



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels, 29 March 2022
MARE/D3/KJ (2022)

Subject: Nomenclature of Marine Protected Zones in Europe

Dear Mr Pavón,

Thank you for submitting the recommendation of the Outermost Regions Advisory Council about the nomenclature of Marine Protected Zones in Europe (our reference Ares(2022)708411).

The Biodiversity Strategy for 2030, adopted by the European Commission and endorsed by the Member States through Council conclusions, has set a target of legally protecting at least 30% of EU seas by 2030, of which one third should be strictly protected. Member States will be responsible for designating the additional protected and strictly protected areas and for ensuring their effective management. The Commission, working together with the European Environment Agency, Member States and stakeholder organisations, developed criteria and guidance for additional designation of protected areas under the strategy, which were published as a Commission staff working document¹. As stated in the strategy, this document describes the conditions under which marine protected areas (MPAs) and other effective area-based conservation measures (OECMs) can contribute to the target and defines the strictly protected areas.

Member States have so far designated a variety of different spatial protection measures (MPAs and OECMs) under their national legislation, including according to EU legislation or international agreements. The Natura 2000 sites designated under the Birds² and Habitats³ Directives (BHD) represent the largest network of MPAs in EU waters. Member States must establish site-specific conservation objectives for the habitats and species for which the Natura 2000 sites have been designated and implement necessary conservation measures to reach those objectives. The Marine Strategy

¹ https://ec.europa.eu/environment/publications/criteria-and-guidance-protected-areas-designations-staff-working-document_en

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, p. 7–25

³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50

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Framework Directive⁴ requires Member States in its Article 13(4) to put in place spatial protection measures, contributing to coherent and representative networks of marine protected areas. While the BHD and the MSFD do not apply to all EU outermost regions, they do apply to Macaronesia (the Canary Islands, the Azores and Madeira). To achieve the objectives of the MSFD, Member States can report spatial conservation measures adopted under different EU and international legal basis, including the Birds and Habitats Directives (special areas of conservation (SACs) and special protection areas (SPAs) for birds), the common fisheries policy (Article 8 “Fish stock recovery areas” of Regulation No 1380/2013⁵, the closed areas for the protection of sensitive habitats under the Technical Measures Regulation No 2019/1241⁶ or fisheries protected areas under the Mediterranean Regulation⁷), regional sea conventions (for instance, Specially Protected Areas of Mediterranean Importance (SPAMIs) under the Barcelona Convention), or other international conventions. Member States can also report spatial protection measures adopted under national laws.

Each of these different designations has specific legal requirements and criteria when it comes to managing activities affecting the conservation area, which can differ greatly. The International Union for the Conservation of Nature (IUCN) has developed a system for classification of protected areas, with types ranging from “Strict Nature Reserves” (category 1.a) which prohibits most human activities, to “Protected area with sustainable use of natural resources” (category 6) which allows low-level non-industrial use of natural resources.

The European Commission does not have plans to streamline the nomenclature of different spatial conservation measures. However, the Commission is committed to work together with Member States to ensure that all MPAs and OECMs contribute to achieving the coherent trans-European network of protected areas, in accordance with the above-mentioned criteria that were defined at EU level.

The MSFD is currently going under review. As part of that process, the Commission is evaluating the effectiveness of the different provision of the MSFD, including Article 13(4) on spatial conservation measures. Based on the outcomes of the evaluation, the Commission may put forward a proposal for a legislative revision of the MSFD, including of the aforementioned article. Issues related to nomenclature and levels of protection may be part of this revision.

⁴ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive), OJ L 164, 25.6.2008, p. 19–40

⁵ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, (OJ L 354, 28.12.2013, p. 22)

⁶ Annex II of EU Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures

⁷ Articles 5 and 6 of Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94. OJ L409, 30.12.2006, p.11, as amended

I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils (Pascale.COLSON@ec.europa.eu; +32.2.295.62.73), who will forward them to relevant colleagues.

Yours sincerely,

[e-signed]
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