic, V., *Oil and Gas in Montenegro: PowerPoint presentation*;
- FAO, *Yearbook of fishery statistics*;
- The Network of Managers of Marine Protected Areas in the Mediterranean, www.medpan.org;

**Persons contacted:**
- Ms. Aleksandra Ivanovic, Public Enterprise for Coastal Zone Management of Montenegro;
- Mr. Dragoljub Markovic, Public Enterprise for Coastal Zone Management of Montenegro;
- Ms. Jelena Knezevic, MAP focal point Montenegro;
- Mr. Vladan Dubljevic, Ministry of Economy / Geological Survey of Montenegro.

Montenegrarian authorities have provided feedback on a draft version of the country report.