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POLICY RECOMMENDATIONS

Building the European Ocean of the Macaronesia: a cooperation approach for marine spatial planning.

Executive summary

In the marine environment, physical and natural processes occur on a much larger scale than the scope covered by the marine borders of any one country. According to the Marine Spatial Planning Directive (2014/89 / EU), all Member States that share a sea basin must cooperate to ensure that marine plans are consistent with each other and functional coherent across borders.

Among the archipelagos of the European Macaronesia there are important social and ecological connections through the shared sea. The great extension of maritime jurisdiction of Portugal and Spain in the marine basin provides us with a maritime reality that presents opportunities to cooperate proactively both, in planning of maritime activities of the archipelagos, and in the framing of common mechanisms of marine governance. Only in this manner will it be possible to meet common challenges, fully exploit the potential for blue growth that these European outermost regions share and secure long term sustainability of the quality of life of the inhabitants of the marine basin. For these reasons, consolidation of the European Macaronesian Ocean is proposed. A common space for cooperation where Member States (and third countries) endeavor to achieve a shared vision and thus provide effective responses to the maritime challenges they face.

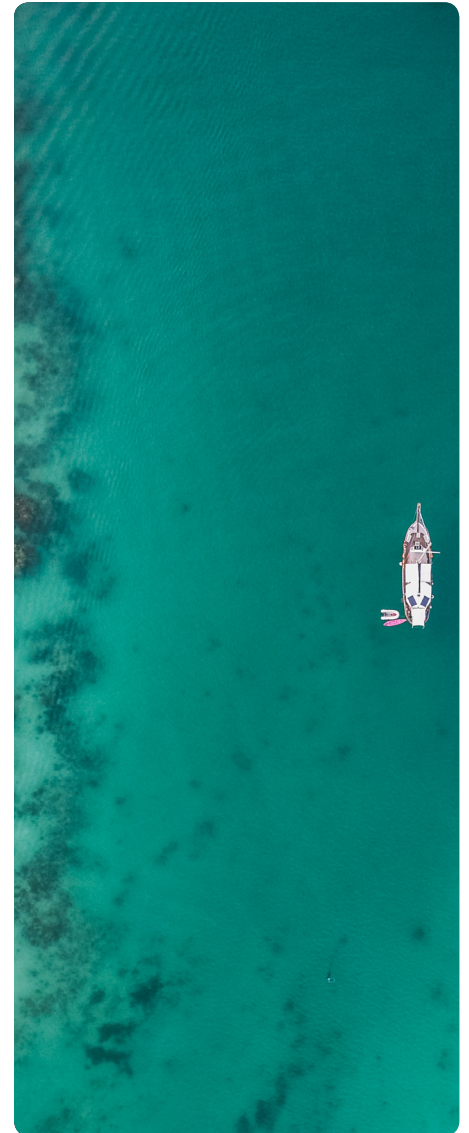
Key policy recommendations:

- Focus on the relationships and processes that transverse the sea-basin to understand the context of the European Macaronesian Ocean.
- Agree on a shared future for the common sea-basin: together we are stronger to face common challenges.
- Establish a joint and specific management framework for MSP cross-border cooperation.
- Work within the possibilities of the current governance context.
- Exploit already existing mechanisms for cooperation, including available opportunities at an international level.
- Adopt flexible approaches to define transboundary cooperation areas around common interests.
- Begin with the easiest to generate momentum.
- Engage people to create political and social will.
- Support cooperation through best available knowledge to improve decision making.
- A profitable European Macaronesian Ocean is resource consuming.

THE CONTEXT |

What do we need and why?

The European Macaronesia marine context.



Before March 31, 2021 all Member States must have approved their management plans for their marine territory, in accordance with the European Directive (2014/89/EU) of marine spatial planning. In the case of European Macaronesia, marine plans will be drawn up for the three European archipelagos: Azores, Madeira and the Canary Islands.

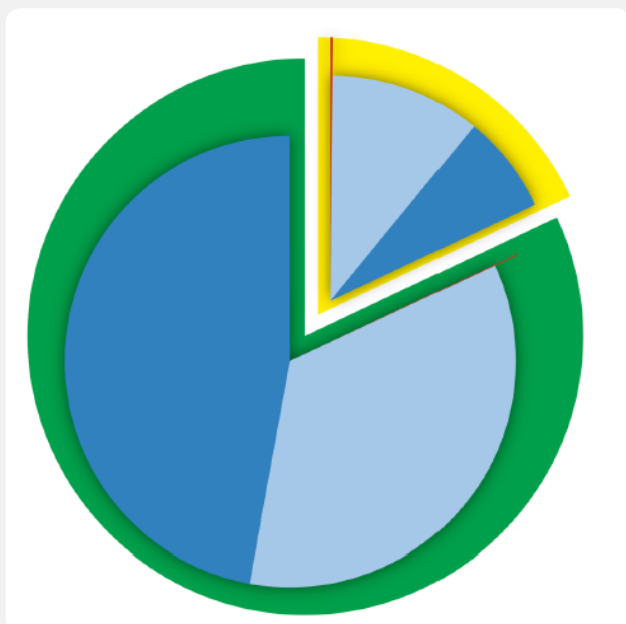
From a national level, however, it is impossible to properly manage the impact of human activities at sea. This fact highlights, as established in Article 11 of the Directive itself, the importance and need for the coordination of competent authorities to ensure coherence within marine plans, and jointly manage cross-border issues. With all of this in mind, it is recommended that work is not only developed from the MSP, but also to construct two national marine governance systems that, albeit separate, function in a coordinated and cooperative

manner. This would allow them to be able to efficiently respond to a number of related themes of common interest which have no regard for borders. We therefore propose understanding the European Macaronesian Ocean as a shared space, with common ecosystem elements and common socio-cultural and political-administrative aspects (García-Onetti, 2018; García-Sanabria, 2019). Cross-border cooperation is proposed as a dialogue between European institutions, which look after common interests, facilitating the blurring of borders or beginning to consider them as spaces of union.

At present, neither Spain nor Portugal have definitively approved their marine spatial management plans. This represents an opportunity to design and establish, from the early stages, cooperation tools and measures, as well as agreeing on common objectives for the shared marine basin.



Key example



Source: Macaronesia MarSP Atlas



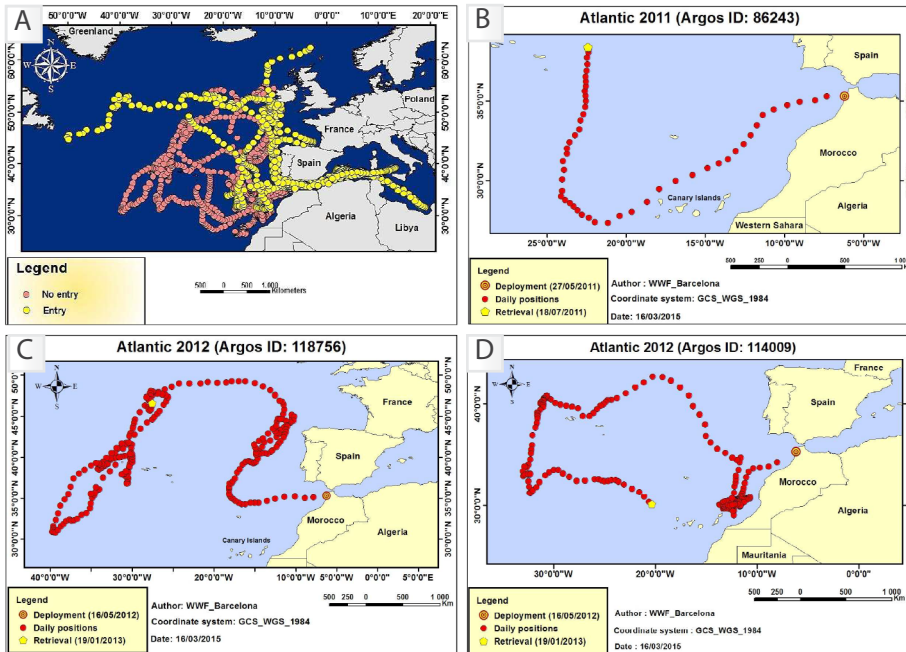
Comparing land and maritime jurisdictions surface in the European Macaronesia by State (Km²).

- Portugal
- Spain
- Land
- Exclusive Economic Zone (km²)
- Extended Continental Shelf (km²)

The relative importance of these archipelagos in terms of individual maritime sovereignty is exceptional. Approximately only 3.4% of the Portuguese emerged territory (Azores and Madeira) comprises 82.7% of its offshore maritime sovereignty. In the Spanish case, 1.4% of the emerged territory (which corresponds to the Canary Islands) comprises 46.6% of national maritime sovereignty. All of this translates into enormous potential for the development of blue growth that will be stimulated by the legal-administrative security that approved marine plans offer.

Fig. 1

Examples of migratory behaviour of bluefin tuna (*thunnus thynnus*) in the Eastern Atlantic and the Mediterranean. (A) shows how some tunas (brown dots) do not enter the Mediterranean. (B, C and D) are examples of how bluefin tunas move around the Macaronesian archipelagos waters making them a shared resource. Source: (Chaabani, 2015).



 Key example

Cooperate to ensure the sustainable use of shared resources

The increase in deaths of sperm whale caused by collisions with high-speed ferries in the Canary Islands (Arregui et al., 2019) poses a serious risk to the conservation of this species in this archipelago (Fais et al., 2016). As a migratory species, the conservation of its population may also be affected in other archipelagos (El Confidencial, 12/05/2019) which would affect the sustainability of the tourist activity of whale watching of Madeira and Azores.

MAIN FINDINGS |

The European Macaronesia as a socio-ecosystem.

Theseasandoceansarecontinuous and connected environment, and both natural processes and maritime activities occur across maritime borders. Thus, the sustainability of the quality of life of the population in the European Macaronesia is affected by decisions taken in the archipelagos as well as neighboring countries, due to the fact that the marine basin behaves as a connected socio-ecosystem, which, in turn, is linked to other socio-ecosystems. In this manner, the future balance of ecosystems, maritime activities and the well-being of societies in the sea basin are interconnected by complex socio-ecological processes and affected by decisions taken far from where consequences become noticeable.

For example, investigation suggests that the three archipelagos act as a biological corridor for the migration of numerous marine species such as bluefin tuna (Chaabani, 2015; Powers and Fromentin, 2005) or for more than six species of cetaceans (Perrin and Waerebeek, 2007). In addition, transfers of resources occur, as do connections between the socio-ecosystem of Macaronesia and more distant ones. For example, an increment in fishing pressure on Bluefin tuna in the Mediterranean can cause a decrease in catches of this species in Macaronesia, and vice versa.

European Macaronesia not only shares ecological relationships, but also social, cultural and economic

relationships. The common conditions of insularity and isolation have a structural impact on the social and economic development of the three archipelagos. This provides natural advantages, vast potential for the development of the blue economy, and also fosters similar cultural ties with the sea. Against this background, there are, for example, several projects (CLUSTERING or SMART BLUE) financed by the Territorial Cooperation Program which is specific to Macaronesia. It is aimed at fostering and creating cluster networks among the maritime economies of the archipelagos.

Interested in more detailed findings? Consult MarSP report: "Integrated and synthetic diagnosis of the marine spatial planning in the Macaronesia".





MAIN FINDINGS |

The scope of transboundary cooperation in European Macaronesia.



The scope of transboundary cooperation for MSP could include the entire marine areas in which Portugal and Spain are required to develop MSP plans. This means that each country must decide on the scope, which could in fact, include all the jurisdictional marine areas claimed by both countries.

It should be noted that there are certain issues, such as negotiations for the delimitation by mutual agreement of the shared marine borders, which are beyond the scope of work of the MSP. To promote cross-border cooperation, it is important clearly understand the delimitation and typology of different legal-administrative boundaries in the marine environment. That said, it is not indispensable, since the issues on

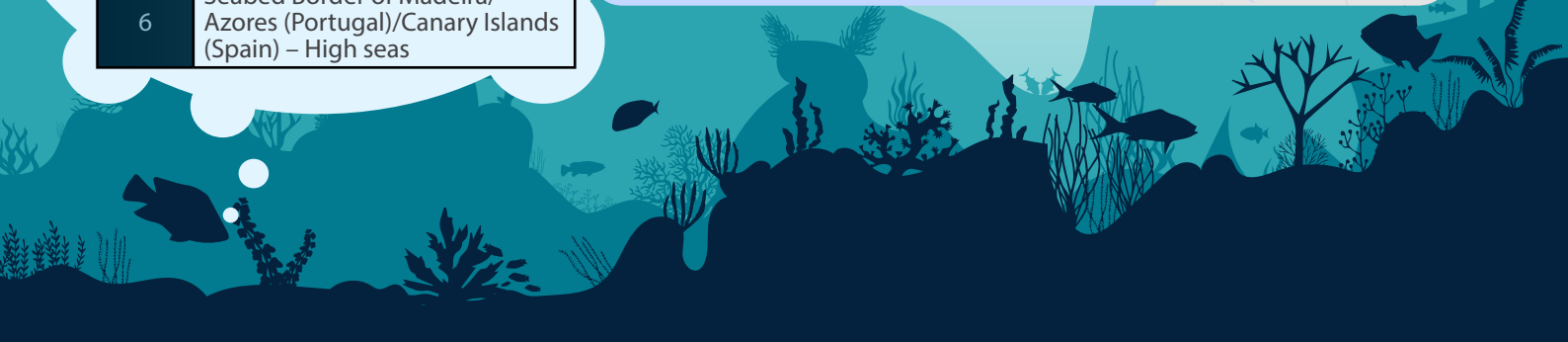
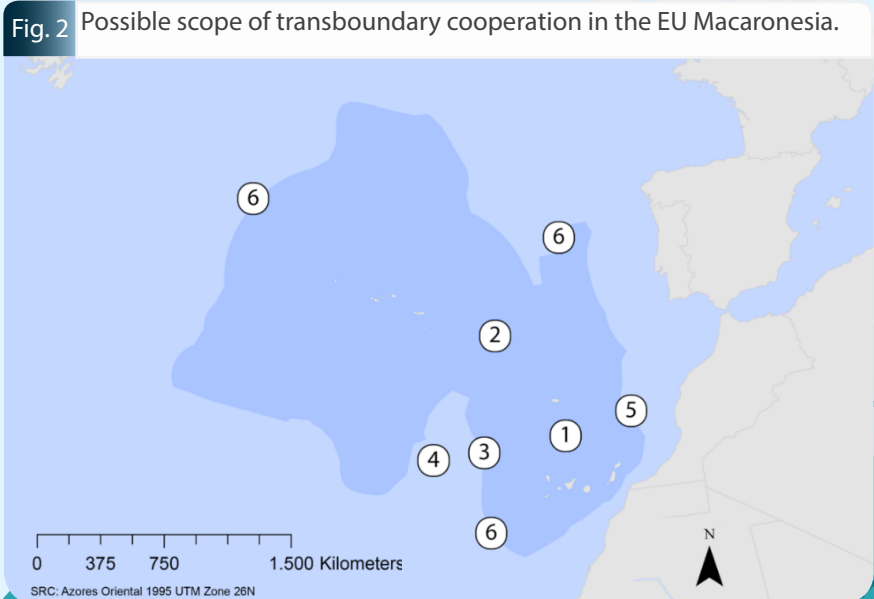
which to cooperate are frequently not limited to the spatial area of the border, but go far beyond it. Even so, it is true that the type of border will determine the administrative aspects to consider for the cooperation and coordination efforts that must be given to design and/or implement the marine plans of the neighboring states. Accordingly, in the European Macaronesia there are no marine borders established by mutual agreement (Suárez de Vivero, 2019), which may well be an added difficulty for achieving spatial and functional coherence of the different marine plans of the basin.

However, with such a large marine area (more than 4.3 million km²), the degree of interaction between maritime sectors of the three archipelagos is very low.

This means that border areas are not identified where there is an exceptional concentration of maritime activities or where sectors of each country clearly compete for the same marine resources. In turn, this diminishes the urgency of reaching bilateral cooperation agreements on the sectoral management of maritime activities. However, the low conflict scenario also represents an opportunity to proactively plan blue growth according to a long-term shared vision for European Macaronesia while minimizing the emergence of conflicts in the future.

[Interested in more detailed results? Consult MarSP report: "Guidance report on transboundary MSP" and "Report of lessons learned and best practices available".](#)

Nº on the map	MAIN BORDER TYPES [Sequence of waters, bed and subsoil connected on the jurisdictional borders around the archipelagos of Macaronesia]
1	Border between the EEZ of the Canary Islands (Spain) – the EEZ of Madeira (Portugal)
2	EEZ Border of the Azores (PT) – High Seas – EEZ of Madeira (PT)
3	EEZ Border of Madeira (PT) – High Seas – EEZ of theCanaries (SP)
4	Border of Madeira/Azores (Portugal) – High Seas – Canary Islands (Spain)
5	Border of Madeira (Portugal)/ Canary Islands (Spain) – Waters around other riparian States
6	Seabed Border of Madeira/ Azores (Portugal)/Canary Islands (Spain) – High seas



MAIN FINDINGS |

Different MSP process paces and marine governance frameworks to manage a common sea basin.

At present, the institutional structure is not adapted to efficiently manage the complex and dynamic reality of the marine environment, and neither to address the development of emerging maritime sectors. This situation translates into the overlapping of regulations, sectoral institutions and competencies, which are sometimes difficult to clarify. The management of the maritime sectors is governed by different regulatory, authority and administrative frameworks, which makes it difficult to achieve spatial and functional coherence of the different marine plans of the basin.

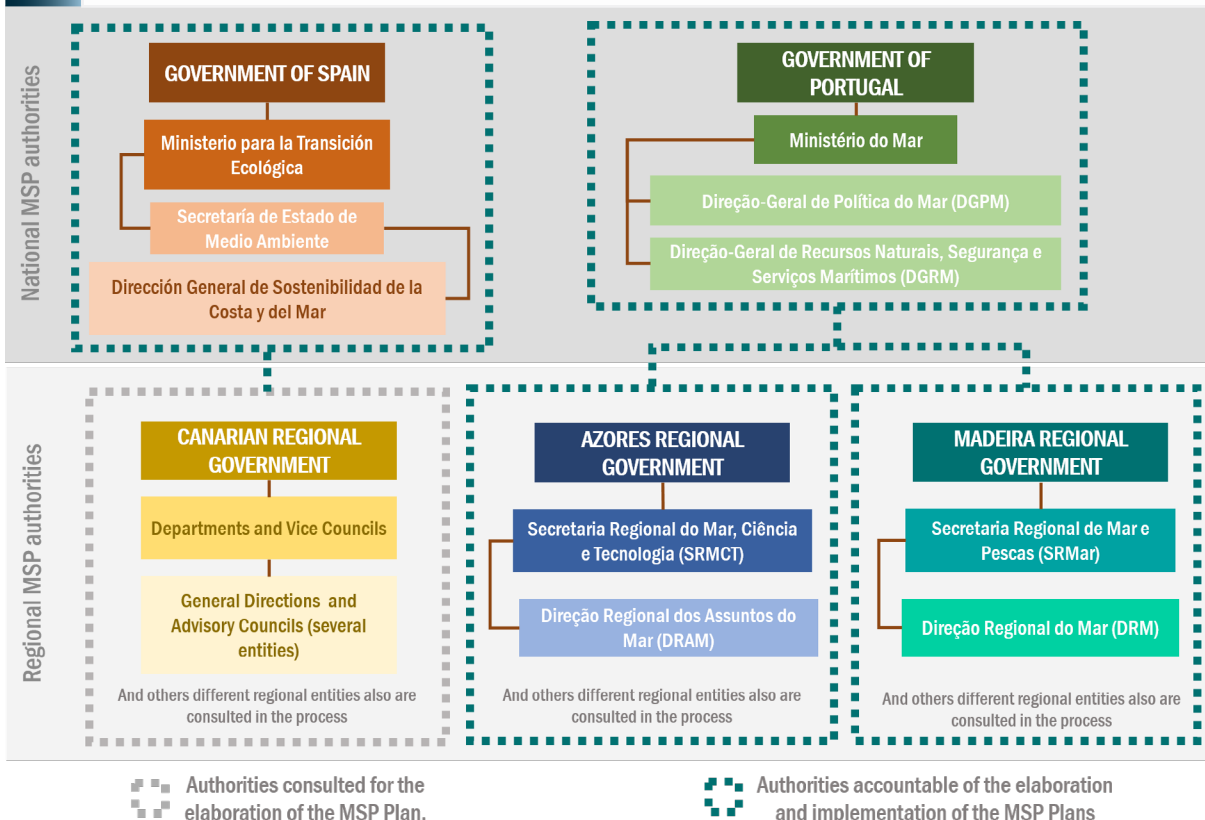
In this sense, there are very different paces and structures of government

in European Macaronesia. In the first place, while the Madeira region has already developed its MSP plan, that of the Azores is in its advanced stages and that of the Canary Islands is in its initial phase. Secondly, we find that Portugal usually concentrates most of its competences for maritime sectors under the same institution, the Ministry of the Sea. Similarly, the Azores and Madeira have the same institution to manage their marine affairs. In addition, the autonomous regions of the Azores and Madeira have greater autonomy and can extend their powers up to 200 nautical miles, covering the respective exclusive economic zones (EEZs) and are responsible for their own MSP processes (always in coordination with

the national authority of Portugal). In Spain, the competences for the maritime sectors are distributed among different institutions. The majority, including those for preparing marine management plan for the Canary Islands marine demarcation, is held nationally. This means that these different marine governance frameworks result, not only in dissimilar capacities to influence decision-making for MSP in the Macaronesian archipelagos, but also different administrative paces for responding to the management of the surrounding marine environment.

[Interested in more detailed results? Consult MarSP report: "MSP governance analysis of the European Macaronesia".](#)

Fig. 3 Main MSP competent authorities at a national and regional scale for the European Macaronesia.



MAIN FINDINGS |

Existing mechanism to promote cross-border cooperation.

As neighboring countries, Portugal and Spain, already have mechanisms and political declarations to cooperate on maritime matters of common interest. These constitute the basic context, establishing the limitations and opportunities on which to build more complex cooperation mechanisms:



1

Agreements, treaties and community regulations

After being signed by both countries, these become catalysts towards common goals. However, it should be noted that many international conventions that act on European Macaronesia, such as the OSPAR Convention, consider this bioregion as a fragmented socio-ecosystem not applicable to the whole field.

2

Bilateral agreements

These are a starting point for cooperation and collaboration in specific and transversal issues. Some examples are the fishing agreement of 2012 for the artisanal fishing fleet of Madeira and the Canary Islands, and the Agreement on Oceanographic Cooperation of 1971.

3

Joint projects

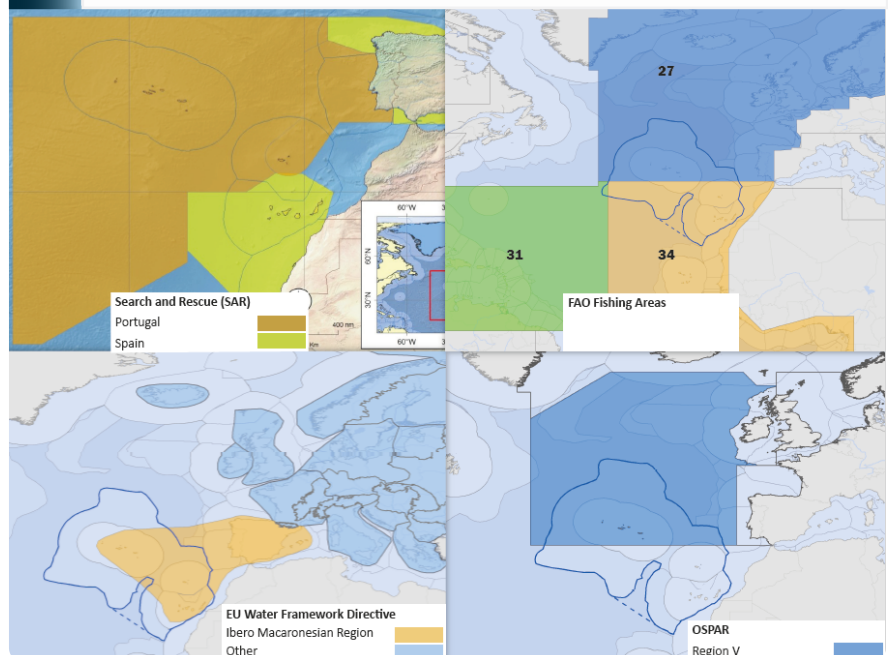
Joint projects such as those carried out from the Operational Program of Territorial Cooperation INTERREG V-A Spain-Portugal MAC (POMAC), allow for response to the most immediate common challenges.

4

Non-permanent mechanisms

These serve as spaces for dialogue to agree on long-term common policies and promote common interests of the parties. Some examples are the Hispano-Lusa or Iberian Summit held annually, the Atlantic Parliamentary Days that periodically brings together a legislative representation from Madeira, the Azores, the Canary Islands and Cape Verde, or the annual Conference of Presidents of the European ORs.

Fig. 4 Examples of treaties and conventions that fragment the transboundary cooperation scope of the EU Macaronesia.



MAIN FINDINGS |

Consensus among maritime stakeholders of the Azores, Madeira and the Canary Islands

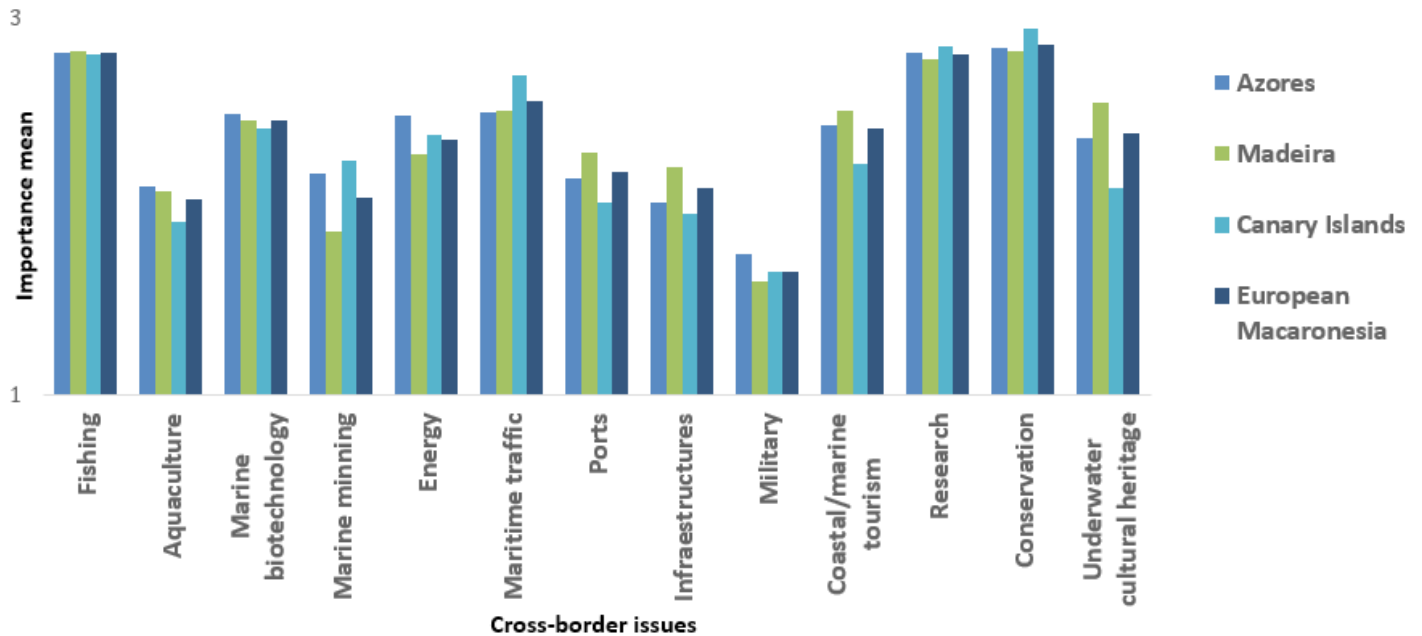


Fig. 5 Assessment of maritime affairs according to their importance for cross-border cooperation in the EU Macaronesia.

The participatory processes to diagnose and promote cross-border cooperation in European Macaronesia demonstrate the existence of a broad consensus among maritime actors of the three archipelagos. These coincide with the issues of greatest interest for cooperation and how to develop them. Maritime issues of interest for cross-border

cooperation are (1) conservation, (2) marine research, (3) fishing and (4) maritime traffic. To develop these issues, maritime actors highlighted the need to adopt common responses through the strengthening of a joint marine governance system, existing research networks and technical training networks for marine spatial planning. These issues were identified

as priorities when considering basic and fundamental components to subsequently progress in other sectoral issues such as conservation and protection of the marine environment, fishing, monitoring of illegal activities or maritime rescue.

[Interested in more detailed results? Consult MarSP report: "Identifying natural leaders and experts to propose working groups".](#)



RECOMMENDATIONS |

Key policy recommendations

The Marine Spatial Planning Directive allows Member States themselves to establish how to cooperate across borders in the marine environment based on their needs, peculiarities and their own governance frameworks. However, following the analysis carried out during the MarSP project, a series of recommendations have emerged for consideration for the promotion of cross-border cooperation between Portugal and Spain and their respective archipelagos.

[Interested in more detailed results? Consult MarSP report: "Guidance report on transboundary MSP"](#)



Focus on the relationships and processes that transverse the sea-basin in order to understand the context of the European Ocean of the Macaronesia

To cooperate to build the Macaronesian Ocean implies to assume it is a shared socio-ecosystem, with common elements, both ecological, social, economic and political. Besides, it entails recognizing that there are problems that must be addressed from a regional perspective, e.g. due to spatial separation between causes and consequences, for example. Furthermore, cooperation efforts must consider the structural conditions such as remoteness, insularity and territorial fragmentation that condition similarly the MSP processes of the archipelagos.

a consensual and participatory manner, between the parties for the European Macaronesia, would lay the foundations for cross-border cooperation. In turn, it would serve as a guide to improve coherence between the marine plans of Portugal and Spain. This type of progress would be sound and sustainable in manner, allowing for the use and preservation of a proper functioning of ecosystems and the quality of life of the inhabitants.

parties legitimizes initiatives and fosters long-term commitment (regardless of political cycles and changes in the institutional organizational chart) during planning, implementation and monitoring. Adapting existing mechanisms or agencies and increasing their competences can help build greater trust and commitment, while simplifying the consensus work for their configuration. However, the creation of a new responsible body allows flexible configuration for both its scope and its specific competencies.



Key message

Clearly and consensually defines governance mechanisms legitimized by the parties. For example, a bilateral regional body would facilitate a cross-border cooperation processes.



Key message

In the long term, a common vision for European Macaronesia can support and guide the development of a blue economy as well as sustainable preservation of the quality of life in the region.



Key message

Beyond cross-border interactions, the outermost archipelagos of European Macaronesia could collaborate to address their shared structural constraints.



Work within the possibilities of the governance context

When establishing common objectives for Macaronesia, it is necessary to understand and consider the limitations and opportunities established by the regulatory bodies and administrative structures of both Portugal and Spain. Governance frameworks will determine to what extent certain areas of interest for cross-border cooperation can be managed by mutual agreement, or governed jointly.



Agree on a common future for the sea-basin: together we are stronger to face shared challenges

Building a shared vision in the long term and developing strategic instruments (for example, a policy or strategy for the Macaronesian Sea) in



Establish a joint and specific governance framework for MSP cross-border cooperation

In order to promote cross-border cooperation in European Macaronesia, the establishment of a consensus marine governance system between the



Exploit the existing mechanisms for cooperation

Cross-border cooperation processes must consolidate through existing initiatives and mechanisms and take advantage of collaborative initiatives and structures that have already been created. In this manner, promoting cross-border cooperation for marine planning implies trust and solid relationships created between parties and institutional links already established, all with the ultimate goal of continuing to progress towards a greater process of cross-border governance.



Key message

New initiatives for cross-border cooperation should be built on pre-existing mechanisms to make efficient use of resources and take advantage of previous results and achievements.



Adopt flexible approaches to define transboundary cooperation areas around common interests

The type of legal-administrative limitation will affect the applicable legal regime and condition the possibilities of the cooperation process. Therefore, having clearly defined sea borders will provide greater legal certainty to MSP processes and cross-border cooperation. However, in European Macaronesia the delimitation of legal-

administrative boundaries is a politically sensitive issue on which no agreements have been reached. By focusing cooperation efforts around these boundaries can result in early stagnation of collaborative activity. It is therefore advisable to define and work on matters of common interest (instead of spaces) and devote sufficient time for internal discussion (without legal significance) to unlock politically sensitive issues.



Key message

In the area of European Macaronesia, it is advisable to focus cross-border cooperation efforts on issues that target the common interest of the marine basin and not on marine borders.



Begin with the easiest to generate inertia

By working initially on issues of common interest with easy resolution contributes to building trust between parties and enables them to gradually unlock new issues, or more ambitious and complex cooperation opportunities. For this reason, the Cross-Border Cooperation Pilot Program (see full program in the related MarSP report) developed during the MarSP project, in a participatory manner between the maritime sectors of the three archipelagos, is proposed as a common starting point to facilitate the beginning of initiatives for the process of bilateral cooperation in the sea basin.



Engage the people to create political and social will

It is necessary to involve different maritime sectors in public participation to identify cross-border priority issues, as well as promote their empowerment and support for marine cooperation and planning initiatives. Reflecting the reality of problems and needs of the outermost archipelagos, is frequently difficult and highly complex when they are considered within a broader national, or regional political framework. Therefore, the participation of the island communities is important to not only avoid conflict between local and national policies, but to ensure that the established objectives respond adequately to cross-border issues. It is essential to create meeting spaces to state positions and create understanding through the public participation of the different maritime actors and competent authorities of each jurisdiction.



Key message

Frequently, the main challenge is not so much in the formulation and formal adoption of policies or plans of good technical quality, but in obtaining sufficient political and social support so that they are correctly implemented in practice (Olsen, 1993).



Key message

A Cross-Border Cooperation Pilot Program for MSP supported by all parties will allow to test management and collaboration mechanisms and generate inertia to move towards a coherent governance system for the European Ocean of the Macaronesia.



Support cooperation through best available knowledge to improve decision making

In order to support cross-border cooperation and joint decision-making based on reliable information for all parties, it is necessary to have a common and agreed information system. This will favor effective planning and management of cross-border issues. However, the collection, detail, quality, space and time range of data may vary greatly across jurisdictions. Therefore, it is useful to establish protocols for the exchange of data between the parties and improve coherence and standardization of relevant information, both of socio-economic activities and oceanographic variables, but also of policy and governance frameworks and mechanisms.



Key message

It is necessary to establish information needs based on the issues to be managed, as well as to design a common information platform avoiding making data collection an end in itself.

manner and maritime planning done based on marine ecosystems that are coordinated across borders. As well as being orientated to the long term, the proper functioning of cross-border cooperation mechanisms requires sufficient financial and human resources.



Invest to create a profitable European Ocean of the Macaronesia.

The blue economy has already been recognized as one of the essential engines for the prosperity of nations, and will become increasingly important in the future. For this reason, resources need to be used in a sustainable



Key message

It is necessary to provide the competent authorities with sufficient resources, both financial and human, in a sustained manner over time. This is the only way to ensure an adequate implementation of all phases of the marine spatial planning process, including cross-border cooperation.

Create the European Ocean of the Macaronesia

The philosophy of integration that underlies the European Union project is transferable to the marine region of the European Macaronesia. This must, therefore, stimulate collaborative efforts for the adoption of a broader and more comprehensive management of a territory that is already shared (European). It is therefore necessary to consider the importance of generating sufficient political and social will to ensure that cross-border cooperation becomes a transversal and institutionalized axis within the processes of marine spatial planning in the European Macaronesia.

Sources of reference:

Related MarSP project reports of this policy brief:

- D.6.1. Diagnosis of the European Macaronesia socio-ecosystem.
- D.6.3. Guidance report on transboundary MSP.
- D.6.4. Lessons learned and good practice's report on MSP.
- D.6.5. MSP Governance Analysis of the European Macaronesia.
- D.6.6. Identifying natural leaders and experts to propose working groups.
- D.6.8. Proposing Pilot projects.
- D.6.9. MarSP ATLAS of the Macaronesia.

The scientific publications referred in this policy brief can be found in the above reports. To access these reports visit "www.marssp.eu/results"; or contact through: gestioncostera.cadiz@uca.es

About this Policy Recommendations

This publication was supervised by MarSP consortium and produced by the University of Cádiz and the University of Seville. The key research results presented here were supervised by researchers from the MarSP project. The present policy recommendations do not necessarily reflect the views of the organisations or MarSP partners involved or the European Commission.

Recommended reference:

García Sanabria J, García Onetti J, Cordero Penín V, De Andrés M, Pallero Flores C, Barragán Muñoz JM, Arcila Garrido M. 2019. Building the European Ocean of the Macaronesia: a cooperation approach for marine spatial planning. Deliverable - D.6.7., under the WP6 of MarSP: Macaronesian Maritime Spatial Planning project (GA nº EASME/EMFF/2016/1.2.1.6/03SI2.763106).

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