

PIANO DI GESTIONE DELLO SPAZIO MARITTIMO ITALIANO

AREA MARITTIMA

TIRRENO E MEDITERRANEO OCCIDENTALE

VALUTAZIONE AMBIENTALE STRATEGICA e VALUTAZIONE DI INCIDENZA

(art. 13 D.Lgs. 152/2006 e s.m.i, Allegato VI alla Parte II)

DICHIARAZIONE DI SINTESI

(ai sensi dell'art. 9, comma 1 lettera b) della Direttiva 2001/42/CE, e dell'art. 17, comma 1 lettera b) del D.Lgs. 152/2006 e s.m.i.)

AUTORITÀ PROCEDENTE	MINISTERO DELLE INFRASTRUTTURE E DEI TRASPORTI <i>Dipartimento per i trasporti e la navigazione</i>
SOGGETTO RESPONSABILE	TERESA DI MATTEO
TECNICI	SOGESID S.P.A.
DATA STESURA	OTTOBRE 2024

Transboundary Consultations - Observations and feedback

In order to facilitate dialogue with neighboring countries, a presentation meeting was organized on November 30, 2022, with the aim of receiving any further contributions by December 30, 2024. On this occasion, representatives from Spain highlighted that the approval of the Plans would undoubtedly have significant positive effects for neighboring countries, given the transnational dimension of many marine uses addressed and the continuous exchange of information developed over the years for the definition of the Plans. For these reasons, the representatives of the Spanish Ministry, having participated in the meeting and reviewed the available materials, expressed appreciation for the results, without indicating any general or specific issues or incompatibilities with the ongoing MSP process in Spain.

The representatives of the French administration, on the other hand, communicated that the planning document related to maritime areas would soon be revised, taking into account the Italian maritime spatial plans. They emphasized that the technical cooperation between Italy and France, which has developed over recent years, must continue, particularly in terms of data and methodologies. Specifically, the list of topics of interest for cross-border cooperation mentioned is widely shared. They propose a technical meeting to explore common interests, to update the status of various ongoing initiatives, and to promote the establishment of joint projects between operators from both countries.

French authorities also pointed out that the boundaries used in the Italian and French maritime spatial planning processes are not the same, creating overlaps and gaps. This issue does not currently pose any problems since the purposes of the areas in question are coherent, and the boundaries used, apart from those subject to a delimitation agreement, do not prejudice the outcome of ongoing negotiations. However, they encourage the active resumption of the diplomatic process to legally clarify jurisdiction and enforcement responsibilities.

It is suggested that Unit MO/2_06 G, given the sensitivity of the Corsica Channel and the presence of the Cap Corse and Agriates Marine Natural Park, as well as its location within the Pelagos Sanctuary, be assigned a conservation priority. The same applies to planning unit MO/8_01, located to the north of the Marine Natural Park and within the Pelagos Sanctuary. Lastly, they suggest mentioning the shared interest in the project for the International Park of the Strait of Bonifacio.

Below is the table containing a detailed response to the observations received during the transboundary consultation procedure:

n.	Observations	Feedback
1	The document on the French maritime basin concerning the Mediterranean Sea will soon be revised and will take into account Italy's maritime spatial plans. The technical cooperation between the two countries, developed over recent years, should continue, particularly regarding the exchange of data and methodologies.	The observation is acknowledged. The need to strengthen cooperation on marine planning and the specific points raised is highlighted in various parts of the plan (strategic objectives, specific objectives, measures) and is summarized in section "6.2.7 Relevant Elements for Cross-Border Cooperation" in Chapter 6 of the plan.
2	The list of topics of interest for cross-border cooperation outlined in point 7.2.6 of the English summary of the Plan is widely	The enhancement of cooperation on marine planning and the relevant issues is addressed throughout various elements of the Plan,

n.	Observations	Feedback
	<p>endorsed. A technical meeting could be proposed to further examine the list of shared interests, provide an update on the progress of various ongoing initiatives, and encourage the initiation of joint projects between operators from both countries.</p>	<p>including strategic objectives, specific objectives, and measures, and is summarized in paragraph "6.2.7 Key Elements for Cross-Border Cooperation" in Chapter 6 of the Plan. Both national and specific measures are included (such as in the Sardinian sub-area MO/7) to promote collaboration with neighboring countries.</p>
3	<p>The boundaries used in the maritime spatial planning of Italy and France are not aligned, leading to overlaps and gaps. Currently, this does not pose a serious issue as the purposes of the affected areas are consistent. It is clearly stated that the boundaries utilized, apart from those subject to delimitation agreements, do not compromise the outcome of ongoing negotiations. However, this necessitates a proactive resumption of the diplomatic process to legally define the areas under the respective jurisdictions of both countries and their respective capacities for oversight.</p> <p>Regarding unit MO/2_06 G, given the delicate situation in the Corsica Channel and the presence of the Capo Corso and Agriates Marine Nature Park, as well as its location within the Pelagos Sanctuary, it should be classified as a natural priority area. The same applies to the planning unit MO/8_01, located to the north of the marine nature park and within the Pelagos Sanctuary. Additionally, it is worth noting the shared interest in the project for the International Park of the Straits of Bonifacio.</p>	<p>The unit MO/8_01 has been designated as a natural priority area (P(n)). Given the coexistence of multiple uses within the same area MO/2_06 and the methodological approach adopted in the plan, the planning unit remains unchanged.</p>
4	<p>An agreement on the delimitation of maritime boundaries (the Caen Agreement of March 21, 2015) was signed with France; however, it has never entered into force as</p>	<p>The observation is acknowledged.</p>

n.	Observations	Feedback
	<p>it has not been ratified by Italy due to reservations regarding the territorial waters boundary in the Bay of Menton. Following the signing of the Agreement in 2016, there was a seizure by French authorities of an Italian fishing vessel, which they believed was still subject to the de facto limit established in 1892, aligned with the coastline and valid up to 2 nautical miles. The concerns of local fishermen have been taken into account by the Ministry of Foreign Affairs and International Cooperation (MAECI) in initiating new negotiations with the French to exchange areas in the Menton region. This would be formalized through an additional Protocol to the 2015 Agreement, which would redefine only the limits of the territorial waters adjacent to the area.</p>	
5	<p>Upon reviewing the French observations, it appears that, in response to our proposals for Maritime Spatial Planning (MSP) that do not take into account the provisions established in 2015 and which we have not contested subsequently, they are suggesting that we reconsider everything and reopen the entire negotiation.</p>	<p>We acknowledge the observation; however, we do not interpret the French observation in this manner. The statement reads: "The limits used in the planning of the Italian and French maritime space are not the same, creating overlaps and gaps. So far, it does not pose any serious problem as the purposes of the areas concerned are coherent. It is clearly stated that the boundaries used, apart from those which have been the subject of a delimitation agreement, do not prejudice the outcome of the current negotiations. Nevertheless, this encourages us to actively resume the diplomatic process in order to legally secure the areas under the jurisdiction of the two countries and our control capacities."</p>
6	<p>To clarify the matter, it is necessary to compare the Italian Maritime Spatial Plan with the boundaries established in the Caen Agreement, in collaboration with the</p>	<p>The boundaries of the maritime area of the Tyrrhenian Sea - Western Mediterranean have been redefined, specifically the northern borders of the Sardinia Region at the Strait of Bonifacio</p>

n.	Observations	Feedback
	Ministry of Foreign Affairs and International Cooperation (MAECI).	and in correspondence with the Tuscan Archipelago.
7	There are no objections to the Italian plan, as it does not present any conflicting elements with the corresponding Spanish plan, which is scheduled for publication in January 2023.	-