



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

Director-General

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Mr Hugo Andersson
North Sea RAC Chair
Woodhill House
Westburn Road
Aberdeen AB 16 5GB
United Kingdom

Subject: Special Protection Areas (SPA)/ Natura 2000

Dear Mr Andersson,

Thank you for your letter of 28 January regarding the designation and management of marine Natura 2000 sites, including your recommendations in view of the workshop organised by the NSRAC and NWWRAC on 5-6 March, in Edinburgh. I am responding to your recommendations in coordination with DG Environment who, as you know, is the lead department in the Commission for the Natura 2000 network.

First of all I would like to point out that the completion of the marine Natura 2000 network is a core objective of the EU Biodiversity Action Plan that was included in the Commission Communication COM(2006)216 on "halting the loss of biodiversity by 2010". For this purpose efforts will need to be concentrated on the offshore marine environment. Member States should propose the designation of sites of Community importance with a view to adopting a list of sites at Community level. Moreover, appropriate management and conservation measures should also be established.

In order to facilitate this process the Commission has prepared, after broad consultation, "Guidelines for the establishment of the Natura 2000 network in the marine environment - Application of the Habitats and Birds Directives". These were published last year and are available at http://ec.europa.eu/environment/nature/natura2000/marine/index_en.htm. They include useful background information and outline the role of the Common Fisheries Policy in this process. You will also find useful information relevant to Natura 2000 sites in different Member States at the European Topic Centre/Biological Diversity website http://biodiversity.eionet.europa.eu/activities/Natura_2000/index.html.

As you point out in your letter, in June 2007 the EU Nature Directors agreed that Member States should, by 2008, designate their Natura 2000 marine sites, based on

existing knowledge. In that regard we can also expect to receive a number of requests for fisheries management measures in the near future. In order to clarify relevant procedures we are now working on the development of a consistent approach to all requests which will help us make proposals on the most appropriate fisheries management measures under the CFP within a reasonable time from reception of a Member State request.

Your workshop of 5-6 March will be a good opportunity to discuss with you the role of the RACs in this process. RACs should be involved at an early stage of the consultation process concerning fisheries measures and should play an important role in providing information about fisheries activities.

Please find below our response to your recommendations.

Recommendation 1

It is the responsibility of Member States to designate areas (solely on a scientific basis), subsequently identify the appropriate conservation measures and then assess if there is a need for fisheries management measures in order to maintain or restore the conservation status of relevant habitats or species. Whenever a Member State requests regulatory measures under the Common Fisheries Policy to fulfil conservation objectives, the Commission after broad consultation and taking into account the best available scientific information, will implement appropriate measures under the Common Fisheries Policy.

One of the difficulties specific to the marine environment may be the lack of scientific knowledge and the cost of carrying out research. Scientific information in support of requests will not always be complete. Experience so far also show that complete data on fisheries are not provided by the Member States concerned. The New Data Collection Regulation will provide for better possibilities to collect such data.

As regards site designation, we are aware of potential problems due to different national implementation provisions of the Nature Directives and to the different speed at which Member States are proceeding. In that regard the Commission, as stated above, has agreed a common time-frame with the Member States and is taking steps in order to improve consistency, in content and in timing, of proposals. Furthermore, the adequacy and coherence of proposals will be evaluated at the appropriate Community level (i.e. at regional seas level) on the basis of the relevant scientific criteria; in that context any disparities such as those set out in your letter should also be addressed.

Recommendation 2

It is our aim to achieve the best implementation of regulatory measures under the Common Fisheries Policy in order to ensure a 'level playing field' for the European fishing industry in the interpretation and implementation of fisheries measures for Natura 2000 marine sites and to avoid discrimination. The best scenario would be to assess requests for whole regions. This regional approach would avoid having different Member States proposing different management measures to protect similar marine features in areas within a region. Furthermore, in order to avoid possible displacement of fishing effort to neighbouring areas, management measures should be the same for a whole region and ideally should be implemented at the same time.

Recommendation 3

All fisheries management measures needed in marine Natura 2000 areas will be evaluated and applied in accordance with the provisions of the Common Fisheries Policy. Fisheries management measures in offshore Natura 2000 marine sites will only be decided in the context of the CFP.

I look forward to continuing dialogue and collaboration with the North Sea RAC.

Yours sincerely,



Fokion Fotiadis
Director-General