Document title	CCB position paper on marine protection and strictly protected areas
Code	3-2
Category	CMNT
Agenda Item	3 - HELCOM regional common understanding on strict protection
Submission date	23 January 2025
Submitted by	Coalition Clean Baltic (CCB)
Reference	IC WG BIODIV 4-2024

Background

Although 17% of the Baltic Sea area is currently covered by MPAs, many of them are still “paper parks” lacking appropriate management with a conservation impact. Moreover, there are currently almost no strictly protected areas in the region and the representativity of the MPA network and transboundary cooperation is still insufficient.

For Baltic Member States to reach the 30/10 target by 2030 under the EU Biodiversity Strategy and HELCOM BSAP (Action B1), further and urgent actions are needed to improve how MPAs are managed and how measures are implemented. This involves following a “whole-site” and “land-to-sea” approach, where MPAs are recognized and properly managed as a network.

Strictly protected areas in the Baltic Sea need to be identified based on ecological criteria and natural values. For designating these areas, Member States should follow the EU guidance on definition and criteria and implement the highest protection possible for them to deliver the highest possible ecological benefits.

In December 2024, CCB timely published a position paper included in this document outlining practical recommendations to implement both effective MPA management and strict protection in the Baltic Sea. This document also includes a table outlining CCB´s position on maritime activities to be allowed, regulated, or forbidden in MPAs and strictly protected areas, compared to the current regulation (as a reality check) of such activities in present MPAs in the region.

Action requested

The Session is invited to

- discuss CCB´s position paper on marine protection and strictly protected areas;
- make use of the definitions for strict protection from the document when drafting a common understanding for strict protection.

Coalition Clean Baltic

FROM AMBITIONS TO ACTIONS:

How can effective protection and management of **Marine Protected and Strictly Protected Areas** be achieved in the Baltic Sea?

CCB POSITION PAPER

(Released in December 2024)

IMAGINE AN EFFECTIVE BALTIC SEA MPA NETWORK

Imagine the Baltic Sea's unique ecosystems thriving and teeming with life. Species and habitats are safeguarded from anthropogenic pressures while providing crucial benefits for humankind. Marine protected areas (MPAs) in the Baltic Sea could help deliver this vision, acting as sanctuaries that preserve the health and biodiversity of this unique marine environment. These areas provide refuge for endangered species, such as the Baltic Proper harbour porpoise, and allow various species of fish and seabirds, their habitats, and the seabed to recover and flourish.

Well-managed MPAs bolster the resilience of the Baltic Sea against climate change impacts by enhancing biodiversity and protecting vital ecosystems, like seagrass meadows and coastal wetlands, which naturally store carbon and serve as natural buffers against storms and sea level rise.

They support sustainable and low-impact fisheries by acting as nurseries for vanishing fish populations, with juvenile and adult fish spilling over into adjacent areas, enhancing the livelihoods of local fishing communities.

A functioning network of MPAs in the Baltic Sea is particularly significant, as it creates interconnected sanctuaries that collectively enhance the overall health of the marine environment. Such a network is a crucial instrument for conserving the Baltic Sea as we know it, safeguarding the unique biodiversity, sustaining local economies, and providing natural beauty for generations of life to come in and around the Baltic.

BALTIC SEA - CREDIT: MARIA BASOVA

BACKGROUND

International agreements such as the Kunming-Montreal Global Biodiversity Framework (GBF),[1] the European Union (EU) Biodiversity Strategy,[2] and the HELCOM Baltic Sea Action Plan,[3] are key drivers for marine protection in the Baltic Sea. These instruments include global and regional commitments to protect 30 % of the marine areas, of which at least a third (10 % of the marine areas) should be strictly protected by 2030. The **30/10 target** also involves requirements for effective management based on clear conservation objectives and measures for all protected areas.

One of the most prevalent tools to protect marine biodiversity in the EU is the Natura 2000 network of protected areas stemming from the EU Birds and Habitats Directives.[4,5] The network aims to conserve a list of habitats and species in relevant protected and connected EU sites, including restoring them where necessary. Additionally, other types of designation for marine protected areas exist among international [e.g. Ramsar sites, Marine Strategy Framework Directive (MSFD) MPAs], regional (e.g. HELCOM MPAs), and national instruments (e.g. nature reserves, national parks).

Although 17% of the Baltic Sea area is currently covered by MPAs, many of these MPAs are **paper parks** still lacking[6] concrete conservation objectives, implementation of measures, monitoring, enforcement, and dialogue among stakeholders.

Moreover, there are currently almost no strictly protected areas in the region and the representativity of the MPA network and transboundary cooperation among Baltic Member States is still not sufficient. These shortcomings, along with the growing and persistent anthropogenic threats and pressures, further limit the potential of MPAs to enhance the environmental status of the Baltic Sea.

BALTIC SEA. CREDIT: MARIA BASOVA

1. CBD, 2022. Decision adopted by the conference of the parties to the convention on biological diversity 15/4. Kunming-Montreal Global Biodiversity Framework.*CBD/COP/DEC/15/4.*
2. European Commission, 2020. EU Biodiversity Strategy for 2030. *COM/2020/380.*
3. HELCOM, 2021. *Baltic Sea Action Plan 2021 Update*.
4. *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*
5. *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. OJ L 206*
6. *NatureBureau, CEEweb, 2023. Third Natura 2000 biogeographical seminar for the Baltic marine region. European Union. Background document V7.*

MARINE PROTECTION, STRICT PROTECTION, AND BIODIVERSITY

The way that **MPAs** are managed and how measures are implemented needs to be improved so that they truly contribute to the recovery of the Baltic Sea. First, monitoring and assessment of the effects of measures need to be carried out on a regular basis and in a transparent manner. In addition, stronger enforcement and penalties for non-compliance - when countries fail to implement measures - should be established. Finally, climate change scenarios, ecological resilience, and the rate of biodiversity loss should be thoroughly considered when setting objectives and measures for both existing and future MPAs.

As a **network**, it is key that MPAs are not solely designated and managed for specific habitats or species but follow a **"whole site approach"**,[7] with the aim of 1) enabling management strategies that focus on entire ecosystems rather than isolated features, 2) increasing coverage and representativity, 3) ensuring coordinated management of transboundary MPAs and 4) achieving interconnectivity. These considerations are vital to achieving benefits at the sea basin level while safeguarding key biodiversity sites.

Strictly protected areas, in the context of the EU Biodiversity Strategy, are defined as: [8]

> *"...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".*

FLOUNDER - CREDIT: PETRA POHJOLA & ANNICA LÅNGNABBA, METSÄHALLITUS (PARKS & WILDLIFE FINLAND)

Member States should follow the EU definition and criteria on strictly protected areas and implement the highest protection possible (non-intervention areas) for these areas to deliver the highest possible ecological benefits while protecting important ecosystem services.

Strictly protected areas should be identified based on ecological criteria and natural values. They could either be part of a zoning concept within existing MPAs, acting as core zones where valuable habitats and threatened species can benefit from stronger protection measures, or could be newly designated areas of high natural value.

In order to visualise how the current **MPA management** contrasts with concepts such as effectiveness and the role of strict protection, CCB has developed the table below which lists maritime activities in the Baltic Sea with three different sections: 1) activities that could be allowed within an effective MPA, 2) activities that could be allowed within a strictly protected area and 3) activities currently allowed for MPAs - a reality check:

7. Soland, J., Mullier, T., Elliott, S., Sheehan, E., 2020. Managing marine protected areas in Europe: moving from 'feature-based' to 'whole-site' management of sites. Marine Protected Areas. DOI: 10.1016/B978-0-08-102698-4.00009-5
8. European Commission, 2022. Criteria and guidance for protected areas designations. Commission Staff Working Document. SWD(2022) 23 fina. Page 19.

(TABLE 1) CCB'S POSITION ON MARITIME ACTIVITIES TO BE ALLOWED, REGULATED, OR FORBIDDEN IN EFFECTIVE MPAS (COLUMN NO. 1) AND STRICTLY PROTECTED AREAS (COLUMN NO. 2). THESE COLUMNS ARE COMPARED TO THE CURRENT REGULATION OF THESE ACTIVITIES IN MPAS (COLUMN NO. 3: REALITY CHECK). COLOUR SCHEME: GREEN = PREREQUISITE, YELLOW = ONLY UNDER CERTAIN CONDITIONS/CIRCUMSTANCES, RED = ACTIVITIES THAT SHOULD BE FORBIDDEN, ORANGE: LACK OF MANAGEMENT/REGULATION.

Maritime activities	1.Effective MPAs 30 % target	2. Strictly protected areas 10 % target	3. Reality check for MPAs
Management and monitoring			Partially in place. Still lack of management and monitoring in many MPAs in the Baltic Sea.
Research for scientific and environmental purposes	If not destructive.	Only non-destructive and non-invasive research can take place to assess the status of biodiversity and the effects of strict protection.	
Surveys for the feasibility of other maritime activities			
Installation / Construction			
Commercial shipping	Ideally with reduced impact through re-routing measures and slow steaming.		
Recreational activities (boating, surfing, diving, snorkelling, swimming, kiting)		Exemption: Only if activities do not hinder the achievement of the conservation objectives of the area.	
Anchoring	Restrictions might be needed in popular sites with fragile flora and fauna, e.g. charales meadows or eelgrass meadows.		
Commercial fishing	Commercial fishing with all active fishing gear should be banned. Commercial fishing with passive gear can be allowed if the gear has proven to be low-impact and does not hinder the achievement of the conservation targets.		Bottom-contacting gear is still allowed in many MPAs.
Recreational fisheries	Recreational fishing with nets should be banned. Hooks and lines (angling) could be allowed if: 1) their use does not hinder the achievement of the conservation target, 2) the effort (catch limit per person per day) is restricted, and 3) a minimum catch size of the target species is identified and implemented.		
Hunting			
Defence / military activities	Avoiding activities when birds or mammals are present.		
Cable and pipeline laying		Cable laying and removal should not be allowed, but areas can be designated where cable/pipelines exist.	
Aquaculture / farming			
Dredging, sand and gravel extraction or seabed mining			
Dumping			
Education	With some restrictions: number of people, transport means, seasonality, permits, and special restrictions (e.g. access with dogs, etc.).		

BLUE MUSSEL - CREDIT: HEIDI ARPONEN, METSÄHALLITUS (PARKS & WILDLIFE FINLAND)

THE SHORTFALLS OF MPA DESIGNATION AND MANAGEMENT

MPA effectiveness, widely defined as how well an MPA is reaching its conservation objectives,[9] is highly connected to legal approaches and frameworks that Member States are bound to comply with. In this section, we intend to highlight only some of our main concerns on the shortfall of current MPA designation, implementation, and management.

As the main legal tool to address marine biodiversity protection in the EU, the Natura 2000 framework has both strengths and weaknesses:

On one hand, the Natura 2000 network limits a more holistic and ecologically coherent **MPA designation**, since Member States can only protect and introduce measures targeted to what is included in the Annexes of the EU Birds and Habitats Directives.[10,11]

In consequence, other areas with biodiversity features and/or connectivity contributions worthy of protection are not included in the Natura 2000 network, purely due to a lack of direct reference or wording. This narrow scope also prevents the application of the "whole-site approach" within existing Natura 2000 areas, where measures targeted to protect specific habitats/species still allow for other anthropogenic pressures with the potential to negatively impact the overall ecological status of the MPA. Moreover, even when other designations under the EU MSFD or as HELCOM MPAs are able to cover additional habitats and species, more specifically for the Baltic Sea, the planning process remains fragmented, with isolated, feature-specific MPAs.

On the other hand, the EU legislation shows potential for a whole-site approach in MPAs. Under the Habitats Directive, fostering an ecosystem-wide perspective [Art. 6(1)] and reinforcing the integrity of the site as a whole [Art. 6(2)] are requirements to implement conservation measures towards reaching a "favourable conservation status (FCS)". Additionally, the MSFD[12] also complements this approach, where Member States are obliged to develop marine strategies for achieving Good Environmental Status (GES), encompassing ecosystem health, biodiversity, and seafloor integrity (Art. 13) - all of which benefit from a whole-site and ecosystem perspective.

To reach effective MPA management, **conservation objectives** need to be broken down into SMART targets (*Specific, Measurable, Achievable, Realistic, and Time-restricted*) and translated into applicable measures. To be in line with the **ecosystem** and **source-to-sea approach**,[13] MPA management needs to consider impacts from activities inside as well as outside of MPAs, allowing for adaptation over time.

9. HELCOM, 2021. Methodology, test case and recommendations for assessing the management effectiveness of the Baltic Sea Marine Protected Area (MPA) network. HELCOM ACTION (2021).
10. 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
11. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. OJ L 206
12. 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 (MSFD). OJ L164/19
13. ***The source-to-sea approach lacks a single legal definition, but is supported by several EU directives and international frameworks in its principles by requiring comprehensive management that spans from inland sources to the marine environment, such as the EU Water Framework Directive (WFD), MSFD, Habitats Directive, and the Helsinki Convention (HELCOM).***

As a result, set targets should promote continuous assessment of the effectiveness of measures, focusing on both qualitative and quantitative results, while considering potential future changes, including those concerning climate change (e.g. shifts in species distribution).

Finally, **monitoring** of compliance for the implementation of measures should be adopted as part of the **enforcement** level needed to ensure the effectiveness of MPAs. This includes implementing standardised protocols/guidelines for systematic assessments, emphasising the need for regular monitoring, transparent reporting, and active enforcement measures to protect marine biodiversity and ecosystems. Several international and EU frameworks already provide guidance and a legal basis for this purpose, for instance, the MSFD,[14] Birds and Habitats Directives,[15,16] and the Convention of Biological Diversity (CBD).[17]

Achieving the target of 30 % marine area protection is an important part for reaching GES. However, this can only contribute if management and monitoring strategies are in place to deliver positive biodiversity outcomes. In fact, no area should be accepted as part of this target unless it holds clear and defined management measures already in place or at least a proposed timeline to establish them to guarantee the site's conservation objectives. It must be noted, however, that MPAs cannot and should not be the only tool to reach GES. The remaining 70 % of our marine areas outside MPAs also require proper planning and sustainable management, through an ecosystem approach to maritime spatial planning (MSP).

BLADDER WRACK - CREDIT: JUUSO HAAPANIEMI, METSÄHALLITUS (PARKS & WILDLIFE FINLAND)

14. The MSFD requires Member States to develop monitoring programs to assess and ensure GES in their marine waters, including assessing compliance with established targets. The MSFD promotes regular reporting and public accessibility of monitoring results, ensuring transparency in compliance efforts.
15. Member States must designate Special Protection Areas (SPAs) for the conservation of birds and implement monitoring to assess the effectiveness of measures, which can serve as a basis for compliance.
16. Member States must report on the conservation status of habitats and species, with specific monitoring requirements outlined in Article 17. This includes ensuring compliance with conservation objectives.
17. The GBF is supported by decision 15/5 as a monitoring framework, where Parties to the convention are encouraged to support national, regional and global biodiversity monitoring systems including for Targets relevant to marine protection.

COMMON EIDER - CREDIT: JARI KOSTET - METSÄHALLITUS (PARKS & WILDLIFE FINLAND)

CCB RECOMMENDATIONS

- Implement ecosystem-based management of MPAs with a whole-site and source-to-sea approach.
- Identification of areas for protection of marine biodiversity should be solely based on ecological criteria.
- A solid legal basis for the designation of the 10 % strictly protected area goal needs to be secured/developed.
- Strengthen conservation objectives and measures within existing MPAs to ensure that they effectively contribute to the protection of habitats and species and the resilience of the ecosystem as a whole.
- Introduce/adapt management measures to end extractive and destructive activities in existing protected areas or posing a threat to the areas.
- Management measures in strictly protected areas should be restricted to those needed for protection and/or restoration of species and habitats.
- Continuously monitor and assess effectiveness and compliance of measures, adapting MPA management to ensure that objectives are achieved.
- Strongly regulate human activities in strictly protected areas and make clear specifications on (unavoidable) exceptions, e.g. emergency, navigational safety, etc.
- Enhance transboundary cooperation among Baltic Member States and include MPAs and strictly protected areas (30/10 %) in regional and national MSPs, under an ecosystem-based approach.
- Identify and introduce climate change considerations when setting and assessing targets and measures for MPAs and strictly protected areas - to ensure ecosystem resilience and adaptability to variations.

PUBLISHED IN 2024

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Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or CINEA. Neither the European Union nor the granting authority can be held responsible for them.

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