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*Original*
Spatial Planning in the Balkans between Transition, European Integration and Path-dependency / Berisha, E., Cotella, G.. - ELETTRONICO. - (2015), pp. 42-71. (5th International Conference on European Studies Tirana, Albania 6-7 November 2015).

*Availability:*
This version is available at: 11583/2666401 since: 2017-03-06T11:51:36Z

*Publisher:*
Epoka University press

*Published*
DOI:

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(Article begins on next page)

27 November 2026

# Spatial Planning in the Balkans between Transition, European Integration and Path-dependency

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## Abstract

The proposed article aims at inquiring into the evolution of territorial governance and spatial planning systems of the Balkan region, since 1989. The first part sheds some light on the impact of the transition period and, in particular, on the consequences that the shift from a centralized economic and administrative model to a decentralized model based on free market rules had over spatial planning legislation and practice The second part focuses on European integration and on the Europeanization processes triggered by those policies undertaken by the EU during the pre-accession period, in relation to the different integration steps that the aforementioned countries had to go through. Finally, the last part explores more in details the role of the various actors that were/are involved in the process that led to the development of new spatial planning systems in the selected countries, their capability to influence the spatial planning systems' patterns of change and the channels through which this influence was delivered.

***Keywords: Spatial planning systems, Path-dependency, Transition, EU Integration, Europeanization, Albania, Bosnia Herzegovina, Croatia.***

## Introduction

The evolution of spatial planning in the European Union (EU) member states is a widely investigated topic (Reimer et al, 2014). However, the Western Balkan Region[1]has been relegated, until now, at the margins of the academic debate. This clearly constitutes a gap, especially in relation to the process of European integration that is involving the area and it isthe main reason behind the undertaking of the present research work. Aiming at providing a meaningful contribution to the debate, the objective of the contribute is to analyze the evolution of the spatial planning and territorial governance systems of three countries of the Western Balkan area that reached different stages in their process of joining the EU – Croatia, Albania and Bosnia Herzegovina – in order to unravel the complexity of their patterns of change. In order to do so, multiple factors of influence should be taken into consideration. Indeed, the

evolution of spatial planning legislation, discourse, instruments and practices is affected by exogenous influences (generating from the EU, the various international organization, international market actors etc.) that, in turn, have an impact in the different domestic contexts that depends on various domestic conditions (local planning culture, administrative culture, level of socio-economic development, etc.).

The first part of the contribution focusesthe definition of spatial planning systems and proposes a critical review of the methodologies upon which the most know comparative analysis on the matter are based.Then, the authors introduce the main lenses through which the evolution of territorial governance in the Western Balkan Region will be interpreted. They present the main features and implications of the process of transitiontowards a market economic model, the influence of the main international actors as well as the implications of the heritage of the communist period. Similarly, they reflect upon the EU integration process and the mechanisms of Europeanization triggered by the latter through the provision of strategic orientation, formal acts and monetary incentive systems.

The third and fourth parts of the paper constitute the core of the analysis, describing as they do both the reform of the administrative structure for territorial governance in the countries at stake as well as the evolution of various aspects of their spatial planning systems. A conclusive section rounds off the contribution, summarizing the results of the analysis and highlighting the need for further research on the matter.

**Exploring the Evolution of Spatial Planning Systems in Europe**

A 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 organization of social life. These ‘spatial planning activities and processes’ occur within frameworks oflegally established objectives, tools, and procedures which, in modern states, areusually derived from fundamental constitutional rights (JaninRivolin, 2012). According to the literature, however, spatial planning systems are not static objects, but change profoundly through time. They are indeed dynamic institutional arrangementssubject to continuous patterns of change (see: ESPON 2007; Stead and Cotella, 2011; JaninRivolin 2012, Reimer et al, 2014; Cotella&JaninRivolin, 2015).

Various studies were developed, since the beginning of the 1990s onwards, to understand and compare the evolution of spatial planning in Europe (among others: Newman &Thornley 1996;

CEC, 1997; ESPON 2007; Stead &Cotella, 2011; Reimer et al, 2014). Comparative spatial planning researchwas initiatedby the work of Davies et al (1989), that analyzed the 'families of law and government structure' of various European states, and that was then used as a background for the definition of Newman &Thornley (1996) "families of law" (Nordic, British, Germanic, Napoleonic, East European), upon which a preliminary comparison of European spatial planning systems is founded. During the second half of the 1990s, the EU Compendium of Spatial Planning Systems and Policies (CEC, 1997) proposed a more complex and sophisticated methodology, introducing four so-called 'ideal types' of spatial planning – (i) regional economic, (ii) comprehensive integrated, (iii) land use management and (iv) urbanism – on the basis of a series of variables individuated *ad hoc*.

However, as Getimis (2012) stresses, the comparative methods adopted in many of those studies present several differences ad limitations. As a matter of fact, the increasing diversities between territories, even in the same country, can hardly be interpreted through formal legal and administrative classifications, and similar limitations applies to the static ideal-types formulated in the EU Compendium (see: Stead and Nadin, 2009). Indeed, if we consider the spatial planning system(s) as institutional phenomena resulting from the sum of social, cultural, policy and economic behaviors that characterize a specific context, to take into account only the 'law and government structure'in not enough, as it would not allow for the production of relevant insight in the spheres of planning culture, discourse and practices (Nadin&Stead, 2008, JaninRivolin, 2012). Following this argumentGetimis (2012) argues for the need toanalyse spatial planning systems 'in motion', in order to fully grasp the flavor and to understand the causes (and the consequences) of the patterns of change that characterize each context.

To add further complexity to the issues at stake,it is worth to mention that the context under scrutiny in this research presents several peculiar conditions. As a matter of fact, Croatia, Albania and Bosnia Herzegovina belong to the Western Balkan area and, until the edge of the 1990s, were positioned on the Eastern side of the Iron Curtain, hence belonging, to different extents, to the Soviet area of influence. After the collapse of the Soviet bloc, the various satellite states started their transition towards a market oriented economic model almost simultaneously. However, their transformation patterns present relevant distinctions, generating by a multitude of endogenous and exogenous features: the internal socioeconomic and cultural features of each context, the beginning of the Yugoslavian War, the interest of the International Monetary institution (e.g.: the World Bank and the International Monetary Fund – WB and IMF), the pace

of the European Union Integration process, etc.As one could imagine, this peculiar conditions had crucial implications for the evolution of the spatial planning systems of each of these countries. Also due to this reason, and to the fluidity that these systems maintained until the present days, they were not yet object of any comparative analysis or typological classification. In the light of the above considerations, the proposed analysis of the evolution of the spatial planning systems of the countries at stake build on three, intertwined assumptions: (i) the transition process in the Balkan area (hence in the selected countries) has been affected by various international actors (among which IMF, WB, EU etc.); (ii) the influence of these actors is mediated by endogenous factors an path-dependency logics and (iii) the spatial planning systems' patterns of change are the result of the interaction between domestic conditions and external influence. Building on these assumptions, for each of the three countries chosen for the analysis, the following sections explore the patterns of change that concerned spatial planning since the beginning of the 1990s, when they started their transition towards western-inspired market economic models and their road toward the EU accession.

**Transition, Path-Dependency and the Role of International Actors**

In 1989, after the collapse of the communist ideology, the European socialist countries opted for embracing thelogics of the free market and democracy. For the Central Eastern European and the Western Balkan countries the opportunity to "return into Europe" was considered a unique opportunity and, in turn, immediately became the main political priority. To pursue the required transition and transformation process (see Adams et al 2011,Tsenkova&Nedovic-Budic, 2006) presented a wide range of challenge, and required the implementation of a number of complex systemic changes. These changes are mainly related with various dimensions: (i) polity dimension, i.e. the shift from a single party political arrangement towards a multiple parties system; (ii) institutional dimension, i.e. the decentralization of power from the central to the local level, in order to better manage the introduction of new market economic mechanisms; (iii) economic dimension, where economic power is transferred from the old vertical administrative hierarchies toward the private sector and the civil society and (iv) evolving logics of power between actors, i.e. the change of the dominant interest groups, the entrance in the game of new external actors (e.g.: the IMF, the WB, the EU etc.) and local actors (new local elites emerging together with the newly elected democracy institutions.

Among the actors that had an influence over the transition process in post-socialist European countries, those exerting the highest influence during the definition of regional and spatial policies may be divided into three categories: (i) supra-global institutions (United Nations, IMF, WB, NATO); supranational institutions (EU), governmental agencies and non-governmental organizations (NGOs). However, it has to be pointed out that, in transition context, the role and the influence of international actorsis far from being homogeneous (Georgiadis, 2008). For instance, the EU approach towards the Western Balkan Region presented a high level of complexity. In fact EU uses different instruments: the Regional Approach during the period 1996-98and, after that date, the Stability Pacts and the Stabilization and Association Processesthat later became Stabilization and Association Agreements binding for the Enlargement process.

In general terms, one could argue that the evolution of the role of the international actors developed as a consequence of the main features of each domestic context. This appears evident when one analyses the role of NGOs in Croatia: whereas in other contexts NGOs created a system partially overlapping to local institution, in so doing instituting a set of clientelistic technocratic relations (Tendler, 2000; Braathen, 2005), in Croatia it is possible to observe a metamorphosis process that moves from humanitarian aid (assistance approach) to strategic actors focus on the medium-long period policies though international cooperation initiative (Đokic, Starc, & Stubbs, 2005). When it comes to the case of Albania, external actors affected the national context with cooperation initiatives focusing on spatial planning experiences that exerted a strong influence in terms of both economic and political conditionality (see the following sections for additional details). In Bosnia and Herzegovina, the international actors are directly involved in the definition of polity structure of the State. In this concern is important to highlight how the so-called Dayton agreement[2] has re-establish the principles of private property, and defined the features of the compensation process and of the liberalization policy, all issues that, in turn, produced spill-over influence over spatial planning by mean of legal conditionality.

From the point of view of spatial planning, the most notable change is the progressive shift from government to governace, reflected in new structures based on interaction among a multitude of local and regional actors, for the first time in 50 years incorporating private sector logics (Tsenkova&Nedovic-Budic, 2006). The new circumstances have promoted not only the development of new institutions but also the consolidation of a ‘new notion of planning’ that

struggled to regain its legitimacy and to adapt to the new economic, social and political mechanisms. This progressive redefinition of the role of spatial planning has occurred not without conflicts and pitfalls. In fact, during state socialism, the action was based on planning, scientific knowledge, and the party's monopoly on power and decision-making. In the newmodels, instead, the marketlogics prevail, exercising innovativeness, attention to the social consensus, and economic activities independent from collectively reached decisions (Tsenkova&Nedovic-Budic, 2006).Similarly this process of transformation had favored the introduction, in the long run and in many cases only formally, of new principle of'good governance': legitimacy and voice (participation and consensus building); strategic direction and visions; performance (efficiency, effectiveness) accountability and transparency (Graham et al. 2003).

In order to better understand the flavor and relevance of the transition period in the countries at stake, it is useful to reflect on some of the variables that were adopted to interpret these phenomena in the last 25th years (Table 1). Initial works concentrated on and to explain the modes to communist collapse; peaceful civil pattern, violent and military mode (Elster et al.1998), the type of communist regimes (cult of personality or bureaucratic-authoritarian), at that regard see Kitschelt et al. (1999) and the pre-communist tradition (tradition societies and industrial societies). These studies focus on the divergent patterns of change in a post-communist trajectories in Eastern Europe, including the former Yugoslavia (in our case, Croatia and Bosnia) and Albania.How Elster et al (1998) suggest, in the Western Balkan post-communist experience it is possible to identify both the modes to communist collapse (peaceful and violent). Indeed, if the communist collapse in former-Yugoslavia has been violent in contrast to Albania were we assisted to a peaceful collapse. This evidence, apparently insignificant, is important to put into context and interpret the type of national institution, administrative reform, market reform, international relation that characterized the post-communist reorganization, as it influenced the orientation of the institutional choices made by the reforming elites in each country and, in turn, producedindirect impacts upon the domestic spatial planning evolution.

More in detail, various authors (Tsenkova&Nedovic-Budic, 2006, Tsenkova2006) argues that the transition process can influence the national level of government in three different aspect; (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. For each of the transition States, the responses are to be explained in terms of economic change, social change, changes in urban governance and spatial change. However, if the trends of transformation are clear, unclear are the choices made by governments, organization, businesses and individuals to respond to post-socialist challenges (Nedovic-Budic 2001). Moreover, the internal (and external) environment is also in a states of flux, featuring the incremental adjustment of the physical, economic, social, and political structures (Musil 1993, Sykora 1994).

From the above, it appears clear how a copious number of exogenous and endogenous factors, related with both the international geopolitical scenario and the domestic culture and heritage, have played a key role in the polity and policy choice during the transition process.Many of these factors brought along with them as many important opportunity to seize while, at the same time, contributed to limit the set of options available for the definition of the agenda, in this way contributing to affect the decisional process within the different national contexts (Shiefilds, 2004).

**European Integration and Europeanization**

In addition to the legacy of the communist period and the impact of the transition, to understand the way the spatial planning systems of the countries at stake have been consolidating, of particular relevance is the process of European integration, a peculiar area of research that belong to the field of the so-called European studies. In this therefore useful to briefly introduce the European Integration process and the Europeanization mechanisms triggered by the latter, in order to then explore the institutional steps that characterize the latter in the countries at stake. According to Haas (1958), it is possible todescribe the process and progression of European integration through the concepts of supra-nationality, national and sub-national interests and spillover effects. In other words, at certain moment in history a number of European States decided, on the basis of their own interests, to embark in an incremental process of sovereignty transfer to a supranational body, the European Union. The transfer of sovereignty on a particular issue may, in turn, generate spillover influence on other policy fields, and eventually lead to the acquisition of those field within the competences of the supranational body. Whereas this growth of competences under the EU sovereignty is often referred to as the ‘deepening’ side of the European integration process, the latter presents also a widening dimension, i.e. the process

through which the EU 'enlarge' its territory and population by progressively including new member states into its ranks.

However, one should notice how the European integration process is by no mean a process with a defined end status. It may rather be described as an open-end process whose goals and means have been, and still are contested. According to several authors (among others: William Walters &JenesHenrHaahr 2005), the idea of Europe has widely evolved since the 1950s and 1960s. The Treaties' sequences[3] signed by the Member States have changed the features of the European polity, deepened its policy scope and widened the territory that is affected by the latter.

As far as the Western Balkan region is concerned, the European integration process is already ongoing and its likely to continue until the whole area becomes part of the EU. However, the process is characterized by very different speeds and Croatia is the only country that managedto become an EU Member State (Table 2). In this light it is important to understand the various steps through which the EU enlargement process works, and the way the EU can exert its adjustment pressure through each of them (Figure 1): pre-application agreement, candidate status, screening, negotiation of 33 different chapter, Accession treaty, and finally award of the Member States status.

Whereas the EU signed Stabilization and Association Process Agreements with Croatia, Bosnia and Albania in 1999, the integration process of the latter has been rather slower. There are many reasons behind Albania's slowfulfillment of the EU accession conditions. Firstly, the political instability from 1990 to 2000 that peaked with the civil war in 1997. Secondly, the slow pace and scarce effectiveness of the wider polity, policy, economic and social transformations. Due to this reasons, Albania was granted candidate status only in June 2014, as a recognition of its reform efforts and progress made. However, the country still needs to build on and consolidate the reform momentum and focus its efforts on tackling its EU-integration challenges in a sustainable and inclusive way (European Commission, 2014). When it comes to Bosnia Herzegovina, its relation with the EU is further complicated by various misunderstandings related with the political and economic accession criteria. More in detail, according to the 2015 Progress Report,Bosnia Herzegovina is required to further improve the cooperation and coordination between the State level, the Entity levels and the Brčko District Parliament (vertical and horizontal integration). In fact, a lack of clarity remains in the distribution of power between State, Entities, Cantons and Municipalities. Moreover, in order to introduce a new

administrative reform, is necessary to modify the domestic approach overcoming the politicization system towards a more appropriate political framework. For these reasons, but not only,Bosnia Herzegovina is still far from the accession into the European Unionnotwithstanding the entry into the force of Stabilization and Association Agreement (SAA) on 1 June 2015.

It is easy to understand that the different pace that characterized the three countries under analysis in their path towards the EU affected, in turn, also the magnitude and quality of their *Europeanization*. A wide literature has, indeed, been developed in the last 20 years to understand the relation between European Integration and Europeanization, and it may be worth to point out the difference between them. First of all, as argued by Goetz and Hix (2000),the two concepts are part of a single equation in which European Integration act as the independent variable and Europeanization (i.e. the change of domestic context due to the impact of the EU) isthe dependent variable. However, the relation between these two variables is far from being linear, appearing instead rather obscure (Howell, 2002). Europeanization indicates a continual interaction or dialectic between the uniformity of the EU and the diversity of the individual member states (Howell, 2002), and may be seen as the main transmission belt of European integration (Borzel, 2003): on the one hand, the European integration process triggers Europeanization mechanisms that generates domestic changes in countries' governmental, regulatory and discursive structures; On the other hand, Europeanization may be red as the driving forcethrough which the Member states continue to interplay in the European integration process, in so doing influencing the way the EU supranationality evolves.

**The Europeanization ofspatial planning**

In the light of above, it ispossible now to focus on the various channels through which the process of Europeanization has contribute to influence the Member States, more or less explicitly,in a number of areas of policy fields, including spatial planning.

Interestingly, it is possible to witness a substantial transformation of the domestic spatial planning institutions and policies as a consequence of the development and dissemination of concepts, tools and procedures at the EU level (Adams e al., 2011; Stead and Cotella, 2012;

Giannakourou 2012) and this occurs despite the fact that, as argued by many authors, the EU Treaties do not include any reference to spatial planning or nor to the possibility of the EU to act on this matter to any extent (JaninRivolin, 2008, 2010; Jasenk'aKranjcevic 2005).

Despite the absence of regulatory restrictions and legal requirements, the European debate, the EU cohesion policy, the experiences of European territorial cooperation and the EU urban policy are indeed able to influence the practices of planning in the member states and beyond(Giannakourou 1998,JaninRivolin and Cotella 2014, 2012, 2010, Böhme&Waterhout, 2008). The changes induced through Europeanization are studied in multiple ways in the literature. For instance, some authors understand the Europeanization of spatial planning as a consequence of multi-level governance (JaninRivolin&Faludi, 2005; JaninRivolin 2010); others emphasize the process of institutional transformation (Giannakourou 2005), or focus the attention onepisodes of policy transfer and lesson drawing (Dühr&Nadin& 2007) additional perspectives direct the attention to the discursive integration processesthat lead to co-generation and more or less structured exchange of knowledge (Böhme, 2002; Adams et al, 2011; Cotella et al., 2012; Adams et al., 2014).

Despite the differences that characterize the various approaches, they all seem to focus around the process of evolution of domestic planning systems and/or of one or more particular dimensions of the latter (structure, tools, practices and discourses JaninRivolin&Cotella, 2014, 2012, 2010). All these approaches are indeed complementary, and are all necessary to unfold the multi-dimensional, holographic nature of the processes of Europeanization and the possible channels of influence on the domestic systems (Doria et al., 2006; Dühr et al. 2010; Cotella&JaninRivolin, 2015).

When analyzing the influence that the EU exert on the domestic systems of planning it is possible to operate a preliminary systematization of the channels and modes through which this influence is delivered. More in particular, it is possible to individuate three channels of top-down Europeanization influence – i.e. *Dialogic, Institutional and Instrumental* (Cotella&JaninRivolin, 2010, 2012, 2015) – pivoted around as many Europeanization catalysts – i.e. strategic orientations, formal acts, economic incentives (Reimer et al. 2014).

**Dialogical influence through strategic orientations**

This channel of influence occurs through the diffusion and dissemination of the concept and ideas developed within the so-called European spatial planning knowledge arenas (Adams et al., 2011; Cotella et al., 2012) and crystallized in the EU strategic guidelines documents as the

European Spatial Development Perspective (ESDP, CEC, 1999) and the EU Territorial Agenda (TAEU *DE Presidency, 2007;* TAEU*HU Presidency, 2011*). In addition to this, there exists a lot of documents produced by the European Commission concerning territorial governance and cohesion, as the White Book on Governance(CEC, 2001), the Green Bookon territorial cohesion (CEC, 2008) and various documents focusing on the Urban dimension of community policies (CEC 1990, 1997, 1998).All these documents, despite their non-binding nature, exert a top-down dialogic influence towards the spatial planning discursive arenas that characterize the various domestic contexts that produce a change in the beliefs and expectations of local actors (Knill&Lehmkuhl, 1999), in turn potentially having the power to influence domestic policy and decision-making processes (JaninRivolin 2012; Cotella&JaninRivolin2010).

**Structural influence through formal acts**

In other circumstances, through binding instruments such as directives and regulations, the European Union imposes specific behaviors hierarchically, in turn leading to legal changes that affect the structure for spatial planning in domestic contexts(JaninRivolin 2012; Cotella&JaninRivolin 2010). It is possible to identify two main sectors in which this channel of influence is particularly active: the environmental policy, the energy and the competition policy. The European Water Framework Directive, the Habitats Directive, the Seveso I and II directives, and the directives concerning the Environmental Impact Assessment and the Strategic Environmental Assessment are examples in this concern. This influence, that occurs through mechanisms of legislative conditionality, is particularly relevant for those policy areas that lays under the umbrella of the European Union direct competences. Due to it, the Member states are obliged to adapt their own legal systems in accordance to the binding regulatory models imposed by the EU (Dühret al. 2010, Knill&Lehmkuhl, 1999).

**Instrumental influence through monetary incentive systems**

In order to increase the effectiveness of European meta-narrative (ESDP, TAEU), various incentive programmes were put instituted at the EU level, with the aim to deliver its specific objectives on the Member States' territories (JaninRivolin 2012; Cotella&JaninRivolin 2010). Among them, the pivotal role is played by the EU cohesion policy; in the recent past, a relevant place is was also covered by the former Community Initiatives INTERREG, URBAN and LEADER. These initiatives have the value of increasing the level of acceptability of certain strategies of spatial development by national states, in particular for some Eastern European

States. The influence of the EU can here be detected only when we take into consideration the ways through which this complex system of incentives and tools is implemented (Faludi 2003), with the EU that exercises a sort of 'economic conditionality' altering the possibility of domestic actors through the redistribution of resources and powers (Knill&Lehmkuhl, 1999).

**Europeanization and spatial planning 'convergence'?**

Finally, few words should be spent on the actual implications of Europeanization for spatial planning in Europe. At a first glance, it is indeed possible to notice a phenomenon of harmonization of policies and practices and, more in general, an overall convergence of spatial planning systems throughout Europe. However, this does not imply any homogenization of the domestic planning styles but rather their further diversification (Giannakourou 2005), and this shows true, for instance, when one analyzes the Europeanization of spatial planning in the Mediterranean area (Italy, Greece, Spain, Portugal). As far as the new Member States and the candidate (or potential candidate) countries are concerned, the situation is further complicated by the different stage of integration as well as by the peculiar historical heritage.

As a matter of fact, the identification of processes of convergence or divergence seems still an unresolved issue in comparative planning studies (Reimer et al, 2014) and various authors suggest the possibility of detecting, within different dimensions, both converging and diverging evidences. This view seems to reflect the complexity of spatial planning systems evolution and their dynamic nature, reinforcing the arguments of those scholars that find reductive to focus on static spatial planning configurations and prefer to focus on the reasons behind and quality of the changes (Reimer et al 2014, JaninRivolin 2012). However, it is true that some planning systems presents a degree of convergence among them bigger than others. This may be imputable to the path-dependency logics, in other words to the actions of endogenous variables in the definition of domestic reactions to Europe in the different contexts.

**Territorial Administrative Reform in Croatia, Albania and Bosnia Herzegovina**

After having introduced the main driving forces that contribute to influence the evolution of spatial planning in the Western Balkan Region since 1989, it is time to focus on the quality of the actual changes. As already introduced above, after the dissolution of the communist regimes of the '90s, the three countries at stake were involved, in different ways, in a shift from a highly centralized government and administration system to a more decentralized system.

Theimplemented administrative reforms have been fluid and tumultuous, and are in some cases still ongoing. The evolution of the territorial administrative configuration in each States played a pivotal role in influencing the evolution of the spatial planning system and, to some extent, one could argue that the heterogeneity that characterized the spatial planning reforms is also a consequence of the heterogeneous territorial governance systems that consolidated (see Table 3).

**Croatia**

With the end of the former Yugoslavia in the early 90s and the subsequent proclamation of the national independence, Croatia started to go through a period of reforms that interested various spheres, among which the administrative one stands among the most relevant. The aim of the latter was to align the Croatian administrative system with the new constitution. In this regard, the reform of 1992 on the local, regional and territorial organization into counties, municipalities and communes, introduce a dual system of local government: the first tier of the system of self-government is occupied by a set of municipalities and city, while the second tier is composed by the counties as a local units of self-government as well as government representation.

The legislation defined the Croatian administrative system as composed by 21 counties, 70 cities, 418 municipalities and 2 districts. However, the process of decentralization leading to the administrative restructuring has not been clear and transparent. According to Maleković et al. (2011) the latter was actually accompanied by a process of re-centralization of power implemented through the county level, with various ministries that put in placea system of outpost located in parallel with the local self-governments, in order to continue to influence their administrative actions. Moreover, various authors argues that Croatian counties are too small. Whereas, on the one hand, the reduced dimension allows to respond effectively to local needs, on the other hand, it prevent the consolidation of an articulated system of governance and, consequently, any attempt to influence the central system (Maleković and Puljiz , 2009). This situation created a numbers of problems related to the increase of development disparities that contributed to consolidate the existing regional imbalances between the north and south.

A second period of reforms in Croatia was related to the new relationship with the European Union. Croatia achieved in 2004 the European candidate status, and began many reforms, including the administration one, that had to considered also the regional strategies of the EU and its principles. As a consequence, the country adopted three NUTS 2 statistical regions in

2007, in order to better answer the needs of the EU pre-accession policy. Moreover, between 2005 and 2007 various powers and competences weretransferred from the counties to the municipal level – and in particular to Croatian cities – including those concerning spatial planning as institutionalized by the new law about spatial planning and constructions approved in 2007.

In 2009, the central government also introduced a new framework law for the regional development, which provides various indications directly descending from, and related to the EU pre-accession and cohesion policy. Then, in 2010, a set of bottom-up strategies was put in place to in order to achieve higher coordination between local, regional and national actors on the basis of the principle of subsidiarity. In addition to this, the Regional Development Strategy 2011-2013 identifies a number of guidelines and principles aiming at a functional decentralization based on three factors: functional decentralization, fiscal decentralization, and territorial reorganization.

Despite the describer reforms, however,the Croatian administrative system is still affected by several problems, among which the reduced territorial dimension of the counties, the limited fiscal capacity of local units, the lack of a vertical coordination between the central system and the regional level, the implementation of processes of centralization combined with a lack of local institutional capacity (Maleković et al. 2011, Maleković and Puljiz, 2009). Only with the new Regional Development Strategy 2011-2013, it has been possible to produce some attempts in the direction of a further coordination of the various administrative levels,partly pivoted around the statistic NUTS 2 regions introduced in 2007, as is possible to observe in Table 4.

**Albania**

In Albania, the local government reform is a debated topic since the fall of the communist regime. This generated a process of administrative decentralization characterized by various steps and influenced by various factors as the local needs, path-dependency logics and the influence of external actors (Dhimitri, Cucllari, &Cini, 2013). In fact, if among the causesbehind 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 relation has play a crucial role as well, and in particular the influence of the European Union.

For these reasons, during the 1990s, the Albanian context has been characterized by an intense wave of reforms, aiming atthe decentralization of powers and competences from the central to

the local. However, for at least a decade, the administrative proceeded in a somehow confused way, and maintained a surprisingly centralist flavor. The first local administration level was composed by 44"Bashkia", composed by cities and neighborhoods, and 313 Komuna as a level that represents the rural areas. The second level was constituted by 36 "Rrethe", in continuity with the same regime administrative division. This level wasincorporated into the 12 prefectures which were introduced in 1993. In addition to this, this system wasparalleled by a set of state agencies that acted as outpost of the various central ministries. It is easy to imagine how, within a context of uncertain responsibilities' distribution, the actual decentralization of finances as well as the efficiency of the public administration wascompromised.

In this regard, after signing the chapter of the local "self-government" promoted by the European Community, Albania introduced a new administrative reform (Reform nr° 8652/2000) "on the organization and functioning of local government", better known as the Organic Law on Local Government. This reform was advanced in the article nr° 13 of the Constitution of 1999, which defines the role of the local government based on the administrative decentralization exercise with the principle of local autonomy (Brahimi et al., 2013). The reform provides the country with two levels of local government, 12 regions (the 'Qarku') and 373 local units of which 65 Bashkia, as municipalities level (urban areas) and 308 Komuna(rural areas). While the representatives of the lower level, mayors and members of municipal councils, are directly elected, the board of the region is the political body, which represents the local political interest. In fact, the board of each region is composed by representatives of the Bashkia and the Komunes located within the Qarku border. In this sense, they are not directly elected units, but acts as representative bodies. Furthermore, the reform keeps, as representatives of the national structure, 12 prefectures and a number of representative bodies linked to different ministries.

Although some problems characterizing the administrative subdivision of the early 1990s were solved, there is still a long way to go. One issue still needing attention is the identification of the responsibilities of the regional level with the absence of a political legitimacy and the role of the administrative structure of the region (Toto 2014, 2012). This issue, together with requirements of EU cohesion and pre-accession policies, have given the right push for a new "regionalization" reform that reduces the numbers of "Qarku" in favor of NUTS2 regional units with a population of over 800,000 inhabitants. This new reform, that is now under elaboration, aims at answering therequirements of the EU integration process, calling for each candidate

state to set up an administrative structure capable of efficiently intercepting and to managing the pre-accession and the structural funds.Finally, the new configuration will also implement a reorganization of the lower administrative level (Bashkia and Komuna) based on the principle of "functional areas" defined as territorial areas where there are frequent interaction between inhabitants and economic institutions, social, and cultural development. In addition to this, in this contest there are some criteria related to the number of population, historical and traditional boundaries, and protection of the ethnic minorities.

Despite the high expectations linked to this last administrative reform wave, one should notice how the latter is not producing the desired results yet. The last law linked to the reform (Law 115/2014) has indeed reduced the number of first level local units to 61 municipalities, but did not affect the number of Qarkuyet. The reform criteria are still in process but, inevitably, they have to reflect the recommendations of the EU. In this regard see Table 5 that summarize the complex administrative reform in last 25year in Albania.

**Bosnia Herzegovina**

After the signature of the Dayton agreement in 1995, the State of Bosnia Herzegovina is subdivided into two entities – the Federation of Bosnia and Herzegovina (FBE, that groups the majority of Bosnian Muslims and Bosnian Croatian) and the Republika of Srpska (RS, that hosts the Serbian majority) – and a special unit – the territory subjected to "arbitration" of Brčko (DB); in that regard see Table 6. This agreement also divides, from an administrative point of view, the FBE in ten cantons which are, in turn, divided into several municipalities. The cantonsbenefit from a high degree of autonomy and are responsible for the land use planning, local business development and local economic development.

As far as the Republicaof Srpskais concerned, no meso-level subdivision was implemented, and the territory is only divided into municipalities (Osmanković, 2004). Although the political intention behind this agreement is acceptable, the criteria of this reform is quite questionable. On the one hand, the process of "regionalization" was thought for ethnical and political priorities, on the other hand, economic, geographic, infrastructural, spatial, urban and historical factors were completely ignored (Osmanković, 2004). In this contest, the apparent multi-level governance hides a centralized administrative structure at the level of the two entities, and specifically in the cantons for FBE, reserving to the central level a marginal role (Fagat, 2012). Osmanković (2004) emphasizes the importance of the role of the actors of the international community in this process, including in the role of the High Representative[4], introduced by the

Dayton Peace Agreement as an International representative in Bosnia Herzegovina, the European Union and several national embassies. Evidence shows that the international actors have played a leading role in the creation of the administrative Bosnian system (Bojičić-Dželilović, 2011).

**Spatial Planning Reform in Croatia, Albania and Bosnia Herzegovina**

In coherence withTosics (2005), it is possible to subdivide the transition period in three separate moment: (i) vacuum,a period was characterized by uncontrolled development, massive privatization and contradiction law; (ii) adaptation, initiative of new investment and planning instrument and the fragmentation of local governments and (iii) adjustment, continuation of the investments, and growing concern for public sector plans. However, each period was characterized by a multiplicity of transformation in terms of institutions, formal or/and informal rules, legal framework, political factors and social needs. Furthermore, as already mentioned, within each country the undertaken reforms were influenced by the domestic context.Table 7 quickly summarizes the main legal achievements in the field of spatial planning that characterized the three countries under analysis, whose contents will be presented more in detail in the following sections.

**Croatia**

Spatial planning in Croatia lays under the competences of the Ministry of Environmental Protection, Planning and Construction, and is framed by two main laws. A first law on spatial planning was approved in 1994 (OG 30/94), focusing on the institution responsible for spatial planning and regional development and paying particular attention to the protection and management of coastline areas. According to the law, at the local level, the counties and the city of Zagreb have to prepare the Physical Plan for the counties and the capital city, in order to define the aims of spatial organization, protection, use and management of the environment. The 1994 law, also provided the municipality with the duty to develop a more general municipal Spatial Development Plan, and the detailed Urban Development plans.The Spatial Development Plan of the municipality defines the conditions for the development of cities and identifies goals, establishes the functions, and defines; the areas to rebuild or rehabilitate, environmental protection and other areas with special natural values, cultural and important monuments. In addition, the plan identifies and obliges municipalities to establish detailed plans for specific areas.

The law and its further amendments, provided for a division of responsibilities between different levels of government (central, counties and municipalities). As we can see, there are a numbers of actors who are responsible for some areas, such as the management of waste, forestry, infrastructure, energy and telecommunications. As a consequence of the requirements of these legal acts, in 1997 the country approved the National Strategy of Spatial Planning, which identifies the aims of long-term spatial development in cohesion with the economic, social and cultural development. In addition, a National Spatial Program Schedule was approved in 1999, determining measures and activities in order to implement the national strategy of 1997.

After reaching the status of member of the EU, 1st July 2013, Croatia adopted a new legal framework for spatial planning, through the adoption of a new Spatial Planning Law (OG 153/13) that came into force on January the 1st, 2014. Understandably, this reform reflects some principles defined at and promoted by the EU institutions. The first principle of the legislation is very important, and focusses on the actual approach to spatial planning (strategies, plans and programs) that, according to the legal text, aims at the sustainable spatial development of the national territory to be achieved through horizontal and vertical integration. Interestingly enough, the law also stress the need for a free access to al the spatial planning documents in order to guarantee the maximum level of transparency. It is also given a significant importance to the phases of monitoring and evaluation of plans and strategies, to be implemented in line with the EU standards.

The law requires also the preparation of a Spatial Development Strategy of the Republic of Croatia 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.

Whereas it is still early to see if the new legal framework will ensure spatial planning coherence and proves useful for the domestic environment, it is important to highlight that various EU principles have been shared and incorporated into the national legislation. This aspect is important because it is a direct result of a process of Europeanization through dialogic influence that allowed for some ideas and concepts defined within the EU discursive sphere to trickle down into the national spatial planning discourse.

**Albania**

In Albania, spatial planning is under the responsibility of the Ministry of Public Works and Transports, at the central level, while at the subnational level, the competences for spatial planning are 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 City Council. With the law nr. 8405/1998 on Urbanism, the situation doesn't change a lot. Moreover, the reform didn't take into account the process of informal construction, and failed to identify the role that the public sector should have in the definition of private and public property, in so doing avoiding to deal with the most significant challenges of Albanian spatial development.

With the beginning of the 2000, due to the signature of various agreements with the EU, a comprehensive legal reform of the Albanian spatial planning system became necessary, in order to take into account the new conditions introduced with the various administrative reforms, the legalization of informal areas, the necessity to harmonize the administrative structures for managing pre-accession funds etc. In this context, the new Law on spatial planning (Law Nr. 10119/2009) was approved. The name of the law itself is symptomatic of a shift in the adopted approach, as the previous legal act referred to, and focused almost exclusively on urban planning. These innovations are significant, both at an institutional level with the introduction of the National TerritorialPlanningas well as at the discourse level, with the inclusion of concepts of clear EU inspiration. The law introduces, at different levels, different policy and planning tools, programs and assessment mechanisms and,for the first time,it introduces the use of integrated intersectoral plans. Unlike the previous reforms, this approach has developed along the guidelines of the ESDP and the TAEUs. Nevertheless, the law has not been fully understood by the local units yet. This is true for different reasons, including the professional inability to manage the required processes, but also the professional inertia, focusing on the conservation of the status quo. For these and other reasons, a new Law 'for the planning and development of the territory' (Law nr° 107/2014) was recently approved. It is still too early to assess the result of the new reform but, at the same time, it is interesting to note how the latter, in art. 4, underlines the importance to harmonize the system of national planning with the European Union directives.

**Bosnia Herzegovina**

In Bosnia Herzegovina, spatial planning is an exclusive competence of the entities and of the theBrčko District (FBE, RS, DB). This configuration requires that the various levels of

government have to structure themselves in the management of the territorial government of the Bosnian republic. In coherence with the attributed responsibilities, the entities legislate for the system of planning improvement and define the modes and conditions of land transformation and of the attribution of the building permits. The Federation of Bosnia and Herzegovina (FBE) established the Ministry of Spatial Planning (Ministry of Phisical Planning) which is responsible for implementing policies on land management, implementation and application of the plans at the federal level, for the examination and for the harmonization the plans of each cantons at the federal level and, finally, for the identification of the strategic development guidelines and the management of natural resources. Along the lines of the FBE, also the Republic of Srpska has established its Ministry of Spatial Planning, Construction and Ecology, dividing spatial planning responsibilities through different departments: spatial and urban planning, construction and environmental protection.

**Conclusions**

The proposed paper presented the evolution of territorial governance and spatial planning systems in Croatia, Bosnia and Albania since 1989, as a consequence of three main driving forces: (i) the transition from a command and control economy to free market economic models, (ii) the process of EU integration and (iii) the peculiar domestic conditions and needs and the path-dependency logics triggered by the latter.

As it is possible to note, both transition and integration processes had irremediably affected the spatial planning in each of the countriesunder scrutiny. The outcomes of these processes are significant and various. Indeed, among the most obvious issues there is the change of national institution as a consequence of the international actors' influences. The reasons of this institutional evolution are not obvious. In coherence with Vachudova (2005), this type of influence may be considered as 'passive', because it depends on each nation's predisposition to adapt its institution in accordance to the international requirements and pressure. Indeed, the external influences, mostly by the international monetary organization and by European Union but not only, are not binding. In this perspective, it is possible to identify some common elements in the institution introduced *ex-novo* during the transition and integration process in the three countries at stake:

- the introduction of central level offices for EU Integration;

- the important role played by the Ministries of Integration as new key actors that are responsible for the relation between the domestic and the EU level
- the introduction of new, democratically elected bodies at the various territorial level as a consequence of multiple administrative decentralization reforms

As already argued by several authors (among others: Pallagst, 2006; Schimmelfenning and Sedelmeier, 2006; Giannakourou, 2012),the transition and the EU accession processes, despite presenting several challenges, contribute to open several 'windows of opportunity' that, in turn, domestic actors try to seize in order to pursue their own agenda.

With the support of the three channelsof influence introduced in the text above, it is possible to underline some notion related with each of the analyzed national context. In terms of the so called dialogical influence, the latest reform in field of administration and spatial planning in Croatia and Albania were affected by a broad set of European concepts and ideas both in terms of spatial objectives and procedures. Among others, particular attention was paid to subsidiarity, integrated planning, vertical and horizontal integration, transparence etc., but also territorial cohesion and sustainable development. These aspects became constitutive elements of thedomestic political agendas at the national level, and therefore wereable to influence the domestic spatial planning discourse, in some cases trickling down to lower levels. Furthermore, this process contributed to produce more or less evident changesin the domestic planning culture. Similarly, through the pre-accession process, the EU was able to exert a share of legislative conditionality, putting pressure on the three countries to undertake processes of regionalization that, ultimately, led to more or less complex administration reforms. Last but not list, a pivotal role was played by the influence exerted by the international organizations through the set of various monetary incentive systems to back-up the undertaken reform. In this case, as a consequence of economic conditionality mechanisms, domestic actors had to choose specific reforms paths in order to secure the economic benefits coming from outside.

One should also notice the importance of domestic socio-economic structurein affecting the pace of adoption and adaptation. In this regard is important to observe the processthat led to the development of the new planning laws in each country. Indeed, in the first period of transition process, the Albanian socio economic situation did not allow for a sudden adaptation of previous institutional conditions, and in particular for the introduction of spatial planning frameworks able to take into account new variables as private property, market actor and forces, liberalization and decentralization process. However, the socio economic condition changed

during the first part of 2000. In fact, in this period, the adaption process advances speedily also as a consequence of the EU influence. Inversely, through two years of intensive reforms(1997-1999), Croatia wasable to speed up the adaptation process in terms of spatial planning tools and procedures, with the introduction of the National Spatial Planning Strategy and Program. As far as Bosnia is concerned the Dayton Agreement, while aiming at solving various elements of conflict resulting from the concluded war, proved to be a problematic solution for the establishment of a coherent spatial planning framework.

In conclusion, it is important to underline that the collected evidences are unable to describe in a satisfactory way the present and future of the spatial planning patterns of change in the Western Balkan Region. To do so, it is essential to pursue further research in this context inasmuch as the described process are still in evolution and affected by an ongoing enlargement policy activities.The proposed considerations simply aims at providing a first glimpse on the evolutionary process of spatial planning in the countries at stake, and to identify potential variables that may serve as a basis for further more in-depth analysis.

**Note**

[1]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.

2The Dayton Agreement,also referred to as Paris Protocol bythe General Framework Agreement for Peace,was stipulate in 1995 in Ohio (US). It preserved Bosnia as a single state made up of two entity, the Bosniak-Croat federation (Federation of Bosnia Herzegovina) and the Bosnian Serb Republic (Republic of Srbska).

3The EU is based on the following Treaties; Rome Treaties 1957, Merge Treaty-Brussel 1965, Single European Act 1986,Maastricht 1992,Amsterdam 1997, Nice 2001,and Lisbon 2007.

4The Dayton Agreement introduced the figure of the High Representative to (among other): monitor the implementation of the peace settlement, co-ordinate the activities of the civilian organization and agencies, produce periodic progress reports on the Bosnian situation, etc.

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**Tables and Figures**

*Table 1 – Differences and similarities between the national contexts at stake*

| | ***Croatia*** | ***Albania*** | ***Bosnia*** |
|---|---|---|---|
| Pre-communist tradition | Industrial societies | Tradition societies | Tradition societies |
| Type of Communist Regime | Cult of personality/ bureaucratic-authoritarian | Cult of personality | Cult of personality/ bureaucratic-authoritarian |
| Mode to Communist collapse | Violent | Peaceful | Violent |
| Post-Communist political system | 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

*Table 2 – Croatia, Albania and Bosnia EU Accession's steps*

| *Step* | *Accords* | *Croatia* | *Albania* | *Bosnia* |
|---|---|---|---|---|
| | Stabilization and Association Process | 1999 | 1999 | 1999 |

| | | | | |
|---|---|---|---|---|
| | Potential Candidate | 2000 | 2000 | 2003 |
| Pre-Adhesion Agreement | Stabilization and Association Agreement (SAA) | 2001-2005 | 2006-2009 | 2007-2015 |
| | Candidate Status | 2004 | 2014 | 2007 |
| | Program Signed<br>PHARE, ISPRA, SAPARD, poi IPA | 2005-2007 | 2007 | … |
| Screening | Started Screening Step | 2006 | … | … |
| Negotiation | Chapter Discussed Period | 2006-2011 | … | … |
| Adhesion | Treaty adhesion signed | 2012 | … | … |

*Source*: Authors' own elaboration

*Table 3 – Administrative structures of the countries at stake*

| | ***Croatia*** | ***Albania*** | ***Bosnia*** | | |
|---|---|---|---|---|---|
| First Level | Municipalities | Municipalities (Bashkia and Komuna) | Municipalities / Counties | Municipalities | Municipalities |
| Second Level | Counties | Qarku | Entity of FBE | Entity of Srpska | DistrectBrcko |

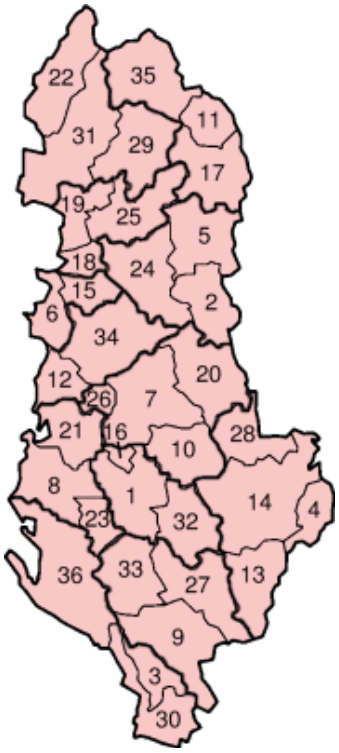
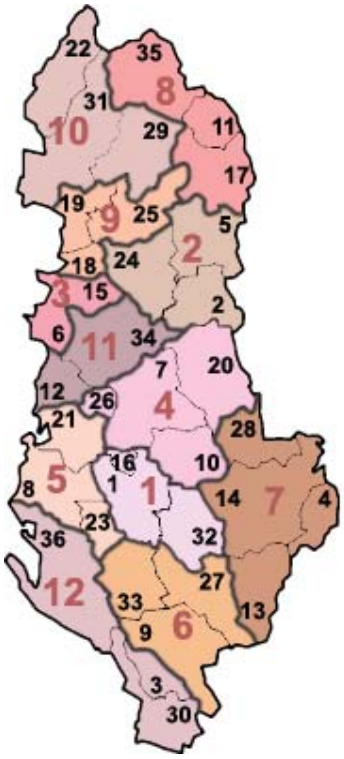
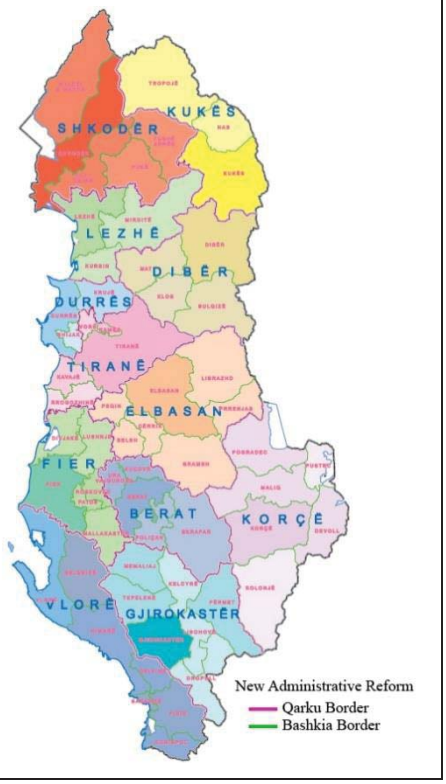
*Source*: Author's own elaboration

*Table 4 – Territorial administrative units in Croatia*

| 21 Counties | 2 NUTS Region |
|---|---|
|  |  |

*Source:* Authors' own elaboration

*Table 5 – Administrative divisions in Albania, Towards Territorial Reform 1992- 2014*

| 1992 (Rrethe/District) | 2000 (Qarku and Rrethe) | 2014 (Qarku and Bashkia) |
|---|---|---|
|  |  |  |



*Source*: Authors' own elaboration on :Ministry of State for Local Issues

*Table 6 – Administrative divisions in Bosnia, Dayton Agreement 1995*

| Dayton Agreement | 10 FBH Cantons, Brčko Distrect and Repiblic of Srpska |
|---|---|
|  |  |





*Source:* Authors' own elaboration

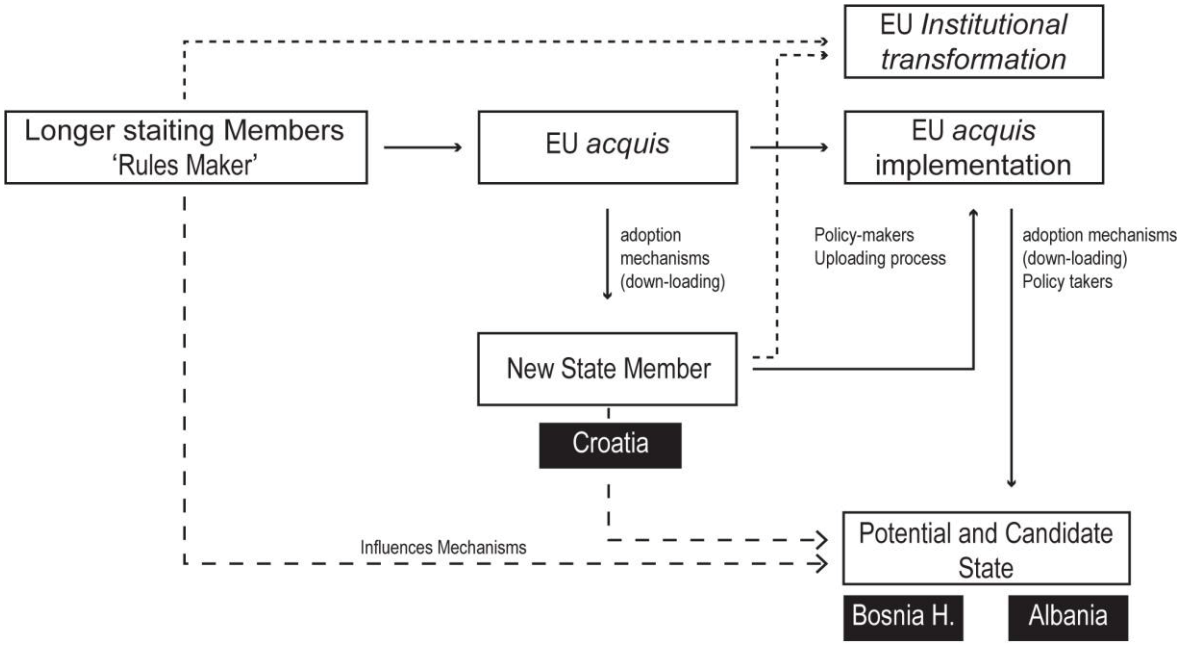
*Table 7– Main legal achievements in the field of spatial planning in the countries at stake*

| | *Croatia* | *Albania* | *Bosnia Herzegovina* |
|---|---|---|---|
| Administrative Reform | Law on Local and Regional Self-Government (1992-OG 30/01, OG 153/09) | Organization and Function of Local Government (N. 7572/1992-8652/2000, 115/2014) | Dayton Agreement (1995) |
| Spatial Planning Reform | Law on Spatial Planning (OG 30/1994, OG 68/1998, OG 50/99, OG 153/2013) | Law on "Urbanism" 7693/1993, 8405/1998, 10119/2009, 107/2014 | Spatial Planning and Land-use **F BE** (N. 52/02, 06/2006) **RS** (N. 84/02,. 40/13) **DB** (N. 9/03, 15/04) |
| Property Rights | Law on Restitution and Compensation of Private Property 1990/1996 | On Rural Land (7501/1991) On Privatization of Public Property(7652/1992) | Property Right Law **RS** (N. 124/08) |

*Source*: Author's own elaboration

## FIGURES

*Figure 1 – Adjustment pressure and adaptation process*




*Source*: Author's own elaboration