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# **The evolution of spatial planning systems in the Western Balkan Region. Between international influences and domestic actors**

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## **Declaration**

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Erblin Berisha

Turin, 2018

# Summary

In Europe, since the end of the 1980s, a number of comparative planning studies have been conducted exemplifying the diversity of planning approaches that characterise the Continent. Among others, these contributions introduced the concept of legal families as being strictly connected with the features undertaken by spatial planning in a given context. In 1997, a more comprehensive approach was proposed by the EU Compendium of Spatial Planning Systems and Policies, introducing so-called spatial planning traditions or ideal-types. Since then, numerous research initiatives have been concentrating on the evolution spatial planning systems in Europe, on the basis of social, cultural or legislative approaches.

The research's contribution is not only aligned to the previous experiences but has the ambition to shed light on countries like Croatia, Albania and Bosnia & Herzegovina, that have been excluded from any previous study. In doing that, particular attention has been paid to the role played by the international contexts and actors (such as the EU, the World Bank, the United Nations' Development Programme, the International Monetary Fund, the national development agencies of foreign countries etc.). Indeed, because of the transition period, the international context has been widely active in the region, contributing to address the process of transformation of the considered countries (economical, societal and cultural changes). The idea of the research is to investigate how these processes have affected each spatial planning system, and how each of them has adapted in order to respond, or not, to these stimuli, according to the theory of path-dependency.

Adopting a comparative approach, the research aims to shed light on the evolution process of each spatial planning system concentrating on the reasons behind and beyond the transformations. In this respect, methodologically and theoretically speaking, an actor-centred explanatory model has been conceptualised and applied in order to simultaneously mobilise features deriving from historical and actor-centred institutionalisms approaches. In this perspective, the model borrows from historical institutionalism the basic idea that "history matters", and from actor-centred institutionalism the need to bring the "actor at the centre" of the analysis. According to the model, each country has been investigated in different moments. Firstly, understanding the geographical, social and economic changes since 1990 until now, concentrating on the most significant dimensions of transformation (such as political, economic, institutional, social, behavioural and of power) and their spatial implications. Secondly, describing the evolution of the spatial planning system's tradition since the beginning of the last century, aiming to better situate the recent transformations within a wide historical context. Thirdly, investigating the recent path of transformation of spatial planning system from the perspective of its different constitutive components, i.e. structural, technical, practice and discursive components. On the basis of this background, the role

played by both international and local actors in influencing the described patterns of change in the three countries' spatial planning system has been explored.

In doing so, the research demonstrates how and when the international actors have been influential in shaping the evolution of the spatial planning systems in the Western Balkan Region, and in particular in the analysed countries. Their impacts have been variable in space, time, sectors and levels. As emerged, their influential mechanisms, hence their impacts, have differed from one country to another, and often differences have been emerging even within each country. Even their policy changed over the almost three decades of transition. The same actors, indeed, changed their targets and strategies several times according to contextual needs or their own priorities, which have been fluctuating from a humanitarian approach to the support of the path of EU integration. Different approaches have been followed also concerning the impacted areas. Through time, indeed, some actors focused on very sectoral issues while others adopted a more integrated approach. Finally, the nature of the influence and of the produced impact has varied according to each affected level of the state administration. Some actors focused on producing recommendations targeting the national level while others acted through the direct implementation of local level projects and programs. In this perspective, particular attention has been paid to understanding the role played by the EU as one of the most impactful actors.

Overall, the research shows how spatial planning is a complex field composed by a number of interconnected dimensions and scales and proposes an investigation methodology that consider the actors and their role as the main analytical components. The evidence collected through this work contribute to shed some light on the evolutions of spatial planning in the Western Balkan region, that is soon going to be fully integrated into the European Union. In this light, it constitutes a solid foundation upon which to build future, more comprehensive research on the matter.

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Erblin Berisha

*I would like to dedicate  
this thesis to my loving  
parents*

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# List of Abbreviations

ACI – Actor-Center Institutionalism  
ADA – Austrian Development Agency  
ALUIZNI – Agency for Legalization, Urban Planning and Integration of Informal Area  
ATM – Autonomous Trade Measures  
BiH – Bosnia & Herzegovina  
CARDS – Community Assistance for Reconstruction, Development and Stabilisation  
CEEC – Central and Eastern European Country  
CoE – Council of Europe  
COMECON – Council for Mutual Economic Assistance  
DPA – Dayton Peace Agreement  
ECSC – European Coal and Steel Community  
EEC – European Economic Community  
EMS – European Monetary System  
EU – European Union  
Euratom – European Atomic Energy Community  
EUSAIR – EU Strategy for the Adriatic and Ionian region  
ESDP – European Spatial Development Perspective  
ETC - European Territorial Cooperation  
GIZ – Deutsche Gesellschaft für Internationale Zusammenarbeit  
GNP – General National Plan (Albania)  
HI – Historical Institutionalism  
IAD - Institutional Analysis and Development  
IBL – Inter-Entity Boundary Line  
IMF – International Monetary Fund  
IPA – Instrument for Pre-Accession Assistance  
IPARD – Instrument for Pre-Accession Assistance in Rural Development  
ISPA – Structural Policies for Pre-Accession  
NATO – North Atlantic Treaty Organisation  
NSP – National Sectoral Plan (Albania)  
NTPA – National Territorial Planning Agency (Albania)  
OBNOVA – Rehabilitation and Reconstruction of Bosnia & Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia (FYROM)  
OECD – Organisation for Economic Cooperation and Development  
OHR – Office of the High Representative  
OSCE – Organisation for Security and Co-operation in Europe  
PHARE – Poland and Hungary Assistance for the Restructuring of the Economy  
PHARE CBC – Poland and Hungary Assistance for the Restructuring of the Economy, Cross Border Cooperation  
RCI – Rational Choice Institutionalism

SAA – Stabilisation and Association Agreement  
SAP – Stabilisation and Association Process  
SAPARD – Special Accession Program for Rural and Development Program  
SDC – Swiss Agency for Development of Cooperation  
SEE – South East Europe  
SI – Sociological Institutionalism  
SP – Stability Pact  
SIDA – Swedish International Development Cooperation Agency  
STAR – Support to Territorial and Administration Reform project  
SFRY – Socialist Federal Republic of Yugoslavia  
TA – Territorial Agenda  
TAP – Trans Adriatic Pipeline  
TCA – Trade Cooperation Agreements  
TDA – Territorial Development Agency (Albania)  
TEC – Treaty on European Union  
TEN-T – Trans European Network - Transport  
UNDP – United Nations Development Programme  
USAID – United States Agency for International Development  
WBR – Western Balkan Region  
WTO – World Trade Organisation

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# **PART I – SETTING THE CONTEXT**

Part I is dedicated to setting the context of the research. It is divided in three chapters. Chapter 1 introduces the work and illustrates the author's main research motivations (section 1.1), briefly anticipating the research outcomes (section 1.2) and illustrating the organisation of the volume (section 1.3). Chapter 2 explores the main theoretical ambitus around which the research has been developed. Particular attention has been dedicated to the question of spatial planning in Europe (section 2.1), focusing on how this issue has been interpreted in the Western Balkan Region (section 2.2). Section 2.3 briefly introduces the transition period and the role played by the communist legacy and the international forces; section 2.4 concentrates on the European Integration process and the Europeanisation mechanism, while the question of endogenous forces and path dependency is presented in section 2.5. Finally, chapter 3 concentrates on the research structure. Section 3.1 and 3.2 shed light on the research's objectives, questions, assumptions, heuristic hypotheses and case's selection criteria, while section 3.3 and 3.4 respectively introduce the adopted research methodology and explore the problems related to the quality of data and of the sources of information.



# 1. Introduction to the Research

The proposed research aims at inquiring the evolution of the spatial planning systems of the Western Balkan Region<sup>1</sup> and the role of the international context, in order to sketch out the various forces that influenced the patterns of change developed since the collapse of the Soviet bloc.

In spite of the several researches already conducted in the field of comparative spatial planning studies, little attention has been paid to the Western Balkan Countries. This marginalization has been justified by some internal and external circumstance (among others, the lack of political interests and the internal geographical instabilities). Whereas the various States of the Western Balkan Region started their transition towards market oriented economic models almost simultaneously, they present relevant distinctions concerning their internal socioeconomic and cultural features as well as to the stage of actual integration into the European Union (EU). In this light, in order to allow a meaningful comparison as well as an appreciation of the role played by the international context in this process, the research focuses more in detail on three case studies that, despite presenting some similarities, are characterized by numerous peculiarities and are respectively: (i) Bosnia & Herzegovina, a potential candidate for a EU membership; (ii) Albania, a EU candidate country and (iii) Croatia, a current EU member State. The purpose of the research is to explore the patterns of transformation followed by each country's territorial governance and spatial planning system by adopting a multi-dimensional approach that takes into account its structural, technical, practical and discursive aspects. Differently from the majority of the researches developed until now, the adopted approach sets at the centre of the institutional analyses the role of external forces identifying the intensity and trend of the influence exerted by the EU integration process and the impact of other relevant international actors (among others the World Bank (WB) program, the United Nations (UN) agencies and several national international agencies). More in detail, it explores the extent to which these actors were able, through the provision of economic, political and technical support and/or other means, to influence the evolution of the domestic territorial governance and spatial planning.

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<sup>1</sup> For the purpose of this research, the Western Balkan region is considered to be composed by: Albania, Bosnia & Herzegovina, Croatia, Serbia, Republic of Montenegro, FYROM (Former Yugoslavian Republic of Macedonia), Kosovo. Similar geographical definitions were adopted in their studies by the World Bank and the European Commission.

## 1.1. Personal motivations

The research project started a few years before the doctoral program, in concomitance to the conclusion of the author's Master Thesis (2011-2013). The Thesis centered on understanding the development path of an informal settlement in Albania. In that circumstances, the author had the opportunity to investigate the evolution of territorial development in a transitional country and its direct consequences in the spatial planning processes. At that time, the main recognized problem was the difficulty of the local authority to draft and implement local plans, due to the lack of planning experts. Indeed, in Albania, the majority of plans and projects were financed by international actors like the WB. Several projects were implemented including the Land Administration Management Project (LAMP) that involved several cities. Despite the prevision of the law that clearly established that local authorities were in charge to drafting and implementing each planning document, those plans have been mainly drafted by external consultants, while the local authorities had the responsibility to implement them. This first empirical observation convinced the author to investigate the subject more in depth. Once having had a general overview of the situation of Albania, in particular, and of the Western Balkan Region, in general, surprisingly, there were no studies conducted on this matter even though the countries presented similar challenges. From a brief of each planning context, a high level of discrepancy appeared between what was established by the law and what happened in reality. Another communality was the question of international actors, who seemed to have a high level of power and credibility in the region, allowing them to potentially influence domestic spatial planning systems. This was possible thanks to an apparent crisis of domestic spatial planning, together with the local's perception of the latter being scarcely efficient in addressing territorial development. In the last decades, spatial planning seems to be relatively mistreated by politicians, experts and the society in general. This has been evidenced by the fact that looking at the main European and regional research initiatives, there were no references about these issues, no attention paid by policy makers, no substantial policy recommendation was developed etc. This absence of attention reflects the lack of scientific and political interests in dealing with these issues notwithstanding their spatial implications.

Once having had a big picture on the main interesting issues, the author was attracted by the link between spatial planning and international actors, firstly because of the fact that no studies had been developed yet on the matter and, secondly, because of the belief that spatial planning in the Western Balkan Region has been deeply influenced by external forces, which have been alternating their domestic spatial planning traditional approaches. Scientifically speaking, understanding the interplay between internal and external forces it is particularly interesting in order to illustrate how the spatial planning systems evolved, looking at the main drivers of change. This can help all the authorities involved in understanding their effective roles and responsibilities during the last decades, and benefit from an external perspective. Moreover, comparing the spatial planning

systems of the Western Balkan Region is fascinating because of: (i) its geographical positions (between, West – East – Mediterranean influence), (ii) its historical complexity (conflict area between Austro-Hungarian and Ottoman Empire and the importance of the communist regime after the Second World War, etc.), (iii) the ethnic conflicts (after the collapse of the communist regime); (iv) the contemporary transition process towards a free market system and (v) the EU Integration process.

## **1.2. Short anticipation of the research outcomes**

The structure of the volume presented above shows how the research has been developed around two prominent fields of investigation: (i) the evolution of the spatial planning systems of the countries at stake and (ii) the role played by domestic and international actors in shaping the analysed patterns of change. Adopting a comparative approach, the research explores the direction followed by each spatial planning system and the importance of the international context in this process of transformation. The research underlines the fact that spatial planning in the Western Balkan Region drastically changed in the last 20 years, and remains rather “fluid”. The patterns of change reflect, on the one side, the contextual specificities that characterized each country and, on the other side, show how external factors interfered and influenced locally.

The research demonstrates how spatial planning in the Western Balkan Region and in particular in Croatia, Albania and Bosnia & Herzegovina changed overtime (Chapter 10, 11,12). If before the collapse of Berlin Wall and the dismantlement of socialist and communist regimes, spatial planning was considered an extension of the central power on the local development, afterwards, spatial planning became more fragmented since it was managed by several planning authorities. This process of decentralization and harmonization of planning systems has taken several years. In any case, the evolution of the spatial planning systems can be summarized in three main periods. The first, from 1990 to 2000, could be considered in continuity with the socialist and communists planning tradition. In that period certainly the efficacy of planning system drastically crumpled. This happened for three main reasons. Firstly, because the top-down and regulative planning approach was not able to face the new economic, political and social circumstances. Secondly, there was a problem of spatial planning implementation. Finally, spatial planning (as any other controlled activity) was socially perceived as a limitation of the possibility of self-determination recently gained contributing to the birth of informal and illegal parallel development practices. The second period, from 2000 to 2010, was characterized by the attempt to take distance from the socialist and communist spatial planning tradition, embracing notions and concepts deriving from the Western planning tradition. Simultaneously to the adhesion of the EU integration process, started with the Stabilisation and Association Process of 1999, started a progressive alignment toward the discourse developed within the European spatial planning. Several national, subnational and local planning documents declared their conformity to the idea of planning developed within the sphere of European spatial planning. As recognized by ESTIA (2000), speaking about the spatial planning

trajectory in the Balkans, in that period the most common were: (i) the establishment of new territorial division and regional institution (NUTS); (ii) the introduction of the environmental dimension in the physical planning approach; (iii) the need to provide data and improve public participation. In any case, the point is that the traditional spatial planning approach started to move towards a more strategic approach, helping each planning level to draft their own planning instruments (strategic and regulative).

Speaking about actors, the research dedicated particular attention to the role of domestic actors. The geography of domestic actors is particularly variegated, including different institutional actors like planning authorities, institutional bodies or non-institutional actors like NGOs, academia, associations, practitioners etc. The research demonstrates how those actors have been active, on the one side, in shaping spatial planning systems, and, on the other side, in decelerating the process of innovation. This double attitude has been evidenced during the first period of transition when the struggle between whom was interested in innovation and whom maintained the status, paralyzed the implementation of planning systems. In that period, indeed, spatial planning was intended as a technical instrument under the responsibility of institutional actors. For a long time, the issue of spatial planning has been dominated by institutional actors (among other at the national level). This emerged by observing the importance of ministries or institute/agencies entitled to deal with the question of spatial planning and their impact in the planning system. Only recently, spatial planning is obtaining more attention even from non-institutional actors, that have been excluded by the public debate or marginalized. The presence of NGOs and associations in shaping the public debate is surely fundamental, but is surely not enough to change the planning systems.

Since the 90s, the international actors have been active in the Western Balkan Region supporting the introduction of several structural reforms. The international community draw the recipe to move from a State- oriented economy to a free-market one. This was particularly evident during the first transition process (widely explored in Chapter 9) when all countries were engaged in introducing a new economic model based on privatisation, liberalisation, and decentralisation mechanisms. Looking from a spatial planning perspective, in the last three decades, several external actors (among other numerous development agencies) have been particularly engaged in supporting local actors to deal with the question of spatial planning and territorial development. The involvement of external actors has been very diverse (see sections 10.4, 11.4, 12.4). Despite the common target, each actor acted autonomously according to their missions, objectives and strategies. Their involvement moved from a humanitarian to a local development approach (1990-2000). This is particularly true by looking at the case of Croatia and Bosnia & Herzegovina that, for at least ten years, have been engaged with the war and post-war reconstruction. A similar tendency has been evidenced even in Albania, where external actors were mainly concentrated at supporting local actors to deal with humanitarian emergencies, rather than to the question of spatial planning. Later, external actors launched a series of pilot projects supporting domestic authorities in

addressing the question of spatial planning in all planning levels. Differently to what has been perceived until now, the initiatives of external actors have been very fragmented (several pilot projects rather than integrated programs), multi-dimensional (by taking into account all planning levels), multi-sectorial (often, their initiatives involved several sectors) and diverse in time (as already mentioned, external actors' strategies have been subjected of change) and space (different initiatives for different countries). Even their impact in shaping spatial planning systems has been varying in coherence to their involvement. By comparing the role of those actors in the mentioned countries (section 14.2) emerged a puzzle where some actors have been very influential (USAID - United States Agency for International Development in Albania and Bosnia & Herzegovina or EU in Croatia), other less or not at all (SDC – Swiss Development Agency or ADA – Austrian Development Agency in Croatia).

Studies in the field of Europeanisation, in general, and Europeanisation of spatial planning, in particular, have been conducted since the 2000s (as widely evidenced in Chapter 6). Europeanisation studies focus at understanding the process of influence, hence the impact, of EU in each spatial planning domestic context. In literature, Europeanisation is intended as top-down, bottom-up and horizontal influences. Since the country under analysis are still facing with the integration process (except Croatia that is already a member state), the bottom-up contribution of EU has been aprioristically considered not persistent. The research demonstrates, how the aforementioned spatial planning systems have been differently influenced by the EU by exploring the top-down influence of EU's sectoral legislation, policy and discourse. By observing the role of the EU, its impact results to be significant in Croatia (high influence has been registered concerning the structural, technical and discourse), moderate in Albania and scarce in Bosnia & Herzegovina. This reflects their status in respect of the EU integration and simultaneously shows each country attitude to align its planning system to the emerged European planning system logics. Analysing each type of influences (i.e. structural, instrumental and dialogic top-down), the implementation of the EU legislation packages has been very impacted. This emerged particularly in Croatia and Albania, where the transposition of EU requirements is advanced compared to Bosnia & Herzegovina. Meanwhile, concerning the instrumental influence, in Croatia impacts has been much more evident than in Albania and Bosnia & Herzegovina, that remain, once again, the least impacted countries. Finally, looking at the discourse top-down influence, all countries seem to be relatively influenced, even if only superficially (Bosnia & Herzegovina and Albania). Even if within the same regional context, the impact of EU is very diverse from one country to another, denoting contextual specificities and priorities.

### **1.3. Outline of the volume**

The volume is organised in four Parts, subdivided in fifteen Chapters.

Part I – SETTING THE CONTEXT has been dedicated to give an overview on the main research arguments and it has been divided in three chapters. *Chapter 1 -*

*Introduction to the research*, gives an overview on the logic of the thesis underling why is important to investigate the evolution of spatial planning in the given contexts. The chapter illustrates and shortly anticipates the main research outcomes, identifying the research's messages and introducing to the reader the main scientific points. *Chapter 2 - Framing the research context*, instead, describes the main research standpoint. The chapter illustrates, more in detail, the main scientific context in which the research is positioned. Therefore, it underlines the heterogeneity of the spatial planning systems' traditions in Europe recalling the main research activities undertaken in the last three decades. Particular attention has been given to the evolution of the spatial planning systems in the Western Balkan Region, stressing the lack of Par-regional research activity as a theoretical, methodological and empirical vacuum. The same attention has been paid to illustrate the importance of the multi-dimensional transition that each country involved is experiencing, and its impact in shaping the spatial planning system, underlining the importance of the international context in addressing this process of transformation. Among the international actors, particularly important is the EU and its Integration process perceived as a widow of opportunity. Meanwhile, *Chapter 3 – Research structure*, illustrates the research's questions, assumptions, hypothesis and methodology.

Part II - THEORETICAL AND METHODOLOGICAL APPROACH widely explores the theoretical and methodological aspects and develops the approach model. This part is subdivided in *Chapter 4 – The evolution of spatial planning systems as a consequence of multiple driving forces*, where the point is to understand the importance of the spatial planning comparative approach in the literature and the need to look at the evolution of the spatial planning system through a multicomponent perspective. More in detail, the chapter draws an author's interpretation of the notion of spatial planning and spatial planning system, identifying a series of theoretical and methodological limitative factors. The idea of the chapter is to identify a few analytical categories (structural, technical, discursive and practice) that allows to give a diachronic interpretation of the evolution of spatial planning systems. *Chapter 5 - Transition, domestic and international actors*, instead, gives an overview on the transition countries and the international relation studies, trying to understand the relation between external and internal actors. *Chapter 6 - The European Union between integration and Europeanisation* focuses more on the importance of the windows of opportunity represented by the EU and by its spatial implications, analysing the process of Europeanisation of the spatial planning systems. Here, particular attention has been paid to identify the mechanisms and the channels of influence the EU is using to address the evolution of the spatial planning systems in the Western Balkan Region. *Chapter 7 – The role of domestic context and path-dependence*, instead, explores the importance of the domestic context (tradition, culture, historical context etc.) according to the theory of historical institutionalism and the actor-centred institutionalism approach. The chapter theories a combination of those two institutional theories in order to understand the relation between actors (whatever

kind) and structure (spatial planning systems). Based on this theoretical frame, *Chapter 8 – Analytical approach: an actor centred explanatory model* develops the interpretative model that has been adopted to explore the evolution of spatial planning systems and the role of international actors based on what has been evidenced and widely discussed in Part II. This chapter digests the theoretical apparatus around the idea that spatial planning is under a continuous process of institutionalisation.

Once having developed the research's theoretical and methodological framework, Part III - THE EVOLUTION OF SPATIAL PLANNING SYSTEMS IN THE WESTERN BALKAN REGION reports the main empirical observations that derive from an intensive exploration of the existing literature and a series of interviews. This part is composed by four chapters. *Chapter 9 - The Western Balkan Region before and after 1989*, gives a brief overview of the geographical, political and economic situation since the beginning of the previous century until today, when the majority of the Balkans' countries have been involved in the process of EU integration. This chapter presents the main social, economic and institutional patterns of change followed by each country. Particular attention has been paid to the transition process, when each country gained their political autonomy, and the importance of the EU integration. The chapter illustrates, more in detail, the current relation between each country and the EU, underlining the main progresses made and what should still be addressed (Albania and Bosnia & Herzegovina since Croatia is a member state). Once having given a general overview on the Western Balkan Region, *Chapter 10 – Croatia*, *Chapter 11 – Albania* and *Chapter 12 – Bosnia & Herzegovina* give a complete overview on spatial planning and international influences by applying the actor-centred explanatory model. Each chapter has been structured in four main sections. The first gives an overview on the main geographical, socioeconomic and political aspects, concentrating in particular on the sense of multi-dimensional transition (polity, economic, institutional, social, behavioural and power) and their spatial planning implication. Section two reports the evolution of the countries' spatial planning systems through an historical perspective: before, during and after the totalitarian regimes. Section three, instead, explores the evolution of spatial planning adopting the aforementioned analytical categories (structural, technical, discourse and practice). Finally, section four explores the role played by the actors in shaping each planning system. Particular attention has been given to understanding the domestic actors (institutional or not), and the external actors. A special subsection has been dedicated to the impact of the EU and its mechanisms of influence.

Finally, Part IV – COMPARING THE EVOLUTION OF SPATIAL PLANNING SYSTEMS AND CONCLUSIONS compares and presents the main research findings and is structured in three parts. In *Chapter 13 - Comparing the evolution of spatial planning components*, differences and commonalties have been identified through the perspective of planning components. This chapter focuses more on how spatial planning systems changed and through which mechanisms, identifying the main institutional processes etc. *Chapter 14 - Comparing the role of actors in the evolution of spatial planning system in Croatia, Albania and Bosnia*

*& Herzegovina*, illustrates the different actors' attitude in shaping each planning system. In this chapter, the comparison process sketches why some actors have been very influential and why. Finally, *Chapter 15 – Main findings, conclusions and recommendations* discusses the main research's results and its theoretical and methodological limits. After a brief reminder of the research objectives, methodological choices and theoretical framework, the chapter debates on the main research outcomes dividing the findings that derive from the analysis of the evolution of spatial planning and those deriving from the understanding of the actors' role. Finally, the chapter reports some theoretical and operational limitations factors, drawing recommendations to the main actors and identifying the original contribution of the research.

## **2. Framing the research context**

The chapter seeks to present the research environment and to locate the study within the exiting scientific and theoretical debate. Section 2.1 gives a brief introduction on the heterogeneity of the European spatial planning systems, a topic that has been further analysed in Chapter 4. A brief presentation has also been given about the question of spatial planning systems and the theoretical vacuum in the Western Balkan Region (section 2.2). Section 2.3, instead, describes the issue of transition between the communist legacy and the role of international actors, a topic that has been abundantly explored in Chapter 5. Meanwhile, section 2.4 advances some reflections on the discourse of European integration and Europeanisation process as part of the same mechanism (extensively explored in Chapter 6). Finally, section 2.5 presents the question of endogenous forces and the notion of path-dependence.

### **2.1. The heterogeneous landscape for spatial planning in Europe**

Spatial planning systems have a long tradition in each European country. Their similarities, peculiarities and divergences, have contributed to create a polymorphic landscape of spatial planning systems. To highlight this multiform panorama, several studies have been conducted during the past years. Indeed, since the beginning of the 1990s, the evolution of spatial planning in Europe has been scrutinised in different ways and from different points of view (see among others: Davies et al. 1989; Newman & Thornley 1996; ESPON 2006, 2007; Stead & Cotella, 2011; Reimer et al, 2014, COMPASS, 2016). In this regard, comparative research on spatial planning began with Davies et al (1989), that analysed the “families of law and government structure” (Common law and Civil law), to continue with Newman & Thornley (1996) expanding the “families of law” (Nordic, British, Germanic, Napoleonic, East European). The EU Compendium of spatial planning systems and policies (1997) proposes a more complex and sophisticated methodology, introducing the so-called “ideal types” of spatial planning (Regional economic, comprehensive integrated, land use management and Urbanism). On the same line, ESPON Project 2.3.2 (2007) and later COMPASS (2016, an ongoing project) developed a Pan-European picture on the main planning spatial planning system highlighting for the first time the impact of the EU (COMPASS, 2016). All those studies confirmed the variety of planning systems in Europe as a result of several aspects. According to the literature (CEC, 1997;

Servillo and Van den Broeck, 2012), this heterogeneity reflects the outcome of historical, socioeconomic and cultural conditions, but not only. As suggested by CEC (1997), important factors in creating multiplicities spatial planning experiences are represented by the geographical and land use patterns that can play a very important role in defining the nature of the spatial planning system. Elements like Constitution, administrative and legislative framework that define the legal condition in which spatial planning is framed and operates (see works based on structural approach) should be as basic features of each spatial planning system. Finally, a relevant role in creating differences and/or similarities between systems, has been the notion of political and ideological inspiration that can influence the hegemonic discourse environment (CEC, 1997). The dynamic interactions of geographical, legislative and discursive factors can shape each spatial planning system based on specific local condition and tradition (path dependent).

## **2.2. The evolution of spatial planning systems in the Western Balkan region: a theoretical vacuum**

Despite the increasing interest in understanding spatial planning systems in Europe in the last twenty-five years, the investigation of the evolution of spatial planning in the Western Balkan Region has been completely forgotten. The reasons behind this are multiple and historical embedded such as: (i) the communist geographical isolation, above all regarding the Albanian regime; (ii) the chaotic process of balkanization or fragmentation during the last twenty-five years based on a political and ethnical division; (iii) the fact that all the countries are still out of the EU (excluding Croatia); and (iv) the minor interests of the EU to proceed with the EU enlargement policy towards the Balkans' integration. Indeed, since the first research experience in understanding spatial planning in Europe (see Davis et al., 1989), the analysis was focused on scrutinizing the Western European regional context. Despite the subsequent theoretical efforts (Newman & Thornley, 1996; Compendium, 1997; Farinos et a. 2007) in highlighting each spatial planning system, they have been centred only on the Western Europe countries, systematically excluding the Western Balkan Region. Even the most recent Pan-European comparative research initiatives, COMPASS - Comparative Analysis of Territorial Governance and Spatial Planning Systems are taking into consideration only the contest of Croatia (since it is a member State) and not including the other Balkans' countries. Differently from the past, a brief preliminary overview of those countries has been developed.

Only in 2000, thanks to the contribution of ESTIA INTERREG IIC<sup>2</sup> the first research on the evolution of spatial planning in the Balkans was developed. The

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<sup>2</sup> ESTIA - European Space and Territorial Integration Alternatives develop a project called Spatial Planning System and Agencies in Southeast Europe analysing the context of: Albania, Bulgaria, Greece, FYROM, Romania, F.R. Yugoslavia.

core of the project was to identify the components and thus provide the background for the strengthening of spatial development policy integration and co-ordination among the countries of the area, taking into account the process of European Unification and Enlargement as it is reflected in the documents 'Agenda 2000' and 'European Spatial Development Perspective' (ESTIA, 2000). A decade later, in 2011, NALAS – Network of Association of Local Authorities in South-East Europe prepared a comparative research project to understand the legislation and the implement spatial and urban planning in some of the countries of the Western Balkan Region<sup>3</sup>. Despite their efforts, none of these projects has given a complete overview on the evolution of the spatial planning systems in the Western Balkan Region, because in both studies some countries (Croatia and in part Bosnia & Herzegovina) were systematically excluded.

This theoretical vacuum is testified even looking at the regional academic research activity. Their contribution in exploring the evolution of the spatial planning systems has been very scarce, fragmented and discontinuous. None of them has taken into consideration the idea to produce a Pan-Balkan comparative approach.

### **2.3. Lost in transition: the communist legacy and the role of international actors**

Since the downfall of the Communist regime, in the Western Balkan Region the socioeconomic and politic restructuring has been guided by the complex, and still obscure, interaction between external pressures and internal adaptation processes. In other words, the transition from a centrally planned economy to a free market economic democracy was, and still is, the main hegemonic concept driving the processes of transformation (following a neo-liberal restructuring agenda) that characterized the post-communist States. However, as an extensive literature (among others Shields, 2012, Tsenkova & Nedovic-Budic, 2006, Vachudova, 2006) pointed out, the transition is a complex process of restructuring and redefinition of social power relations. As Tsenkova & Nedovic-Budic (2006) puts it, changes were mainly related to various dimensions: (i) a polity dimension, i.e. the shift from a single party towards a multiple parties system; (ii) an institutional dimension, i.e. the decentralisation of power; (iii) an economic dimension, where the economic power is transferred from the old vertical administrative hierarchies toward the private sector and the civil society and (iv) a power dimension, featuring the change of dominant interest groups, the entrance in the game of new external and local actors. All this process of transformation is influenced by various international financial institutions as well as by the EU integration policy. Among the actors that have had an impact on the transition process in post-socialist European countries, those exerting the highest degree of influence during the definition of regional and

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<sup>3</sup> The research included: Albania, Kosovo, Macedonia, Moldova, Republika Srpska and Turkey.

spatial policies may be divided into four categories: global institutions (UN - United Nations, IMF - International Monetary Fund, WB - World Bank, NATO - North Atlantic Treaty Organisation); supranational or regional institutions (among others UE), non-governmental organisations (NGOs) and governmental development agencies. The mechanisms through which the influence of these actors operated and still operate are based on various types of conditionality (among others, legal, political and economic).

## **2.4. European integration and Europeanisation**

It can be said that the EU is the most ambitious regional integration project in the world. Indeed, in history, no Country had ever voluntarily accepted external influence on domestic affairs and, at the same time, had devolved part of its legislative power towards an international organisation like EU. Historically speaking, the EU is a complex and still incomplete process of integration and enlargement. Indeed, two equally important forces started to dominate the evolution from the EEC - European Economic Community to the EU – European Union. On the one hand seeking to further integrate the existing members (deepening process) and, on the other, aiming to expand the Union towards new members (widening process). This tension between integration and enlargement has characterized the history of the EU and its attitude to deal with the new aspiring member states. Indeed, if the internal problem was the integration of the existing member states, externally, the opportunity to join the EU sphere was and still remains an important window of opportunity. In this perspective, the EU has used different forms of attraction like socio-economic and political leverage or conditionality. The European Union's leverage works and it is animated by the fact that to be a State member means to avoid the so-called "costs of exclusion" and consequently to accelerate their process of adoption and adaptation. For many reasons in the last twenty-five years, "back into Europe" is at the top of politic agenda for all the Balkan States contributing to evolve the domestic political discourses towards the European perspective. As is possible to note, the enlargement process has heavy selective logics, based on economic and political conditionality, with an important asymmetric interdependence that links the EU and the non- member States during the process of enlargement.

Nonetheless, focusing on the field of European Studies, the link between European Integration and the process of Europeanisation appears still unclear. A wide literature and many authors have spent a lot of time to understand the relation between the European Integration concept and the Europeanisation process. Hix and Goetz (2000) identified European Integration as an independent variable and change in domestic systems, and Europeanisation as the dependent variable. Instead, for Howell K (2002), the relationship between European integration and Europeanisation is interactive and the distinction between the dependent variable and independent variable obscured. It can be said that Europeanisation and European Integration continuously interact with each other. On the one hand, Europeanisation

can be seen as the source of change in relation to the EU level in terms of European integration and development of supra-nationality. On the other hand, European integration can be seen as the source of change and Europeanisation the outcome of change of the member (or not, but implicated in this process) state governmental, legal and regulatory structures. Understandably, the process of integration and consequently the Europeanisation is different in time and space. Each country follows a proper path of integration that can be affected by domestic specific conditions. This is particularly valid even looking at the question of Europeanisation of spatial planning. This relatively new breach of study is helping to understand the impact of EU in shaping spatial planning system all over Europe. As has been further explored in Chapter 6, and in particular in section 6.3, several influential mechanisms (top-down, bottom-up and horizontal) that define the interaction among the EU and the domestic context.

## **2.5. Endogenous forces and path dependency**

The question of endogenous forces remains at the centre of institutional analyses. According to the research, domestic conditions are the outcome of a combination of actors' behaviour and socioeconomic and political interactions according to the main new institutional studies. To describe this mutual interconnection, Historical Institutionalism, in particular, introduced the concept of path dependency defined by Alexander (2001), as the "patterns of cost and benefits such that rational actors prefer to maintain the status quo even if an alternative might provide higher aggregate returns in the long run". The idea of path-dependence as a mechanism to react to any kind of innovative process has been confirmed by Mahoney (2000), when he said that path dependency may be understood as a reactive sequence in which the starting point is once again the contingent event, but where successive events within a sequence react to those that preceded them. In addition, the author suggested another interpretation as a self-reinforcing sequence, which is characterized by the formation of long-term reproduction of a given institutional pattern. In both cases, path-dependence shows inertial behavioural mechanisms. In the research's perspective, the domestic context has been interpreted both as a facilitator of the introduction of external innovations and as an obstructor of transformative changes mechanisms. In this perspective, particular attention has been paid to understanding the actors' constellation and mechanisms of interaction borrowing from the Actor-Centred institutionalism approach.

## **2.6. Summary and conclusions**

Chapter 1.3 has given a brief presentation on the main theoretical issue upon which the research has been developed and widely explored in Part II. The objective of the chapter was to briefly introduce the main theoretical aspects pointing out the need to observe from different theoretical and analytical perspectives. What should be kept in mind is the importance of heterogeneity of the planning systems in the EU, of how the question of spatial planning systems has been investigated, and how

spatial planning has been interpreted (i.e. as multi-dimensional and dynamic issue). However, what clearly emerges is a geographical analytical imbalance; if the interpretation of spatial planning has a long tradition in the EU, this is not true concerning the Western Balkan Region. As it has been evidenced, very few partial comparative studies have been developed in the region, denoting an important theoretical and empirical vacuum. What has been learned is the fact that one of the reasons of this exclusion is the fact that the Balkans, since the downfall of the communist/socialist regimes, have been relative unstable and out of the EU. Later on, three important theoretical and analytical aspects have been mobilized. The first are the studies about the transition countries. Within this research's branch, particular attention has been paid to understand the multidimensional process of transformation. As it has been recognized, in this process of multi-dimensional transformation, the international context, in general, and the international actors, in particular, played an important role thanks to the promotion of several structural reforms (even concerning the spatial planning and territorial development issue). The second aspect is the process of EU Integration and Europeanisation studies with particular attention towards the Europeanisation of spatial planning. Among these actors, indeed, the EU has had in, and is still having, an important role in addressing the countries' development policy that regards even spatial planning and sectoral policies (Europeanisation of spatial planning). Finally, the third aspect encompasses the question of domestic context. Thanks to the studies on new institutionalisms, and in particular Historical and Actor-centred institutionalism approaches, several concepts have been mobilised such as, path dependency and actor's constellation.

As Figure 1 illustrates, it is interesting to understand how the mentioned research fields intersects. In this perspective, transitional spatial planning is the branch of comparative planning studies applied to transition country studies. The combination of those two theoretical ambitus gives, indeed, the opportunity to shed more light on how spatial planning systems have been investigated (or at least considered) in transition countries (as for instance in the Western Balkan Region) and the role played by the multi-dimensional process of transformation in shaping the existing planning systems. European spatial planning, instead, is a mutual intersection between comparative studies and European studies. More in detail, European spatial planning provides the understanding of the question of spatial planning systems traditions under the lens of the European Union. Many others (among others Waterhout, 2008; Böhme, 2002) have explored the importance of the emerged questions of the European Spatial Planning under a double lens. According to the authors, the notion planning in Europe shows the variety of planning traditions in EU and planning for Europe where spatial planning has been considered as a European policy field. On the other side, the notion of Europeanisation as a process (Radaelli, 2004) represents a relatively new branch within the European studies. The Europeanisation of spatial planning systems, as illustrated in the figure, in particular, links the European studies to the transition countries' studies. In this respect, great importance should be given to the

exploration of the influential mechanism that EU employs in addressing the evolution of the spatial planning system to each planning context. While, how each domestic context receives external impacts can be understood by interplaying the field of New Institutionalism and the transition country studies. In particular, taking into account the notion of path dependency, it increases the comprehension of the attitude of each planning systems to change or, on the contrary, to preserve the existing contextual conditions.

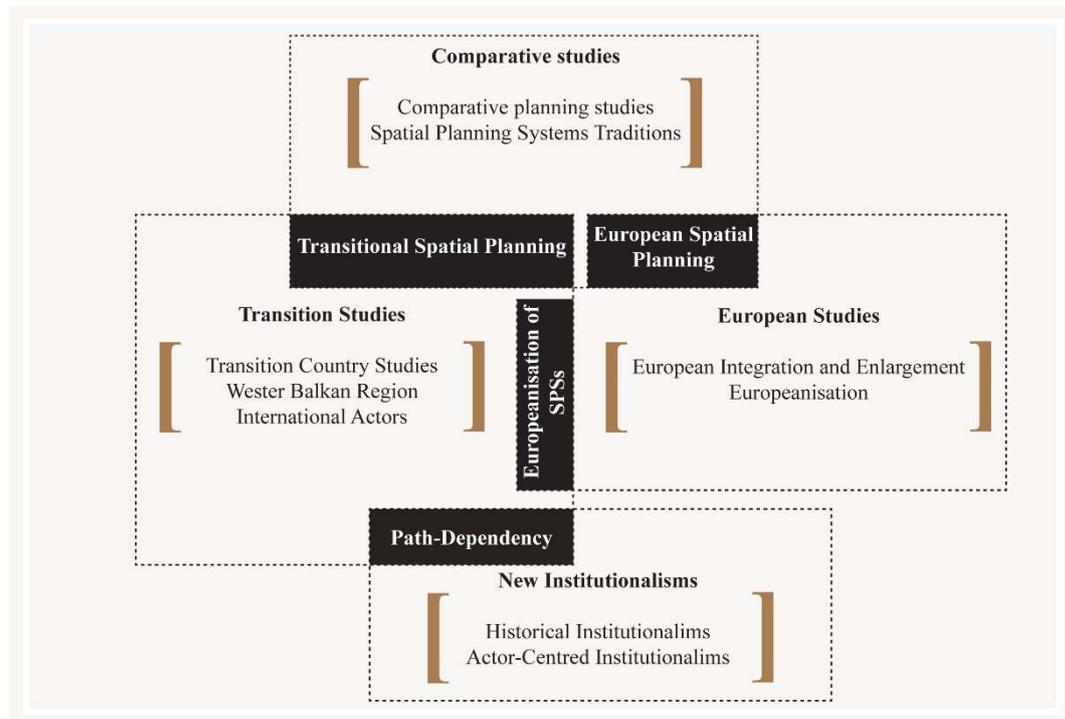


Figure 1: Research Fields and their centrality in this research work

Source: Author's own elaboration

# 3. Research Structure

Chapter 3 has been dedicated to the illustration of a series of research questions. Section 3.1 outlines the main scientific and operative research objectives. Section 3.2 illustrates the starting questions, assumptions and research hypothesis. The section, indeed, demarcates the research environment, focusing on some specific aspects and questions that need to be answered. Section 3.3 illustrates the development of the research methodology focusing on the main research phases and cases' selection criteria. Meanwhile, section 3.4 describes how data has been selected and which kind of risks the research presents.

## 3.1. Research Objectives

The evolution of spatial planning in the EU member states is a widely investigated topic (Reimer et al, 2014). However, the Western Balkan Region has been relegated, until now, at the margins of the academic and scientific debates. This clearly constitutes a gap, especially in relation to the process of European integration that is involving the region. The research objectives develop around three main issues:

- Finding valuable empirical evidences concerning the evolution of the spatial planning systems in the Western Balkan Region, and in particular in Croatia, Albania and Bosnia Herzegovina,
- Highlighting the role of actors (internal and external) in shaping each spatial planning system,
- Comparing those findings in order to appreciate differences, similarities and uniqueness among countries

In doing so, the research seeks to:

- Overcome the existing analytical and theoretical gap (at least partially),
- Provide a meaningful contribution to the regional public and academic debate in the field of spatial planning and planning systems,
- Inspire policy makers and international actors in dealing with the question of spatial planning in the Western Balkan Region.

## **3.2. Starting questions, assumptions and research hypothesis**

Keeping in mind the research's objectives, this section explores the main questions that need to be answered, and the research's assumptions upon which the work has been developed and the main heuristic hypotheses.

### **3.2.1. Research questions**

Based on the aforementioned reasons and motivations, the research's questions are here summarised in three different categories aiming to investigate: (i) the nature of the spatial planning system, (ii) to outline the importance of actors and (iii) to compare the aforementioned planning systems.

To highlight the nature of the spatial planning system of each domestic context:

- How is possible to describe the spatial planning system and its evolution process in the aforementioned contexts? What type of tradition, culture and legacy establish the base of the current spatial planning systems? How can they influence the nature of the spatial planning system? Which are the main relevant factors of change and persistence in each domestic context?

To figure out the role of actors (external and internal) in modelling their spatial planning system

- Who are the main actors (national and international) that have played, and/or are still playing, a relevant role in shaping the spatial planning systems? What type of interest (endogenous and/or exogenous) is emerging or has been discarded? What type of interaction mechanisms prevails among actors? Are there international actors affecting the domestic context with the same logics, channels and mechanism or not? What role has been played by the domestic context in these processes? And, finally, in which direction are these actors modelling the spatial planning systems?

To compare each spatial planning system

- Is it possible to define some differences and similar patterns of change among the aforementioned spatial planning systems? Do the international actors have a different influence and, consequently, a different impact in different context and time? Are the main differences to be attributed to: (i) the domestic context's responsibility (path-dependence), (ii) the role of international actors or, (iii) the interaction between internal and external forces?

### **3.2.2. Assumptions**

In coherence to the research's objectives and questions, the proposed analysis is built on two main intertwined general assumptions:

- The first assumption considers that the transition process in the Balkan region (hence in the selected countries) has been affected by various international actors: global institutions (IMF, WB, etc.) supranational or regional institutions (EU), governmental agency and non-governmental organisation (NGOs).
- The second one shows that the influence of these actors is mediated by endogenous factors through path-dependency logics.

Followed by two narrow assumptions:

- The first assumption states that spatial planning is an institution. As an institution it changes through time.
- The second assumption affirms that these patterns of change are the result of an unstable compromise between endogenous and exogenous forces. This statement inquires on the fact that spatial planning and its evolutionary mechanism should be interpreted in a double perspective (internal and external).

Together, these assumptions constitute the common ground of discussion of the theses, based on which the research has been structured.

### **3.2.3. Heuristic hypotheses**

Considering the aforementioned assumptions, the research is based on three heuristic hypotheses:

- The first affirms that the process of transition and European integration have influenced the evolution of the domestic spatial planning systems. However, in the case of the selected countries, there are others (more?) relevant elements that contribute to this process.
- The second hypothesis affirms that the "influences equilibria" changes among the above-mentioned actors (EU, International global institution and domestic context). Indeed, the interplay among actors may be changed in time, space and levels.
- The last one affirms that the endogenous characteristics influence the way in which each State "receives" the influence, focusing on adoption and adaptation logics, and the influence of the various international actors, including the influence of the EU and its mechanism.

### 3.3. Development of the research's methodology

By adopting a comparative approach, the research identifies four main phases (Figure 2). One should note that the methodology did not follow the timeline of the research but is based on the scientific relevance of each phase.

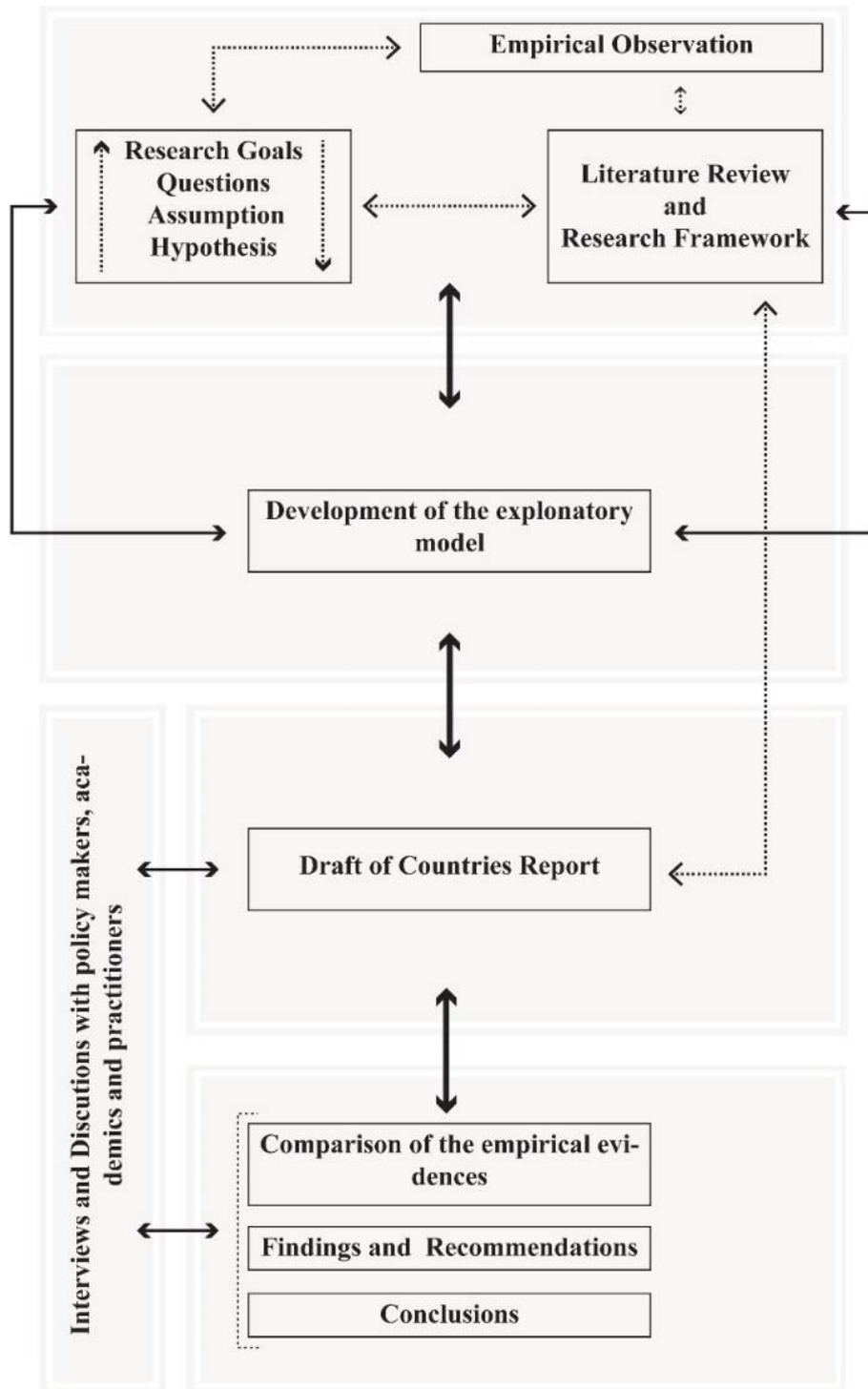


Figure 2: Methodological Approach Adopted

Source: Author's own elaboration

### 3.3.1. Four different research phases

The first phase interlaces the first empirical observations, the definition of research goals, questions, assumption and hypotheses, a review of the wide literature, and the identification of the research framework. In this phase, particular attention has been paid to the identification of the “object of the comparison”, through the analysis of the main international researches developed in this field. Particular attention has been paid to the question of the terminology<sup>4</sup> used and to the conceptualisation of spatial planning as an institution. This period has been crucial in the development of the minimum theoretical and analytical tools to correctly interpret what spatial planning means in general and how it has been interpreted in the Western Balkan Region. Once having had the tools needed, the author concentrated to develop its own interpretative model.

During the second phase, it has been developed the research explanatory model that interlaces scientific and theoretical knowledge to some of the empirical evidences emerged from phase one. The model reflects the need to adapt general understandings to each specific domestic context and therefore particular attention has been paid to take on based place evidences and messages.

The third phase applies the research explanatory model to each country. Three countries’ reports have been written. In this phase, the research has given importance to the data collection and the nature of data. The chosen research methodology includes desk research (data gathering, literature, review, policy review, and discourse analysis), empirical analysis of practices as well as interviews. The interviewees involved are selected in order to encompass all experts, namely: (i) decision-makers such as political members, institutional actors, etc., (ii) local and external practitioners, (iii) academic members, external, internal and young members and other experts in each selected country. Each report has been written according to two kinds of coherence: (i) external coherence, looking at conformities between the report and the existing available material (mainly second hand data) and observing the coherence among the country’s reports; (ii) internal coherence paying attention to the rationality between each part of the reports avoiding terminology contradictions.

Finally, the fourth phase compares each country’s report in order to have some general observations; identifies differences and similarities; and finds some (if any) uniqueness. Once concluded the comparative process, the research debates on the main potentialities of findings, and identifies some recommendations to policy makers, international actors and participants of civil society, like academics, experts, associations etc.

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<sup>4</sup> As shared in the literature, the word spatial planning as a Euro-english definition (Williams, 1996) has been differently interpreted by each domestic context even in the Western Balkan Region

### 3.3.2. Countries' selection criteria

Even though the research explores the evolution of planning systems in the whole Western Balkan Region, a particular attention has been paid to three countries: Croatia, Albania and Bosnia & Herzegovina (see Table 1). To better represent the heterogeneity of the Western Balkan Region, the three countries have been selected by using five criteria. The first concerns the European Status, hence the level of country integration according to the three EU different Status (potential candidate, candidate and member state). The second refers to the kind of local government system, hence how the country is administrated (two, three or more level of government). The third refers to the spatial planning levels (central, subnational, local etc.). The fourth concerns the main recent spatial planning legacies (communist or socialist).

**Table 1:** Selection Countries' Criteria

Country	Western Balkan Countries			
	European Status	System of Local Government	Spatial Planning Levels	Spatial Planning Legacy
<b>AL</b>	Candidate	Districts/Municipalities	Central/subnational and local	Communist
<b>BA</b>	Potential Candidate	Entities/Counties	Subnational/local	Federal Socialism
<b>FYROM</b>	Candidate	Regions/Municipalities	Central and local	Federal Socialism
<b>HR</b>	Member State	Counties/Municipalities	Central/subnational and local	Federal Socialism
<b>KO</b>	Potential Candidate	Districts/Municipalities	Central and local	Federal Socialism
<b>ME</b>	Candidate	Municipalities	Central and local	Federal Socialism
<b>RS</b>	Candidate	Regions/Municipalities	Central and local	Federal Socialism

Source: Author's own elaboration

Looking at the European status criterion, Croatia has reached the status of member state in 2013, Albania obtained the status of candidate in 2014, while Bosnia & Herzegovina is still a potential candidate. This diversity has been particular important concerning the role of the EU and its impact in shaping the spatial planning system. Differences emerged even observing the system of local government, where Croatia and Albania have two levels: county and municipality level for the former; district and municipality level for the latter. Bosnia & Herzegovina, instead, has a unique local government based on two Entity and the Brčko District. The particularity of this system is that each Entity is subdivided in municipalities in Republika Srpska, and canton and municipalities in the Federation of Bosnia & Herzegovina. This diversity has been reflected even exploring the spatial planning levels, with the particularity that Bosnia & Herzegovina has not a central planning level but everything has been delegated to the Entity and Brčko

District level. The last criterion, spatial planning legacy, has identified two different blocks: countries, like Croatia and Bosnia & Herzegovina, that have been heavily affected by the federal socialism's tradition, and countries like Albania that had a more communist one.

### **3.4. Source of the information**

Data that recognised the conditions and the procedures of variations in policies and structural aspects, were collected by using intensive interviews and document analysis. In this regard, several aspects have been taken into account, like the nature of the data collected (documentary analysis and/or discourse analysis) as well as the quality of data (naturally occurring data, generate data or secondary data).

#### **3.4.1. Nature of data collected**

In order to reach the research's purpose is important to adopt two types of approach to understand the phenomena: documentary analysis and discourse analysis. The first one involves the exploration of existing documents like: government papers, EU annual progress report, WB – World Bank and UN – United Nation communications, USAID – United States Agency for International Development research, procedural documents, national legislation and EU directive etc. As recognized by Hammersley and Atkinson (1995), this approach has been particular useful where the temporal dimension is relevant and when situations and events cannot be observed through a direct observation. Considering the time dimension as a key factor in the field of spatial planning, this approach is necessary to understand all the phases of the research's activities, with particular importance before the transition periods. Discourses analysis, instead, examines the constructions of texts and verbal account to explore systems of social meaning (Tonkiss, 2000). To do this, the analysis may be based on a multiply type of documents: written documents, speeches, media reports, interviews and conversation (Ritchie J. 2003). In our case, the discourse analysis is based on three types of discourses such as the domestic narrative (based on local beliefs and values), UE discourse (channelised mainly by EU mechanisms) and international hegemonic discourses (used as a mantra by internal and external actors). This technique has been very important for the identification of each type of discourse that predominantly emerged and, also, for the interpretation of the mutual contamination between them (widely explored in subsections 10.3.4, 11.3.4, 12.3.4 concerning spatial planning discourse). Moreover, the discourse analysis has identified some interplay through top-down, bottom-up and horizontal influence.

#### **3.4.2. Quality of data**

The literature makes a distinction between natural occurring data, generated data and secondary data. The first one regards the exiting documents material, as mentioned before. The second one, generates data that seek to reconstruct some

notions, knowledge etc. In this regard, the author adopts some interview techniques based on an individual semi-structured interview method. The aim of this approach is to investigate in-depth the phenomena and understand, as for instance, the opinion of territorial knowledge communities (Adams at all 2011): expertise or communities of practice (Lave and Wenger, 1991), policy-maker and scholars as part of epistemic communities (Haas 1992). Finally, the secondary data analysis takes into consideration the previous research outcomes and uses them to further explore the phenomena. In this regard, it could be important to take into consideration scholar's papers, which concern national or international studies on spatial planning.

### **3.4.3. Limitation factors in data collection**

In general, the author faced two main limitations in the effort to gather the relevant data and information: the language barrier (since the author has familiarity only with Albanian language and not with others regional languages) and problems connected to getting access to some actors (both in academia and institutions in general).

However, there were other limitations that could have potentially affected the research activity (collection data, qualitative evaluation and critical restitution). These limitations concern the quality of the data, both primary and secondary hand, in terms of their origin (depolarization of sources), completeness (the opportunity to know the original draft), clarity (depoliticisation of data sources, exclusion of some social, political and professional filters) and accessibility (language barrier, availability of data, cultural misunderstanding). These limitations are further systematised as follows:

- Origin of data (primary data) and depolarisation of sources. Considering the specificity of the cultural context and their transformation after the regime collapse, it has been important to consider the origin of data as a factor with relevant effects on the contextual discourse. Moreover, the new system has introduced new actors in the field of academic organisation such as private or public actors, national or international organisations. They operate both in continuity and in discontinuity with the past system, introducing some new arguments in the field of academic debate. The depolarisation of the source aims to consider all these aspects and suggests to involve this diversity of academic organisations and their scholars (public, private, external scholar and student).
- Completeness, hence the opportunity to know the original draft, documents, plan and idea. This has been particularly limitative in the sense that the majority of documents are not available.
- Clarity in terms of depoliticisation of data sources aimed to exclude some social, political and professional filters. Since spatial planning is often considered as a political dominium, the risk to reflect political rather than technical opinions was very high. In this respect, the author tried to diversify

the interviewers getting access to different points of view (from politicians, young and old academics, institutional actors or private experts). By filtering the information some misleading political opinions have been excluded.

- Language barrier. Regarding the language factor, it will be important to take into consideration the language variable as a relevant aspect that can influence the accessibility of data. In our case, the official documents written in different idioms (in English, in Croatian, both with Cyrillic and Latin alphabet, in Albanian, in Bosnian and Serbs) comprehensibly created uncertainty during the translating activity.
- Availability of data. The majority of data are available on the Internet. However, some critical documents like policy recommendation, working papers etc. are not. Less information is available concerning the first decade of the transition but thanks to the collaboration of interviewers and experts and their direct experience and familiarity with the context, the lack of information has been avoided.
- Cultural misunderstanding. Often, some arguments are translated and adopted by the domestic context in unclear way. As a “policy takers”, the domestic context adapts some best practice, policy and concept through different steps: copying, emulation, combination and inspiration. For these reasons some terms, concepts and arguments are translated in the domestic context with different meaning.

### **3.5. Summary and conclusions**

The chapter illustrated around which ideas the research has been developed. Since the purpose of the research is to shed more light on the evolution of the spatial planning system in the Western Balkan Region, the innovation character has been to bring at the centre of the research the role of the international actors. In doing so, three main questions have been addressed: (i) how to highlight the nature of the spatial planning systems of each domestic context; (ii) how to figure out the role of the actors and; (iii) how to compare each spatial planning system, assuming that spatial planning is an unstable compromise between internal and external forces and that spatial planning is an institution. In this perspective the chapter shows the importance to divide the research in four phases (theoretical, methodological, analytical and comparative) paying attention to the question of quality of data and their accessibility.

# **PART II – THEORETICAL AND METHODOLOGICAL APPROACH**

The previous part of the research has focused on setting the context and identifying the research ambitus, motivations, goals, questions and hypothesis. In order to answer every research questions, the second part of the research focuses on the definition of the research theoretical framework and methodology. Therefore, Part II is made by five chapters. The first, chapter 4, investigates the evolution of spatial planning system as a consequence of multiply driving forces and in particular shed light on the comparative studies, identifying the main methods, their advantages and disadvantages, and on the comparative spatial planning studies in order to analyse the previous approaches in the field of comparative spatial planning, highlighting problems, opportunities and perspectives. Since spatial planning is deeply a contextualised phenomenon, chapter 5 considers the multi-dimensional aspects of the transition process and the role played by the international context mobilizing theories from the most recent transition countries studies and international relation studies. Moreover, in chapter 6 particular attention has been paid to understanding the importance of European Integration and Europeanisation in addressing the state “perspective and behaviour” by approaching the European studies research field. Chapter 7 points at the center of the analyses the role of domestic contexts and path-dependence as acting and reacting mechanisms in respect of external forces. In this chapter, particular attention has been paid to new institutionalism and specifically to HI – Historical Institutionalism and ACI – Actor Centred Institutionalism in developing the research’s analytical approach. To conclude, chapter 8 condenses the main theoretical and methodological messages to develop an appropriate research methodology. The proposed Actor-Centred explanatory model is an historical variant of the ACI applied to the field of spatial planning system that will allow to explore the evolution of spatial planning system to each domestic context under examination.

## **4. The evolution of spatial planning systems as a consequence of multiple driving forces**

Chapter 4 has been dedicated to explore the importance, within social science studies, to compare (section 4.1) and in particular, concerning the emerged comparative planning studies in Europe (4.2). While the former focuses on the importance of comparative studies presenting the main methods and approaches, the latter gives a complete lecture on the main studies conducted in the field of comparative planning studies in Europe in the last three decades. Section 4.3, instead, gives more attention at conceptualising the question of spatial planning, in general, and spatial planning system in particular reporting on the main scientific approaches recently developed. Aiming at consolidating a proper interpretative approach, the last part of the section sums up the main spatial planning system components according to the most recent scientific contributions.

### **4.1. Comparative studies**

Comparative analysis played, and are still playing, an important role in the social science research. Basically, comparative studies focus their attention on the definition of some fundamental similarities and significant differences (Azarian, 2011) between two or more cases. In social science, two different wide families are used: variable-oriented (see Durkheim) and case-oriented (see Weber). In this view, the variable-oriented family aims to establish a general relation between variables while the case-oriented one tries to understand complex units (della Porta, 2008). In this perspective, important differences between variable-oriented and case-oriented exists. The first relevant difference regards concepts: while for the first one they are predetermined and operationalised, for the second one the concepts are constructed during the research activity. The second important difference regards the relation between cases: indeed, for the variable-oriented approach the cases are independent from each other, while for the case-oriented it does not matter. The third difference regards the number of cases: the variable-oriented needs to increase the N-variable if it is possible, on other hand, the case-oriented aims to keep N-low. The fourth difference is about the type of case selection: in this view, the variable oriented approach tends to adopt cases randomly, while the case-oriented tends to select paradigmatic cases (adopt a representative cases). Last but not least, the fifth

difference regards the use of time, the first approach considers time as a periodisation, while in the second approach, time is considered as a process and as temporal sequences (see della Porta, 2008). In addition to the explained logics, it is still possible to identify three main approaches within the comparative analysis: (i) experimental method, (ii) statistical method and (iii) comparative method. While the experimental method is used for understanding the natural phenomenon (instead of the social), and the statistical method needs great data and a mathematic management, the comparative method has been considered the appropriate approach in the field of social science. Like the aforementioned methods (experimental and statistical), the comparative method aims to establish general and empirical relations between two variables and controlling them by keeping all variables constant (Lijphart, 1971). Moreover, Della Porta (2008) affirms that comparative methods are a preferred strategy for political and social scientists to investigate institutions or other macro political phenomena. Presently, the importance of this type of research method has increased dramatically with the intensification and internationalisation of the relation between countries. In fact, cross-national comparison is one of the most important sub-fields of comparison approach.

Why has been chosen the comparative method for the development of the research? Mobilising comparative studies, and especially the comparative method, gives the possibility to organise the research approach considering each aspect (positive and negative) of comparing different transnational cases. In this regard, once having in mind the conceptual and methodological differences mentioned before, the research tried to find a compromise between these two scientific orientations. Following the distinctive factors suggested by Della Porta (2008), Table 2 compares how the research faces these factors. By looking at the question of concepts, the research includes both aprioristically determined and constructed concepts. According to the case-oriented approach, the relation between the cases' results is not so important, the number of cases is relatively low (three countries have been taken under consideration), the cases have been selected using four representative criteria and, about the time, the research adopts a diachronic approach since it investigates almost three decades of transformation.

**Table 2:** Distinctive factors between variable-oriented, case-oriented and the comparative method adopted.

Distinctive factors	Comparative analyses		Research orientation
	Variable-oriented	Case-oriented	
Concepts	Aprioristically determined	Constructed during the research	Aprioristically and constructed
Relation between cases	Cases are independent	It does not matter	It does not matter
N-cases	N-variable	N-low	N-Low – three cases
Selection mechanism	Randomly	Paradigmatic cases	Paradigmatic cases- four selection criteria
The question of time	Periodisation	Processes and temporal sequences	Processes and temporal sequences

Source: Author's own elaboration mutated on Della Porta (2008)

## 4.2. Comparative planning studies in Europe

The present work is located within the comparative planning studies. In Europe, comparative planning studies became a hot topic since the implementation of several researches that gave an overview on the Continent's spatial planning context (Figure 3).

Davies et al. 1989*		<b>Common law</b> England		<b>Napoleonic codes</b> DK, DE, FR, NL	
Newman, Thornley 1996	<b>Nordic</b> DK, FI, SE	<b>British</b> IE, UK	<b>Germanic</b> AT, DE	<b>Napoleonic</b> BE, FR, IT, LU, NL, PT, ES	<b>East European</b>
CEC 1997**	<b>Comprehensive integrated</b> AT, DK, FI, DE, NL, SE	<b>Land use regulation</b> IE, UK (and BE)		<b>Regional economic</b> FR, PT (and DE)	<b>Urbanism</b> GR, IT, ES (and PT)
Farinós Dasi 2007***	<b>Comprehensive integrated</b> AT, DK, FI, NL, SE, DE (and BE, FR, IE LU, UK) BG, EE, HU, LV, LT PL, RO, SL, SV	<b>Land use regulation</b> BE, IE, LU, UK (and PT, ES) CY, CZ, MT		<b>Regional economic</b> FR, DE, PT, (and IE, SE, UK) HU, LV, LT, SK	<b>Urbanism</b> GR, IT, ES CY, MT

Figure 3: Planning systems Typologies in Europe

Source: Nadin V. & Stead D. (2008)

Particular attention has been given to the question of comparison planning studies thanks to the contribution developed by Davies et al (1989), who analysed the “families of law and government structure”. The contribution underlined, for the first time, some differences concerning the legislation aspects (Common law and Civil-Napoleonic law) that were visible across Europe. Following the same line, Newman and Thornley (1996) identified five families of law (Nordic, British, Germanic, Napoleonic and East European). Even if more elaborated and sophisticated of the previous classification, this attempt presented several limitations. These studies, have been criticised since both overemphasised the effects of variation of the legal styles and the administrative structure (Janin Rivolin, 2012; Reimer and Blotevogel, 2012; Healey, 2010). Indeed, if spatial planning system is an institutional phenomenon resulting from the sum of social, cultural, policy and economic behaviour, it must be taken into account more than the “law and government structure” (Nadin&Stead, 2008). The idea of planning system as a mere reiteration of the legislation arrangement was partially shelved with the EU Compendium of Spatial Planning Systems and Policies (CEC, 1997) commissioned by the EU. The Compendium overcame the idea of planning as a

legal structure introducing eight factors that influenced the evolution of planning systems (Table 3).

**Table 3:** Factors influencing the spatial planning systems

<b>Influential Factors</b>	<b>Description</b>
<b>Scope of the system</b>	Range of policy topics over which the planning system has some competence or influence (integration of social and economic planning vs land use oriented)
<b>The extent of planning and national and regional level</b>	Definition of set of planning systems and the national and regional level (national plans vs no national plans)
<b>The locus of power</b>	Considers the extent to which each planning system is centralised, regionalised or localised
<b>The relative roles of public and private sectors</b>	Refers to the extent to which the realisation of spatial planning policy is reliant on public and private sources (planned or market-led)
<b>The nature of the system of law Constitutional provisions and administrative traditions</b>	Includes the extent to which plans and policies are binding and the existence of any constitutional or other legal right in relation to land and property.
<b>The maturity of completeness of the system</b>	Includes several aspects: (i) the degree of public acceptance of the need for planning and regulation; (ii) the provision of up-to date policy instruments; (iii) the degree of vertical and horizontal integration and cooperation between levels of administration; (iv) the existence of transparent and productive consultation mechanisms
<b>The distance between expressed objectives and outcomes</b>	It measures the extent to which actual development is in accordance to the stated spatial planning objectives and policies

Source: Author's own elaboration entirely based on CEC (1997)

Based on those factors, the Compendium identified four ideal types of planning system tradition in EU: (i) the comprehensive integration approach, very prescriptive according to systematic and formal hierarchies of plans (Austria, Netherlands, Germany etc.); (ii) the land use regulation based on land use control at strategic and local levels (United Kingdom, Ireland); (iii) the regional economic planning in which prevails the role of central government and is not prescriptive (among others in France, Portugal and partially Germany); (iv) the urbanism tradition that focuses on strong architectural oriented and rigid zoning and codes (Italy, Spain, Greece, Portugal). Very differently from the previous studies, the Compendium had the merit to emphasize the multidimensional character of planning system. Even the last Pan-European comparative work was concluded in 2007 (ESPON 2.3.2, 2007) which used the same ideal type but including more countries as a consequence of the EU enlargement process. Interestingly, in comparison to the Compendium, the work done in 2007 demonstrated that planning systems had changed through time (see Figure 4). Very significative were the cases of France and Germany. The former passed from a typical regional economic approach to a mixture of some elements deriving from the comprehensive integrated approach; while the latter, vice versa, added to the comprehensive integrated approach some elements deriving from the regional economic approach.

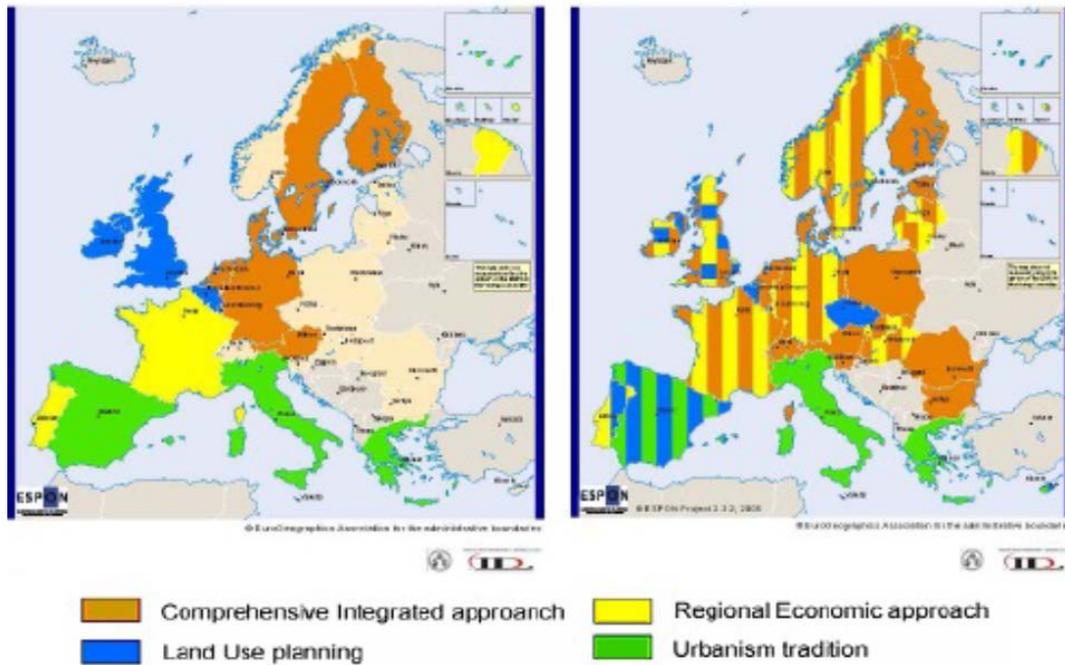


Figure 4: Comparing of ideal type planning systems, 1997-2007

Source: ESPON Project 2.3.2 - Governance of Territorial and Urban Policies from EU to Local Level

Recently, a new ESPON applied research project called COMPASS has been launched, which will be concluded in 2018. The project aims to give a Pan-European vision of the evolution of territorial governance and of spatial planning systems in Europe. According to the object of the project, territorial governance and spatial planning systems have now evolved to become one of the key components of integrated cross sectoral development strategies and policy delivery mechanisms among ESPON member and partner states. The comparative work includes twenty-eight EU member plus Iceland, Liechtenstein, Norway and Switzerland) while the initial idea of COMPASS (2018a) was to include also not-EU countries, like the EU candidate countries (i.e. Albania, The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Turkey), and/or the other countries of the Western Balkans (i.e. Bosnia and Herzegovina and Kosovo). Even if not fully compared, the COMPASS recognised the importance of shedding light on the excluded countries preparing for each non-EU member state a feasibility study<sup>5</sup>. Differently from the past, this comparative analysis seems to give more importance to the capacity of the EU level to impact each domestic context.

As emerged, the question of spatial planning in the EU has been investigated from different perspectives. The experiences in EU comparative planning studies shows what a spatial planning system is in terms of different multi-scalar approaches (multi-level and multi-actor), potential patterns of change (convergence

<sup>5</sup> This author itself was responsible for drafting the report of Albania, Bosnia & Herzegovina and Albania.

or divergence), historical context (socio economic, political and culture patterns), and dimension that composes a spatial planning system (legal framework, objectives, tools and procedures). Beside institutions' (among others EU) interests in understanding the question of spatial planning, various authors have approached the comparison of spatial planning systems in different contexts (Reimer et al., 2014; Getimis, 2012; Janin Rivolin 2012; Maier 2012; Giannakourou 2005, 2012; Nadin & Stead, 2012; Cotella & Stead, 2011; Cotella, 2009; Nedović-Budić, 2001). In Particular, Table 4 listed a few researches' contribution on this matter. Accordingly, Nedović-Budić (2001) and Cotella (2009), focused their attention on the understanding of the evolution of spatial planning followed by the Central and Eastern countries before and after their integration in the EU (Cotella in particular), while Reimer et al., (2014) aimed to give an exhaustive view of the main planning system tradition including countries from all over the EU. In particular, the last contribution seeks to include characteristic examples of planning practices (planning cultures) at different scales, highlighting the actor constellations and policy styles on neglected aspects, i.e. actor constellations, scale and policy styles, driven from different theoretical backgrounds, such as actor-centred institutionalism and the governance debate, radical geography and the politics of scale (Reimer et al., 2014).

**Table 4:** Main comparative research initiatives

<b>Other studies</b>	<b>Geographical coverage</b>
Nedović-Budić, 2001	CZ, HU, SL
Cotella, 2009	CZ, HU, PL, SK
Reimer et al., 2014	BE (Flanders), CZ, DE, DK, FI, FR, GR, IT, NL, PL, TR, UK,

Source: Author's own elaboration

However, despite the several contributions developed on this matter, the question of spatial planning and spatial planning system has been differently interpreted within the academic and public debate. The subsection 4.3 has been dedicated to shedding more light on the meaning attributed through time to spatial planning and planning system.

#### **4.2.1. Theoretical and methodological limitations**

In light of the considerations above, comparative studies in the field of spatial planning systems need further attention since several methodological and theoretical criticisms were moved in the past. Accordingly, several authors (Reimer et al. 2014; Getimis, 2012; Janin Rivolin, 2012) affirmed that the comparative methods adopted in many of those studies present several differences and limitations. In this regard, several recurring weaknesses have been identified, such as: (i) the overemphasise of the governmental dimension; (ii) the lack of complexity's comprehension and (iii) the lack of understanding of cultural aspects of spatial planning.

Comparative planning studies tend to overestimated the governmental, institutional and legal structures at the national level, neglecting softer elements related to planning discourses and practices, and lacking a multi-scalar approach (Getimis, 2012). The mainstream literature (Reimer et al., 2014; Getimis, 2012; Janin Rivolin, 2012; Nadin, 2012;) agreed on the fact that the main institutional comparative approaches simplified the State analyses overestimating the normative and legislative aspects of the planning systems. As proposed by Reimer et al., (2014), since planning systems are moving towards a strategic planning approach, several informal dynamics are emerging and, hence, new conceptual methods must be adopted. Indeed, new modes and tools emerge referring both to general and specific planning regulations and documents, and to formal and informal arrangements of territorial governance, enhancing a multi-actor participation and networking (Reimer et al., 2014). In light of this, those authors suggest that despite the presence of formal structure of planning (laws, regulations and norms) there are a series of planning factors that should be taken into account.

Another limitation factor recognised in the literature is the fact that the existing comparative experiences lack in understanding the impact of the complexity. According to Getimis (2012) the exiting typologies, or ideal types of comparative studies, could not explain the ways in which globalisation, Europeanisation, deregulation and other supranational phenomena increase the heterogeneity of spatial planning in Europe. Indeed, as a state oriented analysis, those comparative experiences lack of understanding external influences (except the Compendium, that recognised some EU influences) in defining and shaping domestic planning systems. In this respect, Reimer et al. (2014) pointed out that evidenced diversities among countries do not depend only on the different national legal and administrative structure/framework but, and foremost, on the different socio-economic, political and cultural conditions prevailing in each country. In this respect, particular attention should be paid to the multi-dimension of the process of Globalisation, in general, and Europeanisation, in particular, as the main key factors in shaping spatial planning conditions. In parallel to the mentioned phenomena, each domestic context faces some path depended logics and mechanisms in addressing the evolution of spatial planning (market, private actors, economic transition, structural or conjectural economic crises etc.). The authors, in contrast to the previous comparative experiences, suggest to consider, and simultaneously evaluate, the combination of internal and external forces as the most responsible in increasing spatial planning diversities in the EU.

As Getimis mentioned (2012), institutional context, legal traditions and rationalities do matter, but further efforts should be spent to understand the cultural aspects of planning (planning culture approach see Knieling & Othengrafen, 2009; Reimer, 2013). As stated, planning culture is a key aspect in the field of comparative spatial planning. In this respect, Sanyal (2005) considered planning culture as a scientific and rational field, on the basis of accurate observations of statistically valid samples of reality, not only aesthetic sensibility of architects or urban planners. The author continues to argue the importance of considering the planning

culture as a phenomenon that evolves as a consequence of social, political, and economic influences, both internal and external, creating hybrid cultures whose complexity can only be understood through deep historical analyses. More in detail, Young (2008) suggested to consider planning culture as something more than simple planning instruments and procedures; but as an aggregate of the social, environmental, and historical grounding of urban and regional planning describing the specific cultural contexts in which planning is embedded and operates (Knieling and Othengrafen, 2009). Despite several efforts in this field, Getimis (2012) has underlined that the concept of planning culture is an “elusive” concept to adopt when it comes to systematic comparisons (Gullestrup, 2009; Friedmann, 2005). In the same perspective, Reimer et al. (2014) confirmed the lack of operational and systematic methods of comparative analysis which therefore remain at an abstract level.

#### **4.2.2. Key factors for comparing the spatial planning systems**

Once having recognised the limitation factors of the comparative spatial planning studies, several authors tried to suggest some theoretical and methodological improvements. In this perspective, the need to better define the subject of comparison is a challenging point (Janin Rivolin, 2012). According to the author, one of the main problem of the comparison, in the field of comparative spatial planning studies, is the lack of a clear definition of its subject of comparison. As Janin Rivolin (2012) suggested, the weaknesses identified through past comparative planning researches, as discussed above, mostly derive from the definition of the subject of the comparison itself. Below, a report of the main questions around which the definition of the subject of comparison arises.

As recognised, there is a language problem about the correct interpretation of the word “planning” (Dühr et al. 2010, Friedmann, 2005). In fact, Friedmann (2005) suggests to consider that the equivalent term in French, German, and Spanish, which are respectively *aménagement du territoire*, *Raumordnung*, and *urbanismo*, (different from urbanism), are not able to define the same concept. This fact is important during the analysis of the different systems in different domestic context. The question of the terminology used, still represents a challenge when it comes to comparing different planning experiences. Even at the EU level itself, the question of using “spatial” in the main territorial documents vary from referring to spatial development (ESDP) or to spatial planning (ESPO) (Waterhout, 2008).

Central within the comparative planning system is certainly the question of time. In this regard, even Getimis (2012) suggests to pay more attention on the spatial planning patterns of change (diachronic approach), highlighting the limit of a purely synchronic approach. Since many authors (Janin Rivolin, 2012; Friedmann, 2005) considered spatial planning as a dynamic phenomenon, the time dimension remains central in any comparative approach. In this respect, Nadin & Stead (2008) pointed out that planning systems are not a fixed structure but subjected to incremental change and innovation.

The increasing diversities between territories, even in the same country, cannot be interpreted only by formal legal and administrative classifications, nor by the ideal types formulated in the context of the EU Compendium (Stead and Nadin, 2009). A clearer multi-scalar approach has been suggested by Reimer et al., (2014) and Getimis (2012), who have taken the distance from the institutionalised 'methodological nationalism', thus recognising that national planning systems are differentiated at different scales (this is particularly true concerning countries with subnational planning levels). In this regard, Getimis (2012) identified a proper scale of comparison with the several planning levels taken into account (city, local, regional, cross/border and national level), exploring the existing links and fractions between the various scales.

In addition to its multi-scalar dimension, spatial planning systems can be investigated as horizontals and mutual interactions between policy sectors (Janin Rivolin, 2012). It should be noted that there is a continuous mutual contamination among sectors and planning systems concerning the content, procedures and discourse. In this regard, Fuerst (2009) introduced the notion of equi-functional mechanisms to identify (among others) the spatial and sectoral planning. This assumes a great importance by looking at the Europeanisation process, where sectoral policies can shape domestic planning reality by channelised specific notion and concepts.

Another important interpretative lens in dealing with comparative planning studies, is certainly the question of actors (Reimer et al., 2014; Adams, Cotella, & Nunes, 2011; Stead & Cotella, 2011). In this perspective, the authors focus the attention on the role of actors (institutional and not) and the relative networks developed. Accordingly, Getimis (2012) paid particular attention to the "intrinsic" logic of place and the ignored aspects of actor constellation, knowledge and policy styles. More in detail, the author suggested to think about actors in relation to planning scale. Indeed, according to Getimis (2012) the actor constellations does not emerge in a vacuum, but in concrete spaces and at different scales. In particular, every locality, region, or city, addresses different problems to be resolved through spatial planning practices (through land use regulation at the local level, to strategic planning in urban metropolitan and regional level) and this leads to different actors' constellations. In this sense, actors should be seen even as an interplay between state, market and networks.

As emerged, comparative spatial planning studies have been investigated in different ways during the past thirty years. The most recent contributions on the matter (Cotella & Stead 2011; Janin Rivolin 2012, Getimis 2012, Reimer et al., 2014) highlight how spatial planning systems are dynamic institutional frameworks, whose comparative study requires to take into account the continuous 'patterns of changes' that influence their shape and functioning. These authors suggest that, in order to better understand the evolution of spatial planning in Europe, it would be necessary to adopt an integrated analytical approach pivoted around a variegated set of variables: institutional settings, actors of change, legal configurations, tools of various kind, discourses and values, practices and culture.

### **4.3. What does spatial planning and spatial planning system mean?**

Once having had a brief introduction of the main comparative spatial planning experiences in Europe and why those have been criticised, this section explores how spatial planning and spatial planning systems have been recently interpreted. Starting to analyse the meaning of spatial planning, Hall (2002) stated that, as a wide sphere of discourse and practice both in urban and regional perspectives, it is a relatively new concept introduced in the past century. Despite several attempts to establish a common definition of planning (as below illustrated), Hall (2002) affirms that planning is an extremely ambiguous and difficult word to define since it has different meanings. Usually, planning is preceded by a qualifying adjective, as for instance ‘urban’, ‘town’, ‘regional’, ‘territorial’, ‘physical’, ‘spatial’ etc. By looking more in detail, the author (Hall, 2002) shows that urban planning has been conventionally perceived as an activity of planning with a spatial, or geographical, component, in which the general objective is to provide for a spatial structure of activities (or of land uses) which is very similar to the notion of physical planning (regulative and normative in nature). However, spatial planning seems to be a much wider concept where question of land use is one of the aspects, but not the only one. Understandably, planning has been defined in several ways since it has been used to indicate different questions.

#### **4.3.1. Spatial planning models: a brief introduction**

Since the notion of planning changed over time, it is interesting to report the periodisation made by Albrechts (2003). Looking at the post - Second War World experience (but the logic was confirmed even before), planning referred more to urban/physical planning where were visible the exactly disposition of all land use and activities and proposed development (Hall, 2002). The idea of large plans or masterplans, but very detailed, has been particularly used to aprioristically govern the territorial development. This model of spatial planning has been defined as ‘rational comprehensive model’ (Albrechts, 2003) meaning that planning activity has been perceived as a correct decision- making process, concerning future courses of action. The idea of planning as a technical tool, based on technical rational logics, dominated the academic discipline. As reminded by Hall (2002) this way of doing has been criticised during the 1960s, when emerged the need to move planning towards principles rather than detail plans. The idea was based on the fact that planning should be more flexible in order to define guidelines and goals to be reached, and note to define the end state of the desire. Since then, planning has been perceived as the way to include several aspects of social life like economy, social needs and priorities etc. The transition from a regulative discipline to a more open practice toward social and economic activity coincided, according to Albrechts (2003), with the emerging of the advocacy planning model in which planning became a content of the political arena and planners were part of it. In this view,

planning is not an elitarian practice anymore but is conversely open to bottom-up approaches. This leads to the emerging of a series of other planning models like (i) the political economy model which has been dominating the neoliberal market doctrine; (ii) the equity planning model that perceives planning as a power redistribution tool; (iii) the social learning and communicative action model where planning experts and civil society contaminate each other and finally (iv) the radical planning model based on social mobilisation etc.

### **4.3.2. Conceptualisation of spatial planning**

As emerged, planning assumes different meanings depending on the objectives. In this regard, scholars and practitioners (Mazza, 2015; Janin Rivolin, 2012; Dühr at al., 2010; Cullingworth and Nadin, 2006; Healy, 2004; Hall, 2002; Koresawa & Konvitz, 2001) are still involved in investigating and attributing a proper definition of spatial planning. The perspectives from which spatial planning has been explored have been vary. One of the clearest definitions comes from the European Regional/Spatial Planning Charter (often called the 'Torremolinos Charter'), adopted in 1983 by the European Conference of Ministers responsible for Regional Planning (CEMAT) that stated [...] Regional/spatial planning gives geographical expression to the economic, social, cultural and ecological policies of society. It is at the same time a scientific discipline, an administrative technique and a policy developed as an interdisciplinary and comprehensive approach directed towards a balanced regional development and the physical organisation of space according to an overall strategy [...]. In this view spatial planning has been seen in a very broad sense because of its capacity to reflect in space the socioeconomic, cultural and ecological trends, where spatial planning is an instrument to address the development of space. Some contributions focus on exploring the character or nature of spatial planning and the relation with the spatial dimension of sectorial policies (Cullingworth & Nadin, 2006). Others like Healey (2004) investigates the notion of planning through a multi-dimensional perspective (urban, regional etc.). The author considers planning as a “self-conscious collective efforts to re-imagine a city, urban region or wider territory and to translate the result into priorities for area investment, conservation, measures, strategic infrastructure investments and principles of land use regulation”. Moreover, the author used the term “spatial” to bring into focus the “where of things”, whether static or in movement, the protection of special places and sites; the interrelation between different activities and networks in an area; and significant interactions and nodes in an area which are physically co-located. While Hall (2002) affirms that many advanced industrial countries agreed on a wide neutral definition of spatial planning referring, conventionally, to a spatial, or geographical, component, in which the general objective is to provide a spatial structure or spatial activities (or of a land use). This category of definition is strongly related to spatial representation and considers the spatial planning process as a final act of (physical) spatial development or, on the contrary, represent the decision not to develop but to leave the land as it is. In this

view, it is important to note that planning is essentially “spatial” (whatever scale and process), and it is concerned with the spatial impacts of many different kinds of problems and with the spatial coordination policy. For other scholars like Rivolin (2012, 2008) and Mazza (2015), instead, spatial planning is the main technique that is available and that supports spatial governance. Again, these authors see spatial planning system as a hinge between political dimension (government system), spatial production and consumption system (further elaborated in the section 384.). In this line, the CEMAT (1983) defines spatial planning as a method largely used by the public sector to influence the future distribution of activities in space. Moreover, according to the Compendium (1997), spatial planning aims to create a more rational territorial organisation of land use, to balance the demand of development and the need to protect the environment and to achieve social economic objectives. Slowly, the notion of spatial planning is assuming a wider concept that has been underlined, again, by the Compendium when it introduced the transnational dimension of spatial planning activity. Indeed, the Compendium suggests to consider also the transnational perspective of spatial planning in order to interpret the implications of a wider supranational development patterns of each domestic context. In this point of view, ESDP – European Spatial Development Perspective (1999) suggested to reflect on the importance of inter-dependent relationships between cities and regions of the member states. Moreover, this implies that effects of regional, national or Community projects in one country can have a considerable impact on the spatial structure of other Member States. Only in recent studies (among others Dühr at al., 2010) spatial planning has been seen under the umbrella of the EU, thus confirming the new dimension, the European Union. Dühr at al. (2010) considers spatial planning both: (i) as the name of the governance system for managing spatial development and/or physical land use in a particular place (national or regional) and, (ii) as a specific term to describe a particular idea or definition of spatial planning as a coordination mechanism that arises through the debate at the European level (spatial approach).

As has been evidenced, there is no single idea or right definition that can exhaustively encompass the notion of spatial planning. However, some general consideration can be summed up. The definition of spatial planning, has been differentiated according to its:

- Objectives, goals and aims (UNICE, 2008; CEMAT, 1983).
- Procedures and mechanisms (formal and informal).
- Principles<sup>6</sup> of action of spatial planning (UNICE, 2008)
- Multi-dimensional perspective (Healey, 2004; Hall, 2002; ESDP, 1999). According to the authors, the question of multidimensional perspective has been seen internally (urban, regional, central planning) and externally (cross-border, European etc.).

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<sup>6</sup> At this regard, the principles identified by UNICE (2008) are: democratic, subsidiarity, participation, integration, proportionality, precautionary.

- Multi-sectoral dimension and spatial implications (Cullingworth & Nadin, 2006).

Since the concept of spatial planning is not uniquely determined, all of those theoretical differentiations have been included and properly addressed in the subsection 4.3.5.

### **4.3.3. Spatial planning systems: different approaches**

Spatial planning systems are dynamic institutional arrangements subject to continuous patterns of change (see: ESPON 2007; Stead and Cotella, 2011; Janin Rivolin 2012, Reimer et al, 2014; Cotella & Janin Rivolin 2010, Cotella & Janin Rivolin, 2015, Nadin, & Stead, 2012; Servillo & Van den Broeck, 2012). During the last fifteen/twenty years, a multiplicity of institutional approaches has been conceptualised in order to understand planning systems. Using an innovation-theory perspective, Janin Rivolin (2012, 2008) considers planning system as an institutional technology in a constant process of innovation, which is consequently subject to change. Servillo and Van den Broeck (2012) analyse planning systems using an institutionalist perspective perceiving spatial planning system as an institutionalised practice (Gualini, 2001) guided not only by a technical rationality but by a multiplicity of social rationalities. In this perspective, the actor's preferences, their concept of rationality, their goals and interests are socially constructed (Thelen 2003, cited in Servillo & Van den Broeck, 2012<sup>7</sup>). In addition, Van den Broeck (2011), regarding and interpreting spatial planning systems, suggests considering them as a technical device embedded in an institutional frame and produced by groups of actors. Nadin & Stead (2008) suggest adopting an approach that focuses on understanding social models and learning (exchange ideas and practices). For the authors, social models need to be interpreted as diverse value and practice that shape relationships between the state, the market and citizens in particular places. In their analysis, Nadin and Stead examine the relationships between social models (among other working on different type of welfare state) and planning models in different domestic context. Other authors like Knieling & Othengrafen (2009), instead, propose an interpretative model based on planning culture as the way to explain convergences and divergences in the field of spatial planning systems in the EU.

### **4.3.4. Spatial planning system as an institutional technology**

As has been evidenced, the definition of spatial planning and planning systems differ in time and space influenced by several aspects (cultural, economic, social, political etc.). According to Janin Rivolin (2012, 2008) and Mazza (2015), spatial planning is the main technique that is available and that supports spatial

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<sup>7</sup> In their work, Servillo & Van den Broeck (2012) identified four analytical elements such as: technical, cognitive, socio-political and discursive.

governance. In this respect, the authors define spatial planning systems as institutional technologies which undergo processes of innovation, and which consequently may be subject to change. Janin Rivolin (2012) argues that territorial governance (spatial governance) refers to the political decision-making process through which choices about the ordering of space, i.e. defining and controlling the uses of the land, are made. As Figure 5 illustrates, planning system is a hinge between territorial governance and spatial production and consumption system. In this theoretical conceptualisation, spatial planning is considered as a technique instrument, and spatial planning system as an institutional technology in constant evolution, while spatial governance as a political decision-making process. By observing the figure, Mazza (2003, 2004) identifies at least four functions of spatial planning systems:

- a strategic function, concerning both the definition of goals and of policies to achieve them and the construction of (spatial) frameworks for action.
- a regulative function, dealing with land use regulation;
- a design function, regarding the definition of policies and projects for spatial development;
- an informative function, dealing with the production and circulation of information.

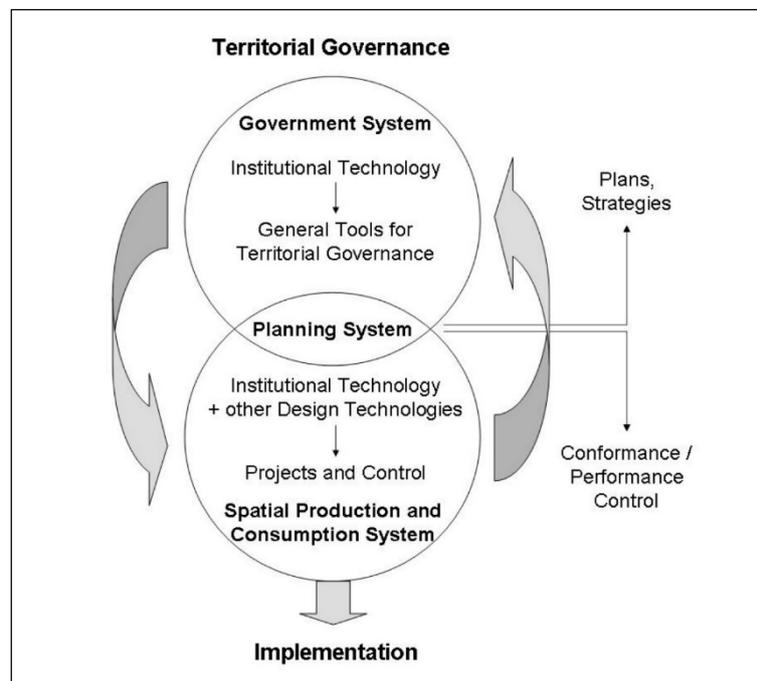


Figure 5: Planning System as a hinge between two spheres of interaction

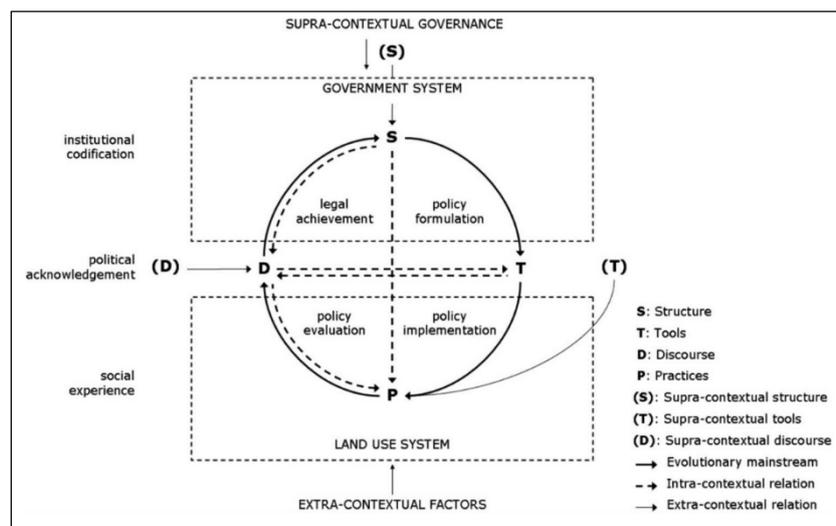
Source: Janin Rivolin, 2007

The strategic function reflects the interplay between government and planning system that has the production of plans and strategies as an outcome. While the regulative function represents the implementation of planning system according to

its conformance and performative objectives<sup>8</sup> (Janin Rivolin, 2007). In this double perspective, i.e. government and spatial consumption/production system, the spatial planning activities happen within the frameworks of legally established objectives, tools, and procedures established by and within a constitutional framework. In this view, spatial planning system has been seen as a combination of four constitutive dimensions (structure, tools, practice and discourse) (Janin Rivolin, 2012). The author defines:

- Structure (S), as a set of constitutional and legal provisions allowing and ruling the operation of the planning system.
- Tools (T), which are generally recognised as ‘plans’, although these may be of very different nature, ranging from regulative zoning maps to strategic programs, visions or guidelines (Faludi, 2000). Moreover, Janin Rivolin (2012) adds elements like control devices, monitoring and evaluation procedures and various forms of economic incentive.
- Practices (P), usually generated from the social experience of planning and control activities in an institutional context is continuous source of such an evolutionary process.
- Discourse (D), which defines the prevalence of certain ideas, concepts and arguments in the frame of spatial planning (Adams et al., 2010).

As Figure 6 shows, all the mentioned categories are mutually contaminated. In particular, three mechanisms of relation have been identified. The first, the evolutionary mainstreams, explores the direct relation among analytical categories (structure to tools, tools to practice, practice to discourse). The second, the intra-contextual relation, highlights interferences with the planning system (tools and discourse, or discourse and practice). The third, extra-contextual relation, underlines the possibility that spatial planning systems can be influenced by external forces as supra-contextual governance (EU) and tools.



<sup>8</sup> Conformance and Performative planning models have been widely defined in Janin Rivolin, 2007.

Figure 6: Simplification model of planning system

Source: Janin Rivolin (2012) and Cotella & Janin Rivolin (2015)

This conceptualisation of how spatial planning should be interpreted is particularly useful since planning system is subjected to change hence is seen as an institutionalisation process. In this respect, the following subsection (4.1.4) built up on to the work of Janin Rivolin (2012) and Cotella & Rivolin (2015), explores how those analytical categories should be interpreted and applied.

#### 4.3.5. Spatial planning system through an analytical multi-component perspective

This subsection seeks to identify a series of analytical categories that may allow to clearly investigate the evolution of planning systems. According to the literature, spatial planning systems are not static objects but institutional arrangements subject to continuous patterns of change (ESPON 2007 et al.). Starting from this consideration, is relevant to investigate further on the meaning of planning, spatial planning and spatial planning system (s), in order to conceptualise and to define the subject of comparison. Spatial planning system may be defined as the institutional framework allowing for (and regulating), in a specific country, the multiple and complex processes of vertical (between policy levels) and horizontal (between policy sectors and between public and private subjects) interactions addressing the spatial organisation of social life (Janin Rivolin, 2012). These spatial planning activities and processes occur within frameworks of legally established objectives, tools, and procedures which, in modern states, are usually derived from fundamental constitutional rights (Janin Rivolin, 2012). As different studies evidenced (Rivolin 2012, Servillo and Van den Broeck, 2012, Getimis 2012), aiming to understand spatial planning systems, is necessary to analyse and take into consideration each dimension or component that characterise each spatial planning systems (Figure 7).

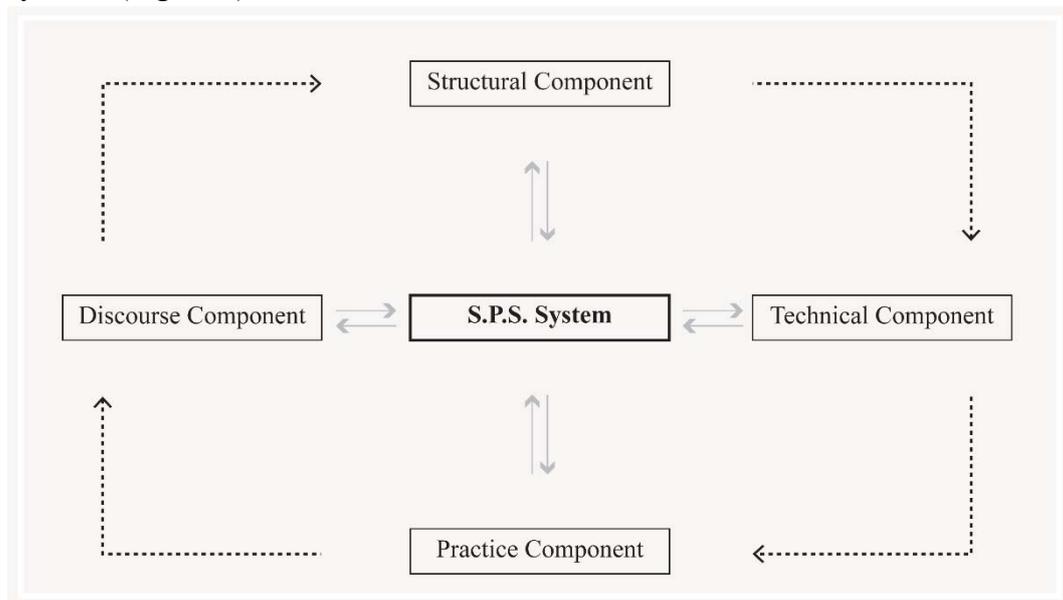


Figure 7: Spatial Planning System's Components

Source: Author's own elaboration on the base of Janin Rivolin, 2012

In this perspective, according to the analytical dimensions identified by Janin Rivolin (2012), it is useful to formalise and to identify the four most important components of spatial planning system(s); (i) legal component (legal framework and government system); (ii) technical component (instrument framework); (iii) practice component and (iv) discursive component. As essential constitutive parts of spatial planning systems, the above “components” need to be clarified in terms of their substantial and operational aspects, in order to identify their mutual relation.

#### 9.4.2.1 Structural Component

Since each spatial planning system operates within a government system, the definition of what the legislative framework and political environment means and what theoretical embraces it is the first challenge (see Figure 8). The structural component of spatial planning system includes the way in which a defined country is governed: the so-called government system. In other words, one of the main aspect to outline is the type of government, defining the democracy level (centralised or de-centralised government system). The second challenge concerns the scale of administration (i.e. nation, region, local), which is useful to identify responsibilities for each scale or relation among different level of administration etc. Moreover, as part of the government activities, the legislative framework is constituted by decrees, norms, laws, which are normally expression of the domestic authority and represent part of the structure within which spatial planning systems operate and define its limits. In doing so, it is possible to describe and understand the structure, identifying principles, responsibilities, structural limits and perspectives of each spatial planning system. In this view, particular attention has been paid to identify the main spatial planning authorities (for each planning level) and their change of responsibilities.

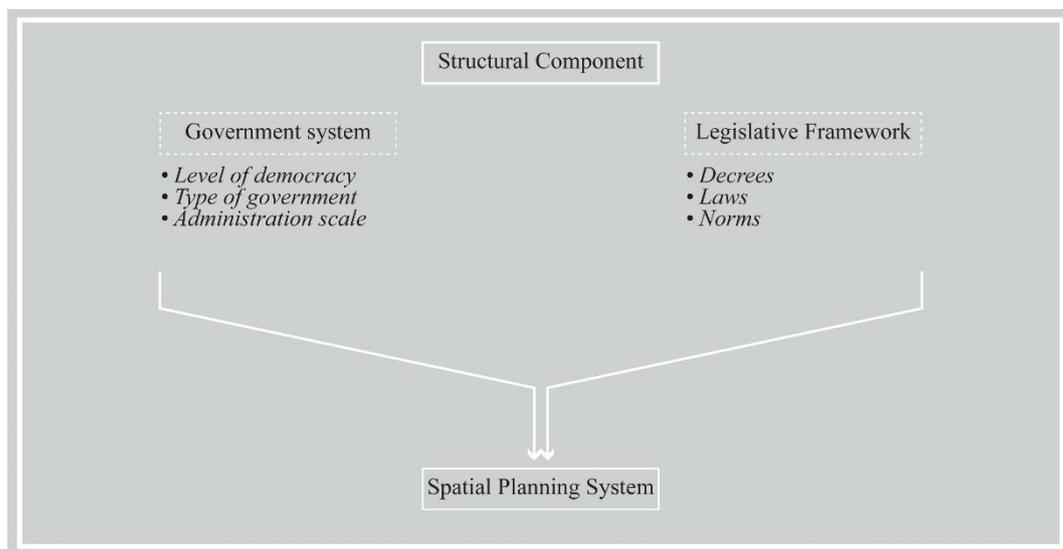


Figure 8: Structural Component

Source: Author's own elaboration

#### 9.4.2.2 Technical Component

While the above legal component aims to explain the political, legislative and normative framework, the technical component has the ambition to define the so-called instruments framework. In fact, technical components considers essentially the way in which spatial planning operates in technical terms (see Figure 9). Coherently, spatial planning works through instruments in terms of plans, programmes and strategies (whatever scale, nature and sector), binding and formal procedures (usually defined by law, norms and regulation), economic instruments and incentives (various nature and scale of development initiative), evaluation mechanisms and processes (i.e. economic, environmental and political). In this perspective the technical exploration of each domestic context must differentiate planning documents according to their planning characters. As well recognised in the literature (COMPASS, 2018a), planning documents may primarily be categorised as:

- Visioning, setting out a normative agenda of principles or goals for a desirable future.
- Strategic, providing an evidence-based integrated and long-term frame of reference for coordinated action and decision making across jurisdictions and sectors.
- Regulative, makes legally binding commitments or decisions concerning land use change and development.

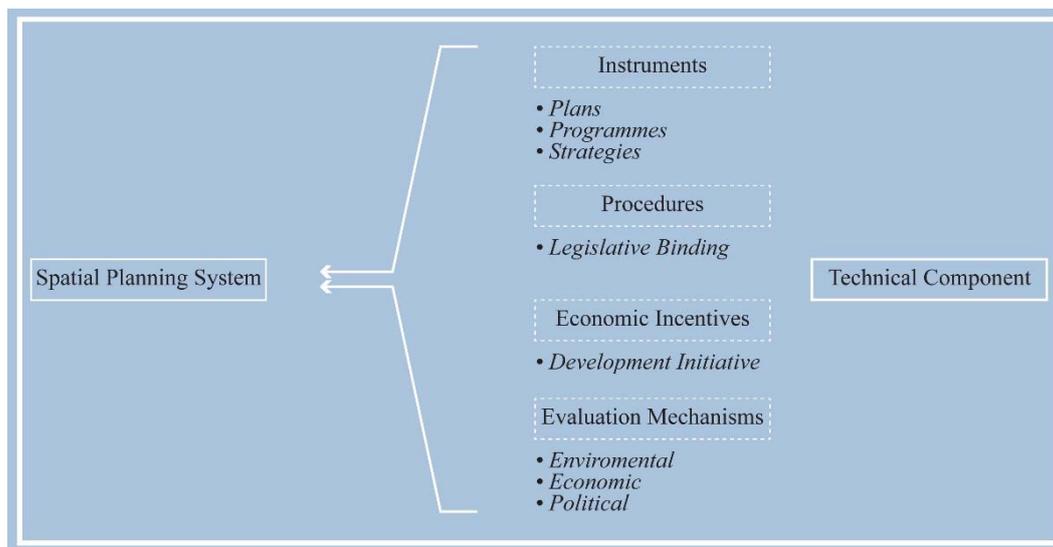


Figure 9: Technical Component

Source: Author's own elaboration

Concerning the question of planning procedures, particular attention should be paid to any kind of formal procedures foreseen by the law. In particular, the

questions of public participation mechanism, transparency and data availability and the issue of developing rights etc. (among others) are very significant to understand the root followed by each planning system

#### 9.4.2.3 Practice Component

In its most recent contribution, Alexander (2016) affirmed that there is no planning but only planning practices. By criticizing planning theorist, the author affirms that to have a clear definition of planning one must know to which kind of planning practice is referring (based on tools, objects and context). It emerged the importance of the multi-aspect of planning practices that implies the planning scale (national, regional, local), the sectors (spatial, environmental, transportation, energy) etc. Regarding spatial planning, planning practice is largely determined by the routines and traditions of planning actions. Actors and groups of actors acquire and perpetuate the functional logics of their respective institutional environments through their day-to-day actions (Reimer & Blotevogel, 2012). In its reiteration process, spatial planning practices need to be analysed in a twofold perspective: (i) formal, legislatively recognized and (ii) informal, experience- linked with informal actions (legal or illegal). If the formal practices are well understandable since they are established by laws, informal ones are often underestimated by analysts. As Reimer et al. (2014) reminded, in a specific context, the classical, formal procedures of spatial development are often supplemented by informal approaches. According to all these authors, planning practice seems to be the result of the social experience of planning spatial control and exploitation activities (see Figure 10). In this sense, as an analytical category, the practice dimension explores how planning is implemented, which allows the reiteration of formal and informal activities.

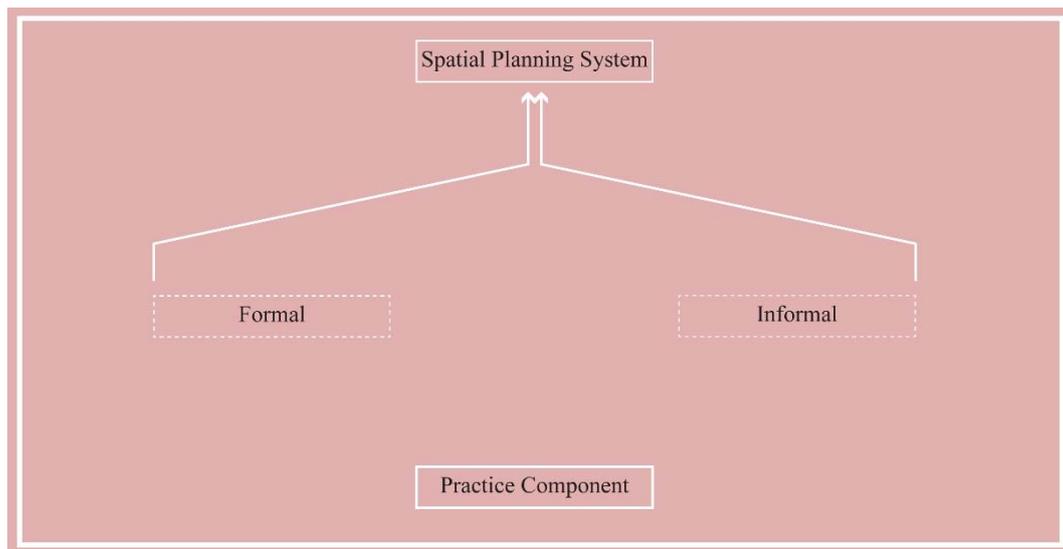


Figure 10: Practice Component

Source: Author's own elaboration

#### 9.4.2.4 Discursive Component

Beginning from the awareness that a spatial planning system is inscribed and structured by complex notions of domestic context, each endogenous condition is framed by specific values and orientations of the actors involved and their various interests (Figure 11). Based on this, the character of spatial planning system is partially framed by the discourse developed with and within the planning system where the discursive component has to be intended as a selection and combination of values, logics, aims, goals and principles, hegemonic or not, and rhetoric concepts (Cotella & Janin Rivolin, 2015). As stated by several authors (among others Getimis, 2012) planning discourse is not fixed nor predetermined and is not a scale defined concept either. Contrarily, the discourse in planning is framed, and consequently affected, by the constant socio- economic condition and its process of transformation. In this perspective, discursive component embraces the knowledge concept both in theoretical and practical terms, concentrating to the institutional and the non-institutional discourse. In this sense, institutional discourse is the combination of values, logics, aims, goals and principles driven and channelised by institutional actors (whatever scale and planning sectors); while non-institutional discourse refers to the main ideas, logics, set of terminology, values etc. used by non-institutionalised actors like practitioners, experts, etc.

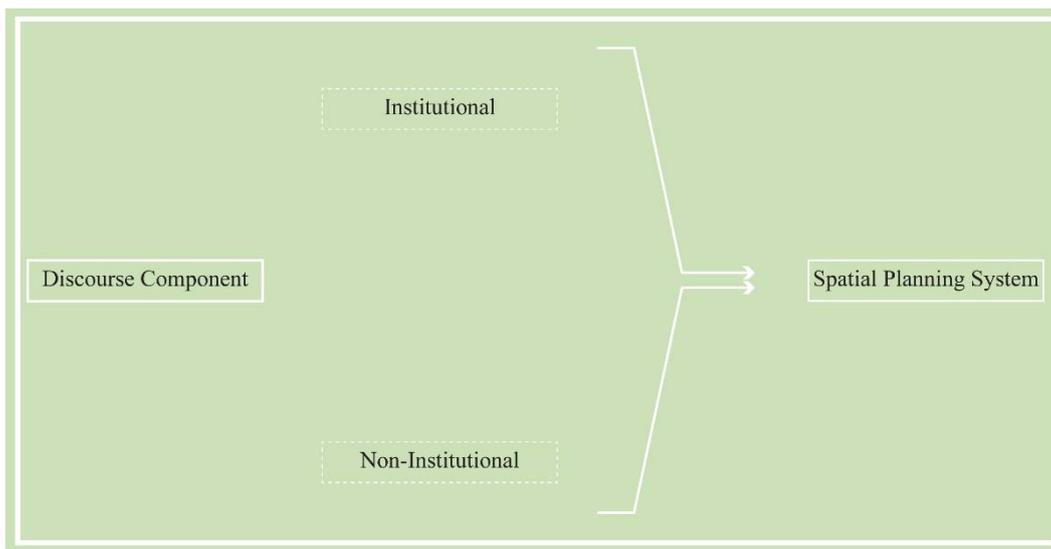


Figure 11: Discourse Component

Source: Author's own elaboration

#### 4.4. Summary and conclusions

Chapter 4 illustrated the question of the evolution of spatial planning systems as a consequence of multiple driving forces. It draws a complete overview on the main comparative studies approaches (variable-oriented, and case-oriented) identifying a series of distinctive factors (concepts, relations between cases, N-cases, selection mechanism and the question of time) that have been addressed in developing the research comparative planning approach. As an important branch of comparative studies, the comparative planning studies assumed more interest in the

last three decades. Indeed, since the first comparative experiences (among Davies et al., 1989) and the subsequent contributions (Newman and Thornley, 1996; CEC, 1997; ESPON 2.3.2, 2007; COMPASS, 2018), comparative planning studies became central within spatial planning theory and practices. Since then, a series of comparative approaches have been developed, seeking to overcome some theoretical and methodological misunderstandings emerged from those studies (among others criticism has been moving to Davies et al, 1989 and to Newman and Thornley,1996). Despite enormous benefits in terms of acknowledgment of the diversity of spatial planning traditions in the EU some theoretical and methodological limitation factors remain unsolved notwithstanding the several improvements made. As recognised by Janin Rivolin (2012), one of the main problems of the comparison in the field of comparative spatial planning studies, is the lack of a clear definition of its subject of comparison, namely how spatial planning must be understood. In this respect, how spatial planning, and consequently spatial planning system, has been interpreted becomes the centre of the comparative planning studies (see the key factors in subsection 4.2.2). More in detail, particular attention has been paid to the theoretical implication of how spatial planning has been interpreted and defined by scholars and academics. Despite some admirable attempts to give a common definition of spatial planning, it should be noted that its meaning is not uniquely determined yet. However, it seems that each one of the definitions given, somehow reflect the different aspects of spatial planning like (i) objectives, goals and aims; (ii) procedures and mechanisms (formal and informal); (iii) principles of action of spatial planning; (iv) multi-dimensional perspective and (v) multi-sectoral. Once defined, even if in a general way, which are the main aspects of spatial planning in the literature, the definition of spatial planning systems remains still vague. By looking at the different approaches, spatial planning systems have been defined in various ways, such as: (i) institutional technology (Cotella & Janin Rivolin, 2015; Mazza, 2015; Janin Rivolin, 2012); (ii) institutionalised practice (Servillo & Van den Broeck, 2012; Gualini, 2001); (iii) social models and learning (Nadin & Stead, 2008) and (iv) outcome of planning culture (Knieling & Othengrafen (2009). Despite these general considerations listing the main interpretive models, Janin Rivolin (2012) and Mazza (2015) link spatial planning and spatial planning system in a very operative way. According to the authors, spatial planning is the main technique that is available to and supports spatial governance while spatial planning system (in the sense of institutional technology) is a hinge between political dimension (government system) and spatial production and consumption system. In this view, the link between spatial planning and spatial planning system is quite clear. According to Janin Rivolin (2012) spatial planning system has been seen as a combination of four constitutive dimensions (structure, tools, practice and discourse). Based on the above theoretical and methodological considerations, Table 5, as an analytical matrix, combines the four analytical components/dimensions to the necessity to understand spatial planning as a multi-level activity (in horizontal) and underling the importance of time (in vertical). The matrix has been divided in five columns. The first has been dedicated

to show the evolving process (illustrating the main reforms). The second explores the structure by focusing more in particular on the main authorities and responsibilities. The third sheds more light on the question of planning instruments and procedures. The fourth gives particular attention to the practice component of spatial planning (both formal and informal), and finally the fifth deals with the question of planning discourse giving more attention to the institutional and non-institutional aspects of planning discourse. All the analytical categories, should be investigated in each planning level as indicated in the table (C-Central, S-Subnational and L-Local).

**Table 5:** Analytical spatial planning components

<b>SPATIAL PLANNING COMPONENTS</b>																								
<b>Timeline</b>	<b>Structural</b>						<b>Technical</b>						<b>Practice</b>						<b>Discourse</b>					
	<b>Authorities</b>			<b>Responsibility</b>			<b>Instruments</b>			<b>Procedures</b>			<b>Formal</b>			<b>Informal</b>			<b>Institutional</b>			<b>Non-institutional</b>		
	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L
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Source: Author's own elaboration

# **5. Transition, domestic and international actors**

Chapter 5 discusses the question of transition between domestic and international actors. In this respect, particular attention has been paid to exploring how the period of transformation has been interpreted within the sphere of the transition countries' studies, analysed in section 5.1. This section stresses the importance of the multi-dimensional character of the transition process providing at least six constitutive dimension that allow to explore the transformation effects. Section 5.3 concentrates on the role of domestic actors and their attitude during the transition process. Coherently to the research approach, actors remain at the centre of the institutional analysis. Finally, section 5.3 gives a brief overview on the categorisation of international actors, as it has been interpreted within the international studies.

## **5.1. Transition countries' studies**

Transition countries' studies are an important branch of social science, within a broad and more general literature in transition studies. Since the Eighties, countless studies have been developed on these specific issues, under the framework of the transition toward democracy. This branch does not consider only the former communist countries but all countries that have experienced the transformation process and the political modernisation since the Second World War. Referring to the contribution of O'Donnell's (1986), within comparative country studies, there are three groups of transition countries as listed: (i) the post-war democracies (Italy, Austria, Japan and West Germany); (ii) the Mediterranean democratic process of the Seventies (Portugal, Spain, Greece); and (iii) the collapse of the authoritarian regimes in South America during the Eighties (Argentina, Brazil, Uruguay, Chile and Paraguay). However, after the collapse of the communist regime in the Eastern Europe and Western Balkan region, new countries started to face the consequences of the transition process. However, each state has been involved in its own and typical transition process that differs from the others.

According to Offe (1997), the author suggests using some interpretative components that may differentiate the historical interpretation of each transition process such as: (i) preservation of territorial integrity; (ii) consequences on the process of democratisation; and (iii) the effect of the immigration flux. In this perspective, if the countries analysed by O'Donnell had preserved their territorial integrity without large-scale migration consequences, in the case of CEE - Central and Eastern Europe and Western Balkan region the scene has been dominated by

territorial disputes, migration movements (both internal and external flux) ethnic and minority conflicts etc. More in detail, other consequences dominate the transformation process in these regions, which can be summarised as: (1) the erection of new borders, following secessions aimed to reach a local and/or regional autonomy; (2) the legitimacy of existing borders was negated; (3) people moved across borders due to free and voluntary mass exodus and/or ethnic cleansing; (4) forced assimilation of ethnic minority. Moreover, Offe (1997) adds another important differential factor: the process of modernisation of the State. In this regard, for the author, is crucial to clarify the modality of shaping the government and constitutional framework, retained as the factor that can define the legal relationships between the State and society. Following this consideration, in the countries analysed by O'Donnell, the capital remained largely in the hands of its owners and, as a logic consequence, the owners remained in charge of their capital. Instead, observing the CEE and the WBr countries transition experiences, the question of the capital and property, generally speaking, remains in certain cases unsolved (among others see the Balkans countries). As emerged, in order to give an accurate interpretation of the events, it is necessary to remember that each country followed its own transformation path despite some common recurrent elements.

Coming back to the process of transformation and the definition of the main dimensions involved, the research adopts the following six analytical categories: (i) polity dimension - shift from a single party towards a multiple party system; (ii) economic dimension - where economic power is transferred from the old vertical administrative hierarchies toward the private sector and the civil society; (iii) institutional dimension - decentralisation of power and introduction of new levels of government, shifting from government to governance; (iv) social dimension – changes in terms of social configuration (as example is the process of shifting from a rural society to a urban one); (v) behavioural dimension - different social attitude changes took place in the field of economy, polity-policy-politics, social rights and social relation, and (vi) power dimension – restructuring of existing power relation according to new equilibrium points. As mentioned, each interpretative dimension illustrates the changes that happened during the entire transition process. Time represented an important factor to Kollmorgen (2010) who has suggested to think about political cycles. The author argued that each transformative dimension has been included within a politic-societal cycle through which the transition process is understandable. According to his observation, Kollmorgen (2010) identified three main cycles. The first period refers to the change of power, the second focuses on the institutionalisation of the new order and the third one is the period of (re)structuring. As is understandable, each political cycle has different implications from a country to another one, that makes each comparative analysis possible but complicated. Pushing on the various interpretative lenses, Offe (1997) states that this process of transformation has involved each country simultaneously, as a joined outcome of three hierarchical levels of decision-making. Briefly, at the most fundamental level, a decision must be made in relation to identity (who we are), citizenship and their territorial social and cultural tradition. At the second level it is

possible to identify rules, procedures and rights which together make the institutional framework. At the upper level it is possible to define the decision on who gets what, when, and how, both in terms of political power and economic resources. Following the political philosophers, each of this level of political universe (Offe, 1997) stands in close affinity to the three human capabilities. The first relates to the passions, virtue honor and patriotism, the second to reason and the third to interest. In coherence with Offe (1997), following a general observation of Kostovicova and Bojic-Dzelilovic (2006), three relevant themes emerged from the literature of the transition countries: (1) simultaneous democratisation and marketisation; (2) stateness; (3) international dimension. In coherence with these authors, Offe (1997) said that the process of transformation is characterised by the question of simultaneity (i.e. multi-dimensional and time interconnected process of transformation), while Pridham and Gallager (2000) pointed out that the concept of simultaneity should apply to: political, economic and nation-building process.

As mentioned above, during the process of transformation the newcomers (internal or external actors) or existing actors' relations played a fundamental role in addressing it. Speaking about newcomers, many scholars have suggested to focus on actors that can be consider as outsiders of the established regime in order to highlight their different characteristics. Indeed, following Ceschin's classification (2012), it is possible to distinguish three groups of outsiders that should be involved in the beginning of the transition process (transition in a broad sense): (i) firms because they can mobilise knowledge, financial and managerial resources to develop alternative innovation; (ii) scientists because of the introduction of new designs, criteria, approaches and concepts; (iii) social pressure groups because of their power to mobilise former insiders of the regime structure. Highlighting the actor categories in the transition process, the impact of transnational actors and coalition on state policies is variable, and its depends on: (i) difference in domestic structure, i.e. normative and constitutional state and society structure; (ii) degree of international institutionalisation, meaning the extent to which specific issue-areas are regulated through bilateral agreements, multilateral regimes and/or international organisations (Risse-Kappen, 1995). Moreover, Risse-Kappen (1995) suggests to consider that the efficacy of transnational actors on determined state's politics and policy orientation depends on the availability of the state to be influenced. Indeed, following Risse-Kappen, on the one hand, the more the state dominates the domestic structure, the more difficult it should be for transnational actors to penetrate the social and political system. On the other hand, the more fragmented is the state and the better organised is the civil society, the easier the access of transnational actors should be. It appears that domestic structure and international institutionalisation are likely to interact in determining the ability of transnational actors to bring or to impose policy changes.

## 5.2. Relational mechanisms between internal and external forces

The mechanism of relation between internal and external forces has been characterised by a substantial asymmetric power. This has been particularly true during the period of transition, when the presence of the international context has been very influential in addressing domestic transformations. This subsection is divided in two parts. The first explores how external forces can effectively influence the process of countries' transformation, hence focusing on some external forces and influential mechanisms. The second concentrates on the reaction of internal forces to external stimulus, paying particular attention to the adaptation mechanisms (Figure 12).

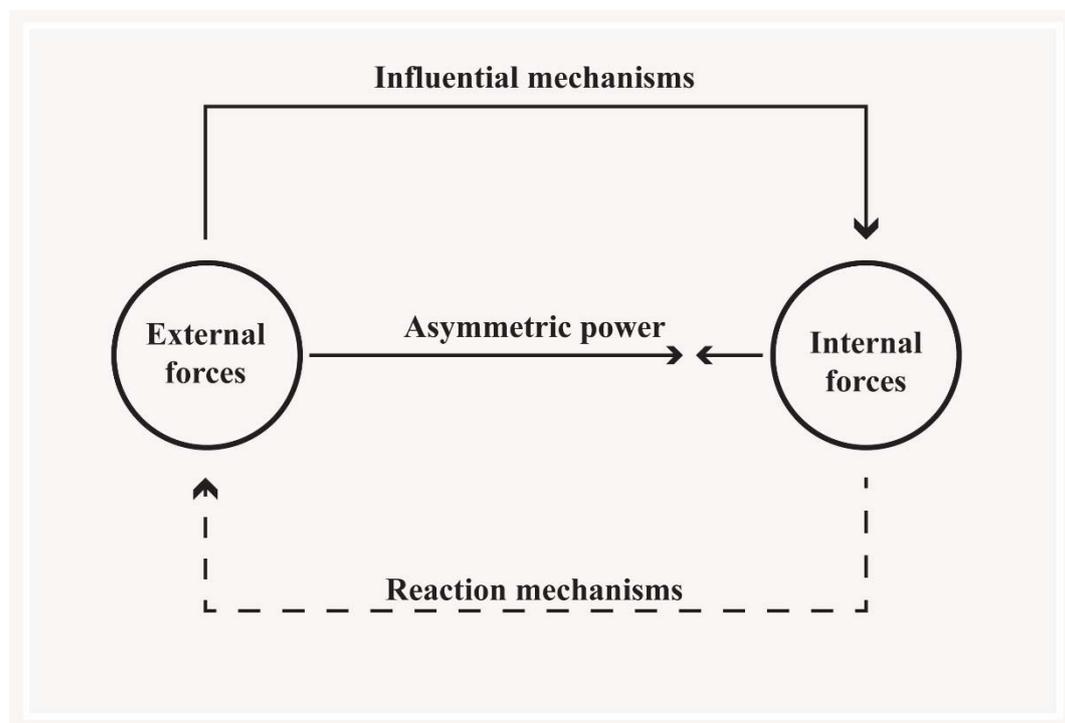


Figure 12: Relational mechanisms between internal and external forces

Source: Author's own elaboration

According to Elbasani (2004), there are at least three influential mechanisms which should be distinguished as: (i) contagion as unintentional forms of international influence based on the logic of proximity (Whitehead 1996); (ii) control as pressure and power realities of external actors based on one-way influential effect; (iii) conditionality<sup>9</sup> as a specific condition concerning the distribution of benefits to recipient countries on the part of multilateral institutions

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<sup>9</sup> There are at least three kind of conditionality: economic, political and normative/legislative (Cotella & Berisha, 2016a)

(Schmitter 1996). Each of these influential mechanisms may produce different domestic responses. In this regard, Elbasani (2004) identified three effects as formal, behavioural and discursive. According to the author, the formal response regards the degree of transplantation of the international legislative models to national laws. The behavioural effect registered the degree actors behavioural change according to the behaviour established in international circumstances. Discursive effects, instead, registered the degree of convergence of local actors to the international hegemonic discourse. On the other hand, it is interesting to explore the reactional mechanisms or responsiveness of domestic actors. Reactional mechanism, indeed, may differ from a high degree of acceptance of external influence to some kind of inertia of change. In this regard, Elbasani (2004) argued that there are at least two mechanisms of norm assentation: (i) logic of appropriateness when domestic actors follow external influence perceived as the only possible one (they believe that it is the appropriate thing to do): (ii) logic of consequentiality, when domestic actors follow international indication motivated by cost-benefit calculations of alternative actions (Elbasani, 2004). The effectiveness of these mechanisms depends on the nature of international actors and on the domestic preconditions. In this respect, the following sections shed more light on the characteristics of international actors as well as on the domestic actors.

### **5.3. Characteristics of international actors**

Once having understood the process of transformation and the role of the domestic actors, it is still necessary to shed light on the active role of international actors during the transition, hence to define the other side of the coin. As emerged, transition has been interpreted as a multifaceted phenomenon where a multiplicity of international or transnational<sup>10</sup> actors have been variously involved. According to Thiel & Maslanik (2017), the importance of such kind of actors emerged with the speeding up of globalising economic, political, cultural and social processes. Those actors are, by definition, political, social, cultural and economic agents or groups which have trans-societal relations across borders in pursuit of their goals, to a certain degree independently from domestic governmental considerations (Risse-Kappen 1995). Adopting an external perspective, it appears that the international actors' geography is rather complex and interconnected (Thiel & Maslanik, 2017; Madsen & Christensen, 2016; Koenig-Archibugi & Zuern, 2006; Risse-Kappen, 2002). In the literature, particularly within the international relation studies, there are different international relation theories. As showed by Thiel & Maslanik (2017), a series of approaches can be listed, for instance: (i) (neo)realism, based on individuality of state (state as primary actor) refusing the idea of supranational authorities (see among others Nye, S., & Keohane, 1971); (ii)

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<sup>10</sup> According to the definition given by Thiel & Maslanik (2017) "Transnational is used to denote in a simplifying manner an organization working beyond state boundaries and acting independently from traditional state authorities".

(neo)liberalism, based on which international relations should be understood as unique opportunities to cooperate, since the state is not seen as a primary actor but in cooperation with international organisations such as supranational authorities and non-government organisations; (iii) constructivism, based on which international relations are primarily a construction of the society that may influence their strategic behaviour. In addition to this view point, others should be mentioned like Marxist, functionalists, green theory (focuses on international environmental cooperation initiatives) etc. The major strands of international relations theories conceive transnational actors differently, according to their stance on the substantive role of state governments and their assessment of changes in the international system (Thiel & Maslanik, 2017). By having in mind these different approaches, the actors' classification is based on some characteristics like (i) their main objectives and scopes (global, transnational, regional) and (ii) their principal functions (social, environmental, political and economic). Despite several attempts, one of the main problematic questions within the international relation studies and its subcategories is how to represent and to define those actors. Abundant definitions have been used, such as (i) TNAs - Transnational Actors (Risse-Kappen, 1995); (ii) IGOs – Intergovernmental Organisations<sup>11</sup>; (iii) IO - International Organisation etc. Since the question of labelling is still unsolved, the core of the discussion should shift on the importance of those actors and their relational implication. What should be kept in mind, indeed, is that this trans-national definition does not merely signify inter-national (between nations). According to Richter, Berking & Mueller-Schmid (2006), trans-national refers to the organisation of power beyond the state (not between states) and is, thus, an open and somewhat nondescript term. The same distinction should be made by observing the question of supra-national actors since it represents something and somehow a level above the state. In this debate, Risse-Kappen (2002) proposes two categories of actors – those principally motivated by instrumental reasons (above all economic) and those promoting principled ideas as well as knowledge, admitting, however, that these two categories are not mutually exclusive. Despite these few examples, other authors have been engaged in identifying actors' categories as reported by Thiel & Maslanik (2017). However, according to the literature and coherently to the scope of the research, hereafter are listed the main international actors such as: (i) global organisations or global institutions which include actors like UN – United Nation, IMF – International Monetary Fund, WB – World Bank and NATO – North Atlantic Treaty Organisation; (ii) international intergovernmental organisations (IGOS) or supranational institutions, such as the EU – European Union, which is classified also as a regional institution; (iii) transnational actors organised in networks and coalitions: (iv) international non-

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<sup>11</sup> As mentioned in Thiel & Maslanik (2017), Nye, S., & Keohane (1972) defined IGOs – as all entities interacting across national boundaries with at least one non-state agent present were considered transnational, which arguably included intergovernmental organizations

state organisation (INGOs); (v) transgovernmental coalition, networks of government officials which include at least one actors pursuing her own agenda independent of national decision; (vi) non-governmental organisations (NGO) and (vii) national agencies. It should be known that such a number of significant global players have their own agenda (implicit or explicit), objectives and priorities (usually related to hegemonic models and theories), resources and policies through which to reach their interests.

Despite the number and the nature of those international actors, what is interesting to note is the ability that each actor has to be a key driving force in a given period of transition influencing each domestic context in a different manner. More in detail, it is exactly this attitude to shape and (re)shape domestic context that will be the core of the research. Indeed, the debate about the prospect to influence, in a given way, the international actors is not a recent topic, however, an increasing interests is rising around the way in which EU may affect each aspirant state, as it will be illustrated in chapter 6.

## **5.4. Domestic actors**

As seems to be obvious, the attempt to transform the existing social, economic and political environment pushed the domestic system towards a new institutional configuration. This transformation process involved simultaneously and indifferently the entire social sphere. In the field of transition country studies one of the main aspect underlined, concerning the transformation process, is the role of domestic actors and their importance for the process of democratisation (but not only). As suggested by Kollmorger (2010), this process is characterised, among other things, by the new elite's capacity to struggle against the old regime and its ability to shape a bureaucratic system in order to control the process of change. Moreover, the process has been defined by the capacity to identify of the new elite in recognising the models of successful and hegemonic modern societies' institutions (imported or borrowed). This mechanism of appropriateness external norms and values has been justified by the certainty that actors follow international hegemonic contexts because they believe that it is the appropriate thing to do (Elbasani, 2004). As a counter part of the mechanism of influence, indeed, while the international context plays as an inspiration (i.e. has been seen as teachers), domestic actors are the students. In this view, the relation between internal and external forces is particular asymmetric. By restricting the attention to the transformation process, Kollmorger (2010), illustrates how and why it is important to focus on the centrality of actors and institutions when it comes to investigate the transition process. In this perspective, domestic actors are considered, in certain cases, as channels of influence or mediating factors through which external hegemonic theories and social models have been transposed in a given context.

In this view, actors define the path of transition coherently to their objectives, priorities, resources and perspectives implementing them through specific actions aiming to reduce public control mechanisms (among other on land management, on

property rights, on privatisation system and on decentralisation of decision making process etc.). In such a globalised society, however, the role of domestic actors remains secondary compared to the international interests represented by several international actor categories.

## **5.5. Summary and conclusion**

As emerged, this chapter reflected, adopting a theoretical perspective, on how transition country studies and related studies domain have been interpreted in different contexts (social, economic and political). Focusing on the transition countries studies, the priority was to shed light on some analytical categories that will be influential tools during the analyses of each of the domestic contexts under examination. Despite different interpretative dimensions, social scientist agreed on considering transition as a process of transformation from an existent situation to another, characterised by a long-term process of radical and structural change at the level of societal system (Offe 1997). When it comes to the mainstream meaning of transition, however, many authors refer to the economic dimension. Hence, several studies focused on understanding the process of economic transition from capitalism to communist economy (above all explaining the period of Soviet foundation, 1928 to 1953) (Kornai, 2008) and vice versa, hence explaining the shift from a planned economy to a market economy (Bitzenis, 2009). Other social scientist enlarged the understanding of the phenomenon through different lenses, for instance, social, institutional, political, behavioral, power etc. In these studies, emerged clearly the importance of actors during the process of transformation and their relational mechanisms. In this respect, particular attention has been paid to the influential mechanism the external actors exercise on domestic context (contagion, control and conditionality), to the effects of adaptation (formal, behavioural and discursive) and to the reaction mechanisms (logic of consequentiality and appropriateness). Moreover, on the one side, particular attention has been given to understanding the characteristics of international actors as understood within the international relation studies and the relative theories ((neo)realism, (neo)liberal, constructivism etc.). What emerged is a complicated classification of international actors based on their objectives, scopes and functions. On the other side, domestic actors have been seen as a mediating factor within the process of transformation, contributing to the degree of adaptation process and implementation mechanism. To conclude, the chapter has explored the complexity of actors (endogenous and exogenous) and their mechanism of interaction. The following chapter sheds more light on the role of the EU and the Europeanisation process.

# 6. The European Union between integration and Europeanisation

Chapter 6 has been committed to highlighting the question of European Union, as one of the main international actors active in the last decades. In this regard, section 6.1 shows why the EU can be seen as a transitional and transnational entity. In this section, it has been discussed the role of EU and its process of enlargement and integration since the establishment of the first treaty. Section 6.2, instead, deals with the notion of Europeanisation and its implication within the European studies, in general, and within the European Spatial Planning in particular. Meanwhile, section 6.3 explores the question of Europeanisation of the spatial planning systems by looking at different analytical approaches developed through time. In this section, particular attention has been paid to identifying some shared type of influence seeking to develop a specific interpretative model to use in this research.

## 6.1. The transitional and transnational nature of the European Union

The European Union, as is considered nowadays, is a regional organisation without a comparable experience in the rest of the world. Its historical importance has clearly emerged since the beginning, when just a few states were part of this supranational organisation<sup>12</sup>. In this regard, a series of institutional steps have contributed to increase its supranational perspective aspirations. The first constitutive step was certainly the establishment of the ECSC - European Coal and Steel Community in 1951, followed in 1954 by the launch of the EEC - European Economic Community and the Euratom - European Atomic Energy Community launched in 1957. In that context, two equally important forces started to dominate the evolution of EEC: on the one hand seeking to further integrate the existing members (deepening process) and, on the other, aiming to expand the Union towards new members (widening process) (Pusca, 2004). As a consequence, the following decade was characterised by an intensive process of expansion<sup>13</sup> and

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<sup>12</sup> The initiative started from France and German government followed by the Italy and Benelux, Belgium, Netherlands and Luxemburg.

<sup>13</sup> The last country to become a member state has been Croatia in 2013, while in 2016 the United Kingdom voted for Brexit. Currently the EU includes 27 countries + 1 (United Kingdom).

institutional transformation<sup>14</sup>. As a consequence of this transformation mechanism, it is important to mention: the creation of EMS – European Monetary System as a precondition to introduce the EMU – European Monetary Union, the official establishment of European Council and the agreement to hold the first election for the European Parliament in 1978. In terms of enlargement politics, new members joined the EEC, Britain, Denmark and Ireland in 1973. This process continued with the annexation of Greece in 1981, and of Spain and Portugal in 1986.

However, contextual economic disparity among member states were relevant. In order to reduce this economic imbalance, the structural funds were created and funded by the EC-European Communities. In this path needs to be collocated the Single European Act of 1986, which introduced the single market program (intern free movement of goods, people, services and capital) that transformed the European market as the largest free economic market in the world. The period between the end of the Eighties and the first period of the Nineties has been characterised by a series of institutional transformations. In that period, new institutions were established, among others, the European Council and the Council for the European Union of 1986. That period was also characterised by some historical events: particularly important was the collapse of the Soviet Union and the fall of the Berlin Wall. In that circumstance, the EC faced with several political and economic challenges. Among others, the unification of Germany and the need to include other countries, induced, despite the Britain resistance, to launch new enlargement and integration policies, such as the signature of TEC - Treaty on European Union<sup>15</sup>, that took place in Maastricht in 1992. The Maastricht Treaty has been the basic agreement for the existence of the so- called European Union. That treaty is build up on three main pillars: (i) the economic and monetary union, (ii) common foreign and security policy and (iii) justice and home affairs. At the same time, the enlargement continued: the annexation of Austria, Sweden and Finland was officially concluded in 1995. Differently from the previous enlargement steps, these countries had to deal with more concrete criteria<sup>16</sup> in order to join the EU. New criteria, known as Copenhagen Criteria<sup>17</sup> of 1993, were also used for the CEE

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<sup>14</sup> Despite what has been mentioned, some more recent treaties have been signed as for instance: the Treaty of Nice in 2001, which aimed at preparing the EU for further enlargement; the European Constitution in 2004, that established the Constitution of EU (rejected in 2005 by the negative referenda in France and the Netherlands); the Lisbon Treaty in 2007.

<sup>15</sup> This treaty had five main objectives: (1) promote further economic and social integration, (2) establish a European identity that could represent the EU in the world, (3) create a European citizenship, (4) promote cooperation in justice and home affair, (5) maintain the *acquis communautaire*

<sup>16</sup> The set of criteria focused on: geographical location, a democratic political system, a commitment to human rights, a functioning and competitive free market economy, an adequate legal and institutional framework, acceptance of the *acquis communautaire* and a willingness to participate in a common foreign and security policy, and possibly a common defence policy (Pusca, 2004).

<sup>17</sup> The Copenhagen European Council established that any country wishing to become a EU member state must conform with these criteria: 1. Stability of institutions guaranteeing democracy, the rule of law, human rights, and respect and protection of minorities, 2. A functioning market economy and the ability to cope with competitive pressure and market forces within the EU, 3. Ability to take

– Central Est Europe countries,. This process of enlargement continued from 1997 to 2004, when new countries joined the EU as member states<sup>18</sup>. The more recent enlargement windows date back in 2007, with the annexation of Romania and Bulgaria followed, in 2013, by Croatia. Meanwhile, the process of enlargement is still involving other countries of the WBr – Western Balkan region. Only recently, in February 2018, the strategy called “a credible enlargement perspective for and enhanced EU engagement with the Western Balkans” has been signed by the EU Commission, confirming the European perspective of the region based on six flagship initiatives<sup>19</sup>. What has emerged from this brief historical reconstruction is the fact that the EU has been, since the beginning, subjected to change adapting its institutional infrastructure to the emerging continental and global challenges. Since the beginning of the EU experience, indeed, the tension between the widening and the deepening of integration has been the core of the political and scientific debate. Before and after each process of enlargement (above all in respect to the Eastern countries), the questions concerning the opportunity and the modality to include other countries or enhance the level of integration of member states increased. As a transitional entity, between supranational and intergovernmental perspective, the EU has been subjected to an intensive process of transformation. As has been possible to note, the twofold European processes, integration with the implementation of the deepening process on the one hand, and the enlargement focusing on widening process on the other, had operated simultaneously (Figure 13). In order to mediate the apparent duality between widening and deepening, an interesting contribution is proposed by Börzel at al. (2017), with the introduction of the concept of integration capacity. According to the authors, within the context of the enlargement, the integration capacity refers to the ability of the EU to prepare non-members for membership (external integration capacity) and to preserve its functioning on cohesion once they join (internal integration capacity). Despite the apparent dichotomy, these two dimensions are closely interconnected and simultaneously influencing each other showing the EU attitude to be more inclusive.

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on the obligations of membership, including the capacity to implement the rules, standards and policies that make up the body of EU law (*the acquis*) and adherence to the aims of political, economic and monetary union (source, EU Commission)

<sup>18</sup> This Enlargement step focuses on annexation of CEE Countries like: Poland, The Czech Republic, Hungary, Estonia, Lithuania, Latvia, Slovenia, Slovakia, and two small Mediterranean countries: Malta and Cyprus. (source, EU Commission)

<sup>19</sup> These six flagship initiatives are: rule of law, security and migration, socio-economic development, transport and energy connectivity, digital agenda, reconciliation and good neighbourly relations.

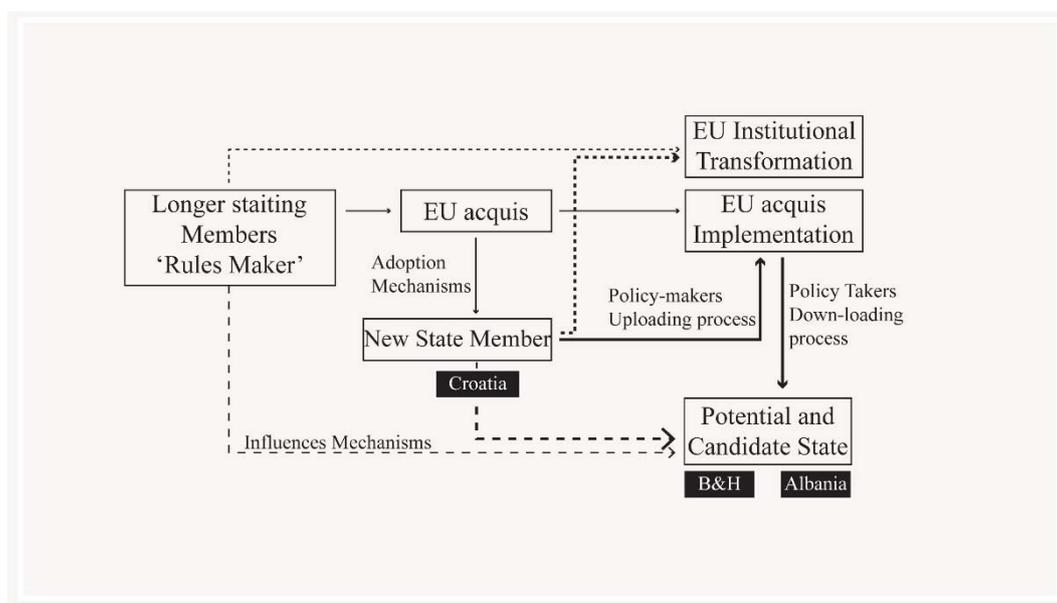


Figure 13: Adjustment pressure and adaptation process

Source: Cotella & Berisha (2016a)

## 6.2. Conceptualising Europeanisation

Several authors, experts and academics have been engaged in understanding the relation between European Integration and Europeanisation in the last twenty-five years (among others Börzel et al., 2017; Pallagst, 2006; Grabbe, 2006; Radaelli 2004; Howell, 2002; Hix and Goetz, 2000 etc.). In a work published by Hix and Goetz (2000) about the relation between EU Integration and Europeanisation, the authors argued that, in this reciprocal interaction, the European Integration can be considered as an independent variable, while the registered changes in domestic systems, interpreted under the umbrella of Europeanisation, as a dependent variable of the system. The relationship between European integration and Europeanisation is interactive and the distinction between the dependent variable and the independent variable remain obscured (Howell, 2002). The author specified that Europeanisation indicates a constant interaction or dialectic between the uniformity of the EU and the diversity of the individual member. In this view, European integration can be seen as the source of change, and Europeanisation as the outcome of the change of member states' governmental, legal and regulatory structures.

Focusing more on the notion of Europeanisation, the concept has had different connotations in the last few years. In the literature it was defined as a "fashionable phenomenon" (Featherstone, 2003) and a "multi-purpose or multivalent" concept (Gerring, 1999) which is able to describe a multitude of transformations involving different fields of study and, very important, Europeanisation has been intensified with the process of territorial extension to the East (Börzel, 2011), involving the Member States and the excluded countries from EU. The concept of Europeanisation is for Radaelli (2004) a sort of ' Encyclopedia ' because of the whole-embracing characters. This phenomenon, for many authors, is closely related

to the integration process but it is also more than this. According to Risse-Kappen et al. (2001) Europeanisation can be defined as [...] the emergence and development in a European level of distinct structures of governance, focusing its attention on the adaptability of the EU compared to the new requirements [...]. Radaelli (2004), refers to Europeanisation as the [...] Processes of (a) construction, (b) diffusion, and (c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things', and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated in the logic of domestic discourse, identities, political structures, and public policies. Coherently, Radaelli (2004) recognised different approaches to Europeanisation: (1) as a process of multi-level governance (Gualini, 2003), (2) as an institutionalisation (Börzel, 2004; Cowles et al. 2001; etc.) of formal and informal practices and, finally, (3) as a definition of language and subject (Hay & Rosamond 2002), with a rhetorical character (Schimmelfennig, 2001) and a political discourse (Radaelli 2004).

As emerged, if integration is a top-down process of policies promoted by the EU, hence starting actions of "downloading", the notion of Europeanisation contains several contamination processes. While the integration is generally dominated by an asymmetrical power (Reimer et al., 2014; Sedelmeier, 2011; Elbasani, 2004; Moravcsik and Vachudova, 2003) between the directions of the EU and the countries interested by this process, the Europeanisation mechanism responds to other logics. Indeed, the point of view which focuses exclusively on the power exercised by the EU, has been widely criticised by a numbers of studies that demonstrates the circular relationship between the actors involved and to think about the concepts that takes care (simultaneously) of the processes of "bottom up" and "top down" (Janin Rivolin 2012; Cotella & Janin Rivolin 2010; James, 2010; Featherstone & Papadimitriou, 2008; Bache & Jordan, 2006; Börzel, 2005; Bulmer & Lesquene, 2005; Radaelli, 2003, 2004; Börzel & Risse-Kappen, 2003, 2007, Dyson & Goetz, 2003; Risse-Kappen et al. 2001). For Radaelli (2004) the question of the balance of powers between the EU and the countries that are involved in the integration process is more important for the process of European integration than for the process of Europeanisation. Otherwise, the Europeanisation wants to understand the internal "dynamics" (Börzel, 2003) which takes part of European integration, as a kind of mutual adaptation of the institutional contexts involved. Near the process of "top down and bottom up", some authors said that there is a process of horizontal "influence" between the member states, where the European Union is a platform to exchange practices (Janin Rivolin and Cotella, 2014, Holzinger & Knill, 2005, Bulmer & Radaelli, 2004). In order to better understand how this influence reflected on each domestic context is necessary to give more attention on a wide literature that consider Europeanisation as concept of top down, bottom-up and horizontal influence. According to Schimmelfennig & Sedelmeier (2005) and Elbasani (2004), there are, at least, three explanatory models that underpin the mechanism of Europeanisation (Table 6).

Table 6: Alternative mechanism of Europeanisation

Principal actors in role adoption process	Logic of rule adoption	
	Logic of Consequences	Logic of Appropriateness
EU-driven	External Incentives model	Social Learning model
CEEC-driven	Lesson-drawing model	Lesson-drawing model

Source: Schimmelfennig & Sedelmeier (2005)

Based on this classification, the authors distinguish: (i) the external incentives model; (ii) the social learning model and (iii) the lesson drawing model. More in detail, the external incentives model underlines the EU conditionality following the logic of consequences (as reported even by Elbasani, 2004) motivated by external rewards and sanctions in order to reduce the cost of adaptation. The social learning model follows, instead, the logic of appropriateness, which emphasises the values driven by EU to non-member states. Finally, the lesson drawing model underlines the mechanism of non-member state adaptation following domestic needs rather than external incentives. These three models explore the nature of interaction mechanism that exists between EU and nonmembers states. In this respect, one can distinguish two different steps: (i) EU adaptational pressures and mechanisms of adaptation; (ii) mediating factors and domestic changes or domestication.

### 6.2.1. UE adaptational pressures and mechanisms of adaptation

As reported, when the relational mechanisms between internal and external forces have been introduced, even the EU has used some adaptation pressure. In this respect, speaking about integration capacity, hence the ability of the EU to integrate member and non-member states, Börzel et. al (2017) introduced at least four influential factors, namely enforcement, conditionality, assistance and dialogue. Briefly, the enforcement mods include legal obligation and coercion that each member state has to face, normally it does not apply to the non-member state excluding special agreements. Differently, conditionality mods are based on negotiation and bargaining power rather than legal binding obligation, which is the typical mode of integration between EU and non-member states. In doing so, non-member states are assisted by the EU providing expertise and technical and financial tools to comply the requirements. While the dialogue mode consists in convincing member states and non-member states to adopt specific rules or principles, it is rather persuasive. Certainly, one of the effectiveness of the process of the EU's rule adoption is the economical and institutional incentives (Schimmelfennig & Sedelmeier, 2005). In this case two different ways are distinguishable: (1) top-down intergovernmental agreements, focused on the national goals, adaptation costs or the opportunity to reject the agreements (2) bottom-up accountability of domestic actors, through indirect conditionality that helps to redefine the balance of power. Concerning the mechanism of adaptation several authors have been engaged in exploring the variety of Europeanisation processes (among others Whitehead 1996; Knill & Lehmkuhl, 1999; Elbasani, 2004; Schimmelfennig & Sedelmeier, 2005). Especially Whitehead (1996)

theorised at least two mechanisms for adaptation or, on the contrary, not adaptation of the various EU's influences as for instance:

- Coercion: (1) Control, promotion through specific policies supported by a positive and negative sanctions and (2) conditionality, deliberate use of coercion, by attaching specific conditions to distribution of benefits (Political and Economic Conditions) (Whitehead 1996).
- Mimetism: (1) contagions, dissemination of experience through neutral channels, (1) consent, interactions between international processes and domestic groups that create expectations from below (voluntary Mechanisms) (Whitehead 1996).

These mechanisms adaptation of EU's concepts have been largely influenced by the readiness of each domestic context to deal with the EU requirements. Indeed, in the majority of cases, a series of mediating factors have been activated between domestic and European interests.

### **6.2.2. Mediating factors and domestic change or domestication**

Some studies focus the attention on the domestic level and on the mediating factors of EU policies (Börzel & Risse-Kappen, 2000; Schimmelfennig and Sedelmeier 2005). According to Börzel & Risse-Kappen (2000), theoretically speaking there are, at least, four mediating factors deriving from two opposite institutionalism perspectives; the logic of consequences and appropriateness. On the one hand, following the logic of consequentialism, two mediating factors can be identified:

- Multiple veto points, in a country's institutional structure can effectively empower actors with diverse interests to avoid constraints leading to increased resistance to change. This point has been recognised even by Tsebelis (2002) when he introduced the question of veto players. Indeed, according to the author, the presence of the veto players, depending on the Europeanisation areas examined, influences the ability of the domestic context to change their status quo.
- Formal institutions, that works providing actors with material and ideational resources to exploit new opportunities. In this respect, existing institutions, may offer, resist or facilitate transformational processes.

On the other hand, according to the logic appropriateness, the mediating factors are:

- Norm entrepreneurs, which mobilise in the domestic context and persuade others to redefine their interests and identities.
- Political culture, other informal institutions exist which are conducive to consensus-building and cost-sharing.

By observing the abovementioned mediating factors, within the dimension of multiple veto points, which concerns the political affairs, very important is the notion of "density of the actors " (Jakoby, 2004) and the number of veto players (Sedelmeier 2006; Schimmelfennig and Sedelmeier 2005) finding in their

composition and in their ability to influence the domestic environment the key factors of the process of adoption and adaptation. The presence of the veto players, depending on the Europeanisation areas examined, influences the ability of the domestic context to change their status quo (Tsebelis 2002). For this reason, Tseblis argues that a larger number of veto players and a big distance between them reduces the possibilities of change. For a greater accuracy, a low or high number of veto players, should be evaluated on the direction of change not only in order to change the status quo. Although, the lack of veto players increases the ability to influence the state, this does not mean that policies are more or less suitable for the domestic environment. For this reason, Tseblis (2002) recognises that the indicator of veto players is not able to qualify the heterogeneity of a political representation. In addition to this, (Börzel and Risse-Kappen, 2000) added the notion of norm entrepreneurs, meaning formal and informal institutions which are able to influence the likelihood of rules adoption and laws of the EU. For this reason, the ability to adopt such kind of norms and, consequently, the impact that the EU has on each individual state, is related to the efficiency of their own policy. The effect of sovereignty, like the mediating factors, can influence the ability and willingness to respond to the pressures of adaptation. Although, there are a lot of dependent variables compatible with the process of Europeanisation, the transformation of the domestic level is one of the most variable themes taken into consideration (Radaelli, 2004; Heritier et al.2001). It can be understood as a place of transposition of the European laws in the domestic legal system, as a restructuring of the domestic institutions in line with the recommendations of the EU rules etc. (Schimmelfennig and Sedelmeier 2005).

### **6.2.3. Main dimensions of change**

Once having presented the EU's adaptational pressures and the domestic mediating factors, this subsection explores the main dimensions of change of domestic contexts. In this respect, the main interested spheres have been listed:

- Institutional or polity changes as the outcome of voluntary agreements among the relevant actors (Olsen, 2002). As reported in Cotella & Berisha (2016a), Vachudova (2005) states that this type of influence may be considered as 'passive', because it depends on each nation's predisposition to adapt its institutions according to the international requirements and pressures.
- Policies, meaning the transplantation of the enormous amount of EU legislation into domestic context. The level of change may interest, among others, the style, the content and the policy instruments used (Börzel & Risse-Kappen, 2000). Changes in policies can produce effects in setting the legal and administrative structures, policy narratives and discourses.
- Politics, denoting changes within the political arena and discourse. This is likely to have consequences for domestic processes of societal interest formation, aggregation, and representation (Börzel & Risse-Kappen, 2000).

As emerged, the capacity of the EU to influence the domestic context is widely explored. The process of Europeanisation shows which kind of adaptational pressure the EU exerts and how each domestic context develop specific mechanisms of adaptation in order to be aligned to the EU requirements. In this process, particular attention has been paid to the main mediating factors and process of domestication by looking at the main dimensions of change. Since the interests of this research concerns the sphere of spatial planning systems, the emerged logics have been used to understand how the process of Europeanisation has been settled within spatial planning systems. The intention, indeed, is to develop an interpretative and analytical framework in order to understand the impact of the EU in shaping each of the domestic planning systems under examination.

### **6.3. The Europeanisation and spatial planning systems**

It is now clear that Europeanisation has involved, through direct and indirect influences, a number of society's dimensions, including spatial planning. The debate on spatial planning in Europe has generated a substantial transformation of the domestic institutions and policies through the introduction and dissemination of tools and procedures in the various levels of government (Giannakourou, 2012). Many authors state that the European Union does not have the power to influence directly local planning (Janin Rivolin, 2008, 2010; Kranjcevic et. al. 2005) because it is not included in any treaty (Waterhout, 2008). This fact implies the attribution of further sovereignty to the EU, which is currently not covered (Waterhout, 2008). Giannakourou (1998) argues that although there are no regulatory restrictions and legal requirements, the experiences of cooperation (cross-border, transnational and interregional) and the urban policies are able to influence the practices of planning in the member states, and not only. As affirmed before, the Europeanisation of the spatial planning processes may be categorised by diverse types of influences, namely top-down, bottom-up and horizontal (Janin Rivolin and Cotella 2014, 2012, 2010; Böhme & Waterhout, 2008). More in detail, the top-down influence (or downloading, as reported by Radaelli, 2004) refers to the impact of the EU on each domestic context (both member and non-member state). The bottom-up (or uploading), instead, illustrates the impact of the domestic context (potentially of all countries but in practice mainly of member states) on the EU's decision- making process. Last but not least, horizontal influence shows how diverse spatial planning systems may influence each other (in this case the EU is intended as a platform). Despite some common aspects, there are different schools of thought about the Europeanisation of the spatial planning system. Indeed, for some authors, the Europeanisation of planning should be understood as a process of governance (Rivolin & Faludi, 2005; Rivolin 2010), while some emphasis the process of institutional transformation (Giannakourou 2005), and others recognise the process of policy transfer and lesson drawing (Dühr & Nadin & 2007). The latter is the process of transfer determined by the political will to change the status quo, considered unsatisfactory for the context in which they operate, a kind of state of

dissatisfactions and expectations (Schimmelfennig F. Sedelmeier U. 2005). Moreover, several authors agreed on the fact that the discursive influence process driven by the processes of Europeanisation, are able to generate new knowledge, practices and relationships of legitimacy of political decisions. Although there are several explorative approaches that allow to understand the evolution of spatial planning systems using the lens of Europeanisation.

### 6.3.1. Europeanisation: different analytical approaches

In the late Nineties emerged the necessity to explore the impact of the EU in the evolution of the spatial planning tradition. Since the beginning, the objective of the scholars was to show the spatial implication (or not) of the EU policies, EU legislation and hegemonic discourse. One of the first attempt to understand the potential impacts of the EU was made by Böhme & Waterhout (2008) (Figure 14).

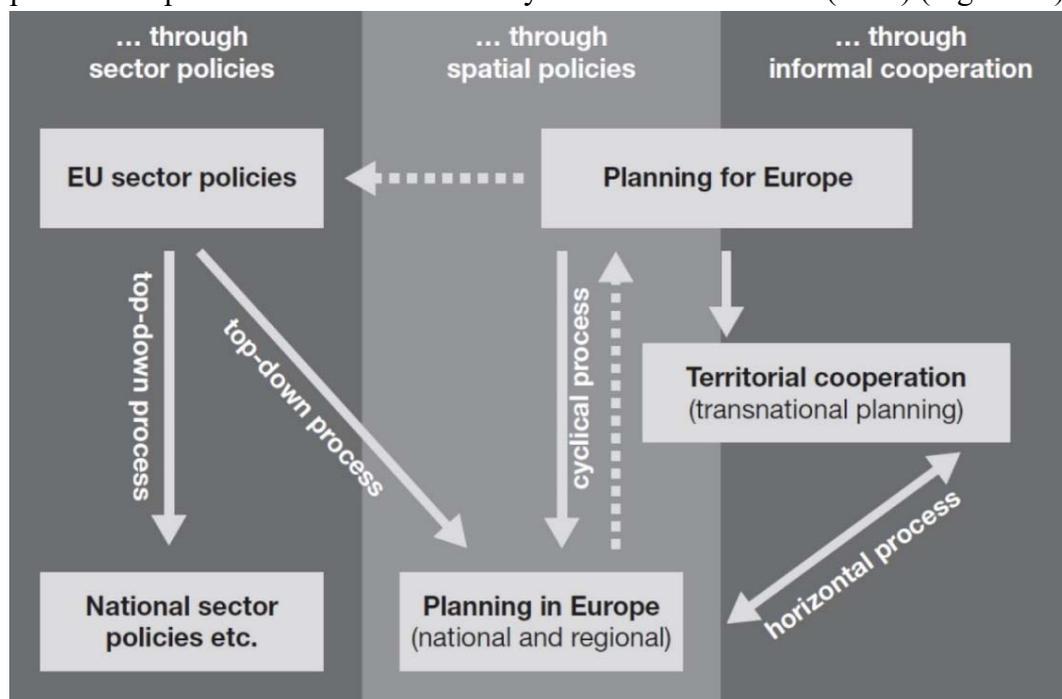


Figure 14: Conceptualisation of Europeanisation of planning

Source: Böhme & Waterhout, 2008

In their contribution, the authors introduced the duality of planning in Europe, to indicate the variety of planning traditions in the continent, and planning for Europe, i.e. the strategies and policies for the development of the European territory (Böhme, 2002). In that discourse, the authors stressed the fact that the process of Europeanisation is influencing both the variety of spatial planning systems and the national sectors policies. In this respect, the authors identified three main channels of influence, for instance: (i) EU sector policies; (ii) spatial policies and (iii) informal cooperation. As has been showed, Böhme & Waterhout (2008) recognised the importance of Europeanisation as a cyclical (top-down, bottom-up) and horizontal process through which underline the mutual impacts of the EU. Other interesting contributions for understanding the process of Europeanisation have

been developed by Evers & Tennekes (2016). In their contribution, the authors conceived the impact of EU Policy in addressing the evolution of spatial planning in the Netherlands (Figure 15). The study identifies three main aspects as part of the process of Europeanisation: (i) EU Policy; (ii) intermediary factors and (iii) spatial planning.

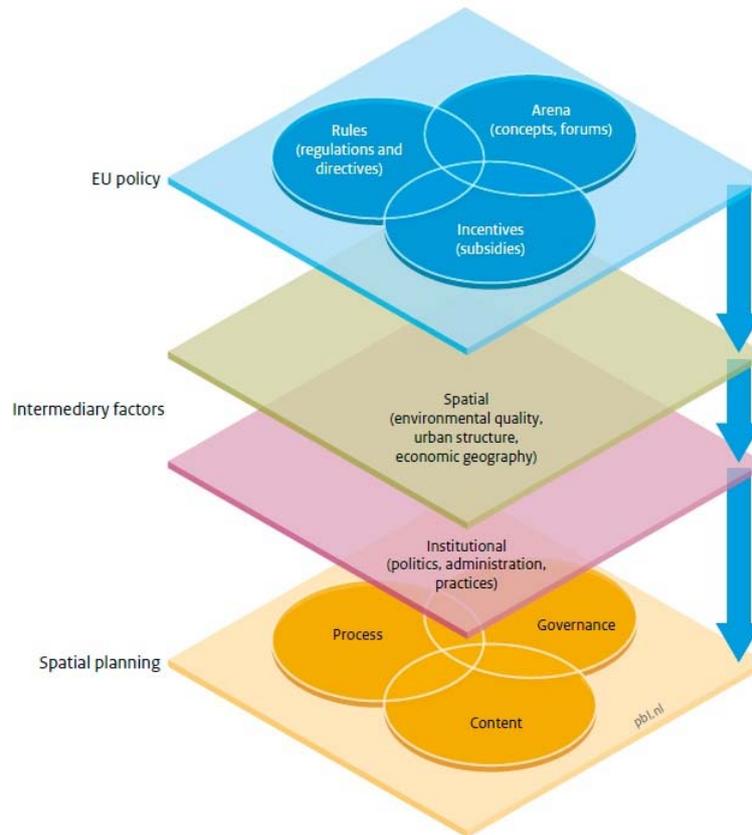


Figure 15: Influence of EU Policy on spatial planning

Source: PBL - Netherlands Environmental Assessment Agency

In developing the analytical model, the EU Policy has been analysed through three types of influence (rules, incentives and arena), partially borrowed by the four analytical categories conceptualised by Janssen-Jansen and Waterhout (2006). In this discourse, the intermediary factors encompass spatial and institutional organisation, while spatial planning includes process, governance and content. By exploring the impact of the EU in the development of the Netherlands' planning system, the study stresses the importance of EU Policy in addressing the development of each domestic context.

In the same theoretical context, Cotella and Janin Rivolin (2015) suggest to understand the impact of the EU by developing a conceptual model in which have been showed, simultaneously, the impact of EU and the evolution of spatial planning system (Figure 16).

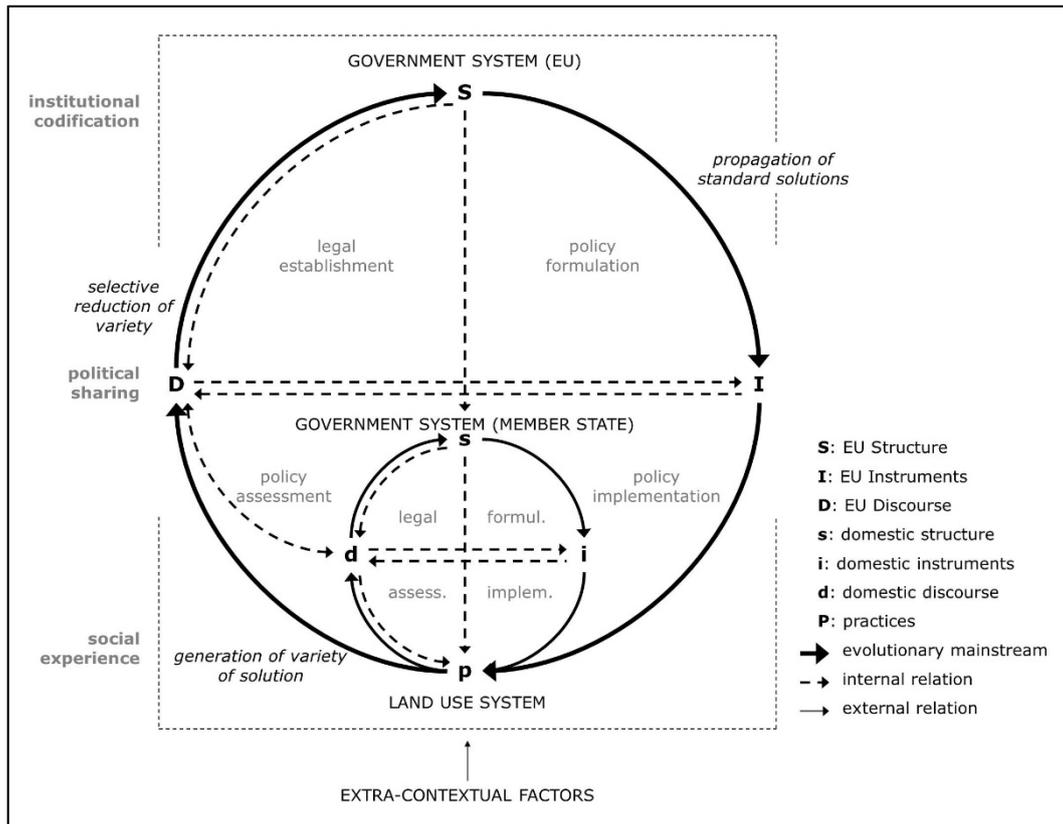


Figure 16: Simplified evolutionary pattern of EU territorial governance

Source: Cotella and Janin Rivolin (2015)

The conceptual model is based on four analytical categories: (i) EU Structure that includes norms and legislation; (ii) Instruments that encompass a series of EU initiatives (above all economic); (iii) Discourse that implies the whole EU discourse developed within the European spatial planning debate driven by documents and policy papers and, finally, (iv) Practice. This conceptual model systematically illustrates the potential channel of influence, taking into account the multidirectional process of Europeanisation (top-down, bottom-up and horizontal). However, it is clear that this kind of approaches are complementary, they focus on the multi-directional nature of the processes of Europeanisation and the possible channels of influence on the domestic system (Dühr et al. 2010).

### 6.3.2. Types of influences

By exploring the literature (among others, Evers & Tennekes, 2016; Cotella & Janin Rivolin, 2015; Reimer et al. 2014; Knill & Lehmkuhl, 1999) there are at least three types of influence, even if differently labelled. For this reason, Reimer et al. (2014), recognised, between different kinds of influence that the EU practices on member and non-member countries, three types of approach in the adoption of policies of the European spatial development: strategic orientations (approach informal), formal acts, economic incentives. The first, often called formal acts (Knill & Lehmkuhl 1999) or structural influence (Cotella & Janin Rivolin, 2015),

includes the influence of rules (regulation and directives (Evers & Tennekes, 2016). Through binding instruments, such as directives and regulations, the European Union imposes a hierarchical control. In this respect, there are several EU sectoral legislations<sup>20</sup> capable to be very influential in shaping the sectorial and spatial planning legislation. This kind of influence has been driven by legal mechanisms of change. In this case, the EU exercised a "legislative conditionality", meaning that the member states are obliged to adapt their legal system in accordance with the EU, which imposes binding regulatory models (Dühr et al. 2010, Knill & Lehmkuhl, 1999). The second, the so-called monetary incentive systems, or differently named as instrumental influence (Cotella & Janin Rivolin, 2015), increases the effectiveness of the European meta-narrative (ESDP, TAEU) thanks to the implementation of some economic development programs (INTERREG I, II, III, URBAN I and II, LEADER) and structural resources for the achievement of territorial cohesion<sup>21</sup>. This program increases the level of acceptability of certain strategies of spatial development by national states, in particular for some Eastern European States. The influence of the European Union can be assessed only when we take in consideration a complex system of incentives and tools implemented (Faludi 2003). In this respect, the mechanism of change exercised by the EU is a sort of 'economic conditionality' altering the possibility of a state, and helping to redistribute resources and powers (Knill e Lehmkuhl, 1999). The last approach, strategical orientations or dialogical influence, shows the impact of the EU strategic documents. For this reason, the documentation can be considered of a strategic nature and is present in the sphere of the European discourse<sup>22</sup>. All these documents, with strong strategical characters, help to define the 'dialogic influence from above' (top-down). However, there is often a process of 'dialogic influence from below' when we take into consideration a bottom-up influence where. In other words, dialogic bottom-up refers to the possibility given to discursive sphere of the individual states to influence the European Union (Janin Rivolin 2012; Cotella & Janin Rivolin 2010). In the first case, one can have an indirect influence which modifies and changes the beliefs and expectations of local actors (Knill & Lehmkuhl, 1999). The second process of dialogical influence "from below" comes from an incremental process of knowledge, since the planning systems is considered as a 'competitive field', countries with a strong tradition are better structured to influence more the discursive sphere of the European Union (Faludi 2001).

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<sup>20</sup> Among others, particular attention should be paid to: the EU competition legislation, EU energy legislation, EU environmental legislation, EU transport legislation, Pre-accession negotiation

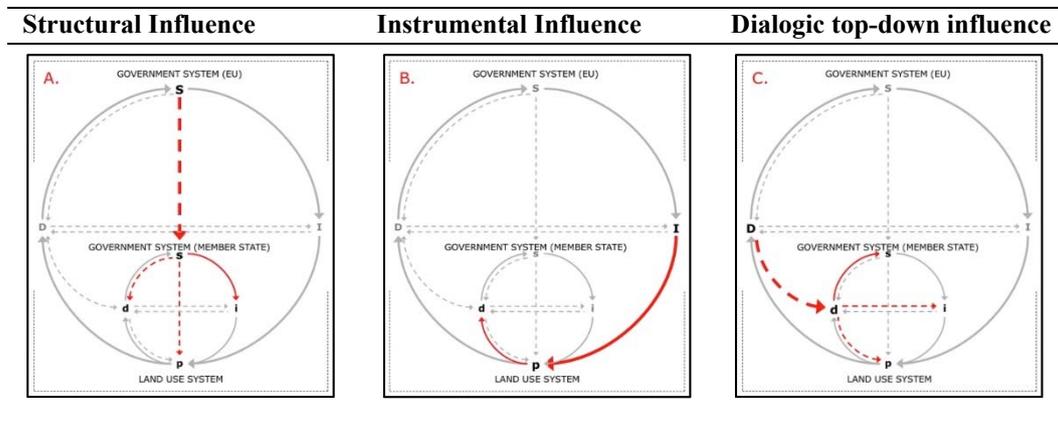
<sup>21</sup> Among others: EU cohesion policy, European territorial cooperation, EU urban policy, EU rural development policy, Pre-accession and neighbourhood policy

<sup>22</sup> Among others: EU mainstream development strategies, EU spatial policy documents, EU urban agenda, ESPON Programme.

### 6.3.3. Adopted analytical approach

Once having presented how the Europeanisation of spatial planning has been understood, this section seeks to illustrate in which way the impact of the EU has been explored in the thesis. The process of Europeanisation should be understood as a top-down, bottom-up and horizontal influence. Potentially each country solo each country can influence of be influenced, in practice, instead, the majority of countries are subjected to the top-down influence. This is particularly true for those countries, already members of the EU, that are perceived as less powerful (as for example Croatia) and those that are dealing with the process of integration (Albania and Bosnia & Herzegovina). Accordingly, the analytical framework seeks to understand the process of Europeanisation that has been developed according to the top-down logic (Table 7).

**Table 7:** Influences in EU territorial governance



Source: Cotella & Janin Rivolin (2015)

In this respect, particular attention has been paid to the impact of the aforementioned three types of influence (structural, instrumental, dialogic top-down). Each of them has its own drivers and mechanism of change that should be considered (Table 8).

**Table 8:** Type, drivers and mechanism of change

Type of influence	Direction	Drivers of change	Mechanisms of change
Structural	Top-down	Rules	Legal conditionality
Instrumental		Resources	Economic conditionality
Dialogic top-down		Expert knowledge	Cognitive conditionality
Dialogic bottom-up	Bottom up	Expert knowledge	Cognitive conditionality
Practical		Interactive knowledge	Social learning

Source: adapted from Cotella & Janin Rivolin (2015)

For each of those types of influence, a matrix has been developed in order to illustrate their impact on the constitutive components of spatial planning (structure, technique, practice and discourse).

Below, Table 9 reports how the impacts of the aforementioned EU legislation, policy and discourse have been considered. It takes into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant.

**Table 9:** Evaluation of impacts derives by (A) EU Legislation, (B) Policy and (C) Discourse

Type	Level	Structure		Technique		Practice		Discourse	
		Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
A	C-S-L								
B	C-S-L								
C	C-S-L								

Source: Author's own elaboration

## 6.4. Summary and conclusion

This chapter pointed out the complexity of the EU between integration and Europeanisation. As a unique example in the international panorama, the EU is constantly under a process of transition (or institutionalisation). In this respect, its process of enlargement (widening) and integration (deepening) has been at the centre of the European political agenda. Since the first treaty, Paris 1951, when only six countries were involved, the enlargement mechanism has involved not less than twenty-eight countries. Simultaneously to the process of enlargement, the EU integration mechanism has contributed to enlarge the sectors upon which the EU is responsible. Numerous treaties have been subscribed and implemented contributing to change the European governance in a situation of constant tension between supranational and intergovernmental pressures. Undoubtable, the presence of the EU produced through time a series of mutual and horizontal influences between the EU and (non)member states or among them. This process of influence has been generally understood under the label of Europeanisation. As a general concept, Europeanisation has been used by political scientists for explaining the complexity of interplay between the EU and the (non)member states. Within the community of planners, instead, the Europeanisation of spatial planning systems restrict its meaning to the mutual impact of EU (top-down) and member states (bottom-up) or among them (horizontal) in the field of spatial planning. Indeed, different type of influence has been conceptualised. The first type is formal acts (Knill & Lehmkuhl 1999) or structural influence (Cotella & Janin Rivolin, 2015) that explores the

impact of EU sectoral legislation on each domestic context. The second type of influence regards the monetary incentive systems or instrumental influence (Cotella & Janin Rivolin, 2015). While the third type of influence understands the role of strategic orientations or dialogical influence (top-down and bottom-up), showing how hegemonic concepts travel and how they have been interpreted. Based on these three types of influence the analytical approach of the research has been developed, which will be used to understand the impact of the EU in each domestic context.

# 7. Role of domestic context and path-dependence

Chapter 7 sheds light on the importance of the domestic context within the field of comparative spatial planning studies. Once completed the whole picture on how spatial planning has been investigated in recent studies, recognizing its institutional aspects, this chapter will focus on the question of how institutionalism has been recently understood under the label of New Institutionalism. After a brief introduction on the main approaches about institutionalism that have emerged in the last decades, the chapter concentrates on the theoretical aspects of Historical Institutionalism and on the Actor-Centered Institutionalism. The objective is to have a complete overview of their main features and to combine them in order to develop an interpretive model capable to recognize the main characteristic of the institutional evolution mechanism. In this respect the chapter is divided in four sections: section one (7.1) briefly highlights the characteristics of new institutionalism approach; section two (7.2) concentrates on shedding more light on the Historical Institutionalism; section three (7.3) explores the notion of Actor-Centered Institutionalism; while section fourth (7.4) sums up the main chapter's messages.

## 7.1. New Institutionalisms

The New Institutionalisms are often incorrectly considered as a theory and/or a method in the field of social science, neglecting the fact that are approaches aiming to better understand politics and social change (Steinmo, 2008). Despite the fact that studies in new institutionalisms are rather recent, the term is coined during the 1990s. The label of New Institutionalism covers different institutional perspectives. As numerous authors already accepted (Steinmo 2008, 2001; Hall and Taylor 1996) there are three types of institutionalism: (i) RCI - Rational Choice Institutionalism; (ii) SI - Sociological Institutionalism and (iii) HI - Historical Institutionalism. In addition to the mentioned institutionalisms, the ACI - Actor-Centered Institutionalism approach is achieving more and more importance. While the aforementioned types consider similarly the role of institutions in structuring the actors' behaviour, they differ regarding the behaviour's nature and structure. However, before facing the different institutionalism's approaches the notion of institution should be cleared. In this regard, it is important to understand how the meaning of institution has been treated in different fields. Starting with Berger and Luckmann (1979), all human activities are subject to habituation, or

routinisation in Giddens' (1984) words, meaning whatever is done day by day. Indeed, any action that gets frequently repeated becomes a pattern, which can be later reproduced with an economy of effort and which is apprehended by its performer in that pattern. The process of habituation precedes any institutionalisation. In coherence with Berger and Luckmann (1979), each institution is an outcome of a previous institutionalization process. Consequently, habituation, institutionalizations and established institutions are strongly related with the human activity. In this point of view, in order to better understand the meaning of institutionalisms, it's necessary to give an accurate definition of what "institution" means, with the consciousness that the meaning depends on the research field. In this perspective, Hall and Taylor (1996) define institutions as the formal rules, compliance procedures and standards operating practices that structure the relationship between individuals in various units of the polity and economy. North (1990), in the economics context uses the notion of an institution as the ruler of game, and at the same time, differentiates it from individuals or organisations who are the players of game. Other scholars as Streeck and Thelen (2005) suggest to consider institutions as collectively enforced expectations with respect to the behaviour of specific categories of actors or to the performance of certain activities (cited in Sorensen, 2015). In this definition is important to underline the relevance of some concepts: first, with the term "collectively enforced expectation" the authors are stressing the importance of rule and law or normative and legislative expectations. Second, with the words "behaviour of specific categories of actors" the authors identify the main responsible of specific situations (public or private actors). Third, they underline where actors and rules are involved in order to reach certain performance in some specific activities, in other words, they try to define the ambitus of action. Regarding the planning field, for Sorensen (2015) the planning institutions need to be considered as collectively enforced expectations with respect of the creation, management, and use of urban space. It is obvious that this approach tries to imagine the inside of the legal and normative framework where formal institutions define and structure the space through legal tools.

Coming back to the aforementioned sub-types of institutionalism, HI approach stresses the way actors adapt to institutions and invest in the ability to work within the rules and procedures of given structures. Similarly to SI scholars, the promoters of HI affirm that actors' behaviour is structured and/or shaped by the peculiarities of a given institutional setting (path dependency) rather than universally defined as by RCI scholars (Thelen, 1999). HI approach is different from other approaches inasmuch it focuses on: (i) attention of real world's empirical questions, (ii) historical orientation principles and (iii) in which way institutions structure behaviour and outcomes (Steinmo 2008). Within the HI approach, spatial contingency and the fact that history matters are two aspects that influence the action of actors. Substantially, HI states that time and space are two endemic factors that determine the outcome of operative forces. In this perspective, HI accepts the idea, shared also by the SI scholars, that cultural aspects (endogenous/exogenous

production) may be an influential factor within the mechanism of institutional changes. In this regard, in fact, scholars of SI affirm that human reason is not affected by institutions only. Actually, they support the theory that considers human reasons as “socially constructed” and as “contingent on existing environmental, cultural and historical legacy”. In this perspective, numerous institutionalists argued that many institutional forms and procedures used by modern organisations were not adopted simply because of their efficacy and rationality but instead they suggested to introduce the concept of association with the cultural tradition. Hall and Taylor (1996), identified three different features of sociological institutions that distinguish this approach in the context of new institutionalisms. Firstly, the sociological institutionalism considers institution much more widely than political scientists, including not only formal rules, procedures or norms, but the symbol’s system, the cognitive scripts and the moral templates that provide the frame of meaning, guiding human action. Secondly, SI has a distinctive understanding on the relation between institution and individual action (Hall and Taylor, 1996). In this view, it is possible to classify different type of interaction and relationship: (i) normative dimension as an institutional impact on individual behaviour, (ii) cognitive dimension of institutional impact as the way in which institutions influence individual behaviour by providing cognitive scripts, categories and models that are indispensable for action (what is possible to do and to imagine). Thirdly, in order to give an interpretation on how institutions develop and change in the SI perspective, it has been pointed out that organisations often adopt a new institutional practice because it enhances the social legitimacy on the organisation, which is contrary to RCI’s point of view that focuses on the institutional performance and efficiency. On the other side, RCI considers the importance of institutions as capable to partially shape, structure and frame the individuals’ strategic behaviour. The scholars of institutionalisms believe that people follow rules because humans are strategic actors who want to maximize their personal or individual gain (Steinmo, 2008). Thus, for RCI scholars, institutions are seen as opportunity structures which can constrain or enable the actors’ strategic orientation, but cannot shape or define their pre-existing and utilitarian calculus (i.e., behaviour) (Chatzigiagkou, 2010). Accordingly, the impossibility to fully define the actor’s behaviour has been internalized also by the actor-centered institutional approach while analysing the interplay between agents and structure. In this perspective, which is more an analytical framework than a proper institutional theory, actor-centered Institutionalism combines insights from the main institutionalist schools and brings the actor to the centre of the institutional analysis (Maggi, 2015). Indeed, instead of providing a new institutional school of thought, it combines the three new institutionalisms into an analytical framework that explains the past and future of the policy choices (Scharpf, 1997, 1995; Mayntz, Scharpf, 1995). The Actor-Centered analytical framework implies that within the interaction between actors and a given institution, the institutional setting is responsible for partially shaping the nature of actors, their orientations and capabilities.

After a brief introduction about the main institutional approaches it emerges the need to combine some aspects of HI to what concerns the importance of space, time and culture in understanding the relation between actors and a defined institution to some aspects of ACI. In this respect, section 7.2 gives an additional interpretation of historical institutionalism and section 7.3 widely explores the features of the actor-centered institutionalism approach.

## **7.2. Historical Institutionalism**

Historical Institutionalism is a social science research approach that focuses on the creation, persistence and change of institutions over time (Sorensen 2015). As Hall and Taylor's affirmed (1996), historical institutionalism developed in response to the theories politics and structural-functionalism that were prominent in political science during the 1960s and 1970s, but it goes beyond them. In coherence with the group's theories on politics, the historical institutionalists accepted the conflictual concept that connects rival group of actors and the resources within the political discourse and practice. At the same time, they consider, according to structural-functionalism, polity as an overall system of interacting parts. Historical institutionalism saw institutional organisation or political economy as the principal factor for the structuring of the collective behaviour and the generation of distinctive outcomes (Hall and Taylor, 1996). In a broader sense, scholars of historical institutionalisms associated institutions with organisations and the rules or conventions promulgated by formal institutions. Thinking about the feature of the HI, it tends to (i) conceptualize the relation between institution and individual behaviour in a broad sense; (ii) emphasize the asymmetries of power's association with operation and development of institutions; (iii) have a view on institutional development that considers path dependence and event's unintended consequence; (iv) integrate institutional analysis with the contribution of other kind on concepts useful to understand the political outcomes (such as ideas, value etc.). Analysing those concepts further, has emerged that the relation between institutions and individuals, defines individual behaviour by adopting a calculus approach or a cultural approach (Hall and Taylor 1996). In this view, the calculus approach suggests that institution persists because they had a sort of Nash equilibrium<sup>23</sup>. On the other hand, the cultural approach considers the persistence of institutions as a "convention" or something taken for granted. Going ahead, the second characteristic of HI is the concept of power: institutions are able to (re)define and redistribute powers. In this view, the decision-making process is an important factor in order to take into account what is needed to evaluate the relation between power and a given group of actors. Moreover, the concept of path dependence suggests that history matters within the institutional development perspective. In this way,

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<sup>23</sup> Nash equilibrium has been theorized by John Forbs Nash Jr. as a theory that explain of a non-cooperative game involving two or more players.

HI rejects the idea that the same operative forces generate the same outcome, indifferently across space and time. In contrast to this postulate, HI introduced the concept of contextual situation (domestic context) as the outcome of previous behaviour. For these reasons, the past influences the future in each domestic context. Coherently, each state's structure responds considering the existing state capacities, the policy legacy and assumes an appropriate state decision accordingly. In this context it is interesting to evaluate how, when (critical juncture or period of continuity) and with which consequences (unintended or intended consequences) each state's structure transform itself. These concepts will be further developed in order to conceptualize and to investigate the domestic context's transformation and the effect on each spatial planning system. Indeed, path dependence will be explored as an inertia mechanism and critical juncture as a principle of institutional change.

### **7.2.1. Path dependence**

The downfall of the communist regime has given the opportunity to discuss the path dependence issues in terms of institutional change. Regarding this approach, the starting conditions have been crucial for the implementation of the economy's performance and the socio-political transformation (Magnin, 2002). In the literature, it is possible to distinguish path-dependency in terms of institutional transformation and economic performance (North, 1994) and technological change (Arthur, 1989). However, the core idea of path dependence is that, once established, some institutions tend to become increasingly difficult to change over time, and therefore the early small choices can have significant long-term impacts (Sorensen (2015). In a conservative way, Alexander (2001) uses the notation of path dependency for defining "patterns of cost and benefits such that rational actors prefer to maintain the status quo even if an alternative might provide higher aggregate returns in the long run". Many authors agree on the fact that path-dependency is an evident primary form of the nature of the previous political regimes and the continuity of social relations, cultural practices and the built environment (Beauregard and Haila 1997, Wu 2003). Even if several definitions exist, Mahoney (2000) suggests to focus on the fact that path dependence can be essentially understood following two different sequences. Firstly, path dependence should be interpreted by looking at the self-reinforcing sequence, which is characterized by the formation of long-term reproduction of a given institutional pattern. Secondly, path-dependence should consider the reactive sequence, in which the starting point is once again the contingent event, but where successive events within a sequence react to those that preceded them. Theoretically speaking, both sequences of path-dependence show inertial behavioural mechanisms. In this regard, it is interesting to note that the path dependency approach is not exclusively focused on the historical legacy but it is useful to understand the expectation's dimension (Magnin, 2002). On the other side, North (1990) argued that path-dependence is a way to narrow the choice because at every step along the way there

are choices –political and economic – that provide real alternatives. In the research perspective, path dependency helps to understand how everyday events may shape spatial planning in a given context underlining the importance of history, culture and tradition.

### **7.2.2. Critical junctures**

In literature, critical junctures are considered those moments of major change when new institutions are established, which typically occurs in distinct ways in different countries (Collier & Collier, 1999). In its works, Capoccia (2015) defines critical junctures as relatively short periods of time during which there is a substantially heightened probability that agents' choices will affect the outcome of interest. More in detail, Capoccia and Kelemen (2007) argue that during critical junctures change is substantially less constrained than it is during the phases of path dependence that precede and follow them. As Sorensen (2015) pointed out, critical juncture is the equilibrium point (in a given context) in which major change are triggered primarily by exogenous factors. The nature of exogenous factors is variable and depend on institutions and contexts. These forces might be: (i) new technology, (ii) economic crises, (iii) military conflict, (iv) regime collapse (v) change of the economy's environment (new-liberal perspective and free market) or other kinds of shock. In all cases, the point is that, existing institutions lose legitimacy (politic or economic) and, at the same time, new actors have the opportunity to establish and shape new institutions in order to give a better solution to new exogenous and endogenous needs. In other words, critical junctures are the moments of contingency when old policies and understanding do not adapt and therefore no longer work (failure of systems), making space for new paradigms. Contingency is, in this view, the opening of multiple possible future (Sorensen, 2015). In those moments, rules of game are changed; new actors manifest their interests; new tools are established (institutional arrangement); new equilibria and balance of power need to be set up etc. In coherence with the notion of critical juncture, each country has, in his history, particular disruptive events that can be interpreted as momentum of contingency when specific, political, economic and social choices have been taken. According to the research perspective, have been identified two different levels of critical junctures have been identified. The first level takes into consideration the transformation path that each country faced, i.e. the passage from the communist regimes and the beginning of the transition period, followed by the opening of the EU integration process. The second level of critical juncture refers to the historical momentums that contributed to change the spatial planning environment, observed under the lens of formal (reforms introduction) and informal events.

### 7.3. Actor-centered institutionalism (ACI)

The Actor-centered institutionalism theory proposes a tailor-made approach for research on the problem of governance and self-organisation at the level of the entire social fields (Mayntz & Scharpf, 1995: 39) and, in particular, in fields related to state intervention. Citing Scharpf (1997), the actor centered-institutionalism is one way to describe the social phenomena as the outcome of interactions among intentional actors – individuals, collective or corporate actors. In Scharpf’s view, these interactions are structured, and their outcome is shaped by the characteristics of the institutional settings within which they occur.

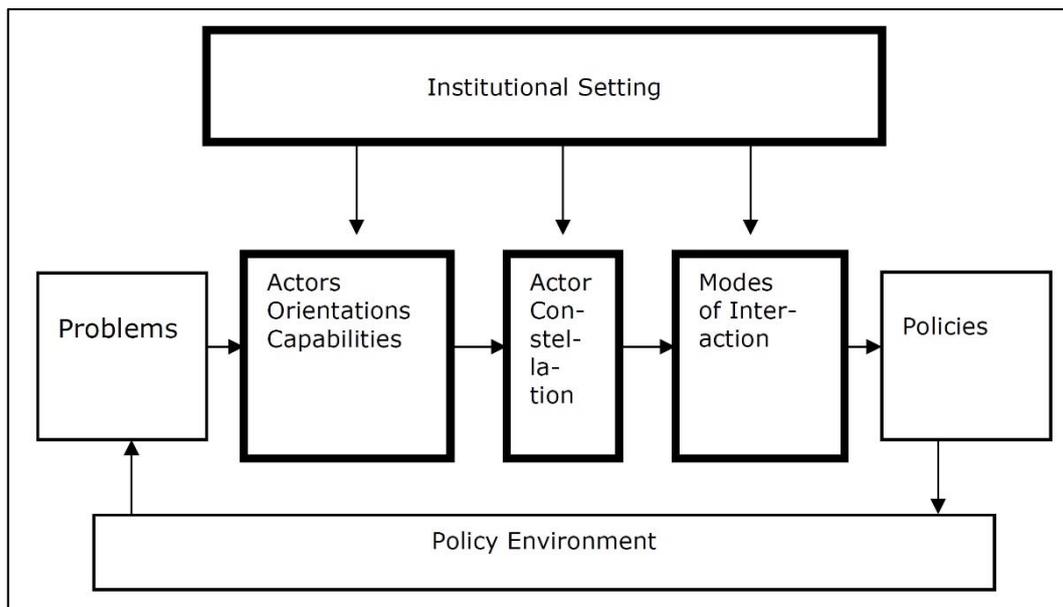


Figure 17: The domain of interaction-oriented policy research

Source: Scharpf, 1997

As illustrated in Figure 17, the institutional setting is responsible for shaping the nature of actors (composite of singular), their orientations (influencing their behaviour) and capabilities (among other disposal of resources). Furthermore, on the one hand, the institutional setting influences the actor’s constellation geography, on the other hand, it defines their modes of interaction. However, according to Scharpf (1997), it does not constitute all type of actions possible.

Moving towards the perspective of actors and institution coexistence in different institutional theories Scharpf, in framing the Actor-Centered approach, followed the Giddens’ (1984) duality approach between ‘agency’ and ‘structure’. In this regard, Ostrom et al. (1994) used “institutional analysis and development” (AID) to describe the same phenomena, while Tom Burns (Burns et al. 1985) speaks about “ASD - Actor-System Dynamics”. All these theoretical, methodological and analytical approaches have some elements in common. Among all of them, there is a common attempt to integrate action-theoretic or rational-choice models and institutionalist or structuralism paradigms. In this perspective, Scharpf (1997) suggests to think about this fusion of paradigms, that usually are considered as

mutually exclusive, as a way to better understand the relation between theoretical perspective and observed reality of political interaction. In this way, policy, by definition, is an intentional action by actors who are most interested in achieving specific outcomes, thus, we cannot assume that their operations follow just cultural norms and institutional rules (as suggested by some sociological theory). At the same time, we cannot affirm (as in neoclassical economic and neorealist theory of international relations) that the goals pursued and the interests defended are invariant across actors and across time and space according to historical institutionalism.

Looking at the actors' attitude, they respond in different manner to external inputs (threats, constraints and opportunities) because they may differ in their intrinsic perception and preferences that are shaped by the institutional setting within which they interact (Scharpf, 1997). Therefore, following the actor-centered institutionalism theory, institutions can affect (but not fully determine) perceptions, preferences and capabilities of individual and corporate actors and the modes of their interaction. At the same time, as suggested by institutional analysis and development theory (see Ostrom et. al., 1994), in order to analyse a given institutional framework, it is necessary to identify conceptual units as: (i) action arena within which to explore the actors' mutual interaction (ii) action situation component and (iii) actor component. Briefly, the action arena is the objective of analysis, prediction and explanation of behaviour and outcomes within fixed constraints. Instead, the action situation refers to the social space where individual interact. Each action situation is composed by a set of variables: participants, position, action, potential outcome, transformation function, information and payoffs. Within action situation, singular or corporate actors have their preference, information processing capabilities, selection criteria and resources. While, the action arena is inscribed within a complex framework constituted by: (i) rules, (ii) nature of community and (iii) physical world that are responsible for defining a specific situation (e.g., they are factors that can affect action arena). In IAD theory, all these aspects are responsible for showing how specific situations need to be analysed through an institutionalism approach.

Coming back to the actor-centered institutionalism theory, it is necessary to explore the role of actors, the actors' constellation and their modes of interaction. As mentioned before, actors are characterized by their capabilities (personal properties like strength, intelligence, human and social capital, physical resources, privileged of information etc.) as a specific faculty to influence the outcome in certain directions and degree. However, this is not enough to explain all the policy's outcomes, but it needed to introduce the actors' constellation that are involved in policy interaction. Indeed, the constellation considers the actors involved, their strategy options, the outcome associated with strategy's combinations and the preferences. However, what is relevant in this approach, is the consideration on different modes of interaction within the actors' constellation. Scharpf, (1997), suggests to take into account these ways of interplay: (i) unilateral action, (ii) negotiation agreements, (iii) majorities of vote and (iv) hierarchical direction. These

characters of interaction are associated respectively with a “non-cooperative game”, a “cooperative game”, a “voting game” and a “hierarchical game” (see also Ostrom et al., 1994). However, each modes of interaction are affected by the large institutional setting within which the interactions take place. As it is possible to note, actors and modes of interaction are both related with institutional aspects in a specific context (space dimension) and time (temporal dimension).

### **7.3.1. The role of institutions in actor-centered institutionalism**

As emerged, the framework of actor-centred institutionalism emphasizes the influence of institutions in determining perceptions, preferences, and capabilities of individual and composite actors and of their modes of interaction. The interpretation of the concept of institution, as explained, has been widely debated in the field of new institutionalism. In respect to actor-centred institutionalism, Scharpf (1997) confined the concept of institution to systems of rules that structure the courses of actions that a set of actors may choose (Figure 18). The given definition of rules does not include exclusively the formal legal rules (binding and restricted) but on the contrary, embrace social (informal) norms that actors will generally accept and respect. Anticipating these observations Mayntz & Scharpf (1995) point out two important consequences. On the one hand, institutions may change through intentional actions of specific actors, on the other hand, a given institutional context enables and restricts, but not fully determines the actors' behaviour. The manner in which institutions may influence the actors' behaviour are vary. Firstly, promoting a sanctioning approach of rules that may effectively reduce the range of potential behaviour by specifying required, prohibited, or permitted actions (cf. Ostrom et al., 1994: 38). Secondly, encouraging the positive and negative incentives appreciated by the institutionalized rules (usually economic incentives) that may merely increase or decrease the payoffs associated with the use of particular strategies and hence their probability of being chosen by self-interested actors (Scharpf, 1997: 39). According to Van Lieshout (2012), institutions are doing more than only constraining feasible strategies of actors. Institutions, in fact, may constitute composite actors, and shape the valuation and perception of (possible) outcomes. Composite actors are institutionally constituted because they have been created according to pre-existing rules (path dependency) and they depend on rules that may be adopted for their continuing existence. Such set of roles define the membership of composite actors; material and legal action resources they can draw upon; the purposes they are to serve and the values they are to consider (Mayntz & Scharpf, 1995: 48; Scharpf, 1997: 39). In addition, institutions may create rooms or arenas where actors have the opportunity to interact. Instead, when institutions ascribe particular tasks (responsibility and competences) for specific actors, hence put actors into a precise actor constellation, it can be argued that this process is ascribable of social differentiation (selective process). On the other hand, institutions intended as set of rules may co-define interests and values, and they will co-determine how outcomes will be evaluated by the actors involved, hence they

may potentially co-shape the actors' preferences. Finally, the nature of path dependency, in the sense that was previously defined, is strongly influenced by where is the starting point that makes institutions relatively stable. This makes institutions hard to reform or abolish even if the circumstances that generated them and originally justified them, no longer exist. This is generally called 'self-reinforcing mechanisms' where institution tends to reproduce itself in order to exist.

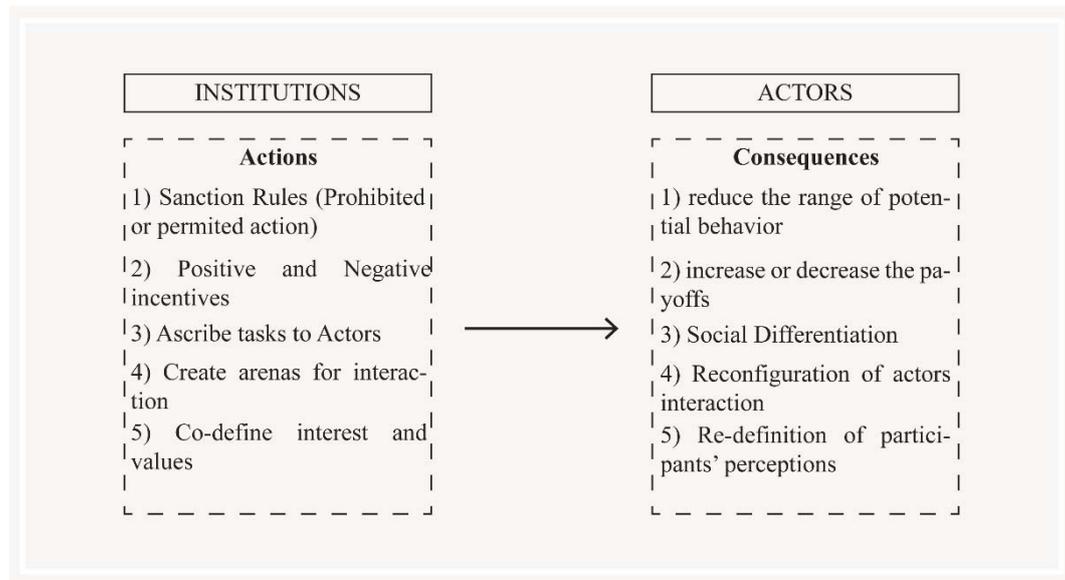


Figure 18: Institutions' mode to influence actors within ACI

Source: Author's own elaboration based on Scharpf, 1997.

### 7.3.2. The nature of actors' and modes of interaction in actor-centered institutionalism

When using the approach actors - centred institutionalism to understand the previous policy outcome, it is necessary to define actors as the unit of analysis (bringing the actor to the centre of the institutional analysis). In coherence to what stated by Giddens (1984), the agency level depends on the relevance of actors and consequently on their recognized powers. However, actors may be varying according to their attitude and modes of interaction. As suggested by Scharpf, (1997), actors can be differently understood under the umbrella of individuals and he divides composite actors in: (i) aggregated actors, (ii) collective actors and (iii) corporate actors. The main difference among actors are related to their capacity to act (capacity for a strategic action), their purposes, resources and typology of decision. Individual actors, in fact, can act (take decision) in name of and in the interest of another person, a large group or an organisation. While composite actors can be identified as aggregate actors with their preference and strategy choices. Indeed, the notion of composite actors implies a capacity for intentional action at a level above of the one of individuals. Considering that, only individuals have the

ability to operate through intentional action, in the case of composite actors the capacity to act must be produced by internal interaction. This assumption gives the opportunity to analyse the same situation (empirical phenomenon) from two perspectives. From the outside, as a composite actor with greater or lesser capacity to take decision, and from the inside as an institutional structure within which internal actors interact to produce the actions ascribed to the composite actors. In coherence to Scharpf (1997), the concept of “compositor actor” may be understood as representative of the actors’ constellation in which the intent of intentional action refers to the joint effect of coordinated actions expected by individual participation.

More in detail, looking carefully at the diverse kind of composite actors, aggregate actor is a category to describe the parallel actions of individuals who share certain salient characteristics but whom is not possible to consider as “similar”. Indeed, they act following their utility function that are interdependent among participants and may increase or decrease the possibility that others (actors) will act the same way (auto dynamic process). This auto-dynamic coordination of action, considered as a reinforced mechanism, increases the possibility to reach a higher level of coherence that could be expected from the mere aggregation of intentions (individuals who act in isolation from one another). However, aggregate actors are characterized by individual action, purpose, resources and decisions. Moving beyond, another kind of corporate actors is represented by collective actors, characterized by the fact that are dependent on and guided by the preferences of their members. Two main differences can characterize collective actors: (i) the way of control over action resources (separate or collective) and (ii) action orientation, that makes them not autonomous in the choice of the preferences that guide their action but conversely dependent on the preferences of their members. These differences contribute to identify four types of collective actors: (1) coalition (separate purposes and separate action resources); (2) movement (collective purposes and separate action resources); (3) club (separate purposes and collective action resources) and; (4) association (collective purposes and action resources). However, other differences can be identified in order to understand the ways in which they consider their action, purposes, resources and decisions. Coalitions are considered as semi-permanent arrangements among actors with convergent or compatible purposes (that still remain individual), using their separate action resources in coordinated strategies. The evolution of common strategy, however, is oriented to reach a separate (individual) utility of each of the component actors involved. While movements, on the one hand, depend on the voluntary cooperation of their members that share a moral or ideological commitment taking into consideration a high level of sacrifices of individual interests. On the other hand, coordination by negotiation agreement among participants is not possible since the huge number of membership without an institutionalized leadership structure. In this perspective, a movement, as collective actors, has a joint action process with a collective purpose but individual resources. Ascribed as collective actors, clubs share some aspects of coalition, as individual purpose, but at the same time, they benefit from the collective resources management. As in movements, participation

is generally voluntary and exit costs are minimal. The specific feature of clubs is that the participants aim to create a formalized decision structure, in which the competence to decide is transferred from individual members (acting individually) to collective decision processes by voting (i.e. OECD). Finally, associations try to integrate purposes and resources as collective factors. Membership may be voluntary or compulsory (professional corporatist associations) aiming to preserve the interests of their members. Usually, associations have a decision-making process (bottom-up) through voting by each member, while they used to have a joint action as in case of clubs. As part of this actors' environment, corporate actors are typically top-down organisations under the control of an owner or of hierarchical leadership that represent the owners or beneficiaries.

### **7.3.3. Actors' orientation in actor-centred institutionalism**

In the framework of actor-centered institutionalism, actors are characterized by their orientations (perceptions and preferences) and their capabilities (Scharpf, 1997). As emerged, the nature of actors (aggregate, collective and corporate) within actor-centered institutionalism is rather complex. At this point, the actors' motivation and orientation need to be considered as well. In a neoclassic economics point of view, actors motivated exclusively by economic self-interest, have a complete information on the situation that they face and have a computational capacities good enough to select the course of action that will maximize their self-interest (Van Lieshout, 2012). Differently, ACI assumes that: (i) actors do not act on the basis of an objective reality but on the basis of a perceived reality; (ii) they do not only act on the basis of objective needs, but also on the basis of preferences, reflecting their subjectively-defined interests and valuations and their normative convictions (how it is right or good or appropriate) to act under the circumstances and (iii) they do not have complete information on the situations they face (Van Lieshout, 2012). In actor-centred institutionalism actors (both individual and composite) are characterized by specific capabilities and action orientations (Scharpf, 1997). Capabilities are all action resources that allow an actor to influence an outcome in certain respects and to a certain degree. They include personal qualities, physical resources, technological capabilities, and privileged access to information. Particularly important are action resources that are created by institutional rules defining competencies and granting or limited rights of participation, of veto, or of autonomous decision. Action orientations are, roughly, the characteristic perceptions and preferences of a particular actor.

## **7.4. Summary and conclusions**

While chapter 6 explores the notion of spatial planning and its process of institutionalization, this chapter discusses the role of domestic context (tradition, culture, historical context etc.) looking from the perspective on New Institutionalism. Despite the common objective in evaluating mutual interactions

between agency and structure, hence between actors and institution, substantial differences exist in their different interpretations. A particular attention has been dedicated at understanding the perspective of HI approach on evaluating the process of institutionalization of a give phenomenon. According to HI, the interplay between agency and structure is influenced by several factors like: time, in this perspective history matters; space, HI states that the context plays an important role in shaping institutional setting and actors' behaviour; culture, according to which the outcome of the aforementioned interaction is influenced by interposed factors like tradition, common belief and values. Particularly interesting on this matter, is the question of path dependency that explains why similar inputs produced every time different outputs. In this respect, often path dependency has been interpreted both as self-reinforcing and a reaction mechanism suggesting a structural inertia attitude. The question of structural inertia or conservation of the status quo is the key point and represented the leitmotiv of each process of institutionalisation (even within the research ambitus). Connected to path dependence, HI brings to the attention the question of critical juncture, as relatively short periods of time during which there is a substantially heightened probability that the agents' choices will affect the outcome of interest. So, while path dependence illustrates the normal path followed by each context, critical juncture underlines the importance of specific disruption of historical momentum (economic, political, social etc.) in which the decisions taken can change the rules of the games. Moving from HI to ACI approach, Actor-Centered Institutionalism changes a bit the discourse perspective focusing more on the question of actors. Indeed, actors have been explored under different perspective such as: focusing on the intentionality decision aspect that each actor has; the nature of actors highlighting their diversity (corporate vs individual); the modes of interaction, meaning the way in which actors interface with each other, and the actors' orientation focusing defining the actors' perceptions, preferences, capabilities and resources. Indeed, as stated by Scharpf (1997), actor centered-institutionalism is one way to describe social phenomena as the outcome of interactions among intentional actors – individuals, collective or corporate actors. Once having a clear picture on the main theoretical messages, the research approach locates itself in the middle of HI and ACI, giving a historical variant of the actor-centred institutional approach. On the one hand, the proposed historical variant of actor-centred institutional approach incorporates HI key factors such as time, space and culture, with special attention to the notion of path dependency and critical juncture in a diachronic perspective. On the other hand, as in ACI, it seemed interesting to position actors at the centre of the institutionalist analyses, taking into account their nature (internal, external, institutional, not institutional), their perceptions, references, capabilities and resources. The following chapter focalises the attention on developing the of actor-centred explanatory model that is an historical variant of the actor-centred institutional approach applied to the spatial planning context. Indeed, the model represents one way to explain the evolution paths followed by each spatial planning system underlining the importance of actors (institutional or not).

# 8. Analytical approach: an actor-centred explanatory model

Chapter 8 illustrates the analytical approach based on which each spatial planning system's evolution has been adopted. The actor-centred explanatory model, as an historical variant of the actor-centred institutionalism, reassembles and condensates the already explored theories in the field of spatial planning and institutionalisms. The model is based on two assumptions. The first assumed that spatial planning is an unstable interaction between internal and external forces (section 8.1). The second, instead, assumed that the spatial planning system is an institution (section 8.2), and therefore particular attention has been paid to its constitutive components.

## 8.1. Spatial planning as an unstable interaction between internal and external forces

The explanatory model assumes that spatial planning is an unstable interaction between external and internal contexts (Figure 19). In the era of globalization, where resources, knowledge, discourses, interests, and actors transcend the state's boundaries, the implementation of spatial planning is indisputably subject of these influences.

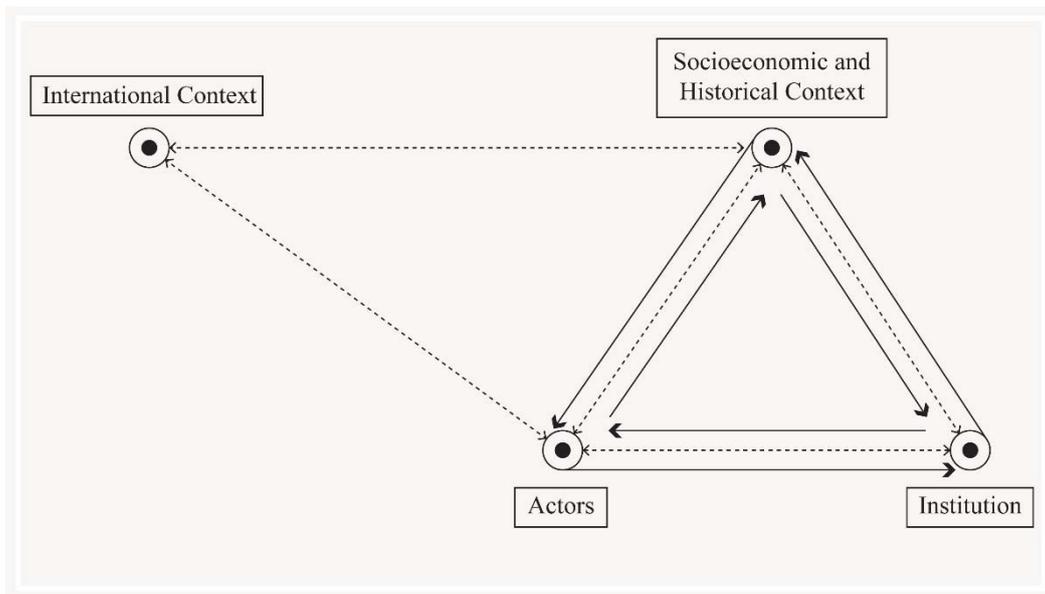


Figure 19: Explanatory model of Spatial Planning system

Source: Author's own elaboration

In light of this, external and internal contexts are understandable as complex sets of economic, political and cultural interests, and actors are responsible, with different magnitude, for shaping the nature of a spatial planning system. In particular, international contexts, as widely explored in the chapters 5 and 6 include and represent a series of economic, political and cultural interests. These embrace hegemonic paradigms and discourses (i.e. neo-liberal ideology), political orientation and policy power, actors, institutions and organisations. Focusing on the actors that can exercise a highest degree of influence during the definition of policies, as showed in section 5.3, they can be divided into different categories: (i) global organisations or global institutions which include actors like UN – United Nation, IMF – International Monetary Fund, WB – World Bank and NATO – North Atlantic Treaty Organisation; (ii) international intergovernmental organisations (IGOS) or supranational institutions, such as the EU – European Union, classified also as a regional institution; (iii) transnational actors organised in networks and coalitions: (iv) international non-state organisations (INGOs); (v) transgovernmental coalitions, networks of government officials which include at least one actor pursuing its own agenda independently from national decision; (vi) non-governmental organisations (NGO) and (vii) national agencies. Each of those actors has its own agenda where objectives, perceptions, preferences, capabilities and resources are established, and specific programs, projects and initiatives implemented. Domestic contexts, instead, should be intended as a complex set of endogenous conditions in terms of socio-economic and political environment, legal and administrative structures and institutions, cultural tradition, historical legacy and actors' interests. To simplify, it is possible to divide domestic contexts in three aspects. The first, the socio-economic and historical context, includes the socio economic changes and challenges typical of each situation. The second, the actors' composition or constellation (Scharpf, 1997) encompasses the actors (formal and informal) involved within a specific arena (Ostrom, 2007). Finally, the third aspect identifies the role of institutions as mutually generated and constructed. In this view, spatial planning system must be completely understood considering the nature of the context within which it operates. On the one hand, indeed, the set of social aspects, cultural elements and historical legacy plays an important role in defining the spatial planning systems' context and specificities. On the other hand, domestic actors seem to be influential in defining and redefining the domestic context through their explicit or implicit political and economic agenda.

Aiming at illustrating the impact of these twofold influential mechanisms (exogenous and endogenous), the research approach has a double perspective. The external perspective explores the first triangle that involves the international context, the social-economic-historical context and the actors. While the internal perspective includes the triangle that considers actors, social-economic-historical context and institutions. Finally, having identified the main endogenous actors taken under consideration, the domestic actors have been categorised in: (i) institutional actors that include the main actors foreseen by law for each planning level (i.e. ministry, sectoral ministries, agencies/institute, etc.) (ii) non-institutional

actors, which embrace actors like NGOs, universities, associations and practitioners. Table 10 sums up the composition of the actors' constellation that has been taken into account in order to explore the evolution of spatial planning system in each country.

**Table 10:** Actor constellation and their nature

	Type	Actors	Projects	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted Sectors
International	International organisation	UNDP							
		World Bank							
	National Agencies	USAID							
		GIZ							
		SIDA							
		SDC							
		ADA							
Regional Organisation	EU								
Foreign knowledge arena	Universities								
	Consultants								
Domestic	Institutional	Ministry							
		Sectoral							
		Ministries							
		Institute/Agencies							
	Local authorities								
	Non-Institutional	NGOs							
Universities									
Associations Practitioners									

Source: Author's own elaboration

### 8.1.1. External Perspective

Observing the evolution of spatial planning systems through an external perspective means to take into consideration the complex set of exogenous factors that potentially have spatial implications. Beginning from the fact that, according to Janin Rivolin (2012), spatial planning competence is responsibility of a single state, the international actors do not have authority in this field. Each influence exercised externally should be evaluated as indirect or mediated by internal mechanisms highly path-dependent. In this perspective there are two main channels of influence. The first, Figure 20, affects the socio-economic and historical context through which the international context may produce an impact on the spatial planning system. Basically, it consists in the introduction of new paradigms,

political priorities and modes of interaction, hence it often means restructuring the domestic reality to the global emerged issues.

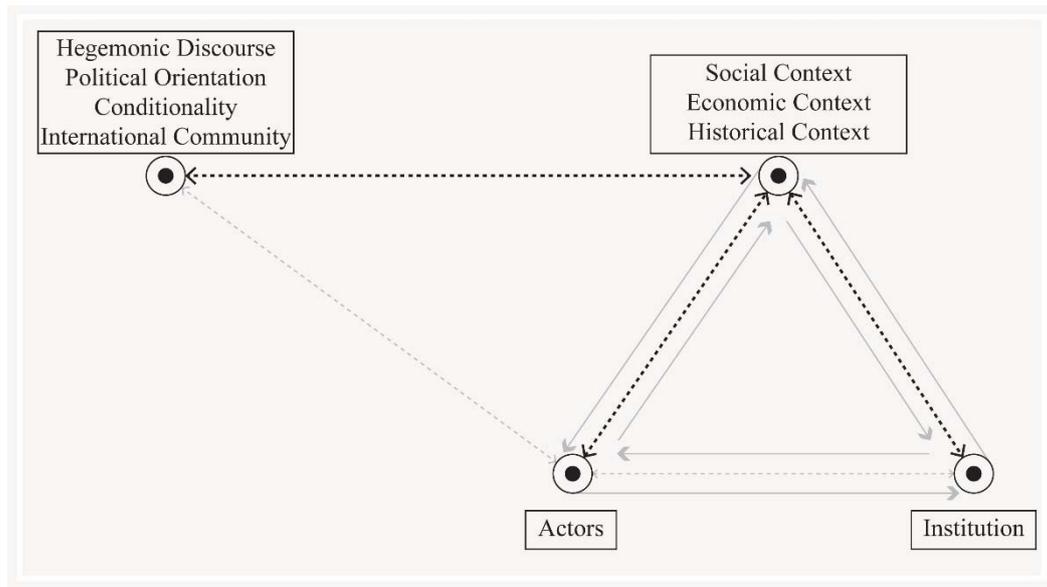


Figure 20: First indirect impact of the international context on spatial planning system

Source: Author's own elaboration

Interestingly, each mechanism of influence, through which these actors operate, is based on various types of conditionality: (i) legislative conditionality through which is possible to adopt new legislations or improve the existing ones; (ii) political conditionality, through which the actors can influence the political orientation of the domestic political arena imposing external political models; (iii) economic conditionality, which alters the possibilities of domestic actors through the redistribution of resources and powers (Knill & Lehmkuhl 1999); (iv) cognitive conditionality, hence the influence on the public debate through the introduction of new hegemonic concepts. The second mechanism of influence takes into consideration the centrality of actors through which is possible to (re)produce intended or unintended effects on the evolution of the spatial planning system (Figure 21). The international community may alter the actors' environment or the actors' constellation (Scharpf, 1997), in several modes. First of all, by introducing some governmental or not governmental external actors, agencies, associations etc., that represents the international community interest within the domestic context. Usually, in the field of planning, these actors are powerful in introducing new paradigms, promoting new planning practices and addressing external priorities that may differ, or not, from the local ones. Secondly, promoting a process of selection of local actors through which transpose international interests to the domestic context, altering actor's behaviour, priorities and resources. This process of empowerment may evolve from a singular practitioner to more complex organisations and forms of association. Finally, the international context may contribute to the emergence of new local actors as a branch of international

organisations or local associations connected to some specific transnational issues like environmental protection, climate change, global warming etc.

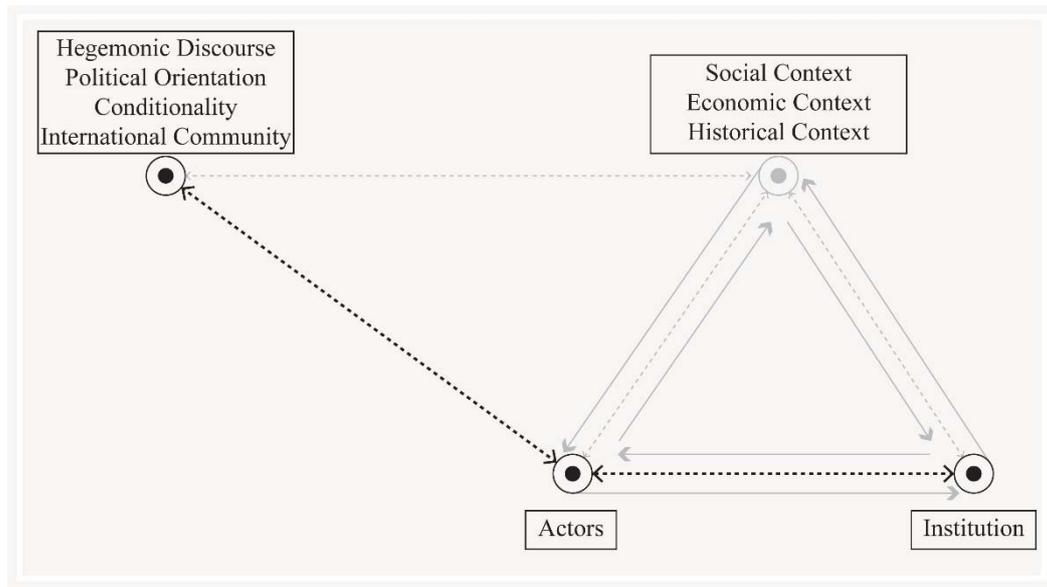


Figure 21: Second indirect impact of the international context on spatial planning system

Source: Author's own elaboration

These processes of influence are considered as unidirectional phenomena (top-down) where international context influences the internal one. However, the model has foreseen the possibility for each domestic planning system to influence the international context reproducing some local features. Powerful domestic contexts may shape international planning discourse in specific aspects or guide some policies and priorities, hence encouraging bottom-up process. Table 11 sums up the variety of top-down and bottom-up processes.

**Table 11:** Variety of influences deriving from the adoption of an analytical external perspective

Analytical Perspectives	Direction	Object of Influence	Channel of Influence	Mechanism of Influence (conditionality)	Influences		
External	Top-Down	<i>Institution</i>	Socio-economic and historical context	Legislative Political Economic Cognitive	External → Socio-economic and historical context		Socio-economic and historical context → Institution
			Actors		External → Actors		Actors → Institution
			Mixture		External → Socio-economic and historical context	Socio-economic and historical context → Actors	Actors → Institution
		<i>Actors</i>	Socio-economic and historical context	Legislative Political Economic Cognitive	External → Socio-economic and historical context		Socio-economic and historical context → Actors
			Institution		External → Socio-economic and historical context	Socio-economic and historical context → Institution	Institution → Actors
			Actors <sup>24</sup>		External → Actors		
	<i>Socio-Economic And Historical Context</i>	Socio-economic and historical context <sup>25</sup>	Legislative Political Economic Cognitive	External → Socio-economic and historical context			
		Actors		External → Actors		Actors → Socio-economic and historical context	
		Institution		External → Actors	Actors → Institution	Institution → Socio-economic and historical context	
	Bottom-Up	<i>International Context</i>	Socio-economic and historical context	Cognitive Political	Actors → Socio-economic and historical context		Socio-economic and historical context → External
			Actors		Socio-economic and historical context → External		Actors → Socio-economic and historical context

Source: Author's own elaboration

<sup>24</sup> Actors can be simultaneously object and channel of influence

<sup>25</sup> Socio-economic and historical context can be simultaneously object and channel of influence

### 8.1.2. Internal Perspective

As mentioned above, spatial planning is an interaction between external and internal forces. Adopting an internal perspective, Figure 22 shows an interesting relation among three internal dimensions : socioeconomic and historical context, actors and institutions (represented here by spatial planning). At this point, the intent is to separately analyse each interaction. Indeed, if planning is conceptualised as a product of a specific cultural and historical environment in a defined context (Reimer et al., 2014; Janin Rivolin, 2012; Servillo & Van den Broeck, 2012; Getimis, 2012), the interaction among the aforementioned internal dimension is responsible for the shaping and the emergence of national spatial planning systems (Reimer & Blotevogel, 2012).

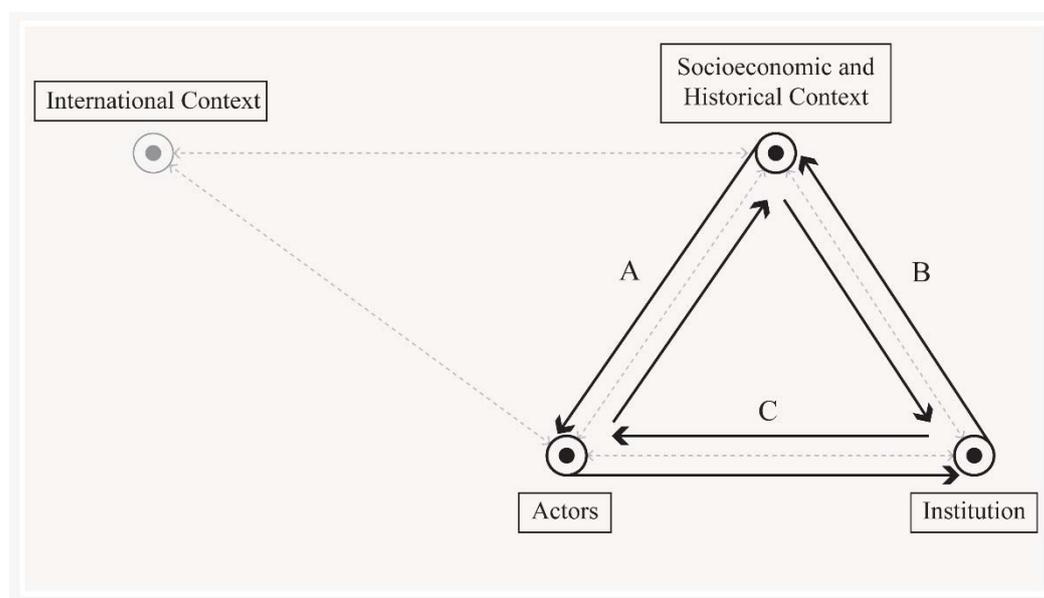


Figure 22: Internal Perspective of the evolution of spatial planning

Source: Author's own elaboration

Starting from this awareness, the first interaction to be scrutinised is the interplay between the socioeconomic and historical context and the actors engaged directly or indirectly in the field of spatial planning (letter A, Figure 22). The interaction implies a mutual and simultaneous relation where the socioeconomic and historical context defines and redefines the environment in which actors operate and make rational choices, which are not necessarily economically convenient (Scharpf, 1997). Evidently, the social context deeply influences the perceptions, the preferences and the capabilities of each actor altering the priorities, resources, instruments and specific strategies adopted in an operational context. As a consequence, the economic and social transformation from the existing system towards another one, creates the right condition for the emergence of new actors or

the exclusion of others. This process of selectivity is highly path dependent. Unsurprisingly, the effect of the social predetermination of actors, hence the ability to change the actors' equilibria, is one of the main prerogative that must be considered when it comes to analysing the modification of the actor's equilibria. Vice versa, actors are reputed to change the socioeconomic and historical condition acting in a certain manner and following specific objectives that may differ from the social context, influencing shared beliefs, perceptions and priorities (Scharpf, 1997).

The second mutual channel of interaction considers the interplay between the socioeconomic and historical context and the institution of spatial planning (letter B, Figure 22). On the one hand, changing the socioeconomic context may (re)frame and determine the nature of the institution according to specific circumstances. On the other hand, change within the institution can produce and have impacts in altering social values, ideas, principles etc.

According to Getimis (2012), the planning system is not simply constituted by institutional structures but by interactive policy processes between institutions and actors (letter C, Figure 22). The interdependence between institutions and actors means that the institutional context may influence, but they do not fully determine the action arena (action situations, actors) (Ostrom, 2007). In addition, institutions may select or privilege some actors' strategies and tactics according to the logic of structurally oriented strategic calculation (Servillo & Van den Broeck, 2012). On the other side, actors can activate resources for action and make choices (intentionally) to develop a series of discourses and practices, which may change the existing institutional conditions. The nature of actors and their orientation vary according to each action arena (process of adaptation). This process of influence has been defined in Servillo & Van den Broeck (2012) as structurally inscribed strategic selectivity in which institutions are selectively open to the actor's strategic and tactics as a compromise between different actors (Table 12).

**Table 12:** Variety of influences deriving from the adoption of an analytical internal perspective

Analytical Perspectives	Object of Influence	Channel of Influence	Mechanism of Influence (conditionality)	Influences
<b>Internal</b>	<i>Institution</i>	Socio-economic and historical context	Legislative	Socio-economic and historical context → Institution
		Actors	Political	Actors → Institution
		Mixture	Economic Cognitive	Actors → Socio-economic and historical context → Institution      Socio-economic and historical context → Actors → Institution
	<i>Actors</i>	Socio-economic and historical context	Legislative	Socio-economic and historical context → Actors
		Institution	Political	Institution → Actors
		Mixture	Economic Cognitive	Socio-economic and historical context → Institution → Actors      Institution → Socio-economic and historical context → Actors
	<i>Socio-Economic And Historical Context</i>	Institution	Legislative	Institution → Socio-economic and historical context
		Actors	Political	Actors → Socio-economic and historical context
		Mixture	Economic Cognitive	Institution → Actors → Socio-economic and historical context      Actors → Institution → Socio-economic and historical context

Source: Author's own elaboration

## **8.2. The institution of spatial planning and its constitutive components**

The interplay between new institutionalism studies, spatial planning in general, and spatial planning system in particular, derives from the research assumption that spatial planning is an institution. In this respect, the intent is to investigate the evolution of the spatial planning system through the theoretical and methodological framework of an historical variant of the actor-centred institutionalism, putting in evidence the relation between actors and the institution, i.e. spatial planning. As evidenced in section 7.3, ACI – Actor Centred Institutionalism allows to analyse the evolution of policy systems highlighting the capacity of actors to create and/or shape institutions and vice versa. As an analytical framework, differently from the other institutionalism theories, ACI integrates both perspectives, hence the interplay between institutions and actors (Scharpf, 1997). According to the definition given by Scharpf (1997) in the subsection 7.3.1, where the role of institutions in actor-centred institutionalism has been introduced, institutions have been described as a system of rules that structure the courses of the actors' actions. Meanwhile Mayntz & Scharpf (1995) affirmed that, on the one hand, institutions may change through intentional actions of specific actors, and on the other hand, a given institutional context enables and restricts, but not fully determines the actors' behaviour. In this respect, institutions cannot be seen as an assortment of formal rules, organisations, regulations, norms etc. According to Scharpf (1997), the notion of rules does not include exclusively the formal legal rules (binding and restricted) but, on the contrary, embraces social (informal) norms that actors will generally accept and respect. As emerged, institutions are not a given situation but are constantly subject to change. In this respect, the process of institutionalisation may follow different steps. In coherence with Berger and Luckmann (1979), all human activity is subject to habitualisation and routinisation, hence whatever is done day by day. Indeed, any action that is repeated frequently becomes cast into a pattern, which can then be reproduced with an economy of effort and which is apprehended by its performer as that pattern. The process of habitualisation precedes any institutionalisation. In coherence to the authors, each institution is an outcome of a previous institutionalisation process.

Transplanting this process to the field of spatial planning allows to investigate the evolutionary path followed by each planning system, looking at spatial planning as a social construct (Janin Rivolin, 2012) and not as a mere given condition aprioristically established. Same definition is given by Servillo & Van Den Broeck (2012) when they affirmed that spatial planning is conceptualised in terms of social construction, hence guided not only by a technical rationality but by a multiplicity of social rationalities taking inspiration from sociological institutionalism. Alongside this perspective, Balducci (2008) stated that spatial planning, planning system and planning instruments, are part of the dynamic mechanisms that sees

involved actors and their practices, on the one side, and the institutions produced, transformed and developed by those actors, on the other side.

As emerged in section 4.3, spatial planning system may be interpreted under the lens of its constitutive components (structural, technical, practice and discourse) (Figure 23).

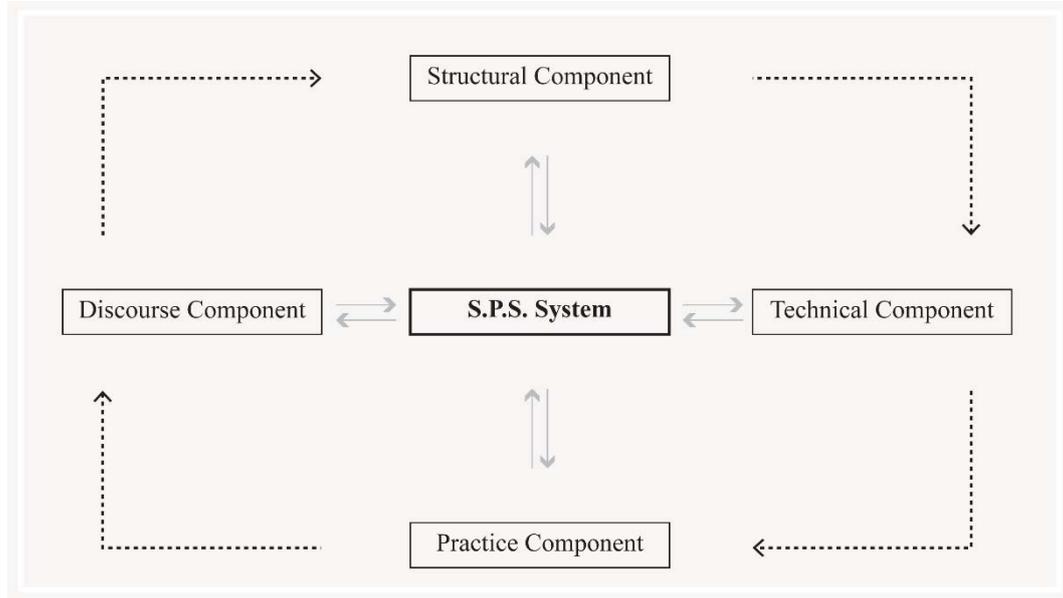


Figure 23: Conceptualisation of the spatial planning system and its components

Source: Author's own elaboration

More in detail, according to several authors (among others, Cotella, & Janin Rivolin, 2010, Getimis 2012, Dühr et al. 2010), the spatial planning system is a multi-scale and multi-sectoral institution having different equi-functional mechanism (Fuerst (2009). According to the key factors (time, scale, sectors, object of comparison and actors) of the comparison between spatial planning systems (see subsection 4.2.2), the matrix below (Table 13) illustrates how each planning component should be analysed in order to have a comprehensive understanding of the evolution path. As has been evidenced, particular attention has been paid to the question of the planning system's components or objects of comparison (for a more and wider conceptualisation see chapter 4). In this respect, the structural dimension takes into consideration the relevance of planning authorities (formal actors) and their responsibilities. This analytical dimension allows to explore how the legislative framework changed and what has meant for the institutional actors involved. Moving from the legislative framework to the technical component, two important questions are addressed. Firstly, the question of instruments of different nature (visioning, strategic, regulative and etc.), which has been putted at the centre of the analysis with particular attention in identifying their mutual contamination and interdependency. Secondly, space has been dedicated to understanding the formal procedures of planning activity that potentially may increase or diminish the implementation of planning systems. Instead, the practice component has been analysed under two different aspects, formal (any process foreseen by law) and

informal (what happens out of the law provision, which does not necessarily mean illegal). When it comes to the discourse component the attention is focused on understanding the institutional discourse, hence the discourse driven by formal actors, and non-institutional discourse, pointing out the discourse developed and channelised by practitioners, experts and etc. Each illustrated planning component is scrutinised in each planning level, hence at the central (C), at the subnational (S) and at the local (l) (Table 13).

**Table 13:** Multiscale spatial planning system components

SPATIAL PLANNING SYSTEM COMPONENTS																											
Timeline	Structural						Technical						Practice						Discourse								
	Authorities			Responsibility			Instruments			Procedures			Formal			Informal			Institutional			Non-Institutional					
	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L	C	S	L			
-----																											

Source: Author's own elaboration

### 8.3. Summary and conclusions

This chapter has demonstrated that spatial planning is a compromise between internal and external forces and spatial planning is an institution, and has shed more light on the interaction between actors and spatial planning system (Figure 24). In this perspective, particular attention has been dedicated to understanding the role of actors (endogenous and exogenous) according to the actor-centred institutionalism approach. Built on an historical variant of the actor-centred institutionalism, the adopted actor-centred explanatory model gives the opportunity to explore the evolution of spatial planning under two different perspectives, internally and externally. Accordingly, the evolution path followed by a spatial planning system is affected by external and internal mechanisms, where actors are one of the aspects that should be considered together with the socioeconomic and historical context and the institution of spatial planning itself. The combination of actors and the analytical components of spatial planning give the metrics that allow to evaluate the impact of international actors on the evolution of spatial planning system in a analysed context (Table 14). From the analytical perspective, the matrix allows to identify the impact of each actors at the central level, subnational level and/or local level (letter L). Furthermore, for each component has been illustrated the impact (letter I), hence its intensity, using the scale from lack “0” to higher “3” impact and trends (Letter T) based on which impacts may be increasing ↑, decreasing ↓, or being constant ↔ or swinging ↕.

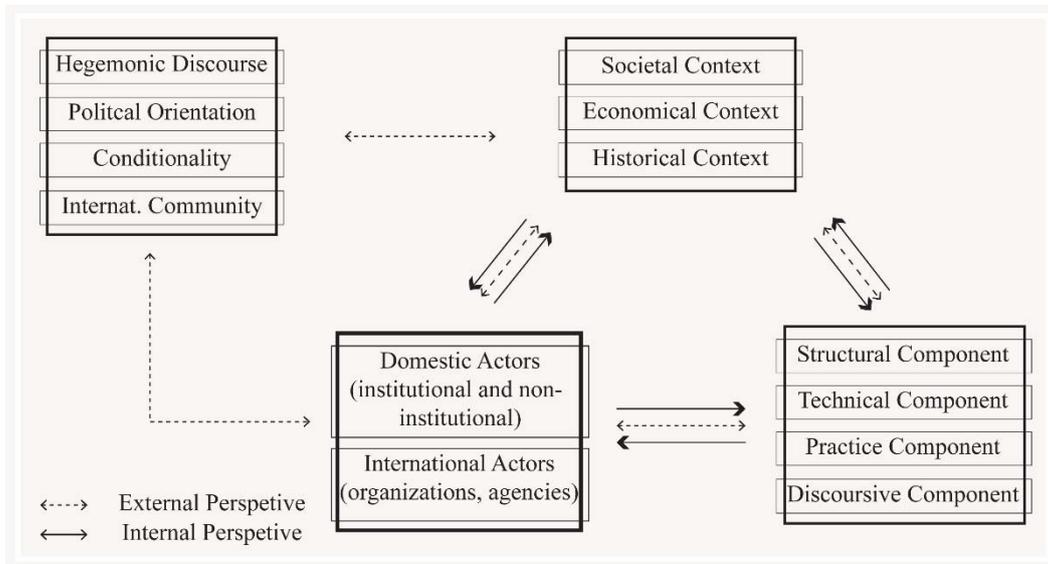


Figure 24: Actor centred explanatory model

Source: Author's own elaboration

**Table 14:** Impacts of actors in each components of spatial planning system

Type	Actors	Structural		Technical		Practice		Discourse		
		Authorities	Responsibility	Instruments	Procedures	Formal	Informal	Institutional	Non-Institutional	
		L I T	L I T	L I T	L I T	L I T	L I T	L I T	L I T	
International	International Organization									
	UNDP									
	World Bank									
	National Agencies	USAID								
		GIZ								
SIDA										
SDC ADA										
Regional Org.										
	EU									
Foreign knowledge arena	Universities									
	Consultants									
Domestic	Institutional	Ministry								
		Sectoral Ministries								
		Institute/Agencies								
		Local authorities								
	Non-Institutional	NGOs								
	Universities									
	Associations									
	Practitioners									

Source: Author's own elaboration

# **PART III – THE EVOLUTION OF SPATIAL PLANNING SYSTEM IN THE WESTERN BALKAN REGION**

The third part aims to understand the evolution of spatial planning systems in the Western Balkan Region, considering the social-spatial and economic features of the region. This part has been subdivided into four chapters that deliver the empirical findings of the research. Chapter 9 presents a preliminary overview of the main economic, political and social transformations that have been characterising the region since the beginning of the 20<sup>th</sup> century, keeping in mind that in less than one century the region has been involved in several regional and world wars. In turn, these tumultuous changes contributed to shape the territorial governance and the spatial planning approaches adopted by the different countries and the ways through which spatial development has been conceptualised and governed. In this light, Chapters 10, 11 and 12 explore the evolution of the spatial planning systems respectively in Croatia, Albania and Bosnia & Herzegovina. Following the actor-centred explanatory model, each domestic context has been described through a brief preliminary geographic, socioeconomic and political overview, followed by a thorough analysis of the evolution of the country's territorial governance and spatial planning system. Such evolution is then interpreted through the four components that have been identified as parts of each territorial governance and spatial planning systems (structural, technical, practice and discursive). Finally, the last section explores the role played by international and domestic actors, reflecting upon the main drivers and reasons of change

# 9. The Western Balkan Region before and after 1989

This chapter concentrates on exploring the main historical steps that characterized the Western Balkan Region. In this perspective, the chapter has been subdivided into four sections. The first section reflects on the situation of the pre-communist regime from 1900 to 1945 giving a brief overview on the particular geopolitics implications that dominated the region in that period (among other wars, economic crises, migration fluxes and ethnic contraposition). The second section recognizes the importance of the Soviet Era and its effects on the region, from 1945 to 1989, focusing on how the communist ideology has been interpreted in Yugoslavia and Albania and how its different interpretation has influenced each domestic context. The third section concentrates on understanding the transitions path undertaken by each country through the examination of the economic and political drivers of change and their spatial implications. While the fourth part introduces the role of the EU Integration mechanisms and their repercussions for each country.

## 9.1. The Pre-Communist period

The pre-communist period in the Western Balkan Region has been characterized by an uninterrupted political instability. In the beginning of the 20th century the Balkan Wars (1912-1913) took place in the region, involving almost every Balkan Country. This tension reached its peak in 1914 when Gavrilo Princip assassinated Franz Ferdinand, the heir of the Austrian throne, causing the beginning of the First World War. The reconfiguration of the countries' borders has been the main consequence of the war. Indeed, after the war, new regional entities were established such as Kingdom of Serbs, Croats, and Slovenes, at the expense of the former Austria-Hungary and the Ottoman Empire, while the power balance, the economic relations, and the ethnic subdivisions were completely altered. Observing the demographic variation, besides the people that lost their life during the war, the internal and external migration flux represented one of the main problems for the new countries. Economically speaking, the wars' consequences had been catastrophic for many countries: immense loss of human workers, low productive agriculture and relatively small industry capacity contributed to induce the region in a deep economic crisis (Innerhofer, 2017). The prewar level of manufacturing, industrial and agriculture production, were reached again only in the 1930s, evidencing the profound postwar consequences all-around the region. Despite the economic progresses, compared to the Western countries, the Balkans remained

among the poorest region in Europe, with great internal disparities. To overcome those regional economic disadvantages, a series of reforms were launched, such as the agrarian reform and the monetary policy reform, but they did not show any important effect. Despite the attempt to rehabilitate their economies, each country showed great economic and social limits that increased in the aftermath of the Second World War.

## 9.2. The soviet era

While the CEE countries and others that are considered as part of South East Europe, like Bulgaria and Romania, adhered to a soviet- style economic model based on central planning, rapid industrialization and collectivized agriculture, in the Western Balkan Region the circumstances were different. On one side, Yugoslavia pursued the ambition to introduce a self-management doctrine, a combination economy based on elements derived from planned economy and market; on the other side, Albania experienced the real communist system based on the Stalinist model. In 1961, Albania abandoned the Warsaw Pact as a consequence of the Sino-Soviet<sup>26</sup> split and left the COMECON – Council for Mutual Economic Assistance<sup>27</sup> in 1962. For the Albanian politic decision makers, these two events were the first step towards a complete isolation from the other European countries. Differently from the Albanian case, Yugoslavia maintained accepted relations with the Soviet bloc, concluding, at the same time, a series of trade treaties with the EEC – European Economic Community. Despite being part of the Western Balkan Region as a geographic context, the socio- economic and political situations of Yugoslavia and Albania differed much. Yugoslavia was ruled by a communist regime with specific characteristic in terms of: (i) population - wide range of ethnic population (Slaves, Croatians, Bosnians, Macedonians, Slovenians, Albanians and Hungarians) with different languages and different religions (Muslim, Catholic, Orthodox); (ii) administrative structure – the union of such diversity range has been greatly assisted by the adoption of a federal structure in republics (Republic of Croatia, Macedonia, Slovenia and Serbia) and autonomous areas (District of Kosovo - Metohija and Autonomous Province of Vojvodina); (iii) economy – it had retained a large private sector in its economy (agriculture area). As emerged, the Yugoslavian regime was characterized by a strong regional differentiation in terms of economic development, environmental problems, agriculture economy, population growth rate, transport network etc. Meanwhile, the Albanian regime followed the Stalinist approach characterized by a top- down state control over property of land, economic activities and means of production. On the contrary, in

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<sup>26</sup> Indicates the breaking of political relation between Union of Soviet Socialist Republics (USSR) and the People's Republic of China (PRC).

<sup>27</sup> An association of Soviet-oriented Communist nations, founded in 1949 to coordinate economic development, etc., it was disbanded in 1991 when free-market policies were adopted by its members.

Tito's Yugoslavia, between 1945 and 1990, the Soviet model was varied in three different ways. Firstly, the nationalized industry and manufactory were expanded. In the late 1940s, a highly-centralized economy was set up, in which all major decisions concerning investment and production were taken by the federal government and incorporated within a Five Year Plan. This system was replaced in the early 1950s by the introduction of the self-management of enterprises by their employees (the constitutional law in 1953 incorporated the idea of self-management). Therefore, Yugoslav system became highly devolved and polycentric, and decisions were taken by the central, the republican and the communal branches of the government, and by individual enterprises. Secondly, Tito encouraged the private sector, the first step being the abandonment of the forced collectivization of agriculture (1953). Thirdly, he modified foreign economic relations, particularly with the Western economic market (but also with IMF and the World Bank). Nevertheless, marked regional disparities continued, and the contrast between the most-developed republics (Croatia and Slovenia) and the least developed (Bosnia and Kosovo) increased. From this brief overview it is clear why existing differences continued to increase not only in the Western Balkan Region but also within Yugoslavia.

### **9.3. Western Balkans in transition**

In 1989, after the collapse of the communist ideology in Europe, the remaining socialist countries crossed a new ideological category of post-socialism. This period was generally defined as "transition", a process that shows the development of a movement from one point, communist ideology, to another, democratic ideology. For the Central Eastern European countries and the Western Balkan countries the opportunity to "return in Europe" was considered the main political priority. Currently, different countries have almost completed the process of transition introducing a wide range of social, economic and political changes.

From a spatial development and urban policy perspective, the most important change is the passage from government to governance, reflected in the new structure based on the interaction among a multitude of local and regional actors (Tsenkova & Nedovic-Budic, 2006). The new circumstances have promoted not only new institutions but also a 'new notion of planning' that focuses on regaining its legitimacy and adapts to the new economic, social and political mechanisms. Indeed, the shift from government to governance was compatible with new demands on urban planning and policy. This process of transformation was granted to introduce new principles associated with good governance: legitimacy and voice (participation and consensus building); strategic direction and vision; performance (efficiency, effectiveness) accountability and transparency (Graham et al. 2003). In the context of states' transformation, from one system to another, the role of spatial planning in the free market system drastically changed comparing to the communist ideology approach. In fact, in state communism, action was based on planning and the party's monopoly on power and decision-making. In capitalist societies, instead,

markets prevail, exercising innovativeness, attention to the social consensus, and economic activity independently from collectively reached decisions and approvals (Tsenkova & Nedovic-Budic, 2006). Aiming to have a better understanding of the transitional path followed by each country, it has been considered necessary to recognize how the phenomenon has been interpreted by the literature in the last twenty-five years. Initial works concentrated on explaining the modalities of the communist breakdown. On this matter, Elster et al. (1998) identified mainly two modes that consisted in following a peaceful civil pattern or a violent and military approach. Other authors like Kitschelt et al (1999) focused their attention on the types of communist regimes, identifying two general attitudes: one that was focalized on the cult of the personality and another one that followed a more bureaucratic and authoritarian system. In order to highlight varieties, other scholars suggested to look back at the pre-communist period identifying two different circumstances, the first more related to a traditional society and the second to an industrial society system. These studies have been focusing on the divergent patterns of change in the post-communist trajectory in Eastern Europe, including the former Yugoslavia (in our case, Croatia and Bosnia) and Albania. Based on their studies, Elster et al (1998) affirmed that in the Western Balkans' post-communist experience, the collapse of the regimes has been followed by the modalities aforementioned, both peaceful and violent. Accordingly, the communist collapse in Yugoslavia was characterized by a violent mechanism of change that caused several wars to follow one another for more than ten years, while instead Albania witnessed a relatively peaceful transition period. All of these factors concurred to influence the transformation path when it came to introducing new institutions, administrative and market reforms or defining international relation during the post- communist reorganisation. In those circumstances, with relevant difference for each country, these factors influenced the orientation of the institutional choices promoted by the reforming elites. According to Elster et. al. (1998), the transition period was characterized by three different types of simultaneous changes: national sovereignty, polity changes and market inspired reforms. Table 15 illustrates the differences between the countries at stake.

**Table 15:** Difference and similarity between the national contexts at stake

	<b>Croatia</b>	<b>Albania</b>	<b>Bosnia &amp; Herzegovina</b>
<b>Pre-communist tradition</b>	Industrial societies	Traditional societies	Traditional societies
<b>Type of Communist regime</b>	Cult of personality/ bureaucratic-authoritarian	Cult of personality	Cult of personality/ bureaucratic-authoritarian
<b>Communist regime' collapse</b>	Violent	Peaceful	Violent
<b>Post-Communist political system</b>	Democratic System (Apparently) after the collapse of former Yugoslavia	Democratic System (Apparently)	Political Instability after the collapse of former Yugoslavia (Ethnic violence)

Source: Author's own elaboration

Until now, the majority of studies about the Western Balkan regions that have been developed in the last twenty-five years, have been generally referred to the economic aspects of the transformation although it represents only a partial aspect of the transition process. Indeed, according to various authors (Tsenkova & Nedovic-Budic, 2006, Tsenkova & Turner 2004), the transition process can influence the national level of government in three different aspects; (a) political transition, communist system to democracy (systemic political change), (b) economic transition, planned growth system to market (systemic economic change) and (c) governance transition, central government decision-making to decentralized system of governance. However, if the trends of transformation are clear, the choices made by governments, organisation, businesses and individuals in the post-socialist countries challenges are not clear at all (Nedovic-Budic 2001). Moreover, the unstable contextual situations, featured the incremental adjustment of the physical, economic, social, and political structures (Musil, 1993; Sykora, 1994). As a matter of fact, changes were mainly related to various dimensions such as: (i) polity dimension – i.e. shift from a single party towards a multiple party system or from a dictatorship system to democracy; (ii) economic dimension – where economic power was transferred from the old vertical administrative hierarchies toward the private sector and the civil society, or shift from planned economy to free market economy; (iii) institutional dimension – from a centralized to a decentralized system of government. However, as a direct or indirect outcome of the aforementioned institutionalized transition process, others transformation took place in terms of: (iv) social dimension – socio spatial transformation as a shift from rural to urban population distribution; (v) behavioral dimension – i.e. the shift in terms of value and behavioral traits characterizing the various segments of the civil society (Cotella & Berisha, 2016). All the processes of transformation previously mentioned may be understandable looking from the perspective of (vi) power dimension – i.e. change of dominant interest groups, entrance in the game of new external actors and local actors (emerging of new local elites). According to Offe (1997) the transformation period should be seen as a concomitance of different factors, summarized in Table 16.

**Table 16:** Factors that influence the Transition Process

<b>Transformation Factors</b>	
<b>Polity dimension</b>	Duration of Transition and its breakdown modality
	Type of Constitutional introduced after 1989
	Presence of internal opposition (multi-party system)
<b>Economic dimension</b>	Industrial performance before 1989
	Record of economic reforms (privatisation, liberalisation)
	Size of private sector
<b>Institutional dimension</b>	Institutional change of the economic system
	International crises
	Prospects for integration into the European Union
	Nature of ethnic minority conflict

<b>Social transformation</b>	Level of ‘nationalist’ integration and level of repressiveness
	Prevailing mode of societal integration
<b>Behavioral dimension</b>	Free market and liberal hegemonic behavior
	Privatisation of public affairs
	EU Perspective
<b>Power dimension</b>	New administrative arrangement and power redistribution
	Introduction of endogenous private and public actors
	Introduction of exogenous institutional or non-institutional actors

Source: Author’s own elaboration partially built on Offe (1997)

Referring to the spatial planning condition, the aforementioned patterns of change are closely related to its evolution path, since all of them contribute to modify the planning environment. As a matter of fact, the administrative reform influenced the decentralisation process and the mechanisms adopted, while the promoted civil reforms affected, among others, the property right, the right to participate and the public transparency. The market reform introduced new private actors promoting numerous privatisation and liberalisation initiatives, while, ultimately, the new established international relation attracted new institutional and non-institutional international actors. An interesting work on the topic developed by Tosics (2006) classified the transition period in three separate moments: (i) vacuum – this period was characterized by uncontrolled development, massive privatisation and contradiction law; (ii) adaptation – initiatives of new investment and planning instruments and the fragmentation of local governments; (iii) adjustment period – continued investment with a special attention to the public sector plans. However, each period was characterized by a multitude of transformation in terms of institution, formal or/and informal, legal framework, political factors and social needs.

As emerged, the States’ transformation period in general and their spatial planning system, have been influenced by several factors that will be explored more in detail in chapters 10, 11 and 12.

## 9.4. Towards EU integration

The question of Integration of the Western Balkans countries into the EU has been discussed since three decades, at least. Since the end of the Cold War and the fall of the communist regime, each country aspired to be part of the EU. At that time, the common hegemonic narrative identified the integration as the only way to ‘keep the distance’ from the communist period and to enable each country to face globalization. For the Western Balkans country, the EU has been perceived as the way to move away from the open conflicts and exclusionary nationalist politics that kept them hostages for the first decade of the post-communist transformation period (Moravcsik & Vachudova, 2003). For the majority of regional actors and cultural elites the EU represented, and still is representing after decades, a ‘window of

opportunity'. On the other side, for the EU, the Balkans represented a 'trouble-making periphery' characterized by a long communist tradition, an undeveloped economy and political and social instability. However, despite the unpromising starting point, in many institutional communications the EU Council unequivocally guaranteed every kind of support for the European perspective of the Western Balkans (Elbasani, 2013). In Elbasani's (2013) observation about the enlargement strategy, the domestic obstacles and the diverging reforms, she states that the EU policy shift toward the region, together with an increasing domestic demand for integration, generated high expectations about the possibility that an enlargement strategy would have disciplined the democratic institution-building and fostered post-communist reforms. The concomitance of the countries' desire of joining the EU and the EU needs to manage the Balkan question characterized the last thirty years of economic and political reforms in the Balkans.

#### **9.4.1. European Union presence since 1990s: multiple approaches**

The presence of the EU in the Western Balkan Region has been constant since the end of the 1980s. Generally, the recent Balkans' Integration history can be divided in four main periods (Rogelj, 2015).

The first covers the period from 1989 to 1995, which is also the time-frame of the collapse of the communist regime and the end of the Bosnian War in 1995. This period has been called by Smith (2000) as 'terra incognita' to describe the approach adopted by the EU in the Balkans immediately after the change of the political system. At that time, according to Jano (2010), the relation between the EU and the Balkans countries were minimal and predominantly focused on the management of crises and humanitarian aid. Since the beginning of the transformation period, a series of political instability and interethnic conflicts limited the opportunity to benefit from some agreements signed in that period, above all the Trade and Cooperation Agreement. As a matter of fact, the relation between EU institutions and the Western Balkan countries was focused not only on emergency assistance, but especially on economic and financial assistance programs. Following Bechev (2011), the EU designed a policy of incentives (such as the unilateral ATM - Autonomous Trade Measures) in order to improve market access for the countries in question (Former-Yugoslavian countries and Albania) as a way of guiding the post conflicts reconstruction, democratization and economic development. After the introduction of ATM, a series of TCAs - Trade Cooperation Agreements were signed and financial assistance was promoted by programmes such as PHARE - Poland and Hungary Assistance for the Restructuring of the Economy and OBNOVA<sup>28</sup> - Rehabilitation and Reconstruction of Bosnia & Herzegovina,

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<sup>28</sup> The program was created in July 1996. Its objectives were to reinforce the Dayton Peace Agreement signed in 1995. The OBNOVA's priorities were: regional cooperation and good neighbourliness projects; rebuilding of infrastructure; consolidation of refugees etc.

Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia (FYROM). Collectively, these programmes formed the so-called Regional approach. In this respect, it needs to be highlighted that Albania and Slovenia were the only countries that actually benefited from the economic support derived from the PHARE program. Only a few years later, in fact, the Balkans question became more central to the EU politic environment with the stipulation of Dayton Peace Agreement in 1995, which aimed to control the effects of Bosnia & Herzegovina's war. Indeed, ample executive and legislative powers were conceded, by the country's new constitution, to the OHR – Office of the High Representative, that was nominated by international actors. The impact of the Dayton accord was important because it drove forward a notion of regional stability as the core of political objectives. While the Balkans were engaged in the “Balkanization process” and therefore were focusing more on territorial fragmentation rather than towards the EU integration perspective, the CEE countries started to launch their candidacy to join the EU, showing an unprecedented openness in meeting the requirements.

The second period coincides with the introduction of the regional approach, implemented by the EU between 1996 and 1999. After the Dayton Agreement, the general perception was to overcome the national approach in favour of a regional one. According to Jano (2010), the EU started to see the Balkans more as a part of the EU rather than a region far from its doors. The introduction of the regional approach was justified by the necessity to promote a long-term political stability through an intense cooperation initiative with and within the region. The aim of the regional approach was to develop a consistent political and economic cooperation among all Balkan countries, including Romania and Bulgaria, to promote democracy and the rule of law, and to encourage economic reforms that would have stimulated the transition to a market economy. However, despite what had been declared, the regional approach and its cooperation agreements failed because they did not offer a clear perspective of eventual membership in the European Union (Rogelj, 2015). Moreover, as suggested by Jano (2010), the regional approach in its first phase (1995-1999) had a series of shortcomings based on: (i) terminology – despite being called “regional”, the approach was based more on a bilateral relation rather than regional; (ii) the EU strategies were a continuation of the “terra incognita” approach; (iii) all regional initiatives appeared to be a reaction to conflicts rather than a way to prevent one ; (iv) its success was undermined by a lack of financial resources and (v) the policies were not comprehensive but rather focused only on a few areas. In those circumstances, none of the countries made significant progress in joining the EU. The European Commission (COM, 1999:3), for its part, concluded that the regional approach was probably underestimated by the countries due to the lack of a long-term strategy and the perspective of an integration process. Eventually, the necessity to change the EU approach was perceived as a priority both for the EU institutions and the Balkans countries.

The third period coincided with the introduction of the Stabilisation and Association Process (1999–2005). In 1999, the Kosovo war gave to the EU the

opportunity to introduce a more comprehensive regional approach that included the question of EU Enlargement as well. Motivated by the fact that something had to be done, the EU introduced the Stability Pact for South East Europe (SP). Its main objectives remained the stabilisation and the development of the region through the consolidation of democracy, the promotion of the rule of law, the economic reform and development, the reform of administrative structures, and the promotion of regional cooperation (Rogelj (2015). Politically speaking, the Stability Pact's most important purpose was the EU and NATO membership, that was seen as the most effective way to stabilize the entire region. Nonetheless, the integration process still depended on the Copenhagen Criteria, that were, among others, political, economic, administrative. As concluded by Jano (2010), the core of this strategy was the project of the Europeanisation of the region. Based on this awareness, the EU went further and introduced the so-called SAP - Stabilisation and Association Process in order to prepare each Western Balkan country to introduce sustainable reforms and obtaining the Potential Candidate status. The SAP was considered as a more advanced institutional framework based on six key areas (European Commission, 1999): (i) development of existing economic and trade relations with and within the region; (ii) development and partial redirection of existing economic and financial assistance; (iii) civil society, education and institution-building; (iv) cooperation in areas of justice and home affair; (v) development of political dialogue, including a regional level; (vi) development of SAA - Stabilisation Association Agreement. The SAP was the first step of stabilisation and constituted the cornerstone for the introduction of the Stabilisation and Association Agreement that was part of the EU enlargement approach (Jano, 2010; Rrapaj 2015; Rogelj, 2015). As suggested by the European Commission (1999) the role of SAA on helping each country on the way of EU enlargement proved to have been fundamental. Differently from the past, the SAA offered the possibility for a full integration within the EU structures. As matter of fact, the signature of SAA was the official recognition of the "potential candidate status" as a first step on the way of the EU Enlargement. In doing so, in 2000 the EU introduced a new financial instrument called CARDS – Community Assistance for Reconstruction, Development and Stabilisation, that effectively started functioning in 2001 but was later replaced by IPA I in 2007. The main guide objectives of CARDS program were: (i) reconstruction, democratic stabilisation, reconciliation and the return of refugees; (ii) institutional and legislative development including harmonization of EU norms and approaches; (iii) sustainable economic and social development, including structural reform; (iv) promotion of a closer relation and the regional cooperation among SAP and SAA countries, the EU and the candidate countries of the central Europe. In 2007, the EU launched the financial program IPA – Instrument for Pre-Accession Assistance, that replaced previous programs like PHARE, PHARE CBC<sup>29</sup>, ISPA – Structural Policies for Pre-Accession, SAPARD – Special Accession Program for Rural and

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<sup>29</sup> Poland and Hungary Assistance for the Restructuring of the Economy, Cross Border Cooperation

Development Program and the aforementioned CARDS. IPA I was a seven-years program that covered the period 2007-2013, and was followed by IPA II (2014-2020). During those years all the Balkan countries became at least potential candidates, except for Croatia that started its own process of integration as a candidate country already in 2004.

The fourth, and last, period identified by Rogelj starts in 2005 and continues nowadays. In the enlargement phase of EU, the general attitude started to change. If, until 2006, nobody doubted about the ability of the EU to absorb new members, today this topic is central to the European political debate. The long arm of the economic and democratic crises is influencing the EU enlargement strategy that should choose to follow its original political ambitions or the emerging spirit of local independency and right left extremisms. Regarding this matter, what has been declared by the President of the Commission at the European Parliament in September 2017 is emblematic. In his communication, Juncker affirmed that it is quite clear that there will be no further enlargement during the mandate of this Commission or Parliament, no candidate is ready yet. In the same occasion however, he affirmed that European Union will be greater than twenty-seven members. By saying that, the President is following the strategy of “steak and carrot” that has been the main cause of the setting the ‘asymmetric power relation’ that characterized the political and economic relation between the EU and the Balkans. Only recently, February 2018, thanks to the launching of the EU strategy for the Enlargement of the Western Balkan Region called “A credible enlargement perspective for and enhanced EU engagement with the Western Balkans”, the President of EU Commission admits that the Western Balkans are part of Europe, geographically surrounded by EU Member States. In this strategy, the 2025 is seen as date for another enlargement period to include the Western Balkans Countries (among other Serbia and Montenegro following by the other countries).

From the abovementioned elements, it is clear how the process of EU integration took a different trajectory for each country of the Western Balkan Region. In this light, the following section will present more in detail where each of the countries analyzed in the present research stands nowadays in relation to the EU.

#### **9.4.2. Nowadays: where Croatia, Albania and Bosnia & Herzegovina stands in relation of the EU**

While the previous subsection concentrated on understanding question of the EU enlargement and Balkans, this one, instead, focuses on considering the integration process of each country highlighting their situation and their relationship with the EU. As it has been evidenced, the multitude of paths that each country had to undertake toward integration, was the result of the great variety of approaches and of responses to different domestic contexts that the EU followed over the years. Despite the expectation of an equal process of assimilation for all

the countries involved, the pace of each country's integration has been different. Therefore, if Croatia is a member since July 1, 2013 Albania became a Candidate country only in June 2014 while Bosnia & Herzegovina is still a Potential Candidate.

#### *9.4.2.1 Croatia as a Member State*

Since its Independency, and even before, Croatia's ambition was to be closer to the EU's economic system. However, the first formal negotiations started a few years later, in 1995. After numerous delays, on November 1996, Croatia was finally admitted to the CoE - Council of Europe, an occurrence that could have opened the possibility for further negotiations with the European Union and the conclusion of the Cooperation Agreement (Vizjak and Vizjak, 2015). A few years later and after a series of democratic, social and economic reforms, the European Commission proposed to the Council of the EU to open negotiations with Croatia to be part of the Stabilisation and Association Process launched in 1999. At that time, Croatia had been the first country in the region to fulfill the set conditions therefore it seemed the right time for negotiations to start and for cooperation between Croatia and EU to accelerate in various fields (Vizjak and Vizjak, 2015). As foreseen by the agreement, in 2000 Croatia obtained the Potential Candidate Status, as many of the Balkan Countries. Due to a positive attitude to adopt reforms in accordance to the EU requirements, Croatia has had the opportunity to sign the Stabilisation and Association Agreement (SAA), starting in 2001 and then finishing in 2005. This agreement concerned several fields like, regional development, cross-border cooperation, agriculture and rural development, energy, transport etc. The fulfillment of the basic condition established by the agreement and the positive response of the European Commission and the European Union, were the first steps for Croatia to acquire the Candidate Status. These progresses towards the EU integration process were accompanied by intensive economic investment initiatives promoted by the EU's funds through specific instruments. As a matter of fact, after the Reconstruction Program (1996-2000), Croatia benefited from a series of funds instruments, like CARDS Program (2001-2004), that was focused on the state capacity building. A few years later, the Candidate Status permitted to Croatia to benefit from new economic programs, like PHARE, that were concentrated on capacity-strengthening initiatives for the EU membership. ISPA financed projects connected to infrastructure transport and environmental protection, while SAPARD and IPARD - Instrument for Pre-Accession Assistance in Rural Development focused more on agriculture and rural development. By the time the IPA was introduced, Croatia was eligible for the program and benefited from it from 2007 to 2013. Thanks to those programs, Croatia received more than € 1,6 billion to enhance the country's capacity to develop a more European economic system (Vizjak and Vizjak, 2015). Following the Enlargement procedures, Croatia performed very rapidly. Indeed, since the beginning of the Screening (concentrating on each open chapter), and the acquisition of the status of Member, only seven years

had passed. In the meantime, the rest of the Balkans were still far from performing that well.

Currently, Croatia is a Member State with the opportunity to benefit from development funds, ETC - European territorial cooperation, Cohesion Fund, European Social Fund and Regional Development Fund. To evaluate and understand exactly how being a Member State benefits Croatia, it is necessary to wait the end of the first period that is seeing the country being involved in the EU programming period since the beginning (2014-2020). Table 17 sums up the main institutional steps necessary to complete the process of the EU Integration.

**Table 17: Croatia's Enlargement Step**

<b>Steps</b>	<b>Agreements</b>	<b>Croatia</b>
	Stabilisation and Association Process	1999
	Potential Candidate	2000
<b>Pre-Adhesion Agreement</b>	Stabilisation and Association Agreement (SAA)	2001-2005
	Candidate Status	2004
	Program Signed (CARDS, PHARE, ISRA, SAPARD, IPARD, and IPA I)	2001-2013
<b>Screening</b>	Started Screening Step	2006
<b>Negotiation</b>	Chapter Discussed Period	2006-2011
<b>Adhesion</b>	Treaty adhesion signed	2012
<b>Status</b>	Member State	2013

Source: Author's own elaboration

#### 9.4.2.2 Albania as a Candidate Country

Despite the process of EU integration started in 1999 with Stabilisation and Association Process Agreement, just as Croatia and Bosnia & Herzegovina, Albania stayed behind. There are many reasons that did not permit the country to fulfill rapidly the EU condition. Firstly, the political instability that paralyzed the country between 1990 and 2000, which includes a civil war (1997). Secondly, the wide political, economic and social transformations that have affected the relationship with the EU for the past three decades. Looking the last three decades, Albania has had a controversial relation with the EU. It was only 1991 when the EU and Albania started the first diplomatic initiative, and was therefore ahead of the other countries. Until that time, no economic and political relation existed. 1992 marks the moment when in Brussels was signed an agreement between the European Economic Community and the Republic of Albania, the Trade and Cooperation Agreement, about trade exchanges, commercial and economic cooperation (Goxha, 2016; Çipuri and Koçibelli, n.d.). The Trade Agreement allowed Albania to participate and to benefit from the PHARE program funds (that amounted € 0,7 billion) for the period 1992-2000, confirming the EU as one of the most important actors in the country. As a matter of fact, in 1993, the European Commission delegation constituted a permanent diplomatic mission to represent the

European Commission in external affairs in Tirana (Goxha, 2016). The new course of events inspired by the Albanian ambition to be part of the EU was later interrupted in concomitance with the economic and political crises that caused the civil war of 1997. The war caused many consequences, one of them being a new negative attitude from the EU towards the Albanian system, that was considered less trustworthy than before. Thanks to the external intervention of the multinational peace force operation ALBA, the social crisis was stabilized. Afterwards, the Stabilisation and Association Process, an initiative undertaken by the EU in favour of the entire Western Balkans, was the chance for Albania and the EU to become closer again. Through the signature of the Stabilisation and Association Agreements and its full implementation, the EU meant to establish a stronger relationship with all the aforementioned countries, almost foreshadowing that all of them would be soon Potential Candidates (as confirmed in 2000 at the EU summit in Zagreb). This has been confirmed also in 2000 at the EU summit in Zagreb. Being a Potential Candidate country meant that Albania was eligible for benefiting economic and financial support. At the time, the main economic assistance was the CARDS Program, that replaced the financial programmes PHARE and OBNOVA. From 2001 to 2004, CARDS benefited Albania with approximately € 180 million, plus € 20 million deriving from the Regional CARDS Programme.

Going back to the topic of integration, the summit that took place in Thessaloniki in 2003 confirmed for the Western Balkans countries the prospects of accession to the EU, and defined the procedure for all the countries involved. After six years of being a candidate, precisely in June 2006 Albania signed the Stabilisation and Association Agreement with the EU, that was ratified in 2009 and became effective a few months later. It was June 2014 when Albania was granted Candidate status as a recognition for its reform efforts and the progress made in meeting the required conditions. However, the country still needs to increase and consolidate the reform momentum and focus its efforts on tackling the EU-integration challenges in a sustainable and inclusive way (European Commission, 2014). Referring to the Progress Report of 2015, progresses have been made in all the aspects, however there are still some that have a long way to go. For this reason, Albania should continue to actively participate in high level dialogue meetings, as well as in the joint working groups on the five key priorities such as democracy, public administration reform, rule of law, human rights and the protection of minorities and regional issues and international obligations. These criteria need to be continuously fulfilled if Albania wants to approach the accession negotiations shortly. To conclude, according to Goxha (2016), if in the last decade the regional counterparts have made significant progress in the European integration process, in Albania's case the results have been definitely minor. Table 18 sums up the main institutional steps necessary to complete the process of the EU Integration.

**Table 18:** Albania's Enlargement Step

Steps	Agreements	Albania
<b>Pre-Adhesion Agreement</b>	Stabilisation and Association Process	1999
	Potential Candidate	2000
	Stabilisation and Association Agreement (SAA)	2006-2009
	Program Signed (PHARE, OBONOVA, CARDS, IPRA, SAPARD, and IPA I-II)	1996-nowadays
	Candidate Status	2014
<b>Screening</b>	Started Screening Step	...
<b>Negotiation</b>	Chapter Discussed Period	...
<b>Adhesion</b>	Treaty adhesion signed	...

Source: Author's own elaboration

#### 9.4.2.3 Bosnia & Herzegovina as Potential Candidate

For Bosnia & Herzegovina, the process of EU Integration started after the end of the Bosnian war, in concomitance with the Dayton Agreement. At that time, the main objective was to bring political stability, economic prosperity and social harmony to the country and to reduce the social inter-ethnic divisions. This coincided with the shift of the EU's strategy toward the introduction of the regional approach in the Balkans. As a matter of fact, in 1996, the objective of the so-called Royaumont Process was to enhance the Stabilisation, democratization and the peace-building capacity in South-East Europe, including Bosnia & Herzegovina. One year later, the humanitarian programmes PHARE and OBNOVA started supporting Bosnia & Herzegovina's reconstruction process. In the wake of a new and more positive relationship, Bosnia & Herzegovina and the EU signed the Declaration of Special Relations (1998). One year later, the SAP was introduced in order to maintain both the regional and the bilateral approach. According to the SAP, and after the Feira European Council, Bosnia & Herzegovina became a Potential Candidate Country in 2003. So, this period was characterized by a relatively good relation between the EU and Bosnia & Herzegovina toward the integration path.

Nevertheless, compared to the Croatian and Albanian path, the current gap has been accumulated after the declaration of the status of Potential Candidate. Despite the negotiations for the Stabilisation and Association Agreement had started back in 2005, the program was signed only in 2008 and became actually effective in 2015, after a period of suspension. After decades of rapport, the signature of the Stabilisation and Association Agreement represents the first effective enlargement step of Bosnia & Herzegovina, while other countries signed much earlier.

Regarding economic support, through the years B&H benefited from EU's funds through many financial and economic programmes, such as PHARE, ISPA, SAPARD, Turkey instrument, and CARDS (Brljavac, 2011). Moreover, under the umbrella of the IPA, the European Commission has allocated € 440 million to support B&H in its transition from Potential Candidate to Candidate country, during

the 2007-2011 and 2013-2020 periods. To conclude, despite having signed the Stabilisation and association process at the same time of Croatia and Albania (1999) Bosnia & Herzegovina is far from joining the EU as a member (Table 19).

**Table 19:** Bosnia & Herzegovina's Enlargement Step

<b>Steps</b>	<b>Agreements</b>	<b>BiH</b>
<b>Pre-Adhesion Agreement</b>	Stabilisation and Association Process	1999
	Potential Candidate	2003
	Stabilisation and Association Agreement (SAA)	2008-2015
	Program Signed	2007-2020
	PHARE, ISPR, SAPARD, CARDS and IPA I-II	
Candidate Status	...	
<b>Screening</b>	Started Screening Step	...
<b>Negotiation</b>	Chapter Discussed Period	...
<b>Adhesion</b>	Treaty adhesion signed	...

Source: Author's own elaboration

## 9.5. Summary and conclusions

With the aim of describing the regional context, chapter 9 explored the main historical steps that characterized the Region since the beginning of 1900. As emerged, in the last century, the Western Balkan Region has been subject to numerous social, economic and political radical changes. A series of uncertainties like wars, political instabilities, instauration of regimes and their subsequent breakdown have been characterizing the whole region. Even with the beginning of the EU integration process the question of the Balkans remains unsolved. Only in the latest years, thanks to numerous progresses made by different countries, the EU seems to be 'behind the window' but it is still difficult to become a EU member. Concentrating on the last three decades, the chapter identifies six different analytical categories (polity, economic, institutional, social transformation, behavioral and power dimension) that perfectly describe the states' transformation process and their spatial planning implication. As part of the analytical approach, the aforementioned categories will illustrate the impact of transition period in each country. Therefore, after presenting the regional context the following chapters (10,11,12) will report the spatial planning state of art for each country.

# 10. Croatia

Croatia has a long tradition in spatial planning and territorial development thanks to its closer position to the Western European context, which has been crucial also in shaping the current spatial planning system. One can divide the Croatian planning tradition in three main periods: before, during and after the socialist regime<sup>30</sup>. In this respect, the first modern planning activity dates back to the 19th century when the plan of Zagreb was introduced. The first spatial plan of the Kotar Krapina, approved in the 1930s, marked the beginning of the modern planning tradition (almost a century old) which is the foundation of today's Croatian planning system (Cavrić & Stober, 2015). During the regime, a more centralized planning system was implemented: the planning process of Croatia, but also of the other republics within Yugoslavia, experienced diverse approaches including some interesting public participation mechanisms. After the downfall of the regime, as it happened in other countries, the transformation process from a centralized economy to a free-market system contributed to change the planning framework. Indeed, new external and internal stimulus addressed the planning system towards an integrated approach (on paper).

Bearing in mind this development path, this chapter aims at illustrating the evolution of the Croatian spatial planning system. After a brief socio-economic overview (10.1) the research will focus on highlighting the evolution of the spatial planning approach through an historical perspective (10.2) in which different aspects are going to be analysed, beginning with the understanding of the spatial planning system during the so-called pre-communist regime (10.2.1), continuing with the illustration of spatial planning during the communist regime (10.2.2) and arriving to investigate it from the transition period until today (10.2.3). During the transition period, changes have interested indifferently the legislative framework, or the so-called structural component (10.3.1), the technical components (10.3.2), the practical component (10.3.3) and the discursive component (10.3.4). Instead, the last part aims to shed some light analysing the role of the actors according to the actor-centred explanatory model illustrated in chapter 8. The last subsection has been divided in three parts: the first focuses on the role of local actors (10.4.1), the second is centred on the impact of the international actors (10.4.2) and the last one

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<sup>30</sup>Hereafter, referring to the Yugoslavian period, the author used socialist rather than communist regime conscious that in the current literature both terms may be found.

analyses the impact of the EU (10.4.3). Finally, the final section (10.5) sums up the main concepts emerged.

## 10.1. Geographic, socioeconomic and political preliminary overview

The country is positioned at the crossroads of Central and South-eastern Europe and the Western Balkans. If, geographically, the country is part of the WBR, historically and culturally, Croatia is part of Central Europe. Croatia borders with Slovenia and Hungary in the West and North; Bosnia & Herzegovina in the South and East; Serbia and Montenegro in the East and the South-East. It also shares a 6,278 km long coastal line with the Adriatic Sea. In order to show the geographical and socioeconomic situation in Croatia, some data has been selected in the following Table 20.

Table 20: Geographical and Socioeconomic Data

<b>Geographical and Socioeconomic Data</b>		
	<b>Geographical Information<sup>31</sup></b>	
	<b>Territorial Surface</b>	56 594 km <sup>2</sup>
	<b>Total Population</b>	4.284.889
	<b>Density</b>	75,7 pop/km <sup>2</sup>
	<b>Population growth rate (1990-2014)</b>	- 5%
	<b>Urban Population (2014)</b>	58%
	<b>Settlement Structure<sup>32</sup></b>	
	<b>Counties (20 + City of Zagreb)</b>	
	Urban Population	2485235
	Rural Population	1799653
<b>Capital City</b>		
Population	698 966	
<b>Second City</b>		
Population	176 314	
<b>Socioeconomic Data<sup>33</sup></b>		
<b>GDP Total</b>	60,3 billion	
<b>GDP per capita</b>	14465 USD	
<b>GDP rate growth (2016)</b>	3 %	

Source: Author's own elaboration

<sup>31</sup> World Bank national accounts data, and OECD National Accounts data files.

<sup>32</sup> <http://worldpopulationreview.com/countries/croatia-population/>

<sup>33</sup> World Bank national accounts data (2016)  
<http://databank.worldbank.org/data/reports.aspx?source=world-development-indicators>

### **10.1.1. Croatia during the communist regime**

Until the proclamation of the Independence in 1992, Croatia had been part of the former SFRY - Socialist Federal Republic of Yugoslavia, together with Slovenia, Serbia, Bosnia & Herzegovina, Montenegro, Kosovo and Macedonia. At that time, Yugoslavia was a Federation where each republic and the autonomous provinces/region (Kosovo-Metohija in the south and Vojvodina in the north), were allowed to invest in their own economic system. Despite the apparent spatial and social homogeneity, great differences existed within the Federation. Accordingly, Croatia was one of the republics that benefited from an economic development supported by the Austrian Hungarian Empire, while the others, like the southern republics, still had an economy based on agriculture. With the aim of reducing these internal disparities, a series of economic reforms had been introduced until the decentralisation of the banking system of 1965, when most investments were transferred to communal and republic banks, controlled by local communities. Meanwhile only the major infrastructure projects remained responsibility of the central government. In this manner, the Yugoslavian system started to develop a polycentric structure. This tendency was confirmed in the early 1970s when the self-management agreement among all decision-makers was introduced. Nevertheless, despite those attempts to reduce the existing differences among the republics, the question of the regional disparities remained central for the entire Yugoslavian regime. Even in Croatia, these economic and development imbalances are still visible when compared to the northern and the southern counties, urban and rural territories or border regions that benefited from institutional and non-institutional agreements with other countries.

Despite being part of the socialist block, Croatia had the opportunity to autonomously develop international relations. To underline this autonomy reserved for each Yugoslavian republic, from 1978, Croatia was one of the founding members of the Alps-Adriatic Working Community (with Slovenia, the Italian regions of Friuli-Venezia Giulia and Veneto, and the Austrian federal states of Carinthia, Styria and Upper Austria) an organisation that, during the 1980s, created many projects in the following area: economy, spatial planning, promotion of minorities and environmental protection, based on the principles of a common historical heritage and good neighbourly relations. As evidenced, notwithstanding that Croatia was part of Yugoslavia, the Federation system allowed each republic to have separate agreements with other Western countries, which differed from any other regional and eastern countries' experiences.

### **10.1.2. Croatia since 1990 – A multi-dimensional transition**

As emerged from chapters 485 and 9, the transition period has been interpreted in several ways, based on different countries' experiences and path-dependency logics. In the context of the Western Balkan Region, the transformation process of

Croatia has been characterized by a successful transition path (Teodorović 1997), but a common consideration about the transition performance in Croatia does not exist. Despite critiques and doubts, there are many reasons that justify why Croatia, in comparison with other countries in the region, has had a positive performance. One of them is spelled out by Stojčić (2012), who states that Croatia benefited from structural advantages existing prior to the transition. Indeed, even during the socialist period, the country's economic activity was organised through a system which combined planning with market instruments. There were also differences in the structure of the economy, where the manufacturing sector was accompanied by a relatively large service sector. In the pre-transition period, indeed, Croatia had the opportunity to trade with EU countries with both centrally-planned economies (CEE) and market-oriented economies, the latter accounting for more than half of its overall international trade. However, on the other side, the political instability and the consequences of the war caused several economic disadvantages that influenced the Croatian economic system for at least one decade. To have a complete picture of what the transition period meant for Croatia, this subsection will illustrate the multi-dimension transition process focusing on polity, economic, institutional, social, behavioural and power dimensions, and their spatial planning implications.

#### *10.1.2.1. Polity dimension and spatial planning implications*

The beginning of the transition period in Croatia coincides with the first free parliamentary election held in the Socialist Republic of Croatia (1990). In the first multi-party election since 1938, the Croatia Democratic Union won against the League Communists of Croatia (dissolved in 1990 and succeeded by Social Democratic Party of Croatia), electing Franjo Tuđman as the first President of Croatia of the post-communist era. Despite the democratic legitimacy, the political propaganda produced and contributed to increase the inter-ethnic division between Croats and Serbs communities. The situation became more complicated with the introduction of the new Constitution and the proclamation of Independency of 1992. The country's peaceful transition from a socialist system to a democracy and a market-oriented economy, was abruptly interrupted by the intervention of the Yugoslav Army that occupied part of the Croatian territory (more than a third) where the presence of the Serbian population had been significant. The war period ended in 1995 and Croatia could finally start its transition process. Since then, the polity history of Croatia had been characterized by a relative stability that fluctuated between the two main representative parties, left and right. Looking at the spatial planning implication of the polity dimension, the main question has been the introduction of the self-government reform (counties and municipalities) and the subdivision of the territory following the process of decentralisation and regionalization promoted by internal and external forces. One of the main consequences, at the local level, has been the possibility to elect the political representative of the counties and of the municipal level, which was not permitted

before. This has been very important because the local authorities power has been recognized not only by law but also democratically legitimized by a regular local election process.

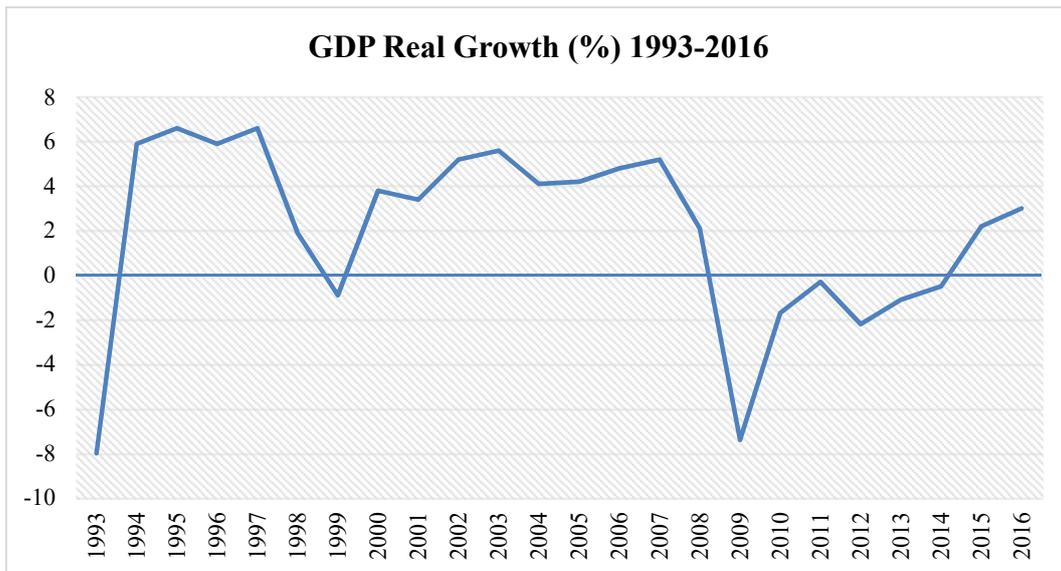
#### *10.1.2.2. Economic dimension and spatial planning implications*

As a semi-market economy, Croatia had the advantage of needing a lesser number of economic institutional reforms than in other transition countries (Stojcic, 2012). The process of economic reform took place since the 1960s, with the introduction of some market mechanisms, above all liberalisation. However, the most important reforms were undertaken in the first part of the 1990s with the introduction of several laws that permitted, not only the creation of new private businesses, but also the full transfer of ownership from socially<sup>34</sup> owned means of production to employees and external owners (Stojcic, 2012). At that time, Croatia, that had benefited from the international agreement that had been signed between Yugoslavia and the EU in the 80s, became member of the WTO in 2000, and in addition, it signed bilateral agreement with the EU, such as Association Agreement, and CEE countries. In terms of macroeconomic performance, Croatia showed a typical transitional path. The decline in output was accompanied by a decline in the employment and a rising inflation. Moreover, the transformational recession was amplified due to the war and the break-up of linkages with the markets of the former Yugoslavia (Stojcic, 2012). As Figure 25 illustrates, between 1989 and 1993 the GDP fell at an average annual rate of 10% and in 1993 it was at 60% of its pre-transition level while the employees decline almost of 25%. The country's economic recovery started in the second half of 1990s, when the government introduced a stabilisation plan which had four main objectives: to curb inflation, to initiate the restructuring of the real estate sector, to rehabilitate the financial sector, and to create foundations for sustainable growth of the economy in the long run (Stojcic, 2012). Only with the beginning of the new century, the macroeconomic performance recorded positive trends. The growth of GDP and GDP per capita was somewhat lower than in other CEECs but Croatia reached its pre-transition level of output in 2003 (EBRD, 2007). Since then, the Croatian economy developed within the perspective and under the umbrella of the EU and of its economic system (including the current global crises effects).

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<sup>34</sup> The process of property privatization has been normed by the Law on The Transformation of Socially Own Asset passed in 1991.

Figure 25: Economic Performance GDP Growth 1993-2016 in Croatia



Source: Author's own elaboration based on International Monetary Fund data<sup>35</sup>

In a spatial planning perspective, the implementation of various reforms that normed economic and social aspects, like privatisation, liberalisation, and decentralisation, played an important role in framing the Croatian planning system. One should keep in mind that the process of liberalisation, conducted under the supervision of the international actors, radically changed the state policy about production, moving towards a privatisation system. This was accompanied by a few local resources necessary for the local spatial plans' implementation, contributing to be hostage of the free- market logics. Due to the cited aspects, for at least one decade, plans at the local level were not implemented at all or implemented with scarce results.

### 10.1.2.3. *Institutional dimension and spatial planning implications*

In Croatia, with the end of the Yugoslavian system in the early 90s and the subsequent proclamation of the country's independence, began a period of reforms, including the administrative one. A new administrative-territorial system was introduced in Croatia in late 1992, after a period of political transitions and warfare devastations. It reflected the functional principle where counties were the first order of spatial and administrative units and the main centres of functional regions (Mihaljek et al., 2013). At that time, the intention was to adapt the administrative system with the new Constitution. In this regard, the new reform of 1992 - Act on Counties, Cities and Municipalities (*Zakon o područjima županija, gradova i općina*), divided the territory into counties (twenty +one), municipalities and communes. The act introduced a dual system of local government: the first system

<sup>35</sup> Source: [http://www.imf.org/external/datamapper/NGDP\\_RPCH@WEO/HRV](http://www.imf.org/external/datamapper/NGDP_RPCH@WEO/HRV)

of self-government was the set of municipalities and cities, while the second considered the counties as a local unit of self-government. The legislation established that the Croatian administrative system was composed by: twenty-one counties, seventy cities, four hundred and eighteen municipalities and two districts. However, this process of decentralisation was not always clear and transparent. According to Maleković et al. (2011) the process of decentralisation was accompanied by a series of processes of centralisation of power between the counties. In fact, some ministries created a parallel structure within the local administrative system, there was in this way an influence with the administrative actions. The Croatian counties were characterized by a relatively small dimension. In fact, if on the one hand, the process of decentralisation allowed to respond effectively to their local needs, on the other hand, the low spatial dimension did not allow to achieve a good level of governance and, consequently, to influence the central system (Maleković and Puljiz, 2009). This situation created a number of problems related to a substantial disparity in economy and development, which created regional imbalances between the north and south and the former war-zones. A second period of reforms in Croatia was related with the new relationship with the European Union. Croatia achieved the European candidate status in 2004, which meant introducing different reforms, including the administration one, that should have considered also the regional strategies and the principles of the EU.

A few years later, in 2007, three NUTS 2<sup>36</sup> statistical regions were adopted, in order to better respond to the needs of the new partner. Between 2005 and 2007 a "transfer of responsibility" was made between the counties and the Croatian cities, regarding spatial planning. The result was the validation of a new law in 2007, that normed spatial planning and the constructions sector. Additionally, in 2009, the central government introduced a new law for regional development, which gave several indications connected with the policy of cohesion of the EU. Later, in 2010, a process of bottom-up strategies began in order to achieve a higher level of relations between the different local, regional and national actors according to the principle of subsidiarity. In addition to this, the Regional Development Strategy (2011-2013) identified a number of guidelines and principles for a functional decentralisation based on three factors: functional and fiscal decentralisation, and territorial reorganisation. However, despite these reforms, the Croatian administrative system still had several problems: the territorial dimension of the counties; the limited fiscal capacity of local units; the lack of a horizontal coordination between the central system and the regional level; the implementation of processes of centralisation combined with a lack of local institutional capacity (Maleković et al. 2011, Maleković and Puljiz, 2009). Only with the new strategy, in the years 2011-2013, it was possible to try and to realize a regional development

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<sup>36</sup> The Croatian's statistic region NUTS 2 are: Nord-Est and Adriatic Region

by coordinating many administrative levels, including the statistic NUTS 2 introduced in 2007, see Table 21.

Table 21: Territorial Division in Croatia, County and European NUTS

21 Counties	2 NUTS Region
	

Source: Cotella & Berisha 2016a

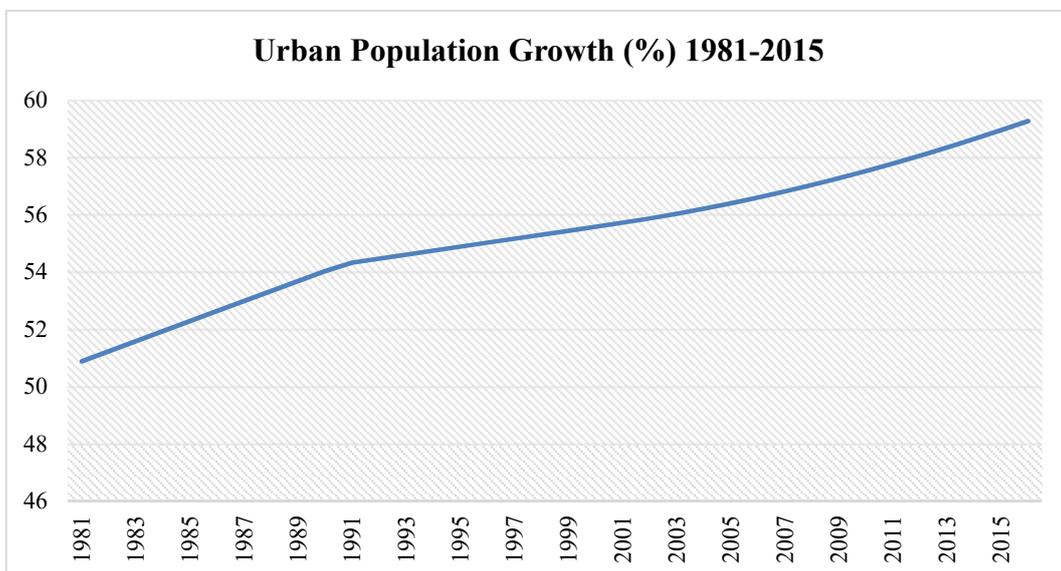
The new administrative configuration, started at the beginning of the 90s, has been the basis of the evolution of the spatial planning system for at least two aspects. Firstly, the introduction of the subnational level (counties) with spatial planning competence contributed to frame a coherent hierarchical system where the county level mediated between central strategy and local priorities. Secondly, the planning system has been influenced by the introduction regional development approach (2009, 2014). Currently, in Croatia coexist two parallel but interlinked systems that govern, on the one side, the spatial planning aspects and, on the other side, the regional development priorities.

#### 10.1.2.4. *Social dimension and spatial planning implications*

For a long time, Croatia has been the objective of internal and external migration fluxes due to military occupation or economic reasons. Indeed, during the Yugoslavian period, Croatia and Slovenia received numerous inhabitants from the other Yugoslavian Republics in order to be employed in the industrial sectors. Therefore, when the downfall of the communist regime dissolved the Yugoslavia system, in Croatia different minorities were coexisting (Austrian, Hungarian, Serbs, Italian and etc.). The most recent significant migrations came as a result of the Croatian War of Independence (concluded in 1995) when hundreds of thousands were displaced. In 1991, the population peaked at 4.7 million, the maximum ever reached by the country, while in 2011 the population was around 4.29 million. A

combination of war effects, negative birth-rates and emigration (with swinging effects) has reduced the number of inhabitants in the country. Another important phenomenon that influence the social dimension is the question of urbanization. Indeed, as in other countries in the southeast of Europe, Croatia is involved in a process of constant growth of the urban population. As indicated by the World Bank<sup>37</sup>, since 1981 the country has known an important process of urbanization starting from about 50% in 1981 to almost 60% in 2015 (Table 22). In this period, the process of urbanization has been significant in the capital city of Zagreb, as happened in the capital cities in the CEE, and medium cities like Split, Zadar and Dubrovnik. According to Kordej-De Villa et. al. (2005), in the period 1994 - 2003, more than 716,000 people moved from one settlement to another within the Republic of Croatia.

**Table 22:** Urban Population Growth (%) 1981-2013 in Croatia



Source: Author’s own elaboration based on World Bank Database

The spatial implication of the social dimension has been often underestimated but, in many cases, like in the urban peripheries, its importance has been evidenced by the proliferation of informal and illegal settlements. In Croatia, the question of informality has been associated to secondary homes or profit-motivated developments without planning permits along coastal areas. Regulations introduced in 1992 and 2012 (No. OJ 86/12) permitted the legalization of all informal buildings (estimated to be about 100,000) (Tsenkova, 2012).

*10.1.2.5. Behavioural dimension and spatial planning implications*

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<sup>37</sup> <http://databank.worldbank.org/data/reports.aspx?source=world-development-indicators>

Moving from the socialist system to a free market economy meant radical changes in personal and social behaviour. The simple idea to 'be free' and not 'constrained' to take any personal decision in terms of economic and democratic perspectives, has been widely hoped for a long period. However, as emerged, the transition period in Croatia took place in the conditions of war, unstable political and economic circumstance and were accompanied by a chaotic privatisation process. This uncontrolled process of transition has been responsible for the division of society into winners (the new political and economic elites) and losers (war veterans, industrial workers, women, young people, retired people), which was extremely visible in the late 1990s (Tomić - Koludrović, and Petrić, 2007). As suggested by the authors Tomić - Koludrović, I., and Petrić, M. (2007), the first part of the transition was characterized by a clear individualist approach where the interests of the self-overcame the social priorities. This was possible because of the simultaneous presence of the socialist legacy, war consequences and an embryonal globalization attitude. Adopting a political perspective, it can be noted that in the 90s Croatia was characterized by a recentralisation process that concentrated the power in just a few institutions. In that divergent circumstances, the question of spatial planning was perceived as distant from the reality. Until the end of the 90s the development process was not really managed.

#### *10.1.2.6. Power dimension and spatial planning implications*

The transformation process that allowed Croatia to move from the Yugoslavian block to be an independent country, contributed to deeply reform and reorganize the structure of the state. In doing so, the question of power and its (re)distribution was at the centre of the political debate. The leverage of the redistribution of power dominated particularly the first period of the transition process when the emerging of new politic parties occupied the polity scene. In this respect, it is interesting to note that the majority of the 'new politicians' had been part of the political establishment of the former regime, confirming what happened in other social contexts like in CEE countries, where the political power informally remained in the hand of the 'reformed communists'. The introduction of economic reforms inspired by the logic of privatisation, liberalisation and free market, moved the 'centre of power' from the state to the market creating the socio-political condition for the emergence of new actors, like the businesspeople, who followed the logic of profit and tried to benefit from any kind of liberalisation and privatisation reforms. The power equilibrium was influenced, moreover, by external factors and actors. Indeed, despite the domestic actors' interests (politicians, businessmen, investors, developers and etc.), the external actors, like the EU, contributed to reshape the local power equilibria favouring some actors rather than others. In this context, one should mention the proliferation of national or international NGOs that have been active in supporting the local reconstruction or having an active role in capacity and state building. Looking from a spatial planning perspective, the presence of several actors with often diverging objectives, priorities and strategies

created a condition in which the question of territorial development started to be an emergency to manage. So, if during the socialist regime the planning question had been centralized and nobody could intervene without the consensus of the party, during the market-oriented system the planning system began to be a compromise between public and private interests, often with a lack of transparency.

## 10.2. Evolution of spatial planning in Croatia

As has been evidenced by several authors, spatial planning activity in Croatia has a long tradition. Each country has their own planning tradition that is the result of negotiation processes between political, economic and social interests. In this respect, in Croatia spatial planning history can be summarized at least in five historical periods (Table 23). The first, which dates back to the Austrian Hungarian Monarchy, was characterized by the establishment of the modern spatial (physical) planning. At that time, the planning norms were introduced with the aim of governing the planning and construction in the Kingdom of Croatia (Cavrić and Nedovic-Budic, 2007). The second period refers to the founding of the Kingdom of Yugoslavia and consequently, to the change in the existing institutional arrangement. In that circumstance, the Civil and Construction Law was adopted to provide building standards that would direct both the urban and rural development, promoting a uniformity approach in building designing and its implementation. The third and fourth period focus on understanding the question of planning within the socialist regime system. The last period started with the collapse of the regime and the establishment of a more democratic system. The following sections, 10.2.1, 10.2.2, 10.2.3 concentrate at giving more details about each of the aforementioned periods.

**Table 23:** Main phases of the evolution on of Spatial Planning in Croatia

Historical Context		Spatial Planning tradition
....-1918	Austrian Hungarian Monarchy	Introduction of Construction Orders I, II, III as a normative framework
1918-1945	Kingdom of Yugoslavia	Adoption of Civil and Construction law
1945-1974	Yugoslavia	Centralized Spatial Planning System
1974-1991	Yugoslavia	Planning during the period of the decentralisation
1990- ....	Croatia	Transitional Physical Planning System

Source: Author's own elaboration partially based on Cavrić and Nedović Budić, 2007.

### 10.2.1. Spatial planning in Croatia during the Pre-Communist period

As stated, Croatian planning activity has a long tradition. The first example of the intervention of the law in influencing the city development dates back to the

Venetian Imperium, and more specifically to 1296, when the “Liber Statutorum Civitatis Raggusii” was established in Dubrovnik. The Venetian Imperium period saw a rapid growth of urban population, which resulted in an increased need for housing development and the expansion of public spaces (Benyovsky Latin & Ledić, 2014). Moving on to the emerging of the modern spatial planning system, one should consider planning activities and experiences developed between the end of the 19th century, when the plan of Zagreb was introduced, and the beginning of the 20th century. According to Cavrić & Nedović-Budić (2007), two periods of modern planning legislation and practice may be identified in the pre-communist era. During the early period, which ended in 1918, the legislation was developed under the influence of the Austro-Hungarian Monarchy. The most important acts during that time were the Construction Orders I, II, and III which governed planning and construction in the Kingdom of Croatia and Slavonia, and in the cities of Osijek, Varaždin, Zemun, and Zagreb. In the next period (1918 – 1945), urban development was governed by the Civil and Public Construction Law. This act was adopted to assist the orderly and progressive development of land in both urban and rural areas, and to provide building standards and uniformity in designated areas (Cavrić & Nedović-Budić (2007).

Whereas the first physical plans in Croatia were produced in the early years of the 19<sup>th</sup> century there is hardly any evidence of regional, urban or any spatial economic policy between the two World Wars (Kordej-De Villa et. al., 2005). These first physical plans marked the beginning of two activities: economic planning - which started as a firm centralized activity and gradually relaxed; physical planning – which gradually grew into a hierarchical multi-level system (composed by state, regional, municipal and sub-municipal levels). At the municipality level, there were two types of plan: municipal plan – regarding all territorial administration; and detailed plans – that usually cover a small part of municipalities and must be in accordance with the previous level. Interesting to note, in this context, is the system of public hearings or participation processes.

### **10.2.2. Spatial planning in Croatia during the Socialist period under Yugoslavia**

With the beginning of the socialist regime, the administration of urban planning in Croatia was based on the doctrines of socialist ideology. In terms of spatial planning, while the first period of the socialist regime, from 1945 to 1974, was characterized by a highly centralized and hierarchized structure, in the second period, from 1974 to 1990, the practice of planning moved slowly from a system of rigid centralisation, dominated by economic development approach, to a more decentralized planning model of self-government (Pogačnik, 1987). More in detail, Nedović Budić (2008) identifies four main periods that can exactly describe the socialist planning tradition during the Socialist Federal Republic of Yugoslavia. The first period (1945-1953) concided with the reconstruction period characterized by a process of centralisation of planning system. In that period, the central level

played a guiding role in introducing planning and economic documents at the central level and addressing the main important planning activities. In the second period (1953-1963) were drafted and implemented the first generation of plans that had been characterized by the decentralisation process. The third period (1963-1973) coincided with the introduction of the second generation of plans during the decentralisation period. At that time, the planning responsibility were shared by the federal level that was in charge to define general policies, and the republic that was in charge to connect the federal strategy to the local needs and priorities. Finally, in the fourth period (1974-1992), the third generation of plans were prepared. In that period, local communities were in charge of urban development and spatial planning. In the meantime, immediately before the downfall of the socialist regime, the law Physical Planning and Regional Development (1980) had been approved. Through time, many plans of various types (regional, urban, and detailed area plans) were adopted, but most were shelved as blueprints of unachievable goals. While the participation of the general public, the local communities, the public institutions, and the business enterprises in the formulation of planning goals and objectives became a requirement of the new system of self-management, in practice, the role of these various actors in the urban development process during the socialist period was diminished by influential politicians and planning technocrats, who were strong proponents of the “top-down” approach (Cavrić & Nedović-Budić, 2007).

### **10.2.3. Spatial planning in Croatia after 1990**

As happened in other countries in the WBR, spatial planning in Croatia has been subjected to an enormous process of change (Figure 26). Since gaining independency in the early 1990s, the planning process and plan making in Croatia has tried to turn away from the old socialist methods of planning, towards more flexible forms of urban management and governance (Cavrić & Stober, 2014). The new country needed a new planning law capable to manage the territorial development within a new institutional framework.

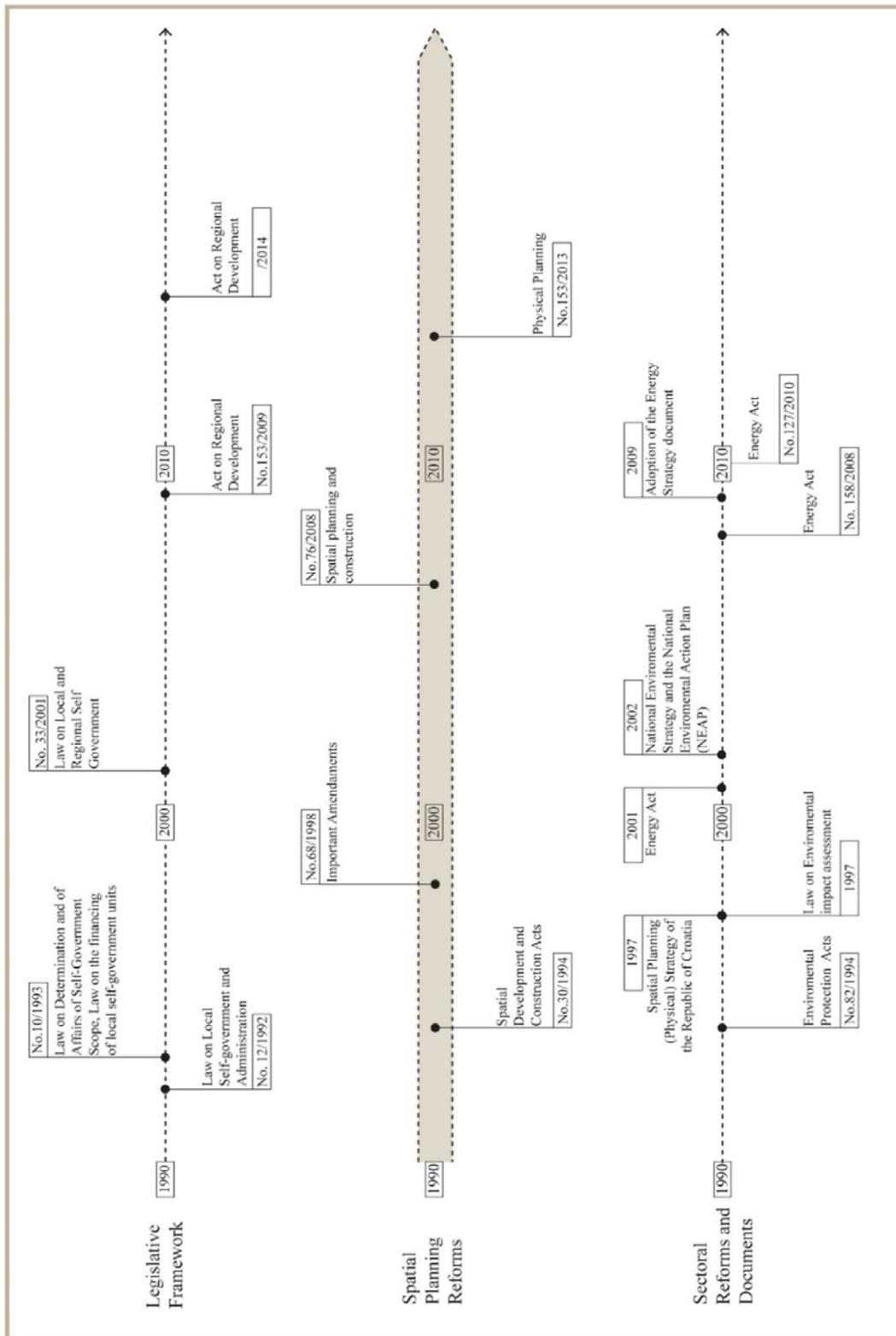


Figure 26: Spatial Planning Reform, Legislation Framework and Sectoral Reforms and Documents

Source: Author's own elaboration

In this perspective, the law in Spatial Development and Construction law No. 30/1994<sup>38</sup> passed in 1994, to be later substituted by the new law in Spatial Planning and Construction of 2007, which has been effective until the introduction of the new law in Physical Plan in 2013<sup>39</sup>. In the last three decades, important spatial planning reforms were launched showing a tendency of the country to modify its planning system in order to better respond and coordinate the emerging planning issues. Until 1994, in Croatia the basic legal framework for spatial planning has been the law on Physical Planning and Regional Development (passed in 1980<sup>40</sup>). Since 1994, during the reform process that followed the war, spatial planning in Croatia was under the competence of the Ministry of Environmental Protection, Planning and Construction. At that time, the general purpose of the physical planning system in the Republic of Croatia was to plan and develop the territory of the country, including counties and municipalities, in order to create better conditions for managing, protecting and administering it as a particularly valuable and limited national resource, thus laying the ground for social and economic development, environmental protection and rational use of natural resources (MEPPPC, 2006). According to the law, physical planning in Croatia was based, above all, on the following principles: integral approach to planning; social and cultural development of the entire state; harmonization of the environmental development of individual parts of an area; link of the state territory with European environmental organisation; openness to the public and free access to data and documents. Moreover, the law established a series of plans, regulation and norms, also identifying their implementation mechanisms. As it has been positively recognized by several authors, the law introduced the National Strategy of Spatial Planning (1997), which identified the aims of long-term spatial development in coherence to the economic, the social and the cultural development (Cavrić and Stober, 2014). The Strategy contained the essential elements for the harmonization and orientation of spatial development, spatial organisation of the state, priority development activities and planning entities of common spatial and development features for which physical plans or other physical planning documents would be later adopted (MEPPPC, 2006). A few years later, the National Space Program Schedule (1999) was adopted, which determined measures and activities in order to implement the National Strategy of 1997. The Program contained the main objectives of the space development, identifying the basic criteria and guidelines for the management of spatial entities, proposing priorities in the accomplishment of physical planning objectives. At the regional level, the counties and the city of Zagreb were in charge to prepare respectively the Physical Plan for the County and the Physical Plan for the Capital city. The main intents of those plans were: to

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<sup>38</sup> Amended several times through the laws No. 68/98, 61/00, 32/02 and 100/04.

<sup>39</sup> The last amendments dates back in 2017, OG 65/17

<sup>40</sup> The law introduced the first time the obligation to assess the environmental impact of projects based on the USA legislation

(re)define the objectives of spatial organisation; to guarantee environmental protection; to promote a more coherent use and management of the environment; to preserve and improve the natural, cultural, historical and landscape values. At that time, the Physical Plan of Areas with Special Features was introduced, which was prepared for areas of recognized natural, cultural value or other features and should have been obligatorily adopted for the area of national and natural parks and for areas for which this had been made obligatory by the Physical Planning Program of the State or the County Physical Plan (MEPPPC, 2006). According to the law passed in 1994 (n.30), at the lower level, the municipalities should have drafted and adopted several planning instruments that were based on strategic and visionary characteristics on the one hand, and more regulative and detailed ones, on the other. For example, the Spatial Development Plan, which is one of the local plans of the municipality, defined the conditions for the development of cities and identified goals, established the functions, and defined areas to rebuild or rehabilitate, environmental protection and other areas with special natural and cultural values, and important monuments. In addition, the plan identified and obliged municipalities to establish detailed plans for specific areas.

According to Prelogović et al. (2016), the implementation of the legislation after the law adoption showed some weaknesses as it prescribed the development of a large number of spatial plans requiring a long period of preparation, low potential for public participation in its development, and weak monitoring of the plan's implementation. Furthermore, due to the lack of time, sub-legal acts passed quickly but unprepared and unconnected. Given the visible consequences in space, it can be said that spatial planning failed to adapt to new social and economic circumstances, which opened the way to a liberal and more flexible development of space, in some places with chaotic and irreversible consequences. In addition, the adoption of numerous amendments, above all No. 68/98, 35/99, 61/00, 32/02 and 100/04, and the changes of economic, social and cultural conditions, contributed to the introduction of a new law. As a matter of fact, due to these reasons, the aforementioned law on Spatial Planning and Construction passed in 2007. With this act began the adaptation of the legislation to European practices of planning: it established the system of planning and construction; the competence of government entities and of local and regional government bodies, and the division of the planning documents on strategy and implementation (Prelogović et al., 2016). Within the domain areas, the act introduced a category of particular interest for the state<sup>41</sup> called "protected coastal area or maritime domain", which included areas of special interest for the state in order to pursue a sustainable development, through limitations in their use (1000 m belt on the continent/islands and 300 m belt in the sea etc.). The 2007 Act introduced a stricter top-down approach: local spatial plans may have not determined a building area or intended purpose on the land outside the settlements as defined respectively by the state or county spatial plan. New

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<sup>41</sup> Part 2.4, Art. 48, 49, 50, 51 of the Law No.76/07.

detached building areas outside the settlement should have been determined by a spatial plan of a city (or of a municipality) or Spatial plan of the City of Zagreb, only if the existing detached building areas outside the settlement are built-up on 50% or more of its surface. After reaching the status of member of the EU (July 1, 2013) Croatia adopted a new reform of the called Physical Planning Law OG 153/13 which came into force on January 1, 2014. The new law has reflected some of the principles promoted in the EU, in different locations and institutional contexts, like sustainable spatial development, horizontal and vertical integration, transparency and free access documents. It has also given a significant importance to the phases of monitoring and evaluation of plans, which need to be aligned with of the EU standards (Cotella & Berisha, 2016a, b). In addition, the Physical Planning Act has introduced the issue of flexibility. The state, the local and regional self-governments and the other public bodies should cooperate and respect the objectives and interests expressed in the broader scope documents, which establish the premises to adopt spatial plans. Other development documents are adopted to pursue special regulations, and influence spatial planning and spatial development.

In terms of planning authority, the law has divided the question of spatial and regional planning and spatial development attributing responsibilities to two different ministries: the Ministry of Construction and Physical Planning and the Ministry of Regional Development and EU Funds. The law requires also the preparation of a Spatial Development Strategy of the Republic of Croatia, which is considered as a key instrument for the national development. This Strategy should be based on a spatial development which takes into account the natural, economic, social, cultural and environmental conditions. It is important for the Strategy to contain the guidelines and priorities in order to achieve the aims of spatial development relating to the protection, preservation and environmental improvement. However, it is still early to see if the new features are significant and useful to the domestic environment, while it is also important to emphasize that some of the EU principles have been shared and incorporated into the national legislation (Cotella & Berisha, 2016a, b). This aspect is important because it represent a direct result of the process of dialogic influence (ideas and means) that are part of the community discursive sphere. Regional development in Croatia (as a separate policy from spatial development), in legislative terms dates back to 2009, when the first regional development act was adopted. Prior to this milestone, the pre-accession process of Croatia had started to prepare their development documents on regional level called “regional operational programmes” that have been replaced by county development strategies in 2010-2011, often extended to 2013. Although the Regional Development Strategy on the national level were prepared twice (2010, 2016) by the relevant ministry, none of these documents have been approved. The 2014 Act on Regional Development has introduced “urban agglomeration”, “larger urban areas” and “smaller urban areas” as categories that may adopt development strategies, but some of them serve as basis for applying the Integrated Territorial Investment.

**Table 24:** Spatial Planning reform process in Croatia

Law	Name	Planning mean	Innovations	Unresolved Issues
No. 30/94	Spatial Development and Construction	No specific definition is given	Planning authorities at the subnational level	Did not recognize Croatian coastal area
No. 76/07	Spatial planning and construction	Interdisciplinary activity	Possibility to create a joint County Institute for Physical Planning	Partial implementation of the principle of public participation and access to spatial data and information.
No. 153/13	Physical Planning	Interdisciplinary activity	Two Ministries	Physical Planning Information System

Source: Author's own elaboration

Table 24 shows how the spatial planning process in Croatia shifted from a rigid and old socialist planning to a more flexible method of urban management and governance (Cavrić and Stober, 2014). Looking at the recent developments, it could be argued that the country is in an ongoing process of development of new planning regulations and adjustment of its administrative and planning system to the EU requirements. As mentioned above, an illustrative example is the introduction of the first Law on Regional Development of 2009 and its recent amendments of 2014 (OG.147/14) (Marcks et al, 2016) and 2017 (OG 2017).

### 10.3. Understanding the system of spatial planning in Croatia

This chapter has the ambition to shed light on the evolution of the spatial planning system in Croatia through the adoption of a multi-component perspective. As emerged in the subsection 4.3.5, the spatial planning system can be seen as made-up by four different analytical components: structure, technique, practice and discourse. As emerged above, the Croatian spatial planning system frequently changed in the last three decades. These changes regarded the structural component that has been interesting the legal framework and government system (10.3.1), the technical component that has been altering the so-called instrumental framework (namely plans, programmes, strategies, procedures etc.) (10.3.2) or the practice component that has been introducing new formal and informal experiences (10.3.3), or again, showing the discursive component simultaneously analysing both the institutional and non-institutional discourse (10.3.4). At the end of each subsection, the main processes of transformation and the significant innovations presented by

each spatial planning reform have been summed up, using synoptic tables (10.3.1.4; 10.3.2.4; 10.3.3.4; 10.3.4.4).

### **10.3.1. Structural component of the spatial planning system**

The structural component of the spatial planning system, hence the legislative dimension, has been widely investigated in previous comparative experiences in planning studies. Starting from the fact that each spatial planning system is framed by and operates within its government and legislative framework, the intent of this subsection is to profoundly analyze the normative aspects of spatial planning, starting from the Constitution and continuing to the laws, norms, regulation etc., that have a direct impact in framing the spatial planning system. At the top of the legislative framework, the Art. 4 of the Croatian Constitution, establishes that the Republic of Croatia government shall be organized on the principle of separation of powers into the legislative, executive and judicial branches, but also limited by the constitutionally-guaranteed right to local and regional self-government. In addition, in Part VI – Community level, local and regional self-government, the art. 134 establishes that municipalities and towns shall be units of local self-government, and their territories shall be determined in the manner prescribed by the law, while Counties shall be regional units of self-government, and the capital city of Zagreb shall be one of them. Moreover, the Art. 135, defines the local duties and, in particular, the affairs related to the organisation of localities and housing, zoning and urban planning, public utilities and the protection and improvement of the environment, while the regional level shall be the main responsible in zoning and urban planning, economic development, transportation and transportation infrastructure. By reading the Constitution, a highly hierarchical system has emerged, with a clear distribution of responsibility from the top to bottom levels of administration. To have a complete overview of the evolution process, each planning level has been explored separately.

#### *10.3.1.1. Changing in planning authorities and responsibilities at the national level*

Spatial (physical) planning system in Croatia has been characterized by a hierarchical structure (Cavrić & Nedović-Budić, 2007). In fact, it reflects a top-down approach that involves all the planning authorities as established by laws (Table 25). Following the fall of the socialist regime, the law (1994) represents the first attempt to overcome the past logics and ideas obligating counties, cities and municipalities to prepare their own local plans. At that time, Croatia was still involved in the war, that ended in 1996. In that period, the implementation of the spatial planning law was not considered as a priority because of the implications of the war. Once the war ended, at the centre of the political debate was the necessity to reconstruct and to manage the territorial development. In that circumstances, the law of 1994 was emended several times (“Official Gazette” n. 68/1998, n. 61/2000,

n. 32/2002, n. 100/2004) in order to adapt the planning approach to the new contextual situations. The law, according to what was prescribed in the Constitution, hence that planning levels should reflect the administrative arrangement, established three main planning authorities at the central level. The Croatian Parliament, as the main representative body, was in charge of adopting the National Physical Planning Strategy and its Programme. In these two documents were addressed and prospected the path for the future development of the country and a four-year programme of measures for the improving conditions throughout the state. According to the law, the enforcement and the implementation of planning documents at the central level should have been supervised and monitored by the line minister, at that time represented by the Ministry of Environmental Protection Physical Planning and Construction. Instead, the operative authority in charge of supporting the mentioned authorities in executing their responsibilities, was the Council for the Spatial Planning<sup>42</sup>. Years later, the law of 2007 preserved the same institutional arrangement at the central level, confirming for each planning authority the exiting competence and responsibility. Only in 2013, with the last reform, some novelties have been introduced.

**Table 25:** Planning Authorities and responsibilities at the National Level in Croatia

Law	Spatial Planning Authorities	Responsibility
30/1994	Croatian Parliament	To adopt strategic physical planning documents like National Physical Planning Strategy and Programme.
	Ministry of Environmental Protection, Physical Planning and Construction	Enforcement of all physical planning documents.
	Council for Spatial Planning	To give comments and remarks on physical plans of the protected area, as well as on new regulations and working-plan of the Ministry and the Government.
76/2007	Croatian Parliament	To set up targets, benchmarks and guidelines for spatial development states, adopt the spatial planning documents at the state level and the regulation of the general rules and standards.
	Croatian Government	
	Ministry of Physical Planning and Construction	To horizontally and vertically coordinate planning activity.
	Council for Physical Planning	To provide opinions, proposals and assessments of the proposals of spatial planning documents and other documents prescribed by the law, at the state and local (regional) level.
153/2013	Croatian Parliament	To adopt Physical Planning Act, Regional Development Act, Strategy of Spatial Development of the Republic of Croatia, State Plan for Spatial Development, discuss the Country Report on the Situation in Space and, finally, adopts Regional Development Strategy on state level.

<sup>42</sup> It has been founded by the amendment No. 100/2004.

	Ministry of Construction and Physical Planning	To make proposal on the acts, strategies and plans to be adopted by the Parliament. More focuses on sectoral aspects as infrastructure, housing, energy efficiency etc.
	Ministry of Regional Development and EU Funds	To designs the national and regional development plans.
	Croatian Institute for Spatial Development	It is a State body responsible for coordination of the elaboration of the Strategy of Spatial Development of the Republic of Croatia, State Plan for Spatial Development <sup>43</sup> .
2014 - Regional Development Act	Regional Development Council	Monitor status and trends in regional development, propose guidelines on regional development policy to ensure more balanced development, examine national development documents and etc.
	Agency for Regional Development of the Republic of Croatia	Responsible for implementation of activities which contributes to the realisation of objectives of regional development policy set in planning documents of regional development policy.

Source: Author's own elaboration

The First substantial innovation has been the separation of the planning and development responsibilities between the Ministry of Construction and Physical Planning and the Ministry of Regional Development and EU Funds. While the former is responsible to make proposal for changing or amending the legislation, the latter is in charge to draft national and regional development plans. This double perspective, spatial planning and regional development, are currently normed by the Physical Planning Act (2013) and Regional Development Act (2014). The second aspect touched by the law is the separation of the question of planning from the question of building, introducing two important acts: (i) the Building Act and ii) the Building Inspection Act. The first regulates the procedure for classifications of buildings; the second regulates and monitors the requirements e.g. mechanical resistance, stability, safety, noise protection, the energy certification and issuance of documents and the permits related to the construction and the use of building etc. In terms of procedures, if previously the developers required to obtain both location and building permits, currently, it is necessary to obtain only the building permit, thus facilitating the procedure for the issuance of building permit. The third novelty is the establishment of the Croatian Institute for Spatial Development and the elaboration of the Strategy of Spatial Development of the Republic of Croatia, State Plan for Spatial Development. Since the beginning, the idea has been to vertically delegate planning responsibilities among planning levels accompanied by a horizontal distribution of competences among central planning authorities.

#### 10.3.1.2. *Changing in planning authorities and responsibilities at the county level*

<sup>43</sup> As is prescribed in the Art.19 of the Law 153/2013 on Physical Planning.

As emerged, the current administrative arrangement has been established by the No. 33/2001 “law on local and regional self-government” that identifies two levels of governments units. The first unit is represented by the County: a regional unit of self-government whose territory represents a natural, historical, traffic, economic, social and self-government whole, organized for the purpose of performing tasks of regional interest (art. 6). Years before, the law on spatial planning of 1994, attributed to planning authorities, in charge of spatial planning, specific competences and responsibilities at the county level (Table 26). According to the law, the County/City of Zagreb Physical Planning Institute was in charge of preparing the necessary documents that constitute the respective County Physical Plan or the Physical Plan of the city of Zagreb. Since then, the main duty of the Institute has been to develop and monitor the implementation of the series of county’s spatial plans. With the amendment of 1998, the Institute was allowed to prepare also spatial plans for the lower levels (cities and municipalities) according to the local authorities. This role was later confirmed by the reforms approved in 2007 and 2013, recognizing its capacity to be a ‘hinge’ authority within the country’s spatial planning system.

**Table 26: Planning Authorities and responsibilities at the County Level in Croatia**

<b>Law</b>	<b>Spatial Planning Authorities</b>	<b>Responsibility</b>
<b>30/1994</b>	County/City of Zagreb Physical Planning Institute	Prepares the County Physical Plan or the Physical Plan of the city of Zagreb.
<b>76/2007</b>	Department of Planning County <sup>44</sup> /City of Zagreb	Prepares and monitors the implementation of spatial planning documents of local (regional) or levels of Zagreb, made a report on the situation in the area, preparing the basis for development issues opinions in the process of drafting and adoption of spatial planning documents and etc.
<b>153/2013</b>	County assemblies Professional administrative body of the county/City of Zagreb Physical planning institutes of the counties	Adopts decision on approval of the county spatial plan and the county development strategy. Is the administrative department or service of a county or the City of Zagreb competent for performing professional physical planning activities. County bodies responsible for physical planning activities on county level.
<b>2014- Regional Development Act</b>	Regional self-government unit	Coordinates and participate in designing of county development strategies and other strategic development documents in the county’s territory. Responsible for managing EU Funds.

<sup>44</sup> The law includes the opportunity that two or more counties or the City of Zagreb may establish a joint Institute for Physical Planning.

County partnership council	It is established for the purpose of participation in adopting the county development strategy, defining development priorities of its own area, proposing strategic projects relevant for development of regional self-government unit and their implementation and monitoring etc.
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Source: Author's own elaboration

More in detail, the law currently into force (153/2013) recognizes the importance of the Physical Planning Institutes of the county, among the planning authorities at the county level, to guarantee the compliance for lower planning documents with the spatial plan of the county and as technical assistance for the upper level. In addition, the planning activity of the Institute shall include: (i) coordination and monitoring of implementation of spatial plans at the regional level or at the level of the City of Zagreb; (ii) preparation of the spatial state report; (iii) keeping the physical planning information system and managing it within its competencies; (iv) preparing the premises for the development or revocation of spatial plans for narrower areas and (v) providing professional advisory assistance in the development of spatial plans at the local level. In respect to the local level planning activity, the Institute may also develop the spatial development plan of a city or municipality, urban development plan of state significance or of county significance. As emerged, the role of the subnational planning authorities, among which the County Physical Planning Institute, has become central to the planning system since the first reform (1994) and has been confirmed by the succeeding laws. Currently, with the introduction of the Regional Development Act, the question of spatial planning and regional development has been divided. Indeed, in addition to the Institute, each county has its own regional self-government unit that shall coordinate the preparation of the county's development strategies as prescribed by the law. The regional self-government participates in the preparation of development projects. The implementation of which represents the interest of social and economic development of the county, the interests of the statistical regional and the interest of the state of Croatia. Moreover, the regional self-government authority promotes particular projects financed by structural and investments funds of European Union. Thus, the presence of these authorities at the county level is fundamental for the implementation of each spatial and development plan. However, the question of responsibilities' overlapping between them should not be underestimated.

#### *10.3.1.3. Changing in planning authorities and responsibilities at the local level*

Descending along the authority's planning hierarchy, at the lower level are those bodies that are directly involved in the implementation of planning instruments. In the past three decades, planning responsibilities and competences gradually moved from the central to the local level following the principle of decentralisation (Table 27). According to the law of 1994, one of the main

authorities at the local level was the Municipal or the Town Council, that was responsible for adopting the physical plan of the municipality (or town), once obtained the permission from the County office competent for the harmonization of physical planning within the Spatial Plan of County. The same process was followed by the adoption of other local plans like the General Urban Plan, the Urban Development Plan, the Detailed Physical Development Plan. The necessity to obtain the approval of the upper level demonstrated how the local level was subordinated to the hierarchical system imposed by law. In addition to the strict planning hierarchy, the law and its amendments normed the public participation process introducing in 1998 the obligatory to organize public hearings and presentations, underling the necessity to promote public participation in all the stages of planning.

**Table 27:** Planning Authorities and responsibilities at the municipality level in Croatia

<b>Law</b>	<b>Spatial Planning Authorities</b>	<b>Responsibility</b>
<b>30/1994</b>	Municipal or the Town Council	To adopt the Physical Plan, General Urban Plan, Urban Development Plan, Detailed Physical Development Plan of a municipality or a town.
<b>76/2007</b>	Physical planning institutes of the large towns / cities	Same responsibility to the County Planning Institute but for local planning affair.
	Major/or who has been authorized by him	Supervision of planning activity.
	City or municipal council	To adopt the spatial plan for the city, town and municipality, urban development plan and a detailed master plans.
<b>153/2013</b>	Physical planning institute of a major city	To support, coordinate and monitor the implementation of the city's spatial development plan and general urban plan, to draft report on the situation in space.
	Mayor	To prepare and coordinate the main local plans: Physical development plans of major towns Physical development plans of towns/municipalities and Urban development plans.
	Town/City Council	To the initiative and approval phases for drafting the main local plans such as: Physical development plans of major towns Physical development plans of towns/municipalities Urban development plans.
<b>2014-Regional Development Act</b>	Local development agency	To coordinate preparation of development strategies, action plans for the implementation of strategies, of local self-government units. To prepare development projects for the local unite.

Source: Author's own elaboration

Currently, the applicable law of 2013 distinguishes three different planning authority such as the local physical planning institute of a major city, the town/city Council and the Mayor. In this respect, the local Physical Planning Institute

performs professional physical planning activities aiming to develop coordinate the implementation of the city's spatial development plan and the general urban plan. The local Institute, in fact, is in charge of preparing the local Situation in Space and of proposing and promoting modification for the existing planning documents. Meanwhile, the Mayor should prepare and coordinate the main local plans once the initiative for their preparation has been accepted by the town/city council. It is interesting to note that, according to the provision of the law, anyone may initiate the development of a spatial plan at the local level and/or its amendments (paragraph 1 art. 85). Once the plans have been drafted, they should be adopted by the town/city council. As emerged, since 1994, the planning responsibilities moved from higher to lower level and horizontal planning bodies. Currently, in addition to the formal planning authority, the Act in Regional Development has introduced the local development agency with the scope of coordinating the adoption and implementation of local development strategies promoted by local action groups and/or development agencies. As for the higher levels, the coordination among planning and development actors will be the main challenge for the future.

#### *10.3.1.4. Synoptic view*

In the last three decades, the legislative framework has changed the Croatian panorama of spatial planning. As emerged, in the first period, 1990-2000, the main objective of government was to shape a hierarchical planning system according to the principle of decentralisation and subsidiarity. Since the first planning reform, the responsibility of spatial planning was shared by each administrative level, (vertical approach). Meanwhile the question of horizontal distribution of responsibility emerged, which was solved delegating responsibilities among authorities at the same administrative level. This process of vertical and horizontal redistribution of competence delegated the local planning authorities to govern the territory under their jurisdiction. At the beginning of the 2000, Croatia was engaged with the EU Integration process concluded in 2013. In that period, Croatia adapted its planning system to the EU mainstream logics thanks to the transposition of a series of EU legislation, instruments and discourses that moved the attention from physical planning to development. The first act in regional development (2009) underlined the necessity to shift from the predominance of the local planning towards the prevalence of the subnational level (county). Only a few years later, the separation of the question of planning to the question of development has been confirmed by the approval of the Physical Planning act of 2013 and the Regional Planning Act of 2014. Currently, Croatia has spatial planning documents and development strategies for each administrative level. One should note underestimated the risk of competences overlapping among planning and development agencies. Aiming at recognizing the process of transformation and to evaluate the main changes, Table 28 sums up the significant innovations that each spatial planning reform presented. The intent is to underline changes regarding: (a)

the introduction of new planning authorities; (b) changes in authorities' responsibilities and competences. The evaluation system is based on the presented qualitative scale as follows: (i) absent – no changes at all or confirmation of the previous law's provision; (ii) scarce – when the level of changes is not significant; (iii) moderate – when changes are partial; (iv) high – when changes are consistent.

**Table 28:** The most significant changes in spatial planning authorities and responsibilities in Croatia

Reforms Period	Structural Component					
	Authorities			Responsibilities		
	Central	Sub	Local	Central	Sub	Local
1991-94	<b>Centralized Spatial Planning System</b> maintenance of the socialist spatial planning system both in terms of Authorities and Responsibilities					
30/1994	Absent – no changes	<b>Moderate</b> – new planning authorities: County physical planning Institute	<b>Scarce</b> – introduction of planning authorities at the local level	<b>Scarce</b> – horizontal redistribution of planning competences	<b>Moderate</b> – county planning authority became responsible for spatial planning	<b>Scarce</b> - partial vertical redistribution of planning competences
1994-07	<b>Moderate</b> – Introduction of the Council for Spatial Planning	Absent – no changes	Absent – no changes	<b>Scarce</b> – council gives comments and remark about physical plans	<b>Moderate</b> –each county was obliged to adopt the county plan	<b>Scarce</b> - promote public participation
76/2007	Absent – no changes	<b>Scarce</b> – County Department substitute the Institute	Absent – no changes	<b>Scarce</b> – the Department prepares the Report	Absent – no changes	Absent – no changes
2007-13	Absent – no changes	Absent – no changes	Absent – no changes	Absent – non changes	Absent – no changes	Absent – no changes
153/2013	<b>High</b> – separation of planning authority to development authority	<b>High</b> – separation of planning authority to development authority	<b>High</b> – separation of planning authority to development authority	<b>High</b> – separation of planning and development responsibilities	<b>High</b> – separation of planning and development responsibilities	<b>High</b> – separation of planning and development responsibilities
2013-...	<b>High</b> – introduction of development authorities	<b>High</b> – introduction of development authorities	<b>High</b> – introduction of development authorities	<b>High</b> – separation between planning and development competences	<b>High</b> – separation between planning and development competences	<b>High</b> – separation between planning and development competences

Source: Author's own elaboration

### 10.3.2. Technical component of spatial planning system

In coherence with the evolution path of the planning reforms, planning instruments also changed overtime. In this subsection, the so-called instrumental framework has been explored, highlighting the main instruments and procedures. Referring to the laws into force, there are two kind of planning instruments for each level: strategic and regulative, see Figure 27.

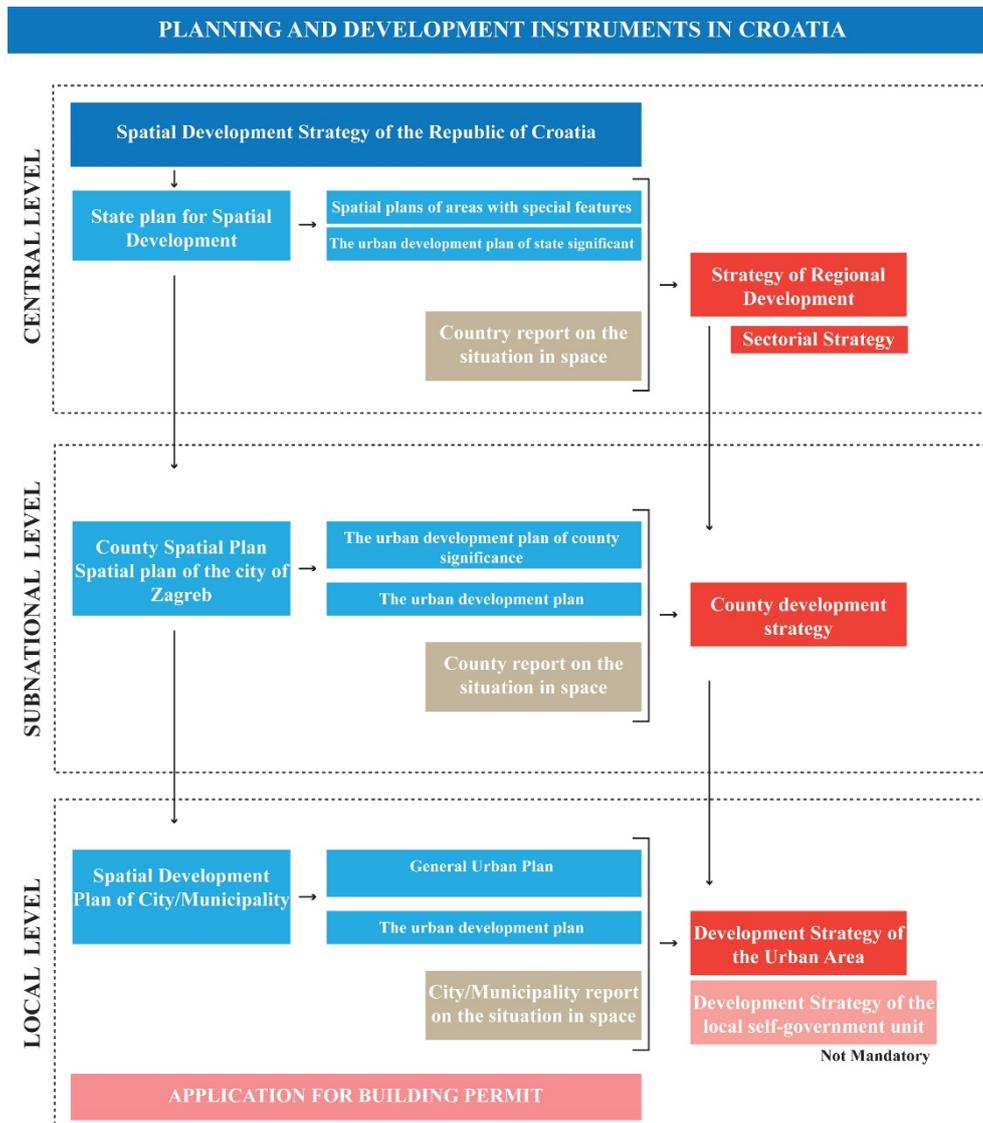


Figure 27: Territorial subdivision and spatial planning instruments in Croatia  
 Source: Author's own elaboration based on the law Spatial Planning of 2013 and Regional Development passed in 2014.

As emerged from observing the evolution of the structural dimension, Croatia has, together with the planning documents, a series of development initiatives and strategies for each planning level. In addition, a series of planning principles have been introduced and/or replaced, new public participation mechanisms have been

implemented and new monitoring and information<sup>45</sup> system has been introduced. In order to highlight the main innovations and novelties, each planning system has been explored separately.

*10.3.2.1. Changing in planning instruments and procedures at the national level*

Until the end of the socialist era, Croatia had a physical plan at the national level, which had been adopted in 1988. Later on, in 1994, passed the first law on physical planning taking the distance from the socialist normative framework (Table 29). The law established for the central level, counties and municipalities the obligation to adopt and implement new planning instruments emending the existing planning documents. At the central level, the law of 1994 distinguished three planning documents: the Physical Planning Strategy, the Physical Planning Program and the Report on the Situation in Space. The Strategy and the Program aimed to promote a more harmonious development of the Croatian urban system, and put special emphasis at encouraging the development of medium and small sized cities and development centre as holders of the development system. The Report on the Situation in Space was a document in which analyses of the country spatial planning situation produced recommendation, guide-lines and defining policy priorities. Excluding some positive effects (vertical distribution of competence), the law was criticized by expert and practitioners (Cavrić and Nedović-Budić, 2007) because it did not define the public participation modality, which remained at the level of public hearings and public presentation of drafts as well as regarding the question of the monitoring mechanism. Indeed, the law resulted confused, despite the presence of the Report of the Situation in Space. From the past reform, the law of 2007 foresaw the possibility to draft spatial plans for areas with specific characteristics (in charge of the line Ministry), if and when was established by the Strategy or the Spatial plan of the country. Moreover, the norm ruled the question of public participation, in art. 82 and 83, establishing for each planning level the general procedure (opinions, admissibility of them, final reporting and etc.). In general, the law conserved the existing instrumental system recognizing the importance of the Spatial Development Strategy and Physical Planning Program in addressing the country's territorial development. As happened for the previous law, the reform introduced in 2007 was subject of several amendments that interested different aspects of the legislation. Only a few years later in 2011, an amendment normed the question of energy establishing that the issue of an energy certificate was responsibility of the line Ministry, as the only authority allowed to issue energy certifications.

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<sup>45</sup> In 2014 has been introduced the Physical Planning Information System (ISPU) which provides a framework for managing spatial data related to spatial planning.

**Table 29:** Spatial planning instruments at the central level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 30 /1994</b>	Physical Planning Strategy	Strategic
	Physical Planning Program	Strategic
	Report on the Situation in Space	Strategic
<b>No. 76/2007</b>	Spatial Development Strategy	Strategic
	Physical Planning Program of the Republic of Croatian	Strategic
	Spatial Plans for Areas with Specific Characteristics	Strategic/Regulative
	Report on the Situation in Space	Strategic
<b>No. 153/2013<sup>46</sup></b>	Spatial Development Strategy of the Republic of Croatia	Strategic
	State Plan for Spatial Development	Strategic
	Report on the Situation in Space	Strategic
	Spatial Plans of Areas with Special Features	Strategic/Regulative
	Urban Development Plans of State Significance	Regulative
<b>Act on Regional Development</b>	Regional Development Strategy	Strategic

Source: Author's own elaboration

Currently, regarding the national level, the law of 2013 prescribes a series of planning instruments, characterized by a more strategic or more regulative approach. In this perspective, the Spatial Development Strategy of the Republic of Croatia (hereafter the Strategy) has been confirmed as the most important strategic and visionary document<sup>47</sup>. The Strategy sets out long-term spatial development tasks, strategic directions for developing activities in space and the premises for coordinating spatial development measures. The objective is to accomplish the physical planning priorities in harmony not only with the general economic, social and cultural development, but also with the needs and possibilities, expressed in the major country's development documents (strategies, plans, programmes, etc.). The Strategy is adopted pursuant to special regulations according to the law's provisions and principles. All spatial plans, sectoral strategies, plans and other developmental documents of different economic and administrative areas, must be drafted and implemented in coherence with the Strategy. Instead, the State Plan for Spatial Development (hereafter the Plan) contains proposals for the improvement of spatial development with basic recommendations on measures for the forthcoming period. The Plan must be in line with the Strategy and must respond to the Report on the Situation in Space. Spatial Development Plans on the lower level (County Spatial Plan and Spatial Development Plan of a town or municipality) shall be in

<sup>46</sup> As is prescribed in the art. 60 of the law.

<sup>47</sup> The last Spatial Development Strategy has been adopted by the Croatia Parliament in October, 2017.

conformity with it. As mentioned, at the national level, the Report on the Situation in Space (hereafter the Report) for the country should be prepared by the Ministry of Construction and Physical Planning and the Croatian Institute for Spatial Development, and it should be updated once every four years. The Report shall contain the premises, the analysis and evaluations of the situation, trends of spatial development, the analysis on the implementation of spatial plans and other documents that have an impact on space. The Report serves as root for the elaboration of the State Plan for Spatial Development and also responds to the Strategy. Together with the described plans, at the national level the law establishes two more plans that are rather regulative than strategic. First, the Spatial plans of areas with special features shall be adopted for the area of a national park and nature park pursuant to special law, and for areas defined pursuant to the State Plan for Spatial Development. It also determines the obligation of adopting the Urban Development Plan of State Significance and its scope, which shall prescribe the requirements for implementation of all projects and requirements for implementation of infrastructure outside the area for which the urban development plan is adopted. In addition to what has been established by the spatial planning law, the Regional Development act introduced, at the state level, the Strategy of Regional Development of the Republic of Croatia. The strategy sets out objectives and priorities of regional development in the Republic of Croatia. The defined objectives and priorities serve as guidance for other strategic documents related to regional development. The strategy must be in line with the relevant spatial plans and, in contemporary, serves as guideline for drafting strategic documents at the lower level.

#### *10.3.2.2. Changing in planning instruments and procedures at the county level*

According to the process of decentralisation started at the beginning of the 1990s, the act of 1994 established that each county should have adopted its own planning tools, such as the physical plan of a county and the City of Zagreb and physical plan of an area of special features (Table 30). The first, was based on the principles of urban development and set the goals of urban development as well as the organisation, protection, use and purpose of the environment. It also ensured the integral approach in planning and development of the county (PAP/RAC, 2007). While the second, established the basic organisation of the environment, the measures of use, development and protection of the environment in areas with special natural, cultural or other characteristics. It is obligatory for the areas of national interests and parks. These new plans played an important role on connecting national planning document, like the Planning Strategy and Program, to the local planning priorities and strategies. However, only a few years later (1998) an amendment established for each county the obligation to adopt their own counties' spatial plans. When it comes to understand the procedures, as happened

for the upper level, the question of public participation and monitoring system remained the central aspect of the planning process, even at the county level. The law of 2007 substantially confirmed the tools in respect to what had been established by the reform of 1994. It recognized the importance of the Spatial plan of areas with specific characteristics that should be determined by a specific law.

**Table 30:** Spatial planning instruments at the Subnational level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 30 /1994</b>	Physical plan of a county and the City of Zagreb	Strategic
	Physical plan of an area of special features	Regulative
<b>No. 76/2007</b>	Physical plan of the county/City of Zagreb <sup>48</sup>	Strategic
	Spatial plan of areas with specific characteristics	Regulative
<b>No. 153/2013</b>	The County Spatial Plan / Spatial Plan of the City of Zagreb	Strategic
	The urban development plan of county significance	Regulative
	County Report on the situation in space	Strategic
<b>Act on Regional Development</b>	County Development Strategy	Strategic

Source: Author's own elaboration

With the current planning law, county plans have both strategic and implementing character (issue of building permits). Based on art. 72, the county's spatial plan shall determine the valuable agricultural land, the infrastructure corridors of county significance, and the detached building areas outside the settlements intended to be used for economic purpose and having county's significance. Moreover, it shall prescribe the requirements for the implementation of projects of county's significance, and provide guidelines for the elaboration of urban development plans for detached building areas outside the settlements for use of county's significance. The plan must be in line with the Spatial Development Strategy of the Republic of Croatia and the State Plan for Spatial Development. County's Physical Plans and Spatial Plan of the City of Zagreb are of great importance for the spatial development of local governments, because they represent the spatial planning framework as the first step in the implementation of positive investments which are the main driver of economic development. County's plans also define the areas where there is an obligation to make urban plans. In addition, the urban development plan of county's significance prescribes: the requirements for the implementation of all the projects within its scope, the

<sup>48</sup> Art. 56 establishes that for the territory of two or more counties may bring together spatial plan of the county, if this county concludes about this agreement, which regulates and issues relevant to the simultaneous process of drafting and adoption of the plan

requirements for the implementation of infrastructures outside of the area for which the urban development plan has been adopted. Moreover, the urban development plan should be prescribed by the County Spatial Plan, according to the hierarchical principles. The County Report (four years report) on the Situation in Space, should be prepared by the County Physical Planning Institutes, and it illustrates the situation in space containing at least: the analysis and evaluation of the situation and trends of spatial development, the analysis of implementation of spatial plans and other documents that have an impact on space, as well as the proposals for improvement (art.40). As prescribed by the law, the County Report should be used as the basis for drafting of the County Spatial Plan. In coordination to the aforementioned planning tools, the act of Regional Planning of 2014, prescribe that each county has to adopt the County Development Strategy that defines the main development objectives and priorities of the county, with special accent on the large towns and the support given to weakly developed areas. This strategy should be in coherence with the Regional Development Plan at the central level.

#### *10.3.2.3. Changing in planning instruments and procedures at the local level*

According to the main planning reforms, since 1991 a series of changes in planning procedures and instruments have been introduced (Table 31). Despite the difficulty in drafting and implementing local plans caused by the war, currently all units of local self-government (556) have prepared spatial development plans. It is significant to note that almost a decade before, in 2006, the plans adopted were only 305. This progress has been incentivized by the state's initiatives that have allowed to co-finance (now it co-finances 50% of the cost) the drafting of local plans, significantly accelerating their preparation. These performances denote a different attitude between the central and local authorities, especially if compared to the past, when the plans adopted were a smaller number. Looking back, the first law of 1994 and its respective amendments have shown some weaknesses such as: development of a large number of spatial plans requiring a long period of preparation; low potential for public participation in its development, and weak monitoring of plan implementation. Moreover, it presented several obstacles to the sustainable management of the coastal areas. According to Kovačić, Zikić, and Rukavina (2016) the act of 1994 did not recognize Croatian coastal area as a space that had significant development potential. A decade later, this omission was removed by its revision (2004). As a matter of fact, this contributed to introduce the Regulation on Management and Protection of the Protected Coastal Marine Areas which represented a new planning instrument for part of the Croatian territory, followed years later by the introduction of the Maritime Spatial Planning approach inspired by the EU Maritime policy. In this regard, the law of 2007, also prescribed to pay attention to the coastal areas and stop any type of development activity. In terms of planning instruments, compared to the law passed in 2007, the current law, adopted

in 2013, omitted the detailed plans that have characterized the Croatian planning system at least since 1994. These plans have been substituted by others, more integrated, planning tools like General Urban Plan and Urban Development Plan, under the responsibility of the local Physical Planning Institute. Additional novelty, since 2014, has been the preparation of the topological spatial data, required in digital form. The information uploaded are harmonized by the implementation of the Physical Planning Information System (ISPU) which provides a framework for managing spatial data related to spatial planning.

**Table 31:** Spatial planning instruments at the municipal level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 30 /1994</b>	Physical plan for the development of a municipality and a town	Strategic
	Master urban development plan	Regulative
	Urban Development Plan	Regulative
	Detailed Development Plan	Regulative
<b>No. 76/2007</b>	Spatial plan of a city, town or municipality	Strategic
	Urban Development Plan	Regulative
	Detailed Plan	Regulative
<b>No. 153/2013</b>	Spatial development plan of a town or municipality	Strategic/Regulative
	General Urban Plan	Regulative
	Urban Development Plan	Regulative
	City/Municipality report on the situation in space	Strategic
<b>Act on Regional Development</b>	Development Strategy of Urban area	Strategic
	Development Strategy of the local self-government unit	Strategic

Source: Author's own elaboration

At present, the law establishes a series of local plans with different planning characteristic, both strategic and regulative. In this regard, the Spatial Development Plan of a town or municipality regulates the building areas, the non-built-up areas, the scope of the general urban plan, the infrastructure corridors of local significance. The plan prescribes, moreover, the requirements of implementation of projects, guidelines for developing urban development plans and it must be in line with the county's spatial plan. While the General Urban Plan prescribes the requirements for the implementation of projects where Urban Development Plan is not adopted, and the guidelines for urban development plans, whose scope is determined by this instrument and shall be in coherence with the Spatial Development Plan of the town or municipality. Continuing, the Urban Development Plan shall be adopted for undeveloped parts of building areas and for built-up parts of these areas which are planned for urban transformation or urban rehabilitation, guaranteeing conformity with the upper local plans. At the same time, an official act for building new construction works shall not be issued until an

urban development plan is adopted. As for the national and subnational level, the law prescribes that each local unit shall prepare the Municipality Report on the Situation in Space that serves as basis for the preparation of local plans. In addition, the Regional Development act introduces, for the local level, two more strategic documents: the Development Strategy of urban areas, that defines the development's objectives for the urban area (large agglomeration, larger or smaller urban areas) and preparation for application of the Integrated Territorial Investment, and the Development Strategy of the local self-government unit that identifies local units' priorities (not mandatory). Both these strategies should be in line with the upper development strategies (national and counties).

#### 10.3.2.4. *Synoptic view*

Since the beginning, from the observation of the evolution path of the Croatian planning system emerged the tendency to set up planning documents with different characteristics, one more strategic, one more regulative and others that includes some strategic and regulative aspects. This has been applied to three different planning level. Indeed, even at the central level, there are plans that can allocate building permits. To guarantee the plans' conformity, each planning document shall be in coherence with the upper level and, in the meantime, it should represent as a referee for the lower levels plans. This hierarchical approach reflects the idea of administrative decentralisation transposed to the spatial planning sectors. Indeed, even the adoption procedures show the effects of subordination mechanism in which the local level is influenced by decisions made in the upper level. When it comes to considering planning procedures as participation, allocation of development rights, transparency, information access etc., in is important to note a general tendency to be aligned with the EU requirements despite some difficulties emerged at the time of the first (1994) and partially the second planning reform (2007), when the reforms were criticized by the local planning community (above all about the level and the quality of public participation on the planning process). Table 32 sups up the most innovative instruments and procedures. In the table each change has been reported and assessed through the presented qualitative scale: (i) absent – no changes at all or confirmation of the previous planning instruments and procedures; (ii) scarce – when the level of change are not significant, so the tools introduced are relatively irrelevant; (iii) moderate – when changes are partial and some significant planning tools has been launched; (iv) high – when changes are consistent, i.e. new planning instruments have been introduced.

**Table 32:** Changes in planning instruments, procedures and contents at the central level in Croatia

Reforms Period	Technical					
	Instruments			Procedures		
	Central	Sub	Local	Central	Sub	Local
91-94	Continuity to the socialist planning system. Preservation of the existing set of planning instruments and procedures					
30/1994	<b>High</b> – Introduction of new planning instruments	<b>High</b> – Introduction of new set of plans	<b>High</b> – Introduction of new set of plans	<b>High</b> – decentralisation of responsibilities and competences	<b>High</b> – new spatial planning competences	<b>High</b> – possibility for local authorities to draw up plans
94-07	<b>Absent</b> - no changes	<b>Moderate</b> – each country is obliged to adopt a county spatial plan	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Moderate</b> – seacoast municipality should be equipped by Protected Coastal Areas
76/2007	<b>Moderate</b> - Introduction of Spatial plans for areas with specific characteristics	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Moderate</b> – new public participation procedures	<b>Moderate</b> – new public participation procedures	<b>Moderate</b> – new public participation procedures
07-13	<b>Scarce</b> – issue of an energy certificate issued by the Ministry	<b>Absent</b> - no changes	<b>Moderate</b> – introduction of the Protected Coastal Marine Areas	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Moderate</b> – Maritime Spatial Planning
153/2013	<b>Moderate</b> - State Plan for Spatial Development	<b>Moderate</b> - new development plans	<b>Moderate</b> – omitted the detailed plans in favor of General Urban Plan	<b>Moderate</b> - SEA became mandatory for all plans	<b>Moderate</b> - SEA became mandatory for all plans	<b>Moderate</b> - SEA became mandatory for all plans
2013-....	<b>High</b> - Regional Development Strategy	<b>High</b> – County Development Strategy	<b>High</b> – Development Strategy of Urban area and the local self-government unit	<b>High</b> – diverse procedures for the approval	<b>High</b> – new procedures for county development plans approval	<b>High</b> – new procedures for municipal development plans approval

Source: Author's own elaboration

### **10.3.3. Practice component of the spatial planning system**

According to the given definition, practice is a continuous reiteration of spatial planning actions. In Croatia, since the country gained independency in the early 1990s, the planning process and plan making have tried to turn away from the old socialist methods of planning, towards more flexible forms of urban management and governance (Cavrić & Stober, 2014). There is now a climate in which the relationships between professional planners and other stakeholders are concentrated at moderating the planning process with the needs and preferences of the local players (both institutional and non-institutional). After several reforms towards decentralisation, privatisation and liberalisation, the implementation of planning activity has been characterized by a high elasticity. Observing step by step the evolution path followed by the Croatian planning system in the last almost three decades, it seems that planning has been at the centre of institutional experimentation. During the socialist regime, the law that governed spatial planning was the Spatial and Physical Planning Law, that passed in 1984. With the fall of the socialist system, the previous law was replaced by the Physical Planning Law of 1994 and, more than a decade later, by the Physical Planning and Construction Law of 2007. The final change was made in December 2013 when the law of 2007 was divided into the Physical Planning Law and the Construction Law. According to Cavrić and Nedović-Budić (2007), after the political reforms towards the decentralisation and the privatisation of land and property, a level of extreme flexibility has become characteristic of the planning process that makes the example of Croatia particularly different from other CEE and SEE countries' experiences. According to its flexibility, planning is basically reinvented and adjusted case-by-case, depending on the particular circumstances (Cavrić & Stober, 2014). Nevertheless, planning flexibility is not always positive. Indeed, citing Cavrić and Nedović-Budić (2007), as a result of the overly flexible approach to planning and development, a lot of room remains in the system for land speculation, illegal construction, and environmental degradation. The last reform (2013), has the intention to overcome some of the emerged inconsistencies and ambiguities when it comes to implementing the law's provisions. In this regard, Liovic (2013) added that one of the main problems of the planning law of 2007, was the great volume of the Act, underlining the difficulty to get a good overview of the Act because it simultaneously regulated two administrative areas (planning and development). In addition, the author criticized, above all, the partial implementation of the principle of public participation, the scarce public access to spatial data and information and the abuse of the principle of decentralisation of spatial plans etc. To respond to the limitation factors mentioned, the reform of 2013, for the first time, divided the question of planning from the question of building, introducing three important acts: (i) the Building Act; ii) the Physical Planning Act; and iii) the Building Inspection Act.

#### 10.3.3.1. *Changing in planning practice at the national level*

Since the end of the communist regime and the successive changes in administrative arrangement and spatial planning caused by the reform of 1994, the basic guideline for the Croatian physical planning system was written and approved in the law and in the Spatial Planning Strategy of the Republic of Croatia. The document, written immediately at the end of the civil war, (concluded officially in 1996), analysed the existent situation of the Croatian territory and set down the bases for the future physical planning of the entire Republic. Included in the document, there was a clear reference to some studies done in 1985 for the preparation of the Physical plan of Croatia of 1988, made during the years of federalism and before the start of decentralisation of the administrative functions to counties, cities and municipalities. Thanks to the new institutional arrangement, the question of planning at the central level began very important in order to drive the country's priorities and strategies, while the new subnational level represented by counties, required more attention on the middle level, highlighting existing regional specificities and spatial, economic and social differences. However, despite the will to adopt a second generation of Spatial Development Strategy, only recently the Croatian Parliament approved the final draft (2017). So, for two decades the main planning instrument remained almost untouched.

#### 10.3.3.2. *Changing in planning practice at the subnational level*

Planning activity at the county level was introduced for the first time in 1994. Besides the first difficulties to accomplish the law's requirements that reflected the new institutional arrangement, these first generation of county's plans were issued between 2000 and 2003 and successively updated with modifications and integrations. In this regard, the document called Strategies for Space Development of the Republic of Croatia "Analysis of Spatial Plans of Counties"<sup>49</sup>, published in 2014, has given a complete overview of the process of draw up and implementation of the county's planning instruments since 2000. The document shows how the process of plans adaptation was characterized by a series of plans' amendments (partial or substantial), trying to respond, on the one side, to the different spatial planning reforms (2007, 2013), and, on the other side, to reflect new counties' priorities and strategies. By observing the number of amendments regarding the counties' physical plans, the Adriatic counties are much more active in changing and modifying their planning instruments. More in detail, it is interesting to note that, a few years ago (2013), the county of Primorsko-Goranska adopted the second county generation plan, substituting the previous one, adopted in 2000. Other counties, instead, amended their plans at least four or five times (Virovitičko - Podravska, Šibensko – Kninska, Splitsko- Dalmatinska, Grad Zagreb and others).

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<sup>49</sup> In Croatian: *the stručna podloga za izradu strategije prostornog razvoja r h "analiza prostornih planova županija"*

In other contexts, the plans adopted and implemented by few amendments changed only once or twice (Krapinsko - Zagorska, Osječko - Baranjska, Međimurska etc.). As emerged, despite the common starting point, the process of plans' adoption and modification followed different paths. As showed, in the last fifteen years, the county's spatial plans and spatial plan of the City of Zagreb have had a great importance for the spatial development of local governments because they represented the spatial planning framework for the realization of positive investments, which have been the main driver of the economic development at the county level. The impact of the spatial plans of counties on the local spatial development has been influenced by the different character of the plans (setting/orienting/implementation) in terms of: determination of planning solutions; pursuit of different dynamics of development and adoption of plans of local governments; determination of the areas for which it prescribes the obligation of making urban plans and identification of constructions outside the building areas etc. Despite the positive effects produced by the implementation of those plans, several limits have emerged. In this regard, Kranjčević (2005) pointed out that, besides their drafting and adoption, those plans have not been harmonised with the sectoral development plans (for example of agriculture, forestry, tourism, mining, culture and transport infrastructure) at the county level. According to the Report on the state of the Republic of Croatia 2008-2012, in addition to what Kranjčević (2005) affirmed, the first generation of county's planning documents presented some limits in terms of compliance with new regulation in respect to several sectors such as: protected coastal areas; traffic and electronic communications infrastructure; energy and renewable sources; water supply and drainage, protected areas and ecological network etc. For those reasons, since then, several amendments have been made regarding all the counties' spatial plans. With the introduction of the planning reform passed in 2013, and in particular the Regional Development Act of 2014, the question of overlapping between the county's planning documents and the regional development strategies emerged. Currently, the management of horizontal coordination between planning and development documents should be prioritized by the authorities involved.

#### *10.3.3.3. Changing in planning practice at the local level*

As the lower planning level, the local level is directly interested by the real spatial and territorial transformation. The use of land, in both urban and rural areas, has been always the most valuable resource. In the Western Balkan Region, in general, and in Croatia, in particular, this began to be true with the transition process. In concomitance with the state's restructuring, radical urban transformations began with the advancement of neoliberal planning mechanisms, increasing of the international hegemonic discourse, the commercialization of local cultures and spaces. In doing so, the process of transformation involved institutional aspects, planning instruments and planning culture, affecting, in the meantime, the

way in which planning was socially perceived. The whole territory, urban, rural and coastal, has been affected by these transformative processes.

In urban contexts, in fact, the consequence of urban reconstruction, revitalization and gentrification interested the central parts of cities while the informal urbanization focused more on the cities' peripheries. The disposal of industrial plants close to important cities, which were one of the main economic drivers in Croatia during the socialist period, started to be neglected, derelict and eventually turned into brownfields with dramatic consequences in terms of loss of social, economic and environmental value. On the other side, the intensive residential pressure and real estate interests, concentrated mainly in the more valuable areas of the cities, contributing to expand the city impact and its dimension (Build SEE, 2014). In this regard, it is interesting to cite Stanilov (2007) who, analysing the post socialist cities, stated that the processes of decentralisation contributed to the physical expansion of cities. This is particularly true for cities in Croatia like the capital city, Zagreb, and medium size cities like Zadar, Rijeka, Split and Dubrovnik.

In the inner and rural areas, instead, the question of loss of land affected the quality and quantity of agriculture land. Since the beginning, the incapacity to manage the territorial development due to a lack of efficacy of spatial planning activities on the one side, and the increasing of illegal building activities on the other side, caused the reduction of agricultural land in Croatia. The question of illegal construction has been partially solved in 2012 with the introduction of a law that aimed to legalize more than 800.000 illegal buildings (Cavrić and Stober, 2014). In this respect, the authors affirmed that peripheral-urban areas of all major cities have been highly impacted and almost every new development (legal or illegal) has happened at the expenses of agricultural land.

A similar process was visible in the coastal areas, where the pressure of tourism activities and real estate initiatives stressed, for many years, the environment of the coastal areas. Major coastal cities of Croatia like Split, Rijeka, Pula, Zadar, Šibenik, Ploče and Dubrovnik represent five of the ten largest cities in the country. This highlights a great impact of the urbanization process that characterized the coastal area since the end of the socialist period. Only a few years later, formally since 2004, with the introduction of the Protected Coastal Area, the attention on the management of the coastal area has been increasing.

This process of spatial transformation has been accompanied and/or caused by unpredictable population redistribution and demographic changes. The current demographic indicators demonstrate a regional and local polarization of population. Differently to what has been declared by several national and international strategies, the Croatian territorial system is moving towards a monocentric system where Zagreb represents the core of the country's system. As a matter of fact, Zagreb's population concentration is 17.6% of the total population, which means that one of every five Croatians is living in the capital. On the other side, the concentration of population in some regions caused dispersion and depopulation of most of the Croatian territory. The majority of the territory, especially the rural

periphery and distant, isolated areas, such as areas with specific physical-geographical features (islands, hinterland, areas of higher altitudes, combined with the karst relief characteristics), have faced a constant process of depopulation (Build SEE, 2014).

Bearing in mind those processes of urban and demographic transformations that interested and still are interesting the country, spatial planning played an ambiguous role, especially at the beginning of the transition period. According to PAP/RAC (2007a), the new units of local self-government and administration were not fully prepared to take over the tasks of planning. In many cases, units of local self-government adopted the physical plans from the old system, which were not adjusted to the new property rights, and hence to the interests of individuals or the community. For many years, despite the adoption of the first reform in 1994 and its numerous amendments, the planned development went much slower than predicted and, on the contrary, the number of illegal buildings and other illegal operations in the space increased (Kranjčević, 2005). At the time, especially for the local administration, managing the spatial development was a very problematic task because of the poor work of the bodies of the government administration and the many social, political, economic and cultural changes (Kranjčević, 2005; PAP/RAC, 2007). In addition, Kranjčević (2005) affirmed that the new self-government units, introduced as a consequence of the decentralisation process, were unable to fulfil with the basic requirements of the planning reform and to finance the draft of planning instruments. Even when planning documents were adopted, they often remained at the level of determining building zones according to the logic of 'value of land is greater if it is defined as building land'. The aim of almost every owner is that his plot of land should be declared building land (Kranjčević (2005). So, for the first period of transition, planning, was perceived as an economic and power redistribution instrument characterized by the lack of implementation mechanisms and ill-adapted to contemporary spatial planning requirements. By acting in this way, the effect obtained was to preserve the status quo, on the one side, neglecting (totally or in large part) the future development, and, on the other side, legalizing non-approved development (Ellger, 2003).

#### *10.3.3.4. Synoptic view*

In Croatia, the last three decades of plans' implementation contributed to enhance the domestic ability to face social spatial transformation. This period has been characterized by both positive and negative experiences. Indeed, if on the one hand, Croatia, through time, has completely set up the plans framework for each planning level, on the other side, their implementation has been very problematic. In this regard, speaking about practice the question of plans drafting and approval (that is part of formal practices) and the question of plans implementation (potentially affected even by informal influences) should be separated. Despite initial comprehensible difficulties (1994-2000), the process of plans' preparation

and adoption has been improved allowing each planning level to have their own updated planning instruments. On the other side, critiques may be advanced to what concern the implementation of plans and their effective role in addressing the Croatian territorial development. In this perspective, one should underline the ineffectiveness of those plans to govern and manage the question of planning (efficacy and efficiency). Going back, even after the approval of the law in 1994, the majority of municipalities continued to use and implement plans approved during the socialist period. In those circumstances, the lack of qualified practitioners within the administrative body and the lack of economic resources did not allow to adopt new generation of plans as required by the law. Even if plans were adopted, the lack of their implementation contributed to facilitate the increasing of illegal activities. Through time, informal settlements developed in the peripheral areas of the major cities contributing to drastically increase their spatial influences. The problem of informality emerged, even if with different impacts, in rural areas and particularly in the seacoast and island territories. Only recently (2012), the government has been trying to legalize the enormous illegal buildings constructed since 1990s.

Table 33 sums up the evolution of formal and informal processes. The table takes into consideration the last three decades of planning activity giving a complete overview on the main changes. Each period (before and after of each planning system) has been assessed adopting an evaluation system based on the following qualitative scale: (i) absent – no changes at all or confirmation of the previous planning practices; (ii) scarce – when the level of changes are not significant, so the innovation practices are relatively irrelevant; (iii) moderate – when changes are partial and some significant examples emerged; (iv) high – when changes are consistent, hence new shared planning practices emerged.

**Table 33:** Changes in planning practice, formal and informal, in Croatia

Reforms Period	Practice					
	Formal			Informal		
	Central	Sub	Local	Central	Sub	Local
1991-94	<b>Scarce</b> – lack attention on spatial planning issue because the war	<b>Absent</b> – no responsibilities on spatial planning	<b>Scarce</b> – difficulties in managing spatial development with socialist planning tools	<b>Scarce</b> – increasing inefficiencies in controlling the territorial development	<b>Absent</b> – no responsibilities on spatial planning	<b>Scarce</b> – increasing illegal activities
30/1994	<b>Scarce</b> – lack of planning coordination	<b>Scarce</b> – attempt to introduce planning instruments	<b>Scarce</b> – lack of plans implementation	<b>Absent</b> – no changes due to the wartime	<b>Scarce</b> – lack of planning expertise	<b>Scarce</b> – preservation of socialist planning practices and logics
1994-07	<b>High</b> – Approval of the Spatial Planning Strategy and Program of the Republic of Croatia	<b>High</b> – first generation of county spatial plans	<b>Moderate</b> – excessive level of flexibility of planning system	<b>Absent</b> - no changes	<b>Scarce</b> – differences in implementation of counties' plans	<b>Moderate</b> – increasing of illegal construction
76/2007	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes
2007-13	<b>Scarce</b> – Preparation of Report on the situation in space	<b>Moderate</b> – several amendments of county spatial plans	<b>Moderate</b> – all self-government units adopted their spatial plans	<b>Absent</b> - no changes	<b>Scarce</b> – different level of county plans implementation	<b>High</b> – illegal urbanization and attempt to legalize them
153/13	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes	<b>Absent</b> - no changes
2013-...	<b>High</b> - Adoption of the Strategy Development of Croatia	<b>High</b> – attempt of coordination between planning and development documents	<b>High</b> – attempt of coordination between planning and development documents	<b>Moderate</b> – overlapping spatial and development approach	<b>Moderate</b> – overlapping spatial and development approach	<b>Moderate</b> – overlapping spatial and development approach

Source: Author's own elaboration

#### **10.3.4. Discursive component of the spatial planning system**

According to the definition assumed in the subsection 4.3.5, the spatial planning discourse is a selection and combination of values, logics, aims, goals and principles (hegemonic or not) and rhetoric concepts bases on which a defined spatial planning system is organized. In the past three decades, the Croatian planning system was subjected to an intense evolution process moving from the past socialist ideology to more globalized hegemonic concepts. As a constitutive part of the spatial planning system, the discourse component is at the centre of this metamorphosis. Since the beginning of the transition process, a combination of external planning values and principles came from European and American planning cultures that fertilized the domestic planning discourse. The ‘cognitive conditionality’ was one of the ‘soft power’ used by the EU and many European countries. In that circumstances, Dokić, Starc, and Stubbs (2005) underlined the importance of the ‘cognitive Europeanisation’ in the process of Croatian discourse alignment with the EU mainstream principles. As is well understandable, the permeability of the planning discourse changes moving from national to local level. The intent of this subsection is to shed more light on the evolution of both institutional and non-institutional planning discourse exploring the different planning level (central, subnational and local).

##### *10.3.4.1. Changes in institutional and non-institutional planning discourse at the national level*

In the early 1990s, Croatia had a strong tradition in spatial planning based on the socialist legacy. The collapse of the regime and the need to face a multidimensional transition (social, economic and political) required a different planning approach. The first decade of planning discourse was dominated by the use (often improperly) of expressions like ‘strategic programmes’, ‘strategies’, or ‘long term plans’. In this regard, Dokić, Starc, and Stubbs (2005) affirmed that, despite numerous programs, strategies and plans were being prepared, none of them was really implemented. The authors recognized that, notwithstanding the use of mainstream labels, the majority of the documents were aligned with the socialist tradition. This was possible thanks to a divergent non-institutional discourse channelized by practitioners, experts and consultant’s companies. Since the beginning, a double discourse perspective emerged, characterized by the level of alignment to the external stimulus. If, institutionally speaking, the idea was to include within the domestic planning discourse external principles, values, ideas and concepts, in the domestic planning arena those principles were often rejected, misinterpreted or opportunistically used. In those circumstances, the central planning discourse was dominated by notions like decentralisation, regional and local development, subsidiarity, participation, transparency, monitoring system, ex-ante and ex-post evaluation mechanism, programming period etc. The majority of those terms derived by the transposition of EU requirements and thanks to the

presence of international cooperation agencies that helped to channelized them within the domestic planning discourse. Slowly, at the central level, there was the affirmation of the need to involve more non-institutional actors (privates, developers' companies, representative from associations, NGOs and etc.) in the process of spatial planning. This stakeholder involvement was suggested by the international agencies and addressed central level to move from government logic to governance mechanism (often only on paper) through the introduction of significant institutional changes.

Looking particularly from a spatial planning discourse perspective, the law passed in 1994 tried to include some of the aforementioned notions into spatial planning principles. Indeed, according to the law, planning system in Croatia should be based on principles like sustainable development and rational use of soil; protection of integral values of space (anthropic and natural); improvement of better living conditions; guarantee of a public and free access to data and documents; establishment of a space information system and link of planning countries with European spatial planning. Those principles were applied for the preparation of the country's main planning documents, such as the Spatial Development Strategy (1997), the Physical Planning Program (1999) and other lower level planning documents. On the counterpart, the non-institutional discourse continued to affirm the socialist logic and tradition. This was possible because most of the domestic practitioners were formed before the transition period and hence, external notions and principles were often not familiar. In addition, even the new generation of planners' preparation was characterized by a mono disciplinary approach, mainly in the field of architecture and engineering, and thus very far from the transdisciplinary approach requested by spatial planning. In this regard, Cavrić (2008), writing about sustainable development, criticized the superficial understanding of the sustainable principles by the academic and practitioner's community suggesting to really catch (and apply) the paradigmatic changes channelized by the concept and not to use them as a mainstream label. Accordingly, the law of 2007 included several notions linked to sustainable development like spatial sustainability in relation to the rational use and preservation of land; sea and submarine, reasonable use and protection of natural resources; preservation of biodiversity; environmental protection; quality and beauty of the built environment, particularly in the coastal area, with the protection of the coastline from construction etc. The institutional discourse at the base of the law, showed a different environmental sensitiveness in accordance with the European documents and the legislation framework (ESDP, environmental legislation, etc.). Recently, an important contribution to the development of the institutional discourse has derived from the introduction of the Regional Development Acts (2009, 2014). The current law aims at ensuring connections of local and regional needs with development priorities, at the central level, and with the goals of EU Cohesion policy guaranteeing the respect of solidarity, partnership and cooperation, sustainability, autonomy of local and regional self-government and monitoring and evaluation. It

is clear that those principles have been inspired by the main development and strategy of the EU documents, confirming the country's attitude to be influenced by those important documents.

#### *10.3.4.2. Changing in institutional and non-institutional planning discourse at the subnational level*

In line to what stated for the central level, spatial planning discourse at the subnational level slowly moved from socialist paradigms to new hegemonic concepts driven and channelized by institutional and non-institutional actors. Since the introduction of the subnational level, according to the process of decentralisation and local self-government, the question of regional spatial development and county's spatial planning were at the centre of academic and public debate. For many years, one of the main point was how to shape spatial planning according to vertical and horizontal integration principles. The necessity was to structure the planning system in a very hierarchical way, but with substantial horizontal coordination mechanisms, in order to address a more appropriate spatial development. In the post war period, the adopted ordinary spatial plans (mainly at the local level) and several strategic plans, focused on the reconstruction of the country rather than on a more balanced development of its regions (Sumpor and Dokić, 2013). Indeed, the first generation of county's plans that passed between 2000 and 2003, have been modified several times to adapt them to the new social and economic condition.

Once the process of EU Integration started, spatial planning and territorial development have been dominated, often rhetorically, by notions like multi-level governance; polycentricism (from ESDP); participatory planning and collaborative approach, and the well-known concept of territorial and spatial development promoted and introduced by the European Cohesion Policy. Even when those concepts have been voluntarily or opportunistically transposed to the domestic planning context, their implementation remained vague. Emblematic is the question of polycentrism or polycentric approach promoted by ESDP and included in the first planning documents. In this regard, while the question of polycentrism became central within the academia and political arenas, in practice, the spatial development of Croatia was mainly concentrated in the area of the capital, Zagreb. The question of effective monocentric approach, was partially overcome due to two main reasons. Firstly, because, a few years later, other cities started to be economically relevant within the domestic panorama (like Rijeka, Osijek and Split). Secondly, at the beginning of 2000, Croatia was facing the European cooperation initiatives that allowed to participate and benefit from INTERREG. From a spatial and development perspective, this meant that the participation of those peripheral and border areas, until then considered as undeveloped regions and excluded from any economic investments, to EU initiatives, represented another attempt to move the attention from the centre to the periphery (Dokić and Sumpor, 2006), so from a monocentric to a polycentric approach. In those circumstances, often spatial

planning and territorial/regional development remained separate. Indeed, while spatial planning was perceived as an instrument that saw the city as the most important spatial planning implementation level, and therefore aimed to solve and address urban questions, the development approach gave more importance to the county level. This has been confirmed by the introduction of several regulations and norms, currently into force, that have separated planning and development issues. Thanks to that, after the first decade, the attention of planners moved from local planning towards county planning, characterizing the past decade. However, even within the counties, the planning discourse and priorities have been totally different. So, while at the central level there have been a common lexicon and logics, like the importance of transparent principles, data accessibility, information system, public participation etc., when it comes to the subnational level new issues have become relevant, according to contextual needs and priorities. Indeed, if some counties have been focusing on agriculture and rural development (inner regions), others have been concentrating on the diversification of tourism activities and protection of seacoast, others again, have been giving more attention to cross-border cooperation etc.

Overall, one should conclude that the planning discourse at the county level, far to be homogenous among counties, has been dominated by the coexistence of planning and development issues. Accordingly, in the last period, the latter is gaining more attention due to the importance of the EU Cohesion Policy and connected funds.

#### *10.3.4.3. Changing in institutional and non-institutional planning discourse at the local level*

After having a general understanding of the main changes in the planning discourse at the central and subnational level, this part explores the mutation of the local planning discourse. Similarly to the upper levels, the planning discourse, at least for the first transition period, was characterized by a substantial continuity with the socialists' logics and principles. In this regard, Ellger (2003) affirmed that many of the old ideas of planning and especially of being directed by public institutions, were still present because the administration planning experts were unprepared to face the new planning challenges. This problem was present in all planning levels, but especially in the lower level the limitation of staff availability and their incapacity to deal with new planning instruments obliged municipalities to assign the preparation of plans to private companies. In several cases, plans and programs prepared outside were scarcely implemented due to a lack of content and terminology comprehension. The question of terminology, adopted by several official documents and international development agencies, often as a mere translation from different external planning experiences, had been already perceived as a limitation factor. Indeed, Ellger (2003) stressed the necessity to give

more attention to the definition of the terminology used and, above all, to those included in the main regulations.

In that circumstance, notions derived from the institutional discourse, like decentralisation, subsidiary, transparencies, local self-government, remained as a mainstream label while at the local level, practitioners focused more on practical aspects like land ownership, land-register, location permit, land reallocation, urban redevelopment etc. So, in practice, emerged a mismatching between what was represented by the institutional discourse, addressed and channelized (often improperly) by those institutions responsible for spatial planning, and what was the non-institutional discourse shaped by experts, practitioners and private companies. In addition, the local planning discourse was influenced by the contribution given by the international development agencies and other external actors that, thanks to their involvement in the implementation of several projects and programs, channelized international notions and concepts (often in a vague way).

With the beginning of the EU Integration process, spatial planning and territorial development was largely influenced by the European planning discourse promoted by several EU documents and strategies. As has been largely accepted by several authors, both spatial planning (Ellger, 2003; Kranjčević, 2005; Dokić, Starc, and Stubbs, 2005; Cavrić and Nedovic-Budic, 2007) and territorial development (Dokić and Sumpor 2006; Marcks, Knieling, and Vladova 2016) have been substantially shaped by the introduction of EU concepts and logics. Even at the local level, after the 2000s, as happened for the county level, the possibility to benefit from several EU investments initiative, on the one hand, and the necessity to be aligned to the EU requirements, on the other, drastically changed the local planning discourse and practice attitude. Since then, the planning discourse was shaped around issues like economic development, environmental protection, energy conservation, natural resources, sustainability and again, climate change, social and economic inclusion, conservation of cultural heritage, sustainable tourism etc. In this circumstance, the underlined distance between planning institutional discourse and non-institutional discourse seem to be less relevant due to several factors. Firstly, if during the first decade planning education was marginalized and faculties of architecture did not provide spatial planning courses anymore (Ellger, 2003), recently there have been introduced several curricula in planning that allow students and future practitioners to be updated with the new planning challenges (mainly based on EU planning principles). Secondly, the question 'learning by doing', emphasized by external development agencies and within EU cooperation programs, is producing its effects.

#### *10.3.4.4. Synoptic view*

The main message derives from understanding the question of planning discourse is a substantial distance between institutional and non-institutional discourse. This is historically embedded since the introduction of the first planning reform when emerged an extensive mismatching between concepts and logics at the

bases of the law and ideas and values channelized by practitioners and experts. The question of terminology was largely criticized by domestic experts recognizing the risk to create misunderstandings both during the process of plans redaction and even when those plans should have been implemented. In that circumstance, indeed, the domestic planning discourse was largely influenced by external hegemonic ideas channelized by external experts, development agencies and EU etc., that allowed rooms for speculation and opportunistic behaviour. Despite an important tradition in spatial planning, the Croatian context was not well prepared to literally transpose and internalize many of those concepts. However, thanks to many factors such as the progresses made by the country on the way of EU Integration; the alignment of EU mainstream principles channelized by EU Cohesion Policy and several formal and informal documents (ESDP above all); the participation of EU Initiatives like INTERREG that increased the capacity of local authority to deal with spatial planning, territorial development and cooperation (promoted by several building capacity programs); and the new attitude of the domestic experts and practitioners to be part of European planning arena, the distance between institutional and non-institutional discourse is decreasing.

The following Table 34 summarizes the main transformation of the Croatian planning discourse. Each change has been evaluated using the following qualitative scale: (i) absent – no changes at all or confirmation of the previous planning logics and principles; (ii) scarce – when the level of changes is not that significant, besides apparent modification of the existing planning paradigms have been confirmed; (iii) moderate – when changes are partial; (iv) high – when changes are consistent, hence a new planning paradigms have been adopted.

**Table 34:** Changes in planning discourse, principles and contents in Croatia

Reforms Period	Discourse					
	Institutional			Non-Institutional		
	Central	Sub	Local	Central	Sub	Local
91-94	<b>Scarce</b> - maintenance of the communist planning discourses	<b>Moderate</b> – introduction decentralisation and subsidiarity notions	<b>Scarce</b> – land use approach	<b>Absent</b> – centralisation of planning discourse	<b>Scarce</b> – decentralisation and regionalization	<b>Moderate</b> – crises of legitimacy of planning
30/1994	<b>Scarce</b> – public participation, transparency etc.	<b>Scarce</b> – first problems with the implementation of subsidiarity	<b>Absent</b> – local planning discourse is built around socialists' logic	<b>Scarce</b> – redistribution of planning power approach	<b>Scarce</b> –new concept as territorial/regional development	<b>Absent</b> – local planning discourse is built around socialist's logic
1994-07	<b>Scarce</b> – first inclusion of EU planning principles deriving from ESDP.	<b>Moderate</b> – adoption of ESDP rhetoric (polycentrism)	<b>Scarce</b> – ambiguity in planning terminology	<b>Moderate</b> – planning discourse shaped around international influences	<b>Moderate</b> – strategic programs	<b>Moderate</b> – strong influence of international rhetoric
76/2007	<b>Scarce</b> – public participation, transparency etc.	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2007-13	<b>Moderate</b> – regional development (EU influence)	<b>Moderate</b> – regional development approach	<b>Moderate</b> – EU spatial and planning principles	<b>Scarce</b> – discourse shaped under the pressure of local actors and EU	<b>Scars</b> – emerging different planning discourse among counties	<b>Moderate</b> – EU spatial and planning principles
153/2013	<b>Moderate</b> – separation of planning and development issues	<b>Moderate</b> – separation of planning and development issues for county level	<b>Moderate</b> – full acceptance of EU principles	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes
After 2013	<b>Scarce</b> – solidarity, partnership and cooperation	<b>Scarce</b> – solidarity, partnership and cooperation	<b>Absent</b> – no changes	<b>Moderate</b> – planning discourse shaped inspired by EU	<b>Moderate</b> – more attention on planning development approach rather planning	<b>Absent</b> – no changes

Source: Author's own elaboration

## **10.4. Exploring the role of actors in the evolution of spatial planning system in Croatia**

As emerged, the Croatian spatial planning system has been a subject of change since the end of the communist regime. This process of transformation has been characterized by many historical momentums when significant and substantial changes have been introduced. This subsection aims to shed light on the main reasons beyond this evolution process, investigating on the role of the actors, both exogenous and endogenous. To do so, the section has been divided in three parts. The first one analyses the role of local actors and their ability to modify the planning system. The second, is focused on the impact of international actors and their role in shaping the spatial planning system in Croatia. The third, takes into consideration the influence of the EU in this dynamic evolution process.

### **10.4.1. The role of domestic actors and path dependency**

In order to understand the role of institutional and non-institutional actors, the research takes into account the most important actors at the central, subnational and local level.

#### *10.4.1.1. Institutional actors*

The panorama of the institutional actors is generally vague. The idea of the research is to focus on the main planning authority established by the law in planning for each level previously illustrated in the subsection 10.3.1. Briefly, for the central level the considered authority are the Ministry of Construction and Physical Planning, the sectoral ministries, and the Institute for Spatial Development; for the county level has been analysed the County Institute for Spatial Planning and, finally, for the local level, the local planning authorities.

Concerning the central planning level, the current Ministry of Construction and Physical Planning is responsible for spatial planning, while the Ministry of Regional Development and EU Funds, is responsible for regional development. This recent subdivision of competences gives different responsibility to each ministry. However, before the planning reform of 2013 and the regional act of 2014, the question of spatial and regional development was under the responsibility of the Ministry of Construction and Physical Planning (even with some variations). Substantially, even when the ministry was called the Ministry of Environmental Protection, Physical Planning and Construction or Ministry of Construction and Physical Planning, the institution represented one of the main actors within the planning system. Currently, the main duty of the Ministry is to make proposal on the acts, strategies and plans to be adopted by the Parliament.

The trans-sectoral nature of spatial planning required a profitable interplay among sectoral bodies. In this regard, an undeniable role has been played by

sectoral ministries with clear spatial implication that deal with issues like transport, infrastructure, energy, environment, regional development, tourism, agriculture and rural development etc. Since the issues interested are widely interconnected, it seemed necessary to integrate each sectoral policy accordingly with the direction given by spatial planning norms and practices. Through time, the importance of sectoral planning significantly increased influencing the way in which planning has been perceived by the main planning authorities. As a matter of fact, questions connected to transport and the infrastructure system, to the environmental protection (SEA and EIA) and conservation of the biodiversity, to building energy efficiency and many others, are becoming part of the planning instruments and discourses. This has been possible thanks to a general tendency to move from a mere exchange of information towards an integration of sectoral policies approach where sectoral ministries play a hinge role within the planning institutional arrangement.

Another important body within the Croatian planning system is the Institute for Spatial Development. The institute is a State body responsible for coordinating the elaboration of the Strategy of Spatial Development of the Republic of Croatia, State Plan for Spatial Development. While the Ministry represents the political body, the institute shall be considered as the technical branch of the central planning system. Indeed, the Institute is in charge of the development (or coordination of development) and the monitoring of the State plan of spatial development and other spatial plans that are to be adopted by the Croatian Parliament, including the preparation of the Reports on the Situation in Space of the country. Usually, this document gives a general overview of the main spatial questions, concluding with some specific recommendations for future reforms. As emerged, the role of the Institute is absolutely central within the Croatian planning mechanism.

Moving alongside the planning level, since the reform of 1994, the role of the County Institute for Spatial Planning represents one of the main institutional actors. Looking at the main activities of the County Planning Institute, despite some differences, each institute is largely focused on: making amendments to the county plans; coordinating and monitoring the implementation of spatial plans of local (regional) level in order to issue an opinion in the process of approvals for the areas with specific characteristics and help local authorities to prepare their own planning documents. The institutes' performances have been very diverse from one county to another, depending on their contextual needs and the number of experts involved. As a matter of fact, the Institute of City of Zagreb has been much more technically prepared comparing to the Sibenik – Knin, as an example. This has been reflected on the number of plans (local and regional) that each county's Institute prepared<sup>50</sup>.

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<sup>50</sup> For more details, see the work prepared by the Croatian Office for Spatial Development (*Hrvatski Zavod Za Prostorni Razvoj*) titled Strategies for Space Development of the Republic of Croatia "Analysis of Spatial Plans of Counties" (*Strategije Prostornog Razvoja Rn "Analiza prostornih planova županija*)

When it comes to explore the role of the local authorities, hence the planning bodies at the local level, it is important to say that their role became important after the implementation of the local self-government. Since then, the local authorities have had the opportunity to prepare their own local plans (even when plans were approved by the upper levels) and the responsibility to implement them. At the beginning these competences were particularly complicated to respect, considering the limits of budget and staff. Through time, each city or municipality has had its plans updated, improving drastically its capacity to deal with the complexity of spatial planning challenges. However, a complete overview of the local planning activity is not available.

#### *10.4.1.2. Non-institutional actors*

Together with institutional actors, the non-institutional ones have had a great interest to be involved in spatial planning processes. With the collapse of the regime, the process of institutional and power decentralisation inaugurated a new era of planning where new stakeholders had the opportunity to be partially involved in the planning discussion. However, despite what was declared and even what was written in the official documents, the civil society (NGO, private experts, associations, etc.) was excluded from any important role in the planning process. As remembered by several authors (Kranjčević, 2005; Starc, and Stubbs, 2005; Cavrić and Nedovic-Budic, 2007), the level of public participation was not sufficient and often reduced to a mere information event (public presentation of plans and public hearing). In that circumstance, from 1992 to 2000, the level of cohesion of civil society was very scarce while the power of private interests reached its momentum. Thanks to the positive influence of the EU (and other actors), and more precisely thanks to the period of structural reforms that aimed to transpose the EU acquis, the question of public participation in the public debate was positively seen. Differently from the past, nowadays Croatia has a more open and transparent planning system where information and data are available for public consultation. To have an overview on the main non-institutional actors, the following paragraphs explore the controversial role of NGOs – nongovernmental organisation; the context of planning education; the importance of associations and the role and responsibility of planning practitioners.

As mentioned, at the beginning of the independency, the role of NGOs, as well as the role of the INGOs – International Nongovernmental Organisation, was quite ambiguous. According to Dokić, Starc, and Stubbs (2005), both international and local NGOs adopted a twofold working approach. The first tended to ignore the domestic government, bypassing each authority even at the central level. The second, cooperated with some local privileged actors in order to implement their implicit or explicit agenda. In that circumstances, NGOs were mainly involved in the process of humanitarian aid and reconstruction of infrastructure and buildings. Only a few years after the war, NGOs changed their strategy, moving more in the

field of civil society and local self-government. Contemporary to those NGOs, a significant number of organisations, associations and domestic NGOs began their activity in different fields like environment, cultural heritage, rural development etc. acting at the centre, county and local level. In doing that, those NGOs played an important role in determining spatial plans in all the levels. As recognized by Cavrić and Nedovic-Budic (2007) in Zagreb and in other localities, NGOs were involved in the process of plans' preparation, focusing on important environmental and planning issues. In other cases, many local/national NGOs (Zelena akcija, Kapživota, International Anthropology Centre Motovun, etc.) were engaged in projects on sustainable tourism and agriculture, including the cooperation with local communities (UN, 2002). Despite some understandable criticism (Stubb, 2006), NGOs remain important actors within the Croatian planning system.

Moving from the importance of the NGOs in the field of spatial planning to planning education and the role of the universities, it seems that different universities are currently offering both bachelors and masters curricula in planning. However, as it seems, the education programs are structured according to the figure of architects or urban/town planner. Similar courses are provided by the University of Zagreb (Faculty of Architecture) and University of Split (Faculty of Civil Engineering, Architecture and Geodesy). Accordingly, the courses are based on different issues like sustainable construction, urban transformation, theory of architecture and only a few courses about spatial planning. This shows a clear town planning imprinting rather than a spatial one. Novelty is introduced by the Geography Department within the Faculty of Science in Zagreb, where courses in spatial planning, regional development and urban system are finally emerging, denoting a new educational attitude.

Passing from planning education to planning associations, it is important to underline that the existing associations of builders, architects and engineers or environmental architects are part of the spatial planning actors' environment. In Croatia, there are different associations involved in the planning activity. One of the most important is the association of architects and engineers, followed by the union of architects and the association of landscape architects etc. Each of them is contributing to change a bit the planning discourse organizing seminars, conferences, workshops and public events. They are contributing also through the preparation of policy recommendation and reports on the state of arts,<sup>51</sup> highlighting the main problems and promoting needed solutions. Despite their efforts, the role of the associations is still limited to some consultation in the public debate where the decision-making process is still led by public authorities. Within the planning context, the private developers have certainly a powerful role. They represent the group which emerged during the last years of socialism and the aftermath of the following war. Their objective was to identify attractive real estate areas and

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<sup>51</sup> See the document *Apolitika – Architecture policies of the Republic of Croatia 2013-2020* produced by the Croatian Chamber of Architects and Civil Engineers.

distinct locations with high population density, and adequate urban facilities and services, with fewer planning and building controls. As affirmed by Cavrić and Stober (2014), the production of the new, as well as the restoration of old constructed areas, reflected their desire to generate extra profits, most often by land speculation, corruption and operation at the edge of what is legally acceptable. For developers or private owners, the distinctive objective was to enhance their property value (whatever kind of property). As Kranjčević (2005) well synthesized, the value of land is greater if defined as a building land. Following this principle, members of this group still have substantial influence over municipal authorities, planners, and local politicians, and use various channels to exert pressure for the approval of their projects (Cavrić and Stober, 2014).

#### *10.4.1.3. Synoptic view*

This subsection tried to explore the role of planning authorities analysing both the institutional and non-institutional actors. One should conclude that, in the last three decades, the Croatian planning institutional actors have been relatively stable in their institutional arrangement despite some changes in responsibilities and competences. This reflects a general political stability and a common idea about planning institutional structure and its hierarchical system. On the other side, observing the non-institutional actors, in Croatia, spatial planning is still a dominium of private architects and engineers' companies but they are not formally trained in urban and regional planning. This fact was particularly evident at the beginning of the transition process when planning was implanted by a few professional categories (architects and engineers), forgetting the decay of the interdisciplinary aspects of the comprehensive spatial development that were a symbol of the previous socialist planning system. According to Cavrić and Nedovic-Budic (2007), the few specialists in planning or with similar background are employed in large national agencies, city councils, parastatal companies and in the academia. While, presently, there is a tendency that shows a growing number of planners engaged in the private sectors in different areas from consultancy to real estate firms, and from private development to NGO's. However according to Cavrić (2010), the current triangle of architects, developers and builder is still referring to a spatial reality that is not efficiently connected with the issues related to sustainable economic growth and social equity. In order to overcome this problem in Croatia it is necessary to promote a paradigmatic shift both in education and in practice (Cavrić and Stober, 2014). To have a complete overview on the importance of the domestic planning actors within the Croatian spatial planning system, the following Table 35 illustrate the characteristics of the aforementioned actors, while the Table 36 shows their impacts on the evolution of planning system.

More in detail, the first table investigates the nature of actors paying attention on their: (i) objective, hence understanding the principal priorities in planning, given by law or established by themselves; (ii) perception and preferences, looking

to evaluate their evolution on planning attitude moving from a sectoral to a more integrate approach or vice versa; (iii) capabilities and resources, hence understanding their technical and economic instruments and, finally, (iv) impacted field, looking on their effective impacts in different spatial planning or connected ambitus. The object of this research phases is to understand how and why defined actors changed their attitude in planning.

Once defined the nature of the main planning actors, the second table explores their impacts on the evolution of spatial planning system. The idea is to evaluate their impacts on the different planning components (structure, technique, practice and discourse) taking into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing ( $\uparrow$ ) when the impact is growing, decreasing ( $\downarrow$ ) when is emerging a declining impact, constant ( $\leftrightarrow$ ) when is verified a persistent impact and, finally, swinging ( $\updownarrow$ ) when through time the impact has not been constant. Here the objective is to understand the importance of each planning actors within the domestic spatial planning system giving the opportunity to compare their different impacts.

**Table 35: Main local spatial planning actors in Croatia**

Type	Actors	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted fields
<b>Institutional Actors</b>	Ministry of Construction and Physical Planning	To produce spatial planning policy	From sectoral to integrated system	Integrated approach	Local experts	State funds	Spatial planning
	Sectoral ministries	To develop sectoral policies within a common framework	From mere exchange of information towards integration to the planning system	Integrated approach	Manly local experts	State funds	EU Integration, Transport, Agriculture and Rural Development, Environment and Energy , Self-Government and Local Development
	Croatian Institute for Spatial Development	To prepare national plans and reports	Spatial planning approach	Integrated approach	Local experts	State funds	Spatial planning and territorial development
	County Spatial Planning Institute	To be an ‘hinge’ between national and local planning authorities	From mono level plans to a more integrated system	Integrated approach to guarantee a correct territorial development	Very different from county to county	State funds	Spatial and urban planning
	Local Authorities	To prepare and implement local plans	Form physical to spatial planning approach	Integrated approach	Local experts	State funds, External aid	Spatial planning and local development
<b>Non institutional Actors</b>	NGOs	To increase social awareness about environment (protection, preservation etc.), culture and heritage	Form humanitarian aid to enhancing of local self-government capacity	Single initiatives, sectoral approach	Local experts, few connections with INGOs	Donor funds, local foundations funds etc.	Environment, local government, spatial planning, architectural and cultural heritage
	Universities	To prepare future skilled planners	From mono discipline to transdisciplinary approach	Integrated approach	Manly local experts	State funds, EU funds	Planning Education Territorial Knowledge, Political arena
	Associations and Chambers (of builders, Architects, and civil society)	To be influencer actors within the spatial planning arena	From technical to political approach	To protect their association interests	Local practitioners and developers	Association funds	Spatial Planning, Urban Planning, Architecture, Real Estate etc.

Practitioners	To draft and implement planning documents	From urban spatial planning	personal interests, status quo	Architecture, engineering and few with planning background	Local networking	Spatial Planning, urban development and environmental protection.
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**Table 36:** The impact of local planning actors in the spatial planning system in Croatia

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
Institutional Actors	Ministry of Construction and Physical Planning	C-S-L	3-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑
	Sectoral ministries	C-S-L	2-1-1	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑
	Institute for S. D.	C-S-L	3-2-1	↑-↑-↑	C-S-L	3-2-1	↑-↑-↑	C-S-L	3-1-1	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑
	County Spatial Planning Institute	C-S-L	1-3-1	↔-↑-↑	C-S-L	1-3-1	↓-↑-↑	C-S-L	1-3-2	↔-↑-↑	C-S-L	0-3-1	↔-↑-↑
	Local Authority	C-S-L	1-2-3	↑-↑-↑	C-S-L	1-2-3	↑-↑-↑	C-S-L	1-2-3	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑
Non institutional Actors	NGOs	C-S-L	1-0-0	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑	C-S-L	1-2-2	↑-↑-↑	C-S-L	1-2-3	↑-↑-↑
	Universities	C-S-L	1-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑
	Associations	C-S-L	1-0-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑
	Practitioners	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑

Source: Author's own elaboration

## **10.4.2. The impact of the international actors**

In Croatia, the importance of the international actors within each domestic context is still a debated question. The following part aims at investigating the influence of some relevant international actors. The international actors have been clustered in four different groups: (i) International Organisation, as UN – United Nation, with specific agencies like UNDP – United Nations Development Programme and the World Bank (ii) National Development Agency like USAID – United States Agency for International Development, GIZ – Deutsche Gesellschaft für Internationale Zusammenarbeit, SIDA – Swedish International Development Cooperation Agency, SDC – Swiss Development Agency, and ADA – Austrian Development Agency; (iii) Regional Organisation like the EU and (iv) the international academic communities.

The presence of those international actors has not been constant through time. Indeed, their presence has been subject to divers social and economic condition (even external socio-political circumstance). As in many other countries, the involvement of those actors has been managed by local institutions. In this regard, in Croatia the structure of the donor coordination was, during the years, split up among several government bodies (Ministry of Foreign Affairs and European Integration in charge of most of the bilateral assistance, Central Office for Development Strategy and Coordination of EU funds, in charge of EU funds, UNDP and Dutch bilateral assistance, and Ministry of Finance in charge of the World Bank and other financial providers). The process of reorganisation was made in an un-organized manner with a lack of transparency towards the donors' community. In this regard, it should be mentioned the PAAN – Pre Accession Assistance Needs (2004-2007), prepared by The Ministry of European Integration, which listed a series of key state priorities and sectors where donors should concentrate their financial and technical support. In line with it and each external donor has been active in several sectors.

### *10.4.2.1. International organisation*

The UN – United Nation, is still present in Croatia with the UNDP agency. In coherence with the main global issues, in Croatia the UNDP is mainly involved in the development cooperation activity in different sectors like local development, environment, energy, rural and agriculture development. In this respect, several projects have been launched such as the support to Croatian underdeveloped areas to prepare for the EU CAP and Rural Development Policy (2010-2013). The project aimed to support local communities, small producers, and local authorities to prepare for the Common Agricultural Policy of the EU and to benefit from the Rural Development Policies of the EU, while dealing with climate changes as well. This project has been co-financed with the Netherlands, the Ministry of Foreign Affairs and the local authorities (Zadar County) involving several counties and local institutional actors. In coherence with its strategic framework, UNDP is involved

in an ongoing project called PARCS - Strengthening the Institutional and Financial Sustainability of the National Protected Area System (2014-2017), which seeks to conserve globally significant marine and terrestrial biological diversity in Croatia, through an effective management of the protected area system. The project is financed by UNDP and national and local authorities (institution linked to the national parks) and it sees the involvement of several public bodies like the Ministry of Environment and Energy, Nature Protection Directorate, Croatian Agency for Environment and Nature, 19 National public institutions (National Parks and Natural Parks). Within the framework of local development, UNDP financed (together with the EU) an important project called ARCH-Vukovar (2011-2013): Heritage as a means of development aiming to promote the economic and human development of the Vukovar community and to foster interethnic reconciliation by restoring the most symbolic secular monument of the urban historic centre. The project saw involved the Ministry of Regional Development and EU Funds; the Vukovar Reconstruction and Development Fund; and the Ministry of Culture. Other important projects have been launched, with UNDP's supervision or cooperation in the field of Energy, where numerous central, subnational and local authorities have been involved, such as the Ministry of the Economy, Ministry of Construction and Physical Planning, Environmental Protection and Energy Efficiency Fund. In this respect the Removing Barriers to Energy Efficiency in Croatia (EE project), BETTER - Bringing Europe and Third Countries Closer Together Through Renewable Energies, and CROSKILLS (2012-2013) - Energy training for the building sector should be cited, which aimed to develop the steps for action needed to upgrade the current knowledge and skills of workers in the building and construction sector. What seems to be very interesting about the UNDP cooperation activity is its attitude to develop very specific projects (geographically defined) including other international donors and domestic actors (at the central or local level). In doing so, UNDP selects institutional (and not) partners in respect of the project's objectives. The result has been a very multidimensional approach in which UNDP has been one of the actors. In addition to what has been illustrated, UN documents like the Habitat Agenda 1996 and Agenda 21, channelized by UNDP and other UN agencies, have been inspiring the Croatian planning discourse and practices. When it comes to understand the impact of the UNDP on planning activity, it seems to be both partial and sectoral (above all on agriculture, environment, energy etc.).

The World Bank<sup>52</sup> has been very influential in Croatia in several sectors. As a matter of fact, the WB cooperated with the Ministry of Environmental Protection and Physical Planning, and provided technical and financial assistance, during the process of drafting of the first National Environmental Action Plan (NEAP-2001), in accordance with sustainable development principles and the Environmental

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<sup>52</sup> The World Bank includes: The International Bank for Reconstruction and Development (IBRD) and The International Development Association (IDA) main activity.

Strategy (UN, 2002). In line with the NEAP and within the country's strategy to preserve the national forestry system, the WB has been involved in the Reconstruction and Coastal Forests Preservation Project aiming at restoring and protecting forestland in the coastal zone of Croatia, in order to enhance landscape and recreation values of the region (UN, 2002). Other cooperation activities took place in different field such as: (i) battle desertification and drought; (ii) sustainable mountain development; (iii) promotion of sustainable agriculture and rural development; (iv) promotion of education, public awareness and training. As emerged, the World Bank impacted in a very partial way the Croatian spatial planning system preferring to focus on some strategic sectors like environment, agriculture and rural development.

#### *10.4.2.2. Development cooperation agencies*

The role played by various national agencies in influencing the spatial planning system is still undervalued in the Western Balkan Region. However, as emerged from the above analyses about the international organisation, each national agency has been, or still is, an influential actor since 1991.

As a matter of fact, the USAID has been a driver actor in accompanying the Croatian system towards the process of State transformation in several fields until 2008, when USAID ended its cooperation activity in Croatia. As declared, the USAID mission has been considered successful under several points of view. Since 1991, USAID launched numerous programmes in various fields. First, the RIEDA - Raising Incomes in Economically Distressed Areas Project, which has focused on increasing agricultural production and the development of farmer organisations. Second, the CroNGO – Croatian NGO programs, which has had two goals: 1) to enhance the sustainability of a group of key organisations whose leadership is important to the long-term future of Croatia's NGO sector; and 2) to encourage the development of community-based civil society initiatives through an integrated program of small grants. Third, the LGRP - Local Government Reform Program, which has successfully developed five management models in fundamental areas of public administration, including: strategic planning in local economic development; asset and financial management; citizen participation; management of information systems, transparency in budgeting, and local governmental reform. Other projects focus mainly on the post-war situation, such as ECRA - Economic and Community Revitalization Activity, which focuses on: 1) community-based economic programs that create jobs and output; (2) increasing community reintegration in return areas; (3) increasing the rate of cross-border returns, and (4) improving access to housing for returnees, displaced persons and "settlers" using market-based approaches; or CIRP - Community Infrastructure Rehabilitation Program, which focuses on the reconstruction of municipal infrastructure (electricity, water and wastewater facilities, markets, public buildings such as schools, community centers and clinics) to support the return and reintegration of

displaced persons and refugees in Croatia's war-affected areas. In addition, USAID has been engaged in developing initiatives in many other projects like the Political Party Development Program and training activities in several fields, above all regarding central and local development, tourism and environment protection, market economy and civil society. As emerged from this brief analysis, USAID has been active in numerous fields, preferring to adopt a cross-sectoral approach to accompany the Croatian system to join the EU. In respect of our objective, hence the evaluation of the impact of the evolution of spatial planning, no direct impact has been noted, however, indirect influence has come with the development of the LGRP – Local Government Reform Project and its five aforementioned topics.

As USAID, the German GTZ-GIZ<sup>53</sup> agency has been active in the region for a long time. The agency addressed its attention on good governance, rural development, sustainable infrastructure, security and reconstruction, environmental and climate change. The agency has been active with several projects, through technical assistance and financial initiatives. One should mention the important role of GTZ-GIZ in helping the Ministry of Environmental Protection and Physical Planning and the Ministry of Economy in drafting and implementing the Establishment of Environmental and Energy Efficiency Fund, with the objective to integrate environmental protection and economic goals. Recently, in 2011, GIZ launched the programme "EU Integration of South Eastern Europe", where Croatia was one of the country interested, which is structured in three different thematic objectives: (i) EU Integration of the administration of the central level; (ii) EU Integration of rural economic areas (Regional Rural Development) and (iii) aligning vocational training qualifications with EU standards. Moreover, GIZ has been active in the support of several Adriatic counties for the implementation of ICZM – Integral Coast Zone Management in cooperation with the EU experts.

SIDA - Swedish International Development Cooperation Agency, as many others external donors, has been actively involved in assisting and supporting the Croatian system towards the EU membership route. The Agency has been engaged in several sectors such as: (i) Democracy, Good Governance and Gender; (ii) Natural resource and environmental protection; (iii) Economic Growth; (iv) Social Development and various other sectors. Within this framework several projects have been activated, however, it will be mentioned only the most significant in respect of the research goals. One of the main substantial support activities has definitely been the project that saw involved the Agency with the Ministry of European integration, called "Support to the Ministry of European Integration in the Process of Coordinating, Managing and Monitoring EU Financial Assistance". The project aimed to assist the Directorate for Coordination of EU Assistance and Cooperation Programmes in MEI to strengthen its capacities to plan, program (e.g. preparations of CARDS project fiches) and monitor EU assistance programmes

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<sup>53</sup> GTZ - *Deutsche Gesellschaft für technische Zusammenarbeit*, since 2011 is called GIZ – *Deutsche Gesellschaft für Internationale Zusammenarbeit*.

(SIDA, 2004). A particularly interesting project, that saw involved the agency, regarded the Capacity Building for the Real Property Registration and the Cadastre Project in collaboration with the World Bank. The project aimed at modernising and reform the Land Administration system (Cadastre and Land Registry) in Croatia. One should mention also the important efforts of the SIDA agency in the field of a plurennial project centred on the public administration reform. Despite the involvement in the field of good governance and public administration, according to SIDA (2004), the establishment of the sustainable and accelerated land reform has become a commitment for the country's integration in the EU. Some forms of support have been already incorporated in the existing projects and assistance that has been oriented towards the harmonization of environmental legislation. In this respect, the land consolidation initiative in support to the Ministry of Agriculture Forestry and Water Management (MAFWM) should be contextualized. Over time the engagement of the agency has been very fruitful in many sectors, however, the impact of SIDA in spatial planning activity has been very limited. Some effects may derive from the implementation of the capacity building of RPRC - Real Property Registration and Cadastre Project. Other limited effects regarded the environmental sectors (land consolidation) and the channelization of some EU discourse on environment, regionalization, local administration etc.

Meanwhile the SDC – Swiss Development Agency has been activated only since 2013, after the integration of Croatia in the EU. This first cooperation agreement has been launched for the period 2014-2017, aiming to reduce the economic and social disparities between Croatia and the more advanced countries of the enlarged European Union (EU); and/or to contribute to the reduction of economic and social disparities within Croatia. In doing so, many projects and programs have been activated in different fields like: (i) environment and infrastructure and (ii) human and social development (NGOs). However, the agency cannot have a potential impact on the whole spatial planning system but only in specific sectors.

Other national agencies have been active with less affects, like the ADA – Austrian Development Agency, which focused more on regional development with a special attention on tourism and environment.

#### *10.4.2.3. Regional Organisation*

The European Union, despite the lack of formal and direct influence on the spatial planning system of the members, due to the current institutional arrangement, has been a central actor in shaping indirectly the spatial planning system in Croatia. Because of its prominent role, the impact of EU, i.e. the Europeanisation of Croatian spatial planning system, will be further analysed in the next subsection 10.4.3. Briefly, as is commonly shared, the EU is impacting in diverse manner. In Croatia, as in many others new members, major impacts are

emerging from the influence of the EU legislation, above all: (i) the environment legislation - The Environmental Impact Assessment (EIA) and Strategic Environment Assessment (SEA), which has been introduced as precondition for most of the strategic documents elaborated by the public authorities; (ii) the energy legislation, which has an impact on construction regulations (energy efficiency measures, renewable sources of energy) and (iii) transport legislation - application of the TEN-T system that affected both spatial plans and the Croatian regional development. Despite the impact of the EU legislation, an important role in shaping the Croatian spatial planning environment is played by the EU Cohesion policy and the pre-accession and neighbourhood policy, with relative programs like PHARE ISPA, SAPARD, CARDS, IPA etc. Last but not least, an important and usually under evaluated impact is coming from the EU discourse in framing the Croatian spatial planning debate and consequently in shaping the spatial planning system. In this respect, for example, the 2013 Physical Planning Act introduced a new generation of documents that aimed to a stronger sustainability approach inspired by the EU mainstream development strategies (Gothenburg Strategies, EU Strategy 2020). Therefore, based on this approach, it is possible to conclude that the EU played, is playing and will play, an important role in shaping the Croatian spatial planning system.

#### *10.4.2.4. Foreign knowledge Actors*

As emerged, Croatia has traditionally been permeable from external influences. Focusing on the last three decades, the impact of the international actors has been significant in several sectors (including on the planning education). The mechanism of influence has been different from the organisation of workshops, events, conferences, and working groups in developing a joint cooperation with local institutions, with the aim to prepare educational programs. The objective of this intense collaboration activity has been to help the domestic context (authorities, actors etc.) to deal with the new Western rhetoric. The main area involved was the local self-government, which appeared the most suitable environment for such efforts (Dokić, Starc, and Stubbs, 2005). In this regard, several programs have been launched since the 2000s, such as the one started with the cooperation between GIZ and the Institute of Economics in Zagreb aiming to build local capacity for development planning, introducing a participatory approach to local development planning and disseminating the corresponding methodology across the Croatian municipalities and towns (Dokić, Starc, and Stubbs, 2005).

In that circumstance, thanks to the presence of numerous international agencies, an important number of external experts and practitioners were involved in Croatia. In most cases, those experts were directly invited by the cooperation agencies to develop and implement programs and any kind of pilot projects, even more integrated ones.

#### *10.4.2.5. Synoptic view*

Overall, as illustrated, the role of international actors in Croatia have been, in general, very influential in several sectors producing some partial effects in the spatial planning system. However, their influence has been not linear throughout time. In this respect, the European Union has become the dominant supranational actor 'steering' regional development, environmental, transport, rural development and energy policies in Croatia, and even sub-contracting UNDP or other national agency to implement some of the ROP - Regional Operational Plan development and/or giving support to the local authorities. Meanwhile, the World Bank and USAID remain, important actors, tending to focus more on local development at the municipal and city levels (De Villa et al., 2005). It is important to underline that despite of the unclear and indirect impact on the spatial planning system, many international actors have contributed to shape the condition in which spatial planning system is included and where it operates, i.e. the social, economic and historical condition. Indeed, as shown in numerous interlinked sectors like environment, rural development, energy, tourism, costal protection etc., their role has been crucial under two different perspectives. First, fostering the state capacity to deal with those issues, supporting each state initiative to control, govern and implement the state's legislation and priorities, and secondly, assisting local actors in very specific projects aiming to implement the national legislation's requirements.

As in case of the local planning actors, the Table 37 sums up the main actors' characteristics, while Table 38 their impact on the Croatian planning system. The first table aims, in fact, at illustrating the most important international spatial planning actors and their respective agreements or projects, objectives, perceptions, preferences, capabilities, resources, and impacted sectors. The second table summarizes their impact on spatial planning system components, i.e. structure, technique/instruments, practices and discourse. For each component it has been illustrated the level of impact, hence its intensity (from less 0 to higher 3 impact) and trends (increasing↑, decreasing↓, constant↔ and swinging↕) if the impact happened in the central level, subnational level and/or local level. The logic followed is similar to what has been used for the impact of local actors and the influence of EU, aiming to compare their impacts.

**Table 37:** Main international spatial planning actors in Croatia

Type	Actors	Main agreements or projects	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted sectors
International organisation	UNDP <sup>54</sup>	Several projects	To prepare for the Common Agricultural Policy, to implement the National Protected Area System	From infrastructure reconstruction to EU integration	Sectoral approach	External-internal	Co-financed	Local Development; Democratic Governance, Rural Development, Energy and Environment
	World Bank	Several projects	To reinforce state environmental protection	From economic development to sustainable development	Cross-sectoral approach	External-internal	Grants and co-financed	Environmental Protection, rural and local development
National Agencies	USAID <sup>55</sup>	ECRA CIRP 1996/2008 – LGRP RIEDA 2001- Cro-NGO	To help post-war reconstruction and guarantee refugees return, help local institution, develop a new local Government system, increase rural development, empower civil society.	From infrastructure reconstruction to State development	Cross-sectoral approach	External-internal	Mainly own funds	Local development, public transparency and participation, regional economic development
	GTZ-GIZ <sup>56</sup>	Several projects, EU Integration of South Eastern Europe	To prepare the country for EU integration, To enhance local administration capacity	From country to regional (WBR) approach	Sectoral approach	External-internal	Co-financed	good governance, rural development, sustainable infrastructure, security and reconstruction,

<sup>54</sup> United Nations Development Programme

<sup>55</sup> United States Agency for International Development

<sup>56</sup> *Deutsche Gesellschaft für Internationale Zusammenarbeit*

								environmental and climate change
	SIDA <sup>57</sup>	2003 – RPRC	To enhance State ability to use UE funds and strengthen institutional and social capacity	From infrastructure reconstruction to EU integration	Sectoral approach	External and local experts	Own Funds, co-financed (WB)	EU Integration, Administrative reform, land management Civil society, social inclusion
	SDC <sup>58</sup>	Several programs	To reduce economic disparities among Croatia and EU members State and within the Country	From infrastructure reconstruction to EU integration	Sectoral approach	External-internal	Own Funds	Environment and infrastructure
	ADA <sup>59</sup>	Several programs	Regional development	From infrastructure reconstruction to EU integration	Sectoral approach	External-internal	Own Funds	Environment and Tourism
<b>Regional Organisation</b>	EU	Agreements: SAP, SAA, Instruments: PHARE ISPA, SAPARD, CARDS, IPA, Legislations	EU integration	From State Restructuring to EU membership	Structural approach	External-internal	co-financed	Environment, Transport, Energy, Rural Development, Regional Development, Cross-Border Cooperation etc.
<b>Foreign knowledge Arena</b>	Universities	Several Initiatives	Introduce new planning concepts	---	Spot collaborations	External	co-financed	Planning, local and regional development
	Consultants	Several plans and projects	No particular objectives	---	Spot collaborations	External	co-financed	Local plans

<sup>57</sup> Swedish International Development Cooperation Agency

<sup>58</sup> Swiss Development Agency

<sup>59</sup> Austrian Development Agency

**Table 38:** The impact of international actors in the spatial planning system in Croatia

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
International organisation	UNDP	C-S-L	1-1-1	↓-↓-↓	C-S-L	2-1-1	↓-↓-↓	C-S-L	1-1-2	↓-↓-↓	C-S-L	2-1-2	↓-↓-↓
	World Bank	C-S-L	1-1-1	↓-↓-↓	C-S-L	2-1-1	↓-↓-↓	C-S-L	1-1-2	↓-↓-↓	C-S-L	2-1-1	↓-↓-↓
National Agencies	USAID	C-S-L	1-1-1	↓	C-S-L	0-0-0	-	C-S-L	1-1-1	↓	C-S-L	2-1-1	↓
	GIZ	C-S-L	0-0-0	-	C-S-L	0-0-0	-	C-S-L	2-1-2	↓	C-S-L	0-0-1	↓
	SIDA	C-S-L	1-0-0	↓	C-S-L	0-0-0	-	C-S-L	0-0-0	-	C-S-L	1-0-0	↓
	SDC	C-S-L	0-0-0	-									
	ADA	C-S-L	0-0-0	-									
Reg. Organ.	EU	C-S-L	2-2-1	↑-↑-↑	C-S-L	3-1-2	↑-↑-↑	C-S-L	3-2-1	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑
Foreign knowledge arena	Universities	C-S-L	1-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-2	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑
	Consultants	C-S-L	1-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-2	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑

Source: Author's own elaboration

### **10.4.3. The impact of the EU**

The Europeanisation of spatial planning has been the subject of numerous comparative analyses in which different viewpoints have emerged. According to the majority of the researches, the Europeanisation of spatial planning is a dynamic process of downloading, uploading and horizontal influences. This subsection explores the process of downloading since it has been considered the main significant mechanism of influence (top-down). In this respect, three different influences have been analysed. The first part tries to understand the impact of the EU Legislation taking into account sectors such as the energy, the environment, the transport, the competition and pre-accession negotiation agreements (10.4.3.1). The second part has been dedicated to exploring the impacts derived by the implementation of the EU Policies that focus on the EU Cohesion Policy, on the European Territorial Cooperation, on the EU Urban Policy, on EU Rural Development Policy and Pre-accession and neighborhood policy (10.4.3.2). The third part concentrates on understanding the influence of the EU Discourse, taking into account the ability to influence the EU Mainstream Development Strategies, the EU Spatial Policy Documents, the EU Urban Agenda and ESPON Program, while additional consideration has been dedicated to the influence of the EU Discourse on the Croatia academic debate and professional education (10.4.3.3). Finally, the last part sums up and gives a complete overview on the Europeanisation of the Croatia spatial planning system (10.4.3.4).

#### *10.4.3.1. Influence of EU sectoral legislation*

The issue of public procurement was completely unknown in Croatia until the country gained its Independence in 1992. But it was after 1997, when the parliament adopted the first law that regulated public procurement, that major changes occurred. In 2001 the parliament enacted a new law on public procurement, based on the Public Procurement Directives of the European Commission (Madir and Rimac, 2014), which was valid until 2011, when the new Public Procurement Act was established, finalizing the alignment of the country's public procurement regime with the requirements of the EC's public procurement directives (Madir and Rimac, 2014). The implementation of the EU Competition Legislation produced several structural and substantial changes. First of all, two new authorities were founded, the Public Procurement Office and the Public Procurement Supervisor Commission, with specific tasks in the implementation of the law and in monitoring activities. Moreover, novelties have been introduced in respect of the public procurement award criteria, where the criterion of the economically most advantageous offer is not as important as in the past. Indeed, in the case of public service contracts and public supply contracts, the award criteria must be respected without prejudice (ethnic, social etc.) about the implementation of the legislation that prescribes remuneration for specific services (for example, services performed by architects, engineers or lawyers) (Madir and Rimac, 2014). Another important

news has been the possibility for foreign legal persons<sup>60</sup> already living in an EEA - European Economic Area, to practice in Croatia those activities for which they are certified to perform pursuant to the legislation of the country in which they are established. Moreover, persons from countries of the EEA may occasionally or temporarily carry out activities of energy certification and energy audits of buildings in the Republic of Croatia, after they notify the line Ministry prior to their first engagement. The line Ministry shall then issue a certificate of the received notification (Building Act, 2013). Other significant changes regard the transparency of the public administration activity. Currently, each competent authority is obliged to make documents available online for free, allowing electronic communication in public procurement procedures and providing methods for contract valuation that take into account whole-of-life costs of works. As emerged, the EU played an important role in inspiring the Croatian reform path enhancing its performance in this field. The impact on spatial planning, however, is modest in practice. As stated by Madir and Rimac (2014), the implementation of the legislation faced several cases of high-level corruption that have been shown to have had deep roots in the public sector. Local governments, public works (highways), urban planning and construction have been identified as the areas with the highest corruption risk.

Moving from public procurement to Energy sector, in Europe the question of Energy supply represents an important issue within the main EU normative and strategic documents. In Croatia, the EU energy transposition has been central for all EU agreements since the stipulation of the SAA – Stabilisation and Association Agreement<sup>61</sup> in 2001. Under the pressure of the EU, Croatia introduced the Energy Act (2001)<sup>62</sup>, and signed and ratified the Energy Community Treaty and Kyoto Protocol (1997) along with the United Nations Framework Convention on Climate Change (1992). Very soon, the first Energy Strategy has been prepared and introduced in 2002, and updated ten years later by the new Energy Strategy for the period 2012-2020, in line with the period covered by all the EU's energy documents (EU programming period). Alongside the Energy Strategy, in Croatia several programs and action plans have been adopted, such as the National Energy Efficiency Programme for 2008–2016, adopted in accordance with the European Directive 2006/32/EC and Directive 2010/31/EU on the energy performance of buildings, and several National Energy Efficiency Action Plans, such as the action plan that covers the period 2014-2016. The adopted Energy Act (No. 120/2012) obliges regional and local self-government to draft development documents in which they plan for needs and energy supplies. The Government shall fulfil the absence of the institutional framework and administrative capacity due to the

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<sup>60</sup> That perform physical planning, design and/or professional construction supervision activities, construction activities, building project management activities or activities of testing and preliminary studies.

<sup>61</sup> Croatia has taken the commitments in Energy sector as well. These commitments are particularly related to taking over the *Acquis Communautaire* of the European Union in Energy sector, opening and developing the energy market and integration into the European Union's internal energy market.

<sup>62</sup> For more info, see "Official Gazette" No. 68/01, 177/04, 76/07, 152/08.

coordination of planning at the government, regional and local level. The implementation of the EU Energy Legislation introduced, for the first time, the energy performance requirements, hence the energy performance certificate that must be obtained in order to have the building permit. Construction works and their heating, cooling, lighting and ventilation installations must be designed and built in such a way that the amount of energy they require shall be low. Construction works must also be energy-efficient, using as little energy as possible during their construction and dismantling (Building Act 2013). As emerged, the transposition of the EU Energy Legislation introduced numerous novelties in terms of changing procedures, drafting new documents (strategies, plans and action plans), applying new concepts and principles. Their impacts in the field of spatial planning are clearly visible when it comes to looking into the planning process. Indeed, the necessity to have the energy efficiency certificate before obtaining the building permit is a clear example of how sectoral EU policies can affect spatial planning procedures.

As in the case of the EU Energy Legislation, the EU Environmental is part of the EU *acquis communautaire*. Despite the fact that the Environmental Impact Assessment (EIA) has been implemented in Croatia since 1984, thanks to the cooperation activity with the UNDP, the European set of Environmental Legislation started to be implemented in 2001. At the time Croatia signed the SAA in which had been established, specifically in the Title VIII Cooperation Policies, in Art. 103, that the areas of environmental protection needed to be especially addressed aiming at combating environmental degradation and promoting environmental sustainability. In line with the EU requirements, two new sectoral documents have been introduced: the National Environmental Strategy and the National Environmental Action Plan, which are based on the principles of sustainable development and deal with the state of the environment, international obligations, key objectives and priorities and also includes the state of affairs and trends as well as the actions to be undertaken in priority areas (Vlašić, 2006). More in detail, the main novelties are the Environmental Protection, that obliges to carry out SEA - Strategic Environmental Assessment (SEA) during the drafting phase of the Strategy, Plan or Program and NATURA 2000 (the introduction of the spatial plans for areas with special features defining the conditions of use). In the case of development projects, an assessment needs to be carried out about the impact on the ecological network. As a matter of fact, in areas that are part of these ecological network, each planned project may have a significant impact on the conservation objectives of the ecological network, which is subject to assessment about the impact on providing long-term preservation of the favorable status of those areas (MEPPPC, 2009). To conclude, the Environmental Impact Assessment has been introduced as precondition for most of the strategic documents elaborated by the public authorities. The undertaken measures have enabled the protection of the environment through spatial planning. Doubtless, the transposition of the EU

requirement contributed to modify the spatial planning process thanks to the introduction of the EIA and the SEA.

After having illustrated the impact of the EU Environmental Legislation, one should consider the impact of the EU Transport Legislation. The implementation of the EU Transport Legislation has been mainly concentrated on observing the EU standards and therefore, it seems to be important to understand the impact of some EU projects, like TEN-T – Trans European Network – Transport. The path of the EU Corridors should be reflected within various levels on spatial (physical) planning documents and in sectoral development strategies. This network creates a fundamental support linking the country to the international spatial development systems<sup>63</sup>. In terms of the transport legislation, the implementation of the TEN-T system affected both spatial plans and regional development. National documents define the corridors that must be aligned by regional and local plans. The regional development policy also considers transport development, in line with the EU Structural and Investment policy of the period 2014-2020, giving priority to the elements of the TEN-T infrastructure.

When it comes to understand the pre-accession negotiation influence, the impacts involved various aspects of spatial and regional development. One should keep in mind, in fact, that Croatia is the youngest member of the European Union, hence, in the past benefited from the entire pre-accession process. In this respect, numerous EU sectoral requirements were transposed, like the EU Environment, Energy and Transport policies that took place during the pre-accession phase with the stipulation of SAA (2001-2005). Within the logic of cohesion policy, the Regional Development Legislation (2009, 2014) and institutions were set up as part of the pre-accession process, including the establishment of the regional and cross-border cooperation (INTERREG initiatives). The Majority of the aforementioned changes were implemented contributing to the overall harmonization of the Croatian law with the European standards.

#### *10.4.3.2. Influence of EU policies*

Cohesion policy in Croatia is coordinated at the state level, by the Ministry of Regional Development and EU Funds, the Ministry of Construction and Physical Planning and the Ministry of Regional Development and EU Funds. Since 2014 the Croatian Institute for Spatial Development has been playing an active role in the territorial cohesion policy as well, since the adoption of the new Strategy of Spatial Development, that represents a statutory document that has to be considered by all documents and operational programmes of cohesion policy. A multi-level governance has been applied in the cohesion policy, however, mostly in a declarative way. The Regional Development Act (2014), has been determining the

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<sup>63</sup> Croatia is part of the SEETO – South East Europe Transport Observatory, an organization that promotes cooperation initiatives among SEECS – South East Europe Countries in implementing the TEN-T Corridors

goals and principles of regional development management in the Republic of Croatia. Moreover, the act establishes the Regional Development Council on state level, involving different line ministries, including the ministries responsible for regional development and spatial planning. The partnership councils established on NUTS 2 (statistical) regions level are similarly composed: the ministry responsible for spatial planning also delegates a member. On the county's coordination level (NUTS 3) management is done by the county's administrations and the regional development agencies, as accredited by the coordination bodies. In the county's partnership councils, regional spatial development institutes are not involved directly. The 2014 Act has introduced the category of urban areas with three different types of urban settlements (agglomerations, large and small urban areas) where partnership councils are also established. The final draft of the Regional Development Strategy reflects on the EU 2020 targets and the Partnership Agreement made between the European Commission and the Government of the Republic of Croatia. Energy efficiency priority of the Competitiveness and Cohesion Operational Programme (financed by ERDF) are partially coordinated by the Ministry of Construction and Physical Planning. The impact of the EU cohesion policy has been different for each planning level. Indeed, the Cohesion policy has generated a moderate influence on spatial planning on the state level. The National Spatial Development Strategy refers to the Territorial Agenda, stressing the importance of solidarity towards undeveloped areas (remote rural areas and internal rural peripheries.) The actual Physical Planning Act (2013) is in line with the EU cohesion policy, stressing "balanced territorial development in conformity with economic, social and environmental starting points". The influence of the EU Cohesion policy is stronger on regional development regulation. The Regional Development Act (the latest dates back in 2014) makes a clear reference to the Cohesion Policy and about the absorption of EU funds in its preamble. Reporting part of art.1 - regional development policy aims at using the EU funds in a more efficient manner. The national tools for regional development already existing, have been replaced by an approach strictly connected to the EU policy in terms of objectives, timetable, funding rules etc. As emerged, the cohesion policy of the EU has a minimal effect on physical planning on the regional level, as county's spatial plans do not reflect the Cohesion Policy objectives. However, county's spatial plans should be considered when elaborating the county's development strategy. Besides that, all counties of Croatia made their own ROPs – Regional Operative Program as a tool for analyzing the spatial and social trends, offering a county's development vision and coordinating county's goals of development with national and EU priorities. Projects financed under the Cohesion Policy instruments have a certain effect on regional spatial planning, as the local infrastructure development project are dominantly financed by Cohesion Policy instruments. In terms of timeframe, county's development strategies have a more direct relation to the Cohesion Policy's programming period, however the county's development strategies currently available were created for the period 2011-2013, and have been extended

until the middle of the current programming period. Similarly to the county level, the influence on physical planning of the Cohesion Policy on the local level is minimal, however the single development projects may have a more direct impact on the local spatial plans due to their more detailed nature. Local development strategies are not statutory by law, however the introduction of urban areas (agglomeration, large, small urban areas) creates a distinction that is directly connected to the implementation of the Integrated Territorial Investment (ITI) in agglomerations and certain selected large urban areas.

Moving from the EU Cohesion Policy towards the EU Territorial Cooperation since 2000, Croatia participated in several EU INTERREG initiatives. In the past, Croatia took part of several territorial cooperation initiatives such as the EU INTERREG Initiative Neighborhood Programme Slovenia-Hungary-Croatia 2004-2006; the Operational Programmes Italy-Slovenia and Slovenia-Croatia as well as the Adriatic IPA Programme etc. Currently, Croatia is participating in several other cooperation initiatives like Interreg IPA Cooperation Programme Croatia-Serbia 2014-2020, in which IPA is perceived as an instrument for the implementation of the EU Cohesion Policy on the one hand, as the main investment tool for delivering Europe 2020 goals (smart, sustainable and inclusive growth) and, on the other hand, the Programme is used as an instrument contributing to the South East Europe 2020 strategy goals<sup>64</sup>. Additionally, Croatia is part of the Interreg IPA Cross-border Cooperation Programme Croatia-Bosnia & Herzegovina-Montenegro 2014-2020. The programme's area includes 12 counties on the Croatian side, the Brčko District and 109 municipalities in Bosnia & Herzegovina while only 10 municipalities of the Montenegrin. Despite some cooperation activities with potential or candidate countries, Croatia is cooperating with other member states such as Slovenia, specifically with the INTERREG Slovenia-Croatia 2014-2020, and Italy, with Cooperation programmes under the European territorial cooperation goal. In addition, Croatia is geographically covered by two EU macro-region, the EU Strategy for the Danube Region as well as the EUSAIR - EU Strategy for the Adriatic and Ionian region that implies to be part of several working groups. To what concern EUSAIR<sup>65</sup>, Croatia is the coordinator of the pillar Sustainable Tourism together with Albania.

As emerged, Croatia has been involved in many of the ETC initiatives, acquiring important know-how and institutional capacities. In Croatia, the European territorial cooperation impacted in various way each state level. Interestingly, the EU accession process and programming experiences on local and

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<sup>64</sup>The development pillars of the South East Europe 2020 strategy concentrated on integrated, sustainable and inclusive growth as well as governance for growth thus focusing on improving living conditions and bringing competitiveness and development in the region by closely following the vision of the Europe 2020 strategy

<sup>65</sup> The Strategy has been set-upped around for pillars: (i) Blue Growth coordinator Greece and Montenegro; (ii) Connecting the Region coordinator Italy and Serbia; (iii) Environmental Quality coordinator Slovenia and Bosnia Herzegovina; (iv) Sustainable Tourism coordinator Croatia and Albania.

regional level have significantly contributed to the development of the national regional development policy framework (Sumpor & Dokić, 2011; Dokić et al., 2006). However, considering what is established on the physical plan of the state level, it does not concern the ETC. Its influence is limited, however, in the case of bordering counties' elements of cross-border infrastructure developed by ETC tools (thematic routes, bicycle infrastructure). County's development strategies of bordering counties often make reference to the cooperation opportunities with neighboring counties using ETC instruments. Likewise, at the county level, spatial plans may learn thanks to the implementation of projects under ETC instruments by towns and municipalities. Nevertheless, despite the above considerations, the implementation of EU cross-border cooperation programmes positively influences the evolution of Croatia's regional development policy and practice (Sumpor & Dokić, 2011). Indeed, in both institutional and development aspects, Croatia has been influenced by the continuous cooperation activities. New institutions have been established across all administrative levels, border regions (Varaždin County, Medjimurje County and Istria) of those that cooperate with member states, increased their administrative performance. Instead, the chance to cooperate with Balkans countries has been seen as an opportunity to re-establish social and economic links between inhabitants on local level in those border regions. According to Sumpor & Dokić (2011), important institutional and developmental impacts can be recognized in the country. In particular, this is reflected in the ability of local and regional actors to understand the importance of strategic planning as one of the main conditions for project financing from EU sources.

Analysing the impact of the EU Urban Policy, it is interesting to note that the national Spatial Development Strategy is aware of the urban hierarchy of Croatia, however the reference to EU urban policy is very limited, only as part of Territorial Agenda. Meanwhile, the Regional Development Strategy makes several references to the EU Urban Policy, including definitions of urban development strategies, in the context of Cohesion Policy. The draft of the Regional Development Strategy refers to the harmonization of county development strategies and urban development strategies within a county, with clear reference to the EU Urban Policy. However, as county development strategies have mostly not been developed, and old strategies have been extended, such harmonization has yet to be done. The Regional Development Act (2014) introduced three categories of urban areas: (i) urban agglomerations (Zagreb, Split, Rijeka, Osijek); (ii) large urban areas (population btw. 35-100 thousand); (iii) small urban areas (population btw. 10-35 thousand). As decided by the Minister of regional development for all urban agglomerations and further cities with population beyond 50.000, urban areas will be defined and strategy of urban agglomeration/area will be developed. This strategy serves as basis for the Integrated Territorial Investment of the Cohesion Policy (COMPASS, 2018b).

Limited contributions derive from the EU Rural Development Policy. Analysing each planning level, in fact, those policies have not produced significant

impacts on spatial development at the national level. While at the subnational level, the rural development policy instruments often finance projects for the development of tourism infrastructure, their location, size, type and max. capacity still has to be indicated in the county's spatial plans. In terms of regional development, on the local level, LAGs - Local Action Groups set up by the LEADER (2013<sup>66</sup>) initiatives started to be active within the CAP - Common Agriculture Policy. As a matter of fact, the law on regional development of the republic of Croatia recognized the importance of the LAGs within the framework of local self-government as a planning body for the development of local strategies. Indeed, LAGs may conduct coordination and support of local development<sup>67</sup>. Since the introduction of the LAGs, there are 61 Lags in Croatia, which include 451 local government units in total.

Finally, observing the EU pre-accession and neighboring policy, it should be mentioned the importance of EU programs and CARDS funding program. In this respect, Croatia used part of CARDS funds (2000-2004 period) to fulfill its environmental objectives as established in the SAA, signed in 2001 with the EU. Part of this funds has been used for the implementation of the EIA – Environmental Impact Assessment and SEA – Strategic Impact Assessment, especially in form of grants. Despite the utilization of CARDS, Croatia has been also eligible for pre-accession funds such as PHARE, ISPA and SAPARD, and in these cases to participate it was obligatory to be co-financed by the national budget. As an example, PHARE has been used to finance NATURA 2000 sites in Croatia (Vlašić, 2006). If ISPA focused more on the transport and environmental sectors, and SAPARD aimed to support sustainable agricultural and rural development, the programming basis has been the National Rural Development Plan in which measures for financing are identified.

Overall, as demonstrated, in Croatia, at the state level, the pre-accession process had, and still has, a significant effect on spatial (physical) planning, mostly in terms of environmental policy (NATURA 2000 areas, birds, habitats, SEA). The integration of the EU Cohesion policy, urban policy and rural development policy had only a limited impact on physical planning, however the Spatial Development Strategy makes clear reference to these policies. This impact was, however, more significant on regional development. Regional development legislation and institutions were set up as part of the pre-accession process, including establishment of the regional level of regional development. Instead, on the subnational level, physical planning wasn't significantly influenced by the pre-accession period, however the environmental policy (NATURA 2000 areas, habitat directives) generated new delimited areas on the county level. The Staff of the physical planning institutions on county level played a key role in defining the early county

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<sup>66</sup> However, the LEADER approach has been introduced in 2004 thanks to the publication of "LEADER, from Initiatives to Method- A guide to teach the LEADER approach.

<sup>67</sup> See Title V, art. 29 of the Law on regional development of the republic of Croatia.

development strategies. Institutions of regional development (regional development agencies) were set up during the pre-accession phase, which currently serve as a coordinating body for the elaboration of the county development strategy. The Local physical planning was not influenced by the pre-accession policy, apart from the environmental legislation, if they were affected by them. Local units were also less intensively involved in setting up regional development institutions.

#### *10.4.3.3. Influence of EU discourse*

The influence of the EU's discourse is certainly an important factor to evaluate when it comes to analysing the impact of EU on the Croatian spatial planning system. In this respect, referring to the EU mainstream development strategies, since the accession of Croatia, the European *acquis* has been completely adapted, including the mainstream strategies. If for spatial (physical) planning, the Gothenburg Strategies were the most significant, the Gothenburg Strategy, above all, has influenced the draft of the Strategy for Sustainable Development in the Republic of Croatia (2009), which directs long term economic and social development as well as environmental protection towards the sustainable development of the Republic of Croatia. Recently, environmental and social sustainability has played a key role also in the EU 2020 strategy. The Physical Planning Act (2013) has introduced a new generation of documents that aim to a stronger sustainable approach. In the field of territorial governance, the EU 2020 plays a key role, as regional development is completely in line with the EU Cohesion policy.

Similarly, the mainstream strategies, the adaptation of EU Spatial Policy's documents has been a pre-condition for accession. From the TA - Territorial Agenda the sustainable development priority played the most important role on spatial planning. From the TA 2020 derives concepts: integrated urban development, territorial connectivity, ecological, landscape and cultural values are the most significant. Referring to the Green Paper on Territorial Cohesion, geographical distances and regions with specific geographical features (mountains, islands, sparsely populated regions) are completely in line with territorial development policies and territorial governance frameworks.

When it comes to the EU Urban Agenda, some notions, like the sustainable urban development approach, are incorporated into the new generation of spatial planning documents (urban areas of national and county significance). In regional development, the functional urban area approach is reflected in the recent law, in line with the ITI instrument of the EU Cohesion Policy. A further increase of this approach is expected.

Observing the participation of Croatian institutions or experts in the ESPON program, they have had minimal contribution to ESPON prior to the accession and even after the country entered the EU (2013). Indeed, only a few years later the ESPON contact point was appointed within the Croatian Institute for Spatial

Development (2015). Since then, the contact point has been responsible to disseminate information about open calls, projects and events. However, only a few Croatian experts have been involved in ESPON projects, mainly as subcontractors.

Finally, when it comes to understanding the impact of the EU Discourse in academic debate and professional education, its impact has been significant. In academic terms, spatial planning is generally considered as part of technical sciences and architecture. The territorial cohesion policy had a long history in former Yugoslavia, in terms of economic development and territorial arrangement of economic capacities. In technical sciences the recent urban development approaches (integrated development, smart cities) have become discussed as well. Spatial planning profession, similarly to the academic debate, was developed under the umbrella of technical sciences, as part of architecture. Urbanism has been a compulsory study in architectural faculties, thus spatial planners are having a primarily technical background on geography. The EU integration and the cohesion policy have revitalized the economic approach in the planning profession. Some convergence has been stated as regional development initiatives require technical background and basic data generated by spatial planning, but an integrated approach is still missing. Education regarding spatial planning is traditionally done in technical faculties, by subjects of urbanism and physical planning under architecture. Geography is another contributor under nature interdisciplinary science faculties. Economic faculties have also started studies in regional economics and regional management. These two different backgrounds have not been integrated yet. (COMPASS, 2018b)

#### *10.4.3.4. Synoptic view*

As has been evidenced, several aspects of the Croatian spatial planning system have been indirectly shaped by the EU. Indeed, the mandatory nature of the EU legislation and its requirements transformed the whole Croatian system. The transposition of the EU legislation has been diverse for each impacted sector. In this regard, the highly impacted fields are definitely the environment, the transport and the energy sector. As a matter of fact, the implementation of EU environment legislation introduced the EIA and SEA, while the implementation of the EU transport legislation, in general, and more importantly the TEN-T, affected the whole planning system. Looking at the impact of EU on energy, it is important to remind the relevance of various national energy strategies, programs and action plans in addressing the energy development in each state level; while in terms of spatial planning great relevance is acquired by the building energy performance and certification. Indeed, if the EU energy legislation does not directly appear in spatial planning, it has an impact on construction regulations anyway (energy efficiency measures, renewable sources of energy). The Regional development policy has also been affected by the energy legislation, in line with the EU 2020 targets financial instruments (national, EU-funded) that have been set up for promoting such

investments. As emerged, the impact has been multi-sectoral, multi-level and multi-dimensional including changes in the entire country system.

While, in general, the investigated EU policies had only a limited influence on physical planning in Croatia. These policies have been referred in the Spatial Development Strategy, but generally did not change the spatial planning practice. Most of these EU policies instruments have influenced the regional development policy, which is clearly connected with the cohesion policy, and is completely in line with it, as defined by the Regional Development Act. In this respect, the most significant change is the introduction of urban areas into the 2014 Regional Development Act, thereof seven have been selected to become target areas of Integrated Territorial Investment in the 2014-2020 programming period.

Finally, when it comes to understand the impact of the EU Discourse, investigating the influence of the EU mainstream development strategies, the EU spatial policy documents, the EU urban agenda and the ESPON Programme, it seems that EU mainstream concepts have been fully internalized by the Croatian planning system. Several domestic plans have been drafted on the bases of the EU concepts, ideas, value, logics etc. As is obvious, their impact has not been homogenous. Indeed, if some EU documents like TA 2020, Green Paper on Territorial Cohesion, and ESDP, introduced guiding notions among others integrated urban development, territorial connectivity, ecological, landscape and cultural values, others documents focus more on territorial governance and regional development (above all EU 2020).

Overall, Table 39 evaluates the impacts of the aforementioned EU legislation, policy and discourse of the diverse planning components (structure, technique, practice and discourse). The assessment takes into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant.

**Table 39:** The impact of EU in the spatial planning system in Croatia

Influence		Structure			Technique			Practice			Discourse		
		Impacte d Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend
<b>Legislation</b>													
Influence of EU sectoral	EU competition legislation	C-S-L	2-1-2	↑-↑-↑	C-S-L	2-1-2	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU energy legislation	C-S-L	2-1-1	↑-↑-↑	C-L	1-1-1	↑-↑-↑	C-L	1-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU environmental legislation	C-S-L	2-2-1	↑-↑-↑	C-S-L	2-2-3	↑-↑-↑	C-S-L	2-1-3	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU transport legislation	C-S-L	2-1-2	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	Pre-accession negotiation	C-S-L	2-2-2	↓-↓-↓	C-S-L	2-2-2	↓-↓-↓	C-S-L	2-2-1	↓-↓-↓	C-S-L	3-2-2	↓-↓-↓
<b>Policies</b>													
Influence of EU policies	EU cohesion policy	C-S-L	2-2-1	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑	C-S-L	2-2-1	↑-↑-↑	C-S-L	2-2-1	↑-↑-↑
	European territorial cooperation	C-S-L	2-1-1	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑	C-S-L	1-2-2	↑-↑-↑	C-S-L	2-2-1	↑-↑-↑
	EU urban policy	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑
	EU rural development policy	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑
	Pre-accession and neighborhood policy	C-S-L	2-1-1	↓-↓-↓	C-S-L	3-2-1	↓-↓-↓	C-S-L	2-2-1	↓-↓-↓	C-S-L	2-1-1	↓-↓-↓
<b>Discourse</b>													
Influence of EU discourse	EU mainstream development strategies <sup>68</sup>	C-S-L	1-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU spatial policy documents <sup>69</sup>	C-S-L	2-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑	C-S-L	3-2-1	↑-↑-↑
	EU urban agenda <sup>70</sup>	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	ESPON Programme <sup>71</sup>	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-0	↑-↑-↑

Source: Author's own elaboration

<sup>68</sup> EU development strategies includes the Lisbon and Gothenburg Strategies and the EU2020 Strategy.

<sup>69</sup> The EU spatial policy documents include the ESDP, the EU Territorial Agenda, the EU Territorial Agenda 2020, the EC Green paper on territorial cohesion

<sup>70</sup> The EU urban agenda and related documents includes the Green paper on the urban environment, the Leipzig Charter on sustainable cities, and all the documents developed within the European Commission Urban Development Group

<sup>71</sup> The ESPON programme include applied research projects, targeted analyses, the development of visual representations of the European territory in forms of maps and scenarios, the development of the ESPON database

## 10.5. Summary and conclusions

As shown in Chapter 10, spatial planning is an unstable compromise between internal and external forces. Accordingly, the evolution of the Croatian spatial planning system has been influenced by numerous, even opposed, socio, spatial, economic and political variables. Starting from this perspective, it is undeniable that one of the constitutive aspects of the current spatial planning system remains the long history of planning that has been traditionally characterizing the Croatian context. In fact, differently from almost all the others Western Balkans Countries, Croatia can rely on an important traditional path that has been influenced by the Austria Hungarian planning approach. Even during the socialist regime, each Yugoslavian republic had the opportunity to develop its own planning system contributing to maintain its spatial planning specificity. Surely, in the last three decades, the Croatian planning system moved from the previous socialist to a more 'European' planning system, hence from land use to spatial approach. This paradigmatic evolution has not been homogenous through time at all. Indeed, during the transition period spatial planning has been the subject of several reforms (1994, 2007, 2013) and numerous amendments, at least four or five for each planning law. This intense legislative activity denotes, on the one hand, the incapacity of the legislator to frame a stable planning system, and, on the other hand, the attempt to adapt the spatial planning system to the diverse socio-spatial circumstance. Indeed, if the reform passed in 1994 faced the post war reconstruction taking the distance from the socialist approach, the one adopted in 2007 aimed to partially internalize some EU principles. The most recent reform, adopted in 2013 in concomitance with the entry in the EU, confirmed the path towards the EU planning system logics.

Within this process of transformation, the role of actors, often underestimated, has been crucial in promoting, implementing and/or channelizing internal and external guidelines and recommendations. Adopting an internal perspective two different tendencies emerged. The first showed domestic actors, institutional or non-institutional, moving by the volunteer to adapt the planning system to the new social condition, while the second showed part of the domestic actors struggling to maintain the status quo by adopting an inertial behaviour. This was particularly true during the first period of transition but still present in some cases. Adopting an external perspective, instead, it seems that external actors have been very active in Croatia, since the declaration of Independency. However, as it has been recognized, the presence of international actors in Croatia contributed to evolve the spatial planning system in coherence with the hegemonic planning paradigms. The modality through which those international actors operated are widely questionable.

# 11. Albania

Spatial planning in Albania was for a long time an uninvestigated topic. Indeed, if in the rest of the Western Balkan Region countries had their own experience about planning or Urbanism, in Albania this topic was less developed, due to historical, geographic and socioeconomic reasons. Before the declaration of independence of 1912, for four centuries the country had been under the Ottoman Empire, where the spatial distribution of people was related to the logic of a clan-patriarchal organisation. The organisation of space was based only on the typology of relation among clans. Something changed under the influence of the Italian's fascist regime, when some development policies and urban plans were introduced, (among others, see the case of Tirana Capital) and a basic infrastructure system was constructed. As it happened in many other countries, under the communist regime spatial planning became an important topic as a powerful tool to control the development process. From 1945 to 1990, a planned centralized spatial planning system was established based on the concepts of top-down government control and planned economic system. However, starting from the downfall of the communist regime and following the transformation process towards a free market economy, new paradigms, ideas, and concepts were introduced in the field of spatial planning. As a direct consequence, a significant shift from urbanism to a spatial planning approach was conceptualized and implemented through an intensive process of reforms in the fields of planning, administrative, property right etc. This progressive shift, in the field of spatial planning system and territorial governance, has been possible thanks to a multiple process of change and a different type of influence above all by international actors such as the EU.

This chapter aims to illustrate the evolution of the spatial planning system in Albania since 1990. After a brief socio-economic overview (11.1) the research focuses on highlighting the evolution of the spatial planning approach through an historical perspective (11.2). Different aspects are going to be analyzed, starting from the understanding of the spatial planning system during the so-called pre-communist regime (11.2.1), continuing with the illustration of spatial planning during the communist regime (11.2.2) and arriving to the investigation on the spatial planning system from the transition period until today (11.2.3). The following section will explore the evolution of the spatial planning system through the selected analytical components (11.3): the legislative framework or the so-called structural component (11.3.1), the technical component (11.3.2), the practical component (11.3.3) and the discourse component (11.3.4). The last section (11.4) will focus on highlighting the main drivers behind the presented changes according to the actor-centred explanatory model: first it will focus on the role of local actors (11.4.1), and then it will concentrate on the impact of the international actors

(11.4.2) and of the EU (11.4.3). the final section will summarize the chapter's main messages (11.5)

## 11.1. Geographical, socioeconomic and political preliminary overview

Albania is geographically located in the Western Balkan Region<sup>72</sup> and confines north with the Republic of Montenegro, north-east with Kosovo, east with FYROM (Former Yugoslavia Republic of Macedonia), south with Greece and west with the Adriatic sea. In order to show the geographical and socioeconomic situation in Albania, some data have been selected in Table 40

**Table 40:** Geographical and Socioeconomic Data

<b>Geographical and Socioeconomic Data</b>		
	<b>Geographical Information<sup>73</sup></b>	
	<b>Territorial Surface</b>	28 748 km <sup>2</sup>
	<b>Total Population</b>	2 894 475 pop.
	<b>Density</b>	100, 68 pop/km <sup>2</sup>
	<b>Population growth rate (1990-2014)</b>	- 9%
	<b>Urban Population (2014)</b>	55%
	<b>Settlement Structure<sup>74</sup></b>	
	<b>Qarku or Prefecture</b>	
	Population	811 649
	Urban Population	617 112
Rural Population	194 537	
Capital City	Tirana	
Population	418 495	
Second City	Durres	
Population	205 849	
<b>Socioeconomic Data<sup>75</sup></b>		
<b>GDP Total</b>	11,3 billion	
<b>GDP per capita</b>	3897 USD	
<b>GDP rate growth (2014)</b>	2.6 %	

Source: Author's own elaboration

<sup>72</sup> The Western Balkan region is considered to be composed by: Albania, Bosnia & Herzegovina, Croatia, Serbia, Republic of Montenegro, FYROM (Former Yugoslavian Republic of Macedonia), Kosovo. Similar geographical definitions were adopted in their studies by the World Bank and the European Commission.

<sup>73</sup> World Bank national accounts data, and OECD National Accounts data files.

<sup>74</sup> The source for the data collection is the Albania National Statistics Institute INSTAT, 2015-2016

<sup>75</sup> World Bank national accounts data, and OECD National Accounts data files.

### **11.1.1. Albanian Communist regime: a complicated international relation**

Despite the communist period and the international isolation, Albania has been influenced by several countries. In fact, the Albanian economic development was strongly related to its economic and political partner such as Yugoslavia (1944-1948), Russia (1944-1961) and China. Furthermore, between 1948 and 1951, Albania traded exclusively with members of the CMEA or COMECON, from which it withdrew in 1961. In this context, the redaction of the country's First Five Year Plan (1951-1955) represents the most tangible crystallization of the Soviet inspiration in Albania's economic planning procedures. The plan established a wide amount of funds on industry, mining, agriculture, transport and social welfare. With the Second Five Year Plan (1956-1960) the Albanian-Soviet cooperation reached its zenith. During this period, a long-range plan had been adopted and the collectivization program was accelerated. However, during the Soviet Party Congress of 1961, diplomatic relations between Albania and USSR, Eastern Europe, were broken off. The last Albania international partner was China, that influenced the following Five Year Plans with the Chinese ideology of self-sufficiency. In the 1970-1975 Five Years Plan, the regime focused on agriculture, and industrial, economic, cultural development. In this context, one of the main objectives was to intensify the work in urbanistic studies in order to develop towns and villages in a harmonious way, reducing the gap between the living conditions of the rural and urban population, and making a more rational use of land.

Eventually, in 1975, the Chinese-Albanian special relationship came to an end. During this period, a wide transformation involved this country. First, due to a rapid process of urbanization, plenty of people moved from rural areas to urban areas such as Tirana, Durres, Shkoder, Elbasan and Vlore. Second, the urban network of roads and railways had become increasingly dense. Third, there was a reduction of socio-economic differentials, and especially those between urban and rural areas, agriculture and industrial workers, manual and non-manual labor.

### **11.1.2. Albania since 1990 – A multi-dimensional transition**

In order to fully exemplify the Albanian situation during the transition process a comprehensive approach needs to be adopted. This paragraph focuses on some relevant factors that simultaneously have been influencing the Albanian society since 1990. As is well understandable, the transition process that took place in Albania from 1990 was a process of multiple transformations. In this regard, the following parts explore the transition path according to the aforementioned analytical categories and their spatial planning implication.

#### *11.1.2.1. Polity dimension and spatial planning implications*

Analyzing the polity dimension in Albania since 1990 (i.e. the shift from communism to democracy) it is fundamental to note that, for the first time in its

history, Albania faced with a democratic system. The Albanian transition has been a negotiated transition based on the transfer of power from the structure of the previous regime towards a new democratic system. However, the first phase of transition was dominated by the existing organized forces that were based on the previous regime. On the one hand, the legacy of communism was powerful and widespread in different forms inside the society life. On the other hand, the process of power transfer was slowly developed because of the inexperience of the new democratic actors (usually were former communist converted members). Due to an unprepared social organisation, both of the old and new elites, to cope with the enormous challenges within political and social life, most significant reforms have been written in conformity with the Western systems and logics. However most of the reforms were randomly based on EU standards, forgetting the fact that the Albanian system and society was not ready to completely accept and implement them. When it comes to the spatial implication, the shifting from a centralized system (in terms of administrative level and competences) to a more decentralized one meant the delegation of planning responsibilities to the local level. These changes were initially perceived as a mere bureaucratic competence rather than an effective responsibility. Indeed, at that time, the question of territorial development, and more in general of spatial planning, had been left out from any political discourse. More in detail, politicians decided to permit an exploitation of natural resources and public proprieties in order to preserve or increase their political consensus. The logic of the *laissez faire* was a direct consequence of this political vacuum and lack of representation mechanism.

#### 11.1.2.2. *Economic dimension and spatial planning implications*

Albania, as many countries in the Western Balkan Region and CEE, had an enormous historical delay in terms of economic performance due to a series of communist legacies. As suggested by Muco (1997), the Albanian process of transformation was problematic because it was rooted in the inefficiencies of the past economic practice in terms of: (i) property structure – progressive appropriation of property by the communist regime; (ii) idealization of national self-reliance as the main orientation of the economic policy; (iii) strong orientation towards industrialization. In fact, since 1990, an important economic restructuring activity involved the whole country following the process of privatisation and liberalisation of the state property in coherence to neo-liberal agenda (Rrapaj, 2015). At that time, multiple economic processes of transformation took place, starting from the introduction of the free market principles, the privatisation of public assets (companies, enterprises and services) and the reduction of the welfare state policy. The consequences of this transformation, from planned economy to a market - based economy, are multiple and different from others experienced in the rest of Europe. Actually Rrapaj (2015) suggests to stress the fact that Albania's transition to neo-liberalism took place in the absence of the welfare-state. While the

transition to neo-liberal restructuring of the Western countries was “tempered” by the presence of the welfare-state mechanisms, in Albania the transformation to neoliberalism lacked the supportive mechanisms of the welfare-state such as industrial unions or in general the existence of the third state, as an important factor that could have negotiated the reverse effect of mass unemployment caused by massive privatisation. As a matter of fact, this neoliberal restructuring is responsible for the downfall of the GDP level from 1989 to 1991 (shock economic therapy). To measure properly the effect of this historical momentum, it is necessary to observe the level of GDP, both in terms of GDP Growth and total GDP. Indeed, based on the World Bank Database<sup>76</sup>, it is possible to extrapolate the economic performance of the Albanian economy since 1981 (Figure 28).

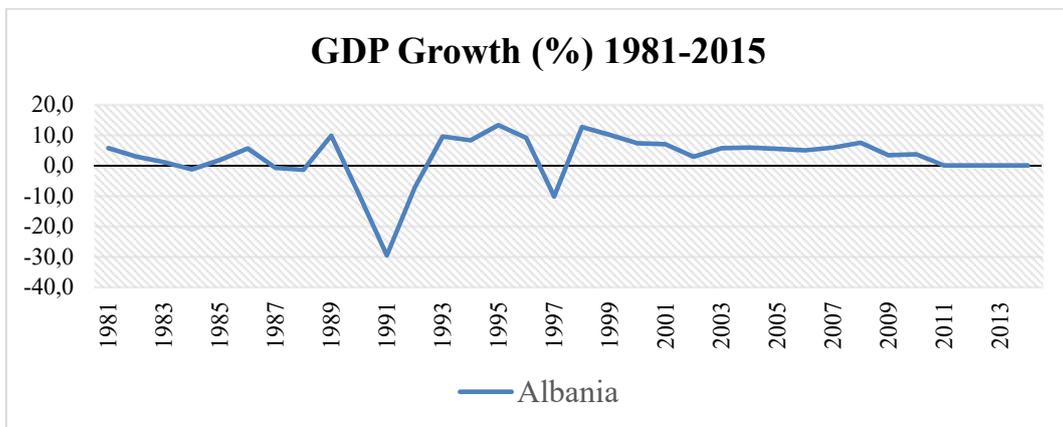


Figure 28: Economic Performance GDP Growth 1981-2015

Source: Author’s own elaboration based on World Bank Database

As emerged, a simultaneous shock economic therapy and political instability have created an economic decline in terms of GDP. In fact, the level of GDP in 1989 results the same of 2000s (Figure 29)

<sup>76</sup> The information’s are based on World Open Database, for more information see <http://data.worldbank.org/>

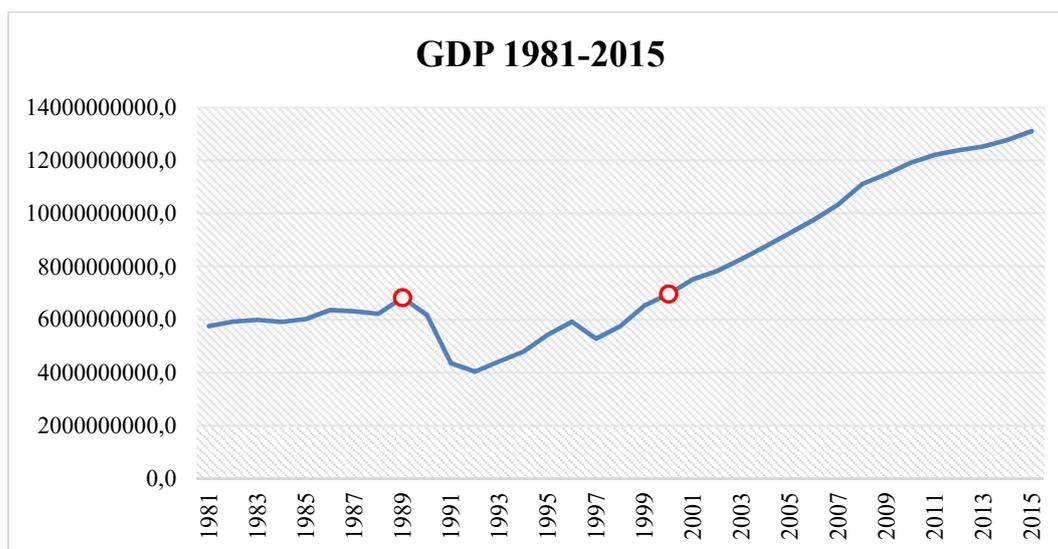


Figure 29: Economic Performance total GDP 1981-2015

Source: Author's own elaboration based on World Bank Database

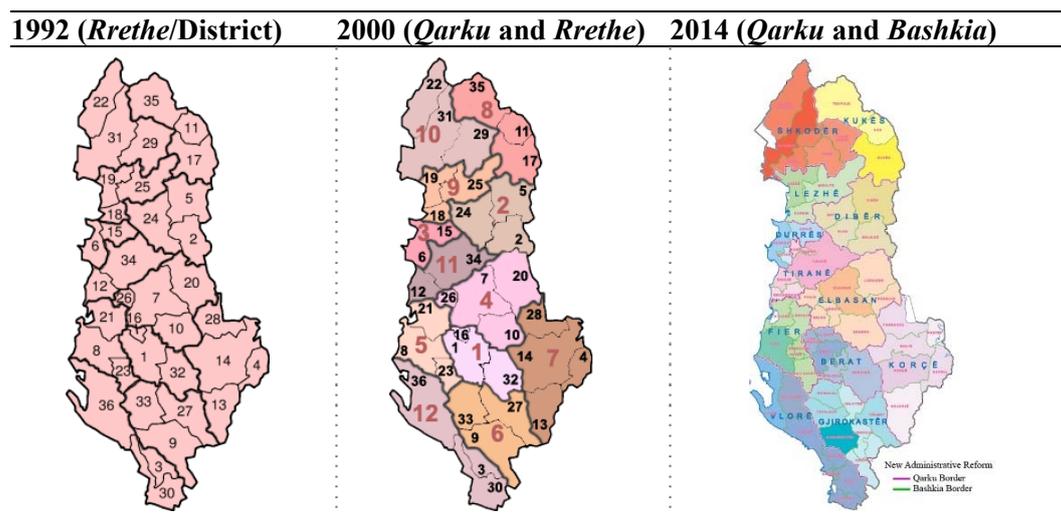
### 11.1.2.3. Institutional dimension and spatial planning implication

According to Offe (1997), the altering of the institutional structure that resulted from the transition, was determined in order to respond to the internal and external influences. The first claim of transition, in fact, was to promote an intensive (and also chaotic) process of decentralisation of the system of power into different administration levels. The institutional dimension transition took place through the introduction of several administrative reforms (among others focusing on the decentralisation mechanisms). This generated a process of administrative decentralisation characterized by various steps and influenced by various factors such as local needs, path-dependency logics and the influence of external actors (Dhimitri et al, 2013). In fact, if among the causes behind the growing will of local administrative autonomy surely lays the end of communist control and the internal process of political and economic reform, the new framework of international relations, and in particular the influence of the EU, played a crucial role. However, this occurred in a general atmosphere of confusion, and the administration maintained a surprisingly centralist perspective for at least a decade. The first administrative framework was set up on two levels: a first level constituted by 44 *bashkia* (composed by cities and neighborhoods) and 313 *komuna* (aggregating rural villages), and a second level including 36 *Rrethe*, in continuity with the administrative division of the previous regime. In 1993 twelve prefectures incorporated the *Rrethe* and together with a set of state agencies, acted as an outpost of the various central ministries.

As emerged, within a context of uncertain responsibilities' distribution, the decentralisation of finances as well as the efficiency of the public administration were compromised. To overcome the unsolved problem of the lack of clarity, after signing the EU integration chapter on local self-governments, the Albanian

government introduced a new administrative reform *on the organisation and functioning of local government*, called also organic law, which was later included in the article 13 of the Constitution of 1999 (Brahimi et al., 2013). The reform provided the country with two levels of local government, 12 regions (in albanian *qarku*) and 373 local units of which 65 *bashkia* and 308 *komuna*. While the representatives of the lower level, the mayors and the members of the municipal councils, are directly elected, the board of each *qarku* is composed by representatives of the *bashkia* and the *komuna*. Furthermore, the reform kept 12 prefectures and a number of representative bodies linked to different ministries, as representatives of the national structure. Although some problems characterizing the administrative subdivision of the early 1990s were solved, the identification of the role and responsibilities of the regional level in the absence of the self-government political legitimacy remained a problem (Toto 2014, 2012). This, together with the EU pre-accession requirements, favored a new regionalization reform (2014) that has reduced the numbers of *qarku* in favor of NUTS 2 regional units with a population of over 800,000 inhabitants. This new reform, that is still under discussion, aims at answering the requirements of the EU integration process, establishing for each candidate state to set up an administrative structure capable to efficiently intercepting and managing the pre-accession and the structural funds. Finally, the new configuration is expected to implement a reorganisation of the lower administrative level based on the principle of functional areas. Despite the high expectations linked to this last reform- wave, one should notice how the latest is not producing the desired results yet. The last law approved on the matter (Law 115/2014) has indeed reduced the number of first level local units to 61 municipalities, but has not changed the number of *qarku* yet (Table 41).

**Table 41:** Territorial subdivision of Albania, 1992, 2000 and 2014



Source: Cotella & Berisha, 2016

11.1.2.4. Social dimension and spatial planning implications

While the aforementioned transition dimensions have been generally considered through the perspective of the institutionalization process, their social effects have been often excluded from the analysis. However, as suggested by the institutionalism theory, each institutional transformation has a direct or indirect effects on the social dimension. In these terms, one of the main consequence of the cited type of transition, was the process of shifting from a rural to an urban society that have been involving the whole country. In fact, an intensive process of internal migration caused an impressive regional imbalance with important effects on urban morphology (informality phenomenon) and on the spatial organisation of the territory. Nevertheless, this geographical and social mutation has been underestimated despite its enormous spatial implication and the morphology evidences. The impact of the urbanization process should be evaluated having in mind that the communist regime in Albania was based on a rural economy. As a matter of fact, in 1990 the country was still the most rural country in Europe with 75% of the population concentrated in rural area. The collapse of the communist regime triggered a vast migration movement towards the bigger cities such as Tirana, Dures and Vlore. The long process of urbanization started in 1991 and is still in progress. As emerged by the Figure 30, it was only in 2008 that the urban population reached the 50%, while in 2013 the percentage was 56%.

Despite this positive performance, progress still needs to be done in order to reach the average urban population of the EU that is almost 75%<sup>77</sup>.

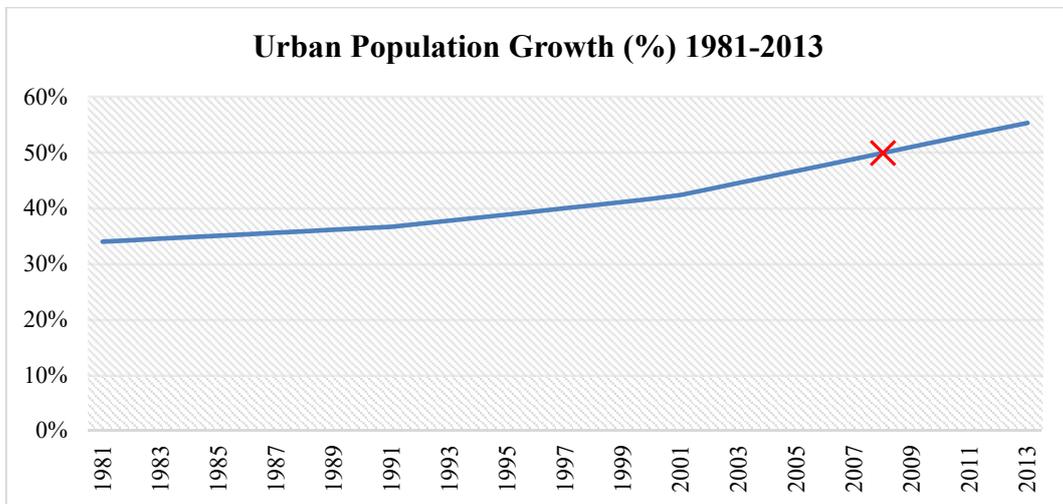


Figure 30: Urban Population Growth (%) 1981-2013 in Albania  
 Source: Author's own elaboration based on the World Bank Database

The ungoverned process of urbanization, the uncertainty of land tenure and the legal framework vacuum, created by the collapse regime, made it easier to claim a lot of vacant land in the periphery of cities. This process of urbanization without any kind of urban facilities has been massive, officially, until the introduction, in

<sup>77</sup> Based on European Environment Agency Database.

2006, of the national Agency called ALUIZNI, which is responsible for the process of legalization of informal property. According to Bertaud (2006), the process of informality, that in many case has coincided with the process of country urbanization, is articulated in three phases: (i) first phase - the creation of a real estate market based on informality, that, in the period 1990-1997, dominated the aforementioned flux of internal migration; (ii) second phase – the consolidation of the informal sector and the emergence of a formal sector when the municipality started to be better organized and was able to improve their action in recovering e developing their territory, starting from the renewal of cities centers; (iii) third - the consolidation of formal development that can guarantee a sustainable development when new laws and regulation are implemented.

Citing the World Bank Report (2011), almost 350 000 – 400 000 dwellings in Albania have been constructed illegally with unsolved problems not only on the spatial structure of the cities but, in general, involving the whole Albanian territory in terms of lack of infrastructures, environmental pollution, abandoned rural areas and regional disparities. According to Rabè et al. (2013), the informality has been driven by different factors such as: (i) the incompetence of the State to respond to the demand for social housing; (ii) the economic convenience to boost the informal urbanization in order to reach a double State purpose, renovate the private housing stock and obtain high levels of employment in the construction industry; (iii) the political corruption phenomenon and the lack of control from the central state or the local authorities. In order to limit or to control the informal development, a series of laws were launched in different sectors that might have spatial planning implication, such as on land and property rights, on urban planning, on social housing, territorial development etc.

#### *11.1.2.5. Behavioral dimension and spatial planning implications*

Another important indirect effect of the transition was the change on behavior which involved large aspects of social life. Indeed, different social attitude changes took place in the field of economy, polity-policy-politics, social rights and social relation. These changing factors have been responsible for the perception of the new ideological clime. Using a spatial planning perspective, the introduction of the neo-liberal doctrine manifested and crystalized the superiority of the free-market capitalism on the public sphere and interests. In addition, doubts arise on the aspects of utility, efficacy and efficiency of the public spatial planning sector on governing each spatial transformation. As is well synthetized by Nedovic –Budic (2001), speaking about “legitimacy crises” means involving the whole planning sector, such as housing policy, planning and regulation activity, transport strategy development etc. In Albania, the role of planning changed rapidly from a planned activity to a less controlled efficacy activity both on the centre level and local level. While, on the one hand, legitimacy crises of planning are based on the introduction of new hegemonic paradigms like the market liberalisation; on the other hand, the technical aspects of spatial planning, based on the technocratic professions, are generally

conceptualized and linked to communist ideology. It does not surprise that most citizens perceive planning as a distant activity in which they are not involved. It is right in this context of socio-economic and behavioral transformation that the informal activity has developed intensively. In the case of Albania, the society was not prepared to face with these simultaneous processes of transformation, and, as a matter of fact, most of the social speculation was based on the fact that instituting a free market meant allowing the people to do everything. In this perspective, the sentence - I am the owner of this land and I do what I want– (Ruijsink, 2013) is perfectly understandable and illustrates how planning is considered by the social context.

#### 11.1.2.6. *Power dimension and spatial planning implications*

Theoretically speaking, the power dimension of the transition process is usually an underestimate topic. However, it is potentially interesting to explain the transformation path. Generally, the power dimension is related to the actors or, better, to the change in the actors' equilibria. In Albania, as in other cases in the Western Balkan Region and CEE, since 1990 the environment of the stakeholders and consequently their power system has changed. These changes may be explained through two different perspectives: on the one side, observing through an external perspective (i.e. looking on external actors), on the other side, investigating the internal system of actors. Using this double lens is possible to explain the variation of power equilibria within the Albanian system. Moreover, starting to analyze the polity dimension, is comprehensible that the power system has totally changed but the hegemony power and logics of actors' relation remain substantially the same of the communist period (this consideration is valid only for the first part of the transition process). As a matter of fact, each political exponent was part of the same power family during the regime, which means, that in terms of behavior, ideas, power and personal relation, the situation was almost the same. However, a substantial difference emerged when two different actors came into the scene, totally changing the system: international actors (WB, IMF etc.) and private actors. The introduction of new actors into the national context started with the economic restructuring process, the former being the promoter and the latter the outcome. The new configuration of power became to be chaotic where international and private interests were key drivers on the definition of the new power equilibria in the Albanian domestic context in the social, economic and politic sector.

## **11.2. The Evolution of the Albanian spatial planning approach: An historical perspective**

The previous section had the ambition to illustrate the socioeconomic situation of Albania, focusing on the more relevant transition aspects that have involved the country in the last 25 years and introducing their spatial planning implications. This

paragraph, instead, aims to shed light on the evolution of spatial planning in Albania adopting an historical perspective.

The recent history of the evolution of Albanian spatial planning coincides with the most important historical period of the country (Table 42). The first period (1912-1920) was characterized by the declaration of the independency of the State after the Ottoman empire; the second, called the monarchy period, lasted from 1920 to 1944 and was characterized by the Italian influence; the third (1944 -1990) was defined by the government of the socialist republic of Albania, and was characterized by an intensive reconstruction of the institutions, the market and the political system focused on real communism theory and practice. The last period started in concomitance with the downfall of the communist regime until today. Each period will be deeper analysed to highlight the role of planning in relation to the internal and the external dynamics.

**Table 42:** Main phases of the evolution of Spatial Planning in Albania

Historical Context		Spatial Planning tradition
...-1912	Ottomans	Without urban plan (small city and wide rural area)
1912-1920	State of Albania	Without clear urbanization policy
1920-1944	Monarchy of Albania	First Urban Plan (by Italian planner) General Director of Construction Society for the Economic Development of Albania (was involved on public facilities and urban infrastructure) (Ruijsink et al., 2013)
1944-1990	The People Republic of Albania	Centralized spatial planning system
1990- ...	Republic of Albania	Attempt to shift from urbanism to spatial planning approach

Source: Author's own elaboration

### 11.2.1. Spatial planning in Albania during the Pre-Communist Period

Before 1912, During the Ottoman influence, there were a few small cities constructed without specific studies about spatial planning, as was generally intended in Western Europe. Traditional Albanian cities were developed around the Mosque, the bazar and around a few institutional buildings without particular spatial complexity. Something changed after the declaration of Independency of 1912, when the ambitions of the newly established State required to build several administrative buildings. However, every spatial initiative was made without a clear urbanization policy (Ruijsink et al. 2013). The geo-political instability of the region caused different tension between the Albanian State and its neighbourhood countries such as Serbia, Greece and Italy and no particular attention was paid to the organisation of space. However, despite the extreme political instability, the Albanian State needed to develop its territory through different initiatives in terms

of construction of roads, railways, infrastructures and harbours. For these reasons, after the 1920s, a new authority called the General Director of Construction was established and, in the meantime, different planning policy were adopted. Due to the lack of local expertise, Albania established with the Italian counterpart a series of agreements aiming towards a modernization of the State, that consisted in the development of a proper urban transformation in coherence with the Western principles and standards and the establishment of new facilities (hospitals, schools and etc). For these reasons, during the decade 1925-1935, the SVEA - Society for the Economic Development of Albania was launched, in order to actuate a broad public investment with Italian assistance in terms of economic and urban planning expertise (Ruijsink et al. 2013). At that time, many Italian urbanists, such as Armando Brasino, Giulio Berthè and others, were involved in the Albanian urbanism transformation. These experts were involved both in planning activities like drafting several urban plans (among other the Plan of Tirana by Armando Brasino), and in preparing projects for public facilities. The Italian planning style has been the main referee until the Communist regime. As emerged, the first period of the recent Albanian history was characterized by a lack of any kind of spatial planning principles due to the contextual social condition and historical influences.

### **11.2.2. Spatial planning in Albania during the Communist Regime**

After the Second World War, as in many countries in Eastern Europe, in Albania was established an authoritarian regime based on the Communist ideology. In this established system, property belonged to the State, that also designated the use of the land and properties in urban and rural areas. Indeed, in 1944 all private businesses (among others banks, mineral resources, motorized transport and trade activities) were nationalized without any economic compensation. The intent was to control the economic system guaranteeing the State's stability under the communist regime and reducing the economic gap with the other partners in the region. Enormous efforts were made in the fields of transport, industry, energy agriculture etc.

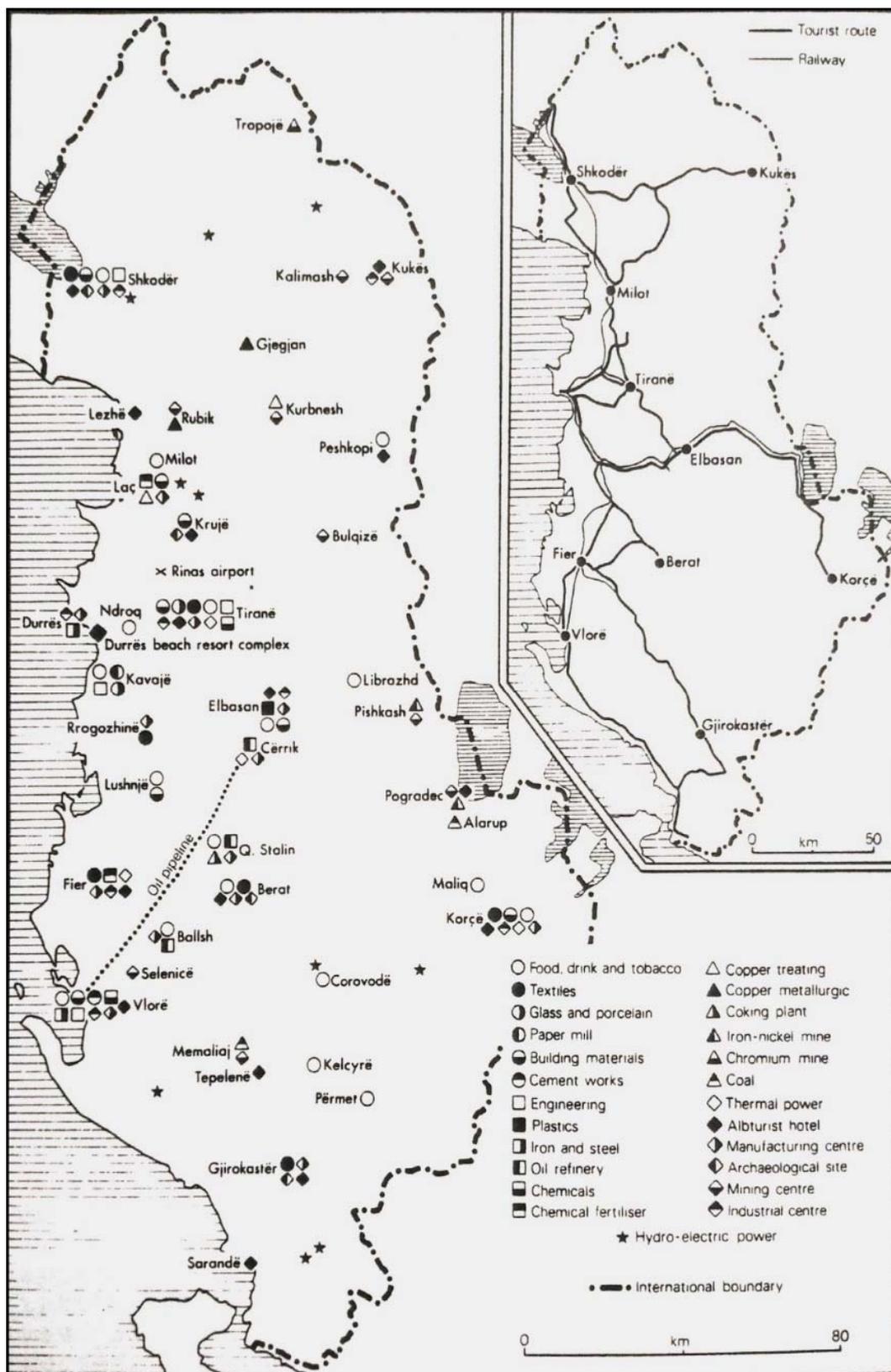


Figure 31: Industry, Communication and Tourism in Albania (Hall, 1987)

Source: Hall (1997)

The centrally planned system established what each city or village should have produced (following the principles of proximity), where heavy industry should have

been constructed, where transport system should have developed etc. This economic planned system influenced the spatial distribution of the services and contributed to create highly specialized districts, as emerges in Figure 31. One of the main consequence was the in-migration that contributed to the progressive urbanization of the country. The migration flux involved the most important cities such as Tirana, Durrës and Vlore and the new highly specialized cities such as Kukës, Fushë-Krujë, Ballsh etc. This new spatial configuration and the process of urbanization were governed by severe centralized planning tools inspired by the soviet ideology. Thus, from 1944 to all the 1980s, the eastern-soviet style of architecture and urban design dominated the whole urban planning experience. The most important “urban planning” instrument at the time was the regulatory plan that covered the city and in certain cases also villages. Architecture was extremely standardized and unified (the same models repeated all over the country) and very poor in terms of quality of space, services and materials. The regulatory plan was an extremely rigid instrument, aimed at fixing the location of buildings, public spaces in the city and their type of use (Toto, 2012). Rather than a planning instrument, it was a tool for the government to “define its distribution of power over territory” in support of the centralized sector policies (USAID, 2012). However, despite the centrally controlled system, the rapid growth of the urban settlement caused numerous problems in terms of extensive use of agriculture land and preservation of the natural and cultural heritage. In this context, Mr. Shehu, one of the main representatives of the party, recognized the inefficacy of the planning control of land-use, which had not been sufficient to prevent the rapid development from consuming the natural and agricultural land. In order to overcome these inconvenient, he proposed that all new urban buildings oughted to have several stories, meaning that the existing single or two-stories dwellings and institutional constructions would have had to be replaced (Hall R. D., 1987). Indeed, the reconstruction and the reorganisation took place in several cities. But in other cities, in order to preserve the heritage quality of architecture from the urban expansion, the authority designated the city of Durrës, Gjirokastër, Berat and Krujë as “museum cities”, on account of their rich architectural and archaeological heritage (Karaiskaj and Bace 1975, Toci 1971). In these cities, all the buildings and activities within a prescribed area were put under the protection of the State through the Institute of Monuments of Culture. In addition to these conservation’s measures, there has been also quite a debate about the issue of environmental protection. In the communist Constitution of 1976, the art. 20 established that [...] Protection of land, natural riches, waters and the atmosphere from damage and pollution is a duty of the state, of the economic and social organisations, and of all citizens. In order to respect the Constitution, the Central Commission for Environmental Protection was created at the level of the Council of Ministers and an executive committee at the level of districts (Rreth in Albanian). No industrial project or major construction is supposed to be built without a prior assessment of environmental impact (distance from industrial to residential area, methods of transporting, protection of water and

vegetation). Moreover, the Commission forecasted measures of compensation and legal responsibility in case of problems about pollution (Banja and Toci, 1979). To conclude, the positive consequence of the communist regime, in terms of spatial plans, was the fact that every old and new town had their own structural plan according to the national economic development strategy introduced by the several five years plans. Those urban plans were often valid even after the downfall of the communist regime but with scarce effects in driving the territorial development.

### **11.2.3. Spatial planning in Albania since 1990**

Spatial planning in Albania has been under an intensive process of transformation. Looking back, the early post-communist period was characterized, by a political, social and economic crisis. Indeed, some transitional hegemonic concepts, such as privatisation, liberalisation and decentralisation, as well as the introduction of the free market neoliberal ideology, affected the Albanian spatial planning and system in various ways. In order to shed some light on the role of spatial planning since 1990, it is necessary to illustrate some important legislations, reforms and institutional transformations that have been introduced. Spatial planning reforms have been accompanied, and in certain cases influenced, by a contextual legislative framework and sectoral reforms. Figure 32 shows the time-line of the most significant changes that have occurred since the 1990s reforms. Beside the planning reform, the time-line illustrates the legislative framework which included the most important reforms in the fields of land administration, private property and property right, organisation of self-government, territorial administration and legalization process. Moreover, it claims to shed some light on the sectoral reforms, identifying some milestones on several sectors like energy, environment, agriculture, rural development etc. The objective is to see how some sectoral or cross-sectoral issues may mutually have interacted with spatial planning. The description of the evolution of spatial planning heightened those circumstances starting from the regime's downfall. First of all, the spatial planning reform process was ambiguous during the first part of the transition. In fact, despite the downfall of the Communist regime, the new democratic system adopted the new law (No. 7693/1993) in urbanism in continuity with the past logics and paradigms. In terms of responsibility, the law established a sort of decentralisation process from a central toward a local level, introducing new technical documents for each administrative level.

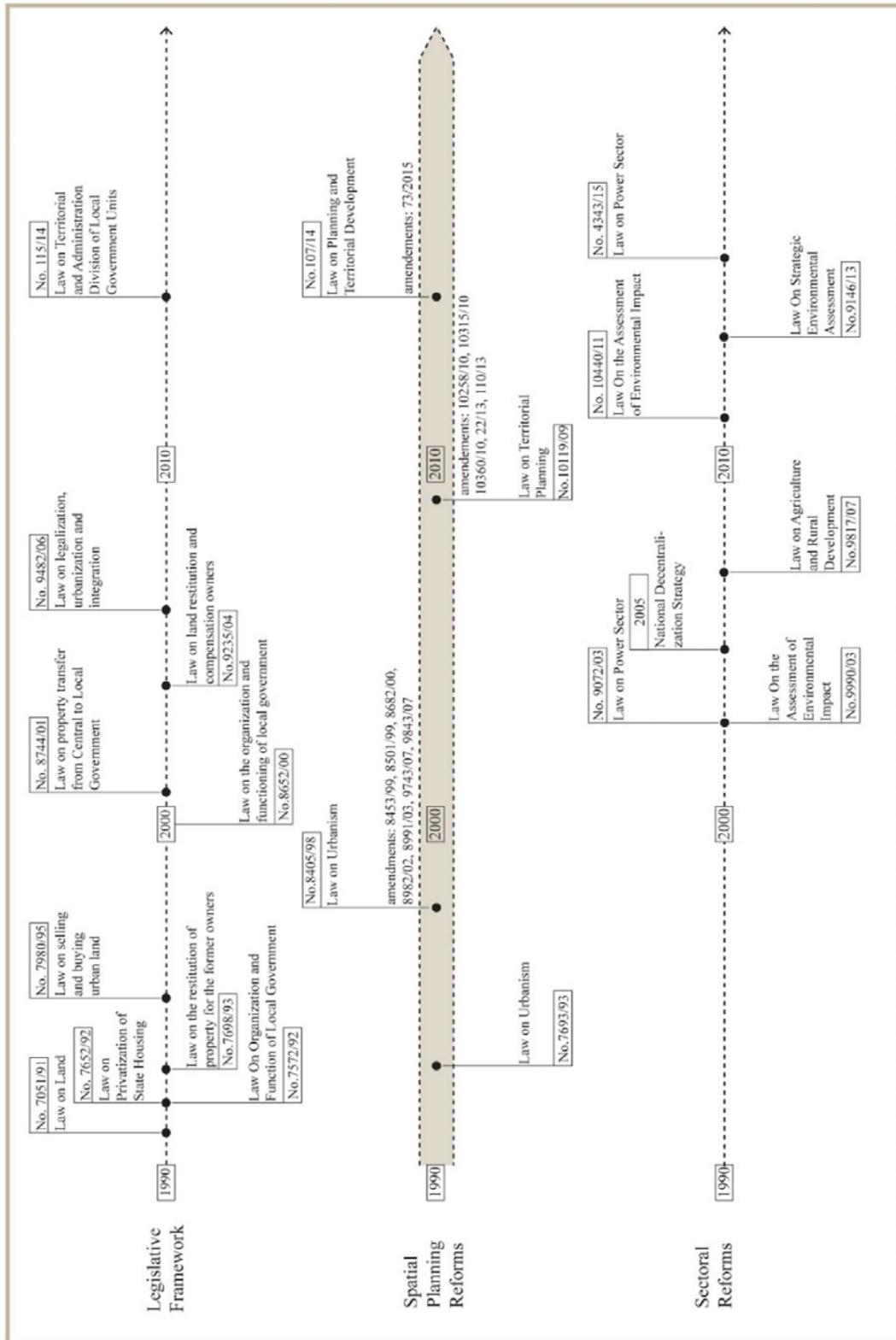


Figure 32: Timeline - Spatial Planning Reform, Legislation Framework and Sectoral Reforms and Documents

Source: Author's own elaboration

Due to the complete inefficacy of the legislative framework, the legislator adopted another new law (No. 8405/1998) on Urbanism, but the situation did not change much. In the new law, the art. 5 defined planning tools as a technical document in coherence with the previous one and persisted some similar documents and logics: the yellow line (a typical instrument that distinguishes areas where is permitted to develop and where not) and the master plan with a land use approach. These evidences were symptomatic of the government incapacity to give a new perspective in the field of spatial planning, rejecting the communist legacy. Another important limit of the reform limits regarded the fact that the law did not take into account the process of informal construction, and failed to identify the role that the public sector should have had in the definition of private and public property. In doing so the reform avoided to deal with the most significant challenges of Albanian spatial development.

However, in the beginning of the new millennium, a new legislative framework needed to be adopted and implemented, under the pressure of the EU guidelines on the harmonization of the administrative structures. At that time, due to several changes in the administrative levels, it was considered important to introduce a new Law on spatial planning (Law No. 10119/2009). The name of the law itself was symptomatic of a shift in the adopted spatial approach, as the previous legal act referred to, and focused almost exclusively on Urban Planning. These innovations were significant, both on the institutional level (multidimensional, vertical and horizontal), with the introduction of the National Territorial Planning Agency, as well as at the discourse level, with the inclusion of concepts clearly inspired by the EU. The law has introduced, at different levels (national and local level), various policies (in field of social, economic and environmental sustainable development) and planning tools (general, sectoral and cross-sectoral). Moreover, it included programs and assessment mechanisms and, for the first time, the use of integrated inter-sectoral plans. However, the law has not been fully understood by public and private actors (administrations planning authority, professional experts and private developers) yet. This is true for different reasons, first of all the professional inability to manage the required processes, but also the professional inertia concentrated to preserve the status quo. For these and other reasons, a new Law for the planning and development of the territory (Law No. 107/2014) has been approved and recently emended in some procedural parts. It is still too early to assess the result of the new reform, but, at the same time, it is interesting to note how, in art. 4, it underlines the importance to harmonize the system of national planning with the European Union directives. The question of spatial planning reform will be investigated further in the next chapter (11.3.1), while the Table 43 briefly illustrates each reform passed in the spatial planning sector.

**Table 43:** Spatial Planning reform process in Albania

Law	Name	Planning mean	Innovations	Unresolved Issues
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7693/1993	On Urbanism	Determines the general rules for the location and the architecture of construction	National Institute of Planning District Council of Territorial Adjustment	Unclear responsibilities. Continuity with the territorial subdivision (Urban and Rural Areas with so called Yellow line)
8405/1998	On Urbanism	Expresses and defines general rules on architecture construction (art. 2)	National Territorial Council	Does not consider the informal activities and uncontrolled urbanization. Problem with definition of private and public property
10119/2009	Territorial Planning	Interdisciplinary activity of planning an urban land-use and definition of conditions for territorial development and environmental protection (art. 3)	National Territorial of Planning Agency <sup>78</sup> Spatial Approach Integrate Plan Control Programm on Territorial Planning	Inadequate capability of administrative system to update the innovation process
107/2014	Planning and Territorial Development	Interdisciplinary activity, multi-disciplinary responsibility and sustainable development	Introducing some new concepts: Subsidiarities, Integration System, Proportionality, Transparence	Unclear role of Regional level Centralisation process and instruments

Source: Author's own elaboration

Beside the planning reform, the planning system has been influenced by several other circumstances both sectoral or not. Indeed, as in other post-communist countries, one of the main controversial issues is the question of property right that has been influencing the planning efficiency. In fact, after the down fall of the Regime, the new democratic government had to deal with the sensitive question of property right. In order to fully respond to social needs, the legislator introduced in 1991 the Law on Land No. 7501 which recognized the privatisation of agricultural land. The law's provision was to divide the rural land equally based on surface per inhabitant and, very important aspect, it established that the transfer property process was based on the normative concept of the "right of use",<sup>79</sup> that is different from the concept of property. Both of these aspects, caused serious problems for the central and local capacity to govern the territorial development. Indeed, the division of the agricultural land, based on surface per inhabitant, caused a systematic fragmentation of the territory in micro parcels of 2000-3000 m<sup>2</sup>

<sup>78</sup> NTPA – National Territorial Agency is established by law 10119/2009, as a result of the merging of two institutions, national planning institute and directory of policies and Urban Planning at the Ministry of Public works and Transport.

<sup>79</sup> Law 7501 of 1991 on the division of the agricultural areas, clearly explains that the land is transferred under the right of use for a period of 99 years and not according to a law of property outright.

(Lerman, 2001). In addition, the impasse about the right of use and property right, had allowed a proliferation of informal areas around the country, particularly in the suburbs of large cities such as Tirana, Durres, and Elbasan. Following the spirit of the reform process, other action plans, laws, amendments, bylaws and regulations were approved. Indeed, the process of privatisation did not regard only the agriculture surface, but involved also each state property as well as the properties of units, the areas of production and the services. Following Stanfield et al (1998), in Albania the privatisation occurred through: (i) the sale of retail stores space, businesses, and vacant land; (ii) the rapid sale of state-owned apartments; (iii) the restitution and compensation of former owners of urban immovable properties and (iv) the privatisation of state enterprises and business space, mostly through the National Agency for Privatisation. In coherence with Stanfield et al (1998), in 1992 the law No. 7652 was approved, regarding the *Privatisation of State Housing* that allowed people to sell and buy houses and apartments within the free market system. Instead, in 1993, it was introduced the law No. 7698 *for the restitution and compensation of property to the former owners* that tried to recognize the role of former owners<sup>80</sup>. Moreover, at that time, a property national register did not exist and to overcome this issue the legislator adopted the law No. 7843 of 1994 *on property registration* that introduced the ORIP - Office of the Registration of Immovable Properties<sup>81</sup>.

With the introduction of the ORIP, they tried to identify the rightful owners of the agricultural lands and of the urban areas in order to control an increasing process of illegal and informal construction widespread in the territory. In 1995 the law No. 7980 *on selling and buying urban land* tried unsuccessfully to govern the chaotic question of urban land. However, only in 2006 (fifteen years after the downfall of the Regime), with the adoption of the law No. 9482 *on legalization, urbanization and integration*, it was established a central office, called ALUIZNI<sup>82</sup>, with the task of starting the process of legalization of private property. Finally, together with the reform that introduced the right of ownership, the law 7698/1993 recognized the right to the compensation of former owners whom had been wrongfully deprived of their properties. In this regard, a series of laws from 2004 (see above all the new law No. 9235 *on land restitution and compensation*) to 2008 and later, contributed to regulate, under a close international authority cooperation, the modalities of

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<sup>80</sup> In its article no.1 the law established - The law recognizes former owners or their heirs the right of ownership for the nationalized property, expropriated or confiscated, according to laws, legislation and court decisions arising after 29-th of November, 1944, or taken unjustly from the state and defines the ways and measures for their restitution and compensation.

<sup>81</sup> ORIP, Office of Registration of Immovable Property (in Albanian *Zyra e Regjistrimit të Pasurive të Paluajtshme*)

<sup>82</sup> ALUIZNI, Agency for the Legalization, Urban Planning, and Integration of Informal Areas/Constructions

compensation and clarify the responsibility of the APRC<sup>83</sup> - Agency for the Property Restitution and Compensation on this issue.

As it has been evidenced, the circumstances in which the planning system has been framed and reframed have been influenced by many factors. Changes have taken place influencing different constitutive aspects of planning such as structural, technique, instrumental and/or practical and discursive. Aiming to shed light on all these aspects, the following section focuses on understanding the evolution of the spatial planning system through the adoption of the mentioned analytical components.

### **11.3. Reading the evolution of Albanian spatial planning system through its analytical components**

This chapter has the ambition to shed light on the evolution of spatial planning system in Albania through the adoption of a multi-component perspective. As follows, the first aspect that will be scrutinised is the structural component that encompasses the legal framework and the government system (11.3.1). The second aspect to be investigated will be the technical component that has the ambition to define the so-called instrumental framework, namely plans, programmes, strategies, procedures etc. (11.3.2). Instead, the third part will deal with the practice component (11.3.3) of the spatial planning system, both as formal and informal practices, and the fourth part will be concentrated on understanding the discursive component (11.3.4).

#### **11.3.1. Structural component of spatial planning system**

This aspect has been widely investigated in previous comparative experience in the field of spatial planning studies, starting from the fact that each spatial planning system is framed by and operates within its government and legislative framework. The objective of this subchapter is to illustrate how the Albanian system is structured. The study will take into consideration the government system, which includes the type of government and the scale of government (i.e. nation, region, local) and also the legislative framework, that will be investigated through the analysis of a series of decrees, norms, laws, and regulations. The intention of this research is to understand and describe the spatial planning structure and establishing responsibilities among authorities in each level. Adopting a diachronic approach, it will be possible to underline the main changes that involved the planning authorities and their responsibilities since 1990. Before narrowing down the issue of legislative components of the spatial planning system, it is necessary to briefly show what is

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<sup>83</sup> Is a legal public entity under the jurisdiction of the Ministry of Justice instituted in 2010 with the scope to start and complete the process of property restitution.

established in the Constitution regarding the type, the system and the scale of government. The type of government is defined in Part One – Basic Principles of the Albania Constitution: article No. 1 established that «Albania is a parliamentary republic», while the article No. 7 provides that the system of government is based on the separation and the balancing of legislative, executive and judicial power. Again, in article No. 13, it has been defined that the local government is founded upon the basis of the principles of decentralisation of power and it is exercised according to the principle of local autonomy. In Part Six – Local Government, the article No. 108-115 of the Constitution established that the local level of administration is constituted by *qarku*, *bashkia* and *komuna* and the self-government is exercised through their representative organs. As it is well understandable, the Albanian Constitution does not express anything about spatial planning. Instead, this issue is managed by ordinary law as an expression of legislative power. In practice, due to the fact that changing an ordinary law is easier than changing a Constitution article, since 1990 the law in spatial planning has been changed several times as has briefly emerged in the section 11.2.3. Since the collapse of the communist regime, several laws aiming to govern the spatial planning development have been introduced in Albania.

#### *11.3.1.1. Changing in planning authorities and responsibilities at the national level*

While the planning law of 1993 did not introduce significant changes, being basically a preservation of the previous planning logics, several innovations throughout the institutions have been established by the approval of the subsequent reforms of 2009 and 2014. However, in 1993 it was introduced an important planning authority at the national level: the Council of Territorial Adjustment in the Republic of Albania. Its rule was more political (decision-making) than technical, because it was considered as a representative authority within the Council of Ministries, while the plan-making process was in charge of the Institute for Urban Studies and Design within the Ministry of Public Works and Transport. The Institute was responsible for drafting urban plans and various kinds of analyses and studies. Nevertheless, the most significant innovation has been introduced with the reform of 2009. This law is actually considered as a turning point in the field of spatial planning due to the paradigmatic changes in several aspects, including planning authorities and their respective responsibilities. The reorganisation of the planning entities at the central level interested both the abolishing of some planning central actors and the introduction of new planning entities. One of the effect of the authorities' reorganisation is the NTPA - National Territorial Planning Agency. The NTPA is the result of the merging of two existing national authorities, the National Planning Institute (within the competent Ministry in Territorial Planning) and the Directory of Policies and Urban Planning (of the Ministry of Public work and Transport). Currently, the NTPA is considered as a “hinge authority” responsible for coordinating activities among the Council of Ministries, which is competent in

territorial planning and local interests. In addition, at the central level, ministries with territorial implication (above all transport, environment, energy, tourism etc.) began to be more influential through sectoral policy and tools. This is confirmed by the law in spatial planning and territorial development No 107/2014 currently into force in Albania. According to the law, the Albanian spatial planning, at the central level, is in charge of: (i) the Council of Ministers - as expression of government body with more political prerogatives; (ii) the Ministry of Urban Development - with policy responsibility; (iii) the National Territorial Council - as a technique and controller body at national level and (iv) the National territorial planning agency as an institution within the ministry responsible to coordinate (horizontally and vertically) and harmonize planning activities and several agencies. Despite the NTC, within the Ministry of Urban Development, are operating several departments<sup>84</sup> and agencies<sup>85</sup> in different fields, from spatial planning to territorial development, from the legalization of informal areas to housing and service provision. The current planning system is based on vertical and horizontal coordination. As an example, the Ministry of Urban Development, National Planning Institution and National Territorial Planning are together responsible for the redaction, adoption and coordination of the national spatial planning instruments and, at the same time, are responsible for the adoption and coordination of the local planning instruments. While the competent ministry is in charge of redacting and adopting specific sectoral plans, at national or regional level, in coordination with other ministries (energy, transport, tourism, environment etc.). Table 44 briefly illustrates the main responsibilities established by the numerous planning reforms.

**Table 44: Spatial Planning Authorities and their Responsibilities at National Level**

Law	Spatial Planning Authorities	Responsibilities
7693-1993	Council of Ministries	Should approve national and local planning documents (including the yellow lines).
	Council of Territorial Adjustment	Should approve or change urban planning studies, important partial and sectoral (tourism, infrastructure at the central level) urban planning studies. In addition, coordinates the work among central and local authorities.
	Ministry competent	Has the task to control and monitor the planning activity

<sup>84</sup> The ministry operates through different department like: the department of territory development policy; the department of informal construction, legalization and urbanization; the department of EU integration and projects; the department of urban standards and anticorruption and the department of urban services and housing.

<sup>85</sup> As established by law within the Ministry organization structure, there is the National Territorial Planning Agency and other agencies and institutions like: Territorial Development Agency, Agency for legalization, urban planning and integration of informal Area, Technical centre archive and construction, Construction institute and National housing authority.

	National Institute of Urban Planning	Its competences were established by the planning regulation adopted
8504-1998	Council of Territorial Adjustment	It is the highest decision maker authority in Albania, it works within the Council of Ministry. In this respect, the Council approves regional urbanistic studies, general regulatory plans, masterplan of touristic development, partial planning studies etc.
	Directory of Territorial Planning	Operates within the ministry competent for spatial planning and development. It is responsible for the coordination of planning activity at the central and local level. In addition, the Directory can propose laws and bylaws connected to spatial planning activity
	Institute for Urban Studies and Design	Represents the planning office responsible for the draft plans and the analyses within the competent ministry
10119-2009	Council of Ministers	Should approve the building regulation normative. Promotes planning and development policies, guarantee the correct implementation of planning tools.
	National Territorial Council	Decision making entity. Its competences are: approves, approves with changes or disapproves plans at the national level. Reviews and approves the compatibility of the local instruments with the planning instruments in power.
	Ministries and other central Institutions	Draft of national planning documents, redaction of the regulation normative, support of the drafting of local plans guaranteeing that any technical and procedural standards are respected.
	National Territorial Planning Agency	Supports vertical and horizontal coordination. In general, is considered as a multi task entity above all: (i) helping the Council of Ministers to draft laws and planning reforms, prepares studies and analysis in the field of spatial planning, informs and improves public participation etc.
107-2014	Council of Ministers	Financial allocation, definition of National territorial council member and the role of national territorial planning agency. Final approval of the General National Plan.
	National Territorial Council	Adopting national planning instrument sectoral plans and detail plans.
	Ministry of Urban Development	Definition of Spatial and Development Planning policy; Elaboration and implementation of spatial planning legislation; Coordination of Spatial planning instruments drafting process as General National Plan, National Sectoral Plan and National Detail Plan
	Other Ministries	Drafting of sectoral plans and contributing to draft planning tools at the central level.
	National Territorial Planning Agency	Co-responsible on spatial planning drafting process; horizontal and vertical coordination between national and local authorities during the elaboration of local plan instruments (harmonization activities); responsible for the integrate territorial register; responsible for the data managing and transparency. In coherence to the law, the NTPA is also the technical secretary of the NTC <sup>86</sup> .

Source: Author's own elaboration

<sup>86</sup> The task is currently covered by the Territorial Development Agency instituted in 2015.

11.3.1.2. *Changing in planning authorities and responsibilities at the subnational - qarku level*

The planning authorities in charge of spatial planning, as established by the law that passed in 1993, were the *Qarku* Council of Territorial Adjustment and the *Qarku* Urban Planning Section. While the former was a decision-making authority responsible to approve any planning instruments under its competences, the latter was the operating branch in charge of drafting planning documents and strategies according to the competences fixed by law. The law preserved the same planning authorities of the previous period, but some changes were going to be introduced a few years later. The main innovation regarded the question of the decentralisation process. The law in urban planning approved in 1998, and amended in 2004, established that the local level was in charge of the planning activity, represented by the municipality and the commune. Thus, the *qarku* level started to be excluded from any responsibility on spatial planning. However, in any case in which the local level could not respect the provision of the law (for instance due to lack of planning experts in drafting local plans), it is possible to delegate part of its/their competences to the corresponding subnational level represented by the *qarku*<sup>87</sup>. The process of dismantling continued when the most important authority at the *qarku* level called TACQ - Territorial Adjustment Council of *Qarku*, (introduced for the first time in 1993 and confirmed in 1998), was abolished after the introduction of the territorial planning reform of 2009. The TACQ represented an important actor within the planning system until 2009, because it was in charge of adopting strategic plans, regional plans, masterplans in coherence with the policy development that covered the partial or entire territorial administration surface. Nevertheless, the competences of TACQ are currently shared by the central and the local level (municipality level) and partially by the Council of *Qarku*, that is the unique planning authority at the *qarku* level.

**Table 45:** Spatial Planning Authorities and their Responsibilities at the Subnational Level

Law	Spatial Planning Authorities	Responsibilities
7693-1993	<i>Qarku</i> Council of Territorial Adjustment	Operates as a decision. making entity directed by the Head of the <i>Qarku</i> Council. The Council may approve and/or change the General Regulatory Plans and Partial Urban Planning Studies within the <i>qarku</i> and Communes level, construction sites, building permit, demolition permit etc.
	<i>Qarku</i> Urban Planning Section	Should prepare material concerning the direction of urban planning adjustment and development and submit to the <i>Qarku</i> Council of Territorial Adjustment. In addition, has several tasks such as: preparing urban planning studies for the <i>qarku</i>

<sup>87</sup> Refer to the instruction no. 4/2004 “on the manner of exercising jurisdiction for urban planning by local government units” of the Ministry of Territorial Regulation and Tourism.

		and Communes, maintaining contacts with the lower planning entities, proposing planning norms and regulation and etc.
8504-1998	<i>Qarku</i> Council of Territorial Adjustment	It is the decision maker authority at the <i>qarku</i> level within the <i>Qarku</i> Council. The main responsibilities are: to approve the inter local plans that covers more than one <i>Bashkia</i> or Commune; to approve strategic plans, regional plans, masterplans and development programs.
	Urbanistic Unite/Section	Coordinates the process of preparation and the approval of the following plans: strategic plans, regional plans, masterplans and development programs. Collaborates with the local unites in drafting their local plans such as: Masterplans, General Local Plans and etc.
10119-2009	<i>Qarku</i> authority	Is in charge to draft and adopt planning and development instruments for the implementation of regional policy (Art. 14).
107-2014	Council of <i>Qarku</i>	The Council of <i>Qarku</i> should coordinate the process of planning at the <i>qarku</i> level and approve the sectoral planning documents.

Source: Author's own elaboration

As has been evidenced, the role of the *qarku*, and consequently its planning authority, has been progressively limited, see Table 45. This has been principally caused by the unsolved problem of the role of *qarku* within the administrative arrangement that has been object of many administrative reforms since 1990.

### 11.3.1.3. *Changing in planning authorities and responsibilities at the local level*

The local level, for many years, included two different entities, the Municipality, big and medium cities, and the Commune, mainly concentrated on the rural areas, according to the existing administrative subdivision. These entities were respectively responsible for the organisation and the control of the development of the territory under their jurisdiction, according to the upper levels. In respect of spatial planning, in spite of the fact the law 7693 of 1993 did not introduce relevant changes for the local level, the law confirmed the Municipal Urban Planning Office for each municipality and the Commune Urban Planning office for each commune. These two planning authorities were in charge of the implementation of the local planning instruments and issued building permits. The slowly process of decentralisation continued when the law No. 8504 of 1998 introduced, for the local level, the Territorial Adjustment Council at *Bashkia* and *komuna* Level, that were considered as decision-making entities, and the Directorate of Urbanism, that was in charge for the preparation of the planning instruments for each local level. As happened at the *qarku* level, the law confirmed the logic of separation of planning competences in decision-making and plans-making. A decade later, the main changes of the spatial planning reform of 2009

(law No. 10119) regarded the definition of responsibilities as a consequence of the shift from urbanism to territorial planning. With this reform, the planning activity started to be intended as a multidimensional issue (political, economic, social etc.), an awareness that represented the starting point that guided the revision of local authorities, responsibility and planning processes. The authorities in charge of any local spatial planning issue were the municipality's mayor of council. On paper, these reforms reflected and completed the process of decentralisation. According to the law that entered into force in 2014 at the subnational level, the competences for spatial planning were shared by both the *qarku*, in the expression of the board of the region, and the municipalities, in the figure of the Mayor and the elected Municipality Council, as shown in Table 46. This new polymorphic institutional authority environment replaced the previous system based on central political and technical control.

**Table 46:** Spatial Planning Authorities and their Responsibilities at the Local Level

Law	Spatial Planning Authorities	Responsibility
7693-1993	Municipal Urban Planning Office	Provide materials for the urban planning development; order the preparation of the city adjustment plan; arrange Partial Urban Planning Studies and apply sanctions.
	Commune Urban Planning Office	Follow the urban planning development programs approved by the Commune Council and issues building permits etc.
8504-1998	<i>Bashkia</i> and Commune Council of Territorial Adjustment	Adopt the General Local Plan, implementation plans and respective normative; define and adopt the limit line between urban and rural areas; adopt urbanistic partial studies (plans) according to the masterplans and adopt regulatory plans for the rural unite (Communes) etc.
	Urbanistic Unites	Contribute for the reduction of the General Local Plan, implementation of plans and urbanistic regulation.
10119-2009	<i>Bashkia</i> ----- <i>Komuna</i>	Planning authority within <i>bashkia</i> and <i>komuna</i> should lead and orient, in their administrative territory, the development and protection of the territory through drafting and approval of local planning instruments and their integration /compatibility with national planning instruments. Moreover, they should define minimum standards and condition for controlling the local development, adopting regulations etc.
107-2014	<i>Bashkia</i> Council	Adoption of local plan instruments, monitoring and implementation of local plan instruments, promotion of transparency principle.
	Mayor of <i>Bashkia</i>	Is responsible for local territorial development through implementation of local plan instruments.

Source: Author's own elaboration

#### 11.3.1.4. Synoptic view

As emerged from above, the introduction of new planning authority (or the abolishment of the existing planning bodies), and the distribution of competences,

implicated changes both at the central and local level. This process has been accompanied and influenced by the attempt to shift from a centralized system to a decentralized one. Indeed, the main significant administrative structure modifications followed the territorial reforms of 2000 and 2014. In those circumstances, several innovations have been introduced, based on the EU chapter on the self-government. At that time, the objective was to attribute responsibilities and competences to the local level, represented in that period by the municipalities and commune. Meanwhile, the *qarku* level started to be marginalized and downgraded. Despite some efforts to include these aspects in the normative framework through amendments, only several years later, precisely in 2009, changes have been effectively incorporated in the planning law. The second territorial reform, that passed in 2014, focused on the rationalization of the local tier reducing the existing 373 local units to 61. In doing so, the Communes that and small cities have been included under the jurisdiction of the bigger cities expanding significantly the territory under their jurisdiction. The planning reform, as a consequence, identified those Municipalities as the only local units attributing to the Mayor significant planning responsibilities. This process of decentralisation left out the planning authorities of the *qarku* level from any planning decision process contributing to further reduce their competences and responsibilities. Overall, it seems that in Albania the transition process frames a bipolarized spatial planning system where central (above all) and local level are the leading level, rather than a pure decentralized one.

Aiming to recognize the process of transformation and to evaluate the main changes, the Table 47 sums up the significant innovation that each spatial planning reform presented. The intent is to underline changes regarding: (a) the introduction of new planning authorities; (b) changes in authorities' responsibilities and competences. The evaluation system is based on the presented qualitative scale as follows: (i) absent – no changes at all or confirmation of the previous law's provision; (ii) scarce – when the level of changes is not that significant; (iii) moderate – when changes are partial; (iv) high – when changes are consistent.

**Table 47:** The main significant changes in spatial planning authorities and responsibilities in Albania since 1990

Reforms Period	Structural Component					
	Authorities			Responsibilities		
	Central	Sub	Local	Central	Sub	Local
1990-93	<b>Centralized Spatial Planning System</b> coherence to the communist spatial planning system both in terms of Authorities and Responsibilities					
7693/1993	<b>Scarce</b> - establishing of the CTA - Council of Territorial Adjustment in the Republic of Albania <sup>88</sup>	<b>Scarce</b> – District Council of Territorial Adjustment, District Planning office	<b>Scarce</b> – introduction of municipal and commune planning office	<b>Scarce</b> – approval of local plans for cities over 10000 inhabitants	<b>Moderate</b> – first approval of general regulatory plans for District and Municipalities	<b>Scarce</b> – Final approval of local plans by the Municipal or Commune Council <sup>89</sup>
1993-98	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarce</b> – The CTA is in charge to approve several planning instruments	<b>Absent</b> – no changes	<b>Absent</b> – no changes
8405/1998	<b>Scarce</b> – introduction of the Directory of Territorial Planning	<b>Absent</b> – no changes	<b>Moderate</b> – introduction of <i>Bashkia</i> and <i>Komuna</i> Council of Territorial Adjustment	<b>Moderate</b> – differentiation of responsibilities in decision- making and plan- making	<b>Absent</b> – no changes	<b>Moderate</b> – differentiation of responsibilities in decision- making and plan- making process
1998-09	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes

<sup>88</sup> Decision of the Council of Ministries in 1993, No. 259

<sup>89</sup> However, for cities with over 10000 inhabitants the general local plan, the yellow line of construction, and the suburban design should be approved directly by the cabinet-level Council of Minister

10119/2009	<b>High</b> – introduction of the National Territorial Planning Agency	<b>High</b> – progressive dismantling of subnational level authorities	<b>High</b> – Abolishing of Territory Adjustment Council at <i>Qarku</i> , <i>Bashkia</i> and <i>Komuna</i> Level	<b>High</b> – shared responsibility between central and local level.	<b>High</b> – limited responsibilities in the spatial planning process	<b>High</b> – plan decision making (partially) at the local level
2009-14	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes
107/2014	<b>Scarc</b> - confirmation of the existing planning authorities structure	<b>Moderate</b> – progressive dismantling of subnational level authorities	<b>High</b> – reframing of the local level based on municipalities	<b>Scarc</b> - confirmation of the existing planning responsibility	<b>Moderate</b> – responsible on adopting sectoral plans	<b>High</b> – attributing competences to the Major (political responsibility)
2014-..	<b>Scarc</b> – Introduction of the TDA - Territorial Development Agency	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarc</b> – Shift of partial competence from NTAP to TDA that start to be the secretary of the National Territorial Council	<b>Absent</b> – no changes	<b>Absent</b> – no changes

Source: Author's own elaboration

### 11.3.2. Technical component of spatial planning system

While the structural component discussed above explained the legislative and the normative framework, the technical component defines the so-called instrumental framework. In fact, the technical component considers essentially the way in which spatial planning is structured in technical terms, highlighting its key instruments and procedures. As shared by the literature, spatial planning works through specific instruments, like plans, programs and strategies (whatever scale, nature and sector). Indeed, here there are going to be analyzed the most important documents and instruments at national and local level (both for *qarku* and *bashkia*) looking at their provision, their hierarchy, their procedures for preparation and adoption, their characteristic and nature (strategic, regulatory etc.), their policy area (sectoral, cross-sectoral etc.) and interactions.

Referring to the Albanian planning law framework currently into force<sup>90</sup>, the legislator establishes that each administrative level should be responsible for the preparation and adoption of its own spatial planning instruments. Figure 33 clearly shows each planning level and their respective plans and hierarchies. Briefly, the General National Plan, adopted in 2016, should address the country territorial development thanks to a series of documents like the territorial development strategies and policies in which have been defined each national priorities and strategic vision. The plan itself, in which have been geographically identified the main logics and principles, is followed by the planning and development regulation where the main planning procedures and law requirements have been defined in order to implement it. This plan is accompanied by, and hierarchically depends on, the National Sectoral Plan, where each line ministry is responsible for its draft and implementation according to the General National Plan. The latter, moreover, identifies some particular and valuable areas in which it foresees the reduction of National Detailed Plans. The territory usually normed has a particular importance in terms of environmental value depending on its natural protected areas, and areas with recognized architectural and cultural importance as historical areas. Moreover, part of the territory was interested by the development of tourism and economic development like industrial areas. Despite of the representation of the planning instruments at the central level, these plans are, moreover, the tools that define the main guiding policy for the lower level. Indeed, at the subnational level, in drafting the *qarku* Sectoral plans, the local authorities should follow and refer to the National Sectoral Plans main guiding principles and logics. Similarly, the Sectoral Local Plans should be in compliance with the upper sectoral plans. The same logic should be followed in drafting the General Local Plans and the respective Detail Local Plans. Despite what is currently established by law, since 1990 a series of

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<sup>90</sup> Law No. 107/2014 Law on Planning and Territorial Development and the Law promoted by the Council of Minister No. 671/2015 to the Approval of regulation of the territory planning.

reforms in planning instruments and procedures passed. The main planning reforms dates back in 1993, 1998, 2009 and 2014. Aiming to shed light on the evolution process, those reforms and respective amendments have been deeply analyzed in the following parts.

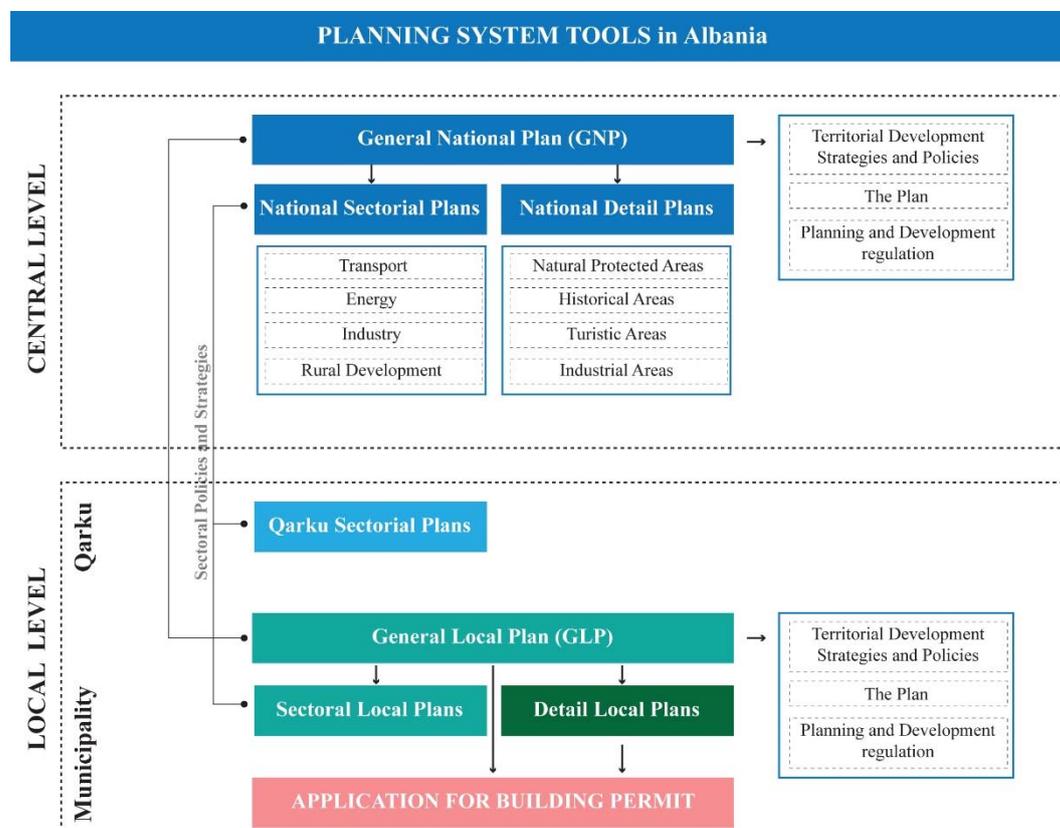


Figure 33: Territorial subdivision and spatial planning instruments in Albania  
Source1: Author’s own elaboration

### 11.3.2.1. Changing in planning instruments and procedures at the national level

As it has been evidenced from the preliminary observation, the planning instruments has been changed several times. For this reason, it seems important to start our consideration analyzing the instruments of the four most relevant laws on this matter (Table 48).

**Table 48:** Spatial planning instruments at the central level

Laws	Instruments	Regulative/Strategic
No. 7693/1993	Master Plans of Urban Planning Studies	Not Clear
No. 8405/1998	Masterplan <sup>91</sup>	Not Clear

<sup>91</sup> Based on the Law provision, at the national level the masterplan covers the national territory or part of it (it is considered as a base analysis on specific issues). For more information, see the Urban Planning Regulation No.722/1998

No. 10119/2009	General National Territorial Plan	Strategic
	National Partial Plan	Regulative
	National Sectoral Plan	Strategic
	National Intersectoral Plan	Strategic
No. 107/2014	General National Plan	Strategic
	National Sectoral Plan	Strategic
	National Detail Plan for Importance Areas	Regulative (issue building permits)

Source: Author's own elaboration

If the reform of 1993 was substantially a perpetuation of the previous planning system, with no innovation about instruments and procedures, the reform launched in 1998, the so called “law on Urbanism or urban planning”, foresaw only one planning tool at the central level: the masterplan. The plan was considered not statutory and should have covered the national territory or part of it. The masterplan aimed at creating the basis for urban planning and territorial development through the development of settlements, infrastructure networks, tourism, industry etc. Only a decade later, the law on territorial planning approved in 2009 introduced, among others, the General National Plan as the most important central planning instrument that had to cover the entire Albanian territory. The law foresaw the introduction of other plans such as the National Partial Plan that should have focused on specific areas, the National Sectoral Plan that had the scope to develop specific sectoral policy and the National Intersectoral Plan that aimed to manage two or more sectoral areas. As is well understandable, these new instruments reflected the shifting from an urbanistic to a more spatial planning approach. However, the law was based on a complex planning document framework that identified each planning instrument in respect of: (i) the type of instruments - policy, plan and regulation; (ii) the planning issue - general sectoral and cross-sectoral and (iii) the planning level – national, integrated, inter-local and local, that made the planning mechanism not comprehensible by diverse planning actors. In order to overcome the existing misunderstandings, the law that came into power in 2014 did not substantially change the existing spatial planning logics, as happened before, but focused its efforts on the rationalization of the planning documents. Indeed, the intent was to better clarify the role of each planning instrument and their purposes. In addition to the existing plans, the law introduced the National Detail Plan for important areas with the possibility to regulate the allocation of development rights in specific conditions. One of the main consequences of the approved reforms has been the change in planning procedures as a response of new planning needs. These changes can be observed from different perspectives that are mutually related. While the first regards the restructuring of a diverse administration structure since 1990 (changing in government levels), the second refers to the introduction of new planning authorities (who should do what and when). Indeed, since 1993, numerous

planning authorities have been introduced or abolished both at the centre and the local level due to planning or administrative contingency needs. Finally, the third change concerns new planning issues such as public participation (public hearings), environmental protection (EIA- Environmental Impact Assessment and SEA – Strategic Environmental Assessment) etc.

However, what remains rather constant, or differs only partially, has been the phases of plans adoption at the national level (i.e. initiative, drafting and adoption). The initiative phase is different about the authority responsible to propose the redaction of the plan in coherence to the law. This may result clearer using an example. The law approved in 1998 established that the initiative should be taken by the Council of Ministry if the masterplan was going to cover the entire national territory and, together with the exiting Districts Council, if the masterplan would cover two or more districts. Instead, the law currently into power foresees that the initiative is responsibility of the ministry that deals with the spatial planning issue. It should submit the initiative's documentation to the National Council of Territory, that represents the entity responsible to accept or refuse the request of the initiative. Similar differences appear regarding the drafting and approval phases with specific distinctions among planning laws. What looks so different are the law provisions in terms of distribution of competences, coordination among institutional planning actors, involvement of public participation (among other institutional and not institutional stakeholders, private agency and etc.). In this respect, despite the previous reforms, the last one clarifies that in its planning regulation each public involvement phases should be followed by the authority responsible for the improvement of public participation.

Referring to the current planning reform, as established by law, the main relevant national planning instrument is the GNP - General National Plan. The GNP defines the referees of mandatory framework for all plans that are redacted in Albania. The objectives of this general plan are: (i) to define principles and guidelines for a sustainable and balance territorial development in coherence to the preservation of the ecosystem, the biodiversity, the nature and cultural heritage; (ii) to orient the objectives of national, regional and local planning trajectory; (iii) to coordinate, harmonize and orient the sectoral development objectives with spatial planning evidences and effects on the territory and (iv) to be coherent with the guidelines and principles of ESDP. In order to fully respond to each law's requirements and provisions, the GNP consists in three important documents: (i) the territorial strategy and development and the territorial policy; (ii) the Plan; (iii) the planning and development regulation. Moreover, the GNP is accompanied by a Strategic Environmental Assessment (SEA), to evaluate the environmental impact and to adopt a mitigation strategy, and a specific Action and Investment Plan that aims to evaluate its economic impact on the national territory. As mentioned before, beside the GNP, at the national level there are other two important plans, the NSP - National Sectoral Plan and NDP - National Detail Plan for important areas that are considered as tool to implement the GNP at the national level.

The NSP is redacted by the appropriate ministry aiming to address a sustainable and strategic development involving one or more different sectors as energy, industry, transport, national security, infrastructure, tourism etc. as is established by the article 17 of Law No. 107/2014 Law on Planning and Territorial Development. The redaction process is coordinated by the appropriate ministry that is responsible for a specific sector interested by the plan. On the other hand, if the plan redacted is an integrate multi-sectoral plan, the responsibilities are shared by the ministries involved under the control of the figure of the Prime Ministry in collaboration with the NTPA. As in the case of the GNP, the redaction and the approval process are established by regulations on territorial planning. Indeed, the law defines: (i) initiative process – each ministry or all ministries involved (if the plan is integrated and multi-sectoral) have the responsibility to present the necessary documents to the NCT in order for it to evaluate and express its permission or not to draft the plan; (ii) approval phase – if the NCT accepts the initiative, the authority or authorities responsible shall draft the plan in coherence to the GNP (controlled by the NTPA) and present all documents back to the NCT in order to be approved; (iii) enter into force - the plan adopted and its documents enter into force when they are published on the NCT's register and (iv) implementation and monitoring phase – NSP is implemented through sectoral and local plans at the local level (*qarku* or *bashkia* level) and pilot project investment projects. The NDP - National Detail Plan(s) is redacted in conformity with the GNP contents. The NDP aims to manage, protect, preserve and develop a specific area with particular national interest. As in the case of NSP, the NDP is a GNP's implementation tool. Referring to the article 16 of the Law No 107/2014 and the article 34 of the regulatory CM No. 671/2015, the NTPA is responsible to start the initiative process based on one or different ministries, central or local institutions requirements. The NDP shall be approved by the NCT after an inspection phase on NDP's documents. As the previous plans, the NDP has its own analysis, development and strategic vision, plan, environmental impact analysis and SEA.

#### *11.3.2.2. Changing in planning instruments and procedures at the subnational - qarku level*

This section gives a complete overview on the main instrumental changes (Table 49). Starting from the beginning, the laws of 1993 foresaw two planning instruments for the *qarku* level: the District General Regulatory Plans and the Partial Urban Planning Studies. Instead the law passed in 1998, established a series of planning instrument such as: regional and environmental planning document (analysis), strategic plans (that cover entire, or part of, *qarku*'s surface), regional plan and masterplans. Referring to the law adopted in 1998, the preparation of these plans was generally responsibility of the urbanistic sector, while the adoption of the plans concerned the Territorial Adjustment Council at the *qarku* Level lead by the Mayor of the *qarku*. Many years later, the reform of 2009, aimed to reduce and

better organize the planning tools framework foreseeing the integrated and inter – local plans. However, those plans should not properly be considered as such at the subnational level. In fact, the former (i.e. thee integrated local plans) focused on connecting central strategies and local priorities, while the latter (i.e. the inter local plans) aimed to manage the development control on more than one local unit. So, the reform definitely reduced the planning instruments at the subnational level.

**Table 49:** Changing in planning instruments at the Subnational level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>7693/1993</b>	District General Regulatory Plans	Regulative
	Partial Urban Planning Studies	Regulative
<b>8405/1998</b>	Strategic Plan	Strategic
	Regional and Environmental planning document (analysis)	Strategic
	Regional Plan	Strategic/Regulative
<b>10119/2009</b>	Integrated local plans	Strategic/Regulative
	Inter local plans	Strategic/Regulative
<b>107/2014</b>	Sectoral Plan at <i>qarku</i> Level	Strategic

Source: Author’s own elaboration

Despite numerous planning tools at the *qarku* level, established in 1998 and canceled in 2009, none was similar to the sectoral plans provisioned by the current law. Nevertheless, the present law refers to the regional level, *qarku* shall be intended as a local level unit coherently to what has been established by the planning law into force. Bearing this in mind, the only planning instruments established by law is the SPQL - Sectoral Plan at *Qarku* Level that may be considered as a coordinated and balanced instrument that aims to harmonize central interests and tools to local priorities. The main objective of the current SPQL is to define a regional strategy and a development trajectory platform that will be the base for the definition of the strategy for each plan at the *bashkia* level. The president of the *qarku* council is in charge of the initiative process in collaboration with an appropriate ministry that may be involved in respect of a specific sector. The authority for the approval initiative act is the council of *qarku* that is at the same time responsible for the redaction of the necessary documents and the plan as well. However, the working group is also composed by experts at the *qarku* level, representative experts from an appropriate ministry and experts from NTPA. After the approval phase by the council of *qarku*, all documents shall be present, together with the SEA, at the NCT for the final approval act. In this process, the NTPA has the responsibility to analyse the coherence to GNP, to NSP and to put the legislative framework into force.

### 11.3.2.3. *Changing in planning instruments and procedures at the local level*

As established by law, the planning activity is mainly shared by the central and local level. In this context, the local level is represented by the lower administrative level, the *bashkia* level. In coherence with the regime period, the local level tools

were mainly regulative than strategic. While the General Regulative Plan had to cover the entire urban area, the Partial Urban Studies had to control the development of part of it confirming both their regulative nature. In coherence with the centralized system, each of the local plans had to be checked and adopted at the *qarku* level while the local authority was considered just an implementation body. The system remained constant after the reform of 1998, while major changes happened in 2009. As showed in Table 50, the law established several planning instruments at the local level subdivided in respect of their nature in general, sectoral and cross-sectoral. More in detail, the law reframed the nature of the planning instruments identifying for each level and nature different type of tools, namely policy, plans and regulation. The objective of the law has been to introduce a very integrated planning system despite its complexity and few chances to be implemented. As a matter of fact, only a few years later, the reform that passed in 2014 have reconsidered the planning instruments at the local level reducing from nine to only three comprehensive plans.

**Table 50:** Change in the planning instruments at the local level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>	
<b>7693/1993</b>	General Regulatory Plan	Regulative	
	Partial Urban Studies	Regulative	
<b>8405/1998</b>	General Regulatory Plan	Regulative	
	Detail Urban Planning Document	Regulative	
	Action Plan	Regulative	
<b>10119/2009</b>	General	Local Policy for Territorial Development	Strategic
		General Local Plan	Strategic/ Regulative
		Regulation for the General Local Plan	Regulative
	Sectoral	Local Policy for Sectoral Territorial Planning	Strategic
		Local Plans for Sectoral Territorial Planning	Strategic/ Regulative
		Regulation for Sectoral Territorial Planning	Regulative
	Cross-Sectoral	Local Policy for Cross-Sectoral Territorial Planning	Strategic
		Local Plans for Cross-Sectoral Territorial Planning	Strategic/ Regulative
		Regulation for Cross-Sectoral Territorial Planning	Regulative
<b>107/2014</b>	General Local Plan	Strategic/ Regulative	
	Sectoral Local Plan	Strategic	
	Detailed Local Plan	Regulative	

Source: Author's own elaboration

Currently, observing the *bashkia* level, the law establishes three planning instruments: (i) GLP - General Local Plan; (ii) SLP - Sectoral Local Plan and (iii) DLP - Detail Local Plan. Starting to analyse the GLP, it is important to say that this plan is the most relevant at the local level both in terms of technique (i.e. definition of type of expertise involved, deadline, drafting process and quality control) and transparent redaction process (USAID, 2015). As is well defined by the law No. 107/2014 currently into force (see its section 2 article No. 20) the GLP has several objectives, such as: (i) to balance national and local interests and needs with territorial development; (ii) to define the intensity of land use and the extent of natural systems, construction, agricultural and urban areas; (iii) to define programs and measures in order to ensure urban regeneration, environmental protection, sustainable development of natural resources, rural land and landscape; (iv) to define public infrastructures and utilities and (v) to protect and use natural and historical areas. Observing from a hierarchical perspective, the GLP shall be coherent with the above planning instruments as GNP, NSP and SPQL. At the same time, the GLP will identify the areas where it will be necessary to draft a DLP that is a detail local plan. The authority responsible to draft the plan is the Mayor of *bashkia* that identifies an appropriate working group that will be responsible for the technical aspects of the plan. The contents of the plan<sup>92</sup> are divided in these categories: (i) local unit territorial strategy; (ii) local unit territorial development; (iii) normative implementation; (iv) integrate GIS territorial database platform and (v) impact assessment study of development and environmental impact (SEA). The DLP - Detail Local Plan is a planning document that implements the GLP in specific areas, usually areas with developing priorities, identify by the latter. As established by law, in these strategic areas, the municipality cannot give a development permit without the adoption of a DLP. This planning instrument is drafted to develop and to restore urban areas or to build public infrastructure. As a development instrument, the initiative could be private, if the owner possesses at least 51% of the entire surface, public or a public- private partnership, depending on the objective of the DLP. The authority responsible for the redaction and the entire process of DLP's drafting remains the Mayor of the local unit, the *bashkia*. However, in its entire process of redaction, the working group and the Mayor have also the responsibility to promote an effective participation process through an inclusive activity of the local actors and academics, as expression of the civil society. In this context, the Council of *Bashkia* has the responsibility to accept (silent consent) or to refuse the initiative and to adopt the DLP final draft. After this entire process, the developers get their building permit.

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<sup>92</sup> The plan's documents are identified by Article No. 51 of the Law promoted by the Council of Minister No. 671/2015

#### 11.3.2.4. *Synoptic view*

In general, the Albanian spatial planning system has shifted from a centralized and autocratic system, that characterized the first two reforms approved in 1993 and 1998, towards a more decentralized and inclusive approach promoted by the latest reforms of 2009 and 2014. As has been evidenced, each planning reform introduced in the last three decades, contributed to change the existing planning documents and legal procedures. While the first planning instruments had regulative and implementation nature (following the idea of land development approach), lacking in strategic provision, the new tendency is to privilege instruments that contain strategic elements giving more attention to the spatial planning approach. Observing the central level, the shift from urban planning to spatial planning has been completed only thanks the introduction of the last reform, in which the set of planning instruments are in line with what stated before about the tendency to adopt both strategic and regulative plans. Looking at the relevance of the planning tools at the *qarku* level, it significantly decreased in the recent past because of several reasons. One of the most important cause has been the lack of clarity on the role of the *qarku* within the administrative infrastructure. The second has been the process of decentralisation where the *qarku* has been totally marginalized in favor of a more bipolarized system constituted by the central level and the local level (represented by the municipalities). Indeed, at the local level has been given more attention because their importance in the implementation of plans' provisions. As happened for the central level, even at the local the set of planning documents are harmonized to the idea of spatial planning approach. Indeed, looking at the planning documents it is important to underline that the GLP includes both strategic and normative provisions taking the distance from the idea of mere regulative instrument. Unavoidably, the changing in planning instruments, had important changes also in terms of planning procedures. The current tendency is to privilege the role of the local authority in the planning process while planning bodies at the central level act as supervisor and coordinator authorities. However, taking into account the adoption procedure of the GLP, the national level (National Territorial Council) shall give its approval to the plan. Indeed, the approval by the *Bashkia* Council is not enough in order to be effective. This simple example highlights that the declared decentralized system is at least to be consider half-done. The synoptic Table 51 illustrates the aforementioned planning transition from a normative to a strategic approach. Indeed, in order to have a complete overview on the main changes, the instruments and procedures innovation have been assessed adopting an evaluation system based on the presented qualitative scale: (i) absent – no changes at all or confirmation of the previous planning instruments and procedures; (ii) scarce – when the level of changes are not significant, so the tools introduced are relatively irrelevant; (iii) moderate – when changes are partial and some significant planning tools has been launched; (iv) high – when changes are consistent, i.e. new planning instruments have been introduced.

**Table 51: Changes in planning instruments, procedures and contents in Albania**

Reforms	Technical					
	Instruments			Procedures		
	Central	Sub	Local	Central	Sub	Local
1990-93	<p align="center"><b>Centralized Spatial Planning System</b> coherence to the communist planning system. Preservation of the existing set of planning instruments and procedures</p>					
7693/1993	Scarce – Master plans of urban planning studies	Absent – no changes	Absent – the law maintained the yellow line	Scarce – introduction of tourist zones managed by the line minister	Absent – no changes	Absent – confirmation of site permit and construction license
1993-98	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes
8405/98	Scarce– introduction of Master Plan for all country territory or part of it (not statutory)	Moderate – introduction of new planning documents	Moderate – Introduction of Strategic Plans	Absent – no changes	Scarce – little changes planning procedure	Scarce - progressive decentralisation of competences
98-09	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes
10119/09	High – Subdivision in type of instruments - policy, plan and regulation	High – no plans at the subnational level	High - Separation of property right and developed right	High – horizontal and vertical distribution of competences	High – limitation of planning procedures due to the reduction of planning tools	High – plan decision making (partially) at the local level
09-14	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes
107/14	Moderate - Clear separation between central ad local plans	Moderate – introduction of Qarku Sectoral Plans	Moderate – strategic and development plans	Moderate - public participation	Absent – no changes	High - Transfer ability of development rights.
2014-...	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Absent – no changes	Scarce – changing in issuing development and building right

Source: Author's own elaboration

### **11.3.3. Practice component of spatial planning system**

According to the definition given in the subsection 9.4.2.3, the practice dimension represents the daily reiteration of procedures and traditions of planning action, addressing in this manner the urban and territorial development. Synthetically speaking, while the explored structural and technical components illustrated how the planning system should work, the practice dimension intends to exhibit how it actually works in the defined context, therefore including the social, economic and historical environment in which is deeply embedded. The subsection is divided in three parts. The first is centered on showing how in Albania, planning has been interpreted, in practice, since 1990 at the national level. While the second gives more attention at the planning experiences of the subnational level, the last part focuses on the local level showing how the planning has been implemented or not, and why. For each explored level, both formal and informal practices have been taken into account, which have characterized the territorial development of Albania in the last years.

#### *11.3.3.1. Changing in planning practice at the national level*

From the investigation of the main changes in formal planning practice in Albania emerges a picture of a substantially crystalized situation up until 2014. Despite the intention of the law to develop a series of sectoral plans, studies or master plans at the national level, neither of them has been really implemented. Indeed, in spite of the previous centered communist experiences, when the territorial development of the country was determined a priori by policies, plans and projects established at the central level, after the regime, the national planning authorities were inadequate to address the transition development process, including the territorial development. Therefore, for many years, the planning activities were limited to some projects, such as the infrastructure network, while issues like social housing and spatial development were overlooked. In these circumstances, the first example of illegal constructions started to appear in country, principally in the central and external urban areas of the main cities. This disorganisation in managing the territorial development was caused principally by the lack of efficacy and efficiency of the planning activity at the national level, that consequently involved also the local authorities. With the policy document adopted in 2007 and the planning reform of 2009, the law recognized the necessity to adopt different national instruments like the national development plan and other plans for special areas that overcame the sectoral approach towards a more integrated one. The intent was to manage the complexity that spatial development implies including issues like economic and social development (social housing, public services etc.) and infrastructure network (transport, power, water pipeline, etc.) or addressing other sectoral issues such as tourism, rural development etc. Following the policy document, the law identified a series of national plans that should have been adopted, however, none of those instruments have been implemented. Therefore, in practice, despite some good intuitions proposed by the policy document and

included in the law, after the 2009 reform nothing changed while the country developed in a very chaotic and undermanaged way. Indeed, the existing territorial disparities (between north, center and south) and social inequalities (between rich and poor) drastically increased. Finally, after 2014, some plans at the national level have been adopted as a consequence of the implementation of the reform in spatial planning and territorial development. The adoption of the first National General Plan – Albania 2015-2030 without doubt has been the milestone ever since Albania has a national plan that will address the future spatial development. Additionally, two other national plans have been adopted: the Integration Inter-Sectoral Seaside Plan and Integration Inter-Sectoral Economic Zone Durres-Tirana called Durana – Regional Balkan Hub and Economic Center. These plans are a polarization and a cross sectoral example of the national strategy. Currently, other plans are being prepared, such as the National Touristic Sectoral Plan for the Albanian Alps, which is mainly centered on addressing the tourism in the north of the country.

#### *11.3.3.2. Changing in planning practice at the subnational - Qarku level*

As previously affirmed, the subnational level has been partially excluded from any responsibility and competence in the field of spatial planning. Hence, no significant initiatives have been implemented. However, some informal studies need to be mentioned, which developed at the subnational level because supported by external development agencies. This experience has been defined informal because there were no strategic or regulative plans established by law. So, at the beginning of the 2000s, the increasing regional disparities convinced some external development agencies to finance and support the preparation of some strategic documents concentrated particularly in the north of the country. These documents had no binding character but have been used mainly as guiding documents during the preparation of some local plans. Thus, the planning practice at the subnational level has been very scarce and geographically limited to some areas or part of the national territory.

#### *11.3.3.3. Changing in planning practice at the local level*

As for the upper administrative level, the local level was also directly involved in the process of territorial development (i.e. where things happened). Understanding the planning practices at the local level helps to give a general perception of how spatial planning, as a reiteration of formal and informal actions, works. During the first part of the transition, the laws of 1993 and 1998 attributed some particular competences and responsibilities to the local level, however, the planning system remained very centralized. In those circumstances the local authorities, as an implemented body, were unable to efficiently manage the territory under their jurisdiction. During that period, the only control instrument was the yellow line, i.e. the line that separated the urban and the rural areas, hence the areas where was possible to build and where not. This instrument, derived from the communist regime, continued to be effective since the reform of 2009 without

actually contributing to control the urban growth and territorial development. Additionally, what reduced the inefficacy of planning action was, and partially continues to be, the question of private property, and specifically the compensation of previous owners. So, the interlinked questions of the public incapacity to control the urban development, the unsolved problem of private property, the enormous and uncontrolled private investments, the lack of social housing stock, the land property fragmentation and the general perception of being “legally free” to build everywhere, have been the “perfect storm” that caused the final crises of the planning activity. In Albania, for many years, the informality approach addressed the country territorial development. What happened in that period is still affecting deeply the development process and strategies, despite the existence of binding plans never implemented. Only a few years later, thanks to the interest and support given by the development agencies, the government started to think about how the local authority should deal with the management of formal and informal areas. In the mid-1990s’, the first Structure Urban Plan of Tirana was drafted, thanks to the engagement of the USAID, the World Bank and the local and foreign NGOs (World Bank, 1998). Simultaneously, several pilot projects started to be financed in numerous cities like Tirana (Bathore and Kamza settlements) and Durres (Kenëta settlement), that, at the time, were the most problematic informal areas. The intent was to develop a common vision on what these areas should mean for the expansion of cities, and how cities should include them within their development strategy. The projects helped local authority and local community to know each other and to develop some bottom- up inspired policy guidelines. Even though those pilot experiences may be recognized as good practices, they remained limited, while the illegal process of territorial development continued for many years. The first real attempt to limit those illegal practices was represented by the adoption of the law for the formalization and integration of the informal settlements in Albania, that was approved in 2006 and was accompanied by the principle of self-declaration of the informal constructions. At the same time, the National Register of Planning started to be implemented and a diverse developing permit was launched. Despite the fact that more than ten years have passed since the start of the process of legalization, nowadays it is still incomplete. Indeed, this was caused by numerous implementation problems as, for instance, the political will to unofficially permit such illegal practices in order to maintain their political interests. Together with the government efforts to manage the urban and territorial development, the strategy of external donors and agencies in the field of spatial planning significantly changed from small pilot projects to more integrative plans. One of the most important is doubtless the LAMP, a project started in 2008, through which a series of plans for eight cities has been partially drafted. The project represents a challenge for the context, considering the fact that only a few cities had new plans, while the majority of the local realities still maintained the old one. So, despite some technical and operational problems like the lack of data, maps, materials, overlapping of cities administrative borders etc., only a few of those plans have been completed. In the city of Durres, for example, even when the plans were concluded, they have never been implemented due to the change of the legislation requirements adopted in

2009. Generally, the period between 2009-2014 has been characterized by a widespread immobility both at the national and local level. Indeed, the change in the planning paradigms have never been fully understood by local authorities and practitioners. Therefore, no plans have been implemented despite the law requirements. Thanks to the simplification of the procedure proposed by the reform of 2014, at present, the panorama of spatial planning in Albania is rapidly changing. In only three years, the majority of cities is finalizing their plans and implementing them, and other cities will do so in the future. In this process, external donors are still involved in the financing and support of numerous reduction of plans (SDC and USAID, mainly) (AKTP, 2017). What has been learned from the recent past is the fact that the local authority has never been in the condition to draft, approve and implement its plans required by law. In these circumstances the central authorities (the Ministry and the NTPA) decided to be the leader of the process of plans drafting, mediating between national interests and local priorities. In doing that, many of the experts and academics recognize the risk to shift from a decentralized, as proclaimed, into a centralized system in practice. This fact is confirmed by the planning procedure where the practical competences of the local authority are limited in favor of the team selected to draft the plan (usually selected through an international competition organized by the Ministry and the Agency) and the agency itself. Additionally, the fact that some team experts come from other countries (organising consortium with local experts) may channel some external practices that may reduce the possibility to fully implement those plans. Last but not least, the adoption plans procedure is limited to a time-frame of less than six months. Therefore, it is reasonable to imagine difficulties in implementing procedures due the explained reasons. Instead, what seems to have improved in the last years is the process of issue of public permits thanks to the organisation of online register where investors and developers can apply for obtaining the documents required. This process is facilitating both the central and local in charge to issue building permits overcoming some organisational problems that caused several slowdowns in the past. The online allocation building permits and the online availability of national and local plans is enhancing the public transparency within the process of spatial planning. However, more should be done in terms of availability of open-data and the sharing of them among institutional and non-institutional actors.

#### *11.3.3.4. Synoptic view*

To conclude, advancing one step at a time, it is possible to note a general path that has been followed for many years in Albania. While in the Western countries the planning process is generally framed in some consequential stages like plan, permission, development and occupy (Allkja and Marjanovic, 2017), in Albania the mainstream idea was to reverse the process, hence: occupation (often illegal), development – (always without any kind of public control), permission – (thanks to the legalization procedures started in 2006) and implementation plans. This has

been partially solved, thanks the more recent reforms (2009, 2014) but still some question should be clarified such as the intervention of central authorities, the reduction of local authority competences, the presence of external practitioner often not familiar with the local context and the time-frame required to draft the plans. Despite the improper use of plans, a critique may be advanced observing the question of participation. According to the law's provision, participation should be organized and guaranteed during the entire process of plans' adoption (whatever scale). However, as attested by several practitioners and administrative experts, the participation process is often disregarded. Indeed, the public involvement processes are reduced to a mere public communication where real public participation is omitted. Looking at the other planning procedures, despite some important improvement in terms of allocation of building permits, transparency and etc., progresses should be made in ameliorating the public access of information (data, cartography, shape file and any type of public documents). In these circumstances, the majority of the plans that are currently being drafted, are used as an instrument to recognize and confirm the status quo rather than as tools to develop a future-oriented vision. Overall, Table 52 summarises the process of practice evolution. In the table illustrates and assessed the main changes by adopting the present qualitative scale: (i) absent – no changes at all or confirmation of the previous planning practices; (ii) scarce – when the level of changes is not significant, so the innovation practices are relatively irrelevant; (iii) moderate – when changes are partial and some significant examples emerged; (iv) high – when changes are consistent, hence, new common planning practices emerged.

**Table 52: Changes in planning practice, formal and informal, in Albania**

Reforms	Practice					
	Formal			Informal		
	Central	Sub	Local	Central	Sub	Local
90-93	<b>Centralized Spatial Planning System</b> coherence to the communist planning system even if the socioeconomic conditions evolved					
7693/93	<b>Absent</b> – lack of clear administrative procedures for taking action for plan review and drafting	<b>Scarce</b> – dominium of the District level on the local level	<b>Absent</b> – lack of local capacity in managing spatial planning development	<b>Absent</b> – preservation of the same formal process for the adoption of planning instruments	<b>Absent</b> – confusion on legal planning process	<b>Scarce</b> – increasing illegal practice for obtaining building permits
1993-98	<b>Absent</b> – law’s requirements were confused and ambiguous	<b>Absent</b> – lack of transparence in issuing building permits	<b>Absent</b> – the established local planning agencies were disorganized	<b>Absent</b> – lack of implementation procedures	<b>Absent</b> – very few plans were drafted	<b>Scarce</b> – initial informal practices of territorial development
8405/98	<b>Scarce</b> – introduction of sectoral studies	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Moderate</b> – lack of efficacy and efficiency of spatial planning activity
1998-09	<b>Scarce</b> – reduction of the first policy document about spatial planning	<b>Absent</b> – no changes	<b>Scarce</b> – reduction of few local plans by external supporters	<b>Absent</b> – no changes	<b>Scarce</b> – few strategic planning studies.	<b>High</b> – consolidation of informal building practices
10119/09	<b>Absent</b> – despite what has been established by law, no plans have been implemented	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarce</b> – few strategic planning studies.	<b>Absent</b> – no changes
09-14	<b>Scarce</b> – reduction of the second spatial policy document	<b>Absent</b> – no changes	<b>Moderate</b> – reduction of several local plans by external supporters	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarce</b> – legalization of informal areas
107/14	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarce</b> – progress made by few local authorities	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2014-...	<b>High</b> – implementation of national planning documents	<b>Absent</b> – no changes	<b>High</b> – implementation of numerous local plans	<b>Moderate</b> – interferences within the local plans adoption processes	<b>Absent</b> – no changes	<b>Moderate</b> –systematic control of territorial development (apparently)

Source: Author's own elaboration

### **11.3.4. Discursive component of the spatial planning system**

In Albania, as in any other country that faced the transformation process, the planning discourse mutated from communist ideology to Western's planning paradigms. This process of discourse metamorphosis involved the system of the whole country (whatever scale, sector and authorities involved). As follows, the planning discourse has been investigated taking into account the administrative levels, looking both at the institutional and non-institutional planning discourse. On the one side, the analysis is based both on the institutional discourse derived from the evaluation of the formal discourse component given by the law and its evolution path, and on the strategic documents, plans, programs and projects contents. On the other side, a particular attention has been given to the non-institutional discourse derived from academic and practitioners, where formal and informal concepts contribute to partially frame the domestic planning discourse. At the end of the subsection 11.3.4 sums up the main discourse changes happened during and between the main planning reforms.

#### *11.3.4.1. Changing in institutional and non-institutional planning discourse at the national level*

In Albania, due to the regime legacy, the planning discourse at the national level has been very important. During the regime, and also after its downfall, the discourse was largely framed at the national level while the subnational and the local level have been often excluded from any discussion arena. This can be explained by the fact that planning has been a centralized topic and the lower administrative level has been seen less relevant or only as an executive body. As a matter of fact, before 1993, the planning discourse was mainly based on the communist ideology, and was therefore focused on urban planning. Contrarily to what it may be expected, this tendency, has been largely confirmed by the first reform passed during the transition period. The law, in fact, continued to adopt the urban planning approach as synthesized by the art. 1, based on which, [...] urban planning should express and define the general rules of the location and the architecture of buildings throughout the territory of the public of Albania, with the exception of agriculture land [...]. This continuity with the past regime was also caused by a political shortsightedness to deal with the new social and economic conditions that emerged after the end of the communist regime. Additionally, this was accepted by the practitioner and academic elites that were engaged in maintaining the status quo. The law, but also the general planning discourse, denoted a lack of ability to understand the contextual social and economic development. At that time, indeed, the problem of social housing, transport infrastructure, waste management, water and power provision had been totally underestimated, hence, not managed at all. The only question that has been addressed was the right of property and the subdivision of public land in favor of privates introducing the institution of private property. If the law of 1993 did not recognize this issue, the reform adopted in 1998 introduced, for the first time, the

notion of private property, establishing that private and public land had the same construction/urbanization value. At that time, apart from the question of property right (that nowadays is still unsolved), the discussion sparked about strategies and strategic approach thanks to external influences channeled by the cooperation agencies' activities in the field of spatial planning. The discussion, however, was led by some academics and practitioners that were directly in contact with those international agencies. So, the debate happened within the community of the planning elite with no chance to involve the other communities. Some influences arrived at the legislator, who, considering the importance of "thinking strategically", introduced the instrument of strategic plan incorporating the notion of the strategic approach. However, the interpretation given by the legislator reduced the spatial planning approach, to the management of urban land interlinked with physical buildings, economic development and institutional framework, excluding any social and environmental issues. Evidently, differently to what was declared, the planning system remained grounded to the urban planning approach, i.e. masterplans and regulations. Despite to the rigidity of the law about the national discourse, in the academia and mostly in the practitioners' arenas new concepts started to materialize, such as informality, territorial imbalance, social inequalities, urban growth, environmental protection, cultural heritage preservation etc. These new planning logics have been guided by the continuous interaction between the domestic experts and the external planning community, with the financial support of international development agencies. In fact, those agencies organized workshops, seminars, conferences, academic exchange mobility and bilateral and multilateral agreements aiming to enhance the domestic experts' abilities in the field of spatial planning. However, despite several efforts in reframing the law adopted in 1998, none of the aforementioned concepts and logics have been reflected onto the law, preserving for a long time the urban planning approach. The turning point was represented by the policy document adopted in 2007, which established the logics, principles, and ideas that would have defined the boundaries of the 2009 reform. Interestingly, this policy document represented a first attempt to introduce new notions that potentially represent a paradigmatic change where the label of spatial planning appeared for the first time. Notions as social and economic cohesion, sustainable development, territorial competitiveness directly derived from the ESDP, while sustainable land management, coordination mechanisms, public participation had been transferred by the UN's Agenda 21. Moreover, concepts like the transparency of public acts, the multilevel governance, the subsidiarity and many others, contributed to shift from urban planning to a spatial planning approach. These notions were integrally incorporated in the planning reform of 2009 contributing to radically change the planning system (at least on paper). Alongside the new wave of planning discourse, private and public courses and curricula in spatial planning have been launched contributing to spread the new planning notion interfaced with the mainstream planning discourse based on the European (and non-European) planning tradition. In the public discourse, spatial planning became a debated topic as a multi scale dimension, an inter and

transdisciplinary activity where the figure of the planner is part of the process together with other experts (economist, lawyer, sociologist, agronomist etc.). Due to contextual reasons, the law of 2009 has been substituted with the reform that passed in 2014. The main consequent novelty in the discourse arena is doubtless the question of metabolic analyses deriving from Western experiences, mainly from the Netherlands.

#### *11.3.4.2. Changing in planning institutional and non-institutional discourse at the subnational - Qarku level*

The role of the subnational level in Albania has been vague. Since the end of the regime, no particular attention has been given to the meso level due to both the administrative arrangement and the spatial planning system. Due to this lack of interest, for a long time, the planning discourse of the district or *qarku* level has been inexistent until 2000. With the territorial reform of 2000, some questions have been addressed about regional disparities, touristic development, regional development etc. This new attention of the public debate on the subnational level has been driven by the EU agreement on the self-government chapter and many other EU territorial documents. Currently, the debate is about the administrative and spatial planning issue about the opportunity to introduce three or four regions instead of the existing twelve. In the public debate, instead, the question of the Albanian regionalization is centered more in terms of administrative subdivision rather than spatial planning system. However, informal planning documents, mainly strategic, were drafted by mostly external actors, aiming to highlight the regional and local potentiality. In doing that, the discourse has been shaped around thematic areas like tourism, sustainable development, rural and agriculture potentiality and territorial cohesion. A special mention should be given to the strategic vision called Durana Region that includes Tirana and Durrës, and represents, doubtless, the main economic development areas in Albania. So, despite some exceptions, the planning discourse at the subnational level has been scarcely developed, however, due to the EU influence, for the future it is reasonable to imagine a more intense attention on this topic.

#### *11.3.4.3. Changing in institutional and non-institutional planning discourse at the local level*

Discursively speaking, in the analyzed contexts, the local level is generally less penetrable by the introduction of new ideas and logics due to a top - down planning approach. During the period of transition, in fact, the local planning discourse had been framed, on the one side, by the introduction of conceptual novelty by laws and regulations, and, on the other side, by the academics and practitioners' daily activities. From the beginning of the country's transformation process until the 2000s, the planning discourse was substantially based on the communist ideology. This has been possible due to the lack of practitioners' ability and attitude to innovate the daily activity in planning. So, for a long time, spatial planning has been led by the same group of planning experts that were involved during the regime.

Substantially, in planning as in other sectors, the post-communist regime has been based on the communist elites. While, the main important innovations in terms of planning discourse derived from the cooperation activity in the field of spatial planning. Some interesting examples of spreading knowledge on how to deal with illegal construction and urban growth saw involved international actors, local institutions and NGOs. Similarly, despite remaining an underestimated phenomenon, one of the innovation practices of the main discourse has been the organisation of an international competition in the field of urban development that addressed concepts and ideas about architecture and urban plans. For many years, the discourse has been built on those concepts until the reform on territorial development, announced in 2006 and introduced in 2009. New concepts and principles like sustainable territorial development, environmental protection, integrated planning, building permit and development permit, public hearing etc. started to be part of the national and local debate. Many of those concepts had been already used, consciously and unconsciously, both at the national and local level. While in the practitioners' arenas, the public debate still concentrated on illegal growth and uncontrolled urbanization. So, what happened concretely was a substantial distance between the terminology used and spread by the reform and what was commonly shared by the community of experts and practitioners. One of the positive outcomes of the aforementioned reforms, however, is the fact that the debate shifted slowly from urbanism to spatial planning (at least this has been valid for the institutional planning discourse). Since then, several public initiatives, like conferences and seminars, have been encouraged. New actors, like associations and NGOs that were largely internationalized, positioned themselves within this debate contributing to model the planning discourse and overcome what had been for a long time, and is partly still present, the main planning ideology: the urbanistic approach. These processes have been facilitated and accelerated, in certain cases, with the involvement of new planning experts, usually young practitioners, formed in national and international contexts. The new experts contributed to enhance the administrative ability to deal with new planning responsibilities and competences established by the law. So, while few years ago the common planning discourse was dominated by communist formed experts, currently this new planning perspective is contributing to radically change the local planning approach. However, some inner areas and local municipalities still are unprepared to deal with the emerging institutional and non-institutional planning discourse because the lack of qualified administrative practitioners and experts.

#### *11.3.4.4. Synoptic view*

In Albania, as has been evidenced, the planning discourse has been subject of change since 1990. The shifting from urbanistic to spatial planning approach has not been linear but rather swinging according to some internal and external influences. Discursively speaking, the turning point has been the reform of 2009 that radically changed the main planning ideas, principles, value etc. Currently, one

can affirm that the planning discourse in Albania is fully oriented towards the European planning discourse, facilitated by a new political attitude and a different shared planning perception both at the national and local level. This shift is supported by a positive academics and practitioners' participation in shaping the institutional and non-institutional planning discourse. However, progressions still need to be made in order to spread those ideas and principles in the whole territory and administration levels. Indeed, one of the main problems registered in the last decades is the distance between institutional and non-institutional discourse. Table 53 presents the evolution of the institutional and non-institutional planning discourse. Each period has been evaluated based on the presented qualitative scale: (i) absent – no changes at all or confirmation of the previous planning logics and principles; (ii) scarce – when the level of changes is not so significant, besides apparent modification substantially the existing planning paradigms have been confirmed; (iii) moderate – when changes are partial; (iv) high – when changes are consistent, hence new planning paradigms have been adopted.

**Table 53: Changes in planning discourse, principles and contents in Albania**

Reforms	Discourse					
	Institutional			Non-Institutional		
	Central	Sub	Local	Central	Sub	Local
1990-93	<b>Moderate</b> – became central the question of property rights	<b>Absent</b> – lack of attention on the subnational level	<b>Moderate</b> – social housing and privatisation of properties	<b>Scarce</b> – efforts to maintain the status quo	<b>Absent</b> – lack of attention on the subnational level	<b>Moderate</b> – dichotomy between Private property and public properties
7693/93	<b>Absent</b> – eastern-soviet style of architecture and urban design	<b>Absent</b> – the law confirms the existing planning system	<b>Absent</b> – regulatory plan was conceptualized as a tool to redistribute power	<b>Absent</b> – continuity to existing logics. Same planning practitioners	<b>Absent</b> – continuity to existing logics	<b>Absent</b> – Plans were considered as a project rather than a process
93-98	<b>Scarce</b> – property right	<b>Absent</b> – no changes	<b>Absent</b> – no changes	<b>Scarce</b> – strategic approach	<b>Absent</b> – continuity to existing logics	<b>Scarce</b> – local planning
8405/98	<b>Scarce</b> – introduction of private property notion	<b>Absent</b> – no changes	<b>Scarce</b> – strategic approach	<b>Scarce</b> – land and property privatisation	<b>Scarce</b> – regional disparities	<b>Moderate</b> – urban illegal growth
1998-09	<b>Moderate</b> – spatial planning approach	<b>Moderate</b> – sectoral planning	<b>Moderate</b> – spatial and development approach	<b>Moderate</b> – informality, social inequalities, environmental protection.	<b>Scarce</b> – regionalization and regional development	<b>Moderate</b> – urban illegal growth, urban development
10119/09	<b>High</b> – spatial planning system based on spatial planning approach	<b>Moderate</b> – sectoral planning	<b>Moderate</b> – planning as coordinate activity, separation from property right and development	<b>High</b> – planning as trans-discipline and multi-dimension process	<b>Moderate</b> – regionalization and regional development	<b>Scarce</b> – urban development, zoning, urban projects
2009-14	<b>Scarce</b> – integrated and participative planning system	<b>Scarce</b> – administrative approach rather than spatial planning	<b>Moderate</b> -efficacy and efficiency of planning activity	<b>Moderate</b> – planning as trans-discipline and multi-dimension process	<b>Scarce</b> – strategic regional plans (tourism, rural development and etc.)	<b>Scarce</b> – urban development, zoning, urban projects
107/14	<b>Moderate</b> – territorial and planning development approach.	<b>Moderate</b> – sectoral planning and balanced regional development	<b>Moderate</b> – planning as coordinate activity	<b>Moderate</b> - Metabolism analyses, polycentric system and etc.	<b>Moderate</b> – sectoral planning	<b>Moderate</b> – planning as coordinate activity
2014...	<b>Scarce</b> – Cross Border Cooperation	<b>Scarce</b> – cross-regional planning	<b>Absent</b> – no changes	<b>Scarce</b> - Metabolism analyses, polycentric system and etc.	<b>Scarce</b> – regional, intend as functional area, planning approach	<b>Absent</b> – no changes

Source: Author's own elaboration

## **11.4. Exploring the role of actors in the evolution of spatial planning system of Albania**

As emerged, spatial planning system in Albania has been a subject of change since the end of the communist regime. This process of transformation has been characterized by many historical moments when significant and substantial changes have been introduced. This subsection aims to shed light on the main reasons beyond the evolution process investigating the role of the actors, both exogenous and endogenous. The subsection is divided in three parts: the first one analyses the role of local actors and their ability to modify the planning system; the second, is focused on the impact of international actors and their role on shaping the spatial planning system in Albania; the third, takes into consideration the influence of the EU in this dynamic evolution process.

### **11.4.1. The role of domestic actors and path dependency**

Aiming to shed some light on the role of local actors, this section is focused on scrutinizing both institutional and non-institutional actors. In order to understand the role of institutional actors, the research takes into account the most important actors both at the central and local level. In doing so, the Ministry of Urban Development, other competent ministries and the NTPA at the central level, will assume particular attention, while at the local level the research focuses on local administration authorities. Similarly, the research sheds some light on the category of non-institutional actors that includes the NGOs involved on spatial planning activities, the universities, various associations (of builders, architects, civil society) and finally the private practitioners. Each of these actors played and still are playing a significant role on testing and shaping the spatial planning system in each of its different components, i.e. structural, technical, practice and discursive.

#### *11.4.1.1. Institutional actors*

As said, the institutional actor category plays a central role in shaping the spatial planning system based on the competences and responsibilities established by law or in spite of it. In Albania, the most important actor has been the ministry in charge of the spatial planning issue. Since 1990, the planning sector has been under different ministries: spatial planning has been in charge of the Ministry of Construction, Housing and Territorial Adjustment (1993), the Ministry of Public Works, Transportation and Telecommunication, a few years later to the Ministry of Urban Development and Tourism, and, until 2017, is the Ministry of Urban Development that has exclusive competence on spatial planning. Despite the guiding role of the Ministry of Urban Development, in Albania the law designates specific responsibilities to other ministries like the Ministry of Agriculture and Rural Development and Water Resources, the Ministry of European Integration, the Ministry of Transport and Infrastructure, the Ministry of Environment and the

Ministry of State for Local Government. Each of these ministries is obliged to collaborate to the redaction of national and local plans and to draft its own sectoral plans and strategies. Observing their role within the planning system, it seems that, until the planning reform of 2009, these ministries were partially excluded from any important decision and responsibility. Indeed, after the 2009 reform and, above all, following the reform of 2014, these ministries started to be much more involved in the process of planning system. As a matter of fact, each ministry has been involved during the redaction of the General National Plan, the first adopted. The plan has foreseen a specific section where each ministry should be involved in the definition of the national priorities in respect of their sectoral competences. Currently, their importance within the logic of spatial planning is constantly growing thanks to two main factors: firstly, due to the nature of the system, and secondly due to the process of integration in the EU. Each ministry, indeed, is deeply involved in the adoption of the EU legislation and requirements that indirectly is impacting the planning system thanks to the contribution of these ministries. Looking prospectively at their role, doubtless, these ministries will be protagonist in the field of spatial planning contributing to enhance the central and local capacity to control the territorial development. According to the analytical category adopted, it appears that the sectoral ministries are contributing to shape the planning system in terms of planning instrument and practice of whatever scale, while their role is less relevant in respect of the structure and discourse.

The NTPA – National Territorial Planning Agency is surely one of the key planning authority in Albania. The agency has been introduced with the reform of 2009, but it has been active only from 2010. Its competences are established by law, specific regulation and bylaws. Initially, the activity of the agency has been influenced by the necessity to adapt to the planning system. Currently the agency is playing an important role in mediating between decision makers (at the central and local level), harmonizing central strategies and local priorities, contributing to prepare national plans (has contributed to draft the General National Plan) and helping the local authorities to adopt their plans. In doing so, the Agency should coordinate each national and local planning activity. While the Ministry represent the political point of view, the Agency is the technical body responsible for the implementation of the planning process. As emerged, thanks to its central role, the Agency is deeply involved in shaping the Albanian spatial planning system in all its components. Looking at its structure, despite the fact that the Ministry is responsible to propose laws and amendments, the Agency is kindly recommended to actively contribute, through reconditions and reports, within the framework already foreseen by the law. Moreover, the Agency is surely very influential in the technical dimension. Indeed, aiming to implement the planning system, the Agency is in charge to coordinate the preparation of plans of every scale, impacting deeply on the procedure and the content. In addition, its impact on the planning discourse is a natural consequence of its engagement on the process of the preparation of the plans. Looking at the practice dimension, despite what is expected by the laws, the Agency was initially less relevant due to a general confusion and several misunderstandings present in the 2009 reform. On the contrary, after the reform of

2014, its impact in the planning practice is growing day by day showing an important attitude to align the Albanian system to the Western tradition.

During the communist regime, in Albania, the local authorities have been excluded from any responsibility in the field of spatial planning. During that period, the local authority has been considered as an executive level where any political and strategic decision regarded the central level. Despite some novelties introduced with the reform of 1998, the turning point has been the adoption of the law on “Organisation and Functioning of Local Government” (2000) where the responsibility of territorial development has been attributed to the local level. However, despite the law’s provisions no substantial changes have been adopted, and the law on urbanism remains untouched. Only a few years later, the reform of 2009 transposed what had been established by the law on local government to the planning sector. Since then, local authorities are fully involved on the process of territorial development through the redaction and implementation of respective local plans. However, recently, a new (re)centralized tendency is emerging, despite the fact that the reform in spatial planning and territorial development of 2014 clearly establishes to believe in a decentralized approach. What is criticized by local authorities is the continuous interference that derives from the central level during the entire process of plans drafting despite the fact that responsibility of spatial planning is in charge of local authority that are account to draft, partially adopt (the second adoption phases is in charge of central authority) and implement it.

#### *11.4.1.2. Non-institutional actors*

Generally speaking, the configuration of the geography of non-institutional actors is widely variegated. However, according to the research’s aims, the objective is to investigate some of the key actors directly or indirectly involved in the planning process during the last period. Above all some actors’ categories has been explored like NGOs, universities, associations and practitioners. At this regard, in Albania the participation of non-institutional actors in the field of spatial planning has been relatively scarce. Only recently has been registered a new tendency to get involved in the planning discourse and arena. However, generally, their participation has been very sporadic, not coordinated and in certain cases not well informed about the content of the topic. For instance, during the preparation of the policy document regarding the spatial planning reform of 2009, their participation has been limited, on the one side, because of the nature of the participation process, and, on the other side, because the lack of contribution depended on their inadequacy regarding the document contents. On the contrary, only a few years later, the participation of these actors has been very profitable during the process of redaction of the reform of 2014, from the organisation of the stakeholders’ round table until the final discussion at the parliament Seeing that the relevance of the non-institutional actors is changing, it is important to analyse each contribution separately.

Analysing the importance of NGOs in Albania, there are only a few domestic NGOs engaged in the field of spatial planning. Due to some historical legacy, after the downfall of the communist regime, the planning community and the planning activities has been generally negatively perceived. To reduce this gap, at that time but also nowadays, each international actor has been supporting the development of NGOs sector in numerous fields. However, despite some very positive experiences (Co-Plan) the contribution in the spatial planning field by NGOs has been relatively scarce. Indeed, as emerged from the research developed by UNDP (2011), the role of NGOs in planning is mainly focused at the local level especially for those that are established in small cities with less possibility to have an impact. Currently, NGOs are oriented to participate in developing policies and supporting local development activities in the field of spatial planning. As confirmed by the UNDP's study, a new tendency is emerging, new NGOs are progressively interested in participating at developing plans and projects at the regional level. These NGOs are engaged at assisting both national and local authorities to manage and spent national's, EU's and donors' funds on the implementation of plans, projects and etc. Surely, despite their small number, some NGOs have been more active than others in shaping the spatial planning environment, and therefore being a hinge among the external community, the institutional actors and the civil society. However, their impact is relatively scarce despite some NGOs that have been very central on the planning environment.

Together with the NGOs, the international community focused on the universities performance in spatial planning. Even though, since 1990, spatial planning had been competence of architects or engineers, no planning courses were programmed. A few years later, mostly private institutions have founded courses in spatial planning and bachelor and masters' curricula, while public universities are still focused on the urban planning logics. So, the private institutions' different approaches toward spatial planning reflected their tendency to collaborate with external actors showing an attitude for being involved in several contexts like plans drafting and implementation of projects. Nevertheless, the role of universities in the field of spatial planning should not be limited to the curricula offered or to the collaboration with other external or internal institutions, but should also evaluate the propensity to frame the local planning discourse through the organisation of events, seminars, conferences and public hearings. Lately, new events<sup>93</sup> have been organized by private and public universities, mostly in Tirana. One must conclude, that the contribution of universities in shaping the spatial planning system has been unstable since 1990. While, during the first period of transition, the most important public universities organized only some courses in architecture, thanks to private institutions, in the last period a new wave of planning has been addressed. Hence, their impact is becoming more and more intense and the local planning discourse is

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<sup>93</sup> See the TAW – Tirana Architecture Week organized by Polis University and International Conference on European Studies – Perspective of Integration in the European Union: The Balkans organized by EPOKA University and others.

developing. According to the adopted analytical categories, the most impacted dimension is surely the planning discourse, with some effects in planning practices and consequently in the planning structure.

In this process of spatial planning evolution, the associations' milieu has been involved as well, which includes the associations of architects, the union of architects and the association of builders. Their presence has been relevant during the redaction of the reform approved in 2014, when they had been involved in several formal and informal meetings. In those meetings, each actors' action followed their associations' objectives and priorities contributing in certain cases to argue against particularism, despite the general interest of the reform. However, in spite of the positive general opinion expressed by the actors present during the reform's drafting process (hence at the central level) what has been reputed negative was their lack of involvement during the preparation of the main local plans. The participation process, at the local level, has been implemented mainly through public hearing events, excluding those actors to be effectively involved. So, while, in theory, those actors were positively involved in the conceptualization of the reform, they have been, in practice, excluded from its implementation.

When it comes to the role of the local experts, what emerges is substantially a lack of local expertise in spatial planning. Indeed, since 1990, the planning activity has been supported and implemented by whom has graduated in architecture and civil engineering. A new tendency started recently when planning courses have been launched and a new spirit in spatial planning has emerged. However, what has been surely constant, is the absence of credibility of local experts, deeply related to the lack of credibility of spatial planning activity in general. As a consequence, the role of local experts has been subordinated to the external practitioners in several fields, including the implementation of planning instruments, and to the domestic political and opportunistic volunteer. Currently, in spite of their positive and negative potential impacts, the influence of local practitioners is mostly visible in the practice dimension. As explained, the 2009 reform has been a turning point for the Albanian system. At that time, the community of local experts, above all, has been contrary to the complete implementation of the reform defending their status quo (path-dependency logic). When several novelties had been introduced the local experts were not prepared to face some new concepts and processes compromising the implementation of the reform that has been consequently modified in 2014. Looking at the dimension of other analytical categories they have been scarcely affected despite some cross-dimension indirect effects.

#### *11.4.1.3. Synoptic view*

Certainly, the local planning actors are responsible for what happened in Albania in the last three decades. Observing the institutional side, they have many responsibilities in terms of: (i) lack of horizontal and vertical coordination, that was one of the main problematic aspects that characterized the domestic planning system; (ii) incapacity to set up and implement an efficient planning system; (iii)

lack of plans' implementation both at the national and local level etc. Only recently, from 2014, something seems to have improved. Authorities at the central level are trying to organise and harmonise the planning process thanks to the 'hinge' role of the NTPA. When it comes to the non-institutional actors, their impacts on the evolution of spatial planning in Albania has been, in general, less relevant than the impact of any other actor categories. Indeed, despite some NGOs, and the positive involvement of private academic institutions and practitioners (mostly concentrated in the capital city) that maintained an important role in addressing the planning system somehow, no meaningful contribution has emerged from other actors. What has emerging in the last years, however, is the fact that their importance is growing due to a general attitude to be informed about what is happening in this field. This new wave is surely an important factor that may positively change the perception of the planning activity in Albania, addressing it towards a more participated and integrated process. To have a complete overview on the importance of the domestic planning actors the following Table 54 illustrates the characteristics of the aforementioned actors, while Table 55 shows their impacts on the evolution of planning system. More in detail, the first table investigate the nature of actors paying attention on their: (i) objective, hence understanding the principal priorities in planning, given by law or own established; (ii) perception and preferences, looking to evaluate their evolution on planning attitude moving from sectoral to integrate approach or vice versa; (iii) capabilities and resources, hence understanding their technical and economic instruments and, finally, (iv) impacted field, looking on their effective impacts in different spatial planning or connected ambitus. The object of this research phase is to understand how and why defined actors changed their attitude in planning. Once defined the nature of the main planning actors, the second table explores their impacts on the evolution of spatial planning system. The idea is to evaluate their impacts on the different planning components (structure, technique, practice and discourse) taking into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant. Here the objective is to understand the importance of each planning actors within the domestic spatial planning system giving the opportunity to compare their different impacts.

**Table 54:** Main local spatial planning actors in Albania

Type	Actors	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted fields
<b>Institutional Actors</b>	Ministry of Urban Planning	To guarantee continuity between political orientation and technical organisation	From central scale to trans-scalar scale	Integrated Approach	Local and external experts	Mixed - State resources and external aid	Spatial planning system and territorial governance
	Other ministries	To enhance the capacity of central and local authorities. To develop sectoral plans	From Sectoral to integrated planning	Integrated Approach	Local experts	Mixed - State resources and external aid	EU Integration, Transport, Agriculture and Rural Development, Environment and Energy, Self-Government and Local Development
	NTPA	To harmonize the planning system, to coordinate the planning process	From central scale to trans-scalar scale	Integrated Approach	Mainly local experts	State funds	Spatial Planning system, Territorial Development
	Local authorities	To draft and implement local plans		Urban planning approach	Private and public experts	Municipality and state funds	Local development, local plans
<b>Non institutional Actors</b>	NGOs	Local Development, community development	From local to spatial planning system development	Integrate approach	Local experts	Financed	Spatial Planning, territorial development, local development
	Universities	To introduce new planning curricula, to create the future planning experts, to shape the planning discourse	From urban planning to spatial planning culture	Trans disciplinary approach	Local and foreign academics	Private and public funds	Planning Education Territorial Knowledge, Political arena
	Associations (of builders, architects, civil society)	To simplify the planning process, to enhance the protection of common interests etc.	Form individual to cooperate actors	Cooperative and collaborative approach	Local expertise	Manly own funds	Planning implementation, Territorial Knowledge, Planning Education
	Practitioners	To clarify planning requirements, to simplify the planning procedure etc.	From architecture to planning	Individual interests, status quo	Architecture or engineering background	Local networking	Urban planning, Local development.

Source: Author's own elaboration

**Table 55:** The impact of local planning actors in the spatial planning system of Albania

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
Institutional Actors	Ministry of Urban Planning	C-S-L	2-0-1	↑-↑-↑	C-S-L	2-0-1	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑	C-S-L	3-1-1	↑-↑-↑
	other ministries	C-S-L	1-1-1	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑	C-S-L	2-2-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑
	NTPA	C-S-L	2-2-1	↑-↑-↑	C-S-L	3-2-2	↑-↑-↑	C-S-L	3-2-3	↑-↑-↑	C-S-L	2-2-2	↑-↑-↑
	Local Authority	C-S-L	1-1-2	↓-↓-↓	C-S-L	0-0-1	↓-↓-↓	C-S-L	0-0-2	↓-↓-↓	C-S-L	0-0-1	↑-↑-↔
Non institutional Actors	NGOs	C-S-L	1-1-2	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-2	↑-↑-↑	C-S-L	1-1-2	↑-↑-↑
	Universities	C-S-L	2-0-1	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑	C-S-L	2-0-2	↑-↑-↑	C-S-L	3-0-2	↑-↑-↑
	Associations (of builders, Architects, civil society)	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑
	Private Practitioners	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-3	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑

Source: Author's own elaboration

## **11.4.2. The impact of the international actors**

This subsection aims to shed light on the main relevant international actors involved in the evolution of the Albanian spatial planning system. In this perspective, several international actors have been taken into consideration. For each actor, its nature has been identified taking into account: respective agreements or projects implemented, objectives, perceptions, preferences, capabilities, resources, and impacted sectors. The international actors have been clustered in four different groups: (i) International Organisation – UNDP and World Bank; (ii) Development cooperation agency like USAID, GIZ, SIDA, SDS, ADA; (iii) Regional Organisation like EU and (iv) the international academic communities. Since the downfall of the communist regime, the intervention of the external actors has been varied. At the beginning one the problem was how to coordinate the among of external support both in terms of funds and projects. In this respect, currently, has been active the Department of Strategy and Donor Coordination, which aims to promote the dialogue and the harmonization of the interventions between external donors and local authorities. The department is also involved, with the Ministry of Economy and the Ministry of the Integration, in the negotiation process regarding the utilization of IPA funds. Generally speaking, the main multilateral cooperation actors are EU and WB, while Germany, USA, Switzerland etc. are the main bilateral cooperation actors. Even though states like UK, Netherlands and Denmark withdraw by investing on the country, new donors like Turkey, Japan, the Arabic States and China are investing much more than in the recent past. Since the beginning, the various fields have been interested by cooperation development activity such as: economic development, transport, water supply, energy, environment and social development. One of the main topic, however, remains the question of the urban, rural and regional development that has seen involved numerous international actors.

### *11.4.2.1. International organisation*

The UNDP has been activated in 1991 since the introduction of the Standard Basic Framework Agreement concluded with the Government of Albania. As is declared by the UNDP, at the beginning of the transition process, the agency collaborated in several fields like democratic governance and rule of law, regional development, participation in decision-making, environment and climate change. In doing so, the target of the cooperation activity has been both the central and the local level reaching results in the field of environmental sustainability and climate change. In this respect, UNDP helped to increase the ability of the Albanian Government to meet the EU environmental requirements giving technical support during the transposition and implementation of the EU obligations. UNDP seeks, indeed, to provide the development and implementation of key legal instruments linked to the climate change adaptation and preservation of protected area. Despite efforts in the field of environment, UNDP has been a driving actor in providing

assistance to the government of Albania to design a more appropriate regional development policy and to prepare for programming and to manage the regional development component of the EU Instrument of Pre-Accession Assistance (IPA). In this regard, in 2007 the Albanian Government adopted the first Crosscutting Strategy for Regional Development, supported by UNDP and the EU delegation. The strategy was to seek to establish a consolidated national regional development policy, as well as to prepare relevant government institutions to coordinate and manage IPA funds. Meanwhile, UNDP has been playing an important role in the field of administrative reforms through the introduction of STAR<sup>94</sup> – Support to Territorial and Administration Reform project, a multi donor funds project. This project has been designed to provide effective technical, operational and logistic support to the reform process concluded in 2014, with the adoption of the new law on territorial reorganisation that reduced the local units from 373 to 61. Currently, STARS 2 is being launched with the objectives to strengthen the institutional and administrative capacities of local administration, increase the efficiency of the local service, enhance local democracy fostering the citizen-oriented governance and participatory decision-making. Moreover, as is declared in its website, UNDP promoted a territorial approach for development, through the application of regional strategic planning and a partnership with international decentralized cooperation stakeholders in order to share support and know-how, and to build partnerships. When it comes to looking at the planning practice, USDP has been very active in framing its Millennium Development Goals plans for several regions, including Elbasan, Korçë and Kukës. In doing so, UNDP has adopted a strategic planning approach that incorporates participation giving the opportunity to citizens, enterprises and NGO's to participate as stakeholders during the preparation of the plans process, together with the pertinent central and municipal agencies. These experiences were based on some new local practice emerged in other contexts in Fier and Elbasan<sup>95</sup>.

Together with UNDP, the World Bank is one of the main international organisation that supports the Albanian context. In spite of several initiatives, here has been mentioned the LAMP. Indeed, aiming at improving the local capacity and thanks to several economic and structural initiatives in the period 2008-2011, the World Bank financed an important cross-sectoral project called LAMP – Land Administration and Management Project. LAMP aimed to improve the efficiency and effectiveness of land administration and management through enhanced tenure security and improved urban planning; and (i) rebuild physical assets and restore essential services in the flooded areas of Albania. The project was structured in four components: (ii) security of tenure and registration of immovable property rights; (ii) urban land management; (iii) municipal infrastructure and (iv) emergency response. The implementation of the project helped eight local authorities to

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<sup>94</sup> The donors are SIDA, Italian Government, SDC, USAID and UNDP.

<sup>95</sup> See the City Development Strategies conducted by CoPLAN in Elbasan and Fier

prepare their local plans. However, even those plans<sup>96</sup> have been partially drafted and implemented following the concepts of the 1998 law in urban planning. Those plans were not particularly flexible to incorporate some new elements derived from the debate about the introduction of a new law on territorial planning, based on a spatial rather than an urban planning approach. As a consequence, none of the aforementioned plans has been implemented at all. However, as any practice, they produced some involuntary effects. What seems to be very interesting, in fact, has emerged observing the recent plans adopted by the municipality of Durres (following the new current planning law, 2014), that are partially based on the plans drafted by the LAMP projects. This example denotes that even when plans are not implemented at all, the impact of the LAMP project produces a direct impact of on the planning instruments of the city.

#### *11.4.2.2. Development Cooperation Agencies*

The USAID program in Albania, which began in late 1991, has evolved in response to the changes in the country context and to the results of its own strategies. Initially, after the collapse of the communist regime, the intention of the agency was to help Albania to overcome the economic and social crises. In this regard, the first programs focused on humanitarian assistance and emergency response, but soon enough, the program 1993-1996 became predominantly centered on economic restructuring, particularly of agriculture and the financial sector and other aspects of the private initiatives. In the following years, the agency financed several initiatives in different fields like agricultural and rural development, finance, privatisation, training and capacity building, democracy building and governance, social sustainability and many others. Slowly, the perception and strategy of the agency moved from a humanitarian to a market-oriented perspective. According to USAID (1998), the strategy for the next period (1998-2002) followed new goals such as political normalization and stabilisation, reform of state institution (constitutional and legislative reform, judicial system reform, and reform of public administration), macroeconomic stabilisation, and privatisation of strategic sectors (in oil, power, telecommunications, transport infrastructure, mines, water resources and tourism). Years later, the agency started to be much more involved in the field of local development and particularly in the field of urban planning. Actually, the role of the agency has been very crucial during the preparation of the planning reform of 2009. The agency, together with international practitioners, drafted the policy document based on which the law on territorial planning has been drafted, and later adopted with the support of the WB in 2009. The way in which the document and the law itself were drafted has been considered very controversial and was therefore rejected by the local context because the lack of transparency in the participation process. By launching in 2012 the Local

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<sup>96</sup> Cities interested by this program has been: Durres, Shkodra, Vlore, Kamez, Berat, Korca, Lushnje and Gjirokaster.

Governance Project, the project seeks to help the Government of Albania in the establishment of a system of local governance that meets international standards and practices, positioning the country for EU membership, and helping to assure a sustainable future for the individual municipalities and for the nation as a whole. This five and a half-year's initiatives provides technical assistance to the Government of Albania (hereafter GOA) and local governments to help them towards a successful implementation of the decentralisation process. To achieve its goal, PLGP pursues a comprehensive and coordinated strategy with four key components: (i) support the Albanian Government's work to implement effective government decentralisation with policies and legislation; (ii) improve the efficiency, transparency, and accountability of the local government's operations; (iii) improve local government management and oversight of selected public utilities to provide services in accordance with European Union standards; (iv) strengthen the capabilities of the GOA and local governments to plan and manage urban and regional growth (USAID, 2016). Currently, USAID's Albania is supporting and financing the adoption of several local planning documents for the cities of Berat, Elbasan Kuçovë and Lushnje. Meanwhile, all the local plans have been adopted and they are being implemented by the local authorities. When it comes to considering the impact of national agencies, USAID is definitely one of the most important players. As emerged, since 1991, the agency's initiatives have covered several sectors with some direct or indirect impact on the spatial planning system. Certainly, its support during the redaction of the planning reform of 2009 remains the major evidence, despite the fact that the law hasn't been implemented.

Moving from an agency to another, the GIZ - German Cooperation Agency, instead, has been actively involved through the implementation of specific projects, including some "hard projects" like infrastructure development (roads, water pipeline), while being less engaged in the preparation and redaction of policy documents (like strategic plans and others). In addition, the agency has been involved in the field of agriculture and rural development, and has been perceived as the main external actor in this field by the domestic community. As a matter of fact, GIZ started the project CABRA - Conservation of Agrobiodiversity in Rural Albania (2012-2017) in coordination with the Ministry of Environment. CABRA project is promoting sustainable tourism in the mountains agriculture and other businesses that could create both economic and environmental benefits, acting simultaneously at national, regional and local level. In addition, GIZ's project "Integrated sustainable development of the southern coastal region" is supporting rural development in the area covered by the municipalities of Vlora, Himara and Saranda, with a special focus on rural tourism. Besides the aforementioned projects, others should be mentioned such as: (i) CCAWB - Climate Change Adaptation in Western Balkans that includes Albania, Kosovo, Macedonia, Montenegro, Serbia, hence a regional initiative; (ii) CSBL - Conservation and Sustainable Use of Biodiversity at Lakes Prespa, Ohrid and Shkodra/Skadar involving Albania, Macedonia, Montenegro and many others. As emerged, the GIZ's support has been very interesting in several fields and with different potential impacts from the local to the national to the regional level (intended as WBR). In addition to what has been

reported, GIZ contributed to the drafting of the National General Plan, Albania 2030. However, when it comes to assess the impact on spatial planning system, it seems to be only modest.

When it comes to analysing the impact of SIDA – Swedish International Development Cooperation, the agency has been active in several fields, since the fall of the regime, showing a long tradition in cooperating initiatives in Albania. According to research topic, only recently, the agency support is giving more attention to the questions of democratic governance and human rights and natural resources and environment protection and conservation. Aiming to help Albania to join the EU, the agency has been also influential in supporting the reform of the Albanian Taxation Office, the Bureau of Statistics and the Albanian employment service. However, the attention of the agency has been focused on the decentralisation of ownership and/or land use rights. In this regard, the Swedish support to the reform processes in land use, forestry, water & irrigation has been channelled through the World Bank. After a delay, the process on land use has finally become more intense and records of land ownership are being updated and modernized. Sweden agency also supported the institutional cooperation (twinning) between the Albanian land surveying authority IPRO and the Swedish National Land Surveyor, to further strengthen the work of property registration. Moreover, the agency is focused on improving the cooperation between the civil society and the state on environmental and climate issues. Therefore, a project called SENiOR-A (2012-2015) was launched by the agency and the REC – Regional Environmental Center. The overall strategic goal of this programme was to strengthen and specialise the Albanian civil society on environment in order to articulate community needs, provide services and support, develop partnerships and networks; address national environmental priorities; to progress towards a more sustainable development.

The SDC – Swiss Development Agency is present in Albania, since 2006, with an operative program called Dldp – Decentralisation and Local Development Program. The first experience involved the *qarku* of Shkoder for an inter-cooperation which has been followed by several multi-annual projects (Dldp 1, Dldp 2 and. currently, the Dldp 3). The cooperation activity of Dldp is mainly focused of the north part of Albania, hence its influence on spatial planning is geographically defined. Differently from other international actors, since the beginning, with Dldp (1 and 2), SDC focused more on preparing strategic documents despite the fact that, before the 2009 reform, the law did not foresee those type of plans. In that period, Dldp has been involved as leading actor in drafting the firsts functional areas' documents that has involved eleven local units. Considering the fact that the Albanian system did not foresee any regional planning instruments, those documents have been used exactly in the development of instruments for the local plans. As a matter of fact, despite the main objective of Dldp remains the drafting of strategic plans, currently Dldp is directly financing the preparation of five local plans of the cities of Mat, Klos, Tropojë, Malësisë e Madhe and Vaun e Dejës. In doing that, many of the aforementioned strategies, studies and

documents remain the bases for drafting new planning documents. In addition to these kinds of engagement, Dldp is organizing several training and coaching initiatives in those fields, recognizing the lack of administrative organisation and capacity. What is very interesting about Dldp, despite the aforementioned activities, is the fact that Dldp is actively involved in drafting some policy recommendation for the central level regarding numerous fields like the effective decentralisation implementation, spatial planning and territorial development. In light of this, the impact on the spatial planning system of the agency seems to be substantial looking at its influence at the local and subnational level. Indeed, through the support of the local authorities in drafting strategic and urban plans, the agency is addressing those local administrations towards a more strategic approach. Based on the analytical framework adopted, its impact is very relevant about what concerns the introduction of new instruments and the implementation through daily practices at the local/subnational level. However, its influence is geographically limited, hence the impact is moderate at the central level.

The ADA - Austrian Development Agency has been active in Albania since 1992. The agency is involved in several fields like: (i) water sector, being the main actor in the construction of several water pipeline in the whole territory; (ii) education, concentrating mostly on the development of knowledge in the fields of agriculture and tourism; (iii) town development, promoting development initiatives in the informal areas of the most important cities (see the Project in Kënetë, Durrës). In doing so, the Agency has preferred to partially sub-contract to the Austrian experts rather than financing local NGOs, that have been considered less credible in terms of technical capacity, excluding a few well prepared NGOs (ADA, 2005). As in case of CDS, ADA has been concentrating its major efforts in the north regions of Albania. With the new strategy approved in 2015, called Albania Country Strategy 2015-2020, the ADA has established the new main cooperation fields guided and based on the 2020 EU Strategy. Here, the main ambitions are: (i) to support of Albania's EU integration; (ii) to promote regional cooperation; (iii) to support the territorial reforms; (iv) to promote good governance. However, despite its efforts and financial support, the impact on the evolution of spatial planning system has been once again very scarce. Indeed, only some small projects seem to have partially influenced the discursive inspiration for the development of NGOs or the field of community development, with scarce impact on planning. As emerged, the SIDA includes a series of fields that are directly or partially linked to the spatial planning system. Taking into consideration the adopted analytical categories, despite their scarce impact, it seems interesting to note that SIDA has been influencing the structure of spatial planning, improving the ability of the domestic context to deal with the rights of land -use and the decentralisation of property from the central to the local authority. On the other side, an indirect impact on spatial planning system may derive from helping social civil organisation to be active in environmental movements (but not only).

In addition to the aforementioned actors, others like the Council of Europe Development Bank has been engaged in some projects that seeks to strengthen the local capacity to respond to the housing emergency. While Netherlands financed

the project Promotion of partnerships for equal citizens – Strengthening Capacities for sustainable and equal spatial planning and development (2009-2010), the Italian Agency DGCS has been involved in several cooperation initiatives like the construction of basic infrastructure in the periphery of Tirana and Vlore.

#### *11.4.2.3. Regional Organisation*

In addition to the aforementioned actors, the EU is indirectly increasing its impact on the evolution of Albanian spatial planning environment. As in the case of Croatia, the role of the EU in shaping the spatial planning logic in Albania will be further analyzed in next the subsection, while here the issue will be briefly introduced.

The Europeanisation of the Albanian spatial planning system has been highlighted by several contributions (Berisha et al. 2017, Rabé et al. 2013, Allkja & Tavanxhiu, 2016). What seems to be constant in these studies is the fact that the process of Europeanisation is influencing the spatial planning activity in very different ways. In their contribution, Rabé et al. (2013) mainly focused on the impacts of the EU instruments and legislation, while Allkja & Tavanxhiu (2016) focused on the impact of EU documents and planning discourse. In both cases the authors are convinced that EU is slowly impacting the Albanian context. In their contribution Berisha et al. (2017) focus on the entire system (whatever scale), analyzing the multi-dimensional impacts of the EU, illustrating why the EU legislation's influence is much more relevant comparing to EU discourse, and why in the last years the EU's instruments are increasing their impacts. According to the authors, despite the fact that Albania is currently only a Candidate Country, the process of EU Directives transposition has already deeply affected the country's legislative framework. Indeed, looking at the impact of the EU legislation, the major influences descend from the environmental and transport legislation and from the pre-accession negotiation, while there are less impacts from the competition and energy sectors. Instead, observing the EU instruments, the rural development policy seems to have a moderate impact, while the pre-accession and neighborhood policy seems to have a significant impact. When it comes to the impact of the EU discourse, it is playing a decisive role in influencing the national spatial planning discourse (on paper). Finally, one can conclude that, thanks to the EU integration path, Albania is aligning its planning system following the main guidelines on logics of the EU's main strategy and requirements. However, the process of alignment is not linear for each level. While the central level is relatively impacted, the subnational level represented by the *qarku* and the local level are less impacted, due to the fact that the EU should be absorbed by the central level and transferred to the lower level. To conclude, looking at the system prospectively, it is possible to predict an increasing of the EU influence on the entire system including the practice dimension where currently it is still relatively absent.

#### *11.4.2.4. Foreign knowledge Arena*

In Albania, above all in the field of spatial planning, the role of the international practitioners has been very important since the Italian occupation. In fact, the most important urban plans have been drafted by Italian urbanists during the fascist period. After the downfall of the communist regime, numerous external planning experts have been engaged in the implementation of some international investments addressed by cooperative agency (ADA, DGCS) and other international actors like the World Bank (see the LAMP project where the working team is composed above all by external experts). These experts have been involved in different ways: as coordinators of projects, as technical experts, as collaborators through consultees etc. Therefore, the most important projects (public square, urban plans, public parks) have been designed and, in certain cases, implemented by international actors. The nature of engagement changed through time in response of the local capacity and the demand. Their contribution is currently very heterogenic: on the one side, they are actively involved in drafting numerous local plans and, on the other side, they are helping the central level to frame the spatial planning system and contributing to enhance the local public capacity in the field of spatial planning. Similarly, to private practitioners, many European Universities, mainly from the Netherlands, Italy, Denmark and Germany, and American launched some initiatives in Albania. Their role has been related to specific projects like protection of important urban areas with cultural value (see the contribution of the Italian University of Parma for the Roman Theater in Durres) or improving central and local technical capacity through workshop, seminars, etc. (University of Rotterdam). These universities invest in teaching and supporting local NGOs to develop and implement local projects in different fields like environment, spatial social inclusion, public participation etc. To conclude, the local's fascination for international experiences and expertise is involving also the spatial planning practice, after having involved urban design and architecture in general. Despite the fact that these contributions have been locally oriented and are not relevant for the spatial system that refers to the structure dimension, their influence has been fundamental looking at the practice and the discursive components.

#### *11.4.2.5. Synoptic view*

As emerged, the donor's involvement in the country development, in general, and territorial development, in particular, has been very variegated since 1990. Their objectives, perceptions, preferences, capabilities and resources have changed overtime, as for their projects and impacted sectors. As mentioned in different public documents (ADA, 2005), the turning point in the field of cooperation activity in general, has been when the FEIRA European Council stated that all Western Balkan countries of the Stabilisation and Association Process (SAP) were "potential candidates" for EU membership, including Albania. This agreement increased the state credibility and hence the foreign interest to cooperate and invest. On the Albanian side, the country started to operate much more strategically than before and it seemed to be more present in the field of international cooperation. During the previous period (1990-2000), international actors were operating in the country

without particular restrictions despite their agreements with the national authority. At the beginning, the external support was concentrated on the local level, with the development of specific projects in collaboration with the local administration authorities, while the central level only supervised the activities. This initial condition changed after the year 2000 and in particular with the new political elections of 2005. At that time, the Albanian government started to be more autonomous and shifted its objective from bilateral aid to the EU funds. This process of diversification of the finances, or economic alternative, allowed the central government to balance the economic conditionality usually used by the international actors. Since then, bilateral agreements have been involving the central government more than before when direct agreements with the local level, both with institutional or not institutional actors, were preferred. Currently, the support of the external actors is coordinated at the central level.

When it comes to assess the impact of the evolution of the Albanian spatial planning system, it is possible to conclude, in general, that their influences have been very crucial in shaping the domestic system. However, the role of the actors has been very different, while some actors pushed the system in a direction, others preferred to concentrate on some small and well defined projects. Hence, while some actors operated in a structural way, others focused on some parts of the system. On the other side, despite the external efforts to address the system, the inertia of local actors and their objectives are moving toward other directions (see above the question of decentralisation promoted among others by USAID and SDC). As in case of the local planning actors, the following Table 56 sums up the main actors' characteristics and Table 57 evaluates their impact on the Croatian planning system. The first table aims, in fact, at illustrating the most important international spatial planning actors and their respective agreements or projects, objectives, perceptions, preferences, capabilities, resources, and impacted sectors. While the second table summarizes their impact on spatial planning system's components, i.e. structure, technique/instruments, practices and discourse. For each component it has been illustrated the level of impact, hence its intensity (from less 0 to higher 3 impact) and trends (increasing↑, decreasing↓, constant↔ and swinging↕) if the impact happened in the central level, subnational level and/or local level. The logic followed is similar to what has been used for the impact of local actors and the influence of EU, aiming to compare their impacts.

**Table 56:** Main international spatial planning actors in Albania

Type	Actors	Main agreements or projects	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted Fields
International organisation	UNDP	1991 – Standard Basic Framework Agreement 2007 – One United Nation Program 2008 – Integrate Support to Decentralisation 2013 – STAR 2016 – STAR 2	To help the country to join the EU. To translate UN and EU principles to daily practice of Albanian institutions.	From Humanitarian to Country Development	Cross-sectoral approach	External and local experts	Own funds and co-donors	Democratic Governance, Regional Development, Participation in decision-making, Environment and climate change
	World Bank	LAMP and other projects	To provide municipalities with spatial plans	Urban planning	Cross-sectoral approach	mainly external experts	Mainly own funds	Urban planning, land administration and management
National Agencies	USAID	2012 – Planning and Local Governance Projects	To promote a new administrative reform, to improve the decentralisation process, to develop new spatial planning approach	From urban to spatial planning	Cross-sectoral approach	External and local experts	Mainly own funds	Decentralisation, Improvement of Local Governance, Improvement of Management of Local Services, Plan and Manage Urban and Regional Growth
	GIZ	2015–CABRA 2012–CCA WB 2012 – CSBL	To improve infrastructure development, Local and Tourism Development, Environmental and Biodiversity Protection	From hard (transport infrastructure) to soft projects (rural development).	Multi-level approach	Mainly local experts	Mainly own funds	Transport Infrastructure, Agriculture and Rural Development, Rural tourism. Environment
	SIDA	SENiOR-A and several other projects,	To facilitate the Albanian EU integration, To enhance civil society organisation networks etc.	From state to society	Sectoral approach	Mainly local experts	Mainly own funds	Democratic Governance and Human Rights (land use) and Natural Resources and environment
	SDC	Dldp - Decentralisation and Local Development Program	To enhance the local capacity to act strategically, to reduce local disparities.	From local to regional development	Strategic approach and sectoral approach	Mainly local experts	Mainly own funds	Local Development, Decentralisation, local and regional planning
	ADA	Several projects	To support of Albania's EU integration, to promote regional cooperation, to support of the reform	From Humanitarian Aid to local	Sectoral and cross sectoral	External	Mainly own funds	Environment, water, energy, education. Sustainable Development,

			process, to promotion of good governance	skills development				Decentralisation, Regional Development
<b>Regional Organisation</b>	EU	Agreements: SAP, SAA, Instruments: PHARE ISPA, SAPARD, CARDS, IPA, Legislations	EU Integration	From State Restructuring to EU membership	Structural approach	External-internal	co-financed	Environment, Transport, Energy, Rural Development, Regional Development, Cross-Border Cooperation etc.
<b>Foreign knowledge Arena</b>	Universities	Several plans and projects	To reduce the knowledge gap in spatial planning		Plans, projects, sectoral and cross-sectoral	External	Financed	Urban Design and spatial planning, development plans
	Consultants	Several plans and projects	To collaborate with local experts and to implement plans and projects	From coordinator of projects to partners	Plans and Projects	External	Financed	Urban Design and spatial planning

Source: Author's own elaboration

**Table 57:** The impact of international actors in the spatial planning system in Albania

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
International organisation	UNDP	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	2-0-1	↔-↔-↔ ↔
	World Bank	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	1-1-3	↔-↔-↔ ↔	C-S-L	1-0-1	↔-↔-↔ ↔
National Agencies	USAID	C-S-L	3-0-2	↔-↔-↔ ↔	C-S-L	2-1-2	↔-↔-↔ ↔	C-S-L	1-1-3	↔-↔-↔ ↔	C-S-L	2-0-2	↔-↔-↔ ↔
	GIZ	C-S-L	0-0-0	↔-↔-↔ ↔	C-S-L	0-0-0	↔-↔-↔ ↔	C-S-L	0-1-1	↔-↑-↑	C-S-L	2-1-1	↑-↑-↑
	SIDA	C-S-L	1-0-0	↑-↔-↔	C-S-L	0-0-0	↔-↔-↔ ↔	C-S-L	0-0-0	↔-↔-↔ ↔	C-S-L	1-0-1	↑-↑-↑
	SDC	C-S-L	0-0-1	↔-↑-↑	C-S-L	1-1-3	↑-↑-↑	C-S-L	0-2-3	↔-↑-↑	C-S-L	2-1-2	↑-↑-↑
	ADA	C-S-L	0-0-0	↓-↓-↓	C-S-L	0-0-0	↓-↓-↓	C-S-L	0-1-1	↓-↓-↓	C-S-L	1-1-1	↓-↓-↓
Reg.O rg.	EU	C-S-L	2-1-1	↑-↑-↑	C-S-L	2-0-1	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
Foreign knowledge actors	Universities	C-S-L	1-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	2-0-2	↑-↑-↑	C-S-L	2-0-2	↑-↑-↑
	Consultants	C-S-L	1-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-3	↑-↑-↑	C-S-L	2-1-2	↑-↑-↑

Source: Author's own elaboration

### **11.4.3. The impact of the EU**

Once analysed the impact of international actors in general (including the impact of the EU), this section gives more attention in grasping of the Europeanisation effects on the evolution of the Albanian spatial planning system. Bearing in mind the fact that Albania is still a candidate country, it has been reputed interesting to evaluate the top-down mechanism of influences rather than bottom-up or horizontal influence, considered less relevant. The EU top-down influence mainly coincides with the transposition of EU Legislation, the implementation of the EU Policy and the importance of the EU Discourse. Taken separately, the influence of the EU Legislation involved changes in the domestic legislation of several sectors, such as energy; environment, transport, competition and pre-accession negotiation. Instead, the influence of EU Policies, hence the impact of the EU Cohesion Policy, the European Territorial Cooperation, the EU Urban Policy, the EU Rural Development Policy, the Pre-Accession and Neighborhood Policy, changed domestic logics and the instruments' framework. Finally, one should not underestimate the influence of the EU discourse channelised by the adoption of several EU Development Strategies, EU Spatial Policy Documents, EU Urban Agenda and ESPON Programme on the domestic planning context, academic debate and professional education.

#### *11.4.3.1. Influence of EU sectoral legislation*

Starting to analyse the top-down legislation impact of the EU, in Albania the EU competition legislation “on public procurement” was adopted in 1995 and amended by the law 9643/2006, that partially transposed the EU Directive (2004/18/EC). A few years later, to align the national legislation framework, the law No. 193/2014 has been adopted. The recent law aims to enhance the efficacy and efficiency of the public procurement process, to increase competition among economic providers and to respect the transparency principles of the public activity. The implementation of the EU Directive impacts on the Albanian spatial planning system through the introduction of new procedures for private participation in planning activities. As established by the art. 35 of the law No. 193/2014, the public authority contractor is allowed to organize public competitions in the field of urban and rural development and in several other fields. In the last year, these opportunities have been adopted widely both at the central and local level, because of the lack of preparation of the administrative employees to draft plans, programs and any kind of planning tools. As a matter of fact, at the moment, the majority of planning documents into force are drafted by private experts (national and international).

Passing from public procurement to verify the energy legislation impact, nowadays, the Directive (2009/72/EC) is transposed within the national legislative

framework (No.43/201597) amending the previous law introduced in 2003 (Law on Power Sector, No.9072/2003). The impact of the EU Energy policy on the Albanian spatial planning system has been substantially connected to the new strategic approach. Indeed, the energy issue has been important since 2003, when the NES - National Energy Strategy and its Action Plan were adopted and implemented when, for the first time, the question of energy was investigated through the perspective of EU integration. Later on, in 2012, the new NES 2013-2020 was introduced, which focuses on energy consumption (in different sectors considering, above all, construction, transport and housing consumption), renewable energy, sustainable development and implementation of the TAP – Trans Adriatic Pipeline. Due to the importance of the TAP and/or the relevance of energy issue in the daily public debate, the law on territorial planning and development introduced for the first time the possibility to draft and adopt a national and local sectoral plan to focus on the energy sector. Additionally, the legislator aimed at transposing the Directive on Housing Energy Performance (2010/31/EP) that would have introduced a new certificate on building energy conformity. As emerged, the impact of energy legislation should be evaluated both in terms of changing procedures and public requirements (i.e. certification of building energy conformity) and in spreading new concepts, providing ideas and introducing new strategic documents.

Moving from energy to question about the environment, the Albanian environmental legal framework is relatively new compared to other EU countries. The first environmental policy was introduced through the National Environmental Strategy of 1993, and was followed by the National Environmental Action Plan of 1994. Later on, some principles such as sustainable development (art. 59/d) and the right of public access to the environmental information (art. 56), became part of the Albanian Constitution of 1998. Differently from the above legislation sectors, the EU environmental legislation is subdivided in several interconnected legislations such as the Directive on Environmental Impact Assessment (2011/92/EU), the Directive on Strategic Environmental Assessment (Directive 2001/42/EC), the Directive on Habitat (92/43/EEC), Water framework Directive (2008/105 / EC) and the Directive Maritime Spatial Planning (Directive 2008/56/EC). Each Directive has been implemented differently, improving specific aspects of the domestic legislative framework. In this regard, it is important to underline that a series of laws were approved during the two-year period 2011-2013; on Environmental Protection; Environmental Impact Assessment; Environmental Permits. Hence, the EU Directive's impact on spatial planning has been clearly visible in the definition of planning documents and processes. The EIA (Environmental Impact Assessment) procedure is considered as part of the development permit procedure

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<sup>97</sup> Interesting to note that the legislator affirms that: this law is fully aligned with: Directive 2009/72/EC of the European Parliament and the Council, dated 13 July 2009 "on common rules for the internal market in electricity, which repeals Directive 2003/54 / EC", CELEX number: 32009L0072, the Official Journal of the European Union, Series L, no. 211, no. 14. 08. 2009, p. 55-93".

and it is required both for small- scale projects (where the competent body is the municipal council) and large- scale projects (where the competent body is the national territorial council). This means that the development permit's procedures are linked to the EIA, causing significant changes in the plans' implementation. In addition, the Directive has an indirect effect on the institutional architecture. Indeed, in order to supervise the application of EIA, a new authority is established called NEA – National Environmental Agency (2014) as a central government authority within the Minister of Environment. Similarly to the EIA, the EU Directive on SEA – Strategic Environmental Assessment was transposed in 2013. The resulting law, No.91/2013, aimed to align the Albanian environmental legal framework with the EU principles. In doing so, the law required the SEA to be carried out for several plans and programs, such as local and national plans on urban and rural spatial planning, landscape protection, land use, transport, tourism, energy, agriculture etc. A substantive impact on the spatial planning system was evidenced when the law provisions on SEA were included also in the law on territorial planning and development (107/2014), and its planning regulation (2015). Indeed, the law requires the redaction and the approval of the SEA, both for national and local plans, establishing new procedures for plan's approval. Following the Habitat and Bird Directives, other reforms are introduced aiming at aligning the Albanian legal framework to the EU requirements. In order to do that, a series of laws were adopted: (i) No. 9587/2006 “on protection of biodiversity and (ii) No. 9867/2008 “on protection of wild fauna” followed by the Albanian “Law on Protected Areas” was approved in 2008 (No.9868). The law aims to create a legal framework for planning, administration, management and use of protected areas and their natural and biological characteristics. The result of the EU legislation alignment is interesting: in the last period the surface of protected areas has increased from 5% to 16% of the entire national territory. The objective of Albania, in line with the one of the EU, is to have 20% of its territory as Protected Areas. In this field, the effect in planning is underlined by the introduction of the planning instrument at the national level like the NDPs - National Detail Plans for special areas that may cover even protected areas. Looking at the changes in competences, the transposition of the EU Environmental legislation introduced new responsibilities that are shared by the Ministry of Environment and the NAPA – National Agency for Protected Area recently founded in 2015. The NAPA focuses on management, protection, development, expansion and operation of the protected areas. This new authority is responsible for monitoring the implementation of instruments for territorial development planning, adopted by central and local authorities in protected areas. Other efforts have been made for the transposition of the water Directives 2008/105/EC on environmental quality standards in the field of water policy. The Albanian legislator adopted the UE Directive through the DCM No. 246, dated 30.04.2014, "On the definition of environmental quality standards for surface waters". Numerous Directives are transposed on the national legislation such as: the EU Directive 2008/105/EC on environmental quality standards in the field of water policy (DCM No. 246/2014); the EU Directive 2006/118/EC on

protection of groundwater against pollution and deterioration (DCM No. 246/2014) etc. These sets of normative rules have been giving direct competences to the National Environmental Agency to monitor the quality of the water sector and implement the law provisions. However, no relevant impact has been introduced. Differently, the transposition of the Directive 2008/56/EC has been much more important, and sets the framework for community action in the field of environmental policy at sea (Marine Strategy Framework Directive). Albania has planned to fully adopt and implement this strategy during the year 2016 through a specific DCM "On the content, the development and implementation of Marine Environmental Strategy". However, this Directive still has to be adopted. Currently, a non-relevant impact on SPS and TG is registered, nevertheless, the Directive may potentially have an important influence on the drafting of the planning and development document and strategy for specific protected areas (an example is the Natural Marine Ecosystem of Karaburun Peninsula and Sazan Island).

Once analysing the effects of the EU Environmental legislation, the transposition of the EU Directive on transport started to be relevant since the signature of the SAA – Stabilisation Association Agreement (2006). The agreement established in its articles (59, 70 and 106) the national goals and priorities in relation to the EU strategy (TEN – Trans European Network, above all the Corridor VIII) and legislation framework. Since 2006, a series of legislation updates have involved the entire transport sector. As other sector field, the transport sector has a spatial implication and for that reason the transposition of EU Directives has a substantial impact on the domestic spatial planning system. As a main consequence, the law on territorial planning and development has introduced new instruments such as sectoral plans (above all in the field of transport, energy, etc.) at a national and local level that modify the previous planning framework. There are several ways to appreciate the impact of EU Directive. Firstly, their impact on the Albanian spatial planning system is characterized by the selection of policy's priority and consequently by the definition of action plans that regard, in general, the implementation of the EU transport network system as the National Transport Plan and the Sectoral Transport Strategy 2016-2020 recently adopted. Secondly, in order to perform, the law has identified new responsibilities for the Ministry of Transport and Infrastructure and its departments in drafting and implementing its sectoral plans and policies that change in a certain way the power equilibria among national and local authorities.

Last but not least, the EU is still affecting the Albanian system through the pre-accession negotiation mechanisms. In May 1999, the European Union adopted a new initiative, the Stabilisation and Association Process of the Western Balkan Countries, including Albania. This process aimed at establishing closer relations between the EU and the aforementioned countries through the Stabilisation and Association Agreements. In November 2000, the EU Zagreb Summit reaffirmed that the SAP countries were "potential candidates for EU membership". The SAA aimed to prepare the country to join the EU through an intensive process of implementation of the law in different fields (with spatial implication) such as environment, cultural heritage, agricultural and rural development, natural

resources, transport, energy, cross-border cooperation etc. The SAA was an important reference to align the domestic legislative framework to the EU Directives. In addition, as discussed in chapter 9, the EU established an economic instrument, the CARDS Program (Community Assistance for Reconstruction Development and Stabilisation), which replaced the PHARE and OBNOVA programs, to help facilitate the country's alignment. As illustrated above, when the policy sectors were being analyzed, the impact on SPS and TG was relevant in different ways: changing the legislative framework, introducing new concepts and paradigms, promoting the introduction of new institutions and instruments (visionary, strategic, and regulative). An indirect effect on SPS and TG was the implementation of the European Charter of Local Self-Government that constituted a reference to the territorial reform in Albania in 2000 (Berisha and Cotella, 2016) that partly changed the responsibility of the *qarku* in terms of planning activity and implementation instruments.

#### *11.4.3.2. Influence of EU policies*

The current EU cohesion policy's structure excludes the participation of the country in the application for any structural funds. Anyway, in preparation for EU funding, in the last years the country has established the Regional Development Fund, that has been playing a crucial role in promoting a balanced and sustainable development of the regions. Anticipating the EU requirements, Albania has already adopted the governing regional division based on the European NUTS classification by defining three statistical regions for NUTS II: (1) Durres and Northern areas; (2) Tirana and Elbasan; (3) Southern areas. Moreover, the recent National Strategy for Development and Integration 2016-2020 stated the importance of the current challenge to ensure a balanced development between regions of the country, and to increase the cohesion of the country's development in relation to other EU countries, through the consolidation of an effective system of regional planning and development.

Despite the fact that Albania is still following the integration process, the country is allowed to participate in territorial cooperation initiatives briefly listed below. Starting with the INTERREG V-B Adriatic-Ionian Cooperation Program 2014-2020 (ADRION), this program, set up in the framework of the European Territorial Cooperation (ETC) - one of the objectives of the cohesion policy - includes 31 regions from four different ERDF Partner States and four IPA Partner States. The overall objective of the ADRION Program is to act as a policy driver and governance innovator fostering European integration among the Partner States (Albania, Bosnia & Herzegovina, Croatia, Greece, Italy, Montenegro, Serbia, Slovenia), in order to benefit from the rich natural, cultural and human resources surrounding the Adriatic and Ionian seas and to enhance the economic, social and territorial cohesion in the Program area. Referring to the list of eligible regions and areas for the ETC, the ADRION Program covers the following areas: NUTS 2/3 for Member States and the national level for non-member States. In addition to the

INTERREG V-B, Albania is included also in the EU Strategy for the Adriatic and Ionian Region (EUSAIR). The EU Strategy for the Adriatic and Ionian Region is one of the three EU macro-regional strategies. The proposed strategy – which focuses on areas of (macro) regional mutual interest with high relevance for the Adriatic and Ionian countries – consists of 4 thematic pillars: (i) Driving innovative maritime and marine growth; (ii) Connecting the regions; (iii) Preserving, protecting and improving the quality of the environment; (iv) Increasing regional attractiveness. Always regarding the sea, Albania is also part of the Balkan-Mediterranean 2014-2020, a cooperation program under the European territorial cooperation goal. The “Balkan-Mediterranean 2014-2020” transnational cooperation program brings together five countries - Albania, Bulgaria, Cyprus, the former Yugoslav Republic of Macedonia and Greece. Diversity and geography mean a strong cooperation potential that can better focus on important concerns shared by all five participating countries. Last but not least, the country had been involved in the South-East Europe 2020 Strategy (SEE 2020), launched by the Western Balkans countries since 2011. The strategy acknowledges that close cooperation can accelerate the attainment of many goals, above all: (i) Integrated Growth - Trade and Investment; (ii) Smart Growth – Education and Innovation; (iii) Sustainable Growth - Infrastructure and Environment; (iv) Inclusive Growth -Job Growth; (v) Governance for Growth- Good Governance, in key sectors such as: competitive economic environment, research & development and innovation, energy, transport, environment. Inspired by the EU 2020 Strategy, the SEE 2020 is pursuing similar objectives by taking into account regional specificities. The strategy provides important guidance for the countries from the Western Balkans in order to achieve a higher degree of convergence with the goals of EU 2020. Looking more in detail, it has emerged that the European territorial cooperation has influenced the national level through the introduction of the programming period approach in order to align the national aims, strategies and schedules to the EU programming period. Moreover, a series of transnational cooperation activities, in different sectors, have been organized at the national level in order to increase cross-border cooperation both at the national and local level. This seems particularly relevant considering the regional context and historical implication (like historical complex relations with neighborhood countries). However, a main consequence of the European territorial cooperation is the introduction of the Directory of trans-border and transnational cooperation programs within the Ministry of EU Integration. Instead, at the local level, the impact of European territorial cooperation has not been particularly relevant. Despite the fact that Albania is involved in many European territorial cooperation programs, its participation is mainly centralized, hence no space for cooperation is given at the local level reputing the role of local units (municipalities) is considered less important.

When it comes to shed light on the EU rural development policy, the law “for Agriculture and Rural Development in 2007” currently in force in Albania is entirely based on principles of Common Agriculture Policy as is declared by the law itself. The Ministry of Agriculture, Rural Development and Water Administration prepared a national Cross-Sectoral Strategy of Rural Development

2014-2020, as part of the National Strategy for Development and Integration 2015-2020. Based on these two strategic documents, a legal framework has been created to support agricultural and rural development from both the national budget and foreign donor sources. In addition, new institutions are being founded, such as the Management Authority responsible for rural development and its monitoring process, and the ARDA - Agriculture and Rural Development Agency (2009). Locally, the EU rural development policy is helping municipalities to promote the community-led local development and to implement the LEADER approach, which engages local governments in partnership with the civil society and the business sectors. As promoted by the EU, the Albanian Network for Rural Development (ANRD) and Local Action Groups (LAGs) have been recently instituted in coherence with the community-led local development approach. Indeed, the main objective of the aforementioned approaches is to better involve the local community (civil society), the private sector and the public authority on the definition and implementation of strategies and action plans (Cross-Sectoral Strategy of Rural Development 2014-2020).

In Albania, one of the major impact of the EU is its influence on the pre-accession and neighboring policy. In this regard, since 1991, a series of programmes have been launched in order to facilitate the country to align its system to the EU. One of the first programmes has been the Poland and Hungary: Assistance for Restructuring their Economies (PHARE). The EU support to Albania started in 1991, when the country was included in the PHARE assistance program. During the first phase, the EU allocated assistance for emergency, food aid and economic reform. In coherence with the 1995 Albania Country Strategy Paper, the general objectives of the EU's intervention for the period 1996-1999 were: promoting macroeconomic stability; stimulating private sector development; rehabilitating basic infrastructures; rehabilitating essential social services; protecting natural resources. With the introduction of the Multi-Annual Indicative Program (1996-1999), the PHARE program financed different sectors: transport, energy and telecommunications, local community development, water and environment. However, the priority objective of the EU's assistance was the "existence of a proper regulatory and legal framework and the capacity of the government to enforce it" and the opportunity for the Albanian context to adopt the "rules of the game". Rather, the need for a greater emphasis on the support for institutional reforms became an additional objective for the continuation of the "old programme" (European Union 1997: 10). In addition, Albania has been part of Community Assistance for Reconstruction, Development and Stabilisation (CARDS) becoming eligible for CARDS assistance funds in 2001. The CARDS program underpins the objectives and mechanisms of the SAP and, as each country moves deeper into that process, assistance focused increasingly on support for the reforms and institution-building process necessary to implement the obligations in the Stabilisation and Association Agreements (European Commission 2001: 6). The CARDS program almost exclusively concentrated on preparing the country to implement the SAA – Stabilisation and Association Agreement replacing the programmes PHARE and

OBNOVA while later CARDS has been replaced by IPA (I and II). Recently, the INTERREG IPA II cross-border cooperation programme Greece - Albania 2014-2020 (which follows the former 2007-2013 under IPA I) has been adopted, aiming to increase the cooperation between these two countries in the following issues: the promotion of the sustainable transport, the information and communication (IC) networks and services and investing in cross-border water, waste and energy systems and facilities; the protection of the environment and promotion of climate change adaptation and mitigation risk prevention and management; the promotion of tourism and cultural and natural heritage. The eligible areas are the territories included in the NUTS III (municipalities). Following the same line, recently the INTERREG IPA - CBC cross-border cooperation programme has been launched between Italy-Albania-Montenegro, joining the Adriatic cooperation scenario in the 2014/2020 period, and is characterized by the adoption of new cooperation programmes; the definition of the Adriatic Ionian Macroregional Strategy and the intensification of relations between Apulia, Albania and Montenegro. The Programme aims to facilitate the exchange of knowledge and experience among regional and local stakeholders from the three countries; to develop and implement pilot actions; to measure the feasibility of new policies, products and services; to support investment in the areas of interest. In addition, Albania is eligible for the IPARD - Instrument for Pre-Accession Assistance for Rural Development. The objective of IPARD is both to provide assistance for the implementation of the acquis concerning the Common Agricultural Policy and to contribute to the sustainable adaptation of the agricultural sector and rural areas in the candidate country. Since 1991, a series of programmes have been launched in order to facilitate the Albanian country to align its system to the EU (PHARE, OBNOVA, CARDS, SAPARD and currently IPA and IPA II and its specific program as INTERREG IPA II CBC and IPARD). The influence of EU pre-accession policies was consistent from different perspectives. In fact, these programs contributed through the allocation of funds to enhance the Albanian ability to face the EU perspective with numerous reforms. As a consequence of the aforementioned programs, the programming approach was introduced in the country, contributing to align the domestic policy documents to the EU programming period. In this context, it seems relevant to note the proliferation of National Strategy, Action Plans (above all National Strategy for Development and Integration 2014-2020) and cooperation programs (above all related to IPA programs). Currently, Albania is involved in several programs that are contributing to improve the cross-border cooperation with neighbor countries. The local level is relatively less involved in the EU's pre-accession and neighboring policy. However, starting with the PHARE and CARDS programmes, the local level was mainly influenced on specific sectors such as: agriculture and rural development, local transport network, local administration.

#### *11.4.3.3. Influence of EU discourse*

Differently from the explained mechanisms of influence, the impact of the EU discourse is rather complicated to weigh. Observing the impact of EU development strategies,<sup>98</sup> no significant impacts has been identified. Meanwhile, the EU spatial policy documents<sup>99</sup>, have been largely impacting the evolution of spatial planning system in Albania. As a matter of fact, the reform on territorial planning (2009) was entirely built on the ESDP provisions, principles (horizontal, vertical coordination, integrate approach, subsidiarity etc.) and guidelines (development and conservation of natural and cultural heritage, polycentric development, integration transport system etc.). The EU Spatial Policy documents principles currently represent the main references for developing policy guide-lines, preparing analysis documents, implementation plans and strategy visions etc. As a direct consequence, the EU spatial policy documents principles are spread among the entire planning system including the local level. Indeed, at the local level the existing gap between planning and development logics has been overcome and new planning instruments have been introduced in order to align local plans to the EU's general concepts and paradigms. Regarding the ESPON Programme<sup>100</sup>, Albania is not allowed to participate and benefit from it nor being eligible for research funds. Only recently, the Albanian institutions can be eligible for developing research under the target analysis' framework. However, the ESPON documents and researches are impacting the way in which researches are locally conducted. Often the most important researches developed in Albania are theoretically and methodologically based on the studies developed and produced within the ESPON (Toto, 2016). As a matter of fact, the methodology followed for the reduction of the General National Plan is based on the ESPON TEVI project EUROPE 2050.

Finally, when it comes to understanding the impact of the EU's discourse in academic debate and professional education, since 1990, the influence of the European spatial planning field affected the academic debate in Albania in various ways. Indeed, differences persisted among private and public scholars. Whilst the private university resulted ready to receive and to put in practice the European concepts, principles and paradigms of the public academicians, they were totally unprepared to receive and understand these new notions. However, lately, the gap is not so relevant and a vibrant academic debate is contributing to shed light on the process of the planning system and on the main spatial changes and challenges. At the same time, the influence of European spatial planning has totally changed the professional approach. Planners experts and policy makers nowadays do not only

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<sup>98</sup> The EU development strategies includes the Lisbon and Gothenburg Strategies and the EU2020 Strategy

<sup>99</sup> The EU spatial policy documents include the ESDP, the EU Territorial Agenda, the EU Territorial Agenda 2020, the EC Green paper on territorial cohesion.

<sup>100</sup> The ESPON programme include applied research projects, targeted analyses, the development of visual representations of the European territory in forms of maps and scenarios, the development of the ESPON database.

have to take into consideration the indication and Directives coming from their own country but also from the EU, as well as to deal with the external pressures from the market and the civil society. Currently, the planning profession is engaged in a shift from the urban planning perspectives that dominated the previous planning approach to a more contemporary territorial planning and development, where a transdisciplinary approach results fundamental. Moreover, the European spatial planning influences in the planning of education are playing an important role in changing, indirectly, the planning curricula in Albania. By looking at the different curricula promoted by the private first, and the public later, are clearly visible the changes of the focus from architecture and engineering towards planning (spatial planning, planning systems, transport planning, urban and regional planning). However, due to a limited number of graduate students, their impact on the territorial knowledge is still confined and not decisive.

#### *11.4.3.4. Synoptic view*

As has been evidenced, the Europeanisation of the Albanian spatial planning system has been vary and interested several dimensions. While the transposition of EU Legislation initially interested the question of upgrading the existing set of rules, norms and laws in several sectors, the second objective has been the need to implement them. Looking at the diverse sectoral influences, it seems that the implementation of the EU's energy, environmental (above all) and transport directives has been responsible for introducing several changes. Indeed, in this process of top-down influence, the spatial planning system has been influenced thanks to changes in planning procedures (EIA, SEA), authorities, instruments and discourse. Moving from EU Legislation to EU Policy, the most recent planning reforms (2009, 2014) incorporates several EU spatial priorities like cross - border cooperation, rural development, regional development, moving from land development to a more spatial approach. The Albanian involvement within the logic of EU Territorial Cohesion its seems to be interestingly producing small but tangible effects on spatial planning. Improvements should be done in respect of the participation of local planning authorities and facilitating their eligibility for obtaining funds. To conclude, as mentioned before, the registered shifting from urban planning logics to a territorial planning approach is not just a legislative aspect but is fully related to the conceptual metamorphosis that exists from urban planning to the spatial planning approach. In this regard, the influence of the EU discourses, in particular, and international discourses, in general, played a crucial role in influencing the national planning discourse. Analyzing the large number of national strategies, documents, policy guidelines, recommendation, plans, strategies etc. it seems that the ESDP guidelines have a preeminent impact on the planning discourses and practices. Concepts as polycentric development, subsidiarity, rural development, integrated transport system, conservation of natural and cultural heritage etc., become hegemonic concepts within the domestic discourse. In addition, other topics such as the decentralisation and the self-government coming from EU Directives, and general recommendation, are fully

addressing the planning and reform debate. However, as happened in other context, the incorporation of these notions in different planning documents, are often misinterpreted and not well contextualized for different causes, mainly because the domestic discourse is unprepared to translate literally and receive notions in the local language and/or often the translation results incorrect. The use of foreign terminology created conceptual and theoretical misunderstanding.

To have a complete overview of the EU impact on the evolution of the Albanian spatial planning, Table 58 evaluates the impacts of the aforementioned EU Legislation, Policy and Discourse on the divers planning components (structure, technique, practice and discourse). The assessment takes into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant.

Table 58: The impact of EU in the spatial planning system in Albania

Influence	Structure			Technique			Practice			Discourse			
	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	
<b>Legislation</b>													
Influence of EU sectoral legislation	EU competition legislation	C-S-L	1-0-2	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-2	↑↔↑	C-S-L	1-0-1	↑↔↑
	EU energy legislation	C-S-L	1-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑	C-S-L	1-0-2	↑↔↑	C-S-L	2-0-1	↑↔↑
	EU environmental legislation	C-S-L	3-0-2	↑↔↑	C-S-L	3-0-2	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑
	EU transport legislation	C-S-L	2-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-0	↑↔↑
	Pre-accession negotiation	C-S-L	2-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑
<b>Policies</b>													
Influence of EU policies	EU cohesion policy	na	na	na	na	na	na	na	na	na	na	na	na
	European territorial cooperation	C-S-L	1-0-0	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-0	↑↔↑
	EU urban policy	na	na	na	na	na	na	na	na	na	na	na	na
	EU rural development policy	C-S-L	1-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑
	Pre-accession and neighbourhood policy	C-S-L	1-0-0	↑↔↑	C-S-L	3-0-1	↑↔↑	C-S-L	2-0-2	↑↔↑	C-S-L	1-0-1	↑↔↑
<b>Discourse</b>													
Influence of EU discourse	EU mainstream development strategies	C-S-L	0-0-0	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-0	↑↔↑	C-S-L	2-0-1	↑↔↑
	EU spatial policy documents	C-S-L	0-0-0	↑↔↑	C-S-L	2-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	2-0-1	↑↔↑
	EU urban agenda	C-S-L	0-0-0	↑↔↑	C-S-L	0-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑	C-S-L	1-0-1	↑↔↑
	ESPON Programme	na	na	na	na	na	na	na	na	na	na	na	na

Source: Author's own elaboration

## 11.5. Summary and conclusions

As emerged from Chapter 11, for a long time, planning was perceived as mere technical and bureaucratic instruments aiming to concentrate power in few hands. Only recently, the perception on planning is changing moving from urbanistic to a more coordinated and integrated spatial planning and development approach. This paradigmatic shift is involving each spatial planning system dimension and actors. The chapter positioned at the centre of the analyses the question of actors and their role in evolutionary path of spatial planning system. Analysed separately, the institutional actors have been responsible for the lack of planning's implementation and therefore contributed to delegitimise the planning process. At least for two decades, spatial planning suffered from the so-called 'crises of legitimacy' when planning has been socially perceived as a state interference within the private sphere. Together, the political myopia and the social complicity dominated the planning panorama where non-institutional actors are marginalized and excluded from any transparent decision-making process. With the reform of 2009 and, even more, since the introduction of the last reform of 2014, the positive involvement of both institutional and non-institutional actors is increasing the awareness of the society to consider spatial planning as an instrument for a better governing the territorial development. As affirmed, despite some path dependency factors (preservation of the status quo) spatial planning is an instable interaction among internal and external conditions. Adopting an external perspective, one should underline the importance of the external actors in shaping the Albanian spatial planning system. Indeed, since the beginning (1991), numerous spatial planning actors have been present in Albania. Their support has been various in response of local needs. If some actors concentrated on specific sectors, others were engaged in some peripheral areas and others, adopted a more integrated approach working on different planning levels. However, in general, each actor was engaged in implementing specific pilot projects, introducing mid-term financial programs, drafting laws' recommendations or even preparing laws' drafts. What seems interesting to evaluate, in terms of external interference on planning system, is not the single impact of each actor but the aggregation of impacts produced by their simultaneous actions. As stated, the panorama of external actors has been variegated. As in other context, the EU perspective represented, and still is representing, the way to 'keep the distance' from the past (even from the recent past) convincing the policy makers to transpose any EU requirements in order to reduce the distance from the EU economic, social and political standards. Unavoidably, even the planning process has been subject of the EU influences. As emerged, in fact, the Albanian planning system incorporates (on paper) many of the EU's spatial planning principles and values derived by the implementation of the EU's Legislation, Policy and Discourse.

# 12. Bosnia & Herzegovina

The question of spatial planning in Bosnia & Herzegovina has been introduced between the 15<sup>th</sup> and the 19<sup>th</sup> century by the Ottomans, who used preponderantly a land- use logic. Later on, under the supremacies of the Austro-Hungarians and of the Kingdom of Yugoslavia, spatial planning shifted towards a more urbanistic approach. However, the turning point occurred under the Yugoslavian socialist regime when the well-recognized centralized system was implemented. Due to the contextual economic and development condition and the necessity to respond to the new Marxist ideology, the first part of the regime focused on the post war reconstruction, adopting a centralized approach. Later, different decentralized processes were experimented, where each singular republic was in charge of spatial planning since the early 70s until the 90s. In that period, local authorities obtained new competences devolved by the upper levels according to a clear hierarchical approach. With the end of Yugoslavia, Bosnia & Herzegovina, as any former Yugoslavian republic, faced decades of State transformation that interested several fields within the sphere of economy, polity and society. In doing so, Bosnia has been accompanied by political and economic interventions carried out not only by the EU, but also by European countries and international organisations. The presence of the EU became much more visible at the beginning of the 2000s with the introduction of a new Integration approach. In fact, since then, in Bosnia emerged the need to join the EU and the obligation to meet the EU *acquis* and requirements. The overall implementation of EU requirements influenced the operation of Bosnian spatial planning systems thanks to the introduction of new hegemonic paradigms, processes and priorities.

With these purposes, this chapter aims to illustrate the evolution of the spatial planning system in Bosnia & Herzegovina. After a brief socio-economic overview (12.1) the research focuses on highlighting the evolution of the spatial planning approach through an historical perspective (12.2) in which are taken into account: the role of planning during the so-called pre-socialist regime (12.2.1); its importance in perpetuating the logic of the socialist regime (12.2.2); the investigation of the system during the critical transition period until the present time (12.2.3). In addition, the third part of the chapter focuses on the adoption of the analytical components. Indeed, during this period, changes have interested indifferently the legislative framework hence the structural component (12.3.1), the technical components (12.3.2), the practice component (12.3.3) and the discourse component (12.3.4). The conclusive part focuses on shedding light on the main reasons of change, analysing the role of the actors according to the actor- centred explanatory model illustrated. The subsection will be divided in three parts. The first will focus on the role of local actors (12.4.1), the second will concentrate on

the impact of the international actors (12.4.214.214.2) and the last one will analyse the impact of the EU (12.4.3). A final section has been dedicated to sum up the main messages that have emerged (12.5).

## 12.1. Preliminary geographic, socioeconomic and political overview

Bosnia & Herzegovina is geographically located in the Western Balkan Region and confines North with Croatia, North-East with Serbia, and South-East with Montenegro. Moreover, thanks to its geographical position, Bosnia & Herzegovina has a limited but direct access (40 km) to the Adriatic Sea (see Table 59).

**Table 59:** Geographical and socioeconomic data in BiH

<b>Geographical and Socioeconomic Data</b>		
	<b>Geographical Information<sup>101</sup></b>	
	<b>Territorial Surface (km<sup>2</sup>)</b>	51210
	<b>Total Population</b>	3 810 416
	<b>Density (pop/km<sup>2</sup>)</b>	74
	<b>Population growth rate % (1990-2014)</b>	- 15,8
	<b>Urban Population % (2014)</b>	39,7
	<b>Settlement Structure<sup>102</sup></b>	
	Federation of Bosnia & Herzegovina	2 371 603
	Republic Srpska	1 218 107
	Brčko District	93 028
	FBiH - Capital City Population	Sarajevo 318 447
	RS - Capital City Population	Banja Luka 199 191
	BD - City	Brčko 83 516
	<b>Socioeconomic Data<sup>103</sup></b>	
<b>GDP Total (billion, 2015)</b>	18,3	
<b>GDP per capita (USD, 2015)</b>	4801	
<b>GDP rate growth (% , 2015)</b>	3	

Source: Author's own elaboration

### 12.1.1. Bosnia & Herzegovina during the Socialist regime

Aiming at describing the transformation trajectory of Bosnia & Herzegovina, it is necessary to remind the common history of the Socialist Federal Republic of

<sup>101</sup> World Bank national accounts data, and OECD National Accounts data files.

<sup>102</sup> Source: <http://www.pmf.unsa.ba/geografija/en/index.php/nppiciklusgeo/srippge>

<sup>103</sup> World Bank national accounts data, and OECD National Accounts data files.

Yugoslavia (hereafter SFRY), that recognized Bosnia & Herzegovina as one of its six Republics<sup>104</sup>. Since the foundation of the SFRY in 1943/1945 the socialist ideology characterized its economic and social organisation. Despite the initial similarity to the soviet system and the will to integrate the Marxist ideology, the SFRY was characterized by a shift from a centralised system to a high level of decentralisation of the political economic development. As a matter of fact, during the socialist regime, each Yugoslavian Republic and autonomous region (Kosovo and Vojvodina) had the opportunity to develop its own economic policies (Djurasovic, 2016). This distinguished the socialist approach from the socialist ideology and represented the first step towards the Constitution of the Federation of Yugoslavia adopted in 1974. According to several authors (Malešević 2000, Woodward 1995) this approach was adopted by Tito to govern the existing multicultural society, reducing internal socio-political conflicts and decreasing the regional economic disparities. In this perspective, despite some initial similarities to the Soviet regime, since 1948 Tito interrupted the alliance with Stalin and developed the so-called Yugoslavian typology of socialism based on decentralisation, self-government, establishing a partial market economy, signing economic and financial agreements with international actors (Djurasovic, 2016). The first Five Years Plan (1947-1952) was characterized by a typical centralized economic and a plan that privileged the hegemonic role of the central government. In that period, in fact, the plan was based on the prevalence of the social ownership of production and natural resources.

The intention declared by the government was to reduce the economic disparities among the Republics. In this respect, important funds were concentrated in the agriculture reform, launched in 1945 with the Law on Agrarian Reform and Colonization, and on the process of industrialization, promoting central investments in less industrialized areas like Bosnia & Herzegovina and Kosovo. A few years later, in 1953, the new Constitution of SFRY was adopted based on the principles of self-government, and promoting a polycentric decision-making process where the State and the Party had the responsibility to guarantee a proper dialogue process among the Republics. Along this perspective, in 1965 the Federal Fund was established aiming to help the poorest southern Republics to better perform and reduce the existing economic disparities. Despite significant efforts, the result was the increasing of economic differences among northern Republics (Slovenia and Croatia) and southern Republics (Bosnia & Herzegovina and Kosovo). As a matter of fact, the effects of the reforms increased the difference among the Republics, as can be clearly demonstrated analysing the level of GDP in Slovenia and Bosnia & Herzegovina. At the time, the GDP in Slovenia was three times higher than in Bosnia & Herzegovina because of the historical underdeveloped context, on the one hand, and the development approach promoted by the government., on the other hand These economic differences had been the base for political tension among the

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<sup>104</sup> The Socialist Federal Republic of Yugoslavia includes Croatia, Serbia, Macedonia, Slovenia and Montenegro. In addition, were recognized two more autonomous regions, Kosovo and Vojvodina.

Republics (see the Croatian spring in 1971/72). A few years later, a series of contextual challenges included: the global economic crises in the 1970s; the hyperinflation; the federal debt; the death of the leader of SFRY, Tito, which instigated a deep political instability until 1990, when the SFRY was under the monitor of the IMF and WB. Economically, in Bosnia & Herzegovina the unemployment rate increased dramatically arriving at 21, 2% (1990). In that period, for many Western Balkan Region countries, and in particular for Bosnia & Herzegovina the Washington Consensus (1989) and the first multiparty election (1990) represented two historical moments that influenced the country's perspective until, at least, the Dayton Peace Agreement signed in 1995 after the Bosnian war.

### **12.1.2. Bosnia & Herzegovina since 1990 – A multi-dimensional transition**

After the break down of the SFRY system, each former Republic followed its own path of transition. The transformation process of Bosnia & Herzegovina has been emblematic in terms of ethnic conflicts and political tensions. Indeed, this period was characterized by the dramatic ethnic war (that involved Bosnia, Croatia and Serbia) that interrupted the economic and social transition started in 1989 in concomitance with the Washington Consensus. According to many authors, the process of transition in Bosnia & Herzegovina followed several steps. The first step, from 1989 to 1995, was characterized by the ethnic conflicts (1992/1995). The second step, 1995-2000, included the process of peace building and the infrastructural reconstruction that followed the Dayton Peace Agreement signed in 1995. The third step, from 2000 until the present days, has included the process of economic and social transition towards a free market system. In the last two phases, an important role has been played by the international organisations, who firstly accompanied the process of reconstruction and, later helped the domestic actors to adopt and implement the reform processes. As for Croatia and Albania, the transition process will be investigated through the adoption of the six dimension of transformation and their spatial implication.

#### *12.1.2.1. Polity dimension and spatial planning implications*

One of the most important consequences of moving from the socialist system to a democratic one is, without any doubt, the proliferation of political parties. More in detail, the principle of political representation, expressed by and within the election mechanisms, has been introduced in order to give the opportunity to citizens to select their representative political elites, both at the national and local level. In Bosnia & Herzegovina the process of shifting from a mono to a multiply parties was based on the crystallization of the internal ethnic divisions, elitarian objectives and personal interests. The phenomenon of the ethno nationalists party characterized and dominated the political environment of Bosnia & Herzegovina since 1990 (Bieber, 2014). In this regard, Zupcevic and Causevic (2009) stated that,

in Bosnia & Herzegovina, political parties have been demonstrating surprising resilience to externalities. Indeed, the same political structure and parties of the first period of transition are still present into the political scene (above all see, SDA – Bosniak Party for Democratic Action, HDZ – Croatia Democratic Community and SDS - Serbs Democratic Party). They represented for a long time ethnic contradictions and spatial segregation, contributing to reduce the possibility of political and economic Stabilisation. In this regard, Djurasovic (2016) argues that, due to the contextual complexity, it is hard to discern who holds the political and decision-power and who really benefits from the established political arrangement. What is clear, however, is the fact that the introduction of a multi-party system altered the existing political equilibria contributing to fragment the political representation. Moreover, this has been institutionalised by the Dayton agreement dividing the territory of Bosnia & Herzegovina in two Entities. Through a spatial perspective, the introduction of the new political system and the implementation of the process of decentralisation, produced a new horizontal and vertical institutional arrangement assigning more political responsibilities to the local self-government level. The positive effect of the decentralisation was the empowerment of the local authorities that were co-responsible for spatial planning. On the other side, the administrative and political fragmentation addressed by ethical principles, reduced the opportunity, for spatial planning, to have a more comprehensive impact rather than enhancing spatial and regional diversification.

#### *12.1.2.2. Economic dimension and spatial planning implications*

For many endogenous and exogenous reasons, the economic transition in BiH has been slower comparing to the experiences of the other former Yugoslavian countries. Endogenously thinking, as part of the SFRY, the Bosnia & Herzegovina's economic structure has been considered something between the socialist and capitalist system. Indeed, it was considered as more open to a market-oriented economy than in other socialist/communists countries (among others CEE countries and Albania) (Efedic and Hadžiahmetović, 2015). Due to this, the economic performance expectations were higher than during the transition process. In the early 1990s the polity fragmentation of Yugoslavia was accompanied by an economic decline. Several economic assets such as the industrial production, the export and import system and the currency system have been affected by the political and economic conjuncture. As emerged, when, during the socialist regime, Bosnia Herzegovina was one of the poorest Republics with a low level of GDP. Its economy was mainly based on some strong industrial sectors, in particular energy, production of raw materials and exploitation of natural resources. This historical legacy and the war contributed to amplify the existing economic disparity. As a matter of fact, during the war, part of its infrastructural and industrial system was dismissed and was seriously damaged by the conflict. After a war that lasted three and a half years from 1991 to the Dayton Agreement of 1995, the economy of Bosnia & Herzegovina was totally destroyed, as illustrated by the level of the industrial production that dropped more than 90%. The unemployment rate was also

around 90% and the population decreased about 23% compared to the pre-war situation (Efedic and Hadžiahmetović, 2015). The country's economic situation was supervised not only by the domestic actors but also by international organisations that convinced the local authority to move forward the modernization of the State adopting a neoliberal policy. The role of the international actors, became even more important with the signing of the DPA - Dayton Peace Agreement that officially confirmed the role of the international context in addressing the political, economic and social situation of Bosnia & Herzegovina.

In concomitance to the Agreement, international actors such as WB, EU, U.N. agencies and several NGO have been engaged in the reconstructions of the State and of the infrastructures (World Bank, 2004). At the time, each domestic and external effort focused on the reconstruction activity based on small projects initiatives (Djurasovic, 2016). With the establishing of the Priority Reconstruction Program, the reconstruction of physical assets attracted more than 50 percent of the funds distributed by the international actors (Efedic and Hadžiahmetović, 2015). The international actors were powerful due to the contextual circumstances associable to the weak institutional framework established by the Dayton Agreement. In this regard, one should say that the central level was not enough autonomously capable to fully implement economic policies and develop a unified free market system. In this context, many structural reforms, like privatisation, liberalisation and decentralisation, took place with the international support (above all by USAID) while others have been promoted. Indeed, after the reconstruction period, hence since the 2000s, the international actors aimed to help the country to develop its own national strategy focusing on economic reforms and social empowerment, meaning the promotion of public participation, the development of civil society and sustainable development (hence reforms related to spatial planning etc.). These efforts by the international actors have been accompanied by the allocation of investments in different fields such as: administration and house building, healthcare and social security, education science and culture, social sectors, energy, transport and so on (Halilović, 2013). Undoubtedly, the illustrated process of economic transformation influenced the spatial planning development of BiH as written in the report GAP – Governance Accountability Project prepared by USAID in 2012. Indeed, the interlinked questions of privatisation, property right, free market at the base of the economic therapy followed by the country, affected spatial planning in terms of instruments, procedures and mechanisms of implementation.

### *12.1.2.3. Institutional dimension and spatial planning implications*

The institutional dimension has had a great importance in the case of Bosnia & Herzegovina's path of transformation. While the spatial organisation, hence the subdivision in administrative levels, is in general based on geographical, functional, economic and historical factors, in BiH, the spatial organisation has been established by the Dayton Peace Agreement, basically following ethnic claims. The

agreement divided Bosnia & Herzegovina into two Entities, namely the Federation of Bosnia & Herzegovina (hereafter the Federation) and the Republika Srpska.

A few years later, in 1999 the Brčko District<sup>105</sup> has been introduced with a high level of autonomy. Despite the international political volunteer to reduce internal ethnical instability, the fragmentation of Bosnia & Herzegovina produced a crystallization of the ethnic conflicts which limited the interaction among regions reducing the ability to create a domestic competitive market (GAP I, 2012a). The established institutional arrangement has been criticized from different perspectives. As a matter of fact, it produced an unbalanced power system where, according to Fagan (2012), the state level institutions remain fundamentally weak while the Entities are largely autonomous. To underline the Entities level of autonomy, it is interesting to note that entity can conclude treaties, called special relation relationships, independently from the central level. Going ahead, the Federation has been divided further in ten cantos reflecting the existing ethnic division within the entity itself (Fagan 2012). The apparent multilevel system is rather a bureaucratic and overlapped system where there persists great confusion about the rule of law in each level (Bose, 2002). The only highly constraining power is the one exercised by the High Representative who can intervene directly in the affairs of each entity (Fagan 2012).

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<sup>105</sup>Established by the Arbitration Tribunal for the Dispute over the Inter-Entity Boundary Line in Brčko Area formed Brčko District.



Figure 34: Territorial Division of BiH between the RS and the FBiH. The Roman numbers refer to the Canton in FBiH.

Source: Paradoxes of Stabilisation: Bosnia & Herzegovina from the perspective of Central Europe. Center for Eastern Studies, Warsaw, Poland

Besides the administrative level, an important factor that generally is less investigated is the spatial dimension of the aforementioned process of state restructuring. Rogelj (2007) called it spatial delimitation issue, referring to the state internal border, or the well-known IBL - Inter-Entity Boundary Line that separate Entities. This political border has been imposed on the physical geography of the country. More in detail, the IBL neglected all previous administrative, historical and natural borders separating regions, municipalities, local communities, towns and villages. Following the Dayton logic, the national level delegated the responsibility on spatial planning at the subnational and local levels. The exclusion of the state level from any responsibility meant that Entities and the District should, on the one hand, autonomously regulate the territorial development while, on the other hand, the state level is excluded from any responsibility even when it comes to define of a common spatial vision and strategy. The current fragmentation of the spatial planning system and territorial governance in several not harmonized processes is the main consequence of this apparent decentralisation system.

12.1.2.4. *Social dimension and spatial planning implications*

One of the most significant effects of the transition process in Bosnia & Herzegovina has been the demographic socio transformation. During the period of the war (1992-1995), more than 50% of the population departed from their place of residence (Milojevic, 2012) due to economic or/and ethnic reasons. The return process started immediately after the war (1995) when more than a million of returns have been registered in Bosnia & Herzegovina, of which around 450 thousand were refugees and 580 thousand were displaced persons. According to the World Bank data, since 1991 (4.301.169 inhabitants) until 2014 (3.817.554 inhabitants) Bosnia & Herzegovina registered a constant decreasing of its population (Figure 35).

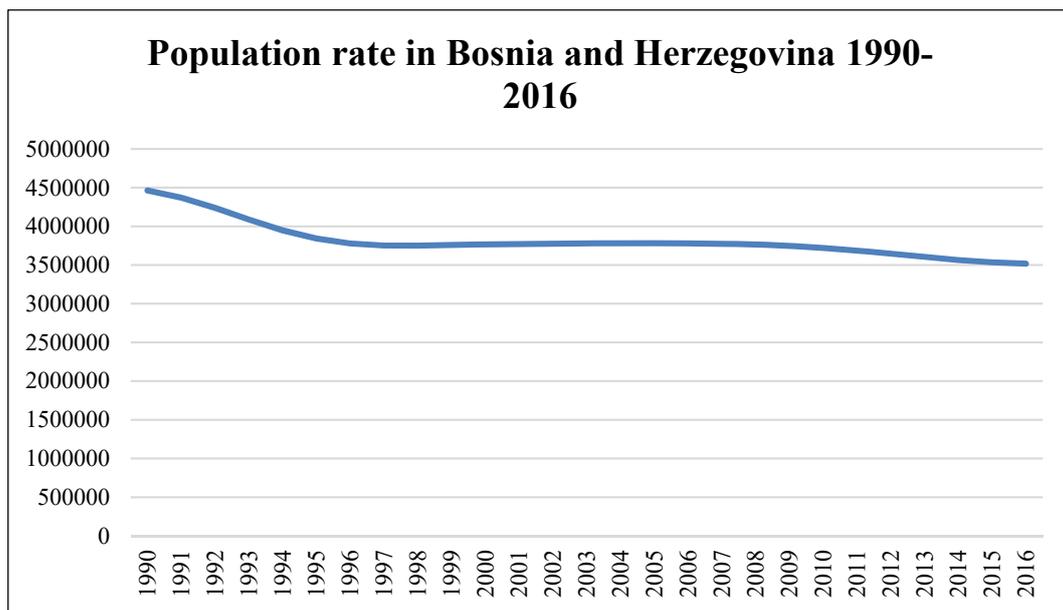


Figure 35: Population Growth in Bosnia & Herzegovina

Source: Author's own elaboration of World Bank Data

Despite what can be expected, the internal migration did not influence so much the percentage of urban and rural inhabitants, that has been almost constant since 1990 (Figure 36). In this regard, Bosnia & Herzegovina is the most rural country in Europe.

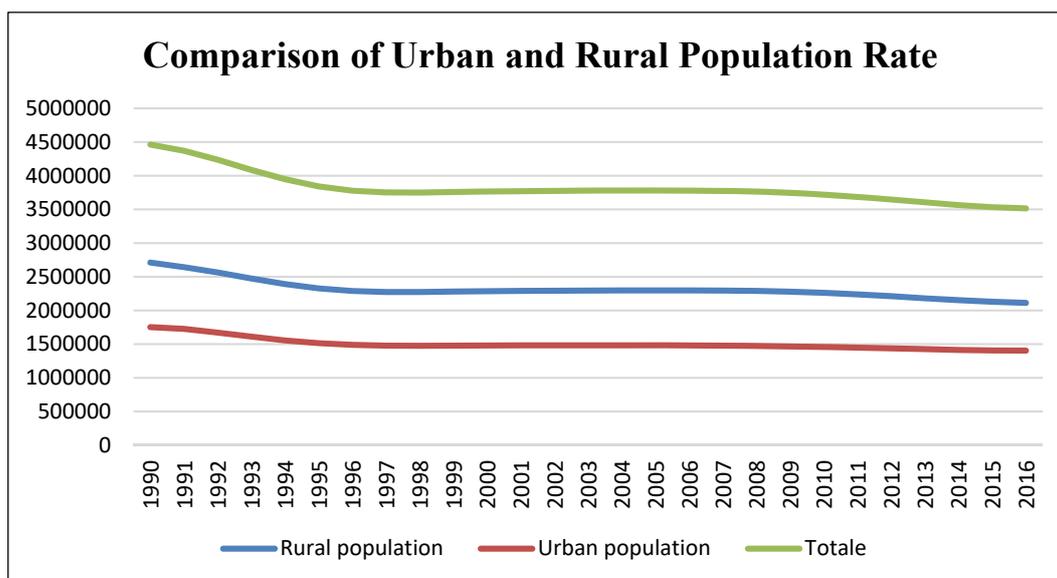


Figure 36: Rural and Urban Population in Bosnia & Herzegovina 1990-2016

Source: Author's own elaboration of World Bank Data

The internal and external migration movements (voluntary or not) caused social and economic disparities among areas that, on the one hand, produced overpopulated areas and, on the other hand, produced a demographic depression in the least populated zones (usually less urbanized territory and peripheral areas). In terms of territorial development, this became a serious problem in cities or territory where new needs (social housing, public services, facilities and etc.) and priorities (cultural, economic and etc.) emerged. The presence of new citizens was the reason for the development of new towns like East-Sarajevo and the growing of other such as Banja Luka, Brčko, Trebinje, Visegrad and Sarajevo as well. Despite the fact that there are no reasons for any type of housing market pressure because the population rate has been constantly decreasing for years, the question of housing reconstruction and illegal building has remained at the centre of the attention for a long time. Indeed, as a result of the give-away privatisation, local governments were almost left without public housing units. The lack of available social housing addressed external aid and remittances towards the housing market, representing respectively the 5% and the 20% of the GDP around 2006<sup>106</sup>. At the same time, an increasing informal construction has been developed for years in spite of an attempt to regulate part of the illegal building both in Entities and Brčko District. While something is happening to the legalization of informal building, in Bosnia & Herzegovina the informal economy represents almost 50% of the total DGP that contributed to increase social inequalities. To sum up, the aforementioned socio-spatial transformations have been affecting spatial planning in several ways. Certainly, influencing the planning priorities, giving more attention to the

<sup>106</sup> More data are available on the document called Need of Social Housing in Bosnia and Herzegovina.

reconstruction process rather than to planning; changing the planning process above trying to legalize informal buildings and. in planning policies. concentrating more on housing rather than on public facilities etc.

#### *12.1.2.5. Behavioural dimension and spatial planning implications*

In the last three decades, Bosnia & Herzegovina has been interested by two interconnected transitions. The first was from war to peace, in which the reconstruction interested not only infrastructures but also administrative institutions. The second, from a socialist form to a market economy characterized by the shock therapy. In both situations, the fragmentation of the civil society represented certainly one of the main local problems. As a path depended peculiarity, in Bosnia & Herzegovina, the process of social disintegration has been reinforced by their inter-ethnic division, which are well represented by their ethnic parties. Altogether, this contributed to limit the sustainable development of civil society. In this respect, the lack of a shared vision about the development of the country and the society and the ‘dependency syndrome’ to international interventions radically changed the social behaviour that involved several aspects of social life. In terms of spatial planning, the main consequences were: the increasing of informal behaviour, that has contributed to develop informal (often illegal) planning processes; the bureaucratization of planning procedures where administrative structure, often with lack of expertise, limiting the efficacy of planning activity; the lack of transparency in implementing radical reforms inspired by liberalisation, privatisation, decentralisation reasons that were at the bases of clientelistic, nepotistic and ethnic-oriented attitude both in the public and private sphere. The idea to rely on the informal network rather than on institutional authorities contributed to move from the concept of public towards a more liberalistic concept of private that often coincides with principle of the “absence of law”. In that circumstance, the role of spatial planning was marginalized in favour of the concept of ‘doing by yourself’.

#### *12.1.2.6. Power dimension and spatial planning implications*

The notion of power dimension is, certainly, an important lens for understanding the transformation path in BiH. As it has been evidenced above, a series of events changed the existing power equilibria in the region since the end of the Yugoslavian block. Differently from the Tito’s regime, despite endogenous specificities, in Bosnia & Herzegovina an important role has been played by the international communities. In this regard, there are some internal and external stimulus that must be evaluated through the lens of the power dimension such as: (i) the introduction of the multi-party system; (ii) the Dayton Peace Agreement and its institutional arrangement; and more in general (iii) the shift from planned economy to a free market one. As mentioned before, the introduction of the multi-party system represented an important democratic reform. However, the existing ethnic division started to be much more organized around the new parties. Basically, the political representation became a sort of power distribution process among new

political elites that came into the scene after the Yugoslavian block. This political inclination become stronger with the beginning of the Bosnian war (1991 to 1995) when the country's ethnic elites used the wartime to gain power and to control natural resources (Mešinović, 2016). The tendency to politicize ethnic diversity became structural with the introduction of the national Constitution that was built on the Dayton's prerogatives. The Dayton agreement, in fact, legitimated the presence of internal and external actors in shaping the administration system and consequently alternating the existing power equilibria. Instead of reducing the ethnic division, as promised, the Dayton agreement promoted a process of institutionalization of ethnic divergences attributing to the new ethicized political parties a crucial role within the central and local administrative structure. The main consequence of this political decision shaped an asymmetric administrative system where the FBiH is much more decentralized (composed by three level of administration) than RS, that instead results more centralized (no meso level exists). Bering in mind these two aspects, hence the new multi-party political environment and the shift of power from the central to the local level, the third factor that has been responsible for changing the existing power equilibria has been definitely the introduction of the free market logic. At this regard, since the introduction of the first privatisation reform a multitude of local and external investors are involved. In terms of spatial planning implications, these business actors have become dominant over urban development processes.

## 12.2. Evolution of the spatial planning approach in Bosnia & Herzegovina: an historical perspective

Historically, BiH was dominated before by Ottomans, then by Austro-Hungaria, and finally by the Yugoslavian socialist regime. Therefore, spatial planning was affected in different ways. In this regard, Table 60 summarizes how each period affected the logic of planning

**Table 60:** Main phases of the evolution of Spatial Planning in Bosnia & Herzegovina

Historical Context		Spatial Planning tradition
...-1878	Ottomans	Logic of land-use zoning
1878-1918	Austro-Hungarian	Pre-order urbanism
1918-1943	Kingdom of Yugoslavia	Pre-order urbanism
1945-1974	Yugoslavia	Socialist planning and state-dictated
1974-1991	Yugoslavia – Republic of Bosnia & Herzegovina	Planning during the period of the decentralisation
1991-...	Bosnia & Herzegovina	Fragmented planning systems

Source: Author's own elaboration partially based on Djurasovic and Knieling (2015)

### **12.2.1. Spatial planning in Bosnia & Herzegovina during the Pre-Socialist period**

In the late 15th century, the Ottoman Empire started to dominate the Balkans. Their presence in Bosnia and Herzegovina, since 1463, determined radical changes within the society and the way in which the control of the territory was perceived. Since the beginning, the management of the territory imposed by the Ottomans relied to the feudalist system, that allocated property right only to a Muslim or to converted people, while the non-Muslims usually did not have access to property right. The tangible urban legacy of that period are certainly the historical centres of cities like Mostar and Sarajevo, that have maintained some aspect of the Ottoman urban structure. One should mention, in fact, that the development of the urban structure at the time was organized on a few elements like *mahalas*, that was the residential zone, and *charshiya*, that represented the work place. In addition to those areas, the Ottoman urban structure included religious and public buildings such as the mosque, a *madrasah*, that was the complex of Islamic school, and *hammam*, that were the public baths as part of the religious complex called *kullia*. These city-centres had a very simple urban structure based on a large number of small residential units (40-50) with private courts and gardens lacking, instead, in open public spaces unlike in the Western tradition that will later characterize the urban system within the Austro-Hungarian Empire.

Once the Ottomans left, the Austro-Hungarian Empire brought new ideas of urban development, however damaging the historical architectural heritage. This period was characterized by a progressive process of industrialization, westernisation and socio-economic changes. As often happened, the transformation process interested, among others, the capital city. In fact, Sarajevo was subject of important innovations that regarded the city's dimensions such as the political structure, the urban and architectural style and the education system (Avdagić et al., 2014). According to the authors, the very first thing that the Austro-Hungarians did upon arrival in Sarajevo was the preparation of a cadastral map by land types, with the aim of defining tax levels (1878-1882). hybrid of land use categories was put in place, where some aspects of the Ottoman Land Code (Forests) and of the Austro-Hungarian standards (Cemetery) coexisted. Among other things, in that period, the first tramway was built in Sarajevo (1885) before than in Vienna.

Later on, Bosnia and Herzegovina was included in the Kingdom of Yugoslavia (1918-1943). Following World War I, Bosnia was incorporated into the South Slav kingdom of Serbs, Croats and Slovenes. Political discourse in Bosnia, at that time, was characterized by two major trends: social and economic unrest over the introduction of the Agrarian Reform (1918-1919) manifested through mass colonization and property confiscation. In that period the spatial distribution of the population was predominantly in the rural areas, making Bosnia and Herzegovina one of the most rural countries in Europe. In those circumstances the first examples

of physical plans were modelled with European planning principles (Djurasovic and Knieling 2015). Cities like Sarajevo and Mostar developed their urban structure according to Western logics, hence new public facilities, large streets and etc. The downfall of the Kingdom of Yugoslavia, occurred in 1941 after the massive occupation by the Nazi army, was followed years later by the affirmation of the communist movements and the proclamation of the Democratic Federal Yugoslavia (soon called the SFRY - Socialist Federal Republic of Yugoslavia).

### **12.2.2. Spatial planning in Bosnia & Herzegovina during the Socialist period under the Yugoslavian regime**

Despite regional specificities, the spatial planning experience of BiH is widely related and interconnected to the planning process of the SFRY- Socialist Federal Republic of Yugoslavia. As emerged from the chapter 12.1.1, in the SFRY, the economic and political approach had a double shift from centralized to decentralized, and later re-centralized. According to the adopted government systems, the planning process followed the same path and phases. These phases are well reassumed by Nedović Budić (2008) when referring to the different steps followed by the Serbian system. In this regard, the author identifies four main periods: (i) the reconstruction period, characterized by a process of centralisation (1945-1953); (ii) the first generation of plans, characterized by the decentralisation process (1953-1963); (iii) the second generation of plans during the period of decentralisation (1963-1973) and (iv) the third generation of plans during the period of the decentralisation (1974-1992).

The first phase has been characterized by an intensive reconstruction activity aiming both to reconstruct and shift from a rural and agriculture-based economy (above all in BiH and Kosovo) to a more industrialized society. In that process a central planning system established, where the central level played a guiding role in introducing planning and economic documents at the central level and addressing the most important planning activities. Coherently to the Marxist ideology, the state introduced practices like, land expropriation, private property confiscation and nationalization in order to reach its development goals. At that time, the only law into power was the Building Law introduced in 1931 only for the part of the SFRY, while, for example, no planning laws existed in Bosnia Herzegovina. However, due to new contextual needs, the first General Urban Planning Regulation passed in 1949, as a combination of Western planning logics and communist paradigms. Following the same steps of Nedović Budić (2008), the second phase refers to the first generation of planning documents within the decentralisation process. Before this period, the Republics were not allowed to adopt their own planning laws. Since 1953 (with the introduction of the new Constitution), each republic started to release their first planning laws. As a matter of fact, in BiH the law on Urban Planning passed in 1965, which introduced instruments at the republic level as the General Urban Plan and, later on, at the municipality level. Doubtlessly, what was interesting is the changing in social perception of planning. Before, the only

professional figure that was allowed to prepare plans was the architect, instead, at that time, the planners increased their social credibility. In this view, the planning activity became to be perceived as an interdisciplinary activity where economic and social principles were accepted and implemented. The third phase refers to the second generation of planning documents during the decentralisation period. At that time, the planning responsibilities were shared by the federal level, that was in charge to define general policies, and the republic, that was in charge to connect the federal strategy to the local needs and priorities. Spatial planning activities started to be an advance instrument in every administrative scale. The hierarchy of plans foresaw numerous levels like, the Republic Spatial Plans, the Regional Spatial Plans, the County Spatial Plans, the Municipal Spatial Plans and the Neighbourhood Spatial Plans (Piha, 1973). At that time, planning was perceived as a long-term activity, with important degrees of flexibility, as an inclusive instrument where social and economic needs were represented, and an open practice included public participation, attention on environmental issues and protection of cultural and historical heritage. The fourth phase takes into consideration the third generation of planning documents from 1974 since 1992. During this period, thanks to the adoption of the Constitution in 1974, the planning activity started to be more decentralized. Indeed, at that time, urban development and spatial planning were in charge of the local communities. Numerous planning reforms passed in all republics including in BiH where the Law on Spatial Planning and organisation (1974) and the Republic Spatial Plan (1983) were adopted. Due to the mentioned political and economic reasons, since 1990 the integrated planning system has been progressively dismantled.

### **12.2.3. Spatial planning in Bosnia & Herzegovina since 1990**

This section illustrates the path of transformation of spatial planning in Bosnia & Herzegovina. Until 1992, the legislative framework is still based on the previous socialist system. In concomitance with the end of the war and the stipulation of the Dayton Peace Agreement (1995), new spatial planning laws at the Entity level have been implemented from 1996 until 2017. The shift from a centred controlled planning system to a more decentralized one has been slowly implemented. During the first part of the transition period, spatial planning was still officially defined as a state-level activity, while, in practice, the private sector interests were able to largely influence decisions on the matter (GAP, 2012). Because of a lack of appropriate governing authorities as well as numerous socio economic conditions, the spatial planning activities followed an unexpected path. What emerged is a shift from a long-term logic to a short one that has not reflected community needs (GAP, 2012). The same problem has been recognized by Djurasovic (2016), who argues that unguided and flexible planning is replacing long term plan based goals and ideas. His research investigates the evolution of spatial planning system by understating, on the one hand, the constitutional and legislative framework, hence the administrative and self-government structure, property rights, expropriation and restitution of property, and the legalization mechanisms. On the other hand,

highlighting the most important sectoral reforms (above all environmental, energy, agriculture and rural, and transport) that have had an impact on the spatial planning system (see **Figure 2**Figure 37).

After the collapse of the socialist centralized and generally imposed planning system, Bosnia Herzegovina was expected to adopt a more strategic approach, following the EU principles on planning. Aiming to do that, both Entities introduced, amended and substituted several planning laws. After the war, as previously mentioned, the main changes in competences and responsibility among planning authorities were induced by the Peace Dayton Agreement, that represented a turning point in the Republic of Bosnia & Herzegovina. As a matter of fact, the Constitution of the Republic of Bosnia Herzegovina passed in 1995 promoting a new institutional and administrative framework (i.e. the introduction of Entities) in which responsibilities in the field of planning were shared by Entities and local administrative authorities (cantons, cities and municipalities). This process of decentralisation has been accompanied by the existing institutional fragmentation of all administrative levels. In order to govern the established institutional framework, two laws on self-government passed. The law on Basic of Local Self-Management for the Federation (FBiH) was adopted in 1995, defining the city as the basic unit of self-management, while cantons are supposed to supervise the urban planning process (*Zakon o Osnovama Lokalne Samouprave* 1995). Since then, spatial planning became prerogative of the Entity, keeping the distance from the central planning system that traditionally characterized the former Yugoslavian Republic. Each Entity, in fact, followed a distinct spatial planning path.

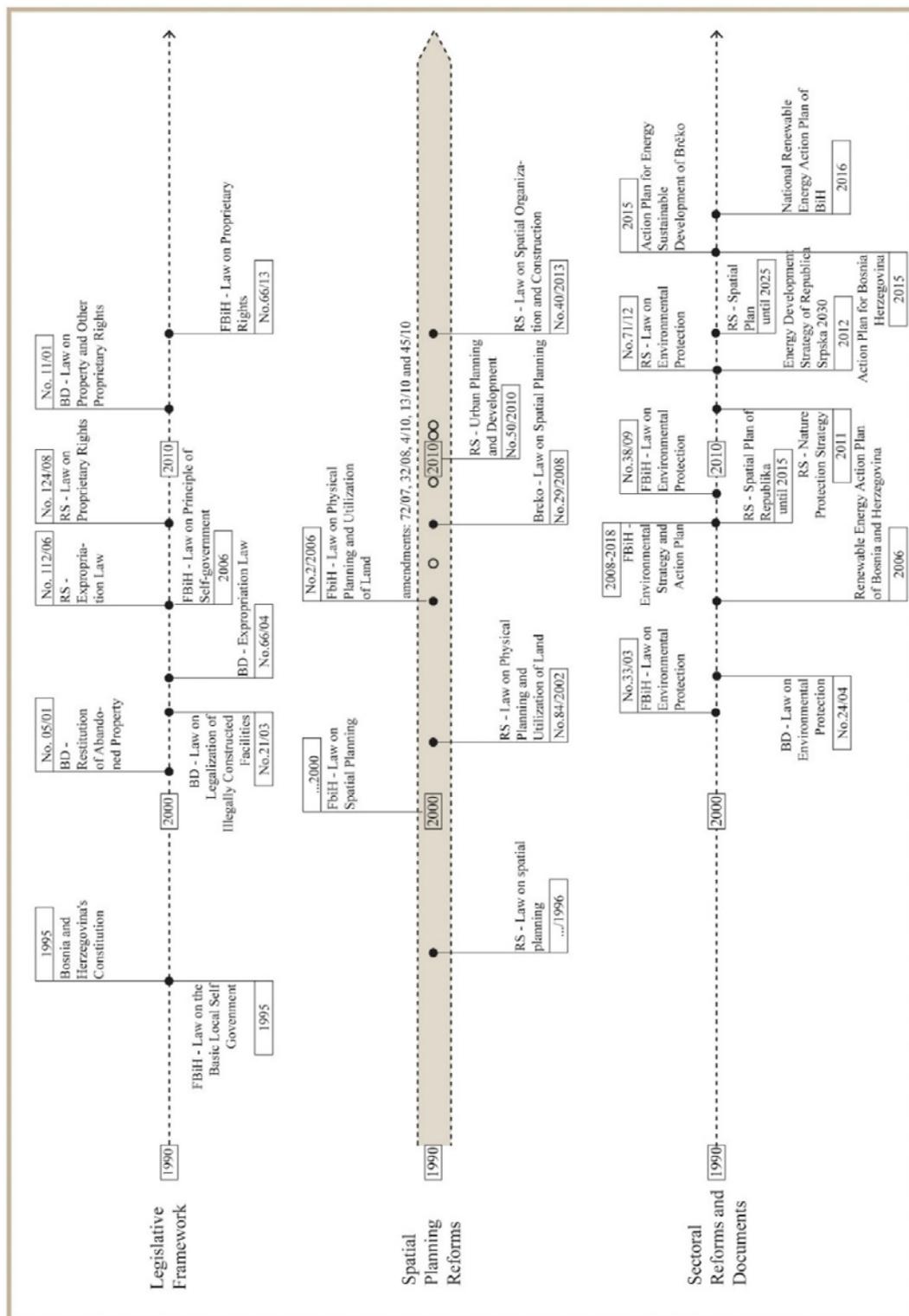


Figure 37: Timeline of Spatial Planning Reform, Legislation Framework and Sectoral Reforms and Documents

Source: Author's own elaboration

In the Federation of Bosnia & Herzegovina the first law on spatial planning has been introduced in 2002 (No. 52) and has been substituted by the law on Spatial and Land-Use Planning (Official Gazette of the FBiH, no. 2/06). The main objective of the reform has been to insure a more efficient functioning of the system through

the inclusion of the public in the process of decision making and implementation; providing an obligation to prepare an Environmental Impact Assessment (EIA) and a Strategic Environmental Impact Assessment (SEA) PAP/RAC, 2007b). However, the law was modified and amended in 2007, 2008, and three times in 2010. The law was complemented by the Regulation on unique methodology for preparation of planning documents adopted in 2004 (No. 63/2004 and emended in 2007 and 2010). According to Korjenić (2015) the regulation was considered very important because it established the procedure for preparing, drafting and content of planning at all levels of spatial planning in the Federation. In the Federation of Bosnia & Herzegovina the spatial planning reforms (Table 61), has been accompanied in 2006 by the law on principles for local management for the Federation (*Zakon o Principima Lokalne Samouprave*) in which were defined the local decision-making processes and the relationship among cities, cantons and the Federation, focusing on the importance of the integrative local planning (Djurasovic, 2016). Nevertheless, the decentralized path has been partially implemented in terms of economic distribution of funds. Indeed, many of these new delegated authorities have been unable to finance their operational needs. Therefore, the financing of development plans and of spatial plans of development projects has been unsustainable (in terms of economical and professional resources) for many of those new local authorities (GAP, 2012). However, the problem of the lack of funds, the unclear and conflictual responsibility and the absence of coordination are not a local based characteristic but represent a critical point also at the cantonal level. According to Uruci (2017), The concrete problem in the field of spatial planning is the uncoordinated spatial planning and development between territorial units on the same level, like the cases on the cantonal level in Federation of Bosnia & Herzegovina, and the uncoordinated spatial planning and development on the vertical line of administrative structure (top down) in each entity.

**Table 61:** Spatial Planning Reform in Federation of Bosnia & Herzegovina

Law	Name	Planning mean	Innovations	Unresolved Issues
No 52/2002	Law on physical Planning <sup>107</sup>	No specific definition was present on the law	Environmental permits for new buildings.	Great degree of planning flexibility followed by illegal development.
No. 2/2006 <sup>108</sup>	Law on spatial and land-use planning	Considered as the management, use and protection of the territory	Obligation to adopt EIA and SEA	Scarce vertical and horizontal coordination

<sup>107</sup> The law was accompanied by the law on Construction N.55/2002

<sup>108</sup> And amendments No. 72/07, 32/08, 4/10, 13/10 and 45/10.

Source: Author's own elaboration

Moving from the Federation to the Republika Srpska, the first spatial planning reform, was approved in 1996, and was followed by several revisions and amendments and significant changes between 1998 and 2000 (Table 62). A few years later, was partially emendated by the law 84/02 on Physical Planning and Utilization of Land at the Level of the Republika Srpska and the law No. 14/03 on Physical Planning Republika Srpska, which was followed by the amendments of the law passed in 2007. The process of laws revision continued with the law on Urban Planning and Development (Official Gazette of RS, no. 55/10) that had the ambition to achieve efficiency in the field of urban planning through the reduction of procedures in administrative tasks and more flexible planning practices (GAP, 2012). The law ensured the legal preconditions to more flexible planning and introduced the obligation of higher participation of experts and the public in the process of preparing, drafting and in the adoption of the plans (Jamaković et. al., 2014). However, a few years later, the law was substituted by the Law on Spatial Organisation and Building/Construction (Official Gazette of the Republika Srpska, no. 40/13) that is currently into force. The last law has been improved, compared to the previous one, in the part that refers to the introduction of energy efficiency in civil engineering and additional harmonisation with European legislation, which still has not been completely achieved (Jamaković et. al., 2014).

**Table 62: Spatial Planning Reform in Republika Srpska**

Law	Name	Planning mean	Innovations	Unresolved Issues
19/1996 <sup>109</sup>	Law on Planning and Civil Engineering in Republic of Srpska	No specific definition was present on the law	Decentralisation of planning activity	Dependency on socialist plans and planning procedures
55/2010	Urban Planning and Development	No specific definition was present on the law	Public Participation and flexible planning	Implementation of planning instruments and procedures (participation)
40/2013	Law on Spatial Organisation and Building	Spatial planning as an integral part of a unified system of planning and programming development	Energy efficiency and harmonization with EU Legislation	Horizontal and vertical coordination

Source: Author's own elaboration

When it comes to the Brčko District, for many years the District was in a sort of institutional impasse until 1999 when it has been recognized as an autonomous administrative level with similar power to the existing Entities. The first law on Spatial Planning adopted by the District's authority dates back to 2003 (No. 9), and

<sup>109</sup> The law has been amended several times (Official Gazette of the Republic of Srpska", no 25/96, 10/98, 53/02, 64/02 and 84/02).

was followed by several revisions until 2008 when has been substituted by the law on Spatial Planning and Construction currently into force (No. 29) (Table 63). Differently form the context, the law gives a clear definition of spatial planning. Indeed, it is a multidisciplinary activity which determines the conditions for development activities in the area and their distribution. According to the law, the planning activity should be based on the principle of sustainability, rational use of space, protection of use of space, harmonization of public and private interests. Again, the law underlined the need to intend planning as a multi-sectoral activity in which to coordinate and harmonize planning issue with special legislation in the field of environment, cultural, historical, architectural and natural tradition and many other fields.

**Table 63:** Spatial Planning Reform in Brčko District

Law	Name	Planning mean	Innovations	Unresolved Issues
9/2003 <sup>110</sup>	Law on spatial coordination	A set of measures to balance economic and social development	Autonomus Spatial Planning System	Lack of coordination with FBiH and RS
29/2008	Law on Spatial Planning and Construction	Multidisciplinary activity through, which is planned the expected use of space	Sectoral harmoziation of planning activity	Inter-border coordination among, on the one side, FBiH and RS and, on the other side, among neighbourhoods' countries.

Source: Author's own elaboration

As it has been evidenced, in all cases the sector of spatial planning has been interested by frequent structural changes that have contributed to shift from the socialist system to a more integrated spatial planning system. The process of transformation interested the structure of planning (planning levels, authorities, etc.), the character of the instruments (strategic and regulative), the procedures (taking into account new responsibilities) and the principles (based on international and EU paradigms). In parallel to the spatial planning reforms, a series of laws passed with the intent to norm some aspects of property rights. In this regard, in RS has been adopted the Law on Property Right No. 124/08, while previously, in BD a comparable law, the law on Property and Other Proprietary Rights (Law No. 11/01), passed in 2001. The FBiH, instead, adopted its law on Property Right in 2013 (Law No. 66/13). In general, the laws on property right regulate the issues of acquiring, using, disposing of, protecting and terminate ownership rights and other proprietary rights and possession rights, including the issues of restricting such rights, the right of servitude, co-ownership and joint ownership rights, the

<sup>110</sup> Law on Spatial Planning of the Brčko District of BiH from 2003 - Official Gazette of the Brčko District of BiH, no. 9/03.

procedure for acquiring property rights over land and/or structures erected on someone else's land.

## **12.3. Understanding the spatial planning system in Bosnia & Herzegovina through analytical components**

This section has the ambition to shed light on the evolution of spatial planning system in Bosnia & Herzegovina through the adoption of multi-component perspective. As follows, the first aspect that will be scrutinised is the structural component that encompasses the legal framework and government system (12.3.1). The second aspect to be investigated will be the technical component that has the ambition to define the so-called instrumental framework, namely plans, programmes, strategies, procedures etc. (12.3.2). While the third part will deal with the practical component (12.3.3) of the spatial planning system, both as formal and informal practices, the fourth part will concentrated on understanding its discursive component (12.3.4).

### **12.3.1. Structural component of the spatial planning system**

As for the cases of Croatia and Albania, this section has the ambition to shed light on the spatial planning legislative framework in Bosnia & Herzegovina. If in the former cases, spatial planning is a contended topic between the central, subnational and local level, in BiH the responsibility on spatial planning is shared by the subnational levels. More in detail, the Constitution of BiH does not explicitly treat spatial planning as a State level responsibility. Consequently, there is no State law or even a State Strategy for urban development that includes the entire territorial dimension of the BiH. In this regard, the Constitution attributes the responsibility to govern the spatial development to Entities that treats and regulates these urban/spatial planning issues within their respective territories through separate legislation. Hence, in case of FBiH and RS, their own Constitutions establish the modality of government and management for spatial planning issue. As a matter of fact, the Constitution of the Federation, Part III – Division of Responsibilities Between the Federation Government and the Cantons, art. 1 letter c, exclusively recognized the responsibility of the Federation level on planning and land use policy<sup>111</sup>. While sectoral issues such as environment, infrastructure for communication and transport<sup>112</sup>, tourism and use of natural resources are in charge of both the Federation and the cantonal level. When it comes to the exclusive responsibility of the Cantonal level, Part III art. 4 letter d, e, f, k, the Constitution

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<sup>111</sup> In detail, the letter C. identify as an exclusive competence of Federation level: making economic policy, including planning and reconstruction, and land use policy.

<sup>112</sup> According to the Constitution of Bosnia and Herzegovina.

establishes that each Canton should be responsible for housing<sup>113</sup>, public services<sup>114</sup> land use<sup>115</sup> and tourism<sup>116</sup>. At the local level, municipalities are responsible for urban planning and transport or other competences delegated from the levels above. In addition, together with the municipalities there are present also cities authorities like Sarajevo and Mostar with special status<sup>117</sup>. To conclude, about the Federation, the spatial planning issue is relatively shared among levels (Entities, cantons, cities and municipalities) and in certain cases the competences seem to be confused and over regulated.

When it comes to the RS, the Republic Constitution establishes in its Part VI-Territorial Organisation art. 100, 102 and 103, the competences and responsibilities for each territorial level. Differently from the Federation, the RS has two levels of government, the entity itself and the local level represented by the municipality. In this regard, according to the Constitution, the municipality shall be responsible for adopting an urban plan and a development program, that regulate and provide for the use of urban development land premises.

Finally, regarding the situation of Brčko District, the Statute of the Brčko District of Bosnia & Herzegovina has been enacted, in which Brčko District is defined as a single administrative unit of local self-government under the sovereignty of Bosnia & Herzegovina (Chapter 1, Art. 1). To underline the relatively autonomous status, the Art. 8 of the Statute establishes that the main competences in charge of the District Authority are, among others, the urban development and zoning, housing, environment, services and infrastructure. As happens in the other subnational level, the Statute underlines and confirms the responsibility of the District on the spatial planning issue.

As emerged from above, the State level delegates any competences on planning at the lower government levels. As a consequence, spatial planning is a horizontally and vertically contended issue among Entities, the District and specific planning levels. Additionally, adopting an historical perspective, these three subnational levels have their own planning system contributing to create separate planning systems. This evidence suggests to separately analyse each planning system following their distinct paths since 1995.

#### *12.3.1.1. Changing in planning authorities and responsibilities at the national level*

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<sup>113</sup> Letter d, making housing policy, including decisions concerning the regulation and provision of housing

<sup>114</sup> Letter e, making policy concerning the regulation and provision of public services.

<sup>115</sup> Letter f, regulating local land use, including by zoning.

<sup>116</sup> Letter k, establishing and implementing Cantonal tourism policy; developing tourism resources.

<sup>117</sup> In the Constitution is established that, for the areas of two or more municipalities which are territorially linked by the everyday needs of citizens, a city shall be formed as a local government and self-government unit, in accordance with Federal legislation.

Before the Independence of Bosnia & Herzegovina, spatial planning was primarily responsibility of the Socialist Federal Republic of Yugoslavia and secondly of each Socialist Republic, according to the Act on Regional Planning from 1974<sup>118</sup>. This law promoted, among others, the preparation of the last socialist Regional Plan (1981-2000) used even after the downfall of the socialist regime. With the declaration of autonomy and especially after the approval of the Dayton Agreement, the role of the national level in the field of spatial planning has been restricted. Currently, at the level of the state, there are two main authorities: the Parliamentary Assembly of Bosnia & Herzegovina, which is the legislative authority, and the Council of Ministers, which represents the executive authority of the state of Bosnia & Herzegovina. None of them, as established in the BiH Constitution, has any competences for spatial planning in the territory of the state. Hence, all competences are delegated at the lower level, Entities and Brčko District.

#### *12.3.1.2. Changing in planning authorities and responsibilities at the subnational - Entity and Canton level*

Coherently with the administrative structure and self-government currently effective in the country, the subnational level is set up on two Entities, the Federation of Bosnia & Herzegovina and the Republika of Srpska and the autonomous district of Brčko. Each subnational level has competences in the field of spatial planning, hence has its own authorities and responsibilities. The existing institutional arrangement dates back to the Dayton Agreement (1995). Since that time, a series of planning reforms and amendments have passed. This section aims to highlight the main institutional restructuring and varying of the planning responsibilities.

In Bosnia Herzegovina, despite numerous changes on amendments and regulations the general structure of the planning authorities remained unchanged. In fact, looking at the spatial planning reforms that passed in 2002 and 2006 (Table 64), it emerged a substantial continuity in planning authorities and responsibilities. At the Federal level, indeed, are established three main authorities that are responsible, in different measures, for managing spatial planning. The first is the Ministry competent, that is in charge of preparing the Spatial Plan of the Federation, of guaranteeing the harmonization of cantonal plans to the Spatial Plan of the Federation and controlling the situation of space. Instead, the government should guarantee economic condition for plans preparation, organizes and stimulates the activity of the Parliament in respect of spatial planning. Finally, the Parliament is responsible for the introduction of reforms' amendments, the approval of the Spatial Plan of the Federation and several others planning documents like the Spatial base of the Federation.

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<sup>118</sup> The law was inspired by the Swiss and the French Laws.

**Table 64:** Changing of Spatial Planning authorities and responsibilities in the Federation of Bosnia & Herzegovina

<b>Law</b>	<b>Spatial Planning Authorities</b>	<b>Responsibilities</b>
<b>52-2002</b>	Ministry competent	Is in charge to prepare and guarantee the development of the spatial planning document.
	Government	Should guarantee economic condition for the implementation of plans.
	Parliament	It should approve planning documents.
<b>2-2006<sup>119</sup></b>	Federal Ministry for Physical Planning	Drafting, enforcing and applying the Physical Plan of the Federation BiH, verifies harmonization of the physical plans of the Cantons with the Physical Plan of the Federation BiH; directing a long-term development in utilization of natural resources; geologic researches; supervision of appropriate institutions in this sector and other tasks as set out by the applicable legislation.
	Government	The Government, on the proposal of the Ministry, prescribes conditions which must fulfil the economic requirements associations and other legal entities.
	Parliament	Responsible for approval of the draft of the planning document at the national level.
	Federal Urbanistic Inspector	Performs inspection supervision over: development of planning documents from the jurisdiction of the Federation, carrying out the Spatial Plan of the Federation and the Program of measures, Spatial Plan the specific characteristics of the Federation, urban and detailed plan for areas with specific characteristics Federation.

Source: Author's own elaboration

In addition to the entity level, the Federation of Bosnia & Herzegovina has ten cantons that are considered to be a subnational level within the Federation institutional arrangement. Indeed, as foreseen by the Federal Constitution, each canton has shared or exclusive competences in the field of spatial planning. Hence, each canton has proper planning authorities that are in charge to manage the spatial development of their territory. Moving from the Federation to the cantonal level (Table 65), in fact, the main planning authorities are: the Council of Canton; the Ministry of Canton deputed to spatial planning and the Canton Institute for Spatial Planning. Together they are responsible for drafting and preparing the planning document, for the final approval and implementation of cantonal plans and for the coordination and harmonization of the planning procedures.

<sup>119</sup> Law on Spatial Planning and Land Utilization (“Official Gazette of the FBiH,” Nos. 02/06, 72/07, 32/08, 4/10, 13/10 and 45/10).

**Table 65:** Changing of spatial planning authorities and responsibilities at the Cantonal Level in the Federation of Bosnia & Herzegovina

Law	Spatial Planning Authorities	Responsibility
52-2002	Council of Canton	Approve cantonal spatial plans.
	Planning Ministry of Canton	In charge to prepare the cantonal Spatial Plan and the Spatial Plan of Areas with specific characteristic of the canton.
2/2006	Canton Assembly	Deputed to approve cantonal planning document
	Canton ministries in charge of physical planning	Draft of cantonal' laws, regulations and other acts regulating the sphere of physical planning,
	Canton Institute for Spatial Planning	Prepares and coordinates the realization of cantonal development plans, strategies and policies.

Source: Author's own elaboration

Currently, each canton has a specific ministry that is in charge to manage and coordinate the spatial planning activity within its territory. Each ministry is responsible for: drafting of cantonals' laws, regulations and other acts regulating the sphere of physical planning, managing the administrative procedure of a second and first instance decision-making in the field of spatial planning; directing and harmonizing the preparation of decisions on construction land passed by municipal councils, participating in the preparation of the Program for expenditure of funds for amenities building land and etc. The main duty of those authorities is to coordinate planning activity not only at the cantonal level but also guaranteeing continuity between the Federal's strategies and objectives, and municipal priorities.

The Republika Srpska, instead, has only two planning levels, the Entity and the municipality. Table 66 illustrates the main planning authority considering the first law passed in 1996 (and its numerous amendments) and the last approved in 2013. One should note that, between them the law of 2010 (No. 55) was approved, however they maintained the same institutional arrangement.

**Table 66:** Changing of Spatial Planning authorities and responsibilities in Republika Srpska

Law	Spatial Planning Authorities	Responsibility
19/1996	Republic Parliament	The Parliament of the Republika Srpska enacted The Spatial Plan of the entity.
	Minister of Urban Development, Construction and Ecology	Is in charge of coordinating the preparing of Entity plans and approve strategic planning documents
	Department of Urban Development	Is responsible to carry out other planning instruments.
40/2013 <sup>120</sup>	Government of RS	In charge of spatial planning issue and the adoption of Spatial Plan of the Republika Srpska.
	National Assembly	
	The Ministry of Physical Planning, Civil Engineering and Ecology	The Ministry is responsible for: the preparation of spatial planning documents review, administrative supervision and providing approval for spatial plans of cities, municipalities, and special purposes areas as well as for

<sup>120</sup> The law Spatial Planning and Construction in Republika Srpska No 40/13

	urban planning; development programmes and investment-technical documents of special interest for the Republic.
Various departments <sup>121</sup>	Responsible for helping the Ministry to draft planning documents.

Source: Author's own elaboration

In general, despite the numerous changes in planning regulation since 1996, the organisation of spatial planning authority at the Entity level preserved the same logics. Indeed, in both reforms are present: executive authorities like the Republic Parliament or the National Assembly in charge to adopt the Spatial Plan of the Republika Srpska; political authorities like the Ministry direct responsible for spatial planning which should provide the preparation of plans, review recommendations, and approve local level plans; technical bodies like various department responsible for the active drafting of plans.

### *12.3.1.3. Changing in planning authorities and responsibilities at the local level*

As happened for the central and subnational level, this section investigates the main planning authorities and responsibilities changes at the local level. Municipalities, indeed, implement the Entity and cantonal-level laws and harmonize the planning activity with the higher-level requirements. In addition, each municipality establishes decrees and rules related to the municipal land guaranteeing uniformness with the Entities' planning legislation. In the Federation of Bosnia & Herzegovina, as illustrated in Table 67, the law establishes three planning authority. In this regard, the Municipal Council is responsible for the definition and implementation of spatial development policy and environmental protection. In addition, it shall adopt the spatial, urban and implementation plans, including zoning plans. Instead the Mayor is seen as responsible for developing and proposing to the Council the adoption of the draft and the budget proposal, economic plans, development plans, investment programs, spatial and urban plans and other planning and regulatory documents pertaining to the use and management of land, including zoning and the use of public land. Last but not least, the Municipal Urban Planning Department has been considered as the technical branch responsible for all those planning phases that deal with the preparation of the planning documents.

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<sup>121</sup> Among others: the Department for Urban and Physical Planning, the Department for Construction Department for Environmental Protection, Department for Projects Coordination and the Development and European Integration.

**Table 67:** Changing of Spatial Planning authorities and responsibilities at the Local Level in the Federation of Bosnia & Herzegovina

Law	Spatial Planning Authorities	Responsibility
52-2002	Municipal Council	Approval of local planning documents
	Mayor	Responsible for the coordination of the preparation of planning documents
	Municipal Urban Planning Department	Technical preparation of planning documents.
2/2006	Municipal Council	Responsible for the implementation of spatial development policy and environmental protection.
	Mayor	Responsible for the coordination of planning instruments.

Source: Author's own elaboration

Since the institution of the Entity levels, in Republika of Srpska spatial planning has been in charge of both central and local level. As emerged by Table 68, despite several planning reforms, the authorities in charge to spatial planning have remained unchanged. Substantially, planning responsibilities have been shared by the Municipal Council and the Mayor. Together, they have been responsible for preparing, approving and implementing the local planning documents according to the procedures established by each planning reform.

**Table 68:** Changing of Spatial Planning authorities and responsibilities at the Local Level in the Republika Srpska

Law	Spatial Planning Authorities	Responsibility
19/1996	Municipal Assembly/ Council	To enact Spatial Plan of the Areas (document at the local level), the Spatial Plan of the Municipality and any other implementation plans.
	Mayor	It proposes all decisions, including those concerning the enactment of plans, to the municipal assembly.
40/2013	Municipal Council	Adoption, implementation, monitoring the state of spatial plans; issue of location requirements, construction permits and use permits etc.
	Mayor	

Source: Author's own elaboration

Briefly, the law passed in 2013 establishes that Municipality and the Mayor are responsible for the adoption and the implementation of spatial planning documents; the monitoring of the state of spatial management of settlements in their territory; issue of location requirements, construction permits and use permits; the assurance of the use of building land and provision of building land for use; the establishment of fees for the transformation and the use of building land and for taking care of its promotion and protection. Moreover, they provide conditions for the organisation of settlements and the use of public and other areas; determine parking areas; regulate the disposal of municipal waste and determining the areas in which certain types of business activities can be performed and; exercise other powers in accordance with the law. As emerged, both authorities are engaged on the implementation and monitoring of the efficacy and efficiency of planning

instruments in coherence to the upper plans. Since 2013, the Ministry and competent commissions from the Government have been giving their consent for spatial plans at all levels in the Republic of Srpska, increasing the competence of the entity over the local planning authorities. It can be argued that this novelty is a clear (re)centralisation mechanism because the upper level authorities may interfere on local decision making process. From an administrative perspective, in 1997 the Brčko District became object of an international supervision, while in 1999 was formalized as a local, multi-ethnic unit of government, which would be developed by the Office of High Representative (OHR) supervisory regime. Since then it is possible to consider the District as an autonomous authority, even in the field of spatial planning (Table 69). Indeed, according to the general statement, the two entities would jointly hold the territory of the resulting Brčko District in condominium but they have no legal or political authority within its territory. The District has one level of planning authority that plays both the role of subnational level and local level. Looking from a spatial planning perspective, the first law on this field was approved in 2003. At the time, as a new administrative unit, the Brčko District was in charge of managing the territorial development under its jurisdiction. To do that, the law established a series of planning authorities. At the top was the District Assembly, responsible of drafting, adopting or revising plans. The Mayor was in charge to make proposal for drafting, adoption, implementation and revision of plans. The Mayor was autonomous to adopt and make decision on Urban Plans without any conditionality from the Assembly (the Urban Plans should be in conformity to the Spatial Plan of the District etc.). At the lower level, was the Department for Urbanism, Property Relations and Economic Development, as a technical body was in charge of preparing plans and coordinate each planning process.

**Table 69:** Changing of Spatial Planning Authorities and Responsibilities in Brčko

<b>Law</b>	<b>Spatial Planning Authorities</b>	<b>Responsibility</b>
9/2003	District Assembly	Take the decision to draft and adopt (revise) spatial planning instruments (excluded the Urban Plan that is made by the mayor).
	Mayor	Take the decision to draft the Urban Plan,
	Department for Urbanism, Property Relations and Economic Development	Within the plans drafting process, the Department is responsible to collect data, relevant documentation, define needs and potential spatial planning solution. Improve public participation etc.
29/2008 <sup>122</sup>	District Government	Adoption of spatial planning documents and other documents and regulations established by the law.
	District Assembly	
	The Department for Spatial Planning and Property	Manages the process of drafting the Spatial Plan of Brčko District as a starting strategic document in this field, manages the process of drafting the Urban Plan of the

<sup>122</sup> Law on Spatial Planning and Construction (“Official Gazette of the Brčko District of BiH,” No. 29/08)

Source: Author's own elaboration

Currently, at the District level, the law recognizes the presence of District Government and Assembly, that are in charge to adopt planning documents (strategic or regulative), and the Department for Spatial Planning and Property, that coordinates the entire phases of preparation and implementation of local plans. As emerged, the planning reforms (2003, 2008) maintain the same authority architecture recognizing the importance of structuring the planning authorities on executive, political and technical bodies.

#### *12.3.1.4. Synoptic view*

The institutional arrangement of Bosnia & Herzegovina is relatively complex. The central level has no relevance on planning issue while subnational levels such as Entities, cantons and the district are in charge of the spatial planning issue. Its unique institutional framework shaped a very peculiar planning system in which three effective sub-planning system coexist with own authorities and competences. The separation of the planning system has not been considered as an appropriate way to respond to the development pressure, but it rather reflects the administrative arrangement based on the ethnic division. The absence of a central authority that deals with planning system or rather an inter-entity planning authority, has been the cause of several conflictual competences within each system and across systems. Despite the explained differences, there are some similarities especially in the institution of the planning authorities. In fact, it can be noted, that at the top of each planning level three different planning authorities co-exist. In all cases, are established an executive authority like the Parliament or the Assembly is established to be responsible of the decision-making process on planning activity ratifying, approving, or rejecting plans. At the level above, political bodies like Ministries or the Mayor (in case of Brčko District) are usually present, which are responsible for supervising the entire process of plans' preparation guaranteeing coherence among plans. Last but not least, at the bottom, the technical branch is generally present, which is represented by Departments or institutions in charge of preparing planning documents, managing the entire planning procedures (collection of data and documents, transposing political priorities in planning objectives and instruments, guaranteeing public participation processes and transparency on each planning levels and so on).

Aiming to recognize the process of transformation and to evaluate the main changes, Table 70, Table 71 and Table 72 sum up the significant innovation that each spatial planning reform presented. The intent is to underline changes regarding: (a) the introduction of new planning authorities; (b) changes in authorities' responsibilities and competences. The evaluation system is based on the presented qualitative scale as follows: (i) absent – no changes at all or confirmation of the previous law's prevision; (ii) scarce – when the level of changes

is not that significant; (iii) moderate – when changes are partial; (iv) high – when changes are consistent; while na – not applicable has been used to indicate the impossibility to do any kind of evaluation.

**Table 70:** The most significant changes in spatial planning authorities and responsibilities in the Federation of Bosnia & Herzegovina

Reforms' Period	Structural Component					
	Authorities			Responsibilities		
	Central	Sub	Local	Central	Sub	Local
...-1995	Spatial planning was primarily responsibility of the Socialist Federal Republic of Yugoslavia and secondly of each Socialist Republic. The Federation of Bosna & Herzegovina was established after the Dayton Agreement (1995)					
1995-02	<b>High</b> – no more competences in spatial planning	<b>High</b> – introduction of the Entity level	<b>High</b> – significant local autonomy (emerged the figure of the mayor)	<b>High</b> – decentralisation of planning responsibility	<b>High</b> – decentralisation and fragmentation of planning responsibility (FBiH and Cantons)	<b>High</b> – partial delegation of planning responsibility to local authorities
52/2002	na	<b>Scarce</b> – executive, politic and technique authorities	<b>Moderate-</b> (emerged the figure of the mayor)	na	<b>Scarce</b> – horizontal redistribution of planning competences	<b>Scarce</b> – more possibility for local to draft plans
2002-06	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2/2006	na	<b>Moderate</b> – Introduction of the Federal Ministry of Spatial planning	<b>Absent</b> – Confirmation of the same planning authority at the Municipal level	na	<b>Scarce</b> – redistribution of competence among planning levels	<b>Scarce</b> – overlapping of planning responsibility between levels
2006- :	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes

Source: Author's own elaboration

**Table 71:** The most significant changes in spatial planning authorities and responsibilities in Republika Srpska

Reforms' Period	Structural Component					
	Authorities			Responsibilities		
	Central	Sub	Local	Central	Sub	Local
...-1995	Spatial planning was primarily responsibility of the Socialist Federal Republic of Yugoslavia and secondly of each Socialist Republic. The Federation of Bosna & Herzegovina was established after the Dayton Agreement (1995)					
19/1996	<b>High</b> – no more competences in spatial planning	<b>High</b> – introduction of the Entity planning level	<b>High</b> – significant local autonomy (emerged the figure of the mayor)	<b>High</b> – decentralisation of planning responsibility	<b>High</b> – decentralisation and fragmentation of planning responsibility (Entity and Municipality)	<b>High</b> – partial delegation of planning responsibility to the local authorities
1996-13	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes
40/2013	na	<b>Absent</b> - confirmation of the previous authorities	<b>Absent</b> - confirmation of the previous authorities	na	<b>Scarce</b> - Entity's planning authority should give their consent on local plans document	<b>Absent</b> – confirmation of responsibilities
2013-	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes

Source: Author's own elaboration

**Table 72:** The most significant changes in spatial planning authorities and responsibilities in Brčko District<sup>123</sup>

Reforms' Period	Structural Component					
	Authorities			Responsibilities		
	Central	Sub	Local	Central	Sub	Local
...-1999	Spatial planning was primarily responsibility of the Socialist Federal Republic of Yugoslavia and secondly of each Socialist Republic. The Federation of Bosna & Herzegovina was established after the Dayton Agreement (1995)					
1999-03	na	na	<b>High</b> – recognition of Brčko as an autonomous unit of government	na	na	<b>High</b> – decentralisation power mechanisms
9/2003	na	na	<b>High</b> – different planning authorities; executive, political and technical	na	na	<b>High</b> – autonomous subdivision of planning responsibilities
2003-08	na	na	<b>Scarce</b> – confirmation of planning authorities	na	na	<b>Scarce</b> – confirmation of planning responsibilities
29/2008	na	na	<b>Scarce</b> – confirmation of planning authorities	na	na	<b>Scarce</b> – confirmation of planning responsibilities
2008-	na	na	<b>Absent</b> – no particular changes	na	na	<b>Absent</b> – no particular changes

Source: Author's own elaboration

<sup>123</sup> Considering the special Brčko District situation within the institutional arrangement of Bosnia & Herzegovina, the research consider the District as local planning level.

### 12.3.2. Technical component of the spatial planning system

Viewing spatial planning system from the technical perspective means investigating the main planning instruments and procedures that characterize it (Figure 38). In Bosnia & Herzegovina, according to what has been prescribed by the Constitution and sectoral laws, in each entity shall be adopted a series of planning instruments targeting to address the development of the territory. In line with it, this subsection sheds light on the main instrumental and procedural changes occurred since 1992.

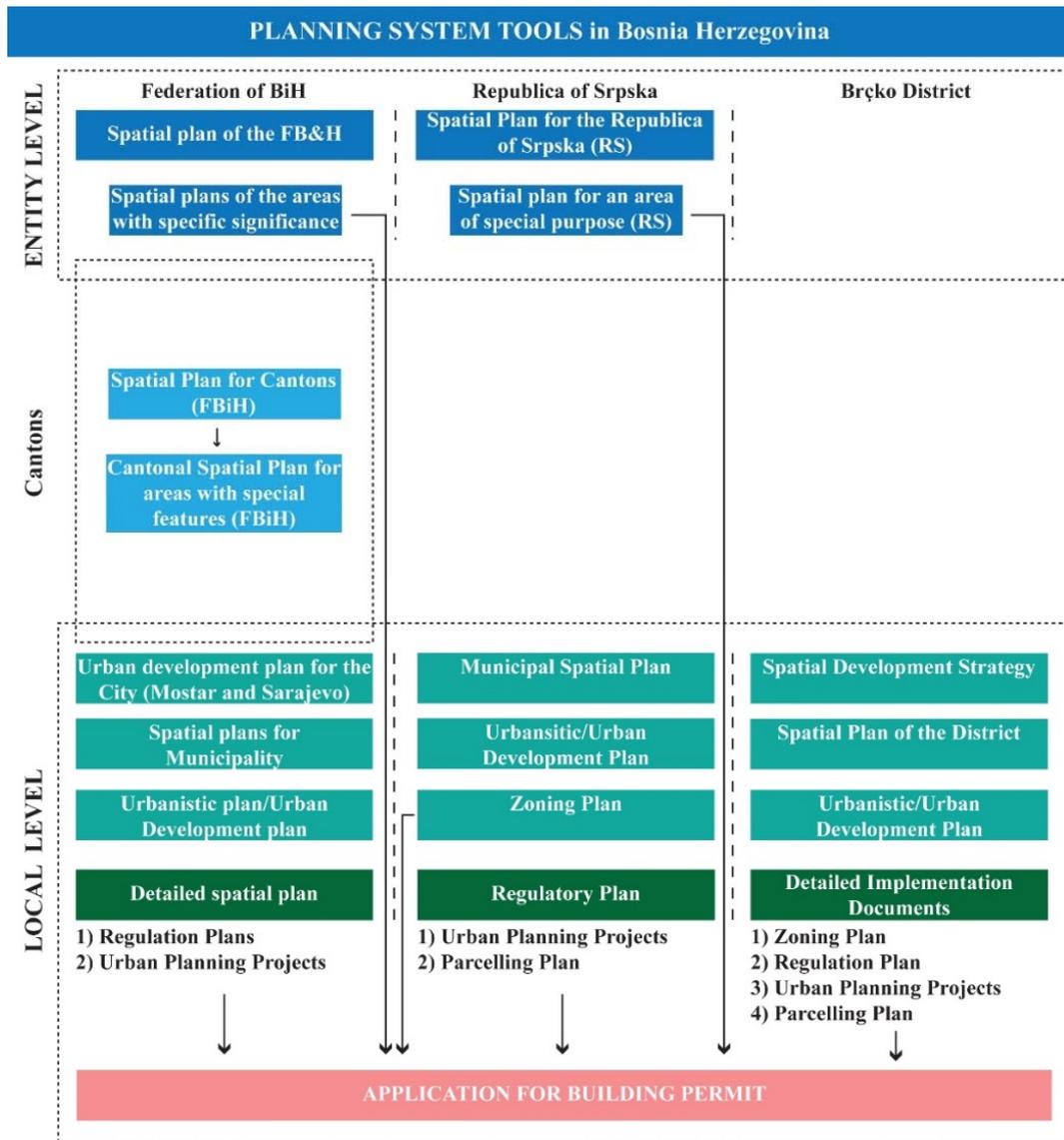


Figure 38: Territorial subdivision and spatial planning instruments in Bosnia & Herzegovina

### 12.3.2.1. *Changing in planning instruments and procedures at the national level*

Looking back to the socialist period, the first comprehensive Spatial Plan of Bosnia and Herzegovina was enacted in 1981 and covered, for the first time, the complete area of Bosnia and Herzegovina (Table 73). Goals and strategic guidelines of the plan were completely in compliance with the modern international practice. After enacting the Spatial Plan of Bosnia and Herzegovina, spatial plans for municipalities, towns, small settlements and special purpose areas, were prepared (PAP/RAC, 2007b). After the declaration of Independence, the Constitution of Bosnia & Herzegovina has not explicitly treated spatial planning as a State level responsibility. Consequently, there is no state law or even a state strategy for urban development that may include the entire territorial dimension of Bosnia & Herzegovina. In this regard, the new Constitution attributes the responsibility to govern the spatial development to the entity that treats and regulates these urban planning/spatial planning issues within their respective territories through separate legislation. During the first transition period, at least from 1991 to 1995, the socialist's planning instruments and regulations continued to be into force. In this regard, even after the Independence, the Regional Plan for Bosnia & Herzegovina (1981-2000) was still valid. In addition, also the normative framework that was effectively implemented, was approved in 1987 and was inspired by the socialist physical planning approach. In line with the previous legislation, plans were developed by the state and were merely handed down to the lower levels for implementation, according to Milojevic (2012).

**Table 73:** Most important plan at the national level

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>Law on Spatial Planning and organisation in 1974</b>	Regional Plan for Bosnia & Herzegovina period from 1981 to 2000	Strategic

Source: Author's own elaboration

It is interesting to note that, in the Federation of Bosnia & Herzegovina, according to the Art. 115 of the law currently into force (No. 45/2010), until the adoption of the Spatial Plan of the Federation shall be applied the Regional Plan for Bosnia & Herzegovina from the period 1981-2000, in the part that is not contrary to the Constitution of the Federation. So, even within the legislative framework

<sup>124</sup> Based on: the Law on Spatial planning and land use for the Federation of Bosnia Herzegovina No 45/10, (ii) the law Spatial Planning and Construction in Republika Srpska No 40/13 and (iii) Law on Spatial Planning and Construction ("Official Gazette of the Brčko District of BiH," No. 29/08)

existed a sort of accepted overlapping among planning socialist and democratic planning instruments. Looking at what has been framed in the recent planning systems in each Entity and Brčko, the part that follows takes into consideration the main changes in terms of instruments and procedures at the subnational level.

*12.3.2.2. Changing in planning instruments and procedures at the subnational - Entity and Canton level*

As for the planning authorities and competences, this section analyses separately the main instruments and procedures at the subnational level of each planning system (Table 74). For several years, spatial documents at the Entity level were never implemented in contrast to what was foreseen by the planning laws. In the case of the Federation, in fact, the Spatial plan of the Federation of Bosnia and Herzegovina is still not implemented. Going back, since the approval of the law passed in 2002, the idea of the legislator has been to adopt diverse planning programs, like the Spatial Basis for the Development and Program of Measures and activities, and physical plans like the Spatial Plan of the Federation of Bosnia and Herzegovina and the Spatial Plan of the Area of Special Characteristics. Excluding the Spatial Plan of the Area of Special Characteristics, the adoption of the mentioned plans was mandatory. Even the normative framework established since 2006, obliges planning authorities to adopt plans at the Federal level. The law identified two different plans: the Spatial plan of the Federation of Bosnia and Herzegovina and the Spatial Plan of the Area of Special Characteristics. Both plans should be harmonised with specific provisions for the protection of environment, cultural-historical heritage, archaeological and natural heritage, soil, air, water and human health (PAP/RAC, 2007b). The adoption processes were led by the Government of the Federation which is in charge to approve the final draft of plans while the Ministry was the leading authority to prepare and manage the entire process of adoption.

**Table 74:** The most important plans at the Subnational level – Federation of Bosnia & Herzegovina

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No 52/2002</b>	Spatial Basis for the Development	Strategic
	Program of measures and activities	Strategic
	Spatial plan of the Federation of Bosnia and Herzegovina	Strategic
	Spatial plan of the area of special characteristics	Regulative
<b>No. 2/2006<sup>125</sup></b>	Spatial Basis of the Federation	Strategic
	Report on the State of the Territory in the Federation	Strategic

<sup>125</sup> The law in its art. 7 establishes the mandatory nature for plans at each planning level

Program of measures of physical planning of the Federation	Strategic
Spatial Plan of the Federation of Bosnia and Herzegovina	Regulative /Strategic
Spatial Plan of the area of Special Characteristics	Regulative

Source: Author's own elaboration

Even after several amendments of the original law of 2006, the general structure of spatial planning instruments remains unchanged. In fact, the current version of the law (45/2010) invites the Federal planning authority to adopt three different planning documents and tools at the entity level. The first is the Spatial base of Federation that contains an overview and an evaluation of the existing situation in the area of importance for the Federation, as well as representing basic guidelines for drafting spatial development documents (it is adopted by the Parliament upon proposal of the Government)<sup>126</sup>. The second document is the Report on the State of the Territory in the Federation which contains an analysis of the implementation of planning documents; evaluations carried out measures and their effectiveness in space; protection of the value of space and the environment; and other elements of importance for the planning of space<sup>127</sup>. On the bases of the Report, the Parliament adopts a four-year Program of Improvement Measures conditions in the Federation, which is the third planning document. The Program determines the arrangement of land that are of importance for the Federation, the sources of financing decorations, and timing of arrangement for the intended purpose<sup>128</sup>. Those documents are functional and essential for the preparation of the planning documents. In fact, the first is the Spatial Plan of the Federation of Bosnia & Herzegovina (hereafter, the Plan), that sets out the long-term (at least twenty years) goals and measures of spatial development in accordance to the planned overall economic, social and historical development which is of significance for the Federation. The Plan, characterized by a strategic and visionary approach, contains some land use policies and directs development of functions and activities of the Federation. It represents the most important spatial document at the Entity level that shall be used as an orientation document for the lower levels plans. The second, the Spatial Plan of Areas with Special Features is prepared for an “area of significance for the Federation of Bosnia and Herzegovina”, such as: spaces for construction of large hydro-energy facilities; areas for water supply; international traffic routes etc. The Spatial Plan of Areas with Special Features, with regard of the common natural, cultural and other characteristics, determines: the basic organisation of the area in question; measures for the land use; development and protection of the area with activities which have a priority; measures for the promotion and protection of the environment. It is adopted for areas of importance for the Federation and should be indicated in the Plan of the Federation of Bosnia & Herzegovina. In addition, the

<sup>126</sup> Art. 10 of the law No. 2/2006

<sup>127</sup> Art. 11 of the law No. 2/2006

<sup>128</sup> Art. 12 of the law No. 2/2006

Spatial Plan of Areas with Special Feature determines the obligations to draft urban and detailed plans for narrower areas included within the territory covered by the plan itself. In this regard, while the Plan has mainly a strategic nature with some regulative aspects, the Spatial Plan of Areas with Special Feature is mainly a regulative and normative document. Despite what has been established by the law on spatial planning, it should be mentioned the importance of the Regulation to Common Methodology in preparing Planning Documents. This regulation, in fact, introduced several changes in terms of public participation, adoption and implementation of guidelines and principles inspired by the ESDP and EU documents etc.

In addition to the Entities and district plans, in the Federation of Bosnia & Herzegovina an important role has been played by the plans at the cantonal level. According to the administrative subdivision, the Federation of Bosnia & Herzegovina is divided in ten cantons. Each canton has been delegated by law to draft a cantonal law targeting to control and govern the cantonal territorial development. According to Uruci (2017) the intermediate level in the Federation has the obligation to create its own spatial planning plans, in consideration of the Federal Spatial Plan provisions. The cantonal law is created to give a local interpretation of the Federal requirements, responding to specific needs and opportunities of each canton. Introducing briefly the main reforms steps of 2002 and 2006, a substantial conservation of the main physical plans (Table 75) has emerged. As foreseen by the Federal law on Spatial Planning of 2002, there were two main plans at the cantonal level. Firstly, the Spatial Plan of Canton, which was adopted by the Council of Canton after the official approval of the cantonal Ministry deputed for spatial planning. The plan determined the basic principles of spatial planning, the goals of spatial development, the use of space, and in particular identified the system of settlements and urban areas, the corridors and infrastructure, defining measures for environmental protection, climate change and the protection of the architectural and natural heritage. The plan was valid for at least ten years. The second instrument was the Spatial plan of Special Features of Canton that covered areas with particular value and cantonal interest like the protected natural resources, water supply sources, thermal or mineral resources, forests, agricultural land and recreation areas. According to the hierarchical principles, those plans should be harmonized with respective Federal Plans. A few years later, even the law of 2006 obligated the Spatial Plan of the Canton to be based on the Spatial Plan of the Federation. However, despite what was established by the Entity laws, each Canton was in charge to adopt its own planning laws through which was defined the content of plans at the Cantonal level. The Art. 14 of the law No. 2/2006, that has been used as a legislative framework, identified the content of the Cantonal Plans recognizing their importance in respecting the natural, cultural, historical and landscape values for each canton.

**Table 75:** The main important plans at the Cantonal level – Federation of Bosnia & Herzegovina

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 52/2002</b>	Spatial Plan of Canton	Strategic
	Spatial Plan of Special Features of Canton	Regulative
<b>No. 2/2006</b>	Spatial Plan of Canton	Strategic
	Spatial Plan of Areas with Specific Characteristic of Canton	Regulative

Source: Author's own elaboration

More in detail, the current version of the law of 2006, after numerous amendments, confirms the nature of plans that already existed at the cantonal level. The first is the Spatial Plan of a Canton that establishes the basic principles of spatial planning, identifying the main spatial development objectives, such as the protection, use and purpose of the land. The second, the Cantonal Spatial Plan of Areas with Special Features focuses on specific pace of territory established by the Spatial Plan of the Canton. The law foresees the possibility that two or more cantons can make a Spatial plan of areas with specific characteristics as a unique plan when this area is located within those cantons.

Differently from the Federation that has three level of spatial planning instruments, already explained, the Republika Srpska has only two planning level, the entity and the municipality. As emerged by Table 76, in the last two decades, spatial planning in Republika Srpska has changed several times. Observing the nature planning documents at the Republika level several strategic planning instruments are identifiable. The first has been represented by the Spatial Plan for the Republika of Srpska which was deputed to address the spatial development of the territory under its jurisdiction. While the second has been the Spatial Plan of the Region, considered only for specific cases (manly functional rather administrative). The current Spatial Plan for the Republika of Srpska, valid until 2025, is the second Spatial Plan at the Entity level adopted by the Republika, the first was launched in 2007 and was valid until 2015. The introduction of the new spatial plan is justified by two main reasons: (i) completely new political, economic, social and environmental circumstances resulting from adoption of the Plan of 2007, and (ii) accelerated changes that can be expected until 2025 (climate change, social exclusion and poverty, the new economic orientation, technology improving infrastructure, geo-strategic issues etc.) This strategic character development plan is playing an important role as a referee/framework for further physical and urban planning, as well as to prepare the appropriate sectoral strategy for the entire territory of Srpska Entity. In this respect, the law No. 40/2013 aims to overcome the top-down approach in favour of a more performant integrated approach where top – down goals and planning solutions and bottom – up needs and aspirations of local governments are harmonized.

**Table 76:** The most important plans at the Subnational level – Republika Srpska

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 19/1996</b>	Spatial Plan of the Republika Srpska	Strategic
	Spatial Plan of the Region (special cases)	Strategic
<b>No. 40/2013</b>	Spatial Plan of Republika Srpska	Strategic
	Spatial Plan for Areas with Special Purposes	Regulative

Source: Author's own elaboration

According to the law currently into force, in the Republika Srpska there are two main planning instruments that operate at the entity level, one more strategic and visionary and one more regulative. The Spatial Plan of Republika Srpska (hereafter the Plan) shall define the principles, the development concept and priorities, the objectives, the organisation of space: regional units, spatial units, the areas of the concentrated economic activity. It shall focus on linking the urban and rural areas, identify the system of settlement, transport network, natural factors of development as special and protected areas. In this respect, the Plan shall force the lower levels to prepare physical planning documents of lower order and sub- areas etc. Instead, the more regulative plan is the Spatial Plan for an Area with Special Purpose that determines the priorities in the categories of space and time, protection belts and zones as well as the zones of area influence, specific areas and building structures, measures for the protection and promotion of natural areas. The plan establishes guidelines for its implementation, identifying responsibilities and procedure for its adoption. Moreover, the plan may allocate right of development issuing building permits.

#### *12.3.2.3. Changing in planning instruments and procedures at the local level*

Once having completed and exhaustive overview of the planning instruments and procedures at the upper levels (entity and canton), the following part explores the local levels' set of instruments. In the Federation of Bosnia Herzegovina, as illustrated by Table 77, the first reform of 2002 distinguished three planning documents. The Urban Plan (hereafter the Plan) was a regulative plan, which should have been coherent to the upper level like the Spatial Plan of the Federation and the Spatial Plan of the canton. As other planning instruments, the Plan was mandatory and stipulated obligations for the lower planning tools like the Regulatory and Urban Projects that were characterized by a more regulative and implemented approach. While the adoption of the Urban Plan was responsibility of the Cantonal Assembly, the Regulatory and Urban Projects were adopted by the Municipal Council.

**Table 77:** The most important plans at the local level - FBiH

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 52/2002</b>	Urban Plan	Regulative
	Regulatory Plan	Regulative

No. 2/2006 <sup>129</sup>	Urban Projects	Regulative
	Municipal Spatial Plan	Strategic
	Urbanistic plan/Urban Development plan	Strategic/ Regulative
	Detailed planning documents <sup>130</sup>	Regulative

Source: Author's own elaboration

At present, the law currently into force prescribes three different planning systems. The Municipal Spatial Plan is a strategic long-term plan. The main purpose is to harmonize the strategy of the upper level (see the Spatial Plan of the Federation and the Spatial Plan of the Canton) with the local strategic priorities. The Plan is prepared based on the Spatial Plan of the Federation and the Program of Measures, with respect for the natural, cultural, historical and landscape values of the municipality, as established in the Art. 15 of the Law on Spatial Planning and use of land (“Official Gazette of the FBiH,” No. 45/10). The Urban Development Plan defines the spatial organisation as land use for housing, work, recreation, sport, tourism and special uses (regulative character). In addition, the plan establishes measures for the protection of nature and zones for infrastructure restructuring. The Urban Development Plan (hereafter UDP) shall be coherent to the Spatial Plan for Canton. In addition, the plan forces the authority responsible to adopt UDPs in areas established by the Municipal Spatial Plan. While the Detailed planning documents defines detailed land use, requirements for construction, the manner of preparation of construction land (provisions for infrastructure, such as roads, telecommunication, water, sewage, etc.). There are two kinds of UDPs: (i) Regulation Plans – which are prepared on the basis of Municipal Plans and are used to regulate planning in the city area, where intensive construction is envisaged and (ii) Urban Planning Projects – which are prepared for construction works that are performed in parts of the city areas.

Differently to what has been prescribed in the Federation, in the Republika Srpska, the law into power recommends a series of planning tools that are strategic and visionary like the Municipal Spatial Plan or the Spatial plan of a self-government unit and others more regulative like the different Detailed Plans (Table 78). With the amendment of the law of 1996 that occurred in 2010, the Zoning Plan has been introduced. The intent of the law was to adopt a flexible planning methodology at the level of urban plots (the specific area is divided into zones, defined the basic rules of building, without parcels of building). However, the zoning methodology has not been clearly established, despite the fact that the supporting bylaws have been adopted (Milojevic, 2012). Nevertheless, this instrument has been confirmed, within the executive physical planning documents, by the last law in spatial planning approved in 2013.

<sup>129</sup> The law in its art. 7 establishes the mandatory nature for plans at each planning level.

<sup>130</sup> The law in power of the Federation foreseen two kind of Detailed Plans, the Regulation Plan and the Urban Planning Projects.

**Table 78:** The most important plans at the Local level – Republika Srpska

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>No. 19/1996</b>	Spatial Plan of the Area	Strategic
	Spatial Plan of the Municipality	Strategic
	Urban Plan	Regulative
	Regulatory Plan	Regulative
	Zooning Plan <sup>131</sup>	Regulative
	Urban Projects	Regulative
<b>No. 40/2013</b>	Municipal Spatial Plan or Spatial plan of a self-government unit	Strategic
	Urbanistic/Urban Development Plan	Regulative
	Zoning Plan	Regulative
	Detailed Plans <sup>132</sup>	Regulative

Source: Author's own elaboration

Currently, the main purposes of the Municipal Spatial Plan (hereafter the Plan) are to: (i) cover the entire territory of the municipality (urban and rural areas); (ii) define areas of municipal infrastructure with routes and corridors for State and municipal infrastructure; (iii) identify environmental protection measures. The Plan is a framework tool, hence shall be implemented by the lower planning instruments. The law foresees the possibility to develop a plan for two or more municipalities if those municipality assemblies agree. Diversely, the Urban Development Plan is an instrument that develops and applies the provisions of Municipal Spatial Plans for particular urban areas in a more detailed way. When it comes to the regulative documents, the law identifies the Zoning Plan and the Detailed Plans. In this regard, the zoning plan is an implementation document which applies the solutions from a higher plan in a more detailed way (whether it is urbanistic, municipal or a plan of areas with a special purpose). The plan focuses on areas that may contribute to enhance the quality of life and promote sustainable development, preserving the existing cultural, historical and natural heritage. It represents an obligation (demand for adoption) to adopt a regulatory plan or urban design for the zones, areas or sites in the areas of the historic urban landscape. Whereas the Detailed Plans is subdivided in Regulatory Plan, Urban Planning Projects and Parcellation Plan. The Regulatory plan defines use of lots, purpose and size of buildings, population density in the cities and regulation, energy efficiency measures, construction borders, dimensions of goods, infrastructure, etc. It is developed for urban areas in accordance with urbanistic plan or for areas of a special interest for the municipality, established by urbanistic plan or a higher planning document. The Urban Planning Projects describes in detail the usage of areas, size and use of

<sup>131</sup> Introduced after two years (2006-2008) of experimentation conducted in several municipalities by international cooperation agencies like USAID and SIDA.

<sup>132</sup> The law currently into force in Republika Srpska identified three kind of Detailed plans, the Regulatory Plan, Urban Planning Projects and Parcellation Plan

buildings, design of buildings, plan of development and levelling, spatial planning requirements, concept solution for transport, utility and energy infrastructure, concept solutions for planned buildings. It is developed in accordance with the regulation plan or any higher document for areas where new development and building are foreseen. The last one, the Parcellation Plan, contains a plan of spatial organisation, plan of transport, infrastructural plan for energy, water and communications, size, shape and location of lots, access to them, etc. The plan is developed for areas where there are no regulation plans or urbanistic projects foreseen for areas that are being transformed (near main or new roads, expansion zones of urban areas, etc.).

Spatial planning in the Brčko District has been regulated by the two main laws that passed in 2003 and 2008 (Table 79). The first was approved a few years after the institutionalization of the Districts as an autonomous administrative unit (1999<sup>133</sup>). For the first time, the District was responsible for spatial planning with the possibility to draft, adopt and implement its own plans. The law distinguished two different type of planning instruments. The first was more strategic, like the Spatial Plan of the District, with a time horizon of least ten years. In the second there were mainly technical-regulatory planning documents, like the Regulatory Plan and the Urban Projects. Due to the special geographical and political condition, all plans had to guarantee the harmonization among them while the Spatial Plan of the District had to be in compliance with the Spatial Plan of the Republika Srpska and the Federation of Bosnia & Herzegovina.

**Table 79:** The most important plans at the Local level – Brčko District

<b>Laws</b>	<b>Instruments</b>	<b>Regulative/Strategic</b>
<b>9/2003</b>	Spatial Plan of the District	Strategic
	Urban Plan <sup>134</sup>	Strategic
	Regulatory Plan	Regulative
	Urban Project	Regulative
<b>No. 29/2008<sup>135</sup></b>	Spatial Development Strategy	Strategic
	Spatial Plan of the District	Strategic
	Urbanistic/Urban Development Plan	Regulative/Strategic
	Detailed implementation plans <sup>136</sup>	Regulative

Source: Author's own elaboration

At present, the main strategic planning instrument is the Spatial Development Strategy. The strategy defines the long-term goals of spatial planning (for 20 years). It defines principles and goals of spatial planning in the development of areas, it

<sup>133</sup> The law No. 9/2003 was introduced pursuant the article 23 of the Statute of the Brčko District of Bosnia and Herzegovina, 2000.

<sup>134</sup> Art. 13 foreseen the adoption of the Urban plans for urban areas the city of Brčko.

<sup>135</sup> The amendment passed in May 2017 extent the validity of the implementation plans for another ten years if established by the Decision of the Brčko District Assembly. Other changes interest the issue of building permit for temporary constructions.

<sup>136</sup> The DIP - Detailed Implementation Plan is constituted by several planning tools at the local level such as: (i) the Zoning Plan, the Regulation Plan, the Urban Planning Projects and the Parcellation Plan.

organizes them, it selects priorities and establishes protection measures and represents the reference framework for the law level plans and strategies. The second is the Spatial Plan of the District that enters into detail and elaborates the plan determinations from the strategy with appreciation of the natural and cultural-historical value of the area of the District. This plan is implemented by the Urban Development Plan, an instrument that, in a detailed way, elaborates choices of strategy, or spatial plan, and, in particular, it defines: the basic organisation of space; the borders of construction, agriculture, water and forest land; the borders of the urban and inner urban areas; the conditions for the Planning of town construction land. At the lower level, there are the Detailed Implemented Plans, like (i) the Zoning Plan, (ii) the Regulation Plan, (iii) the Urban Planning Project and (iv) the Parcelling Plan. Those document focus on areas that may contribute to enhance the quality of life and promote sustainable development, preserving the existing cultural, historical and natural heritage.

#### 12.3.2.4. *Synoptic view*

As it has been evidenced, the fragmentation of the existing planning system in Bosnia & Herzegovina, produced a proliferation of planning document. As a matter of fact, in the Federation of Bosnia & Herzegovina at least thirty plans and planning documents should be prepared (five<sup>137</sup> for the Federation, two<sup>138</sup> for each of the ten cantons and five<sup>139</sup> local plans). For the Republika Srpska the established planning system requests less planning documents, two<sup>140</sup> for the Entity level and six<sup>141</sup> for the local level. While in Brčko District exist only six<sup>142</sup> planning documents. Despite the massive number of planning documents, however, their nature is relatively clear. Indeed, what each planning system has in common is the fact that each planning level has two kinds of plans. On the one hand, generally there are more strategy- oriented plans which define the long term strategies and goals, representing the main planning document. On the other hand, there are more regulative and normative oriented documents which can allocate development rights and issue building permits. One can argue that, even if those plans are fully implemented, the lack of a national planning document remains a critical point. Indeed, the absence of any kind of Cross-Entity plans influences negatively the

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<sup>137</sup> More in detail: Spatial base of Federation Report on the state of the territory in the Federation, Program of measures of physical planning of the Federation, Spatial Plan of the Federation of Bosnia and Herzegovina, Spatial Plan of the area of Special Characteristics.

<sup>138</sup> Spatial Plan of Canton Spatial Plan of Areas with specific characteristic of Canton

<sup>139</sup> Municipal Spatial Plan, Urban Development Plan, Detailed Plans, the Regulation Plan and the Urban Planning Projects.

<sup>140</sup> Spatial Plan of Republika Srpska, Spatial Plan for Areas with Special Purposes

<sup>141</sup> Municipal Spatial Plan or Spatial plan of a self-government unit, Urbanistic/Urban Development Plan, Zoning Plan, Regulatory Plan, Urban Planning Projects and Parcellation Plan.

<sup>142</sup> Spatial Development Strategy

Spatial Plan of the District Urbanistic/Urban Development Plan, Regulation Plan, the Urban Planning Projects and the Parcellation Plan

coherent territorial development of the country reducing the possibility to have a harmonious and integrated planning system.

The synoptic Table 80, Table 81, Table 82 sum up the main planning changes since the downfall of the communist regime. Indeed, in order to have a complete overview of the main changes, with the aim of recognizing the process on transformation, the instruments and the innovative procedures have been assessed adopting an evaluation system based on the presented qualitative scale: (i) absent – no changes at all or confirmation of the previous planning instruments and procedures; (ii) scarce – when the level of changes are not significant, so the tools introduced are relatively irrelevant; (iii) moderate – when changes are partial and some significant planning tools has been launched; (iv) high – when changes are consistent, i.e. new planning instruments have been introduced. While na – not applicable has been used to indicate the impossibility to do any kind of evaluation.

**Table 80:** Changes in planning instruments, procedures and contents at the central level in the Federation of Bosnia and Herzegovina

Reforms' Period	Technical					
	Instruments			Procedures		
	Central	Sub	Local	Central	Sub	Local
1995	Spatial planning was in charge to the primarily to the Socialist Federal Republic of Yugoslavia and secondly to each Socialist Republic. The Federation of Bosna & Herzegovina was established after the Dayton Agreement (1995)					
1995-02	na	<b>Scarce</b> – in FBiH the Regional Plan for Bosnia & Herzegovina 1981 to 2000 was still valid	<b>Scarce</b> - Confirmation of socialist planning documents	na	<b>Scarce</b> – confusion in planning adoption procedures	<b>Scarce</b> – confusion in planning adoption procedures
52/2002	na	<b>High</b> – New set of Planning Instruments for the Federation	<b>High</b> – New set of Planning Instruments for Municipality	na	<b>High</b> – hierarchical subdivision of planning process (new procedures of planning adoption)	<b>High</b> – among others new procedures for obtain building permits
02-06	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2/2006	na	<b>Moderate</b> - Report on the state of the territory in the Federation	<b>Moderate</b> - Introduction of more oriented strategic plans	na	<b>Scarce</b> – redistribution of responsibility within the planning level	<b>Moderate</b> - no clear procedure for preparation of spatial planning documentation
2006 <sup>143</sup> ...	na	<b>Absent</b> – no changes	<b>Moderate</b> – zoning methodology (influenced by GAP I 2006-08)	na	<b>Moderate</b> - no clear procedure for preparation of spatial planning documentation	<b>Scarce</b> – several changes in issuing building permits

Source: Author's own elaboration

<sup>143</sup> Entity-level laws adopted in 2010 (as an amendment to the law 2/2006), do not contain optimal procedures for the preparation of spatial planning documentation.

**Table 81:** Changes in planning instruments, procedures and contents at the central level in Republika Srpska

Reforms' Period	Technical					
	Instruments			Procedures		
	Central	Sub	Local	Central	Sub	Local
...-1995	Spatial planning was in charge to the primarily to the Socialist Federal Republic of Yugoslavia and secondly to each Socialist Republic. The Republika Srpska was established after the Dayton Agreement (1995)					
19/1996	na	<b>High</b> - introduction of strategic at the Entity Level	<b>High</b> - introduction of strategic and regulative local plans	na	<b>High</b> - approval of planning instruments at the Entity level	<b>High</b> - preparation of planning tools at the local levels
1996-13	na	<b>Absent</b> – no changes	<b>Moderate</b> – of zoning methodology (influenced by GAP I 2006-08)	na	<b>Absent</b> – no changes	Scarce – changing in issuing building permits
40/2013	na	<b>Moderate</b> – introduction of Spatial Plan for Areas with Special Purposes	<b>Absent</b> – no changes	na	<b>Moderate</b> - building permits may be allocated even at the Entity level.	<b>Moderate</b> – interferences of Entity level on allocating development right.
2013...	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes

Source: Author's own elaboration

**Table 82:** Changes in planning instruments, procedures and contents at the central level in Brčko District

Reforms' Period	Technical					
	Instruments			Procedures		
	Central	Sub	Local	Central	Sub	Local
...-1999	Spatial planning was in charge to the primarily to the Socialist Federal Republic of Yugoslavia and secondly to each Socialist Republic. The Brčko District was institutionalised, as an autonomous administrative unit in 1999.					
1999-03	na	na	Scarce – reproduction of the socialist planning documents	na	na	Scarce – reproduction of the socialist planning procedures
9/2003	na	na	<b>High</b> - Introduction of strategic and regulative planning documents	na	na	<b>High</b> – plans are approved by District planning authority
2003-08	na	na	<b>Absent</b> – no changes	na	na	<b>Absent</b> - changes
29/2008	na	na	<b>Scarce</b> – more attention of SEA and IEA	na	na	<b>Scarce</b> - changes in building permits procedures
2008-...	na	na	<b>Absent</b> – no changes	na	na	<b>Absent</b> - changes

Source: Author's own elaboration

### **12.3.3. Practice component of the spatial planning system**

According to the definition given in the subsection 9.4.2.3, the practice dimension represents day by day the reiteration of procedures and traditions of planning action, addressing the urban and territorial development. Synthetically speaking, while the explored structural and technical components illustrate how the planning system should work, the practice dimension intends to exhibit how it actually works in a given context, including the social, economic and historical environment in which spatial planning is deeply embedded. The following subsection is divided in three parts. The first part investigates the planning practices at the national level showing the absence of any planning experiences because of the institutional arrangement. The second focuses on the subnational (Entity and Canton) planning practice that characterized the diverse planning system. The last part concentrates on understanding the local planning practices and experiences. At the end of the subsection, Table 83, will sum up the main changes in practice in the Federation of Bosnia & Herzegovina, Table 82 will recapitulate the important changes occurred in planning practices in the Republika Srpska and, finally, Table 85 will summarise the planning experience in Brčko District during and between the main planning reforms.

#### *12.3.3.1. Changing in planning practice at the national level*

The lack of planning responsibility constrains the central level to be a mere observatory authority. Indeed, despite some competences in the sectors with particular national interests, the national level has been excluded, since 1995, from any strategic decision made in the field of spatial planning.

#### *12.3.3.2. Changing in planning practice at the subnational - Entity and Canton level*

Once proved a general overview on the planning situation, this part explores separately the planning condition of the Federation of Bosnia & Herzegovina, the Republika Srpska and the Brčko District. According to GAP (2012, a, b), the spatial planning system in Bosnia & Herzegovina in general, and particularly at the Entity levels it suffers from a lack of coordination among the planning levels (vertical), within the levels and among sectors (horizontal). Indeed, the fragmentation of the spatial planning system, institutionalized after the Dayton Agreement, has created spatial planning differences among Entities (among others in respect of planning levels). However, some recurrent problems are present in both entities like: lack of capacity of plans implementation at the local level; lack of experts within the local administration; lack of law coherences between Entities and local legislations; scarce coordination between Entities, meaning that there are no inter-entity authorities deputed to harmonize planning activities etc.

Starting from the analysis of the planning practices in the Federation BiH, at present, at the entity level, the Spatial Plan for the period 2008-2028 is being

prepared (it is finished but never implemented for cantonal problems and interests). The new federal Plan and the Regulation to Common Methodology to prepare Planning Documents has introduced several changes such as: (i) public participation procedure (organizing lectures, panel discussions, public hearings and other forms of public involvement) during the entire process of plan's preparation and adoption; (ii) new responsibilities for the authority involved; (iii) concept of spatial development (infrastructure systems and protection of natural values); (iv) adoption and implementation of guidelines and principles (polycentric structure, regional development, sustainable development, integrated planning, etc.) derived from ESDP and others EU documents. As affirmed, this plan has been never implemented due to a series of structural obstacles. Moving from the Entity level to the cantonal level, the spatial planning structure is ruled by both the federal planning law and each law enacted by the cantonal planning authority. In this regard, Korjenić (2015) shows when planning laws at the cantonal level have been adopted underling important differences among cantons. Indeed, while Posavski canton adopted its law in 1999, the canton of Unsko – Sanski introduced its law on Spatial Planning and Construction in 2011 (the most recent). This lack of coordination reflects the enormous complexity within the Federation. This intricacy interests also the plans' content and the main guiding lines. In fact, there is often a lack of correspondence among plans at the Entity level and those introduced at the cantonal level, in spite of what is request by the law.

Moving from the Federation to Republika, since 1995, the Republic of Srpska has realised two different Entity's spatial plans. The first was the Spatial Plan of the Republic of Srpska (1996-2015), elaborated in two phases, the first interested the period from 1996 to 2001 and was adopted at the National Assembly of the Republic of Srpska in 1996, while the second was prepared and updated for the period 2001-2015, it was called the Spatial Plan of the Republic of Srpska until 2015, and was adopted at the National Assembly of the Republic of Srpska in 2007. At present, the Spatial Plan of the Republic of Srpska until 2025 is being prepared. During the preparation (first draft in 2013) of these planning documents, cooperation was established with the Ministry for Spatial Planning of the Federation of BiH, to share the spatial data and to orient the strategic priorities of the spatial development of both entities and Bosnia & Herzegovina as a whole (Jamaković et. al., 2014). The procedure for the preparation of the Spatial Plan of the Republic of Srpska 2025 follows two different phases, the first focuses on amending the Plan by 2015 and the second concentrates on drafting a new plan by 2025. In doing so, the Ministry of Physical Planning, Construction and Environment invited, in several institutional circumstances, numerous planning authorities and stakeholders as well as interested bodies, institutions, enterprises and organisations to give a contribution in the drafting of the Plan 2025. It is interesting to note that the Ministry invited also external authorities like the line Ministries and Department from the neighbourhood countries (Croatia, Serbia, Montenegro) showing the interest to prepare an integrated plan not only within Bosnia & Herzegovina, but also externally toward the country's borders.

### 12.3.3.3. *Changing in planning practice at the local level*

Moving from entity level to local level, the Federation of Bosnia & Herzegovina spatial planning complexity has been perceived as one of the main problems in Bosnia & Herzegovina. This complexity has been evidenced even at the local level, where the largest number of municipalities, mainly due to scarce economic resources, are facing with the impossibility to fulfil the minimum requests of the legislative apparatus. In this circumstance, Korjenić (2015) criticised the role of practitioners that, with their expert opinions, influenced the administration's performance increasing corruption and nepotistic behaviours. Looking at the main structural problems responsible for reducing the efficacy of the planning activity, it should be mentioned that the lack of digitalization of data and documents, as have been prescribed by the law but never implemented by the local authorities (Korjenić (2015)). Another recurrent question is the lack of experts on the board of each departments of local municipalities. Indeed, in a very small number of municipalities are defined one or two positions who deal with spatial planning activity while in the majority of cases spatial planning is still perceived as a bureaucratic and administrative procedure. Moreover, GAP (2012a) mentions additional endemic problems that characterized the implementation of the local planning activity such as: difficulties in issuing location permits (each of the three planning levels may issue planning permits); need of additional education and capacity building of relevant municipal staff; lack of clarity that has blocked the establishment of a dedicated line ministry or other organisation with responsibility of monitoring, planning, and managing land use etc. According to GAP (2012a), from 1995 to 2010, municipal urban planning departments have been strongly influenced by private investors who became involved in planning and building operations. This involvement has led to a decline in urban management and building standards, including a lack of adequate control of technical documentation, insufficient protection of norms and standards in design, reduction of inspections of construction sites, and a lack of respect toward the developed sites.

The second level of planning in the Republika Srpska is the municipality. Differently from the Federation, the fact that the Republika has only two planning levels makes the system more efficient. In fact, as recognized by NALAS (2011), these institutional arrangement and planning system has been evaluated positively due to several aspects. In fact, it has been registered, among others, a good coherence in the hierarchy of plans that is considered flexible in practice; the environmental protection is included in the preparation of planning documents; there is a common GIS procedure. Conversely, the planning system has still some structural problems like: insufficient public participation; no data on economic feasibility of planning process is given; insufficient land and space analyses are prepared; there are still present the phenomena of informality even when the legislation of informal settlements has been widely implemented. Moving from the efficacy planning activity to the level of implementation, the question of local plans reflects some structural problem illustrated about the Entity plans. At the local level emerged the lack of spatial continuity and common strategies with the

corresponding local plans of the Federation that reduced to implement a sustainable territorial development. In this sense, the main cities of the Republika have not been adequately supported to strengthen their regional function and great connectivity within the region. Planning activity in Brčko District reflects its particular government status. Until 1995, Brčko was a small city part of Bosnia Herzegovina, hence, it had no particular competence in the field of spatial planning, that was generally perceived as a state-oriented activity. After the war, between 1995 and 1997, Brčko was part of the territory under the jurisdiction of the Republika Srpska. From 1997 until 1999 it was under the authority of international community when the city of Brčko became the centre of the Brčko District. Since then, Brčko has been effectively considered as an autonomous authority with the same administrative power as both Entities already had (including clear responsibility on spatial planning). The first law on spatial planning passed in 2003 and substituted in 2008 that is still currently into force. So, until 2003, the Brčko District lacked of any spatial planning authority while, later, it had the opportunity to structure its own planning system separately from the system of the Federation and the Republika Srpska. Differently from the other two examples, Brčko has one level of spatial planning that, with different planning instruments (strategic and regulative), regulates the district's spatial development. Observing the level of plans implementation, in the period 2003-2007, the Urban Master Plan of the Brčko District was prepared, financed and drafted by external organisations<sup>144</sup>. The Plan addressed specific planning issue like: the role of Brčko in the local context; the economic and social structures; the infrastructures of mobility; the habitat and its values; the housing, service and production needs etc. In the same period, the law of 2003 – that was effectively adopted in 2006 (Spatial Plan of Brčko District BiH 2007–2017) - introduced for the first time the Spatial Plan of Brčko District Bosnia & Herzegovina, that was prepared in accordance with the provisions of Law on Spatial Planning of the Brčko District Bosnia Herzegovina (Official Gazette of Brčko District BiH, number: 9/03, 23/03, 15/04). The document was the first attempt to prepare a comprehensive plan that included the entire territory under the jurisdiction of the Brčko District. In the same period, was adopted the Urban Development Plan (strategic in nature). During the preparation of those two major spatial planning documents, in 2006 and 2007, the authorities of Brčko District had organized two types of public consultations, according to the law's prevision: public hearings and presentations at the Local Community Offices (LCOs). In those circumstances, the main comments referred the to the Brčko Bypass related to potential micro alignments of the road's route in order to avoid resettlement. The tendency to enhance public discussion on strategic objectives or specific projects continued in 2011 with the presentation of the Stakeholder Engagement Plan for the Brčko Bypass project. However, critics can be moved on the fact that the participation process has been often reduced to a pure public communication

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<sup>144</sup> The Plan was financed by Unindustria Venezia and drafted by PANGEA company.

initiative rather than a real involvement of the public within the decision-making process. In line with the preparation of planning documents illustrated recently in July 2017, the Head of Spatial Planning and Property Affairs Department has announced that new settlement regulatory plans should be prepared. As declared, there are five new regulatory plans in Kolobar I, Kolobar II, Klanac, Rijeka and Plitvice, which have finished or have not been developed yet, while there are various reasons for making the other seven plans in the settlements of Ash, Mera, Greka, Srpska Varoš, Ivica, Mujkići II and the urban area of Gornji Rahi. Differently from the past, these new plans are more regulative and focus on facilitating the allocation of development rights and issue building permits. Differently from the other examples, it seems that Brčko District has succeeded in the implementation of the new planning system. There are many reasons behind this positive example. As Paris (2004) stated, the constructive path followed by the Brčko District after the war is characterized by the fact that the local authority concentrated on ‘institutionalization before liberalisation’, while both the Federation and the Republic followed the inverted logic, hence ‘liberalisation before institutionalization’.

#### *12.3.3.4. Synoptic view*

The almost three decades of transition are contributing to change the planning trajectory of Bosnia & Herzegovina, from a socialist to a more development-oriented strategic approach (Djurasovic, 2016). Looking at the recent planning route of Bosnia & Herzegovina three main periods can be detected. The first period, from 1991 to 1995, was characterized by a substantial continuity of the socialist planning logic (GAP, 2012a; Milojevic, 2012). In that period, planning was still considered as a state-level activity, where private actors were less involved on spatial planning process. It should be noted that Bosnia & Herzegovina was indeed a unified country. At the time, plans were highly rigid in terms of drafting procedure and implementation. In fact, the possibility to differ from the land use originally planned was not possible (GAP,2012a). Meanwhile, the plan’s adoption process was developed in a non-transparent way that saw involved only the government representatives rather than the other stakeholders. The second period, 1996-2000, was characterized by an intensive reconstruction activity. The post-war efforts were concentrated on the rebuilding of the state and the infrastructure, on the organisation of the return of refugees and on the implementation of Dayton Peace Agreement. The new Entity level had been introduced, and the fragmentation of the planning activity (delegated to each Entity) coincided with the administrative decentralisation process and the division of various sectors (energy, water, education, environment etc.) (Djurasovic, 2016). Indeed, according to GAP (2012a) both in the Federation of Bosnia & Herzegovina and Republika Srpska, planning was performed using the same planning methodology as in the previous period, including the preparation and adoption of the program basis or preliminary feasibility study (for urban and spatial development plans), which provided more strategic support for implementation (on the paper). The implementation of

planning documents was largely influenced by the lack of Entity capacity to deal with those new responsibilities and the lack of national common guidelines. Even when each Entity introduced their own spatial planning laws (1996 for the Republika Srpska and 2002 for the Federation of Bosnia Herzegovina), plans at the Entity level were not implemented, which made planning slower and less efficient (GAP, 2012a). Differently from to what was declared, the introduction of public participation was never implemented or reduced to a mere public presentation of the plan. In this regard, GAP (2012a) underlines the fact that even within the new administrative and planning structure, the introduction citizen participation into the process did not create a basis for implementing more flexible planning and development strategies (they were basically identical in plans content with the laws from the Socialist period). In that period, an important role was played by international development organisations (UNDP, World Bank, USAID, SIDA, GIZ, etc.) in supporting local actors to deal with those new responsibilities. As in other countries, their involvement shifted from a humanitarian to a state - restructuring perspective. The third period, from 2000 to the present days, is characterized by a consolidation of new practices, taking the distance from the socialist planning tradition. As Djurasovic, (2016) affirms, this period contributed to cementing the decentralisation process that had started in 1995. Plans at the entity and lower levels have been partially prepared and implemented. However, Jamaković et. al. (2014) criticized the fact that, until 2014, in the Republika Srpska over 50% of municipalities still had not adopted new spatial plans, while the old ones were no longer applicable. In the Federation of Bosnia & Herzegovina, the situation is much more confuse. In fact, no federal plans have been adopted and statistics about the preparation of cantonal and local plans are not available. Looking at the terms of planning principles, it should be noted that, abandoning the socialist approach, the new plans are prepared based on international (among others EU) hegemonic paradigms like integration, flexibility, participation etc. Overall, Table 83, Table 84, Table 85, sum up the process of practice evolution for each one of the planning systems illustrated. In the tables are showed and assessed the main changes by adopting the present qualitative scale: (i) absent – no changes at all or confirmation of the previous planning practices; (ii) scarce – when the level of changes is not significant, so the innovation practices are relatively irrelevant; (iii) moderate – when changes are partial and some significant examples emerged; (iv) high – when changes are consistent, hence, new common planning practices emerged.

**Table 83:** Changes in planning practice, formal and informal, in the Federation of Bosnia & Herzegovina

Reforms' Period	Practice					
	Formal			Informal		
	Central	Sub	Local	Central	Sub	Local
...-1995	<b>Scarce</b> – Socialist planning documents and laws were still valid	na	<b>Scarce</b> – Socialist regulative plans were valid	<b>Scarce</b> - Planning as a state control activity	na	<b>Scarce</b> – lack of transparency and public participation
1995-02	na	<b>Scarce</b> – attempt to respond to new administrative arrangement	<b>Scarce</b> – attempt to manage spatial development and country reconstruction	na	<b>Moderate</b> – lack of spatial plans adoption	<b>Moderate</b> – growing of informal development
52/2002	na	<b>Scarce</b> – lack of harmonisation of EU standards	<b>Scarce</b> – lack of harmonisation of EU standards	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2002-06	na	<b>Scarce</b> - lack of compatibility to Sectoral legislation	<b>Scarce</b> - lack of compatibility to Sectoral legislation	na	<b>Moderate</b> – increasing of the importance of international development practices	<b>Moderate</b> - strong influence by private investors
2/2006	na	<b>Scarce</b> – Stimulus to adopt planning instruments (Entity and Cantonal level)	<b>Scarce</b> - New procedures in public participation	na	<b>Scarce</b> – not clear monitoring responsibilities and public participation in the spatial planning process	<b>Scarce</b> – lack of implementation of planning procedures
2006-...	na	<b>Scarce</b> – unfinished draft of the Federal Plan	<b>Scarce</b> - Lack implementation of the legislation	na	<b>Scarce</b> – no alignment to what prescribed by international agreements	<b>Scarce</b> - Zoning methodology has not been clearly established

Source: Author's own elaboration

**Table 84:** Changes in planning practice, formal and informal in Republika Srpska

Reforms' Period	Practice					
	Formal			Informal		
	Central	Sub	Local	Central	Sub	Local
...-1995	<b>Scarce</b> – Socialist planning documents and laws were still valid	na	<b>Scarce</b> – Socialist regulative plans were valid	<b>Scarce</b> - Planning as a state control activity	na	<b>Scarce</b> – lack of transparency and public participation
19/1996	na	<b>Scarce</b> – delegation of planning activities to the local level	<b>Scarce</b> – improving public participation	na	<b>Absent</b> - no changes	<b>Scarce</b> – increasing illegal activity
1996-13	na	<b>Moderate</b> – adoption of the first Plan of the Republika	<b>Moderate</b> – more than 50 percent of local plans should be adopted	na	<b>Moderate</b> – several attempt to include learn from external planning tradition	<b>Moderate</b> – increasing of the importance of international development practices
40/2013	na	<b>Scarce</b> – attempt to introduce a cross-sectoral approach	<b>Scarce</b> - Improvements in public participation mechanism	na	<b>Absent</b> - no changes	<b>Absent</b> - no changes
2013-...	na	<b>Moderate</b> – adoption of the second Plan of the Republika	Scarce – increasing of coordination among local actors	na		

Source: Author's own elaboration

**Table 85:** Changes in planning practice, formal and informal in the District of Brčko

Reforms' period	Practice					
	Formal			Informal		
	Central	Sub	Local	Central	Sub	Local
...-1999	Scarce – Socialist planning documents and laws were still valid	na	Scarce – Socialist regulative plans were valid	Scarce - Planning as a state control activity	na	Scarce – lack of transparency and public participation
1999-03	na	na	Scarce – reiteration of socialist planning activity	na	na	Scarce – influence from international organisation
9/2003	na	na	Moderate – need to deal with autonomous spatial planning documents	na	na	Absent – no changes
2003-08	na	na	Moderate – Adoption of the first Spatial Plan of the District	na	na	Scarce – influence from international organisation
29/2008	na	na	Absent – no changes	na	na	Absent – no changes
2008-...	na	na	Moderate – preparation of several planning documents	na	na	Moderate – positive attempt to involve stakeholders within the planning process

Source: Author's own elaboration

#### **12.3.4. Discursive component of the spatial planning system**

Often underestimated, the spatial planning discourse plays an important role in shaping a given planning system. Indeed, as emerged from the proposed theoretical approach, the evaluation of the discourse dimension takes into consideration spatial planning's principles, values, notions paradigms, logic, goals, aims and so on, upon which each domestic spatial planning is based. To shed light on the foremost discursive changes, the subsection is divided in fourth different parts. The first gives a brief description of the main changes in the institutional and non-institutional planning discourse at the national level until its abolishment (12.3.4.1). The second describes the main changes in the institutional and non-institutional planning discourse at the subnational - Entity and Canton level (12.3.4.2). The third explores the planning discourse at the local level (12.3.4.3). Finally, the fourth sums up the main messages (12.3.4.4).

##### *12.3.4.1. Changing in institutional and non-institutional planning discourse at the national level*

Until the war of Bosnia & Herzegovina, the state had the responsibility of spatial planning. In that period and even before then, in the whole Yugoslavian Republic, planning was perceived as the technical and rational activity of a society based on the socialist ideology. At the time, the objective of spatial planning was to predict and adjust the territorial development following rational principles like control, coordination and compromise (Djurasovic, 2016). Plans were hierarchically defined aiming to translate the socialist ideology to lower levels thanks to the improvement of a methodic implementation process. Even after the downfall of the socialist regime, the socialist planning doctrine was still channelized by the presence of several planning regulation and the plans, both at the national and local level. It does not surprise that, for several years (1990-2000), the reiteration of the socialist planning approach was possible. In fact, the majority of experts, practitioners, policy and law makers were technically formed under the socialist regime and for that reason the socialist planning principles and logics were confirmed and largely applied. With the introduction of the Dayton Agreement (1995), spatial planning split from national to Entity level.

##### *12.3.4.2. Changing in institutional and non-institutional planning discourse at the subnational - Entity and Canton level*

Since the end of the Bosnian War (1995), the spatial planning discourse moved slowly towards a strategic approach. The need to take the distance from the previous socialist regime projected decision makers and practitioners to adopt new planning principles and values. With the signature of the SAA – Stabilisation and Association Agreement, Bosnia & Herzegovina was obliged to adjust its spatial policy according to the main Western hegemonic concepts present in the several international documents. In that period was common to refer to ESDP and CEMAT,

among others<sup>145</sup>, as the main EU spatial planning documents. Principles like regional development, territorial cooperation and polycentrism became part of the political discourse, often misinterpreted and opportunistically addressed to be superficially comply with the EU requirements (Marjanovic, 2017). However, in that period, 1995-2000, there was a substantial distance between part of the institutional discourse which was externally oriented and the non-institutional discourse engaged with the process of war reconstruction. This distance is particularly evident observing the planning discourse. Indeed, while external concepts and paradigms were embraced, others were particularly path dependent. In that period, the question of informality emerged as a consequence of the war but also as a new effect of the economic, social and political transition. With informality became central the question of land property and restitution and compensation of private properties etc. The question of private property vs public property emerged with the process of liberalisation of state properties; land, services, infrastructure etc. Indeed, while the international planning discourse was focused on more general notions, in Bosnia & Herzegovina, the discourse was primarily shaped by contextual needs. In addition to the EU planning discourse, international organisation as UNDP were particularly active in helping local actors to fulfil the Global Millennium Goals or to deal with several sectoral questions like environment, energy, cultural heritage etc. Once can synthesized that, the general planning discourse in Bosnia & Herzegovina was simultaneously shaped by different cultural influence. As a matter of fact, even if never implemented, the Spatial Plan of the Federation of Bosnia & Herzegovina for 2008-2028 recognizes the importance of the ESDP and of guiding principles like: development of a balanced and polycentric system of cities; a new relationship between urban and rural areas; ensuring equal access to the education infrastructure, health and social protection; designed management and conservation of natural and cultural heritage. It recognized again, the need for active participation of citizens in the process of spatial planning. Those principles have been fully or partially transposed within each cantonal spatial plan and documents (but never really implemented). The same happened in the Republika Srpska, where it is interesting to note how the Spatial Plan of the Republika Srpska 2025 (2013) integrates in its General principles of Spatial Development several EU values. Recognizing the importance of the local planning experience (above all to what concern the positive aspects of the socialist tradition), the plan invites expert and practitioners to include some contemporary notions deriving from the latest international and European spatial planning debate<sup>146</sup>. In this sense, a special attention is given to principles like: sustainability, integration, polycentrism, horizontal and vertical coordination, functional

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<sup>145</sup> Guiding Principles for Sustainable Spatial Development of the European Continent, European Landscape Convention, Ljubljana Declaration on the territorial dimension of sustainable development.

<sup>146</sup> The Plan expressly cites among others: CEMAT, ESDP, Lisbon Strategy, the Declaration of Leipzig Charter, European Cohesion Policy, EU Territorial Agenda etc.

specialization, territorial cohesion, subsidiarity, active participation, territorial cooperation and many others.

#### *12.3.4.3. Changing in institutional and non-institutional planning discourse at the local level*

Planning discourse at the local level was mainly shaped by the contextual situation that Bosnia Herzegovina faced. In fact, between the end of the communist regime and the end of the war (1992-1995), planning was delegitimized and partially dismantled. Often, municipal departments were closed, considering planning as a non-urgent government activity. In those circumstances, the main problem was to deal with the emerging question of ethnic spatial fragmentation. So, planning as a marginalized activity lost its capacity to govern the territorial development substituted by political and even military decisions. Even when the planning activity was recognized, the planning discourse was principally based on the socialist ideology, hence unused to deal with the war emergency effects. Terms as social housing, public space and services were abandoned in favour of informality, illegal development, land occupation, etc. After the end of the war, the planning discourse was influenced by the decision established by the Dayton Agreement, hence decentralisation, territorial (dis)integration, and any kind of question that derived by the institutionalization of the ethnical division. Cities as Mostar and Sarajevo were fragmented in several settlements, reducing drastically the possibility to govern and manage the territorial development of a given municipality. In those circumstances, the planning discourse (even if marginalized) reflected the contextual situation unable to give alternative perspective to policy and decision makers. The need to functionally reconstruct what was destroyed by the war became a priority. If on the one side, local experts and practitioners were totally unskilled to face with the post-war reconstruction, the new planning concepts, principles and methodologies were promoted, introduced and supported by international actors (UNDP, WB, USAID and several development agencies among others). Thanks to those actors, at the local level, new concepts appeared like the integrated local plans, the public participation and stakeholders' involvement, civil engagement etc. (Djurasovic and Knieling, 2015). The new local and urban development approaches and methodologies created confusion among local actors. Indeed, the lack of coordination among international actors produced several pilot projects that remained unconnected. Meanwhile the process of privatisation, liberalisation and marketization contributed to further downgrade the efficacy of planning. Only recently, issues as energy efficiency, environmental protection, conservation of cultural and architectural heritage have been becoming part of institutional and non-institutional discourse.

#### *12.3.4.4. Synoptic view*

As it has been evidenced, the distance between institutional and non-institutional planning discourse has been at the centre of the section 12.3.4. As is

well understandable, it reflects also the distance between what was expected and what was really implemented (well known as efficacy and efficiency of planning). In Bosnia & Herzegovina, in particular, this distance has been very significant due the fragmentation of the central planning system in three separate spatial planning system. Additionally, the war and post-war circumstance contributed to increase the distance between policy makers and expert, practitioners and part of the academia arena. Only in the last decades, thanks to common objectives (integration in the EU among others) has been showed a convergence towards the European mainstream planning principles (often only on the paper and opportunistically used). However, some path dependency concepts like informality, legalization, relation between urban and rural development, are still part of the planning discourse. The following tables present the evolution of the institutional and non-institutional planning discourse in the Federation of Bosnia & Herzegovina (Table 86), in Republika Srpska (Table 87) and in the Brčko District (Table 88) . Each period has been evaluated based on the presented qualitative scale: (i) absent – no changes at all or confirmation of the previous planning logics and principles; (ii) scarce – when the level of changes is not so significant, besides apparent modification substantially the existing planning paradigms have been confirmed; (iii) moderate – when changes are partial; (iv) high – when changes are consistent, hence new planning paradigms have been adopted.

**Table 86:** Changes in planning discourse, principles and contents in the Federation of Bosnia & Herzegovina

Reforms' Period	Discourse					
	Institutional			Non-Institutional		
	Central	Sub	Local	Central	Sub	Local
1992-02	<b>Absent</b> - planning as technical and rational activity	na	<b>Scarce</b> - reiteration of socialist planning doctrine	<b>Absent</b> – reiteration of socialist planning approach and discourse	na	<b>Moderate</b> – functional reconstruction approach
52/2002	na	<b>High</b> - spatial planning decentralisation and coordination	<b>High</b> - polycentric development, public participation	na	<b>High</b> - territorial reconstruction	<b>High</b> - informal development and post-war consequences
2002-06	na	<b>Moderate</b> – EU inspired spatial planning principles	<b>Scarce</b> - local and development approach (promoted by external actors)	na	<b>Moderate</b> – increasing of private involvement (lack of transparence)	<b>Moderate</b> – informality, land occupation, property rights etc.
2/2006	na	<b>Moderate</b> - vertical and horizontal coordination	<b>Moderate</b> - planning as an integrated approach	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes
2006-...	na	<b>Scarce</b> - balanced territorial development	<b>Scarce</b> - Economic redevelopment	na	<b>Absent</b> – no changes	<b>Scarce</b> – illegal construction and legalization

Source: Author's own elaboration

**Table 87:** Changes in planning discourse, principles and contents in Bosnia & Herzegovina, Republika Srpska

Reforms' Period	Discourse					
	Institutional			Non-Institutional		
	Central	Sub	Local	Central	Sub	Local
1992-96	<b>Absent</b> - planning as technical and rational activity	na	<b>Scarce</b> - reiteration of socialist planning doctrine	<b>Absent</b> – reiteration of socialist planning approach and discourse	na	<b>Moderate</b> – informality, land occupation, property rights etc.
19/1996	na	<b>High</b> - strategic and regulative approach	<b>High</b> - spatial planning autonomy	na	<b>High</b> - decentralisation and ethnic subdivision	<b>High</b> - territorial fragmentation
1996-13	na	<b>High</b> - integrates of several EU values	<b>Moderate</b> - restoration and rehabilitation	na	<b>Moderate</b> – territorial cooperation	<b>Moderate</b> – privatisation, liberalisation and marketization
40/2013	na	<b>Moderate</b> - integrate territorial development	<b>Moderate</b> - environmental and energy performance	na	<b>Scarce</b> - sustainable development	<b>Scarce</b> – informality and legalization
2013- ...	na	<b>Scarce</b> – climate change and global warming	<b>Absent</b> – no changes	na	<b>Absent</b> – no changes	<b>Absent</b> – no changes

Source: Author's own elaboration

**Table 88:** Changes in planning discourse, principles and contents in the District of Brčko

Reforms' Period	Discourse					
	Institutional			Non-Institutional		
	Central	Sub	Local	Central	Sub	Local
...-1999	Absent - planning as technical and rational activity	na	Scarce - reiteration of socialist planning doctrine	Absent – reiteration of socialist planning approach and discourse	na	Moderate – informality, land occupation, property rights etc.
1999-03	na	na	Moderate - restoration and rehabilitation	na	na	High - territorial fragmentation
9/2003	na	na	High - spatial planning autonomy, strategic plans	na	na	Scarce - Urban planning and masterplan
2003-08	na	na	Moderate - Emerging of first EU paradigms	na	na	Moderate – privatisation, liberalisation and marketization
29/2008	na	na	Moderate - sustainable development and compliance with EU paradigms	na	na	Scarce – informality and legalization
2008-...	na	na	Scarce – cooperation and territorial development	na	na	Absent – no changes

Source: Author's own elaboration

## **12.4. Exploring the role of actors in the evolution of spatial planning system of Bosnia & Herzegovina**

As emerged, the spatial planning system in Bosnia & Herzegovina has been a subject of change since the end of the socialist regime. This process of transformation has been characterized by many historical momentums when significant and substantial changes have been introduced. This subsection aims to shed light on the main reasons beyond the evolution process investigating the role of the actors, both exogenous and endogenous. Bearing this in mind, the section is divided in three parts. The first one analyses the role of local actors and their ability to modify the planning system. The second, is focused on the impact of international actors and their role on shaping the spatial planning system in Bosnia & Herzegovina. The third, take into consideration the influence of the EU in this dynamic evolution process. Before narrowing down the actors' impacts' analyses, it should be kept in mind that while the local actors have been evaluated taking into account the existing domestic specificities, the impact of the external actors (development agencies, EU etc.) has been assessed all together because of their political and diplomatic implication.

### **12.4.1. The role of domestic actors and path dependency**

Coherently with the fragmentation of the spatial planning system, in Bosnia & Herzegovina several local planning actors are engaged in the implementation of each planning system. Having in mind the multitude planning authority present in Bosnia & Herzegovina, the research takes into account the most representative ones, both institutional and non-institutional. In order to do so, this subsection is divided in three parts. The first presents the main institutional actors, while the second explores the importance of the non-institutional actors giving a general overview and, finally, the third part evaluate their nature and main impacts on the evolution of spatial planning in Bosnia & Herzegovina.

#### *12.4.1.1. Institutional actors*

Looking from the perspective of institutional actors, for the Federation have been considered the Federal Ministry of Physical Planning, for the Republic the Ministry of Spatial Planning, Civil Engineering and Ecology and in particular the Department for Urban and Spatial Planning, while for the District have been investigated the Department for Spatial Planning and Property-Legal Affairs.

The Federal Ministry of Physical Planning was established by the Law on Federal Ministries and other bodies of the federal administration ("Official Gazette of FBiH", No. 08/06, 61/06, 52/09 and 48/11). At present, the Ministry carries out administrative, professional and other tasks within the competence of the Federation of BiH related to: planning; land use policy at the federal level; drafting, coordination and implementation of the Spatial Plan of the Federation;

harmonization of spatial plans of the cantons with the Spatial Plan of the FBiH; directing the long-term development of the use of natural resources; geological research; production of basic maps - geophysical, seismological, geothermal, geochemical, geomorphological and others; development of geological substrates for spatial arrangement; supervision of the relevant institutions in the sector and other tasks determined by law. As said, the fragmentation of spatial planning, even within the Federation, oblige the Federal Ministry to delegate part of the spatial planning authority to each cantonal ministry responsible for spatial planning issue. So, one of the main tasks of the Federal Ministry is to coordinate cantonal ministries activity and harmonize planning documents. Additional to internal duties and responsibility, the Federal Ministry represents the Federation within the country. The Federal Ministry, in fact, should actively cooperate with the correspondent partner in the Republika Srpska and the Brčko District.

Moving from the Federation to the Republika, according to what has been established by law, the Ministry of Spatial Planning, Civil Engineering and Ecology performs public administration activities referring to improvement of operation in the areas of spatial planning, construction and environment. Within its scope of work, the Ministry prepares and proposes questions and materials, and coordinates activities in the areas of spatial planning, construction and environment for consideration by the committees and other governmental bodies and the Council of Ministers responsible for these areas. Briefly, the Ministry is responsible for the following activities: (i) integrated spatial planning and physical organisation of space; (ii) design and application of the spatial plan of the Republic; (iii) review, administrative supervision and providing approval for spatial plans of cities, municipalities, and special purposes areas as well as for urban planning; (iv) review of spatial-planning documents, development programmes and investment-technical documents of special interest for the Republic. In order to perform, the Ministry organizes its work thanks to the presence of the Department for Urban and Physical Planning, the Department for Construction Department for Environmental Protection Department for Projects Coordination and the Development and European Integration.

The scope of the work of the Department for Urban and Spatial Planning includes performance of administrative (administrative-legislative and administrative-supervising jobs in the fields of urban and spatial planning) and other specialised jobs referring to integrated planning and spatial organisation. Responsibilities of the Department also include implementation of the Spatial Plan of the Republic of Srpska, administrative supervision, auditing and granting consents for spatial plans of local self-government units and special purposes areas, for urban-planning and regulatory plans, auditing of spatial-planning documents, development programmes and investment-technical documents of special interest for the Republic, urban planning, establishing unique central database for the territory of the Republic of Srpska, producing legislative and by-law documents within the responsibility of the Ministry and other duty defined by law.

The Department for Spatial Planning and Property-Legal Affairs is the main authority in Brčko about spatial planning. Since 2008, the Department is in charge also of some sectoral aspects like the Environment Protection issue. In this regard, additionally to spatial planning tasks as the preparation of the Spatial Plan of Brčko District BiH 2007–2017, the Department is responsible for the preparation of several sectoral plans like the Environmental Protection Strategy of Brčko District<sup>147</sup>.

#### 12.4.1.2. *Non-institutional actors*

The panorama of non-institutional actors is widely variegated. However, here it has been given a general overview on the main potential players in the field of spatial planning. In this regard, the role of NGOs, universities, associations and local practitioners has been analysed.

As an important non-institutional actor, the environment of NGOs presented different aspects. Since 1990, in Bosnia & Herzegovina, as in other countries in the Western Balkan Region, have been actively present numerous traditional NGOs, such as INGOs - International Non-Governmental Agencies and ENGOs - Environmental Non-Governmental Agencies. Their involvement was particularly important in the post-war reconstruction period guaranteeing ethnic minority protection, covering basic human needs and helping in the reconstruction of local communities. Slowly, their attention moved from a humanitarian perspective to the reconstruction of the local community. Those that have been actively involved in the question of spatial planning as stakeholders can be subdivided in two categories (Fagan, 2012). The first category includes those organisations that have technical skills and were involved in public debates. while the second embraces nontechnical organisations that are more oriented toward social mobilisation. In both cases, Fagan (2012) moves severe critiques on the evidence that, in different planning debate or social protests, local NGOs and in particular environmental NGOs, still played a minor role either as technical consultants or as agents of social and community mobilisation. According to the author, this has been evidenced in several contexts as the implementation of the Sarajevo and Mostar Bypass. As emerged, in spite of several external support to develop mature local NGOs, it seems that the role of those organisation is still inadequate to have an impact on spatial planning, even if sectoral as the environmental NGOs.

Moving from NGOs to the role of the universities in Bosnia & Herzegovina, planning is not a primary topic in universities. In fact, there are only a few exclusive courses in planning, but there are some study modules in both Bachelor and Master courses. Recently, in Banja Luka, Sarajevo and Mostar interdisciplinary spatial planning studies have been organized with both Bachelor and Master degree tracks, specifically designed for educating spatial planners and mainly drawing inputs from

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<sup>147</sup> Through time Brčko adopted two Strategies, the one in 2008 for the period 2008-2016 and the second in 2016 valid for the period 2016-2026.

geography, economy etc. In this regard, it should be mentioned that a few courses<sup>148</sup> are organized by the Department of Geography, Faculty of Science, University of Sarajevo, Bosnia & Herzegovina for bachelor and master students. Others are organized by the Department of Spatial Planning, University of Banja Luka, Bosnia & Herzegovina where master students can attend several courses framed on the most recent academic debate on spatial planning theory and methodology and European spatial planning. However, when it comes to evaluate the effective role of the domestic spatial planning arena, several problematic questions have emerged. Universities are often at the margin of the public debate mainly due to the still immature planning education in the country. It should be noted that, in fact, for several years, planning was an exclusive domain of architectural and engineering universities. This reflects also the lack of involvement of universities in preparing plans and programmes. Indeed, there are no particular examples (best practices) that show a profitable collaboration among universities and planning authorities, influencing negatively also the capacity of universities to shape the domestic planning discourse. In fact, there are no examples at all that show an intention to open a wide discussion on the spatial planning issue (something happened in specific issue like environment etc.). Even the reputation of the universities is particularly low. Indeed, practitioners do not consider the academia as a strategic partner. They believe that the university does not give needed skills to students, showing a negative distance between the practice and the academia.

When it comes to evaluate the role of associations, apparently there are no official and recognized planning associations. Associations related to the field of architecture (Association of Architects of Republic of Srpska funded in 2007 Association of Architects of BiH established in 1995) hold some ground, but planning is largely marginalised in favour of a more architectural- oriented approach. In fact, there are no substantial discussions on planning-relevant issues.

The panorama of local practitioners and experts is widely variegated. For at one decade, at least from 1990 to 2000, spatial planning was leaded by those who graduated during the socialist regime, hence those who had a physical and regulative approach rather than a strategic one. In the post war circumstances, there was a lack of skilled practitioners both within the local administration and the private sectors. Several authors criticised the fact that the lack of administrative experts allowed private experts to be very influential on the planning procedures. In this regard, Sherman (2011) explained how the experts' opinions often influenced the public decision mechanism. Moreover, Korjenić (2015) affirms that the experts' opinion has been often driven by personal interest and has been politically oriented. The lack of skilled practitioners has been recognized also by several documents (GAP, 2012a). Thanks to the support of international

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<sup>148</sup> Here some planning courses, for bachelor students: Legal Aspects of Regional and Spatial Planning, Conception and Methodology of Regional and Spatial Planning, Spatial Planning Practice and master students: Principles and methods of spatial and regional planning, Planning documents.

development organisation, the local practitioners became involved in the implementation of several pilot projects and programmes, learning new professional instruments. Together with the implementation of external projects, the local practitioners were sporadically involved in international conferences, seminar, workshops and etc. (often organized and financed by external actors). In certain cases, the continuous contact with external stimulus allowed some practitioners to be more international than others. However, as Marjanovic (2017) illustrates, the majority of local experts have never participated in EU's pre-accession and neighbourhood programmes limiting their familiarity to EU's concepts and principles.

#### *12.4.1.3. Synoptic view*

As presented, the panorama of domestic planning actors includes different planning players, even with opposite interests where each of them did not play the same roles. On the one side, there are the institutional actors responsible for the coordination of planning activity guaranteeing the correct implementation of planning instruments. On the other side, there are the actors engaged with the enhancement of public participation like environmental and social NGOs, or again, universities that are contributing to shape skilled future experts. In Bosnia & Herzegovina in particular, the non-institutional actors that have analysed are partially excluded from the participation of planning debate that is principally led by institutional actors. Universities, NGOs and associations are, indeed, at the margin of public debate with a scarce reputation even within the practitioners' arenas. More in detail, Table 89 investigates the nature of actors paying attention on their: (i) objective, hence understanding the principal priorities in planning, given by law or self-established; (ii) perception and preferences, looking to evaluate their evolution on planning attitude moving from sectoral to an integrated approach or vice versa; (iii) capabilities and resources, hence understanding their technical and economic instruments and, finally, (iv) impacted field, looking on their effective impacts in different spatial planning or connected ambitus. The object of this research phase is to understand how and why defined actors changed their attitude in planning. Once defined the nature of the main planning actors (see Table 89), Table 90 explores their impacts on the evolution of spatial planning system. The idea is to evaluate their impacts on the different planning components (structure, technique, practice and discourse) taking into account the: (i) impacted level, hence considering separately the central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant.

**Table 89:** Main important local spatial planning actors in Bosnia & Herzegovina

Type	Actors	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted fields
<b>Institutional Actors</b>	<b>FBIH</b> - Federal Ministry of Physical Planning	To govern the multilevel and fragment planning system	Delegation of planning responsibility to cantonal planning ministries	Integrated Approach	Local experts	State resources	Spatial planning system and territorial governance
	<b>RS</b> - Ministry of Spatial Planning, Civil Engineering and Ecology	To govern the multilevel and fragment planning system	Centralisation of planning responsibility	Integrated Approach	Local experts	State resources	Spatial planning system and territorial governance
	<b>RS</b> - Department for Urban and Spatial Planning	To govern draft planning documents	Centralisation of planning responsibility	Integrated Approach	Local experts	State resources	Spatial planning system and territorial governance
	<b>BD</b> - Department for Spatial Planning and Property-Legal Affairs	To prepare plans and planning documents and guarantee the vertical and horizontal coordination	Centralisation of planning responsibility	Integrated Approach	Local experts	State resources	Spatial planning system and territorial governance
<b>Non institutional Actors</b>	NGOs	Local development, environmental protection, enhance social participation	From humanitarian to community development approach	Spot involved, not structured	Scarce local expertise	Limited and partially supported by external actors	Local spatial planning
	Universities	To introduce new planning curricula, to create the future planning experts and shape planning discourse	From urban planning to spatial planning perspective	Trans disciplinary approach	Local academics	Mainly public funds	Planning Education Territorial Knowledge, Political arena
	Associations	na	na	na	na	na	na
	Practitioners	To reach own professional objective	From socialist to more strategic and integrated approach	Individual interests, status quo	Architectural and planning background	Limited	Spatial planning, local urban development.

Source: Author's own elaboration

**Table 90:** The impact of local planning actors in the spatial planning system in the Federation of Bosnia & Herzegovina

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
Institutional Actors	<b>FBIH</b> - Federal Ministry of Physical Planning	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-3-1	↔-↑-↑
	<b>RS</b> - Ministry of Spatial Planning, Civil Engineering and Ecology	C-S-L	0-3-1	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-3-1	↔-↑-↑	C-S-L	0-3-1	↔-↑-↑
	<b>RS</b> - Department for Urban and Spatial Planning	C-S-L	0-0-0	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑	C-S-L	0-2-1	↔-↑-↑
	<b>BD</b> - Department for Spatial Planning and Property-Legal Affairs	C-S-L	0-3-1	↔-↑-↑									
Non institutional Actors	NGOs	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑
	Universities	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑
	Associations	C-S-L	0-0-0	↔									
	Practitioners	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-0-3	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑

Source: Author's own elaboration

## **12.4.2. The impact of the international actors**

The role of the international community in Bosnia & Herzegovina has been discussed for a long time in several international arenas. Differently from the Croatian and Albanian cases, in Bosnia & Herzegovina the impact of the international community has been criticized due to its pervasive approach (see the result of Dayton Peace Agreement). This subsection has the ambition to shed light on the most relevant international actors involved in the evolution of spatial planning system in Bosnia & Herzegovina. In this perspective, several international actors have been taken into consideration. For each actor has been identified its nature, when the first cooperation agreement has been established, the main field of cooperation, their objectives etc. The international actors have been clustered in four different groups: (i) International Organisation – UNDP and World Bank; (ii) Development cooperation agency like USAID, GIZ, SIDA, SDS, ADA; (iii) Regional Organisation like EU and (iv) the international academic communities.

### *12.4.2.1. International organisation*

The international community, including the various UN agencies, have played an important role in the country's reconstruction and development and in preparing it for EU accession.

Among the UN agencies, UNDP has been certainly one of the most active agencies in Bosnia & Herzegovina. In particular, UNDP has contributed to policy development and dialogue, including the incorporation of pro-poor concerns and the Millennium Development Goals into the national development strategy. Since the earlier projects the UNDP activities has focused both on the national and local level. According to UNDP (2009), at the central level the agency was engaged in the following activities: public administration training and human resource management; ICT development, including e-Governance, e-Legislation, and aid management; support to war-related justice; advocacy for a reconciliation process. While, at the municipal level, activities included: support to returnees and displaced people (including housing and reconstruction of damaged infrastructure); local governance (including municipal development planning and local administration systems); and local economic development covering several sectors. More in detail, the agency contributed to the formulation and application of national (state and/or entity and cantonal in the case of the Federation of Bosnia & Herzegovina) public administration and sectoral reform policies, strategies and plans that have implications for municipalities and for the local economic development. In this regard it is necessary to mention the ILDP – Integrated Local Development Project launched in 2008 in collaboration with the Government of Switzerland (Swiss Agency for Development). The project aimed to harmonize integrated and inclusive strategic planning supporting forty local governments in the standardization of planning and development of management approaches at the local level. The planning approach was replicated at the cantonal level and all ten cantons were

assisted in designing their integrated development strategies. The result of this approach helps to setting the Development Planning and Management passed in 2017 in FBiH. Additional projects are still being implemented like Via Dinarica (2014-2017): A Platform for Sustainable Tourism Development and Local Economic Growth, aiming to improve tourism infrastructure and strengthen the capacities of the providers of tourist services (implemented together with USAID); Birač Region Development and Cooperation Project (2013-2017) has the intent to support the municipalities in the Birač region and argues for inter-municipal and regional cooperation to support bottom-up partnership approach to develop and foster territorial cohesion following the EU LEADER-like principles; and MEG - Municipal Environmental and Economic Governance (2016-2020), which aims to improve municipal development management systems and services in the environmental and economic sectors (project launched and financed by the SDC). As emerged, the UNDP approach has been very integrated rather than sectoral (only when has been necessary). Hence the impact on the evolution of spatial planning should be understood in terms of changing the spatial planning context rather than the system itself. As a matter of fact, through the implementation of several projects, programmes, strategies in each state level, it is logical to affirm that the impact on spatial planning has been relatively moderate. In this regard, it should be mentioned that the efforts of UNDP, together with the WB and domestic actors, to the National Environmental Action Plan that obliges the local authority to draft their own Local Environmental Action Plans.

In Bosnia & Herzegovina, the World Bank (hereafter the Bank) initiatives date back to 1996, immediately after the end of the war. In its first Country Assistance Strategy (CAS) the WB helped to strengthen the reconstruction effort through a series of sectoral emergency projects in the field of transport, power, de-mining, housing, health, education, public works, agriculture and micro-credit financing. Years later, the WB support has focused more on fostering private sector-led growth and employment, strengthening institutions and governance, reforming the public sector and fostering social sustainability (UNDP, 2006). While the CAS 2005-2007 based on the country's first MTDS - Mid-Term Development Strategy links the country's priorities to World Bank strategy. While the DMR (2015) shows a new shifting to competitiveness, social inclusion and environmental sustainability denoting a diverse political orientation by both the Bank and Bosnia & Herzegovina. Since 1996, in the field of spatial planning (including some sector like environment and etc.) the WB has been active adopting different approaches. In 2004, the Urban Infrastructure and Service Delivery Project has been launched to assist the preparation or the updating of Urban Management Development Plans, recognized as the main problem at that time. Indeed, after the post-war emergency, emerged the need to better manage all the investments that derive from the external support. The idea was to improve the institutional strengthening - training at preparing Urban Management Development Plans and Investments – financing the preparation of plans and investments to improve their efficiency. Meanwhile, coherently to the domestic need, the WB initiatives concentrated, one the one hand, on supporting the domestic context to align its environmental policy framework to

the EU requirements and, on the other side, to financing specific projects like the Development of Physical Plan and Management Plan for Nature Park Hutovo Blato. Another significant contribution has been the Cultural Heritage Pilot Project, that aimed at improving the climate for reconciliation among the people in Bosnia & Herzegovina, through the recognition and rehabilitation of their common cultural heritage in Mostar (World Bank 2005). Other projects focused on agriculture and rural development, transport infrastructure, floods emergency, sustainable forest and landscape management, water supply, land registration promoting a more transparent land market, and many others (World Bank, 2009). As showed, the Bank support has been very variegated in terms of approach adopted and sectoral initiatives. When it comes to evaluating its impact on spatial planning system, as evidenced, the Bank has supported the redaction of several local plans, plans for special areas, or pilot projects as in Mostar. What it seems that the impact on spatial planning system has been relatively important in all the analytical category adopted.

#### *12.4.2.2. Development cooperation agencies*

The presence of USAID in Bosnia & Herzegovina dates back to 1994. At that time, the main cooperation activity regarded the post-war reintegration and development, focusing on infrastructure program and large power projects. A few years later, in 1998, its target shifted to refugees returnees by repairing water systems, schools, health clinics, roads and power. After these emergency projects, the agency has been concentrated on the economic restructuring of Bosnia & Herzegovina (i.e. fiscal reform, financial reform, legal and regulatory reform, legal and regulatory reform), on democracy and governance (i.e. rule of law, governance, civil society strengthening, political pluralism and election support) and on several cross-cutting programs. In the field of spatial planning, GAP I – 2004-2007 and GAP II 2007-2012, Governance Accountability Project, have been definitely the most important programs. The projects were jointly funded by the U.S. Agency for International Development (USAID), the Swedish International Development Cooperation Agency (SIDA) and by the Kingdom of Netherlands (only GAP II). While the GAP I focused more on reaching a more participatory, inclusive and democratic society improving projects regarding democracy and good governance, the GAP II was primarily concentrated on local development, hence municipal action planning, financial management and urban planning. GAP II worked directly with seventy-two partner municipalities in improving local government capacity to increase services delivered to their communities across a wide range of planning activities, like strategic and action planning and capital planning, financial management, urban planning and so on. These cooperation activities included the organisation of workshops and training initiatives, regional coordination meetings, inter municipal visits. Events were organized with non-partner municipalities, cantonal and entity planning ministries, parliamentary members or committees, working groups, advisory boards, and user groups. Through the implementation of the GAP I and later GAP II a discussion about the new zoning methodology (including changes in

building permit procedure) became part of the planning reform. As a matter of fact, the zoning concept has been included in the planning reform passed in 2010 in RS and is significantly impacting the planning system also in the FBiH (GAP, 2012a). In addition to all these activities, it should also be mentioned the intensive divulgation process resulting from the publications targeted to all municipalities in BiH, one of them regarding the spatial planning system in Bosnia & Herzegovina called *Urban Planning in BiH: A Contemporary Analysis of the Challenges and Path to Progress*. According to Milojevic (2012), the implementation of GAP II affected the improvement of the business operations in the spirit of contemporary principles, application of information technologies, faster and more efficiently provided information to citizens, development of flexible planning methodology. As it has been evidenced, USAID's impact on the spatial planning system has been effectively present. Adopting the four analytical component, it emerged that USAID affected the planning reform, therefore the structure of the system, but at the same time also the planning instruments, hence the technical dimension (changing in building permits). Additional supports have been showed through the involvement of a considerable number of municipalities. In fact, USAID has been able to influence the planning practice and the planning discourse contributing to publish several reports on the state of planning and other issues connected to it. Therefore, in general, it is undeniable that the role of USAID (in collaboration with SIDA and the Kingdom of the Netherland) has been very relevant in shaping the spatial planning system of Bosnia & Herzegovina.

The German agency GIZ has been operational in Bosnia & Herzegovina since 1995. In the beginning it was focused on the reconstruction and the post war normalization. Over time the objectives changed towards achieving sustainable economic development to promote democracy, civil society and administration reforms. As a matter of fact, currently, the major ongoing bilateral projects are centered on strengthening the public institutions, the local self-government, the economic development and energetic efficiency. Despite its country- centered objectives, GIZ is involved in promoting several initiatives, aiming to support the EU integration through regional cooperation where Bosnia & Herzegovina is one of the countries involved. The project is centered on the promotion of foreign trade, energy efficiency, modernization of municipal services and legal reform. In this context, the preparation of a Comparative analysis of the legal framework for urban planning in the all countries involved has been financed by GIZ<sup>149</sup>. This study has been the first complete research prepared in this geographical context that has been centered on the preparing recommendations for the improvement of the legal framework in Southeastern European countries concerning the legalization of informal settlements. As declared by GIZ (2012), the study has been the bases for the planning reform in several countries. Regarding the local level, GIZ is supporting the preparation of actions plans on sustainable energy in selected

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<sup>149</sup> The Partner countries are: BH, MK, SRB, KS, AL, BG, RU, TR, SI, MD, HR, ME

municipalities, and is assisting the development of pilot projects in order to implement these plans (GIZ 2012). When it comes to evaluate the influence of the GIZ on the planning system, however, no substantial evidences have been emerged, therefore its impact is relatively limited to some pilot projects that can allowed to identify relevant impact on the planning system.

In the case of SIDA – Swedish International Development Agency, during the first years following the war, Sida's support to Bosnia-Herzegovina was focused on humanitarian aid, housing and employment. The current cooperation activity is focused on supporting the country's adjustment to the EU, which requires a number of reforms in several areas like the respect for human rights, strengthened democratic institutions and an environmentally sustainable development. In the last years SIDA has been active in the fields of: (i) Public administration and democratic development, supporting public administration reforms in order to improve efficiency, public services for the citizens and to increase transparency; (ii) Economic development and (iii) Environmental and climate change, supporting environmental improvement and the reduction of climate impact in Bosnia-Herzegovina. The Country is facing a number of challenges in order to meet the EU standards, including energy provisions and buildings' performance. In doing so, SIDA developed a collaborative approach with other international actors like UNDP, USAID and development banks, besides local authorities at the central and local level. However, when it comes to evaluate the impact of SIDA's activity in spatial planning no evidences have emerged, despite some indirect stimulus in sectoral fields like environment and climate change.

The SDC support in Bosnia & Herzegovina has developed similarly to the other cooperation agencies. Besides the initial humanitarian assistance and the support in the reconstruction, aiming at the rehabilitation of the infrastructure initiatives during the years 1996-1999, the cooperation activity shifted from the humanitarian aid to a long-term development cooperation, with the objective of transition and reconciliation. During the following plurennial program, between 2004 and 2008, the agency's objective moved from economic development and political transition to approaching new sectors like local governance and basic services, social services and social rights, as well as development of the private sector. The current bilateral cooperation strategy is centered on good governance, disaster risk reduction and migration crises. Since the initial cooperation initiatives, that date back to 1992, several projects have been launched like the Strengthening the Role of Local Communities project (2013-2019), which is focused on supporting social and political participation in all governmental levels; the ILDP - Integrated Local Development (2017-2021), supported and implemented in collaboration with UNDP; the Municipal Economic and Environmental Project (MEG), focusing on scaling up municipal and performance management models EU; and the Local Development Initiative (LID), related to strategic planning. To conclude, despite the constant cooperative support in Bosnia & Herzegovina, it seems that the impact of SDC on the domestic spatial planning system has been relatively limited. Indeed, no clear impacts have emerged, while some indirect impacts may have derived from

the implementation of local development initiatives where principles like public participation, local development, strategic economic plans and programmes has been promoted. However, it does not prove any apparent impact of the adopted analytical categories.

The Austria agency ADA has been supporting BiH since 1992 in the fields of humanitarian aid, reconstruction, technical cooperation and the implementation of the Dayton Peace Agreement in the political-military sphere (UNDP 2016). A few years ago, ADC supported the Directorate for Economic Planning of BiH (DEP) in the process of preparing the BiH Country Development Strategy and the Social Inclusion Strategy of 2008- 2013. Meanwhile, in field of planning, the sole contribution of ADA has been about the modernization of the BiH Land Register and Cadastre System together with GTZ (currently GIZ) and SIDA.

#### *12.4.2.3. Regional organisation*

As it has been previously evidenced in the cases of Croatia and Albania, the EU is indirectly increasing its impact on the evolution of spatial planning environment in the whole Western Balkan Region, including in the domestic context of Bosnia & Herzegovina. Bearing this in mind, the role of the EU in shaping the spatial planning logic in Bosnia & Herzegovina will be further analysed in the section 12.4.3, while here the issue will be introduced only briefly. Starting from the fact that Bosnia & Herzegovina is still a potential candidate country, hence is still facing the transposition of the EU *acquis communautaire*, the impact on the domestic context is an ongoing process. What appears clear, however, is the fact that the Europeanisation in general is proceeding in diverse manner, scale and channels. A series of events are radically shaping the national context, while the Europeanisation of spatial planning system is still to be demonstrated. As it has been commonly shared, the majority of the EU's impacts derive from the implementation of EU's sectoral legislation, EU's policies and EU's discourse. As a matter of fact, in Bosnia & Herzegovina, sectors like environment, transport, energy, agriculture and rural development, regional development etc., have been directly influenced by the EU. Usually, their impacts are distributed in all governmental levels, introducing new actors like agencies, departments, offices and etc., disseminating new instruments (SEA and EIA) and a new integrated approach, where each sector is invited to draft their policy, strategy, programs and action plans, and contributing to shape the discourse. In doing so, directly or indirectly, in the last years, the spatial planning is absorbing these novelty, in certain cases just on the paper and in others, through the real implementation of EU requirements. Marjanović (2017) states that, with the aim of being in conformity with the EU requirements, many reforms based on EU paradigms are channelized, without performing. To conclude, is undeniable that the spatial planning system is differently affected by the EU in each its analytical component, hence structure, technique, practice and discourse (often only on the paper).

#### *12.4.2.4. Foreign knowledge actors*

The involvement of foreign knowledge actors has been problematic for several reasons (political stability among others). Regarding the planning issue, in Bosnia Herzegovina, the academia is particularly isolated from any national and international organisations. Only recently, in 2017, the Planning Department of Banja Luka has been accepted to be part of the AESOP network, showing more interest on what is happening outside the country. Whatever happens with international cooperation depends on individual efforts and not on the activities of the organisations. In these circumstances, there is no particular room for the external knowledge arena to influence the evolution of spatial planning systems in Bosnia & Herzegovina. However, some international influence may be channelized through the external practitioners and experts. Some examples should be mentioned about the Brčko District. For instance, the preparation of the first Master Plan of the District has been led by external experts from Italy. Similar examples have been registered also during the preparation of the Spatial Plan of Republika Srpska, where Serbian scholars were part of the experts' team.

#### *12.4.2.5. Synoptic view*

As it has been evidenced, the role of the international actors progressively changed. At the beginning it shifted from the reconstruction and normalization of the post-war situation to an economic and administrative reform approach that included the return of property and refugees, public participation, etc. While, a few years later, the international attention went progressively towards an economic sustainable development, that embraced sustainable initiatives in the field of spatial planning and territorial development. Based on the Donor Mapping Report<sup>150</sup> (2015) and according to what has been illustrated above, the donors' supports have been mainly concentrated in the following areas: democracy and governance; environment and climate action; transport and energy; agriculture and rural development; regional and territorial cooperation and many others. In respect of spatial planning, however, the impact of the international actors has been very different from one actor to others. Indeed, while some of them directly contributed to the evolution of spatial planning like UNDP, together with SIDA and SDC, with the implementation of the Integrated Local Development Project, World Bank supporting the Urban Management Development Plans and USAID with GAP I and GAP II projects, others have been involved in some specific projects with partial spatial planning evidences. What seems constant, however, is the fact that these external influences are based on the implementation of the logic of the pilot projects, excluding some USAID and World programs, that have not produced conspicuous changes in the system. Regarding the discursive component however, the external influence has taken a leading role on the introduction of new concepts, idea and principles above all in fields like environmental protection, urban and cultural heritage, participation

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<sup>150</sup> The annual report has been prepared by the Ministry of Finance and Treasure, precisely by the Sector for Coordination of the International Economic Aid.

process and in many other fields. Moreover, what has not been mentioned above, is that those notions have been channelized by the adoption of international documents like Millennium Goals, Agenda 21, Urban Agenda and so on. To conclude, despite the complexity of the domestic context, it has been recognized the guiding role assumed by the international actors on addressing the evolution of spatial planning system in Bosnia & Herzegovina towards a more integrated system based on the Western logics and principles. As for the local planning actors, the following Table 91 sums up the main actors' characteristics, while Table 92 illustrates their impact on the Bosnia & Herzegovina planning system. The first table aims, in fact, at illustrating the most important international spatial planning actors and their respective agreements or projects, objectives, perceptions, preferences, capabilities, resources, and impacted sectors. The second table summarizes their impact on spatial planning system components, i.e. structure, technique/instruments, practices and discourse. For each component it has been illustrated the level of impact, hence its intensity (from less 0 to higher 3 impact) and trends (increasing↑, decreasing↓, constant↔ and swinging↕) if the impact happened in the central level, subnational level and/or local level. The logic followed is similar to what has been used for the impact of local actors and the influence of EU, aiming to compare their impacts.

**Table 91:** Most important international actors in Bosnia & Herzegovina

Type	Actors	Main agreements or projects	Objectives	Perceptions	Preferences	Capabilities	Resources	Impacted Fields
International organisation	UNDP	Several projects including ILDP, Via Dinarica and MEG.	To address social inclusion, to strengthened capacity of country, to support the EU accession process, to reduce the Environment pollution	Form post war-reconstruction to EU country integration	Integrated approach	External and local experts	Own funds and co-donors	Local governance (including municipal development planning and local administration systems); and local economic development
	World Bank	Several projects	To address the urban development, to help the country reconstruction and reconciliation.	From post war-reconstruction to EU country integration	Sectoral and cross cutting approach	External and local experts	Own funds and co-donors	Urban Planning, Local development, Energy, Transport, Agriculture etc.
National Agencies	USAID	Several projects include GAP I and GAP II	To reduce the war impact, to help refuge return, to enhance central and local administrative capacity, and etc.	From Post-war reintegration and development, refugees return and to economic restructuring	Sectoral and cross cutting approach	External and local experts	Mainly own funds	Democracy and Good Governance, Economic Restructuring Spatial Planning System,
	GIZ	Several projects	To strengthening on public institutions. support the EU integration	From Reconstruction to sustainable development	Sectoral and cross cutting approach	External and local experts	Mainly own funds	Sustainable economic development. Energy, Regional cooperation.
	SIDA	Several projects since 1994	To enhance public administration capacity, to increase economic competitiveness, to protect natural areas.	Form Humanitarian emergency to EU Integration support	Sectoral approach	External and local experts	co-donors	Public administration and democratic development, Economic Development, Environment and Climate Change

	SDC	Several projects since 1992 like ILDP, MEG, LID	To address social inclusion, to strengthened capacity of country, to support the EU accession process.	From Humanitarian, to reconstruction, to economic development	Cross-sectoral approach	External and local experts	co-donors	Local governance and local economic development. Environment and climate change
	ADA	Several projects	To implement the Dayton Peace Agreement	From post-war reconstruction to sustainable development	Sectoral and cross cutting approach	External and local experts	Mainly own funds	Property right, Social inclusion,
<b>Regional organisation</b>	EU	Several projects, initiatives, programmes etc.	EU Integration	From State Restructuring to EU membership	Structural approach	External-internal	co-financed	Environment, Transport, Energy, Rural Development, Regional Development, Cross-Border Cooperation etc.
<b>Foreign knowledge Arena</b>	Universities	na	na	na	na	na	na	na
	Consultants	na	na	na	na	na	na	na

Source: Author's own elaboration

**Table 92:** The impact of international actors in the spatial planning system in Bosnia & Herzegovina

Type	Actors	Structure			Technique			Practice			Discourse		
		Impacted Level	Intensity	Trend									
International Organisation	UNDP	C-S-L	0-1-1	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑	C-S-L	1-2-2	↔-↑-↑
	World Bank	C-S-L	0-1-1	↔-↑-↑	C-S-L	1-1-3	↔-↑-↑	C-S-L	1-2-3	↔-↑-↑	C-S-L	1-1-2	↔-↑-↑
National Agencies	USAID	C-S-L	0-2-2	↔-↑-↑	C-S-L	0-1-2	↔-↑-↑	C-S-L	0-1-3	↔-↑-↑	C-S-L	0-2-3	↔-↑-↑
	GIZ	C-S-L	0-0-1	↔-↑-↑	C-S-L	0-0-0	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑
	SIDA	C-S-L	0-1-1	↔-↑-↑	C-S-L	0-0-1	↔-↑-↑	C-S-L	0-0-1	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑
	SDC	C-S-L	0-0-1	↔-↑-↑	C-S-L	0-0-0	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑	C-S-L	0-1-1	↔-↑-↑
	ADA	C-S-L	0-1-0	↔-↓-↓	C-S-L	0-1-0	↔-↓-↓	C-S-L	0-1-1	↔-↓-↓	C-S-L	0-0-0	↔-↓-↓
Reg. Organ.	EU	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-2-1	↑-↑-↑
Foreign knowledge actors	Universities	C-S-L	0-0-0	↔-↔-↔									
	Consultants	C-S-L	0-0-0	↔-↔-↔									

Source: Author's own elaboration

### **12.4.3. The impact of the EU**

As for the other two countries, the following part focuses on the impact of the EU on each domestic context, analysing different fields. First of all, the influence of EU sectoral legislation in fields such as energy, environment, transport, competition and pre-accession negotiation. Second, the influence of EU policies, hence the EU cohesion policy, European territorial cooperation, the EU urban policy, EU rural development policy and Pre-accession and neighbourhood policy. Third, the influence of EU discourse focusing on EU mainstream development strategies, EU spatial policy documents, EU urban agenda and ESPON Programme. Moreover, the influence of the EU discourse on the academic debate and professional education.

#### *13.1.1.1 Influence of EU sectoral legislation*

To understand the impact of the EU legislation in public procurement in Bosnia & Herzegovina, it is interesting to cite what has been declared by the EU itself. The EU report (2015) on the situation of Bosnia & Herzegovina, states that procurement is an area particularly vulnerable to corruption, and more efforts is needed to prevent corruption during the procurement cycle. In Bosnia Herzegovina, good progress has been achieved in the past year, especially through the introduction of the new law on public procurement. However, the country has had the need to align with the EU legislation in this area since 2014. Due to the fact that the implementation of EU Directives is still partial, the impact on its spatial planning system is not relevant.

Moving from procurement to EU energy legislation, Bosnia & Herzegovina is a part of the Energy Community Treaty. The country should comply with relevant EU directives such as: (i) the internal market in electricity directive 2009/72/EC; (ii) the RES Directive 2009/28/EC, the art. 4 of the birds Directive 79/49/EEC and the EIA Directive 85/337/EEC. As a consequence of the ratification of the treaty of Establishing Energy Community, Bosnia & Herzegovina adopted the Renewable Energy Action Plan of Bosnia & Herzegovina (NREAP BiH) in 2006. This plan was based on the existing Entity's action plan. The action Plan for the use of renewable energy in the Federation is prescribed in Article 4 of the Law on the Use of Renewable Energy Sources and Efficient Cogeneration (Official Gazette of the Federation of BiH, issue no. 70/13). In the Republika Srpska, art. 10 of the Law, on the Use of Renewable Energy Sources and Efficient Cogeneration (Official Gazette of Republic Srpska, issues no. 39/13, 108/13 and 79/15) defines the obligation to adopt the Action Plan for Use of Renewable Energy Sources of Republic Srpska. The adopted NREAP in BiH is harmonized with strategic and planning documents of the Federation of Bosnia & Herzegovina, Republic Srpska, and the Brčko District. The harmonization should be guaranteed by the Ministry of Foreign Trade and Economic Relations (MOFTER BiH) that is responsible for performing tasks and duties at the state level, such as definition of policies, fundamental principles, coordination of activities, and harmonization of entity authorities. Due to the

structure of the state and the responsibilities of the Entities concerning the energy sector, the role of the ministry is to coordinate activities both within the state government and entity governments regarding the implementation of energy directives. Besides the national level, each Entity and the Brčko District shall implement the EU directives in harmony with the central level. As a consequence, a series of strategy/program/action plans have been launched such as: (i) Renewable Energy Action Plan for the Federation of Bosnia & Herzegovina; (ii) Energy Development Strategy of Republic Srpska until 2030; (iii) Action Plan for Energy Sustainable Development of the Brčko District. Concluding, it seems that the implementation of the EU Directives on Energy through the introduction of new laws and new documents at the national and Entity level becomes important in spreading new concepts, providing ideas and influencing new planning tools.

In respect of the environmental issue, as in the case of the spatial planning issue, based on the Constitution of BiH and in coherence to the Dayton Peace Agreement, the national environmental legislation was adopted at the level of the two Entities and the District Brčko. The only institution at the state level with jurisdiction in environmental issues is the Ministry of Foreign Trade and Economic Relation (MoFTER). Due to the delegation mechanisms, each Entity has the opportunity to legislate autonomously on this matter. As a matter of fact, in the Federation – the EU Directive has been implemented, adopting the law on Environmental Protection (“Official Gazette of the FBiH,” Nos. 33/03 and 38/09) and the Regulation on Plants and Facilities. The regulation established the necessity to adopt the Environmental Impact Assessment in plants and facilities that can be built and operated only if granted an Environmental Permit. Due to the peculiar institutional characteristic of the Federation (i.e. the presence of the canton level), each canton is responsible for drafting, implementing and monitoring the environmental policy as established by the Constitution of the Federation. While in the Republika Srpska – similarly to the Federation, the implementation of the EU environmental directives has been transposed at the entity level by the Law on Environmental Protection (Official Gazette of RS no. 71/12). Even for the Brčko District, the implementation of EU Environmental Directives has been introduced at the district level with the adoption of the Law on Environmental Protection of the Brčko District of Bosnia & Herzegovina (Official Gazette of BD BiH no. 24/04, 19/07, 1/05 and 9/09). Despite the different implementation structure, in each Entity and the Brčko District the EU Directives introduced procedural elements to be followed such as the provision of an environmental impact and consultation with the public and environmental authorities within the framework of development conceding procedures for the activities covered. In practice, those innovations produced several changes such as: (i) new procedure for issuing building permits (that includes the environmental permit); (ii) the introduction of new authorities at the Entities (Republika Srpska Advisory Council for Environmental or the Inter-Entity Environmental Body) and the local level; (iii) empowering of public participation within the process of plan drafting and (iv) introduction of new principles (among others sustainable development, principles of precaution and prevention, cooperation and division of

responsibilities, public participation and access to information etc.). In addition, a series of strategic plans have been adopted such as the Federation of Bosnia & Herzegovina Environmental Strategy its Action Plan for the 2008-2018 period (among others have been prepared the following documents, FBiH Nature Protection Strategy, FBiH Air Protection Strategy FBiH Waste Management Strategy) and the Nature Protection Strategy of Republika Srpska (2011), while in the Brčko District there is no Environmental Protection Strategy yet. The importance of the transposition of the EU directives is underlined by several aspects: legal, policy, institutional and procedural. Looking at the legislative framework, in Bosnia & Herzegovina, the alignment to the EU directives is an ongoing process. A few years ago, the Federation adopted the Law on Nature Protection (“Official Gazette of the FBiH,” No. 66/13) followed by the adoption by each Canton specific cantonal laws in order to be aligned with the new legislation framework. In the Republika Srpska was introduced the Law on Nature Protection – consolidated text (“Official Gazette of the Republic Srpska,” No. 20/14) and in the Brčko District the Law on Natural Protection No. 25/04 that substituted the Law on Nature Protection No. 19/07, and 1/05, 9/09. When it comes to the policy framework, the main impact is evidenced on the sectoral policy/strategy. In this regard, the EU promoted principles of biological diversity which are integrated in the entity’s strategies for environmental protection adopted through the introduction of the Environmental Protection Strategy of the FBiH (2008-2018) and The Nature Protection Strategy of the RS (2011), which have established a strategic framework and the situation in the field of biological diversity protection. At the Federation, cantonal and municipal levels, plans for environmental protection are also in process to integrate the values of biological diversity (as a separate domain in the action plan) under the names of Cantonal Environmental Protection Action Plan (KEAP) and Local Environmental Protection Action Plan (LEAP). In accordance with the Birds Directive, Bosnia & Herzegovina declared Special Protection Areas (SPA) for bird species. And the Special Areas of Conservation (SAC) that constitute the Natura 2000 ecological network formed by three pilot areas established for the first time: Tišina Pond, Mt. Orjen – Bijela Gora, and Mt. Vranica. Overall, the impact of Habitat and Bird directives on spatial planning has had a positive influence on the integration of biological diversities priorities into sectoral planning documents such as the Spatial Plan of the FBiH (2008-2028). In addition, the Spatial Plan of the Republika Srpska by from 2015 has integrated some specific values of environmental protection only, but it does not directly include the issue of biological diversity. The draft of the new Spatial Plan of the RS by 2025 dedicates one sub-section to biological diversity, where spatial planning is guided by the values of biological diversity protection, as well as environmental protection.

Analysing the transposition of the EU transport legislation, coherently to the Constitution of BiH, certain decisional competences on transport and infrastructure sector are reserved to the Entities. However, in this field, the role of the State level remains important due to the fact that the Ministry of Communications and Transport of Bosnia & Herzegovina (MoCT) is responsible for: (i) drafting the laws and other legal acts for road transport, including international agreements (bilateral

and multilateral), (ii) monitoring the status and the implementation of the international conventions and agreements related to the road Transport (TEN-T); (iii) monitoring the international and inter-entity and Brčko District road transport. Differently from the other sectors, the state level plays a key role in drafting laws and monitoring their implementation process at the lower level. Regarding the Entities and the Brčko District, several laws have been partially or fully transposed, while significant efforts are needed to implement them. It is important to note that the transposition works differently in each territorial level due to their different competences. As a result, different EU directives on the transport network (road, railway, air and maritime) are transposed in various ways at each territorial level. However, in order to benefit from EU transport funds related to TEN – T and SEETO, Bosnia & Herzegovina launched the Framework Transport Strategy that sets out the actions and programmes that need to be undertaken (administrative reform, regulatory harmonization, capacity building and investment programs) as well as the associated allocation of responsibilities, timeframe and key performance indicators. As concerns the impact of EU transport directives on the spatial planning, it is important to underline that being part of the TEN – T and SEETO network means the possibility to organize the national transport system in coherence with the regional (Western Balkan Region) priorities. As a consequence, the impact registered is both in terms of procedures (that depends on the nature of the transport system) and in terms of practices (each territory where the network is improved has a different responsibility in drafting and implementing particular network segment according to the EU procedures for Programming and Procurement Rules).

Last but not least, the last channel of influence is the pre-accession negotiation. In this regard, observing the influence of the SAP – Stabilisation and Association Process on the evolution of spatial planning system in Bosnia & Herzegovina, it appears clear that, for many reasons (above all, geopolitical situation), the impact was not particularly relevant. In fact, the main objective of the SAP was to push the democratic consolidation of the countries from the region through substantial domestic reforms which are based on European values and structures neglecting any spatial effects. Years later, the EU launched the so-called SAA –Stabilisation and Association Agreement, that was signed in 2008 but has entered into force only a few years ago, in 2015. Neither in this case, no relevant impacts on spatial planning system can be evidenced. However, it is predictable that the impact of SAA will be much more that in the past. Indeed, sectors covered by the Agreement such as infrastructure, environment, regional cooperation, energy and agriculture, will be interested by a deep transformation in order to respect the EU directives and provisions. More in detail, a multi modal infrastructure network (in particular focuses on the implementation of Pan-European Corridor V and the Inland Waterway Sava connection to Corridor VII) will be developed, aiming to integrate the country within the Region. The environmental part, instead, will promote cooperation practices, the development of strategies to significantly reduce local, regional and trans-boundary air, water and waste pollution, establishing a system

for efficient, clean, sustainable and renewable production and consumption of energy, and to execute environmental impact assessment and strategic environmental assessment. The regional cooperation will enhance cooperation among member or non- member States etc. Although sectoral, the planning system may be affected in its constitutive dimensions by several influences.

### *13.1.1.2 Influence of EU policies*

Among EU policies, the European territorial cooperation is certainly one of the most potentially impacted policies due to its logic of interconnection and cross-fertilization. In this regard, Bosnia & Herzegovina is involved in several strategies and programmes like AIE - Adriatic Euroregion<sup>151</sup>, EUSAIR EU Strategy<sup>152</sup>, EUSDR EU Strategy for the Danube Region<sup>153</sup> and many INTERREGs etc.

Analysing the AIE - Adriatic Euroregion logic and principles, each member of the AIE aims to achieve the following objectives: (i) to establish and develop mutual relations of the population and regional institutions as presuppositions for better acquaintance, understanding and cooperation; (ii) to create conditions for economic development in harmony with the environment; (iii) to definite common development interests and coordinate a joint development strategy; (iv) to create cultural exchange programs; (v) to ensure the condition for a successful exchange of experiences and their application within EU programs. Hence, the area of action of the AIE is represented by: (i) international cooperation; (ii) sustainable development; (iii) environmental and nature protection; (iv) democratic political culture. The Euroregion is constitute by 26 members - Regional and local governments from Italy, Slovenia, Croatia, Bosnia & Herzegovina, Montenegro, Albania and Greece.

Remaining in the Mediterranean area, Bosnia & Herzegovina is part of the EUSAIR EU Strategy<sup>154</sup> for the Adriatic and Ionian Region. The EU Strategy is a macro-regional strategy adopted by the European Commission and endorsed by the European Council in 2014. The Strategy was jointly developed by the Commission, together with the Adriatic-Ionian Region countries and stakeholders, in order to address common challenges together. It aims at creating synergies and fostering coordination among all territories in the Adriatic-Ionian Region. EUSAIR has a limited focus on areas of mutual interest with high relevance for the Adriatic-Ionian countries. It is built on four thematic pillars: (i) Blue growth; (ii) Connecting the region - transport and energy networks; (iii) Environmental quality and (iv) Sustainable tourism. The EUSAIR covers eight countries: four EU Member States (Croatia, Greece, Italy, Slovenia) and four non-EU countries (Albania, Bosnia &

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<sup>151</sup> Source: [http://www.adriaticionianeuroregion.eu/wpcontent/uploads/2016/05/EN\\_statute-AIE\\_Assembly-Bxls\\_2.12.2015.pdf](http://www.adriaticionianeuroregion.eu/wpcontent/uploads/2016/05/EN_statute-AIE_Assembly-Bxls_2.12.2015.pdf)

<sup>152</sup> Source: <http://adriatic-ionician.eu/>

<sup>153</sup> Source: <http://danube-region.eu/>

<sup>154</sup> Source: <http://adriatic-ionician.eu/>

Herzegovina, Montenegro, Serbia). In this project Bosnia & Herzegovina is engaged together with Slovenia in developing the environmental quality issue.

Moving from the Mediterranean area to the centre of the Western Balkan Region, Bosnia & Herzegovina is also part of the EUSDR EU Strategy for the Danube Region<sup>155</sup>. The EU Strategy for the Danube Region introduced in 2011 served as an important driver for the development of the ETC programmes 2014-2020. The Strategy is built on four pillars and twelve priority areas. The area covered by the EU Strategy for the Danube Region stretches from the Black Forest (Germany) to the Black Sea (Romania-Ukraine-Moldova) including three accession countries: Bosnia & Herzegovina, Serbia and Montenegro.

As mentioned above, besides being part of the most important EU regional strategies, Bosnia & Herzegovina is actively involved in several cross-border cooperation programmes. In this regard, Bosnia & Herzegovina is part of the INTERREG IPA Cross-border Cooperation Programme Croatia-Bosnia & Herzegovina-Montenegro 2014-2020<sup>156</sup>. The IPA cross-border cooperation programme is seen as an instrument for, on the one hand, the implementation of the EU cohesion policy as the main investment tool for delivering Europe 2020 goals: smart, sustainable and inclusive growth, and, on the other hand, as a way to use the Programme as the instrument for contributing to South East Europe 2020 strategy goals, which are interlinked within the development pillars concentrated on: integrated, sustainable and inclusive growth; governance for growth. Thus, it will be focusing on improving living conditions and enhancing competitiveness and development in the region by closely following the vision of the Europe 2020 strategy. The eligible areas are based on NUTS 3 for the EU Member and on the regional level for the EU non-member State.

In addition to the aforementioned INTERREG, Bosnia & Herzegovina has been part of IPA Adriatic Cross-Border Programme 2006-2013<sup>157</sup>. Within this programme, different projects involved different Adriatic countries, such as Albania, Bosnia & Herzegovina, Croatia, Italy, Slovenia and Montenegro. The programme follows two main purposes. The first is the connection of the political stability of the area. Following ten years of conflict, the area is now moving towards progressive integration both “vertical” (within European and International institutions) and “horizontal”, through the creation of a free trade area. The second is the connection, given the geographic and cultural proximity, which makes possible the intensification of multilateral relationships among Adriatic coastal regions to support local processes of harmonious growth, sustainable development and unity among people. Bosnia & Herzegovina’s eligible territory is the

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<sup>155</sup> Source: <http://danube-region.eu/>

<sup>156</sup> Source: <http://www.interreg-hr-ba-me2014-2020.eu/>

<sup>157</sup> Source: [http://www.interreg.gr/en/programmes/2012-05-11-09-00\\_08/adriatic.html](http://www.interreg.gr/en/programmes/2012-05-11-09-00_08/adriatic.html)

Herzegovina Region which includes three cantons from the Federation of BiH and the southern part of the Republika Srpska with its several municipalities<sup>158</sup>:

Others EU initiatives have seen Bosnia & Herzegovina as part of the INTERREG IIIB NP CADSES Project<sup>159</sup>. The project aims to develop the tools and the capacities for an effective integrated planning in coastal zones and maritime areas in the Baltic, Adriatic and Black Sea regions. The main purpose is to link Integrated Coastal Zone Management (ICZM) and Maritime Planning with the processes of statutory spatial planning in different countries: Albania, Bosnia & Herzegovina, Bulgaria, Croatia, Germany, Italy, Montenegro, Poland, Romania, Slovenia and Ukraine. Bosnia & Herzegovina participates with the Neretva Cantonal Ministry of Physical Planning. The project has been financed with funds such as CARDS, EFRE, PHARE and TACIS.

Overall, as emerged, Bosnia & Herzegovina is participating in different strategy and programs within the EU territorial cooperation framework (among others EUSAIR, EUSDR and INTERREG IPA). However, referring to the influence of the European territorial cooperation in Bosnia & Herzegovina, it is possible to affirm that no relevant impacts have been registered. Looking at the Entities level, no relevant impact has been evidenced due to the fact that the participation at the aforementioned programs and strategy is established at the central or local level. Indeed, the Entities cannot play a relevant role in this case. However, considering the case of Neretva Canton, that was engaged in the INTERREG IIIB NP CADSES Project, the impact of European territorial cooperation was too punctual (geographically speaking) to be considered as a general influence.

Taking into account the impact of EU rural development policy, the government of Bosnia & Herzegovina has limited authority in the area of agricultural policy except in the foreign agriculture trade policy. As a consequence, Bosnia & Herzegovina has not adopted a comprehensive agricultural and rural development strategy at the state level. In the field of agricultural and rural development policy, the Entity policy framework has been improved by adopting the Federation's Moderate-term Development Strategy of the Agricultural Sector for 2015–2019 and of the Strategic plan for development of agricultural and rural areas of the Republika Srpska for 2016-2020. These strategic documents emphasise the need for convergence and gradual harmonisation of agricultural policy within the CAP – Common Agriculture Policy. Regarding the case of the Brčko District there were no strategic documents exclusively targeting agriculture and rural development in the analysed period, but issues related to the sector were treated

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<sup>158</sup> Bileća, Čapljina, Čitluk, Gacko, Grude, Jablanica, Konjic, Kupres, Livno, Ljubinje, Ljubuški, Mostar, Neum, Nevesinje, Posušje, Prozor/Rama, Ravno, Široki Brijeg, Stolac, Berkovići, Tomislavgrad, Trebinje and Istočni Mostar. Territorial derogation applies in Bosnia & Herzegovina to Sarajevo Region, North-West Region, and Central BiH Region.

<sup>159</sup> Source: <http://www.plancoast.eu/>

within the overall strategic document (Development Strategy of BD). However, despite the intention and the official policy strategy, in both Entities and Brčko District there are considerable differences between agriculture policy and the CAP, in both the range and structure of measures. This means that the policy applied is far removed from the EU model. Currently, as mentioned before, the influence of the EU rural development policy is not so relevant due to several domestic factors like: the opaque distribution of responsibilities among the state level Entities, cantons and municipalities; the lack of vertical and horizontal coordination; the lack of EU standards harmonization, and the distance from the strategic plans/programs to their effective implementation. As a result, the lower level of government has not so affected/influenced the EU, but with the entry into force of the SAA much more impact regarding the entire government system is expected.

Last but not least, surprisingly, the EU pre-accession and neighbouring policy has had no impact due to the controversial history of Bosnia & Herzegovina. The EU pre-accession instruments were focused, as CARDS – Community Assistance for Reconstruction Development and Stabilisation, in various fields related to the post-war consequences. Indeed, the first development strategy (promoted and financed by CARDS funds), launched in 2000, concentrated on three pillars: (i) the reconstruction, (ii) the refugee return and (iii) the transposition and legislative adjustment to EU standards. Due to the fact that the State priorities were focused on the reconstruction activity, the impact on spatial planning system has to be considered not so relevant.

#### *13.1.1.3 Influence of EU discourse*

The influence of the EU planning discourse on the spatial planning system in Bosnia & Herzegovina has been an uninvestigated topic, until the recent work of Marjanović (2017) that gives a preliminary understanding on how the Europeanisation of spatial planning, and in particular its discourse dimension, is impacting the domestic planning system in Bosnia & Herzegovina. Aiming to understand the EU discourse, each document and strategies that may channelized the EU impact has been taken into consideration.

Certainly, one of the way in which the EU is influencing the analysed context, is the EU mainstream development strategies that consist of several documents following the Lisbon and Gothenburg Strategies and the EU2020 Strategy. What emerged after the analyses of the main national documents is the perception that all the aforementioned documents have been taken into consideration (on paper). Indeed, looking at the Development Strategy of Bosnia & Herzegovina, some notions as competitiveness, knowledge -based, sustainable economic development, environmental protection have been clearly adopted based on the Lisbon Strategy as stated in the document. Moreover, the last Strategic Framework for Bosnia & Herzegovina, drafted in 2015 by the Directorate of Economic Planning, is structured according to EU 2020 Strategy and the South- East Europe 2020 Strategy. Hence, notions such as integrated, smart, sustainable, inclusive growth are

integrally adopted in the country discourse in several development fields like economic and regional development, agriculture and rural development, renewable energy and environmental protection. The reflection of those questions on the spatial planning system should be observed from the perspective of the changing in the planning contents, logic of planning, procedures, ideas etc.

In Bosnia & Herzegovina, what appeared to be particularly influential are the EU spatial policy documents that includes the ESDP, the EU Territorial Agenda, the EU Territorial Agenda 2020, the EC Green paper on territorial cohesion. However, above all, the ESDP is certainly playing a guiding role in shaping the domestic discourse. According to Marjanović (2017), notions and principles inspired by the ESDP can be found in domestic planning documents along with EU concepts such as horizontal and vertical coordination, sustainable or polycentric development can be recognized in the national planning discourses. As a matter of fact, the draft of the Spatial Plan of the Federation of Bosnia & Herzegovina in defining the general and specific goals on urban development on the Federation of Bosnia & Herzegovina are fully compatible, as specified in the draft, to ESDP guidelines and principles as well as to CEMAT sustainable priorities as its development measures for urban areas, agricultural and forest land and the European corridors.

When it comes to the EU urban agenda, that includes the Green paper on the urban environment, the Leipzig Charter on sustainable cities, and all the documents developed within the European Commission Urban Development Group no impacts emerged, despite some notions, like sustainable urban development approach, are incorporated into the new generation of spatial planning documents and its influence in the planning education, where those notions are largely applied.

Other influences derive from the introduction of EU technical condition and standards in so many fields like construction and maintenance of buildings etc., recognized by law.

#### *13.1.1.4 Synoptic view*

As recognized by the Ministry of Physical Planning, Construction and Environment of the Republika Srpska, the process of harmonization of the legislation with the European Union Legislation and the transposition of the so-called *acquis communautaire*, especially in the field of planning and construction, there have been an improvement of regulations, i.e. strengthening the institutional framework for the improvement of the control and guidance of land use, consolidation activities and communications, as well as active and sustainable use of resources for development (MPPCE, 2013). It contributes, moreover, to the establishment of cooperation initiatives between the Republic Srpska and the Federation of Bosnia & Herzegovina in the field of spatial planning. Strengthening public awareness and education about the issues of protection and improvement of the environment, organized land use and construction, importance of natural and cultural heritage and public interest, represents a significant commitment of government at the local level, with adequate support for the republican

administration (MPPCE, 2013). Coherently to what stated, GAP II (2012 a, b) identified in the European Commission's European Spatial Development Perspective, 1999 (ESDP), the leading principles of the European Conference of Ministers responsible for Regional Planning, 2000 (CEMAT), and EU directives pertaining to the main documents and legislation of spatial planning, that are influencing spatial planning in Bosnia & Herzegovina. More in detail, the impact of the EU legislation on the heterogeneous spatial planning system(s) in Bosnia & Herzegovina is undoubtedly important (above all regarding the environmental sector). Bearing in mind the institutional structure of the Bosnia & Herzegovina and the lack of authority at the central level, the implementation of EU directives has been partial and not homogeneous. Indeed, due to a logic of political and social dependence, the Republika Srpska is influenced by the experience of the Republic of Serbia on the transposition of EU directives rather than by the experience of Bosnia & Herzegovina. For these reasons, it is not possible to assess the impact of the transposition of EU directives in Bosnia & Herzegovina as a single state, but it is necessary to observe the diverse path dependence logic among Entities and the District. However, based on the aforementioned assessment of policy areas, the major impacts on the evolution of spatial planning system are:

- EU environmental legislation (among others regarding the introduction of SEA and EIA but also the laws on natural protection that instituted for the first time the Natura 2000 network under which three national parks have been created);
- EU energy legislation, that contributed to harmonize the existing energy programs
- EU transport legislation that has contributed to align the legislation of Bosnia & Herzegovina to the EU, including the domestic transport programs, strategy and projects within a regional (i.e. Western Balkan Region) and European framework. As a consequence, the impact on the SPS and TG has involved several aspects: (i) institutions – new authorities have been introduced allocating responsibilities among levels of government; (ii) procedure – SEA and EIA have changed the approval procedure of spatial planning instruments and projects (in certain cases the implementation in FBiH, RS and BD is different). In addition, changes have been introduced on the allocation of the planning permit (related to the environmental permit etc.); (iii) spreading of new concepts, providing ideas and influencing new planning tools.

Due to the complex geo-political situation of BiH since 1995, the impact of the EU policies has been fragmented and not homogenous. As mentioned before, the articulated institutional framework and the lack of authority at the “national level” have caused significant problems and a lack of EU policy implementation. Nevertheless, the EU is playing an important role in shaping the domestic development condition introducing some elements that are projecting Bosnia & Herzegovina towards the EU. In this respect, some aspects shall be underlined. First of all, the introduction of a programming period has obliged the alignment of Bosnia & Herzegovina's programming period, and the one of the respective

subnational levels, to the EU. Despite this fact, however, the alignment is followed with the same speed by the Entities and the Districts. Secondly, the introduction of the strategic approach was the base of the launching of several strategic plans and programs at the national level (above all the National Strategy for BiH and sectoral strategy as the National Strategy for social exclusion and many other strategic documents). Thirdly, the promotion of the integrated approach has contributed to transform the sectoral perspective to a more adequate cross sectoral one. Meanwhile the impact of the EU discourse is gaining more and more interest (often superficial). As stated by Marjanović (2017), even though some individual efforts of planning professionals to understand and systematize the EU influences on planning can be identified, the European spatial discourse has been introduced to domestic planning cultures superficially, i.e. by following the flow of the European integration process and a growing need to ensure formal compliance. Indeed, most of the aforementioned concepts, in practice, remain frozen within the academic discourse revealing a lack of integration in the practice dimension due to several reasons like that often those concepts are stigmatized as “external imported” (Djurasovic and Knieling, 2015), hence they are resulting too complicated to be transferred into practice. To have a complete overview of the EU impact on the evolution of the Bosnian spatial planning system, Table 93 evaluates the impacts of the aforementioned EU Legislation, Policy and Discourse on the diverse planning components (structure, technique, practice and discourse). The assessment takes into account the: (i) impacted level, hence considering the separately central (C), subnational (S) and local (L) level; (ii) intensity, using the qualitative scale from zero (no impacts) to three (high impacts) and (iii) trend using the following method, increasing (↑) when the impact is growing, decreasing (↓) when is emerging a declining impact, constant (↔) when is verified a persistent impact and, finally, swinging (↕) when through time the impact has not been constant.

**Table 93:** The impact of EU in the spatial planning system in Bosnia & Herzegovina

Influence	Structure			Technique			Practice			Discourse			
	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	Impacted Level	Intensity	Trend	
<b>Legislation</b>													
Influence of EU sectoral legislation	EU competition legislation	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-0-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑
	EU energy legislation	C-S-L	0-2-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑
	EU environmental legislation	C-S-L	0-2-1	↑-↑-↑	C-S-L	0-2-1	↑-↑-↑	C-S-L	0-1-2	↑-↑-↑	C-S-L	0-2-1	↑-↑-↑
	EU transport legislation	C-S-L	0-2-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-0	↑-↑-↑
	Pre-accession negotiation	C-S-L	0-1-0	↓-↓-↓	C-S-L	0-1-0	↓-↓-↓	C-S-L	0-1-0	↓-↓-↓	C-S-L	0-1-0	↓-↓-↓
<b>Policies</b>													
Influence of EU policies	EU cohesion policy	na	na	na	na	na	na	na	na	na	na	na	na
	European territorial cooperation	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-0	↑-↑-↑
	EU urban policy	na	na	na	na	na	na	na	na	na	na	na	na
	EU rural development policy	C-S-L	0-1-0	↑-↑-↑	C-S-L	0-1-0	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑
	Pre-accession and neighborhood policy	C-S-L	0-1-1	↑-↑-↑	C-S-L	1-1-0	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑
<b>Discourse</b>													
Influence of EU discourse	EU mainstream development strategies	C-S-L	0-1-0	↑-↑-↑	C-S-L	0-1-1	↑-↑-↑	C-S-L	1-0-0	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU spatial policy documents	C-S-L	0-1-0	↑-↑-↑	C-S-L	1-2-1	↑-↑-↑	C-S-L	1-0-1	↑-↑-↑	C-S-L	2-1-1	↑-↑-↑
	EU urban agenda	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	0-0-0	↑-↑-↑	C-S-L	1-1-1	↑-↑-↑
	ESPON Programme	na	na	na	na	na	na	na	na	na	na	na	na

Source: Author's own elaboration

## 12.5. Summary and conclusions

According to one of the assumptions of the research, i.e. that spatial planning is an unstable interaction between internal and external forces, the example of Bosnia & Herzegovina confirms how this unstable interaction can shape a given planning system. Since 1992, in Bosnia & Herzegovina, spatial planning has been at the centre of several institutional transformations. The downfall of the socialist regime coincided with the constitution of the state level planning system in which Bosnia & Herzegovina was primarily responsible for managing planning issues, but the war (1992-1995) reshaped the whole spatial planning structure. Accordingly, the Dayton Peace Agreement institutionalised the emerged regional divergences within the country recognizing the autonomy of two Entities: the Federation of Bosnia & Herzegovina and the Republika Srpska, and later, the special status of the Brčko District. Within this new institutional scheme, spatial planning has been delegated to the Entities while the country level has been excluded from any planning responsibility. These subnational spatial planning systems have been characterized by a large degree of autonomy to define planning levels, three for the Federation (Entity, cantonal and municipality), two for the Republika (Entity and municipality) and one for the District. Additional autonomy has been given in defining planning instruments, procedures, implementation mechanism and so on. As it can be imagined, the presence of those three autonomous planning systems is creating several problems in terms of coordination and harmonisation of the country's territory as a whole. In fact, one of the main critiques, is the fact that those planning systems have no chances to address a sustainable territorial development of Bosnia & Herzegovina. Even in terms of content and discourse, the expected shift from socialist to European- inspired planning system has been happening very slowly. Indeed, besides several efforts to be aligned with the main EU mainstream planning paradigms, in practice, those hegemonic concepts are often misinterpreted and superficially applied. In this circumstance has been interesting to explore the role of actors, external vs internal and institutional vs non-institutional. What has been evidenced is that international actors (among others UNDP, WB, USAID and EU) played an important role in shaping the nature of each spatial planning system. One the one side, thanks to diverse support mechanisms (economic, political and technical above all), those actors contributed to move on the question of planning towards a more Western- oriented approach. One the other side, local actors combated to maintain the status quo (inertia).

If PART III has reported on the situation of the Western Balkan Region, in general, and, specifically on the question of spatial planning system in Croatia, Albania and Bosnia & Herzegovina, the following PART IV will compare the respective planning systems.

# **PART IV – COMPARING THE EVOLUTION OF SPATIAL PLANNING SYSTEMS AND CONCLUSIONS**

Once having completed an overview on the evolution of spatial planning systems in the Western Balkan Region, and in particular in Croatia, Albania and Bosnia & Herzegovina, Part IV aims to compare the main spatial planning factors taken into account. In this respect, Chapter 13 focuses on the main dimensions of planning (structure, technique, practice and discourse). This chapter sheds light on the main evolution trends trying to sketch out some common tendencies or divergences, highlight contextual factors and external inputs. The relation between internal and external factors has been widely investigated in Chapter 14, which focuses on comparing the different roles of actors in the evolution of the spatial planning systems of Croatia, Albania and Bosnia & Herzegovina. In this perspective, actors have been distinguished in internal and external. By comparing internal actors, the research seeks to consider both institutional actors, established by law, and non-institutional entities, which are mainly related with society, like associations, NGOs, universities etc. On the other side, international actors have been subdivided in international and regional organisations, development agencies and foreign knowledge actors. Special attention has been given to the role of the EU in influencing each country. Chapter 15 delineates the main research messages, dealing with the question of the evolution of spatial planning systems in the Western Balkan Region, in general, and in Croatia, Albania and Bosnia & Herzegovina, in particular.

# 13. Comparing the evolution of spatial planning components

Chapter 13 concentrates on comparing the evolution of each spatial planning component. The idea is to understand how these components have been framed and how they have evolved, trying to evidence their main differences, similarities or uniqueness. The chapter has been subdivided in four sections. The first section, 13.1, investigates the evolution path of the structural dimension, showing how the planning structure has been framed since 1990 and its main differences. The second section, 13.2, tries to compare the technical and the instrumental aspects of planning, identifying the main changes and differences among planning systems. The third section, 13.3, compares the practice dimension, so how planning works in reality, despite of what has been established by the normative. Finally, the fourth section, 13.4, concentrates on comparing the planning discourse, hence focusing on how the planning principles and ideas have changed over time and their implications on each planning system.

## 13.1. Decentralisation or new forms of (re)-centralisation?

In Croatia, Albania and Bosnia & Herzegovina, the process of institutional restructuring of the administrative arrangement has been the object of numerous reforms under the dictate of the decentralisation process. In Croatia, the decentralisation approach has been responsible for the institutionalisation of the county level. In Bosnia & Herzegovina, instead, the State's organisation reform has been guided by ethnical reasons, and was concluded with the stipulation of the Dayton Peace Agreement and the creation of the Entity level, later followed by the institutionalisation of the Brčko District. In Albania the decentralisation process seems to be still incomplete. In spite of the several reforms of 1993, 2000 and 2014, that involved the reorganisation of the administrative machine, the role of *qarku*, Albanian subnational level, still needs to be clarified. Meanwhile, the collapse of the communist/socialist regimes and the ambition to move towards a free market economic system, pushed each country to adopt a series of structural reforms (economic, social and political). This process of transformation has been guided by the known 'shock therapy' that dominated the economic and political sphere for many years. Indeed, the sequence of decentralisation, privatisation, liberalisation and marketisation has been the *fil rouge* of any institutional and non-institutional approach. This macro-economic transformation has resulted in a change of the property right (private and public property, the right of property restitution or compensation), and has involved numerous sectors like social housing, public

services, infrastructure, agriculture and rural development, environment protection, preservation of historical and cultural heritage and so on. Despite some contextual differences that have been characterising Croatia and Bosnia & Herzegovina (above all the war and post-war reconstruction), all countries experienced these transition processes. Spatial planning, as many sectors, has been deeply influenced by each of the aforementioned issues, given the fact that the common tendency was to renovate the planning system according to the economic and political circumstances. What has emerged is a substantial political will to decentralise the planning structure attributing responsibility and competence to the lower levels. With significant differences in time, content and approach, this process of transformation coincides with the transformation from an urban planning logic to a spatially oriented approach, at least in Albania.

### **13.1.1. Comparing the main planning authorities and responsibilities at the central level**

The authorities responsible for managing spatial planning differed from one country to another. This diversity emerged from the observation of the nature and responsibilities of the main planning authorities. As reported, in Bosnia & Herzegovina, the central level has been excluded from any kind of planning responsibility, while the majority of the planning competences and responsibilities have been delegated to the subnational level (Entity) and local level (municipality). Accordingly, since the collapse of the regimes, also the Croatian and Albanian planning systems have been interested by the increasing process of decentralisation of planning responsibilities and competences. What emerges, in comparison to the Croatian and Albanian cases, is a continuous attempt to adapt planning authorities to the contextual social, economic and political conditions. Since 1990, in fact, a series of planning authorities has been abolished (Council for Spatial Planning in Croatia or National Institute of Urban Planning in Albania) and others have been introduced (the Croatian Institute for Spatial Development in Croatia and National Territorial Planning Agency in Albania). This vitality reflects the tendency to decentralise, according to what concerns the administrative arrangement, and creates a more integrated and coordinated planning system in coherence to what is warmly recommended by EU institutions.

As evidenced by Table 94, the comparison among countries showed that planning authorities differ in respect of their nature (executive, political, and technical) and the main planning responsibilities (decision-making, plan-making, coordinate and implement). It should be noted that in both countries, there are specific planning authorities in charge to decide the “rule of play”: the Croatian Parliament or the Albanian Council of Minister are the so-called decision makers, while other bodies, like the spatial planning ministries, focus more on a political approach, and are entitled to coordinate the planning activities. Other authorities have particular technical duties concerning the preparation of planning documents, the coordination of planning processes and the implementation of planning

documents at the central level. Comparing the two countries, it is interesting to note that the planning activity is managed differently. In Croatia, indeed, there are two different ministries entitled to deal with territorial development, the Ministry of Construction and Physical Planning and the Ministry of Regional Development and EU Funds. The former is responsible for the coordination of the spatial planning process, while the latter is in charge to manage the regional development promoting several development strategies. Both Ministries have technical bodies or plan-maker authorities entitled to prepare plans and strategies at the central level. In Albania, instead, the question of spatial planning and development is responsibility of the Ministry of Urban Development (until July 2017). The Ministry, together with the National Territorial Planning Agency, is in charge to prepare and implement the planning documents at the central level, but the final approval is responsibility of the National Territorial Council and the Council of Ministers. Differently from Croatia, in Albania there is the National Territorial Council which is one of the main planning authorities responsible for the adoption of the planning instruments (national, sectorial plans and detail plans). The National Territorial Council was supported by the National Territorial Planning Agency as a technical secretary, which has been substituted by the National Territorial Development Agency (launched in 2015/2016). To conclude, it seems that, despite some similarities, in Croatia and Albania the planning activity at the central level is managed very differently, due to several path-dependend factors such as the separation between spatial planning and development in Croatia and the existence of the National Territorial Council in Albania.

**Table 94:** Current planning authorities and responsibilities at the central level

Countries	Planning Authorities	Nature			Responsibilities			
		Executive	Political	Technical	Decision-making	Plan-making	Coordinate	Implement
Croatia	Croatian Parliament	X			X			
	Ministry of Construction and Physical Planning		X			X	X	
	Ministry of Regional Development and EU Funds		X			X	X	X
	Croatian Institute for Spatial Development			X		X		X
	Regional Development Council		X			X	X	X
	Agency for Regional Development of the Republic of Croatia			X		X		
Albania	Council of Ministers	X	X		X			
	National Territorial Council			X	X			
	Ministry of Urban Development		X				X	X
	National Territorial Planning Agency			X		X	X	X
	Other ministries		X				X	X
Bosnia Herzegovina	No planning authorities		na			na		

Source: Author's own elaboration

### **13.1.2. Comparing the main planning authorities and responsibilities at the subnational level**

As for the central level, the organisation of spatial planning systems at the subnational level is very different among the countries evaluated. The greatest difference emerged as a result of the administrative arrangements that have been instituted in each country, in the last three decades. The Croatian administrative system has been built on twenty counties plus the City of Zagreb, while in Albania has been introduced the level of *qarku*, comparable to districts, and in Bosnia & Herzegovina has been established the level of Entity (the Federation and the Republika). Even if those administrative levels are not fully comparable, because of their different characteristics, the comparison regarding the question of spatial planning, and in particular spatial planning authorities and responsibilities, is hypothetically possible. Accordingly, the spatial planning at the subnational level has been characterised by numerous and continuous variations. Adopting a diachronic perspective, in Croatia the planning authorities at the county level are gaining more and more importance. While in 1994 only the County/City of Zagreb Physical Planning Institute was established to be in charge of the preparation of the County Physical Plan or the Physical Plan of the City of Zagreb, currently there are different planning authorities (among others, County Assemblies Professional Administrative body of the County/City of Zagreb and Physical Planning Institutes of the counties) entitled to adopt decisions about the approval of the county spatial plan and the county development strategies, to prepare and implement them. Recently, other authorities have been established, such as the County Partnership Council and the Regional Self-Government Unit in charge to manage the question of County development and prepare specific development strategies. Moving from the Croatian to the Albanian case, the importance of the subnational level is drastically decreasing. As a matter of fact, if during the first transition period, there were different planning authorities at the *qarku* level (among others the Territorial Adjustment Council of *Qarku* abolished in 2009), currently there is only the Council of *Qarku*, with scarce power and competences. Instead, as reported, the administrative organisation of Bosnia & Herzegovina has been subjected to the Dayton Peace Agreement. In those circumstances, spatial planning has been moved from the central level to the new Entity level. Even if these Entities have the same planning responsibility, their internal organisation is different (the Federation has the cantonal level while the Republika Srpska has not). Despite several planning reforms have passed since 1995, planning authorities have maintained similar responsibilities and competences.

Giving more attention of the current situation and using the same evaluation system for the central level about its nature and its main planning responsibilities, numerous similarities and differences have emerged. To conclude, evaluating the last three decades, each country has shown different tendencies. On the one side, in Croatia emerged the need to regionalise, hence to attribute more competences at the subnational level, on the other side, in Albania there is an historical tendency to delegitimise the role of spatial planning authorities of the subnational level in

favour of the central and local levels. In Bosnia & Herzegovina, instead, the common tendency is to maintain the same planning structure as warmly requested by the established institutional arrangement.

As illustrated by Table 95, each country (excluding Albania) has executive (the County Assemblies and the County Partnership Council in Croatia, the Government and the Canton Assembly in the Federation and the Government in Republika), political (competent ministries and other authorities) and technical (the Physical Planning Institutes of the Counties in Croatia, entity ministries and Canton Institute for Spatial Planning in Bosnia & Herzegovina) planning bodies. In Albania, instead, the Council of *Qarku* is in charge of the adoption of the *qarku* planning documents (mainly sectorial) and of the coordination of the planning activity (with scarce responsibility). Differences emerged regarding the role of those authorities within the spatial planning system. While in Croatia the planning authorities at the subnational level are considered as hinge of the planning system, in Albania they are partially excluded from any kind of planning responsibilities, and in Bosnia & Herzegovina, planning authorities are responsible for the entire planning system, considering that the central level does not exist.

**Table 95:** Current planning authorities and responsibilities at the subnational level

Countries	Planning Authorities	Nature			Responsibilities			
		Executive	Political	Technical	Decision-making	Plan-making	Coordinate	Implement
Croatia	County Assembly	X			X			
	Professional Administrative body of the County/City of Zagreb			X			X	X
	Physical Planning Institutes of the Counties		X	X		X	X	
	County Partnership Council	X	X		X			
	Regional Self-Government Unit		X	X		X	X	X
Albania	Council of <i>Qarku</i>		X		X		X	
Bosnia Herzegovina	Government		X					
	Parliament	X			X			
	Federal Ministry for Physical Planning		X	X		X	X	X
	<i>FBiH</i> Federal Urbanistic Inspector			X			X	
	Canton Assembly	X			X			
	Canton ministries in charge of physical planning		X				X	X
	Canton Institute for Spatial Planning			X		X	X	
<i>RS</i>	Government of RS		X		X			
	National Assembly	X			X			
	The Ministry of Physical Planning, Civil Engineering and Ecology		X	X		X	X	X

Source: Author's own elaboration

### **13.1.3. Comparing the main planning authorities and responsibilities at the local level**

The current local planning organisation reflects three decades of institutional changes. Historically speaking, in Croatia the local spatial planning activity has been hierarchically dependent to the subnational level (many plans were approved by the County Council) while local authorities were perceived as mere implementation bodies. Through time, local authorities have been entitled to prepare, approve and implement the planning documents. Recently, other players have been added to the formal planning authority, such as the Local Development Agencies, deputed to draft local strategic development plans. In Albania, the local level, for many years, included two different local units, the Municipality and the Commune. Spatial planning was responsibility of the Municipal and Commune Urban Planning Office, that were responsible for the implementation of plans and of issuing building permits. In 1998, according to the process of decentralisation, the Territorial Adjustment Council at *Bashkia* and *Komuna* Level were activated as decision-making entities, along with the Directorate of Urbanism, that was in charge of the preparation of the planning instruments for each local level. Only one decade later (2009 and 2014), the current institutional configuration has been established: the Mayor and the elected Municipal Council are responsible for the entire planning process (preparation, partial approval and implementation phases). In Bosnia & Herzegovina, local planning authorities used to change according to the Dayton Agreement and later to the special agreement concerning the institutionalisation of the Brčko District. In general, regarding both the Federation and Republika, the planning activity has been responsibility of the Mayor of the City and the Municipal Council (in the past was present also a particular local institution entitled to prepare planning documents). Very differently from the Entities, in the case of Brčko District, the planning authorities reflect its unique institutional arrangement (District Government, District Assembly, Department for Spatial Planning and Property).

Table 96, shows what kind of planning authorities have been established in each country. Paying more attention to the current situation, each country has at least two planning authorities: the Mayor and the Municipal Council. The former has political responsibilities, the latter should approve and address the implementation of plans. Regarding the plan-making process, in Croatia and Brčko District specific authorities (the Institution and the Department) are active, while in Albania the preparation of plans is externalised to private companies (international and/or local).

**Table 96:** Current planning authorities and responsibilities at the local level

Countries	Planning Authorities	Nature			Responsibilities			
		Executive	Political	Technical	Decision-making	Plan-making	Coordination	Implementation
Croatia	Town/City Council	X	X		X			X
	Mayor		X				X	X
	Physical Planning Institute of a Major City			X		X	X	
	Local Development Agency		X	X		X	X	X
Albania	<i>Bashkia</i> Council	X	X		X			X
	Mayor of <i>Bashkia</i>		X				X	X
Bosnia Herzegovina	<i>FBiH</i> Municipality Council	X	X		X			X
	<i>FBiH</i> Mayor		X				X	X
	<i>RS</i> Municipality Council	X	X		X			X
	<i>RS</i> Mayor		X				X	X
	<i>BD</i> District Government		X				X	
	<i>BD</i> District Assembly	X			X			X
	Department for Spatial Planning and Property			X		X	X	

Source: Author's own elaboration

## **13.2. Towards a more vertical and horizontal coordination of planning documents**

While section 13.1 compares the different adjustment of spatial planning authorities in the last three decades, the following section compares the main planning documents for each planning level. Since the downfall of the regimes, in fact, the planning documents have been criticised concerning their capacity to govern the effective development of the territory. For at least the first decade after the introduction of the new economic and political system, plans have been considered inadequate because they reflected the same idea of communist/socialist planning style while the social, economic and political conditions radically changed. As reported, in each country, the first period of transition was characterised by a lack of planning documents and even if they were prepared and adopted, in many cases they have been scarcely implemented. In that period, the tendency was to replace the long-term planning approach in favour of a short-term one, based on the promotion and the implementation of small projects. One of the consequences, recognised in each country, was the progressive fragmentation of planning documents and the overlapping of their content and procedures. Other difficulties have been noted in the lack of coordination (horizontal and vertical) and harmonisation and integration (with diverse planning sectors). Later on, spatial planning instruments changed in order to include new notions and concepts deriving from exogenous planning traditions. As a matter of fact, in all countries, experts and policy makers paid more attention on strategic and visionary plans in support of territorial and spatial developments rather than on regulative plans.

### **13.2.1. Comparing the main planning documents at the central level**

Regarding the spatial planning documents, substantial differences emerge from the comparison of the main plans. At first glance, Croatia has a long tradition in drafting spatial plans at the central level, while Albania only recently has started dealing with the question of central plans preparation, and in Bosnia & Herzegovina the Constitution prohibits the preparation of central plans, delegating these competences to the Entities and the Brčko District. More in detail, in Croatia, the first central plan was adopted in 1988 (during the socialist period) and was later amended in 1996 by the Physical Planning Strategy, the Physical Planning Program and the Report on the Situation in Space. Each planning document had specific planning targets. The Report of Situation in Space analysed the contextual condition of the territorial development facilitating experts and decision makers to set out a series of spatial strategies that were included in the document of the Physical Planning Strategy. Those strategies and visions were implemented by the Physical Planning Program which consisted in a series of misusers and mechanism. In 2007, the law introduced a new planning instrument called Spatial Plans for Areas with Specific Characteristics that was more regulative than strategic (it can issue

building permits). In addition, in 2014, another central document has been introduced: the Regional Development Strategy, that concerned more the question of development and territorial cohesion rather than spatial planning in particular. As stated, in Albania, the question of drafting spatial plans for the central level is a relatively new task, which is promoted, in particular, by the law passed in 2009. Looking back, the two laws of 1993 and 1998 foresaw very few plans at the national level. At the time, the Master Plans of Urban Planning Studies (1993) and the Masterplan (1998) had been introduced but their content and principles were not clear and were never prepared. The question of plans at the central level became preeminent in 2009, when the law required at least four planning documents: the General National Territorial Plan (strategic); the National Partial Plan (regulative); the National Sectoral Plan (strategic) and the National Intersectoral Plan (strategic). Passing from very few plans to too many created an enormous confusion that obligated the legislator to modify the set of planning documents in 2014 introducing the General National Plan, the National Sectoral Plan and the National Detail Plan for Importance Area. Meanwhile, Bosnia & Herzegovina has no planning documents at the central level. Table 97 gives a complete overview on the main planning documents adopted in each country. Plans and documents have been listed taking into account specific characteristic such as: the nature of planning documents, hence, evaluating if plans are mainly visioning, strategic or regulative; legal framework and hierarchies, understanding if plans are statutory, mandatory or if they request adaptation to upper plans. Comparing the current set of planning documents, it is interesting to note that in each country (excluded Bosnia & Herzegovina) there are, at least, one strategic and one visioning plan. In fact, in Croatia the main planning documents are: Spatial Development Strategy of the Republic of Croatia State Plan for Spatial Development that are both visioning and strategic plans; Report on the Situation of Space is principally an analytical document on the current state of territorial development and bases of the mentioned strategic and visioning plans and the Regional Development Strategy with the aim to address the territorial development of the country. In Albania, only the General National Plan exist as the only visioning and strategic plan, accompanied by some sectorial plans that are mainly strategic. Moreover, each country has different regulative documents at the national level. For the Croatian cases, one should mention the Spatial Plans of Areas with Special Features and the Urban Development Plans of State Significance, while in Albania the National Detail Plan for Importance Areas has been established. These plans should be in coherence with the upper planning levels.

**Table 97:** Comparing planning documents at the central level

Countries	Planning Documents	Nature of Plan			Legal Framework and Hierarchies		
		Visioning	Strategic	Regulative	Statutory	Mandatory	Requests adaptation to upper plans
Croatia	Spatial Development Strategy of the Republic of Croatia	X	X		X	X	
	State Plan for Spatial Development	X	X		X	X	
	Report on the Situation in Space	X			X	X	
	Spatial Plans of Areas with Special Features			X	X		X
	Urban Development Plans of State Significance			X	X		X
	Regional Development Strategy		X		X		
Albania	General National Plan	X	X		X	X	
	National Sectorial Plan		X	X	X		X
	National Detail Plan for Importance Areas			X	X		X
Bosnia Herzegovina	No planning documents		na			na	

Source: Author's own elaboration

### **13.2.2. Comparing the main planning documents at the subnational level**

Moving from the central to the subnational spatial planning level, each country has its own planning documents. Adopting an historical perspective, it is interesting to note how the set of planning documents at the subnational level changed through time. At the beginning of the 90s, in Croatia the law of 1994 established that each county should have adopted its own planning tools (the Physical Plan of a County/City of Zagreb and Physical Plan of an Area of Special Features). Those plans attempted to address the development of the new institutional level (County) connecting the national planning document, like the Planning Strategy and Program, to the local planning priorities and strategies. Later on, those set of plans were confirmed by the law of 2007 and integrated by the law on spatial planning passed in 2013, that introduced the County Report on the Situation in Space, and the law on regional development approved in 2014, that established that each County should have its own County Development Strategy. In Albania the marginalisation of the subnational level, illustrated regarding the planning authorities, has been reflected also concerning the subnational planning documents. Looking back, the law of 1998 foresaw at least three planning documents like the Strategic Plan, the Regional and Environmental planning document (mainly analytical document) and the Regional Plan. Those plans (almost never drafted and implemented) were substituted in 2009 by the Integrated Local Plans and Inter Local Plans. Currently, only one plan exists, called the Sectorial Plan at *qarku* level, that should be in coherence with the upper planning documents. Moving from Albania to Bosnia & Herzegovina, the importance of the subnational level changes drastically. In both cases, in the Federation and in the Republika, the main planning documents are located at this planning level. The idea of the legislator has been to delegate the planning issue to the Entity level, allowing to prepare and implement its own planning instruments. In this respect, in the Federation of Bosnia & Herzegovina, since the approval of the law passed in 2002, the planning authorities were obliged to adopt a series of planning documents like the Spatial Basis for the Development and Program of Measures, and physical plans like the Spatial Plan of the Federation of Bosnia and Herzegovina and the Spatial Plan of the Area of Special Characteristics (not mandatory). The same structure was confirmed with the introduction of the law of 2006 and its amendments 2010 (currently into force). At present, in the Federation at least three planning documents should be adopted: the Spatial base of Federation, that contains an overview and an evaluation of the existing situation in the area of importance for the Federation; the Report on the State of the Territory in the Federation, which contains an analysis of the implementation of planning documents and on the bases of the Report. Having said that, the Parliament adopts a four-year Program of Improvement Measures conditions in the Federation, which is the third planning document. In addition to these documents, planning authorities should prepare, adopt and implement the Spatial Plan of the Federation of Bosnia and Herzegovina and the Spatial Plan of the Area of Special Characteristics. Moreover, because of its particular

administrative arrangement, each canton has their specific planning instruments. Hence, in addition to the mentioned plans at the Entity level, the cantonal authorities should prepare, adopt and implement at least the Spatial Plan of Canton and the Spatial Plan of Areas with Specific Characteristic of Canton. As reported, Republika Srpska has only two planning levels. At the Entity level, the reform passed in 1996, foresaw only two planning documents: the Spatial Plan for the Republika of Srpska, which was deputed to address the spatial development of the territory, and the Spatial Plan of the Region, considered only for specific cases. The last reform, passed in 2013, introduced for the first time the Spatial Plan for Areas with Special Purposes while confirming the importance of Spatial Plan of Republika Srpska in addressing the Entity's territorial development. Table 98 compares planning documents at the subnational level aiming to underline their nature and looking at their legal framework and hierarchical aspects. Comparing the current planning documents, it should be noted that each country (except Albania) has plans that are visioning and strategic in nature. In this respect, in Croatia, planning authorities should adopt the so-called County Spatial Plan / Spatial Plan of the City of Zagreb that is both statutory, hence established by law, and mandatory, hence authorities responsible are obliged to prepare and implement it. Moreover, this plan should be in coherence with the upper planning documents such as the Spatial Development Strategy of the Republic of Croatia. In addition, Croatian authorities should prepare and implement the County Development Strategy that should be in coherence with the Regional Development Strategy located at the central level. In Albania, the only planning document at the subnational level is mainly strategic and should be in coherence with the upper planning documents such as the General National Plan and the National Sectorial Plan. When it comes to Bosnia & Herzegovina, at the subnational level there are several visioning and strategic planning documents. Doubtlessly, the most important for the Federation is the Spatial Plan of the Federation of Bosnia and Herzegovina, while each canton should adopt a similar document called Spatial Plan of Canton that covers only the territory under its jurisdiction. A comparable document exists also in Republika Srpska, called Spatial Plan of Republika Srpska, that represents the reference document for the lower planning documents. In addition to these strategic documents, there are several regulative plans like the Urban Development Plan of County Significance for Croatia, the Spatial Plan of the Area of Special Characteristics and Spatial Plan of Areas with Specific Characteristic of Canton for the Federation and Spatial Plan for Areas with Special Purposes for Republika.

**Table 98:** Comparing planning documents at the subnational level

Countries	Planning Documents		Nature of Plan			Legal Framework and Hierarchies				
			Visioning	Strategic	Regulative	Statutory	Mandatory	Requests adaptation to upper plans		
Croatia	County Spatial Plan / Spatial Plan of the City of Zagreb		X	X		X	X	X		
	Urban Development Plan of County Significance				X	X	X	X		
	County Report on the Situation in Space			X		X	X			
	County Development Strategy			X		X		X		
Albania	Sectorial Plan at <i>Qarku</i> Level			X		X		X		
Bosnia Herzegovina	FBiH	Entity	Spatial base of Federation		X	X		X		
			Report on the State of the Territory in the Federation			X		X	X	
			Program of Measures of Physical Planning of the Federation			X		X	X	
			Spatial Plan of the Federation of Bosnia and Herzegovina		X	X		X	X	
			Spatial Plan of the Area of Special Characteristics				X	X		X
	RS	Canton	Spatial Plan of Canton		X	X		X	X	
			Spatial Plan of Areas with Specific Characteristic of Canton				X	X	X	
			Spatial Plan of Republika Srpska		X	X		X	X	
			Spatial Plan for Areas with Special Purposes				X	X		

Source: Author's own elaboration

### **13.2.3. Comparing the main planning documents at the local level**

Once having had an exhaustive comparison of the upper planning documents, this subsection compares the main planning documents at the local level. At first glance, comparing the local spatial planning documents, much more similarities have emerged rather than differences. Because of their common legacy to socialist and communist regimes, for at least ten years, local plans were mainly regulative in nature. As reported, in fact, in all countries, local plans have been reproduced according to the socialist and communist planning logics. Observing the first period of transition, in Croatia, local authorities were responsible to adopt the Physical Plan for the Development of a Municipality and a Town (strategic), Master Urban Development Plan, Urban Development Plan and the Detailed Development Plan, which were mainly regulative in nature. At the time, (1998) the question of plan's implementation was at the centre of the academic and political discourse. Due to the lack of strategic planning tools and changes in economic and political circumstances, the set of local plans were revised in 2007. With the new reform, each local unit should have adopted both strategic and regulative plans. In this respect several planning documents were introduced, like the Spatial plan of a City, Town or Municipality, the Urban Development Plan and the Detailed Plan. Only a few years later, in 2013, the legislator revised again the set of planning documents trying to simplify as much as possible above all the question of Detailed Development Plans, substituted by more integrated planning tools like the General Urban Plan and Urban Development Plan. Has happened for the upper levels, only recently a new local instrument, called Development Strategy of the Local Self-Government Unit, has been added, seeking to govern the territorial development with a strategic orientation. The slow shift from regulative plans to a more appropriate set of planning documents has interested also the Albanian spatial planning context. Even if the first two planning reforms, passed in 1993 and 1998, were in line with the logic of regulative plans, something changed in 2009. Differently from the past, when regulative plans represented the most important planning documents (see the General Regulatory Plan and Partial Urban Studies based on the law of 1993 and the General Regulatory Plan, the Detail Urban Planning Document and the Action Plan established in 1998), the law of 2009 tried to introduce numerous general, sectorial and cross-sectorial planning documents, both strategically and regulatory oriented. Considering the fact that all those plans were misinterpreted, in 2014 the legislator simplified the entire set of local plans reducing from nine to three planning instruments. Coherently to the mentioned countries, also in Bosnia & Herzegovina the shift from a mainly regulative to an equilibrate set of planning tools has been central in the planning activity. Both in the Federation and Republika Srpska, the first set of plans during the post-socialist period were characterised by a regulative imprinting. As a matter of fact, in the Federation of Bosnia & Herzegovina the main plans were, in 2002, the Urban Plan, Regulatory Plan and Urban Projects, while in Republika Srpska the ordinary plans

foreseen by the legislation (1996) were the Urban Plan, the Regulatory Plan, the Zooning Plan and the Urban Projects. Differently from the Federation of Bosnia & Herzegovina, Republika of Srpska had two more strategic oriented instruments like the Spatial Plan of the Area and the Spatial Plan of the Municipality. A different discourse should be done for the case of the Brčko District due to its special institutional context. Since 2003, the District has had an autonomous planning system that reflects the recognition of its administrative autonomy. In that period, local plans were established trying to overcome the question of regulatory plans, introducing the strategic documents from the beginning. Observing the first planning law, passed in 2003, the main planning documents were the Spatial Plan of the District, a strategic instrument, while the Urban Plan, Regulatory Plan and Urban Project were mainly regulative and implementation instruments.

To conclude, only recently, the organisation of planning documents at the local level has been harmonised with the upper plans, following the idea that spatial planning has different characteristics and that each planning instrument should reflect them in a certain way. Currently, spatial planning is not a mere regulative activity but it is rather centred on the question of strategic oriented territorial development. For these reasons Croatia, and partly Albania, has different strategic, regulative and development documents that are trying to govern (in a wide sense) the country's territorial development. This tendency is emerging also in the case of Bosnia & Herzegovina, but with a relatively slow implementation. As illustrated in Table 99, currently, each country has a variety of planning documents. From the Table, two main relevant questions emerged. The first is that, differently from the past, there are numerous strategic plans or plans with some strategic elements (also at the local level). The second is that, following the hierarchical logic, all those plans should be in coherence to the upper planning documents. No one indeed, except the Spatial Development Strategy of Brčko District, has complete autonomy but they shall follow the fundamental indication and input of highly located plans. Another interesting evidence is the fact that all of those plans are statutory established and the majority of them are mandatory, hence they should be prepared and implemented by local authorities.

**Table 99:** Comparing planning documents at the local level

Countries	Planning Documents	Nature of Plan			Legal Framework and Hierarchies			
		Visioning	Strategic	Regulative	Statutory	Mandatory	Requests adaptation to upper plans	
Croatia	Spatial development plan of a town or municipality		X		X	X	X	
	General Urban Plan		X	X	X	X	X	
	Urban Development Plan			X	X		X	
	City/Municipality report on the situation in space		X		X	X	X	
	Development Strategy of Urban area		X		X	X	X	
	Development Strategy of the local self-government unit	X	X		X		X	
Albania	General Local Plan		X	X	X	X	X	
	Sectoral Local Plan		X		X	X	X	
	Detailed Local Plan			X	X	X	X	
Bosnia Herzegovina	FBiH	Municipal Spatial Plan		X		X	X	X
		Urbanistic plan/Urban Development plan		X	X	X	X	X
		Detailed planning documents			X	X		X
	RS	Municipal Spatial Plan or Spatial plan of a self-government unit		X		X	X	X
		Urbanistic/Urban Development Plan			X	X	X	X
		Zoning Plan			X	X		X
		Detailed Plans			X	X		X
	BD	Spatial Development Strategy	X	X		X	X	
		Spatial Plan of the District		X		X	X	X
Urbanistic/Urban Development Plan				X	X	X	X	
Detailed implementation plans				X	X		X	

Source: Author's own elaboration

### **13.3. Distance from formal to informal processes of planning**

Spatial Planning, as many other fields, embraces several formal and informal activities, whose combinations facilitate or reduce the implementation of planning instruments. The question of spatial planning efficacy and efficiency has been at the centre of the scientific and political debates. Indeed, in different circumstances, experts and analysts tried to evaluate the distance between what has been formally expressed and what effectively happened in a defined spatial planning context. Even in this study, the problem of the difference between what has been legally defined and what has taken place in reality is one of the main objective of the comparative approach adopted. At first glance, it seems that in all the countries the distance that defines the efficacy of planning has been swinging over time. If during the regime period, the planning system was highly efficient (according to the principles of the socialist and communist ideology), after the introduction of the free market system, the efficacy and efficiency of planning drastically dropped. Only recently, there is the tendency to reduce the gap between what has been foreseen by the legislation and what really takes place. This ‘pendulum effect’ is different from each of the considered countries and reflects the path-dependency of the contextual conditions. However, even if deeply contextually defined, the last three decades can be divided in three different periods. In the first, from 1990 to 2000, there was a tendency, on the one side, to preserve the socialist and communist planning approaches, and on the other, to develop a parallel planning system based on informal activities (mainly illegal). The second period, from 2000 to 2010, shows the will to move from a top-down planning system to a more integrated one, inspired by international principles and by the EU in particular. Despite positive intentions, planning was constantly marginalised. Only the last decade, is characterised by an attempt to consolidate the new planning principles and to effectively address the territorial development. To better evaluate the question of planning practices, the following subsections take into consideration each planning level, highlighting the substantial differences among the examined countries.

#### **13.3.1. Comparing planning practices at the central level**

At the central level, the planning practice has been influenced by several contextual factors. In Croatia, the planning activity at the state level has been perceived as the only way to address the territorial development of the country. Immediately after the war, in 1996, the central planning authority adopted the most important planning document of that period: the Physical Planning Strategy of the Republic of Croatia, (1997), and Physical Planning Program, (1999). Their implementation has been considered successful for that period (Kranjčević, 2005) and capable to address the Croatian territorial development. As a matter of fact, for at least twenty years, those documents were the main reference of the territorial development strategy and implementation measures. After several attempts to revise them in order to better respond to the new territorial challenges, the new

Spatial Development Strategy has passed in 2017. In addition to those planning documents, several Spatial Plans of Areas with Special Features have been drafted and implemented, especially those dealing with nature and national parks. Moreover, particular attention has been given to the question of islands with the implementation of the National Program of the Development of Islands passed in 1997. However, when it comes to evaluating the question of planning procedures, hence transparency, public participation, data availability etc. only recently the tendency to involve the public in several planning initiatives has been registered, and mainly inspired by EU requirements. As an example, according to several experts (Kranjčević, 2005; Starc, and Stubbs, 2005; Cavrić and Nedovic-Budic, 2007) for many years the level of public participation was not sufficient and was often reduced to a mere public information event (public presentation of plans and public hearing). Very differently from the Croatian case, in Albania the implementation of the state planning documents was certainly not a political priority. Despite the legislation foresaw some state level planning documents, neither of them has been ever drafted and implemented. As a matter of fact, until 2007, when the first policy paper on spatial planning was prepared, no significant planning documents were arranged. Even when the new planning reform has passed in 2009, which introduced paradigmatic changes, spatial planning at the central level remained vague. A few years later, after the introduction of the current planning reform of 2014, state level planning is finally producing important changes such as the approval of several spatial planning documents, like the National General Plan – Albania 2015-2030. In addition, there is a new tendency to enhance public participation (mere public presentations rather than participative moments), to facilitate data accessibility and to adopt a more transparent decision-making mechanism. When it comes to Bosnia & Herzegovina, there have not been any planning activity at the central level. Table 100 compares the question of planning practice highlighting some crucial factors like the preparation of plans, the plans implementation and the main planning procedures (transparency, public participation and data accessibility). Following the three different periods identified before (1990-2000; 2000-2010; 2010-nowadays), each country has been carefully scrutinised. In all the countries there is a problem with the efficacy of the planning activity. As it has been evidenced by the Table, the implementation of the central planning instruments has been very problematic in the case of Albania, while in Croatia the distance from what is formally established and what really takes place is lower. This is highly evident observing the first two decades after the downfall of the regimes. Despite the underlined differences, in both countries there is a new awareness to promote much more inclusive, transparent and integrated planning documents at the central level.

**Table 100:** Comparing planning practice at the central level

Countries	Planning Practices	1990-2000	2000-2010	2010-nowadays
Croatia	<i>Preparation of Plans</i>	No plans were prepared during the war period. However, in 1997 was introduced the Physical Planning Strategy of the Republic of Croatia followed in 1999 by the Physical Planning Program.	Various attempts to adopt new national planning documents.	Spatial Development Strategy adopted in 2017.
	<i>Plans Implementation</i>	Successful	Need to adapt new territorial challenges	Still to be implemented
	<i>Planning Procedures</i>	Lack of transparency, public participation and availability of data.	Progresses were showed thanks to the influence of the EU	Major involvement of the public in the question of planning (but still not enough)
Albania	<i>Preparation of Plans</i>	No plans were prepared	No plans were prepared	National General Plan – Albania 2015-2030. Integration Inter-Sectoral Seaside Plan and Integration Inter-Sectoral Economic Zone Durres-Tirana called Durana – Regional Balkan Hub and Economic Center
	<i>Plans Implementation</i>	No plans were implemented	Preparation of the first spatial planning policy paper	No appreciable effects
	<i>Planning Procedures</i>	No clarity in defining plans procedure (absence of public participation)	Some attempts to involve stakeholders within the public debate	There is an increasing tendency to be much more transparent, to facilitate data availability (online registers etc.) and enhance public participation (even if with embryonal practices).
Bosnia & Herzegovina	<i>Preparation of Plans</i> <i>Plans Implementation</i> <i>Planning Procedures</i>		na- not applicable	

Source: Author's own elaboration

### 13.3.2. Comparing planning practices at the subnational level

By observing how planning has been applied at the subnational level, a huge difference instantaneously emerged when compared to the central level. In general, there is a discrepancy concerning the planning practice among countries. This is particularly true for Croatia and for Bosnia & Herzegovina. In Croatia, the subnational level has been established in 1994, although the first planning documents have been prepared and adopted between 2000 and 2003. Since then, the process of plans adaptation has been characterised by a series of plans' amendments, seeking to respond, on the one side, to the different spatial planning reforms (2007, 2013), and, on the other side, to reflect the counties' new priorities and strategies. At first glance, through the observation of the number of changes of the physical plans, it seems that the Adriatic counties<sup>160</sup> have been very active in adapting their planning instruments to the new domestic circumstances. In fact, while some counties are engaged in the adjustment of the first planning documents adopted fifteen years ago (Virovitičko - Podravska, Šibensko – Kninska, Splitsko-Dalmatinska, Grad Zagreb etc.), others are already facing the second generation of planning documents (Primorsko-Goranska). Regarding the question of implementation, there are several perspectives of criticism. According to Kranjčević (2005), besides their drafting and adoption, those plans have not been harmonised with the sectoral development plans like agriculture, forestry, tourism, mining, culture and transport infrastructure. Moreover, reminding what was declared in the Report on the state of the Republic of Croatia 2008-2012, the first generation of county's planning documents presented some limits in terms of compliance with new regulations in respect to several sectors such as: protected coastal areas, energy, protected areas, ecological network etc. Despite what has been mentioned, in the future one of the main challenges in the implementation of any kind of planning documents will be the correspondence with development strategic documents established by the Regional Development Act of 2014. Certainly, the management of horizontal coordination between planning and development documents should be prioritised by the authorities involved. In Albania, despite what has been established by law, the planning activities at the subnational level have been relatively sporadic, geographical restricted and mainly supported by external development agencies. Neither of those regional plans have been officially adopted and implemented. On the contrary, in Bosnia & Herzegovina, the subnational planning level is certainly very important for the domestic context. At this level are concentrated the main planning documents both for the Federation and Republika Srpska. Since their institutionalisation, each

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<sup>160</sup> Adriatic Region includes: Istarska County, Primorje - Gorski Kotar County, Lika - senjska županija, Zadarska županija, Šibensko - kninska županija, Splitsko – dalmatinska County and Dubrovnik - Neretva County

Entity started to draft and adopt its own planning documents. In particular, the Federation of Bosnia & Herzegovina is still dealing with the first Spatial Plan for the period 2008-2028. The Plan is finished but it has been never implemented. Even observing the cantonal level, the question of plans preparation and implementation remains a problem. Despite the question of implementation, Korjenić (2015) suggests to reflect on the diverse approach of planning organisation and on the readiness to adapt to the Entity indication (Posavski canton adopted its law in 1999 while the canton of Unsko – Sanski only in 2011). This problem interests also the plans' content, and the main guiding lines registered a lack of correspondence between the plans at the Entity level and those introduced at the cantonal level. Passing from the Federation to Republika of Srpska, the Spatial Plan of the Republic of Srpska until 2025 has been recently approved, while the first adopted was the Spatial Plan of the Republic of Srpska (1996-2015). To conclude, in particular at the Entity levels, spatial planning suffers from a lack of coordination among the planning levels (vertical), within the levels and among sectors (horizontal). More in detail, there are some recurrent problems such as the lack of capacity of implementing the plans; the lack of experts within the administration; the lack of coherence between the Entities and the local legislations; a scarce coordination between the Entities etc. Regarding the participation of the public within the planning procedure, there is a tendency to include at least the institutional actors or main stakeholder (as happened during the preparation of the Spatial Plan of Republika Srpska), however, civil society (NGOs, associations and etc.) is excluded from any real involvement in the process.

As for the central level, Table 101 compares the question of planning practice at the subnational level. What is easily understandable is that the implementation of any kind of planning document has been problematic in all the countries. Particularly complicated was the period immediately following the downfall of the regimes until 2000. At that time, the question of subnational level was a relatively new task, thus the process of plans preparation, adoption and implementation were particularly vague. As a matter of fact, in Albania for many years plans at the subnational level have not been prepared while in Croatia and Bosnia & Herzegovina few plans were put in place. In certain cases, even when the planning documents had been prepared, their implementation has been relatively scarce (see the case of the Spatial Plan for the Federation of Bosnia & Herzegovina). In other cases, instead, planning activity has been very vibrant, trying to update the planning documents (see the numerous of plans prepared in Croatia) to the new circumstances or future challenges. The vitality or absence of plan demonstrates that planning documents at the subnational level should be redefined according to the different role that each subnational level has within its own domestic institutional arrangement.

**Table 101:** Comparing planning practice at the subnational level

<b>Countries</b>	<b>Planning Practices</b>	<b>1990-2000</b>	<b>2000-2010</b>	<b>2010-nowadays</b>	
<b>Croatia</b>	<i>Preparation of Plans</i>	Few plans prepared	All plans established by law have been adopted and several times revised	Continuous adaptation of planning documents	
	<i>Plans Implementation</i>	Few plans implemented	All counties implemented their plans	High level of plans implementation	
	<i>Planning Procedures</i>	Scarce level of transparency, and public participation	Enhancement of level of transparency, availability of data and public participation	Consolidation of transparency and public participation mechanism	
<b>Albania</b>	<i>Preparation of Plans</i>	No plans prepared	Very few regional plans have been prepared. However none of them was foresaw by laws and norms	No plans prepared	
	<i>Plans Implementation</i>	No plans implemented	No plans implemented	No plans implemented	
	<i>Planning Procedures</i>	No example of planning procedures	Procedures depends on the methodology followed by external supporters	No particular planning procedures are established by the law	
<b>Bosnia &amp; Herzegovina</b>	<i>Entity</i>	<i>Preparation of Plans</i>	No plans prepared	No plans prepared	Spatial Plan for the Federation of Bosnia & Herzegovina
		<i>Plans Implementation</i>	No plans implemented	No plans implemented	No plans implemented
		<i>Planning Procedures</i>	Lack of transparency	Lack of transparency	Scarce adaptation to EU requirements
	<i>Canton</i>	<i>Preparation of Plans</i>	No plans prepared	Few plans prepared	Several cantons are adopting their own plans
		<i>Plans Implementation</i>	No plans implemented	Few plans implemented	Few plans implemented
		<i>Planning Procedures</i>	Lack of transparency	Lack of transparency	Lack of transparency
	<i>RS</i>	<i>Preparation of Plans</i>	Spatial Plan of the Entity	Attempt to adapt the Spatial Plan	Spatial Plan of the Entity until 2025
		<i>Plans Implementation</i>	Scarce plans implementation	Scarce plans implementation	Not yet implemented
		<i>Planning Procedures</i>	No significant public inclusion	No significant public inclusion	Attempt to include institutional actors

Source: Author's own elaboration

### **13.3.3. Comparing planning practices at the local level**

The question of territorial development has been always perceived as an issue of local transformation of space. For many years, the planning of land use has been perceived as a local embedded activity hence attributing large importance to the local planning level. Observing the planning practices in the analysed countries, this is particularly true after the introduction of the new free market system when the process of decentralisation delegated significant responsibilities to the local level. At least for one decade, in Croatia, the planning activity was based on the socialist planning system. Even after the spatial planning reform of 1994, the planning documents that were implemented at the local level were based mainly on the previous planning system. In many cases those plans did not consider the particular circumstance that characterised that decade (above all the social, economic and political transformation as a consequence of the transition process). In parallel to the formal planning, exploded the phenomenon of informal and illegal development. This process interested the entire territory of the country and has been recognised as the main cause for the loss of valuable agriculture land, protected seaside costs and areas of high environmental value. With the beginning of the new Century, local municipalities started to adopt new planning instruments inspired by the external planning culture (on paper). In 2006, 305 plans were adopted, a number that has raised to 556 nowadays. Currently, almost all local units have their local planning documents (often several times amended). When it comes to evaluating the involvement of public participation within the local planning processes, it seems that the public involvement is mainly developed through the public presentation of plans and public hearing rather than through appropriate public participation mechanisms. Passing from Croatia to the Albanian case, local planning has been gaining an important role only in the last period (as the planning activity in general). As happened in Croatia, the first decade of transition has been characterised by a lack of planning activities and when something was done was registered a lack of local capacity in managing the spatial planning development, considering that the planning authorities used communist planning instruments for governing the new established social, economic and political context. In this regard, it should be mentioned that the “yellow line”, a communist planning instrument, has survived until 2009, when it was finally abolished. The first generation of plans, when prepared, were affected by several conceptual problems. For instance, neither of them included the question of property right, neglecting to recognise the emerged question of private and public property. In addition to that, neither of them contributed to shed more light on the fragmentation of agriculture land that resulted from the introduction of the law on property right etc. Other questions that remain unsolved were the liberalisation and privatisation of the State’s properties and activities, the marketisation of the economy and of any kind of good production. Shortly, plans failed to incorporate most of the transformations that affected the domestic context. With the beginning of the Century, the implementation of the planning activity started to change slowly. Together with the informal development, that characterised the large part of the transition period, there were some attempts

to innovate local planning instruments introducing different kinds of strategic approaches (inspired and supported by international development agencies). These pilot-project approaches (see LAMP project) have been criticised because they did not contribute to affect the entire planning system but remained linked to some positive or negative local experiences. In spite of the reform of 2009, several times defined as a paradigmatic change, the local planning activity suffered from a lack of implementation capacity. The period 2009-2014 was characterised by a substantial inactivity since regulations and bylaws were never prepared and adopted. Only with the implementation of the last reform of 2014, local planning authorities have been seriously preparing, adopting and implementing numerous planning documents. In just a few years, the majority of the municipalities is adopting their plans as required by the law. Currently there are thirty-one General Local Plans prepared (twenty-six adopted and five in the process of adoption), thirteen municipalities are engaging to draft their General Local Plans and the last seventeen municipalities are waiting for the funds necessary to draft them (AKPT, 2017). In the last period novelties have been introduced concerning the issue of building permits procedures (only-system), transparency and open access data (available on the web) and public participation, however still often limited to public information rather than to public formation and involvement. In general, the questions of illegal construction, society involvement within the planning process, territorial disparities among cities and inner areas and so on, remain unsolved. Moving from Albania to Bosnia & Herzegovina, it should be noted that there are some similarities with the cases above (among others, the illegal construction and the difficulties in implementation mechanism), some differences (while the other countries are making significant progresses, Bosnia & Herzegovina is far from changing the planning systems) but also uniqueness (the question of three local planning systems and their disconnections). Observing the context of Bosnia & Herzegovina there are some recurrent problems like the lack of experts within the local planning boards, the increasing of the corruption mechanism, the lack of digitalisation of data and documents, the scarce local resources slowing down the territorial development, the lack of vertical and horizontal coordination (among inter-Entity boarders' municipalities), the lack of transparency in issuing building permits etc. (mainly in the Federation, due to its complex institutional arrangement). Paying more attention to each local planning context, in the Federation of Bosnia & Herzegovina the main question is the coherence among planning instruments (often plans are contradictory in content and implementation mechanisms). This is particularly true when it comes to question the building permits. Since each planning level is entitled to issue building permits, the local level is often delegitimised in favour of the upper levels. Spatial planning in Republika Srpska, despite how was generally perceived, hence more performative comparing to those of the Federation (NALAS, 2001), persists in having different structural problems. More in detailed, as it has been reported, there is an insufficient public participation process, contrary to what is recalled by the main planning documents. Despite the presence of GIS instrument, there is still a need to improve

the land use and space analyses in order to have a complete overview of the territory. Also, the phenomenon of informality is still present, even if the legislation about informal settlements has been widely implemented. When it comes to evaluating the number of plans adopted (or how many local units have their plans) for both Entities there are no official and available data that gives an exhaustive overview on the matter. Differently from the Entities, the Brčko District has been much more active in preparing, adapting and implementing the planning documents. As a matter of fact, in the period 2003-2007, the Urban Master Plan of the Brčko District was prepared, along with the Spatial Plan of the Brčko District Bosnia & Herzegovina and the Urban Development Plan. Differently from the Entities, Brčko experimented different kinds of involvement in the public procedure, but the majority of examples are still mainly concentrated in pure public communication of projects rather than on the real involvement of the local community (see the example of Brčko Bypass).

In line to what has been done for the upper planning levels, Table 102 sums up the comparison of planning practice experiences of all the countries considered. What easily emerges is a substantial uniformity with the question of preparation, adoption and implementation of planning. Similarly, the influence of the socialist/communist planning doctrine is visible in all countries and particularly in Albania, where the communist planning instruments were valid until 2009. As a consequence, the first decade was characterised by a scarce level of plans implementation, contributing to the growth of illegal practices. Differently from Albania, Croatia and Bosnia & Herzegovina were affected by the consequence of the war. So, for many years, the local administration concentrated their efforts in the reconstruction and rehabilitation of transport and services infrastructure, often overcoming some law obligation (by abusing the use of Detail Plans, as it happened in Croatia). The second period (2000-2010) marked a substantial difference between Croatia and the other two countries. If Croatia was projected to adopt several planning documents, drafted in coherence with the international planning doctrine, Albania and Bosnia & Herzegovina registered less progresses. These progresses have been faced only recently by Albania, ever since planning has been at the centre of the political agenda. When it comes to giving an overview of the planning procedures, it seems that in all the countries some common issues persist, like: scarce level of transparency (however significant progresses have been made recently); increasing possibility to obtain data and any kind of document (thanks to new online procedures); incomplete digitalisation of maps (GIS) and scarce involvement of the public within the planning process (public participation is substituted by public communication) (Table 102).

**Table 102:** Comparing planning practice at the local level

<b>Countries</b>	<b>Planning Practices</b>	<b>1990-2000</b>	<b>2000-2010</b>	<b>2010-nowadays</b>
<b>Croatia</b>	<i>Preparation of Plans</i>	Plans were prepared based on socialist ideology	More than a half of local planning units adopted their plans	Almost all local units have their own planning documents
	<i>Plans Implementation</i>	When implemented produced negative effects	Improvement in addressing territorial development	Increasing of implementation of planning instruments
	<i>Planning Procedures</i>	Lack of transparency	Scarce transparency	Efforts of adaptation to EU requirement
<b>Albania</b>	<i>Preparation of Plans</i>	Plans were prepared based on communist paradigms (land use)	Few plans were adopted with no particular consequences	Huge number of plans prepared
	<i>Plans Implementation</i>	Few plans were implemented (those adopted during the regime)	The majority of plans adopted remain on the paper	Some plans started to be implemented (too early to be assessed)
	<i>Planning Procedures</i>	Formal planning procedure were entirely substituted by illegal practices	Public participation (spontaneously and not coordinated)	Significant progresses several procedures less in public participation
<i>FBiH</i>	<i>Preparation of Plans</i>	Very few plans were prepared	Few attempt to adopt plans	No significant changes (no data available)
	<i>Plans Implementation</i>	Scarce implementation of them	No significant results	No significant results
	<i>Planning Procedures</i>	Lack of transparency	Planning procedures remain vague	No significant improvement
<b>Bosnia &amp; Herzegovina</b>	<i>Preparation of Plans</i>	Planning activity was very scarce due to the war context	Efforts in preparing some local plans	Increasing efforts in preparing local plans (no official data is available)
	<i>Plans Implementation</i>	No significant result	Few examples of implementation (Banja Luka)	Scarce effects on plans implementation (structural problems)
	<i>Planning Procedures</i>	Lack of transparency	Legal planning procedure were often bypassed (informal activity)	Efforts in introducing planning instruments like GIS.
<i>BD</i>	<i>Preparation of Plans</i>	na- not applicable (Brčko still was not an autonomous authority)	Several plans were prepared	Adoption of numerous Detail Plans
	<i>Plans Implementation</i>		Several plans were prepared	Implementation of Urban Development Plan
	<i>Planning Procedures</i>		Efforts in public involvement	Public communication initiative

Source: Author's own elaboration

## **13.4. Steps towards an internationalisation of the spatial planning discourse**

Spatial planning discourse is certainly one of the main aspects that should be taken under observation by those that are interested in deeply understanding the evolution path followed by a specific spatial planning system. In this respect, one should note that the spatial planning discourse, hence the combination of value, principles, ideas, notions etc., is far from being a homogenous and isotropic issue. As reported, instead, each country has its own spatial planning discourse development through time as a result of combination social, cultural, historical, geographical, economic and political factors. Adopting an historical perspective, in fact, Croatia, Albania and Bosnia & Herzegovina have some substantial differences. Croatian planning discourse is historically influenced by the central Europe discourse, while Bosnia & Herzegovina and Albanian planning discourse have some familiarities with the Mediterranean tradition. Moreover, all of them faced the socialist and communist planning discourse for at least forty-five years. More in detail, Croatia and Bosnia & Herzegovina were part of socialist Yugoslavia and Albania was governed by an autochthon communist regime that imposed its dictatorship planning discourse. Besides those historical dependencies, since the downfall of the mentioned regimes, all countries explored the period of transition. Therefore, in the last three decades spatial planning discourse has been influenced by several exogenous and endogenous factors. Thanks to the new circumstances, numerous ideas, concepts, notions, logics, values etc. have been channelised and transposed. The adaptation of the planning discourse to the international planning discourse has been recognised as one of the main issues. The need to be attractive for external investments pushed each domestic context to interiorise the main hegemonic concepts. As affirmed, planning discourse is not a fixed issue, hence differences have been recognised among countries and even within each country. The following subsections seek to give a more exhaustive overview, analysing separately the question of planning discourse for each level. In doing so, the planning discourse has been investigated through the lens of institutional and non-institutional hegemonic discourse.

### **13.4.1. Comparing planning discourse at the central level**

During the last three decades of the transition period, spatial planning discourse has been subjected to numerous internal and external changes factors. At first glance, it seems that, in all the countries, the spatial planning discourse at the state level is a compromise between institutional hegemonic ideas and values. The discourse is mainly addressed by laws, regulation, programs and non-institutional principles and concepts promoted by non-institutionalised actors like academics, practitioners, experts, private companies etc. Starting to analyse the evolution of the central planning discourse in Croatia, during the first decade of transition, one

should note that the institutional and non-institutional planning discourses did not overlapped. More in detail, while the institutional sphere attempted to introduce some notions inspired by the external planning culture, the non-institutional discourse was dominated by the socialist planning paradigms (land use and regulative approach). The lack of overlapping between externally and socialist oriented planning discourse was mainly determined by the fact that the majority of planners and experts was scientifically and professionally formed under the socialist regime. Even the new generation of planners were unprepared to face with the new concepts since they had a mono-disciplinary background. Later on, with the involvement of Croatia in the EU Integration process and the influence of the international actors, the practitioner and local experts embraced, at least superficially, a massive international terminology (often just formally). Therefore, territorial cooperation, sustainability (economic, social, environmental etc.), development etc. became the common ground of discussion. The distance between institutional and non-institutional was less perceived. However, in the majority of cases, the planning discourse was not so effective in affecting the planning practice. Indeed, while on the one side ESDP concepts, like polycentrism, were part of the discourse, in practice the Croatian development path was largely characterised by a strong monocentric system. Recently Croatia joined the EU. According to the mainstream EU planning discourse, one of the main objectives of spatial planning is to address territorial development. In this perspective, Croatia adopted two laws (2009, 2014) seeking to promote a new approach in managing the development of the country. Currently, the main concepts that are dominating the Croatian spatial planning discourse are: solidarity, partnership and cooperation, sustainability, autonomy of local and regional self-government and monitoring and evaluation. It should be noted that in Croatia the distance from institutional and non-institutional discourse started to be less important. An important contribution is given by the introduction of several planning curricula founded on the idea that spatial planning is a multi-disciplinary issue. The same tendency has been registered in Albania. However, in Albania the distance from institutional and non-institutional planning discourse is higher than in Croatia. Regarding the evolution of the planning discourse in Albania it should be noted that for many decades the country was isolated. Spatial planning used to be dominated by the state and was often perceived as a technocratic instrument used by the regime to control not only the territorial development but also the society. So, spatial planning and the communist regime were perceived as a two-faced coin. This perception was even stronger after the downfall of the regime. Even if in the first decade (1990-2000) the institutional planning discourse was largely influenced by the communists' legacies, their impact in controlling the territorial development was very scarce. Coming back to the evolution of the spatial planning discourse, the urban planning approach was certainly the core of the main academic and political arenas. As happened for the Croatian case, planners and experts, in general, were engaged in defending the status quo and therefore implementing practices according to the old system. Only at the end of the 90s, some new concepts like strategic development, strategies,

local community etc. appeared in some circumscribed experts' arenas. Surprisingly, informality was left out of the discussion for many years since its first massive effects. Despite the external influences channelised by international supporters, the spatial planning discourse remained anchored to the urban planning approach, i.e. masterplans and regulations. With the beginning of the new Century, thanks to new internal and external circumstances (among others, the major involvement of local practitioners and above all of academics to international scientific events) in the academia and mostly in the practitioners' arenas, new concepts became the common ground (informality, territorial imbalance, social inequalities, urban growth, environmental protection, cultural heritage preservation). Despite those efforts to shape the spatial planning discourse, the turning point was represented by the policy document adopted in 2007 and the reform of 2009. One of the paradigmatic changes of the reforms was to change the name of the law from urban planning (urbanism) to spatial planning. This was not just a symbolic act but was based on the will to radically change the spatial planning approach. Moving from urban to spatial planning means to overcome the regulation approach towards a more integrated one. In this regard, the institutional discourse introduced by the law was based on terms like social and economic cohesion, sustainable development, and territorial competitiveness, directly derived from the ESDP, while sustainable land management, coordination mechanisms, public participation had been transferred by the UN's Agenda 21. Other notions started to be familiar to the domestic context, among which transparency of public acts, multilevel governance, subsidiarity and many others. However, even in Albania, the non-institutional planning discourse framed by practitioners and experts continued to speak about urbanism, partial detail plans, regulation and standards. Even currently, this gap exists but less than in the past. Thanks to the introduction of new planning curricula (inspired by EU universities programs) the new generation of planners is starting to change, shaping both the institutional and the non-institutional planning discourse. There is, however, the risk that part of the current spatial planning discourse may address conceptual misunderstandings. When it comes to the case of Bosnia & Herzegovina, there is not a spatial planning discourse at the central level since there is no spatial planning authority at the national level. Table 103 sums up the evolution of the planning discourse in Croatia and Albania. As it has been evidenced, in both countries there is a common tendency to reduce the gap between the institutional and the non-institutional planning discourse. As a matter of fact, both countries have been largely influenced by external hegemonic concepts, if even there are contextual conjectures that contributed to shape each domestic planning discourse autonomously.

**Table 103:** Comparison of spatial planning discourse at the central level

Countries	Type of planning discourse	1990-2000	2000-2010	2010-nowadays
Croatia	<i>Institutional</i>	Strategic programmes, strategies, long term plans, decentralisation	Subsidiarity, participation, transparency, monitoring system, ex-ante and ex-post evaluation mechanism	Regional and local development, cohesion policy, EU structural funds etc.
	<i>Non Institutional</i>	Socialist paradigms and land use approach	Attempt to align with international hegemonic concepts (at least formally)	Dominium of EU concepts not really understood yet
Albania	<i>Institutional</i>	Urban planning, regulation and standards. The majority of experts aimed to maintain the status quo privileging communist planning approach.	Significative efforts in introducing contemporary planning notions and terminology. The institutional discourse introduced by the law was based on terms like social and economic cohesion, sustainable development, territorial competitiveness, sustainable land management, coordination mechanisms, public participation.	Substantial continuity with the former decade. Risk that planning discourse may be wrong shaped by conceptual misunderstandings
	<i>Non Institutional</i>	Urban planning, regulation and standards (few examples that tried to transpose external notions like strategic approach, place based or similar international concepts)	Significant activism in shaping the spatial planning discourse supported by external actors.	Convergence tendency to the institutional discourse.
Bosnia Herzegovina	<i>Institutional</i> <i>Non Institutional</i>		na-not applicable	

Source: Author's own elaboration

### **13.4.2. Comparing planning discourse at the subnational level**

The subnational planning discourse, is a relatively new scientific topic. For many years planning has been seen as a bipolar issue structured around the central and local level. This has been particularly true for those countries under the socialist and communist dictatorships. With the end of those regimes and the implementation of the decentralisation process, accompanied by a series of regionalisation mechanisms, the meso level gained an important role within the planning spatial planning system. This is particularly true for Croatia and Albania, while Bosnia & Herzegovina followed an autonomous path. Coherently to what happened for the upper level, even the subnational planning discourse moved from an autocratic planning system towards a more contemporary planning approach based on international hegemonic concepts. In Croatia, the main question of the spatial planning discourse arose regarding the process of regionalisation, regional development (that still is one of the main topic), territorial imbalance etc. With the introduction of the ESDP principles, polycentric development and cross-border cooperation were put at the centre of the debate. Despite some communalities in shaping the planning discourse across planning levels that have been considered hot topic, like transparency, vertical and horizontal coordination, integration of planning instruments, the subnational level has some distinctive elements. The planning discourse has been largely affected even by contextual priorities and needs. As a matter of fact, if some counties have been focusing on agriculture and rural development (principally in the inner regions), others have been concentrating on the diversification of tourism activities and the protection of the seacoast or have been giving more attention to cross-border cooperation etc. This brief explanation shows that even within the same country, the planning discourse may be different from one county to another in respect of their local conjunctures. In Albania, instead, the planning discourse at the subnational level has been left out by academicians and politicians. Even if both the reforms of 1993 and 1998 recognised the importance of the subnational level, no particular attention has been given to the planning discourse since everything is in coherence and substantially in continuity with the communist regimes. At the time, in fact, there were no chances to shape the subnational planning discourse. Something changed with the introduction of a series of administrative reforms in 2000 and 2014. At the time the debate was about regional disparities, touristic and regional development etc. Even currently, the question of regionalisation is about the perspective to change the administrative arrangement introducing three or four regions. However, in all of those discussions, no spatial or territorial approach seems to be relevant. In the general public debate, instead, the question of the Albanian regionalisation is centred more on the terms of administrative subdivision rather than on the spatial planning system. In addition to the mainstream discussion, some informal initiatives have been implemented contributing to address the subnational planning debate from the administrative to the territorial approach. Therefore, in the last three decades, the subnational planning discourse moved from a regulative and normative approach (1990-2000), passing from the affirmation of the administrative approach

(2000-2010) towards a more coherent spatial and territorial approach (2010-nowadays). Since the end of the war, Bosnia & Herzegovina, in general, and both Entities, in particular, aimed to align their planning approach to EU mainstreams concepts and principles. Once signed the SAA - Stabilisation and Association Agreement, in the academic and political debate common notions like regional development, territorial cooperation and polycentrism etc. became prominent. However, as for the other cases, there was a gap between some new planning principles (even if superficial) and the non-institutional planning discourse channelised and oriented by local experts and practitioners. One of the most sensitive questions was certainly the process of regionalisation and how it could have affected the real development of the country. The question has been solved adopting an ethnic approach formalised by the Dayton Agreement. When it comes to shedding more light on the discourse based on which plans have been prepared, it is interesting to note a substantial convergence between two Entities. In the two main documents (Spatial Plan of the Federation of Bosnia & Herzegovina for 2008-2028 and Spatial Plan of the Republika Srpska 2025) there are significant references inspired by the EU. In this regard the Spatial Plan of the Federation of Bosnia & Herzegovina focuses on promoting: a development of a balanced and polycentric system of cities; a new relationship between urban and rural areas; equal access to the education infrastructure, health and social protection; designed management and conservation of natural and cultural heritage. Meanwhile it integrates in its principles several EU values. In this respect, a special attention is given to principles like: sustainability, integration, polycentrism, horizontal and vertical coordination, functional specialisation, territorial cohesion, subsidiarity, active participation, territorial cooperation and many others.

As for the central level, Table 104 compares the evolution of subnational planning discourse of the three countries. At first glance, a substantial difference among countries seems to emerge. For Croatia, the spatial planning discourse at this level started to be relevant since the introduction of the first county plans (2000-2003). Since then the debate has been largely shaped by external planning notions (mainly inspired by the EU) and relatively transposed with the subnational planning context. Significant divergences emerged even between counties, reflecting the diverse contextual priorities and emergences. Slowly, the process of EU integration is helping the country's context to move towards the concept of regional development according to EU Cohesion Policy etc. Differently, in Albania, the subnational spatial planning discourse has been less considered and only recently the debate is moving from a pure administrative approach to a more territorial and spatial approach. Finally, in Bosnia & Herzegovina, there is a substantial convergence between Entities and the planning discourse inspired by the EU (often superficially implemented).

**Table 104:** Comparison of spatial planning discourse at the subnational level

Countries	Type of planning discourse	1990-2000	2000-2010	2010-nowadays
Croatia	<i>Institutional</i>	Decentralisation, regionalization, regional development, regional inequalities etc.	Cross-border cooperation, polycentric development, Urban-rural partnership (introduced by the law in 2007), Cultural heritage	Sustainable urban development (inspired by EU Urban Agenda), climate change etc.
	<i>Non Institutional</i>	The debate of non-institutional actors was anchored to the local level with no particular relevance for the subnational one	There is a tendency to uniform institutional and non-institutional planning discourse	There is a tendency to uniform institutional and non-institutional planning discourse
Albania	<i>Institutional</i>	Reiteration of the communist planning approach (masterplans and regulation)	Subnational planning discourse has been treated mainly as an administrative issue rather than with territorial implications	Tourism, sustainable development, rural and agriculture potentiality and territorial cohesion
	<i>Non Institutional</i>	No particular attention has been given by experts, practitioners and academics to this planning level	Few attempts to move from a regulative approach to regional territorial development principles	There is a tendency to align institutional and non-institutional planning discourse (not enough).
Bosnia Herzegovina	<i>Institutional</i> FBiH	Decentralisation, delegation of planning responsibilities, post war reconstruction etc.	See principles promoted by CEMAT and ESDP	Balanced and polycentric system of cities, relationship between urban and rural areas, conservation of natural and cultural heritage etc.
	<i>Non Institutional</i>	Fragmentation of non-institutional planning discourse as effect of the war	Few attempt to align experts and practitioners' approach to the EU mainstream logics and principles	Significant distance between institutional and non-institutional discourse.
	<i>Institutional</i> RS	Decentralisation, delegation of planning responsibilities, post war reconstruction etc.	See principles promoted by CEMAT and ESDP	Sustainability, integration, polycentrism, horizontal and vertical coordination, territorial cohesion, subsidiarity, territorial cooperation participation
	<i>Non Institutional</i>	Fragmentation of non-institutional planning discourse as effect of the war	Few attempts to align experts and practitioners' approach to the EU mainstream logics and principles	Significant distance between institutional and non-institutional discourse

Source: Author's own elaboration

### **13.4.3. Comparing planning discourse at the local level**

Comparing the spatial planning discourse at the local level means giving an insight about the way in which spatial planning is perceived (mainly by experts and practitioners) and how it is implemented. As reported, much more than the upper levels, the local spatial planning discourse is effectively influenced by the local planning experiences rather than by international principles. Since the end of the socialist experience, Croatia faced the lack of plans implementation. Despite some attempts to adapt the planning system to the international planning ideology, in several cases plans and programs prepared outside were scarcely implemented due to a lack of content and terminology comprehension. The question of terminology and conceptual frame, adopted by several official documents and international development agencies, often as a mere translation from the different external planning experiences, had been already perceived as a limitation factor. It is significative to note that the gap from the institutional and the non-institutional planning discourse was very high. In that circumstance, notions deriving from the institutional discourse, like decentralisation, subsidiary, transparencies, local self-government, remained as a mainstream label, while at the local level practitioners focused more on practical aspects like land ownership, land-register, location permit, land reallocation, urban redevelopment etc. Only a few years later, with the beginning of the EU Integration process, spatial planning and territorial development was largely influenced by EU documents and strategies. Since then, the planning discourse was dominated by notions like economic development, environmental protection, energy conservation, natural resources, sustainability and, again, climate change, social and economic inclusion, conservation of cultural heritage, sustainable tourism etc. Thanks to the domestic conjunctures (Croatia joined to EU), in the last period the mentioned distance between planning institutional discourse and non-institutional discourse seems to be reduced. This was possible thanks to the introduction of several planning curricula and new experiences gained from the participation to several cross-border cooperation projects. In Albania, instead, this discursive gap is still relevant. As in other contexts, the permeability of the local planning discourse is less compared to the upper levels. Similarly to the Croatian experience, for at least one decade the local spatial planning discourse had been framed by several factors. One of the causes was the reiteration of the communist planning ideology (urban planning approach) as was clearly established by the normative framework. On the other side, a series of external experiences had been used as examples to take inspiration (or often transposed literally). International development agencies and active NGOs were the only actors that tried to shape the local planning discourse including some more contemporary notions, approaches, ideas, concepts and so on. Institutionally speaking, the local planning discourse has been dominated by the central planning authority while the local planning bodies has been left out from any important decision (except the Tirana municipality that is very influential). In 2009, new concepts and principles like sustainable territorial development, environmental

protection, integrated planning, building permits and development permits, public hearing etc. became part of the central and local debate (even if often voluntary misinterpreted). Only recently there is a tendency to create converges among the institutional and the non-institutional planning discourse. Several conferences have been organised by several actors. However, peripheral local municipalities are still unprepared to deal with the emerging institutional and non-institutional planning discourse because of the lack of qualified administrative practitioners and experts. In Bosnia & Herzegovina, spatial planning discourse, and thus spatial planning in general, was not a priority. In short, in the first decade, the spatial planning activity was partially dismissed (not officially but in practice) and several planning departments were closed. The non-institutional planning discourse was mainly concentrated on addressing the emergent questions like informality, illegal development, land occupation, post-war infrastructure reconstruction etc. Later on, thanks to the support of international development agencies and NGOs, the local planning discourse was framed around concepts like integration plans, public participation and stakeholders' involvement, civil engagement etc. (Djurasovic and Knieling, 2015). Only in the last years, issues like energy efficiency, environmental protection, conservation of cultural and architectural heritage and so on are finally emerging.

Table 105 sums up the evolution of the local spatial planning discourse highlighting the relation between the institutional and non-institutional planning discourse. Considering the local level, all spatial planning discourses have been characterised by the dominium of the socialist and communist planning paradigms. In addition to this, other common challenges have emerged. In particular, it should be mentioned the rhetoric of the post-war reconstruction that dominated the period after the war in Bosnia & Herzegovina and Croatia. In that period, the public debate concerned the necessity of infrastructure reconstruction, refugees return etc. At the time, the distance from the institutional and the non-institutional planning discourse was great, especially in Croatia. On the one side, there was the introduction of national documents like the Physical Planning Strategy of the Republic of Croatia, followed in 1999 by the Physical Planning Program, and on the other side, the local planning discourse developed around specific and local emergencies. Informality and how to manage the territorial development were certainly others crucial topics for all the three countries. By observing the table, it is possible to note that there is a tendency to reduce the gap between institutional and non-institutional planning discourse. This is currently evident in Croatia, while Albania and Bosnia & Herzegovina still have a long way to go (need of significant improvements). As illustrated before, the level of integration between institutional planning cultures differs from one country to another, within the country (by looking at the different local specificities) and in time.

**Table 105:** Comparison of spatial planning discourse at the subnational level

Countries	Type of planning discourse	1990-2000	2000-2010	2010-nowadays
Croatia	<i>Institutional</i>	Few attempts to transpose some external principles like decentralisation, subsidiary, transparencies, local self-government	Economic development, environmental protection, energy conservation, natural resources, sustainability	Local strategic development, and again, climate change, social and economic inclusion, conservation of cultural heritage, sustainable tourism etc.
	<i>Non Institutional</i>	Based on socialist paradigms (ownership, land-register, location permit, land reallocation, urban redevelopment)	Attempt to align non-institutional discourse to the institutional one thanks to EU cooperation activity	Attempt to align non-institutional discourse to the institutional one thanks to EU cooperation activity
Albania	<i>Institutional</i>	Reiteration of communist urban planning approach based on masterplans and urban projects	Coexistence of some communist ideas of planning (yellow line) and others contemporary oriented (strategic approach)	Sustainable territorial development, environmental protection, integrated planning, building permit and development permit, public hearing
	<i>Non Institutional</i>	Non clear non-institutional planning discourse since several actors (external) were present	Illegal growth and uncontrolled urbanization, land occupation, place- based approach etc.	Fragmentation and lack of alignment to the institutional planning discourse
Bosnia Herzegovina	<i>FBiH</i> <i>Institutional</i>	Informality, illegal development, land occupation, post-war infrastructure reconstruction	Strategic planning approach, local development etc.	Integration plans, public participation and stakeholders' involvement, civil engagement
	<i>RS</i>			
	<i>BD</i> <i>Non Institutional</i>	Fragmented and partially shaped on the socialist ideology	Increasing relevance of the international planning discourse	Consolidation (at least superficially) of the EU concepts

Source: Author's own elaboration

## 13.5. Summary and conclusions

By comparing the evolution of the spatial planning systems in the examined countries, the research sketched out a few general trends. First of all, all countries have been subjected to an intensive (often chaotic) process of decentralisation that, in turn, influenced the spatial planning mechanisms. In this perspective, authorities (executive, political and technical) and responsibilities (decision-making, plan-making, coordination and implementing) have been subdivided among planning levels in order to: maintain a hierarchical planning system (Croatia) where competences have been hierarchically distributed; to reproduce a bipolar planning system where the State planning level plays a guiding role (Albania) or to guarantee an ethnical subdivision where no state planning level was established but responsibilities have been delegated (Bosnia & Herzegovina). Over time some (re-)centralisation mechanisms have also been registered, through which central planning authorities interfered with the local planning activities (Albania). Moving from authorities to the planning documents, the nature of planning (visioning, strategic and regulative) and their hierarchical dependency (statutory, mandatory and requests adaptation to upper plans) are different in each country. However, there are substantial divergences among planning level and planning documents. There is no correspondence to what concerns the subnational level and the production of planning documents (the subnational level in Albania is entitled to draft only sectoral plans while in Bosnia there is not a common country plan). Recently there has been a tendency to move towards a more vertical and horizontal coordination of planning documents based on the integration of planning mechanism and documents (this is not true for the Federation of Bosnia & Herzegovina where still there are some inconsistencies among planning documents). Regarding the practice dimension, what emerged is a substantial divergence among formal and informal practices that have certainly influenced the efficacy of planning activity (growing of informalities and uncontrolled urban development). Only recently, thanks to a series of legislative intervention and the increasing of importance of spatial planning activity, the existing gap is going to be reduced. This has been possible thanks to the support of the main international actors and the different attitude of the society toward planning activity. Accordingly, even the discursive dimension of planning has been influenced by internal and external factors. In the last year, it has emerged a tendency to move towards an internationalisation of spatial planning discourse where local ideas and values are combining to external hegemonic discourse (in many cases only superficially). In this perspective, the international context has been very influential in shaping, not only each domestic planning discourse, but also promoting and supporting the change of the entire planning system. At first glance, the importance of those actors has been very diverse and not homogenous. In this perspective, the following chapter 14 compares the relevance of those actors seeking to identify some communalities, differences and uniqueness.

# **14. Comparing the role of actors in the evolution of spatial planning system in Croatia, Albania and Bosnia & Herzegovina**

Chapter 14 has been dedicated to the comparison of the different roles of the actors in the process of evolution of spatial planning in the Balkans. Actors, internal and external, should be intended as an analytical category through which it is possible to explore the main path followed by each planning system. As a combination of institutional and non-institutional planning actors, the comparison of actor's constellations sketches out their double nature. On the one side, the research emphasises the role of the local actors between innovation and inertia, behaviours widely investigated in section 14.1, on the other side, section 14.2 compares the impact of international actors highlighting their strategies and local priorities. Special attention has been dedicated to the role of the EU as one of the main regional actors capable to shape the trajectory followed by each domestic context. In this respect, interferences and implications of the EU have been investigated in section 14.3, where the impact of EU legislation, policies and discourse has been compared, based on what has emerged in each national context.

## **14.1. Comparing the role of domestic planning actors and path dependency: between innovation and inertia**

In the context of post-socialist and post-communist countries, planning actors and authorities have been investigated by several authors (among others Tsenkova and Nedovic-Budic, 2006; Tasan-Kok, 2004; Stewart, 2003; Hodgson, 1998; McDermott 1998; Offe, 1997 and others) shedding light on several aspects of domestic actors (nature, role, hierarchies etc.). In this part, the research compares the main planning actors highlighting their importance in the structuring of each domestic planning system. In this perspective, both institutional, mainly related with the formal planning (ministries, department etc.) and non-institutional actors (representative of civil society) have been taken into account for each country.

### **14.1.1. Institutional actors**

Since the 1990s, numerous planning authorities have been responsible for managing and implementing several planning initiatives. In particular, institutional

actors have been at the center to the so called formal spatial planning system representing the main legally established authorities (see Figure 39). Under the umbrella of institutional actors, the main actors for each planning level have been identified.

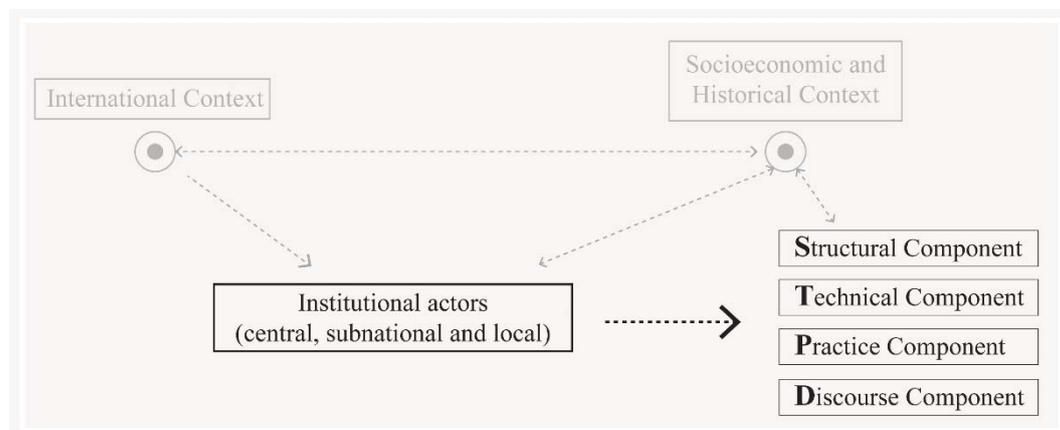


Figure 39: Influence of domestic institutional actors in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

Central level authorities have been certainly the main actors. In Croatia, the institutional panorama has been dominated, by the ministry competent; the Institute for Spatial Development; the sectoral ministries; and at the subnational level by the counties' Institute for Spatial Planning. Instead at the local level the guiding role has been delegated to the planning local authorities. In addition, recently, there has been the institution of the Ministry of Regional Development and EU Funds entitled to deal with the issue of regional development. Through time, their role and responsibilities changed becoming much more interconnected and collaborative. This means that even their impact in shaping the spatial planning system differs. For instance, the ministry responsible for spatial planning assumed over time a more integrated approach, taking the distance from a very sectoral attitude that characterised the first period of transition. By looking at each actor from the perspective of their nature (i.e. exploring their objectives, perceptions, preferences, capabilities, resources and impacted fields), it interesting to note how the Institute for Spatial Planning has been very important, among other tasks, in the coordination of spatial planning activities at the central level, while the counties' Institute for Spatial Planning has been a hinge in connecting central strategies to local priorities (the Institute is entitled to even draft local plans when is reputed necessary). By observing their impact in transforming the Croatian Planning system, it seems that the Ministry has been seriously influencing the entire planning system, and particularly the legal structure and the planning discourse through the assembly of policy papers, recommendations and laws' amendments. Its impacts appear to be much more relevant to the central level than to the local level. This is particularly evident considering that in the practice dimension the Ministry has not many impacts. Regarding the other institutional actors, sectoral ministries have been

particularly active in shaping the planning instruments, the formal procedures (thanks to the introduction of EIA, SEA, building energetic certification etc.) and the planning discourse. Similarly, the Institute for Spatial Development influenced the evolution of the planning system by drafting and implementing the planning documents. In doing so, the mutual contamination of plans produced a series of structural changes that involved the whole analytical categories taken into account. Particular impact has been registered in the planning discourse, since the Institute is entitled to prepare the Report on the Situation in Space as a reference documents for the entire planning community. Another significant role has been played by the counties' Spatial Planning Institute, which impacted the process of planning at the county level by preparing significant planning documents and contributing to spread notion and spatial planning concepts among the planning levels. Finally, the local planning community located in each municipality has a particular impact concerning the implementation of local planning documents, less in defining the spatial planning discourse to the central level.

In coherence with the Croatian case, in Albania the role of institutional actors has been at the centre (positively or negatively) of the evolution of the spatial planning system. The ministry responsible for spatial planning changed several times, and therefore its role has often been vague and not transparent. Only during the last governing period (2014-2017), the Ministry of Urban Development has been active in addressing the territorial development by supporting central and local authorities in the implementation of their tasks and duties. Since spatial planning has been perceived as a trans-disciplinary activity, recently there has been a tendency to include even other sectoral ministries entitled to deal with spatial issues, such for instance agriculture and rural development, environment, local government and EU integration. Their impact was particularly significant during the preparation of the first National General Plan, when each of those ministries was invited to contribute in regard of their sector. However, the involvement of sectoral ministries has been scarce for a long time. Thanks to the EU integration process, the sectoral ministries are contributing to change a bit the spatial planning discourse by introducing and transposing EU concepts and instruments (SEA and EIA). As in case of the Croatian Institute, one of the main planning authority in Albania is the The NTPA – National Territorial Planning Agency. Even if it is relatively young authority (established in 2009 and activated in 2010), the Agency is entitled to coordinate, supervise and harmonise spatial planning activities at the central and local level. According to its tasks, the Agency is recommended to be actively involved in planning activities by drafting reconitions and reports, coordinating the preparation of plans of every scale (including those of the lower scale) etc. As affirmed, in Albania, spatial planning is structured as a bipolar system (central and local level). Traditionally in Albania the local level has been kept at the margin of the spatial planning activity until the territorial reform of 2000, when the responsibility of territorial development has been delegated to the local level. But it has been only after the law in spatial planning and development that the local level has been fully involved. One should note that, local authorities' capabilities

and resources are diverse from one municipality to another (huge disparities among cities and municipalities located in inner area) as well their capacity to deal with the implementation of planning documents. Regarding the impact of the local level in the evolution of the spatial planning system, it is important to note that the local authorities have no possibility of affecting the spatial planning system except by implementing the planning documents. No effective initiatives have been organised to enhance their capacity to define at least the main planning priorities (or at least contributing to shape the current planning discourse) according to a bottom-up approach.

Concerning the importance of the institutional actors in Bosnia & Herzegovina, one should have in mind the complexity of the spatial planning context of the country. In this respect, the research focuses on the key actors for each planning system. For the Federation context, certainly, the main actor has been the Federal Ministry of Physical Planning (established in 2006). Among others the Ministry has been capable of coordinating the spatial planning activity at the Entity level and harmonising planning activities, supporting the work of cantonal ministries (as a reminder, each canton has its own ministry competent for spatial planning) at the same time. According to its responsibility, the Ministry cooperates even with the correspondent authorities of the Republika Srpska and of the Brčko District. Concerning its impact in shaping the spatial planning system, moderate influence has been reported regarding the technical and discursive dimension. Since the Ministry is entitled to prepare the Entity's planning documents, it can be affirmed that its influence is greater at the Entity level rather than at the local level (as an example). Similarly, even in Republika of Srpska, the main planning authority at the Entity level is the Ministry of Spatial Planning, Civil Engineering and Ecology, as the higher authority entitled to deal with spatial planning issues. Differently from the Federation of Bosnia & Herzegovina, the Ministry is assisted by several departments, among others the Department for Urban and Spatial Development. The aim of the department's activity is to coordinate and harmonise the planning activity in the territory under its jurisdiction (similarly to the Albanian NTPA). However, its impact in changing the planning system seems to be limited in planning instruments and discourse (above all at the Entity level). Differently from the Entities, in the Brčko District, the spatial planning issue is dominated by the Department for Spatial Planning and Property-Legal Affairs that is the main responsible of drafting and implementing strategic and development plans. Its leading status allows the Department to be very influential in the entire planning system thanks to its numerous spatial planning tasks and duties. Table 106 sums up the above mentioned actors influence in the evolution of each planning system.

**Table 106:** Comparison of the main institutional spatial planning actors

Country	Main Institutional Actors	Impacted Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	Ministry of Construction and Physical Planning	C-S-L	3-1-1	↑-↑-↑	2-1-1	↑-↑-↑	2-1-1	↑-↑-↑	3-2-2	↑-↑-↑
	Sectoral ministries	C-S-L	2-1-1	↑-↑-↑	2-2-2	↑-↑-↑	2-2-2	↑-↑-↑	3-2-2	↑-↑-↑
	Institute for Spatial Development	C-S-L	3-2-1	↑-↑-↑	3-2-1	↑-↑-↑	3-1-1	↑-↑-↑	3-2-2	↑-↑-↑
	County Spatial Planning Institute	C-S-L	1-3-1	↔-↑-↑	1-3-1	↓-↑-↑	1-3-2	↔-↑-↑	0-3-1	↔-↑-↑
	Local authorities	C-S-L	1-2-3	↑-↑-↑	1-2-3	↑-↑-↑	1-2-3	↑-↑-↑	1-1-2	↑-↑-↑
Albania	Ministry of Urban Planning	C-S-L	2-0-1	↑-↑-↑	2-0-1	↑-↑-↑	1-0-1	↑-↑-↑	3-1-1	↑-↑-↑
	Other ministries	C-S-L	1-1-1	↑-↑-↑	3-2-2	↑-↑-↑	2-2-1	↑-↑-↑	1-1-1	↑-↑-↑
	NTPA – National territorial Planning Agency	C-S-L	2-2-1	↑-↑-↑	3-2-2	↑-↑-↑	3-2-3	↑-↑-↑	2-2-2	↑-↑-↑
	Local authorities	C-S-L	1-1-2	↓-↓-↓	0-0-1	↓-↓-↓	0-0-2	↓-↓-↓	0-0-1	↑-↑-↔
Bosnia Herzegovina	<b>FBIH</b> - Federal Ministry of Physical Planning	C-S-L	0-2-1	↔-↑-↑	0-2-1	↔-↑-↑	0-2-1	↔-↑-↑	0-3-1	↔-↑-↑
	<b>RS</b> - Ministry of Spatial Planning, Civil Engineering and Ecology	C-S-L	0-3-1	↔-↑-↑	0-2-1	↔-↑-↑	0-3-1	↔-↑-↑	0-3-1	↔-↑-↑
	<b>RS</b> - Department for Urban and Spatial Planning	C-S-L	0-0-0	↔-↑-↑	0-2-1	↔-↑-↑	0-2-1	↔-↑-↑	0-2-1	↔-↑-↑
	<b>BD</b> - Department for Spatial Planning and Property-Legal Affairs	C-S-L	0-3-1	↔-↑-↑	0-3-1	↔-↑-↑	0-3-1	↔-↑-↑	0-3-1	↔-↑-↑

Source: Author's own elaboration

### 14.1.2. Non-institutional actors

Differently from the institutional actors, the panorama of non-institutional actors is far from being homogenous, but rather quite chaotic and unstable. This has been reflected even concerning their role within the evolution of planning system and their capacity to influence the spatial planning dimensions (see Figure 40).

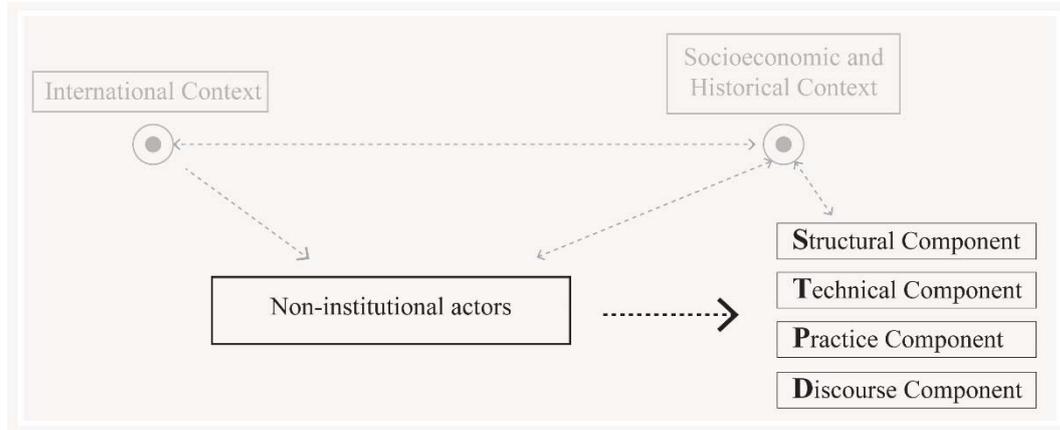


Figure 40: Influence of non-institutional actors in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

Since the beginning of the 90s, non-institutional actors have been recognised as part of the actors' dynamics involved in the country's territorial development. Until then, spatial planning was dominated only by the State and its bureaucratic mechanisms. The introduction of the free market system allowed actors like NGOs, universities, associations and practitioners to contribute (even if partially) to the implementation of the spatial planning activities. At first glance, despite some differences linked to contextual factors (i.e. war and administrative organisation), numerous similarities emerge. In all the countries, the panorama of non-institutional actors results very fragmented (see Table 107). As a matter of fact, there are only a few connections between non-institutional actors, which restrains their possibility to be influential within the public debate. This reflects the question of lack of coordination concerning the development of some public participation mechanisms, the enhancement of public awareness regarding specific issues etc.

Table 107: Comparison of the impact of the non-institutional actors

Country	Actors	Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	NGOs	C-S-L	1-0-0	↑-↑-↑	1-2-3	↑-↑-↑	1-2-2	↑-↑-↑	1-1-2	↑-↑-↑
	Universities	C-S-L	1-0-0	↑-↑-↑	0-0-0	↑-↑-↑	3-2-2	↑-↑-↑	3-2-2	↑-↑-↑
	Associations	C-S-L	1-0-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-2	↑-↑-↑	2-2-2	↑-↑-↑
	Practitioners	C-S-L	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	2-2-2	↑-↑-↑	1-1-1	↑-↑-↑
Albania	NGOs	C-S-L	1-1-2	↑-↑-↑	0-1-1	↑-↑-↑	0-1-2	↑-↑-↑	1-1-2	↑-↑-↑
	Universities	C-S-L	2-0-1	↑-↑-↑	0-0-1	↑-↑-↑	2-0-2	↑-↑-↑	3-0-2	↑-↑-↑
	Associations	C-S-L	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	1-0-1	↑-↑-↑	1-0-1	↑-↑-↑
	Practitioners	C-S-L	0-0-1	↑-↑-↑	0-0-0	↑-↑-↑	1-0-3	↑-↑-↑	1-0-1	↑-↑-↑
B&H	NGOs	C-S-L	0-0-1	↑-↑-↑	0-0-0	↑-↑-↑	0-0-1	↑-↑-↑	0-0-1	↑-↑-↑
	Universities	C-S-L	0-0-1	↑-↑-↑	0-0-0	↑-↑-↑	0-0-1	↑-↑-↑	0-0-1	↑-↑-↑

Associations	C-S-L	0-0-0	↔-	0-0-0	↔-	0-0-0	↔-↔-	0-0-0	↔-
Practitioners	C-S-L	0-0-1	↔-↔-	0-0-0	↔-↔-	1-0-3	↔	1-0-1	↔-↔-
			↑-↑-↑		↑-↑-↑		↑-↑-↑		↑-↑-↑

Source: Author's own elaboration

By observing the importance of NGOs in the countries under examination, it seems that their involvement in spatial planning has been scarce and limited to some good examples (mainly pilot projects). In Croatia and Bosnia & Herzegovina, NGOs played an important role in supporting the infrastructural reconstruction after the war. However, their activity has been criticised because in several cases the NGOs' involvement has been politically oriented bypassing the local needs and priorities (Dokić, Starc, and Stubbs (2005). Nevertheless, even if with scarce results, the importance of some sectoral NGOs (mainly involved in issues like environment, local development and sustainable development) in the adoption of different approaches is recently growing. As affirmed, NGOs have been involved in a variety of activities both as highly skilled technical actors, and social actors, giving attention to social movements and protests. Therefore, even if underestimated, there are also positive examples that have been recognised by local experts. Among others, NGOs are increasing their capacity to get involved in the local debate (Cavrić and Nedovic-Budic, 2007) thanks to the participation in the spatial planning and territorial development activity (Croatia and Albania). On the other side, improvements are still necessary in Bosnia & Herzegovina, where the involvement of NGOs is scarce and sporadic (Fagan, 2012).

Similarly to NGOs, the role of universities and academia in general has been swinging overtime. Spatial planning, as a transdisciplinary activity, has been acknowledged only recently but for many years the issue of spatial planning had been dominated by the idea that urban planning was conducted by architecture and engineering. In this sense, even after the downfall of the regimes, the planning discourse and knowledge remained anchored to the idea of spatial planning as a technocratic activity. Thanks to internal and external circumstances, the idea of a transdisciplinary planning activity is emerging and new universities courses have been launched (among others in Zagreb, Tirana, Sarajevo, Banja Luka and Mostar). In these courses, students have the opportunity to get familiarity with international concepts and terminologies that will address the future spatial planning discourse. On the other side, others academic realities are maintaining an architectural and engineering viewpoint, losing the opportunity to be updated with the last novelties in the spatial planning mainstream issue. Regarding the impact of universities in shaping the spatial planning system, it should be noted that in Albania private universities (among other Polis University) are certainly contributing to change the spatial planning approach (even if slowly). Similarly, other universities like the Geography Department within the Faculty of Science in Zagreb (Croatia) and Department of Geography, Faculty of Science, University of Sarajevo, Bosnia & Herzegovina (Bosnia & Herzegovina) seem to be influential in the domestic context.

Moving from the role of university to understanding the importance of professional associations, there are some communalities. What emerges from the countries' observation is the fact that professional associations have been generally marginalised. Even if well established as in Croatia, their capacity to be influential has been relatively scarce. Currently, Croatia has at least three active professional associations, that are directly involved in the issue of spatial planning (associations of builders, architects and engineers or environmental architects) but none of them can directly impact the functioning of the planning system. The same discourse is valid for Bosnia & Herzegovina, where no professional associations have been founded regarding planners besides the Association of Architects. Even if in Albania there are two different association of Architects (the Association and the Union), their impact in shaping spatial planning is very limited. In all the countries, the role of the associations is still limited to some consultation in the public debate where the decision- making process is still led by public authorities.

Last but not least, looking at the category of practitioners directly involved within the spatial planning system, in all the countries has been recognised a lack of planning experts. This was particularly true during the first two decades of transition when planning was an affair of architects and engineers. As a consequence of the lack of spatial planning education, even currently, the non-implementation of planning documents is caused by the lack of practitioners (private or employed by local administration) able to deal with the complexity of spatial planning issue. On the contrary, in certain cases, the local practitioners and experts oppose the implementation of planning reforms because they are not prepared to deal with significant structural changes (see the case of the Albanian reform of 2009). However, in general, the impact of practitioners has been relatively scarce because of the lack of organisation (an association of planners is absent in every country).

## **14.2. Comparing the impact of the international actors: between international strategies and local priorities**

This part aims to compare the impact of the international actors in Croatia, Albania and Bosnia Herzegovina. For each category of international actors, the comparison takes into consideration both the general attitude of the actors and their contribution on the evolution of the spatial planning system.

### **14.2.1. International organisations**

Within the framework of the international organisation, the UNDP and the World Bank have been considered as the main actors responsible for shaping the spatial planning system in the analysed countries (see Figure 41)

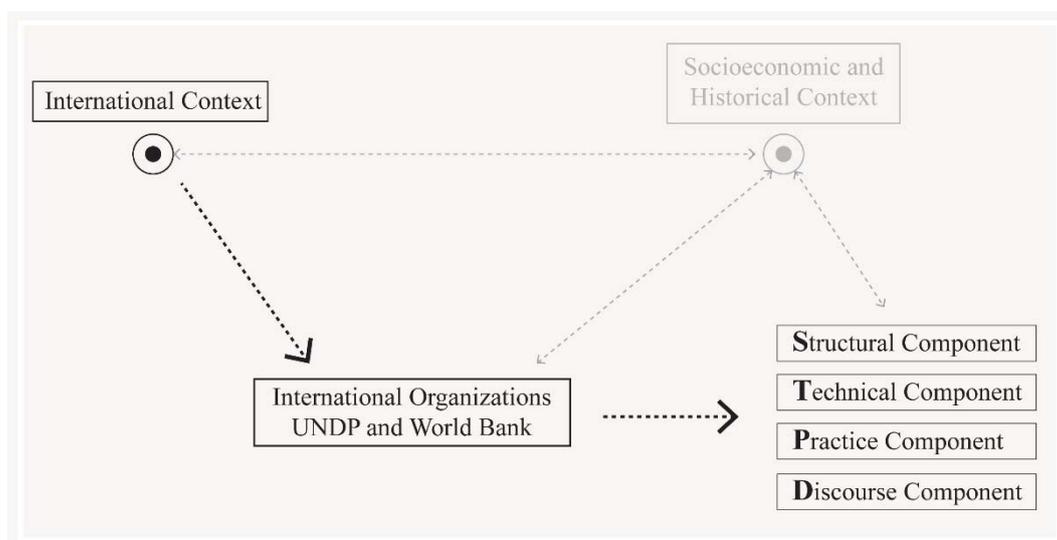


Figure 41: Influence of organisations (UNDP and WB) in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

The UNDP has been present since the downfall of the respective communists' regimes, at least since 1991. The UNDP supported several projects and programmes thanks to numerous cooperation and development agreements. The projects supported interested several common areas and sectors like local development, environmental protection, democracy and governance, agriculture and rural development. As a matter of fact, in Croatia, the UNDP supported the central level to be prepared for the EU CAP and Rural Development Policy (2010-2013). In Albania UNDP helped to increase the ability of the Albanian Government to meet the EU environmental requirements, while in Bosnia the UNDP supported the government to draft the National Environmental Action Plan according to the EU requirements. Despite these common impacted sectors, the UNDP has been involved in several path-dependent and contextual initiatives, like projects that focus on the reconstruction of architecture and cultural heritage of Croatia (ARCH – Vukorav), supporting the preparation of the Territorial and Administration Reform (STAR I and II) in Albania, or launching the Via Dinarica: A Platform for Sustainable Tourism Development and Local Economic in Bosnia Herzegovina. Despite some cross-cutting objectives, the UNDP approach is country-dependent. Indeed, while the main objectives in Croatia have been to prepare the country for the Common Agricultural Policy and to implement the national protected area system, in Albania the agency has been concentrated on helping the country to join the EU, and to translate UN and EU's principles to daily practice in Albanian institutions. Meanwhile, in Bosnia, the agency is still focused on addressing social inclusion, the strengthened capacity of the country, the support of the EU accession process, the reduction of the environment pollution. So, as emerged, the agency's activity changed over time according to the variation of domestic priorities (i.e. from post-war reconstruction to EU integration in Croatia and Bosnia & Herzegovina and from humanitarian approach to country development perspective

in Albania). Moreover, it is interesting to note how the agency's preferences, in terms of adopted approach, have been differently interpreted. In Croatia, the approach has been mainly focused on several sectors, preferring a sectors approach, while in Albania and Bosnia Herzegovina, the agency's support has been characterised by a more integrated and cross-sectoral attitude. This empirical evidence shows the UNDP's ability to adapt its strategy in respect of the contextual situation. On the contrary, referring to the UNDP capability, in terms of experts, resources, funds and investments, there is a common tendency to involve both foreign and domestic experts while the resources used are mainly agency's funded or co-financed by other development agencies. When it comes to evaluating the impact of the UNDP on each domestic planning system, at first glance, Albania seems to be somewhat influenced, while Croatia and Bosnia & Herzegovina appear to be less affected. Doubtless, the main impacted spatial planning dimension seems to be the discourse and practice aspects, channelised by the implementation of several projects and programs. As emerged, this tendency seems to be different in respect of the spatial planning levels. As an example, in Albania, the subnational level has not been affected due to its scarce role in the spatial planning system, while the discourse at the local level in Bosnia & Herzegovina and Croatia seems to be partially shaped by the UNDP activities. To conclude, despite no direct influences on the planning system, excluding some experiences in Albania, UNDP has been one of the main influential international actors actively involved in the Western Balkan Region, in general, and in the analysed countries, in particular.

Similarly to the UNDP, the World Bank (hereafter WB) assisted each country since the downfall of the communists' regimes and after the Bosnian War of 1995. The WB promoted a series of pilot projects and programmes that involved several sectors. If in Croatia the WB has been concentrating on a few sectors like environmental protection, rural and local development, in Albania the target has been urban planning and land management (see the LAMP project). In Bosnia & Herzegovina, instead, the approach has been much more variegated involving urban planning and local development, on the one side, and some sectoral initiatives in the field of energy, agriculture and transport, on the other side. According to its initiatives, the WB's objective in Croatia has been to reinforce environmental protection, supporting the country in the draft of the first National Environmental Action Plan and Environmental Strategy. In Albania, the intent of the WB has been to provide municipalities with spatial plans and instruments in order to respond to the contextual social and economic condition, contributing to control and manage the impact of the informal areas in the bigger cities. This objective has been partially followed also in Bosnia & Herzegovina, where the devastation of the war limited the capacity of the local authority to efficiently govern the territorial development. As a matter of fact, the WB launched several projects, like UMDP - Urban Management Development Plans, aiming to strengthen the local capacity to prepare local plans and implement them effectively. Slowly, the WB moved from recovering the post war devastation, to supporting initiatives that addressed the sustainable economic development, according to each countries' priority. In giving its support, the WB adopted, in general, a cross-sectoral approach helping the

domestic institution to build an integrate system. In doing so, the WB often invited external practitioners and experts to implement projects and programmes. For instance, in Albania, for the LAMP project, the team was constituted by foreigners from very different countries. In other experiences, however, the WB invited both national and international experts. The resources adopted derived mainly from the WB budget, but in some cases the projects were co-financed by other institutional or non-institutional partners. Evaluating the WB's impact on the spatial planning system, it seems that Croatia has been scarcely influenced while Albania has been significantly impacted, especially looking at the different practices. In this discourse, Bosnia Herzegovina appears significantly impacted, as emerged looking at some WB contribution in terms of improving local planning instruments and discourse. To conclude, despite the lack of strong empirical evidences that demonstrate the effective impacts on the evolution of spatial planning systems deriving from the international organisation, it is possible to affirm that their constant involvement and support of the domestic authority, have contributed overtime to shape each spatial planning system, albeit in a very contextual way (see Table 108).

**Table 108:** Comparison of the impact of the International Organisations

Country	Actors	Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	UNDP	C-S-L	1-1-1	↓-↓-↓	2-1-1	↓-↓-↓	1-1-2	↓-↓-↓	2-1-2	↓-↓-↓
	WB	C-S-L	1-1-1	↓-↓-↓	2-1-1	↓-↓-↓	1-1-2	↓-↓-↓	2-1-1	↓-↓-↓
Albania	UNDP	C-S-L	2-1-2	↔	2-1-2	↔	2-1-2	↔	2-0-1	↔
	WB	C-S-L	2-1-2	↔	2-1-2	↔	1-1-3	↔	1-0-1	↔
B&H	UNDP	C-S-L	0-1-1	↔-↑-	0-1-1	↔-↑-	0-1-1	↔-↑-↑	1-2-2	↔-↑-
	WB	C-S-L	0-1-1	↔-↑-	1-1-3	↔-↑-	1-2-3	↔-↑-↑	1-1-2	↔-↑-

Source: Author's own elaboration

## 14.2.2. Cooperation national agencies

For a long time, since the collapse of the communist regime, in the Balkan region numerous international actors have been active. Their initiatives and programmes contributed to move from a centred country structure towards a more decentralised and free market system. In doing so, their objectives, perceptions, preferences, capabilities, resources have changed over time. Until now, their impact on each domestic spatial planning system has been relatively underestimated and, often not even considered when it comes to assessing the process of evaluation of spatial planning systems (see Figure 42). This subsection compares the impact of those actors on each investigated planning system, with particular attention to the five cooperation national agencies that have been selected (i.e. USAID, GIZ, SIDA, SDC and ADA).

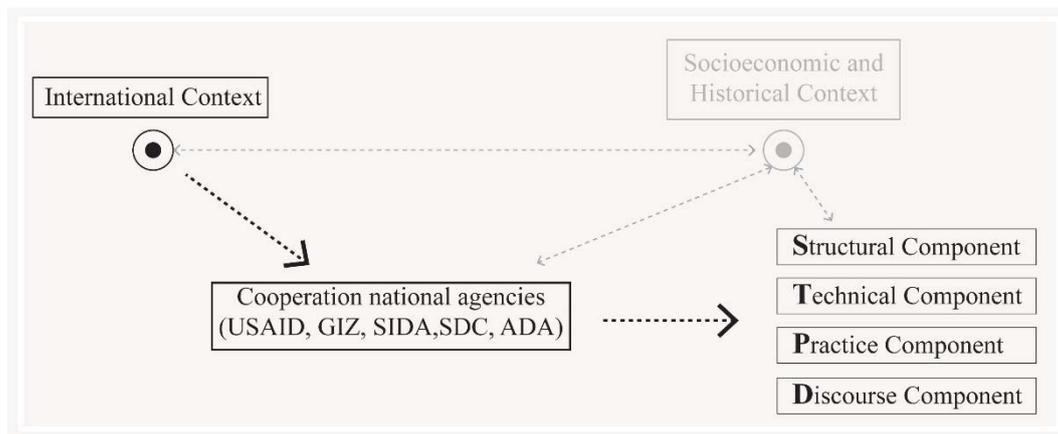


Figure 42: Influence of the Cooperation national agencies (EU) in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

Starting to analyse the impact of the American agency, USAID accompanied Croatia, Albania and Bosnia & Herzegovina's transition process since 1991. The first efforts of USAID have been concentrated on the humanitarian and emergency responses. In Croatia and Bosnia & Herzegovina, those initiatives started to be central during and after the war concluded in 1995, while in Albania they continued until the beginning of the new century. On the one hand, the first programmes focused on community revitalisation, infrastructure reconstruction, reintegration of refugees etc. On the other hand, several initiatives have been dedicated to the restructuring of the country system, promoting structural reforms in the fields of economy, justice, administration, civil and social rights. In doing so, the States' problems like property right, privatisation, liberalisation, marketisation and decentralisation have been the terms of discussions. In this respect, in Croatia the LGRP – Local Government Reform Project have been launched, in Albania the PLGP - Local Governance Project and in Bosnia & Herzegovina GAP I and GAP II - Governance Accountability Project. In addition, in Albania and Bosnia & Herzegovina, USAID supported the preparation of numerous local planning instruments assisting several central and local authorities. In many cases those experiences and pilot projects have been used as best practices, potentially scalable and replicable in other contexts. Moreover, in Albania, the role of the agency has been very important in leading the process of law conceptualisation and drafting in 2009. To conclude, while in Croatia the impact of USAID in the planning system has been very scarce, in Albania and Bosnia & Herzegovina its seems the opposite. This has been reflected by the interruption of USAID's activity in Croatia since 2008, while in the other two countries is still fully operating. The current tendency is, moreover, to constantly support the domestic planning activity in several ways including training to encourage dialogue, sharing best practices and contributing to develop a new civic involvement and public participation. It is interesting to note that the agency's attitude has been progressively determined by each contextual circumstance. For instance, in Bosnia, the strategy moved from post-war

reintegration, development and refugees return, to economic restructuring, strictly following the domestic priorities.

Continuing our analysis, the former GTZ and the current GIZ has been actively involved for a long time. Its activities have concentrated on several common areas like rural development, sustainable infrastructure, environmental and climate change and some domestic priorities such as good governance and reconstruction, in Croatia and Bosnia & Herzegovina, or tourism in Albania. In doing so, the agency adopted, case by case, a sectoral or integrated approach in response to the local needs. Over time, the process of transformation has significantly influenced also the local priorities and objectives. This has been reflected as well in the delineation of the agency's objectives, perceptions and strategies. Indeed, while in Croatia and Bosnia & Herzegovina the priority has been to enhance the local administration capacity and to strengthen the public institutions, in Albania the focus has been to improve the infrastructure development. However, for all the contexts, the common goal remains to prepare the country for the integration in the EU, already obtained by Croatia, but still pending for Albania and Bosnia Herzegovina. Looking at the cooperation support, in Croatia it is significant to mention the role of the agency in helping domestic authorities in establishing the Environmental and Energy Efficiency Fund; in Albania the agency promoted the integrated sustainable development of the southern coastal region project; while in Bosnia & Herzegovina it supported the preparation of the sustainable energy action plans at the local level. Despite these punctual cooperation episodes, what seems to be interesting of the GIZ activity in the region is the attitude to support an intensive regional cooperation that is involving numerous countries. In this respect, the Agency is a promoter of the EU Integration of South Eastern Europe program and the ICZM – Integral Coast Zone Management together with many Adriatic countries and in cooperation with EU experts. When it comes to understanding its impact in the evolution of the spatial planning system, however, it gives the impression that no substantial evidences have emerged. Indeed, despite the implementation of numerous projects and programs, in the analysed context there are no evidences that can determine any sort of influence on the evolution of the spatial planning system. However, some cross-fertilisation experiences or mutual learning processes cannot be excluded from the process of implementation of specific pilot projects that may have influenced the practice and discursive level.

Even the Swedish agency, SIDA, has been actively involved in assisting and supporting the analysed countries towards the EU membership route. As in the case of the other national and international agencies, its objectives, priorities, perceptions, strategies, preferences and resources changed overtime. Since the beginning, its main topics have been the promotion of EU Integration process, supporting the administrative reform, helping each country to enhance its capacity to deal with land management, property right, civil society, social inclusion questions and many others like the protection of natural resources and environment and climate change. However, despite these numerous topics, two seem to be particularly interesting. On the one hand, the support for improving the states'

capacity to deal with the EU integration path and the common efforts to face with land management and property right. In this respect, it is significant to note the enormous efforts for the modernisation and reform of the land administration system (Cadastre and Land Registry) in Croatia, or the attempt to deal with the land use rights and the decentralisation of property from central to local authority in Albania. However, its impact in each spatial planning system is very partially limited to some aspects linked to the property right, influencing also the structural component.

The Swiss Development Agency is, for some aspects, a new entry in the constellation of the international actors in the region. Indeed, excluding the case of Bosnia & Herzegovina, where the agency has been active since the end of the war (1995), in Albania it began its activities since 2006 and in Croatia only since 2013. This is why in Croatia the role of the agency is absolutely secondary in influencing the evolution of spatial planning system, despite its efforts to reduce the existing regional disparities in Croatia and promoting some environmental and infrastructural projects. Differently from the Croatian case, in Albania the Swiss agency is playing an important role within the national context. Indeed, since 2006, thanks to the implementation of a series of multi-annual projects (Dldp 1, Dldp 2 and the current Dldp 3) the agency is developing several strategic plans both at the local and subnational level, due to the administrative arrangement the plans are based on functional areas rather than on administrative subdivisions. Despite its daily activities in the promotion of the decentralisation process at all levels (producing policy papers for the central level), the agency has financed the process of drafting and adoption for five cities. Meanwhile, in Bosnia & Herzegovina, the agency supported the local authorities from local management to strategic planning. As emerged, while in Croatia the impact is absent, in Albania the main influenced areas have been the practice and discourse dimension, and in Bosnia & Herzegovina its impact has been relatively scarce.

The Austrian agency, ADA, has been present in the region since 1991. However, its impact in the evolution of spatial planning system is insignificant. Indeed, its project- based approach privileged much more the implementation of specific pilot project like the development activity in informal areas in Albania, or some reconstruction projects in Bosnia & Herzegovina. Table 109 sums up the impact of international development agencies illustrating, for each spatial planning dimension, the level of influence, the intensity and the trend.

**Table 109:** Comparison of the impact of the international development agencies

Country	Actors	Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	USAID	C-S-L	1-1-1	↓	0-0-0	-	1-1-1	↓	2-1-1	↓
	GIZ	C-S-L	0-0-0	-	0-0-0	-	2-1-2	↓	0-0-1	↓
	SIDA	C-S-L	1-0-0	↓	0-0-0	-	0-0-0	-	1-0-0	↓
	SDC	C-S-L	0-0-0	-	0-0-0	-	0-0-0	-	0-0-0	-
	ADA	C-S-L	0-0-0	-	0-0-0	-	0-0-0	-	0-0-0	-
Albania	USAID	C-S-L	3-0-2	↔	2-1-2	↔	1-1-3	↔	2-0-2	↔
	GIZ	C-S-L	0-0-0	↔	0-0-0	↔	0-1-1	↔↑↑	2-1-1	↑↑↑

	SIDA	C-S-L	1-0-0	↑↔↔↔ ↔↔	0-0-0	↔↔	0-0-0	↔↔	1-0-1	↑↔↔
	SDC	C-S-L	0-0-1	↔↔↑ ↑	1-1-3	↑↔↔	0-2-3	↔↔↑↔	2-1-2	↑↔↔
	ADA	C-S-L	0-0-0	↓↔↓↔↓	0-0-0	↓↔↓↔↓	0-1-1	↓↔↓↔↓	1-1-1	↓↔↓↔↓
<b>B&amp;H</b>	USAID	C-S-L	0-2-2	↔↔↑ ↑	0-1-2	↔↔↑ ↑	0-1-3	↔↔↑↔	0-2-3	↔↔↑ ↑
	GIZ	C-S-L	0-0-1	↔↔↑ ↑	0-0-0	↔↔↑ ↑	0-1-1	↔↔↑↔	0-1-1	↔↔↑ ↑
	SIDA	C-S-L	0-1-1	↔↔↑ ↑	0-0-1	↔↔↑ ↑	0-0-1	↔↔↑↔	0-1-1	↔↔↑ ↑
	SDC	C-S-L	0-0-1	↔↔↑ ↑	0-0-0	↔↔↑ ↑	0-1-1	↔↔↑↔	0-1-1	↔↔↑ ↑
	ADA	C-S-L	0-1-0	↔↔↓ ↓	0-1-2	↔↔↑ ↑	0-1-3	↔↔↑↔	0-2-3	↔↔↑ ↑

### 14.2.3. Regional organisation

As recognised, for the analysed countries the EU represent a Source: Author's own elaboration “window of opportunity”, in particular for Albania and Bosnia Herzegovina, that are still involved within the integration process. This implies that these countries are expected to face numerous structural changes to align their domestic systems to the EU requirements (Figure 43).

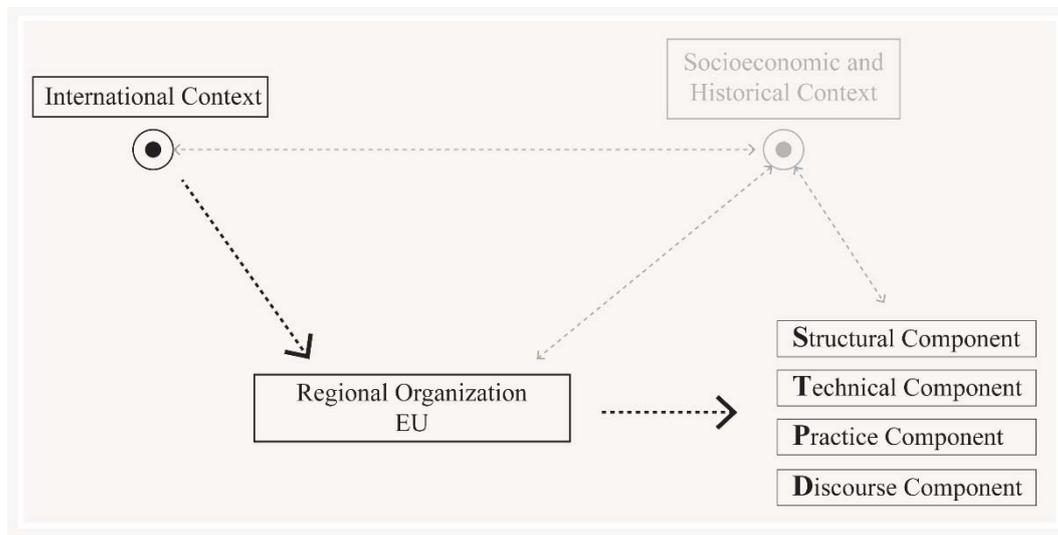


Figure 43: Impact of the Regional Organisation (EU) in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

Notwithstanding that EU has not any kind of jurisdiction over the field of spatial planning, over time some indirect effects have been recognised under the label of Europeanisation of spatial planning. Indeed, as a regional organisation, the EU is implicitly or explicitly contributing to shape the European spatial planning

environment. According to what has been said, this part aims to shed light on the process of Europeanisation, that will be further investigated in the next part. Comparing the impact of the EU in the respective countries, in Croatia the EU impacts are encompassing the whole analytical dimension considered. Over time, the need to align to the EU requirements and the necessity to transpose the EU legislation fostered the process of Europeanisation. In this regard, generally, the impact registered is moderate and high in almost all the spatial planning components, especially observing the structure and the discourse dimension. Similarly, in Albania, despite the country's delay in the Integration process, it seems that spatial planning system is inclined to be influenced specifically regarding the structure aspects. However, the process of Europeanisation is still going slower than in Croatia. This is reflected in the practice dimension, where the lack of EU accessible programs is limiting the process of EU fertilisation, while, one the contrary, it is helping the Croatian system. One the other hand, Bosnia & Herzegovina seems to be less impacted than Croatia and Albania. In the current circumstances, where the entity is in charge of the planning activity, the EU influence is limited to the existing institutional and administrative arrangement (Table 110).

**Table 110:** Comparison of the impact of the EU

Country	Actors	Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	EU	C-S-L	2-2-1	↑-↑-↑	3-1-2	↑-↑-↑	3-2-1	↑-↑-↑	3-2-2	↑-↑-↑
Albania	EU	C-S-L	2-1-1	↑-↑-↑	2-0-1	↑-↑-↑	1-1-1	↑-↑-↑	2-1-1	↑-↑-↑
B&H	EU	C-S-L	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑	0-2-1	↑-↑-↑

Source: Author's own elaboration

#### 14.2.4. Foreign knowledge actors

Finally, even the presence of some foreign knowledge actors may be potentially influential in shaping the spatial planning system (see Figure 44).

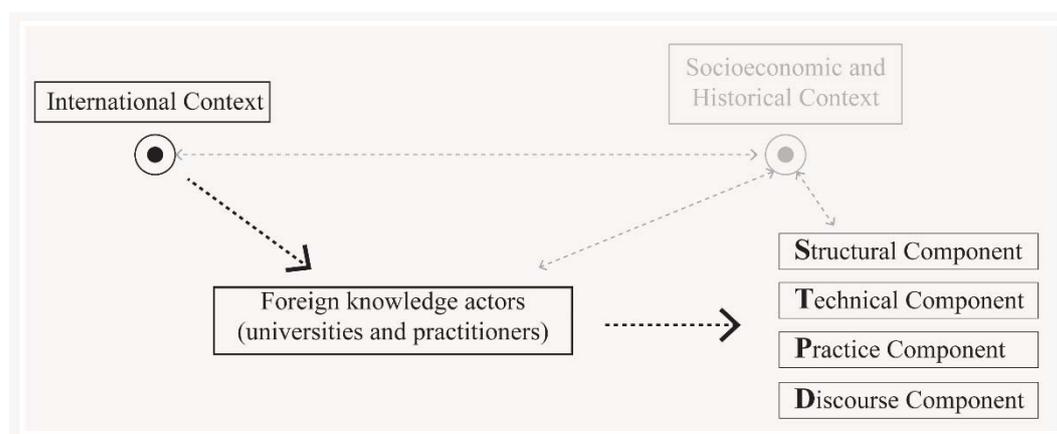


Figure 44: Impact of the foreign knowledge actors in Croatia, Albania and Bosnia & Herzegovina

Source: Author's own elaboration

Overall, the involvement of the foreign knowledge actors (i.e. external universities and practitioners) has been sporadic and not coordinated (see Table 111). Historically, Croatia and Albania have been traditionally influenced by external contexts (Croatia by the Centre EU and Albania by Italy during the fascist period). This process of influence continued even after the downfall of the regimes thanks to the support of international development agencies. In all the countries, those agencies developed numerous pilot projects by engaging international expertise. In this circumstance, several teaching initiatives have been activated by the organisation of public events, workshops, courses etc. where local practitioners had the opportunity to be updated on the most recent international theories. In addition, the contribution of international experts is currently very heterogenic: on the one side, they are actively involved in drafting numerous local plans and, on the other side, they are helping the central level to frame the spatial planning system (Albania and partially Bosnia & Herzegovina) and contributing to enhance the local public capacity in the field of spatial planning. For instance, the last General National Plan saw involved several international experts from The Netherlands and Germany. Similarly, the most recent Entity plan of Republika Srpska was developed thanks to the contribution of Serbian experts etc. In Albania, even at the local level, the involvement of international practitioners has been particularly intense. Particular attention should be given to the latest period (2014-2017), when numerous local plans are being prepared by consortiums composed by external experts (mainly from Italy, Greece, United Kingdom, USA etc.).

**Table 111:** Comparison of the impact of the Foreign knowledge actors

Country	Actors	Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	Universities	C-S-L	1-0-0	↑-↑-↑	0-0-0	↑-↑-↑	1-0-2	↑-↑-↑	1-1-1	↑-↑-↑
	Consultants	C-S-L	1-0-1	↑-↑-↑	0-0-0	↑-↑-↑	1-0-2	↑-↑-↑	1-1-1	↑-↑-↑
Albania	Universities	C-S-L	1-0-1	↑-↑-↑	0-0-0	↑-↑-↑	2-0-2	↑-↑-↑	2-0-2	↑-↑-↑
	Consultants	C-S-L	1-0-1	↑-↑-↑	0-0-0	↑-↑-↑	1-0-3	↑-↑-↑	2-1-2	↑-↑-↑
B&H	Universities	C-S-L	0-0-0	↔	0-0-0	↔	0-0-0	↔	0-0-0	↔
	Consultants	C-S-L	0-0-0	↔	0-0-0	↔	0-0-0	↔	0-0-0	↔

Source: Author's own elaboration

### 14.3. Comparing the impact of the EU

This section has been dedicated to comparing the impact of the EU. As briefly introduced in section 14.2, a sort of Europeanisation of the spatial planning system in the Western Balkan Region is appearing. The channels of influence through which the EU can exercise indirect influences are diverse (Figure 45). In order to understand the main contextual diversities or similarities in the transposition of the EU legislation (structural influence), the implementation of the EU policies (instrumental influence) and the absorption of the EU discourse (dialogic top down influence), this section compares their impact in each domestic context.

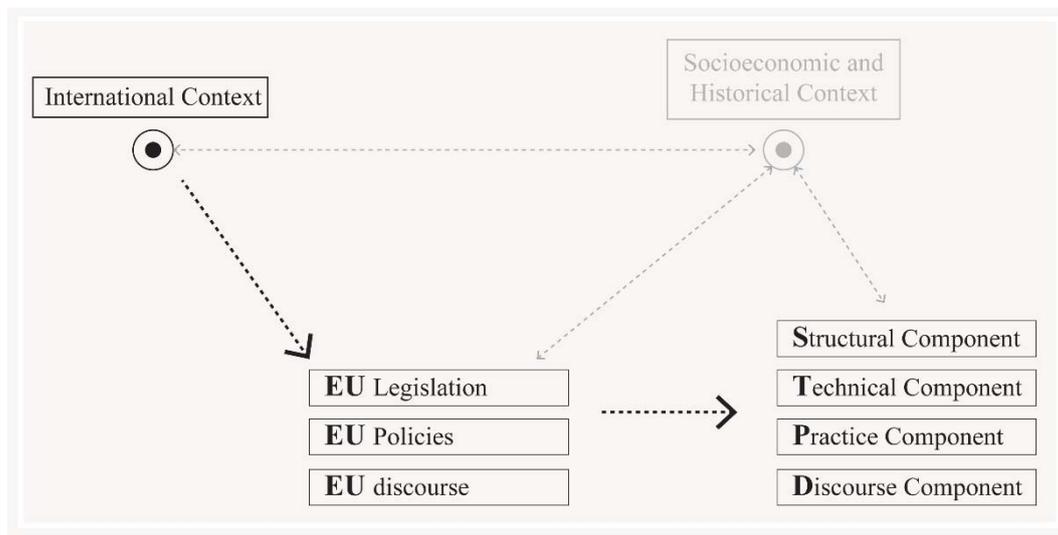


Figure 45: Channel of EU Influence on the evolution of spatial planning

Source: Author's own elaboration

### 14.3.1. Influence of EU sectoral legislation

This part compares the influence of the EU legislation, concentrating on the EU competition, energy, environmental, transport legislation and the Pre-accession negotiation (Table 112). Within the EU competition legislation framework, a particular attention is dedicated to the public procurement question. For all the countries analysed, the public procurement has been widely modified by the transposition of the EU requirements. As emerged, while the implementation of public procurement is adequate in Croatia and Albania, BiH should still complete the transposition of the last EU reform. Thanks to the implementation of the EU laws, some interesting aspects have been introduced. Among novelties, the new award criteria are certainly one of the most interesting ones. Differently from the past, the current criterion of the economically most advantageous offer is not the most important, as instead happened in the precedent period. Other important innovations regarding the question of transparency of the public administration activity, increase competition among economic providers, and the possibility for local and central authority to organise public competitions for providing expertise services in several fields like architecture, urban and spatial planning. Comparing its impact on the spatial planning system, it seems that the local level has been affected more than the other levels. This reflects the fact that the public procurement is mainly used to implement public services by the local authority. This is clearly visible in Albania, where the preparation of numerous plans has been externalised to private companies, often led by foreign experts. To conclude, it seems that the influence of the EU competition legislation is increasing its impact in the countries, especially in Croatia where the planning system is impacted mainly in the structure and practice dimension. In Albania and Bosnia & Herzegovina, those impacts are less visible but the trend shows a common tendency to be progressively influenced mainly in the practice dimension and planning procedures.

When it comes to evaluating the impact of the EU energy legislation, it seems that the EU's influence has been growing since 2001, in concomitance with the SAA agreement stipulated by each country (in Albania in 2006, and in Bosnia & Herzegovina in 2007). Since then, the transposition of the EU energy legislation is now almost complete, especially in Croatia. As reported, in the early 2000s all countries were involved in preparing and adopting numerous energy strategies and action (among others, Croatia has adopted the first Energy Strategy since 2003). Generally, those strategies aimed to align the domestic instruments approach to the EU mainstream goals and objectives. In this line, the General National Plan of Albania recently added a specific chapter to the question of national energy provision, and the strategy for the next fifteen years. Moreover, in addition to strategic and action plans, in the last period is emerging the question of energy efficiency that specifically regards the energy building performance. For instance, this question has been fully transposed by the Croatian building act, while in Albania is still an open question to be managed. As it has been evidenced, the energy issue has been at the centre of the national political agenda contributing to raise awareness on this issue. The implementation of the EU Directives on Energy, becomes important also in spreading new concepts, providing ideas and influencing new planning tools. Therefore, despite some contextual differences, especially in Bosnia Herzegovina, where the implementation of the EU energy legislation seems to be much more complicated compared to the other countries, it is possible to conclude that the transposition of the EU energy legislation remains one of the main channel of influence to impact each spatial planning system.

Referring to the environmental issues, the influence of the EU environmental legislation represents the main impacted sector. Concerning the intensity, in all the countries emerged a moderate or a high influence, constantly increasing since 1990. Indeed, despite some exceptions in Croatia and Bosnia & Herzegovina, the question of environment is relatively new in the region. The turning point is represented by a series of laws that, at the beginning of the 2000s, in response to the EU *acquis communautaire*, have been transposed in order to align each domestic context to the EU standards. In that period, the main novelties were, certainly, the obligation to carry out the EIA and SEA, on the one hand, and the introduction of a strategic approach, on the other hand. Indeed, while the EIA and SEA contributed to evaluate projects and plans highly impacting the spatial planning procedure and system, the strategic approach contributed to draft and implement several national strategies and action plans concerning the environmental protection. In addition, in terms of territorial governance, in all the countries has been reported the importance of the introduction of the new central and local authorities dealing with the question of environmental protection. Accordingly, as an example, the National Environmental Agency has been introduced in Albania, and the Republika Srpska Advisory Council for Environmental and the Inter-Entity Environmental Body have been introduced in Bosnia & Herzegovina. Those new institutions and strategic documents contributed to partially frame the spatial planning discourse in all the countries and to turn spatial planning practices (often superficially).

The implementation of EU transport legislation has a twofold potential impact, focusing, on the one hand, on the standards and regulations, and on the national transport strategies, on the other hand. Indeed, if the transposition of EU transport legislation contributed to align each country to the EU requirements, their impact on the logic of spatial planning has been relatively scarce. Instead, taking into consideration the impacts of the EU transport network as TEN-T on shaping the national transport policy, things have started to change. As reported, in the countries under examination, the existence of the TEN and SEETO network is considered very important in drafting national, subnational and local strategies and plans. As a matter of fact, in all the countries there has been adopted a series of national strategies where the international transport networks are at the centre of the strategy. This has been reflected also in several national plans, like in Albania, where in the General National Plan, the chapter concerning the transport infrastructure is entirely built on the importance of the Corridor III, part of the TEN-T network. In general, looking at our contexts, if Croatia registered a relatively high impact as a member state, Albania and Bosnia & Herzegovina have been less impacted; however, they are showing a positive attitude to be more influenced in the next years.

When it comes to comparing the impact of the Pre-accession negotiation in the analysed context, the result is compromised by their different steps towards the EU integration process. Indeed, while in Croatia the pre-accession negotiation is already completed, in Albania and Bosnia is still an ongoing process. In Croatia, the impact has been relatively high, in Albania there is a positive moderate tendency in the last years that shows an increasing of the impact of the pre-accession negotiation, while in Bosnia & Herzegovina the impact of the pre-accession negotiation should be considered scarce, considering that the SAA entered into power just few years ago, in 2015 (Table 112).

**Table 112:** Comparison the impact of EU Legislation

Country	EU channel of Influence	Impacted Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
Croatia	EU competition legislation	C-S-L	2-1-2	↑-↑-↑	1-1-2	↑-↑-↑	1-1-2	↑-↑-↑	2-1-1	↑-↑-↑
	EU energy legislation	C-S-L	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	2-1-1	↑-↑-↑
	EU environmental legislation	C-S-L	2-2-3	↑-↑-↑	2-1-3	↑-↑-↑	2-1-3	↑-↑-↑	2-1-1	↑-↑-↑
	EU transport legislation	C-S-L	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	2-1-1	↑-↑-↑
	Pre-accession negotiation	C-S-L	2-2-2	↓-↓-↓	2-2-1	↓-↓-↓	2-2-1	↓-↓-↓	3-2-2	↓-↓-↓
Albania	EU competition legislation	C-S-L	1-0-2	↑↔↑	1-0-1	↑↔↑	1-0-2	↑↔↑	C-S-L	1-0-1
	EU energy legislation	C-S-L	1-0-1	↑↔↑	2-0-1	↑↔↑	1-0-2	↑↔↑	C-S-L	2-0-1
	EU environmental legislation	C-S-L	3-0-2	↑↔↑	3-0-2	↑↔↑	1-0-1	↑↔↑	C-S-L	2-0-1
	EU transport legislation	C-S-L	2-0-1	↑↔↑	1-0-1	↑↔↑	1-0-1	↑↔↑	C-S-L	1-0-0
	Pre-accession negotiation	C-S-L	2-0-1	↑↔↑	1-0-1	↑↔↑	2-0-1	↑↔↑	C-S-L	2-0-1
Bosnia Herzegovina	EU competition legislation	C-S-L	0-1-1	↑-↑-↑	0-0-1	↑-↑-↑	0-1-2	↑-↑-↑	0-2-1	↑-↑-↑
	EU energy legislation	C-S-L	0-2-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-0	↑-↑-↑
	EU environmental legislation	C-S-L	0-2-1	↑-↑-↑	0-2-1	↑-↑-↑	0-1-0	↓-↓-↓	0-1-0	↓-↓-↓
	EU transport legislation	C-S-L	0-2-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-2	↑-↑-↑	0-2-1	↑-↑-↑
	Pre-accession negotiation	C-S-L	0-1-0	↓-↓-↓	0-1-0	↓-↓-↓	0-1-1	↑-↑-↑	0-1-0	↑-↑-↑

Source: Author's own elaboration

### **14.3.2. Influence of EU policies**

The following part considers the influence of the EU policies, hence the EU cohesion policy, European territorial cooperation, EU urban policy, EU rural development policy and Pre-accession and neighborhood policy (Table 113).

From the EU cohesion policy may benefit only member states, and therefore Croatia is the only country eligible for funds deriving from the cohesion policy framework. Meanwhile Albania and Bosnia & Herzegovina are both excluded from any kind of eligibility because the former is considered as candidate, and the latter has only the status of potential candidate. Considering the Croatian system, the importance of the Cohesion Policy has been underlined by the Regional Development Act (2014) that makes a clear reference to the main logic and principles of the EU Cohesion Policy, focusing on the necessity to absorb EU funds. Similarly, even the current Physical Planning Act (2013) has pointed out the “balanced territorial development in conformity with economic, social and environmental” according to the logic of the EU Cohesion Policy. Coherently to the EU cohesion objectives, indeed, Croatia is trying to reduce the gap between external regional economies and simultaneously its internal counties disparities, as a consequence of the last three decades of development. For these reasons, the previous national tools for regional development have been replaced by an approach strictly connected to the EU policy (objectives, timetable, funding rules and mechanisms). In terms of spatial planning and territorial governance, despite the mentioned laws, it is significant the introduction of ITI, Integrated Territorial Investment for agglomerations and certain selected large urban areas.

Differently from the EU cohesion policy, the EU territorial cooperation is involving simultaneously Croatia, Bosnia & Herzegovina and Albania. As a matter of fact, all countries are currently part of several ETC - European Territorial Cooperation (INTERREG, INTERREG-IPA and IPA) agreements between borders countries, or of EU Macroregional frameworks such are EUSAIR and EUSDR. Despite these numerous cooperation initiatives, the impact of the EU territorial cooperation in Albanian and Bosnia & Herzegovina’s planning system is relatively absent. This is confirmed by the domestic attitude to underestimate the potentiality of those instruments, while at the central level no clear institutional framework has been established yet. In Albania, some positive cooperation experiences are recently developing between Albania and Kosovo (Aversa at all., 2017a, 2017b) concerning a common need to promote a cross-border development involving central and local planning authorities. However, these experiences are still isolated and therefore unable to produce an effective impact on the planning system. On the contrary, the EU territorial cooperation has been one of the EU leverage that allowed Croatia to enhance its ability to deal with the EU requirements. As a matter of fact, from a comparative perspective, the country resulted the most impacted by the EU territorial cooperation. However, as noted, the impact on the spatial planning system seems to be not homogenous. Indeed, counties adjoining EU member states has been much more impact than others (see the case of Istria region).

As in the case of the EU policy cohesion, Albania and Bosnia & Herzegovina are excluded from taking advantages from the EU urban policy. Even in this case, Croatia can be eligible for fund allocation due to its member status. However, as has been evidenced, the EU urban policy has not any particular effects on the Croatian spatial planning system, despite some references made by the law on regional development. However, coherently with the current trend, some influences will derive by the implementation of the regional development initiatives in the future. When it comes to comparing the impact of the EU rural development policy, some common trends have emerged. First of all, for all the countries, the impact has been evaluated low and, in certain cases, it seems to be absent especially in Albania and Bosnia Herzegovina. In all the countries, there is a tendency to develop numerous national (in case of Croatia and Albania) and entity (in case of Bosnia & Herzegovina) strategic and action plans concerning the rural and agriculture development. In this respect, the European Common Agriculture Policy resulted the main mentioned document in developing those strategies or introducing new sectoral reforms, as happened in Albania in 2007. At the local level, each country is trying to implement the so- called LEADER approach based on the involvement and participation of local communities. Despite what is generally declared, the implementation of EU rural development is far from being acceptable. So, for these and other reasons, the impact on each domestic planning system seems to be very limited.

**Table 113:** Comparison the impact of EU Policy

Country	EU channel of Influence	Impacted Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
<b>Croatia</b>	EU cohesion policy	C-S-L	2-2-1	↑-↑-↑	2-2-2	↑-↑-↑	2-2-1	↑-↑-↑	2-2-1	↑-↑-↑
	European territorial cooperation	C-S-L	2-1-1	↑-↑-↑	2-2-2	↑-↑-↑	1-2-2	↑-↑-↑	2-2-1	↑-↑-↑
	EU urban policy	C-S-L	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑
	EU rural development policy	C-S-L	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑
	Pre-accession and neighborhood policy	C-S-L	2-1-1	↓-↓-↓	3-2-1	↓-↓-↓	2-2-1	↓-↓-↓	2-1-1	↓-↓-↓
<b>Albania</b>	EU cohesion policy	C-S-L	na	na	na	na	na	na	na	na
	European territorial cooperation	C-S-L	1-0-0	↑↔↑	1-0-1	↑↔↑	1-0-1	↑↔↑	1-0-0	↑↔↑
	EU urban policy	C-S-L	na	na	na	na	na	na	na	na
	EU rural development policy	C-S-L	1-0-1	↑↔↑	2-0-1	↑↔↑	1-0-1	↑↔↑	1-0-1	↑↔↑
	Pre-accession and neighborhood policy	C-S-L	1-0-0	↑↔↑	3-0-1	↑↔↑	2-0-2	↑↔↑	1-0-1	↑↔↑
<b>Bosnia Herzegovina</b>	EU cohesion policy	na	na	na	na	na	na	na	na	na
	European territorial cooperation	C-S-L	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑	0-1-0	↑-↑-↑
	EU urban policy	na	na	na	na	na	na	na	na	na
	EU rural development policy	C-S-L	0-1-0	↑-↑-↑	0-1-0	↑-↑-↑	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑
	Pre-accession and neighborhood policy	C-S-L	0-1-1	↑-↑-↑	1-1-0	↑-↑-↑	0-1-1	↑-↑-↑	0-1-1	↑-↑-↑

Source: Author's own elaboration

### 14.3.3. Influence of EU discourse

Finally, the following part will focus on comparing the impact of the EU discourse, taking into account the EU mainstream development strategies, the EU spatial policy documents, the EU urban agenda, the ESPON Programme (Table 114). With the label of “EU mainstream development strategies” are generally intended the Lisbon and Gothenburg Strategies and the EU2020 Strategy. Comparing each domestic experience, in Croatia the content of the Strategy for sustainable development in the Republic of Croatia is entirely based on the logic and principles of the Gothenburg Strategy, while the regional development act is in coherence with the cohesion policy priorities. Similarly, in Bosnia & Herzegovina, the Development Strategy of Bosnia & Herzegovina, some notions such as competitiveness, knowledge-based, sustainable economic development, environmental protection have been clearly adopted based on what is stated in the Lisbon Strategy document. Meanwhile, in Albania, these documents are less impacting than expected. There are no planning documents that explicitly refer, in particular, to the EU mainstream development strategies.

When it comes to comparing the impact of the EU spatial policy (i.e. the impact of the ESDP, the EU Territorial Agenda, the EU Territorial Agenda 2020, the EC Green paper on territorial cohesion), it seems that all the countries are generally influenced, at least on paper. Indeed, as emerged, while Croatia results highly impacted, the impact in Albania and Bosnia & Herzegovina is only moderate. However, all the countries recognised the importance of these instruments in inspiring each domestic planning and strategic tools. In Croatia, from the Territorial Agenda derives the notion of sustainable development priority, from TA 2020 the integrated urban development, the territorial connectivity, the ecological, landscape and cultural values and from the Green Paper on Territorial Cohesion there have been introduced concepts as geographical distances and regions with specific geographical features (mountains, islands, sparsely populated regions). In Albania, the reform on territorial planning of 2009 and the one passed in 2014, are entirely built on the ESDP provisions, principles and guidelines (development and conservation of natural and cultural heritage, polycentric development, integration transport system and etc.). Meanwhile in Bosnia & Herzegovina, notions and principles inspired by the ESDP can be found in domestic planning documents, where EU concepts such as horizontal and vertical coordination, sustainable or polycentric development can be recognised in the national planning discourses. However, in practice, few of these principles are respected, while, in the majority of cases, these concepts remain only on paper or are misinterpreted.

Instead, moving from the EU’s spatial policy to the impact of the EU’s urban agenda, each planning system has been scarcely impacted. Indeed, all countries registered a lack of influence of this documents despite the incorporated likenesses, such as the notion of sustainable urban development approach which is assimilated into the new generation of spatial planning documents (urban areas of national and county significance) in Croatia.

Coherently to the impact of the EU's urban agenda, the ESPON Programs has no impact on the mentioned countries because Albania and Bosnia & Herzegovina have been excluded, until now, from any programs according to their EU status, while Croatia may apply for any kind of ESPON research project. However, at the moment, no Croatian institution (university or others) is involved in the ESPON projects. Out of formal influences, it should be mentioned how some ESPON project are influencing Albania: as a matter of fact, its General National Plan is methodologically built on the bases of the ESPON TEVI EU 2050 – Territorial Vision for Europe towards 2050.

**Table 114:** Comparison of the impact of EU Policy

Country	EU channel of Influence	Impacted Level	Structure		Technique		Practice		Discourse	
			Intensity	Trend	Intensity	Trend	Intensity	Trend	Intensity	Trend
<b>Croatia</b>	EU mainstream development strategies	C-S-L	1-1-1	↑-↑-↑	2-1-1	↑-↑-↑	1-1-1	↑-↑-↑	2-1-1	↑-↑-↑
	EU spatial policy documents	C-S-L	2-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-2	↑-↑-↑	3-2-1	↑-↑-↑
	EU urban agenda	C-S-L	1-1-1	↑-↑-↑	1-1-1	↑-↑-↑	1-1-2	↑-↑-↑	2-1-1	↑-↑-↑
	ESPON Programme	C-S-L	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	1-0-0	↑-↑-↑
<b>Albania</b>	EU mainstream development strategies	C-S-L	0-0-0	↑↔↑	1-0-1	↑↔↑	1-0-0	↑↔↑	2-0-1	↑↔↑
	EU spatial policy documents	C-S-L	0-0-0	↑↔↑	2-0-1	↑↔↑	1-0-1	↑↔↑	2-0-1	↑↔↑
	EU urban agenda	C-S-L	0-0-0	↑↔↑	0-0-1	↑↔↑	1-0-1	↑↔↑	1-0-1	↑↔↑
	ESPON Programme	C-S-L	na	na	na	na	na	na	na	na
<b>Bosnia Herzegovina</b>	EU mainstream development strategies	C-S-L	0-1-0	↑-↑-↑	0-1-1	↑-↑-↑	1-0-0	↑-↑-↑	2-1-1	↑-↑-↑
	EU spatial policy documents	C-S-L	0-1-0	↑-↑-↑	1-2-1	↑-↑-↑	1-0-1	↑-↑-↑	2-1-1	↑-↑-↑
	EU urban agenda	C-S-L	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	0-0-0	↑-↑-↑	1-1-1	↑-↑-↑
	ESPON Programme	C-S-L	na	na	na	na	na	na	na	na

Source: Author's own elaboration

## 14.4. Summary and conclusions

As assumed by the research, spatial planning is a compromise between internal and external influences. This chapter has confirmed the importance of exploring this kind of influences using actors as an analytical category. Setting actors at the centre of the institutional analyses has allowed to explore the evolution of the spatial planning system not only as a sequence of events but also trying to understand the reason behind changes. In this view, it is interesting to note how the domestic actor's constellation, constituted by institutional and non-institutional actors, changed overtime according to internal and external circumstances. Internally, spatial planning has been under the dominium of institutional actors (mainly at the State level for Croatia and Albania and Entity level for Bosnia & Herzegovina). Thanks to the process of decentralisation, subnational and local authorities are obtaining more responsibilities and competences (even if very slowly). On the other side, non-institutional actors have been excluded (and in part are still excluded) from the question of spatial planning. Only recently, universities, NGOs, associations and practitioners seem to participate in some way to the evolution of the spatial planning systems of the examined countries. Until now, their involvement has been partial, sporadic and not successful. Externally, the international context contributed to change, somehow, each spatial planning components. In Croatia, as it has been evidenced, these influences have been mainly concentrated on the practice and discourse levels, contributing to partially shape the planning system. Meanwhile, in Bosnia & Herzegovina, the impact has been significant in terms of structure, practice and discourse and less important referring to the technical dimension. In Albania instead, the influence of the cooperation of national agencies has been much more intense involving all the spatial planning components. This diversity is reflected also in the process of planning system evolution, despite their different contextual circumstances. Among international actors, the EU is certainly one of the most active. By observing the role of the EU, its impact results to be significant in Croatia, moderate in Albania and scarce in Bosnia & Herzegovina. This reflects their status in respect of the EU integration and simultaneously shows each country's attitude to align its planning system to the emerged European planning system logics. Analysing each type of influences (i.e. structural, instrumental and dialogic top-down), the implementation of the EU's legislation packages has been very impacted. This is particularly evident in Croatia and Albania, where the transposition of EU requirements is advanced compared to Bosnia & Herzegovina. Meanwhile, concerning the instrumental influence, in Croatia impacts are much more evident than in Albania and Bosnia & Herzegovina that remain, once again, the least impacted countries. Finally, looking at the discourse top-down influence, all countries seem to be relatively influenced, even if only superficially (Bosnia & Herzegovina and Albania).

# 15. Main findings, conclusions and recommendation

Chapter 15 delineates the main research messages dealing with the question of the evolution of spatial planning systems in the Western Balkan Region, in general, and in Croatia, Albania and Bosnia & Herzegovina, in particular. This chapter is divided into six sections. The first section (15.1) recalls the main theoretical and methodological questions around which the research has been developed. The idea is to have a common ground on the chosen theoretical and methodological principles in order to better comprehend the results of the research. The second section (15.2) discusses the main findings regarding the evolution of spatial planning systems by looking at each spatial planning component (i.e. structure, technique, practice and discourse). The idea of the section is to register the main changes that characterised each context and what drove these changes. The third section (15.3) explores the importance of the endogenous and exogenous actors by evidencing their role in the evolution of territorial governance and spatial planning. The fourth section (15.4) highlights the main theoretical, methodological and empirical limits of the adopted research approach while the fifth section (15.5) builds on the achieved results to develop a preliminary set of recommendations for policy makers, domestic practitioners, international actors and EU policy makers. Finally, section 0 reflects on the original contribution of the proposed research and highlights the need for further research on the matter.

## 15.1. A few steps back on the main research issues

This research started with the awareness that spatial planning and comparative spatial planning studies have been widely investigated in the last three decades. Several pan-European research projects, as the Compendium in 1997 and the most recent ESPON COMPASS (2016-2018), explored the heterogeneity of the spatial planning traditions in Europe. However, none of those research projects developed a complete overview on the Western Balkan Countries<sup>161</sup>. Considering this gap, the ambition of the research has been to give an overview on the evolution of spatial planning in the Western Balkan Region and, in particular, to analyse and compare the contexts of Croatia, Albania and Bosnia & Herzegovina.

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<sup>161</sup> Only recently COMPASS (2016-2018) drafts a brief preliminary overview on the Western Balkan Countries (Albania, Bosnia & Herzegovina, FYROM, Kosovo, Montenegro and Serbia) while Croatia has been analysed in depth as the other EU members.

### **15.1.1. Core scientific interests**

Back to the research starting points, three main questions are at the centre of the discussion. Firstly, how to define and explore the nature of spatial planning, in general, and of spatial planning systems, in particular. In this perspective, one of the main challenges has been to analytically understand spatial planning in each of its constitutive components. Secondly, how to figure out the role of actors, as an analytical category, in shaping spatial planning systems. In this respect, the main questions arose around the importance of actors (internal and external), of their mechanism of interaction, of their interests and the strategies pursued etc. Thirdly, how to compare those planning systems by considering the role of actors. Here the main question was to develop a comparative methodology that shed light simultaneously on two relevant aspects, the evolution of spatial planning systems and the importance of actors. Aiming at answering those points, the research assumed that:

- Spatial planning is an institution (interaction between agents and structure), and, as an institution, is subjected to change through time.
- Spatial planning changes derive from the unstable interaction between internal and external forces.

Consequently, three heuristic hypotheses have been addressed:

- The first hypothesis affirms that the process of transition, first, and of European integration, after, have influenced the evolution of the domestic spatial planning systems.
- The second suggests that the interplay among actors (internal and external) may change in time and space.
- The third affirms that endogenous values may filter external influences according to the theory of path dependence.

### **15.1.2. Principal operational choices**

The definition and the consolidation of the research's questions, assumptions and hypothesis brought several methodological and operational problems to be answered, such as the selection of case studies, the definition of the temporal dimension, the analytical scale and the question of sectors.

The first question concerns the selection of case studies and the criteria to adopt. In this respect, few criteria have been chosen. As a matter of fact, the Countries' selection depended on some analytical criteria such as the EU Status (member, candidate or potential candidate), the system of local government (understanding the organisation of the State), the spatial planning level (central, national, subnational etc.), the spatial planning levels and the principal spatial planning legacy (socialist vs communist). Based on those criteria, Croatia, Albania and Bosnia & Herzegovina resulted the most representative countries to highlight the heterogeneity of the Western Balkan Region. Since the 90s, when the Yugoslavian block dissolved, republics such as Croatia and Bosnia & Herzegovina declared their

independency, meanwhile Albania abandoned its economic and political isolation. As many other CEEs countries experienced, the introduction of a free market system deeply modified the existent social, economic and political life.

The second issue is about the definition of the temporal dimension. In this respect, the research adopted a diachronic approach aiming at understanding the evolutionary mechanisms rather than explaining a simple frame of transformations typical of a synchronic approach. Firstly, transition and, secondly, the EU integration process, are still influencing the countries' daily life and, therefore, they are still playing a central role in influencing the path of evolution of spatial planning.

The third question is about the scale of analyses. Since the core of the research is spatial planning, in general, and spatial planning system, in particular, the research assumed a multi-scale approach, having in mind the importance of trans-scalar interactions among actors, policies, programs, procedures and plans. In this respect, particular attention has been given to the diverse administrative structure and actors' responsibilities.

The fourth question is about the sectoral issue: spatial planning is a trans-sectoral activity, the research includes several inputs and considerations deriving from other social contexts. The idea of the research is to understand spatial planning not just as a technical tool but as a social attitude to govern the territorial development. In this respect, the contamination of social, economic and political behaviours has been at the centre of the research activity.

### **15.1.3. Common theoretical and methodological framework**

As mentioned, the research includes some theoretical and methodological challenges. Theoretically speaking, a few questions have been addressed, such as: (i) the question of spatial planning studies and comparative spatial planning studies and (ii) the question of New Institutionalism and the importance of institutional analyses in the context of spatial planning. The first takes into account spatial planning and comparative spatial planning studies that seek to define the objective of comparison (the spatial planning) and how it has been understood in the past. From these studies derived the idea that spatial planning is an institution and that the spatial planning system is an institutional technology subjected to change (Janin Rivolin, 2012). Based on this approach, as an institutional technology, spatial planning system is understood as a combination of elements that can be clustered within four main analytical categories: (i) structure – constitutes the overall set of constitutional and legal provisions, hence norms, regulation, laws, bylaws etc.; (ii) technique – set of planning documents and legal procedures (monitoring and evaluation procedures and various forms of economic incentive); (iii) practice – reiteration of spatial planning activity; (iv) discourse – set of value, principles, logics, behaviours etc. The added value of this approach, as stressed by Cotella and Janin Rivolin (2015), concerns the importance of their simultaneous interaction opened towards external stimulus and forces. This interpretation of the spatial

planning system seems to leave aside the role of actors and their importance in enhancing or reducing the efficacy of the spatial planning system. Even other studies, with the exception of Servillo and Van den Broeck (2012), underestimated the role of actors (institutional and non-institutional). On the contrary, the role of actors within institutional analyses, has been positioned at the centre of the scientific discourse by works and theories developed by institutionalists. For this reason, the second category of theoretical studies moved towards institutional studies looking at the New Institutionalism. More in detail, the attention has been addressed towards the main messages deriving from Historical Institutionalism and the Actor-centred Institutionalism approach. In this regard, particular attention has been given to the interaction between actors and institution, the importance of time (history matters according to Historical Institutionalism) and space etc.

Methodologically speaking, and based on those theoretical issues, the research develops the actor-centred explanatory model that is an historical variant of the actor-centred institutional approach applied to the spatial planning context. Indeed, the model (actor-centered explanatory model, Figure 46) represents one way to explain the evolution paths followed by each spatial planning system, underlining the importance of actors (institutional or not).

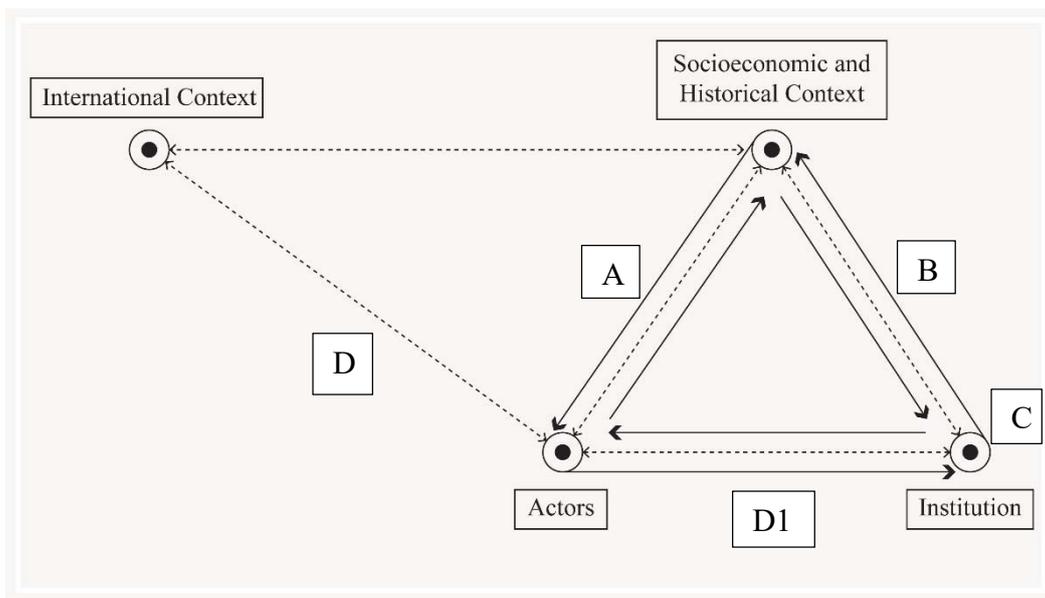


Figure 46: Actor-centered explanatory model

Source: Author's own elaboration

In this regard, the model has been applied to each domestic context according to four steps:

- *A* – *Interplay between socioeconomic and historical context and actors.* In this respect a preliminary geographical, socioeconomic and political overview has been conducted. It took into account the main historical steps and the multi-dimensional impacts of the transition process and their spatial implications,

- *B – Interplay between socioeconomic and historical context and the institution of spatial planning.* Particular attention has been paid to understanding the evolution of the spatial planning approach through an historical perspective, in which each planning tradition has been explored in diverse periods (before, during and after the communist/socialist regimes) highlighting the main characteristics,
- *C – Interaction among spatial planning components.* This part has been dedicated to understanding the evolution of spatial planning system by adopting the aforementioned four analytical categories (structure, technique, practice and discourse),
- *D – Influence of international context to actors and D1 – Interplay between actors and institution.* The former explores the way in which the international context has been active in changing the actors’ constellation and in influencing the actors’ nature. The latter understands the role played by each actor in addressing the evolution of spatial planning systems.

## **15.2. From the communist legacy to EU spatial planning: a question of “distance”**

After having clarified the main questions of the research and the logic of the methodology adopted, the following sections debate on the main empirical evidences deriving from the exploration of each domestic context. The evolution of the spatial planning system in the Western Balkan Region, and in particular in the analysed countries, is understandable as a process of change that allowed to move from a communist legacy towards a spatial planning perspective influenced by the process of globalisation, where the EU emerged as one of the main influential actors. The last three decades have been characterised by an unceasing process of adjustment according to contextual and external circumstances. These mechanisms of State’s readjustment have been influenced by a series of transformations as consequence of the introduction of a diverse economic system. The will to abandon the communist regime, embracing the new market economic system, required to introduce a series of structural reforms that interested several fields, for example economy, justice, public administration, property rights, local government, spatial planning and so on. In light of this, spatial planning, as an institution, has been subjected to numerous changes and has adapted to the new emergent contextual conditions. These changes interested somehow all the planning components taken under consideration (i.e. structure, technique, practice and discourse).

### **15.2.1. From centralisation to decentralisation of the spatial planning approach: a pendulum effect**

Concerning the structure dimension, the main changes observed have regarded the establishment of new central and local planning authorities, entitled to various responsibilities and competences (Figure 45). This process has been anticipated and

accompanied by the need to decentralise the spatial planning system competences according to the main local administrative and governmental reforms. In this respect, Croatia has a clear hierarchical system where planning responsibilities are shared by the three different planning levels represented by the central government, the counties and the municipalities. In Albania, a bipolar planning system is emerging, where planning responsibilities and competences are shared only by the central and local level, excluding the subnational level, represented by *qarku*, from almost any responsibility. Contrarily, in Bosnia & Herzegovina, the Constitution delegates the question of spatial planning to the subnational level (FBiH and RS) excluding the central level from any responsibility. The particularity of the Federation of BiH, Republika Srpska and Brčko District is the fact that each of them has its own planning institutional arrangement. Looking at them separately, in Brčko the system presents only one level of spatial planning authority, concentrating each responsibility in a few central planning authorities. Instead, two level of planning authorities have been established: one at the entity level, as an expression of the interest of the entity, while the second reflects the priorities of the local level represented by municipalities and the city of Banja Luka. Meanwhile the system of the Federation of BiH, is constituted by three levels: the entity, the cantonal and the city of Sarajevo, and the municipality level. In Bosnia & Herzegovina, the uniqueness of the spatial planning system is responsible for the lack of a vertical and horizontal coordination of planning. However, despite what has been declared, the process of decentralisation has been rather uncertain and ambiguous. In all the countries, is currently emerging a process of recentralisation of the planning systems, giving great power (and responsibility) to the central planning authorities, which, in certain instances, are overcoming the local authorities. The described “distance” derives from a reiteration of the “pendulum fluctuation” (from decentralised to centralised and vice versa), and reflects the specific domestic political and societal circumstances that have been characterising each country during the transition period. Figure 47 illustrates what kind of spatial planning system each country has, according to their structural component (hierarchical, bipolar and unipolar), and how each planning system evolved looking at their process of power delegation (regionalisation, centralisation, decentralisation and localisation).

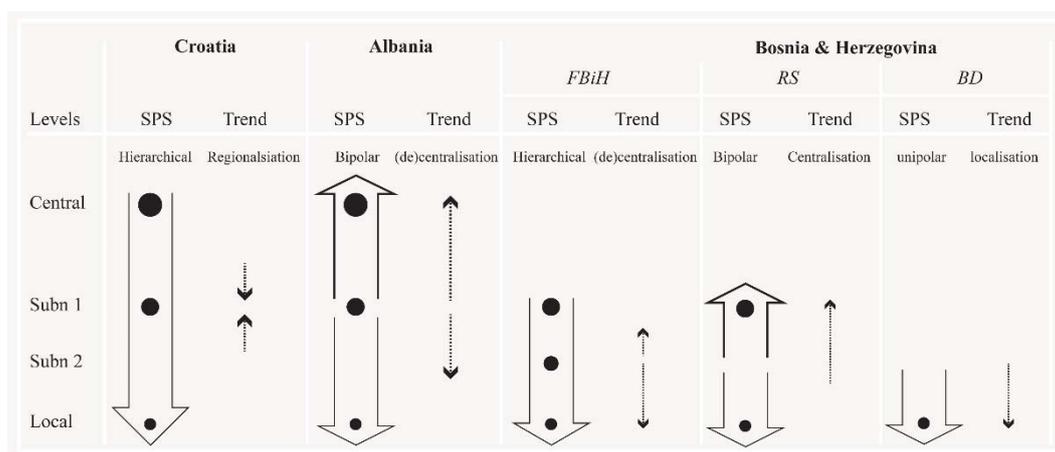


Figure 47: Type of Spatial Planning Systems and trends

Source: Author's own elaboration

### 15.2.2. From regulative to more integrated planning approach

Discussing the technical dimension, it can be affirmed that a radical transformation emerged comparing to the communist regime era when the main planning instruments adopted were based on urban planning approach. Currently, each planning system is characterised by a diversification of planning documents in respect to their character (i.e., visioning, strategic and regulate). Almost each planning level has a minimum of two kinds of instruments: one dedicated to spatial planning intended as strategic and comprehensive; and the second one is much more focused on the implementation, regulative and normative characters. The coexistence of these planning instruments has been seen positively, showing a tendency to deal with different dimensions of territorial development (i.e., social, economic, political etc.). The figures below show how spatial planning approach has changed in relation to the introduction of the most significant planning reforms.

By observing Figure 48, Croatia shows the attitude to adopt a more strategic approach. Even if deeply hierarchical, the tendency is to adopt spatial planning documents that include different approaches. This is particularly clear with the introduction of the reforms passed in 2013 and 2014. In this respect, the tendency of the last three decades is to move the focus from a regulative and normative approach towards a more contemporary and integrated approach. This is particularly clear by observing the local level, where the new set of instruments include several visioning and strategic characteristics reducing the importance of the regulative approach.

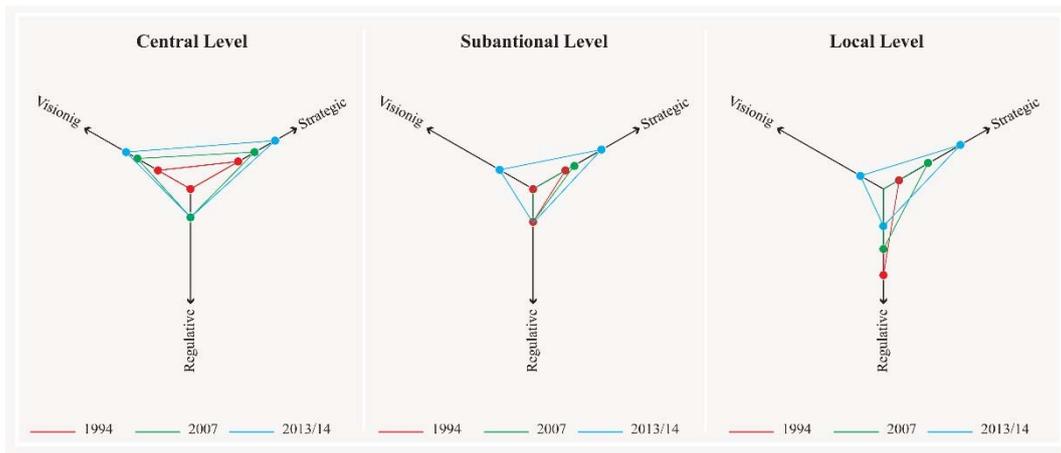


Figure 48: Changing of spatial planning documents' approach in Croatia

Source: Author's own elaboration

In Albania, Figure 49, the tendency is to adopt more strategic oriented planning documents. As it has been evidenced, thanks to the last two reforms (2009-2014), the set of spatial planning documents includes several visioning, strategic and regulative aspects. Particular attention has been given to the central level, where numerous planning instruments have been introduced (see the reform of 2009) but none of them have been implemented since the introduction of the reform of 2014. Conversely, its implementation period 2014-2018 contributed to adopt a series of planning documents.

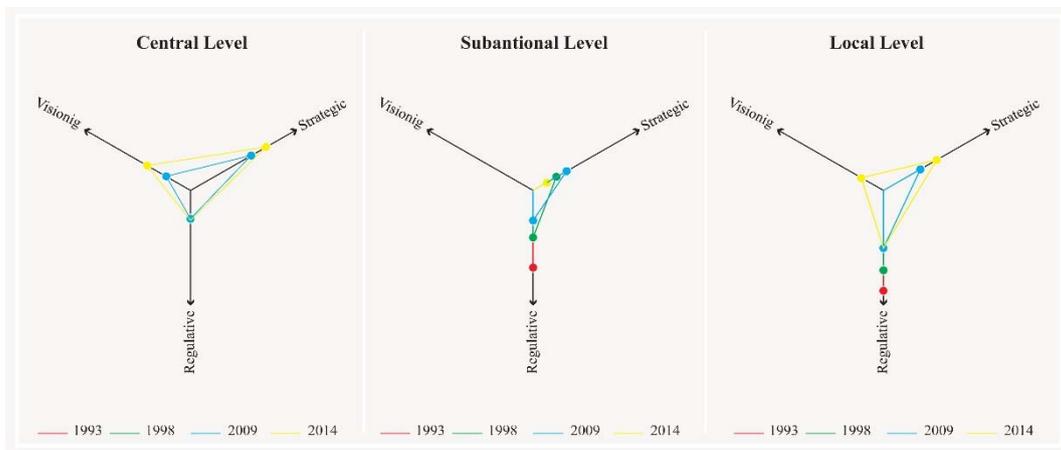


Figure 49: Changing of spatial planning documents' approach in Albania

Source: Author's own elaboration

In the Federation of Bosnia & Herzegovina, the shift from a normative to a more strategic and integrated approach is particularly visible observing the local level (Figure 50). As a matter of fact, even if the first federal reforms were recently approved (2002), their imprinting was very normative oriented, while the legislation currently into force (2006) has tried to introduce some strategic oriented documents in order to align local plans to upper planning documents. In respect to the upper levels, hence Entity and canton, the shift has been less relevant since the legislation (2002) established diverse regulative and strategic plans.

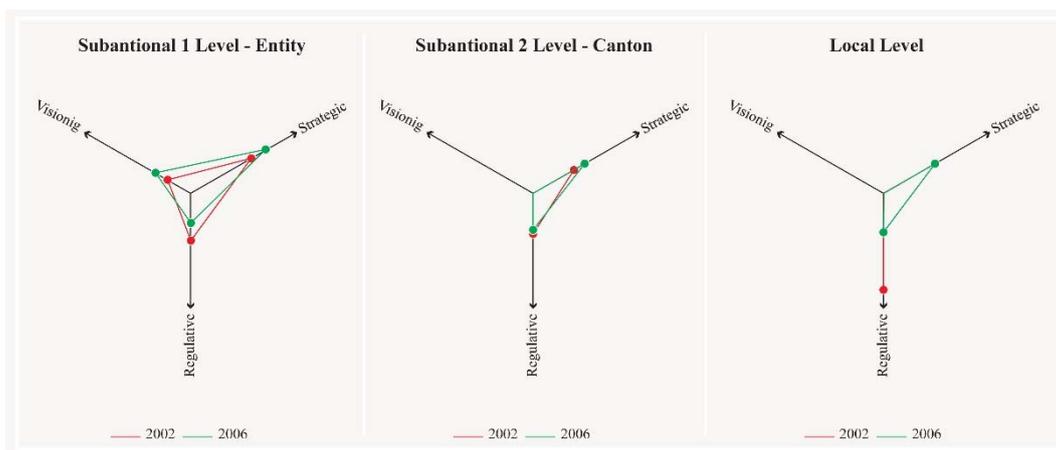


Figure 50: Changing of spatial planning documents' approach in the Federation of Bosnia & Herzegovina

Source: Author's own elaboration

In Republika Srpska (see Figure 51), instead, the spatial planning approach, at the Entity level, moved from a very strategic (1996) to a more integrated approach (2013). On the contrary, at the local level, the legislator introduced a series of strategic planning documents, aiming to overcome the strongly normative approach effective until 2013.

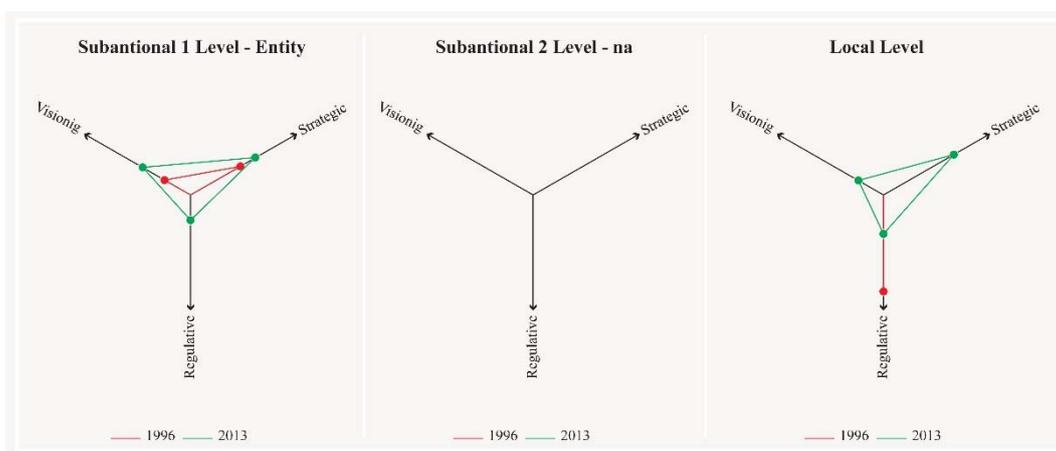


Figure 51: Changing of spatial planning documents' approach in Republika Srpska

Source: Author's own elaboration

The same discourse is true for the case of Brčko District, where the reform of 2008 gave more attention to the question of strategic and visioning approach rather than to the regulative one (Figure 52).

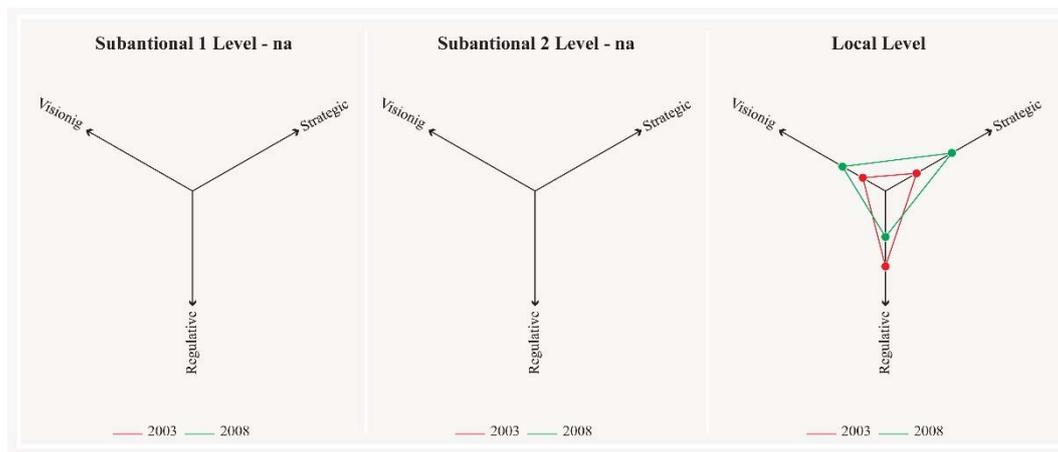


Figure 52: Changing of spatial planning documents' approach in Brčko District

Source: Author's own elaboration

### 15.2.3. Lack of spatial planning efficacy in addressing the territorial development

Considering the practice component, i.e. the formal and informal procedures, each spatial planning system is far from functioning as established by laws and amendments. Therefore, the “distance” between what is prospected and what really takes place represents the main problem that remains still unsolved. Therefore, the questions of efficacy, i.e. if the system is really managing the territorial development and efficiency, and how this is happening, represents the main challenge. For many years, spatial planning has been used as a political tool to obtain votes and social endorsement rather than as an instrument to govern the territorial development. So, for a long time, the distance between the structural dimension and practice has been accepted and stimulated. As a matter of fact, it seems that the intention was to respond to the local circumstances (political, social and economic conditions) rather than to address the countries’ spatial development in a sustainable perspective. In other cases, planning activities have been used as a formalisation of the status quo, hence focusing on the recognition of the existent territorial development, rather than adopting a future oriented perspective that allows to preserve the territory for the wellbeing of future generations. This has been evidenced by several recurring factors (social, institutional and technical).

Beginning with the social issue, spatial planning has been delegitimised and marginalised by the society, since planning was considered as a regimes’ technocratic activity. Secondly, the introduction of the free market economy (often an uncontrolled mechanism) allowed the explosion of informal and illegal initiatives. Often this frenetic development has been accepted and even legitimated since it was perceived as an economic asset. This seems to be particularly true in peripheral areas of principal cities and in areas near seaside costs. The possibility to freely develop within or outside the legal framework caused: the loss of the high natural and agricultural territorial value; increasing spatial and social marginalisation; contributing to grow territorial inequalities etc.

From an institutional perspective, the planning activity was perceived as a technical tool no longer able to address and manage the territorial development. This has been evidenced by the fact that the central level, under the wave of decentralisation and privatisation, delegated several spatial planning responsibilities to local level authorities. However, this process of decentralisation has been partial and not really implemented due to the lack of political will, technical experts and fragmentation of planning documents. Indeed, in all the countries, the lack of expertise has been reported as one of the main implementation problems together with the unsuitableness of planning instruments.

By observing the technical and instrumental reasons, many analysts stress on the lack of updated planning documents. This was particularly true during the first period of transition (1990-2000, for Albania and Bosnia & Herzegovina even later) when the majority of plans were entirely based on the socialist and communist planning doctrine. Those plans lacked recognition of the new economic, political and social conditions. In many cases, the question of property privatisation, the importance of private stakeholders, the necessity to introduced economic development instruments, the need to prepare strategic documents etc., were completely missing.

#### **15.2.4. Distance between institutional and non-institutional spatial planning discourse**

Observing the discourse sphere, a distance has been evidenced between the institutional mainstream discourse and the non-institutional consolidated one. In this respect, notions as subsidiarity, transparency, vertical and horizontal coordination, monitory system and many other terms inspired by the EU discourse (not solely connected to spatial planning but included in the EU acquis) started to be part of the institutional arena discourse. However, in the daily planning process, the majority of the non-institutional actors is still using terminologies to define concepts and principles incoherently to what is taking place within the institutional arenas. In this regard, terms like urbanistic or urban planning projects are part of everyday language influencing the planning practice dimension. However, even when the terminology used appears coherent to the Western mainstream paradigms and hegemonic concepts, the interpretation given is often vague and elusive. With some contextual differences, it reflects the failure of the educational system. Indeed, despite some positive examples, for a long time the spatial planning system has been led by the architectural and engineering approach. So, for a long time, planning has been managed as a breach of those educational curricula (especially in Albania). Only recently, thanks to the new wave of planning many planning courses and curricula introduced, the gap has been partially filled.

## **15.3. Endogenous and exogenous actors: more than what it seems**

Generally, considering the previous spatial planning comparative experiences, the role of the planning actors has been consciously or unconsciously ignored. Almost all recent studies scrutinised different aspects of planning and its interaction with the countries' system (social, economic and political) underestimating the role of actors. This attitude of the mainstream research approaches denotes a lack of attention on this issue that should be overcome. Accordingly, this section finds out the main significant aspects that characterised, firstly, the actor's constellation in each context and, secondly, the interaction between planning actors and spatial planning system, hence between agency and structure. As announced, the general scope of the research is to bring the "actors" at the centre of exploration activities according to the actor-centred institutionalism approach. In this respect, the research has allowed to find some interesting elements that usually have been underestimated by the academic and political discourse.

### **15.3.1. Evidences from local actors**

For many years, the role of planning actors has been understood in the light of the local perspective, therefore focusing on the domestic circumstances and looking mainly at the institutional actors/authorities. According to the ACI-Actor Centred Institutionalism, it is important to underline that each actor follows its own political agenda that may be influenced, but not fully determined, by the context (Scharpf, 1997). This statement is crucial to really comprehend the role played by the actors. As emerged from the research, the main actors, institutional and non-institutional, have interlaced relations to the internal and external contexts. Their interdependency and trans-nationality attitudes affected their daily action and relational power.

Adopting an internal perspective, it has been shown how the local actors acted in the last decades, jumping from the will to innovate (under external pressure or not) to the attitude to preserve the status quo. This has been particularly evident where the social, economic and political interests limited the possibility to implement whatever scale planning instruments (path dependency). Indeed, for many years, planning performances have been limited to the political will rather than to its effective implementation. Principally, in the first years of the transition, the actor constellations (or geography of actors) has been characterised by the presence of local planners, academics, decision makers with any experience on territorial management according to the new economic system based on free market, privatisation, liberalisation etc. So, this reticence to innovate seriously compromised the implementation of any kind planning reforms. Even when this inertia attitude was overcome, the lack of planning expertise contributed to delay the implementation of the planning system. Within the local planning category, however, different innovative forces operated, that, on the contrary, developed an important approach being pioneer in introducing and addressing new practices and

discourse, thanks to external and internal circumstances. So, the domestic actor's category is far from being a homogenous environment but is rather very fragmented and heterogeneous. This is evident considering how each actor's objectives, perceptions, preference, capabilities and resources changed over time. The nature of actors depends on several factors. Firstly, actors are influenced by the author's internal attitude expressed by the will to follow individual ideas and objectives. Secondly, the actors' character depends from the context as a response of local circumstances in terms of economic, social and political condition, or derives from novelty introduced by norms. Thirdly, the actors' attitude depends from external stimulus, and are therefore related to international hegemonic concepts and ideas or resources. In this regard, it has been verified that the presence of the international actors, in particular, and the influence of the international context, in general, have been crucial in changing the planning actors' equilibria in each planning context. Instead, the nature of changes, their intensity and trend, are very peculiar to each domestic system.

The second aspect of the local actors is their interaction with the planning system. As many authors suggested (Scharpf, 1997; Stead and Cotella, 2011), actors constantly interact with the respective planning system influencing all the constitutive dimensions (structure, technique, practice and discourse). As it has been evidenced, many of the most important actors (when requested) participated to the process of drafting policy documents, recommendations, amendments, observations that potentially (and often even in practice) have been transposed in the planning reform contributing to change the structural dimension. These kinds of involvement usually happened in circumstances where both the proponents and the legislator (or the authority competent) adopted a proactive approach in interpreting local needs. It has been showed that, where the drafting of the planning reform has been conducted through an effective participatory approach, its implementation has been facilitated and accepted by the local context. Differently from the structure component, it seems that local actors (excluded the institutional one) do not have direct instruments or leverage to modify the technical component, hence instruments and procedures. Indeed, only in a very few cases, the local non-institutional actors can modify the planning instruments, which are usually predicted and defined by official acts. However, some indirect contaminations may derive from the interpretation given by those actors in terms of tools' content and logics. Contrarily, actors may impact the practice component contributing to implement, or not, what has been established by law. In this respect, the law's implementation has been one of the most common problems in the Western Balkan Region. There are many reasons behind this. First and foremost, economic and political interest, private explicit and implicit interests, as well as lack of expertise. On the other hand, through practice actors have innovated the planning context adapting external good practices or experimenting others. Similarly, the discourse component of spatial planning is influenced daily by the actors' activity thanks to the introduction and development of new terms, concept, ideas, value, etc. What is interesting to note is the fact that, in the analysed countries, persist a difference

between institutional discourse, often conducted and addressed at the central level, and non-institutional discourse, that is usually the professional language. Their process of cross-contamination is essential.

### **15.3.2. Evidences from external actors**

As affirmed, in countries that have been engaged in the transition process, understanding the role of the local actors it is not enough. Since the downfall of the communist regimes, the Western Balkan Region has been peacefully occupied by numerous external actors. Those actors supported each country to move from a centralised economy towards a free market based system. Their involvement reflected the necessity that, in general, each domestic context needed any kind of support, not only economic, but also in terms of capacity building, expertise, know-how and so on. In that circumstance a series of international organisation, national development agencies, regional organisation, and several foreign knowledge actors operated. While their importance in contributing in the transition from one economic system to another have been recognised, what is still missing is a comprehensive understanding of the actor's influence upon each planning system. In order to understand this, however, it is necessary to shed light on their nature, objective, perceptions, preference, capabilities, and resources. The action of the international actors results different in time, space, level and sectors.

As is understandable, each of the actors involved has some exclusive and individual objectives, while and others are more common to the other actors. Indeed, some actors like WB, UNDP, and USAID, support local communities to face global issues, while others, like European state agencies, are more involved in supporting countries to join EU (through economic and technical assistance). Contemporary, each of them follows its own objectives, in respect of the State of origin, but also adapting their objectives to the supported domestic context. So, differently from what can be expected, the objectives pursued by each international actor are partially framed by some external factors and priorities, and in part by contextual needs. It seems interesting that the question of space should not be limited to "different countries" but even within the country itself. Indeed, often their support is geographically restricted to a particular country, region or area.

This justifies the second statement based on which the actor's action and behaviour are different in time. All of the actors involved changed their objective, perceptions, preference, capabilities, and resources according to the historical circumstances. Most of them moved from a humanitarian to a sustainable development objective or from post war reconstruction to EU integration assistance. This has been reproduced also in the spatial planning process where, if at the beginning, the main efforts have been dedicated to the infrastructure reconstruction, later external supports focused on developing laws, norms and drafting spatial plans.

This validates the fact that actor's action changed in respect of the impacted level (national, subnational or local). This has been evidenced by several empirical facts that show how actors differently faced the respective planning level according

to their objectives and so on. As a matter of fact, many actors supported, at the same time, the national level through the development of assistance activities seeking to implement more structured programs at the local level, promoting more place-based solutions. In terms of spatial planning, this was manifested when USAID contributed to drafting the planning law in Albania (2009), or when in Bosnia & Herzegovina it simultaneously supported local authorities in small community development projects or in preparing local plans.

Finally, the actor's influences depend on the impacted areas or sectors. These impacted areas change in response to the local contexts and needs. However, there are actors that adopted a sectoral approach (example rural and agriculture sector) and others that supported initiatives with more integrated sectoral principles. Following their preferences, each actor adopted different approaches, as for instance: (i) multi-sectoral in spite of sectoral one; (ii) multilevel vs mono level etc. On the one side, these differences depended on the transformation of the international context, in general, and on the actors' condition, in particular (i.e. variation in policy orientation, priorities, strategy and objectives); on the other side, the influenced context has changed its socioeconomic condition over time.

### **15.3.3. Europeanisation with and without EU**

This subsection deals with the provocative statement that different kinds of Europeanisation exist with and without the EU (Figure 53). The first part focuses on summing up the impact of the process of Europeanisation with the EU, while the second part concentrates on illustrating how processes of Europeanisation can exist even without the EU. The importance of the role of the EU in addressing the territorial development has been recently recognised by several research initiatives (among others COMPASS, 2018a), even if the EU has no authority in the field of spatial planning. As has been evidenced, even in this research, the impact of EU is far from having been homogenous and constant through time. Over the last three decades, indeed, the process of transposition of the EU's sectoral legislation, the implementation of the EU Policies and the absorption of the EU discourse, have together indirectly shaped each spatial planning system. In particular, the transposition of the European set of legislation has been recognised as one of the most influential pressures considering that countries were enforced to adopt them in order to make progress towards the EU integration process. More in detail, the implementation of a sectoral legislation concerning environment and energy has become increasingly important allowing major convergence towards the EU requirements. Other sectors, like EU competition, in particular public procurement and transport, required further efforts in order to finalise their process of transposition and implementation. Concerning the influence of EU Policies, their impact has been even more heterogeneous. In particular, the EU Cohesion Policies and EU Urban Policies seem to be influential only in addressing the development of member countries. This is true for the Croatian system, while Albania and Bosnia & Herzegovina are excluded from taking advantages from those policies according

to their status. Policies concerning the territorial cooperation and rural development issue are impacting, even if very slowly, the way in which spatial planning and the territorial dimension have been perceived. Even the implementation of those policies is far from being similar. In some cases, indeed, territorial cooperation has allowed to reduce territorial disparities among borders areas, in others, instead, there is a lack of structured cooperation initiatives. When it comes to analysing the relevance of the EU discourse, certainly, the domestic discourse, at least the institutional one, takes inspiration from several EU mainstream development and spatial strategies (among others, EU 2020 and ESDP). This process of discursive appropriateness has allowed to align the existing spatial planning discourse to the EU discourse. Nevertheless, in practice, the use of external terminology often created confusion and substantial misunderstandings.

Once having clarified the conventional processes of Europeanisation (according to the research aim to analyse only the top-down direction), the research has illustrated the possibility to identify alternatives ways of Europeanisation without the EU. One of the alternative mechanisms of Europeanisation has been channelised by the activity of numerous national development agencies. There are mainly two ways of incremental process of alternative Europeanisation: (i) implementation, hence developing various initiatives and (ii) supporting countries to reach the EU.

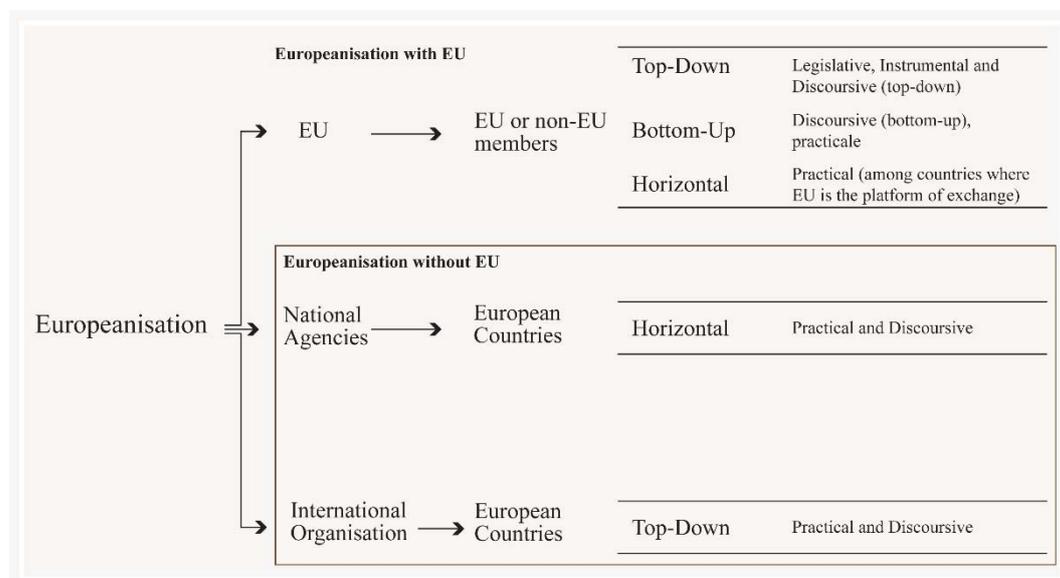


Figure 53: Alternative ways of Europeanisation

Source: Author's own elaboration

Firstly, as has been evidenced, those agencies have been influential in implementing some programs, projects and drafting a series of policies (sectoral or not). Secondly, those agencies have been very active in supporting countries to join the EU, being partner along the process of EU integration. Consciously or unconsciously, these agencies have been one of the channels of the process Europeanisation. Unconventional Europeanisation process may occur, indeed, when there is a substantial convergence among national development agencies policies and the EU,

hence the objectives of those actors have been built up according to the main EU objectives. These logics have been followed even by the series of international organisations like UNDP and World Bank, that tried to address their domestic impacts according and in conformity with the EU requirements. To conclude, by focusing on the impacts of the EU, despite what has been generally perceived, i.e. that the impact of the EU is driven by the EU institutions and mechanisms, the EU principles have been channelised by other international actors. In this regard, it seems significant to cite the role of UNDP in helping the Albanian domestic institutions in reaching the EU requirements in the field of environment and climate change, regional and local development, assisting the local institution to manage the IPA funds. Similarly, UNDP has been active in helping Croatia to implement the CAP - Common Agriculture Policy.

#### **15.3.4. Why are some contexts influenced more than others?**

The readiness or, conversely, the reticence to be influenced by external factors are characteristic of path dependency. In light on this, there are domestic contexts that tend to be more liable to external forces and others less. According to Risse-Kappen (1995), the efficacy of transnational actors to determine states' politics and policy orientation depends on the availability of the states to be influenced. This implies that some countries can be more exposed to external forces, while others, conversely, might be more reticent. Looking at the spatial planning context, this readiness or reticence to external forces has been reflected concerning the process of spatial planning evolution. Theoretically, countries with a strong planning tradition are less permeable from external influences, being more independent from exogenous practices and discourses. Conversely, other countries with scarce tradition in planning are potentially exposed to a series of international influences. However, in such a globalised world, the contamination of spatial planning systems is unavoidable. According to Janin Rivolin (2012), the emergence of new needs of spatial reorganisation driven by global change, and the reshaping of institutional frameworks, are determining various attempts of renewing planning systems almost everywhere. This process of renewal is boosted by internal and external forces. If, domestically, the main drivers of change are endogenously determined (actors' behaviour, socio-economic and historical conditions), externally great importance is given to the leverage employed by the international community. In a hypothetical process of down-loading and up-loading that characterises external and internal forces, the relational mechanism is driven by asymmetric power logics. According to Elbasani (2004) there are three ways of interaction: contagion (based on voluntary behaviour), control (pressure, one-way influence) and conditionality (the distribution of benefits). In a globalised world, indeed, the states' development strategy should be coherent with the regional or international organisation's strategies and priorities in order to be complementary to the other economic systems (has happened for the EU member states, for example). Each country, in order to align its economic development system, should follow some external principles and

logics that change the country's development priorities and strategies (also in terms of regional and territorial development). In doing so, the domestic context internalises notions, concepts, values and practices that irremediably change the rules of the game. From the spatial planning system perspective, it means that spatial planning is always subjected to direct, or often indirect, processes of contamination (that may interest above all the structural, technical, practical and discursive dimension) (Cotella & Rivolin, 2015; Rivolin, 2012). Aiming at summarising the aforementioned process of contamination, Figure 54 illustrates the self-reinforcing mechanism that influences each spatial planning system

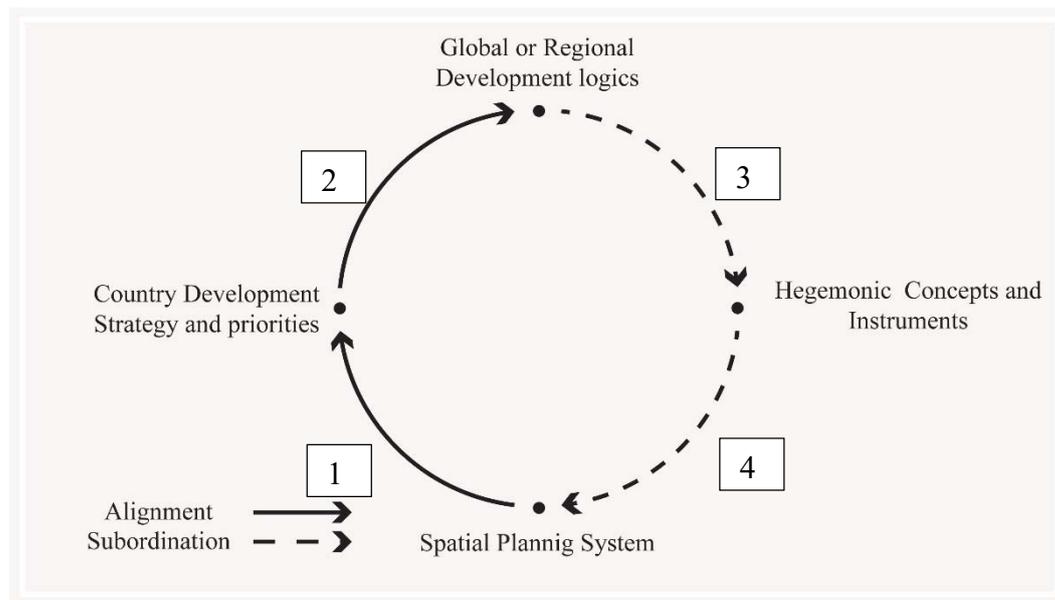


Figure 54: Self-reinforcing mechanism of influence

Source: Author's own elaboration

The diagram describes the mechanism of alignment that each spatial planning system should follow:

- *Step 1*, spatial planning system should be in coherence with the general country development strategies and priorities. This means that spatial planning systems reflect some spatial development logics that has been established by existing documents, policies etc.
- *Step 2*, countries' development strategy and main priorities have been settled according to global and regional development logics (that include policy documents, recommendations, reports etc.). This is particularly true for those countries that are part of the EU. Often these countries' strategies are subordinated to obtaining/benefiting from the EU structural funds or to reaching others financial channels.
- *Step 3*, includes the development and the emerging of significant hegemonic development, spatial concepts and instruments. In this stage particular attention is paid to addressing a new terminology capable to reflect the

conjectural political orientation. This step is characterised by a process of selectivity and empowerment.

- *Step 4*, instead, describes those processes of appropriates or consequentiality based on which the domestic context mediates external influences. Generally, the spatial planning system is subordinated to those influences since it should be aligned to the country development strategy etc.

Following the exposed logic, each planning context is differently affected. For instance, in Albania, and partially in Croatia, the impact of the international actors involves the principal governmental levels in the field of spatial planning, hence the central and local levels; while in Bosnia & Herzegovina their impact has been mostly concentrated at the local level, and only in a few cases at the upper levels. This attitude can be explained considering the complexity of the governmental structure of Bosnia & Herzegovina and its lack of clear responsibility in the field of spatial planning.

## **15.4. Theoretical and operational limits of the research**

Despite the contribution given by the research in the field of spatial planning studies, concerning in particular the evolution of spatial planning systems in the Western Balkan Region and the importance of the international actors, there are a number of operational problems that still remain unsolved. There are a few problematic functioning issues:

- Linguistic problem. There are only a few documents translated in English, even in official laws and documents. This problem has been particularly evident in the analysis of the systems of Bosnia & Herzegovina where documents are produced in three different languages.
- In general, it was very complicated to find experts available to be interviewed. This is particularly evident in the case of Croatia and partially of Bosnia & Herzegovina.
- Difficulty to reach representatives from the international actors (not always).

Recurring problems concerning the quality of data accessible:

- No sophisticated material available on programs and projects promoted by international actors, excluded some self-promoting reports.
- In many cases the articles and contributions published are fully or partially “copy and paste” by the authors themselves or by others.
- Lack of data. When present, there are partial, not accessible, and often not conform with the international discourse (lack of methodology).
- Language misunderstandings, different meaning for the same words.

And conceptual problems:

- How to separate the impact of international actors when they cooperate? Different projects are co-financed by two or more actors. In different cases, indeed, several actors have been involved in the same projects and initiatives. The main difficulty has been to understand their singular contributions (if any) and to evaluate their relative impact in the planning system.

When possible, these limits have been overcome by a continuous process of crossing data and information, interpretation, verification and validation by interviews.

## **15.5. Final recommendations**

Given the complexity of the research, a number of recommendations may be inspired by its results, that should be addressed by different actors: (i) policy makers – authorities engaged with the organisation of planning system, (ii) domestic practitioners – as part of actors involved in the implementation of planning activity and (iii) international actors – since they are still involved in supporting local communities during the conceptualization and implementation of planning activity. The main elements of advice are proposed in the subsections below. They are by no means intended as univocal directions to be followed by the actors they address; rather they are proposed as propositions that may inspire their action and generate virtuous consequences in the progressive evolution of the spatial planning systems of the countries at stake.

### **15.5.1. Recommendations to policy makers:**

As it has been evidenced, policy makers have been at the centre of the institutional transformation of spatial planning activity. Their role changed from an autocratic approach to a more managerial attitude. Despite of that, policy makers should:

- Improve major horizontal and vertical coordination mechanisms where authorities involved should respect competences and responsibilities predicted by the law, reducing any type of interferences that may limit the planning process;
- Invest in a more systematic spatial planning education in order to reduce the distance between institutional and non-institutional discourse because each planning system should pursue a common language;
- Encourage cross-border cooperation initiatives that involves central and local authority aiming to harmonise common strategic visions and regulative local plans;
- Enhance a better involvement and coordination of the international agency's cooperation activities to spatial planning and territorial development issue (if necessary and when necessary).

### **15.5.2. Recommendations domestic practitioners**

As underlined by the research, the role of non-institutional actors, hence academics, practitioners and local experts, has been very marginal to the spatial planning debate (except some good examples). Even if in the last years their involvement in the planning activity seems to be much more influential than before, some recurrent problems should be addressed:

- Improving the inconsistent spatial planning education system since only a few spatial planning courses have been launched (co-responsibilities with policy makers);
- Enhancing collaboration among experts since spatial planning is an interdisciplinary activity, therefore collaboration among different actors is needed;
- Developing strong spatial planning professional and academic associations to increase their potential impacts;
- Creating regional professional and academic networks having in mind that the impact of spatial planning has no borders;
- Organising national and international events, seminars, workshops and meeting involving institutional and non-institutional actors.

### **15.5.3. Recommendations to international actors**

Since international actors are still active and very influential in dealing with spatial planning and territorial development in general, some problematic aspects should be addressed:

- Abandoning the logic of project pilot towards a more coordinated and structured approach;
- Investing on more place-based research initiatives contributing to reduce the absence of quality data (not only quantitative but also qualitative);
- Privileging local experts to international one, since the chance of the implementation of programmes and projects may be higher;
- Increasing major coordination among agencies active in the region to avoid theoretical and methodological contradictions.

### **15.5.4. Recommendation to EU policy makers**

In light of the explored process of Europeanisation (with or without the EU), the EU's responsibility in addressing the regional development should be at the centre of further official dialogs. Accordingly, the EU should address some questions such as:

- The promotion of initiatives that can enhance the territorial cooperation among countries not only through the implementation of punctual spot projects but encouraging more future-oriented initiatives with spatial

- implication, where counterparties can draft, adopt and implement common territorial strategies even if part of different countries.
- The inclusion of those countries within the ESPON program, allowing the development of researches that can really anticipate, among others, the impact of the future EU Cohesion Policy in Europe as a whole. This is particularly true for those policies that may have clear cross border spatial impacts. Moreover, the inclusion of those territories into ESPON programs will allow even the EU to evaluate the real situation of those countries alongside the EU Integration path.

## **15.6. Original contribution to knowledge and the need for further research initiatives**

The research shows how scientific interest, in the field of spatial planning, is growing and why it is interesting to understand the polymorphic spatial planning panorama in Europe. Despite the vitality of this research field in the last decades, there are a few topics that still need to be addressed. The first regards the geographical lacuna (not all European countries have been investigated), while the second concerns the role of the international context (only a few works explore the role of external pressure and, even when they do so, they focus mainly on the EU influence). By adopting a comparative approach, the research has concentrated on two main aspects. Firstly, the research has contributed to extend comparative planning studies including some countries from the Western Balkan Region that, until now, have never been analysed and compared. Secondly, it has assessed the evolution of spatial planning systems through the lens of actors, showing the particular importance of the international context (in which the EU is one of the external factors) in determining and shaping the domestic spatial planning systems. By assuming spatial planning as an unstable compromise between exogenous and endogenous forces, the research has explored and measured the capacity of external forces to influence the domestic context thanks to the adoption of several influential mechanisms. On the other hand, looking at the spatial planning system as an institutional technology, hence subjected to a process of institutionalisation, it has been possible to appreciate the multi-dimensional mechanisms of transformation that have characterised each domestic context.

In addition to what has been explored by the work, some questions remain still open. Further research should focus on:

- Exploring the mutual interplay between spatial planning and sectoral policies. The research tried to shed more light on the impact of sectorial policies within the process of spatial planning (reading it through the lens of Europeanisation process). Future researches should focus, instead, on the potential impacts of spatial planning on the sectoral policies.
- The capacity of external contexts to influence domestic spatial planning systems by using other influential channels such as the cultural, economic and

political ones (that have been touched by the research but not fully investigated).

- The regional impacts of external pressures in the light of the emerging new diverse interests, forces and actors (among others China). In this respect the research gives a limited picture to evaluate their potential entire impacts.

Concluding, the progressive globalisation of our society should not preclude from understanding how things are organised domestically. Through the investigation of the question of spatial planning, the research does not mean to express a qualitative judgement on the operation of external actors but it seeks to increase the local actors' awareness of their roles and responsibilities within the processes of transformation.

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# Annex

## People Contacted, Croatia

Surname	Name	Institution	Contacts	When	Main topics of Discussions
Habrun	Suncana	Croatian Institute for Spatial Development	suncana.habrun@mzopu.hr	26/10/2017	Main documents prepared by the Croatia Institute for Spatial Planning and laws.
Belovari	Tomislav	SDC – Swiss Development Agency	tomislav.belovari@mrrfeu.hr	10/08/2017	SDC – Swiss Development Agency, main activities (material availabilities).
Sakic	Marinko	USAID	msakic@usaid.gov	23/08/2017	USAID, , main activities (material availabilities).
Dokić	Irina	The Institute of Economics	iDokić@eizg.hr	Several Times	Spatial planning and territorial develop in Croatia. Among others, the main discussions concentrated on the importance of international actors in addressing the evolution of spatial planning system in Croatia. Ms. Dokić was part of the international Seminar organized in Turin about spatial planning and territorial development in the WBR.
Korlaet	Ariana	ESPON Contact Point	Ariana.Korlaet@mzopu.hr	25/10/2017	The role of Croatia in developing ESPON projects.
Gojević	Ingrid	ESPON Contact Point	Ingrid.Gojevic@mzopu.hr		
Mesić	Lana	Croatian Association of Landscape Architects	hdka@hdka.hr	08/09/2017	The importance of the civil society and in particular the Croatian Association of Landscape Architects in addressing issues and its impact in framing domestic discourse and practices.
Banovac	Ksenija	Ecole Polytechnique in Tours, France	....	13/06/2017	Data availability about spatial planning system in Croatia
Kordej-De Villa	Zeljka	The Institute of Economics	zkordej@eizg.hr	Several Times	Spatial planning and territorial develop in Croatia. Ms. Kordej-De Villa was part of the international Seminar organized in Turin about spatial planning and territorial development in the WBR.

## People Contacted, Albania

Surname	Name	Institution	Contacts	When	Main topics of Discussions
Alliaj	Besnik	Polis University	...	09/11/2016	Spatial planning system and political interferences in the last three decades.
Allkja	Ledio	Co-PLAN Institute for Habitat Development	ledioallkja@hotmail.com	Several times	Spatial planning and the process of Europeanisation. The main discussion concentrates on the maturity of spatial planning system according to other EU experiences.
Jole	Nertil	Ministry of Urban Development	nertil.jole@zhvillimiurban.gov.al	Several times	Territorial development and planning as an institutionalised practice in Albania from the perspective of institutional actors.
Shtylla	Saimir	Polis University	saimir.shtylla@gmail.com	Several times	Spatial planning systems, problems and opportunities from the view point of young experts.
Shtylla	Arben	Polis University	...	06/12/2016	The evolution of spatial planning system in Albania. As a local expert, with Mr. Shtylla the discussion focused on the problematic aspects of the planning practice and practitioner attitude to planning.
Toto	Rudina	Co-PLAN Institute for Habitat Development	rudina_toto@co-plan.org	Two times: 28/07/2016 and 09/11/2016	The evolution of spatial planning system and the role of international actors. The discussion explored the last three decades of the Albanian planning system and territorial development.
Aureli	Pier Vittorio	DOGMA Studio	info@dogma.name,	02/12/2016	The role of international actors in developing Local Plans in Albania.
Melchiorre	Ezio	DOGMA Studio	e.melchiorre@dogma.name		
Mali	Fiona	National Territorial Planning Agency (Albania)	fiona.mali@planifikimi.gov.al	18/11/2016	The contribution of Dogma in drafting the General Local Plan for the city of Durrës (AL). Local Plans and the implementation of the law passed in 2014 on spatial planning and territorial development. Particular attention has been paid to process of plans drafting coordinated by the NTPA.
Muco	Jorida	Ministry of Urban Development	Jorida.Muco@zhvillimiurban.gov.al	Several times	Among other, territorial cooperation and regional development in Albania.
Qorri	Anisa	National Territorial Planning Agency (Albania)	anisa.qorri@planifikimi.gov.al	17/11/2016	The main discussion concentrated on the role of NTPA within the institutional arrangement. Responsibilities and competences have been discussed.
Morina	Ibrahim	Local Expert	...	02/11/2015	Territorial development and the role of informal activities. Twenty years of illegal constructions.

Bregasi	Ledian	Polis University	ledian_bregasi@universitetipolis.edu.al	05/12/2016	The role of civil society and in particular the role of the Union of Architects within the spatial planning system in Albania.
Luka	Rikard	HELVETAS Swiss Intercooperation	Rikard.Luka@helvetas.or	07/12/2016	The importance of the HELVETAS Swiss Intercooperation in addressing strategic regional issues in Albania and in particular the role of this actors in promoting local development in the Norther region of the country.
Qehajaj	Adhurim	Head of spatial planning office, Municipality of Durres	adhurim.qehajaj@gmail.com	24/11/2016	Spatial planning at the local level and the importance of international actors. Evidences from the LAMP project promoted by the World Bank. Particular attention has been given to the ability of local authority to implementation local plans.

## People Contacted, Bosnia & Herzegovina

<b>Surname</b>	<b>Name</b>	<b>Institution</b>	<b>Contacts</b>	<b>When</b>	<b>Main topics of Discussions</b>
Urici	Edib	TUWien	edib.uruci@tuwien.ac.at	26/04/2017	Spatial planning system in Bosnia & Herzegovina between transition and integration. Among others the discussion gave a lecture to the complexity of spatial planning administration systems in the country.
Nikolov	Ana	AEBR - Association of European Border Regions, CESCIBalkans - Central European Service for Cross-Border Initiatives Balkans	ana.nikolov@cesci-net.eu	20/03/2017	CBC – Cross-border cooperation in the Western Balkan Region and in particular activities implemented by Bosnia & Herzegovina.
Marjanovic	Marjan	T33 Srl	strajder91@hotmail.com	Several times	The diversity of spatial planning systems in Bosnia & Herzegovina and in particular the role of planning activity in Republika Srpska.
Tojaga	Adisa	Nature Park Hutovo Blato	atojaga@jadran.ba	25/09/2017	The role of World Bank in drafting Development of Physical Plan and Management Plan for Nature Park Hutovo Blato.
Petrovic	Damir	Environment expert	damir.petrovic.ba@gmail.com	20/02/2017	The implementation of EU Environmental Legislation in Bosnia & Herzegovina and main differences within the country.
Pasagic	Elmira	USAID Energy Investment Activity – EIA Project Gajev trg 2	epasagic@usaideia.ba	28/02/2017	Allocation of development rights procedure and differences among the different planning systems.