



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

Brussels
MARE.C.1/MAM

Subject: Process of establishing marine protected areas in the Outermost Regions

Dear Mr Pavón González,

Thank you for your letter on the process of establishing marine protected areas (MPAs) in the outermost regions, notably about the decision of the Portuguese authorities to enlarge the network of protected areas in Madeira and the Azores. This is a decision that we welcome, in line with the commitments taken under the EU Biodiversity Strategy and the European Green Deal. The EU Biodiversity Strategy for 2030 particularly focuses on protecting and restoring the tropical and sub-tropical marine and terrestrial ecosystems in the EU's outermost regions given their exceptionally high biodiversity value. The outermost regions are indeed strategic areas of the world with unique biodiversity and distinctive assets. Whilst ensuring urgent protection of the marine environment to address the biodiversity and climate crises, we also need to take due account of the socio-economic challenges.

As you mentioned in your letter, within the European Green Deal and the objectives set under the EU Biodiversity Strategy for 2030, the EU has committed to protect at least 30% of its marine territory, of which one third (or 10% of EU seas) should be strictly protected. Fisheries management measures must be established in all marine protected areas according to clearly defined conservation objectives and on the basis of the best available scientific advice. Regulating fishing activities in these marine protected areas can only be done through the common fisheries policy. Member States are empowered to take certain measures or, in areas where several Member States have interests, to use the regionalisation process where they can agree on measures and propose them as joint recommendations to the Commission, so that it can then adopt them as EU law.

Designation and management of MPAs is the competence of the Member States. This takes me to your first recommendation referring to involving stakeholders in the process of designating marine protected areas. For MPAs designated to comply with the requirements of EU legislation, Member States need to follow the applicable rules and criteria. For example, the identification and selection of sites for inclusion in the Natura 2000 network must be done on purely scientific grounds in accordance with the selection criteria laid down in the Birds and Habitats Directives. The directives do not prescribe the consultation process to be followed for the selection of Natura 2000 sites. However, most Member States are consulting stakeholders and the public when designating a new protected area. The Commission appreciates and encourages the involvement of stakeholders and sea users in this process as they can also provide valuable information on marine biodiversity. Whilst socio-economic considerations should not be taken into

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account during site selection process, they should be considered in their management when deciding on the conservation measures for the sites.

Concerning the implementation of the above-mentioned targets for protected areas under the Biodiversity strategy, the Commission is planning to organise meetings in 2023 to discuss Member States' pledges for new marine protected areas in a transparent way, with assistance of scientists and supported by the European Environment Agency. Member States and experts representing relevant stakeholder interests as well as environmental non-governmental organisations will be invited to participate in these seminars. I very much agree that engagement of stakeholders is key to ensure transparency, a smooth process and a framework to exchange information and expertise.

Your second recommendation refers to the need to increase financial and human resources to manage, monitor and supervise marine protected areas. Management and control of MPAs is the competence of Member States. They should ensure adequate financing and human resources, using available support from EU funds such as LIFE¹, structural and investment funds² or fisheries funds (European Maritime and Fisheries fund 2014-2020 and European Maritime, Fisheries and Aquaculture Fund 2021-2027).

In relation to your third recommendation as regards the creation of conditions for fisheries and fishermen who may have limited access to traditional fishing grounds, the European fisheries funds, offer a wide range of support for the diversification of fishing activities.

The local fisheries communities can receive long-term funding from the European fisheries funds, and decide how it is spent through local partnerships, called Community-led local development (CLLD). CLLD funding is delegated to local partnerships that bring together the private sector, local authorities and civil society organisations. Known as FLAGs, these partnerships fund local projects within the framework of a strategy, developed in response to specific needs and opportunities identified locally. They can focus on traditional sectors (e.g. fisheries, aquaculture, tourism) and/or foster economic diversification through synergies with emerging maritime sectors (e.g. blue bio-economy).

Your final recommendation seems to refer to the need to verify the implementation of MPA objectives and measures, i.e. their management effectiveness. This is a key issue, because MPAs can only deliver their benefits for biodiversity and society if they are effectively managed. In that regard, the Commission is currently developing its proposal for an EU system to assess the management effectiveness of marine Natura 2000 sites and other MPAs.

Finally, the Commission will soon adopt an “Action plan to conserve fisheries resources and to protect marine ecosystems”³ as announced in the Biodiversity strategy for 2030. This action plan will set out the necessary measures to protect marine habitats including the seabed and sensitive species. It will also set out the corresponding support measures concerning funding, development, research and stakeholder involvement that the Commission intends to implement. It will build bridges between the environmental and

¹ [Programme for Environment and Climate Action \(LIFE\) | European Commission \(europa.eu\)](#)

² [European Structural and Investment Funds - Regional Policy - European Commission \(europa.eu\)](#)

³ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12953-Action-plan-to-conserve-fisheries-resources-and-protect-marine-ecosystems_en

fisheries policies as a means to provide a strong contribution to deliver on the objectives of the Biodiversity Strategy as well as current obligations under both fisheries and environmental legislation. The Action Plan will also complement other initiatives announced in the Biodiversity Strategy, such as the proposal for the Nature Restoration Law (adopted on 23rd June 2022)⁴ that sets specific targets for measures aimed at restoring ecosystems by 2050.

We would like to thank you for contacting the Commission on this subject and we invite you to be in contact while on-going measures and actions continue to develop.

Yours faithfully,

(e-Signed)
Charlina VITCHEVA

⁴ Proposal for a Regulation of the European Parliament and of the Council on nature restoration. COM(2022) 304 final.