

State-of-play of the Maritime Spatial Planning Directive Implementation process

Focus on the role of the Regions

Western Mediterranean

12 February 2019

Version 3



Supporting Implementation of Maritime Spatial Planning in the
Western Mediterranean region



European Commission
Directorate-General for Maritime Affairs and Fisheries

Grant Agreement: EASME/EMFF/2015/1.2.1.3/02/SI2.742101

Component: C1.2 Development of cooperation on transboundary
MSP

Sub-component: C.1.2.2 Analysis of the Maritime Spatial Planning
Process

Deliverable Lead Partner: SHOM
Start Date of Project: 01/01/17
Duration: 24 Months
Version: 2

Dissemination Level	
PU	Public
PP	Restricted to a group specified by the consortium (including the Commission services)
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CO	Confidential, only for members of the consortium (Including the Commission services)

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Document Information

Deliverable Title	State-of-play of the Maritime Spatial Planning Implementation process – Focus on the role of the regions
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Recommended Citation	Périssé, D., Guennal, L., Ritters, L.A., Carval, D. (2019). State-of-play of the Maritime Spatial Planning Directive Implementation process - Focus on the role of the Regions. Supporting Implementation of Maritime Spatial Planning in the Western Mediterranean region (SIMWESTMED). CPMR. 30 pp. DOI: 10.5281/zenodo.2600188

Version History

Date	Document Version	Reviewer	Revision
05/11/2018	1.0	Reviewer 1	Initial draft
31/12/2018	2.0	Reviewer 2	Content revision
12/02/2019	3.0	Reviewer 3	Final proofreading/correction

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Acronyms

EC: European Commission

GES: Good Environmental Status

IMP: Integrated Maritime Policy

MS: Member States

MSET: Ministry for the Solidarity and Ecological Transition

MSFD: Maritime Strategic Framework Directive

MSP: Maritime Spatial Planning

SFPD: Strategic Façade Planning Documents

Introduction

As the societal vision of the sea shifted over the last centuries, human activities have spread out towards marine space, “conquering” these new territories to expand. Traditional as well as upcoming activities developed and continue to increase, struggling to control a slot of what was long considered as an endless and untouched land of water. Today, nevertheless, the sea has proven limited to host the numerous maritime activities unfolding in its width, and the growing demand for space and resources it requires. As a result, settled sectors such as fishing and navigation cross paths with forthcoming practices, like tourism or the extraction of marine aggregates. In the mix, also falls previously terrestrial or coastal activities making their way through the open sea, including aquaculture and marine renewable energies. Finally, various Marine Protected Areas came to light, with the intention of maintaining marine ecosystems and quality of our seas, adding to the board of the already conflicting maritime stakeholders.¹ The expansion of the above-mentioned human activities has substantially boosted Europe’s economy but, at the expense of increased competitiveness for space and pressure on the environment. Moreover, the collective character of the seas renders such expansion very difficult to control or monitor.² In that sense, and to encourage a sustainable use of marine space, environment and resources while fostering Blue Growth, the European Union has established a Framework for Maritime Spatial Planning due in 2021.

The Directive establishing a framework for maritime spatial planning was adopted on 23 July 2014, it commits Member States to define a planning strategy and develop maritime spatial management plans by 2021. In doing so, EU Member States must adhere to a series of principles, including consultation of the relevant authorities. This paper will describe the state of play of MSP implementation in the European Union and especially within the four countries of the SIMWESTMED project being France, Italy, Malta and Spain, together with regional implications.

In a second part, this paper will indeed address the role of the regions in the implementation process of the Directive and will analyse their concerns and proposed solutions. EU Coastal regional authorities can be considered as indispensable actors in the development and management of human activities at sea, in link with their regulatory powers, scope of competencies, and actions. The stakes of the Directive are in that sense of high importance for many regions whose economy is largely based on the maritime sector.

¹ DE CACQUERAY Mathilde, [under the tutelage of] MEUR-FEREC Catherine, 2011, *La planification des espaces maritimes en France métropolitaine : un enjeu majeur pour la mise en œuvre de la Gestion Intégrée de la Mer et du Littoral*, University of Bretagne Occidentale, 553 p.

² *Policy Research Corporation*, Final Report, Exploring the potential of Maritime Spatial Planning in the Mediterranean Sea, February 2011.

1- Frame of the Maritime Spatial Planning in Europe

1.1 Origins of the MSP Directive in Europe

Counting frontiers with two oceans and four seas, the marine area is one of Europe's most valuable assets, playing a crucial role in its economy, growth, resources and natural heritage.³ Noticing, "the high and rapidly increasing demand for maritime space for different purposes, such as installations for the production of energy from renewable sources, oil and gas exploration and exploitation, maritime shipping and fishing activities, ecosystem and biodiversity conservation, the extraction of raw materials, tourism, aquaculture installations and underwater cultural heritage, as well as the multiple pressures on coastal resources", that the actual space at hand cannot answer to, EU's policy makers soon recognised the necessity for "an integrated planning and management approach."⁴

It is with the creation of the **Integrated Maritime Policy (IMP)**, in 2007, that the European Union made a first step towards Maritime Spatial planning. Built on two main pillars: environmental and economical, the IMP aims at responding to cross-sectoral issues that require the interaction and coordination of multiple stakeholders. Therefore, its main objectives are to foster cooperation and knowledge sharing, gathering tools for a coherent management of the seas, to tackle common challenges of growth and conservation.⁵

One year later, the **Marine Strategy Framework Directive (MSFD-2008)** set the legislation for Member States to develop approaches considering the predominant environmental factor, at a national and regional level. The framework expressed the necessity for an ecosystem-based management and reaching Good Environmental Status (GES) of marine waters by 2020. Besides, the MSFD built another milestone for MSP in Europe, requiring submissively for MS "to undertake spatial measures (Article 13(4)) and spatial and temporal distribution controls and management coordination measures, including management measures that influence when and where an activity is allowed to occur."

Finally, witnessing the urgency for "new management approaches, synergies, transnational coordination, visions, and actions"⁶, the European Union put together a Directive establishing a framework for **Maritime Spatial Planning (2014)** as part of the IMP and in line with the Europe 2020 Strategy for smart, sustainable and inclusive growth. Built as a supporting tool to attribute uses of maritime space and reduce conflicts, "MSP aims to

³ GILEK Michael and KERK Kristine, 2016, *Governing Europe's Marine Environment. Europeanization of Regional Seas or Regionalization of EU Policies?*, Chapter 6, The Marine Strategy Framework Directive as a Catalyst for Maritime Spatial Planning: Internal Dimension and Institutional Tensions, DE SANTO Elizabeth, 2016, published by Routledge, New York, 290 p., p.95

⁴ *European Commission*, Directive of the European Parliament and of the Council of 23 July 2014, Establishing a Framework for Maritime Spatial Planning 2014/89/EU, Official Journal of the European Union, 2014.

⁵ GILEK M., KERK K. and DE SANTO E., p.95, *op.cit.* And European Commission, *Maritime Affairs- IMP - MSP*, visited between the 14th – 28th November.

⁶ PINARBAŞI Kemal, GALPARSORO Ibon, BORJA Ángel, STELZENMÜLLER Vanessa, EHLER Charles N., GIMPEL Antje, in *Marine Policy*, published by Elsevier, Decision support tools in marine spatial planning: Present applications, gaps and future perspectives, September 2017

balance the development of maritime activities and increase cross-border cooperation through transparency, clearer legislation, better coordination between administrations, and the early identification of impacts that can arise from the multiple uses of marine space. Thus, MSP is a public process of analysing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that are usually specified through a political process.”⁷ Besides, following the MSFD, MSP means to be implemented through an ecosystem-based approach, providing GES, hence following criteria of sustainability and environmental protection. Nonetheless, it is relevant to note the choice of terminology, describing “maritime” instead of “marine” spatial planning, that “emphasizes the human use and thus economic importance of the marine environment (DE SANTO, 2010).”⁸

1.2 European Maritime and Peripheral Regions and their potential role in MSP implementation

1.2.1 Regions regulatory powers

1.2.1.1 Main regulatory powers of the regions

With regards to the 4 Directives, MSFD, MSP and Birds/Habitats, their implementation are regulated by the States. However, regional authorities have their roles to play and some may even have regulatory powers to ensure some implementation aspects on the territories and the application of the national legal frameworks translating the EU directives.

In the Mediterranean and Adriatic Sea basins, following the replies of Tuscany, Lazio, Marche from Italy, Sud PACA region from France, and Catalonia from Spain, we can describe the following facts on the regulatory powers given to the regions. The case of Malta also differs from the other regional authorities as the marine environment is regulated and protected at national scale through various laws that create synergy between them.

Concerning MSFD, in Italy, regional authorities don't have regulatory powers. The transposing legislation (Legislative Decree 190/2010) attributes the coordination functions to the State and in particular to the Ministry of the Environment; the regions participate in the Technical Committee set up at the same Ministry of the Environment. For example, following a specific agreement, the Tuscany Region is committed to implementing part of the activities associated with the 1st Monitoring Program through the Regional Environmental Protection Agency of Tuscany (ARPAT), with funds made available to the Ministry of the Environment 'environment.

⁷ *Ibid.*

⁸ GILEK M., KERK K. and DE SANTO E., p.96, *op.cit.*

In Spain, the regulatory legal framework is adopted at national level, for the MSFD is it the “Ley 41/2010 de Protección del Medio Marino”.

In Malta, The EU Marine Strategy Framework Directive is implemented at the national scale under the vires of the Environment Protection Act (Cap. 549). This Directive was transposed into Maltese legislation through the publication of the Marine Policy Framework Regulations, 2011 (S.L. 549.62), and are administered by the Ministry responsible for the environment, with the technical assistance of the Environment & Resources Authority (ERA). An Inter-Ministerial Committee assists ERA involving all key players’ involvement in the implementation of the National Marine Monitoring Programme and the Programme of Measures.

Concerning the Maritime Spatial Planning directive, in Italy, it is also the state level, in particular the Ministry of Infrastructure and Transport, which coordinates the transposition legislation (Legislative Decree 201/2016). The regions are involved in a coordination committee that has not yet been convened at the moment. In Malta, the MSP – Directive 2014/89/ is coordinated by the Planning Authority through the Maritime Spatial Planning Regulation (S.L. 552.27) under the vires of the Development Planning Act (Cap.552).

In France, it is not strictly speaking regulatory skills but the “Document stratégique de Façade” resulting from the National Strategy of the Sea and Coast, in connection with the MSP Directive, should be taken into account in the Regional Plans of Development, for Sustainable Development and Equality of the Territories (SRADDET). Since the French law NOTRe (New territorial organization of the French Republic), the region Provence-Alpes-Côte d'Azur is the leading head on Biodiversity. This will therefore have an impact on the implementation of the Guidelines, especially for marine biodiversity.

About Birds and habitats directives, some regional authorities can have a bigger role to play and may have their words to say in assisting in the designation of the protected areas. In Italy, the State authority is the Ministry of Environment that by national laws gives guidelines for the application and implementation of Habitats and Birds Directives by regions, and approves the Natura 2000 boundaries of regions. The Regions propose and transmit to the competent Ministry the designation of new sites of Community importance and monitor the conservation status of species and habitats of Community interest, with particular attention to priority areas. The Tuscany Region is assisting the State in carrying out its duties under the Birds Directive (2009/147 / EC), in line with the Habitats Directive (92/43 / EC), in particular with regard to the identification and the designation of Special Protected Areas (SPAs) and the monitoring of the conservation status of wild bird species present in the regional territory, and specific conservation measures have been defined by the approval of resolutions of the Regional Council. The Lazio Regional administration is responsible for the identification of boundaries and conservation measures for Natura 2000 sites (SCI and SPA).

It is also in charge of assessment of plans and projects (art 6 Habitat Directive) affecting Natura 2000 network, monitoring of conservation status, and the integration of Directive measures in other specific sector plans and regulations. The Lazio region has identified 6 SPA and 34 SCA (Natura 2000) in sea or coastal areas. In the region Marche, the regional law 12 June 2007 n. 6, approves the environmental and Natura 2000 provisions. The regional law 5 February 2013 n. 2 defines the Ecological Regional Network and landscape protection rules.

In Spain, the regulatory legal framework for Habitats is adopted at national level under the “Real Decreto 1997/1995”. In Catalunya, the Region regulates and manages recreational activities at sea, marine aquaculture and shellfish harvest, and professional fisheries in internal waters. For the Habitats and Birds Directives, according to their competences, they can adopt more stringent measures for conservation than the national regulation and define and develop the management plans of the Natura 2000 network at land and sea when continuation from land.

In Malta, habitats are protected through navigation-related laws and environment protection laws.

Habitats Directive – This is implemented by the Environment & Resources Authority through the provisions of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44) and related subsidiary legislation under the Environment Protection Act (Cap. 549). These Regulations also hold provisions relating to Article 4 of Directive 2009/147/EC on the conservation of wild birds (Birds Directive) as well as various other multilateral environmental agreements such as the Protocol for Specially Protected Areas and Biological Diversity in the Mediterranean of the Barcelona Convention; the Convention on the Conservation of European Wildlife and Natural Habitats (the COE Bern Convention), the United Nations Convention on Biological Diversity (CBD) and the Convention on the Conservation of Migratory Species of Wild Animals (CMS/Bonn Convention).

Birds Directive – For the implementation of the Birds Directive, the Wild Birds Regulation Unit (WBRU) was established within the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights following Government’s decision in May 2013 to centralize the relevant regulatory functions pertaining to implementation of the Conservation of Wild Birds Regulations (S.L. 549.42) and related subsidiary legislation, and to oversee and drive the implementation of Government policy in relation to sustainable hunting governance and wild birds conservation.

There are also other legislation and policies, be it local, EU and international, addressing issues linked with the abovementioned Directives, for example the Common Fisheries Policy, regulations concerning fishing and regulations concerning maritime transport and safety of navigation and preservation of good order within Maltese waters.

1.2.1.2 Policies conducted by the regions

Some Regions are conducting their policies in addition to their national government's policy with regard to the implementation of the Directives. Below are some examples illustrating the level of contribution and commitment that some regions are dedicating.

In the Mediterranean basin, in Italy, the Region Tuscany, is strongly committed, in collaboration with the Ministry of the Environment, to the implementation of the Marine Strategy also through the coordination of the Regions that are part of the Western Mediterranean Sub-Region. Therefore, the region pursues the measures needed to implement the strategy as a basic instrument to ensure the coherence and sustainability of sea-going activities by projecting maritime space planning in line with Directive 2014 / 89 / EU. Concerning the Habitat Directive, the Tuscany Region has established its own Regional Biodiversity Strategy that is part of the PAER (Regional Environmental and Energy Plan) 2012-2015 (available at the following link: www.regione.toscana.it/paer). In Lazio, the Region decides about the management objectives and conservation measures by formal law acts. It should carry out monitoring activities to, following national guidelines imposed by ISPRA and Ministry. Regional offices also carry on Incidence assessment about projects, plans and works to be realized in SIC or ZPS areas, and contractual arrangements.

In Spain, the Government of Catalunya is currently developing two Strategies which are critical for the implantation of the aforementioned directives: (i) The Strategy of Natural Heritage and Biodiversity; and (ii) The Maritime Strategy for Catalunya, as part of the Programme for Maritime Action created in December 2016 by "Government Agreement", which will deliver in several requirements of the aforementioned directives and particularly the MSP. On Habitats & Birds directives, Catalunya has established a formal public information process. On MSFD, the coordination of the administration within the Region is taking place through an ad-hoc working group where the different departments with competences in littoral and marine areas are all represented. MSP is in process of adoption after the recent adoption of the transposition of the MSP Directive.

In France, the Provence-Alpes-Côte d'Azur Region contributes by providing its technical and or financial contribution to the implementation of the Marine Environment Action Plan of the MSFD.

In Malta, various policies or strategies directly or indirectly cover various facets of the Nature Directives and the MSFD, such as the National Biodiversity Strategy and Action Plan (NBSAP). This national strategy provides a comprehensive framework for safeguarding Malta's biodiversity over the period 2012 to 2020 and serves as a driver to integrate biodiversity concerns into the relevant sectoral or cross-sectoral plans, programmes and policies. Moreover, the National Environmental Policy (NEP) lays down the principles upon which

Malta's environment is to be managed and enhanced, as well as indicates which other non-environmental sectors need to respect and adhere to this policy. The NEP also holds a number of policies relating to coastal and marine areas such as the requirement to designate additional marine protected areas (achieved in 2016) and the preparation of a maritime spatial plan in line with IMP (Integrated Marine Policy).

1.2.2 Other types of regional actions related to maritime and coastal areas issues

Other types of action are undertaken by Regional authorities apart from regulatory powers. Some can have a role in seeking consensus among the actors of the territory concerning the definition of zones for the development of marine energies, marine leisure, or other activities.

In the Mediterranean, in the Lazio region, during the conservation measures planning process, local stakeholders have been involved both by direct encounters and public procedures. A first level of participated stakeholders has been kept informed. On the consultation level (second level), feedback by the public on analysis, alternatives or decisions are obtained. On the third level, the involvement level, the idea is to work directly with stakeholders and consider their input throughout the decision-making process. In Tuscany, all regulations and planning of the Region are subject to specific consultation on the territory. As an example, the bathing water quality management implemented through the legislative Decree 116/08, as a transposition of Directive 2006/7 / EC enabled over the years a good relationship between the Region and different stakeholders including the Bathing Water Communities, Integrated Water Service Managers and the conservation consortia. This is leading to excellent results not only from the point of view of water quality, but also regarding the management of the various actors involved in the process provided by the legislation, each for their own competences.

In Spain, in Catalunya, as the region is developing Protection Plans for two marine protected areas which cover both spatial management and regulatory issues: Natural Parc of Cap de Creus (starting the process), and Illes Medes (starting administrative formal process), they are also starting a participatory process in order to manage the different activities taking place in the protected area ZEC ES512001 Litoral Baix Empordà, where there is a strong interaction between the different users and possible conflicts due to the intensity of the activities taking place in this protected area. Moreover, a decree for the governance of commercial fisheries through co-management committees to allow co-responsibility and equal decision-making power among the interested stakeholders in the management of fisheries is under process of adoption.

In France, since 1998, the Provence-Alpes-Côte d'Azur Region has embarked on a maritime

and coastal policy. In 2005, it created the Regional Advisory Council for the Sea (CCRM), a consultative body bringing together many regional sea professionals. In 2005 and again in 2012, the Region adopted a Regional Strategy for the Sea and Littoral. In 2017, following the change of mandate, the Region wanted to strengthen its regional maritime policy by reconciling the ecological and economic issues of the sea and the coast. To this end, it has set up the Maritime Assembly for Regional Growth and the Environment ⁹(AMCRE) which is the place of co-construction and sharing of the orientations of regional policy.

The new regional maritime policy adopted in 2017 aims at three axes: to promote a positive and pragmatic ecology for a sustainable and shared management of the sea and the coastline, valuing marine fisheries and marine farming and to Develop maritime channels, innovation, training and safety at sea.

In addition, the Region is piloting the Clean Ports in Provence-Alpes-Côte d'Azur scheme for the environmental management of marinas. This system led to the creation of a European standard AFNOR "European Clean Ports Certification" in 2011. To date, work has been undertaken to upgrade this European certification to "Clean & Restored Ports" as the certified ports are committed to ecological restoration. Since 1998, the Region has also supported the integrated coastal zone management approaches with 7 Bay Contracts, 2 National Parks, 1 Marine Park and, like all the French Maritime Regions, Provence-Alpes-Côte d'Azur is the managing body of the EMFF to support fishing and aquaculture professionals.

In Malta, other types of actions undertaken by Malta apart from regulatory powers are consultations on proposed development and activities that may affect the environment, Vetting and issuing of environmental permits, monitoring of activities as mentioned.

⁹ Composed of 119 members divided into 4 colleges, it brings together representatives of the main players in the maritime world:

- Representatives of socio-professionals;
- Institutional representatives;
- Representatives of the sectors of Research, Innovation, Education and Training;
- Representatives of the management of coastal territories and associative, sports, cultural and educational movements.

Its main objectives are:

- Promote a sharing of knowledge and sensitization of all on complex and sensitive subjects;
- Allow permanent dialogue and broad consultation;
- Become a visible and listened interlocutor in order to influence decisions;
- Develop the maritime citizenship of Provence-Alpes-Côte d'Azur.
- Be the source of proposals and recommendations.

Regional authorities can be facilitator to create links with other stakeholders and key players within the territory in the scope of the implementation of the MSFD, MSP, Birds and Habitats Directives. They can also link with citizens and civil society within this framework, this is an aspect particularly visible when addressing the conservation measures and strategies of their territory related to protected areas. Wherever it comes to create working group, consultation, networks, assembly or ad-hoc opportunities for exchanges, the regional authorities are key players in facilitating citizens awareness raising and reaching stakeholders of their territories.

In Italy, within the Adriatic area, the region Marche, in accordance with the regional Plan of water protection, the region has considered the management measures of the sites of Community importance referred to in the Habitat and Birds Directives.

In Lazio, Conservation measures indicate activities to show to the with a special regard to some flag species. Educational programs are proposed and developed. Exchanges of cultural items are proposed among people from different areas. Links are kept through regional Reserves actions and direct contacts with local Administrations.

In Tuscany, the Region has assisted the Ministry of the Environment by actively participating in the consultation program for the MSFD implementation through the organization of specific events in its territory. On Habitat Directive, the region has developed stable and lasting contacts with all the operators of the SPAs (in addition to that the Tuscany Region also managed connections with the national parks, regional parks, the Unit's Command for the Forestry, Environmental and Agro-Food Protection of the Carabinieri Army) and with the civil society, since the Tuscany Region, as of 1 January 2016, is the competent authority for the issuance of the Environmental Impact Assessment and Nulla Osta provisions provided for in the sectoral regulations.

In Spain, in Catalonia, to overcome MSFD obstacles, a specific “Working group” was created that includes technical staff from different ministries, in order to share and coordinate marine issues with the Spanish government and between regional organisms. Concerning habitats and bird directives too, management teams of protected areas, play an important role establishing links with citizens and civil society. Also, the regional authority developed quite a strong program of land-stewardship, through a Land-stewardship Catalan network ([xarxa custòdia del territori](#) : XCT). The Government of Catalonia has also recently created the “Catalan Council for Maritime Co-management”. The administration and all sectors involved will participate through this Council in the development and implementation of maritime policies.

In France, in Sud PACA, the AMCRE Maritime Assembly ensures consultation between maritime and professional maritime actors. There are 4 thematic commissions chaired by

elected representatives and co-chaired by State representatives or public institutions, dealing with the following subjects: coastal ecological, fisheries aquaculture, marine renewable energies and public awareness. The actors involved in the implementation of the MSFD, MSP, Habitats and Birds Directives sit in these two consultation bodies. As a result, debate forums exist, and links are made as soon as the project emerges.

This last commission has integrated the dynamics of the Sea Network, created and managed by the Region since 2002. This network dynamics allowed to federate all the actors of the maritime world to impulse actions and bring to the knowledge of all the public, the issues related to management of the sea and coastline. All audiences are targeted (citizens, high school students, tourists, elected officials, technicians of communities, tourism professionals, nautical industries, managers of marinas, practitioners and sports educators ...) with the exception of public primary schools.

In Malta, the implementation of the MSFD is undertaken in close collaboration with all relevant stakeholders and Government bodies. Consultation with public sectors in relation to MSFD deliverables is generally undertaken through the Malta EU Steering and Action Committee and all deliverables are uploaded on relevant webpages for consultation with the general public. Similar entities are also involved in relation to the implementation of the Habitats and Birds Directives. Close relationships are also made with the 3rd sector. The management of sites is in some cases delegated to private entities, including NGOs, through management agreements established in accordance with the provisions of the Flora, Fauna and Natural Habitats Protection Regulations (SL 549.44). These include NGOs such as BirdLife Malta, Nature Trust Malta and the Federation of NGOs administering the Majjistral Park. Moreover, most actions and measures to be developed involve public consultation. In this respect, the Natura 2000 management planning project undertaken as part of the implementation of the Habitats Directive has won the CIEEM Best Practice Award for Stakeholder Engagement 2016.

1.3 The EU Directive 2014/89/UE: legal process and steps

The **EU Directive establishing a framework on Maritime Spatial Planning was adopted in 2014**, giving the sole responsibility of implementing Maritime Spatial plans to Member States.¹⁰ Accordingly, MS have to design and determine the format and content of the MSP and identify the distribution of current and future activities and uses in their marine waters - taking into account their interactions. MSP should be “built upon existing national, regional and local rules and mechanisms”, ensuring a public participatory process as well as

¹⁰ GILEK Michael and KERK Kristine, 2016, *Governing Europe's Marine Environment. Europeanization of Regional Seas or Regionalization of EU Policies?*, Chapter 3: Marine Governance: Institutional Capacity-building in a Multi-level Governance Setting, VAN TATENHOVE Jan P.M., 2016, published by Routledge, New York, 290 p., p.49

cooperation between Member State but also Third Countries, and include an environmental assessment considering land-sea interactions, for instance, through Integrated Coastal Management.¹¹

In this respect, legal issues comprise the requirements for the MS to consult bordering states, especially regarding shared environmental impacts; the compatibility of spatial planning between land and sea, including coastal areas; the choice of the decision-making body, central or regional as well as the degree to which the legislation will cover both the seabed and the water column.¹²

Besides, MS must define the competent institutional authority in charge of **implementing the Directive**, this, by the **18 September 2016** where all the related national laws, regulations and administrative procurement necessary should have been put in place and brought into force. Throughout the process, there must be a constant sharing of information between MS and constant data collection. Moreover, MS have to send updates and reports of their MSP process to the Commission for progress monitoring.¹³ Therefore “marine spatial planning should be a continuous, iterative, and adaptive participatory process, comprising a set of actions including research, analysis and planning, financing, implementation, monitoring, and evaluation of the plan” to ensure successful management.¹⁴

Finally, **all European MSPs must be completed** at the latest for the **31 March 2021**. As regards the implementation of these plans, not all MS stand equally. Indeed, some northern European countries are finished – *i.e.* Norway, Belgium, Germany, the Netherlands – or rather ahead – *i.e.* Lithuania, Poland, Latvia – while others seem behind - *i.e.* Italy. To help in that process, countries have at their disposal a set of existing instruments, including research projects, supporting MS capacities by developing guidelines, recommendations, sets of tools and data (*i.e.* SIMWESTMED, SIMNORAT, ADRIPLAN, etc.).¹⁵

2- MSP process implementation in Western Mediterranean

2.1 MSP implementation process in France

The EU MSP Directive was integrated into French law by the order 2016-1687 of 8 December 2016. The Ministry for the Solidarity and Ecological Transition (MSET) is the national authority responsible for its implementation, which will be divided into four sea basins and four Interregional Directorate for the Sea, respectively dealing with Eastern channel and North Sea; Northern Atlantic; Southern Atlantic and Mediterranean Sea basins. The law indicates the Strategic Façade Planning Documents as the main tools for MSP

¹¹ *European Commission, 2014, op.cit.*

¹² *European Commission, Legal aspects of maritime spatial planning, summary report, printed in Belgium, 2009.*

¹³ *Ibid.*

¹⁴ PINARBAŞI, GALPARSORO, BORJA, STELZENMÜLLER, EHLER, GIMPEL, *op.cit.*

¹⁵ PINARBAŞI, GALPARSORO, BORJA, STELZENMÜLLER, EHLER, GIMPEL, *op.cit.*

implementation. For each coastline, the SFPD are established under the authority of a couple of regional and maritime Coordinating Prefects while the Central Government coordinates the policies, report to the European Commission and inform neighbouring countries looking for coherence in their respective MSP plans.

In that respect, France shares maritime frontiers with Monaco, Italy and Spain. Bilateral agreements have been signed with Monaco as well as Italy – Strait of Bonifacio between Corsica and Sardinia completed in 2015 by a holistic agreement not yet implemented -, but overlaps exist in the Gulf of Lion due to disagreements in EEZ claims.

Currently SFPD are being reviewed nationally and internationally to be edited, therefore there are **no approved Maritime Spatial Plans in France**.¹⁶

2.2 MSP implementation process in Spain

In Spain, the Royal Decree 363/2017 of the 8 April established a national framework for MSP. Besides, the Spanish Law 41/2010 put down the principles for planning the environment through the implementation of Marine Strategies. The national authority in charge of MSP is the Ministry for the Ecological Transition, General Directorate for the Sustainability of the Coast and the Sea.

The Law 41/2010 created the Interministerial Commission of Marine Strategies under which was created the MSP-Working Group for the national process.

Strategic Documents for planning in five areas will be developed – Northern Atlantic; Southern Atlantic; Canary basin; Strait and Alboran; Levantine and Balearic. Strategic Documents will be used as main tools for MSP implementation by the General Directorate for the Sustainability of the Coast and the Sea.

After being drafted, the Strategic Plans will be assessed by the Interministerial Commission of Marine Strategies, which in turn needs the consent of the Committees of follow-up of the Marine Strategies, the autonomous communities, the Advisory Council on the Environment and the ministerial departments concerned.

Moreover, the knowledge and data to be used in the Maritime Spatial Plans will be produced by the research conducted under the Marine Strategies program.

The Council of Ministers will oversee approving the final version. Today, **no Maritime Spatial Plans have been validated in Spain**.¹⁷

¹⁶ *SIMWESTMED Project*, Initial Assessment MSP oriented, Western Mediterranean, Final version, September 2018 and European MSP Platform, MSP in the EU – Countries, visited between the 14th – 28th November.

¹⁷ *SIMWESTMED Project*, *op.cit.* and European MSP Platform, *op.cit.*

2.3 MSP implementation process in Italy

The EU Directive was transposed into Italian legislation with the Legislative Decree of 17 October 2016 setting the Ministry of Infrastructure and Transport as the national MSP competent Authority. The Inter-Ministerial Coordination Table is the main tool for MSP implementation in Italy. In fact, it published guidelines on 1 December 2017 with indications on how to prepare maritime spatial plans. Four maritime areas have been determined - Western Mediterranean Sea; Adriatic Sea; Ionian Sea and Central-Western Mediterranean Sea – and Technical Committees will be in charge of drafting each corresponding maritime spatial plan.

It is important to note that responsibilities regarding maritime and coastal issues are shared. The State overlooks the territorial waters while their management, in addition to coastal areas is divided between the state, regions, provinces and municipalities, all respectively having sectoral competences. Regions are particularly involved in the geographical Technical Committees of interest. The central government coordinates MSP actions at all level of governance, monitor and updates implementation to the EC and ensure transborder cooperation on the subject.

As regards, Italy has boundaries agreements with Tunisia, France and Spain but is in dispute with Malta for the delimitation of its marine borders.

To that date, following the guidelines on the preparation of MSP, **no lawfully maritime spatial plans have been implemented in Italy.**¹⁸

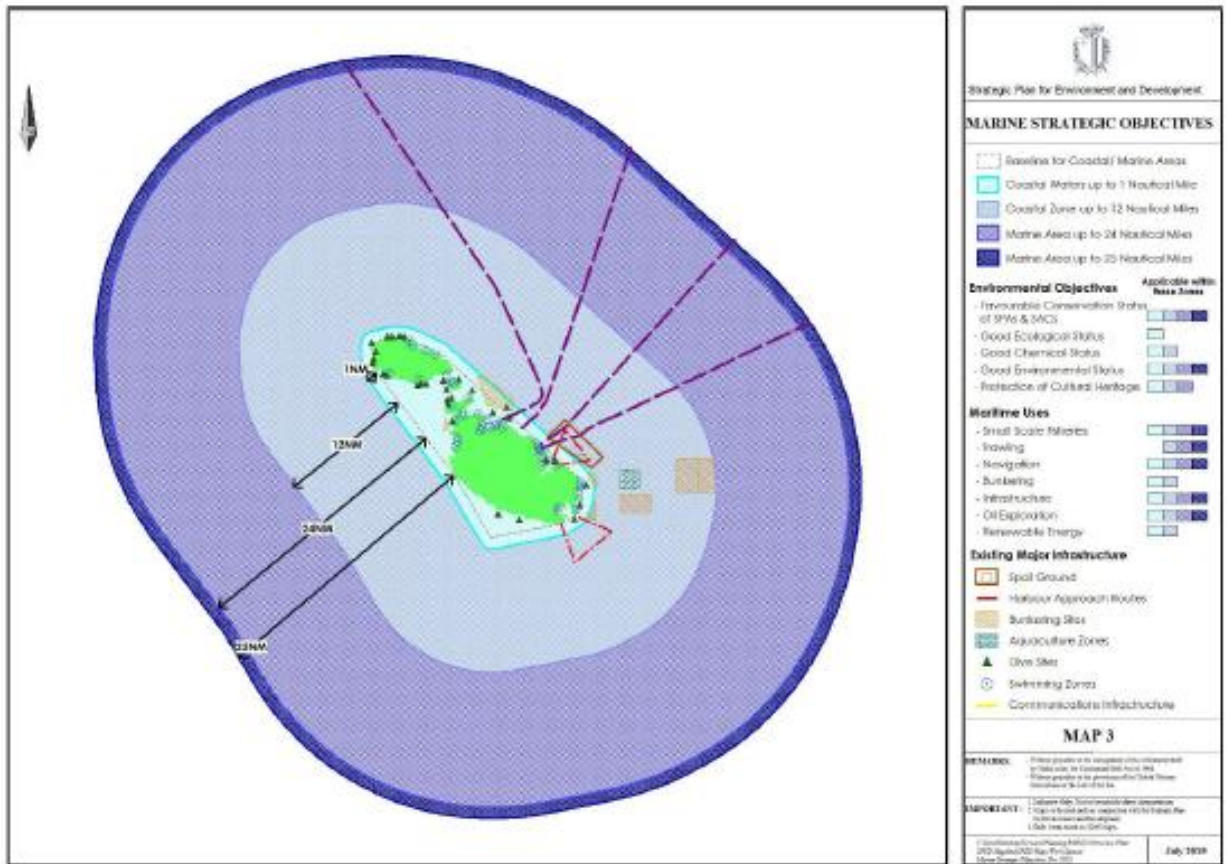
2.4 MSP implementation process in Malta

Malta integrated the EU Directive on MSP through its Maritime Spatial Planning Regulations of 2016 concurred by the Development Planning Act of 2016, establishing the Planning Authority of Malta as the competent national authority on MSP.

Malta has an approved Maritime Spatial Plan under the framework of **the Strategic Plan for Environment and Development of 2015**. It delimitates the territorial waters and coastal zone and “prioritise uses (...) in a manner which minimises user conflicts, does not accelerate coastal erosion, protects biodiversity, cultural heritage, landscapes and visual access to them, public access and use and increases resilience to climate change impacts.”¹⁹

¹⁸ *SIMWESTMED Project, op.cit.* and European MSP Platform, *op.cit.*

¹⁹ *SIMWESTMED Project, op.cit.*; European MSP Platform, *op.cit.* and *Government of Malta, Strategic Plan for Environment and Development, approved document, July 2015.*



2.5 Which place for the Regions in the MSP implementation processes?

ICZM and MSP together with the resilience of the coastal environment to climate change and the relation with socio-economic related human activities are very important issues for the regions, especially in the Mediterranean area. All activities taking place at sea have an impact on coastal areas in the regions. Regions have a role in the management of human activities on coastal areas: through legal powers and influence, including their role in listening to citizens and convincing them about projects on coastal areas.

Depending on their competencies, the Regions can play a decisional role in the fields related to the sea and the coast in certain sectoral policies, such as economic development, regional planning, maritime and coastal tourism or biodiversity protection and management. They act especially within the scope of their competence in economic development and business support to encourage the development of sea-related activities. They also support traditional economic sectors - such as water-based activities, small-scales fisheries and aquaculture, and developing sectors, such as marine renewable energies or offshore wind sector.

Even if regional authorities are not formally involved as such in the MSP implementation process, coastal regions can play a significant role in the maritime and coastal governance processes. In addition, while facing MSP cross-borders challenges and issues, regional

authorities can play a role of facilitators, as they are already engaged in interregional and other multilevel cooperation processes. For instance, they are involved in bilateral cross-border cooperation, and work closely with Regions of other Member States in specific areas. In particular, they participate in territorial cooperation programs (Interreg A programs, macro-regional strategies, regional strategies by sea basin) financed by the European Commission under the European Regional Development Fund (ERDF). These programs cover specific areas, such as urban, rural and coastal development, or economic development.

The [Bologna Charter](#)²⁰ is a concrete example on how regional authorities can cooperate together in maritime and coastal management related fields. Based on 2 decades of EU cooperation projects (e.g. Beachmed), promoted by the Emilia-Romagna Region and by Lazio and 12 other coastal Administrations in the Mediterranean. The Bologna Charter was signed in Brussels on March 21, 2013 during the MAREMED project conference at the European parliament by regions and local administrations spanning six Med countries in total. Its aim is to promote a common framework of strategic actions for the protection and sustainable development of Mediterranean coastal areas. Since its signing, the number of adherents to the *Bologna Charter 2012* keeps on raising up.

Other past and current project co-funded by Interreg Med programmes, such as [MarInA-Med](#)²¹, [Co-Evolve](#)²², are also concrete examples on how regional authorities can collaborate on highly topical issues related to coastal zone management, climate change adaption, coastal erosion and react in a common approach to the challenges faced in the Mediterranean sea-basin.

In addition, the participation of regional authorities in networks such as the CPMR (Conference of Peripheral Maritime Regions), illustrates their desire to become involved in the fields related to maritime issues and to further influence decisions and initiatives taken at national and EU level. However, the involvement of coastal regions in the development and management of maritime and coastal activities and uses depends to a large extent on their degree of maritimity and economic weight.

3- Future prospects and recommendations for the MSP directive implementation

3.1 Regions involvement in MSP Directive implementation

Regions can be involved in the marine strategy implemented in the framework of the MSFD, or in relation to the MSP Directive, they can be solicited for a maritime spatial planning

²⁰ <http://www.bolognacharter.eu/>

²¹ <http://www.medmaritimeprojects.eu/>

²² <https://co-evolve.interreg-med.eu/>

plan, or for zone definitions relating to the Birds and Habitats Directives. Their involvement can however be different depending on the directives or differs depending on needs and requirements the transposition of the directives at territorial level imply. We can underline some examples showing the articulations between regional authorities and other governance levels and stakeholders in the implementation and management processes of coastal and maritime related EU directives. It can also be noticed when regions are involved, they are mainly more likely to be involved in the Birds and Habitats directives related processes than in the MSFD or MSP directives so far.

In the Mediterranean area, in Italy, in Lazio, up until now, the regional Authority has been involved only marginally in MSFD and MSP planning. For Birds and habitats directive concerning the zone definition of SCI/SPA areas, the net has to be considered almost complete. Probably, in a new future, the Region will be involved in new open seas SCIs. In Tuscany, the region is involved in the management of the 1st monitoring program, implemented by the Regional Environmental Protection Agency of Tuscany (ARPAT) with funds made available to the Ministry of the environment through specific Conventions; Therefore, the region will continue its efforts to implement the measures necessary for the implementation of the strategy as a basic tool to ensure the consistency and sustainability of the activities carried out at sea in line with the MSP directive. The Tuscany Region has designated the sites of the Natura 2000 network both in accordance with the Habitats Directive and the Birds Directive, and approved the relative conservation measures and, in some cases, the management plans.

In Spain, in Catalonia, the participation process at national level is not adopted yet. However, the Maritime Strategy of Catalonia, currently under development, specifically addresses MSP for the region through activities management.

In France, the Sud PACA region, participates in various meetings in the MSFD implementation. Sud Provence-Alpes-Côte d'Azur is a member of the Steering Committee alongside the State services and its public institutions.

However, for Maritime Spatial Planning except for the works on the Façade Strategic Document, the region is not involved. Little information on the implementation of this new directive is available to date. The State services work with each other and do not associate regional partners. With regards to the Birds and Habitats Directives, the Region has not made a financial commitment to the implementation of Natura 2000 at sea so far, particularly for the achievement of the objective documents. Technical monitoring has been sporadic. At present, the action plans are broken down and implemented in certain sectors and the Region is requested technically and financially. It responds to this solicitation on topics that fall within these frameworks of intervention such as the development of moorings for yachting and yachting.

In a nutshell, there are many disparities in the way regional authorities can be involved in

directives implementation or processes. They can be directly involved, participating in national boards, and/or developing their own spatial plans in the case of MSP, or selecting, managing and monitoring protected areas in the case of Birds/habitats directives, or not concerned at all. However, in the case regional authorities are involved in the process, this is mainly in the case of the Habitats and Birds directives, as those have a direct implementation and impact at territorial level and need direct inputs from this level, in the selection of areas for instance. As other directives, MSFD and MSP are also still in development, further involvement will probably be needed along the life of their implementation, transposition and development.

3.2 Effectiveness of maritime related directives in addressing coastal and maritime management issues

In the Mediterranean, in Italy, the directives are surely a good starting point to address the problems related to the management of coastal and marine areas, especially regarding the obligation to work in collaboration with other European countries. The main problematics are found in the physical and biological characteristics of the Mediterranean compared to other European marine areas and in the definition and implementation of measures for the achievement of environmental objectives in relation to the economic availability and development expectations of the activities affecting the sea and the coast. On protected areas, marine and coastal SCI/SPA have been only recently instituted, so it will be also very interesting to evaluate their effects on conservation strategies, even as alternative solutions to more traditional protection systems (MPA, Regional protected areas...).

In order to optimize the implementation of the MSFD and MSPD, implementation units should be smaller and Regional responsibilities stronger, such as in the Birds and Habitats Directives. As underlined by **Catalonia**, there is a strong need to develop and implement sustainable sectorial policies, coordinate different policies, have tools and funding. There is a strong need for an Integrated Coastal Zone Management that takes into account the appropriate spatial and temporal scale, preserves ecosystem services, involves all relevant administrative bodies, sectors of society and science, in order to reach shared visions.

In Malta, these policies (together with the EU Water Framework Directive) are considered to be effective in addressing the main issues and pressures in coastal and maritime areas, also due to the integrated approach towards management which is required by such policies and which is considered in Malta.

These European Directives have the merit of promoting consultation between all the stakeholders to meet the objectives and thus to mobilize all the actors, in particular for the WFD or MSFD.

In France, for the Habitats and Birds Directives, the implementation of which is older, the consultation led by the French State was shy. For the MSP Directive, no consultation was

initiated to date in France, but the reflection starts. It is certain that the land-sea link will not have to be forgotten in the implementation of this directive because it is impossible to plan maritime activities without taking land-based land into account.

To summarize, those Directives are considered effective in terms of:

- Opportunities for collaboration with other countries
- Consultation/cooperation with multi-stakeholders
- When encompassed in an integrated approach towards management
- Empowering conservation policies
- When well-articulated at different governance levels
- When regional authorities have a know-how and already experimented planning tools

They can be considered less effective, and need improvement in:

- Evaluating the real impact/ achievement in environmental objectives
- Coordination, responsibilities and management at regional level which should be stronger
- For Birds and Habitats directives in particular, there should be an improvement in the assessment requirement and processes.
- Links with regional development and the application of the directives

3.3 Land-Sea interaction integration

In the Mediterranean, some specific examples can show the importance of the land-sea interaction in the management of coastal and maritime areas. Those issues can be articulated around four main themes:

- **Water and Wetlands management:** In Catalonia, it is for example the interaction of flow management of the Ebro river concerning to some Natura 2000 sites and habitats and species. Coastal lagoons and wetland management have to be taken into account when planning and managing urbanization and agriculture activities. In Malta, in line with the requirements of the Water Framework Directive, coastal waters are considered to be an integral part of Malta's Water Catchment District. Within this context, a holistic approach towards management of water resources is applied whereby it is acknowledged that inland surface waters may affect coastal waters and vice versa.

- **Coastal pressures:** As an example, in Catalonia, the coastal urbanization due to demographic growth and tourism, including ports and river basin management, has specific effects on currents and sand dynamics, and consequently dredging of sand.
- **Biodiversity and environmental protection:** Several aspects are relevant in terms of protection. The biodiversity aspects that straddles between coast and open seas for e.g. seabirds, but also other issues like litter and rain-flow management related to the discharge of plastics, micro-plastics, and others. The discharge of chemical products used in agriculture and of organic nutrients. The management of coastal waters should also consider land-based sources of pressures such as storm-water run-off and discharges into the marine environment. This integrated approach is applied for example in Malta through its Second Water Catchment Management Plan pursuant to the EU Water Framework Directive. In Sud PACA Region, the adaptation of beaches to climate change, and especially the Posidonia meadows play an important role in limiting beach erosion. Herbariums reduce the swell and the dead leaves deposited on the sand dampen the onslaught of the sea. This link is not known to the decision makers or technicians of the communities.
- **Economic activities:** Reverse osmosis plants for example are relevant when considering the setting and implementation of conservation measures for coastal and marine Natura 2000 sites in Malta. In Lazio, land-sea interaction is very important as the 24 coastal municipality are a very strategic area that include about 20% of the regional population and furthermore some dynamics regional economic sectors like tourism, cruises and shipbuilding.

In Tuscany, an important aspect is the adaptation of port infrastructures and the qualification of liner shipping services as well as actions to support the municipalities aimed at the development and consolidation of nautical activities and the production and maintenance of boats, the maintenance and adaptation of ports and the approaches to regional standards established by the Master Plan "The Port of Tuscany". Along with mobility, in order to ensure the territorial continuity of the Tuscan archipelago, the Region, together with Enac and the Territorial Bodies of the Elba Island, carries out the planning of the air linking services with Marina di Field, which constitutes the LR n. 66/2011 service of general economic interest, guaranteeing its operation 365 days a year by covering the related costs for carrying out activities.

In Sud PACA Region, the availability of coastal land for marine activities (aquaculture, research, ship repair, for example) or the access to the sea for land-based activities is also a relevant aspect.

Land and their towns are linked to ports as illustrated by the Charter of the Ports of Plaisance and Fishing of Region Sud Provence-Alpes-Cote d'Azur adopted in 2014 which highlights the role of ports as a strategic tool for the development of the territory. This charter aims to support actions that contribute to the modernization of these infrastructures and cover economic, social, environmental and cultural issues for local life. Sud PACA Region is the 1st French region for the number of moorings with 120 marinas, and financing is given to the ports to carry out an integrated study of all their activities and draw a more balanced management, ensure training of agents and the installation of pollution control equipment. It also launched a label, now European, for clean and welcoming ports.

In the Adriatic area side, the Marche region underlines some issues about land-sea interactions related to coastal erosion vs coastal building pressure, coastal infrastructures pressure, recreational activities in the state-owned area and the reduction in river sediment transport (caused by dykes and barriers in general). Another key point is related to the environmental restoration of discarded coastal areas (industrial sites) or residual areas adjacent to infrastructures (railways, roads, urban settlements).

Land-sea interaction is considered by some regions as not sufficiently taken into account in the implementation of the Directives. Several regions expressed their reasons and examples on why this crucial aspect should be better considered.

The implication of stakeholders is a key aspect. Mentioned by Catalonia, there are stakeholders carrying out their economic activities in land, including tourism and recreational activities, not being consulted. On the other hand, activities from involved stakeholders whose activities strongly impact the environment are not taken into account and therefore without taking any responsibility. Public awareness is necessary in order to allow consumers to make an impact through their choices.

If the land-sea continuum is not taken satisfactorily, this is largely due to the fact that subjects are only apprehended through the competences of public actors, which are structured parallel to the coastline and therefore perpendicular to the land-sea axis.

In Malta, *from an environmental point of view*, approaches are put in place to consider land-sea interaction. An integrated approach towards management of water resources including coastal waters is applied through Malta's Second Water Catchment Management Plan. This approach was also considered in relation to the development of Natura 2000 Management Plans and Conservation Orders, and is being adopted in relation to the current work on the formulation of Management Plans for Marine Protected Areas by ERA.

In the Adriatic area, the Marche Region is the second in Italy (after Liguria) to consume the

coastal strip between 0-300 meters, with over 45% of the soil consumed (source ISPRA 2016 ²³). Infrastructure pressures, tourist settlements have left few natural spaces outside of Natura 2000 areas, so it would be important to focus on the sustainable tourism aspects.

In a nutshell, even if strong and integrated processes are taking place at national level in the planning and if encompassing an LSI dimension, there are still ways for improvements left to better involved stakeholders which can bring a more accurate land-sea axis angle to the planning processes.

3.4 Other key aspects to enhance the content and implementation of maritime and coastal related EU directives

The main proposals regarding the improvement of the content and implementation of the 4 directives, MSP, MSFD, Birds and Habitats are targeting those following issues:

- **The involvement of the regions in decision-making and planning**

Regional Authorities should be more involved in decisional acts about the plans relatives to the Directives and in the final decisions about new proposals of SCI/SPAs.

Coordination among the different administrations should be improved, and competence distribution should be revisited. An harmonised approach towards the implementation of the Directives, including streamlining of definition of policy goals shall also be better considered.

In that sense, an intermediate level of governance is essential to discuss, to define the actions to be implemented to meet the objectives pursued, and to monitor the projects carried out at local scale. It is important that this intermediate level of governance combines strategic scale (seafront) and operational scale of implementation (maritime administrative regions). The division by maritime sub-regions is an obligation of the European Union and it would be entirely coherent for the definition of maritime facades to correspond to these sub-regions. In addition to the maritime sub-regions, the maritime facade councils should be supplemented, at the level of the administrative regions and when the regional actors have expressed the wish, with regional conferences of the sea and coastal areas. While the action of the latter will focus mainly on territorial waters, the Maritime Facade Boards will ensure consistency of the action of the regions at the scale of the facade. This combination would allow a better consideration of territorial specificities and the land / sea gradient.

- **Financial issues.** Adequate funding for monitoring (which is expensive for marine habitat and species) should be ensured. Ensuring reliable and sustainable funding

²³ source ISPRA 2016 <http://www.isprambiente.gov.it/it/pubblicazioni/rapporti/consumo-di-suolo-dinamiche-territoriali-e-servizi-ecosistemici-edizione-2016>

(not linked to specific projects) for monitoring the quality of the marine environment, the conservation status of species and habitats of Community interest, is an essential prerequisite for any protection of these species / habitats. It is necessary to allocate effective and realistic financial allocations to the EU Regions to enable them to achieve and achieve their commitments.

- The use of adequate tools and knowledge. The use of adequate tools is necessary, as to improve knowledge about natural socio-ecologic systems, activities and impacts. Further investment in scientific knowledge to address data gaps is needed.
- Recognition of sea basins characteristics. Recognizing the peculiarities of the Mediterranean compared to those of other European maritime regions.
- Not only favour the environmental aspect of sustainable development but also considering the 3 pillars and combine economic development policies (tourism, businesses, fishing, etc.) with environmental sustainability, to keep the income of future generations. The European Commission should be vigilant about the priorities adopted by the Member States in the application of these Directives. Thus, it is noted that the strategic front-end documents, which are the implementation documents of the MSP Directive in France, are essentially based on an environmental approach and neglect aspects related to the blue economy, a subject that the Commission considers to be a priority.
- **Multi-stakeholders and local communities' involvement in policy decision-making:** The validation of policy documents and action programs by the communities must be done by deliberations of the assemblies to be sure that it causes a real political debate and not remain technical documents that are approved with little delay, by the technostructure, without taking the time to take into account the local political orientations. Further to this, local confidence in, and ownership of any conservation designation is critical to effective management and should be embedded in the designation process. It is obvious that marine nature conservation objectives can only be achieved in partnership with the local communities that are affected by them.
- **Pilot actions** need to be initiated, for example, from existing cases, to validate management models (urban planning, coastal defense, fisheries exploitation, etc.) that can meet the different needs (both current and future in relation to climate change in effect) of the sectors concerned.
- **Improve public awareness raising.** Awareness and education of the general public in relation to nature is also crucial.

- **Reporting mechanisms** under these instruments (plus the WFD, applied to coastal waters) need to be more compatible and simplified. The monitoring and reporting requirements and the complexity of the processes is a concern for small administrations.
- **Improve cross-borders cooperation:** common work has to be better conducted with neighboring countries, intercalibrating across national borders both regarding deciding on ecological status as well as intercalibrating between measuring methods.

Conclusions

The intensification of economic activities in the maritime and coastal areas in Europe, the need to prevent and adapt the coastline to climate change, the exploration and development of new innovations related to the sea (marine renewable energies, blue biotechnologies), have brought the need for new marine and coastal planning solutions.

The initiative of the European directive on maritime spatial planning is a first step towards sustainable and adapted management, but it has to be concerted and harmonized with the real needs of the territories. As this directive represents the practical application of the EU's integrated maritime policy, it is a major challenge for the EU and a guideline for the possibilities of development and uses of its maritime area.

The complexity and scope of the application of this directive leads the Member States to establish, according to their governance system and their objectives, appropriate methodologies for designing this planning and consulting stakeholders.

Indeed, the development of this maritime spatial planning on a European scale raises a number of challenges and reflections, notably concerning the problems of application in cross-border spaces, or the necessary questions between blue growth and the sustainable use of resources. marine.

The challenges of development of the maritime sector, related to the necessary awareness of the ecological challenges, are also elements of reflection to be integrated into the methodologies of maritime spatial planning of the Member States.

Moreover, the impact of this planning on a European scale will not only concern the marine waters of the countries involved, but the international dimension, including global governance of the oceans.

The goals of the MSP will have to succeed in connecting and making the voices of all stakeholders, both economic and institutional, heard in an integrated consultative process, before and after the implementation of the directive.

The proposed analysis made it possible to make a first state-of-play of the implementation of the directive and to present more particularly the expectations of the regional authorities, who can also be the key actors for a successful implementation of this directive.

Bibliography

1. Books:

GILEK Michael and KERK Kristine, 2016, *Governing Europe's Marine Environment. Europeanization of Regional Seas or Regionalization of EU Policies?*, 2016, published by Routledge, New York, 290 p.

2. Thesis:

DE CACQUERAY Mathilde, [under the tutelage of] MEUR-FEREC Catherine, 2011, *La planification des espaces maritimes en France métropolitaine : un enjeu majeur pour la mise en œuvre de la Gestion Intégrée de la Mer et du Littoral*, University of Western Brittany, UBO, 553 p.

Emmanuel Maniscalco, Mémoire professionnel, 2015, *La place des autorités régionales françaises dans le processus de mise en œuvre de la directive établissant un cadre pour la planification de l'espace maritime*, Université Aix Marseille. 116p.

3. Scientific articles:

PINARBAŞI Kemal, GALPARSORO Ibon, BORJA Ángel, STELZENMÜLLER Vanessa, EHLER Charles N., GIMPEL Antje, in *Marine Policy*, published by Elsevier, Decision support tools in marine spatial planning: Present applications, gaps and future perspectives, September 2017

4. Documents:

Policy Research Corporation, Final Report, Exploring the potential of Maritime Spatial Planning in the Mediterranean Sea, February 2011

European Commission, Directive of the European Parliament and of the Council of 23 July 2014, Establishing a Framework for Maritime Spatial Planning 2014/89/EU, Official Journal of the European Union, 2014.

Answers to the CPMR Questionnaire, "regions and European directives relating to coastal and maritime areas" from Malta, Tuscany, Sud PACA, Lazio, Catalonia and Marche, April 2017

European Commission, Legal aspects of maritime spatial planning, summary report, printed in Belgium, 2009.

SIMWESTMED Project, Initial Assessment MSP oriented, Western Mediterranean, Final version, September 2018.

Government of Malta, Strategic Plan for Environment and Development, approved document, July 2015.

5. Online resources:

European Commission, *Maritime Affairs- IMP - MSP*, visited between the 14th – 28th November 2018.

Link: <https://ec.europa.eu/maritimeaffairs>

European MSP Platform, *MSP in the EU – Countries*, visited between the 14th – 28th November 2018.

Link: <https://www.msp-platform.eu/msp-practice/countries>