

## The Netherlands and the designation of marine protected areas in the North Sea Implementing international and European law

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### Abstract

There is general agreement that representative and ecologically coherent networks of marine protected areas (MPAs) should be created to maintain biodiversity and to conserve specific species, habitats and ecological processes. This article addresses the contribution that is made by the Netherlands to the North Sea MPA network. It reviews the applicable legal obligations with regard to the designation of MPAs contained in global and regional treaties and EU law, and provides a critical assessment of the actions that have thus far been taken by the Netherlands to implement these obligations. The article concludes that significant steps have been taken towards a solid Dutch contribution to the global and regional goals of representative MPA networks. There are, however, a number of shortcomings. To a large degree, these are the result of the policy of the Netherlands Government to go no further in the designation of MPAs than what is strictly required by the EU Birds and Habitats Directives. On account of the widely acknowledged 'marine deficiencies' of the Habitats Directive, this policy stands in the way of achieving the target of a *representative* MPA network. Moreover, it is rather doubtful whether the same minimalist approach is sufficient to meet the relevant obligations of the Netherlands under global and regional treaties, in particular the OSPAR Convention. These shortcomings can be remedied by the designation of additional MPAs and, in some cases, by extending the list of species and habitats for which current MPAs have been selected.

### Keywords

North Sea; nature conservation; marine protected areas; OSPAR; Natura 2000

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ISSN 1871-515X

