



# Macaronesian Maritime Spatial Planning

## “REGIONAL REPORTS ON MSP OBJECTIVES” MACARONESIA

MarSP Deliverable:  
D.2.6. Regional reports on MSP objectives

November 2018



Coordinated by



Funded by



Partners





WP name	Mapping the current conditions and creating a vision for the MSP in Macaronesia
Task name	Approach to a vision and planning goals/objectives
Deliverable Name	Regional reports on MSP objectives
Due Date of deliverable	September 2018
Actual submission Date	November 2018
Citation	Caña Varona M, Hipólito C, Vergílio M, Silva A, Carreira G, Lopes I, Jorge V, Cosme De Esteban M, Herrera Rivero I, Haroun Tabraue R, Calado H. 2019. Regional reports on MSP objectives. Deliverable - D.2.6., under the WP2 of MarSP: Macaronesian Maritime Spatial Planning project (GA n° EASME/EMFF/2016/1.2.1.6/03SI2.763106).

Document Information	
Document Name	Regional reports on MSP objectives - Macaronesia
Document ID	D.2.6
Version	1
Version Date	2018.11.09
Author(s)	Methodology: Mario Caña Varona, Cláudia Hipólito, Marta Vergílio, Helena Calado Annex 1 (Azores): Mario Caña Varona, Aida Silva, Gilberto Carreira, Cláudia Hipólito, Marta Vergílio, Helena Calado Annex 2 (Canarias): Marcial Cosme De Esteban, Inmaculada Herrera Rivero, Ricardo Haroun Tabraue Annex 3 (Madeira): Isabel Lopes, Vítor Jorge
Dissemination Level:	Public

History of the Methodology section			
Version	Date	Modification	Author(s)
1	2018.03.15	Draft version	Mario Caña Varona, Helena Calado, Cláudia Hipólito, Marta Vergílio
2	2018.09.30	Final document	Mario Caña Varona, Cláudia Hipólito, Marta Vergílio, Helena Calado,

<b>History of Annex 1 (Azores)</b>			
Version	Date	Modification	Author(s)
1	2018.06.20	Draft version 1	Mario Caña Varona, Helena Calado, Cláudia Hipólito, Marta Vergílio
2	2018.07.19	Revision 1	Aida Silva, Gilberto Carreira,
	2018.08.02	Corrections and Draft version 2	Mario Caña Varona
3	2018.09.20	Revision 2	Aida Silva, Gilberto Carreira,
	2018.10.24	Corrections and Draft version 3	Mario Caña Varona
4	2018.10.31	Revision 3	Aida Silva, Gilberto Carreira
5	2018.11.07	Final document	Mario Caña Varona, Aida Silva, Gilberto Carreira, Cláudia Hipólito, Marta Vergílio, Helena Calado

<b>History of Annex 2 (Canary Islands)</b>			
Version	Date	Modification	Author(s)
1	2018.10.09	Draft version	Marcial Cosme De Esteban, Inmaculada Herrera Rivero, Ricardo Haroun Tabraue
2	2018.10.25	Revision	Mario Caña Varona
3	2018.10.28	Final document	Marcial Cosme De Esteban, Inmaculada Herrera Rivero, Ricardo Haroun Tabraue

<b>History of Annex 3 (Madeira)</b>			
Version	Date	Modification	Author(s)
1	2018.09.10	Draft version	Isabel Lopes, Vítor Jorge
2	2018.09.21	Revision	Mario Caña Varona
3	2018.09.26	Final document	Isabel Lopes, Vítor Jorge



## Summary

This report corresponds to deliverable 2.6. "Regional reports on MSP objectives", integrated in WP2 "Mapping the current conditions and creating a vision for the MSP in Macaronesia" of the Macaronesian Maritime Spatial Planning (MarSP) project.

This report is structured in four chapters, three of them corresponding respectively to the regional reports on MSP objectives for the Macaronesian archipelagos: Azores (**Annex 1. Azores**), Canary Islands Annex 2, and Madeira (**Annex 3. Madeira**); and an introductory chapter (**Methodology**) with a common methodological approach to Maritime Spatial Planning (MSP) objectives for the whole Macaronesia.

The initial chapter (**Methodology**) proposes a methodological approach to define MSP objectives in Macaronesia. The method serves as a guide to approach Maritime Spatial Planning objectives in the three Macaronesian archipelagos, who need to adopt and adapt the method to the particular context of each archipelago. The adaptation and application of the proposed methodology will be developed respectively in each of the regional reports on MSP objectives:

The regional report of the Azores (**Annex 1. Azores**) adapts and applies the methodological approach to define Maritime Spatial Planning (MSP) objectives in Macaronesia, developed under MarSP project, to the particular context of the Azores. This methodology adopted in this archipelago involved several phases such as an extensive policy review, thematic classification, and stakeholder and legal validation, resulting in MSP objectives for the Autonomous Region of the Azores.

The regional report of Canary Islands Annex 2 presents the main objectives and establish a vision for the establishment of Maritime Spatial Planning (MSP) as well as defining specific planning objectives for the Canary Islands. The MSP process in the Canary archipelago is in its initial phase. MarSP project created a common methodology to approach MSP objectives in the Macaronesian archipelagos. This methodology involves several phases, and the Canary Islands is in the analysis of the legislation and stakeholder's consultation phase. This report presents the analysis of the international, European, national and regional legislation of the Canary Islands.

The regional report of Madeira (**Annex 3. Madeira**)Erro! A origem da referência não foi encontrada.; presents the main objectives and establish a vision for the establishment of Maritime Spatial Planning (MSP) as well as defining specific planning goals for Madeira. Once the Autonomous Region of Madeira has already started the process of planning the maritime space and the vision and objectives for the national maritime space have been defined within the framework of the Maritime Spatial Plan. Thus in this report will be presented the methodology that was determined to define the vision and the objectives presented in the Situation Plan. This methodology involved several phases, namely documentation and legislation analysis, stakeholder consultation and the involvement of an environmental assessment team that analysed the vision and the objectives resulting.

# Index

<b>Methodology</b>	13
1. Scope	13
2. Introduction	13
3. Method	15
4. References	19
Appendix A. Horrendograms	21
Appendix B. Checklist for objectives definition	23
<b>Annex 1. Azores</b>	25
1. Scope	25
2. Introduction	25
3. Method	26
4. References	87
Appendix C. Exercise 5 “Definition of objectives” in the 1 <sup>st</sup> MarSP stakeholder workshop for the Maritime Spatial Planning process of the Azores	91
<b>Annex 2. Canary Islands</b>	98
1. Scope	98
2. Introduction	98
3. Method	100
4. References	140
<b>Annex 3. Madeira</b>	151
1. Scope	151
2. Introduction	151
3. Method	152
4. Vision and specific objectives	176
5. The Strategic Environmental Assessment	178
6. Conclusions	179
7. References	180

## List of figures

Figure 1. Pre-planning phase of the Step-by-Step Approach to Marine Spatial Planning where the definition of principles, goals and objectives is included (source: Ehler & Douvere, 2009). .....	14
Figure 2. Relationship among the elements of a marine spatial management plan (source: Elher, 2014).....	14
Figure 3. MarSP approach to MSP objectives (source: authors).....	15
Figure 4. Steps in the method to approach MSP objectives (source: authors) .....	16
Figure 5. Methodology applied to approach planning objectives in the Azores (source: authors) .....	27
Figure 6. Pictures from the 1 <sup>st</sup> workshop of involvement of stakeholders in the process of Maritime Spatial Planning in São Miguel, Faial e Terceira (Azores) (source: MarSP project) .	68
Figure 7. The relationship among the elements of a marine spatial plan (Elher, 2014).....	99
Figure 8. Representation of the areas defined for the implementation of the Marine Strategy Framework Directive.....	157
Figure 9. First plenary meeting of the Consultative Committee - Madeira.....	176

## List of tables

Table 1. Template for thematic classification of objectives (source: authors) .....	17
Table 2. Template for matrix of objectives compatibility (source: authors from Ehler & Douvere, 2009) .....	18
Table 3. Policy documents reviewed to identify objectives for the sea (source: authors) .....	28
Table 4. Coding relating objectives for the sea with policy documents (source: authors).....	44
Table 5. Thematic classification of objectives for the sea in the Azores (source: authors) ...	46
Table 6. List of specific objectives used for stakeholder validation (source: authors) .....	65
Table 7. List of objectives after the stakeholder validation (source: authors) (in green colour: additions to the text; in red colour and strikethrough: removals from the text; in brackets: indirect suggestions to the text) .....	68
Table 8. List of objectives after legal validation (source: authors) (in orange colour: additions and modifications to the text; in strikethrough: removals from the text).....	71



## List of acronyms

ACAP	Agreement on the Conservation of Albatrosses and Petrels
ACCOBAMS	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area
AEWA	Agreement on the Conservation of African and Eurasian Migratory Waterbirds
AIS	Area of Socioeconomic Influence
BEA	Spanish Bank of Algae
BIOASIS	Excellence in Blue Biotechnology and Aquaculture
CBD	Convention on Biological Diversity
CEMP	Coordinated Environmental Monitoring Program
CFP	Common Fisheries Policy
CFP	Center for Ongoing Formation
CMC	Maritime Cluster of the Canary Islands
COSS	Committee on Maritime Safety and Prevention of Pollution from Ships
COT Protocol or LBS Protocol	Protocol on the protection of the Mediterranean against pollution from land-based sources
CPMM	Committee for the Protection of the Marine Environment
DIKE	Data and exchange of information and knowledge
DMEM	Framework Directive on the Marine Strategy
ERDF	European Regional Development Fund
ESA	Economic and Social Assessment
EU	European Union
FEMP	Spanish Federation of Municipalities and Provinces
GES	Good Environmental Status
HNS	Protocol of cooperation, preparation and control against contamination by harmful and potentially dangerous substances
ICES	International Council for the Exploration of the Sea
ICZM	Protocol on the Integrated Management of Coastal Areas of the Mediterranean
IMO	International Maritime Organization
IMP	Integrated Maritime Policy
ITC	Technological Institute of the Canary Islands
IUU	Illegal, Unreported and Unregulated fishing
JAMP	Joint Monitoring and Evaluation Program

LBOGEM	Law 17/2014 of Basis for Planning and Management of the National Maritime Space
MAP	Mediterranean Action Plan
MarSP	Macaronesian Maritime Spatial Planning project
MD	Meeting of Marine Directors
MEA	Multilateral Agreement on the Environment
MPA	Marine Protected Area
MSCG	Marine Strategy Coordination Group
MSEG	Marine Spatial Experts group
MSFD	Marine Strategy Framework Directive
MSP	Maritime Spatial Planning
NOS	National Ocean Strategy
OPRC	International Convention on Cooperation, Preparation and Fight against Oil Pollution
OSPAR	Oslo-Paris Convention for the Protection of the Marine Environment of the North-East Atlantic
PEACAN	Canary Islands Aquaculture Strategic Plan
PECT	Strategic Plan for the Canary Islands for Tourism
PLOCAN	Oceanic Platform of the Canary Islands
PROAC	Regional Plan of Management of the Canarian Aquaculture
PSSA	Particularly Sensitive Sea Areas
R&D	Research and Development
RENADE	National Registry of emission rights
RID	Riverine Inputs and Direct Discharges
SAC	Special Zones of Conservation
SCI	Sites of Community Importance
SDG	Sustainable Development Goals
SIDS	Small Island Developing States
SNP	International Convention on Liability and Compensation for Damage in Connection with the Maritime Transport of Noxious and Potentially Hazardous Substances
SPAMI	Specially Protected Areas of Importance for the Mediterranean
SPEGC	Economic Promotion Society of Gran Canaria
UNCLOS	United Nations Convention of the Law of the Seas
UNEP	United Nations Environment Program
UNESCO	United Nations Educational, Scientific, and Cultural Organization

---

WP	Work Package
ZEPA	Special Protection Areas for Birds
ZEPIM	Protocol on Specially Protected Areas and Biological Diversity in the Mediterranean
ZMES	Especially Sensitive Maritime Zone

---

# Methodology

## 1. Scope

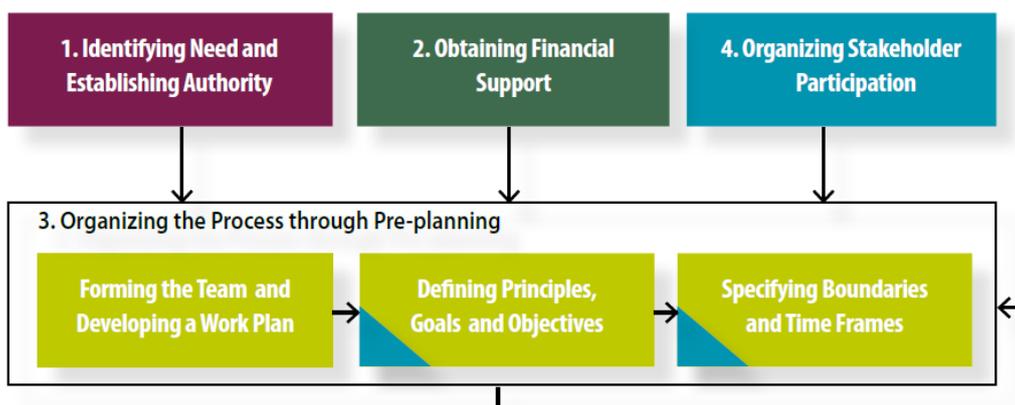
This document corresponds to the introductory chapter of the Deliverable 2.6. “Regional reports on MSP objectives” of MarSP project. This introductory chapter includes the methodology to approach MSP objectives in Macaronesia. This chapter will be followed by three regional reports, corresponding to each archipelagos of Macaronesia: Azores (**Annex 1. Azores**), Canarias Annex 2 and Madeira (**Annex 3. Madeira**).

This deliverable belongs to task 2.3 “Approach for the vision and planning goals/objectives” in the framework of the Macaronesian Maritime Spatial Planning (MarSP) project. MarSP supports Maritime Spatial Planning (MSP) processes in the European archipelagos of the Macaronesia region (Azores, Canarias and Madeira) contributing to build capacities and conditions to implement the European Union (EU) MSP Directive 2014/89/EU, and the respective national and regional legislation in this regard. This document is developed under Work Package (WP) 2 “Mapping the current conditions and creating a vision for the MSP in Macaronesia”, which assess the current conditions determining MSP processes and create a general vision in each of the three regions.

The method proposed in the present document will be valid for adoption in the rest of the Macaronesia regions with the respective adaptations to the particular context of each archipelago. Therefore, this document will guide the approach to objectives for the whole Macaronesia, providing a common ground to define MSP objectives.

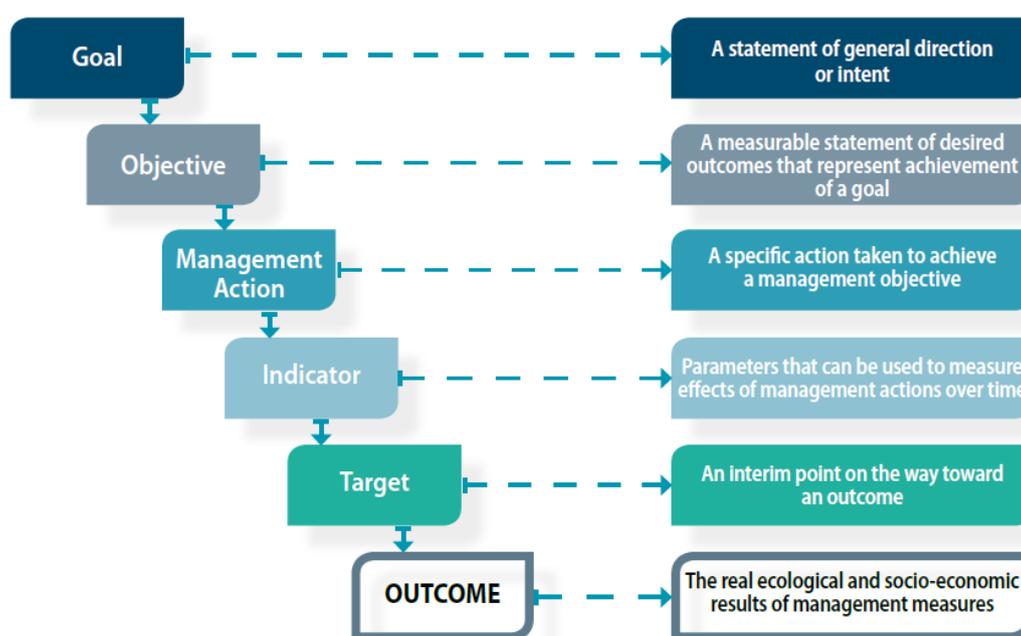
## 2. Introduction

Goal-setting is a necessary initial step in all maritime spatial plans (CBD Secretariat, 2012). Ehler & Douvère (2009) include the definition of goals and objectives in the pre-planning phase of their step-by-step approach for MSP, right after obtaining financial support and forming the team and work plan (see **Figure 1**).



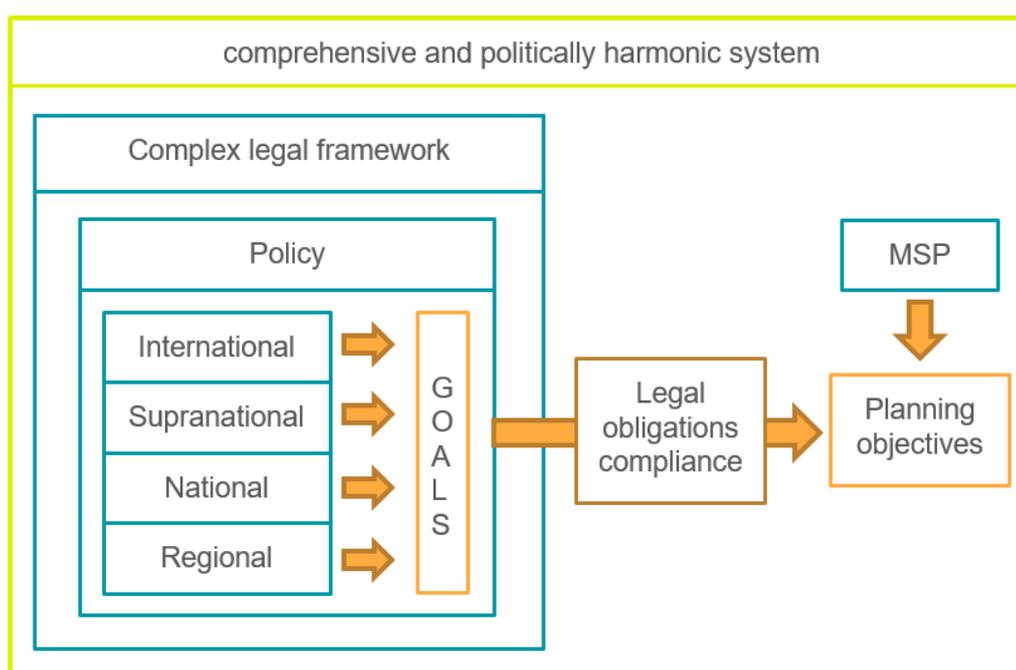
**Figure 1. Pre-planning phase of the Step-by-Step Approach to Marine Spatial Planning where the definition of principles, goals and objectives is included (source: Ehler & Douvere, 2009).**

Specifying MSP goals and objectives is essential to drive MSP efforts toward achieving results. MSP is likely to be most successful in achieving desired outcomes when conducted on the basis of an objective-based approach. An objective-based approach to MSP is organized around a hierarchy of goals, objectives and indicators that evaluate the performance of management measures in achieving those goals and objectives (Ehler & Douvere, 2009). Ehler (2014) makes a clear distinction between general goals and specific objectives. While goals are referred to high-level statements or general directions of the desired outcomes to be achieved; objectives refer to specific statements of desired outcomes that represent the achievement of a goal (see **Figure 2**).



**Figure 2. Relationship among the elements of a marine spatial management plan (source: Ehler, 2014)**

Maritime spatial plans need to comply with legal obligations from international down to supra-national, national (Boyes and Elliott, 2014; Cormier et al., 2015), and regional levels. The EU has adopted more than 200 pieces of legislation which imply direct repercussions on the marine environmental policy and management (Boyes and Elliott, 2014). EU directives play a dominant role which often leads national legislation and policies of subnational regions (Cormier et al., 2015), which in the case of EU Macaronesian archipelagos have autonomous power. Despite most of the national and regional legislation follow the guidelines set by international commitments and EU policy; there is a complex legal and regulatory framework in which legislation at different scales establishes a set of goals and objectives for the seas. Linking objectives to established policy commitments increases the likelihood to achieve them as it ensures the system is politically pragmatic and harmonic (Marine Scotland, 2010) (see **Figure 3**).

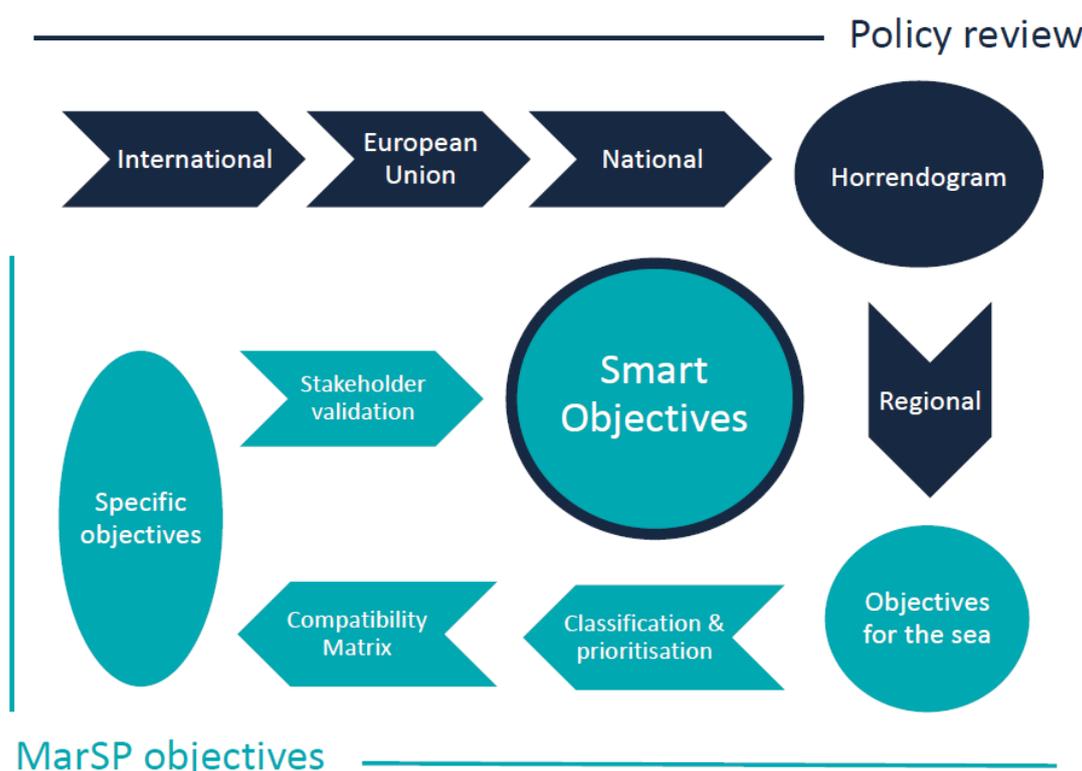


**Figure 3. MarSP approach to MSP objectives (source: authors)**

### 3. Method

The proposed method to approach MarSP objectives in the three archipelagos follow several steps, which are represented in **Figure 3**. An initial phase involves the review of international, EU, national and regional policy documents to identify the objectives defined by legal and regulatory instruments at different scales. Horrendograms will help identifying relevant policy

instruments with implications for the ocean. The listing of objectives for the sea will need an exercise of classification and prioritisation first, and a compatibility analysis second, in order to organise, provide a hierarchy and identify divergences in the large amount of objectives for the sea. Specific objectives will be obtained from the analysis performed. Specific objectives will be evaluated and validated by engaging stakeholders. Stakeholder validation will allow MarSP team to build smart objectives, which will guide the planning process in the three archipelagos. A checklist is included in **Appendix B** to facilitate following the steps of this methodology for objectives definition in the three archipelagos.



**Figure 4. Steps in the method to approach MSP objectives (source: authors)**

Although this methodological approach is valid for its application in the three regions, each archipelago might incorporate adaptations to specific regional needs and circumstances, especially regarding their status and advancement in the MSP process.

### 3.1. Policy review

The method includes a first phase of review of objectives targeting the seas within the main policy instruments at the international, EU, national and regional level. A set of the most relevant aims will be identified from international commitments signed or ratified, targets to be complied within EU policies, national goals to be fulfilled, and objectives set by regional policies.

The starting point for the policy review is the analysis of the horrendograms of Portugal and Spain (**Appendix A**). These horrendograms illustrate the complex nature of the legislation currently being used to manage and protect the marine environments (Boyes and Elliott, 2014) at the international, EU and national scale in the two EU member states. The identification of objectives for the sea within the main policy documents comprised in the horrendograms will be the basis for the analysis. Regional policy documents for each archipelago will be also examined to identify the regional objectives for the sea. An extensive list of objectives for the sea extracted from the main international, EU, national and regional policy will be the output of this phase.

### 3.2. Classification, prioritisation and compatibility

The list of objectives for the seas applicable to each archipelago will be basis to define MarSP objectives. The variety and large number of objectives set out in a large amount of policy documents requires their grouping and classification in thematic categories and subthemes minimally. Moreover, some of the policy documents are legally binding whereas others are non-binding, constituting recommendations or guidelines. This requires establishing a certain hierarchy among objectives, being binding objectives most relevant than objectives coming from non-enforceable policies. A template will support this analysis (**Table 1**).

**Table 1. Template for thematic classification of objectives (source: authors)**

Theme	Subtheme	Objectives			
		International	EU	National	Regional
Environment	MPA	Objective 1 Objective2 (non-binding)			
	Biodiversity (fauna/flora)	...			
	...				
Social	Employment	Objective 1 Objective2			
	Education	...			
	...				
Economy	Fisheries	Objective 1 Objective2 (non-binding)			
	Aquaculture	...			
	...				

Objectives classification and prioritisation will be a fundamental step in order to examine compatibilities and divergences among objectives. This is a crucial step to identify conflicts

between objectives that will require special attention in a later stage, particularly during the evaluation by stakeholders. A matrix of compatibility will support this analysis, where interactions between objectives will be evaluated in three categories: compatible, probably compatible and incompatible (**Table 2**).

**Table 2. Template for matrix of objectives compatibility (source: authors from Ehler & Douvère, 2009)**

	Objective 1	Objective 2	Objective 3	Objective 4	Objective 5	Objective 6	Objective 7	Objective 8	Objective 9
Objective 1	Compatible	Probably compatible	Incompatible	Probably compatible	Compatible	Probably compatible	Probably compatible	Compatible	Probably compatible
Objective 2	Probably compatible	Compatible	Probably compatible	Probably compatible	Compatible	Incompatible	Probably compatible	Probably compatible	Probably compatible
Objective 3	Compatible	Compatible	Compatible	Compatible	Compatible	Probably compatible	Probably compatible	Probably compatible	Compatible
Objective 4	Probably compatible	Probably compatible	Probably compatible	Compatible	Compatible	Probably compatible	Compatible	Probably compatible	Compatible
Objective 5	Compatible	Compatible	Compatible	Compatible	Compatible	Probably compatible	Probably compatible	Probably compatible	Compatible
Objective 6	Incompatible	Probably compatible	Probably compatible	Incompatible	Incompatible	Compatible	Probably compatible	Probably compatible	Probably compatible
Objective 7	Probably compatible	Probably compatible	Compatible	Probably compatible	Compatible	Probably compatible	Compatible	Compatible	Probably compatible
Objective 8	Probably compatible	Probably compatible	Probably compatible	Probably compatible	Compatible	Incompatible	Compatible	Probably compatible	Probably compatible
Objective 9	Probably compatible	Probably compatible	Compatible	Compatible	Compatible	Probably compatible	Incompatible	Probably compatible	Compatible

Legend	<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span>	Compatible
	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span>	Probably compatible
	<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span>	Incompatible

### 3.3. Specific objectives

The analysis carried out in the previous phase will contribute the definition of specific objectives in each archipelago. The list of specific objectives involves the generalisation and simplification of objectives with a similar purpose. This list, together with the incompatibilities identified in the matrix, will be the basis for the debate with relevant stakeholders, who will analyse and evaluate objectives significance for regional MSP in a workshop. As the Secretariat of Convention on Biological Diversity (2012) points out, when initiating MSP initiatives, visions and goals should be articulated as clearly as possible, with the involvement of as many stakeholder groups as feasible. Thus, the discussion about objectives with stakeholders in a specific workshop session will better define regional MSP objectives and contribute to the elaboration of definitive SMART objectives.

### 3.4. SMART objectives

The last phase in the approach for MarSP objectives implies the incorporation of stakeholders' contributions to the specific goals and the streamlining of the results. In this sense, the

redefinition of the objectives will be made according to the characteristics that SMART (Specific, Measurable, Achievable, Relevant or Realistic, and Time-bound) objectives need to have. Elher (2014) describes the attributes that SMART objectives should have as follows:

- Specific: objectives should be concrete, detailed, focused, and well defined in terms of defining desirable outcomes of the MSP;
- Measurable: objectives should allow measurement of the outcomes and progress toward their achievement—preferable in quantitative terms;
- Achievable: objectives should be attainable within a reasonable amount of effort and resources;
- Relevant or Realistic: objectives should lead to a desired goal, either on its own or in combination with other objectives; and
- Time-bound: objectives should indicate a start and finish date in relation to what is to be accomplished.

Smart objectives will be the ones guiding MSP processes in each archipelago.

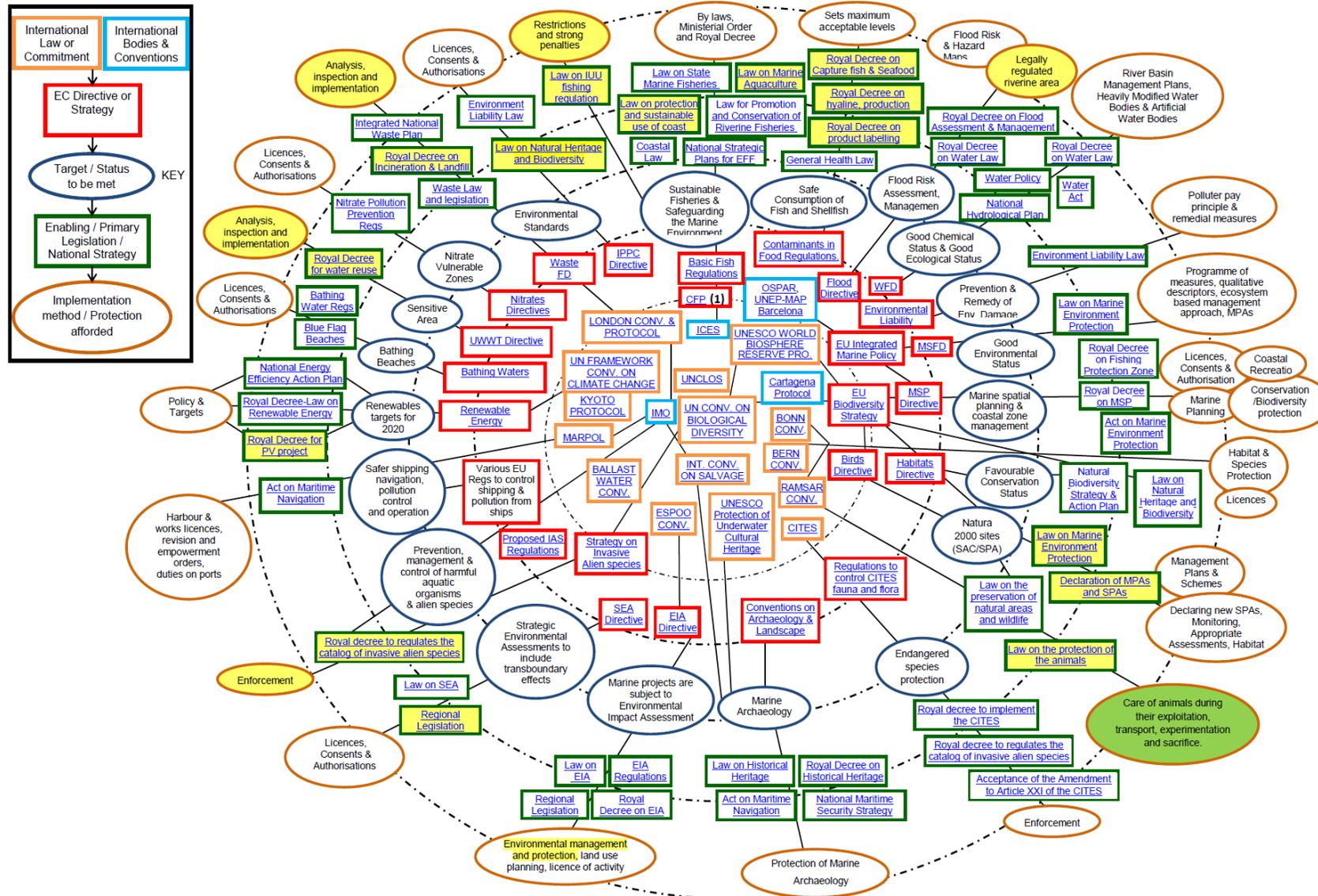
## 4. References

- Boyes, S.J. and Elliott, M. 2014. Marine Legislation – the ultimate ‘horrendogram’: International Law, European Directives & National Implementation. *Marine Pollution Bulletin*, 86(1–2) 39–47.
- CBD Secretariat (Secretariat of the Convention on Biological Diversity). 2012. *Marine Spatial Planning in the Context of the Convention on Biological Diversity: A study carried out in response to CBD COP 10 decision X/29*, Montreal, Technical Series No. 68, 44 pages.
- Cormier, R., Kannen, A., Elliott, M., and Hall. P. 2015. *Marine Spatial Planning Quality Management System*. ICES Cooperative Research Report No. 327. 106 pp.
- Ehler, C. 2014. *A Guide to Evaluating Marine Spatial Plans*. Paris, UNESCO, 2014. *IOC Manuals and Guides*, 70; ICAM Dossier 8.
- Ehler, C., and Douvère, F. 2009. *Marine Spatial Planning: a step-by-step approach toward ecosystem-based management*. Intergovernmental Oceanographic Commission and Man and the Biosphere Programme. *IOC Manual and Guides* No. 53, ICAM Dossier No. 6. Paris: UNESCO (English).
- Marine Scotland. 2010. *Report on Social and Economic Objectives for a Scottish Marine Plan*. The Scottish Government, Edinburgh, 2010.
- Monwar, M., Tzika, E., Magalhaes, A.V., Grimmel, H., Moniz, F. Bonin, M., Calado, H. 2017. *Analysis and Comparison of the Legal Frameworks of the North Atlantic Countries*. GPS Azores project.

---

[http://www.gpsazores.com/media/GPSAzores\\_Report\\_WP1\\_ntVEqu9.pdf](http://www.gpsazores.com/media/GPSAzores_Report_WP1_ntVEqu9.pdf) [14 March 2018]





International, European and Spanish legislation giving protection to the marine environment (Monwar et al., 2017)

## Appendix B. Checklist for objectives definition

<b>Checklist</b>	Place an "X" when completed
Review international policy with maritime-related objectives List objectives for the sea from international policy documents Review EU policy with maritime-related objectives List objectives for the sea from EU policy documents Review national policy with maritime-related objectives List objectives for the sea from national policy documents Review regional policy with maritime-related objectives List objectives for the sea from regional policy documents Set thematic classification and prioritisation Set compatibility matrix List specific objectives Pre-plan session about objectives in a workshop Discuss and validate specific objectives with stakeholders Report major findings of the workshop to the public Set SMART objectives Report and deliver checklist	



## Annex 1. Azores

### 1. Scope

This chapter corresponds to the regional report on Maritime Spatial Planning (MSP) objectives for the Azores, which belongs to deliverable 2.6. “Regional reports on MSP objectives” of the Macaronesian Maritime Spatial Planning (MarSP) project. This report is preceded by an introductory chapter (**Methodology**) that includes the common methodology proposed to approach MSP objectives for the whole Macaronesia region (Azores, Canarias and Madeira). In this report, the proposed methodology has been adapted and applied to the particular context of the Azores. This resulted in MSP objectives for the Autonomous Region of the Azores.

This deliverable belongs to task 2.3 “Approach for the vision and planning goals/objectives” in the framework of the MarSP project. MarSP supports MSP processes in the European archipelagos of the Macaronesia region (Azores, Canarias and Madeira) contributing to build capacities and conditions to implement the European Union (EU) MSP Directive 2014/89/EU, and the respective national and regional legislation in this regard. This document is developed under Work Package (WP) 2 “Mapping the current conditions and creating a vision for the MSP in Macaronesia”, which assess the current conditions determining MSP processes and create a general vision in each of the three regions.

This report presents the adaptation and application of the methodology to approach MSP planning objectives in Macaronesia to the particular regional context of the Azores.

### 2. Introduction

The Directive 2014/89/EU of the European Union establishes a framework for maritime spatial planning, promotes the sustainable growth of maritime economies, and enforces EU member states to develop national maritime spatial plans. The Portuguese Parliament approved the Law 17/2014 of Basis for Planning and Management of the National Maritime Space (LBOGEM), which establishes the legal basis and the general guidelines for Portugal's policy on marine spatial planning and management. Decree-Law 38/2015 developed the legal norms of LBOGEM and transposed the EU MSP Directive (Becker-Weinberg, 2015a) into Portuguese law. This Decree-Law had its first amendment by Decree-Law 139/2015. All these policies constitute the fundamental MSP legal framework in Portugal. However, there is a large amount of policy that has direct repercussions on the marine environmental policy and management (Boyes and Elliott, 2014).

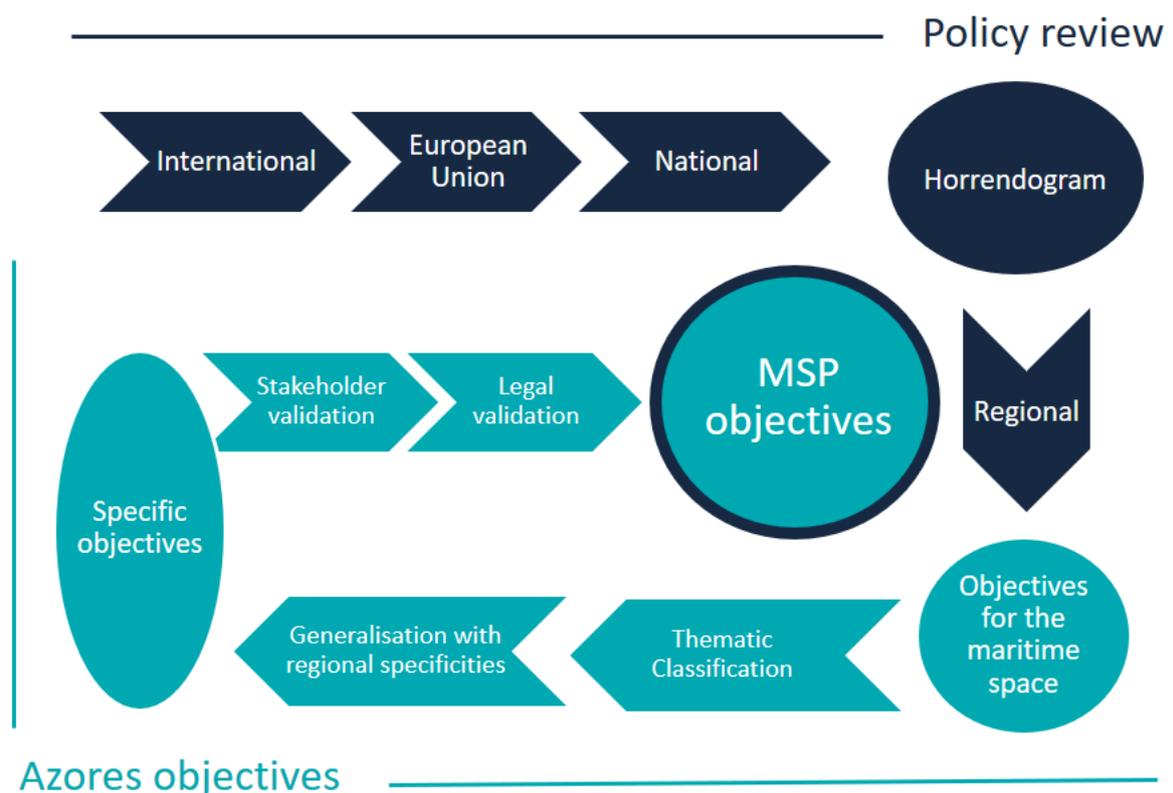
Goal-setting is a necessary initial step in all maritime spatial plans (CBD Secretariat, 2012). Specifying MSP objectives is essential to drive MSP efforts toward achieving results. MSP is likely to be most successful in achieving desired outcomes when conducted on the basis of an

objective-based approach (Ehler & Douvère, 2009). The methodology proposed to approach planning objectives in Macaronesia under MarSP project aims to be politically pragmatic and harmonic by linking planning objectives to established policy commitments at the international, EU, national and regional levels. The methodology to approach planning objectives in the Autonomous Region of the Azores follows this principle. However, the proposed methodology has undergone some deviations, namely to ensure compliance with the fundamental MSP legal framework applicable to the Azores.

### 3. Method

The methodology applied to develop planning objectives in the Azores was based on the common methodology proposed for the whole Macaronesia (see *Erro! A origem da referência não foi encontrada.*). Although some deviations from the common methodology were carried out to better adapt the methodology to the characteristics and needs of the MSP process in the Azores archipelago. The methodology adopted the following main steps within the process represented in **Figure 5**:

1. Policy review: review of international, EU, national and regional marine policy (with the support of a *Horrendogram*) to list the *Objectives for the maritime space* contained in them.
2. Thematic classification of the *Objectives for the sea* by themes and subthemes
3. Generalisation of objectives by subthemes with regional specificities to obtain *Specific objectives*
4. Discussion, prioritisation and validation of *Specific objectives* by stakeholders
5. Legal validation and cross-check with MSP policy documents to obtain *MSP objectives*



## Azores objectives

**Figure 5. Methodology applied to approach planning objectives in the Azores (source: authors)**

The initial phase in the application of the adapted methodology for the Azores involved the review of international, EU, national (Portugal) and regional (Autonomous Region of the Azores) marine policy documents. The horrendogram of Portugal (see **Appendix A**) helped identifying policy instruments with important implications in the Azorean maritime space. The identification of objectives defined by some of the most important crosscutting and sectorial policy documents at different scales was the basis to generate planning objectives. The result of the policy review was the listing of objectives for the maritime space. The list of objectives for the maritime space derived from multiple policy documents required organisation and rationalisation, which was performed by a thematic classification in major themes and subthemes. Both the large number of objectives for the maritime space and their diversity made it difficult to prioritise objectives attending to their mandatory (or otherwise) nature, as well as the compatibility analysis to identify divergences among objectives. Instead, a generalisation of objectives by subthemes was performed, which found the common ground among objectives of similar nature derived from different policy documents. In this step, it was given special attention to the regional objectives, trying to include the regional specificities in the specific objectives. Specific objectives are the result of the thematic classification and subsequent generalisation by subthemes. Besides being classified by themes, specific objectives were also primarily divided by their typology, distinguishing between those objectives that are an integral part of the MSP process and other strategic objectives that despite not being intrinsic to MSP, should also be taken into account in the process due to its

importance for planning the maritime space. Specific objectives were discussed, modified and evaluated with regional stakeholders. The 1st workshop of involvement of stakeholders in the process of Maritime Spatial Planning in the Azores took place simultaneously in three islands of the Azores archipelago, on 17<sup>th</sup> May 2018. Stakeholders were asked to review, suggest, modify and prioritise the list of specific objectives. All specific objectives, including the ones that received modifications and suggestions by stakeholders, were crosschecked with the main MSP policy documents. This allowed the legal validation of both inputs from stakeholders and compliance with MSP legal obligations generally. The redefinition of objectives to be SMART (Specific, Measurable, Achievable, Relevant or Realistic, and Time-bound) is a demanding task that cannot be addressed at this stage. This task would require the analysis of each objective to define time and quantitative frames, which is difficult for most of the objectives but particularly for economic objectives targeting maritime sectors. These objectives rely on the national and regional policy context and need the consultation of competent authorities. The legal validation will therefore be the last phase to obtain the MSP objectives for the Azores.

### 3.1. Policy review

The starting point for the methodology was the review of some of the main marine and MSP-related policy instruments at international, EU, national and regional levels in order to identify objectives targeting the maritime space. The horrendogram of Portugal (see **Appendix A**) guided the review of policy documents, except for the case of the regional policies, which were not included in the horrendogram but identified in a later stage. Horrendograms illustrate the complex nature of the legislation currently being used to manage and protect the marine environment (Boyes and Elliott, 2014) at the international, EU and national scale in this case. The identification of objectives for the maritime space within some of the policy documents comprised in the horrendograms (and some other documents) is therefore the basis for the approach to planning objectives in the Azores. A set of goals was identified from international commitments signed or adopted by Portugal, targets to be complied within EU policies, national policy goals to be fulfilled, and objectives set by regional policies from the Azores autonomous region. The documents reviewed are shown in Table 3. Policy documents reviewed to identify objectives for the sea **Table 3**. A more comprehensive analysis of policy documents at the international (i.e. UNCLOS; NEAFC, IMO, MARPOL), EU (i.e. Water Framework Directive, Habitats and Birds directives), national and regional (i.e. climate change strategies, coastal zone management policy) levels will be included in deliverable 4.3 of MarSP project, corresponding to the *Final report defined as a proposal for a law document on the MSP in the Azores, corresponding to the Situation Plan*. Deliverable 6.5 referring to *MSP governance guide of the Macaronesia* will also help this further analysis.

**Table 3. Policy documents reviewed to identify objectives for the sea (source: authors)**

Policy documents reviewed			
International commitments	European Union policy	National policy - Portugal	Regional policy - Azores
Sustainable Development Goals	Maritime Spatial Planning Directive (2014/89/EU)	National Strategy for the Sea 2013-2020	Marine Strategy for the subdivision of the Azores

Convention on Biological Diversity	Marine Strategy Framework Directive (2008/56/CE)	Law of Basis for Planning and Management of the National Maritime Space	Azores Marine Park (RDL 28/2011/A)
Underwater Cultural Heritage Convention	Integrated Maritime Policy	National Maritime Spatial Plan: Situation Plan	Strategy of Research and Innovation for the Smart Specialisation
OSPAR Convention	Biodiversity Strategy 2020	Strategic Plan for Portuguese Aquaculture 2014-2020	Strategic and Marketing Plan for the Tourism
ICES Strategy	Common Fisheries Policy	Tourism Strategy 2027	
	Action Plan for a Maritime Strategy in the Atlantic area	National Strategy for Nature and Biodiversity Conservation 2025	
		Industrial Strategy for Ocean Renewable Energies	

In the selection of the policy documents to analyse, special attention was given to crosscutting documents as well as sectorial strategies. In the first category, the main MSP policy documents applicable to the Azores are analysed: EU MSP Directive, Law 17/2014 of Basis for Planning and Management of the National Maritime Space, and National Maritime Spatial Plan: Situation Plan (based and similarly to Decree-Law 38/2015). Moreover, overarching maritime policies such as the EU Integrated Maritime Policy or the Portuguese National Strategy for the Sea. Sectorial policies comprise policies and strategies for those sectors that have an important presence and potential in the Azorean archipelago, such as tourism, fisheries, conservation/biodiversity, underwater cultural heritage, research, aquaculture and renewables.

The analysis of both horizontal and sectorial policies provides a long and comprehensive list of objectives for the maritime space. While MSP and crosscutting policy documents provide a wide range and variety of objectives for the maritime space, sectorial policies give concrete objectives for maritime sectors, which in a later stage will be generalised.

Policy analysis was made to first understand the history and aims of the policy, its binding or non-binding nature, and finally the listing of objectives that are targeting the maritime space. The reviewed policies are analysed below according to the categories and order included in **Table 3**.

## International commitments

### Sustainable Development Goals

In 2015 a set of 17 Sustainable Development Goals (SDG) were globally adopted in the 2030 Agenda for Sustainable Development promoted by the United Nations. These goals have a timeframe of 15 years and are universally applicable. Despite SDG are not legally binding,

governments are expected to take ownership and establish national frameworks for their achievement (United Nations, 2018b).

Goal 14 is the one that addresses the oceans in a holistic way to “conserve and sustainably use the oceans, seas and marine resources”. It includes the following targets (United Nations, 2018a):

- a. by 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution;
- b. by 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans;
- c. minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels;
- d. by 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing (IUU) and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics;
- e. by 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information;
- f. by 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation;
- g. by 2030, increase the economic benefits to Small Island Developing States (SIDS) and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism;
- h. increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular SIDS and least developed countries;
- i. provide access for small-scale artisanal fishers to marine resources and markets;
- j. enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention of the Law of the Seas (UNCLOS), which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want.

## Convention on Biological Diversity

The Convention on Biological Diversity (CBD) was signed by 150 governments at the 1992 Rio Earth Summit. CBD was conceived as a practical tool for translating the principles of Agenda 21 into reality and consequently promoting sustainable development. CBD is a legally binding treaty with three main goals: conservation of biodiversity; sustainable use of biodiversity; fair and equitable sharing of the benefits arising from the use of genetic resources (United Nations, 2018c). Portugal ratified the convention through Decree 21/93, which entered into force in 21 March 1994. Three targets address ocean-related issues (CBD Secretariat, 2018):

- a. target 6: by 2020 all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits;
- b. target 10: by 2015, the multiple anthropogenic pressures on coral reefs, and other vulnerable ecosystems impacted by climate change or ocean acidification are minimized, so as to maintain their integrity and functioning;
- c. target 11: by 2020, 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.

## Underwater Cultural Heritage Convention

The UNESCO Convention on the Protection of the Underwater Cultural Heritage was adopted in 2001 to enable States to better protect their submerged cultural heritage. The Convention sets out basic principles for the protection of underwater cultural heritage, provides a detailed State cooperation system, and practical rules for the treatment and research of underwater cultural heritage (UNESCO, 2017b). Portugal ratified the Convention in 2006 (UNESCO, 2018) by presidential Decree 65/2006 which was previously approved by resolution 51/2006 of the Assembly of the Republic of Portugal.

Article 2 of the Convention sets out its objectives and general principles for States Parties (UNESCO, 2017a):

- a. ensure and strengthen the protection of underwater cultural heritage;
- b. cooperate in the protection of underwater cultural heritage;
- c. preserve underwater cultural heritage for the benefit of humanity;
- d. take all appropriate measures to protect underwater cultural heritage, using the best practicable means available and in accordance with capabilities;

- e. preservation in situ of underwater cultural heritage shall be considered as the first option before allowing or engaging in any activities directed at this heritage;
- f. recovered underwater cultural heritage shall be deposited, conserved and managed in a manner that ensures its long-term preservation;
- g. underwater cultural heritage shall not be commercially exploited;
- h. ensure that proper respect is given to all human remains located in maritime waters;
- i. responsible non-intrusive access to observe or document in situ underwater cultural heritage shall be encouraged to create public awareness, appreciation, and protection of the heritage except where such access is incompatible with its protection and management.

### **OSPAR Convention**

OSPAR is the mechanism by which 15 European Governments and the EU cooperate to protect the marine environment of the North-East Atlantic. The overall goal of the OSPAR Commission is to conserve marine ecosystems and safeguard human health and, when practicable, restore marine areas which have been adversely affected by human activities and other sources. Portugal is a contracting party in OSPAR, which was ratified by Decree-Law 59/97. The Strategy of the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic 2010–2020 envisions a clean, healthy and biologically diverse North-East Atlantic and establishes the following strategic objectives (OSPAR Commission, 2010):

- a. to halt and prevent by 2020 further loss of biodiversity in the OSPAR maritime area, to protect and conserve ecosystems, and to restore, where practicable, marine areas which have been adversely affected;
- b. to combat eutrophication in the OSPAR maritime area, with the ultimate aim to achieve and maintain a healthy marine environment where anthropogenic eutrophication does not occur;
- c. to prevent pollution of the OSPAR maritime area by continuously reducing discharges, emissions and losses of hazardous substances, with the ultimate aim to achieve concentrations in the marine environment near background values for naturally occurring substances and close to zero for manmade synthetic substances;
- d. to prevent and eliminate pollution and take the necessary measures to protect the OSPAR maritime area against the adverse effects of offshore oil and gas activities by setting environmental goals and improving management mechanisms, so as to safeguard human health and to conserve marine ecosystems and, when practicable, restore marine areas which have been adversely affected;
- e. to prevent pollution of the OSPAR maritime area from ionising radiation through progressive and substantial reductions of discharges, emissions and losses of radioactive substances, with the ultimate aim of concentrations in the environment near background values for naturally occurring radioactive substances and close to zero for artificial radioactive substances;

- f. to ensure integrated management of human activities in order to reduce impacts on the marine environment, taking into account the impacts of, and responses to, climate change and ocean acidification;
- g. to facilitate and coordinate the work of relevant Contracting Parties in achieving good environmental status under the EU Marine Strategy Framework Directive by 2020.

## **ICES Strategy**

The International Council for the Exploration of the Sea (ICES) is a global organization that develops science and advice to support the sustainable use of the oceans. ICES is a network of more than 5,000 scientists in 20 member countries, including Portugal. ICES main goal is to provide the best available science for decision-makers to make informed choices on the sustainable use of the marine environment (ICES, 2018). The ICES Strategic Plan 2014–2018 includes seven main goals (ICES, 2013):

- a. Develop an integrated, interdisciplinary understanding of the structure, dynamics, and the resilience and response of marine ecosystems to change;
- b. Understand the relationship between human activities and marine ecosystems, estimate pressures and impacts, and develop science-based, sustainable pathways;
- c. Evaluate and advise on options for the sustainable use and protection of marine ecosystems;
- d. Promote the advancement of data and information services for science and advice needs;
- e. Catalyse best practices in marine data management, and promote the ICES data nodes as a global resource;
- f. Foster the science, advisory, data and information services through the work of the Secretariat;
- g. Ensure an efficient and effective organization.

## **European Union policy**

### **Maritime Spatial Planning Directive**

In 2014 the Directive 2014/89/EU was approved to establish a framework for maritime spatial planning (MSP). The MSP Directive aims at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources. The Directive enforces EU riparian Member States to draw up maritime spatial plans by 2021. In Portugal, the Directive was transposed into national law by Decree-Law 38/2015. The 5<sup>th</sup> Article of the Directive sets out the following objectives (European Union, 2014):

- a. consider economic, social and environmental aspects to support sustainable development and growth in the maritime sector, applying an ecosystem-based approach, and to promote the coexistence of relevant activities and uses;

- b. contribute to the sustainable development of energy sectors at sea, of maritime transport, and of the fisheries and aquaculture sectors, and to the preservation, protection and improvement of the environment, including resilience to climate change impacts; promotion of sustainable tourism and the sustainable extraction of raw materials.

## **Marine Strategy Framework Directive**

The Marine Strategy Framework Directive (MSFD) 2008/56/CE aims to achieve the Good Environmental Status (GES) of the EU's marine waters by 2020, therefore protecting the marine environment and the resources upon which marine-related economic and social activities are based. The MSFD contains the explicit objective that "biodiversity is maintained by 2020" as the cornerstone for achieving GES (DG ENVI, 2017). This Directive was later modified by Directive 2017/845. In Portugal, the MSFD was transposed into national law by Decree Law 108/2010, which was consequently modified by Decree Laws 201/2012, 136/2013, 143/2015, and 137/2017. Member States need to achieve and maintain the GES through marine strategies, which must meet the following objectives (European Union, 2008):

- a. protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected;
- b. prevent and reduce inputs in the marine environment, with a view to phasing out pollution; so as to ensure that there are no significant impacts on or risks to marine biodiversity, marine ecosystems, human health or legitimate uses of the sea.

## **Integrated Maritime Policy**

The European Commission launched the Communication on an Integrated Maritime Policy for the European Union, the so-called "Blue Book", in 2007. The Integrated Maritime Policy (IMP) is presented in this communication to give a holistic approach to all sea-related EU policies (European Commission, 2018). This policy applies to all EU member states, but does not require enforcement at national level. The IMP is a framework to facilitate the development and coordination of diverse and sometimes conflicting sea-based activities, with a view to (European Parliament, 2018):

1. maximising the sustainable use of the oceans and seas, in order to enable the growth of maritime regions and coastal regions as regards:
  - a) shipping: improving the efficiency of maritime transport in Europe and ensuring its long-term competitiveness, through the creation of a European Maritime Transport Space without barriers, and a maritime transport strategy for 2008-2018;
  - b) seaports: issuing guidelines for the application of environmental legislation relevant to ports and proposing a new ports policy;
  - c) shipbuilding: promoting technological innovation and a European network of maritime multi-sectorial clusters;
  - d) maritime jobs: enhancing professional qualifications to offer better career prospects in the sector;

- e) environment: reducing the impact and adapting to climate change in coastal zones, and diminishing pollution and greenhouse gas emissions from ships;
  - f) fisheries management: eliminating discards, destructive fishing practices (e.g. bottom trawling in sensitive areas) and illegal, unreported and unregulated fishing, and promoting environmentally safe aquaculture;
2. building a knowledge and innovation base for maritime policy, through:
    - a) a comprehensive European Strategy for Marine and Maritime Research (Marine Strategy Framework Directive (2008/56/EC); the Seventh Framework Programme for Research contributed to its implementation through innovation resulting from research for an integrated approach to maritime affairs (2007-2013);
    - b) joint, cross-cutting calls and opportunities for innovation in the blue economy under Horizon 2020, the Framework Programme for Research and Technological Development (2014-2020);
    - c) support for research on climate change and its effect on maritime activities, the environment, coastal zones and islands;
    - d) a European marine science partnership aimed at dialogue among the scientific community; industry and policy makers;
  3. improving quality of life in coastal regions, by:
    - a) encouraging coastal and maritime tourism;
    - b) preparing a database on Community funding for maritime projects and coastal regions;
    - c) creating a Community Disaster Prevention Strategy;
    - d) developing the maritime potential of the EU's outermost regions and islands;
  4. promoting EU leadership in international maritime affairs, through:
    - a) cooperation in maritime affairs under the Enlargement Policy, the European Neighbourhood Policy and the Northern Dimension, to cover maritime policy issues and management of shared seas;
    - b) projection of the EU's Maritime Policy based on a structured dialogue with major partners.
  5. raising the visibility of maritime Europe, by:
    - a) launching the 'European Atlas of the Seas' internet application as a means of highlighting the common European maritime heritage;
    - b) celebrating an annual European Maritime Day on 20 May;
  6. creating internal coordinating structures for maritime affairs and defining the responsibilities and competences of coastal regions.

## **Biodiversity Strategy**

The EU Biodiversity Strategy to 2020 was adopted in 2011 in line with the commitments taken at the international Convention on Biological Diversity. It aims at halting the loss of biodiversity and improve the state of Europe's species, habitats, ecosystems and its related provided services in the EU by 2020 (DG ENVI, 2016). The six targets covered by the EU strategy focus on (European Union, 2011):

1. full implementation of the EU nature legislation;

2. better protection and restoration of ecosystems and the services they provide, and greater use of green infrastructure;
3. more sustainable agriculture and forestry;
4. better management of EU fish stocks and more sustainable fisheries;
5. tighter controls on Invasive Alien Species;
6. greater EU contribution to averting global biodiversity loss.

Target 4 relates to combat overfishing and ensure a more sustainable ecosystem-based management of fisheries resources. It requires that, by 2015, fishing is sustainable and that, by 2020, fish stocks are healthy, meaning that fishing must not have significant adverse impacts on species and ecosystems, in a way that all European seas can be ecologically diverse, dynamic, clean, healthy and productive. This is reflected in two actions (European Union, 2011):

- a) Action 13: Improve the management of fish stocks
- b) Action 14: Eliminate adverse impacts on fish stocks, species, habitats and ecosystems

### **Common Fisheries Policy**

The Common Fisheries Policy (CFP) aims to manage EU fishing fleets and conserving fish stocks in European waters. The CFP was created in the 1970s and has been periodically revised and updated to the most recent CFP document which took effect in 2014. This document corresponds to Regulation 1380/2013, which amended Regulations 1954/2003 and 1224/2009. The CFP aims to ensure that fishing and aquaculture are sustainable and are a source of healthy food. It also targets ensuring a dynamic fishing industry and a fair standard of living for fishing communities (DG MARE, 2018). Article 2 of Regulation 1380/2013 states that CFP will ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and consistent with the objectives of achieving economic, social and employment benefits with the following specific objectives (European Union, 2013):

- a. gradually eliminate discards, taking into account the best available scientific advice, by avoiding and reducing unwanted catches, and by gradually ensuring that catches are landed;
- b. make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;
- c. provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;
- d. provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities, with a view to having economically viable fleets without overexploiting marine biological resources;
- e. promote the development of sustainable aquaculture activities to contribute to food supplies, security and employment;

- f. contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;
- g. contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union;
- h. take into account the interests of both consumers and producers;
- i. promote coastal fishing activities, taking into account socioeconomic aspects;

### **Action Plan for a Maritime Strategy in the Atlantic area**

The EU Atlantic Strategy constitutes the sea basin strategy for regional development in the Atlantic. It was launched in 2011 to identify key challenges and opportunities to create sustainable jobs and growth (European Commission, 2011). The European Commission approved the Action Plan for a Maritime Strategy in the Atlantic Area in 2013. The Action Plan comprises a set of action areas for research and investment to tackle the challenges previously identified in the Atlantic Strategy. This Action Plan sets out four priorities to drive the "blue economy" forward. Each of them contains specific objectives (European Commission, 2013):

1. promote entrepreneurship and innovation:
  - a) sharing knowledge between higher education organisations, companies and research centres;
  - b) enhancement of competitiveness and innovation capacities in the maritime economy of the Atlantic area;
  - c) fostering adaptation and diversification of economic activities by promoting the potential of the Atlantic area;
2. protect, secure and develop the potential of the marine and coastal environment:
  - a) improving maritime safety and security;
  - b) exploring and protecting marine waters and coastal zones;
  - c) sustainable management of marine resources;
  - d) exploitation of the renewable energy potential of the Atlantic area's marine and coastal environment;
3. improve accessibility and connectivity:
  - a) promoting cooperation between ports;
4. create a socially inclusive and sustainable model of regional development:
  - a) fostering better knowledge of social challenges in the Atlantic area;
  - b) preserving and promoting the Atlantic's cultural heritage.

## **National policy – Portugal**

### **National Ocean Strategy 2013-2020**

The National Ocean Strategy (NOS) 2013-2020 aims at meeting the challenges for the promotion, growth and competitiveness of the maritime economy (DGPM, 2018), adopting the

paradigm of blue growth in Portugal. The pursuit of the NOS 2013-2020, through the action plan, considers the following objectives (DGPM, 2013):

- a. reaffirm the national maritime identity in a modern, proactive and entrepreneurial framework.
- b. bring to realization the economic, geostrategic and geopolitical potential of the national maritime territory, turning the *Mar-Portugal* into an asset with permanent economic, social and environmental benefits.
- c. create conditions for attracting investment, both national and international, in all Sea economy sectors, promoting growth, employment, social cohesion and territorial integrity, and, until 2020, promoting an increase of the sea economy contribution for the GDP of about 50%.
- d. strengthen national scientific and technological capacity, stimulating development of new areas of action that promote the knowledge of the Ocean and effectively, efficiently and sustainably enhance its resources, uses and activities as well as the ecosystem's services.
- e. make Portugal, on a worldwide level, a leading maritime nation and an undisputed partner of the IMP and of the EU maritime strategy, in particular for the Atlantic area.

### **Law of Basis for Planning and Management of the National Maritime Space**

The Portuguese Parliament approved the Law 17/2014 of Basis for Planning and Management of the National Maritime Space (LBOGEM) in 2014. LBOGEM establishes the legal basis and the general guidelines for Portugal's policy on marine spatial planning and management. In 2015, Decree-Law 38/2015 developed its legal norms and transposed the EU MSP Directive (Becker-Weinberg, 2015a). The objectives of planning and management established by LBOGEM are the following (Becker-Weinberg, 2015b; Assembleia da Republica. 2014):

- a. promote the sustainable economic, rational and efficient exploitation of marine resources and of ecosystem services, ensuring the compatibility and sustainability of the different uses and activities developed therein, considering the intra and intergenerational responsibility in the use of the national maritime space and towards higher levels of employment.
- b. consider the preservation, protection and restoration of the natural values and of the coastal and marine ecosystems and the attainment and maintenance of the GES of marine waters, as well as the prevention of risks and the minimization of the effects of natural disasters, climate change or human activities;
- c. ensure the legal certainty and the transparency of the procedures granting the titles of private use of the national maritime space, as well as allow the exercise of the rights of information and participation stated in the 12<sup>th</sup> article of LBOGEM;
- d. seek the use of the available information regarding the national maritime space;
- e. prevent or minimize possible conflicts between uses and activities carried out in the national maritime space.

## **National Maritime Spatial Plan: Situation Plan**

The Situation Plan is the first-line policy instrument for the national MSP process, as established by the 7<sup>th</sup> Article of the LBOGEM. The first version of the Situation Plan was available for public consultation from the 30<sup>th</sup> of April to the 31<sup>st</sup> of July 2018, concerning the subdivisions of the continent and the continental shelf beyond 200 nautical miles. This document integrates the objectives of the LBOGEM and others (DGRM, 2018):

- a. contribute to the valorisation of the maritime economy, promoting the efficient, rational and sustainable exploration of marine resources and ecosystem services, guarantying the safeguard of the natural and cultural ocean heritage;
- b. contribute to national cohesion, reinforcing the archipelagic dimension of Portugal and the role of its inter-territorial sea;
- c. contribute, through national MSP, to planning in the Atlantic sea basin;
- d. contribute to the reinforcement of the geopolitical and geostrategic position of Portugal in the Atlantic region and as the biggest coastal country of the EU;
- e. guarantee legal certainty and transparency in the procedures of licences for the national maritime space;
- f. ensure the maintenance of the GES of marine water, preventing risks associated to human actions and minimising the effects of natural disaster and climate events;
- g. ensure the use of available information about the national maritime space;
- h. contribute to the ocean literacy and reinforce the national scientific and technological capacity.

## **Strategic Plan for Portuguese Aquaculture 2014-2020**

The Strategic Plan for Portuguese Aquaculture 2014-2020 aims to increase and diversify the offer of national aquaculture products in accordance with the principle of sustainability, food security and quality. The Plan also aims to satisfy consumers' needs and contribute to local development and job creation. Actions to meet this general aim are grouped in three axes or operational objectives (DGRM, 2013):

- a. simplify administrative procedures to reduce the needed administrative processes and periods to obtain licenses in order to facilitate the processes for investors;
- b. facilitate the access to the maritime space and identification of potential areas where aquaculture is more feasible and has less environmental impacts, ensuring the combination with other uses;
- c. reinforce the competitiveness of the sector and promote equitable conditions for EU operators with the aim to increase, diversify and value the national aquaculture production.

## **Tourism Strategy 2027**

The Tourism Strategy 2027 of Portugal was launched in 2017 with the aim to foster tourism as a hub for economic, social and environmental development in all the Portuguese territory,

positioning Portugal as one of the most competitive and sustainable destination in the world. The Strategy is based on five axes. The first of them is “Value the territory and its communities” and one its actions is fostering tourism within the maritime economy through (Turismo de Portugal, 2017):

- a. reinforce the position of Portugal as a destination of nautical, sport and recreational activities associated to the sea, and as an international reference for surfing;
- b. enhance and value infrastructure, equipment and services supporting nautical tourism, especially ports, marinas and nautical centres;
- c. nautical activities related to diving, kayaking, whale-watching, fisheries and other recreational activities that integrate sustainable use in the maritime culture;
- d. enhance routes and tourism offers related to the sea and nautical activities;
- e. actions to value the coast, including the re-qualification of waterfronts and beaches;
- f. health and wellness tourism projects associated to sea therapeutic properties;
- g. value sea-related products associated to Mediterranean diet.

### **National Strategy for Nature and Biodiversity Conservation 2025**

The National Strategy for Nature and Biodiversity Conservation 2025 is the fundamental instrument for the development of the environment policy, responding to national and international responsibilities in the decreasing the loss of natural heritage. This Strategy is based in three strategic axes (Ministerio do Ambiente, 2017):

1. Improve the state of conservation of natural heritage;
2. Promote the recognition of the value of natural heritage;
3. Boost the appropriation of natural and biodiversity values.

Axis 3 includes several objectives related to the maritime space (Ministerio do Ambiente, 2017):

- a. Guarantee the sustainable use of marine resources;
- b. Promote the articulation and integration of objectives about nature and biodiversity conservation in plans, programmes, instruments, and rules applied to the maritime space;
- c. Ensure the sustainability in the use of marine or terrestrial genetic resources;
- d. Adequate methodologies of Environmental Impact Assessment (EIA) to the economic activities in the marine environment.

### **Industrial Strategy for Ocean Renewable Energies**

The Industrial Strategy for Ocean Renewable Energies was approved in 2017 to set guidelines for accelerating the development of the ocean renewable energy sector in Portugal. The Strategy describes its Action Plan, which contains three main strategic actions (Conselho de Ministros, 2017)

- a. Attract Research& Development (R&D) and new testing and development projects on marine renewable energy to be installed in Portugal;
- b. Create support to accelerate the export of marine renewable energy technologies through the reinforcement of national business capacity by attracting private investments, administrative simplification and support and fostering of innovative services and products;
- c. Develop Investor Intelligence initiatives for ocean renewables.

## Regional policy – Azores

### Marine Strategy for the subdivision of the Azores

In 2014 the Regional Secretariat of Natural Resources of the Azores presented the Marine Strategy for the subdivision of the Azores in the framework of the MSFD. According to article 4 of Decree Law 108/2010, modified by Decree Law 201/2012, the elaboration and coordination of the application of the MSFD in the Autonomous Region of the Azores corresponds to the regional government (Governo dos Açores, 2018). The Strategy meets the demands of the MSFD and its transposition to the national law to elaborate marine strategies in each of the subdivisions of the country. Marine Strategies are developed in accordance to an action plan which includes a phase of Initial assessment (according to MSFD Articles 8, 9 and 10) and a phase for Programme of Measures (Article 13 of the MSFD) and Monitoring Programmes (Article 11 of the MSFD). This first phase includes the establishment of the following environmental goals (SRMCT, 2014):

- a. Obtain information about representative coastal species that indicates the ecosystem environmental status;
- b. Increase the number of breeding pairs and nesting grounds within relevant protected areas for seabirds through the installation of artificial nets and habitats restoration (invasive plant species) and control of predators;
- c. Increase knowledge on population dynamics and demographic characteristics of pelagic migratory species, such as sea turtles, cetaceans and breeding seabirds;
- d. Prevent the introduction of marine species to mitigate possible marine bio invasions through monitoring of main introduction vectors;
- e. Track the population dynamics of *Caulerpa webbiana* and other invasive marine species;
- f. Guarantee the sustainability of fisheries through efficient measures of fisheries management with based on CFP and information obtained in monitoring of fishing resources;
- g. Ensure transitional waters keep the GES;
- h. Mapping marine habitats and identified coastal biotopes, especially those areas classified as protected by OSPAR, Natura 2000 or those considered vulnerable or part of benthic communities;

- i. Mapping distribution of benthic habitats, especially biogenetic, through spatial modelling;
- j. Ensure the exploration of coastal aggregates does not affect maerl communities;
- k. Promote the use of fishing gears with less impact in ocean ecosystems, without affecting fisheries profitability;
- l. Mapping artificial coastal areas and systematically collect information about the type of artificial structures;
- m. Create a informatics system for the compilation of information about coastal works
- n. Systematically track pollution level of commercial species and others considered as indicator for the GES
- o. Conceive and implement programmes for the collection of scientific and monitoring information
- p. Decrease the quantity of land-sourced plastics entering the marine systems
- q. Install infrastructures to allow the monitoring of noise pollution and sensitive species to this issue

### **Azores Marine Park**

The Regional Legislative Decree 28/2011/A structured the Azores Marine Park with the general objective to preserve biological diversity and productivity and ensure the protection and good management of Marine Protected Areas (MPA) in the Azores seas under jurisdiction of the Regional Government. This decree was republished and modified by Regional Legislative Decree 13/2016/A and declaration for amendment 1/2016/1. Decree 28/2011/A sets out the following specific objectives (Governo dos Açores, 2011):

- a. Allow the execution of Habitats and Birds Directive and its transposition to national law, and respective obligations assumed in the Natura 2000 Network;
- b. Contribute to the operationalisation of principles included in the Convention on Biological Diversity;
- c. Guarantee the GES in the maritime space in accordance to the MSFD and its transposition to national law;
- d. Contribute to the regional strategies of marine conservation in accordance with compromises of the OSPAR Convention;
- e. Protect and preserve the marine environment and prevent the deterioration of ecosystems, including seabed and coastal areas, especially high biodiversity sites;
- f. Preserve the composition, structure, functions and evolution potential of marine biodiversity;
- g. Maintain the diversity of landscapes and marine habitats and species and associated ecosystems;

- h. Apply, in the medium and long term, the management objectives classifying each marine protected areas integrated in the Azores Marine Park;
- i. Protect and guarantee the management of significant examples of marine ecosystems, especially the ones associated to the Mid-Atlantic Ridge, specifically hydrothermal vents and seamounts, to preserve their viability and provision of ecological services;
- j. Guarantee the reinforcement and promotion of institutional articulation of local, regional, national, EU and international entities with jurisdictions on the sea in the field of nature and biodiversity conservation;
- k. Guarantee the conservation of resources and marine natural heritage;
- l. Contribute to the sustainable development of specific maritime uses and activities;
- m. Guarantee minimising risk situation and environmental, social and economic impacts of human activities in the ocean;
- n. Promote integrated maritime operational policy to prevent degradation in the medium and long term;
- o. Foster the increase of scientific knowledge and information production to support decision-making
- p. Guarantee integrated assessment of management tools and policy.

### **3.1.21. Strategy of Research and Innovation for the Smart Specialisation**

The Strategy of Research and Innovation for the Smart Specialisation of the Autonomous Region of the Azores was set in 2015 to define the strategic approaches for economic development through the support to certain R&D activities. This Strategy of Smart Specialisation aims to be an agenda for economic transformation using the regional exclusive assets, competitive advantages and resources. The Strategy sets out strategic priorities in three sectors: agriculture, livestock and agro-industry; fisheries and sea; and tourism. The strategic priorities concerning the maritime space surrounding the Azores archipelago are the following (Governo dos Açores, 2014):

- a. Strengthen the position of the Azores as an intercontinental platform in the field of ocean knowledge;
- b. Increase the value of fisheries products;
- c. Foster collaborative relationships and promote innovative activities in the seas.

### **3.1.22. Strategic and Marketing Plan for the Tourism**

The Strategic and Marketing Plan for the Tourism of the Azores was designed in 2015 with the aim to define a set of strategies that allow the qualification and sustainable development of the sector, preserve the environment and develop touristic activities to boost the regional economy in every island of the archipelago. Nautical tourism is recognised as a complementary product of the main tourism product of the region: nature tourism. The Strategy define the following strategic objectives (Governo dos Açores, 2015):

- a. Improve and enrich the quality of the tourism experience to the visitor;
- b. Contribute to the preservation and conservation of natural and cultural spaces;
- c. Contribute to the economic development of the region;
- d. Improve the performing of touristic activities.

### 3.2. Thematic classification and generalisation with regional specificities

The following steps in the methodology applied to approach planning objectives in the Azores are first the thematic classification and subsequent generalisation by subtheme including regional specificities. The above mentioned listing of objectives for the maritime space in the Azores is the basis to approach planning objectives. However, such a large number and variety of objectives set out by multiple policy documents requires organisation. Thus, the grouping and classification in thematic categories and subthemes is a fundamental step to provide order and coherence to the large amount of objectives for maritime space. A thematic classification is firstly carried out in four main themes: environment, society, economy and politics (see Table 5. Thematic classification of objectives for the sea in the Azores (source: authors) Table 5). All the objectives for the maritime space are placed within these categories, shaping subthemes such as Marine Protected Areas or Species (within Environment theme); Employment and Cultural heritage (within Society theme); Fisheries or Aquaculture (Economy theme); and Licencing or Funding (with Politics theme). A few objectives that clearly feed two subthemes have been replicated to feed the corresponding subthemes. In this case, the component of the objective that feeds into the subtheme is marked in bold.

The grouping of objectives enables an effective organisation of objectives by themes and subthemes on one side, and from the geographical scale of the related policy, on the other side. Links between the objectives thematically classified and their corresponding policy documents are made through codes. The first number of the code represents the policy document where the objectives come from according to **Table 4**. The subsequent letters and numbers correspond to the codes given to each objective in the analysis of policies performed above.

**Table 4. Coding relating objectives for the sea with policy documents (source: authors)**

Policy documents reviewed
1. Sustainable Development Goals
2. Convention on Biological Diversity
3. Underwater Cultural Heritage Convention
4. OSPAR Convention
5. ICES Strategy
6. Maritime Spatial Planning Directive (2014/89/EU)
7. Marine Strategy Framework Directive (2008/56/CE)

8. Integrated Maritime Policy
9. Biodiversity Strategy 2020
10. Common Fisheries Policy
11. Action Plan for a Maritime Strategy in the Atlantic area
12. National Strategy for the Sea 2013-2020
13. Law of Basis for Planning and Management of the National Maritime Space
14. National Maritime Spatial Plan: Situation Plan
15. Strategic Plan for Portuguese Aquaculture 2014-2020
16. Tourism Strategy 2027
17. National Strategy for Nature and Biodiversity Conservation 2025
19. Marine Strategy for the subdivision of the Azores
20. Azores Marine Park
21. Strategy of Research and Innovation for the Smart Specialisation
22. Strategic and Marketing Plan for the Tourism

After the grouping of objectives, their generalisation by subthemes was carried out (see last column of **Table 5**), highlighting the shared aspects between objectives with similar nature. This step aimed to keep the essence and common ground among the objectives for the sea within a specific subtheme. However, special attention was given to the objectives for the sea coming out from the regional policies reviewed. This allowed the inclusion of particularities and specificities for the objectives in the special context of the Azores archipelago. The results obtained after of the thematic classification and subsequent generalisation by subthemes are named as specific objectives. Only two subthemes were not generalised and therefore not included as specific objectives due to their low commitment and detailing. They remained highlighted in red colour in the table.

**Table 5. Thematic classification of objectives for the sea in the Azores (source: authors)**

Theme	Subtheme	Objectives				Generalisation with regional specification
		International	EU	National	Regional	
Environment	Marine environment	1.j. Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention of the Law of the Seas (UNCLOS), which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want	7.a protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected  11.2.b. exploring and protecting marine waters and coastal zones		22.b <b>Contribute to the preservation and conservation of natural and cultural spaces</b>	Preserve and sustainable manage the marine environment, conserving its natural and cultural values
	Marine Ecosystems & Habitats	1.b. By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans		13.b. consider the preservation, protection and restoration of the natural values and of the coastal and marine ecosystems and the attainment and maintenance of the GES of marine waters, as well as the prevention of risks and the minimization of the effects of natural disasters, climate change or human activities	20.e. Protect and preserve the marine environment and prevent the deterioration of ecosystems, including seabed and coastal areas, especially high biodiversity sites  20.g. Maintain the diversity of landscapes and marine habitats and species and associated ecosystems	Preserve marine ecosystems and its services, maintaining the diversity of habitats and landscapes, especially for relevant biodiversity sites as hydrothermal

					20.i. Protect and guarantee the management of significant examples of marine ecosystems, especially the ones associated to the Mid-Atlantic Ridge, specifically hydrothermal vents and seamounts, to preserve their viability and provision of ecological services	vents and seamounts
Biodiversity & Resources	19.a. to halt and prevent by 2020 further loss of biodiversity in the OSPAR maritime area, to protect and conserve ecosystems, and to restore, where practicable, marine areas which have been adversely affected	11.2.c. sustainable management of marine resources	17.a. Guarantee the sustainable use of marine resources	20.f. Preserve the composition, structure, functions and evolution potential of marine biodiversity	20.i. Guarantee the conservation of resources and marine natural heritage	Preserve the composition, structure and evolution potential of marine biodiversity and guarantee the conservation of marine resources
				17.c. Ensure the sustainability in the use of marine or terrestrial genetic resources		
Species				19.b. Increase the number of breeding pairs and nesting grounds within relevant protected areas for seabirds through the installation of artificial nests and habitats restoration (invasive plant species) and control of predators	19.c. Increase knowledge on population dynamics and demographic characteristics of pelagic migratory species, such as sea turtles, cetaceans and breeding seabirds	Increase the population of seabirds and the knowledge on pelagic migratory species

Protected Areas	1.e. By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information				By 2020, conserve at least 10 per cent of coastal and marine areas through effectively managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures
	2.c By 2020, 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes				
	Environmental	4.g. to facilitate and coordinate the work of relevant Contracting Parties in achieving good environmental status under the EU Marine Strategy Framework Directive by 2020		14.f. Ensure the maintenance of the GES of marine water, preventing risks associated to human actions and minimising the effects of natural disaster and climate events	19.a. Obtain information about representative coastal species that indicates the ecosystem environmental status 19.g. Ensure transitional waters keep the GES 20.c. Guarantee the GES in the maritime space in accordance to the MSFD and its transposition to national law
Good Status				20.m. Guarantee minimising risk situation and environmental, social and economic impacts of human activities in the ocean	
Impacts					Minimise impacts and prevent risks associated to human activities in the ocean

	Climate change	1.c Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels	8.1.e. reducing the impact and adapting to climate change in coastal zones, and diminishing pollution and greenhouse gas emissions from ships			Guarantee the adaptation and response to ocean acidification and climate change, increasing the resilience of marine ecosystems to change
		2.b By 2015, the multiple anthropogenic pressures on coral reefs, and other vulnerable ecosystems impacted by climate change or ocean acidification are minimized, so as to maintain their integrity and functioning	8.3.c. creating a Community Disaster Prevention Strategy			
		5.a. Develop an integrated, interdisciplinary understanding of the structure, dynamics, and the resilience and response of marine ecosystems to change				
		4.f. to ensure integrated management of human activities in order to reduce impacts on the marine environment, taking into account the impacts of, and responses to, climate change and ocean acidification				
	Marine Pollution	1.a. By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution	7.b prevent and reduce inputs in the marine environment, with a view to phasing out pollution; so as to ensure that there are no significant		19.n. Systematically track pollution level of commercial species and others considered as indicator for the GES	By 2025, prevent and significantly reduce marine pollution, in

		<p>4.c. to prevent pollution of the OSPAR maritime area by continuously reducing discharges, emissions and losses of hazardous substances, with the ultimate aim to achieve concentrations in the marine environment near background values for naturally occurring substances and close to zero for manmade synthetic substances</p>	<p>impacts on or risks to marine biodiversity, marine ecosystems, human health or legitimate uses of the sea</p>		<p>19.p. Decrease the quantity of land-sourced plastics entering the marine systems</p>	<p>particular from land-based activities, including marine debris, nutrient pollution; and noise pollution</p>
<p>4.d. to prevent and eliminate pollution and take the necessary measures to protect the OSPAR maritime area against the adverse effects of offshore oil and gas activities by setting environmental goals and improving management mechanisms, so as to safeguard human health and to conserve marine ecosystems and, when practicable, restore marine areas which have been adversely affected</p>	<p>19.q. Install infrastructures to allow the monitoring of noise pollution and sensitive species to this issue</p>					
<p>4.e. to prevent pollution of the OSPAR maritime area from ionising radiation through progressive and substantial reductions of discharges, emissions and losses of radioactive substances, with the ultimate aim of concentrations in the environment near background values for naturally occurring radioactive substances and close to zero for artificial radioactive substances</p>						

Overfishing, IUU & fishing techniques	Eutrophication	4.b. to combat eutrophication in the OSPAR maritime area, with the ultimate aim to achieve and maintain a healthy marine environment where anthropogenic eutrophication does not occur				
	Invasive Species				19.d. Prevent the introduction of marine species to mitigate possible marine bio invasions through monitoring of main introduction vectors 19.e. Track the population dynamics of <i>Caulerpa webbiana</i> and other invasive marine species	Prevent and reduce the introduction of invasive marine species
	Overfishing, IUU & fishing techniques	1.d. By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing (IUU) and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics 1.f. By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an	8.1.f. eliminating discards, destructive fishing practices (e.g. bottom trawling in sensitive areas) and illegal, unreported and unregulated fishing, and promoting environmentally safe aquaculture 9.b Eliminate adverse impacts on fish stocks, species, habitats and ecosystems			

		integral part of the World Trade Organization fisheries subsidies negotiation				
		2.a. By 2020 all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits	10.a. gradually eliminate discards, taking into account the best available scientific advice, by avoiding and reducing unwanted catches, and by gradually ensuring that catches are landed			
<b>Society</b>	Quality of life		10.b. make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size			Improve quality of life and the standard of living of maritime professions
			8.3. improving quality of life in coastal regions			
			10.f. contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects			

	Employment		8.1.d. enhancing professional qualifications to offer better career prospects in the sector			Promote maritime jobs and enhance professional qualifications and training	
	Cultural heritage		11.4.b. preserving and promoting the Atlantic's cultural heritage	16.e. Actions to value the coast, including the re-qualification of waterfronts and beaches	22.b Contribute to the preservation and conservation of natural and <b>cultural spaces</b>	Preserve and promote maritime cultural heritage	
				16.g. Value sea-related products associated to Mediterranean diet			
	Underwater Cultural Heritage		3.a. ensure and strengthen the protection of underwater cultural heritage				Ensure and strengthen the protection of underwater cultural heritage
			3.b. cooperate in the protection of underwater cultural heritage				
			3.c. preserve underwater cultural heritage for the benefit of humanity				
		3.d. take all appropriate measures to protect underwater cultural heritage, using the best practicable means available and in accordance with capabilities					
		3.e. preservation in situ of underwater cultural heritage shall be considered as the first option before allowing or engaging in any activities directed at this heritage					
		3.f. recovered underwater cultural heritage shall be deposited, conserved and managed in a manner that ensures its long-term preservation					

	<p>3.g underwater cultural heritage shall not be commercially exploited</p> <p>3.h. ensure that proper respect is given to all human remains located in maritime waters</p> <p>3.i responsible non-intrusive access to observe or document in situ underwater cultural heritage shall be encouraged to create public awareness, appreciation, and protection of the heritage except where such access is incompatible with its protection and management</p>					
	<p>Science, Knowledge &amp; Research</p>	<p>1.h Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular SIDS and least developed countries</p>	<p>8.2.c. support for research on climate change and its effect on maritime activities, the environment, coastal zones and islands</p>	<p>12.d. strengthen national scientific and technological capacity, stimulating development of new areas of action that promote the knowledge of the Ocean and effectively, efficiently and sustainably enhance its resources, uses and activities as well as the ecosystem's services</p>	<p>20.o. Foster the increase of scientific knowledge and information production to support decision-making</p>	<p>Increase scientific knowledge and information production, develop research capacity and transfer marine technology to support decision-making</p>
		<p>5.b. Understand the relationship between human activities and marine ecosystems, estimate pressures and impacts, and develop science-based, sustainable pathways</p>	<p>8.2.a. a comprehensive European Strategy for Marine and Maritime Research (Marine Strategy Framework Directive (2008/56/EC); the Seventh Framework Programme for Research contributed to its implementation through innovation resulting from research for an integrated</p>	<p>13.d. seek the use of the available information regarding the national maritime space</p>		

			approach to maritime affairs (2007-2013)				
		5.c. Evaluate and advise on options for the sustainable use and protection of marine ecosystems	11.1.a. sharing knowledge between higher education organisations, companies and research centres	14.g. Ensure the use of available information about the national maritime space			
		5.f. Foster the science, advisory, data and information services through the work of the Secretariat	11.4.a. fostering better knowledge of social challenges in the Atlantic area	14.h. Contribute to the ocean literacy and reinforce the national scientific and technological capacity			
	Dissemination		8.5.b. celebrating an annual European Maritime Day on 20 May				Disseminate maritime affairs topics and promote dialogue
			8.5. raising the visibility of maritime Europe				
			8.4.projection of the EU's Maritime Policy based on a structured dialogue with major partners				
	Data		5.d. Promote the advancement of data and information services for science and advice needs				Advance the collection of marine data, improve data management and dissemination
			5.e. Catalyse best practices in marine data management, and promote the ICES data nodes as a global resource				
	Geodata		8.5.a. launching the 'European Atlas of the Seas' internet application as a means of highlighting the				Mapping maritime uses and activities and environmental
						19.m. Create an informatic system for the compilation of information about coastal works	
					19.l.o. Conceive and implement programmes for the collection of scientific and monitoring information		
					19.h. Mapping marine habitats and identified coastal biotopes, especially those areas classified as protected by OSPAR, Natura 2000 or those considered		

			<p>common European maritime heritage</p>		<p>vulnerable or part of benthic communities;</p> <p>19.i. Mapping distribution of benthic habitats, especially biogenetic, through spatial modelling;</p> <p>19.l. Mapping artificial coastal areas and systematically collect information about the type of artificial structures</p>	<p>features, promoting their use through Spatial Data Infrastructure</p>
<p><b>Economy</b></p>	<p>Development &amp; Growth</p>		<p>6.a. <b>consider economic, social and environmental aspects to support sustainable development and growth in the maritime sector, applying an ecosystem-based approach</b>, and to promote the coexistence of relevant activities and uses</p>	<p>13.a. promote the sustainable economic, rational and efficient exploitation of marine resources and of ecosystem services, ensuring the compatibility and sustainability of the different uses and activities developed therein, considering the intra and intergenerational responsibility in the use of the national maritime space and towards higher levels of employment</p>	<p>20.l. Contribute to the sustainable development of specific maritime uses and activities</p>	<p>Foster blue growth and the sustainable development of maritime uses and activities</p>
			<p>6.b. contribute to the sustainable development of energy sectors at sea, of maritime transport, and of the fisheries and aquaculture sectors, and to the preservation, protection and improvement of the environment, including resilience to climate change</p>	<p>14.a. Contribute to the valorisation of the maritime economy, promoting the efficient, rational and sustainable exploration of marine resources and ecosystem services, guarantying the safeguard of the natural and cultural ocean heritage</p>	<p>22.c. Contribute to the economic development of the region</p>	

		impacts; promotion of sustainable tourism and the sustainable extraction of raw materials				
		8.1. maximising the sustainable use of the oceans and seas, in order to enable the growth of maritime regions and coastal regions as regards				
		8.3.d. developing the maritime potential of the EU's outermost regions and islands				
	Innovation, Competitiveness & Diversification		8.1.c. <b>promoting technological innovation</b> and a European network of maritime multi-sectorial clusters		21.c. Foster collaborative relationships and <b>promote innovative activities in the seas</b>	Foster innovation, competitiveness and diversification of the maritime economy
			11.1.b. enhancement of competitiveness and innovation capacities in the maritime economy of the Atlantic area			
			11.1.c. fostering adaptation and diversification of economic activities by promoting the potential of the Atlantic area			

Enterprises, clusters & Investments		8.1.c. promoting technological innovation <b>and a European network of maritime multi-sectorial clusters</b>	12.c. create conditions for attracting investment, both national and international, in all Sea economy sectors, promoting growth, employment, social cohesion and territorial integrity, and, until 2020, promoting an increase of the sea economy contribution for the GDP of about 50%.	21.c. <b>Foster collaborative relationships</b> and promote innovative activities in the seas	Foster collaboration of maritime enterprises and the creation of clusters
	Co-existence		6.a. consider economic, social and environmental aspects to support sustainable development and growth in the maritime sector, applying an ecosystem-based approach, <b>and to promote the coexistence of relevant activities and uses</b>		Promote coexistence of maritime activities and multi-uses
	Fisheries	1.i. Provide access for small-scale artisanal fishers to marine resources and markets	3.2.4.a Improve the management of fished stocks		19.f. Guarantee the sustainability of fisheries through efficient measures of fisheries management with based on CFP and information obtained in monitoring of fishing resources 19.k. Promote the use of fishing gears with less impact in ocean ecosystems, without affecting fisheries profitability
		10.c provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity			

			<p>10.d. provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities, with a view to having economically viable fleets without overexploiting marine biological resources</p>		<p>21.b. Increase the value of fisheries products</p>	
	<p>Aquaculture</p>		<p>10.g. contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union</p>			<p>Exploit the aquaculture potential, promoting the development of sustainable aquaculture</p>
			<p>10.h. take into account the interests of both consumers and producers</p>			
			<p>10.i. promote coastal fishing activities, taking into account socioeconomic aspects</p>			
			<p>10.e. promote the development of sustainable aquaculture activities to contribute to food supplies and security and employment</p>	<p>15.b Facilitate the access to the maritime space and identification of potential areas where aquaculture is more feasible and has less environmental impacts, ensuring the combination with other uses</p>		
				<p>15.a. Simplify aquaculture administrative procedures to reduce the needed administrative processes and periods to obtain licenses in order to facilitate the processes for investors</p>		

				15.c. Reinforce the competitiveness of the sector and promote equitable conditions for EU operators with the aim to increase, diversify and value the national aquaculture production		
	Ports		8.1.b. issuing guidelines for the application of environmental legislation relevant to ports and proposing a new ports policy			Improve accessibility, connectivity and cooperation between ports
			11.3. improve accessibility and connectivity			
			11.3.a. promoting cooperation between ports			
	Shipping		8.1.a. improving the efficiency of maritime transport in Europe and ensuring its long-term competitiveness, through the creation of a European Maritime Transport Space without barriers, and a maritime transport strategy for 2008-2018			Improve efficiency and competitiveness of internal and external maritime transportation
	Tourism		8.3.a. encouraging coastal and maritime tourism	16.a. Reinforce the position of Portugal as a destination of nautical, sport and recreational activities associated to the sea, and as a international reference for surfing	22.a. Improve and enrich the quality of the tourism experience to the visitor	Foster coastal and maritime tourism and enhance supporting infrastructures,

Renewable Energy				<p>16.b. Enhance and value infrastructure, equipment and services supporting nautical tourism, especially ports, marinas and nautical centres</p> <p>16.c. Nautical activities related to diving, kayaking, whale-watching, fisheries and other recreational activities that integrate the sustainable use in the maritime culture</p> <p>16.d. Enhance routes and tourism offers related to the sea and nautical activities.</p> <p>16.f. Health and wellness tourism projects associated to sea therapeutic properties</p>	22.d. Improve the performing of touristic activities	equipment's and services
			<p>11.2.d. exploitation of the renewable energy potential of the Atlantic area's marine and coastal environment</p>	<p>18.a. Attract Research and Development (R&amp;D) and new testing and development projects on marine renewable energy to be installed in Portugal</p> <p>18.b Create support to accelerate the export of marine renewable energy technologies through the reinforcement of national business capacity by attracting private investments, administrative simplification and support and fostering of innovative services and products</p> <p>18.c. Develop Investor Intelligence initiatives for ocean renewables</p>		

	Defence & Security		11.2.a. improving maritime safety and security			Improve maritime safety and security
	Aggregates				19.j. Ensure the exploration of coastal aggregates does not affect maerl communities	Ensure the sustainable exploitation of aggregates
Politics	Geostrategy		8.4. promoting EU leadership in international maritime affairs	12.a. reaffirm the national maritime identity in a modern, proactive and entrepreneurial framework	21.a. Strengthen the position of the Azores as an intercontinental platform in the field of ocean knowledge	Strengthen the maritime geopolitical position of the Azores in the Atlantic on maritime affairs
				12.b. bring to realization the economic, geostrategic and geopolitical potential of the national maritime territory, turning the Mar-Portugal into an asset with permanent economic, social and environmental benefits.		
				12.e. make Portugal, on a worldwide level, a leading maritime nation and an undisputed partner of the IMP and of the EU maritime strategy, in particular for the Atlantic area		
				14.d. Contribute to the reinforcement of the geopolitical and geostrategic position of Portugal in the Atlantic region and as the biggest coastal country of the EU		

Integration, Coordination & Cooperation		8.6. creating internal coordinating structures for maritime affairs and defining the responsibilities and competences of coastal regions	17.b. Promote the articulation and integration of objectives about nature and biodiversity conservation in plans, programmes, instruments, and rules applied to the maritime space	20.h. Guarantee the reinforcement and promotion of institutional articulation of local, regional, national, EU and international entities with jurisdictions on the sea in the field of nature and biodiversity conservation	Reinforce coordination, cooperation and dialogue among entities with competences in maritime affairs
		8.4.a cooperation in maritime affairs under the Enlargement Policy, the European Neighbourhood Policy and the Northern Dimension, to cover maritime policy issues and management of shared seas	14.c. Contribute to national cohesion, reinforcing the archipelagic dimension of Portugal and the role of its inter-territorial sea.	20.n. Promote integrated maritime operational policy to prevent degradation in the medium and long term	
		8.2.d. European marine science partnership aimed at dialogue among the scientific community, industry and policy makers		20.p. Guarantee integrated assessment of management tools and policy	
Maritime Spatial Planning			13.e. prevent or minimize possible conflicts between uses and activities carried out in the national maritime space 14.c. Contribute, through national MSP, to planning in the Atlantic sea basin		Prevent and minimize conflicts between maritime uses and activities
Licencing			13.c. ensure the legal certainty and the transparency of the procedures granting the titles of private use of the national maritime space, as well as allow the exercise of the rights of information and participation stated in the 12th article of LBOGEM		Guarantee legal certainty and transparency in the licencing procedures

Funding	Impact Assessment			13.e. Guarantee legal certainty and transparency in the procedures of licences for the national maritime space		
				17.d. Adequate methodologies of Environmental Impact Assessment (EIA) to the economic activities in the marine environment		
		8.3.b. preparing a database on Community funding for maritime projects and coastal regions 8.2.b. joint, cross-cutting calls and opportunities for innovation in the blue economy under Horizon 2020, the Framework Programme for Research and Technological Development (2014-2020)			Promote and provide funding for maritime economy projects	

### 3.3. Specific objectives and stakeholder validation

Specific objectives are the result from the previous step of thematic classification and generalisation. The specific objectives originally coming from both crosscutting, MSP policy and sectorial policy needed to be distinguished between those that are an integral part of the MSP process and other strategic objectives. The latter objectives, despite not being intrinsic to MSP, are also important to be taken into account in the process. A primary division between these two categories is made in **Table 6**. Specific objectives are listed by four themes - environmental (EN), social (SO), economic (EC) and political objectives (PO) - again with a new coding system that differentiates MSP objectives (m) of other strategic objectives (s). The following objectives were used for stakeholder validation in the template presented in **Appendix C**.

**Table 6. List of specific objectives used for stakeholder validation (source: authors)**

Categorie	MSP Objectives (m)	Other strategic objectives (s)
	Environmental objectives (EN)	ENm1. Preserve and sustainably manage the marine environment, conserving its natural and cultural values
ENm2. Preserve marine ecosystems and related ecosystem services, maintaining the diversity of habitats and seascapes, particularly for critical biodiversity sites as hydrothermal vents and seamounts		ENs2. Ensure the adaptation and response to ocean acidification and climate change, increasing the resilience of marine ecosystems to change
ENm3. Preserve the composition, structure and evolution potential of marine biodiversity and ensure the conservation of marine resources		ENs3. By 2025, prevent and significantly reduce marine pollution, in particular from land-based activities, including marine debris, nutrient pollution; and noise pollution
ENm4. By 2020, conserve at least 10 per cent of coastal and marine areas through effectively managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures		ENs4. Prevent and reduce the introduction of invasive marine species
ENm5. Ensure the Good Environmental Status of marine waters by 2020		ENs5. By 2020, eliminate overfishing, illegal, unreported and unregulated fishing (IUU), destructive fishing practices and other adverse impacts on fish stocks
ENm6. Minimise impacts and prevent risks associated to human activities in the ocean		
Social	SOm1. Improve quality of life and the standard of living of maritime professions	
	SOm2. Promote maritime jobs and enhance professional qualifications and training	

	SOm3. Preserve and promote maritime cultural heritage	
	SOm4. Ensure and strengthen the protection of underwater cultural heritage	
	SOm5. Increase scientific knowledge and information production, develop research capacity and transfer marine technology to support decision-making	
	SOm6. Disseminate maritime affairs topics and promote dialogue	
	SOm7. Advance the collection of marine data, improve data management and dissemination	
	SOm8. Mapping maritime uses and activities and environmental features, promoting their use through Spatial Data Infrastructure	
<b>Economic objectives (EC)</b>	ECm1. Foster Blue Growth and the sustainable development of maritime uses and activities	ECs1. Guarantee the sustainability of fisheries through effective management and increase the value of fishing products
	ECm2. Foster innovation, competitiveness and diversification of the maritime economy	ECs2. Improve efficiency and competitiveness of internal and external maritime transportation
	ECm3. Foster collaboration of maritime enterprises and the creation of clusters	ECs3. Improve maritime safety and security
	ECm4. Promote co-existence of maritime activities and multi-uses	
	ECm5. Exploit the aquaculture potential, promoting the development of sustainable aquaculture	
	ECm6. Improve accessibility, connectivity and cooperation between ports	
	ECm7. Foster coastal and maritime tourism and enhance supporting infrastructures, equipment and services.	
	ECm8. Explore the marine renewable potential and promote renewables testing and development projects.	
	ECm9. Ensure the sustainable exploitation of aggregates	
<b>Political objectives (PO)</b>	POm1. Strengthen the maritime geopolitical position of the Azores in the Atlantic on maritime affairs	
	POm2. Reinforce coordination, cooperation and dialogue among entities with competences in maritime affairs	
	POm3. Prevent and minimize conflicts between maritime uses and activities	
	POm4. Guarantee legal certainty and transparency in the licensing procedures	
	POm5. Promote and provide funding for maritime economy projects	

Specific objectives were discussed, modified and evaluated with regional stakeholders. As the Secretariat of Convention on Biological Diversity (2012) points out, when starting MSP initiatives, visions and goals should be articulated as clearly as possible, with the involvement of as many stakeholder groups as feasible. The 1st workshop of involvement of stakeholders

in the process of Maritime Spatial Planning in the Azores took place simultaneously in three islands of the archipelago of the Azores (São Miguel, Terceira and Faial) on 17<sup>th</sup> May 2018 (see Figure 6. Pictures from the 1<sup>st</sup> workshop of involvement of stakeholders in the process of Maritime Spatial Planning in São Miguel, Faial e Terceira (Azores) **Figure 6**). Distributed in nine round tables - São Miguel (4); Terceira (3); and Faial (2) - stakeholders were asked to collectively review, suggest, modify and prioritise the list of specific objectives during a 45-minute exercise. Prior to that, a 15-minutes communication about the importance of planning objectives in MSP and a presentation of the MarSP methodology to approach objectives was given. The activity itself was structured in three parts:

1. Review the list of specific objectives, identifying those that are not needed in the context of the Azores and other important objectives that may be missing for the region;
2. Rank importance of objectives from "1" (not very important) to "4" (very important);
3. Redefine very important objectives (4) to become SMART (Specific, Measurable, Achievable, Relevant or Realistic, and Time-bound).





**Figure 6. Pictures from the 1<sup>st</sup> workshop of involvement of stakeholders in the process of Maritime Spatial Planning in São Miguel, Faial e Terceira (Azores) (source: MarSP project)**

Stakeholders agreed with the specific objectives presented to them and there were no suggestions for eliminating objectives. A total of 10 new objectives were added to the list of specific objectives; 13 of the objectives were modified directly or received suggestions to reconsider certain aspects (i.e. change category, modify timeframes).

**Table 7** encompasses modifications to the list of specific objectives (green colour: parts added by stakeholders; red colour: parts removed by stakeholders). Objectives fully marked in green colour are the new ones suggested by stakeholders. Comments received about objectives are also added in brackets. Finally, the total score provided by the nine round tables is added in a secondary column.

**Table 7. List of objectives after the stakeholder validation (source: authors) (in green colour: additions to the text; in red colour and strikethrough: removals from the text; in brackets: indirect suggestions to the text)**

Categorie	MSP Objectives (m)	Total score	Other strategic objectives (s)	Total score
	Environmental objectives (EN)	ENm1. Preserve and sustainably manage the marine environment, conserving its natural and cultural values	32	ENs1. Increase the population of seabirds and the knowledge on pelagic migratory species
ENm2. Preserve marine ecosystems and related ecosystem services, maintaining the diversity of habitats and seascapes, particularly for critical biodiversity sites as hydrothermal vents and seamounts		35	ENs2. Ensure the adaptation and response to ocean acidification and climate change, increasing the resilience of marine ecosystems to change	26
ENm3. Preserve the composition, structure and evolution potential of marine biodiversity and ensure the conservation of marine resources		33	ENs3. By <del>2025</del> 2030, prevent and significantly reduce marine pollution by 20%, in particular from land-based activities, including marine debris, nutrient pollution; and noise pollution	36

	ENm4. By <del>2020</del> 2030, conserve at least 10 per cent of coastal and marine areas through effectively managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures with maritime monitoring and surveillance	34	ENs4. Prevent and reduce the introduction of invasive marine species	31
	ENm5. Ensure the Good Environmental Status of marine waters by <del>2020-2030</del>	28	ENs5. By <del>2025</del> 2030, <del>eliminate</del> reduce overfishing, illegal, unreported and unregulated fishing (IUU), destructive fishing practices and other adverse impacts on fish stocks	36
	ENm6. Minimise impacts and prevent risks associated to human activities in the ocean	35	ENs6. Improve/increase protected areas for marine breeding birds	
	ENm7. Preserve vulnerable marine species (especially for less or non-regulated species)		ENm7. Create an environmental database which allows supporting decision-making and giving response to environmental objectives, including monitoring and evaluation of maritime spatial plans	
<b>Social objectives (SO)</b>	SOm1. Improve quality of life and the standard of living of maritime professions	33		
	SOm2. Promote and diversify maritime jobs and enhance professional qualifications and training	36		
	SOm3. Preserve and promote maritime cultural heritage	29		
	Sm4. Ensure and strengthen the protection of underwater cultural heritage	26		
	SOm5. Increase scientific knowledge and information production, develop research capacity and transfer marine technology to support decision-making (this objective should be placed in the political category)	36		
	SOm6. Disseminate maritime affairs topics and promote dialogue for decision support	35		
	SOm7. Advance the collection of marine data, improve data management and dissemination	36		
	SOm8. Mapping maritime uses and activities and environmental features, promoting their use and free dissemination through Spatial Data Infrastructures within single and user-friendly platform	33		
	SOm9. Include marine affairs related matters in the plan for education			

Economic objectives (EC)	ECm1. Foster Blue Growth and the sustainable development of maritime uses and activities	35	ECs1. Guarantee the sustainability of fisheries through effective management <b>and increase the value of fishing products (split this objective into two)</b>	35
	ECm2. <b>Foster</b> Facilitate innovation, competitiveness and diversification of the maritime economy	34	ECs2. Improve efficiency and competitiveness of internal and external maritime transportation	33
	ECm3. Foster collaboration of maritime enterprises and the creation of clusters	33	ECs3. Improve maritime safety and security	34
	ECm4. Promote co-existence of maritime activities and multi-uses	36	<b>ECs4. Value the potential of the region for attracting leisure fishing events</b>	
	ECm5. Exploit the aquaculture potential, promoting the development of sustainable aquaculture	24	<b>ECs5. Creating added values for fishing products / Guarantee the sustainability of fisheries through the value increase of fishing products</b>	
	ECm6. Improve accessibility, connectivity and cooperation between ports <b>and enhance supporting infrastructures, equipment and services to support maritime activities</b>	31		
	ECm7. Foster sustainable coastal and maritime tourism and enhance supporting infrastructures, equipment and services, considering carrying capacities	33		
	ECm8. Explore the marine renewable potential and promote renewables testing and development projects.	26		
	ECm9. Ensure the sustainable exploitation of <b>aggregates metallic and non-metallic minerals</b>	26		
Political objectives (PO)	POm1. Strengthen <b>decision power on</b> the maritime geopolitical position of the Azores in the Atlantic on maritime affairs	32	<b>POs1. Accelerate and simplify administrative procedures</b>	
	POm2. Reinforce coordination, cooperation and dialogue among entities with competences in maritime affairs	35		
	POm3. Prevent and minimize conflicts between maritime uses and activities	35		
	POm4. Guarantee legal certainty and transparency in the licensing procedures	35		
	POm5. Promote and provide funding for maritime economy projects	34		
	<b>POm6. Secure funding for maritime monitoring and surveillance</b>			
	<b>POm7. Secure funding for marine research</b>			
	<b>POm8. Accelerate licencing procedures for maritime uses and expedite bureaucracy</b>			

### 3.4. Legal validation

Specific objectives, after the validation of stakeholders (which includes suggestions and modifications made by them) were subject to streamlining and cross-checking with the main MSP policy documents applicable to the Azores. This allowed the legal validation of both inputs from stakeholders (if accepted) and compliance with the legal obligations resulting from the MSP legal framework. The MSP legal framework for the Azores comprises the EU Directive 2014/89/EU, Law 17/2014 (LGBOEM), and Decree-Law 38/2015. The cross-check with this legal framework enabled to fill gaps with some MSP legal obligations that were missing (see objectives *ENm8* and *SOm10* in **Table 8**). Correspondence of objectives with one or more of the MSP policy documents is provided in a new column in the following table. The specific considerations (cons.) or articles (art.) that each objective meets are also detailed. Additions and modifications undertaken to the specific objectives (after stakeholder validation) to be better adapted to the requirements of the MSP legal documents are highlighted in orange colour, including some removals marked in strikethrough. Similarly, removals, integrations or changes of categories of objectives are also detailed in brackets and orange colour.

**Table 8. List of objectives after legal validation (source: authors) (in orange colour: additions and modifications to the text; in strikethrough: removals from the text)**

Categorie	MSP Objectives (m)	Correspondence with MSP policy	Other strategic objectives (s)	Correspondence with MSP policy
	Environmental objectives (E)	ENm1. <b>Contribute to the sustainable management</b> of the marine environment, by conserving its natural and cultural values <i>Contribuir para a gestão sustentável do ambiente marinho, protegendo os seus valores naturais e culturais</i>	Directive 2014/89/EU (art.5.2)	ENs1. <b>Contribute to increasing</b> the population of seabirds and the knowledge on pelagic migratory species <i>Contribuir para o aumento da população de aves marinhas e para o conhecimento das espécies pelágicas migratórias</i>
ENm2. <b>Contribute to the preservation of</b> marine ecosystems and related ecosystem services, by maintaining the diversity of habitats and seascapes, particularly <b>for areas of importance for biodiversity as hydrothermal vents and seamounts</b> <i>Contribuir para a preservação dos ecossistemas marinhos e serviços ecossistémicos</i>		Directive 2014/89/EU (cons. 13, 14 and 16)	ENs2. <b>Contribute to preventing risks and minimising effects of the</b> <del>adaptation and response to ocean acidification and climate change,</del> <b>natural and human-induced disasters,</b> increasing without compromising the resilience of marine ecosystems <b>(Environmental MSP objective)</b> <i>Contribuir para a prevenção dos riscos e minimização dos</i>	Directive 2014/89/EU (art.5.2)  Decree-Law 38/2015 (art. 4)

<p><i>associados, mantendo a diversidade dos habitats e paisagens marinhas, especialmente em áreas de especial relevância para a biodiversidade</i></p>		<p><i>efeitos das alterações climáticas, das catástrofes naturais ou da ação humana, não comprometendo a resiliência dos ecossistemas marinhos</i></p>	
<p>ENm3. Preserve the composition and structure <del>and evolution potential</del> of marine biodiversity and ensure the conservation of marine resources <i>Preservar a composição, estrutura da biodiversidade marinha e garantir a conservação dos recursos marinhos</i></p>	<p>Directive 2014/89/EU (cons. 1 e 13)</p>	<p>ENs3. By 2025, contribute to the prevention and significantly reduction of marine pollution by 20%, in particular from land-based activities, including marine litter, nutrient pollution; and noise pollution <i>Até 2025 contribuir para a prevenção e redução da poluição marinha em 20%, particularmente proveniente de atividades terrestres, incluindo lixo marinho, poluição por nutrientes e poluição sonora</i></p>	<p>Directive 2014/89/EU (cons. 15 and 16) Law 17/2014 (related to art. 4)</p>
<p>ENm4. By 2020, conserve at least 10 per cent of coastal and marine areas through effectively managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures with maritime monitoring and surveillance <i>Até 2020, conservar pelo menos 10% das áreas costeiras e marinhas recorrendo a sistemas de áreas protegidas adequadamente interligados e geridos de forma efetiva e equitativa, ecologicamente representativas, ou através de outras medidas de conservação com fiscalização</i></p>	<p>Directive 2014/89/EU (related to art.8.2) Decree-Law 38/2015 (related to art. 10.1)</p>	<p>ENs4. Contribute to the prevent and reduce the introduction of invasive marine species <i>Contribuir para evitar e reduzir a introdução de espécies marinhas invasoras</i></p>	<p>Directive 2014/89/EU (cons. 15 and 16) Law 17/2014 (related to art. 4)</p>
<p>ENm5. Contribute to ensure the Good Environmental Status of marine waters by 2030 Contribuir para a obtenção e manutenção do Bom Estado Ambiental das águas marinhas</p>	<p>Decree-Law 38/2015 (art. 4)</p>	<p>ENs5. By 2020, contribute to eliminate overfishing, illegal, unreported and unregulated fishing (IUU), destructive fishing practices and other adverse impacts on fish stocks <i>Até 2020 contribuir para a eliminação da pesca ilegal,</i></p>	<p>Directive 2014/89/EU (related to cons. 1)</p>

			não declarada e não regulamentada (INN), práticas de pesca destrutivas e outros impactes adversos nos recursos haliêuticos	
	ENm6. Minimise impacts and prevent risks associated to human activities in the ocean (Environmental strategic objective) <i>Minimizar impactes ambientais e prevenir os riscos associados a atividades humanas no oceano</i>	Directive 2014/89/EU (cons. 1 e 13, art.4)	ENs6. Improve and increase protected areas for marine breeding birds <i>Melhorar e aumentar as áreas de proteção a aves marinhas nidificantes</i>	Directive 2014/89/EU (cons. 15 and 16)  Law 17/2014 (related to art. 4)
	ENm7. Contribute to the preservation of vulnerable marine species (especially for less or non-regulated species) (Environmental strategic objective) <i>Contribuir para a conservação de espécies marinhas vulneráveis</i>	Directive 2014/89/EU (related to art.8.2)	ENs7. Create an environmental database which allows supporting decision-making and giving response to environmental objectives, including monitoring and evaluation of maritime spatial plans <i>Criar uma base de dados ambientais que permita dar apoio às tomadas de decisão e responder aos objetivos ambientais, que possibilite que, com os resultados do tratamento de dados, se faça monitorização/avaliação eficaz para o ordenamento do espaço marítimo</i>	Law 17/2014 (art. 31)
	ENm8. Apply an ecosystem-based approach on the sustainable use of marine and coastal resources, taking into account land-sea interactions <i>Adotar uma abordagem ecossistémica na utilização sustentável dos recursos marinhos e costeiros, considerando as interações terra-mar</i>	Directive 2014/89/EU (art.1, 4, 5 and 6)		
<b>Social</b>	S0m1. Contribute improving the quality of life and standard of living for maritime professions (Social strategic objectives)	Directive 2014/89/EU (cons. 4)		

<p><i>Melhorar a qualidade de vida da população e o padrão de vida dos profissionais das atividades marítimas</i></p>			
<p>SOM2. Promote and diversify maritime jobs and enhance professional qualifications and training <i>Promover e diversificar o emprego marítimo e reforçar as qualificações e a formação profissional</i></p>	<p>Decree-Law 38/2015 (art. 4)</p>		
<p>SOM3. Preserve and promote the cultural values related to the marine environment and maritime heritage <i>Preservar e promover os valores culturais associados ao meio marinho e ao património marítimo</i></p>	<p>Decree-Law 38/2015 (related to art. 10.1)</p>		
<p>SOM4. Ensure and strengthen the protection of the underwater cultural heritage <b>(Economic MSP objective)</b> <i>Assegurar a proteção do património cultural subaquático</i></p>	<p>Decree-Law 38/2015 (art. 4.2.c. and 10.1)</p>		
<p>SOM5. Increase scientific knowledge and information production, develop research capacity and marine technology transfer to support decision-making <b>(Economic MSP objective)</b> <i>Incrementar o conhecimento científico e a produção de informação, desenvolver a capacidade de investigação e a transferência de tecnologia marinha para o apoio à decisão</i></p>	<p>Decree-Law 38/2015 (related to art. 10.1)</p>		
<p>SOM6. Contribute to the dissemination of ocean-related maritime affairs topics and promoting dialogue to support decision-making <b>(Social strategic objectives)</b></p>	<p>Directive 2014/89/EU (related to cons. 9)</p>		

<p><i>Divulgar os temas relacionados com os assuntos do mar e promover o diálogo para apoio à tomada de decisões</i></p>			
<p>SOM7. Use the best marine data available and promote an increasing and enhanced data collection, as well as improve data management and dissemination (Political and management strategic objective) <i>Utilizar os melhores dados marinhos disponíveis e apostar numa maior e melhor recolha de dados, bem como melhorar a sua gestão e disseminação</i></p>	<p>Directive 2014/89/EU (art. 10)</p>		
<p>SOM8. <del>Mapping maritime uses and activities and environmental features</del> Promote free and open access to information, in simple formats, for the general public, through applications that allow search, visualisation and provision services, including Spatial Data Infrastructures <i>Promover o acesso livre e gratuito de informação, em formatos simples, ao público, através de aplicações que permitam serviços de pesquisa, visualização e disponibilização, incluindo as Infraestruturas de Dados Espaciais</i></p>	<p>Directive 2014/89/EU (art. 10)  Law 17/2014 (art. 29)</p>		
<p>SOM9. Include ocean-related issues in the public education system plans (Social strategic objectives) <i>Incluir no plano escolar público as questões relacionadas com os assuntos do mar</i></p>	<p>Decree-Law 38/2015 (related to art. 8)</p>		
<p>SOM10. Ensure that stakeholders are informed and participate in the</p>	<p>Directive 2014/89/EU (art. 9)</p>		

	<p>different phases of the Maritime Spatial Planning process though consultation to stakeholders, interested authorities and involved public.</p> <p><i>Garantir que as partes interessadas sejam informadas e participem nas diferentes etapas do processo de Ordenamento do Espaço Marítimo, através de consulta às partes, às autoridades interessadas e ao público envolvido</i></p>	Law 17/2014 (art. 12)		
Economic objectives (E)	<p>ECm1. Foster Blue Growth and the sustainable development of maritime uses and activities</p> <p><i>Fomentar o Crescimento Azul e o desenvolvimento sustentável de atividades e usos marítimos</i></p>	Directive 2014/89/EU (art.5.1)	<p>ECs1. <b>Guarantee</b> <b>Contribute to the sustainable development and growth of the fisheries sector through effective management</b></p> <p><i>Contribuir para o crescimento e desenvolvimento sustentável do setor das pescas</i></p>	Directive 2014/89/EU (art.5.2)
	<p>ECm2. <b>Facilitate</b> innovation, competitiveness and diversification of the maritime economy</p> <p><i>Facilitar a inovação, competitividade e diversificação da economia marítima</i></p>	Directive 2014/89/EU (cons.4)	<p>ECs2. <b>Ensure the sustainable development, efficiency and competitiveness of the internal and external maritime transport sector</b></p> <p><i>Garantir o desenvolvimento sustentável, eficiência e competitividade do setor dos transportes marítimos</i></p>	Directive 2014/89/EU (art.5.2)
	<p>ECm3. <b>Facilitate</b> the collaboration of maritime enterprises and the creation of clusters</p> <p><i>Facilitar a colaboração de empresas marítimas e a criação de clusters do mar</i></p>	Decree-Law 38/2015 (related to art. 8)	<p>ECs3. <b>Contribute to the improvement of maritime safety and security system and services.</b></p> <p><i>Contribuir para o melhoramento dos sistemas e serviços de segurança marítima</i></p>	Decree-Law 38/2015 (art. 86)
	<p>ECm4. Promote co-existence <b>and synergies among</b> maritime activities and multi-uses <b>at sea</b></p> <p><i>Promover a coexistência e as sinergias entre atividades marítimas e usos múltiplos no mar</i></p>	<p>Directive 2014/89/EU (art.5.1)</p> <p>Decree-Law 38/2015 (art. 27)</p>	<p>ECs4. <b>Promote</b> the potential of <b>recreational boating, sports and related tourism</b></p> <p><i>Promover o potencial da náutica de recreio, desporto e turismo associado</i></p>	Directive 2014/89/EU (cons. 13)
	<p>ECm5. <b>Explore</b> the aquaculture potential,</p>	Directive 2014/89/EU (art.5.2)	<p>ECs5. <del>Creating added values for fishing products /</del> <b>Guarantee the sustainability</b></p>	

<p>promoting <b>its sustainable</b> development  <i>Explorar o potencial da aquicultura, promovendo o seu desenvolvimento sustentável</i></p>		<p>of fisheries through the value increase of fishing products  <b>(removed, it is covered by the more general objective ECs1)</b></p>	
<p>ECm6. <b>Ensure cooperation with the port sector, considering the improvement</b> of accessibility, connectivity and cooperation between ports and <del>enhance supporting infrastructures, equipment and services to support maritime activities</del>  <i>Garantir a cooperação com o setor portuário, tendo em vista a melhoria da acessibilidade, conetividade e cooperação entre portos</i></p>	<p>Decree-Law 38/2015 (art. 10.2)</p>		
<p>ECm7. Foster sustainable coastal and maritime tourism and enhance its supporting infrastructures, equipment and services, <del>considering carrying capacities</del>  <i>Promover o turismo marítimo sustentável e reforçar as infraestruturas, equipamentos e serviços de apoio ao turismo</i></p>	<p>Directive 2014/89/EU (art.5.2)</p>		
<p>ECm8. Explore the <b>potential of marine renewable energy and promote projects for sustainable</b> testing and development of renewables  <i>Explorar o potencial das energias renováveis marinhas e promover projetos de desenvolvimento e teste de forma sustentável</i></p>	<p>Directive 2014/89/EU (art.5.2)</p>		
<p>ECm9. <b>Promote the sustainable and efficient economic exploitation of marine mineral resources</b>  <i>Promover a exploração económica sustentável e eficiente dos recursos minerais marinhos</i></p>	<p>Directive 2014/89/EU (art.5.2)</p>		

	<p>SOM10. Facilitate the development of new maritime uses and activities, such as marine biotechnology or others</p> <p>Facilitar o desenvolvimento de novos usos e atividades no mar, como por exemplo a biotecnologia marinha ou outros setores</p>	<p>Decree-Law 38/2015 (related to art. 10.1 and 57)</p>		
<b>Political and Management objectives</b>	<p>POm1. Strengthen decision power on the maritime geopolitical position of the Azores as an outermost region of the European Union and within the Atlantic Ocean on maritime affairs</p> <p><i>Reforçar a posição geopolítica dos Açores no espaço da União Europeia, enquanto região ultraperiférica, e no âmbito do oceano Atlântico</i></p>	<p>Directive 2014/89/EU (related to cons. 2)</p>	<p>POs1. <del>Promote promptness and simplification of licencing and administrative procedures for and efficient and effective use of the maritime space</del> (Integrated in POm8.)</p> <p><i>Promover a celeridade e simplificação nos procedimentos administrativos e de licenciamento para utilização eficiente e efetiva do espaço marítimo</i></p>	<p>Decree-Law 38/2015 (considerations)</p>
	<p>POm2. Reinforce the cooperation with other States and the coordination and dialogue among entities with competences in maritime affairs</p> <p><i>Reforçar a cooperação com outros Estados e a coordenação e diálogo entre entidades com competência nos assuntos do mar</i></p>	<p>Directive 2014/89/EU (art. 1.2)</p>		
	<p>POm3. Efficiently manage maritime activities, by preventing and minimising conflicts between uses and activities occurring in the maritime space</p> <p><i>Gerir eficazmente as atividades marítimas, prevenindo e minimizando eventuais conflitos entre usos e atividades desenvolvidas no espaço marítimo</i></p>	<p>Directive 2014/89/EU (cons.9)</p> <p>Decree-Law 38/2015 (art. 4.2.d)</p>		
	<p>POm4. Guarantee legal certainty and transparency in the licensing procedures for</p>	<p>Law 17/2014 (art. 4.3)</p>		

<p>maritime uses and activities</p> <p><i>Garantir a segurança jurídica e a transparência nos procedimentos de licenciamento de atividades e usos marítimos</i></p>			
<p>POM5. Contribute to enhance access to funding sources for Blue Economy projects</p> <p><i>Contribuir para a acessibilidade a fontes de financiamento para projetos ao nível da economia azul</i></p>	<p>Law 17/2014 (art. 26)</p>		
<p>POM6. Contribute to the integrated maritime monitoring and surveillance (Political and management strategic objective)</p> <p><i>Contribuir para vigilância integrada da fiscalização</i></p>	<p>Decree-Law 38/2015 (art.89 e 90)</p>		
<p>POM7. Contribute to make funding available for marine research (Political and management strategic objective)</p> <p><i>Contribuir para a disponibilização de financiamento para a investigação</i></p>	<p>Decree-Law 38/2015 (related to art. 86)</p>		
<p>POM8. Promote the fluidity and simplification of licencing and administrative procedures for an efficient and effective use of the maritime space (POs1 was integrated in this objective)</p> <p><i>Promover a celeridade e simplificação nos procedimentos administrativos e de licenciamento para utilização eficiente e efetiva do espaço marítimo</i></p>	<p>Decree-Law 38/2015 (considerations)</p>		
<p>POM9. Recognise the value of the maritime dimension of the Azores, thus promoting its</p>	<p>Directive 2014/89/EU (cons.4)</p>		

<p>regional development and territorial cohesion (Derived from P0m1)</p> <p><i>Reconhecer e valorizar a dimensão marítima dos Açores potenciando, assim, o desenvolvimento da região e a coesão territorial</i></p>			
---	--	--	--

### 3.5. MSP objectives

The final phase of crosschecking with the main MSP policy documents applicable to the Azores allowed obtaining the MSP objectives for the Azores. MSP objectives are consistent with the legal framework for the maritime space of the archipelago and meet a range of legal obligations derived from it, including the MSP legal framework. MSP objectives will guide the planning process in the archipelago covering the environmental, social, economic, and political and management dimensions. MSP objectives are divided between those that are an integral part of the MSP process (MSP) and other strategic objectives that are also important to be taken into account in the planning process (Strategic) in each of the four categories (environmental, social, economic, and political and management). MSP objectives for the Azores are available both in English and Portuguese versions:

#### Environmental objectives (MSP)

1. Contribute to the sustainable management of the marine environment, by conserving its natural and cultural values  
*Contribuir para a gestão sustentável do ambiente marinho, protegendo os seus valores naturais e culturais*
2. Contribute to the preservation of marine ecosystems and related ecosystem services, by maintaining the diversity of habitats and seascapes, particularly for areas of importance for biodiversity  
*Contribuir para a preservação dos ecossistemas marinhos e serviços ecossistémicos associados, mantendo a diversidade dos habitats e paisagens marinhas, especialmente em áreas de especial relevância para a biodiversidade*
3. Preserve the composition and structure of marine biodiversity and ensure the conservation of marine resources  
*Preservar a composição, estrutura da biodiversidade marinha e garantir a conservação dos recursos marinhos*

4. By 2020, conserve at least 10 per cent of coastal and marine areas through effectively managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures with maritime monitoring and surveillance

*Até 2020, conservar pelo menos 10% das áreas costeiras e marinhas recorrendo a sistemas de áreas protegidas adequadamente interligados e geridos de forma efetiva e equitativa, ecologicamente representativas, ou através de outras medidas de conservação com fiscalização*

5. Contribute to ensuring the Good Environmental Status of marine waters

*Contribuir para a obtenção e manutenção do Bom Estado Ambiental das águas marinhas*

6. Apply an ecosystem-based approach on the sustainable use of marine and coastal resources, taking into account land-sea interactions

*Adotar uma abordagem ecossistémica na utilização sustentável dos recursos marinhos e costeiros, considerando as interações terra-mar*

7. Contribute to preventing risks and minimising effects of climate change, natural and human-induced disasters, without compromising the resilience of marine ecosystems

*Contribuir para a prevenção dos riscos e minimização dos efeitos das alterações climáticas, das catástrofes naturais ou da ação humana, não comprometendo a resiliência dos ecossistemas marinhos*

## Environmental Objectives (Strategic)

1. Contribute to increasing the population of seabirds and the knowledge on pelagic migratory species

*Contribuir para o aumento da população de aves marinhas e para o conhecimento das espécies pelágicas migratórias*

2. By 2025, contribute to the prevention and reduction of marine pollution by 20%, in particular from land-based activities, including marine litter, nutrient pollution; and noise pollution

*Até 2025 contribuir para a prevenção e redução da poluição marinha em 20%, particularmente proveniente de atividades terrestres, incluindo lixo marinho, poluição por nutrientes e poluição sonora*

3. Contribute to prevent and reduce the introduction of invasive marine species

*Contribuir para evitar e reduzir a introdução de espécies marinhas invasoras*

4. By 2020, contribute to eliminate overfishing, illegal, unreported and unregulated fishing (IUU), destructive fishing practices and other adverse impacts on fish stocks

*Até 2020 contribuir para a eliminação da pesca ilegal, não declarada e não regulamentada (INN), práticas de pesca destrutivas e outros impactes adversos nos recursos haliêuticos*

5. Improve and increase protected areas for marine breeding birds

*Melhorar e aumentar as áreas de proteção a aves marinhas nidificantes*

6. Create an environmental database which allows supporting decision-making and giving response to environmental objectives, including monitoring and evaluation of maritime spatial plans

*Criar uma base de dados ambientais que permita dar apoio às tomadas de decisão e responder aos objetivos ambientais, que possibilite que, com os resultados do tratamento de dados, se faça monitorização/avaliação eficaz para o ordenamento do espaço marítimo*

7. Minimise impacts and prevent risks associated to human activities in the ocean

*Minimizar impactes ambientais e prevenir os riscos associados a atividades humanas no oceano*

8. Contribute to the preservation of vulnerable marine species

*Contribuir para a conservação de espécies marinhas vulneráveis*

## Social objectives (MSP)

1. Promote and diversify maritime jobs and enhance professional qualifications and training

*Promover e diversificar o emprego marítimo e reforçar as qualificações e a formação profissional*

2. Preserve and promote the cultural values related to the marine environment and maritime heritage

*Preservar e promover os valores culturais associados ao meio marinho e ao património marítimo*

3. Promote free and open access to information, in simple formats, for the general public, through applications that allow search, visualisation and provision services, including Spatial Data Infrastructures

*Promover o acesso livre e gratuito de informação, em formatos simples, ao público, através de aplicações que permitam serviços de pesquisa, visualização e disponibilização, incluindo as Infraestruturas de Dados Espaciais*

4. Ensure that stakeholders are informed and participate in the different phases of the Maritime Spatial Planning process through consultation to stakeholders, interested authorities and involved public

*Garantir que as partes interessadas sejam informadas e participem nas diferentes etapas do processo de Ordenamento do Espaço Marítimo, através de consulta às partes, às autoridades interessadas e ao público envolvido*

## Social objectives (Strategic)

1. Contribute improving the quality of life and standard of living for maritime professions  
*Melhorar a qualidade de vida da população e o padrão de vida dos profissionais das atividades marítimas*

2. Contribute to the dissemination of ocean-related affairs and promoting dialogue to support decision-making

*Divulgar os temas relacionados com os assuntos do mar e promover o diálogo para apoio à tomada de decisões*

3. Include ocean-related issues in the public education system plans

*Incluir no plano escolar público as questões relacionadas com os assuntos do mar*

## Economic objectives (MSP)

1. Foster Blue Growth and the sustainable development of maritime uses and activities

*Fomentar o Crescimento Azul e o desenvolvimento sustentável de atividades e usos marítimos*

2. Facilitate innovation, competitiveness and diversification of the maritime economy

*Facilitar a inovação, competitividade e diversificação da economia marítima*

3. Facilitate the collaboration of maritime enterprises and the creation of clusters

*Facilitar a colaboração de empresas marítimas e a criação de clusters do mar*

4. Promote co-existence and synergies among maritime activities and multi-uses at sea

*Promover a coexistência e as sinergias entre atividades marítimas e usos múltiplos no mar*

5. Explore the aquaculture potential, promoting its sustainable development

*Explorar o potencial da aquicultura, promovendo o seu desenvolvimento sustentável*

6. Ensure cooperation with the port sector, considering the improvement of accessibility, connectivity and cooperation between ports

*Garantir a cooperação com o setor portuário, tendo em vista a melhoria da acessibilidade, conectividade e cooperação entre portos*

7. Foster sustainable coastal and maritime tourism and enhance its supporting infrastructures, equipment and services

*Promover o turismo marítimo sustentável e reforçar as infraestruturas, equipamentos e serviços de apoio ao turismo*

8. Explore the potential of marine renewable energy and promote projects for sustainable testing and development of renewables

*Explorar o potencial das energias renováveis marinhas e promover projetos de desenvolvimento e teste de forma sustentável*

9. Promote the sustainable and efficient economic exploitation of marine mineral resources

*Promover a exploração económica sustentável e eficiente dos recursos minerais marinhos*

10. Facilitate the development of new maritime uses and activities, such as marine biotechnology or others

*Facilitar o desenvolvimento de novos usos e atividades no mar, como por exemplo a biotecnologia marinha ou outros setores*

11. Ensure and strengthen the protection of the underwater cultural heritage

*Assegurar a proteção do património cultural subaquático*

12. Increase scientific knowledge and information production, develop research capacity and marine technology transfer to support decision-making

*Incrementar o conhecimento científico e a produção de informação, desenvolver a capacidade de investigação e a transferência de tecnologia marinha para o apoio à decisão*

## Economic objectives (Strategic)

1. Contribute to the sustainable development and growth of the fisheries sector

*Contribuir para o crescimento e desenvolvimento sustentável do setor das pescas*

2. Ensure the sustainable development, efficiency and competitiveness of the maritime transport sector

*Garantir o desenvolvimento sustentável, eficiência e competitividade do setor dos transportes marítimos*

3. Contribute to the improvement of maritime safety and security systems and services  
*Contribuir para o melhoramento dos sistemas e serviços de segurança marítima*
4. Promote the potential of recreational boating, sports and related tourism  
*Promover o potencial da náutica de recreio, desporto e turismo associado*

## Political and management objectives (MSP)

1. Strengthen the geopolitical position of the Azores as an outermost region of the European Union and within the Atlantic Ocean  
*Reforçar a posição geopolítica dos Açores no espaço da União Europeia, enquanto região ultraperiférica, e no âmbito do oceano Atlântico*
2. Reinforce the cooperation with other States and the coordination and dialogue among entities with competences in maritime affairs  
*Reforçar a cooperação com outros Estados e a coordenação e diálogo entre entidades com competência nos assuntos do mar*
3. Efficiently manage maritime activities, by preventing and minimising conflicts between uses and activities occurring in the maritime space  
*Gerir eficazmente as atividades marítimas, prevenindo e minimizando eventuais conflitos entre usos e atividades desenvolvidas no espaço marítimo*
4. Guarantee legal certainty and transparency in the licensing procedures for maritime uses and activities  
*Garantir a segurança jurídica e a transparência nos procedimentos de licenciamento de atividades e usos marítimos*
5. Contribute to enhance access to funding sources for Blue Economy projects  
*Contribuir para a acessibilidade a fontes de financiamento para projetos ao nível da economia azul*
6. Promote the fluidity and simplification of licencing and administrative procedures for an efficient and effective use of the maritime space  
*Promover a celeridade e simplificação nos procedimentos administrativos e de licenciamento para utilização eficiente e efetiva do espaço marítimo*
7. Recognise the value of the maritime dimension of the Azores, thus promoting its regional development and territorial cohesion

*Reconhecer e valorizar a dimensão marítima dos Açores potenciando, assim, o desenvolvimento da região e a coesão territorial*

### **Political and management objectives (Strategic)**

1. Contribute to the integrated maritime monitoring and surveillance

*Contribuir para vigilância integrada da fiscalização*

2. Use the best marine data available and promote an increasing and enhanced data collection, as well as improve data management and dissemination

*Utilizar os melhores dados marinhos disponíveis e apostar numa maior e melhor recolha de dados, bem como melhorar a sua gestão e disseminação*

3. Contribute to make funding available for marine research

*Contribuir para a disponibilização de financiamento para a investigação*

## 4. References

- Assembleia da Republica. 2014. Lei n.º 17/2014 Estabelece as Bases da Política de Ordenamento e de Gestão do Espaço Marítimo Nacional. Diário da República, 1.ª série — N.º 71 — 10 de abril de 2014.
- Becker-Weinberg, V. 2015. Portugal's legal regime on marine spatial planning and management of the national maritime space. *Marine Policy*, Volume 61, November 2015, Pages 46-53.
- Becker-Weinberg, V. 2015. Portugal's legal regime on marine spatial planning and management of the national maritime space: Appendix A. Supplementary material. *Marine Policy*, Volume 61, November 2015. <https://www.sciencedirect.com/science/article/pii/S0308597X15001736> [9 April 2018]
- Boyes, S.J. and Elliott, M. 2014. Marine Legislation – the ultimate 'horrendogram': International Law, European Directives & National Implementation. *Marine Pollution Bulletin*, 86(1–2) 39–47.
- CBD Secretariat (Secretariat of the Convention on Biological Diversity). 2012. Marine Spatial Planning in the Context of the Convention on Biological Diversity: A study carried out in response to CBD COP 10 decision X/29, Montreal, Technical Series No. 68, 44 pages.
- CBD Secretariat (Secretariat of the Convention on Biological Diversity). 2018. Aichi Biodiversity Targets. <https://www.cbd.int/sp/targets/> [11 March 2018]
- Conselho de Ministros. 2017. Resolução do Conselho de Ministros n.º 174/2017 que aprova a Estratégia Industrial e o Plano de Ação para as Energias Renováveis Oceânicas. Diário da República n.º 227/2017, Série I de 2017-11-24. <https://dre.pt/application/conteudo/114248654> [10 April 2018]
- DGPM (Directorate General for Maritime Policy). 2013. National Ocean Strategy 2013-2020 [in English]. Portugal: Portuguese Government.
- DGPM (Directorate General for Maritime Policy). 2018. National Ocean Strategy 2013-2020. <https://www.dgpm.mm.gov.pt/enm-en> [15 March 2018]
- DGRM (Direcção Geral de Recursos Naturais, Segurança e Serviços Marítimos). 2013. Plano Estratégico para a Aquicultura Portuguesa 2014-2020. [Portuguese] Direcção Geral de Recursos Naturais, Segurança e Serviços Marítimos. [online] Available at: [https://www.dgrm.mm.gov.pt/xportal/xmain?xpid=dgrm&xpgid=genericPageV2&conteudoDetalhe\\_v2=4829995](https://www.dgrm.mm.gov.pt/xportal/xmain?xpid=dgrm&xpgid=genericPageV2&conteudoDetalhe_v2=4829995). [10 April 2017]
- DGRM (Direcção Geral de Recursos Naturais, Segurança e Serviços Marítimos). 2018. Ordenamento do Espaço Marítimo Nacional: Plano de Situação. Volume I: Enquadramento, Estrutura e Dinâmica. versão para consulta pública. Abril 2018. [http://www.psoem.pt/wp-content/uploads/2018/04/PlanoSituacao\\_Volume\\_I\\_CP-1.pdf](http://www.psoem.pt/wp-content/uploads/2018/04/PlanoSituacao_Volume_I_CP-1.pdf)
- DG ENER (Directorate-General for Energy of the European Commission). 2018. Renewable energy directive. <https://ec.europa.eu/energy/en/topics/renewable-energy/renewable-energy-directive> [11 April 2018]

- DG ENVI (Environment Directorate-General of the European Commission). 2016. Biodiversity Strategy. [http://ec.europa.eu/environment/nature/biodiversity/strategy/index\\_en.htm](http://ec.europa.eu/environment/nature/biodiversity/strategy/index_en.htm) [11 April 2018]
- DG ENVI (Environment Directorate-General of the European Commission). 2017. Our Oceans, Seas and Coasts: Legislation: the Marine Directive. [http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index\\_en.htm](http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index_en.htm) [10 April 2018]
- DG MARE (Directorate-General for Maritime Affairs and Fisheries). 2018. The Common Fisheries Policy (CFP). [https://ec.europa.eu/fisheries/cfp\\_en](https://ec.europa.eu/fisheries/cfp_en) [10 April 2018]
- European Commission. 2011. Developing a maritime strategy for the Atlantic Ocean area: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Luxembourg: Publications Office of the European Union.
- European Commission. 2013. Action plan for a maritime strategy in the Atlantic area: Delivering smart, sustainable and inclusive growth: communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Luxembourg: Publications Office of the European Union.
- European Commission. 2018. Maritime affairs: Integrated maritime policy. [https://ec.europa.eu/maritimeaffairs/policy\\_en](https://ec.europa.eu/maritimeaffairs/policy_en) [15 March 2018]
- Ehler, C., and Douvere, F. 2009. Marine Spatial Planning: a step-by-step approach toward ecosystem-based management. Intergovernmental Oceanographic Commission and Man and the Biosphere Programme. IOC Manual and Guides No. 53, ICAM Dossier No. 6. Paris: UNESCO (English).
- European Parliament. 2018. Fact Sheets on the European Union: The Integrated Maritime Policy [http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU\\_3.3.8.html](http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_3.3.8.html) [11 March 2018]
- European Union. 2008. Directive 2008/56/EC of the European Parliament and of the Council of establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive). Official Journal of the European Union. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32008L0056> [13 April 2018]
- European Union. 2011. The EU Biodiversity Strategy to 2020. Luxembourg: Publications Office of the European Union, 2011. [http://ec.europa.eu/environment/nature/info/pubs/docs/brochures/2020%20Biod%20brochure\\_en.pdf](http://ec.europa.eu/environment/nature/info/pubs/docs/brochures/2020%20Biod%20brochure_en.pdf) [12 April 2018]
- European Union. 2013. Regulation No 1380/2013 Of The European Parliament and of the Council on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC. Official Journal of the European Union, L 354/22.

- European Union. 2014. Directive 2014/89/EU of the European Parliament and of the Council establishing a framework for maritime spatial planning. Official Journal of the European Union. [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2014.257.01.0135.01.ENG](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0135.01.ENG) [13 April 2018]
- Governo dos Açores. 2011. Decreto Legislativo Regional n.º 28/2011/A Estrutura o Parque Marinho dos Açores. Diário da República, 1.ª série — N.º 217 — 11 de Novembro de 2011.
- Governo dos Açores. 2014. Estratégia de Investigação e Inovação para a Especialização Inteligente da Região Autónoma dos Açores – RIS3 AÇORES. Julho de 2014, <https://www.portugal2020.pt/Portal2020/Media/Default/Docs/EstrategiasEInteligente/EI%20A%C3%A7ores.pdf> [10 April 2018]
- Governo dos Açores. 2015. Plano Estratégico e de Marketing do Turismo dos Açores. Instituto de Turismo IPDT. [http://www.azores.gov.pt/PortalAzoresgov/external/portal/misc/PEM\\_ACORES2.pdf](http://www.azores.gov.pt/PortalAzoresgov/external/portal/misc/PEM_ACORES2.pdf) [10 April 2018]
- Governo dos Açores. 2018. Estratégia Marinha para a subdivisão dos Açores. [http://www.azores.gov.pt/Gra/SRMCT-MAR/conteudos/livres/Estrategia\\_Marinha\\_para\\_a\\_subdivisao\\_dos\\_Acores.htm](http://www.azores.gov.pt/Gra/SRMCT-MAR/conteudos/livres/Estrategia_Marinha_para_a_subdivisao_dos_Acores.htm) [6 November 2018]
- ICES (International Council for the Exploration of the Sea). 2013. ICES Strategic Plan 2014–2018. 19 pp.
- ICES (International Council for the Exploration of the Sea). 2018. Who we are. <http://www.ices.dk/explore-us/who-we-are/Pages/Who-we-are.aspx> [14 March 2018]
- Ministerio do Ambiente. 2017. Estratégia Nacional de Conservação da Natureza e Biodiversidade (ENCNB 2025). Versão de 27 de junho de 2017. ICNF, I.P.
- Monwar, M., Tzika, E., Magalhaes, A.V., Grimmel, H., Moniz, F., Bonin, M., Calado, H. 2017. Analysis and Comparison of the Legal Frameworks of the North Atlantic Countries. GPS Azores project. [http://www.gpsazores.com/media/GPSAzores\\_Report\\_WP1\\_ntVEqu9.pdf](http://www.gpsazores.com/media/GPSAzores_Report_WP1_ntVEqu9.pdf) [14 March 2018]
- OSPAR Commission. 2010. The North-East Atlantic Environment Strategy, Strategy of the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic 2010–2020, (OSPAR Agreement 2010-3). [https://www.ospar.org/site/assets/files/1200/ospar\\_strategy.pdf](https://www.ospar.org/site/assets/files/1200/ospar_strategy.pdf) [11 March 2018]
- OSPAR Commission. 2018. About OSPAR. <https://www.ospar.org/about> [14 March 2018]
- SRMCT (Secretaria Regional dos Recursos Naturais). 2014. Estratégia Marinha para a subdivisão dos Açores. Diretiva Quadro Estratégia Marinha. Secretaria Regional dos Recursos Naturais. Outubro de 2014.
- Turismo de Portugal. 2017. Estratégia para o turismo 2027: Liderar o Turismo do Futuro. Turismo de Portugal I.P.

[http://estrategia.turismodeportugal.pt/sites/default/files/Estrategia\\_Turismo\\_Portugal\\_ET27.pdf](http://estrategia.turismodeportugal.pt/sites/default/files/Estrategia_Turismo_Portugal_ET27.pdf) [10 April 2018]

UNESCO. 2017a. Convention on Underwater Cultural Heritage: Text of the 2001 Convention. United Nations Educational, Scientific and Cultural Organization. <http://www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/official-text/> [11 April 2018]

UNESCO. 2017b. Underwater Cultural Heritage: About the Convention on the Protection of the Underwater Cultural Heritage. <http://www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/> [12 April 2018]

UNESCO. 2018. Convention on the Protection of the Underwater Cultural Heritage. Paris, 2 November 2001. <http://www.unesco.org/eri/la/convention.asp?KO=13520&language=E&order=alpha> [12 April 2018]

United Nations. 2018a. Sustainable Development Goals. Goal 14: Conserve and sustainably use the oceans, seas and marine resources. <http://www.un.org/sustainabledevelopment/oceans/> [12 March 2018]

United Nations. 2018b. Sustainable Development Goals: The Sustainable Development Agenda. <http://www.un.org/sustainabledevelopment/development-agenda/> [14 March 2018]

United Nations. 2018c. International Day for Biological Diversity 22 May <http://www.un.org/en/events/biodiversityday/convention.shtml> [14 March 2018]

Appendix C. Exercise 5 “Definition of objectives” in the 1<sup>st</sup> MarSP stakeholder workshop for the Maritime Spatial Planning process of the Azores

## Dinâmica 5: Definição de objetivos para os Açores

### MarSP 1º Workshop de Envolvimento de Interessados no processo de Ordenamento do Espaço Marítimo dos Açores

- **Às 15:15 (45 min.)** - A partir da metodologia aplicada no projeto MarSP, os objetivos resultantes foram divididos em 4 categorias temáticas: ambiental, social, económica e política. Em cada categoria temática, foram definidos objetivos específicos para o Ordenamento do Espaço Marítimo dos Açores (OEMA) e outros objetivos estratégicos.

#### Os moderadores solicitarão aos participantes para:

1. Rever a lista existente (auxílio: documento objetivos), identificar de entre os objetivos os não necessários (assinalar com uma "X" no campo **Valor**), e indicar objetivos eventualmente em falta para os Açores (adicionar nas tabelas);
2. Atribuir uma ordem de importância à lista final de objetivos necessários conforme a escala de valores apresentada (adicionar no campo **Valor** das tabelas):
  - Muito importante: 4
  - Importante: 3
  - Pouco importante: 2
  - Muito pouco importante: 1
3. Reescrever os objetivos muito importantes (valor 4) de modo a serem SMART (exercício **facultativo**):
  - Específicos (concretos, detalhados, direccionados e bem definidos para atingir os resultados desejados no OEM)
  - Mensuráveis (que permitam a medição dos resultados e progressos na realização do objetivo, preferivelmente em termos quantitativos)
  - Atingíveis (alcançáveis a partir de recursos ou esforços razoáveis)
  - Realistas (que conduzam ao resultado desejado, sejam por si só ou em combinação com outros objetivos)
  - Temporizáveis (a indicar os prazos de início e final em relação ao que se pretende atingir)

#### Exemplos:

- Proteger 90% dos habitats essenciais para as aves marinhas até 2022.
- Reduzir o prazo requerido para obter licenciamentos no mar num 1/3 até 2025.

## Objetivos Ambientais (AO)

<i>Objetivos OEEMA:</i>	<i>Valor</i>
1. Preservar e gerir de forma sustentável o meio ambiente marinho, conservando os seus valores naturais e culturais	
2. Preservar os ecossistemas marinhos e serviços ecossistémicos associados, mantendo a diversidade dos habitats e paisagens marinhas, especialmente em sítios de relevância para a biodiversidade como os montes submarinos e as fontes hidrotermais	
3. Preservar a composição, estrutura e potencial de evolução da biodiversidade marinha e garantir a conservação dos recursos marinhos	
4. Até 2020 conservar, pelo menos, 10% das áreas costeiras e marinhas recorrendo a sistemas de áreas protegidas com boa conexão e gestão e representativas ecologicamente, ou através de outras medidas de conservação	
5. Assegurar o Bom Estado Ambiental das águas marinhas para o ano 2020	
6. Minimizar impactos ambientais e prevenir riscos associados às atividades humanas no oceano	
7.	
8.	
9.	
<i>Outros objetivos estratégicos:</i>	<i>Valor</i>
10. Incrementar a população de aves marinhas e o conhecimento das espécies migratórias pelágicas	
11. Garantir a adaptação e resposta à acidificação dos oceanos e às alterações climáticas, aumentando a resiliência dos ecossistemas marinhos	
12. Até 2025 prevenir e reduzir significativamente a poluição marinha, particularmente proveniente de atividades terrestres, incluindo lixo marinho, poluição por nutrientes e poluição sonora.	
13. Evitar e reduzir a introdução de espécies marinhas invasoras	
14. Até 2020 eliminar a pesca ilegal, não declarada e não regulamentada (INN), práticas de pesca destrutivas e outros impactos adversos nos recursos haliêuticos	
15.	
16.	
17.	

## Objetivos Sociais (OS)

<i>Objetivos OEEMA:</i>	<i>Valor</i>
1. Melhorar a qualidade de vida da população e o padrão de vida dos profissionais das atividades marítimas	
2. Promover o emprego marítimo e reforçar as qualificações e a formação profissional	
3. Preservar e promover o património cultural marítimo	
4. Assegurar e fortalecer a proteção do património cultural subaquático	
5. Incrementar o conhecimento científico e a produção de informação, desenvolver a capacidade de investigação e a transferência de tecnologia marinha para o apoio à decisão	
6. Divulgar os temas relacionados com os assuntos do mar e promover o diálogo	
7. Apostar numa maior e melhor recolha de dados marinhos, melhorar a gestão de dados e a sua disseminação	
8. Mapear usos e atividades marítimas e de elementos do meio ambiente marinho, promovendo o seu uso e disseminação através de Infraestruturas de Dados Espaciais	
9.	
10.	
11.	
12.	
<i>Outros objetivos estratégicos:</i>	<i>Valor</i>
13.	
14.	
15.	
16.	
17.	
18.	

## Objetivos Económicos (OE)

<i>Objetivos OEMA:</i>	<i>Valor</i>
1. Fomentar o Crescimento Azul e o uso sustentável de atividades e usos marítimos	
2. Fomentar a inovação, competitividade e diversificação da economia marítima	
3. Fomentar a colaboração de empresas marítimas e a criação de clusters do mar	
4. Promover a coexistência de atividades marítimas e usos múltiplos no mar	
5. Explorar o potencial da aquicultura, promovendo o seu desenvolvimento sustentável	
6. Melhorar a acessibilidade, conetividade e cooperação entre portos	
7. Fomentar o turismo marítimo e costeiro e reforçar as infraestruturas, equipamentos e serviços de apoio ao turismo	
8. Explorar o potencial das energias renováveis marinhas e promover projetos de desenvolvimento e teste	
9. Assegurar a exploração sustentável de inertes	
10.	
11.	
12.	
<i>Outros objetivos estratégicos:</i>	<i>Valor</i>
13. Garantir a sustentabilidade das pescas através da gestão efetiva e o aumento do valor dos produtos pesqueiros	
14. Melhorar a eficiência e competitividade do transporte marítimo interno e externo	
15. Melhorar a segurança marítima	
16.	
17.	
18.	

## Objetivos Políticos (OP)

<i>Objetivos OEEMA:</i>	<i>Valor</i>
1. Reforçar a posição geopolítica dos Açores nos assuntos do mar no âmbito do oceano Atlântico	
2. Reforçar a coordenação, cooperação e diálogo entre entidades com competência nos assuntos do mar	
3. Prevenir e minimizar conflitos entre atividades e usos marítimos	
4. Garantir a segurança jurídica e a transparência nos procedimentos de licenciamento de atividades e usos marítimos	
5. Promover e fornecer financiamento para projetos ao nível da economia azul	
6.	
7.	
8.	
9.	
<i>Outros objetivos estratégicos:</i>	<i>Valor</i>
10.	
11.	
12.	
13.	
14.	
15.	



## Annex 2. Canary Islands

### 1. Scope

This chapter corresponds to the regional report on Maritime Spatial Planning (MSP) objectives for the Canary Islands, which belongs to deliverable 2.6. "Regional reports on MSP objectives" of the Macaronesian Maritime Spatial Planning (MarSP) project. This report is preceded by an introductory chapter (**Methodology**) that includes the common methodology proposed to approach MSP objectives for the whole Macaronesia region (Azores, Canarias and Madeira). In this report, the proposed methodology has been adapted to the MSP context of the Canary Islands which is in its initial phase.

This deliverable belongs to task 2.3 "Approach for the vision and planning goals/objectives" in the framework of the MarSP project. MarSP supports MSP processes in the European archipelagos of the Macaronesia region (Azores, Canarias and Madeira) contributing to build capacities and conditions to implement the European Union (EU) MSP Directive 2014/89/EU, and the respective national and regional legislation in this regard. This document is developed under Work Package (WP) 2 "Mapping the current conditions and creating a vision for the MSP in Macaronesia", which assess the current conditions determining MSP processes and create a general vision in each of the three regions.

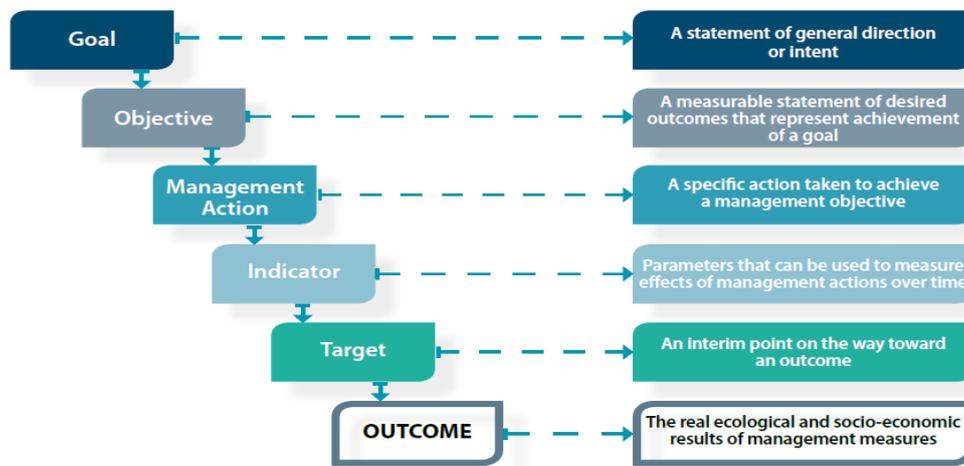
This report includes an overview of the marine policy and legislation on planning, protection, and management of the Canarian archipelago.

### 2. Introduction

Oceans and seas are extremely complex environments that are influenced by different activities, uses, policies, and interests. Marine spatial planning is the process that allows the creation and establishment of a rational organization of the different uses and activities of the marine space and their interactions, establishing a balance between the social economic and ecological domains.

For the correct elaboration and execution of marine spatial plans, it is mandatory to determine which goals and objectives to reach and specify the hierarchical order among them, allowing the distinction between general and specific objectives. This type of

approach allows evaluating the performance of management measures to achieve the proposed goals (Figure 7).



**Figure 7. The relationship among the elements of a marine spatial plan (Elher, 2014)**

On the other hand, marine spatial plans must comply with current legislation, and compliance from the regional to the international level is essential. This is because international legislation usually plays a dominant role in national legislation, and this in turn in regional legislation. This pyramidal legislation guarantees that the system is politically pragmatic and harmonious since the general objectives detailed in international regulations serve as a basis for the specific objectives of the regional legislation. Therefore, mandatory and essential study and analysis of laws and regulations in the area to be planned.

In our case, the Spanish legislation promulgates the protection of the environment since the creation of the Spanish Constitution. However, the legislation created subsequently, as in most of the countries belonging to the European Union, takes its bases in the European policy approved with the transposition of the different directives and their change to adjust it to the specific national objectives. In this case, Directive 2008/56 / EC, which acts as a European legal framework for taking the necessary measures to achieve or maintain a good environmental status of the marine environment, was transposed in Spain in Law 41/2010, (29 of December), of protection of the marine environment, which promulgates the legal regime is established to achieve or maintain the good environmental status of the marine environment, through its planning, conservation, protection and improvement, allowing sustainable use. The purpose of this report is to present a detailed analysis of the main regulations and legislations that will

affect the planning of the Canarian maritime territory and how they affect the objectives of planning.

### 3. Method

The method to approach planning objectives under MarSP project aims to guide these three archipelagos of Macaronesia in the establishment of objectives for their regional maritime spatial plans. However, the Canary Islands finds itself in a very initial phase of its MSP process, in which planning objectives cannot be very advanced at the moment. Nevertheless, the definition of planning objectives in Canaries followed the method proposed under MarSP in its first steps proceeded with the analysis and revision of international legislation and policy, the European Union, national and regional to identify the objectives defined by legal and regulatory instruments in different scales. This means a first approximation of what could be the first steps in the approach to regional MSP objectives, resulting in a comprehensive review and analysis of (national - international) marine and MSP-related policy and the definition of principles and the proposal of an initial list of specific objectives. This list of regional objectives of the MSP, apart from being the result of the legislation revision, is also based on the revision of the objectives of international MSP projects ([European MSP Platform](#)), due to the early phase of this region.

#### 3.1. Policy review

The current legislation and the programs and plans that are directly or indirectly related to the maritime space were analyzed.

#### International commitments

##### **The Barcelona Convention for the protection of the Mediterranean Sea from pollution (Barcelona Convention, 1975)**

In Stockholm (1972) the Conference on the Human Environment convened by the General Assembly of the United Nations is held, which led to the convening by the United Nations Environment Program (UNEP) of an intergovernmental meeting on the protection of the environment. The Mediterranean. This meeting took place in Barcelona (1975) and approved a Mediterranean Action Plan (MAP), coordinated since its creation

by UNEP. As a legal framework of the MAP, the Convention for the protection of the Mediterranean Sea against pollution (Barcelona Convention, 1976) and its first two protocols are adopted:

1. Protocol on the prevention of pollution caused by discharges from ships and aircraft ("Dumping Protocol", 1978).
2. Protocol on cooperation to combat pollution in emergency situations caused by hydrocarbons and other harmful substances ("Emergency Protocol", 2004).

Subsequently, in the successive meetings different protocols have been incorporated:

1. Protocol on the protection of the Mediterranean against pollution from land-based sources (COT Protocol or LBS, 2008).
2. Protocol on Protected Areas (Geneva, 1982), which in 1995 was renamed the Protocol on Specially Protected Areas and Biological Diversity in the Mediterranean (ZEPIM Protocol, 1999).
3. Protocol for the protection of the Mediterranean against pollution resulting from the exploration and exploitation of the continental shelf and the seabed and its subsoil (Offshore Protocol, 2011).
4. Protocol on the prevention of pollution of the Mediterranean Sea by transboundary movements of hazardous wastes and their disposal (Protocol Hazardous wastes, 2008).
5. Protocol on the Integrated Management of Coastal Areas of the Mediterranean (ICZM Protocol, 2011).

The general obligations imposed on the contracting parties by the agreement are:

1. Take the appropriate measures to implement the MAP individually or jointly, to protect and improve the marine environment, foreseeing, reducing, combating and eliminating pollution.
2. Protect the environment and contribute to sustainable development.
3. Cooperate in the formulation and adoption of protocols, procedures, and standards for the implementation of the agreement and its protocols.
4. Promote, within the competent international organizations, the measures referring to the implementation of programs of sustainable development, protection, conservation and rehabilitation of the environment and natural resources in the Mediterranean Sea.

On the other hand, as a consequence of the aforementioned Protocol on specially protected areas and biological diversity in the Mediterranean, a new figure of international protection was born for the Mediterranean coastal and marine areas: the

so-called Specially Protected Areas of Importance for the Mediterranean (SPAMI), in which Spain is currently the Mediterranean country with the highest number of ZEPIM (Specially Protected Areas of Importance for the Mediterranean) declared, with 9 of the 32 existing.

These are:

3. Isla de Alborán
4. Levante de Almería seabeds
5. Cabo de Gata-Níjar (Almería)
6. Medas Islands (Girona)
7. Cabo de Creus (Girona)
8. Islas Columbretes (Castellón)
9. Mar Menor and the Mediterranean eastern coast of Murcia.
10. Marine-Terrestrial National Park of Archipelago of Cabrera
11. Cliff of Maro-Cerro Gordo (Málaga)

### **Convention for the Protection of the Marine Environment of the Northeast Atlantic (OSPAR Convention, 1998)**

The Convention for the Protection of the Marine Environment of the Northeast Atlantic or OSPAR Convention is the result of consolidating the Oslo Convention for the prevention of marine pollution caused by discharges from ships and aircraft and the Paris Convention for the prevention of marine pollution of land origin. The main objective is to safeguard human health and conserve and restore the marine ecosystems of the marine areas of the North-East Atlantic that may have been negatively affected by human activities and other sources.

The work of the OSPAR Convention for the period 2010-2020 is governed by its Strategy in the sectors of Biodiversity and ecosystems; Hazardous substances; Radioactive substances; Eutrophication; and Oil and gas industry on the high seas.

1. The objective of the strategy on biodiversity and ecosystems is to halt and prevent the loss of biodiversity; and protect, conserve and recover ecosystems that have suffered harmful effects. Therefore, the List of Endangered Species and Habitats and a coherent network of Marine Protected Areas that include areas beyond jurisdictional waters and the integrated management of human activities are created.
2. The objective of the eutrophication strategy is to combat eutrophication in the OSPAR area with the ultimate aim of achieving and maintaining a healthy marine environment without eutrophication of human origin.

3. The objective of the strategy on hazardous substances is to prevent and combat pollution in the OSPAR area by continuously reducing discharges, emissions, and losses of hazardous substances by reaching base levels of natural substances and zero levels in synthetic substances.
4. The objective of the strategy on the oil and gas industry is to prevent and eliminate pollution, taking the necessary measures to protect the marine environment against the harmful effects of offshore activities.

The organizational structure of the Agreement is designed to carry out the six strategies. Some of the most relevant instruments derived from the OSPAR Agreement are:

1. The Coordinated Environmental Monitoring Program (CEMP), included in the Joint Monitoring and Evaluation Program (JAMP), is the marine environmental monitoring program.
2. Comprehensive Atmospheric Monitoring Program (CEMP), aims to evaluate the entry of certain pollutants in the OSPAR area through its atmospheric deposition.
3. The Riverine Inputs and Direct Discharges (RID) program on control of discharges from rivers and direct to the sea requires each Party to report on all industrial and urban discharges that reach the sea, either from the rivers or directly by dumping on the coast.

### **International Convention on Cooperation, Preparation and Fight against Oil Pollution (OPRC Convention) and Protocol on Harmful and Potentially Hazardous Substances (Protocol HNS).**

The international agreement on cooperation, preparation and fight against oil pollution is the basic instrument of policy development that the States must develop their policies to combat marine pollution. This agreement is constantly updated through the Technical Group of the agreement (OPRC), located within the Committee for the Protection of the Marine Environment (CPMM).

Also, due to the growing importance of the transport by sea of chemical products other than hydrocarbons, in 2000 the IMO adopted a protocol to the previous agreement: The protocol of cooperation, preparation and control against contamination by harmful and potentially dangerous substances (Protocol HNS).

## **The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter of 1972 (London Convention)**

The ultimate objective of the London Convention is to promote the effective control of all sources of marine pollution and the adoption of all possible measures to prevent the pollution of the sea by dumping of wastes and other matter. The main difference with the OSPAR and Barcelona Conventions is that it only deals with discharges made by ships and does not consider those that arrive from land.

In 1996, the "Protocol Relating to the London Convention" was approved, with the objective of modernizing the Convention, changing from a list of substances that cannot be discharged, to an inverse list, that is, of exceptions that are susceptible to dumping. In this list are:

1. Dredging material
2. Sewage sludge
3. Discharge of fishing discards or materials resulting from fish handling operations
4. Ships and platforms, or other constructions in the sea
5. Inert inorganic geological materials
6. The organic material of natural origin
7. Harmless bulky objects generated in isolated facilities (such as small islands) with no possibility of other disposal options

Likewise, this new protocol includes the guidelines of the Rio de Janeiro Conference (1992) and the precautionary and polluter pays principles, as well as prohibiting the incineration at sea and the export of waste.

On the other hand, the London Convention and its Protocol of 1996 are adapted to scientific progress through the "Scientific Group", a group of experts that prepares from the technical point of view the different documents that are adopted in the meetings of Contracting Parties and they write a series of "General Guidelines" and "Specific Guidelines" for the management of some of the wastes whose dumping is permitted.

## **Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention, 1979)**

The Convention on the Conservation of Migratory Species of Wild Animals or the Bonn Convention (not to be confused with the Bonn Agreement) is an intergovernmental treaty that seeks to conserve on a global scale, threatened migratory species (marine, terrestrial and bird) protecting and restoring the habitats in which they are found.

For this, the Bonn Convention acts as a framework agreement. The Agreements can range from legally binding treaties (Agreements) to less formal instruments, such as Memoranda of Understanding. All the treaties of this agreement have the particularity that they adapt to the needs of each region throughout the migratory scope of the species.

1. Agreements on the Convention on the Conservation of Migratory Species of Wild Animals (CMS BONN)
2. Agreement on the Conservation of Small Cetaceans of the Baltic, Northern, Irish and Northeast Atlantic (ASCOBANS)
3. The Agreement on the Conservation of European Bats' Populations (EUROBATS)
4. The Agreement on the Conservation of African and Eurasian Migratory Waterbirds (AEWA)
5. The Agreement on the Conservation of the Seals of the Sea of Wadden
6. Agreement on the Conservation of Gorillas and their Habitats
7. Memorandum of Understanding of threatened species

Of all the marine agreements derived from the Bonn Agreement, only two have application in Spain:

1. **The Agreement on the Conservation of Albatrosses and Petrels (ACAP)**: The Canberra Agreement on the conservation of albatrosses and Petrels (ACAP) is a multilateral environmental agreement that aims to achieve and maintain a favorable conservation status for albatrosses and petrels throughout their range.
2. **The Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)**: The main objective of the Monaco Agreement on the Conservation of Cetaceans of the Black Sea, the Mediterranean Sea and the Contiguous Atlantic Area (ACCOBAMS) is the protection of all cetaceans that frequent the marine areas included in the agreement and to maintain an optimum state of conservation through the application of guidelines.
  - The adoption and implementation of national legislations
  - The evaluation and management of the interactions between man and cetaceans
  - Habitat protection
  - Research and monitoring

- The development of knowledge; the collection and dissemination of information; and training and education

### **International Convention for the Prevention of Pollution from Ships of November 2, 1973 (MARPOL 73/78)**

Due to the development of international maritime trade, the first meetings and agreements were held with the purpose of creating an international awareness of protection of the living resources of the sea, thus creating the International Maritime Organization (IMO), which promotes the reduction of discharges of hydrocarbons minimizing accidents or by default their magnitude.

On the other hand, IMO, within its functions, draws up the International Convention for the Prevention of Pollution from Ships, which regulates pollution caused by ships, preventing all possible forms of pollution of seawater. To do this, it stipulates a control of the waste having to be delivered in specific facilities for neutralization, recycling or reuse, preserving the marine environment through the complete elimination of pollution by harmful substances, as well as the minimization of possible accidental discharges. For a correct updating of the regulations and a correct adaptation to new needs and technologies, the original text has undergone 20 modifications since its creation.

On the other hand, after the catastrophe of the oil tanker "Erika", which occurred in 1999, it led the European Commission to adopt a Communication on the safety of oil transport, requesting the acceptance of large-scale proposals aimed at reducing possible accidental contamination of European coastal waters, by the European Parliament, the affected industry and the governments of the member countries. With this, a reinforcement of the Community legislation on the state controls of the ports and the classification societies is generated.

Subsequently, Directive 2002/84 / EC, of the European Parliament and of the Council, of 5 November 2002, amending the Directives on maritime safety and the prevention of pollution by ships, was approved. Regulation 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing the Committee on Maritime Safety and Prevention of Pollution from Ships (COSS).

Likewise, at the meeting of the Board of Directors of the United Nations Environment Program (UNEP), held in Nairobi (Kenya) in 2003, where a close bond of cooperation between UNEP and IMO is established. Also, a norm for the prohibition of organostannic compounds in ships was created, located in Regulation 782/2003 of the European Parliament and the Council, of April 14, 2003.

## **The International Convention for the Safety of Human Life at Sea (SOLAS Convention, 1974)**

The International Convention for the Safety of Human Life at Sea is considered to be the most important treaty on the safety of merchant ships. Although this treaty has been updated and modified several times, its main objective is to establish the basic regulations related to the construction, equipment, and use of ships, compatible with their safety, granting the responsibility of ensuring the provision of the Convention to the States of flagging of the vessel in question.

## **Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989**

A hazardous waste constitutes a significant present or potential danger to human health or living organisms. Therefore, the Basel Convention, being a Multilateral Agreement on the Environment (MEA), protects the environment and human health from the harmful effects caused by the generation, management, transboundary movements and elimination of hazardous waste.

This instrument strictly regulates the transboundary movement of hazardous wastes and their disposal. Ensuring "prior informed consent" and environmentally sound management

The Objectives of the Convention are:

1. Minimize the quantities of waste that cross borders, trying to eliminate waste as close as possible to the generation site.
2. Obliging the parties that hazardous wastes and other wastes are managed and disposed of in an environmentally sound manner.
3. Prevent and punish the illicit traffic of hazardous wastes and other wastes.

## **Convention on Biological Diversity (CBD, 1992)**

The Convention on Biological Diversity (CBD) is an international treaty, legally binding, whose main objective is to promote measures that lead to a sustainable future. Also, this Convention has three specific objectives and thanks to them, this agreement is considered as the main international instrument for sustainable development:

1. The conservation of biological diversity at all levels (ecosystem-genetic resource);
2. The sustainable use of its components;
3. The fair and equitable participation in the benefits derived from the use of genetic resources.

4. Likewise, this Convention serves as a Framework for other Protocols, thus covering a greater number of aspects and domains on biological diversity (Biotechnology through the Cartagena Protocol on Biosafety).
5. Three of the goals to be reached by this agreement are:
6. Goal 6: By 2020, all fish, invertebrate and aquatic plant populations are managed and harvested sustainably. To this end, legal ecosystem approaches will be applied to avoid overfishing and establish the impacts of fisheries on the Biocénoses within safe ecological limits. In the same way, recovery plans and measures will be generated for all exhausted species.
7. Target 10: by 2015, multiple anthropogenic pressures on coral reefs and other vulnerable ecosystems affected by climate change or ocean acidification are minimized in order to maintain their integrity and functioning;
8. Target 11: by 2020, 10% of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through protected area systems and other effective areas of effective management and equally, ecologically representative and well connected.

### **Convention on the Protection of the World Cultural and Natural Heritage (Paris, 1972)**

The Convention on the Protection of the World Cultural and Natural Heritage of 1972 establishes that certain places with an "exceptional universal value" belong to the common heritage of humanity. This Convention is unique, due to establishing a regulation on conservation of a multiple traits (union of the social-cultural trait with that of nature). Likewise, its creation was required and urgent because the cultural heritage and the natural heritage were threatened by natural destruction (deterioration) and by the advance and evolution of social and economic life.

Each signatory country of the Convention is committed, not only to ensure the good conservation of the world heritage sites that are in its territory but to protect its national heritage. To do this, the Convention provides a basis for the use and management of World Heritage funds and the conditions and modalities of international financial assistance. It also stipulates the obligation of the States to regularly report to the World Heritage Committee, in the form of a report, on the state of conservation of their registered assets.

## **Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention, 1975)**

The Convention on Wetlands of International Importance, especially as Waterfowl Habitat, integrates the bases on which to settle and coordinate the main guidelines related to the conservation of wetlands of the different sectoral policies of each State. Its fundamental objective is the conservation and rational use of wetlands, nationally and internationally (cross-border cooperation). This international agreement is currently the only agreement in the environmental sector that focuses on a specific ecosystem, wetlands, although originally its main objective was aimed at conservation and rational use about waterfowl.

### **ICES Strategy**

The International Council for the Exploration of the Sea (ICES) is a global organization, formed by a network of researchers, which develops science and advice to support the sustainable use of the oceans. Its main objective is to provide the available data and research to inform in a detailed and up-to-date manner the body in charge of making decisions for its use in the management and legislation of sustainable use in the marine environment.

This plan includes seven specific objectives:

- The International Council for the Exploration of the Sea is a global organization, formed by a network of researchers, which develops science and advice to support the sustainable use of the oceans. Its main objective is to provide the available data and research to inform in a detailed and up-to-date manner the body in charge of making decisions for its use in the management and legislation of sustainable use in the marine environment.
- Develop an integrated and interdisciplinary understanding of the structure, dynamics, response and resilience of marine ecosystems to change;
- Understand the relationship between human activities and marine ecosystems, estimating pressures and impacts and developing sustainable ways based on science;
- Evaluate and advise on options for the sustainable use and protection of marine ecosystems;
- Promote the advancement of data and information services for science and counseling needs;
- Catalyze best practices in marine data management and promote ICES data nodes as a global resource;

- Promote science, advisory, data, and information services through the work of the Secretariat;
- Ensure an efficient and effective organization

## **Sustainable Development Goals**

In 2015, a series of 17 Sustainable Development Goals (SDGs) was developed at the global level within the 2030 Agenda for Sustainable Development promoted by the United Nations. These Objectives are universally applicable and have a term of 15 years. On the other hand, the Objectives are not legally binding for the signatory States, although high monitoring and support are expected.

The objective of the Oceans, both development and conservation, and protection, is Objective 14 (Conserve and sustainably use the oceans, seas and marine resources). Some of the purposes outlined in Goal 14 are:

Prevent and significantly reduce marine pollution of all types, especially terrestrial activities, including marine debris and nutrient contamination, by 2025;

Manage and sustainably protect marine and coastal ecosystems avoiding significant adverse impacts, including by strengthening their resilience, and take measures for their restoration in order to achieve healthy and productive oceans by 2020;

Minimize and address the impacts of ocean acidification, including through increased scientific cooperation at all levels;

By 2020, effectively regulate capture and overfishing, illegal and unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest possible time possible, at least at levels that can produce the maximum sustainable. Performance determined by its biological characteristics;

By 2020, conserve at least 10 percent of the coastal and marine areas, by national and international laws and by the best available scientific information;

By 2020, prohibit certain forms of fisheries subsidies that contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new subsidies of this type, recognizing that there is a special and differentiated treatment that is adequate and effective for developing and least developed countries. Countries must be an integral part of the negotiation of fisheries subsidies of the World Trade Organization;

By the year 2030, increase the economic benefits for the Small Island Developing States (SIDS) and the least developed countries through the sustainable use of marine resources, including through the sustainable management of fisheries, aquaculture, and tourism;

Provide access for small-scale artisanal fishers to marine resources and markets;

Improve the conservation and sustainable use of oceans and their resources through the implementation of international law as reflected in the United Nations Convention on the Law of the Seas (UNCLOS), which provides the legal framework for conservation and the sustainable use of the oceans and their resources, as recalled in paragraph 158 of The Future We Want.

### **International Convention on Liability and Compensation for Damage in Connection with the Maritime Transport of Noxious and Potentially Hazardous Substances, 2010 (2010 HNS Convention)**

The main objective of the International Convention on Liability and Compensation for Damage in Connection with the Maritime Transport of Noxious and Potentially Hazardous Substances is to provide the necessary legislation to facilitate compensation for costs, including cleaning and regeneration of the environment through loss or damage resulting from an event related to harmful and potentially dangerous substances in maritime transport. This Convention establishes the polluter pays principle, ensuring that the maritime transport sector and the SNP sector can compensate the victims of this type of events

In the first place, the owners of the ships are considered responsible up to a maximum limit established by the Convention. Once this limit has been exceeded, the SNP Fund takes over the compensation and is financed by the contributions paid by the SNP load recipients after an event.

### **European Union policy**

#### **Council Directive 79/409 / EEC (2 April) on the conservation of wild birds**

Directive 79/409 / EEC on the conservation of wild birds is established as a pioneer in the domain of nature conservation, establishing a general protection regime for all bird species (resident and migratory) that inhabit the state wild and of a special protection regime to certain species of threatened and / or migratory birds and to the area that shelters them, determining this type of areas as Special Protection Areas for Birds (ZEPAs).

One of the most important aspects of Directive 79/409 / EEC is the obligation on the part of the States to ensure the survival and reproduction of the indicated bird species in their area of distribution, considering in this case:

1. Species threatened with extinction;

2. The species vulnerable to certain modifications of their habitats;
3. Species considered rare due to the scarcity of their populations or because of their limited local distribution;
4. Species that require particular attention due to the specific nature of their habitat.

In addition, this Directive 79/409 / EEC requires the authorities to adopt all necessary measures to avoid significant disturbance, contamination, and deterioration of habitats and the birds that harbor them. On the other hand, pollution and deterioration of the habitats adjacent to the protected areas will be avoided. Regarding the activities, Directive 79/409 / EEC does not prohibit hunting, but imposes severe conditions for its exercise, listing the species allowed for this activity in Annex II, limiting hunting methods and ensuring reasonable and balanced use, from the ecological point of view.

The Member States are obliged to communicate annually to the Commission the derogations granted. Article 16 creates a Committee that is devoted to the adaptation to the technical and scientific progress of the directive. This Committee, called the "Ornis Committee", meets periodically to discuss in common the problems that may arise in the application of the Directive in practice. It would not be fair to finish this review of the protection regime established by this directive without referring to the jurisprudence of the European Court of Justice.

### **Council Directive 92/43 / EEC, (May 21, 1992), on the conservation of natural habitats and of wild fauna and flora.**

The main objective of Directive 92/43 / EEC is to guarantee biodiversity in the European territory of the Member States, through the conservation of natural habitats and of wild fauna and flora. To this end, measures will be taken to restore or maintain natural habitats and wild species of fauna and flora of community interest, achieving and maintaining a favorable conservation status. Also, this type of measures will have economic, social and cultural nature, to respect regional and local particularities.

As a result of this directive, a coherent European ecological network of special conservation areas is created, called "Natura 2000".

#### **Red Natura 2000**

The Natura Network is a network made up of the special places and zones of conservation formed by the habitats and / or habitats of species set out in Annexes I and II of Directive 92/43 / EEC. This type of conservation area will be designated by each Member State, proposing a list of places, indicating the types of natural habitats listed in Annex I and the native species listed in Annex II for the creation of a location map. These conservation areas will be determined as Sites of Community Importance

(SCI), which in turn must be declared by each State as Special Zones of Conservation (SAC). Likewise, the Zones of Special Protection for Birds (ZEPA) will be established as an application of Directive 79/409 / EEC, although until now they have only covered coastal areas. In this way, each Member State will contribute to the formation of Natura 2000 according to the representation that natural habitat types and species habitats have in its territory, guaranteeing the maintenance and / or restoration of certain habitats and species, reaching a favorable state of conservation.

At the same time, the Natura 2000 network itself will include the special protection areas designated in the provisions of Directive 79/409 / EEC.

### **Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.**

The main objective of Directive 2009/147 / EC is the protection, administration, regulation and conservation of all resident or migratory bird species, as well as their eggs, nests and habitats, found in the European territory of the Member States considering the particular ecological, scientific, cultural, economic and recreational requirements of the area.

### **Directive 2014/89 / EU of the European Parliament and of the Council of July 23, 2014, establishing a framework for the management of maritime space**

Directive 2014/89 / EU aims to establish a framework for maritime spatial planning, promoting the sustainable growth of maritime economies, sustainable development of marine spaces and sustainable use of marine resources. To this end, maritime spatial plans will be drawn up in which the spatial and temporal distribution of the corresponding activities and uses, existing and future, will be determined. Some of these activities and / or uses are:

1. Aquaculture areas,
2. Fishing areas,
3. Facilities and infrastructures for prospecting, exploitation and extraction of oil, gas and other energy resources, minerals and mineral aggregates, and the production of energy from renewable sources,
4. Shipping routes and traffic flows,
5. Military training areas,
6. Places of conservation of nature and species and protected areas,
7. Areas of extraction of raw materials,

8. Scientific research,
9. Underwater cables and pipelines,
10. Tourism,
11. Underwater cultural heritage.

## **The management of maritime space in the EU**

The European Commission coordinates a group of experts in maritime spatial planning, called "Marine Spatial Experts group (MSEG)". There is also an assistance mechanism for the Member States and an information exchange platform (Marine Spatial Planning (MSP) Platform), and a European Maritime Forum (EU Maritime Forum).

On the other hand, the European Commission has launched different calls to financially support cross-border cooperation projects (between different Member States) for the implementation of the Maritime Spatial Planning Directive. Spain participates in three projects:

1. **SIMNORAT Project (Supporting Implementation of Maritime Spatial Planning in the Northern European Atlantic)**. Cooperation between Spain, France and Portugal in the area of the northeast peninsular Atlantic (marine sub-region Golfo de Vizcaya and Iberian Coasts).
2. **SIMWESTMED Project (Supporting Implementation of Maritime Spatial Planning in the Western Mediterranean region)**. Cooperation between Spain, France, Italy and Malta, in the Western Mediterranean area.
3. **MarSP Project (Macaronesian Maritime Spatial Planning)**. Cooperation between Spain, Madeira and the Azores, in the South-Atlantic area (Macaronesia subregion)

## **Common fisheries policy (CFP)**

In the 1970s, the Common Fisheries Policy (CFP) was created to manage the fishing fleets of the European Union. Its main objective is the conservation of fishery stocks in European waters and to ensure the sustainable use of aquaculture and fisheries by ensuring a dynamic fishing industry that provides a fair standard of living.

The Common Fisheries Policy has the following objectives:

1. Elimination of discards, avoiding and reducing unwanted catches or ensuring the landing for sale of this type of catches;
2. Provide the conditions for the economically viable and competitive fishing and processing industry and the activity related to fishing on land;

3. Establish measures to adjust the fishing capacity of the fleets to the levels of fishing opportunities, for sustainable use;
4. Promote the development of sustainable aquaculture activities to contribute to food supply, security and employment;
5. Consider the interests of both consumers and producers;
6. Promote coastal fishing activities, considering socioeconomic aspects.

### **Blue Growth Strategy**

The Blue Growth Strategy is a long-term strategy of the European Union, which is part of the objectives of the 2020 Strategy for smart, sustainable and inclusive growth of the maritime sectors. The strategy presents the five specific activities capable of generating sustainable employment and growth in the blue economy:

1. Fisheries and aquaculture;
2. Coastal and maritime tourism;
3. Maritime transport;
4. Blue biotechnology;
5. Oceanic energy;
6. Mining of the seabed.

Maritime spatial planning is one of the common bases defined in the Blue Growth Strategy, which contributes to the success of the blue economy through the effective and sustainable management of activities at sea.

### **Green Book: Towards a future maritime policy for the Union: a European perspective on oceans and seas.**

In 2006, the Commission presented the Green Paper, entitled, "Towards a future Maritime Policy for the Union: a European perspective of the oceans and the seas". Its main objective is to optimize the quality of life in coastal regions through better management of the interrelationships between activities at sea and activities on land, in order that both reinforce each other. For this purpose, it is proposed to define a new vision of the community maritime policy by integrating and cohesive European policies of maritime scope:

1. Transportation and industry;
2. Coastal regions;
3. Energy production;
4. Fisheries and aquaculture;

5. Environment;
6. Socioeconomic cohesion.

The Green Paper highlights the importance of the need to recover the European maritime heritage and to reaffirm its maritime identity, promoting a more positive image of the maritime professions, improving the performance of the sectors of maritime activity.

### **Integrated Maritime Policy (IMP)**

The Integrated Maritime Policy for the European Union (IMP), known as the Blue Book, was published in 2007 and aims to create the basis for the governance framework and the necessary intersectoral instruments for an integrated maritime policy of the European Union, as well as to define the main measures. For this, the implementation of an Integrated Maritime Policy should be articulated in the development of the following principles:

1. Subsidiarity;
2. Competitiveness;
3. Ecosystem approach;
4. Participation.

With this, it is specified that an integrated and intersectoral approach is required, based on the cooperation and coordination of the various policies related to the maritime subsectors and the excellence in research and technology.

This type of policy will allow Europe to respond to the new challenges and contribute to the strengthening of the European Maritime Vision. In addition, this policy should develop common tools, identify and exploit synergies and avoid or resolve conflicts and prepare and present a work program, with the following projects being important:

1. European maritime space without barriers;
2. European strategy for marine research;
3. Elaboration by the Member States of integrated national maritime policies;
4. European maritime surveillance network;
5. Guide for the planning of maritime space by the Member States;
6. Strategy to mitigate the effects of climate change in coastal regions;
7. Reduction of CO<sub>2</sub> emissions and pollution of ships;
8. Elimination of pirate fishing and destructive bottom trawling practices in the high seas;
9. European network of maritime clusters;

10. Review of the exclusions foreseen in the labor legislation of the European Union for the sectors of maritime transport and fishing.

### **Action Plan for a Maritime Strategy in the Atlantic area**

The main objective of the Atlantic Strategy of the European Union for regional development in the Atlantic is the identification of the key challenges and opportunities to create sustainable jobs and growth.

The proposed Action Plan includes a set of action areas for research and investment to face the challenges previously identified in the Atlantic Strategy. This action plan establishes four priorities to promote the "blue economy", which are:

1. Promote entrepreneurship and innovation:
  - Exchange of knowledge between higher education organizations, companies and research centers;
  - Improvement of competitiveness and innovation capacities in the maritime economy of the Atlantic area;
  - Promote the adaptation and diversification of economic activities by promoting the potential of the Atlantic area.
2. Protect, secure and develop the potential of the marine and coastal environment:
  - Improve maritime safety and security;
  - Exploration and protection of marine waters and coastal areas;
  - Sustainable management of marine resources;
  - Exploitation of the renewable energy potential of the marine and coastal environment of the Atlantic area.
3. Improve accessibility and connectivity:
  - Promote cooperation between ports.
4. Create a model of socially inclusive and sustainable regional development:
  - Promote a better understanding of the social challenges in the Atlantic area;
  - Preserve and promote the Atlantic cultural heritage.

### **Directive 2008/56 / EC of the European Parliament and the Council, (June 17, 2008), establishing a framework for Community action for marine policy (Framework Directive on the Marine Strategy or DMEM)**

Directive 2008/56 / EC is drawn up as a result of the integration of the 6th Community Action Program on the Environment; The 2002 Communication of the Commission

"Towards a strategy for the protection and conservation of the marine environment" (COM (2002) 539); and the 2005 Communication of the Commission "Thematic Strategy on the Protection and Conservation of the Marine Environment" (COM (2005) 504). The final objective of Directive 2008/56 / EC is to establish a framework in which the Member States adopt the necessary measures to achieve or maintain a good environmental status of the marine environment by 2020 at the latest. To this end, each Member State develops and apply a strategy for each marine region or sub-region. The main objective of these strategies is to protect, preserve and recover the ecosystems of the marine environment and prevent and reduce discharges to the marine environment, progressively eliminating marine pollution.

In accordance with this Directive, the regions and subregions into which the European marine waters are divided are the following:

1. Baltic Sea
2. Northeast Atlantic Ocean:
  - North Sea in a broad sense, including the Kattegat and the English Channel
  - Celtic Sea
  - Bay of Biscay and the Iberian coasts
  - Macaronesian biogeographic region (Azores, Madeira and the Canary Islands)
3. Mediterranean Sea:
  - Western Mediterranean
  - Adriatic Sea
  - Ionian Sea and the Central Mediterranean
  - East Aegean Sea
4. Black Sea

Likewise, Directive 2008/56 / EC establishes that the Member States that share a marine region or sub-region will cooperate through regional marine agreements so that these elements of the marine strategies are coherent and adopt a common approach. On the other hand, the Commission has decided to establish two collaboration frameworks for the application of Directive 2008/56 / EC.

First, a formal framework or group, divided into two working groups:

1. Meeting of Marine Directors (MD): High level meeting where strategic decisions will be taken for the common application of the Framework Directive on the Marine Strategy (DMEM) in the EU.
2. Committee for the application of the DMEM (Committee).

Second, a framework or technical group that is divided into a central working group and 3 secondary groups:

1. Marine Strategy Coordination Group (MSCG): Group for the discussion of technical aspects of the application of the DMEM.
- Working Group on Good Environmental Status (WG-GES): Will address the issues related to the criteria and methodological standards of the GES descriptors.
- Working group on data and exchange of information and knowledge (WG-DIKE): Will deal with issues related to the WISE-marine.
- Working Group on Economic and Social Assessment (WG-ESA): Will treat the methodologies to carry out "the economic and social analysis of the use of marine waters and the cost of the deterioration of the marine environment".

## **Marine Strategy**

The Marine Strategies is an instrument of Marine Spatial Planning (MSP) that establishes a framework of community action for the marine environment policy (Framework Directive on the marine strategy) under the Directive 2008/56/EC, of 17 June 2008. The main objective of this framework is to achieve the Good Environmental Status (BEA) of our seas by 2020, achieving success in the 11 BEA descriptors established by the Directive.

For its development, the European Commission approved Commission Decision 2010/477 / EU on the criteria and applicable standards in order to achieve or maintain a good environmental status of the marine environment by the year 2020 at the latest. Following phases, which should be addressed by the Member States:

1. An initial assessment of the current environmental status of marine waters (main impacts and environmental, social and economic pressures).
2. Analysis of the 11 BEA descriptors for each marine sub-region.
3. Creation of a proposal of environmental objectives and associated indicators for marine waters, in order to achieve good environmental status.
4. Preparation and execution of Programs of measures to achieve the main objective.
5. Constant assessment of environmental status through coordinated monitoring programs.

## National legislation in Spain

### Structure of environmental legislation

The Principles of Environmental Protection in Spain are enacted since the creation of the Spanish Constitution in Article 45, which establishes the constitutional recognition of the right to enjoy an adequate environment for the development of the person, as well as their duty in keeping it. Those responsible for ensuring compliance with article 45 of the constitution is public bodies. For its correct legislation, the constitution distributes the basic competences considering the separation of executive and normative aspects of the environmental action, for which said competences are shared between the State, the Autonomous Communities and the municipalities.

Spain has a pyramidal legislative structure divided into three areas:

- The central administration. Its function is of legislation ensuring the creation of new regulations for the correct legislation and protection of the environment. The areas of action are generally such as waste, environmental impact assessments, air pollution, water quality, etc.
- The autonomic administration. After the legislation, the responsibility of carrying out the administrative activities of management and execution of the activities for the protection of the environment belongs to the autonomous communities. Likewise, the autonomous communities may establish complementary levels of protection in their respective territories in areas they consider appropriate, approving regulatory provisions and laws for the protection of the environment, provided that the basic legislation of the state is respected.
- Local administration. It is in charge of the legislation of the supply and cleaning of the streets and the selective collection of waste. On the other hand, it is also responsible for the prevention and extinction of fires and protection of the environment by overcoming the 50,000 inhabitants.

On the other hand, in the Spanish State, legislation and management can adopt different rules:

- Laws. Provisions of a general nature in which a series of guidelines are established to regulate, in accordance with justice, some governmental aspect (environmental legislation). They can be stated (ordinary or organic) as autonomous, depending on the subject and the competences.
- Regulations. Rules of a state, autonomous or local nature, having different manifestation according to the body that dictates it and the administration from which it comes.

- Royal Decree. Standard approved by the council of ministers that approve the regulations that serve to develop state laws.
- Ministerial Orders. Legal dispositions issued by the ministry.
- Autonomic orders. Legal dispositions issued by the councilors of the autonomous communities.
- The local regulatory provisions. Provisions approved by the plenary session of the deputation or by the city council, being able to adopt various forms such as plans, local regulations or ordinances.

## **Relevant issues of environmental legislation regulations**

### Water

1. **Law 22/1988 of Costas, (July 28).** Determination and protection of the maritime-terrestrial public domain and especially of the sea shore, ensuring its integrity and adequate conservation by adopting the necessary measures. The rational public use of the sea is guaranteed in terms consistent with its nature, purpose, landscape, environment and historical heritage, maintaining a quality control of the shores of the sea and the optimum waters.
2. **Royal Decree 258/1989, (March 10).** which establishes the general regulations on discharges of hazardous substances from land to sea. For this purpose, the rules for the discharge of dangerous substances in inland waters and the territorial sea will be established and the procedure to control compliance with the discharge regulations will be established.
3. **Royal Legislative Decree 1/2001, (July 20).** which approves the revised text of the Water Law. The hydraulic public domain, the use of water will be regulated, the basic rules for the protection of inland, coastal and transitional waters will be established. Likewise, the State will be responsible for hydrological planning.
4. **Royal Decree-Law 4/2007 (April 13).** which modifies the rewritten text of the Water Law, approved by Royal Legislative Decree 1/2001, of July 20.
5. **Royal Decree 1514/2009, (October 2).** which regulates the protection of groundwater against pollution and deterioration. Specific criteria and measures will be established to prevent and control the contamination of groundwater.
6. **Law 41/2010, (December 29).** on the protection of the marine environment. This law is the transposition of Directive 2008/56 / EC to Spanish legislation. The legal regime is established to achieve or maintain the good environmental status of the marine environment, through its planning, conservation, protection and

improvement, allowing sustainable use. The essential instruments to achieve the objective are the marine strategies, elaborated by the State and the Autonomous Communities. Likewise, the Law regulates other issues related to the protection of the marine environment determined in various international agreements signed by Spain and encourages public participation and international cooperation with the other member states to achieve the established environmental objectives.

7. **Law 2/2013, (May 29) Protection and sustainable use of the coast and modification of Law 22/1988 of Costas (July 28).** Environmental protection of the coast, differentiating the urban and natural sections of the beaches and preserving the virgin beaches limiting the occupations and activities. Among the changes are:
  - Prohibition of new buildings: Prohibition of new residential buildings on the coast, and is reinforced with specific preventive mechanisms, also prohibiting improvement works imply increases in size, height or surface.
  - Exclusion of population centers of the Maritime Terrestrial Public Domain: Exclusion of the population nuclei of the maritime-terrestrial public domain due to being determined as urban, anthropized nuclei.
  - The width of the protection easement is maintained in 100 meters: Modification of the article of the 1988 Law with the prohibition of new buildings. This reduction of the easement will only be viable to coastal cores with urban character prior to 1988.
  - Chiringuitos: Maintenance of the uses and prohibitions of uses in the marine-terrestrial public domain and demand in terms of beach management and care.
  - Exclusion of the Island of Formentera: Guarantee of maintenance of the zone of protection easement and prohibition of residential buildings.
  - Maritime-terrestrial developments: Regulate the urbanizations defending the public domain and ensuring the private ownership of housing, providing legal security and removal of traffic bondage and private parking.
  - Climate change and erosion / regression of the coast: Introduction of a specific regime for coastal sections that are at serious risk of regression, limiting occupations and allowing the Administration to perform protection, conservation or restoration actions. Likewise, prospective evaluations of the possible effects of climate change on projects in the public domain will be required.
  - 75-year concession term: Improvement of the legal status of former property owners on the coast that the 1988 law expropriated. In addition, adequate conservation of the coast and co-responsibility in this conservation of the public domain will be guaranteed.

- Transmission of concessions: All transmission must be authorized by the State, which will verify that the new concessionaire complies with the requirements, both economic and protection of the maritime, terrestrial public domain.
- Salinas and establishment of marine crops: Return of the property to those salinas and marine establishments that were private property before the 1988 Law, determining them as a zone of protection easement.
- Maritime Terrestrial Public Domain: Establishment of the technical criteria to determine the scope of the terrestrial, maritime public domain and incorporation of the definitions of the main components of the public domain.
- Illegal housing: The General Administration of the State will fulfill its obligation to demolish houses that by judicial sentence must be demolished and will support the Autonomous Communities and City Councils to find solutions.
- Beach events: Establish the requirements, limits and conditions in which the occupation of the beaches is possible, guaranteeing their conservation.

#### Protected areas

1. **Law 4/1989 on the conservation of Natural Areas and Wild Flora and Fauna, (March 27).** The norms of protection, conservation, restoration and improvement of the natural resources are established and, in particular, those related to the natural spaces and to the wild flora and fauna.
2. **Royal Decree 439/1990, (March 30).** Regulates the National Catalog of Endangered Species. The administrative procedures are established for cataloging, descataloging or change of category, as well as the technical orientation of the documents that must be elaborated in its course. Likewise, the inter-community technical framework is determined, which is the National Commission for the Protection of Nature and opens a way for collaboration between the State and the Autonomous Communities.
3. **Royal Decree 1997/1995, (December 7).** Measures are established to help guarantee biodiversity in the territory where Directive 92/43 / EEC is applied, by adopting measures for the conservation of natural habitats and of wild fauna and flora in Spanish territory. The measures adopted will aim to maintain or restore the favorable conservation status of natural habitats and wild species of fauna and flora of Community interest in the Spanish territory, taking into account national economic, social and cultural demands, regional and local.
4. **Royal Decree 1803/1999, (November 26).** Approval of the Master Plan of the National Parks Network. This Plan is the first generic instrument of management and planning of national parks in Spain and a basic element in the future. To do this, it determines and characterizes what the network and national

parks are, by delimiting their distinctive features; regulates its financial sources and criteria for the distribution of economic resources and, finally, incorporates provisions relating both to its evaluation and monitoring and to its execution, validity and review.

5. **Royal Decree 1421/2006, (December 1).** Modification of Royal Decree 1997/1995, by which measures are established to contribute to guaranteeing biodiversity through the conservation of natural habitats and of wild flora and fauna.
6. **Order ARM / 2444/2008, (August 12).** The National Action Program to Combat Desertification is approved in compliance with the United Nations Convention to Combat Desertification. Its main objective is to determine what factors contribute to desertification and the practical measures necessary to combat it and mitigate the effects of drought.

### Biodiversity

1. **Law 42/2007 on Natural Heritage and Biodiversity, (December 13).** The basic legal regime of conservation, sustainable use, improvement and restoration of the natural heritage and biodiversity is established considering the importance of the maintenance of essential ecological processes, their genetic and biological diversity, beauty and uniqueness of natural ecosystems and diversity geological and landscape. Highlights the articles:
  - **Article 6. Competences of the General State Administration on marine biodiversity:** The administrative functions are of State domain, respecting the Statutes of Autonomy, when dealing with spaces, habitats or critical areas (or species located in this type of area) located in marine areas under sovereignty or national jurisdiction, without meeting the requirements of article 36.1. Alternatively, when, in accordance with international law, Spain must manage spaces located in the straits subject to international law or on the high seas.
  - **Article 36. Declaration and management of Protected Natural Spaces:** The Autonomous Communities are responsible for the management of protected natural spaces in their territorial area and marine waters when there is ecological continuity with the terrestrial space object of protection.
  - **Article 52. Guarantee of conservation of wild native species:** The Autonomous Communities shall adopt the necessary measures to guarantee the conservation of biodiversity and the preservation of their habitats, establishing specific protection regimes.
  - **Article 53. List of Wild Species in Special Protection Regime:** The List of Wild Species in Special Protection Regime, will include, after consulting the

Autonomous Communities, taxa or populations for a particular protection due to its scientific, ecological value, cultural, singularity or degree of threat (taxa that appear in the International Directives and Conventions ratified by Spain).

- **Article 54. Prohibitions for the species included in the List of Wild Species under Special Protection Regime:** It is prohibited to kill, injure, annoy or intentionally disturb the wild fauna or flora, whatever the method used or the phase of its biological cycle.
- **Article 55 and 56. Spanish Catalog of Threatened Species and Effects of Inclusion in the Spanish Catalog of Threatened Species:** The Spanish Catalog of Threatened Species is established, which will include the taxa or populations of threatened biodiversity, classifying them into two categories: " **In danger of extinction** " (taxa with unlikely survival) or "**Vulnerable**" (taxa at risk and with the possibility of moving to the previous category). All included taxon will lead to the adoption of a recovery plan. Likewise, in the critical areas for reintroduction or expansion of taxa belonging to the Catalog, conservation measures and specific management instruments will be established. Likewise, the autonomous communities may establish catalogs of threatened regional species and increase the degree of protection of specific species and prepare and approve the relevant recovery and conservation plans.
- **Article 57. Endangered Species Conservation Strategies:** Conservation strategies for threatened species present in more than one Autonomous Community and strategies to combat the main threats to biodiversity will be approved, following a report from the State Council for Natural Heritage and Biodiversity, which will include a diagnosis of the situation, main threats and actions to be undertaken for its recovery.

#### Climate change and renewable

1. **Agreement approving the individualized assignment of emission rights from the special reserve to new air operators and air operators with high growth of activity corresponding to the years 2017 to 2020.** Application of article 42.1 of Law 1/2005 , (March 9), which regulates the greenhouse gas emission rights trade regime, at the proposal of the Ministers of Agriculture and Fisheries, Food and Environment; of Economy, Industry and Competitiveness; and Development.
2. **Law 13/2010, (July 5)**, which modifies Law 1/2005, of March 9, which regulates the regime of greenhouse gas emission rights trading, to perfect and expand the general scheme of emission rights trading and include aviation in it.
3. **Order ITC/3366/2010, (December 29)**, which establishes the methodology for calculating the unit cost of the CO2 emission rights assigned to the electricity

generation plants required to participate in the resolution process. restrictions for guarantee of supply for the purposes of the provisional and final liquidation of said power stations when they are included in the weekly operation plan. This calculation of the unit cost of CO<sub>2</sub> emission rights is achieved by including in the formula for calculating the variable costs of generating electricity.

4. **Law 40/2010, (December 29), on the geological storage of carbon dioxide.** It establishes the legal framework for the geological storage of carbon dioxide (CO<sub>2</sub>), in safe conditions for the environment, in order to contribute to the fight against climate change. The final objective is the incorporation of the provisions contained in Directive 2009/31 / EC of the European Parliament and of the Council, of April 23, 2009, adapting them to the industrial, geological and energy reality of Spain.

### Transports

1. Instrument of Ratification of the Kyoto Protocol to the United Nations Framework Convention on Climate Change, made in Kyoto on December 11, 1997. The final objective being sustainable development, limiting and reducing emissions, will be applied and / or will continue developing policies and measures in accordance with their national circumstances, and cooperating with the other Parties, seeking to exchange experience and information on such policies and measures.
2. Royal Decree Law 5/2004, (August 27), which regulates the trade regime for greenhouse gas emission rights. A scheme for the trading of greenhouse gas emission allowances will be established, promoting an efficient reduction of gases in an economically efficient manner following the guidelines set out in Directive 2003/87 / EC of the European Parliament and of the Council, of 13 October 2003.
3. Law 1/2005, (March 9), which regulates the greenhouse gas emission rights trading regime. The final objective of this Law is the regulation of the trade of greenhouse gas emission rights, an efficient reduction of gases in an economically efficient manner.
4. Royal Decree 1264/2005, (October 21), which regulates the organization and functioning of the National Registry of greenhouse gas emission rights. The norms of organization and functioning of the National Registry of emission rights (RENADE) will be established, which regulates the regime of greenhouse gas emission rights trading. It will be developed according to Law 1/2005, (March 9) and in application of Regulation (EC) n<sup>o</sup> 2216/2004 of the Commission, of December 21, 2004.
5. Royal Decree 1315/2005, (November 4), which establishes the basis for monitoring and verification systems for greenhouse gas emissions. Basic rules will be established for the administration of monitoring and verification systems

- for greenhouse gas emissions of authorized facilities in accordance with Law 1/2005, (March 9).
6. Royal Decree 1370/2006, (November 24), which approves the National Plan for the Allocation of Greenhouse Gas Emission Allowances 2008-2012.
  7. Royal Decree 1031/2007, (July 20), which develops the framework for participation in the flexibility mechanisms of the Kyoto Protocol. The framework for participation in the flexibility mechanisms regulated in the Kyoto Protocol will be developed in accordance with the provisions of Law 1/2005, (March 9).
  8. Royal Decree 1030/2007, (July 20), which modifies Royal Decree 1370/2006, (November 24), which approves the National Assignment Plan for emission rights of gases greenhouse, 2008-2012.
  9. Royal Decree 1402/2007, (October 29), which modifies Royal Decree 1370/2006, (November 24), which approves the National Plan for Allocation of emission rights of gases of effect greenhouse, 2008-2012
  10. Order PRE/3420/2007, (November 14), which publishes the Agreement of the Council of Ministers approving the individual allocation of greenhouse gas emission rights to the facilities included in the Plan National Allocation of emission rights for greenhouse gases, 2008-2012.
  11. Order PRE/2827/2009, (October 19), which modifies the amounts of sectoral allocations established in the National Plan for the Allocation of Emission Rights for Greenhouse Gases, 2008-2012, approved by the Royal Decree 1370/2006, (November 24).
  12. Royal Decree 1565/2010, (November 19),, which regulates and modifies certain aspects related to the activity of production of electric power under the special regime. A modification is made in the premium received for the sale of energy generated in photovoltaic solar power plants.

## Energy

1. **Law 82/1980, (December 30), on energy conservation.** The norms, basic principles and incentives will be established to enhance the optimization of the yields of the processes of transformation of the inherent energy to productive or consumption systems and the adoption of renewable energy sources, promoting a reduction in the consumption of hydrocarbons.
2. **Royal Decree 2366/1994, (December 9) on the production of electrical energy by hydraulic installations of cogeneration and others supplied by resources or renewable energy sources.** Chapter 11 of Law 82/1980, (December 30), on energy conservation and other facilities assimilated in relation

to the requirements and procedures to benefit from the special regime, economic regime and energy delivery conditions will be developed.

3. **Law 54/1997, (November 27) of the Electricity Sector**. The activities destined to the supply of electrical energy (generation, transport, distribution, commercialization and exchanges) and economic and technical management will be regulated.
4. **Royal Decree 1955/2000, (December 1)**, which regulates the activities of transportation, distribution, marketing, supply and authorization procedures for electric power installations. The legal regime (with autonomous domain) applicable to the activities relevant to electric power and the relationships between the different subjects that develop them will be established. Likewise, the authorization regime corresponding to all electrical installations will be established as a competence of the General State Administration.
5. **Royal Decree 436/2004, (March 12)**, which establishes the methodology for the updating and systematization of the legal and economic regime of the activity of production of electric power under the special regime. The regulatory provisions issued in Law 54/1997, (November 27), will be updated, systematized and consolidated, establishing a durable economic regime for the facilities compatible with a methodology regulated by Royal Decree 1432/2002, (December 27).
6. **Royal Decree 661/2007, (May 25)**, which regulates the activity of electricity production under the special regime. A new legal and economic regime will be established for the production of electric energy under the special regime, replacing Royal Decree 436/2004 (March 12)
7. **Royal Decree 1028/2007, (July 20)**, which establishes the administrative procedure for the processing of applications for authorization of electricity generation facilities in the territorial sea. The procedures, conditions and criteria for obtaining the necessary authorizations and administrative concessions for the construction and expansion of electricity generation facilities that are physically located in the territorial sea will be regulated. This Decree was accompanied by an environmental strategic study that discarded the parks less than eight kilometers from the coast and classified the Spanish coastline in "Suitable", "Not suitable" and " Suitable with conditions" zones for the future exploitation of the resource.
8. **Royal Decree 1614/2010, (December 7)**, which regulates and modifies certain aspects related to the activity of producing electricity from solar thermoelectric and wind technologies. Certain aspects of an economic nature will

be regulated for the wind and thermoelectric solar technology installations according to Royal Decree 661/2007, (May 25).

## **The marine strategies in Spain**

In Spain, Directive 2008/56/EC, of June 17, 2008 was transposed in Law 41/2010, which divided the Spanish marine environment into five marine demarcations: North Atlantic, South Atlantic, Estrecho and Alborán, Levantine-Balearic and Canary Islands, for each of which a marine strategy has to be developed, with a 6-year update period.

### Coordination, Cooperation and Management Tools

To help in the preparation, application and monitoring of the planning of the marine environment and the national coordination of marine strategies, the Interministerial Commission of Marine Strategies (CIEM) is created following Law 41/2010 and by means of the provisions of Royal Decree Royal Decree 715/2012, from April 20.

Likewise, by Order AAA/705/2014, of April 28 and complying with Law 41/2010, the Monitoring Committees of the marine strategies are created for each of the marine demarcations. The elementary function is the coordination between the General Administration of the State and the autonomous communities in matters of marine strategies.

At present, the technical work of the first three phases has been completed for each of the demarcations (Initial evaluation, definition of good environmental status and identification of environmental objectives), resulting in the approval by the Council of Ministers Agreement on November 2. 2012, the environmental objectives of the marine strategies, together with the definition of good environmental status. Likewise, ICES (International Council for the Exploration of the Sea) and JRC (Joint Research Center) have prepared the preliminary reports for each of the descriptors of good environmental status.

1. Marine strategies: Initial assessment, good environmental status and environmental objectives. General documents.
2. Marine strategy for the North Atlantic demarcation
3. Marine strategy for the South-Atlantic demarcation
4. Marine strategy for the demarcation of the Strait and Alborán
5. Marine strategy for the Levantine-Balearic demarcation
6. Marine strategy for the Canarian demarcation

On the other hand, at the 5th ICES meeting, held in March 2017, it was agreed to transform the working group to draft the Royal Decree transposing Directive 2014/89 /

EU (created at the 4th meeting) in a Working Group on Maritime Spatial Planning (GT-OEM), which will hold regular meetings starting in the fall of 2017.

### Management of maritime space in Spain

Following the resolution of Directive 2014/89/UE of the European Parliament and of the Council, of July 23, 2014, by which a framework for the management of maritime space is established, in Spain, this Directive was transposed through the Royal Decree 363/2017, of 8 April, which establishes a framework for the management of maritime space, promoting the sustainable growth of maritime economies, the sustainable development of marine spaces and the sustainable use of marine resources.

This framework will apply a classification and ordering of maritime space complying with the objectives indicated in article 5 of this royal decree, and the relevant provisions in cross-border cooperation of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Likewise, this Royal Decree establishes the procedure and calendar for the preparation and execution of the management plans.

The objectives of maritime spatial planning will materialize through maritime spatial planning plans. These plans will establish the specific management objectives in each marine demarcation, taking into account the environmental and social objectives of the marine strategies. In addition, economic, social and environmental aspects will be considered, applying an ecosystem approach, to support sustainable development and growth in the maritime sectors (fisheries, aquaculture, tourism, historical heritage, transportation, energy, etc.).

## Regional legislation in Canaries

### **Marine Strategy for the subdivision of the Canaries**

The Marine Strategies, an instrument for planning the marine environment created under Directive 2008/56/UE of 17 June 2008, establishing a framework for Community action for the marine environment policy (Framework Directive on the marine strategy), have as their main objective, the achievement of the Good Environmental Status (BES) of our seas by 2020. The transposition of this directive to the Spanish regulatory system is included in Law 41/2010, of December 29, of Protection of the Marine Environment.

For its development, the European Commission approved the Decision of the Commission 2010/477/EU on the criteria and standards applicable to the good environmental status of marine waters, where the associated criteria and indicators are defined to assess the good environmental status, and its relationship with qualitative descriptors, on which to base the application of marine strategies.

The marine strategy that applies to the Canaria Islands marine demarcation which represents the marine environment in which Spain exercises sovereignty or jurisdiction around the Canary Islands.

This strategy is the main planning instrument aimed at achieving the good environmental status of the marine environment in the Canarian marine demarcation and constitutes the general framework to which the different sectoral policies and administrative actions with an impact on the marine environment must conform established in the corresponding sectoral legislation.

The marine strategy for the Canarian demarcation will include the assessment of the environmental status of the waters, the determination of good environmental status, the setting of the environmental objectives to be achieved, a monitoring program and a program of measures to achieve these objectives.

Currently, the Canarian demarcation has an initial evaluation, the definition of its good environmental status, the identification of environmental objectives and the design of the Monitoring Programs to be implemented.

In 2018 the environmental objectives of the second cycle of marine strategies (2018-2024) are updated, and in order to involve stakeholders in the earliest stages of the process, a prior public consultation is launched. It also seeks to respond to the requirements of article 133 of Law 39/2015, of October 1, on the Common Administrative Procedure of Public Administrations. The deadline for comments will be until 30.09.2018 included.

### **Strategic Plan for Canary Aquaculture 2014-2020**

The Canary Islands Aquaculture Strategic Plan (PEACAN) responds to the interest of the Fisheries and Water Vice-Ministry of the Canary Islands Government to produce an aquaculture development planning document for the period 2014-2020, in accordance with European guidelines, the principles of the Center for Ongoing Formation (CFP), the Spanish Federation of Municipalities and Provinces (FEMP) and, of course, the Multi-annual Strategic Aquaculture Plan. In this document, a diagnosis has been made; priorities have been defined, specific objectives, indicators (of context, monitoring and execution), specific measures and actions, budget, priorities, and beneficiaries. The PEACAN was published in October 2014.

According to the Aquaculture viewfinder of the MAPAMA, in 2014 the fish farm production in the Canary Islands was 7,427 t and in 2015 7,508 t. Since then, the aquaculture production has remained stagnant due to regulation bottlenecks.

On July 9, 2018, the Regional Plan of Management of the Canarian Aquaculture (PROAC) was approved and published (Decree 102/2018 of July 9 2018). From now on, the PROAC will enable both the development of new aquaculture production sites in the designated

aquaculture priority areas as well as the potential addition of new species to the official list of marine species.

This [Regional Plan of Management of Aquaculture in the Canary Islands](#) will be published in the Transparency Portal of the Canary Islands Government. Likewise, it may be consulted by any person on the website of the Ministry of Agriculture, Livestock, Fisheries and Water, under the terms provided in Law 27/2006, of July 18, which regulates the rights of access to the information, public participation and access to justice in the field of the environment.

## **Strategy for Nature and Biodiversity Conservation**

The Canary Islands are considered as a Hotspot of Marine Biodiversity with nearby 6000 species catalogued in its marine biota (such as invertebrates, algae, fish, marine turtles and marine mammals) as well as due to some anthropic pressures and threats. Therefore, in the last decades several conservation initiatives have been enacted or are being developed to protect and conserve its natural marine heritage, with the last one related to the establishment of a new National Park in the southern coasts of El Hierro Island.

Examples of conservation figures in the marine waters of the Canary Islands are the following ones:

1. Particularly Sensitive Sea Areas (PSSA), called in Spanish as Zona Marítima Especialmente Sensible (*ZMES*), under the regulations of the International Maritime Organization of the UN based in London. This figure regulates the international maritime traffic into two main channels crossing the Canarian archipelagic waters.
2. Natura 2000 Network under the framework of the Habitat and Bird Directives, with several Special Areas of Conservation (SACs) around the different islands as well as in the nearby Concepcion Seamount (North of Lanzarote Island) to protect for example, marine turtles (*Caretta caretta*) bottlenose dolphin (*Tursiops truncatus*) populations and seagrass beds (*Cymodocea nodosa*).
3. In December 2017, [The strategic document for the conservation of the seabirds of the Canary Islands](#) was drawn up, with the aim of expanding the information that exists of these species on the islands and adopting measures that help ensure their conservation.

According to the law 30/2014, Art. 31.2 In particular, in marine or maritime-land national parks, the Area of Socioeconomic Influence (AIS) may also include those municipalities that, without contributing territory to the park, are adjacent to it in function of its geographical situation, maintain a clear economic and social link with the activities that

in it are developed or support facilities or infrastructure associated with it. Based on this, the Mar de Las Calmas, El Hierro island, has been proposed as a marine national park.

The objectives of this conservation initiative are the following:

1. The declaration of the first National Marine Park of the Spanish State, and its incorporation into the Network of National Parks, will contribute to the conservation of the marine flora and fauna, as well as the seabed, the landscape and the cultural values contained in the Spanish territorial sea.
2. Increase the representativeness of the network of Spanish National Parks.
3. Contribute to the conservation and / or recovery of the marine environment of the Canary Islands and the Spanish State.
4. Consolidate, regulate and eventually strengthen economic activities compatible with the figure of protection, with special attention to professional fishing of an artisanal nature.
5. Encourage educational activities for the knowledge of the values of the Park by society.
6. Support scientific research in the area.
7. Contribute to the socioeconomic progress of the island of El Hierro and to the consolidation of its population, after the eruptive volcanic episode of the year 2011.
8. Significantly increase the percentage of territorial waters protected by the Spanish State, as a contribution to achieving the Nagoya 2020 objectives.

The objectives pursued with the inclusion of this space in the National Parks Network, will also contribute to:

1. Conserve the habitats, biodiversity and ecological processes of a marine area of high singularity and representativeness.
2. Promote the conservation of the resident populations of two species of cetaceans of the Ziphiidae family: Cuvier's beaked whale (*Ziphius cavirostris*) and Blainville's beaked whale (*Mesoplodon densirostris*).

The proposal today (August 2018) is waiting to be approved by the different agents involved (mainly Cabildo Insular of El Hierro, the Regional Government and the Central Government). The change of Government at National level had left the project in the air, since the previous direction of the Autonomous Agency of National Parks had practically parked it before the reluctance of the Cabildo de El Hierro. The Minister of Ecological Transition, Teresa Ribera, announced a few weeks ago in the Senate that the impulse to the declaration of what will be the first national marine park in Spain, in the Mar de Las Calmas, is a "priority" for her Ministry and that "would love" that it was completed before the end of this legislative term. On the island there are conflicting opinions that

21,400 hectares of its sea enjoy the maximum environmental protection that is now reactivated with the announcement of the minister.

In the Mar de Las Calmas natural ecosystems are present that do not exist in other parks with a marine component such as pelagic areas of passage, reproduction or presence of cetaceans, coral banks, steep slopes and steep slopes or singular communities of large filter feeders. In addition, they have the added value of the recent submarine volcano, among others.

### **Blue Growth in Canaries**

The European Commission's Action Plan aims to promote the sustainable blue growth of the marine-maritime sector in the Atlantic Region (2013-2017), and for this, it has fulfilled these objectives:

1. Management of the activities that affect the sea with an ecosystem approach.
2. Reduction of the carbon footprint in Europe.
3. Sustainable exploitation of the natural resources of the Atlantic Ocean floor.
4. Reaction to threats and emergencies.
5. Socially inclusive growth.

The importance of promoting Blue Growth in a sustainable way comes in collation with its potential to create jobs (7 million jobs are estimated in Europe in the horizon of 2020) and sustainable economic activities using a natural resource that represents the 70 % of our planet, the sea.

From this keystone European document, diverse initiatives are being developed during the last years in the Canary Islands to underpin and enhance the applied research and economic activities linked to marine and maritime sectors.

### **Strategy of the Maritime Cluster of the Canary Islands**

The Maritime Cluster of the Canary Islands (CMC) is a consortium of private enterprises dealing with economic activities associated to diverse maritime sectors. The CMC has produced a Strategic Plan for the period 2020-2027 taking into consideration the objectives and possibilities of blue growth guided by the Action Plan of the Atlantic Region of the European Commission.

The Strategic Plan 2020-2027 of the Maritime Cluster of the Canary Islands has its nature in our consolidated maritime culture and is focused on taking advantage of our oceanic wealth, getting the right environment for investment and using the potential of our marine economy to create employment in a sustainable manner. Our geostrategic location in the Atlantic Ocean allows us, this is recognized by the EU Commission, at

least two things: to be a unique laboratory on the high seas to explore and exploit its multiple possibilities in a sustainable manner, and to be the gateway for entry and exit of the EU (Embassy of the EU in the Atlantic).

### **Platform of Excellence in Blue Biotechnology and Aquaculture (BIOASIS)**

Consolidation of the strategy of the implementation in Gran Canaria of the marine bio-industry based on the area of marine animal cultures and marine plant biotechnology. Start date: 08/02/2018; End date: 12/31/2020.

This platform is a boost to the takeoff of the blue economy in the Canary Islands, an economic niche with great future projection and that the Government of the Canary Islands has identified as strategic for the development of the Islands, including it in the priorities defined in the Smart Specialization Strategy of the Canary Islands, RIS3.

#### General purpose:

BIOASIS is a consortium to promote the development of the blue biotechnology and aquaculture sectors and creating a working network among industries, researchers and external advisers in the Canary Islands.

The BIOASIS platform is a joint initiative mainly supported by the Economic Promotion Society of Gran Canaria (SPEGC) from the Cabildo de Gran Canaria Island, with contributions from the Government of the Canary Islands and the University of Las Palmas de Gran Canaria. The technical activities will be developed by the Institutes, Centers and Research Groups: The Spanish Bank of Algae (BEA), the Technological Institute of the Canary Islands (ITC) and the Research University Institute on Sustainable Aquaculture and Marine Ecosystem (IU-ECOQUA), whereas the management activities, will be supported mainly by the SPEGC.

The Canary Islands have the ideal conditions to exploit the biotechnology of algae and other marine organisms becoming a national and international reference for research and experimentation in this field. To do this, it has the scientific knowledge, infrastructures and highly qualified personnel of two institutions: The Technological Institute of the Canary Islands (ITC) as well as the University of Las Palmas de Gran Canaria with the Spanish Bank of Algae (BEA) and The Research University Institute on Sustainable Aquaculture and Marine Ecosystem (IU-ECOQUA). BIOASIS will transfer to the companies of the knowledge and technology generated by these organisms pursues the development of economic activity and the implantation of an innovative industry. The research institutions complement each other to cover the entire value chain of the blue biotechnology industry, from the bioprospecting and characterization of organisms to the processing of the biomass that is generated, through the experimental cultivation

and selection of certain species that, due to their properties and commercial interest, they can be grown on an industrial scale.

The specific objectives follow five parallel lines of action:

Provision of services:

1. Advice to investors and biotechnology-based companies.
2. Services "à la carte".
3. Exploitation of existing scientific infrastructure.
4. Sale of products
5. Transfer of know-how.

Improvement of the Platform's capabilities:

1. Research and experimentation infrastructures.
2. Human team.
3. Project for the development of the Blue Biotechnology and Aquaculture Experimental Area of the Technology Park of Gran Canaria.
4. Project for the development of a High Technology Incubator in Blue Biotechnology.
5. Improvement and optimization project for the development of the Technological-Industrial Development Area of Blue Biotechnology and Aquaculture of the Technology Park of Gran Canaria.

Specialized training:

1. Improvement of human resources
2. Specific training programs to stimulate the generation of employment, talent and business and attraction of researchers.
3. Expert program.
4. University courses in blue biotechnology and aquaculture.
5. Specialized programs/workshops / demonstratives and training.
6. Program of scholarships, practices and attraction of researchers.

Improvement and resolution of the regulatory framework that affects such industrial activity:

1. Proposals for improvement and resolution of the regulatory framework.
2. Strategy to simplify the regulatory framework of the licenses required for the different areas of industrialization and experimentation.

Promotion of the sector.

1. Program of proposals for regulatory measures to facilitate experimental and industrial cultivation.
2. Promotion and marketing for the development of business projects and I+D+i.
3. Cooperation programs with other national and international entities.
4. Program of support for biotechnological entrepreneurs (UPE-BIO).

### **Industrial Strategy for Ocean Renewable Energies**

PLOCAN (the Oceanic Platform of the Canary Islands) is a marine scientific and technology platform, originally co-funded from ERDF (European Regional Development Fund) and now financed and managed 50% from each of the Canary Islands and Spanish National Governments. The main objective of PLOCAN is to facilitate the implementation of renewable electricity generation from the seas by wave and offshore wind technologies.

In July 2018, the first offshore wind turbine was installed in the Canary Islands by Plocan, being part from the project "ELICAN". The turbine is a prototype (Deep Offshore 5MW Prototype) of the Self-Installing Telescopic Substructure for Low-Cost Craneless Installation of Complete Offshore Wind Turbines. In the project ELICAN, a strong team of complementary European companies with worldwide leading presence in the Wind Energy industry join forces to provide the market with a disruptive high-capacity and cost-reducing integrated substructure system for deep offshore wind energy. The technology is exceptionally fitted to meet the technical and logistical challenges of the sector as it moves into deeper locations with larger turbines, while allowing for drastic cost reduction.

### **Strategic and Marketing Plan for the Tourism**

The Tourism Department of the Government of the Canary Islands plans to develop and monitor a Strategic Plan for the Canary Islands for Tourism (PECT) 2018-2025.

According to the information gathered mainly from the media, the Canary Islands will launch a new agenda for the Tourism sector with horizon to 2025. The new Strategic and Marketing plan will address, among its main challenges, regulatory duplication and eliminate contradictions in the market.

Other challenges identified for the Canaries are digitization of the tourism sector, guarantee transparency and neutrality for consumers and online companies and develop a tourism strategy with aims, objectives, indicators and clear actions for tourism in the EU in which all parties interested in tourism participate.

## **Statute of Autonomy of the Canary Islands**

The plenary of the Senate has approved the reform of the Statute of Autonomy for the Canary Islands the last 24<sup>th</sup> October 2018, that dissociates the Economic and Fiscal Regime (REF) from the regional financing and modifies the electoral system, and that will come into force in the coming days, once it is published in the State official newsletter (BOE).

### **3.2. Principles and initial objectives**

The purpose of this report is to present the main objectives for the establishment of MSP as well as defining specific planning goals for the Canary Islands.

The marine spatial planning process of the Canary archipelago is in its initial phase. The project is defining the vision and objectives of the national maritime space for presentation in the Situation Plan. For this, it was necessary to create a common methodology for the Macaronesian organisms. The Canary Islands is in the analysis of the legislation and stakeholder's consultation phase.

The objectives presented in this report comply with the legal regime at the international and regional levels. Likewise, the principles and objectives presented through the guidelines and objectives found in plans and programs that have a direct or indirect impact on the international maritime space are established and justified.

These guiding principles are:

1. Principle of environmental sustainability of the oceans;
2. Principle of precaution;
3. Subsidiarity principle;
4. Principle of territorial cohesion;
5. Principle of compatibility of uses and activities;
6. Principle of compatibility of planning policies and instruments;
7. Principle of participation and simplicity of perception;
8. Principle of adaptive management;
9. Integrated administration;
10. Precautionary approach;
11. Promote collaboration for the responsible governance of the oceans;
12. Promotion and promotion of economic activities;
13. Regional and cross-border cooperation and coordination.

On the other hand, the list of objectives proposed is similar to that expected in any basic marine management plan. This is because, as explained previously, the Canary Islands have been in a very early phase. Based on this policy and international MSP projects analysis, we proposed an initial list of specific objectives for MSP in the Canary Islands:

1. Contribute to the association, interaction and union of the different users and Stakeholders of the marine territory.
2. To contribute to the appreciation of the sea in the national economy by promoting the sustainable, rational and efficient exploitation of marine resources and ecosystem services, ensuring the safeguarding of the natural and cultural heritage of the ocean;
3. Contribute to national cohesion, reinforcing the archipelagic dimension of Spain and the role of its interterritorial sea;
4. Contribute, through the planning of the national maritime space, to the management of the Atlantic basin;
5. Ensure the maintenance of a good environmental condition of the marine waters, avoiding the risks of human action and minimizing the effects of natural disasters and climatic actions;
6. Ensure the use of information available in the national maritime space;
7. Contribute to the knowledge of the ocean and strengthen national scientific and technological capacity.

These principles and regional specific objectives serve as a basis for the identification of the activities and uses of the marine environment and their spatial arrangement according to their function. Likewise, this type of basis allows the creation of a prototype management legislation so that the identified activities can coexist and operate in the same plane.

## 4. References

### 4.1. References

Ehler, C. 2014. A Guide to Evaluating Marine Spatial Plans. Paris, UNESCO, 2014. IOC Manuals and Guides, 70; ICAM Dossier 8.

### 4.2. Hyperlinks

<i>Name</i>	<i>Website Reference</i>
Action Plan for A Maritime Strategy in The Atlantic Area	<a href="https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/maritime-strategy-atlantic-ocean_en.pdf">https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/maritime-strategy-atlantic-ocean_en.pdf</a>
Agreement Approving the Individualized Allocation of Emission Rights from The Special Reserve to New Air Operators and Air Operators with High Growth of Activity Corresponding to The Years 2017 To 2020.	<a href="https://www.miteco.gob.es/en/cambio-climatico/temas/comercio-de-derechos-de-emision/acm_reservaespecial_20172020output_tcm38-451155.pdf">https://www.miteco.gob.es/en/cambio-climatico/temas/comercio-de-derechos-de-emision/acm_reservaespecial_20172020output_tcm38-451155.pdf</a>
Agreement on The Conservation of African And Eurasian Migratory Waterbirds (AEWA)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Albatrosses and Petrels (ACAP, 2003)	<a href="https://acap.aq/images/stories/PDF_Docs/Es/ACAP_10Year_44pp_s.pdf">https://acap.aq/images/stories/PDF_Docs/Es/ACAP_10Year_44pp_s.pdf</a>
Agreement on The Conservation of Cetaceans of The Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS):	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of European Bats' Populations (EUROBATS)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Gorillas and Their Habitats	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>

Agreement on The Conservation of Small Cetaceans of The Baltic, Northern, Irish And Northeast Atlantic Sea (ASCOBANS)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Wadden Sea Seals	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreements of The Convention on The Conservation of Migratory Species of Wild Animals (CMS BONN)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Barcelona Convention for The Protection of The Mediterranean Sea from Pollution (Barcelona Convention, 1975)	<a href="http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/Tratados/Nuevo/Documents/MAR_MEDITERRANEO/7.00_Convenioproteccion%26MOUs_4.pdf">http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/Tratados/Nuevo/Documents/MAR_MEDITERRANEO/7.00_Convenioproteccion%26MOUs_4.pdf</a>
Basel Convention on The Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989	<a href="http://www.basel.int/portals/4/basel%20convention/docs/text/baselconvention%20text-s.pdf">http://www.basel.int/portals/4/basel%20convention/docs/text/baselconvention%20text-s.pdf</a>
Blue Growth Strategy	<a href="https://ec.europa.eu/maritimeaffairs/policy/blue_growth_es">https://ec.europa.eu/maritimeaffairs/policy/blue_growth_es</a>
Common Fisheries Policy (PPC)	<a href="https://ec.europa.eu/fisheries/cfp_es">https://ec.europa.eu/fisheries/cfp_es</a>
Communication from The Commission to The Council and The European Parliament Thematic Strategy on The Protection and Conservation of The Marine Environment (COM (2005) 504)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2005-504_tcm30-130840.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2005-504_tcm30-130840.pdf</a>
Communication from The Commission to The Council and The European Parliament Towards A Strategy for The Protection and Conservation of The Marine Environment (COM (2002) 539)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2002-539_tcm30-130839.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2002-539_tcm30-130839.pdf</a>
Convention for The Protection of The Marine Environment of The Northeast Atlantic (OSPAR Convention, 1998)	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=LEGISSUM%3A128061">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=LEGISSUM%3A128061</a>
Convention on Biological Diversity (CBD, 1992)	<a href="https://www.cbd.int/doc/legal/cbd-es.pdf">https://www.cbd.int/doc/legal/cbd-es.pdf</a>
Convention on The Conservation of Migratory Species of Wild Animals (Bonn Convention, 1979)	<a href="https://cites.unia.es/cites/file.php/1/files/convention-cms.pdf">https://cites.unia.es/cites/file.php/1/files/convention-cms.pdf</a>
Convention on The Prevention of Marine Pollution by Dumping of Wastes and Other Matter Of 1972 (London Convention)	<a href="https://www.boe.es/boe/dias/1975/11/10/pdfs/A23430-23434.pdf">https://www.boe.es/boe/dias/1975/11/10/pdfs/A23430-23434.pdf</a>

Convention on The Protection of The World Cultural and Natural Heritage (Paris, 1972)	<a href="https://whc.unesco.org/archive/convention-es.pdf">https://whc.unesco.org/archive/convention-es.pdf</a>
Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention, 1975)	<a href="https://www.ramsar.org/sites/default/files/documents/library/current_convention_s.pdf">https://www.ramsar.org/sites/default/files/documents/library/current_convention_s.pdf</a>
Council Directive 79/409 / EEC of 2 April 1979 on the Conservation of Wild Birds	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:31979L0409">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:31979L0409</a>
Council Directive 92/43 / EEC of 21 May 1992 on The Conservation of Natural Habitats and Of Wild Fauna and Flora	<a href="https://www.mapa.gob.es/es/agricultura/legislacion/DIR_92-43_pdf_tcm30-73055.pdf">https://www.mapa.gob.es/es/agricultura/legislacion/DIR_92-43_pdf_tcm30-73055.pdf</a>
Directive 2008/56 / EC Of the European Parliament and Of the Council Of 17 June 2008 Establishing A Framework for Community Action for The Policy of The Marine Environment (Framework Directive on The Marine Strategy)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/Directiva200856_tcm30-130857.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/Directiva200856_tcm30-130857.pdf</a>
Directive 2009/147 / EC Of the European Parliament and Of the Council Of 30 November 2009 On the Conservation of Wild Birds	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A32009L0147">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A32009L0147</a>
Directive 2014/89 / EU Of The European Parliament and Of the Council Of 23 July 2014 Establishing A Framework for The Management of Maritime Space	<a href="http://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32014L0089&amp;from=ES">http://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32014L0089&amp;from=ES</a>
Green Paper: Towards A Future Maritime Policy of The Union: A European Perspective on Oceans and Seas.	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52006DC0275(02)&amp;from=ES">https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52006DC0275(02)&amp;from=ES</a>
Instrument for The Ratification of The Kyoto Protocol to The United Nations Framework Convention on Climate Change, Made in Kyoto On December 11, 1997	<a href="https://www.boe.es/boe/dias/2005/02/08/pdfs/A04131-04143.pdf">https://www.boe.es/boe/dias/2005/02/08/pdfs/A04131-04143.pdf</a>
Integrated Maritime Policy (Imp)	<a href="https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/imp-progress-report_en.pdf">https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/imp-progress-report_en.pdf</a>
International Convention for The Prevention of Pollution from Ships of November 2, 1973 (MARPOL 73/78)	<a href="https://www.cetmar.org/documentacion/MARPOL.pdf">https://www.cetmar.org/documentacion/MARPOL.pdf</a>

International Convention for The Safety of Human Life at Sea (SOLAS Convention, 1974)	<a href="http://www.bioscafire.com/upfiles/normativa/solas.pdf">http://www.bioscafire.com/upfiles/normativa/solas.pdf</a>
International Convention on Cooperation, Preparation and Fight Against Oil Pollution (OPRC Convention)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/ConvenioOPRC_tcm30-157142.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/ConvenioOPRC_tcm30-157142.pdf</a>
International Convention on Liability and Compensation for Damage in Connection with The Maritime Transport of Noxious and Potentially Hazardous Substances, 2010 (2010 HNS Convention)	<a href="http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf">http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf</a>
International Convention on Liability and Compensation for Damage in Connection with The Maritime Transport of Noxious and Potentially Hazardous Substances, 2010 (2010 HNS Convention)	<a href="http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf">http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf</a>
Law 1/2005, Of March 9, Which Regulates the Trade Regime of Greenhouse Gas Emission Rights.	<a href="https://www.fomento.gob.es/recursos_mfom/pdf/C78E1F0D-5420-491B-8A1C-29F44245C286/118498/LEY1_2005consolidado.pdf">https://www.fomento.gob.es/recursos_mfom/pdf/C78E1F0D-5420-491B-8A1C-29F44245C286/118498/LEY1_2005consolidado.pdf</a>
Law 13/2010, Of July 5, Which Modifies Law 1/2005, Of March 9, Which Regulates the Greenhouse Gas Emission Rights Trade Regime, To Improve and Expand the General Regime of Emission Rights Trading and Include Aviation in It.	<a href="https://www.boe.es/boe/dias/2010/07/06/pdfs/BOE-A-2010-10706.pdf">https://www.boe.es/boe/dias/2010/07/06/pdfs/BOE-A-2010-10706.pdf</a>
Law 2/2013, (May 29) Protection and Sustainable Use of The Coast and Modification of Law 22/1988 Of Costas (July 28).	<a href="https://boe.es/boe/dias/2013/05/30/pdfs/BOE-A-2013-5670.pdf">https://boe.es/boe/dias/2013/05/30/pdfs/BOE-A-2013-5670.pdf</a>
Law 22/1988 Of Costas, (July 28).	<a href="https://www.boe.es/buscar/pdf/1988/BOE-A-1988-18762-consolidado.pdf">https://www.boe.es/buscar/pdf/1988/BOE-A-1988-18762-consolidado.pdf</a>
Law 4/1989 On the Conservation of Natural Areas and Wild Flora and Fauna, (March 27).	<a href="https://www.miteco.gob.es/va/red-parques-nacionales/la-red/ley_4_89_consolidada_tcm39-60616.pdf">https://www.miteco.gob.es/va/red-parques-nacionales/la-red/ley_4_89_consolidada_tcm39-60616.pdf</a>
Law 40/2010, Of December 29, On Geological Storage of Carbon Dioxide.	<a href="https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20049.pdf">https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20049.pdf</a>
Law 41/2010, Of December 29, On the Protection of The Marine Environment.	<a href="https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20050.pdf">https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20050.pdf</a>

Law 42/2007 Of the Natural Heritage and Biodiversity, (December 13), Complementary to The Law for The Sustainable Development of The Rural Environment.	<a href="https://www.mapa.gob.es/es/agricultura/legislacion/Ley_42_2007_Patrimoni_natural_y_Biodiversidad_tcm30-72992.pdf">https://www.mapa.gob.es/es/agricultura/legislacion/Ley_42_2007_Patrimoni_natural_y_Biodiversidad_tcm30-72992.pdf</a>
Macaronesian Maritime Spatial Planning Project (MarSP)	<a href="http://marsp.eu/">http://marsp.eu/</a>
Management of Maritime Space in the EU	<a href="https://www.miteco.gob.es/gl/costas/temas/proteccion-medio-marino/ordenacion-del-espacio-maritimo/">https://www.miteco.gob.es/gl/costas/temas/proteccion-medio-marino/ordenacion-del-espacio-maritimo/</a>
Marine Spatial Planning (MSP) Platform	<a href="https://www.msp-platform.eu/">https://www.msp-platform.eu/</a>
Marine Strategy Marine Demarcation of The Strait and Alborán Part Iv. Descriptors of The Good State of The Environment Descriptor 6: Marine Funding Initial Evaluation and Good Environmental Status: Good Environmental Status (Bea)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/IV_D6_Estrecho_y_Alboran_tcm30-130904.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/IV_D6_Estrecho_y_Alboran_tcm30-130904.pdf</a>
Memorandum of Understanding (Different Species and Habitats)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26%20MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26 MOUs_4.pdf</a>
Order ARM / 2444/2008, (August 12), Approving the National Action Program to Combat Desertification in Compliance with The United Nations Convention to Combat Desertification.	<a href="https://www.boe.es/boe/dias/2008/08/19/pdfs/A34836-34837.pdf">https://www.boe.es/boe/dias/2008/08/19/pdfs/A34836-34837.pdf</a>
Order ITC / 3366/2010, Of December 29, Which Establishes the Methodology for Calculating the Unit Cost of The CO2 Emission Rights Assigned to The Power Generation Plants Required to Participate in The Process of Resolution of Restrictions by Guarantee of Supply for The Purposes of The Provisional and Final Liquidation of Said Plants When They Are Included in The Weekly Operation Plan.	<a href="https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20058.pdf">https://www.boe.es/boe/dias/2010/12/30/pdfs/BOE-A-2010-20058.pdf</a>
Red Natura 2000: Management of Natura Spaces 2000 Provisions of Article 6 Of Directive 92/43 / EEC On Habitats	<a href="http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_es.pdf">http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_es.pdf</a>
Royal Decree 1421/2006, (December 1), Which Modifies Royal Decree 1997/1995, Of December 7, Which Establishes Measures to Contribute to Guaranteeing Biodiversity Through the Conservation of Natural Habitats and The Flora and Fauna.	<a href="https://www.boe.es/boe/dias/2006/12/02/pdfs/A42516-42518.pdf">https://www.boe.es/boe/dias/2006/12/02/pdfs/A42516-42518.pdf</a>
Royal Decree 1514/2009, Of October 2, Which Regulates the Protection of Groundwater Against Pollution and Deterioration.	<a href="https://www.boe.es/buscar/pdf/2009/BOE-A-2009-16772-consolidado.pdf">https://www.boe.es/buscar/pdf/2009/BOE-A-2009-16772-consolidado.pdf</a>

Royal Decree 1803/1999, (November 26), Which Approves the Master Plan of The National Parks Network.	<a href="https://www.boe.es/boe/dias/1999/12/13/pdfs/A42932-42943.pdf">https://www.boe.es/boe/dias/1999/12/13/pdfs/A42932-42943.pdf</a>
Royal Decree 1997/1995, (December 7), Which Establishes Measures to Help Guarantee Biodiversity Through the Conservation of Natural Habitats and Wild Fauna and Flora.	<a href="https://www.mapa.gob.es/es/agricultura/legislacion/1997_95_tcm30-72993.pdf">https://www.mapa.gob.es/es/agricultura/legislacion/1997_95_tcm30-72993.pdf</a>
Royal Decree 258/1989, (March 10), Which Establishes the General Regulations on Discharges of Dangerous Substances from Land to Sea.	<a href="https://www.boe.es/boe/dias/1989/03/16/pdfs/A07359-07362.pdf">https://www.boe.es/boe/dias/1989/03/16/pdfs/A07359-07362.pdf</a>
Royal Decree 439/1990, (March 30), Which Regulates the Catalog of Endangered Species.	<a href="https://www.boe.es/boe/dias/1990/04/05/pdfs/A09468-09471.pdf">https://www.boe.es/boe/dias/1990/04/05/pdfs/A09468-09471.pdf</a>
Royal Decree Law 4/2007 (April 13), Which Modifies the Rewritten Text of The Water Law, Approved by Royal Legislative Decree 1/2001, Of July 20.	<a href="https://www.boe.es/boe/dias/2007/04/14/pdfs/A16450-16451.pdf">https://www.boe.es/boe/dias/2007/04/14/pdfs/A16450-16451.pdf</a>
Royal Decree Law 5/2004, Of 27 August, Regulating the Greenhouse Gas Emission Rights Trading Regime.	<a href="https://www.boe.es/boe/dias/2004/08/28/pdfs/A30096-30111.pdf">https://www.boe.es/boe/dias/2004/08/28/pdfs/A30096-30111.pdf</a>
Royal Legislative Decree 1/2001, Of July 20, Approving the Revised Text of The Water Law.	<a href="https://www.boe.es/buscar/pdf/2001/BOE-A-2001-14276-consolidado.pdf">https://www.boe.es/buscar/pdf/2001/BOE-A-2001-14276-consolidado.pdf</a>
Strategy of The International Council for The Exploration of The Sea (ICES Strategy)	<a href="http://www.ices.dk/explore-us/what-we-do/Pages/Our-strategy.aspx">http://www.ices.dk/explore-us/what-we-do/Pages/Our-strategy.aspx</a>
Supporting Implementation of Maritime Spatial Planning in The Northern European Atlantic Region Project (SIMNORAT)	<a href="https://simnorat.eu/">https://simnorat.eu/</a>
Supporting Implementation of Maritime Spatial Planning in The Western Mediterranean Region Project (SIMWESTMED)	<a href="https://simwestmed.eu/">https://simwestmed.eu/</a>
Sustainable Development Goals	<a href="http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/619026/IPOL_BRI(2018)619026_EN.pdf">http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/619026/IPOL_BRI(2018)619026_EN.pdf</a>

Action Plan for A Maritime Strategy in The Atlantic Area	<a href="https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/maritime-strategy-atlantic-ocean_en.pdf">https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/maritime-strategy-atlantic-ocean_en.pdf</a>
Agreement Approving the Individualized Allocation of Emission Rights from The Special Reserve to New Air Operators and Air Operators with High Growth of Activity Corresponding to The Years 2017 To 2020.	<a href="https://www.miteco.gob.es/en/cambio-climatico/temas/comercio-de-derechos-de-emision/acm_reservaespecial_20172020output_tcm38-451155.pdf">https://www.miteco.gob.es/en/cambio-climatico/temas/comercio-de-derechos-de-emision/acm_reservaespecial_20172020output_tcm38-451155.pdf</a>
Agreement on The Conservation of African And Eurasian Migratory Waterbirds (AEWA)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Albatrosses and Petrels (ACAP, 2003)	<a href="https://acap.aq/images/stories/PDF_Docs/Es/ACAP_10Year_44pp_s.pdf">https://acap.aq/images/stories/PDF_Docs/Es/ACAP_10Year_44pp_s.pdf</a>
Agreement on The Conservation of Cetaceans of The Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS):	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of European Bats' Populations (EUROBATS)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Gorillas and Their Habitats	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Small Cetaceans of The Baltic, Northern, Irish And Northeast Atlantic Sea (ASCOBANS)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreement on The Conservation of Wadden Sea Seals	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Agreements of The Convention on The Conservation of Migratory Species of Wild Animals (CMS BONN)	<a href="https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf">https://www.cms.int/sites/default/files/publication/Agreements%26MOUs_4.pdf</a>
Barcelona Convention for The Protection of The Mediterranean Sea from Pollution (Barcelona Convention, 1975)	<a href="http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/Tratados/Nuevo/Documents/MAR_MEDITERRANEO/7.00_Convenioproteccion%26B3nMarMediterraneoContaminacion%26B3n/TextoCONVENIO_ES.pdf">http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/Tratados/Nuevo/Documents/MAR_MEDITERRANEO/7.00_Convenioproteccion%26B3nMarMediterraneoContaminacion%26B3n/TextoCONVENIO_ES.pdf</a>
Basel Convention on The Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989	<a href="http://www.basel.int/portals/4/baselconvention/docs/text/baselconventiontext-s.pdf">http://www.basel.int/portals/4/baselconvention/docs/text/baselconventiontext-s.pdf</a>
Blue Growth Strategy	<a href="https://ec.europa.eu/maritimeaffairs/policy/blue_growth_es">https://ec.europa.eu/maritimeaffairs/policy/blue_growth_es</a>

Common Fisheries Policy (PPC)	<a href="https://ec.europa.eu/fisheries/cfp_es">https://ec.europa.eu/fisheries/cfp_es</a>
Communication from The Commission to The Council and The European Parliament Thematic Strategy on The Protection and Conservation of The Marine Environment (COM (2005) 504)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2005-504_tcm30-130840.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2005-504_tcm30-130840.pdf</a>
Communication from The Commission to The Council and The European Parliament Towards A Strategy for The Protection and Conservation of The Marine Environment (COM (2002) 539)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2002-539_tcm30-130839.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/COM2002-539_tcm30-130839.pdf</a>
Convention for The Protection of The Marine Environment of The Northeast Atlantic (OSPAR Convention, 1998)	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=LEGISSUM%3A128061">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=LEGISSUM%3A128061</a>
Convention on Biological Diversity (CBD, 1992)	<a href="https://www.cbd.int/doc/legal/cbd-es.pdf">https://www.cbd.int/doc/legal/cbd-es.pdf</a>
Convention on The Conservation of Migratory Species of Wild Animals (Bonn Convention, 1979)	<a href="https://cites.unia.es/cites/file.php/1/files/convention-cms.pdf">https://cites.unia.es/cites/file.php/1/files/convention-cms.pdf</a>
Convention on The Prevention of Marine Pollution by Dumping of Wastes and Other Matter Of 1972 (London Convention)	<a href="https://www.boe.es/boe/dias/1975/11/10/pdfs/A23430-23434.pdf">https://www.boe.es/boe/dias/1975/11/10/pdfs/A23430-23434.pdf</a>
Convention on The Protection of The World Cultural and Natural Heritage (Paris, 1972)	<a href="https://whc.unesco.org/archive/convention-es.pdf">https://whc.unesco.org/archive/convention-es.pdf</a>
Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention, 1975)	<a href="https://www.ramsar.org/sites/default/files/documents/library/current_convention_s.pdf">https://www.ramsar.org/sites/default/files/documents/library/current_convention_s.pdf</a>
Council Directive 79/409 / EEC of 2 April 1979 on the Conservation of Wild Birds	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:31979L0409">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:31979L0409</a>
Council Directive 92/43 / EEC of 21 May 1992 on The Conservation of Natural Habitats and Of Wild Fauna and Flora	<a href="https://www.mapa.gob.es/es/agricultura/legislacion/DIR_92-43_pdf_tcm30-73055.pdf">https://www.mapa.gob.es/es/agricultura/legislacion/DIR_92-43_pdf_tcm30-73055.pdf</a>
Directive 2008/56 / EC Of the European Parliament and Of the Council Of 17 June 2008 Establishing A Framework for Community Action for	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/Directiva200856_tcm30-130857.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/Directiva200856_tcm30-130857.pdf</a>

The Policy of The Marine Environment (Framework Directive on The Marine Strategy)	
Directive 2009/147 / EC Of the European Parliament and Of the Council Of 30 November 2009 On the Conservation of Wild Birds	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A32009L0147">https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A32009L0147</a>
Directive 2014/89 / EU of The European Parliament and Of the Council Of 23 July 2014 Establishing A Framework for The Management of Maritime Space	<a href="http://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32014L0089&amp;from=ES">http://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32014L0089&amp;from=ES</a>
Green Paper: Towards A Future Maritime Policy of The Union: A European Perspective on Oceans and Seas.	<a href="https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52006DC0275(02)&amp;from=ES">https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52006DC0275(02)&amp;from=ES</a>
Instrument for The Ratification of The Kyoto Protocol to The United Nations Framework Convention on Climate Change, Made in Kyoto On December 11, 1997	<a href="https://www.boe.es/boe/dias/2005/02/08/pdfs/A04131-04143.pdf">https://www.boe.es/boe/dias/2005/02/08/pdfs/A04131-04143.pdf</a>
Integrated Maritime Policy (Imp)	<a href="https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/imp-progress-report_en.pdf">https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/publications/imp-progress-report_en.pdf</a>
International Convention for The Prevention of Pollution from Ships of November 2, 1973 (MARPOL 73/78)	<a href="https://www.cetmar.org/documentacion/MARPOL.pdf">https://www.cetmar.org/documentacion/MARPOL.pdf</a>
International Convention for The Safety of Human Life at Sea (SOLAS Convention, 1974)	<a href="http://www.bioscafire.com/upfiles/normativa/solas.pdf">http://www.bioscafire.com/upfiles/normativa/solas.pdf</a>
International Convention on Cooperation, Preparation and Fight Against Oil Pollution (OPRC Convention)	<a href="https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/ConvenioOPRC_tcm30-157142.pdf">https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/ConvenioOPRC_tcm30-157142.pdf</a>
International Convention on Liability and Compensation for Damage in Connection with The Maritime Transport of Noxious and Potentially Hazardous Substances, 2010 (2010 HNS Convention)	<a href="http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf">http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf</a>

International Convention on Liability and Compensation for Damage in Connection with The Maritime Transport of Noxious and Potentially Hazardous Substances, 2010 (2010 HNS Convention)	<a href="http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf">http://www.hnsconvention.org/fileadmin/IOPC_Upload/hns/files/2010_HNS_Convention_Consolidated_text_s.pdf</a>
Law 1/2005, Of March 9, Which Regulates the Trade Regime of Greenhouse Gas Emission Rights.	<a href="https://www.fomento.gob.es/recursos_mfom/pdf/C78E1FoD-5420-491B-8A1C-29F44245C286/118498/IEY1_2005consolidado.pdf">https://www.fomento.gob.es/recursos_mfom/pdf/C78E1FoD-5420-491B-8A1C-29F44245C286/118498/IEY1_2005consolidado.pdf</a>
Law 13/2010, Of July 5, Which Modifies Law 1/2005, Of March 9, Which Regulates the Greenhouse Gas Emission Rights Trade Regime, To Improve and Expand the General Regime of Emission Rights Trading and Include Aviation in It.	<a href="https://www.boe.es/boe/dias/2010/07/06/pdfs/BOE-A-2010-10706.pdf">https://www.boe.es/boe/dias/2010/07/06/pdfs/BOE-A-2010-10706.pdf</a>
Law 2/2013, (May 29) Protection and Sustainable Use of The Coast and Modification of Law 22/1988 Of Costas (July 28).	<a href="https://boe.es/boe/dias/2013/05/30/pdfs/BOE-A-2013-5670.pdf">https://boe.es/boe/dias/2013/05/30/pdfs/BOE-A-2013-5670.pdf</a>
Statute of Autonomy of the Canary Islands	<a href="https://www.canarias7.es/politica/el-senado-aprueba-la-reforma-del-estatuto-de-autonomia-de-canarias-YD5775771">https://www.canarias7.es/politica/el-senado-aprueba-la-reforma-del-estatuto-de-autonomia-de-canarias-YD5775771</a>



## Annex 3. Madeira

### 1. Scope

This chapter corresponds to the regional report on Maritime Spatial Planning (MSP) objectives for the Autonomous Region of Madeira (ARM), which belongs to deliverable 2.6. "Regional reports on MSP objectives" of the Macaronesian Maritime Spatial Planning (MarSP) project. This report is preceded by an introductory chapter (**Methodology**) that includes the common methodology proposed to approach MSP objectives for the whole Macaronesia region (Azores, Canarias and Madeira). In this report, the proposed methodology has been adapted to the MSP context of Madeira, who has already started the process of planning the maritime space and whose vision and objectives have been defined within the framework of the Maritime Spatial Plan.

This deliverable belongs to task 2.3 "Approach for the vision and planning goals/objectives" in the framework of the MarSP project. MarSP supports MSP processes in the European archipelagos of the Macaronesia region (Azores, Canarias and Madeira) contributing to build capacities and conditions to implement the European Union (EU) MSP Directive 2014/89/EU, and the respective national and regional legislation in this regard. This document is developed under Work Package (WP) 2 "Mapping the current conditions and creating a vision for the MSP in Macaronesia", which assess the current conditions determining MSP processes and create a general vision in each of the three regions.

This report presents the main objectives and vision for the establishment of Maritime Spatial Planning (MSP) as well as defining specific planning goals for Madeira.

### 2. Introduction

The purpose of this report is to present the main objectives and establish a vision for the establishment of MSP as well as defining specific objectives. The Autonomous Region of Madeira (ARM) has already started the process of planning the maritime space and the vision and objectives for the national maritime space have been defined within the framework of the Maritime Spatial Plan (MSP).

Thus in this report will be presented the methodology that was determined to define the vision and the objectives presented in the Situation Plan. This methodology involved several phases, namely documentation and legislation analysis, stakeholder consultation and the involvement of an environmental assessment team that analysed the vision and objectives in which it resulted in a report.

The ARM, as an outermost island territory, with a little diversified economy, finds in marine development an opportunity to establish itself as a maritime region par excellence in the national and European context.

Maritime economic development makes clear the need for and importance of managing the growing demands of maritime space (Douvere and Ehler, 2009). Thus, defining a vision and objectives within the framework of maritime spatial planning is a practical way of creating and establishing a rational organization of the ocean, balancing the requirements for development while protecting marine ecosystems (UNESCO, 2014).

The various studies carried out so far, including the Marine Strategy Framework Directive for the Madeira subdivision, the Monitoring Program and Program of Measures of the Marine Strategy Framework Directive, the Mar Madeira 2030 Strategic Reference Plan, highlight the importance and need to focus on maritime development, taking advantage of the geographical and natural characteristics that the territory enjoys, enabling the region to compete with other European economies. The constitution of a document on maritime spatial planning will be the first step towards the formalization of these objectives.

The exploration of maritime space is a challenge that is particularly acute in Portugal, considering that it is a country with one of the largest exclusive economic zones in Europe and the world. The growth of activities in the maritime space, many of them competing, leads to conflicts between different sectors of activity and increases the pressure on marine ecosystems. In this context, maritime spatial planning is essential to create an effective framework for compatibility between existing and potential uses and activities, contributing to better and more economically advantageous use of the marine environment.

### 3. Method

The ARM is at different stage of the process of spatial planning. The vision and the objectives were previously defined in the scope of the elaboration of the Situation Plan of the Maritime Spatial Planning process. Thus, what will be presented next will be the method that was used to arrive at the vision and objectives previously defined, eventually modifying the initial methodological approach developed for the Macaronesia region under MarSP project.

The methodology for defining a vision of objectives involved several steps such as:

- Analysis of legislation, policies, plans or programs that are directly or indirectly related to maritime space;
- Participation of stakeholders in the elaboration of vision and objectives;
- Assessment of objectives by the strategic environmental assessment team.

#### **3.1. Analysis of legislation, policies, plans or programs**

In this phase, the legislation in force and the programs and plans that are directly or indirectly related to maritime space were analysed.

The analysis of the legislation, the plans or programs helped in the definition of the vision and in the creation of the objectives. It also allowed to verify the existence of incompatibilities between the plans or programs in force and the constitution of the PSOEM.

## Legislation related to maritime spatial planning

In the case of legislation, the vision and objectives were always intended to comply with what was stipulated by Directive 2014/89 / EU of 23 July establishing the framework for maritime spatial planning and national legislation, the basic law of the maritime spatial planning (LBOGEMN).

In this subchapter will analyse the legislation in force regarding the planning of the maritime space and will then analyse the plans and programs in force.

### Maritime Spatial Planning Directive

Considered a transversal policy of Integrated Maritime Policy (IMP), the MSP Directive aims at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources. The Directive enforces European Union (EU) member states with maritime jurisdiction to draw up national maritime spatial plans by 2021. The maritime spatial planning directive refers the following objectives (European Union, 2014):

- Consider economic, social and environmental aspects to support sustainable development and growth in the maritime sector, applying an ecosystem- based approach, and to promote the coexistence of relevant activities and uses;
- Contribute to the sustainable development of energy sectors at sea, of maritime transport, and of the fisheries and aquaculture sectors, and to the preservation, protection and improvement of the environment, including resilience to climate change impacts; promotion of sustainable tourism and the sustainable extraction of raw materials;
- This directive also promotes cross-border cooperation in order to create a coherent framework.

### Law of Basis for Planning and Management of the National Maritime Space

The Portuguese Parliament approved the Law 17/2014 of Basis for Planning and Management of the National Maritime Space (LBOGEM) in 2014. LBOGEM establishes the legal basis and the general guidelines for Portugal's policy on marine spatial planning and management. In 2015, Decree-Law 38/2015 developed its legal norms and transposed the EU MSP Directive (Becker-Weinberg, 2015a). The objectives of planning and management established by LBOGEM are the following (Becker-Weinberg, 2015b; Assembleia da República. 2014):

- Promote the sustainable economic, rational and efficient exploitation of marine resources and of the ecosystem services, ensuring the compatibility and sustainability of the different uses and activities developed therein, considering the intra and

intergenerational responsibility in the use of the national maritime space and towards job creation;

- Consider the preservation, protection and restoration of the natural values and of the coastal and marine ecosystems and the attainment and conservation of the GES of the marine environment, as well as the prevention of risks and the minimization of the effects of natural disasters, climate change or human activities;
- Ensure the legal certainty and the transparency of the procedures granting the titles of private use, as well as allow the exercise of the rights of information and participation referred in the present law;
- Seek the use of the available information regarding the national maritime space.
- Prevent or minimize possible conflicts between uses and activities carried out in the national maritime space.

## Analysis of other legislation, policies, plans or programs

### European Union Policies or directives

#### Integrated Maritime Policy

In 2007 an Integrated Maritime Policy for the European Union was published, also known as the Blue Book. According to CCE (2007), the implementation of an Integrated Maritime Policy calls for an integrated and cross-sectoral approach, based on cooperation and coordination of the various policies relating to maritime sub-sectors and on excellence in research, technology and will be anchored in the Lisbon Agenda for Growth and Jobs and the Göteborg Agenda for Sustainable Development. It will enable Europe to respond to the challenges posed to it and contribute to the desired strengthening of the European maritime vision (CCE, 2007). An integrated maritime policy of the European Union should develop common tools, identify and exploit synergies and avoid or resolve conflicts and draw up and present a work program, with the following projects being of importance:

- A European maritime space without barriers;
- A European strategy for marine research;
- The elaboration by the Member States of integrated national maritime policies;
- A European maritime surveillance network;
- A guide for the planning of maritime space by the Member States;
- A strategy to mitigate the effects of climate change on coastal regions;
- A reduction in CO<sub>2</sub> emissions and pollution from ships;
- The elimination of pirate fishing and destructive bottom-trawling practices on the high seas;
- A European network of maritime clusters;

- A review of the exclusions provided for in European Union labour legislation for the maritime transport and fisheries sectors.

The IMP is a framework to facilitate the development and coordination of diverse and sometimes conflicting sea-based activities, with a view to:

1. Maximising the sustainable use of the oceans and seas, in order to enable the growth of maritime regions and coastal regions as regards:
  - a) Shipping: improving the efficiency of maritime transport in Europe and ensuring its long-term competitiveness, through the creation of a European Maritime Transport Space without barriers, and a maritime transport strategy for 2008-2018;
  - b) Seaports: issuing guidelines for the application of environmental legislation relevant to ports and proposing a new ports policy;
  - c) Shipbuilding: promoting technological innovation and a European network of maritime multi-sectorial clusters;
  - d) Maritime jobs: enhancing professional qualifications to offer better career prospects in the sector;
  - e) Environment: reducing the impact and adapting to climate change in coastal zones, and diminishing pollution and greenhouse gas emissions from ships;
  - f) Fisheries management: eliminating discards, destructive fishing practices (e.g. bottom trawling in sensitive areas) and illegal, unreported and unregulated fishing, and promoting environmentally safe aquaculture.
2. Building a knowledge and innovation base for maritime policy, through:
  - a) A comprehensive European Strategy for Marine and Maritime Research (Marine Strategy Framework Directive (2008/56/EC); the Seventh Framework Programme for Research contributed to its implementation through innovation resulting from research for an integrated approach to maritime affairs (2007-2013);
  - b) Joint, cross-cutting calls and opportunities for innovation in the blue economy under Horizon 2020, the Framework Programme for Research and Technological Development (2014-2020);
  - c) Support for research on climate change and its effect on maritime activities, the environment, coastal zones and islands;
  - d) A European marine science partnership aimed at dialogue among the scientific community, industry and policy makers.
3. Improving quality of life in coastal regions, by:
  - a) Encouraging coastal and maritime tourism;
  - b) Preparing a database on Community funding for maritime projects and coastal regions;
  - c) Creating a Community Disaster Prevention Strategy;
  - d) Developing the maritime potential of the EU's outermost regions and islands.
4. Promoting EU leadership in international maritime affairs, through:

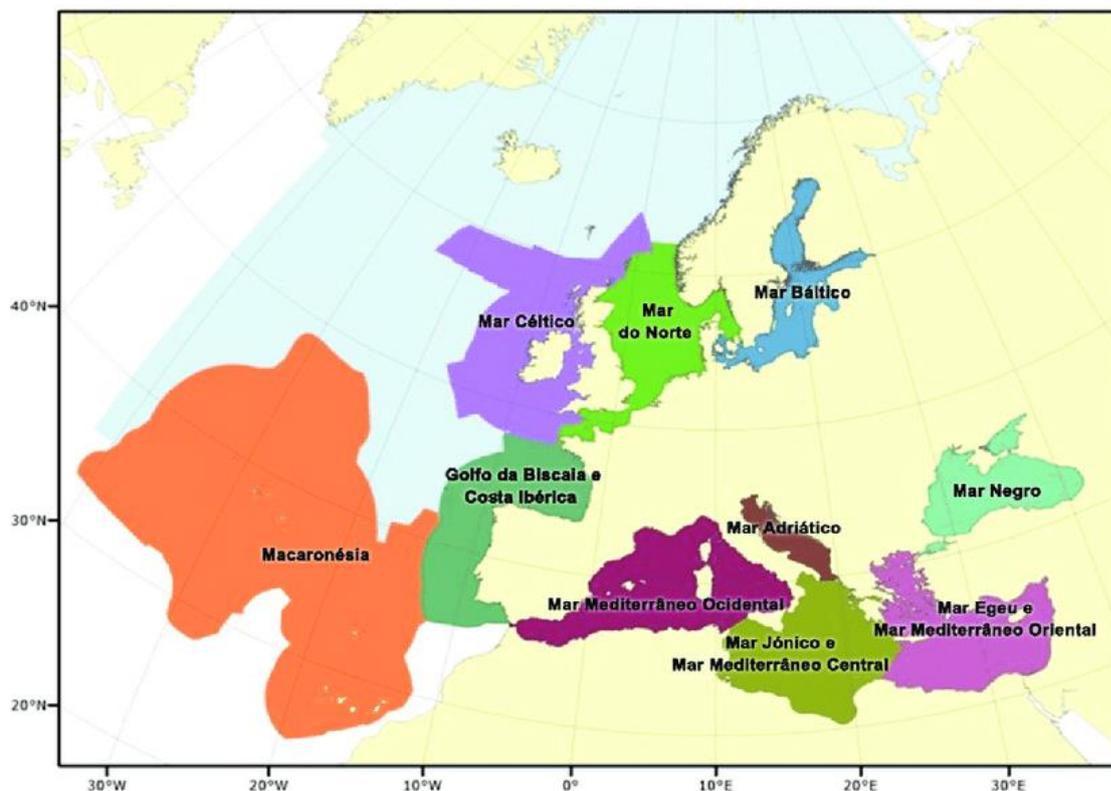
- 
- a) Cooperation in maritime affairs under the Enlargement Policy, the European Neighbourhood Policy and the Northern Dimension, to cover maritime policy issues and management of shared seas;
  - b) Projection of the EU's Maritime Policy based on a structured dialogue with major partners.
5. Raising the visibility of maritime Europe, by:
- a) Launching the 'European Atlas of the Seas' internet application as a means of highlighting the common European maritime heritage;
  - b) Celebrating an annual European Maritime Day on 20 May.
6. Creating internal coordinating structures for maritime affairs and defining the responsibilities and competences of coastal regions.

### Marine Strategy Framework Directive

Considered a transversal policy of IMP, the Marine Strategy Framework Directive (MSFD) aims to achieve the Good Environmental Status (GES) of the EU's marine waters by 2020, therefore protecting the marine environment and the resources upon which marine-related economic and social activities are based. The objectives of the MDF are as follows:

- a) Protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected;

- b) Prevent and reduce inputs in the marine environment, with a view to phasing out pollution; so as to ensure that there are no significant impacts on or risks to marine biodiversity, marine ecosystems, human health or legitimate uses of the sea.



**Figure 8. Representation of the areas defined for the implementation of the Marine Strategy Framework Directive**

### Blue Growth Strategy

The Blue Growth is one of the policies identified as cross-cutting to the IMP and the Commission Communication of 2012 on the Blue Growth Strategy has pushed forward the IMP and launched a process that has put the blue economy on the agenda of the Member States, business and civil society.

The "Blue Growth Strategy" aims to support long-term sustainable growth in the marine and maritime sectors. The strategy presents the five value chains as being capable of generating sustainable employment and growth in the blue economy: renewable energy aquaculture, blue biotechnology, coastal tourism and seabed mining.

Maritime spatial planning is one of the common bases defined in the Blue Growth Strategy, which contributes to the success of the blue economy through the effective and sustainable management of activities at sea.

The Communication describes how Member States and EU policies are already supporting the blue economy and identifies specific areas in which targeted action could serve as an additional

stimulus. Several initiatives will subsequently be launched to explore and develop the potential for growth in these areas.

### Common fisheries policy

The Common Fisheries Policy has the aim to manage EU fishing fleets and conserving fish stocks in European waters. The Common Fisheries Policy was created in the 1970s and has been periodically revised and updated to the most recent document, which took effect in 2014. The CFP aims to ensure that fishing and aquaculture are sustainable and is a source of healthy food. It also aims at ensuring a dynamic fishing industry and a fair standard of living for fishing communities. The Common Fisheries Policy have the following objectives:

- Gradually eliminate discards, considering the best available scientific advice, by avoiding and reducing unwanted catches, and by gradually ensuring that catches are landed;
- Make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;
- Provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;
- Provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities, with a view to having economically viable fleets without overexploiting marine biological resources;
- Promote the development of sustainable aquaculture activities to contribute to food supplies and security and employment;
- Contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;
- Contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level–playing field for fisheries and aquaculture products marketed in the Union;
- Consider the interests of both consumers and producers;
- Promote coastal fishing activities, considering socioeconomic aspects.

### Maritime Strategy for the Atlantic Region

The "Maritime Strategy for the Atlantic Region" covers, in general terms, the coast, territorial waters and jurisdictional waters of the five EU Member States with Atlantic coast (France, Ireland, Portugal, Spain and the United Kingdom) and such as the international waters that reach the Americas, the West, Africa and the Indian Ocean, the East, the Antarctic Ocean, the South, and the Arctic Ocean, to the North. The planning of the maritime space is decisive for the development of two areas that the strategy elicits as promising in economic terms: the first, offshore wind energy and the second, wave and tidal energy, areas with strong

development potential in Portugal, see the recent publication of the "Industrial Strategy and Action Plan for Ocean Renewable Energies".

The "Action Plan for a Maritime Strategy in the Atlantic Region" develops the Maritime Strategy for the Atlantic Region and sets out priorities for investment and research to advance blue growth in the Atlantic Region, contributing to the "Blue Growth Strategy ", promoting sustainable growth in coastal areas and ensuring the good environmental and ecological status of the Atlantic ecosystem. The Action Plan examines possible solutions to address the challenges of growth, carbon footprint reduction, sustainable use of natural resources of the sea, responding effectively to 700 threats and emergencies and implementing a water management approach. Based on ecosystems.

The Action Plan contains the following specific objectives:

1. Promote entrepreneurship and innovation:
  - a) Sharing knowledge between higher education organisations, companies and research centres;
  - b) Enhancement of competitiveness and innovation capacities in the maritime economy of the Atlantic area;
  - c) Fostering adaptation and diversification of economic activities by promoting the potential of the Atlantic area.
2. Protect, secure and develop the potential of the marine and coastal environment;
  - a) Improving maritime safety and security;
  - b) Exploring and protecting marine waters and coastal zones;
  - c) Sustainable management of marine resources;
  - d) Exploitation of the renewable energy potential of the Atlantic area's marine and coastal environment.
3. Improve accessibility and connectivity;
  - a) Promoting cooperation between ports.
4. Create a socially inclusive and sustainable model of regional development.
  - a) Fostering better knowledge of social challenges in the Atlantic area;
  - b) Preserving and promoting the Atlantic's cultural heritage.
5. Promote entrepreneurship and innovation:
  - a) Sharing knowledge between higher education organisations, companies and research centres;
  - b) Enhancement of competitiveness and innovation capacities in the maritime economy of the Atlantic area;
  - c) Fostering adaptation and diversification of economic activities by promoting the potential of the Atlantic area.
6. Protect, secure and develop the potential of the marine and coastal environment;
  - a) Improving maritime safety and security;
  - b) Exploring and protecting marine waters and coastal zones;

- c) Sustainable management of marine resources;
  - d) Exploitation of the renewable energy potential of the Atlantic area's marine and coastal environment.
7. Improve accessibility and connectivity;
- a) Promoting cooperation between ports.
8. Create a socially inclusive and sustainable model of regional development.
- a) Fostering better knowledge of social challenges in the Atlantic area;
  - b) Preserving and promoting the Atlantic's cultural heritage.

### Water Framework

The Directive 2000/60 / EC of the European Parliament and of the Council of 23 October establishes a framework for Community action in the field of water policy (Directive 891 Water Framework Directive) and has been transposed into the legal system internal by Law 892 no. 58/2005, of December 29 (Water Law), as amended by Decree-Law no. 893 245/2009, of September 22, no. 60/2012, of March 14 , and no. 130/2012, of 22 of 894 June.

An effective and coherent water policy should take into account the vulnerability of ecosystems located near the coast and estuaries or in relatively closed gulfs or seas as their balance is strongly influenced by the quality of the inland waters that flow to them. One of the objectives of the Water Law is effectively the protection of marine waters, including territorial waters.

The guarantee of articulation and compatibility of the Situation Plan with programs and territorial plans that focus on the same area or on areas that, due to the structural or functional interdependence of its elements, require an integrated coordination of planning.

According to article 5 of Decree-Law no. 38/2015, of March 12, the instruments for the planning of the national maritime space must ensure compatibility with the plans elaborated under the Water Law, namely with the Hydrographic Region Management Plans (PGRH), which are water planning instruments for the management, protection and environmental, social and economic valuation of waters at the level of integrated river basins within a river basin district.

### **Regional legislation**

#### Regional Ordinance No. 46/2014 of April 22

Regulates the carrying capacity inherent to cetacean observation activity in the region and delimits an exclusion area for cetacean observation. This area is characterized by being a preferential habitat of the Roaz dolphin to feed, socialize, rest and reproduce.

#### Regional Legislative Decree no. 15/2013 / M of May 14 amended by Administrative Rule no. 46/2014 of January 14

Regulated all the activities of marine vertebrate observation in the RAM and defined the carrying capacity inherent to the observation of this activity. These activities should follow a

set of good practices, such as approaching and observing animals, so as not to cause any disturbance.

#### COUNCIL NO. 510/2017

Fixing the fees due for the extraction of inert materials in the seabed, as well as for the collection of rolled rock, to be in force during the year 2018 of 29 December. Portugal, Autonomous Region of Madeira, Vice-Presidency of Regional Government and Regional Secretariat for Environment and Natural Resources, Official Journal of the Autonomous Region of Madeira, 1st series, nº222, p.

### **International programs, plans, conventions or international agreements**

#### UNCLOS – United Nations Convention on the Law of the Sea

The UNCLOS (also known as the Montego Bay Convention), which has been in force in Portugal since 3 December 1997, identifies and defines the sea areas over which the coastal States exercise their sovereignty (Territorial Sea), and those in which those States have rights sovereignty or exclusive jurisdiction (Exclusive Economic Zone and Continental Shelf), as well as other spaces on which specific powers are conferred by the Convention, such as the contiguous zone. The way of marking the width of such spaces shall be as set out in Articles 5 and 7 of UNCLOS, i.e. from the normal baseline - or, where applicable, from the straight baseline -, defined as the low-water line along the coast, represented in the large-scale sea charts, officially recognized by the coastal State.

The UNCLOS has become the instrument that provides for the rights and limitations of the use of maritime space by the various States, defining concepts such as exclusive economic use, rights of passage of ships, rights of exploitation of resources, conservation duties and safeguarding of the environment marine.

#### IMO - International Maritime Organization

In 1948, an international conference was held in Geneva, where a convention was formally established for the Intergovernmental Maritime Consultative Organization, which in the meantime was amended in 1982 to IMO (IMO - International Maritime Organization).

The IMO Convention entered into force in 1958 and the new Organization met for the first time the following year. IMO is a specialized agency of the United Nations and is the global authority for the definition of safety standards and environmental performance in international shipping.

Portugal signed the IMO Convention on March 6, 1948, and its approval for accession occurred through Decree No. 117/76 of February 9, and the respective instrument of accession was deposited by Portugal, to the Secretary-General of the United Nations, on March 17, 1976.

## MARPOL - International Convention for The Prevention of Pollution from Ships

The MARPOL, adopted on 2 November 1973 by the IMO, is the principal international convention dealing with the prevention of marine pollution from ships, whether by accident or by operational causes. The protocol, of the same name, was adopted in 1978 in response to a series of oil tanker accidents that occurred between 1976 and 1977.

Since the 1973 MARPOL Convention did not enter into force, the MARPOL Protocol of 1978 has absorbed the MARPOL Convention. The combined instrument of the Convention and the Protocol entered into force on 2 October 1983. A protocol to amend the Convention was adopted in 1997 and a new Annex (Annex VI on the prevention of air pollution from ships) was added, which entered into force on May 19, 2005. Meanwhile, MARPOL has been updated to 600 over the years.

## CBD - Convention on Biological Diversity

The CBD, also known as the Biodiversity Convention, has as its main objective the conservation of biological diversity through the sustainable use of its resources. The fair and equitable sharing of benefits arising from the use of genetic resources, including the appropriate transfer of relevant technologies, taking into account rights over those resources and technologies is also one of CBD's objectives.

The final text of the CBD was agreed upon and adopted at the Nairobi conference on 20 May 1992 and entered into force on 29 December 1993. The CBD was ratified by Decree-Law No 21/93 of June 21st.

## **National programs, plans**

### National Ocean Strategy 2013 - 2020

The National Ocean Strategy 2013-2020 aims at meeting the challenges for the promotion, growth and competitiveness of the maritime economy, adopting the paradigm of blue growth in Portugal. The pursuit of the NOS 2013-2020, through the action plan, considers the following objectives:

- a) reaffirm the national maritime identity in a modern, proactive and entrepreneurial framework.
- b) bring to realization the economic, geostrategic and geopolitical potential of the national maritime territory, turning the Mar-Portugal into an asset with permanent economic, social and environmental benefits.
- c) create conditions for attracting investment, both national and international, in all Sea economy sectors, promoting growth, employment, social cohesion and territorial integrity, and, until 2020, promoting an increase of the sea economy contribution for the GDP of about 50%.
- d) strengthen national scientific and technological capacity, stimulating development of new areas of action that promote the knowledge of the Ocean and effectively,

efficiently and sustainably enhance its resources, uses and activities as well as the ecosystem's services.

- e) make Portugal, on a worldwide level, a leading maritime nation and an undisputed partner of the IMP and of the EU maritime strategy, in particular for the Atlantic area.

### Strategic Plan for Portuguese Aquaculture 2014 - 2020

The Strategic Plan for Portuguese Aquaculture 2014-2020 (PEAP 2014-2020) aims to increase and diversify the offer of national aquaculture products in accordance with the principle of sustainability, food security and quality. PEAP also aims to satisfy consumers' needs and contribute to local development and job creation. Actions to meet this general aim are grouped in three axes or operational objectives:

- a) Simplify administrative procedures to reduce the needed administrative processes and periods to obtain licenses in order to facilitate the processes for investors
- b) Facilitate the access to the maritime space and identification of potential areas where aquaculture is more feasible and has less environmental impacts, ensuring the combination with other uses.
- c) Reinforce the competitiveness of the sector and promote equitable conditions for EU operators with the aim to increase, diversify and value the national aquaculture production.

### Tourism Strategy 2027

The Tourism Strategy 2027 of Portugal was launched in 2017 with the aim to foster tourism as a hub for economic, social and environmental development in all the Portuguese territory, positioning Portugal as one of the most competitive and sustainable destination in the world. The Strategy is based on five axes. The first of them is "Value the territory and its communities" and one its actions is fostering tourism within the maritime economy through (Turismo de Portugal, 2017):

- a) Reinforce the position of Portugal as a destination of nautical, sport and recreational activities associated to the sea, and as a international reference for surfing.
- b) Enhance and value infrastructure, equipment and services supporting nautical tourism, especially ports, marinas and nautical centres.
- c) Nautical activities related to diving, kayaking, whale-watching, fisheries and other recreational activities that integrate the sustainable use in the maritime culture
- d) Enhance routes and tourism offers related to the sea and nautical activities.
- e) Actions to value the coast, including the re-qualification of waterfronts and beaches.
- f) Health and wellness tourism projects associated to sea therapeutic properties
- g) Value sea-related products associated to Mediterranean diet.

### National Strategy for Nature and Biodiversity Conservation 2025

The National Strategy for Nature and Biodiversity Conservation 2025 is the fundamental instrument for the development of the environment policy, responding in the national and international responsibilities in the decreasing the loss of natural heritage. This Strategy is based in three strategic axes (Ministerio do Ambiente, 2017):

1. Improve the state of conservation of natural heritage;
2. Promote the recognition of the value of natural heritage;
3. Boost the appropriation of natural and biodiversity values

Axis 3 includes several objectives for the sea (Ministerio do Ambiente, 2017):

- Guarantee the sustainable use of marine resources
- Promote the articulation and integration of objectives about nature and biodiversity conservation in plans, programmes, instruments, and rules of the maritime space
- Ensure the sustainability in the use of marine or terrestrial genetic resources
- Adequate methodologies of Environmental Impact Assessment to the economic activities in the marine environment

### Industrial Strategy for Ocean Renewable Energies

The Industrial Strategy for Ocean Renewable Energies was approved in 2017 to set guidelines to accelerate the development of its ocean renewable energy sector in Portugal. EI-ERO describe its Action Plan, which contains three main strategic actions (Conselho de Ministros, 2017)

- Attack R&D and new testing and development projects on marine renewable energy to be installed in Portugal
- Create support to accelerate the export of marine renewable energy technologies through the reinforcement of national business capacity by attracting private investments, administrative simplification and support and fostering of innovative services and products.
- Develop Investor Intelligence initiatives for ocean renewables.

### National Program of the Territory Ordinance Policy

The National Territorial Planning Policy (PNPOT) is a territorial development instrument of strategic nature that establishes the great options with relevance to the organization of the national territory, consubstantiates the frame of reference to be considered in the elaboration of the other territorial management instruments and constitutes an instrument of cooperation with the other Member States for the organization of the territory of the European Union.

The PNPOT is currently undergoing a change, and the beginning of work for the preparation of a new 2014-2020 Program of Action has also been determined.

Given that the Basic Law on Soil Public Policy, Land Planning and Urban Planning (LBSOTU) does not apply to the planning and management of the national maritime space, the new

PNPOT does not cover the national maritime space. However, since the maritime space is an integral part of the national territory, PNPOT integrates the contribution of the national maritime space to the development of the territory, in particular the coastal zone in the Continent and the archipelagos of the Autonomous Regions of the Azores and Madeira.

In addition, territorial programs, plans and instruments and maritime spatial planning instruments should ensure their articulation and compatibility, where they relate to the same area or areas which, due to the structural or functional interdependence of their elements, require integrated coordination of planning.

## **Regional programs, plans**

### Marine Strategy for the subdivision of the Madeira

In 2014 the Regional Secretariat for the Environment and Natural Resources presented the Marine Strategy for the subdivision of the Madeira. This document meets the demands of the Marine Strategy Framework Directive and its transposition to the national law to elaborate marine strategies in each of the subdivisions of the country. Marine Strategies are developed in accordance to an action plan which includes a phase of preparation and a phase for programme of measures. The objectives for the subdivision that correspond broadly to the objectives of the MSFD itself (SRA, 2014):

- Protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in affected areas;
- To prevent and reduce inflows into the marine environment with a view to phasing out pollution as defined in Article 3 in order to ensure that there are no significant impacts or risks to marine biodiversity, marine ecosystems, human health and legitimate uses of the sea.

### Strategic Integrated Transport Plan for the Autonomous Region of Madeira 2014-2020 (PIETRAM 2014-2020)

The Strategic Integrated Transport Plan of the Autonomous Region of Madeira (PIETRAM 2014-2020) outlines a strategy to improve mobility management land, sea and air transport in the Autonomous Region of Madeira. With the PIETRAM 2014-2020, the Autonomous Region of Madeira (RAM) now has a sectoral plan that establishes the strategic guidelines at the Regional level for the of transportation, as an instrument for articulating the activity of the Regional Government with that of other entities.

PIETRAM 2014 - 2020 provides a description of the evolution of maritime transport in goods, passengers and cruise ships and maritime-tourist activity. It develops, forecast of potential demand and possible scenarios for this sector.

The PIETRAM as a sectorial plan of regional scope, aims to establish strategic guidelines for intervention in the transport sector, so its elaboration is articulated with the priorities of the Regional Government (Consulmar and Figueira de Sousa, 2016):

- Improve the external accessibility, air and sea for passengers and cargo, in order to promote the greater competitiveness of the Region;
- Improve accessibility and mobility of people and goods between the islands of Madeira and Porto Santo, with greater convenience and lower costs.

In the field of maritime transport, they are identified as the main opportunities for the region:

- Policy initiatives to reactivate the goods and passengers between Madeira and mainland Portugal (cargo Ro / Ro);
- Capture of new lines of cruise ships combining the global trend increase in the number of passengers for the next five-year period (as the Cruise Market Watch forecast), with increased installed capacity and improvement of the quality of the service provided in the reception of ships in the port of Funchal;
- Creation of new cruise circuits linking the various territories that make up the Macaronesia;
- Trend in the growth of demand for maritime-tourist activities, especially new circuits.

### Strategic Reference Plan Madeira Sea 2030 - Sea Strategy Madeira 2030

The Madeira Wood Strategy 2030 analyses all activities related to the economy of the sea in RAM. It also includes measures of business-oriented, or other economic entities, entities of the Regional innovation and public entities with skills and assignments in key policy areas regional public policies that frame resources and activities.

This document is intended to provide a reference for strategic interventions and operations, representing a contribution from the Commercial and Industrial Association of Funchal - Madeira Chamber of Commerce and Industry (ACIF) - CCIM) for the development of the sea in the RAM.

The Mar Madeira Strategic Reference Plan 2030 was elaborated on the initiative of ACIF for the purpose of:

- Define the vision and strategic positioning of the RAM in the scope of the Sea and the Coast, identifying the distinctive and critical factors of success for the valorisation of the array of resources and activities of the Economy of the Sea.
- Construct a perspective of clustering of activities, based on the implementation of a Plan of Action, framing measures, actions, projects and business ideas, with operational support for programming and monitoring of initiatives (scientific, economic, educational and sports) connected with the Sea and the Coast.
- To design an instrument that enhances the attractiveness of the economic activity complex aiming at strengthening the competitiveness of the AMR in the global market, with a view to sustainable and sustainable development of the Sea.

In the Madeira Sea Strategy 2030, the maritime space is referred to in the Strategic 6 - Implement a governance model capable of responding to the challenges of developing the economy of the sea. The planning of the maritime space is pointed out as a domain of action

of an eminently transversal nature, one of the major challenges to the development of a economy of the sea.

### Strategy CLIMATE - Madeira. Adaptation Strategy for Climate Change in the Autonomous Region of Madeira

The CLIMA-Madeira Strategy integrates knowledge on climate various sectors (agriculture and forestry, biodiversity, energy, water resources, hydrogeomorphological, human health and tourism) and defines an integrated approach measures that allow the region to adapt to reducing their vulnerability to their impacts.

The RAM, due to its characteristics and specificities, has a particular vulnerability impacts of climate change, particularly with regard to raising the level of and extreme weather events. In this particular attention should be paid to the island of Porto Santo, due to the existence of coastal conditions with a coastal strip of beaches and dunes of low altitude that extends along the greater part of the Southeast sector of the island. In the case of Madeira, it should be noted the coastal areas that low levels, as in the case of localities of Machico and Ribeira Brava.

The CLIMA-Madeira Strategy was preceded by studies, in particular CLIMAAT II - Impacts and Measures to Adapt to Climate Change in the Archipelago of Madeira.

In this strategy, it is also stated that the effects of climate change will be reflected in the level of marine biodiversity, in particular in certain species considered to be most vulnerable (sperm whale, common whale, whale tropical and the dolphin roaz). In the case of fish and marine invertebrates, the climate change could lead to a reduction in colder climates.

The CLIMA-Madeira Strategy thus constitutes a fundamental tool for measures to address climate change and to support in a concerted and expeditious manner the Regional Government's policies regarding impacts of climate change.

The CLIMA - Madeira Strategy defines the following set of objectives:

- Improve the knowledge about the relationship of the climatic system with the natural and human system in the RAM;
- Reduce the vulnerability of AMR to the impacts of climate change;
- Explore opportunities;
- Promote adaptation based on evidence demonstrated by scientific studies and good practice;
- Integrate the adaptation into the existing government instruments in the RAM;
- Promote involvement and enhance synergies between the various stakeholders in the adaptation process.

### Operational Program of the Autonomous Region of Madeira 2014-2020

The Regional Operational Program "Madeira 2014-2020" is a multifund program with contributions from the European Regional Development Fund and the Social Fund European Union for the period 2014-2020, covering the outermost region of Madeira. THE

The total allocation for the Operational Program amounts to EUR 403 million, with financial contribution of EUR 274 million from the European Development Fund (ERDF) and EUR 129 million from the European Social Fund (ESF).

The program aims to contribute to the promotion of competitiveness of the regional economy, cohesion within the region, as well as the contribution of the region to the implementation of the Union's main 2020 targets European Union.

In the Operational Program, the sea and marine resources are designated as regional assets for the development that can contribute to the economic recovery and it will be necessary to invest in its value and increase the efficiency and sustainability of its use.

The resources of the sea that integrate the sectors of activity of the blue economy are referred to as fundamental to the regional economic growth and the creation of working conditions and should therefore be valued and enhanced.

The Operational Program encourages with the archipelagos of the Azores and the Canary Islands.

### Regional Program for Territorial Planning of the Autonomous Region of Madeira (PROTRAM)

In compliance with the provisions of Article 161 of Regional Legislative Decree no. 18/2017 / M, of June 27, establishing the Regional System of Territorial Management of Autonomous Region of Madeira, was published in the Official Gazette of the Autonomous Region of Madeira, 1st series, no. 222, supplement, of December 29, 2017, Resolution no. 1105/2017, adopted at the meeting of the Government Council, which revision of the Plan for the Planning of the Territory of the Autonomous Region of Madeira (POTRAM), elaborating the new Regional Spatial Planning Program of the Autonomous Region of Madeira (PROTRAM).

PROTRAM is framed by the Basic Law of the Public Policy of Land Planning and Urban Planning (Law no. 31/2014, of May 30) and by the Legal Regime of the Instruments of Territorial Management (Decree-Law no. 80/2015, of May 14).

This program will foster the appreciation of natural resources with absolute respect the humanized landscape, the safeguarding of the natural, historical and cultural heritage which fits tourism, leisure and recreation.

During the preparation of this report, started the process of elaboration of PROTRAM.

### Program of Tourist Planning of the Autonomous Region of Madeira (POT)

The Tourism Planning Program of the Autonomous Region of Madeira (POT) was approved by Regional Legislative Decree no. 15/2017 / M of June 6. The mission of the

Is to define a tourism development strategy of 10 years. This strategy will consolidate the region as a destination differentiated tourism, for the authenticity of the offer, based on the quality of the service, aiming at economic, social and environmental sustainability.

The POT defines for Madeira the following vision: A destination for the whole year, from unparalleled natural beauty, safe, easily accessible, cosmopolitan, recognized as a 'must visit

of Europe, with sunny and mild climate, a strong tradition of welcome and a wide range of experiences, able to surpass the most demanding expectations.

The POT identifies the sea as one of the main strategic resources for the development of tourism in the region. In this sense, it is in depth the articulation and compatibility of the POT with the planning of the maritime space in which the Situation Plan fits.

Within the main objectives resulting from the analysis of the diagnosis made by the POT, were presented some of the development strategies in which it falls the sea theme:

- To requalify, in the logic of modernization and maintenance, the tourist product dominant in the consumption of Nature / Landscape;
- Strengthening the formatting of niche products, with a view to increasing the attraction of tourism, in world demand, which they find in their respective activities the main motivation of their movement;
- Develop and consolidate emerging products due to the socio-economic context present, coupled with some emerging dynamics, and development of new tourism products reasons of specific attraction to the region;

Optimize the secondary offer in a logic of networking, taking advantage of the fact that Madeira now has a richer and diversified, whether in cultural, sporting or entertainment terms, supported by in equipment and infrastructures.

The achievement of the objectives and the strategy of the POT implies the development of actions, not only at local and regional level, as well as actions of high incidence territorial and organizational and immaterial. Thus, the POT action program is composed of three types of programs which are subdivided into sub programmes and / or projects. The three types of programs are as follows:

- Structuring Programs for RAM;
- Thematic Programs and Strategic Projects by Areas and Sectors;
- Organizational Programs for Tourism.

In the Thematic Program and Strategic Projects by Areas and Sectors, the POT More Sea program for tourism and sport activities using the sea as a resource. In this chapter, it is mentioned that the tourist, sports, recreational and cultural activities connected to the sea, are gaining importance in the over the last decades, contributing to the growth of the regional economy.

In this thematic program are given some guidelines or projects that should be the following:

- Creation or improvement of port infrastructures or support to the development of maritime-tourism or sports activity;
- Preparation of an evaluation report on the evolution of maritime tourism activity with a view to identifying constraints, needs and opportunities, and the presentation of adjustment proposals and / or corrective measures to ensure the development of the activity in line with high quality and safety standards;
- The need to develop complementary regulations in relation to sea rides if there is a very significant activity;

- Need to analyse the organization and infrastructure of the ports or in order to allow for the extension of the number of starting points;
- Equating the possibility of creating specific legislation on fishing tourism in order to regulate this activity in the sense of being guaranteed monitoring and control thereof.

### Regional Environmental Policy Plan (PRPA)

The Regional Environmental Policy Plan (PRPA) characterizes the state of the environment in identifying barriers and constraints, as well as benefits that can be anticipated with the implementation of a sustainable development.

The plan states that most of the marine pollution originates from the terrestrial environment activities resulting from human attachment to the coast and the vast extent of territorial waters on the other.

As a consequence, the coastline suffers, in general, great pressures, which reflected in spatial planning and the generation of high pollution loads, with consequences for the quality of sea water and marine ecosystems.

The region is on the route of the main substances, some of them with characteristics of high toxicity, making the maritime area vulnerable to accidents, illegal discharges of waste water and solid waste, among others.

In this plan, the maritime component focused on the following objectives:

- Conservation and restoration of natural heritage, with particular emphasis on preservation and enhancement of protected areas, through the implementation of mechanisms that enable their rational management;
- Development of planning and planning tools;
- Enhanced capacity for monitoring and control of environmental quality;
- Raising public awareness of environmental issues.

### Plan of the Energy Policy of the Autonomous Region of Madeira (PPERAM)

The Energy Policy Plan of the Autonomous Region of Madeira (PPERAM) intends to endow the Regional Government with an Energy Policy instrument adapted to the new opportunities and constraints introduced by regional development, by the trends in the energy sector and environmental concerns.

The central objectives of the PPERAM are to valorise energy resources regional actions through the implementation of energy efficiency and nationality actions, always taking into account that it is an isolated island system in terms energy sources.

In the plan it is mentioned that the regional energy system shows a strong dependence and polarization around petroleum products. However, this can be remedied through the use of renewable energy modulation capability for the smaller scales, adapting much better, to island scales and needs, thus favouring the of the islands.

The central objectives of the regional energy policy security of supply, economic competitiveness and protection of the environment - are intertwined with relevant purposes around the valorisation of regional energy resources and the implementation of energy efficiency and rationality actions, taking into account the characteristics of an isolated island system.

### Action Plan for Sustainable Energy - Madeira Island and Plan of Action for Sustainable Energy - Porto Santo Island

The Plan of Action for Sustainable Energy for Madeira and the Plan of Action Sustainable Energy for the Island of Porto Santo constitute an instrument of planning that has guided the adopted strategy of valorisation of resources endogenous and energy efficiency promotion.

According to these plans, energy policy is geared towards ensuring the security of energy supply, ensure the economic and social sustainability of environmental performance of the sector and the quality of energy services and contribute to employment, competitiveness and added value.

In this context, for the island of Madeira and for the island of Porto Santo, a set of objectives and targets for the year 2020 and studied the actions to achieve these goals, including renewable energy.

The following objectives were defined for these plans:

- Improving the security of energy supply;
- Reduce dependence from abroad;
- Reduce energy intensity in gross domestic product;
- Reduce carbon dioxide emissions.

### Strategic Plan for Waste from the Autonomous Region of Madeira (PERRAM)

The Strategic Plan for Waste of the Autonomous Region of Madeira (PERRAM) defines the strategic options and operational interventions for waste management in the RAM. PERRAM was structured in two parts considered fundamental for the definition of and implementation of a waste management strategy:

- Part A - Strategic Options;
- Part B - Operational Interventions.

Part A is primarily strategic and aims at designing the waste to the region. The definition of the strategy to be implemented includes:

- The strategy of reducing and reusing materials;
- The definition of material recycling targets and their timing;

The definition of the strategy to be adopted for the collection of municipal solid waste, recyclables and special waste;

- The specification of the waste treatment solution recommended for the region, including the dimensioning and location of the various components;
- An indication of the management tools to be adopted to promote effective implementation of the recommended measures;
- The discussion of alternative institutional schemes for the management system of waste from the RAM.

Part A also refers to the high costs associated with shipping for the shipment of recyclable products outside the region.

Part B consists of the identification of operational strategic options adopted in Part A. This on the actions to be implemented and the means to be used to achieve the established goals:

- Reduction of waste production;
- Recycling of materials;
- Implementation of the collection, treatment and final destination system;
- Adequacy of the regional legislative framework;
- Guidelines for the revision of the institutional framework and implementation of management tools;
- Monitoring the implementation of PERRAM.

### Regional Water Plan (PRAM)

The Madeira Regional Water Plan (PRAM) is an instrument of planning, with a view to the management of in terms of quantity and quality, in order to availability, valorization, protection and management of water.

The PRAM concretizes the participation of the Autonomous Region of Madeira in the planning of the water resources of Portugal, in accordance with the principles strategic and programmatic aspects of the National Water Plan.

### Management Plan for the Hydrographic Region of the Madeira Archipelago 2016-2021 (PGRH 2016-2021)

The Management Plan for the Hydrographic Region of the Madeira Archipelago (PGRH 2016 - 2021) is characterized as a water planning instrument aimed at management, protection and environmental, social and economic valuation of water at the hydrographic basin.

Its long-term objective is to ensure the sustainability of all activities with impact on water, thus ensuring the availability of good quality water for sustainable and equitable use.

The PGRH 2016-2021 intends to fulfil the following objectives:

- Ensure the sustainable use of water, ensuring the satisfaction of needs of the present generation without compromising the possibility of generations to meet their own needs;

- Provide criteria of affectation for the various types of intended uses, having taking into account the economic value of each of them, as well as harmonization of water management with regional development and sectoral policies, individual rights and local interests;
- To establish the environmental quality standards and the criteria regarding the state of waters.

Under this plan, an analysis is made of the hydromorphological pressures that affect coastal waters, in particular as regards environmental quality and ecosystems and how these are influenced by the different dynamic processes and by human actions and interventions.

In the Summary Report on the Characterization of the Hydrographic Region, the that should be analysed. In the island of Madeira, four masses of water: COSTMADP1; COSTMAD P2; COSTMADI1; COSTMADI2. At the Porto Santo was identified as COSTPORI. For the Desertas islands COSTDESI. For the Selvagens islands to COSTELI1 to the Big Wild and COSTELI2 to the Small Wild.

#### Risk and Flood Management Plan of the Autonomous Region of Madeira (PGRI - RAM)

The general objective of the Flood Risk Management Plan of the Autonomous Region of Madeira (PGRI-RAM) focuses on reducing the potential harmful consequences of from floods to human health, the environment, cultural heritage, infrastructures and economic activities in areas identified as potentials. This general objective integrates the following strategic objectives:

- Increase the perception of the flood risk and the strategies of action in the population and the social and economic agents;
- Improve knowledge and predictability to tailor flood risk;
- Improve spatial planning and exposure management in flooding;
- Improve resilience and reduce the vulnerability of elements in areas of possible flooding;
- Contribute to the improvement or maintenance of good water bodies.

In this way, the risk associated with flood zones is through structural and preferably non-structural measures, focusing on actions preventive measures. The term "reduced" includes all measures with the potential to flood risks, in order to reduce the floods.

The PGRI-RAM is composed of a set of measures that have as a framework to reduce the risks associated with floods, taking into account the time period which takes to implement a particular measure and the time available to complete it - until 2018, 2019 or 2021 - depending on how the measure could be incorporated into the preliminary flood risk assessment and the areas with significant potential risks, flood risk mapping or in the revision of the PGRI - RAM, respectively.

### Coastal Program of Porto Santo (POC - Porto Santo)

The Legal Regime of Territorial Management Instruments - Decree - Law no. 80/2014 of May 30, adapted to the Region by Regional Law Decree No. 18/2017 of 27 June, develops the Basic Law of the Public Policy of Soils, Territory and Urbanism in Law n. 31/2014 of May 30, which falls within the scope of preparation and approval of the POC, as well as the nature, objectives, material content and documentary of these territorial management instruments.

The Porto Santo Coastal Coast Program (POC - Porto Santo) is of a regional nature and is prepared by the Regional Government. The program establishes the natural resources and values and aims to safeguard regional interest and the guarantee of the conditions of permanence indispensable for the sustainable use of the territory.

This plan determines the frame of reference of the actions allowed, conditioned or with respect to the occupation, use and transformation of the soil that will be included in other plans, such as the Situation Plan.

The POC - Porto Santo is located on the coast of Porto Santo, with a approximately 45 km, covering the municipality of Porto Santo. On the side of land area, a land area of protection and the sea side, a maritime area of protection whose delimitation observes the following criteria:

- Protected terrestrial zone - composed of the margin of the sea waters and a band, measured horizontally, with a width of 500 m, counted from of the line which limits the margin of the sea
- Marine protection zone - range between the bed boundary of the waters of the sea and the bathymetry of the 30 m referenced to the hydrographic zero

The coastline of Porto Santo consists of distinct geomorphological sections predominantly integrating zones of high coast, in cliffs cliffs, the East, to the North and West, and dunes and beaches, to the Southeast. Thus, the delimitation of the seabed served a number of different situations, coastal morphology.

The area of intervention of POC - Porto Santo will cover a total area of 68.8 17.5 km<sup>2</sup>, about 25% of the total area, corresponds to the terrestrial zone of protection and 51.3 km<sup>2</sup>, about 75% of the total area, corresponds to the maritime protection zone.

During the preparation of the Situation Plan, the process for the continued work on the POC - Porto Santo.

### Master Plan of the Port of Funchal, Master Plan of the Port of Caniçal and Master Plan of Porto Santo Port

The master plans present a brief description of the main functions and valences of the main ports of the Region - Funchal, Caniçal and Porto Santo - and respective (wharfs).

These documents refer to the maximum depths of each port, the navigational manoeuvres that must be carried out in a manner that ensures safety, available port equipment, infrastructures and land installations port services available.

The Master Plan of the Port of Funchal was drawn up in 2005 and has as main objective reordering of port activities, promoting the progressive relocation of the commercial activity

for the port of Caniçal and the specialization of the port of Funchal in tourist port. The Master Plan was eventually revised in 2012 due to inclement weather which took place in February 2010, altering the physiography of the Funchal seafront.

The Port Master Plan of Caniçal was created in 2004 and has the purpose of making it in the commercial port of the region. The port began as a commercial port in the year of 2005.

The Porto Santo Master Plan was drawn up in 2002 and had the objective of delimiting the functional areas of the port and define the principles and rules of occupation and use of the port.

### Directors Municipal Plans

The Situation Plan also took into account the Municipal Master Plans in force in Region, particularly in the coastal areas. The Chambers were also consulted Municipalities in order to carry out a survey of the main infrastructures and equipment relating to the sea, economic activities or sporting events.

### Plans related to marine protected areas

The planning and management plans, the programs of measures and management and management of protected areas, aim to establish the safeguarding natural, scenic, cultural and geological resources and values, as well as the management regime compatible with the sustainable use of the territory.

Since the Situation Plan suggests full articulation and plans or programs covering the same area or structural or functional interdependence of its elements, it is necessary that these documents are duly analysed.

All these plans or programs establish a safeguard policy and conservation of natural resources and values and of the management regime compatible with sustainable use of the territory, which translates into different protection regimes and zonation's (uses and activities to be interdicted, conditioned and promoted, for protection regime).

## **Compatibilisation**

The definition of the vision and objectives was made on the basis of what was stipulated by Directive 2014/89 / EU of July 23 and by LBOGEMN.

In a second phase, each of the plans or programs as well as the legislation in force were evaluated in order to verify if there were incompatibilities and to integrate the objectives in the objectives of the PSOEM. It was found that there were no liabilities and that some of the objectives of the plans or programs presented coincided.

Since it was a national plan, it was decided to define broader objectives so that regional realities could be adjusted.

### 3.2. Stakeholders' consultation

The stakeholders have been involved in the creation and development of objectives, thus complying with Annex II, Article 5. of Order 11494/2015 of October 14. Thus, the objectives were presented and approved at the first plenary meeting of the Consultative Committee - Madeira.



**Figure 9. First plenary meeting of the Consultative Committee - Madeira.**

## 4. Vision and specific objectives

The PSOEM - Madeira presents itself as the present and potential portrait of the regional maritime space through the representation and identification of the spatial and temporal distribution of existing and potential uses and activities and the recognition of natural and cultural values of strategic relevance for the environmental sustainability and intergenerational solidarity.

Its elaboration complied with the legal regime of territorial management instruments, in order to establish and justify sectoral options and objectives with territorial impact as well as other objectives presented by plans and programs that have a direct or indirect impact on the maritime space.

Vision:

The planning of the regional maritime space, materialized by the PSOEM, as an instrument of the ecological sustainability of the oceans, of economic and social development, of juridical consolidation and geopolitical affirmation of Portugal in the Atlantic basin.

Guiding principles:

- Principle of environmental sustainability of the oceans;
- Precautionary principle;
- Subsidiarity principle;
- Principle of territorial cohesion;
- Principle of compatibility of uses and activities;
- Principle of the compatibility of policies and planning instruments;
- Principle of participation and simplicity of perception;
- Principle of adaptive management;
- Integrated management;
- Precautionary approach;
- Promoting collaboration for responsible governance of the oceans;
- Promotion and promotion of economic activities;
- Regional and cross-border cooperation and coordination.

#### **4.1. Objectives**

The objectives of the PSOEM, mainly integrate the objectives referred to in the LBOGEM and geopolitical objectives. Account has also been taken of existing legislation, international, national or regional plans and programs.

The objectives that were defined in the PSOEM were the following:

1. Contribute to the valorisation of the sea in the national economy by promoting the sustainable, rational and efficient exploitation of marine resources and ecosystem services, ensuring the safeguarding of the natural and cultural heritage of the ocean;
2. Contribute to national cohesion, reinforcing the archipelagic dimension of Portugal and the role of its interterritorial sea;
3. Contribute, through the planning of the national maritime space, to the management of the Atlantic basin;
4. Contribute to strengthening the geopolitical and geostrategic position of Portugal in the Atlantic basin as the largest coastal state in the EU;
5. Ensure legal certainty and transparency of procedures in the allocation of TUPEM;
6. Ensure the maintenance of good environmental status of marine waters, preventing the risks of human action and minimizing the effects of natural disasters and climatic actions;
7. Ensure the use of available information on the national maritime space;

8. Contribute to the knowledge of the ocean and strengthen the national scientific and technological capacity.

## 5. The Strategic Environmental Assessment

In accordance with Article 13. of Decree - Law no. 38/2015 of March 12, subject the PSOEM to an environmental assessment.

In the environmental report of the PSOEM, the vision and objectives were analysed, and the team that carried out the Plan did not have any type of contradiction to the objectives that were defined, especially with regard to environmental protection and the principles referred to in the LBOGEM.

On the part of the environmental assessment the following was mentioned: "From the strategic analysis carried out, it is important to highlight the efforts made to comply with the principles established in the Law on the Basis of National Maritime Spatial Planning and Management Policy (LBOGEM), particularly principles of cooperation and coordination, integrated management, adaptive management, precautionary approach and ecosystem approach in use of maritime space and in the management of activities" (Universidade de Aveiro, 2018).

The analysis and strategic evaluation also highlighted the following (Universidade de Aveiro, 2018):

- "A convergence and coherence effort in the adoption of maritime spatial planning methodologies, safeguarding the specificities and interests of each region, resulting from the process of dialogue and interaction between DGRM, DRAM and DROTA;
- A clear effort in the articulation and compatibility with programs and territorial plans, translating into the promotion of the good environmental state of the marine environment and the good state of transitional coastal water masses, as well as in the fight against coastal erosion through the identification of 194 loan for artificial feeding of the coastal zone;
- The flexible nature of the Plan, allowing it to be amended by approving plans of alteration or modification of the terms of reference. This feature becomes particularly relevant in adapting to climate change, maintaining good environmental status and integrating the advancement of scientific knowledge. This dynamic and flexible character is considered to be fundamental for minimizing the effects associated with the uncertainty of the knowledge of the marine environment, insofar as it allows its adaptation as the knowledge increases and the unpredictability decreases".

The Strategic Environmental Assessment defined a set of objectives in order to assess the potential effects of implementing the PSOEM. Considered as a strategic assessment tool, its general objective is to help environmental integration and assess the opportunities and risks arising from sustainable development action strategies, thus allowing the evaluation and comparison of alternative development options while they are still in progress. phase of study (Universidade de Aveiro, 2016).

The following are the main objectives of the environmental assessment (Universidade de Aveiro, 2016):

- "Support the development of the options of the plan, integrating the environmental, social and economic components, through a more integrated and comprehensive vision;
- Detect strategic problems and opportunities in the options under analysis;
- To constitute a fundamental instrument for the adoption and promotion of sustainable principles and practices, allowing to improve the quality of current and future decisions."

## 6. Conclusions

The purpose of this report was to explain the methodology used to elaborate the vision and objectives in the RAM. The RAM is already at a more advanced stage of the maritime space process. In this sense the methodology used for the definition of vision and objectives used at the time associated with the Situation Plan. This is why the common methodology for the Macaronesia region does not entirely fit in the methodology present here.

During the application of the methodology presented in this report, it was attempted that the objectives or principles defined by the legislation in force as well as the plans or programs fit the vision and objectives of the PSOEM.

Since it was a national plan, the vision and the defined objectives had to be broad, although throughout the planning process the specifics of the plan were considered.

The analysis and validation of the vision and objectives by the stakeholders and the environmental assessment team was considered a key element in this methodology, allowing to ensure that the various interests of the stakeholders were ensuring and allowed to comply with the ecosystemic principle.

## 7. References

- AREAM, DRICE, EEM (2012) – Plano de Ação para a Energia Sustentável da ilha da Madeira.
- AREAM, DRICE, EEM (2012) – Plano de Ação para a Energia Sustentável da ilha do Porto Santo.
- Atlas das Ondas*, Disponível em: <http://ondatlas.aream.pt/> [consultado a 20/05/2015].
- Aviso n.º 6/2012 de 26 de março. Portugal: Ministério dos Negócios Estrangeiros, Diário da República, 1.ª série, n.º 61, pp. 1427 – 1436.
- Becker-Weinberg, V. 2015. Portugal's legal regime on marine spatial planning and management of the national maritime space. *Marine Policy*, Volume 61, November 2015, Pages 46-53.
- Becker-Weinberg, V. 2015. Portugal's legal regime on marine spatial planning and management of the national maritime space: Appendix A. Supplementary material. *Marine Policy*, Volume 61, November 2015. <https://www.sciencedirect.com/science/article/pii/S0308597X15001736> [9 April 2018]
- Conselho de Ministros. 2017. Resolução do Conselho de Ministros n.º 174/2017 que aprova a Estratégia Industrial e o Plano de Ação para as Energias Renováveis Oceânicas. Diário da República n.º 227/2017, Série I de 2017-11-24. <https://dre.pt/application/conteudo/114248654> [10 April 2018]
- CONSULMAR e FIGUEIRA DE SOUSA (2016) - *Plano Integrado Estratégico de Transportes da Região Autónoma da Madeira 2014-2020*, Funchal: Secretaria Regional da Economia, Turismo e Cultura.
- CORREIA, F. N., MENDES, J. M. M. (coord.) (2000) - *Plano Regional da Política de Ambiente – Caracterização Base*, Agência Regional da Energia e Ambiente da Região Autónoma da Madeira.
- Decreto – Lei n.º 577/76, de 21 de julho. Portugal, Diário da República, 1.º série, número 169
- Decreto do Presidente da República 65/2006, de 18 de julho. Portugal: Presidência da República, Diário da República, Série I, n.º 137.
- Decreto Legislativo Regional 14/90/M, de 23 de maio. Região Autónoma da Madeira: Assembleia Legislativa Regional, Diário da República, 1.ª série, n.º 118.
- Decreto Legislativo Regional 23/86/M, de 4 de outubro. Região Autónoma da Madeira: Assembleia Regional, Diário da República, 1.ª série, n.º 229.
- Decreto Legislativo Regional n.º 25/2003/M, Altera o Decreto Legislativo Regional n.º 19/99/M, de 1 de julho, que transforma a Administração dos Portos da Região Autónoma da Madeira em APRAM — Administração dos Portos da Região Autónoma da Madeira, S. A., e aprova os respetivos Estatutos. Região Autónoma da Madeira: Assembleia Legislativa Regional, Diário da República, 1.ª série - A, n.º 194, pp. 5501 – 5508.

- Decreto Legislativo Regional n.º 15/2013/M de 14 de maio. Região Autónoma da Madeira: Assembleia Legislativa Regional, Diário da República, 1.ª série, n.º 92.
- Decreto Legislativo Regional n.º 15/2017/M, Aprova o Programa de Ordenamento Turístico da Região Autónoma da Madeira, 6 de junho. Região Autónoma da Madeira: Assembleia Legislativa, 1ª série, n.º 109, pp. 2795 – 2814.
- Decreto Legislativo Regional n.º 18/2017/M, Desenvolve as bases da política pública de solos, de ordenamento do território e de urbanismo na Região Autónoma da Madeira e define o respetivo sistema regional de gestão territorial, 27 de junho. Região Autónoma da Madeira: Assembleia Legislativa Regional, Diário da República, 1ª série, n.º 122, pp. 3270.
- Decreto Legislativo Regional n.º 4/2017/M, Cria o Parque Natural Marinho do Cabo Girão, de 30 de janeiro. Região Autónoma da Madeira: Assembleia Geral, Diário da República, 1.ª série, n.º 21, pp.542 - 547.
- Decreto Legislativo Regional n.º 95/95/M de 20 de maio. Região Autónoma da Madeira: Assembleia Legislativa Regional, Diário da República, 1.ª série, n.º 117.
- Decreto Regulamentar Regional n.º 1/2014/M de 30 de janeiro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série.
- Decreto Regulamentar Regional n.º 11/81/M de 15 de maio. Região Autónoma da Madeira: Assembleia Geral, Diário da República, 1.ª série, n.º 58.
- Decreto Regulamentar Regional n.º 3/2014/M, de 3 de março. Região Autónoma da Madeira: Presidência do Governo, Diário da República, 1.ª série, n.º 43.
- Decreto-lei 289/93, de 21 de agosto. Portugal: Presidência do Conselho de Ministros, Diário da República, Série I-A n.º 196.
- Decreto-lei 289/93, de 21 de agosto. Portugal: residência do Conselho de Ministros, Diário da República, Série I, n.º 196.
- Decreto-Lei n.º 130/2012 de 22 de junho. Portugal: Ministério Agricultura, do Mar, do Ambiente e do Ordenamento do Território, Diário da República, 1ª série, n.º 120 pp. 3109 - 3139.
- Decreto-Lei n.º 164/97 de 27 de junho. Portugal: Ministério da Cultura, 1.ª série-A, n.º 146, pp. 3140 – 3144.
- Decreto-Lei n.º 245/2009 de 22 de setembro. Portugal: Diário da República, 1ª série, n.º 184, pp. 6747 – 6748.
- Decreto-Lei n.º 38/2015 de 12 de março. Portugal: Ministério da Agricultura e do Mar. Diário da República, 1.ª série, n.º 50, pp. 1523 – 1549.
- Decreto-Lei n.º 458/71 de 29 de outubro. Portugal: Diário da República, 1ª série.
- Decreto-Lei n.º 60/2012 de 14 de março. Portugal: Diário da República, 1ª série, n.º 53, pp. 1153– 1172.
- Decreto-Lei n.º 80/2015 de 14 de maio. Portugal: Ministério do Ambiente, do Ordenamento do Território e Energia, Diário da República, 1ª série, n.º 93 pp. 2469 – 2512.

- Decreto-Lei n.º226-A/2007 de 31 de maio. Portugal: Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional, Diário da República, 1.ª série, n.º 105, pp. 3644-(24) - 3644-(48).
- DECRETO-LEI n.º 38/2015, de 12 de março de 2015. Portugal: Diário da República, 1ª série, n.º 50, p. 1523-1549.
- Decreto-Lei n.º 416/70 de 1 de setembro. Portugal: Diário da República, 1ª série, número 202, p. 1150 - 1151
- Decreto-Lei n.º289/93 de 21 de agosto. Portugal: Presidência do Conselho de Ministros, Diário da República, 1ª série – A, n.º196, pp. 4462 - 4473
- DG ENVI (Environment Directorate-General of the European Commission). 2016. Biodiversity Strategy. [http://ec.europa.eu/environment/nature/biodiversity/strategy/index\\_en.htm](http://ec.europa.eu/environment/nature/biodiversity/strategy/index_en.htm) [11 April 2018]
- DG ENVI (Environment Directorate-General of the European Commission). 2017. Our Oceans, Seas and Coasts: Legislation: the Marine Directive. [http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index\\_en.htm](http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index_en.htm) [10 April 2018]
- DG MARE (Directorate-General for Maritime Affairs and Fisheries). 2018. The Common Fisheries Policy (CFP). [https://ec.europa.eu/fisheries/cfp\\_en](https://ec.europa.eu/fisheries/cfp_en) [10 April 2018]
- DGPM (Directorate General for Maritime Policy). 2013. National Ocean Strategy 2013-2020 [in English]. Portugal: Portuguese Government.
- DGPM (Directorate General for Maritime Policy). 2018. National Ocean Strategy 2013-2020. <https://www.dgpm.mm.gov.pt/enm-en> [15 March 2018]
- DGRM (Direcção Geral de Recursos Naturais, Segurança e Serviços Marítimos). 2013. Plano Estratégico para a Aquicultura Portuguesa 2014-2020. [Portuguese] Direcção Geral de Recursos Naturais, Segurança e Serviços Marítimos. [online] Available at: [https://www.dgrm.mm.gov.pt/xportal/xmain?xpid=dgrm&xpgid=genericPageV2&conteudoDetalhe\\_v2=4829995](https://www.dgrm.mm.gov.pt/xportal/xmain?xpid=dgrm&xpgid=genericPageV2&conteudoDetalhe_v2=4829995). [10 April 2017]
- DGRM, DROTA (2018) – Plano de Situação do Ordenamento do Espaço Marítimo, versão para consulta pública. Disponível em: <http://www.participa.pt/consulta.jsp?loadP=2249>
- Diário da República n.º137/1995, Série I-B de 1995
- Diário da República n.º196/1993, série I-A de 1993
- Estratégia Mar Madeira 2030, Estratégia Mar Madeira 2030*. Lisboa: IESE.
- European Commission. 2011. Developing a maritime strategy for the Atlantic Ocean area: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Luxembourg: Publications Office of the European Union.
- European Commission. 2013. Action plan for a maritime strategy in the Atlantic area: Delivering smart, sustainable and inclusive growth: communication from the Commission to the European Parliament, the Council, the European Economic and

- Social Committee and the Committee of the Regions. Luxembourg: Publications Office of the European Union.
- European Commission. 2018. Maritime affairs: Integrated maritime policy. [https://ec.europa.eu/maritimeaffairs/policy\\_en](https://ec.europa.eu/maritimeaffairs/policy_en) [15 March 2018]
- European Union. 2008. Directive 2008/56/EC of the European Parliament and of the Council of establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive). Official Journal of the European Union. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32008L0056> [13 April 2018]
- European Union. 2011. The EU Biodiversity Strategy to 2020. Luxembourg: Publications Office of the European Union, 2011. [http://ec.europa.eu/environment/nature/info/pubs/docs/brochures/2020%20Biod%20brochure\\_en.pdf](http://ec.europa.eu/environment/nature/info/pubs/docs/brochures/2020%20Biod%20brochure_en.pdf) [12 April 2018]
- European Union. 2013. Regulation No 1380/2013 Of The European Parliament and of the Council on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC. Official Journal of the European Union, L 354/22.
- European Union. 2014. Directive 2014/89/EU of the European Parliament and of the Council establishing a framework for maritime spatial planning. Official Journal of the European Union. [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2014.257.01.0135.01.ENG](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0135.01.ENG) [13 April 2018]
- Food and Agriculture Organization of the United Nations (2008) - *Orientações para a gestão das pescarias de fundo em alto-mar.*
- FREITAS, L.; DINIS, A.; NICOLAU, C.; ALVES, F.; RIBEIRO, C. (2013) - Mar da Madeira um oásis a conservar - baleias e golfinhos da Madeira, Museu da Baleia da Madeira, Meio/Eco do Funchal.
- Freitas, Mafalda (2016), *Roteiro de Mergulho em Naufrágios da Madeira*, Revista Anual do Clube Naval do Funchal.
- GEOATRIBUTO (2016), *Plano de Gestão da Região Hidrográfica do Arquipélago da Madeira 2016-2021*, Funchal: Secretaria Regional do Ambiente e Recursos Naturais.
- Gomes, A., Avelar, D., Duarte Santos, F., Costa, H. e Garrett, P. (Editores) (2015). *Estratégia de Adaptação às Alterações Climáticas da Região Autónoma da Madeira*. Secretaria Regional do Ambiente e Recursos Naturais.
- INSTITUTO DE DESENVOLVIMENTO REGIONAL, IP-RAM (2014) – *Programa Operacional da Região Autónoma da Madeira 2014-2020.*
- INSTITUTO DE FLORESTAS E CONSERVAÇÃO DA NATUREZA – *Plano de Ordenamento e Gestão das Ilhas Desertas.*
- INSTITUTO DE FLORESTAS E CONSERVAÇÃO DA NATUREZA – *Plano de Ordenamento e Gestão das Ilhas Selvagens.*

Laboratório Nacional de Engenharia Civil - *Estudo de Manutenção e Melhoramento da Praia do Porto Santo*.

Le Gouvello, R., Hochart, L.-E., Laffoley, D., Simard, F., Andrade, C., Angel, D., Callier, M., De Monbrison, D., Fezzardi, D., Haroun, R., Harris, A., Hughes, A., Massa, F., Roque, E., Soto, D., Stead, S., Marino, G. (2017). *Aquaculture and marine protected areas: Potential opportunities and synergies. Aquatic Conservation: Marine and Freshwater Ecosystems*. 2017;27(S1):138–150. DOI: 10.1002/aqc.2821

Lei n.º 24/2013, Aprova o regime jurídico aplicável ao mergulho recreativo em todo o território nacional, em conformidade com o Decreto -Lei n.º 92/2010, de 26 de julho, que transpõe a Diretiva n.º 2006/123/ CE, do Parlamento Europeu e do Conselho, de 12 de dezembro, relativa aos serviços no mercado interno, com a Lei n.º 9/2009, de 4 de março, que transpõe a Diretiva n.º 2005/36/CE, do Parlamento Europeu e do Conselho, de 7 de setembro, relativa ao reconhecimento das qualificações profissionais, e com o Decreto -Lei n.º 92/2011, de 27 de julho, que cria o Sistema de Regulação de Acesso a Profissões (SRAP) de 20 de março. Portugal: Assembleia da República, Diário da República, 1.ª série, n.º 56, pp. 1767 -1775.

Lei n.º 31/2014 cria a Lei de bases gerais da política pública de solos, de ordenamento do território e de urbanismo, 30 de maio. Portugal: Assembleia da República, Diário da República, 1ª série, n.º 104 pp. 2988 – 3003.

Lei n.º 58/2005 que Aprova a Lei da Água, transpondo para a ordem jurídica nacional a Diretiva n.º 2000/60/CE, do Parlamento Europeu e do Conselho, de 23 de Outubro, e estabelecendo as bases e o quadro institucional para a gestão sustentável das águas, 29 de Dezembro. Portugal: Diário da República, 1ª série – A, n.º 249, pp. 7280 – 7310.

LEI n.º 17/2014, de 10 de abril de 2014. Portugal: Diário da República, 1ª série, n.º 71, p. 2358-2362.

MENDES, J. M. M., OLIVEIRA, F. (coord.) (2002) - *Plano de Política Energética da Região Autónoma da Madeira*, Agência Regional da Energia e Ambiente da Região Autónoma da Madeira, maio 2002.

MUNICIPIA E UNIVERSIDADE NOVA DE LISBOA – FACULDADE DE CIÊNCIAS E TECNOLOGIA (2017) - *Plano de Gestão de Riscos e Inundações da Região Autónoma da Madeira (PGRI – RAM)*, Funchal: Secretaria Regional do Ambiente e Recursos Naturais.

OLIVEIRA das NEVES, A. e FIGUEIRA DE SOUSA, J. (coord.) (2015). *Plano Referencial*

Portaria 114/2014, de 28 de maio. Portugal: Ministério da Agricultura e do Mar, Diário da República, 1.ª série, n.º 102.

Portaria 1450/2007, de 12 de novembro. Portugal: Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional, Diário da República, 1.ª série, n.º 217.

- Portaria 1450/2007, de 12 de novembro. Portugal: Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional, Diário da República, 1.ª série, n.º 217.
- Portaria 568/95, de 16 de junho. Portugal: Presidência do Conselho de Ministros, Diário da República, 1ª série – B, nº13, pp. 3870 – 3879.
- Portaria n.º 13/2015, Primeira alteração à Portaria n.º 46/2014, de 22 de abril, que define a “capacidade de carga” inerente à atividade de observação de cetáceos na Região Autónoma da Madeira, de 14 de janeiro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 7.
- Portaria n.º 46/2014, Regula a “capacidade de carga” inerente à atividade de observação de cetáceos na Região Autónoma da Madeira, de 22 de abril. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 58.
- PROCESL e PROSISTEMAS (2003) - *Plano Regional da Água da Madeira*, Funchal: Secretaria Regional do Ambiente e Recursos Naturais.
- Regulamento (CE) n.º 850/98 do Conselho de 30 de março de 1998 relativo à conservação dos recursos da pesca através de determinadas medidas técnicas de proteção dos juvenis de organismos marinhos, Jornal Oficial da União Europeia
- REGULAMENTO (UE) 2016/2336 DO PARLAMENTO EUROPEU E DO CONSELHO de 14 de dezembro de 2016 que estabelece condições específicas para a pesca de unidades populacionais de profundidade no Atlântico Nordeste e disposições aplicáveis à pesca em águas internacionais do Atlântico Nordeste e que revoga o Regulamento (CE) n.º 2347/2002 do Conselho. Jornal Oficial da União Europeia, L 354/1.
- REGULAMENTO (UE) N.º 1380/2013 DO PARLAMENTO EUROPEU E DO CONSELHO de 11 de dezembro de 2013 relativo à política comum das pescas, que altera os Regulamentos (CE) n.º 1954/2003 e (CE) n.º 1224/2009 do Conselho e revoga os Regulamentos (CE) n.º 2371/2002 e (CE) n.º 639/2004 do Conselho e a Decisão 2004/585/CE do Conselho. Jornal Oficial da União Europeia, L 354/22.
- REGULAMENTO (UE) N.º 227/2013 DO PARLAMENTO EUROPEU E DO CONSELHO de 13 de março de 2013 que altera o Regulamento (CE) n.º 850/98 do Conselho relativo à conservação dos recursos da pesca através de determinadas medidas técnicas de proteção dos juvenis de organismos marinhos, Jornal Oficial da União Europeia, L 78/1.
- Resolução da Assembleia da República 51/2006, de 18 de julho. Portugal: Assembleia da República, Diário da República, Série I-A n.º 137.
- Resolução da Assembleia da República n.º 60-B/97, Aprova, para ratificação, a Convenção das Nações Unidas sobre o Direito do Mar e o Acordo Relativo à Aplicação da Parte XI da mesma Convenção, de 14 de Outubro.
- Resolução do Conselho de Governo n.º1291/2009, de 2 de outubro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 100.
- Resolução n.º 699/2016 de 17 de outubro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 181.

- Resolução n.º 1025/2016, Aprova o Plano de Ordenamento para a Aquicultura Marinha da Região Autónoma da Madeira (POAMAR), que constitui um instrumento de apoio ao desenvolvimento da atividade da aquicultura marinha regional, de 28 de dezembro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 227.
- Resolução n.º 1105/2017 de 29 de dezembro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 222.
- Resolução n.º 1226/2015 de 29 de dezembro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 204.
- Resolução n.º 1295/2009, Aprova o Plano de Ordenamento e Gestão da Rede de Áreas Marinhas do Porto Santo (POGRAMPPS), 2 de outubro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 100.
- Resolução n.º 211/2017, Aprova a 1.ª alteração ao Plano de Ordenamento para a Aquicultura Marinha da Região Autónoma da Madeira (POAMAR), que constitui um instrumento de apoio ao desenvolvimento da atividade da aquicultura marinha regional. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 67.
- Resolução n.º 294/2009, Aprova o Plano de Ordenamento e Gestão da Ponta de São Lourenço (POGPSL), de 29 de dezembro. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 100.
- Resolução n.º 61/105, de 8 de Dezembro de 2006, da Assembleia Geral das Nações Unidas, parágrafos 80 e 83, alínea c) (A/RES/61/105, publicada em 6 de Março de 2007).
- Resolução n.º 70/2009, Aprova as medidas de propostas no Programa de Medidas de Gestão e Conservação do sítio de importância comunitária “Ilhéu da Viúva (PTMAD0004)”. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 2.ª série, n.º 119.
- Resolução n.º 882/2010, Aprova o Plano Especial de Ordenamento e Gestão do Território da Reserva Natural Parcial do Garajau (PEOGRNPG), cujo Regulamento e respetivas Plantas de Síntese e de Condicionantes, 12 de agosto. Região Autónoma da Madeira: Jornal Oficial da Região Autónoma da Madeira, 1.ª série, n.º 70.
- SALGADO, A.; CLAUDIA, F. *et al*, O que é o Património Cultural Subaquático, Comissão Nacional da UNESCO – Ministério dos Negócios Estrangeiros, Grafilinha, 2016.
- SANTOS, R., GANHO, R., ANTUNES, P., SANTOS, R., SARINHA, J., JORDÃO, L. (1999) – Plano Estratégico de Resíduos da Região Autónoma da Madeira, Universidade Nova de Lisboa, Faculdade de Ciências e Tecnologia, Secretaria Regional do Equipamento Social e Ambiente do Governo Regional da Madeira.
- SERVIÇO DO PARQUE NATURAL DA MADEIRA – *Plano de Ordenamento e Gestão da Ponta de São Lourenço.*
- SERVIÇO DO PARQUE NATURAL DA MADEIRA – *Plano de Ordenamento e Gestão da Rede de Áreas Marinhas Protegidas do Porto Santo.*

---

SERVIÇO DO PARQUE NATURAL DA MADEIRA – *Plano Especial de Ordenamento e Gestão da Reserva Natural Parcial do Garajau.*

SERVIÇO DO PARQUE NATURAL DA MADEIRA – *Programa de Medidas de Gestão e conservação do Sítio da Rede Natura 2000.*

UNESCO, Convenção sobre a proteção do património cultural subaquático.

Universidade de Aveiro (2018) – Relatório de Avaliação Ambiental do Plano de Situação do Ordenamento do Espaço Marítimo. Disponível em:  
<http://www.participa.pt/consulta.jsp?loadP=2249>

WW e PRIMA (2002). *Estudo do Plano Diretor do Porto Santo*, Administração dos Portos da Região Autónoma da Madeira, S.A.

WW e PRIMA (2012). *Estudo do Plano Diretor do Porto do Funchal*, Administração dos Portos da Região Autónoma da Madeira, S.A.

WW, PRIMA, CISEN (2008). *Estudo do Plano Diretor do Porto do Caniçal*, Administração dos Portos da Região Autónoma da Madeira, S.A.