I. MALTA

Disclaimer

This document has not been adopted by the European Commission and should therefore not be relied upon as a statement of the European Commission. The purpose of this document is merely to provide a comprehensive overview based on available information without claiming to be exhaustive. Although stakeholder consultation has taken place to verify the collected information, it is possible that this document does not reflect the view of all stakeholders involved. This document has been updated until February 2011.

This country report provides a comprehensive overview and assessment of the current state-of-play with regard to Maritime Spatial Planning (MSP) in Malta. After detailing the country’s characteristics, its most important maritime activities are presented. Next, the country report discusses the legal aspects, key players, plans and projects related to Integrated Coastal Zone Management (ICZM) and MSP as well as the relevant international initiatives and platforms for cooperation. To conclude, the main findings related to Maritime Spatial Planning are summed up. The sources of information used and persons contacted are listed at the end. Please note Malta forms part of one of the four marine areas which were studied in further detail.

I.1. COUNTRY CHARACTERISTICS

Malta is a Southern European EU Member State consisting of the islands Malta, Gozo, Comino and the small(er) uninhabited islands of Cominotto, Filfla, Fungus Rock, Manoel and Saint Paul.

Malta has not established an Exclusive Economic Zone. However, it did establish a continental shelf by the Continent Shelf Act (Cap.194) and a special 25 nautical miles zone, which is a Fisheries Conservation and Management Zone.

1 For the purpose of this study 20 country reports have been drawn up in total. Relevant available information on Monaco is included in the case study of the Western Mediterranean and information on the United Kingdom (Gibraltar) is included in the case study of the Alboran Sea.
The zone is intended to protect fish resources and the ecosystems on which they depend. The conservation measures limit fishing effort by restricting size and engine power. The zone is accessible only for small-scale boats (smaller than 12 metres) with the exception of a number of particular categories. In 1971, Malta acquired a 25 nm Exclusive Fishing Zone subject to a strict licensing scheme, keeping large-scale industrial fishing such as trawling at a minimum. Upon accession to the EU however, Malta’s 25 nm zone became a Fisheries Conservation and Management Zone (taking into account conditions from both Malta and the Union) which does not discriminate between Maltese and EU fishermen. Consequently, Maltese fishermen who own boats larger than 12 m lost their right to fish in the 25 nm zone when Malta became an EU Member State. Table 1 presents an overview of maritime claims of Malta and some other information.

Table 1: Country characteristics - Malta

<table>
<thead>
<tr>
<th></th>
<th>Malta</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maltese inhabited Islands</td>
<td>Malta, Comino, Gozo</td>
</tr>
<tr>
<td>Coasline length*</td>
<td>180 km</td>
</tr>
<tr>
<td>Water depth</td>
<td>Data not available</td>
</tr>
<tr>
<td>Maritime zones**</td>
<td></td>
</tr>
<tr>
<td>Territorial sea</td>
<td>12 nm</td>
</tr>
<tr>
<td>Contiguous zone***</td>
<td>24 nm</td>
</tr>
<tr>
<td>Fisheries Conservation and Management Zone****</td>
<td>Max. 25 nm</td>
</tr>
<tr>
<td>Area (km²)</td>
<td>3,976</td>
</tr>
</tbody>
</table>

** Based on the national acts or decrees of the maritime zones; EarthTrends, Coastal and Marine Ecosystems – searchable database
*** CIA, The World Factbook
**** The northern boundary of the Maltese Fisheries Conservation Zone falls short of 25 miles due to the geographical features of the area

Source: Policy Research Corporation

I.2. MARITIME ACTIVITIES AND THE PROTECTION OF MARINE AREAS

Figure 2 illustrates the location of a number of maritime activities around Malta. It can be concluded that most of these maritime activities take place in coastal waters.

2 Camilleri, M., Establishing the 25-mile Fisheries Conservation Zone around the Maltese islands; Sansone, K., 2009, Big fishing zone is of little benefit to Maltese fishermen, article in Times of Malta (08/07/2009).
With regard to **maritime transport**, Figure 1 illustrates that maritime traffic around Malta is mainly situated at the north side of the Maltese Islands, between Malta and Sicily⁴. In Malta itself, **Short Sea Shipping** (SSS) prevails over ocean shipping. The port of Valletta is a major port for cruise liners sailing in the Mediterranean⁵. The investments along cargo berths are attracting new shipping lines, strengthening the connections between Malta and other ports in the region. On the other hand the port of Marsaxlokk has developed into a major transhipment hub for both containers and petroleum products.

**Figure 1: Maritime traffic near Malta**

![Diagram of maritime traffic near Malta](image)

*Source: Policy Research Corporation based on The Safemed Project - Maritime traffic flows and risks analysis in the Mediterranean Sea, www.safemedgis.org*

In addition, the government identified the **yachting** sector as one of the target growth sectors in Malta. In this respect investing in and upgrading of the infrastructure is believed to be required. Therefore, **Transport Malta** and the **Malta Tourism Authority** are collaborating in order to foster synergies and ensure the development of the sector. Moreover, Malta has developed a number of anchorage areas around the islands which are used primarily for vessels calling in Malta for bunkering, ship supplies, surveys and other vessel requirements.

The Maltese **fishing** fleet is made up of approximately 1 400 vessels. The majority of them are small-scale coastal vessels catching a large variety of species (up to 70 different ones) and using various fishing gears⁶. In accordance to Article 26 of Council Regulation (EC) 1967/2006 concerning management measures for the sustainable exploitation of fisheries resources in the Mediterranean Sea, there are certain areas within the 25 miles where trawling is allowed. Coordinates of these areas can be found in Annex 5 of the Regulation.

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⁵ In 2008, the port of Valetta was visited by 556 000 passengers (G.P. Wild, 2009, *Contribution of cruise tourism to the economies of Europe*.)
In 2008 1,279 tonnes were caught and approximately 1,900 tonnes were produced by aquaculture production.\footnote{FAO, \textit{Yearbook of fishery statistics}.}

Furthermore, Malta is currently active in \textit{offshore hydrocarbon exploration}\footnote{Economically important energy resources since they are predominantly used as a combustible fuel source (coal, petroleum and natural gas) and its derivatives (plastics, solvents).} on its continental shelf. The Pelagian Province – which is situated in the maritime area between Italy, Libya, Malta and Tunisia – encompasses (proven) petroleum systems.\footnote{Pancontinental Oil & Gas, \textit{Malta – Pelagian Shelf}; Mediterranean Oil and Gas Plc., \textit{Operations, Malta}; Klett, T.R., 2001, \textit{Total Petroleum Systems of the Pelagian Province, Tunisia, Libya, Italy, and Malta}.}

**Figure 2: Maritime activities around Malta**

The Maltese Government is currently planning an offshore wind-farm at \textit{Is-Sikka l-Bajda} that is deemed to be the only area available in the Maltese territorial waters that is shallow and large enough to accommodate a reasonably sized offshore wind-farm with present technology.

Furthermore, given the Maltese Islands’ limited landmass, the Maltese Government looks at the marine space as offering a large potential source of clean renewable energy, in anticipation that the marine based RES technologies will mature in the years to come.

In addition, the Maltese electrical utility company is planning a cable interconnection with Sicily which will eventually connect the Maltese presently isolated electricity grid to that in mainland Europe. Also, there already exist a number of communication cables linking Malta and Sicily.
According to the Network of Managers of Marine Protected Areas in the Mediterranean (MedPAN) and Government Notices 112 and 161 of 2007 concerning the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (LN311/06), Malta has currently established two Marine Protected Areas. Government notice 122 of 2007 designated the area known as Zona fil-bahar bejn Rdum Majjiesa u Ras ir-Raheb as special area of conservation of international importance. Government Notice 161 of 2007 designated the area referred to as Zona fil-bahar fl-inhawi tad-Dwejra as special area of conservation of national importance. Both areas are situated in Maltese territorial waters (near the Island Malta and Gozo respectively) and have a total marine surface of respectively 8.5 and 2.6 km². Both Marine Protected Areas have the legal status of Special Area of Conservation, while Zona fil-bahar fl-inhawi tad-Dwejra is internationally recognised as an Important Bird Area (IBA) as well. Four other Marine Protected Areas have been designated in July 2010: a stretch of coast alongside the North East of the Islands, including three smaller islands, Mgarr ix-Xini, Dwejra and an area between Ghar Lapsi and Filfla. These areas cover 18 000 hectares and comprise 80% of the Posidonia meadows found in the Maltese islands. These four new Marine Protected Areas represent 4.52% of the Maltese territory (land and up to 12 nautical miles off the Maltese coastline).

I.3. LEGAL ASPECTS AND KEY PLAYERS

The Structure Plan (1990) provides strategic guidance on land-use in the Maltese Islands:

− Regarded as a necessary instrument for the control of development;
− Deals with the conciliation of competing land-uses and the limitations of an increasingly fragile ecology of the landscape;
− Encourages further social and economic development of the Maltese Islands;
− Aims at using land and buildings efficiently and consequently aims at channelling urban development activity in existing built-up areas particularly through rehabilitation and upgrading of urban areas;
− Aims at radically improving the quality of the environment.

Furthermore, the Environment Protection Act (1991) and Development Planning Act (1992) are of particular importance to MSP:

− The Environment Protection Act aims at protecting the environment; preventive and remedial measures for environmental protection and the management of natural resources in a sustainable manner are foreseen;
− The Development Planning Act makes provisions for the planning and management of future development; it has extended development control beyond the coast towards the marine environment.

11 An Important Bird Area (IBA) is designated by BirdLife International, a global partnership of conservation organisations that strives to conserve birds, their habitats and global biodiversity.
Exploring the potential of maritime spatial planning in the Mediterranean

In 2001, both acts were amended. The *Malta Environment and Planning Authority (MEPA)*\(^{16}\) was established under the mandate of both the Environment Protection Act (2001) and the Development Planning Act (2001):

- The *MEPA* is the national agency responsible for *land-use planning and environmental regulation*; it has developed ICZM locally and has jurisdiction to regulate development at the sea; moreover, planning concepts for future development and controlling development at sea are embedded as core functions of MEPA;

- The MEPA has been playing an important role in working towards a *coordinated approach when dealing with marine development* (e.g. identification of potential areas for offshore energy production and development of a national mariculture policy);

- The Malta Environment and Planning Authority acts as the national focal point under a number of international environmental conventions and multilateral agreements; operational functions and responsibilities are carried out through:
  - *The Planning Directorate*: processes development applications, is responsible for enforcement, policy and plan development, transport planning and research;
  - *The Environment Protection Directorate*: advises on environmental standards and policies, draws up plans and provides a licensing regime to safeguard and monitor the environment and controls the activities having environmental impact;
  - *The Directorate for Corporate Services*;
  - *The Chairman’s Office*.

Under the Development Planning Act, as amended in 2001, the Malta Environment and Planning Authority is legally obliged to **review the Structure Plan**\(^{17}\) in order to address issues that are relevant now, or that will become relevant over the next 20 years.

Within the framework of the review of the Structure Plan, a *Coastal Strategy Topic Paper* (2001) was prepared, aiming at providing a strategic direction towards sustainable development of the Maltese coast, within the broader concept of Integrated Coastal Zone Management.

The **coastal strategy topic paper** (2001)\(^{18}\):

- Defines the coastal zone:
  - “A geographical space incorporating land and sea areas within which the natural processes interact to create a unique dynamic system; it also incorporates those activities on land and at sea where human activities are directly influenced by or can influence the quality of natural resources”;


\(^{17}\) The review of the Structure Plan includes the preparation of topic papers to identify issues for review; besides the coastal zone, topics include among others: tourism, transport and waste management; in 2001, in the context of the review of the Maltese Structure Plan, development of the sea was for the first time addressed in a strategic manner.


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The seaward limit of 12 nautical miles has been chosen since national sovereignty extends to the territorial sea and since the MEPA has jurisdiction to regulate development at sea under the Amendment to the Development Planning Act of 1997.

Proposes a coastal strategy based on a refined zoning scheme which builds upon the existing development zones and incorporates the following objectives:

- Protect coastal and marine habitats and biodiversity as well as cultural heritage;
- Protect coastal uses that necessitate a coastal location;
- Promote and protect public access and use;
- Minimise existing and potential user competition.

Highlights that effective planning and use of the coastal zone depends on a solid understanding of the natural processes and systems affecting this dynamic area;

Calls for measures to minimise spatial competition by ensuring that coastal areas are primarily allocated to activities actually in need of a coastal location;

Identifies those issues that would require management under a much wider national management strategy such as the exploitation of marine resources, pollution control and the creation and management of protected areas.

Whilst there is no specific reference to the term ‘Maritime Spatial Planning’ the existing planning legislation seems to provide the necessary framework for developing plans and issuing development permits to regulate sea-uses.

Both environmental protection and planning are within the same entity (MEPA) which facilitates all action towards the development of marine spatial plans in the Maltese Islands. Consequently, it can be concluded that the MEPA is the key player in Malta with regard to both terrestrial and maritime planning.

In addition, according to the Malta Environment and Planning Authority, the following ministries should be taken into account:

- **Office of the Prime Minister:** Malta Environment and Planning Authority (development control and environment protection, including biodiversity in terms of species and habitat protection), tourism and recreation, culture heritage;
- **Ministry for Infrastructure, Transport and Communications - Authority for Transport in Malta:** maritime transport, port development, bunkering and yachting;
- **Ministry for Resources and Rural Affairs:** Malta Resources Authority (quarrying, groundwater extraction and energy production), oil exploration (hydrocarbons), fisheries, mariculture, rural development, waste management, climate change and agriculture;
- **Ministry for Finance, the Economy and Investment:** land ownership;
- **Ministry for Gozo:** regional development in both rural and urban areas;

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19 MEPA, June 2010.
– Ministry of Education, Employment and the Family: employment and training, education.

Development proposals at sea are reviewed by MEPA and – as part of the development control process – the related entities are consulted accordingly.


Table 2 provides insight into the current status of the implementation of the Marine Strategy Framework Directive in Malta.

Table 2: Status of the implementation of the MSFD - Malta

<table>
<thead>
<tr>
<th>What is the status of:</th>
<th>Not started</th>
<th>In development</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>The assessment of the current environmental status of the waters concerned and the environmental impact of human activities thereon</td>
<td></td>
<td>Malta is currently in the initial stages of data collection and review</td>
<td></td>
</tr>
<tr>
<td>The determination of good environmental status for the waters concerned</td>
<td>Work on the good environmental status and the related environmental targets and monitoring programme cannot commence until the Decision on Good Environmental Status is adopted</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The establishment of a series of environmental targets and associated indicators</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The establishment and implementation of a monitoring programme for ongoing assessment and regular updating of targets</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Policy Research Corporation based on Borg, M. – Malta Environment and Planning Authority, e-mail July 16, 2010

I.5. National and sub-national plans, projects and studies related to ICZM and MSP

The Coastal Area Management Programme ‘Malta’ has been the first step towards the sustainable development of the Maltese Islands. Table 3 details the programme’s objectives and its results.
**Table 3: Coastal Area Management Programme – Malta**

| **Area covered:** | • The island of Malta in general  
| | • The northwest area as the operational level (see map)  
| **Objectives:** | • Contribute to national efforts towards sustainable management and environmental protection  
| **Major problems and issues:** | • Industrial activities (port development, desalination, energy production, offshore oil storing and tourism) require a coastal location (concentrated in the urban areas surrounding the port-city Valletta and along the coastline)  
| | • Increased pollution due to unplanned development within the existing physical conditions  
| **Results:** | • Formulation of integrated policies and elaboration of proposals and documents related to the achievement of the sustainable development of the island  
| | • In-depth elaboration of a management plan for the north-west area, aiming at a sustainable development, protection and rational use of resources, pollution control and mitigation  
| | • Provision of qualified inputs for post-project activities, aiming at practical implementation of the project results  
| | • Upgrading of national, professional and institutional capacities for ICAM  
| | • Application and/or adaptation of tools and techniques specific for sustainable development and ICAM  
| **Timeframe:** | 2000 – 2004  


**Malta’s Integrated Coastal Zone Management Strategy** is actually embodied in the **Coastal Strategy Topic Paper** as part of the reviewed Structure Plan (2001):

- The Strategy was formulated as a part of the revision of the Structure Plan in 2001 and therefore prepared prior to Malta’s accession to the EU and hence prior to the adoption of the EU ICZM Recommendation;
- Coastal issues can be managed through the development planning process within the new (reviewed) structure plan.

Based on **Malta’s national ICZM reporting**, the European Commission has drawn the following conclusions:

- The ICZM Strategy is well-integrated in the spatial planning policy and process in Malta;
- The ICZM Strategy is **linked with both terrestrial and Maritime Spatial Planning**;
- Malta’s ICZM process has commenced and is proceeding well in many respects.

Moreover, Malta signed the Barcelona Convention’s Protocol on Integrated Coastal Zone Management to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention’s ICZM Protocol) in 2008 (see Annex II).

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I.6. **INTERNATIONAL INITIATIVES RELATED TO ICZM AND MSP**

International initiatives (including EU-funded projects) related to ICZM and MSP in the Mediterranean Sea basin are presented in *Annex II of the final report.*

*Malta* is / was involved in the following EU-funded projects:

- The *DEDUCE* project (France, Latvia, Malta, Poland and Spain);
- The *EMPAFISH* project (France, Italy, Malta, Portugal, Spain and the United Kingdom);
- The *MedPAN* project (Algeria, Croatia, France, Greece, Italy, Morocco, Malta, Slovenia, Spain, Tunisia and Turkey).

I.7. **MAIN FINDINGS RELEVANT FOR MARITIME SPATIAL PLANNING**

The main findings with respect to the potential for the application of Maritime Spatial Planning in Malta are:

**Country characteristics and maritime activities:**

- Malta has a 25 nautical mile Fisheries Conservation and Management Zone;
- Malta has established a continental shelf;
- Maritime activities:
  - A considerable number of maritime activities near Malta take place in coastal waters;
  - Maritime traffic near Malta is mainly situated at the north side of the Maltese Islands, between Malta and Sicily;
  - In Malta, Short Sea Shipping prevails over ocean shipping;
  - The fishing fleet consists mainly of small-scale coastal vessels;
  - The yachting sector is envisaged as one of the target growth sectors in Malta.

**Legal aspects and key players:**

- The existing planning legislation is well-advanced but currently focuses mainly on controlling development on land;
- The majority of sea-uses are regulated, however, a more coordinated approach is currently still lacking;
- The Malta Environment and Planning Authority is the key player in Malta with regard to both terrestrial and maritime planning.
Current practice of Integrated Coastal Zone Management:
- A ICZM Strategy for Malta is embodied in the Coastal Strategy Topic Paper as part of the Structure Plan review of 2001;
- Different ministries are involved which possibly results in a more fragmented approach towards the topic.

Current status of Maritime Spatial Planning:
- No consistent and integrated approach towards Maritime Spatial Planning mainly because the focus is on controlling development on land;
- No marine spatial plans have been developed at the moment;
- No sea-use plans currently exist (commercial fishery activity has been mapped);
- Reviewed Structure Plan (2001): strategic policy framework for planning and development for the next 20 years (this is not a marine spatial plan but provides the strategic direction for one).

The Malta Environment and Planning Authority\textsuperscript{21} reported in 2006 that: “Marine Spatial Planning may not provide a solution to every challenge faced to the sea around Malta but it should provide a sound and transparent system to apply the principles of sustainable development to protect the marine environment and to continue to enjoy its economic benefits”. Thereby, Malta considers MSP as a tool that can assist in identifying a strategic approach towards the sustainable development of the coastal and marine environment.

\textsuperscript{21} Malta Environment and Planning Authority, 2006, Annual report and accounts.
I.8. OVERVIEW OF SOURCES OF INFORMATION USED AND PERSONS CONTACTED

Sources of information used:

− Camilleri, M., Establishing the 25-mile Fisheries Conservation Zone around the Maltese Islands;
− Development Planning Act, 1992;
− European Commission – DG Environment, 2008, Evaluation of Integrated Coastal Zone Management (ICZM) in Europe – Malta;
− FAO, Yearbook of fishery statistics;
− Klett, T.R., 2001, Total Petroleum Systems of the Pelagian Province, Tunisia, Libya, Italy, and Malta;
− Lipparini, L., 2009, Offshore Malta Licence in the Central Mediterranean Sea offers hope of hydrocarbon potential, FirstBreak vol. 27;
− Malta Environment & Planning Authority, 2006, Annual report and accounts;
− Malta Environment & Planning Authority, 2007, An overview of the state of Marine Spatial Planning in the Mediterranean Countries – Malta report;
− Mediterranean Oil and Gas Plc., Operations, Malta;
− Sansone, K., 2009, Big fishing zone is of little benefit to Maltese fishermen, article in Times of Malta (08/07/2009);
− The Safemed Project – Maritime traffic flows and risk analysis in the Mediterranean Sea, www.safemedgis.org;
− The Network of Managers of Marine Protected Areas in the Mediterranean, www.medpan.org;

Persons contacted:

− Mr Alan Deidun, Malta Operational Centre of the University of Malta;
− Mr. Charles Galea, Ministry of Resources and Rural Affairs;
− Mr. Edward Vernon, European Union Secretariat;
− Ms. Joseph Gauci, Malta Environment and Planning Authority (MEPA);
− Ms Michelle Borg, Malta Environment and Planning Authority (MEPA);
− Ms. Marie-Louise Magnion, Office of the Prime Minister;
− Mr. Susan Portelli, Ministry of Resources and Rural Affairs;
− Representatives of the Ministry of Foreign Affairs;
− Representatives of the Ministry of Infrastructure, Transport and Communication.
Maltese authorities have provided feedback on a draft version of the country report.