Marine Spatial Planning: the French case

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MSP: a binding law, the Directive 2014/89

Art. 15-1°: “Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 18 September 2016.”

French transposition:

- Decree n° 2017-724 of 3rd May 2017 integrating MSP and the Marine Action Plan into the Strategic Document
INTRODUCTION

Metropolitan France sea fronts:

- East Channel North Sea (1)
- North Atlantic-Western Channel (2)
- South Atlantic (3)
- Mediterranean (4)

Source: ING SHOM, 2016
Which foreplays to the adoption of the MSP in French law?
Two ways to consider

I- French MSP Before MSP

I.1- From SDAUM to SMVM

I.2- A process influenced by international and European incentives

II- A « French-touch » MSP

II.1- Alignment with the European requirements

II.2- Necessary adaptations to the French administrative structure
I.1- From SDAUM to SMVM

**SDAUM** (*Schémas d’Aptitude et d’Utilisation de la Mer*)
- **Definition**
  - a maritime component of territorial planning documents
  - A non binding text: Picard Report, 1973
- **Functions:**
  - To resolve problems of conflicts over coastal uses
  - To conserve Coastal ecosystems
- **Limits:**
  - Non-binding legal scope
  - 3/8 schemes have been approved
  - Most of schemes are limited to closed spaces (Rade, Bay)

**SMVM** (*Schémas de Mise en Valeur de la mer*)
- **Same objectives**
- **Binding legal scope**: Law of 7 January 1983 (Art 57)
I.2- A process influenced by international and European incentives rules

**International Scale**
- Rio Agenda
  Chap. 17: ICMZ until EEZ
- Johannesburg summit §30
- UNGA “The Future We Want”
  CBD Report on MSP paragraph 75, decision X/29

**EU**
- European ICMZ
  Council Recommendation 92/C 59/01
- 1st EU program on ICMZ
  1997-1999
- ICMZ (2002/413/EC)
- MSP road map (2008)
- Proposal Directive for MSP
  (2013/0074 (COD))
- Directive 2014/89/EU on MSP

**France**
- Law 95-101 Environment protection
- Principle of integration
  (constitutional reform 2005)
  Integration of the maritime part in urban planning (Territorial reform law 2005)
- ICMZ Grenelle laws, 2009-2010
- Transposition of the EU Directive (the 2016 biodiversity law and 2017 decree implementing MSP)
II.1 - Alignment with the European requirements

Exemple of the provisional timetable

Maximum time limit set by the law
- 15 Jul. 2018
- 15 Jul. 2020
- 31 Dec. 2020

- Inventory
- National Strategy
- Action plan

Inventory
- Strategic objective and associated indicators
- Approval of strategic documents
- Action plan

Already done
- 2016-2017
- Planned for Mars 2019

Consultations
- Feb-Mars 2018

"French-Touch" MSP
What are the documents of MSP?


**SDSF**: The MSP document that is adopted at the level of each seafront (art. L219-5-1)

**NSDSC**: Document that constitutes the reference framework for MSP (Art. L219-1)
II.2- Administratives institutions implementing MSP

Huge variety of Coordinating authorities at municipal to sea front scale

1. Ministry of environment
2. Prefect
3. Advisory
4. Criteria and methods
5. Adoption of SDSF

Project of SDSF

CIMM, CMF, CNML, EPCI, CR et CD, CRML, CB, CRB, CRPM, CEMMN
CONCLUSION

• MSP is a long process

• The complexity of the French procedure is linked to its administrative structure

• Hope this short overview could contribute to a constructive comparison

Are several planning documents useful?

How to manage a diversity of administrative structure?