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Combining project-based and normative approaches to upscale ICZM implementation

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HIGHLIGHTS

ICZM, A WELL-ESTABLISHED CONCEPT In recent decades, integrated coastal zone management (ICZM) has emerged as a major tool for the implementation of sustainable development in coastal areas. Its application, although still undergoing development, has mobilized considerable human and financial resources for 20, 30 or even 40 years depending on the region. This makes the issue of the relevance and effectiveness of the resources deployed a particularly important matter.

THE PRIMACY OF THE PROJECT-BASED APPROACH IN ICZM IMPLEMENTATION Yet ICZM implementation is currently essentially done through projects to the detriment of a normative approach, which undoubtedly raises questions in terms of public policy. The project approach, and its primacy, is problematic: in addition to acknowledged intrinsic limits of the project approach, its success in bringing change in the way coastal zones are managed

is far from flattering. Indeed, despite the many initiatives and local and/or occasional successes, problems of pollution and resource overexploitation remain and are even intensifying in many regions.

THE NEED FOR A NEW BALANCE The deployment of the project approach corresponds to an intellectual and administrative automatism which is not intended to address the fundamental strategic question: what form of intervention would be most appropriate in a specific context, taking into account objectives, available means and anticipated resistances? In this context, the paper looks for a better balance between traditional project and emerging normative approaches. Based on several examples chosen in different regions, it shows that the project approach gains a serious momentum if it is articulated with a legal framework, be it existing or emerging.

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Introduction

In recent decades, integrated coastal zone management (ICZM) has emerged as a major tool for the implementation of sustainable development in coastal areas (Cicin-Sain and Knecht, 1998). Its application, although still undergoing development, has mobilized considerable human and financial resources for 20, 30 or even 40 years depending on the region. This makes the issue of the relevance and effectiveness of the resources deployed a particularly important matter.

In this regard, one observation of the current situation that is hard to dispute is that the world's coastal areas, with few exceptions, have still not been positioned onto the path of sustainable development. Despite the many initiatives and local and/or occasional successes, problems of pollution and resource overexploitation remain and are even intensifying in many regions; while the conflicts that are caused by these problems are more intense than ever. In this sense, the nightmare Olsen anticipated in 1996 (Olsen, 1996) for the year 2002 is not far from the reality of 2010:

"I have been suffering from a recurring nightmare. It is of a major international conference sometime early in the next century, perhaps 2002. The topic is "Integrated Coastal Management, What Have We Accomplished?" and the conclusions are grim. The conference documents that much money has been spent by national governments, the donor community and NGOs. It catalogues an extraordinary proliferation of projects, programs and supporting initiatives that range across scales from local, national, regional and global initiatives — all justified as integrated coastal management. But it becomes painfully clear at the conference (...) that efforts have

been conceived and implemented in unnecessary isolation, and that despite all the activity, the many formally adopted plans and weighty compilations of information, the measurable successes in reducing the problems that ICM programs individually and collectively have been designed to address is pitifully small. Where successes are real and well-documented in 2002, the scale is tiny compared to the magnitude of the problems (...)."

Clearly, a serious difficulty therefore exists regarding the scale of the successes obtained. Our article focuses on the problem of upscaling: why do the successes achieved in ICZM remain isolated, and how can this be resolved?

With this aim, we commence with the following observation: a review of the abundant literature on ICZM, together with the close scrutiny, on all continents, of the way in which this intense activity is applied, lead to the unambiguous conclusion that there is a proliferation of ICZM projects, already identified by Sorensen as early as in 1993 (Sorensen, 1993) and which has not stopped escalating since then.

This proliferation now constitutes an almost total domination of the project-based approach to integrated coastal management, epitomized through the writings of researchers and implementation efforts (Billé, 2004). The reasons for this are numerous and have already been discussed elsewhere (Billé 2004; Billé and Rochette, 2009), they include: the fact that the ICZM concept is deeply rooted into the North American tradition of public action; the key roles of international organizations and the donors of public development aid, for whom the project approach represents the paradigmatic form of action, etc. We will return to this issue in more detail in the first part of

this article, since this particular aspect of ICZM implementation is rarely the subject of consideration even though, in our opinion, it is extremely structural at any territorial scale¹.

A project is a “temporary organization” (Turner and Müller, 2003) that is classically defined as an “endeavour in which human, material and financial resources are organised in a novel way, to undertake a unique scope of work, of given specification, within constraints of cost and time, so as to achieve beneficial change defined by quantitative and qualitative objectives” (Turner, 1993). Accordingly, the universally acknowledged definition of a programme is as an ensemble of component projects: “A programme of projects is a temporary organization in which a group of projects are managed together to deliver higher order strategic objectives not delivered by any of the projects on their own” (Turner & Müller, 2003). In this sense, a programme is not fundamentally distinct from a project because, at any given scale, a project or programme component can itself be organized as a group of sub-projects, which therefore corresponds to the definition of a programme. The French Scientific Council for Evaluation actually gives a definition for programme that is similar to Turner’s definition of a project: “a sequence of actions limited in time and, above all, defined precisely in its means and operative goals” (Conseil scientifique de l’évaluation, 1996). Consequently, we consider programmes and projects equivalent from the point of view of the organization of action. We will thus use the expression “project approach” or “project-based approach” to describe the aforementioned phenomenon regarding ICZM because the word “project” is used more frequently and is better suited to the specific cases discussed here. Applied to coastal management, a project can take many forms, ranging from a one-off initiative supported by a non-governmental organization (NGO), or a demonstration project financed in the framework of development aid, through to a regional or national initiative driven by the authorities.

The above definition clearly illustrates the fact that the project is an extremely specific method of organizing actions, among the whole

possible range of action modes. Two observations are raised here. Firstly, the canonical work and theoretical considerations that form the basis of the ICZM concept do not *a priori* allow us to foresee any “natural” preference regarding which modes of action to favour (see for example Underdal, 1980; Chapter 17 of the Agenda 21; Clark, 1992; OECD, 1993; World Bank, 1993; Cicin-Sain and Knecht, 1998). Moreover, the decision to favour a project-based approach to ICZM has never been justified, neither theoretically (see for example Burbidge 1997; Cicin-Sain and Knecht, 1998) nor operationally when ICZM initiatives are launched: for instance, in addition to the obvious cases linked to development aid, two typical examples include the European Union (EU) demonstration programme on integrated coastal zone management, which was launched in the late 1990s and, more recently, the ICZM projects of the DIACT in France. The latter case also shows that the project-based approach, in addition to dominating the world stage of ICZM, is also gaining ground in contexts where until recently it has been relatively absent from political and administrative traditions (France or Italy for example).

This domination of the project approach to ICZM undoubtedly raises questions in terms of public policy. Firstly, we can wonder whether the project itself, which by definition is limited in time, constitutes an appropriate form of action since ICZM implementation aims precisely at deep and sustainable transformations of the way in which the coast is managed. Furthermore, the often-favoured “pilot” approach (Billé, 2009) generally limits the spatial extent of the project relative to the targeted territory. Therefore, how can a project, “island of innovation” (Sanders, 2003), be expected to lead to the transformation of routine practices on a larger scale? Could it be through the multiplication of projects in space and time? Or perhaps by the infinite replication of pilot projects? Or through a combination with other ICZM approaches or other forms of public action? Our objective is to support this latter hypothesis, highlighting the necessary links between a project-based approach and a normative approach to ICZM, in order to make the best use of the benefits and limitations of each. Far from rejecting the value of projects, this article aims to lay the foundations for a

1. We have besides explored its unintended consequences in terms of the evaluation of public policies (Billé, 2007).

renewed formulation of public action in terms of ICZM, action that mobilizes the full range of technical and organizational possibilities. Benefiting from our recent research in two emblematic regions, the Mediterranean and the Western Indian Ocean (WIO), this article examines more particularly the conditions of compatibility and synergy between these two approaches to ICZM implementation, offering concrete suggestions that could lead to significant changes in the way that ICZM projects are designed and evaluated.

1. The primacy of the project-based approach

1.1. An obvious primacy in literature

If ICZM is generally defined as a process (see for example Cicin-Sain and Knecht, 1998), many authors, largely representative of the literature, offer an interpretation through which ICZM in some way becomes a procedure. Indeed, they describe the process of integrated management as essentially sequential, consisting of a

number of steps that are relatively classical. They strongly converge on the schematic description of the “developmental stages of the ICZM process” (see Figure 1) proposed for example by Hénocque and Denis (2001).

Of all the studies on integrated coastal management, most embrace this perspective even if it does not constitute their basis for reflection (see for example Olsen, 1993; Cicin-Sain and Knecht, 1998; Scialabba, 1998; Olsen Lowry and Tobey, 1999; UNEP/MAP/PAP, 1999). These authors also assert that “the management process requires the phases to be repeated in a cyclical manner” (Brachya, Juhasz, Pavasovic and Trumbic, 1994). It is Figure 2 therefore that is widely adopted in various forms by most authors. Certainly, many state that these stages, although constituting the backbone of any ICZM approach, should not be “taken literally”, but this generally means that, according to the local conditions at the site of action, the process will occasionally start with stages 2 or 3 before returning to the first, and so on. The sequential approach is therefore unchallenged and is more than just an abstract model of action, Olsen (1996) identifying for example the “break in the sequence of the stages” as a “major source of inefficiency”:

“Changing the sequence of the five stages is sometimes unavoidable. But if our concern lies with efficiency, it should be obvious that enacting a law and selecting the administrative structures for a program (Stage 3) should come after an analysis of the issues the program should address – not before. If the order of the stages is changed, backing and filling – through amendments and revised institutional design – is inevitable, and this is inefficient.”

As this sequential approach is typically the one that programmes and projects are based upon, it is not surprising that many authors dedicate their thoughts, more specifically, towards programmes and projects. The book by Cicin-Sain and Knecht (1998) perfectly illustrates this tendency. The two first parts are indeed dedicated to the historical development of ICZM and its definition: it is introduced as a “concept”, defined as a process with clear references to the cycle of stages which make it close to a procedure. The third part of their work, which focuses on implementation (“A practical

Figure 1. Developmental stages of the ICZM process (Hénocque and Denis, 2001)

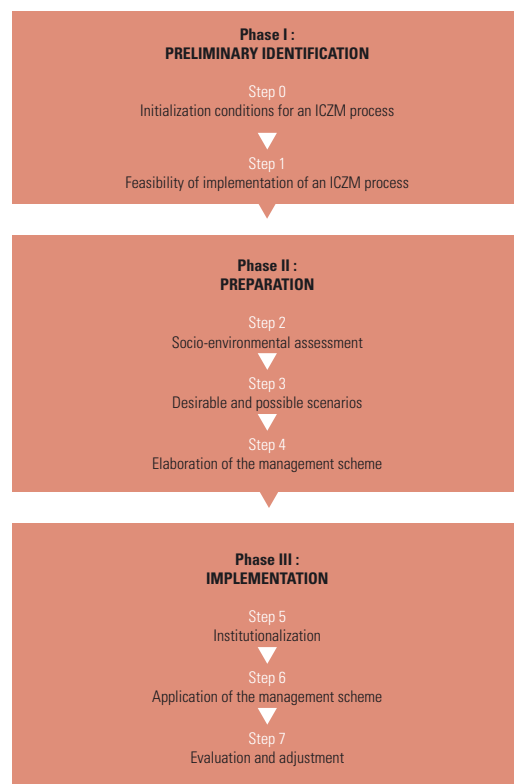
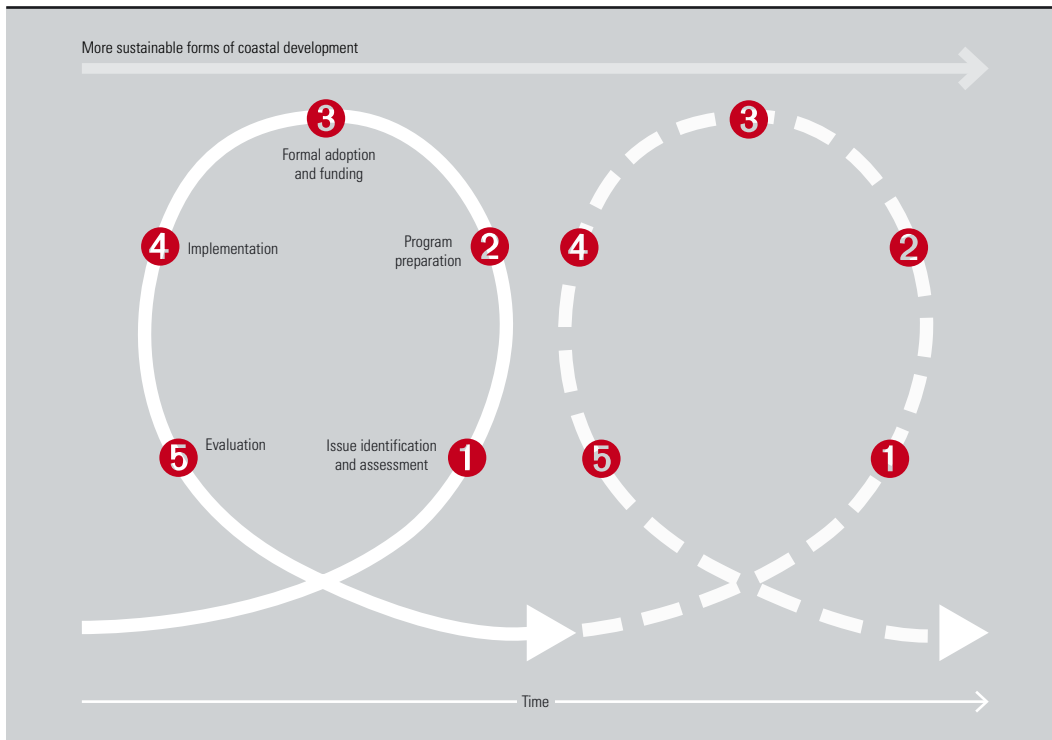


Figure 2. Stages of the cycle of integrated coastal management (Olsen, 2001)



guide to integrated coastal management”), then moves directly and without justification to a programme-based approach (“ICM programme”) that is not subsequently challenged, while the authors raise questions about the conditions of relevance of an ICZM initiative – in general – and not on the choice of a programme-based approach for a potential initiative.

Olsen (1996) refers to the “typical five or ten-year project” and “the familiar cycle of issue identification, planning, adoption, implementation and evaluation”. The same author (1993) questions the sustainability of ICZM programmes – a very important issue – but does not explain why he decides to focus on the issue of programmes in particular, nor does he suggest that ICZM could take other forms of action. After defining ICZM as a process, Clark (1992), in his work for the FAO, also focuses exclusively on programmes. Thus, it does not define the “goals and objectives of ICZM” but directly the “goals and objectives of an ICZM programme”. One may assume that such an orientation is due to the influence of the FAO, as this organization is a donor that intervenes mainly through programmes and projects. However, this potential explanation

does not stand up to an analysis of the handbook produced by the same author (Clark, 1996), which on this occasion was independently written, because within its glossary he defines ICZM as “a programme designed to manage coastal zone resources and in which participation of all relevant economic sectors, government agencies and NGOs is sought.”

If nothing predisposes *a priori* the concepts of management, processes and policies to be reduced to that of a project, it means that this bias must be carried by important forces. Firstly, as noted by Dufumier (2001), “the ‘cycle of projects’ is appealing for its logic: to base decisions on prior knowledge of concrete realities, (...) to conduct actions on the basis of a rigorously defined operational plan, to assess the impact of interventions in order to potentially develop new ones. How could we disagree with such principles that are guided by common sense?” But beyond this level of appeal, which contributes to the explanation of the observed bias, it seems that the primacy given to the project approach is the result of fundamental and identifiable influences.

Firstly, it is clear (see Billé, 2009 for example) that the sphere of thought in which ICZM has emerged is largely dominated by researchers

and networks from the United States. However, as underlined by Crozier (1998), in this country “the federal administration, in principle, does not *manage* – it launches programmes with targeted goals”. More broadly, the implementation of programmes or projects that cover the whole possible range of public policies (health, poverty, environment, armed forces, etc.), appears as the usual *modus operandi* of public authorities. This is a peculiarity of the American political and administrative system which, although it has similarities in a number of other countries and organizations across the world, remains clearly distinct from countries such as France, where the project/programme concept has remained relatively limited, at least until the early 2000’s. Thus, it seems apparent that the primacy of the project approach in the ICZM literature is due at least partly to the North American influence. To a lesser extent, one can assume that the influence of the European Commission has also supported the primacy of the project-based approach. It is indeed a type of operation that the European Commission is familiar with, as demonstrated for example by the European Commission’s Demonstration Programme on Integrated Coastal Zone Management (European Commission, 1999), the LIFE programmes etc.

In addition, we have also highlighted the central role played by international donors during the international development of ICZM (Billé, 2004). When in fact the project has already constituted the preferred form of development aid for several decades (Lecomte, 1986; Olivier de Sardan, 1995), to the extent that it represents “the ideal type of a development operation”, its “paradigmatic form” (Bako-Arifari and Le Meur, 2001).

Finally, and in a more exploratory manner, we note that this form of ICZM intervention and implementation could have been encouraged by changes in the definition of the concept itself, as the international community designated the participation of stakeholders in the process as one of the characteristics of ICZM. Besides the aforementioned example provided by Clark’s definition (1996), UNEP e.g. stated in 1995 that “the intrinsic nature of integrated management requires the active participation of local communities and other local stakeholders (UNEP, 1995). Similarly, the European Commission considers that integrated

management requires “the participation of all interest groups from the coast in the design and implementation of a development model that operates in their mutual interest²” – and similar examples are very numerous (OECD, 1993; Post and Lundin, 1996; UNEP/MAP/PAP, 2001). However, in the 1990s, there were few national legal systems to establish genuine mechanisms of public participation in environmental issues, beyond the possible acknowledgement of a right to information. Therefore, we can hypothesize that the ICZM project allows – at least in theory – this gap to be filled and the pragmatic implementation of stakeholder participation when the internal standards do not make provision for it.

Thus this analysis has highlighted the gradual shift that has led, if not to the total domination, then at least to the prevalence of the project-based approach to ICZM implementation. Far from being purely conceptual, this primacy translates directly in practice.

1.2. A primacy that translates in practice

The proliferation of ICZM projects throughout the world has reached such a level that attempts, initially made during the 1990s, aimed at their comprehensive enumeration are no longer on the agenda. Given that Sorensen had already counted around 150 in 1993 (Sorensen, 1993), and Cicin-Sain and Knecht reached a total of several hundred in 1998 (Cicin-Sain and Knecht, 1998), then an exhaustive list would today undoubtedly stretch over hundreds of pages.

The Mediterranean provides a good illustration of this fact, from which we can draw important examples while limiting ourselves to the regional level itself. The 2001 White Paper on the management of Mediterranean coastal zones observed that “compared to other regions in the world, the Mediterranean is probably the most advanced in terms of cooperation in ICZM” (UNEP/MAP/PAP, 2001). Indeed, by the mid-1980s, several initiatives had been launched to implement ICZM projects, whether they were strictly of Mediterranean origin or driven by the European Union.

2. Commission of the European Communities, Communication from the Commission to the Council and European Parliament on integrated coastal zone management: a strategy for Europe, 27 September 2000, COM (2000) 547 final, p.10.

In the framework of the Mediterranean Action Plan (MAP) firstly, the RAC/PAP was in 1978 entrusted with the programme of integrated planning and management, based on a Priority Action Programme³ (PAP). In 1985, as the MAP was entering its second decade, the Genoa Declaration set out several priorities including coastal management, while the fifth ordinary meeting in 1987 of the Contracting Parties decided to redirect the action around integrated planning and management of coastal zones⁴. In this capacity, from 1988 the RAC/PAP launched the first “national pilot projects”, renamed Coastal Area Management Programmes (CAMP) in 1989⁵, which were designed for the implementation of ICZM “in selected Mediterranean countries” (UNEP/MAP/PAP/METAP, 2001). Since then, around ten States have benefited from the support of the RAC/PAP to implement ICZM through projects.

Beyond the CAMP, the Mediterranean Environmental Technical Assistance Program (METAP⁶) has also supported numerous ICZM projects in the Mediterranean basin (Trumbic et al., 1997). Finally, in the framework of the demonstration programme on ICZM launched in 1996 by the European Union, 12 pilot projects were conducted in the Mediterranean⁷

3. The PAP is a “program of practical and concrete actions in areas that allow the development of technical cooperation among Mediterranean countries, based on the exchange of experiences and know-how. It focuses on actions that enable immediate results and that can contribute to the strengthening of national and local capacities for coastal zone planning and management” (UNEP/MAP/PAP/METAP, 2001)

4. UNEP/MAP, Report of the Fifth Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols, Athens, 7-11 September 1987, UNEP IG.74/5, Athens, 1987, Recommendations approved by the Contracting Parties, Priority Actions Programme.

5. UNEP/MAP, Report of the Sixth Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols, Athens, 3-6 October 1989, UNEP (OCA) MED IG.1/5, Athens, 1989, Recommendations adopted by the Contracting Parties, environmentally sound management of Mediterranean coastal areas.

6. Created in 1990 at the initiative of the World Bank (WB), European Investment Bank (EIB), the EU and the United Nations Development Programme (UNDP), METAP is a partnership that unites certain Mediterranean states to institutions that provide financial resources aimed at the sustainable management of the region.

7. These projects are located in Costera canal, Barcelona (Spain), Naples, Ricama, Taranto, Palermo (Italy), Cyclades, Ipiros Athens, Magnesia, Strymonikos, Kavala (Greece). For an overview of interventions: European Commission, Better management of coastal resources, A European Programme for the Coastal Zone Management, 1997, 47p.

while the third generation of the Short and Medium-term Priority Environmental Action Programme (SMAP) has also funded numerous ICZM projects⁸.

The WIO region offers examples that are in many ways similar to the Mediterranean cases. At the regional scale, numerous ICZM projects have been implemented for around 20 years, whether they fall within the strict framework of the Indian Ocean Commission (example of the Regional Environmental Programme, 1995-2000) or in a broader way to include other states that are party to the Nairobi Convention (ReCoMaP project – Regional Coastal Management Programme of the Indian Ocean Countries).

2. Benefits and limitations of the ICZM project-based approach

2.1. Benefits

In general, the sequential approach to public action, which encompasses the project-based approach, includes benefits and limitations that have been largely described in political science literature. Thus, according to Muller and Surel (1998):

“Its first asset is probably to offer a simple analytical framework for public action, which introduces a minimum amount of order in the complexity of actions and decisions that constitute a public policy. (...) Indeed this framework is both general enough to account for any public policy and it allows the formulation of relevant questions (...).”

The second advantage of the sequential approach, particularly in France, is to break away from the ruling elite’s interpretation of public action, to the extent that it enables a sociological approach to substitute the legal interpretation that has remained dominant in the spheres of thought of senior French officials”.

By nature, the project-based approach seems ultimately adapted to circumvent excessive bureaucracy, which is sometimes necessary. It

8. SMAP Final Regional Seminar: Achievements and Perspectives for the Future, Alexandria, 18-19 February 2009. Final report: http://www.smaponline.net/DOC/eve_rec/Final_workshop_Alex_2009/Workshop%20Report%202009.pdf

is reputed to be more flexible and better able to face the uncertainties of the process and objectives (Turner and Müller, 2003) than the organized action responsible for the routine operations: it provides room for manoeuvre for social and/or technical innovation.

Founded on innovation and learning (learning by doing), the project approach specifically allows experimentation with modalities of concept implementation. The different ICZM projects mentioned above, in the Mediterranean and the WIO region, have thus enabled the testing of ICZM implementation at several geographic scales, from local to national coastal areas. At the same time, they have allowed awareness raising and capacity development for many stakeholders (administration, NGO, private sector...), either directly through the training of local experts⁹, through exchange of experiences¹⁰, or more indirectly through simple participation in different activities that are linked to the project. In addition, projects frequently help to improve the management capacity by allowing the development of knowledge on the state of the coast and the establishment of monitoring systems. In both regions, the project-based approach has greatly contributed to the inclusion of coastal issues in the field of regional cooperation – as shown by the revision of the Barcelona Convention in 1995¹¹ – and has also encouraged some States to orientate towards the adoption of a richer legal framework (see Billé and Rochette, 2010). Finally, by raising awareness of the ICZM concept and “regionalization” of coastal issues, the intense activity regarding ICZM projects has undoubtedly contributed

to “floating the idea” of, and then to making possible, the negotiation and adoption of the Mediterranean ICZM Protocol in January 2008 (Rochette, 2007a), as well as the decision, taken at COP 6 of the Nairobi Convention in March-April 2010, to start a similar process in the WIO region. This role in the preparation of a favourable political background is acknowledged by most stakeholders and in our opinion constitutes a major contribution from the ICZM projects considered.

On another level, it should be noted that in the environmental field in general, key stakeholders often require initial persuasion, as those who demand change are not usually those who can achieve it. Therefore projects, especially pilot projects, are highly seductive to governments. As shown by Saunders (2003), much opposition can be suppressed simply through classifying a political innovation that some participants strongly desire, as a pilot experiment: “Don’t worry, it’s only a pilot!” Some stakeholders that are resistant to change will readily accept such an experiment as they are convinced that they will keep control of the process at the larger scale, where the real issues arise.

Further analysis allows us to affirm that a project usually has a double tactical advantage. Firstly, its replication and upscaling are credible options for many decision makers, and therefore often represent winning arguments for funding applications. It is then expected that the tangible effectiveness obtained from the piloted practices will be sufficient for their application on a wider and more sustainable scale – to the extent that such practices will become the standard. Secondly, in relation to the urgency, extent and/or complexity of the coastal problems to be addressed and of the difficult changes that are implied, the project approach presents the advantage of giving a “sop” to scientists and those working for environmental causes. It gives the impression – sometimes true but often false – that “we are on the right track” and “we cannot take previous trends into account because changes are underway”.

2.2. Limitations

Whether operational, technical, political, strategic or tactical, real or imagined, these clear advantages are not sufficient to offset the

9. See METAP/RAC/PAP, 1997; UNEP/MAP/PAP/METAP, 2002 in the Mediterranean context. Within the ReCoMaP framework, much emphasis was placed on capacity building with intensive national ICZM short courses conducted in all countries, and the DVD providing “Resources for Short Courses in Integrated Coastal Zone Management in the South-western Indian Ocean Countries” was released during the 6th WIO Marine Sciences Association Symposium in La Réunion. The DVD is fully bilingual in English and French and contains 24 ICZM Training Modules including Session Guides, Handouts, Worksheets, Presentations, administrative documents and approx. 50,000 pages of background materials. It has been distributed to all key ICZM stakeholders in the region.

10. Cf. e.g. the ReCoMaP-sponsored First Conference of National ICZM Committees in the Western Indian Ocean (24th - 25th March 2010)

11. The revision of the Barcelona Convention in 1995 extended the geographical scope of the text to the coast, in this way opening opportunities for regional regulation of Mediterranean coastal areas.

substantial limitations of the project approach in ICZM implementation.

In general, problems of the project-based approach have been discussed in great detail elsewhere (see for example Lecomte, 1986 or Bako-Arifari and Le Meur, 2001 within the framework of development aid). We must remember that projects (1) have often shown their limitations in terms of sustainability as soon as financing reaches an end; (2) are not appropriate for the longer time scale required for social change and collective action; (3) suffer from a heightened sensitivity to even very small changes in local conditions (the departure of a project leader for example) or external ones; and finally that they (4) contribute to the fragmentation of the policy. It is indeed a well-known fact in organizational theory that projects create a need for integration: integration of resources to implement the project, integration between different parts of the project, integration of the project into the general activity (Turner and Müller, 2003). This is obviously a significant drawback in the case of, for example, integrated management projects, for which we are approaching a paradox. Besides, the linear vision of public action conveyed by the sequential approach tends to underestimate the complexity of public policies and their often chaotic nature (Muller and Surel, 1998). As underlined by Bako-Arifari and Le Meur (2001), it is important to exercise caution regarding a “conception-decision-action-assessment linear vision, which is as remote as possible from social reality (but which has very real social effects)”.

The project approach to ICZM in particular shows considerable limitations (Billé, 2010; Billé and Mermet, 2002). Firstly, it meets the usual difficulties already identified in the framework of development aid: for example we can cite the difficulties of mobilizing “local communities” around projects that are often introduced from the outside, and for a limited duration, or the usually insufficient level of sustainability of the initiated activities, the ambiguities of the relationship between donors and recipients, the never-ending attempts to bypass the state and administrations that never function as required, or the dominant place occupied by international consultants in the implementation of some projects that hinders

the training of local staff (METAP/RAC/PAP, 1997), although such staff are considered to be a major component of any ICZM project (MAP/UNEP, 2001).

Besides, the ICZM project-based approach often leads to the creation of “an oasis in the desert”, an “island of innovation” (Sanders, 2003), through the temporary application of innovative management methods, that are sometimes even sustainable, for a section of coastline within a larger area that overall remains poorly managed. This development is contrary to the very foundation of sustainable development, which requires change in the “development path”, i.e. to avoid the multiplication of exceptions, but instead to transform the ordinary. In addition, the project itself does not address the lack of tools for the implementation of ICZM. However, many areas remain insufficiently regulated. The conservation of coastal ecosystems, the rational planning of coastal activities and the sustainable use of coastal resources indeed require the authorities to have at their disposal the necessary tools – notably legal ones – that allow the governance of coastal areas in their various components. If an ICZM project can, on a defined territory, raise the awareness of sustainable development stakeholders, to temporarily alleviate conflicts or to initiate better environmental practices, it is not sufficient to grant the authorities with the necessary tools to pursue such ambitions beyond the duration of the project.

The replicability of ICZM projects – which forms the basis of previous and current actions of many organizations – also raises many questions (Billé, 2010). First, the selected sites often benefit from particularly favourable conditions, one of the selection criteria being the existence of such positive conditions¹². Consequently, projects struggle to leave the experimental stage to move to the generalization step, since the change of scale rarely happens “naturally”. Besides which, we can raise doubts about the “lessons learned” and about the relevance of some of the general theories formulated following project implementation. In this regard, the results of the

12. For example, within the CAMP framework in the Mediterranean, the pre-existence of a strong political will - one of the “rare resources for sustainable development” - is a key selection criterion (MAP/UNEP, 2000).

European programme on integrated coastal zone management conducted from 1996 are rather enlightening. According to European authorities, the programme has indeed made it possible to identify certain elements essential to the implementation of ICZM, including the involvement of all coastal zone users, “the cornerstone of integrated management¹³”, the active involvement of relevant administrative bodies between which appropriate links should be established in order to improve coordination of the various existing policies¹⁴, taking into account the terrestrial and marine components of the coastal area¹⁵... While the implementation of the programme has undoubtedly helped to establish a dialogue between European institutions and all stakeholders concerned with the future of coastal areas, and thus constituted a first step in the formulation of a European strategy for ICZM, we must recognize that the principles formulated as a result of the programme remain largely identical to those previously identified by the doctrine.

Finally, while the participation of local stakeholders in the construction and implementation of a project can be a reason to opt for the project-based approach (cf. section 1.), it is however, far from obvious. Too often, stakeholders are trapped by the way in which a project dictates the organization of action. What happens in a situation where a meticulously organized genuine discussion takes place but does not result in the production of a plan or consensus document because of differences that are too significant or due to the lack of time allowed by the project’s schedule? In these circumstances the work of the project team is certainly challenged, or is even considered as “undelivered”. At the

other extreme, let us consider an example where the façade of a discussion enables the local approval by an ad hoc group of a document that is interesting, well designed, balanced and that meets the specifications. In this case, success is probably considered to be total, even if the expertise, for many reasons, has been employed to “do” and “write” in the place of the stakeholders, far beyond laconic “technical assistance”. As a result, the project teams and experts involved are sentenced to “deliver” at all costs – including financial delivery – so that the project can proceed, which is de facto a major concern of the donors.

3. Recent development of the normative approach to ICZM

3.1. Some examples

National legal systems have long regulated the coastal zone only incidentally, a situation that remains in many States. The coast then benefits from protection established by legal texts of a wider material or geographical scope: provision for the protection of species, preservation of ecosystems, and the use of planning tools or guidelines for certain economic activities, which are most often applicable throughout the entire national territory – the coastal area is thus indirectly governed by these laws.

In recent years the acceleration of the littoralization phenomenon and the resulting numerous conflicts have led some States to develop specific legislations for coastal areas: they shift from “coastal-related laws” to “coastal laws”, aiming particularly at the application of ICZM through the creation of legal tools and relevant institutional arrangements. While the U.S. Coastal Zone Management Act of 1972 is a pioneer in this field, other legal frameworks for the coast have been adopted in recent decades. Aiming at the establishment of the coastal zone as a legal object of its own, these normative developments often constitute a major step towards the formulation of coastal public policies and the inclusion of ICZM principles in the national legal and institutional framework (Rochette, 2007a).

In the Mediterranean, for example, the Algerian law of 5 February 2002 establishes

13. Communication from the Commission to the European Council and Parliament on the integrated coastal zone planning: a strategy for Europe, Commission of the European Communities, Brussels, 27 October 2000, COM (2000) 547 final, p.10.

14. Recommendation of the European Parliament and the Council related to the implementation of a strategy for an integrated management of the coastal areas in Europe, Council of the European Union, 30 May 2002, 2002/413/EC, Official Journal of 6 June 2002, Chapter II g.

15. European Commission, Towards a European strategy for integrated coastal zone planning (ICZP): General principles and policy options, Office for Official Publications of the European Communities, 1999, p.25.

some “specific provisions for the protection and enhancement of the coast¹⁶”, framing the human activities on the shore¹⁷ and aiming at developing coastal management plans¹⁸. In Israel, the law of August 2004 on the protection of the coastal environment also regulates the planning of the coastal area¹⁹. In Croatia, a regulation from September 2004 establishes a protected coastal zone²⁰ and defines the conditions for its development to ensure “its protection and its rational, sustainable and economically efficient use²¹”. In total, eight Mediterranean countries now have a specific law dedicated to the coastal area: recently in Algeria, Israel and Croatia, but also in Spain²², France²³, Turkey²⁴, Greece²⁵ and Lebanon²⁶, these two latter cases remaining largely deficient (Prieur and Ghezali, 2000). In the WIO region, South Africa has also recently passed a national law aiming at the specific governance of the coastal environment and ICZM implementation²⁷.

Generally, this legal recognition of the specific features of the coast through the development of framework laws contributes to the definition of rules for the conservation and sustainable development of these territories, while incorporating – as applicable – the requirements and principles of ICZM. It can also help to create institutional tools that could elevate the coastal zone to become a genuine subject of public, national and local policies. To

this end, the creation of agencies specifically dedicated to this purpose is becoming increasingly frequent. Thus Morocco has created a “coastal division” within the Ministry of the Environment. Similarly, Tunisia has for several years been undergoing a streamlining of its administrative structures, particularly through the establishment of an observatory for the environment and the establishment in 1995 of the Agency for Coastal Protection and Planning²⁸ (APAL), which is responsible for the implementation of the national coastal policy. Since 2002, Algeria also has a public body – the National Coastal Commission – which oversees the implementation of national policy for the protection and enhancement of the coast²⁹. In the same way, Israel has created a Committee for the Protection of the coastal environment³⁰. Similarly, today, most countries in the WIO region have formalised national ICZM structures in the form of national ICZM committees, as is the case in Comoros, Kenya, Madagascar, Mauritius, Seychelles and Tanzania, with additional sub-national bodies in Moheli, Anjouan, Grande Comore, Rodrigues and Zanzibar (Billé and Rochette, 2010). Also, the South African Integrated Coastal Management Act dedicates a whole chapter to institutional issues, including the establishment of a National Coastal Committee. Although the extreme simplification of the internal administrative instruments appears to us totally illusory (Billé, 2008), as its complexity “becomes inevitable in a country where there is multiplicity of, and consequently, overlapping and unharmonized policies that seek to address all kinds of issues affecting the coastal environment” (Eisma, Christie and Hershman, 2005), we nevertheless consider that, far from “dividing the territorial reality into pieces³¹”, the creation of such structures can, under certain conditions, bring functional improvements to the system of coastal management.

16. Act No. 2 of 5 February 2002 on the protection and enhancement of the coast, Official Journal of the Democratic and Popular Republic of Algeria, N°10 of 12, February 2002, Article 1.

17. Chapter II, Sections I and II.

18. Article 26.

19. Act for the Protection of the coastal environment, 4 August 2004, Article 21.

20. Regulations on protected coastal zone planning and protection, Official Journal of the Republic of Croatia, 13 September 2004, Article 2.

21. Article 1.

22. Act 22/1988 from 28 July.

23. Act N°86-2 from 3 January 1986 relating to the planning, protection and enhancement of the coast, Official Journal of 4 January 1986 p. 200.

24. Coastal Act of 4 April 1990, Official Journal of 17 April 1990, supplemented by regulation N°20594 from 3 August 1990.

25. Act N°2344 from 1940 on the coasts and shores.

26. Act of 24 June 1966 on coastal planning.

27. Act N°24, 2008, Integrated Coastal Management Act, Government Gazette, 11 February 2009.

28. Act N°95-72 from 24 July 1995, regarding the establishment of the Agency for Coastal Protection and Planning (APAL).

29. Act N°2 of 5 February 2002 on the protection and enhancement of the coast, Official Journal of the Democratic and Popular Republic of Algeria, N°10 from 12 February 2002, Article 26.

30. Law for the protection of the coastal environment, August 4, 2004, article 21-2.

31. R. Bachelot, Minister for Ecology, Record of the debates of the National Assembly, Meeting of 30 January 2004.

Finally, ICZM has in recent years made a grand entrance onto the stage of international law through the adoption in January 2008 of an ICZM protocol in the framework of the Barcelona Convention, which is expected to enter into force in the coming months. Designed to establish a common framework for ICZM in the Mediterranean Sea, the ICZM Protocol constitutes the first supra-state legal instrument specifically aimed at coastal zone management. A major constraint so far was that the few instruments designed to facilitate the move away from sectoral policies and to guide national systems towards integrated coastal management, were confined to the realm of soft law. Until now, coastal areas had actually been governed by international law in a fragmented manner, in a similar way to the above description at the national level: in some cases a coastal zone could be covered by protective measures that were set out in a text with a broader context or a wider geographical scope; and in some instances an activity, habitat or species that was specific to an area might be covered by sectoral regulations. The ICZM Protocol is therefore an innovative instrument in several respects. First, it is an important shift in terms of regulation through international law of coastal zone development, going beyond a framework of recommendations towards binding legal obligations. Second, it dramatically alters the traditional field of inter-state cooperation, addressing disciplines (administrative law, urban planning law, laws covering coastal economic activities, etc.) that were previously governed only by national laws. This innovation, that so far is specific to the Barcelona system, seems unlikely to remain an isolated example: as underlined in section 2.1., the sixth Conference of Parties to the Nairobi Convention already decided in early April 2010 to launch a similar process in the WIO region.

3.2. Benefits of the normative approach

The use of the normative approach in the implementation of ICZM has many benefits, which often correspond to the limitations of the project-based approach.

In general, legislation firstly enables the compliance of sectoral policies with environmental requirements. Coastal activities, whether industrial or recreational, have direct

effects on the coastal environment, including through the pollution that they generate (agricultural pollution, urban discharge...), and also their spatial extent over the territory and the destruction of the natural environment that they induce. Recourse to the legal standard can then compel these activities to respect the coastal environment and ensure that their development is conditional to the protection of natural resources and the environment. It is indeed the essence of the integration principle, enshrined in Article 4 of the Rio Declaration: “to achieve sustainable development, environmental protection must be part of the development process and cannot be viewed in isolation”. Transposed into national law, this principle can be implemented in two ways, which are not mutually exclusive. Firstly, States may conduct a formal recognition of the principle itself, for example within a legal provision that has a high rank in the domestic legal order. Accordingly, several States have constitutionalized the principle of integration, placing it at the top of the hierarchy of norms. The Portuguese constitution for example, confers to the State the role of “inserting environmental objectives into the various policies that have sectoral scopes³²”. Article 6 of the French Charter for the environment also seeks to ensure that “public policies must promote sustainable development³³”. The constitutions of Brazil³⁴, Spain³⁵ or Argentina³⁶ include similar provisions. Secondly, domestic law may allow the use of certain legal tools to ensure implementation. In coastal areas, submitting the development of new activities to prior impact studies, limiting their spatial extent and thus preserving some outstanding ecosystems, or prohibiting any type of development in certain areas of a territory, all require the adoption of specific norms that allow a better balance between economic and environmental interests. Only through resorting to the legislation can public authorities be provided with the necessary tools to achieve this objective.

From the diverse definitions of ICZM that

32. Article 66.

33. Constitutional Act N°2005-205 of 1 March 2005 on the Charter of the environment, Official Journal N°51 of 2 March 2005, p.3697.

34. Article 225.

35. Article 45.

36. Article 41.

are proposed in the literature, some general principles emerge that constitute a common basis to all of the conceptual approaches. Cicin-Sain and Knecht (1998) thus distinguish five “dimensions of integration” that are usually accepted by most authors, in this format or another³⁷. Law can then contribute bringing these ICZM aspects into national systems, and giving the authorities the tools to ensure implementation. A proclamation by means of a legal text regarding the need to ensure coordination between decision-making authorities is not likely, on its own, to ensure inter-sectoral integration; conversely, the creation by a specific legal standard of one or more mechanisms responsible for its facilitation may help to achieve this objective. Similarly, how can spatial integration be achieved if not by breaking down the barriers between the coastal environment’s planning documents and management tools, that the law confines within either terrestrial or marine spheres? In this sense, law can play the role of a “facilitator” by providing the competent authorities with the means to implement the different dimensions of integration.

The development of a national legal framework for coastal zone management, for example through the adoption of a framework law, also allows the assurance of homogeneity in the management of coastal territories at infra-national scales. This approach goes beyond the simple framework of pilot projects for example, that only allow isolated actions (Billé, 2009). The use of a framework law then enables the framing of the capabilities of infra-state authorities and the imposition on these authorities to respect minimal rules of coastal zone protection. The decentralization movement that has been observed for 20 to 30 years in many States throughout the world, brings decision-making centres closer to the populations concerned, as much as it tends to make the protection of coastal zones dependent on local political – or even clientelistic – games that are highly uncertain. Indeed, on the political level, a regional or local

majority has an unquestionable democratic legitimacy, which allows it to implement its own programme by basing itself, in particular, on the necessary legal reforms, within the limits of the capacities that the state has conferred upon it. This is part of the normal democratic tradition, which allows the possibility of political change. This situation can however lead to practices that are incompatible with the international environmental objectives and commitments of States, for example when a new majority seeks to undo a protection scheme that was introduced by the previous political power. In Sardinia (Italy), the ruling majority that has been in power since 2009, is repealing or modifying one by one the instruments of protection that were established by the previous majority – for example, strict limitation of urbanization in coastal areas, coastal land protection, environmental taxation... – illustrating perfectly the lack of national standards to set an irreducible minimum level of environmental protection. If a minimum basis of coastal protection is not imposed at the national level, the authorities that benefit from the decentralization process have substantial leeway to govern their coastal territory; the objectives pursued by the ruling majority can then contribute to the escalation of pressures on coastal ecosystems, to the point where they become contradictory to various international commitments made at the national level. It would obviously be unrealistic and simplistic to believe that the State is by nature more capable of addressing environmental concerns (Desideri, 2002), but we can note that in most cases a national law is more difficult to amend or repeal, as to do so would involve a lengthy process, and would present more opportunities for interventions by more powerful and better organized environmental pressure groups. The different politico-administrative scales must therefore be mobilized for what they can bring, including continuity, adaptability and flexibility. Each legal asset that has been acquired on one particular scale can be mobilized to strengthen ICZM on another scale.

The analysis of framework laws on coastal zones that have been adopted throughout the world reveals a tendency to demand the inclusion of coastal issues within planning documents³⁸. This approach is often based

37. (i) The inter-sectoral integration between different sectors of activity and between their respective regulatory authorities, (ii) the inter-governmental integration between the different levels of government (vertical integration), (iii) the spatial integration between marine and terrestrial areas, (iv) the international integration between countries whose respective actions have effects on their neighbour’s coastlines (v) the scientific integration between different disciplines but also between the work of scientists and the decisions of managers.

38. See 3.1.

on a pyramidal architecture, the documents adopted by decentralized authorities applying the more general conditions established by national documents. The advantages of such an approach are multiple: firstly to impose a specific legal treatment on a coastal zone and to encourage planning. In this sense, the use of planning documents encourages an inventory to be made, detailing current management methods and, where appropriate, to adapt the regulations where gaps appear. It also helps to overcome the rigid framework of traditional administrative divisions to recompose a living territory that carries identities, including geographical and ecological. Finally, the development and implementation of planning documents encourage coordination between the authorities and sectors that are involved in the area drawn up by a plan, in accordance with the essence of integration.

We also note that use of legislation can contribute towards the legitimization and support for ICZM leaders. This is the case, for example, when an internal standard establishes a forum specifically dedicated to ICZM, as has occurred with the ICZM national committees of the Indian Ocean and some national agencies in the Mediterranean. This official recognition of a structure – which may have informally existed beforehand – provides visibility to ICZM leaders at domestic and international scales, and gives them a legitimacy and political power to intervene in inter-sectoral negotiations that are a daily occurrence.

3.3. Limitations of the normative approach

Conversely, we must accept that the existence of a rich normative framework is not enough to ensure the systematic implementation of ICZM.

The adoption of a coastal law, for example, cannot automatically ensure the coordination between the different activity sectors – sectoral integration – or between different levels of government. Furthermore, the compatibility between sector objectives and activities cannot be decreed but must be politically constructed. Moreover, while legislation can invite the consideration of these requirements and organize procedures to facilitate them, on its own it can neither resolve the difficulty related to a State's administrative culture, or even erect, through the simple acceptance of a

legal text, a new management for the coast. In France, the long and painful experience of Sea Valorisation Schemes (SMVM) has shown that the implementation of a legal instrument could be continually blocked by conflicts between sectors and between scales of government.

Legislation efficiency can also be reduced when entire sections of national legislation pursue divergent or contradictory objectives. Legislative inflation, which is a characteristic of development in many States, can lead to this phenomenon. For example, plans to limit the spatial extent of economic activities on the coast may conflict with new sanitary constraints which are paradoxically synonymous with the expansion of aquaculture facilities.

We must also recognize that very often there exists a lag between the adoption of a legal standard and its effective application. As an example, while Italy has a relatively important network of marine protected areas, a recent study has demonstrated that regulations are only respected in three of the 15 marine reserves (Guidetti et al, 2008). In Morocco, 68 sites for sea sand extraction have been identified whereas the administration has actually only authorized two (Menioui, 2006). In France, while 1976 law ratified coastal paths³⁹, the regulations are not observed along the entire coastal stretch.

Non-adherence to law results from a number of factors, foremost among which is a lack of control mechanisms. To monitor activities carried out in a protected area, a fortiori at sea, requires the deployment of substantial resources that management authorities are not always able to provide. Ensuring that a building permission is delivered in compliance with legally imposed requirements necessitates the organization of a particular administrative procedure. More broadly, the application of a norm thus requires the use of monitoring mechanisms that must be organized by an internal system in order to give to the authorities the necessary means, including human resources (guards in protected areas...), technical (ships or aircraft for the surveillance of maritime activities) and administrative (procedures...). Beyond which, deficiencies of central government can sometimes explain the lack of enforcement

39. Act N°76-1286 of 31 December 1976 to reform urbanization, Official Journal, 1 January 1977.

of a law: for example, this is the case when a framework law cannot be implemented due to a lack of application decree. Some provisions in the French Coastal Law had to wait 18 years before implementation was made possible! In Algeria, the Act of 1 December 1990 related to planning and urbanism prohibits construction on “a strip of land that extends 100 meters from the shore⁴⁰”. However, this law still allows for “buildings or activities that require a direct proximity to the water” and the order intended to regulate the application of this provision has yet to be adopted, which therefore leaves many loopholes open (Megfhour Kacemi and Tabet Aul, 2007). Finally we note that the lack of enforcement of legislation may result from an absence of political will. Indeed, how many legal texts have been adopted without then benefiting from the necessary special attention to ensure compliance? For example, in Spain, the adoption of the Ley 22/1988 de 28 de julio de Costas that prohibits the construction of buildings for residential use in a coastal strip of 100 meters in width, has not prevented infra-State authorities from continuing to deliver building authorizations in these areas.

Other elements can also reduce the effectiveness of law. This is the case for example when the penalties for environmental damage remain insufficiently dissuasive. As long as an offender can derive advantages from the violation of a legal text that are greater than the risks involved, particularly in a financial sense, then the efficiency of environmental standards in fact remains limited. It is not therefore sufficient to adopt some tools for coastal protection or to demand that economic activities comply with environmental requirements, but it is also necessary to organize appropriate mechanisms for monitoring and penalising violations.

Finally, let us underline that the recognition of a citizen’s right to an administrative or judicial appeal, that allows planning decisions (planning documents for example) to be contested, also constitutes a factor that influences the efficiency of a norm, opening opportunities to force public authorities to ensure its effective implementation. However, this right is not currently recognized in all States across the world.

Conclusion: Combining project-based and normative approaches to overcome upscaling issues in ICZM

The main purpose of this paper was firstly to analyze issues raised by the domination of the project approach to ICZM implementation, and its role in the difficulties encountered by ICZM to achieve success on a large scale. Far from being anecdotal, this primacy reflects, from a theoretical viewpoint, certain influences that are strong but not acknowledged, and from a practical viewpoint it exposes organizational choices for action that lack a strategic perspective. The deployment of the project approach corresponds to an intellectual and administrative automatism which is not intended to address the fundamental strategic question: what form of intervention would be most appropriate in a specific context, taking into account objectives, available means and anticipated resistances? Ultimately, our aim was to contribute to the reduction of this strategic deficit by giving some indications regarding the possible links between what we believe are the two key approaches to ICZM: normative and project-based.

Indeed, ICZM implementation cannot be programmed or decreed: while the existence of a legal framework does not in any way guarantee its implementation, an ICZM project, outside of any normative framework that is pre-established or under construction, is almost useless – at least in comparison with the sums of money invested. We have emphasized the weaknesses of the concept of “pilot” experiments, the illusory perspectives of replication, the resulting proliferation of (unsustainable) islands of innovation and the need for a change of scale that the project-based approach does not enable. Conversely, despite these limitations it is evident that a project becomes truly meaningful as soon as it is associated to a legal framework.

The project-based approach may facilitate the emergence of an adequate normative framework. This framework can therefore be under development, and we have seen that the European ICZM programme paved the way for the European ICZM recommendation in the same way as ICZM projects have made possible the development of regional protocols on ICZM.

However, in some instances a legal framework

40. Article 45.

may already be in place and in these situations the purpose of a project should be to facilitate its effective implementation. An ICZM project may initially provide technical support in the implementation of certain aspects of legal texts at the scale of a particular territory. In the framework of the Mediterranean ICZM Protocol, it may, for example, help to “identify and delimit, outside of the protected areas, some open areas where planning and other activities are restricted or, if necessary, prohibited⁴¹” or to “organize free public access to the sea and along the shore⁴²”. Secondly, a project can provide scientific and technical support and thus complement – and not substitute – the normative approach. If, for example, a legal text aims at the establishment of a coastal strip where building is to be prohibited, considering the anticipated climate changes in the medium and long term, we can imagine that

41. Article 8-3-a.

42. Article 8-3-d.

a specific technical expertise is required, which may be provided in the framework of an ICZM project, should the local authorities lack the relevant resources. It is the way the RAC/PAP currently regards the relationship between coastal area management projects and the ICZM protocol – and it is also how the initial ICZM programmes began in US coastal states, through the implementation of the 1972 Coastal Zone Management Act.

The principles we propose on the relationships between normative and project approaches are therefore not, in practice, new. However they are far too often ignored or forgotten, notably – but not exclusively – in the framework of public development cooperation. The design of ICZM projects should now reflect their intimate relationship to the normative framework, whether in their objectives, means or activities. It is in this relationship that projects acquire their meaning and legitimacy in terms of delivering changes to coastal management, and it is according to this contribution that they must be assessed. ■

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Combining project-based and normative approaches to upscale ICZM implementation

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