

Environmental Collaboration for the Black Sea

Legal and ICZM Working Group Meeting 23 May 2008, Kyiv

Minutes

Participants:

Consultants: Prof. Natalia Malysheva, Prof. Tamara Panchenko, Natalia Chizhmakova, Victor Karamushka

Project Implementation Team: Olena Panina, National Coordinator

Agenda items:

- Revised version of the draft Law on Coastal Zone (overview, opinion exchange, planning follow up steps)
- ICZM stakeholder meeting
- Administrative issues

Summary:

1. During last few weeks, Prof. Natalia Malysheva has redesigned structure and redrafted key provisions of the Draft ICZM Law. Senior experts convened several times to discuss the concept of the draft law and contribute to drafting. At this meeting Prof. Malysheva presented the first version of the draft Law containing the revised key provisions and other amendments.
2. The experts went through the text of the first draft version, article by article, suggested and discussed the new structure and insertions. The new structure of the Law was accepted and relevant comments on the improvement of the draft were made.
3. Key provisions of the new version of the draft Law are: clarification of terminology; introduction of the procedure of coastal zone determination and management through the project of coastal zone development; revised institutional ICZM mechanisms (the ICZM Coordination Council is referred to as important and relevant); in the course of Law drafting relevant amendments to Water Code and Land Code of Ukraine were developed in order to keep legal consistency and avoid contradictions in legislation.
4. The issue of institutional provisions was recognized as still very uncertain and requiring consultation with the Ministry which will result in redrafting of corresponding articles. The participants agreed that more discussion is needed of the regulatory mechanisms of the ICZM procedures. Besides the experts raised the issue of activity restrictions, which should be introduced for protecting coastal zone.
5. It was decided to complete the new draft Law in early June, and convene the next meeting of the Expert Group, to discuss further steps including interaction with the Ministry on the law drafting procedure, stakeholder workshop, drafting of Regulations on zoning.

Administrative issues.