

INTEGRATED COASTAL ZONE MANAGEMENT

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Abstract: *The international community has expressed serious concerns for coastal and marine resources, related to pollution problems of the resource base, to food provided by seas, to energy sector development and exploration of mineral resources of the sea, to transport and military applications. However, understanding the processes that occur in the seas and oceans is essential for scientific estimate of the likelihood, timing and magnitude of global warming.*

Major concerns go towards the possible impact caused to oceans, seas and coastal environment by population growth and development of activities and require practical measures to prevent unacceptable degradation.

Keywords: *Costal zone, Environment protection, Integrated management*

1. INTRODUCTION

The law establishes a series of bans in the commissioning of new targets and development of existing ones.

Among the means used to achieve the objective of protection and conservation of water, alongside complex management and rational use of water, the fight against the violation of the legal regime for the protection of this vital environmental factor has an important role.

In the present study we can say that methods are undertaken on the legal protection of the Black Sea against Pollution by agreements with national and international character, avoiding and wanting as much as possible to avoid its pollution.

2. INTEGRATED COASTAL ZONE MANAGEMENT

Montego Bay Convention is the legal instrument that sets out the general framework for the protection of the marine environment. It sets out principles and guidelines that guide the Activities of States in this area. However, in terms of liability for damage caused to the marine environment contains evidence and clear obligations for the Member, whether the flag state or port state. As such, it can be argued that this legal instrument provides general elements of liability for damage to the marine environment.

It is true that its provisions apply to all marine areas, not just the free waters.

This Convention is a regional synthesis of previous documents and of documents addressing the problem of pollution from a single source

The Convention on the Protection of the Black Sea against Pollution contains regulations on: the prevention of pollution by any source with substances hazardous materials, protection of the marine environment from land-based sources, from sea by downloading, cooperation in combating pollution by oil and other substances harmful to the marine environment of the Black Sea

We can also say that the parties agree to take all necessary measures to prevent, reduce and control pollution of the Black Sea caused by discharges from land-based sources, in their territory such as rivers, canals, coastal settlements, other artificial structures.

Romania highlighted the need for regulations to establish specific skills in fighting pollution, for both states and international organizations with responsibilities in this area. In our country conception, it is necessary to conclude bilateral, regional and multilateral agreements in order to create favorable conditions to investigate the marine environment, the nature and correlation phenomena and processes that occur in this environment, as well as more appropriate measures for the protection of marine flora and fauna.

The analyzes carried out so far have led to the conclusion that the protection of the marine environment is a fundamental duty of all states, that states exercise their sovereign right to exploit their natural resources as environmental policy, as they have obligations to protect and protect the marine environment.

Acting in this spirit, states have a duty to take all measures to prevent, reduce and control pollution of the marine environment from any source, using for this

purpose the most practical means at their disposal and in accordance with their capabilities, acting alone or together, where appropriate, and striving to harmonize their policies in this regard.

We conclude that the regulations set targets of quality and quantity requirements, standards that environmental factors and natural resources must ecologically meet.

Integrated Coastal Zone Management aims at sustainable development of the coastal zone, reducing its vulnerability and its inhabitants' to natural hazards and maintaining key business processes and biological diversity.

To achieve integrated management of the coastal zone the simultaneous cooperation of national, regional and local authorities is required, applying an approach from the upper to the lower and vice versa. Community interest in applying local coastal zone management process is very important for the interior zone.

In conclusion, the integrated management is sustainable use of the coastal zone, taking into account economic and social development, in close interdependence with the sea, in order to preserve, for present and future generations, the area's fragile biological and ecological balance of coastal zone and landscape

The phenomenon of collapse of the cliffs at Eforie and Constanta is due on the one hand to coastal erosion, where the sea water, in the absence of beaches, gets to the bottom of the sea walls and erodes them and on the other hand to the increase of the hydrostatic level of underground water.

Reasons for this are related to: morphology of area, erosion that occurs at the base of the cliff, lithological constitution, rainfall fallen in recent years, losses from water supply system of the area, lack of maintenance on the sectors of the beach, the suspension of development projects started in the 1980-1990 and the lack of funds needed for the new investment, execution of the port facilities.

Following heavy rains in recent years and the action of the sea erosion important land slides occurred leading to the collapse of slopes and cliffs, with degradation and destruction of the improvements built for their protection.

The increasing erosion will cause the waves to directly attack the cliffs, under these conditions the seawall will be affected by the action of waves and the sea wall will collapse, as happened already in some areas.

In 20 years Romanian beaches could disappear. Coastal erosion affects all coastal zone, slowly but surely, but at a much faster pace at Eforie and Mamaia Nord.

Storms at sea, the Danube floods or prolonged periods of drought are the main causes of coastal erosion, but the effect of this natural phenomenon is amplified by human actions.

Solutions exist, but the amount needed to stop all coastal erosion goes up to hundreds of millions of euros.

Under current conditions, the most realistic solution is accessing European funds for coastal rescue.

3. CONCLUSIONS

Given its geographical position and socioeconomic status it holds in the wider region, Constanta holds significant interests in the coastal zone of the Black Sea, both in terms of current and future development and in terms of the conservation and protection of the natural environment.

The main objection on GEO 202/2002 (on integrated management of the coastal zone, as amended and supplemented by Law 280/2003) is related to the absolute prohibition of building. This leads to the practical situation of not being able to accomplish any works that are not carried out in uninhabited areas.

I believe that such a provision would prejudice the legitimate interest of the development of Constanta and the other towns in the area.

To ban the construction of new roads and promenades in the severe regime zone is bizarre, at least in terms of the combination of two terms: the road and promenade. Moreover, in a context of art. 6¹, keeping in the contents of the enactment of article 35 is unnecessary and redundant, as long as the protection area with strict regime, with few exceptions, any final construction are prohibited.

In this context, I think that in art 6¹ of the bill to amend Ordinance 202/2002 on the integrated management of the coastal zone, at least a new exception that deals with constructions made in the strict regime zone within the localities, especially in cities and towns should be introduced.

This exception relates to the possibility of building, under the law, specific works and urban construction. The introduction of this exception is based on the fact that cities, towns and villages should be treated differently than the rest of the coastal area (excluding work and constructions in the built towns and cities).

Thus, according to the provisions stipulated in Article 6¹ of the draft law amending Ordinance 202/2002 on the integrated management of the coastal zone, it is understood that within the protected zone, expansion and modernization of utilities can not be made, nor infrastructure and also those adjacent works and hydraulic engineering works to combat erosion and coastal protection can not be carried.

In this context, taking into account the economic aspect and the opportunity for an investment of this nature in the cliff north of Constanta, we propose that a special exception for achieving access road between the historic center of Constanta and Mamaia be made. This

investment would address cliff erosion through consolidation, but would also help to increase the tourist attractiveness of the area by creating fast road links.

Another extremely important objection aims to section 59 of the draft law amending the Ordinance, with the purpose of granting the National Coastal Committee the right to review and approve the documentation of town and country planning of the coastal protection zone (review and approval of documents relating to delimitation of the coastal zone, city master plans and zonal plans which deal with the protection area with strict regime and buffer zone).

Such a provision would result in a total deadlock in the execution of construction works in the entire area covered by the legislative act, in the sense that any work (house, building, street, water network) would first need endorsement by the National Committee of the Coastal Zone, a body that does not work and never really worked and which, according to the draft will meet only twice a year.

Thus, in the context of existing legislation, over-regulation on environmental considerations may paradoxically generate negative effects on sustainable development of the localities and also economic losses for both businesses and population and local budgets.

Regarding the main argument, to harmonize Romanian legislation with European environmental in this matter, note that in Europe there is no regulatory provision imperative to oblige Member States to adopt within the national legislation a law to regulate coastal management issues.

The only European regulation, but with nature of the recommendation, which deals with specific issues is Recommendation 2002/423/EC of the European Parliament. This recommendation aims to bring public attention on some general principles and not to draw legislative obligations of the Member States.

Moreover, with the exception of Romania and several autonomous regions in Spain, we do not find anywhere in Europe distinct normative provisions and especially restrictive aspects of coastal protection.

If we analyze the situation in other EU countries with seashores we will see that roads and especially coastal promenade are along all coasts of Europe and especially in tourist areas, without exception. Examples like: Porto, Valencia, Barcelona, Marseilles, Nice, Genoa, Taranto, not to mention the coast of Greece, Turkey and even Bulgaria are conclusive in support of the passed proposal.

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