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Challenges and opportunities for maritime spatial planning of the Black Sea in Romania and Bulgaria

Final Conference of the **MARSPLAN-BS** project

Institutional framework for maritime spatial planning

Bucharest,
11th of January 2018



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At the end of year 2015 a Government Memorandum was adopted in which the Ministry of Regional Development, Public Administration and European Funds (MRDPAEF) was designated to coordinate the transposition of Directive 2014/89/EU.



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MRDPAEF initiated a working group with the participation of the public authorities that are involved in the domains regulated by the Directive:

- Ministry of Transport;
- Ministry of Economy;
- Ministry for the Business, Commerce and Entrepreneurship Environment;
- Ministry of Environment;
- Ministry of Waters and Forests;
- Ministry of Agriculture and Rural Development;
- Ministry of Foreign Affairs;
- Ministry of Interior;
- Ministry of National Defence;
- Ministry of Culture and National Identity;
- Ministry of Energy;
- National Agency for Mineral Resources;
- National Research Institute - Marine Development "Grigore Antipa"
- National Administration of Romanian Waters;
- National Agency for Fisheries and Aquaculture;
- Transgaz.



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The result of the working group: normative act on maritime spatial planning -> Government Ordinance no. 18/2016 on Maritime Spatial Planning, published in the Official Gazette no. 658/August 29, 2016. The Ordinance was adopted by Law no. 88/2017.

The normative act produces effects starting with the 3rd day from publication, and fully transposes the Directive 2014/89/EU.



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The Government Ordinance no. 18/2016:

- Establishes the legal framework for Maritime Spatial Planning, aiming to promote sustainable growth of maritime economies, sustainable development of marine areas and sustainable use of marine resources.
- Shall not apply to activities whose only purpose is military defence or national security.
- Shall not apply to activities of spatial planning or urban planning, as regulated by Law no. 350/2001 on spatial and urban planning.



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Maritime Spatial Plan - the strategic planning document, with director and regulation character, which identifies the spatial and temporal distribution of activities and the current and future uses in marine waters, and through which is established the general framework for sustainable and integrated development of various areas on marine waters.



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The competent authorities:

- the Maritime Spatial Planning Committee - in charge of the drawing-up and the monitoring of the Maritime Spatial Plan;
- any public authority responsible for the implementation of the maritime spatial plan.



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The Maritime Spatial Plan:

- shall be adopted by law, shall enter into force at the latest on the 31st of March 2021 and shall be revised at least once every 10 years;
- shall be established in accordance with the Methodology for the development of the maritime spatial plans.



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The Maritime Spatial Planning Committee

Inter-ministerial body, without legal personality, functioning under the coordination of the Prime Minister, which ensures the presidency of the Committee.



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The composition of the Maritime Spatial Planning Committee is ensured by the following institutions:

- Ministry of Regional Development, Public Administration and European Funds
- The Ministry of Economy
- Ministry for Business Environment, Commerce and Entrepreneurship
- Ministry of Transport
- Ministry of Environment
- Ministry of Waters and Forests
- Ministry of Agriculture and Rural Development
- Ministry of Foreign Affairs
- Ministry of Interior
- Ministry of National Defence
- Ministry of Culture and National Identity
- Ministry of Energy
- Ministry of Communications and Information Society
- Ministry of Research and Innovation
- Ministry of Tourism
- National Agency for Mineral Resources
- Danube Delta Biosphere Reserve Authority
- Romanian Naval Authority
- National Agency for Fisheries and Aquaculture
- National Agency for Environmental Protection
- National Institute for Marine Research and Development "Grigore Antipa"
- Danube Delta National Research Institute
- National Administration "Romanian Waters" - Dobrogea Marine Water Basin Administration
- National Company Maritime Ports Administration - S.A.
- Competent Authority for the regulation of offshore operations in the Black Sea



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At the meetings of the Maritime Spatial Planning Committee may attend, as guests, any other representatives of public institutions with responsibilities in the areas of regulation of the Ordinance.



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In the process of the development and implementation of the Maritime Spatial Plan the competent authority will establish means of public participation by informing all interested parties and by consulting the relevant stakeholders and authorities, and the public concerned, at an early stage in the development of maritime spatial plans.



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The Maritime Spatial Planning Committee is the competent authority for the implementation of the Directive.

The Maritime Spatial Planning Committee shall inform the European Commission and to other member states, about the maritime spatial planning activities in Romania.

The Maritime Spatial Planning Committee shall send to the European Commission, through the Secretariat of the Committee (MRDPAEF), all informations stipulated by the Directive 2014/89/EU.



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The Ministry of Regional Development, Public Administration and European Funds presented the Government, for approval, the project of the Government Decision regarding the approval of the Regulation of organization and functioning and the nominal composition of the Maritime Spatial Planning Committee.

The proposal was approved and produces effects under the Government Decision no. 406/2017.



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The Government Decision no. 406/2017 regulates:

- Tasks of the Maritime Spatial Planning Committee;
- Tasks of the Chairman of the Maritime Spatial Planning Committee;
- Tasks of the Secretariat of the Maritime Spatial Planning Committee;
- Members of the Maritime Spatial Planning Committee and designated members;
- Procedure for the organization of the meetings of the Maritime Spatial Planning Committee;
- Decision-making procedure within the Maritime Spatial Planning Committee.



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Next steps:

1. Methodology for the elaboration of the Maritime Spatial Plan;
The methodology was elaborated by the Ministry of Regional Development, Public Administration and European Funds and it is in the procedure of being adopted by the Government
2. Maritime Spatial Planning Committee meetings;
3. Start the development of the Maritime Spatial Plan based on the project's results.



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Thank you for your attention!

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