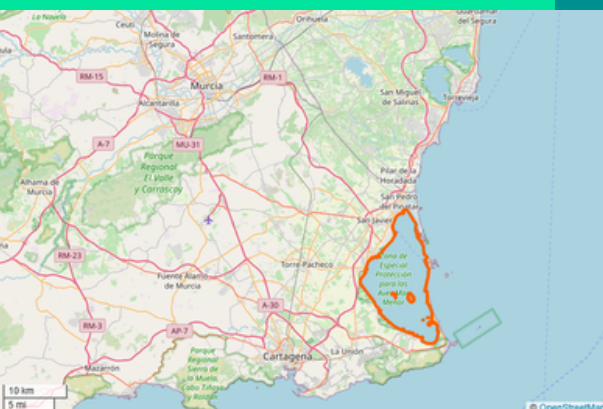




Mar Menor
© Isabel Rubio Pérez



© OpenStreetMap

MAR MENOR, THE FIRST ECOSYSTEM IN EUROPE WITH LEGAL PERSONHOOD AND RIGHTS

CAN IT BE THE NEW STANDARD OF NATURE PROTECTION?

Case Study of the BiodiverCity URBACT network: community-based approaches to foster urban biodiversity and nature-based solutions, based on its network meeting in Cieza, Spain, on 25-27 March 2025

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Mar Menor, the „small sea”, is not small at all, and it is very different from the Mediterranean Sea, the “Mar Mayor” (the “greater sea”). Mar Menor is the biggest coastal saltwater lagoon in the Iberian Peninsula, located near Cartagena, and La Manga del Mar Menor, occupying most of the 22 km long sandbar separating the lagoon from the sea, is one of the biggest tourist complexes of the so-called Costa Cálida. But Mar Menor has gained worldwide attention recently as the first place in Europe where a complex ecosystem has received legal personhood based on civic activism, following examples in New Zealand, Canada, Colombia, Ecuador and Bolivia.

The Autonomous Region of Murcia is often called the vegetable and fruit garden of Europe. Around Cieza, from where we start to visit this unique lagoon, the valley is full of peach trees. Closer to Murcia, the landscape is mainly characterised by orange trees, while around Cartagena, hundreds of greenhouses

shine in the strong spring sunshine. Getting closer to Mar Menor, we can look down from the motorway between the greenhouses to the basin of the lagoon, and we can realise one of the roots of the problem. On the other side of the motorway, we see that the only areas not involved in intensive agriculture are the so-called ramblas, the dry water courses carrying rainwater from the hillsides to the lagoon.



An orchard close to Cieza
© Ferenc Albert Szigeti

The Chronicle of the Doom

"Although the lagoon, with its surface area of 135 km² and a coastal length of 70 km, communicates with the Mediterranean Sea through five natural channels, due to the increased evaporation of the shallow (on average 4 metres deep) water, the warm and clean water is saltier than the sea. Due to the high salt concentration and extreme temperatures, a unique ecosystem, symbolised by seahorses and many rare species, lives in the relatively closed basin" - says Isabel Rubio Pérez, retired secondary school teacher and spokesperson of Pacto por el Mar Menor, a platform dedicated to the protection of the Mar Menor lagoon.



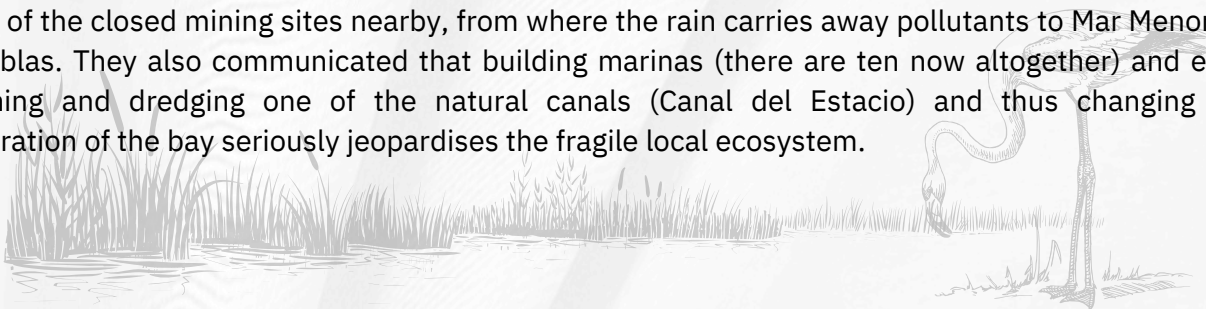
*Tourists watch flamingos at the "salinas" (San Pedro del Pinatar)
© Ferenc Albert Szigeti*



We are driving along the 22 km long sandbar, which is almost completely occupied by high-rise buildings of La Manga del Mar Menor. "Streets are almost empty now, in early Spring, but in the peak season, traffic is a big issue here on the 100 to 1200 meters wide sandbar. Geography makes this place ideal for families and water sports. If the wind is too strong at the seaside, you can easily go to the warmer lagoon water" – says Miguel Ángel Piñera Salmerón, officer of the Municipality of Cieza.

*La Manga del Mar Menor
© Ferenc Albert Szigeti*

The only place on land that still provides space for nature is at the Northern part of the lagoon, at San Pedro del Pinatar, where the landscape is characterised by "salinas", historical salt production basins, where flamingos filter the water with their iconic beak in the often-pink water. The bay is a protected area. *"It is a Special Area of Mediterranean Importance, it is a Site of Community Importance, a Ramsar Wetland Site and a Special Protection Area for birds. But this protection did not prevent the environmental problems peaking in the last years"* - says Isabel. Indeed, environmental activists raised attention already in the 1970s to the impacts of the closed mining sites nearby, from where the rain carries away pollutants to Mar Menor through the ramblas. They also communicated that building marinas (there are ten now altogether) and especially broadening and dredging one of the natural canals (Canal del Estacio) and thus changing the salt concentration of the bay seriously jeopardises the fragile local ecosystem.



As a result, new, often invasive species (e.g. *Caulerpa prolifera*, *Cotylorhiza tuberculata*) appeared in the lagoon, further endangering the populations of rare or already endangered species of extinction like *Aphanius iberus*, *Anguilla anguilla* or *Pinna nobilis*, the biggest bivalve of the Mediterranean Sea.



Caulerpa
© Canva



Cotylorhiza tuberculata
© Canva

In 2016, these negative factors accumulated in the first eutrophic crisis, mainly caused by the increased runoff from agricultural fields, containing nitrate and phosphate. Between 2014-2016, 85% (!) of the sea bottom vegetation was lost (later it recovered, except a 15 km² area). In October 2019 it was again clear that the law does not work properly: tons of fishes died and washed to the beaches.

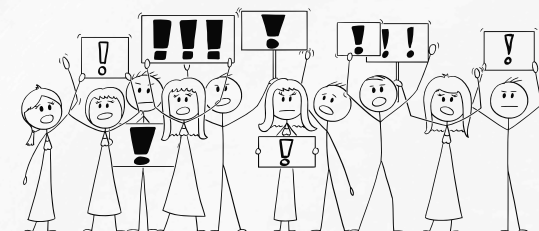
In the same year, the first mass demonstration was organised in Cartagena. In 2021 August tons of dead fishes and crustaceans were washed up on the beaches again, and therefore in October another demonstration was held. Economy was also seriously impacted as the volume of fishing as well as the value of properties seriously declined.



↑ Intensive agriculture in the region
↓ Dead fishes washed up on the beach
© Isabel Rubio Pérez



© Isabel Rubio Pérez



The power of community voice and a new narrative for nature protection



Teresa Vicente
© Silvia de la Rosa

After the mass fish die in 2019, Dr Teresa Vicente, a professor of philosophy of law at the University of Murcia, was convinced that the only way to indeed protect the lagoon is to grant it legal personhood and recognise its rights.

In European law, legal personhood is linked to a person or an organisation that participates in legal activities: it can sign contracts, own property and can sue or be sued. It is a subject of rights and obligations. For the mission, Teresa and her colleagues used the so-called ‘Popular Legislative Initiative’, existing in most European countries: it is a mechanism that allows citizens to propose a new law. In Spain, this process requires at least 500,000 authenticated signatures within 12 months.

This method aimed to achieve the recognition of legal personhood and the rights of the Mar Menor to exist and survive as an ecosystem and to be protected and restored by authorities and citizens. The signature collection campaign started in the worst moment, during the COVID-19 pandemic, in November 2020, but despite this situation, 639,286 signatures were collected and later presented to the Electoral Board in Madrid, October 2021. After a legislative process, the Senate finally approved the law ([Law 19/2022](#)) in September 2022, officially making the Mar Menor lagoon and its basin a legal personhood.



Signature collection campaign
© Isabel Rubio Péré

It was a victory of citizenship, however, the populist Vox, as the only parliamentary group that voted against granting the Mar Menor legal rights, filed an “unconstitutionality appeal” in January 2023, which was accepted by Spain’s Constitutional Court, but finally, the Court rejected this argument.

This great success resulted in the first legal text in Europe recognising a natural entity as a subject of rights. *“It is one more piece in the mosaic of a global movement towards ecological justice, which tries to find strong legal answers in times of global ecological crisis”* – says Marie-Christine Fuchs in her great [essay](#) about the case of Mar Menor.

How it works

Legal personality means giving the Mar Menor legal capacity and capacity to act, as an entity within the current legal system. Article 6 of Law 19/2022 allows any person to defend the interests of the Mar Menor and its basin in courts. To structure this supportive and advocacy work, three committees have been established:



The Committee of Representatives: it has 13 members (3 from the central government, 3 from the regional administration and 7 from the Promoting Group of the Citizen Legislative Initiative). This commission aims to propose actions for the protection, conservation, maintenance and restoration of the lagoon, to supervise and control compliance with the rights of the lagoon, based on the contributions from the Guardians Commission and the Scientific Committee.



The Monitoring Committee (Guardians) consists of representatives of each of the coastal town halls and representatives of the economic, social and environmental defence sectors with previous experience in the protection of Mar Menor. The main aim of this commission is to monitor and control the rights of the lagoon and its basin. It also deals with the dissemination of information on the present act, taking into account the scientific reports and articles made by the Scientific Committee.



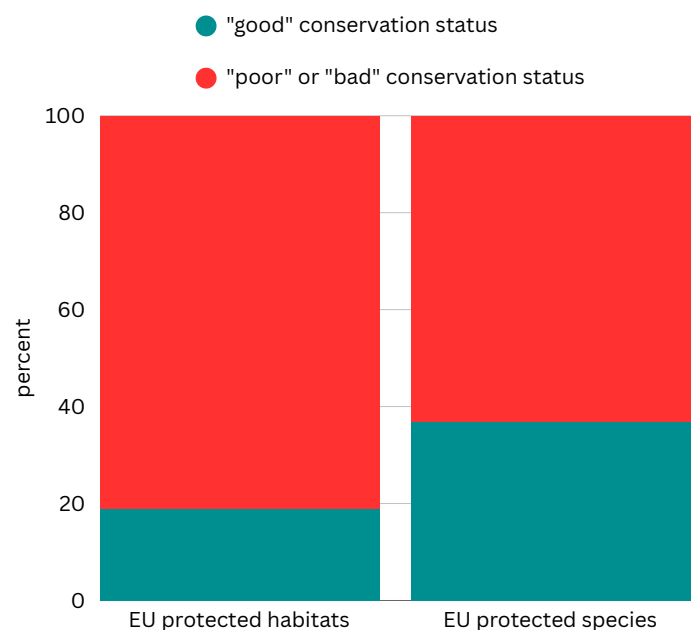
The Scientific Committee is built up by scientists and independent experts studying the ecosystem and its different environmental aspects of the Mar Menor (e.g. regional universities as well as national centres like the Spanish Institute of Oceanography or the Iberian Ecological Society). This committee is to propose restoration measures to the Representative Committee and the Monitoring Committee, and identify indicators on the ecological status of the ecosystem.

The first legal case the Mar Menor will be heard under the new law is about the use of illegal desalination plants and will take place in May 2026.

We all need more guardians of nature

As Isabel says, this law means a shift from anthropocentrism to an ecocentric approach, which places ecosystems in the centre and humans are seen as interconnected with the environment. However, it is worth noting that granting legal personality to the lagoon and its hydrographic basin does not, by itself, guarantee the effectiveness of environmental law. As Marie-Christine Fuchs points out, unlike other overseas examples, the Spanish constitution does not explicitly recognise the legal subjectivity of nature, maintaining an anthropocentric vision of the generic legal context.

Yet, this first step in Spain is essential on a continent, where 81% of EU protected habitats and 63% of EU protected species are in “poor” or “bad” conservation status (2020 ‘State of Nature in the EU’ report). Therefore, we need more “guardians” in Europe, guardians who restore entire landscapes through civic activism, like in Spain or by removing land from speculation, just like the Edith Maryon Stiftung does in Switzerland. *“Land is a limited resource. Land ownership and land distribution issues are becoming increasingly important for our society and our future. We want to remove land and real estate from speculation and make them available for projects that benefit many people instead of just a few”* (Edith Maryon Stiftung).



The case study was prepared based on the presentation made by Isabel Rubio Pérez. For further information, please check her [website](#)!