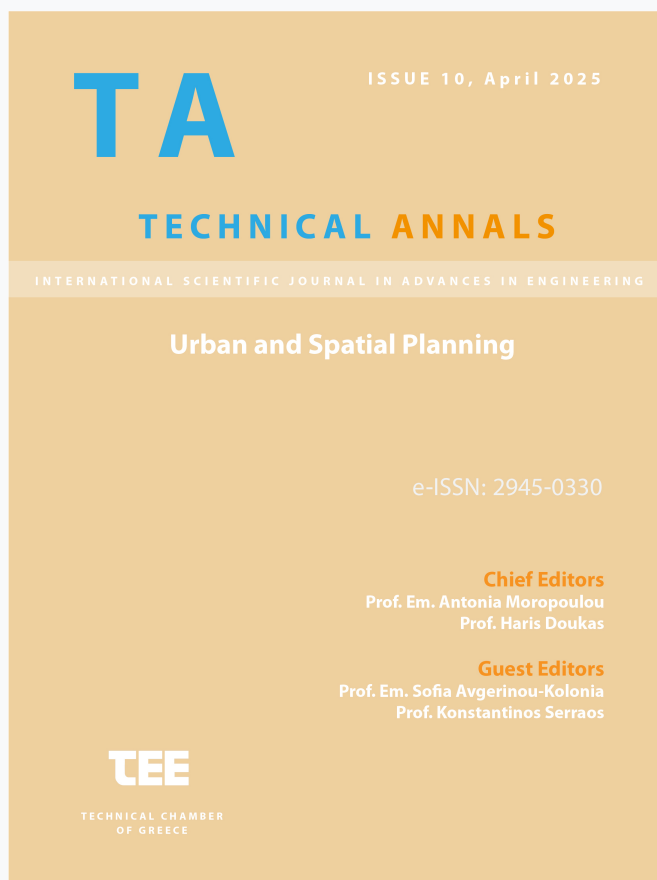


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Internationally Recognised Maritime Zones and Maritime Spatial Planning

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Internationally Recognised Maritime Zones and Maritime Spatial Planning

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Abstract. Maritime Spatial Planning is a fairly new process that offers a useful and valuable context for the sustainable development of the sea. The sea has already been an object of zone delimitation and differentiation of rights over different marine zones and for varying maritime activities. The United Nations Convention on the Law of the Sea (UNCLOS) is one of the most integrated international conventions and is the main delimitation framework of national maritime borders and zones exercising jurisdiction, sovereignty or sovereign rights. Territorial waters, Exclusive Economic Zone (EEZ), continental shelf, deep sea, international seabed are the institutional outcome where the provisions of UNCLOS identify activities and scaled rights for coastal and other states. The Integrated Coastal Zone Management (ICZM) Protocol is considered as the way to implement the ecosystem-based approach and consider land-sea interactions. It has a detailed definition of the coastal zone, as the land-sea continuum where most activities take place.

In Europe there are already set Maritime Spatial Plans. This paper is a selective approach in highlighting key perspectives of spatial planning zones' delimitation of three countries (United Kingdom/England, France, Greece) that have chosen an integrated approach of MSP, have international maritime presence and marine areas facing pressures due to the multiplicity and the density of existing and new maritime activities exercised.

Keywords: Maritime/Marine Spatial Planning (MSP), UNCLOS, territorial sea, EEZ, continental shelf, zone delimitation ICZM Protocol, coastal zone, ecosystem-based approach

1 Introduction

MSP is regarded as a tool or an instrument to deal with conflicts between maritime uses and the marine environment, as well as to balance different interests in a

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sustainable way [1][2] MSP in the EU is a process of maritime spatial governance aiming at the coexistence of existing maritime activities and newly developed activities while preserving Good Environmental Status (GES) of marine waters. It organizes maritime activities in a rational, sustainable and efficient way aiming at creating synergies and achieving a balance between preservation of the environment, demands for space and pressures for development. [3] [4] [5] However, it can only influence the spatial and temporal distribution of human activities, as only human activities can be planned. [6] [7]

As a process, MSP falls mainly under the central government jurisdiction, being practiced through a top-down governance approach. [8] The planning processes in the EU can be characterized either as governed by spatial optimization and risk minimization elements or as strategic, fully integrated, forward-looking planning approaches. [9]

MSP is mostly characterized by conceptual complexity. [9] MSP complexity relates to the multiple dimensions of marine space. [10] [5] The sea is heterogeneous in space and time. The seabed topography, the water stratification and movement vary. Natural processes often have hourly, daily, monthly etc periodicity. [11] Conceptual complexity is met also in the interchangeable use of Maritime Spatial Planning (chosen by the EU) over Marine Spatial Planning (chosen by the UN system). The EU has chosen Maritime Spatial Planning instead of Marine Spatial Planning, acknowledging that it is a tool for the accomplishment of Blue Growth, to achieve greater trust and safety for investments. [12] [13] However the practice of planning does not always confirm a semantic. [12] [14] Conceptual fragmentation refers to the diversity of MSP approaches and the differences in implementing MSP in different institutional contexts. Institutional fragmentation refers to the patchwork of institutions, policies and regulations. Additionally, the sea and the coastlines are shared between states, making MSP transboundary by nature. [15]

Traditional big sectors (shipping, fishery), ocean energy sectors (offshore wind, tidal and wave, oil and gas mining), other place-based maritime sectors (marine aquaculture, marine aggregates and mining) [16] as well as tourism and leisure, underwater cultural heritage, nature conservation, scientific research, military defense are the main maritime activities and uses. The EU MSP Framework Directive (MSPD) [17] names especially energy, maritime transport, fisheries, aquaculture, tourism, raw materials, marine environment, prioritizing economic activities. All these maritime activities connect with terrestrial activities via ports or landing points (e.g. cables and pipelines) but also are closely interrelated with the terrestrial economy (eg. energy can be produced in the sea but is consumed mainly in terrestrial activities). Spatial efficiency of MSP endorses the concept of multi-use. [18]

MSP has many differences with Terrestrial Spatial Planning (TSP): (a) there is no private ownership of the sea but only exploitation rights and zones with specific rights (such as EEZ), (b) there are neither habitants of the sea nor settlement development, (c) it is a 4-dimension planning exercise (sea surface, water column, seabed, subsoil, time), (d) flows are not related to infrastructure or population density, (e) the sea is being governed by multiple international and transnational conventions. [3] [5] Additional differences are the inability to delimitate dangers for the marine environment and the continuous mobility of many maritime activities and species of ecosystems, [19], as

well as the up-until-now sectoral and fragmented approach. MSP should incorporate all spatial planning principles, and the differences among MSP and TSP should be treated as specific planning parameters. [20]

TSP has mainly chosen the delimitation of planning areas following existing administrative boundaries (e.g. municipal, regional). Administrative boundaries (international, regional etc) follow geomorphological formations as the easiest way to make boundaries visible. However, this zone delimitation approach divides ecosystems, contrary to the call of the MSPD on Member States to apply an ecosystem-based approach in their Maritime Spatial Plans, since the ecosystem-based approach defines ecosystem integrity as a necessary precondition for the delimitation of the planning area. This problem results in borders being unable to follow biophysical characteristics and it should lead to more flexible management schemes. [3] Of course, each Maritime Spatial Plan is being drafted and implemented on an already delimited marine area of each country. Zone delimitation in the UK, France and Greece, countries with international maritime presence and large marine areas, could be an interesting field of UNCLOS and ICZM Protocol zone integration testing.

There are approaches of MSP stating that it is encompassed into UNCLOS, due to UNCLOS's establishment on zones with varying rights and obligations. [21] By 2030 one third of EEZs worldwide will be planned via Marine Spatial Plans. [14] Spatial distribution of sovereignty, which is the real function of UNCLOS, depends on the cooperation of states regarding management rules. [22] UNCLOS has already set the scene of ocean zone delimitation. Territorial Waters, Contiguous Zone, Exclusive Economic Zone, Continental Shelf, Deep Sea and International Seabed are the zones delimited under the provisions of UNCLOS. Moreover, the ICZM Protocol of the Barcelona Convention sets the coastal zone, both on sea (internal and territorial waters) and land. The relation of MSP to international regulation was one of the issues addressed during the legislative procedure of the MSPD. [23]

2 UNCLOS maritime zones

International conventions are important to maritime spatial arrangements [5] and UNCLOS is a key reference point for MSP, [24] [25] [26] stating in its preamble that issues relating to the use of ocean space are closely interrelated and need to be considered as a whole, making MSP a logical advancement. The MSPD [17] makes clear that, to ensure consistency and legal clarity, the competencies relating to maritime boundaries and jurisdiction, set by the UNCLOS, may not be altered and the geographical scope of MSP should be defined in conformity with the UNCLOS provisions. Nevertheless, it should be noted that the maritime zones' delimitation under the provisions of the UNCLOS provokes tensions in the bilateral and multilateral relations of the countries. [20]

UNCLOS was signed in Montego Bay in 1982, after a decade of international negotiations. *"Hailed as the Constitution of the Ocean"* [27] and *"conscious that the problems of ocean space are closely interrelated and need to be considered as a whole"*, as it clearly stated at the preamble [28], it aims at reconciling competitive interests,

including rights of coastal states (that secured political and economic power, territorializing the sea [29]) and flag states [30], lying between the freedom of resource and navigation management and the allocation of rights. [31]

It is a highly integrated international convention containing rules and regulations for marine space, maritime uses and activities and marine resources, setting the framework for the delimitation of international borders as well as the delimitation of zones with different legal status and associated rights and sets obligations for the preservation of the marine environment and scientific research in the high seas. It also differentiates the legal status among coastal states, flag states, landlocked states, geographically disadvantaged states and archipelagic states. The main zones of UNCLOS are the internal waters, the territorial sea, the exclusive economic zone (EEZ), the continental shelf, high seas and the Area. The breadth of all zones is measured from the baselines, which are the lines delimiting internal waters with the territorial sea. However, only the territorial sea, the EEZ and the continental shelf are included into national Maritime Spatial Plans.

The territorial sea (sea surface, seabed, subsoil) extends seawards up to 12 nautical miles from the baselines. The only limitation of the sovereignty over the territorial sea is the right of innocent passage, enjoyed by foreign flagged ships [32] that can be managed by the coastal state through the designation of sea lanes and traffic separation schemes. The EEZ lies beyond and adjacent to the territorial sea and extends up to 200 nautical miles seawards from the baselines. The continental shelf (seabed and subsoil) extends beyond the territorial sea to the outer edge of the continental margin or up to 200 nautical miles from its baselines. Countries have sovereignty over their territorial seas, sovereign rights in the EEZs to conduct certain activities and rights to exploit certain resources of the continental shelf. [29]

In the EEZ there is a scalar approach to rights and jurisdiction. The fact that coastal states enjoy sovereign and jurisdictional rights, instead of sovereignty, makes the establishment of protection areas or even multiple use areas (e.g. specially protected marine areas) subject to legal obstacles and constraints. [33] [34] The sovereign rights exercised in the EEZ include the exploration, exploitation, conservation and management of living and non-living natural resources of the seabed and subsoil and the superjacent waters and the economic exploration and exploitation of the zone (eg. the production of energy from the water, currents and winds). The jurisdiction exercised in the EEZ includes the establishment and use of artificial islands, installations and structures, marine scientific research and the protection and preservation of the marine environment. Exclusive rights in the EEZ refer to the construction, authorization and regulation of the operation and use of artificial islands, installations and structures, providing for a 500-meter safety perimetric zone. Moreover, the coastal state shall take proper conservation and management measures for the maintenance of the living resources and the restoration of populations of harvested species. All states enjoy: (a) freedom of navigation, freedom of overflight, freedom to lay submarine cables and pipelines with due regard to the rights and duties of the coastal state and in compliance with the laws and regulations adopted by the coastal state, (b) access to the surplus of harvested living resources.

Coastal states exercise over the continental shelf sovereign rights and exclusive jurisdiction for the exploration and exploitation of mineral and other nonliving resources of the seabed and subsoil together with living organisms belonging to sedentary species. However, the UNCLOS allocation of rights only on sedentary species does not follow the concept of biodiversity associated with ecosystems and not individual species, rising issues of inconsistency. [35] [36] On the continental shelf all states are entitled to lay submarine cables and pipelines, subject to the conditions established by the coastal state and especially the delineation being subject to the consent of the coastal state. The rights of the coastal state over the continental shelf must not infringe or result in any unjustifiable interference with navigation and other rights and freedoms of other states.

3 The ICZM Protocol coastal zone

The Mediterranean countries, but also the EU, have signed the Barcelona Convention for the Protection of the Mediterranean Sea against pollution. Its geographical coverage of the Mediterranean Sea includes gulfs and excludes internal waters, except if there is a different provision in its 7 protocols. The ICZM Protocol (the 7th Protocol of the Barcelona Convention) [37] brings the coastal zones of the Mediterranean Sea to the forefront as a common natural and cultural heritage that needs to be protected and used prudently for the benefit of current and future generations, stressing the pressures on coastal zones from climate change and human activities. The Protocol acknowledges a need for a specific integrated approach for all the Mediterranean coastal zones.

The Contracting Parties of the ICZM Protocol introduced in 2017 the Conceptual Framework for Marine Spatial Planning as a guiding document and a management tool to facilitate the introduction of MSP into the Barcelona Convention system. The Conceptual Framework considers MSP as the main tool for the implementation of ICZM in the marine part of the coastal zone and aims to provide a common framework for the implementation of MSP in the Mediterranean Sea. [38] [39] The ICZM Protocol along with the MSP Conceptual Framework provide for common principles and MSP steps in the Mediterranean Region. [40]

Coherece between MSP and other related processes, such as ICZM is a requirement outlined by the MSPD (2014/89) [17] and Land Sea Interactions (LSI) are a prerequisite of the MSPD that can be found in the core of ICZM. LSI are generally related to natural or bio-geochemical processes and to socio-economic activities. MSP acknowledges LSI as interconnections (flows and processes) between terrestrial and marine elements acting in an amphidromous way. [40] Maritime activities need support installations on land, while many coastal activities are either both terrestrial and maritime or affect the marine environment and visual imagery or other maritime activities. [41] [40] MSP and ICZM are considered to be complementary both in geography and their very essence, as MSP aims at the rational planning of human activities whereas ICZM aims at the comprehensive management of human activities, being mainly a governance scheme. [10]

ICZM is a dynamic process for the sustainable management and use of coastal zones, considering at the same time, the fragile nature of coastal ecosystems and landscapes,

the diversity of activities and uses, their interactions and their impact on land and sea. [41] It is an integrated management approach, acknowledging the coastal area as a whole system formed by both its land and sea components, with interdependent human uses and coastal resources. [39] It has a broad overall and long-term perspective, focusing on local specificity and involvement of all parties and all relevant administrative bodies concerned. [42]

The coastal zone, defined by the ICZM Protocol, is the geomorphological area either side of the seashore in which the interaction between the marine and land parts occurs in the form of complex ecological and resource systems made up of biotic and abiotic components coexisting and interacting with human communities and relevant socio-economic activities. The seaward limit of the coastal zones is the external limit of the territorial sea and the landward limit of the competent coastal units is up to the definition of the state.

In the Mediterranean context, there is an evident overlap of the geographical scope of ICZM, as defined by the Protocol on ICZM, and MSP as defined by MSPD. [17] The marine geographical scope of ICZM (territorial sea), coincides with the marine geographical scope of MSP in case a country hasn't claimed an EEZ. [39] From this perspective, MSP can be seen as one of the main tools for implementing ICZM in the marine part of the coastal zone. [39]

4 MSP zone delimitation practices in Europe

There is a diversity of MSP approaches and contexts in Europe. Countries have developed MSP in line with their own planning traditions and administrative structures. [43] There can be various groupings of the way the European countries have implemented MSP. Countries with an MSP tradition prior to the MSPD had already an advantage and have already revised their Maritime Spatial Plans at least once. Among the countries that initiated the MSP process following the MSPD initiation, some have integrated the implementation of the MSPD into the Marine Strategy Framework Directive (MSFD) implementation system and others into the Blue Growth implementation system. The integration of MSPD into the national spatial planning systems has been both an issue of national jurisdiction (mostly in federal countries) and of integration of the coastal zone as a land-sea continuum or not. There are approaches where MSP is a different process from TSP (either avoiding or pursuing their overlap) and approaches where MSP and TSP are encompassed into comprehensive spatial plans. However, there is a common approach on the spatial coverage of marine waters, since most European Maritime Spatial Plans cover the territorial sea, the EEZ, the seabed and the subsoil, with exceptions mainly concerning coastal waters. [43] The EC [44] has identified four groups of Member States regarding the establishment of Maritime Spatial Plans.

This paper is a selective approach in highlighting key perspectives of MSP zone delimitation in three countries (the United Kingdom/England, France and Greece), following a European North – South context, but also focusing on the Mediterranean Sea in an Eastern-Western context. The UK and France are countries with mature spatial

planning systems, whereas Greece hasn't yet accomplished the revision of all the first generation Regional Spatial Frameworks. However, all three countries are countries with international maritime presence and large marine areas, facing pressures due to the multiplicity and the density of existing and new maritime activities exercised. They all have chosen an integrated approach of MSP. The United Kingdom, being an EU MS at that time, has started the MSP process early, implementing Marine Spatial Plans that overlap with Terrestrial Spatial Plans in the terrestrial part of the coastal zone. France has chosen to implement MSPD together with MSFD, into joint plans (Documents Stratégiques des Façades). Greece has integrated MSP into the general spatial planning system, excluding the terrestrial part of the coastal zone from Maritime Spatial Frameworks, but hasn't adopted a Maritime Spatial Framework yet. All three countries have chosen a two-level approach, adopting a strategy document at the first level and Maritime Spatial Plans at the second level. Since Greece is in the middle of the process and has just adopted the strategy document (National Spatial Planning Strategy for the Maritime Space), while England and France have already accomplished MSP and are implementing Marine Spatial Plans, research on the delimitation practices followed could clarify the way MSP is being considered.

4.1 MSP and zone delimitation in the United Kingdom and England

The United Kingdom started a new approach of the sea and the coasts with the Marine and Coastal Access Act in 2009 [45], setting the scene for an integrated approach of marine and coastal areas from planning to licensing, providing a framework for a new system of marine management [46]. In 2020 the Marine Policy Statement [47] came into force. It outlines all policies and issues that need to be considered during the elaboration of Marine Spatial Plans and sets the framework of elaboration and implementation of Marine Spatial Plans. Marine Spatial Plans support the implementation of both the MSFD and the Water EU Directive, as well as the ICZM principles.

Coastal areas and coastal activities are managed in an integrated and holistic way, in line with the ICZM principles, as set in the 2002 Recommendation of the European Parliament and Council [48] [47]: (a) a broad holistic approach, (b) taking a long-term perspective, (c) adaptive management, (b) specific solutions and flexible measures, (d) working with natural processes, (e) participatory planning, (f) support and involvement of all relevant administrative bodies, (g) use of a combination of instruments. [48]

The UK marine area consists of the internal waters, the territorial sea, the EEZ and the continental shelf, including the bed and the subsoil. The landward limit of the UK marine area includes any area submerged at mean high water spring tide and the waters of every estuary, river, or channel, so far as the tide flows at mean high water spring tide. It also includes any area artificially closed, permanently or not, against the regular action of the tide and any area into which or from which seawater is caused or permitted to flow continuously or from time to time. There is also the provision for a temporal (seasonal, occasional or time-limited) form of spatial planning. [49] This creates a geographic overlap of MSP and TSP at the inter-tidal zone, creating the potential to streamline the process for securing consent for development in the inter-tidal zone. [50] [51] The Marine Policy Statement clearly states that *this overlap will help*

organizations to work effectively together and ensure that appropriate harmonization of plans is achieved. [47]

The 2009 Act divides UK waters into marine spatial plan areas with inshore areas (extending from 0 to 12 nautical miles, except for estuaries of tidal rivers, where the inshore areas extend some miles inland) and offshore areas (extending from 12 to 200 nautical miles). The English marine area has been divided into 11 marine spatial plan areas using information, expert advice and stakeholder views, including both coastal and marine areas: North East Inshore, North East Offshore, East Inshore, East Offshore, South East Inshore, South Inshore, South Offshore, South West Inshore, South West Offshore, North West Inshore, North West Offshore. However, the Marine Management Organisation may make specific local modifications to boundaries if the proposed boundaries could lead to unnecessary difficulties. [47]

4.2 MSP and zone delimitation in France

In 2009 France initiated an ambitious and long-term process regarding the management of marine and littoral waters. [52] Grenelle de la Mer, recognized as one of the most advanced policies of public participation in the formulation of maritime policy, [54] updated the provisions of the Environmental Code with a new section on marine and coastal areas [55]. The outcome of Grenelle de la Mer was a blue book on its engagements and a blue book on the sea and the ocean [56]. Grenelle de la Mer and Loi Grenelle 1, the law on the National Maritime Strategy, have been the milestone of Maritime Spatial Planning in France. Loi Grenelle 2, the law on ICZM and Marine Strategy, connected MSP to ICZM and Marine Strategy.

The French Marine Spatial Planning System consists of a National Strategy for the Sea and the Littoral and Sea Basin Strategic Documents. The National Strategy for the Sea and the Littoral, adopted in 2017 and revised in 2024, constitutes the framework for the protection of the marine environment, the valorization of marine resources and the integrated and concerted management of maritime and coastal activities. [57] It is the national strategic document for the protection of the marine environment, as well as the integrated management of maritime and coastal activities, setting the framework for achieving GES of marine waters and the sustainable use of marine resources, while considering the interactions of public policies on both coastal and marine areas, in an LSI approach. Marine Spatial Plans are specific sections of the Sea Basin Strategic Documents, linking the protection of the marine environment with the integrated management of maritime and coastal activities. Sea Basin Strategic Documents implement both MSFD and MSPD.

The French marine area consists of the internal waters, the territorial waters, the exclusive economic zone, and the continental shelf, including the seabed and the subsoil. The landward boundary corresponds to littoral administrative areas, where there are activities affecting the sea. The seaward limit is the outer limit of the EEZ on the water surface, the water column and the seabed. The littoral in the French MSP approach defines both coastal and transitional waters. Coastal waters are defined as marine waters from the baselines and up to 1 nautical mile from the baseline, whereas transitional waters are defined as lagoons and brackish sea water in proximity to estuaries and affected by fresh river water. [58]

Sea basins have been identified by hydrologic, oceanographic, biogeographic, socio-economic and cultural characteristics of the areas concerned. [59] However, even though the Sea Basin Strategies implement both MSFD and MSPD, there is a differentiation in the delimitation of marine planning areas. Both in the Manche Sea and the Atlantic Ocean, the areas defined for the implementation of the Marine Strategy follow the ecosystem-based approach, while the areas defined for the implementation of MSP follow the regional administrative boundaries, raising issues of added complexity in the process and risk of cohesion loss [52] The French continental marine area has been divided into 4 Sea Basins, including both coastal and marine areas, that is territorial waters and Exclusive Economic Zone: Eastern Manche – North Sea, North Atlantic – Western Manche, South Atlantic, Mediterranean.

4.3 MSP and zone delimitation in Greece

Greece encompassed MSP into the existing national spatial planning system setting as key objectives: (a) sustainable development and territorial cohesion, (b) the rational and comprehensive spatial development of maritime activities, (c) preservation, protection and enhancement of the environment. The initial transposition of MSPD [60] had encompassed ICZM into the Greek MSP approach. The following amendment of the transposing law [61] disconnected MSP from ICZM. The terrestrial part of the coastal zone was excluded from MSP, in order to avoid overlaps. However, it acknowledges that MSP must consider both LSI and the need for policies coordination regarding maritime spatial impacts [5]. The legal clarification of the relationship of Maritime Spatial Frameworks with Terrestrial Spatial Frameworks cannot overcome the absence of a process or a tool for the cooperation of MSP with TSP in the coastal zone in an LSI approach.

The Greek Maritime Spatial Planning System consists of the National Spatial Strategy for Maritime Space [62] and Maritime Spatial Frameworks. The National Spatial Strategy for Maritime Space is an integral part of the National Spatial Strategy as a visionary policy document setting the framework and the strategic guidelines for selected maritime activities and uses at the national level. Maritime Spatial Frameworks are aligned to the Regional Spatial Planning level but can be of trans-regional, regional or sub-regional level to serve best the ecosystem-based approach. The integration of MSP into Greece's hierarchical spatial planning system has resulted in Sectoral Spatial Frameworks of national scale prevailing over Maritime Spatial Frameworks. In addition, there is a prioritization of sectoral specific legal framework of maritime activities (offshore wind farms, oil and gas exploitation) over comprehensive MSP, promoting a fragmented approach.

The Greek marine area consists of the territorial sea, the EEZ, including the seabed and the subsoil, and the continental shelf. The landward limit is defined by the baselines and the seaward limit is the external border of the Exclusive Economic Zone. The baselines are chosen as the landward limit, to fully exclude the terrestrial part of the coastal zone and internal waters from MSP to avoid conflicts with TSP. [63] However, since Greece hasn't ratified the ICZM Protocol yet and there is no national legal framework to plan and manage the coastal zone, it is not clear how LSI will be integrated into the Maritime Spatial Frameworks. It should be mentioned that the exclusion of the

terrestrial part of the coastal zone raised many reactions during the public consultation of the amending law. Moreover, the terrestrial part of the coastal zone is already fragmented in a zoning approach that prevents comprehensive planning.

The 2025 Ministerial Decision divides the Greek marine area into 4 Marine Spatial Units (MSUs): MSU1 (North Aegean Sea), MSU2 (South Aegean Sea, Levantine Sea and Cythera Sea), MSU 3 (marine areas around Crete) and MSU 4 (Ionian Sea). [64] [65] The criteria for the delimitation of Marine Spatial Units depend mainly on characteristics, pressures, functional relations and the interrelation of MSUs with national strategic choices.

5 Conclusion

The UNCLOS provisions form the basis of MSP. They define zones and jurisdictions for different activities and uses that all signing countries need to comply with. The UK seems to have fully considered the different legal status of the UNCLOS zones, by dividing its marine area for MSP purposes into inshore and offshore marine areas - that is areas of jurisdiction, sovereignty and sovereign rights. France and Greece do not consider this differentiation of rights in the division of marine areas and both the territorial sea and the EEZ as a single marine area.

The ICZM Protocol coastal zone definition is fully considered in the terrestrial part of the French zone delimitation. England, besides the fact that it is not a Contracting Party to the Barcelona Convention, follows the ecosystem-based approach in a similar to the ICZM Protocol way, for: (a) the delimitation of the terrestrial part of all marine zones, (b) the identification of marine borders between two adjacent marine spatial planning areas. Greece has excluded the terrestrial part of coastal waters, as well as the internal waters from marine spatial planning areas.

Since both England and France have already accomplished MSP, the evaluation of the implementation will assess whether the zone delimitation already applied has been successful. In the case of Greece, that adopted the National Spatial Planning Strategy of the Maritime Space and delimited MSUs a few days ago (April 2025), the elaboration of Maritime Spatial Frameworks should clarify the way LSI will be considered, since neither an LSI process has been adopted nor the ICZM protocol has been ratified.

References

1. Douvère F.: The Importance of Marine Spatial Planning in Advancing Ecosystem-based Sea Use Management. *Marine Policy*, 32, pp. 762-771 (2008) <https://doi.org/10.1016/j.marpol.2008.03.021>
2. Douvère, F. and Ehler C.: New Perspectives on Sea Use Management. Initial Findings from European Experience with Marine Spatial Planning. *Journal of Environmental Management*, 90, pp. 77-88 (2009) <https://doi.org/10.1016/j.jenvman.2008.07.004>
3. Coccossis H. & Beriatos E.: Spatial Development and Planning, Marine Spatial Planning and Integrated Coastal Zone Management. (in Greek) *Aeichoros – Special Issue on MSP*, 23, pp. 4-11 (2016) <https://journals.lib.uth.gr/index.php/aeichoros/article/view/365>

4. Wassenhoven, L.: Maritime Spatial Planning. Europe and Greece. (in Greek), University of Crete, Herakleion (2017)
5. Melissas D. & Asprogerakas E.: Maritime Spatial Planning and Wind Energy. (in Greek) Sakkoulas, Athens – Thessaloniki (2025)
6. Douvere F.: Marine Spatial Planning. Concepts, Current Practice and Linkages to other Management Approaches. Ghent University, Belgium. (2010)
7. Ehler, C. & Douvere, F.: Marine Spatial Planning a Step-by-Step Approach toward Ecosystem-Based Management. Intergovernmental Oceanographic Commission, Paris, (2009) <https://unesdoc.unesco.org/ark:/48223/pf0000186559>
8. Papageorgiou, M., Pozoukidou, G., Istorlou, T., & Kostopoulou, T.: Inclusive Maritime Spatial Planning. Stakes at the Regional Level. Sustainability, 16, (2024) <https://doi.org/10.3390/su162210148>
9. Kyvelou S.: Maritime Spatial Planning as Evolving Policy in Europe. Attitudes, Challenges, and Trends. EQPAM, 6 (2017)
10. Asprogerakas E., Lazoglou M.: Marine Spatial Plans as instruments of the Greek spatial planning system. (in Greek) Proceedings of the 5th Panhellenic Conference on Spatial Planning and Regional Development: Modern Concerns about Spatial Planning and Development, Volos, pp.465-476 (2019)
11. Crowder, L., & Norse, E.: Essential Ecological Insights for Marine Ecosystem-Based Management and Marine Spatial Planning. Marine Policy, 32, pp. 772–778 (2008) <https://doi.org/10.1016/j.marpol.2008.03.012>
12. Platias, Ch., Rampavila, M.: Maritime Spatial Planning. Environmental Concerns and Demands for Policy and Governance. (in Greek) 16th Conference for ERS-GR Strategies for local and regional development: modern challenge, Athens, (2018)
13. Lukic, I., Schultz – Zehden, A., Fernandez, X., Pascual, M., Nigohosyan, D., Maarten de Vet, J.: Maritime Spatial Planning for Blue Growth – Technical Study. Publications Office of the European Union, Luxembourg (2018) <https://doi.org/10.2826/04538>
14. Ehler Ch., Zaucha J., Gee K: Maritime/Marine Spatial Planning at the Interface of Research and Practice. In: J. Zaucha, K. Gee (eds) Maritime Spatial Planning: Past, Present, Future. Palgrave Macmillan, Cham. pp. 1-22 (2019) <https://doi.org/10.1007/978-3-319-98696-8>
15. van Tatenhove, J. P. M.: Transboundary Marine Spatial Planning. A Reflexive Marine Governance Experiment? Journal of Environmental Policy & Planning, 19, pp. 783–794 (2017) <https://doi.org/10.1080/1523908X.2017.1292120>
16. Schultz-Zehden A., Weig B., Lukic I.: Maritime Spatial Planning and the EU's Blue Growth Policy: Past, Present and Future Perspectives. In: Zaucha, J., Gee, K. (eds) Maritime Spatial Planning. Palgrave Macmillan, Cham. pp. 121-150 (2019)
17. European Commission: Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 Establishing a Framework for Maritime Spatial Planning. (2014) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0089&from=EN>
18. Papageorgiou, M., & Kyvelou, S.: Considering LSI in MSP in Greece: Updates and Challenges. Global NEST International Conference on Environmental Science & Technology (2021)
19. European Commission/ Directorate General of Maritime Affairs and Fisheries: Socio-economic Studies in the Field of the Integrated Maritime Policy of the European Union - Legal Aspects of Maritime Spatial Planning. Summary report. Office for Official Publications of the European Commission, Luxembourg (2009) <https://op.europa.eu/en/publication-detail/-/publication/f8a0f34e-f158-4ce2-8768-2078b03dd11c>
20. Rampavila, M., Avgerinou – Kolonias, S.: Conceptual Approaches of Maritime Spatial Planning. Principles and Planning Parameters. In: Book of papers of Aesop Conference:

- Planning for Transition, 32, Venice, pp. 4295-4304, (2019) <https://proceedings.aesop-planning.eu/index.php/aesopro/issue/view/4/4>
21. Kuokkanen, T.: Marine Spatial Planning in International Law before MSP. In: D. Hassan, T. Kuokkanen & N. Soininen (eds) *Transboundary Marine Spatial Planning in International Law*. Routledge, Oxford, pp. 23-41 (2015)
22. Rampavila, M.: Overview of International and Regional Framework for Zone Delimitation and Ecosystem-based Approach on MSP. (in Greek) (to be published)
23. Zervaki A.: Introducing Maritime Spatial Planning Legislation in the EU: Fishing in Troubled Waters. *Maritime Safety and Security Law Journal*, 1, pp. 95-114 (2015)
24. Kidd S., Jones H., Jay S.: Taking Account of Land-Sea Interactions in Marine Spatial Planning. In: Zaucha, J., Gee, K. (eds) *Maritime Spatial Planning*. Palgrave Macmillan, Cham, pp. 245-270 (2019)
25. Maes Fr.: The International Legal Framework for Marine Spatial Planning. *Marine Policy*, 32, pp. 797-810 (2008) <https://doi.org/10.1016/j.marpol.2008.03.013>
26. Soininen N., Hassan D.: Marine Spatial Planning as an Instrument of Sustainable Ocean Governance. In: Hassan D, Kuokkanen T, Soininen N (eds) *Transboundary marine spatial planning and international law*. Routledge, London, pp 3–20 (2015)
27. Werle, D., et al: International Ocean Governance and Capacity Development: Editor's Preface and Acknowledgements. In: D. Werle, et al, (eds). *International Ocean Governance and Capacity Development*. Brill Nijhoff, Leiden and Boston. pp. xxi-xxiii (2018) <https://brill.com/edcollbook-0a/title/36420>
28. Watson-Wright, W. & Luis Valdes, J.: Fragmented Governance of our Global Ocean. In: D. Werle et al (eds). *The Future of Ocean Governance and Capacity Development*. Leiden and Boston: Brill Nijhoff, pp. 16-22. (2018) <https://brill.com/edcollbook-0a/title/36420?srsltid=AfmBOor6e4N1eLUKUo-SijfaXetbLmEa1m15x-8BI2edKxahorZPQptI>
29. Gee K.: The Ocean Perspective. In: J. Zaucha, K. Gee (eds) *Maritime Spatial Planning: Past, Present, Future*. Palgrave Macmillan, Cham, pp. 23-45 (2019) <https://doi.org/10.1007/978-3-319-98696-8>
30. Hassan, D. & Soininen, N.: United Nations Convention on the Law of the Sea. In: D. Hassan, T. Kuokkanen & N. Soininen (eds). *Transboundary Marine Spatial Planning and International Law*. Routledge, Oxford, pp. 60-84 (2015)
31. Pyc D.: The role of the Law of the Sea in Marine Spatial Planning. In: Zaucha, J., Gee, K. (eds) *Maritime Spatial Planning*. Palgrave Macmillan, Cham, pp. 375-396 (2019)
32. Dupuy, R. - J., 1991: The Sea under National Competence. In R. - J. Dupuy and D. Vignes, *A Handbook on the new Law of the Sea*. Vol I, pp. 247-314, Dordrecht, Martinus Nijhoff Publishers, ISBN 978-960-08-0643-4
33. Dux, T.: Specially Protected Marine Areas in the Exclusive Economic Zone (EEZ). The Regime for the Protection of Specific Areas of the EEZ for Environmental Reasons under International Law. LIT Verlag Münster. (2011)
34. Czbulka, D., Bosecke, T.: Marine Protected Areas in the EEZ in light of International and European Community Law – Legal Basis and Aspects of Implementation. In: von Nordheim, H., Boedecker, D., Krause, J.C., (eds) *Progress in Marine Conservation in Europe*, Springer, Berlin, Heidelberg, pp. 27-46 (2006) https://doi.org/10.1007/3-540-33291-X_3
35. Mossop, J.: The Relationship between the Continental Shelf Regime and a new International Instrument for Protecting Marine Biodiversity in Areas Beyond National Jurisdiction. *ICES Journal of Marine Science*, 75, pp. 444-450, (2018) <https://doi.org/10.1093/icesjms/fsx111>
36. Alencar Mayer Feitosa Ventura, V.: Legal Basis of Coastal States' Environmental Jurisdiction on the Continental Shelf. *Environmental Jurisdiction in the Law of the Sea*. Springer, (2020)

- https://doi.org/10.1007/978-3-030-50543-1_7
37. UNEP(DEPI)/MED IG.18.: Protocol on Integrated Coastal Zone Management in the Mediterranean. Conference of Plenipotentiaries. Madrid, (2008)
<https://www.unep.org/unepmap/node/20874>
 38. UNEP(DEPI)/MED IG.23/23.: Conceptual Framework for Marine Spatial Planning” in the Mediterranean Sea. 20th Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Tirana (2017) <https://www.unep.org/unepmap/meetings/cop-decisions/cop20-outcome-documents>
 39. Ramieri, E., Bocci, M., Markovic, M.: Linking Integrated Coastal Zone Management to Maritime Spatial Planning: The Mediterranean Experience. In: Zaucha, J., Gee, K. (eds) *Maritime Spatial Planning*. Palgrave Macmillan, Cham. pp. 271-294 (2019)
 40. Bocci M., Markovic M., Mlakar A., Stancheva M., Borg M., Carella F., Barbanti A., Ramieri E.: Land-Sea-Interactions in MSP and ICZM. A Regional Perspective from the Mediterranean and the Black Sea. *Marine Policy*, 159, (2024)
<https://doi.org/10.1016/j.marpol.2023.105924>
 41. Avgerinou – Kolonias, S., Rampavila, M.: Coastal Urbanization as a Result of the Absence of an Integrated Maritime Spatial Planning Approach. *Proceedings of the International Conference on Changing Cities III: Spatial Design, Landscape and Socio-economic Dimensions, Syros – Delos – Mykonos*, pp. 2135-2147 (2017)
 42. Asprogerakas E., Serrao K., Sofianopoulos D.: Policies for the replanning of urban coastal areas. The case of Athens. *Comparisons with Hamburg. XXI AESOP Conference Proceedings.*, Naples (2007)
https://doi.org/10.1007/978-3-319-98696-8_12
 43. Zaucha J., et al: Implementing the EU MSP Directive. Current Status and Lessons Learned in 22 EU Member States. *Marine Policy*, 171. (2025)
<https://doi.org/10.1016/j.marpol.2024.106425>
 44. European Commission: Report from the Commission to the European Parliament and the Council Outlining the Progress Made in Implementing Directive 2014/89/EU Establishing a Framework for Maritime Spatial Planning. Brussels, COM (2022) 185 final (2022) <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52022DC0185>
 45. United Kingdom Parliament: Marine and Coastal Access Act. (2009) <https://www.legislation.gov.uk/ukpga/2009/23/contents>
 46. Slater, A. - M., Claydon, J.: Marine Spatial Planning in the UK. A Review of the Progress and Effectiveness of the Plans and their Policies. *Environmental Law Review*, 22, pp. 85-107 (2020)
 47. United Kingdom Parliament: The UK Marine Policy Statement. (2011) <https://assets.publishing.service.gov.uk/media/5a795700ed915d042206795b/pb3654-marine-policy-statement-110316.pdf>
 48. European Commission: Recommendation of the European Parliament and of the Council Concerning the Implementation of Integrated Coastal Zone Management in Europe. (2002) <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52007DC0308>
 49. United Kingdom, Department for Environment, Food and Rural Affairs: A Description of the Marine Planning System for England. London (2011) <https://assets.publishing.service.gov.uk/media/5a7aef8bed915d670dd7fa39/110318-marine-planning-descript.pdf>
 50. Turner, J., Essex, S.: Integrated Terrestrial and Marine Planning in England's Coastal Inter-tidal Zone. Assessing the Operational Effectiveness of the Coastal Concordat. *Marine Policy*, 72, pp. 166-175 (2016) <https://doi.org/10.1016/j.marpol.2016.07.014>
 51. Casimiro, D. and Guerreiro, J.: Trends in Maritime Spatial Planning in Europe: An Approach to Governance Models. *Journal of Environmental Protection*, 10, pp. 1677-1698, (2019) <https://doi.org/10.4236/jep.2019.1012100>

52. Cudennec, A.: Integrated Coastal Zone Management in France: Some Perspectives. In: A. Chircop, F. Goerlandt, C. Aporta & R. Pelot, (eds) *Governance of Arctic Shipping: Rethinking Risk, Human Impacts and Regulation*. Halifax, Springer, pp. 301-311 (2020) https://doi.org/10.1007/978-3-030-44975-9_16
53. Trouillet, B., Guineberteau, T., de Caqueray, M., Rochette, J.: Planning the Sea. The French Experience. Contribution to Marine Spatial Planning Perspectives. *Marine Policy*, 35, pp. 324-334 (2011) <https://doi.org/10.1016/j.marpol.2010.10.012>
54. République Française/ Ministère de l'Environnement, de l'Energie et de la Mer: Stratégie Nationale pour la Mer et le Littoral. (2017) https://www.dirm.memn.developpement-durable.gouv.fr/IMG/pdf/strategie_nationale_mer_littoral_20172023.pdf
55. République Française : Le Livre Bleu des Engagements du Grenelle de la Mer. (2009) <https://www.vie-publique.fr/rapport/30608-le-livre-bleu-des-engagements-du-grenelle-de-la-mer-10-et-15-juillet-2>
56. Trouillet, B.: La Planification de l'Espace Maritime. In: Desse, M., Herbert, De la Gestion des Zones côtières (GIZC) à la Planification Spatiale Maritime (PSM). Dunod, Paris, pp. 435-446 (2024) <https://hal.science/hal-04649668v1>
57. Queffelec, B.: Planification de l'Espace Maritime et Approche Écosystémique en Contexte Transfrontalier. Illustration franco-belge. *Vertigo*, 18 (2013) <https://journals.openedition.org/vertigo/14282?lang=pt>
58. République Française/ Ministère de la Transition Ecologique et Solidaire: Document Stratégique de Façade Méditerranée (2019) <https://www.dirm.mediterranee.developpement-durable.gouv.fr/document-strategique-de-facade-mediterranee-r335.html>, <https://www.dirm.mediterranee.developpement-durable.gouv.fr/la-strategie-de-facade-maritime-est-adoptee-a2892.html>
59. Morand – Deviller, J.: Stratégie Politique et Droit Souple. La Stratégie Nationale pour le Milieu Marin. *Cahiers du GRIDAUH*, 2, pp. 229-242 (2015) <https://droit.cairn.info/revue-cahiers-du-gridauh-2015-2-page-229?lang=fr>
60. Hellenic Republic/ Government: Law 4546/2018 Transposition into Greek Law of the 2014/89/EC Directive “Establishing a framework for maritime spatial planning” and other. (in Greek) Official Journal no 101A’/2018. (2018) <https://search.et.gr/el/fek/?fekId=569332>
61. Hellenic Republic/Government: Law 4759/2020 Modernization of Spatial Planning and Urban Planning Legislation and other. (in Greek) Official Journal no 245A’/2020. (2020) <https://search.et.gr/el/fek/?fekId=600002>
62. Hellenic Republic/ Ministerial Council Act: National Spatial Strategy for Maritime Space. (in Greek) Official Journal no 227D’/2025. (2025) <https://search.et.gr/el/fek/?fekId=780316>
63. Gourgiotis, A., Yannakou, A. & Salata, K. - D.: Marine Spatial Planning in Greece. The Approach of the first Marine Spatial Planning Framework for the Wider North Aegean Region (Marine Spatial Unit 1). (in Greek) *Aeihoros, Essays on Spatial Planning and Development*, 37, pp. 30-66 (2023) <https://doi.org/10.26253/heal.uth.ojs.aei.20.23.1797>
64. Yannakou, A., Gourgiotis, A., Salata, K.D.: Marine Spatial Planning in Greece. Issues Raised from the Preparation of the Marine Spatial Framework for the North Aegean Region. *Planning Practice & Research*, pp. 1-19 (2024) <https://doi.org/10.1080/02697459.2024.2365516>
65. Hellenic Republic/ Ministry of Environment and Energy Ministerial Decision: Delimitation of Spatial Areas for Maritime Spatial Plans. (in Greek) (2025) <https://diavgeia.gov.gr/doc/ΨIK64653Π8-ΕΦΨ?inline=true>