

Networking Event on the 10% strict protection target of the EU Biodiversity Strategy 2030 in the marine environment

16 April 2024, online

Event Report



Prepared by NatureBureau, CEEweb

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1 Introduction

The Natura 2000 biogeographical process was launched in 2011 by the European Commission. The objective of the process is to promote knowledge exchange, networking, and cooperation on Natura 2000 related issues at a biogeographical region level. At the heart of the process lie the Natura 2000 seminars, as well as a networking programme consisting of the organisation of workshops, events, or meetings relevant to the objective of the process and various communication actions. This programme is supported by a consortium comprising NatureBureau Ltd and CEEweb.

In 2020, the European Commission adopted the EU Biodiversity Strategy for 2030 “Bringing nature back into our lives”¹, which was supported by Member States². The strategy sets out a comprehensive, ambitious, long-term plan for protecting nature and reversing the degradation of ecosystems and ecosystem services. Specific targets are to be achieved by 2030, among them two that are particularly relevant for the Natura 2000 biogeographical process:

- **Protected areas:** legally protect at least 30% of the land, including inland waters, and 30% of the sea in the EU, of which at least one third (10% of land and 10% of sea) to be under strict protection. Effectively manage all protected areas, defining clear conservation objectives and measures, and monitor them appropriately.
- **Conservation status:** ensure that at least 30% of species and habitats covered by the Birds³ and Habitats⁴ Directives not currently in favourable status are in that category or show a strong positive trend, as well as ensure no deterioration in conservation trends and status of all protected habitats and species.

These targets are not legally binding and do not replace the legal obligations that Member States have under the Birds and Habitats Directives. Rather, they represent a political agreement for action to drive their delivery and help stop and reverse biodiversity loss. Commission’s guidance documents have been produced that provide further clarifications for each of the targets^{5,6}. These targets have also added a new and overarching context for the Natura 2000 biogeographical process.

¹ EU Biodiversity Strategy for 2030 Bringing nature back into our lives <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380>

² <https://data.consilium.europa.eu/doc/document/ST-11829-2020-INIT/en/pdf>

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147>

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01992L0043-20130701>

⁵ Commission guidance on the protected areas targets: https://ec.europa.eu/environment/publications/criteria-and-guidance-protected-areas-designations-staff-working-document_en

⁶ Commission guidance on the status improvement targets: <https://circabc.europa.eu/ui/group/6f30d1d2-d6f2-4c6e-a4dc-1feb66201929/library/bd8a2cd4-f774-4574-bd88-0b1fa012b725/details>

1.1 Strict protection in the marine regions

The protected area (PA) targets are to be met at the level of each marine biogeographical region by designating new, or expanding existing, Natura 2000 sites (special areas of conservation under the Habitats Directive or special protection areas under the Birds Directive) or MPAs designated under national legislation or through international agreements such as regional sea conventions. In this context, strictly protected areas are defined as follows⁷:

“Strictly protected areas are fully and legally protected areas designated to conserve and/or restore the integrity of biodiversity-rich natural areas with their underlying ecological structure and supporting natural environmental processes. Natural processes are therefore left essentially undisturbed from human pressures and threats to the area’s overall ecological structure and functioning, independently of whether those pressures and threats are located inside or outside the strictly protected area”.

This definition is interpreted as meaning:

- Natural processes are left essentially undisturbed but not necessarily incompatible with some human activities, such as research, invasive alien species control, restoration, non-intrusive activities and installations, non-intrusive and strictly controlled recreational activities, when such activities are compatible with the conservation objectives of the areas on the basis of a case-by-case assessment;
- They are non-intervention areas, where only limited and well controlled activities are allowed;
- Areas have sufficient size on their own or together with buffer zones to be functionally meaningful
- Areas should incorporate
 - areas of very high biodiversity value or potential
 - significant areas of carbon-rich ecosystems, such as wetlands, mangroves and seagrass meadows
 - important fish spawning and nursery areas.

Strictly protected areas have to be legally protected in their entirety, but it is possible that areas under strict protection form a part of wider protected areas. They can be designated through specific national legal instruments, such as some existing nature reserves, through specific long-term contractual agreements, or through zoning in the management planning of wider areas (in which case the strictly protected areas must be clearly identified in the management plans and those plans should have a legal standing).

Strictly protected areas can provide an important contribution to the restoration targets in the strategy, by creating the conditions for restoration efforts to be successful. Placing such areas under strict protection, especially the marine environment, will in some cases be sufficient to lead to the restoration of the natural values they host. If the restored areas comply with the criteria for protected areas, these restored areas should also contribute towards the EU targets on protected areas. The strategy also states that particular

⁷ Commission guidance on the protected areas targets: https://ec.europa.eu/environment/publications/criteria-and-guidance-protected-areas-designations-staff-working-document_en

focus would be placed on tropical and sub-tropical marine and terrestrial ecosystems in the EU's outermost regions.

1.2 Strict protection online event

This event was held online, hosted by the Nature Conservation Unit of DG Environment. Invitations were sent to all members of the Commission's Marine Expert Group (MEG)⁸ and attendees of the recent three Natura 2000 seminars for marine biogeographical regions (covering the Atlantic and Macaronesia, Baltic, and Mediterranean and Black Seas)⁹. It was the best attended meeting of the marine BGP with over 120 participants in all and more than 80 at any one time. It was structured specifically to address issues raised by Member States during the seminar cycle about the interpretation and application of strict protection for the 10% protected area target. In addition, Member States reported difficulties in identifying suitable locations for strictly protected areas which allowed both ecological and socio-economic gain.

The morning session comprised presentations from COM and Member States (Denmark, Germany, Sweden, France) about the target and progress made in achieving it. The afternoon session featured prepared answers from COM to some 20 questions compiled from those raised by the participants as part of their registration procedure. Follow-up questions were then posed in the chat mode. The feedback poll showed great appreciation for the event.

⁸ <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&fromMainGroup=true&groupID=100226>

⁹ <https://biogeoprocess.net/marine/>

2 Event Agenda

Time	Activity
10:30	Introduction and welcome
Session 1: Approach and Background	
10:40	Strict marine protection areas and the EU biodiversity strategy
	Summary of the strict protection pledges received so far
	Overview of discussions at the three regional seminars: <ul style="list-style-type: none"> • Atlantic and Macaronesian Seminar in Dublin, Ireland • Baltic Seminar in Riga, Latvia • and Mediterranean and Black Sea seminar in Marseille, France
Session 2: Case Studies from Member States	
11:15	Specific aspects to cover: <ul style="list-style-type: none"> • What existing national designations fit the strict protection criteria? • What criteria were used to select areas? • Were there new designations / regulations required?
12:10	Questions and discussion
12:30	<i>LUNCH BREAK</i>
Session 3: Questions and Answers	
13:30	Presentation of Commission responses to questions submitted through the registration form
14:15	Other questions arising using the chat function
15:10	Conclusions and next steps

3 Opening Poll Answers

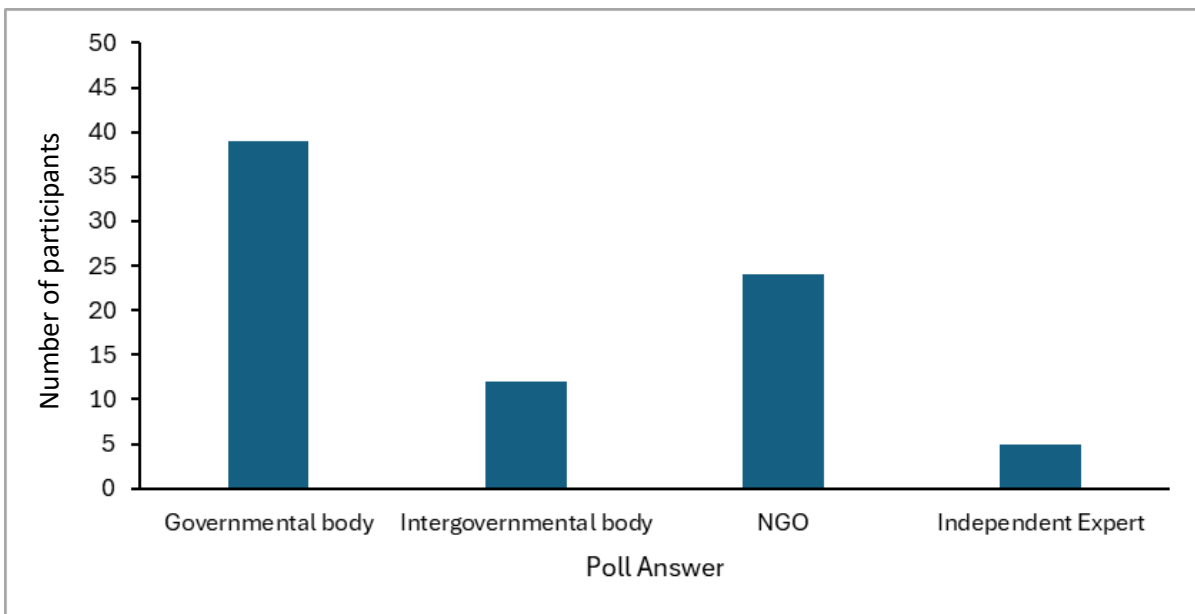
Following the introduction and welcome, five questions were asked of the participants to determine the make-up of the audience. The questions and results are shown below:

Which country do you represent?

64/80 (80%) of participants answered this question and the countries reported were:

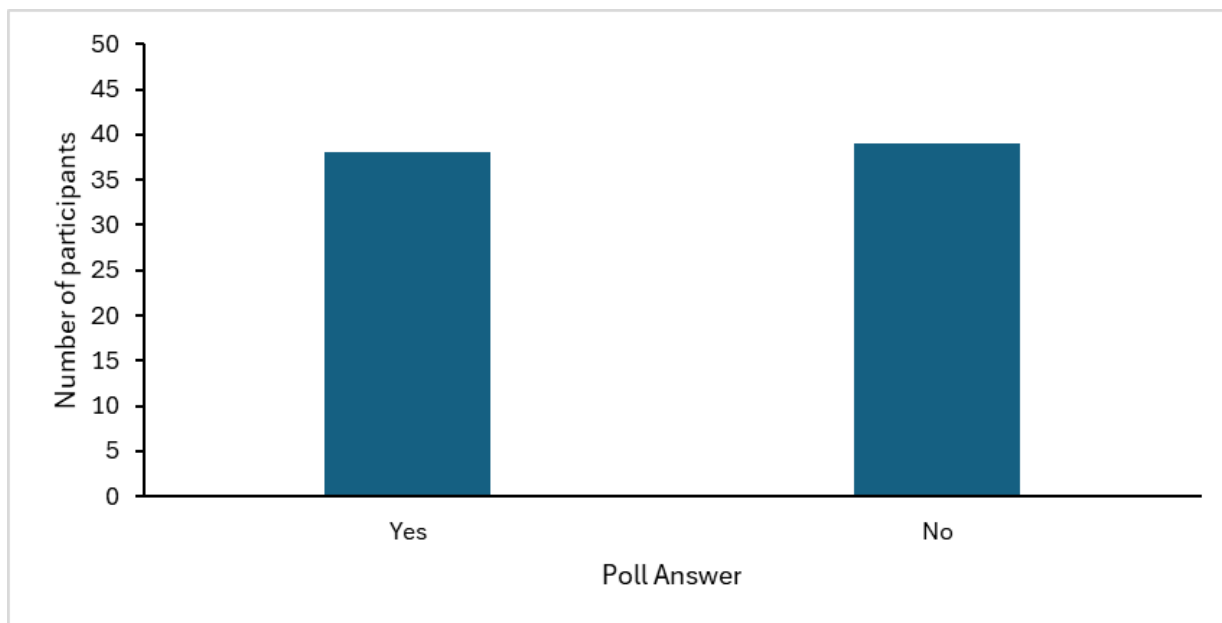
- Bulgaria
- Croatia
- Denmark
- France
- Germany
- Lithuania
- Netherlands
- Romania
- Spain
- Sweden
- EU wide

What type of organisation do you represent?



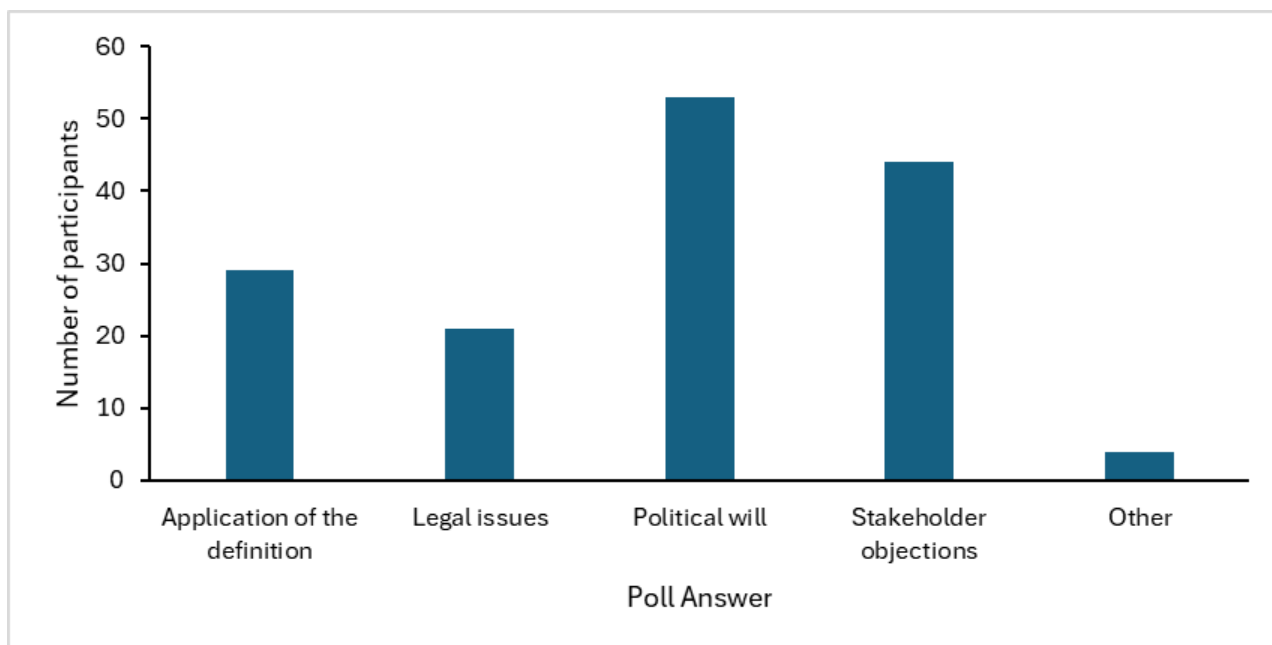
100% of participants answered this question and most represented (inter-)governmental bodies, making up almost half (49%) of the audience. About 25% of participants were from NGOs, and 6% were independent experts.

Are you involved in your Member State’s pledge process?



96% of participants (77/80) answered this question with 49% involved in the pledge process and 51% not involved.

What are the main barriers in implementing strictly protected areas?



90% of participants (72/80) answered this question, with most participants voting for more than one barrier (151 votes overall). The most common answer was political will with 53 votes from participants reporting this as the main barrier for implementation. Stakeholder objections were also highly reported (44 votes) followed by the application of the definition (29 votes), legal issues (21 votes) and “Other” (4 votes).

If you answered “Other” for the previous answer, please specify your response.

- Institutional issues among agencies
- Economic issues
- Lack of capacity (experts and budget)
- Little known about the mapping of underwater habitats (Romanian Coast)

All the participants (4/80) who answered “Other” on the previous question answered this question.

4 Summary of the event

4.1 Session 1 – Background and approach

The event began with a background and approach session which was delivered by the Biogeographical Process Team. The European Commission's Nature Conservation Unit (DG Environment) delivered the first presentation on the criteria for strictly protected marine areas in the context of the EU Biodiversity Strategy. The presentation set out to clarify different aspects of the definition of strict protection. The first clarification was for the phrase "natural processes are left essentially undisturbed". This means that strict protection is not necessarily incompatible with all human activities (e.g., research, invasive alien species control, and restoration), however non-damaging activities need to be compatible with the conservation objectives of the area based on a case-by-case assessment. Strictly protected areas should also be "functionally meaningful areas", meaning they are of a sufficient size to be impactful, and should incorporate areas of very high biodiversity value/potential, significant areas of carbon-rich ecosystems, and important fish spawning and nursery areas. Strictly protected areas must be legally protected through national legal instruments, specific long-term contractual agreements, or zoning. So far, only one Member State (Denmark) has provided a pledge for new areas under strict protection, and only two Member States (Spain and France) have submitted information on existing strictly protected areas. Currently, just 0.03% of EU seas are reported as strictly protected, with new pledges covering only an additional 0.11%.

The Biogeographical Process team then presented a summary of the group discussions on strict protection from the three regional seminars. Two points were discussed by all groups in all regions. The first is three habitat types which were unanimously mentioned as most likely to benefit most from strict protection: maerl beds, reefs, and spawning/nursery areas. The second point was that communication between Member States, stakeholders, and the general public is an essential and underused tool for ensuring the successful implementation of strict protection.

4.2 Session 2 – Member State Case Studies

The second session was the presentation of case studies¹⁰ from Denmark, Sweden, France, and Germany on determining current strict protection coverage and determining pledges for new strictly protected areas. In Denmark, 6% coverage of strictly protected areas will be committed in June 2024, a further 2% will be committed in 2028, and 2% in 2030 (to reach 10%). In Sweden, there are currently no strictly protected areas with plans for 8% coverage by 2030. In France, there is currently a coverage of 4.1% of "highly protected" areas. Targets were presented per marine region with 3% coverage targeted for the Atlantic, 5% for the Mediterranean, and 1% for the North Sea. In Germany there are currently no strictly protected areas but there are plans for national agreement on 10% of area by the end of 2024.

Following the Member State case studies, Oceana delivered a short presentation on a shadow assessment of marine protected area pledges. Seven EU Member States were assessed (Denmark, Germany, Ireland, the

¹⁰ <https://biogeoprocess.net/past-events/>

Netherlands, Portugal, Spain, and Sweden) based on available public information on pledges (from EEA) as of January 2024. Only four out of these seven Member States had officially submitted the protected area pledge. The assessment concluded that in six out of the seven Member States, no new strictly protected areas have been pledged, and in the final Member State (Denmark), the new pledged strict protection is not enough to meet the 10% target.

4.3 Session 3 - Questions and Answers

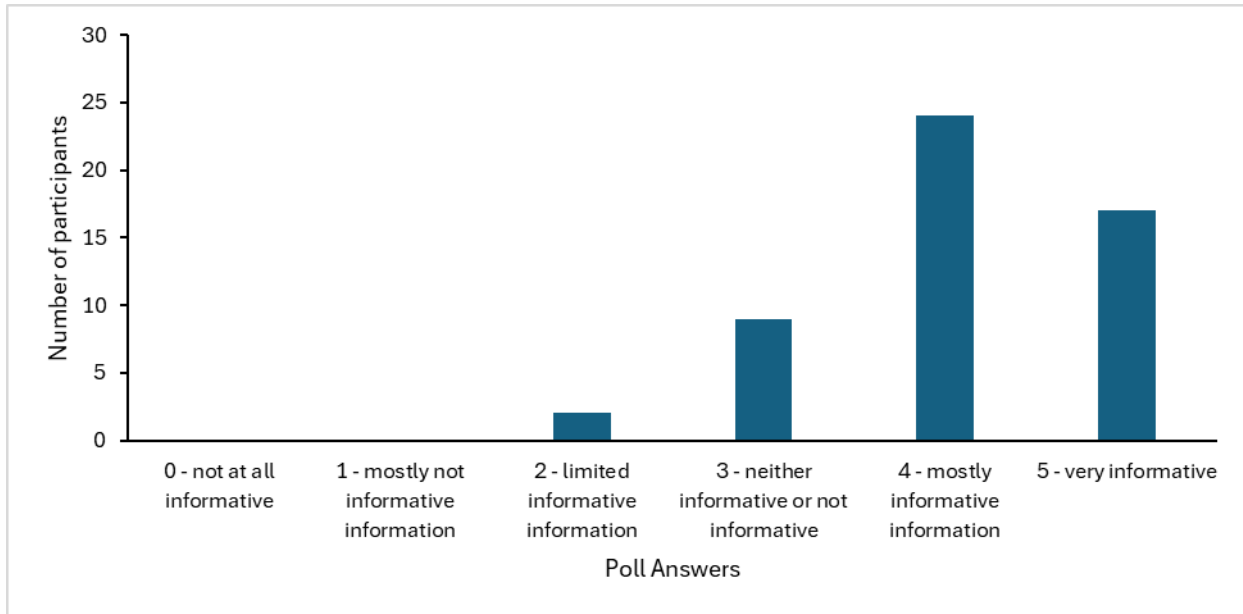
The final session of the event was a Question-and-Answer panel at which Member States could direct any questions on the strict protection target to the Nature Conservation Unit. Participants had the opportunity to submit written questions with their registration forms as well as in the chat function during the event. The questions focused on the definition of strict protection and available guidance, on activities, on examples and best practises, and on issues of designation and next steps.

A summary of the questions and answers from this session is being finalised and a new version of this report including the summary will be published soon.

5 Closing Poll Answers

Before closing the meeting, two final questions were asked of the participants to determine their feedback on the event and what still requires clarification. The questions and results are shown below:

How informative did you find this event?



100% of participants answered this question (52/52 – participation declined after the lunch break). 79% of the participants found the event mostly or very informative. Only 2 participants found that the event provided limited information.

Is there anything that remains unclear regarding strict protection?

- National responsibility and will for reaching targets.
- It would be very useful to share concrete examples of strictly protected sites and how these have been designated/are being managed, controlled, and monitored.
- There is still a scope for misinterpretation in terms of strict protection.
- There are still many doubts about what activities should be allowed and which should not. There should be discussion between Member States about their national criteria.
- The level of activities (not allowed) in the SPAs, but this may be figured out over time based on experiences and monitoring.

Just 33% of the participants answered this question (17/52).