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Kranjcevic, Jasenka

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Chapter 9

ACCESSION TO THE EUROPEAN UNION AND PHYSICAL (SPATIAL) PLANNING IN CROATIA

Jasenka Kranjčević*
*Ministry of Environmental Protection,
Physical Planning and Construction
Zagreb*

ABSTRACT

The increasingly rapid pace of social and economic development often brings different forms of land use (for residential, industrial or leisure and recreational purposes) into conflict. Since the territory does not close with the administrative boundaries of municipalities, cities, regions and the country itself, there are increasingly numerous demands for the space to be considered in a broader context, from the local to the European, in order to avoid disharmonies, adverse impacts and also to preserve individual values. Handling territorial problems and the planning of space do not refer just to the planning and harmonisation of various land uses, the protection of the environment, the natural and cultural heritage, but also impinge on the economy, law, social and welfare matters and science and politics. Since territory has become a new dimension of EU policy, the spatial development of the Union is one of the topics that have gained in importance in recent years. Accordingly, at EU level, institutions are being organised and documents developed and adopted to spur the harmonisation of country spatial policies, the planning of sustainable development, the preservation of individual diversities, and collaboration. Croatia too will be

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required to become acquainted with these documents and to apply them. The objective of this paper is to assess where physical planning is in Croatia as compared with the spatial development of EU member states, and whether Croatia has the strength to change its way of thinking, behaving and working in this domain, in order to be able to play an equal part in the creation of the European space.

Key words:

space, territorial cohesion, spatial development, physical (spatial) planning, Croatia, European Union

INTRODUCTION

In the last ten years we have witnessed increasingly rapid social, economic and cultural changes at a global and a European level, which are particularly manifested in the space. Roads are being built, built-up areas enlarged, the areas of forest diminished, and statistical indicators show that the area of built-up and developed space is increasingly gaining at the expense of the natural space. Technology has made every part of the space accessible, and people are no longer so dependent on natural conditions, but on the degree of physical planning in which complex and interdependent social, economic, cultural and ecological processes unfold. This means that the space is constantly changing.

To clarify the importance of physical planning (spatial planning) in the process of accession to the EU, it is necessary to pay some attention to the significance of this activity. It is difficult to give a concise, simple and unambiguous description of concepts such as physical planning. Every country has its own expressions for the area: regional planning and physical planning. The European level, considering the size of the geographical unit involved, has introduced the terms spatial development and territorial cohesion. Put at its briefest, physical planning is the optimum distribution of people, assets and activities over a territory for the sake of its optimum use (Marinović-Uzelac, 2001). This distribution is harmonised pursuant to monitoring of the situation in the space and scientific research carried out by demographers, biologists, engineers and many other experts. In order to make review as simple as possible, the planned uses of the land for a given level are drawn in on certain graphic plans: geodetic or cadastral, for instance. Since physical planning is totally within the individual purview of each country, it

involves no elements of the *acquis*. At the EU level there is no uniform spatial legislation. However, each national law in the domain of physical planning must contain certain elements of the rule of law and order, the welfare state and the democratic society. In other words, “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” (CEMAT, 1983). From this brief explanation we can see that physical planning is connected with a knowledge of the complex relationships in a society. For this reason, in the EU it is considered that physical planning in the member states should be founded on democratic principles, as well as comprehensive, functional, and oriented to the longer term.

How do the processes of accession and enlargement of the EU affect the area that surrounds us? With the growing economic and social integration, internal borders are increasingly losing the role of demarcation, not only in an economic and political sense, but also in a spatial sense. The migration of the labour force, the free movement of goods, services and capital, and cross-border cooperation lead to new relations in the space, both negative and positive, and thus to new spatial structures, not only in the member states, but also in the neighbouring countriesⁱ. For this reason it is to be expected that the new enlargements of the EU will bring about changes in spatial relationships, for example, to gradual shifting of industrial and agricultural activities eastward.

Although in public the process of the Croatian accession to the EU, as well as the enlargement of the EU, is justified and presented most often only from an economic or a political aspect, these processes have a major impact on the space, and hence lead to its transformation. Since according to one of the scenarios from the Vision Planet study (2000), the gradual transfer of economic power to the eastern part of Europe is envisaged, it is to be expected that the area of Croatia will be exposed to powerful and long-term changes. It is not possible to state with any certainty how and to what extent the accession process and the recent enlargement of the EU will affect the territory of Croatia. But it is very clear that there will be certain changes, and that for these reasons, Croatia should be better acquainted with and more involved in all the activities related to spatial development at the EU level.

In order to be able to understand the importance of physical planning in the Croatian EU accession process, the remainder of this paper deals with three topics: the importance of physical planning in the EU, the EU requirements on candidate countries, and the situation vis-à-vis physical planning in Croatia.

THE IMPORTANCE OF SPATIAL DEVELOPMENT IN THE EUROPEAN UNION

In order for the importance of “space” to be as clear as possible in the European context, this part of the paper will briefly introduce international physical planning activities in the EU. The interest for regional and physical planning in the European continent has appeared as a response to the need to reduce the consequences of the unbalanced development of individual regions, visible in the economic and social differences between the north and the south, or the division of the EU into centre and periphery. Such difficulties can be overcome only if the space is looked at as a whole and common objectives for spatial development are defined. For this reason, from the European level, the space is considered not only within the confines of a single state, but also together with that of neighbouring countries, and after that as the space of a given region (for example, the Mediterranean space, or the Danubian, the Alpine or the Carpathian and so on), and finally as the space of the EU or indeed of the whole of the European continent. Apart from this, because of the need to harmonise the different national visions of spatial development (transport, watercourses, water management, environmental protection, nature or culture conservation), at the European level various documents are adopted such as charters, recommendations, declarations or conventions in which the common orientations are defined in principle. For this reason the EU puts a major onus for physical planning on the member states, which bind themselves to apply all these different documents in their national sectoral policies, strategies and plans.

The Council of Europe brought together the ministers in charge of regional and physical planning for the first time in 1970.ⁱⁱ Since then, at the European level, there has been official encouragement of the improvement of the methods and techniques for physical planning and cross-border cooperation for the solution of concrete problems. The fol-

lowing are some of the primary documents that have been adopted at ministerial conferences of the Council of Europe: The European Regional/Physical Planning Charter, better known as the Torremolinos Charter (CEMAT, 1983), The European Strategy for Regional/Physical Planning (CEMAT, 1988) and Leading Principles for Sustainable Development of the European Continent (CEMAT, 2000).

The Torremolinos Charter and the European Strategy for Regional Planning required member states to endorse an equalised social and economic development of society within the regions of Europe, an improvement of the quality of life, accountable management of natural resources and environmental protection, as well as a rational land use. The documents officially acknowledged the importance of international collaboration in the area of physical planning and asked all the member states to accept “realistic European planning” in their documents.

By accepting the Guiding Principles for Sustainable Development the member states of the Council of Europe identified physical planning measures aimed at enabling all their citizens an acceptable living standard. Since the principle of an acceptable standard of living is considered a precondition for the social cohesion and the stabilisation of democratic structures throughout Europe, these measures are of great importance. Guiding Principles also works as a basic signpost for the definition of land management policies at lower levels, so that practically all projects that are financed from such initiatives as Interreg, the Structural funds, Pre-accession and other funds are based on these principles.

An interest in patterns of regional development grew after, at the beginning of the nineties, the creation of the single market commenced. Kunzmann and Wegener (1991) published an influential article in which they argued for a polycentric system of cities as an alternative to the domination of just a few big centres, and the Dutch Agency for Physical Planning (Government of the Netherlands, 1991) created its report *Perspectives in Europe*, in which a concept of supranational physical planning was proposed, and an explanation was given of why national physical planning should take into account the European dimension of planning. In an analysis of the state of affairs in physical planning, the European Commission (1991; 1994) identified the main pressures on the European space stemming from social and economic development, as well as from national and regional interventions, and interventions of the Community. Two important growth focuses were identified (Northwest Europe and the northern part of the south, i.e., a

zone from Northeast Spain to North Italy and South Germany), and stronger collaboration in the field of physical planning in the whole area of Europe was sought.

Pursuant to this research, at a meeting of an informal council of ministers in the EU in charge of physical planning in their countries, the basic objectives of physical planning were accepted as economic and social cohesion, sustainable development, and the strengthening of the coherence of the European continent. The key principles for physical planning that were accepted were a better harmonised and polycentric urban system, equality of access to infrastructure and knowledge, and sensible management and sustainable development of the European natural and cultural heritage (European Spatial Planning, 1994).

The next important step in the development of physical planning was the adoption of an integrated multi-sectoral strategy for the spatial development of the EU (European Spatial Development Perspective; ESDP, 1999). When the ESDP was adopted, territory gained in importance as a “new dimension of European politics”. Member states were recommended in the implementation of the policy of the Union to pay greater attention to spatial factors in order to obviate regional differentials and to set up more balanced development. The European Physical Planning Observation Network (ESPON) was launched; this is a joint European Commission and EU member-states programme the aim of which is to explore spatial structures, trends and impacts of spatial policies in the EU.ⁱⁱⁱ All old and new members of the EU, as well as Bulgaria and Romania, are involved in ESPON, but as yet Croatia is not, although it has sufficient information about its own space and spatial structures.

The acceptance of the ESDP (and the recent draft EU Constitution) mean that spatial development and territorial cohesion are gradually being brought into sectoral politics, and European institutions are continuing to strengthen the spatial component during reviews of certain policies (for example, on rural development or environmental protection).^{iv} ESDP also constitutes an important document for the design of the spatial policy of the member states, and for the mutual harmonisation of the spatial interests of states and the EU in the area of spatial structure. Member states are duty bound according to ESDP to adjust their national interests with European interests (vectors of development, main ports and international infrastructure); the management of water (navigation routes, construction of hydroelectric generating stations, flood protection, protection against pollution); ecological networks; and rural development (changes from agricultural to residential or recreational use). One example of such obligations is the case of the

Czech thermonuclear generating station, Temelin, the planned enlargement of which was halted after negotiations between the Czech and Austrian governments, and numerous campaigns by NGOs.

The enlargement of the EU has meant that a large number of metropolitan urban regions and small and medium-sized cities have been included into the spatial structure of the Union, as well as a heterogeneous rural space, mountain regions and islands. In many new member states the capital city has a dominant position in the national urban system. But Poland, for example, has many large cities, and so the centre of gravity of the enlarged EU is moving eastwards, although it is still located on German territory. After the enlargement, the EU has about 70 cities with populations of over 500,000 in which about 20% of the total population lives.

Questions of spatial development are managed in the EU according to mutual cooperation, coordination and consensus, for the documents stated have the status of recommendations that do not necessarily have to be applied if they are not accepted in the national documents. But since in the framework of targeted programmes such as ESPON and Interreg considerable financial resources have been earmarked, member states have a financial interest in applying the mentioned recommendations of the EU.^v

EUROPEAN UNION REQUIREMENTS WITH RESPECT TO THE CANDIDATE STATES

Because of its role in the strengthening of the objectives of economic and social cohesion, spatial development is an important element in the enlargement of the EU. At the same time, because of spatial, historical, cultural and natural diversities at the European level, there is no single set of comparable territorial data – member states have only in the last few years been able to agree on reliable criteria and indicators to be applicable in all countries of the EU. The concepts and legislation in the systems of physical planning of the member states have also never been brought into line with each other.^{vi} Accordingly, there is no *European* spatial legislation, only spatial legislation at the level of the member states. But in spite of this, inside the EU, there is a standard of management with the aim of a long-term vision of the development of physical planning, brought into line with the orientations of the EU and other international organisations.

For the candidate states, this means that in the area of physical planning there is no direct obligation with respect to individual chapters of the *acquis communautaire*. EU requirements relate primarily to the obligation of candidate countries to harmonise the policies and aims of their spatial development with the European objectives of spatial development, and to incorporate into the national legislation concerning physical planning certain mechanisms to harmonise the interests with the Union and other member states. One such mechanism is the obligation of the member states to base the preparation, drawing up and acceptance of physical planning documents at a national level on principles of law and order, the welfare state, financial justifiability and a democratic society. Another mechanism is that in the procedure of physical planning they respect international recommendations, directives, contracts and conventions, for example, from the area of the protection of the environment, the protection of the natural and cultural heritage, water management, the management of the coastline and the island areas. Given that sectors like transport, which are related to physical planning matters, also have to respect international agreements and special guidelines and instruments of the EU (for example, from the area of agriculture) and run and orient the vision of the development of their activities at the national level.

During the association process, new members of the EU, such as the Czech Republic, Slovakia and Slovenia, had first of all to assess the state of affairs in the space, determine their own objectives and policy for spatial development, and finally had to harmonise these objectives and policies with the interests of the EU. Thus in December 2001, Slovenia defined its new Policy of Physical Planning, and adopted its Assessment of the State of Affairs and Aspirations in Space, while it passed a new Physical Planning Law in 2002 (Zakon o urejanju prostora, UL 110/02). The basic doctrine of the new system inhered in the adoption of the principle of sustainable and harmonised spatial development of urban and rural regions, and instruments of an active land policy were provided for, from both local government units and from the central government. New rules were established, and a new manner of being involved in the procedure for the preparation and acceptance of decisions about the space.

From this, it can be concluded that in the process of joining the EU Croatia will be required to incorporate the following three elements from the domain of physical planning into its legislation:

- To ensure a much more stringent enforcement of the whole of the legislation relating to physical planning, for example, great authorities in the control of the space, an increase in fines in cases in which the laws are not adhered to, to provide the conditions for spatial plans to be carried out in such a way as to protect the natural and cultural diversity, to spare and preserve the land for the future generations, and so on;
- To incorporate into its legislation a provision concerning the participation of the public in the procedure of the preparation of physical plans (at the moment, public participation is provided for only during the drawing up of, and not during the preparation of, the physical plans);
- To create the conditions for the physical plans to be an expression of the realistic capacities of the society, and not just the visions of planners and architects, for which there is no real financial grounding. ^{vii}

It would be easy to meet these requirements if the EU were to check out only the extent to which they are incorporated into the letter of domestic law. However, negotiations about accession are held primarily about the conditions under which the candidate countries will apply and administratively and legally put through solutions in a given area accepted at the European level. The next chapter will discuss the unfortunately unsatisfactory state of affairs in the practice of physical planning in Croatia.

PHYSICAL PLANNING IN CROATIA

This chapter will attempt to describe the existing state of physical planning in Croatia and compare it with the demands of the EU.

At the beginning of the nineties there were expectations that Croatia, as an independent state, would start off its spatial development on new grounds and with new objectives, as compared with the former system and state. Considering the long-term experience in physical planning, it was expected that the government administration would be mature enough to cope with new tasks in the domain. Not only were there home-grown examples of physical planning, but the experiences of highly developed countries in Europe were studied. Unfortunately, because of the poor working of the bodies of the government administration and the many social, political, economic and cultural changes, the physical planning system set off in a direction different than had been anticipated, and the planned development went much more slow-

ly than had been predicted. War damage, the introduction of parliamentary democracy, the strengthening of private property, the transition to a market economy, the new territorial organisation, the processes of European integration and globalisation all had the unpredictable consequence of a value-system crisis in physical planning, and a profound neglect of common and long-term interests in the space.

What problems are concerned here precisely?

The new units of local self-government and administration were not full prepared to take over, in addition to other matters, the tasks of planning their own space. In the greatest number of 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.

Property title began to be equated with the absolute right over real estate without any respect for the ensuring or protection of public interests. Because of the mistaken understanding of legal title to real estate, the number of illegal buildings and other operations in the space increased, and requirements of common interests, such as technical and social infrastructure, were neglected.

The system of physical planning should contain harmonised plans of the entire state, of regions, municipalities and cities. The central government level is responsible for the strategic outline of spatial development (the system of physical planning) and the application of elements that are of national interest: the determination of the main transportation corridors, the pipelines for gas and fuel, the electricity grid, the main ports and airports, special-purpose areas, national parks, nature parks, the main watercourses and so on. At the county level plans of physical planning that are of interest to the county are drawn up, such as the determination of the county transportation corridors, its infrastructure, protected natural areas, urban networks, tourism, and watercourses. Finally, the local level (municipality or city) is responsible for the spatial plans of interest to itself, that is, for the determination of the use of the space.

In conjunction with physical planning so structured, there is a need for complex horizontal and vertical sectoral coordination. In principle, all planning levels should be independent, but interlinked via collaboration, coordination and consensus. However, this kind of planning in Croatia in its current condition meets with enormous difficulties. When the new territorial organisation of 1992 came into being, some settlements that had previously been part of a larger municipality

became independent and were eligible to form bodies of local self-government. In this manner the democratic processes were continued at the local level, and units of regional and local self-government obtained the right and obligation to plan their own territory, and hence the preservation of their own identities. However, as many as 547 units of local self-government were set up (123 cities and 424 municipalities), many of them, because of shortfalls in their revenues, being unable to finance their own current requirements. For this reason the financing of development plans, spatial plans or projects for the development of individual sectors constituted obligations that could hardly be realised.

But there are also other problems that suggest the conclusion that at the level of local self-government, there is no quality communal economy, land and spatial policy concerned with the social, economic, cultural and ecological values of the space. One of these problems is that *the physical plans of the municipalities and cities in most cases remain at the level of determining building zones*. Here sight is often lost of the important consequence of dividing the space into building (i.e., land that is already built up or developed and which is planned for building development in the future) and non-building areas of the spatial plan. For example, it is common for the development of family farms to be held up. The physical plans of municipalities and cities also often do not have a clearly determined purpose for the space (tourist, industrial, areas of exploitation); sometimes the interrelated impacts of different uses of the space are not well-enough analysed (for example, the diminution of market value because of noise or the nearness of a source of pollution). Since the 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. Since the determination of the building zones is in the competence of local self-management, the surface areas set aside for building are often larger than is needed by the settlement, as compared with its capacity. Although there are guidelines from the line ministry concerning rational procedures with land, as an important resource, during the definition of building zones, these guidelines are evaded, and the competent ministry has no legal authority to reduce the building area. For this reason the surface area of building zones tends to increase in the space management plans of the municipalities at the expense of the natural space.

A second problem at the local level is that *in a large number of cases the physical plans are ill-adapted to contemporary requirements*. Many of them are, for example, based on the principles of socialist-style

development, which is of course not suitable for the current trends in society and the economy, such as the development of private enterprise and a real-estate market. This disproportion is particularly clearly marked on the coast of the Adriatic, which has become an extremely attractive area for development and hence for real-estate investment (see Mihaljek, 2005). For example, for the purpose of incentives to the development of tourism, the Ministry of Tourism encourages the construction of tourist industry facilities via the provision of bank loans. This initiative, however, has not been accompanied by appropriate physical plans. Although authority to manage their own space have been conferred on local authorities, many of them do not have the technology, the finance and the expertise for this. For this reason in July 2004 the Parliament gave the Ministry of Environmental Protection, Physical Planning and Construction authority to take direct control of the adoption of physical planning documents for the protected coastal zone and the islands. Furthermore, in conjunction with the very large extent of illegal construction, a major problem in the disturbance of natural and aesthetic values of the space can be seen in the start-up of a large number of quarries, both in the interior and along the coast, facilities that most often are not planned for in the physical planning documents.

The third problem at the local level is that in the spatial plans of municipalities and cities, most frequently *potential or explored areas for the deposition or storage of waste are not defined*. The reasons for which this question is ignored are mostly the unclear rights of ownership to the land, the lack of prompt planning, and the lack of expertise in the solution of complex waste-disposal issues.

Fourthly, *a building zone on the whole tends to spread along the existing asphalted roads, without enough concern being devoted to the planned construction of the necessary technical infrastructure* (for example, pavements, water supply grids and drainage). Although possession of main services increases the economic worth of real estate, during the drawing up of plans not enough attention is devoted to the planning of the technical and social infrastructure. When settlements develop along the existing roads, their original form is lost.

Similar problems appear at the county level too. In accordance with the provisions of the Physical Planning Law, spatial plans have been drawn up and adopted for all the counties. However, these plans have not been harmonised with sectoral development plans (for example of agriculture, forestry, tourism, mining, culture and roads) at the county level (which have often not been actually laid down), and so the development of individual sectors will tend to be held up.

As compared with the municipalities and counties, not even the competent ministry for physical planning issues is in a more favourable situation when it is in charge of drawing up special-feature spatial plans. The biggest obstacles in such situations are *absence of or disunity among sectoral databases, unclear titles, geodetic plans that have not been brought up to date, an ignorance about sectoral plans, and a poor understanding of the interdependence of sectoral plans*. Because solutions to these essential problems are slow in coming, there is even more delay in the handling of the complex relationships of physical planning.

Pursuant to the spatial plans that have been drawn up, the competent institutions in Croatia should be able to take part in the implementation of international projects, since at the European level, this kind of collaboration is actually an international obligation. However, domestic and international projects are often interrupted and Croatia has thus no united, continuous and long-term projects for spatial development at all levels, and mutually harmonised high-quality sectoral databases. Projects are terminated because of the change in the political leadership or because of the departure of people who have no political position and yet nevertheless actually conceived the project. A frequent reason for projects being aborted is the reorganisation of some body of the government administration. Here too come the unsolved problems about the demarcation of competencies among ministries. The consequences of such a situation is that sometimes projects are financed that are not actually within the remit of given sectors. Thus for example the Ministry of Tourism finances the project for the restoration of rural houses named "Under Centuries-Old Roofs", although according to competence, this project should be financed by the Ministry of Culture. But the cause of projects being abandoned or collapsing is not just in the problem area of competence for the implementation of the project. Quite often projects have not been thought up with a sufficiently high-quality methodology and are not planned for the long term, and financial resources for their implementation have not been committed. Furthermore, during the drawing up of projects, sometimes not all the relevant sectors take part. Most often just those who devise the project participate, while, for example, the departments that have jurisdiction in the field of conservation of the natural or cultural heritage are insufficiently involved. These errors have been corrected in recent times, because those responsible for many projects became more aware of the importance of the protection of the natural and cultural inheritance. But still, no appropriate services to coordinate and run spatial development projects have been established, at either central government or lower level.

To what extent is the existing system of physical planning in Croatia in harmony with the Guiding Principles for Sustainable Development of the European Continent? At a formal level, it cannot be denied that there is a certain degree of harmonisation. In accordance with the provisions of the Physical Planning Law of 1994, the Strategy of Physical Planning of the Republic of Croatia (1997) and the Programme of Physical Planning of the Republic of Croatia (1999) were drawn up. In harmony with the Guiding Principles, these documents define problem units that have features in common: areas alongside the national borders; rural areas and villages; the rural area of hill and mountain country; the islands of the Croatian Adriatic; and, which form a distinctive and individual unit, the war-torn areas. So that the problems of these areas should be handled as effectively as possible, the areas so defined also have their own legislation. And in accordance with the laws, sectoral strategies programmes and plans are drawn up.

Although physical planning is not an expressly defined task of the EU, the financial obligations of the EU to the candidate countries clearly show the competence of the EU in the harmonisation of spatial policy matters (European Spatial Planning, 1999). In Croatia, there is partial harmonisation with the democratic principles of public participation in the adoption of physical planning documents. For example, according to the Physical Planning Law, the public can be involved during the procedure in which spatial plans are drawn up through the institutions of public scrutiny and public debate. However, as yet the public in Croatia does not have any part to play in the process of preparing documents of physical planning.

In harmony with general regulation of standards, there is also lack of legislative harmony in issues of the financial cogency of spatial development plans. Because of the unstable financial situation during the past few years, the documents of physical planning that have been drawn up have not been backed up with the appropriate financial analysis.

These shortcomings may not at first glance appear to be so very important. However, one should bear in mind that because the system of physical planning in Croatia is not adequately prepared to keep up with European trends, the accession process might lead to further major transformations in the space. Apart from that, during the association process, a clear establishment of order in the physical planning law is expected. This refers primarily to the establishment of the objectives of physical planning through which a more direct management of the space will be achieved, and a more effective supervision of legislation.

For an improvement of the existing state of affairs in the physical planning in Croatia it is necessary, as well as this, to ensure harmonised planning of the spatial, economic and social objectives of development. Finally, Croatia, like Europe as a whole, still has no uniform system of criteria and indicators to make possible a review and control of the implementation of the spatial development objectives laid down.

CONCLUSION

Croatia occupies a very important geographical position between the west and the east of Europe, and between Central and Mediterranean Europe. Although the impact of the enlargement of the EU on the space of both Croatia and the new members is still unknown, because of the importance of its position, it is not unrealistic to expect a profound and long-lasting transformation of the Croatian space. Since Croatia cannot be separated from the European processes, it has to be involved in them actively, and make use of them to preserve and improve its own territory. For this reason the basic conclusion of this paper is that a new attitude to the space is needed, as well as a responsible and effective policy of physical planning to remove the previous weaknesses and to lay down the objectives and policies of spatial development in line with those of Europe.

What does this imply in concrete terms? Since Croatia is not yet a member of the EU, one important mechanism for the implementation of the objectives of spatial development is *participation in programmes of cross-border, regional and international collaboration* Interreg and Central European, Adriatic, Danubian, South-Eastern European Space (CADSES). These programmes take in areas beyond the borders of the EU and constitute starting points for further development of European spatial development policy, both for the space of the EU and for the space of the enlargement. Croatia should also, for the sake of the internal cohesion and balanced development of the EU, be interested in taking part in international spatial development projects such as ESPON. In the enlargement process, it is necessary in general to increase knowledge about the specific challenges that are posed during the enlargement of the territory of the EU.

Secondly, *all bodies that have spatial development within their purview should respect the fundamental objectives of the spatial development of the EU*. The perspective of the spatial development of Europe is founded on principles of even and sustainable development,

particularly via the strengthening of economic and social cohesion, and in the future probably on the principle of territorial cohesion. The harmonisation of the policy of spatial development of Croatia with European processes requires a new strategy. Accordingly, the existing framework for the policy of physical planning should be redirected and not only the decision makers in the central government and in the counties but also those in the municipalities and cities should be involved in the effectuation of it, since local authorities have a decisive effect on the space with their plans and measures.

Thirdly, Croatia should *be actively involved in the determination of internationally comparable spatial data*. These activities do not involve just the creation of statistically uniform data and institutions, but also the creation of databases for the monitoring of the state of affairs in the space at the level of municipality, region and state. Since such databases are the basis for physical planning and spatial development at all levels, it is important to agree on reliable criteria and indicators capable of assisting in the achievement of the objective of sustainable development.

Fourthly, although there is no *European* spatial legislation, in the accession process it is necessary *to harmonise certain legal regulations with European practice*. For example, the public should take part in the procedure for preparing spatial plans and defining what operations are to be conducted in the space. Spatial plans should contain a financial justifiability analysis. It is also necessary to strengthen control of the application of the laws. Finally, although the existing legislative framework does prescribe the relationships obtaining between planning documents of different levels, the relationships between the documents of the various sectors of the economy still have not been defined. Since it is competent for working out legislative and detailed plans of spatial development and physical planning, the Ministry of Environmental Protection, Physical Planning and Construction should bear the greatest burden of the harmonisation of legislation with European practice. However, other ministries too, which have in their jurisdiction some part of the competence for spatial development and management – for example, the protection of nature and water, culture, tourism, transport or development – will have to harmonise their own legislation and bylaws with the spatial legislation and *acquis* of the EU.

Formal regulations related to physical planning can indeed be changed overnight. However, the preservation and enhancement of the values in the space do not depend only on keeping to the letter of the

law, but also on the ethical and moral conduct of individuals and society as a whole. Here one should bear in mind that there is no universal recipe for a long-term sustainable social and economic development, and each state has to find its own way of arriving at a balanced stewardship of the space. Unlike the highly developed countries of Europe, in which space has gained in political importance, and has the character of a social value, the space in Croatia – except along the sea coast – has not become an adequate focus of social and political interests. Thus the blind copying-out of laws from individual areas and the introduction of new institutions following EU member states might have an effect quite opposite to that desired. There can be no success if issues of physical planning are planned and organised only at a central government or European level. Ideas, stimuli and visions must, to a very large extent, come from the population and from local self-government.

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- i *The spatial structure of Europe implies, for example, an understanding of the distribution of the population over regions, the regional GDP, and the relations of the regions with the potential core development area called the pentagon.*
 - ii *European Conference of Ministers Responsible for Regional Planning (CEMAT).*
 - iii *During 2002-2006, within the context of ESPON, diagnoses will be produced of the main territorial points of development at EU level, and the difficulties and potentials for territorial development will be defined: maps of the main spatial differences and their intensity; spatial indicators and typologies for the establishment of a balanced and polycentric development of the enlarged EU; and databases for the coordination of sectoral policies.*
 - iv *According to the provisions of Articles 1 through 3 Item 3 of the Draft EU Constitution (European Parliament, 2004), “territorial cohesion” has become a new EU objective. By way of comparison, in Article 16 of the EU Treaty, only two main objectives of the EU were stated: economic and social cohesion.*
 - v *Interreg is an EU initiative for encouraging inter-regional collaboration; see [www.interreg3c.net/web/home_en].*
 - vi *The lack of harmonisation of European physical planning laws primarily refers to the area of unharmonised concepts, and in consequence to the concomitant legal and administrative procedures, such as the issue of building permits and appeals (Radna zajednica Alpe Jadran, 2002).*
 - vii *For example, the Physical Planning Law of 1980 contained a provision making it mandatory for physical plans to be backed up financially.*

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