

Site Integrity Briefings



The Habitats Directive requires Member States to protect certain marine habitats and species. To help with this, Member States must identify and create marine protected areas that host these habitats and species, known as Special Areas of Conservation (SAC). Among other obligations, Member States must ensure that activities taking place in or near to these sites do not ‘adversely affect the integrity of the site’ (Article 6, Habitats Directive). This obligation applies even before the SAC is officially created.

The Habitats Directive, and also case law from the EU Court of Justice, makes clear that avoiding adverse effects on site integrity means taking an ecosystem approach when assessing the impact of an activity on a site and deciding whether to allow an activity to go ahead or continue. However, regulators and others often tend to consider the impact of an activity on designated features (e.g. seagrass) in isolation, when in fact they should also be considering impacts on other elements of the ecosystem - for example, the typical species associated with a protected habitat. This can lead to decisions that do not comply with the law.

The following four briefings provide guidance on the meaning of ‘site integrity’, as well as examples of how legal arguments relating to ‘site integrity’ could be deployed for four specific habitats protected by the Directive, to ensure maximum protection and recovery:

- [Reefs](#)
- [Seagrass](#)
- [Estuaries, shallow inlets and bays](#)
- Sandbanks

When should I use these briefings?

When you know that a habitat in a site protected by the Habitats Directive, and/or the species associated with this habitat, are at risk of being damaged by an activity not directly connected with or necessary for the conservation of the site. The arguments can be used in letters, presentations or during meetings with regulators and/or industry. They will provide useful context to more detailed [legal arguments](#) (ClientEarth, 2015) to help stop damaging fishing practices in SACs.