

Law 61 on the Establishment of an ecological protection zone beyond the outer limit of the territorial sea 8 February 2006

The Chamber of Deputies and the Senate of the Republic of Italy have approved;
and
The President of the Republic promulgates

The following law:

Article 1

Establishment of an ecological protection zone and the setting of outer limits

1. In conformity with the provisions of the United Nations Convention on the law of the sea, with its annexes and final act, made at Montego Bay on 10 December 1982, and with the agreement to apply part XI of the Convention, with its annexes, made in New York on 29 July 1994, ratified and made operative pursuant to law 689 of 2 December 1994, the establishment of an ecological protection zone is hereby authorized starting from the outer limits of Italy's territorial sea and going as far as the limits determined pursuant to paragraph 3.

2. The establishment of the ecological protection zone will be provided for by decree of the President of the Republic, after the deliberation of the Council of Ministers, upon the proposal by the Minister of the Environment and Protection of the Territory in concert with the Minister of Foreign Affairs, having consulted the Minister of Cultural Assets and Activities, to be conveyed, under the responsibility of the Ministry of Foreign Affairs, to the states whose territory is adjacent to or facing Italian territory.

3. The outer limits of the ecological protection zone are determined on the basis of agreements with the states involved, as per paragraph 2. Until the date that said agreements enter into effect, the outer limits of the ecological protection zones follow the outline of the median line, each point of which is equidistant from the closest points on the base lines of the Italian territorial sea and of the state involved, as per paragraph 2.

Article 2

Application of the law inside the ecological protection zone

1. In the framework of the ecological protection zone established pursuant to article 1, Italy exercises its jurisdiction in the area of protection and conservation of the marine environment, including the archeological and historic heritage, in compliance with the provisions of the aforementioned United Nations Convention on the Law of the Sea and the 2001 UNESCO Convention on the protection of the underwater cultural heritage, adopted in Paris on 2 November 2001, since the date of its entry into effect in Italy.

2. Inside the ecological protection zone the norms of Italian law, European Union law, and international treaties in effect in Italy for the prevention and repression of all types of marine pollution, including pollution from ships and water ballast, pollution from the sinking of trash, pollution from exploration activities and the exploiting of the sea bed, and pollution of atmospheric origin, will be applied also to ships flying foreign flags and persons of foreign nationality.

3. The current law does not apply to fishing activities.

The current law, provided with the state seal, will be inserted into the official collection of laws of the Italian Republic. It is required for everyone to observe it and to see that it is observed as a law of the state.

Rome, 8 February 2006

Ciampi

Berlusconi, President of the Council of Ministers

Matteoli, Minister of the Environment and the Protection of the Territory