

Technical guidelines for the establishment and management of PA stakeholder/management committee (an interpretation of the legal requirements of the Decree)

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**For the MAVA IUCN project: Buna Delta Protection Project**

**Contract N.o: 35/OP/2018**

28.01.2019

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ANNEX

## **1. Overall project description**

The goal of the Buna Delta Protection Project is to ensure the long-term conservation of species and habitats in the Buna River Velipojë Protected Landscape (BRVPL) with particular emphasis on halting or significantly reducing unsustainable development and water abstraction. In order to address these threats by 2022, a multifaceted action plan will be implemented, including knowledge and capacity building, awareness raising activities, as well as improved governance for the site.

It is expected that no further development in high value wetlands will occur and that further degradation of habitats halted. Furthermore, it is anticipated that damaged wetlands and coastal habitats will be restored. In order to address socio-economic issues and human well-being, sustainable tourism and land use practices will be introduced and promoted. The objective is to link local economic activities with preserved coastal and wetland habitats.

The project will be implemented through the following three strategies:

- 1: Increase the knowledge base and awareness on ecosystem services and values, integrated coastal wetland management, and sustainable land use practices;
- 2: Improve the management of the pilot site by applying innovative conservation programmes and creating business models and incentives for the local communities;
- 3: Enable a multi-stakeholder governance and transboundary mechanism to address the key threats and support knowledge transfer and joint planning.

## **2. Objective of this task**

The technical guidelines of this document support the third strategy of the project: Enable a multi-stakeholder governance and transboundary mechanism to address the key threats and support knowledge transfer and joint planning.

The aim is the organization of a participatory process along the application of the project and further. This task has been based on the Ministers Decision No. 593, date 9.10.2018.

This decision opens the way to the creation of the Management Committee of the Environmental Protected Areas. In the annex of this document is a translation of the original decision in English.

### **3. Technical guidelines regarding the Decision 593, date 9.10.2018 of the Ministers Council**

The creation of the Management Committee of the Environmental Protected Areas is accountable for ensuring the collaboration among local and national institutions and other actors for the purpose of protecting, managing and developing environmental areas with high and important biodiversity values. The Decision of creating such a committee is based on the Albanian law N.o. 81, date 4.5.2017, "For the protected areas".

There exists a new national system of the protected areas, where the creation of this committee is part of the system. Each national and local actor included need to work properly according to the responsibilities given by law for the well functioning of the whole system.

#### **3.1 The role of the management committee**

The decision explains that the managing committee plays only a supervising role and has not any management activity. This means that the committee does not plan and control any work of its members regarding the protected area. The management committee has its Head, and here the Head of the committee is the Prefect of Shkodra region (Mr. Cesk Millja). The committee is directed by the Prefect. It is foreseen that the committee will have its own members. Below is given a graphical scheme to understand better how the committee will work.

**Figure 1. An illustration of the Management Committee of Natural environmental areas**



The committee will have its members where important member here are the ministry of tourism & environment and the RAPA Shkodra. Together with the Prefect they are responsible for the notification of the institutions regarding the assignments of their representatives as members of the committee. This notification, generally done by email is sent to the respective directories, institutions and other members as provided in the annex by the decree. After the Prefect considers that this task is completed, he sends the invitation for the first meeting to all the members. The Ministry, Prefecture and RAPA have their representatives as members of the committee. Other members are clearly defined by the decision.

### **3.2 The technical secretariat**

After all the members are assigned, and the committee is considered created, to the NAPA Shkodra is assigned by the Prefect the role of the technical secretariat of the committee. A technical secretariat in general, is the one who is in charge of contacting members, notifying them, gathering and distributing the materials of the meetings, disseminating reports and results of the work or meetings.

Members of the committee might have their plans of developments, so the secretariat would consider each member plan and create a working plan of the committee as a summary of the

plans guided by the law. Each member has its responsibilities according to their areas of expertise. The secretariat will send the plan to all the members and in the next meeting the plan will be voted for approval.

According to the decision, the meetings of the committee don't have a fixed place where to be organized, but they have to be organized within the boundaries of the protected area. I would suggest here, the meetings to be organized in different locations, depending from the topic of discussion and to be as much as possible accessible for the members.

Some orientation for the meeting procedure for the technical secretariat would be:

- prepare an agenda with the date and the place of the meeting;
- generally the members are notified 10 days prior to the meeting for the meeting agenda and the date and place of the meeting;
- write the minute meeting report and keep records;
- it needs to document each proposal, orientation, discussion point or information given by the members during the meeting;
- the real product of the meeting discussions are the recommendations which come out during the meetings and which are written as conclusions in the minute meeting reports. These reports are electronically delivered to each of the members after the meeting;
- the minute meeting report is delivered to the member not later than a day after the meeting;

### **3.2.1 Meetings and voting**

The meetings of the committee are considered common meetings. The committee has to organize two (obligatory) or more meetings (if seen necessary) a year. For the meetings to be considered realized, 50% + 1 member needs to be present.

It is advisable to ask for a prior confirmation from the members which will participate in the meetings, so to be sure that the meeting is going to be successfully realized.

The head of the management committee has a decisive vote in the case when members have voted and the votes were distributed evenly (pro/against).

It is advisable here that the head of the committee votes last.

The Prefect, head of the Committee can request to organize a meeting on special occasions, which might not have been priory foreseen.

Also, the members have the right to ask the inclusion of special topic discussion, which they consider important, in the meeting agenda. They have to write a proposal and send it to the secretariat at least five days prior to the meeting.

### **3.3 The ethical code of the Committee**

Generally, the work of the committee is guided by its Code of Ethics. The Code ensures that the members keep the documents, drafts, discussions and decisions confidential.

They also are part of the committee to benefit the development of natural areas and not for personal benefits. Each member has to clearly state its opinion and communicate with respect with all the members.

## ANNEX

### DECISION

Nr. 593, date 9.10.2018

#### **For the composition, functions, duties and responsibilities of the Management Committee of the Protected Environmental Areas**

Following the article 100 of the Constitution of Albania and the point 2; the article 41 of the law nr.81/2017, "For the protected areas", with the proposal of the minister of Tourism and Environment, the Ministers Council, has decided:

1. The management committee is a supervising structure, with no managing activity, which is created for every environmental protected area and is organized on a county level; is directed by the prefect or, in the case where the environmental protected areas are composed by different regions, it is directed by the prefect who has the biggest surface of the environmental protected area.
2. The managing committee is directed by the Prefect, who in the same time is the Head of the committee and is composed by:
  - a-representative of the ministry responsible of the environment issues, member
  - b-representative from the National Agency of Protected Areas (NAPA), member
  - c-representative from the region prefect, regions in other cases (in the case when the PEA is shared between regions), one member from every region
  - ç-representative from the municipality/ies, one member
  - d-the director/s of the protected area administration, on the region level, one member from every region
  - dh-representatives from local institutions which are directly connected with the management plan of the environmental protected area, exactly from:
    - agriculture, member
    - tourism, member
    - infrastructure and energy, member
    - science and education, member



- cultural heritage, in the case when the PEA has values and protected area of heritage and cultural heritage, member, etc.

e-representatives from the environmental civil society on the local level which have impacts on the management plan of a PEA, member

ë-representatives from the owners of the forests and pastures, properties which are included in the surface of the PEA, member

3. In the case of cross boundary PEA, representatives of the protected area administration are members of the joint technical cross boundary secretariat, whose duties and responsibilities are defined according to the common cross boundary agreement.
4. The prefect of the region, in collaboration with the responsible ministry for the protected area and the RAPA, within two months from entry into force of this decision, demands to the heads of the public institutions named in the point 2 of this decision, to nominate officially their representatives and approves the list of the named members of each managing committee according to the environmental protected area.
5. In the case of the representative of the civil society, the representative will be selected accordingly depending on the issue which will be discussed in the meetings of the management committee and the managing plan of the area.
6. The committee has a supervising function for the implementation of the managing plans of the PEAs. The way it will work will be specified in the regulation approved by the committee.  
The committee needs to have its own regulation (internal regulation) approved by its members.
7. The regional administration of the protected area has the function of the technical secretary and administers all the documentation which displays all the work of the committee.
8. The management committee expands its activity in all the region/regions territory, according to the network of the approved PEAs, including here also the natural parks of the municipality. The meetings of the management committee take place within the territory of the protected area.

9. The management committee practices its activity according to the common meeting, which are available when 50% + 1 of the members have participated, it is solicited from the head of the committee not less than twice a year.
10. The management committee takes decisions with majority of the votes and in the cases when the votes have been equally divided, here the decision of the head of committee is decisive.
11. In each meeting of the committee are invited to participate experts of the field, according to the problematic, scholars and scientific researchers, environmental NGOs, businesses representatives.
12. The managing committee is responsible and has the duty to:
  - a-supervise the ongoing of the implementation of the managing plans of the area and the programmes which are composed in details, according to its demands
  - b-become part of the process of the plan management design of the area and the follow up of the implementations of its elements, to assure that there is compatibility with the strategy and the local plans of sector development, taking care that the local plans are respecting the demands for the protection of the area.
  - c-encouraging the development of ecological environments around the area, as a result of the plan implementation, with the aim of protecting its quality.
  - ç-analysing the task performing and functions of the administration of the protected areas, in function of the implementation of the management plan, and the ratio between revenues and expenses relating to the plan implementation.
  - d-recommendations regarding the orientations of investments in the area.
  - dh-approving the annual report of the condition of the protected area.
  - e-proposing to the responsible minister for the environment and the RAPA, changes to the managing plan of the area, boundaries expansion, and additional measures for its quality improvements, when these are supported on completed studies and arguments regarding the need for change. In the case when the proposal includes an area which has also heritage values and cultural panorama, the proposal needs to provide also the approval from the

collegial decision making institutions of the responsible ministry of the cultural heritage.

ë-encouraging the design and implementation of improving quality projects of the area.

f-following the implementation of the managing plan of the protected areas.

13. The managing committee of the PEA strongly collaborates with the administration of the protected area for the implementation of functional duties foreseen in the law, "For the protected areas".

14. The regional administration of the protected area, in the role of the technical secretariat, has the following duties:

a-arranges the programme and the date of the meeting in collaboration with the prefect, in the quality (position) of the head of the managing committee.

b-organizes and assists the well management of the arranged meetings.

c-invites the members 10 (ten) days prior to the date of the meeting, prepares and distributes materials of the meeting on time, for each member.

ç-keep recording/minutes meeting, writing the date, place of the meeting, present members, issues discussed, the discussions of the members and the conclusions and results achieved.

d-designs a final report for the issues discussed in the meeting, and after each meeting draws up necessary recommendations which are further forwarded to the responsible ministry for the environmental issues and the NAPA.

15. The decision nr.86, date 11.2.2005 of the Council of Ministers, "For the creation of managing committees of protected areas", is abrogated.

16. Here are responsible, the minister responsible of the environment, the prefect of the region, municipalities and the NAPA, for the implementation of this decision.

This decision enters into force after the publishing in the Official Notebook (official publishing journal of decisions of Albania).