



BioDIVERSITY AND MARINE PROTECTED AREAS: A NEED TO HARMONISE NATIONAL, EUROPEAN AND MEDITERRANEAN ACTIONS

The very importance of biological diversity has been acknowledged worldwide. The Convention on Biological Diversity, signed in Rio de Janeiro in 1992, represents one of the most relevant global political commitments for the environment conservation.

The threats to the Mediterranean biological diversity can be grouped into five main categories (Cattaneo-Vietti and Tunesi, 2007): habitat loss, resource over-exploitation, pollution and sedimentation, introduction of new species, climate change.

Many international agreements (i.e. the *United Nations Convention on the Law of the Sea- UNCLOS*, the CBD, the Barcelona Convention, the European Directives on Nature and the Habitats) have highlighted the vital importance of marine protected areas for the sea safeguard and conservation, as well as for a sustainable use of the marine resources in order to prevent biodiversity loss.

Marine protected areas are of strategic importance, since they represent the “ideal instruments” to meet three priority needs of the coastal and marine sustainable development: the sea biodiversity safeguard and preservation; the ecosystem productivity; the social and economic well-being of the human communities. If marine protected areas are conceived according to fair principles, they are bound to become the driving wheel of an integration process based on resource safeguard and development. As a result, the life standards of the coastal populations would be improved and ad-hoc structures would be created to raise a deeper awareness of and a greater respect for natural ecosystems.

The European Union is fully conscious of the sea specificities in terms of conservation and of marine protected areas. All the main documents issued by the European Union (Directive 92/43/EEC, Directive 60/2000, SEBI 2010, European Action Plan on Biodiversity, fishery regulations, *Marine Strategy Framework Directive*) focus on the importance of marine protected areas to be considered as crucial measures for a successful conservation policy of the environment, as well as for the sea biodiversity protection. The EU Sixth Environmental Action programme singled out two priority action fields: nature and biodiversity. This programme also established the creation of a network, called Natura 2000 (art. 6.2.a.), and further protection measures for marine areas by means both of this network and of any other action foreseen at community level (art. 6.2.g). Moreover, the European Union issued a Biodiversity Strategy and Biodiversity Action Plans (such as those for Natural Resources and Fisheries), aimed at integrating “Biodiversity” within Community Policies. In 2006, following the priorities detailed in the “*Message from Malahide*”, the European Commission issued a Communication - “*Halting the loss of biodiversity by 2010 – and beyond*” (CEC 2006) - whose first action, mainly focussed on the sea, was about the implementation of the Natura 2000 network. Such action also established:



- the carrying out of a Special Protection Area network (SPA) by 2008;
- the approval of a list of the Sites of Community Interest (SCI) by 2008;
- the designation of the Special Areas of Conservation (SAC), the definition of the management priorities and of the necessary conservation tools for marine areas by 2012;
- the drafting of management and conservation measures for the marine SPAs by 2012.

All this has clearly highlighted a fundamental element: marine protected areas are to be considered as tools of paramount importance for a successful implementation of the objectives foreseen by the Biodiversity Action Plans.

The EEC Habitats Directive (92/43/EEC) established the creation of a European network of the Special Areas of Conservation, called Natura 2000, aimed at protecting and preserving biodiversity; the economic, social, cultural, regional and local needs as well as the historical value of man's presence and traditional activities were to be included among the very characteristics of this network. According to the Directive, each Member State, or in some exceptional cases the European Community, had to designate specific protected areas, Sites of Community Importance (SCI) and Special Protection Areas (SPA, with reference to what had been foreseen by the Wild Bird Directive 79/409/EEC). The designation of the SCIs had to be done according to the value of any single site defined with respect to the habitats and species of community importance. In particular, the SCIs were to be established on the basis of the habitats and species listed in annex I and II of the Habitats Directive and the SPAs on the basis of those listed in annex I of the Directive 79/409/EEC (Tunesi *et al.*, 2008).

The overall marine sites, designated by the 27 Member States up to June 2008, amounted to 1.238 SCIs, (128.969 km²) and 537 SPAs (Bird Directive - 83.781 km²) (ETC/BD, 2008). As for Italy, the relative data were the following: 255 SCIs (5.368 km²) and 45 SPAs (4.036 km²) (Tunesi *et al.*, to be published).

The creation of the Natura 2000 network has brought about a system of protected areas for the main habitats and species conservation, through Special Areas of Conservation located in a functional and organic way at local, national and European level. The fulfilment of such a system, starting by the national level, is still very demanding. A meaningful example in Italy is represented by the Posidonia prairies. Even though this is one of the few habitats for which the European Mediterranean States have found an agreement on the actions to be undertaken (because it has been clearly identified) and Italy has drafted a map covering the national coastal seabed, the suggested SCI network has not yet reached a homogeneous structure (Agnesi *et al.*, 2008).



In Italy, the national marine protected areas for the habitats and species conservation were established by means of the Law 979/1982, “Measures for Sea Protection”, followed by Law 394 in 1991 (Cattaneo-Vietti and Tunesi, 2007). Therefore, in 1992, when the Habitats Directive was issued, in Italy there was already a legislative framework foreseeing the creation of marine protected areas. Presently, more than 51 marine tracing areas have been detected, 25 MPAs created and the Pelagos Sanctuary agreement for cetacean protection ratified.

Natura 2000 has thus become a parallel reality with respect to the MPAs; the implementation of the network has ever since been regulated by special procedures based on the European Directive (Tunesi *et al.*, 2008). The Italian government entrusted the Regional and Provincial authorities with the task of designating the sites. These authorities subsequently submitted a request to the Nature Protection General Directorate of the Ministry for the Environment, Territorial Protection and the Sea. The Ministry sent the list of the sites to the European Commission and, after the publication of such list by the Commission, included the approved sites in a Ministerial Decree. In this way, the Ministry, in agreement with the concerned Regional and Provincial authorities, designated the Special Areas of Conservation. Anyway, still today, there is not any connection between these areas and the national marine protected areas. Such gap has clearly highlighted the need of finding legislative solutions to coordinate more effectively the actions aimed at marine biodiversity protection. To this respect, Italy should consider what has been done up to now by other European Union States, such as Germany and Great Britain (Tunesi *et al.*, 2009).

The creation of the Natura 2000 network is a process which is still underway and the example provided by other European States should encourage Italy to overcome the present situation. All the various kinds of national and European marine protected areas should be structured in an organic way and according to the characteristics of the Mediterranean sea, as was highlighted in the Barcelona convention.

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