

SUMMARY REPORT

MARINE PROTECTED AREAS AND FISHERIES MANAGEMENT

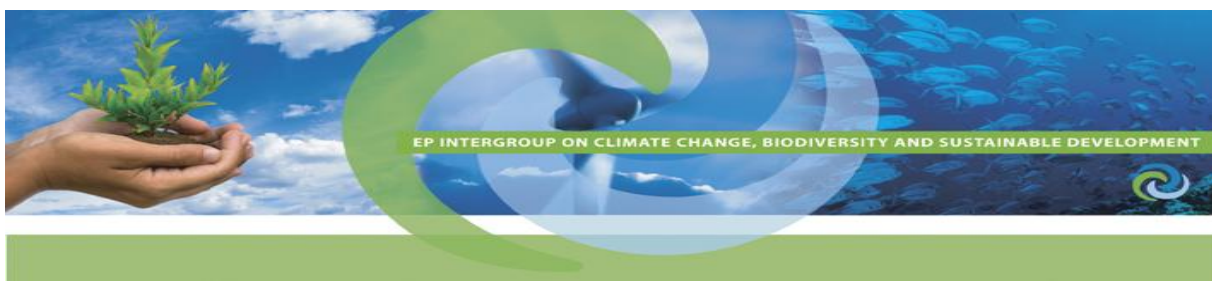
13th October 2015

European Parliament, Brussels

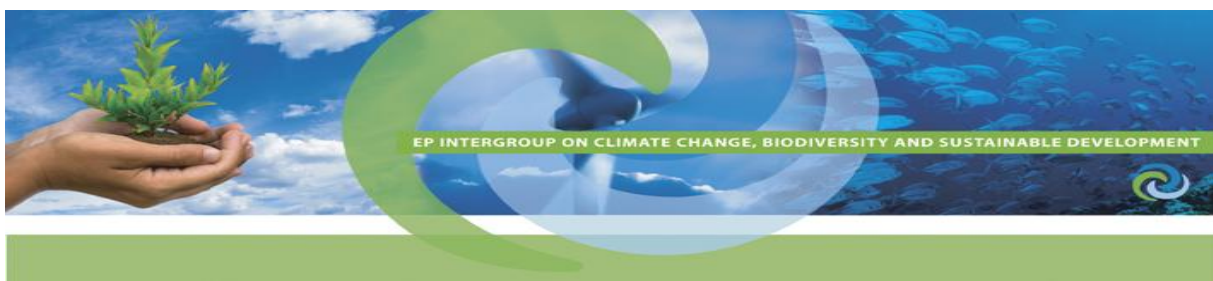
Policy makers, academic researchers and representatives from civil society gathered on Tuesday 13 October in the European Parliament, to discuss the issue of “Marine Protected Areas (MPAs) and Fisheries Management”, chaired by MEP Isabelle Thomas.

MEP Isabelle Thomas, Co-Chair of the Fisheries, Aquaculture & Integrated Maritime Policy working group of the EP Intergroup “Climate Change, Biodiversity and Sustainable Development” welcomed the speakers. She opened the meeting by stating that the ocean is borrowed and that ocean exploration has just begun. Caution is therefore advised so as not to repeat the mistakes of the past, as with land resources whose abundance is rapidly depleting. She noted that the ocean can fill in the gaps, especially due to the technological advances that allow us to explore it even more. Blue growth can be the worst or the best way forward. Worst if we repeat the same mistakes made for land resource management and best if we follow a development model that respects nature and human evolution, in parallel. She added that a possible tool in achieving this goal is the setting up of Marine Protected Areas (MPAs). Additionally, one must keep in mind that there are other activities which exploit marine resources; sectors more diverse, important and much more powerful than the fisheries industry, such as the oil industry. How will those activities be managed coherently? Therefore, governance of the ocean is a major issue where a possible solution would be the use of an integrated cross sectoral approach. She ended her opening remarks by saying that the oceans are the property of everyone and need to be governed on a democracy-based model.

Serge Garcia, Chair of the IUCN Fisheries Experts Group (IUCN-CEM-FEG) presented the bio-ecological, socio-ecological and governance effects that MPAs may have depending on a number of factors such as types of ecosystems, species, MPA type and size, local (political and socioeconomic) conditions and governance. The expected bio-ecological positive effects inside the MPA on fish population, communities and habitats, are usually verified even though they might not be accurately predicted. Better stability and resilience of the system may be an outcome, as well as the protection of habitats and vulnerable species. MPAs may also decrease fishing effort if they are located on key fishing areas, which on the other hand this may cause economic problems. In terms of management of MPAs, these effects lead to a consensus that: (i) fisheries-oriented MPAs should cover large areas and could more easily be organized as functional networks; (ii) high priority should be given to the protection of spawning and nursery grounds; (iii) that a long term and uninterrupted protection is more effective for conservation; and (iv) fishery-MPAs should be integrated in broader space-based management plans with efficient monitoring and enforcement and wide stakeholder participation. Regarding socioeconomic effects, economic and social data are still limited but recent analyses indicate that the area of socio-economic impact beyond the MPA can be very large and impacts can be of a very diverse nature. Opportunity costs appear to be often



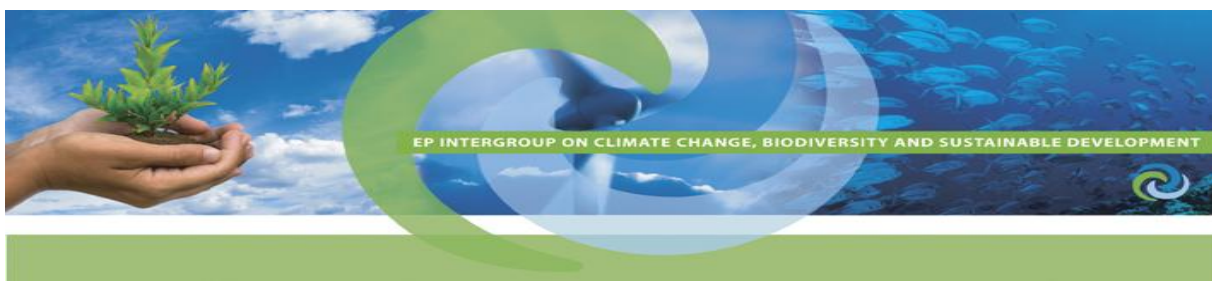
conveniently “forgotten” in impact analyses of MPAs underestimating their negative economic impact. Researchers suggest that when effort is correctly controlled, MPAs may add little to management of fisheries resources. If controlling fishing effort efficiently is not possible, then MPAs may well be the second-best solution in fisheries management.. In terms of management, it must be stressed that MPAs are public investments in marine conservation and as such they should meet the criteria of efficiency and equity. Compensation measures are important when equity needs to be re-established. Main management difficulties emerge from unequal distribution of benefits and costs, in time, space, and between stakeholders. They also relate to the fact that advocated benefits are often global (and delayed in time) when the costs are local and immediate. MPA effectiveness as a fishery management tool depends on the level of control of fishing mortality inside and outside the MPA; the importance of opportunity costs of an MPA, the potential reallocation of fishing effort within and outside the MPA, and fishers’ reactions to the closure should not be underestimated; comprehensive ex-ante assessment and monitoring are essential for an adaptive management. With minor differences in timing, the evolution of governance since the 19th century has been very similar in fisheries and conservation, from traditional community self-management in the early 19th century to a broader mix of governance approaches including a growing state-driven governance in the early 19th century, shared governance since the 1970s and a progressive move to neo-liberal market based governance in the last 2 decades. The similarity in evolution should allow further convergence between fisheries and conservation but tensions will remain about their main goals, their interactions and modus operandi; evil is in the details in these cases. In terms of objectives and approaches, fishery governance aims to develop economically viable fisheries while minimizing impacts on the ecosystem while MPAs aim at protecting the ecosystem while minimizing impacts on economic and human development. The two governance systems have adopted common approaches. There is growing pressure to increase the coverage of MPAs and NTZs even though their effectiveness is being discussed, yet tensions are growing regarding the social impact of market-based approaches in both streams. The present trends may facilitate convergence or generate tensions between the two fields, on issues such as deep sea fishing, destructive fishing practices, illegal fishing (IUU), by-catch/discard problem, etc. Protected areas may be useful for fisheries if they can deal with these concerns more easily and/or cheaply than existing measures. Based on what is known and advocated, a fishery manager may expect from MPAs (as from any other tool he plans to use) a number of positive and negative effects on biodiversity, on the sector viability, on the livelihoods and food security of coastal communities and on governance. These impacts need to be addressed and possibly assessed before deciding on introducing or not MPAs as fisheries management instruments, looking for an equitable distribution of costs and benefits. The primordial objective of an IUCN MPA is obviously conservation and the tolerance for commercial fishing is limited to some IUCN categories. MPA’s tolerance increases with the concept of “sustainable use”, horizontal zoning and multi-use MPAs. Unfortunately, vertical zoning is discouraged by IUCN but will be needed, at least over great depths. The governance of fisheries and of MPAs can be state-driven or societal; centralized, decentralized or community-based. The types and principles of administration advocated for MPAs and fisheries are similar and compatible. This should, in principle, facilitate an integration which remains very limited. In addition, in a given area, the type of governance



used for the fisheries and the MPAs may be different, however, reducing the potential for integration. It must be recognized that because of the tri-dimensional nature of oceans and fisheries, and the opacity, size and depth of the marine ecosystem, the large matrix of possible Fishery-MPAs that would be necessary to facilitate a smooth integration creates also an unequalled operational challenge (e.g. for monitoring, control and surveillance). Finally, some hot issues and a few concluding remarks were made to close the presentation, stressing for example that space-based management is unavoidable, advisable and not new to fishers; that local governance and effective participation are indispensable in both MPAs and fisheries management; and that the reciprocal impacts of MPAs and fisheries should be openly assessed.

François Gauthiez, French Agency of Marine Protected Areas, gave a quick overview of French MPAs, and the different categories therein; their contribution to EU policies, such as Natura 2000 sites; how fisheries are dealt with; and current issues faced. According to the speaker, the MPAs are a clearly defined zone in the sea with a long term environmental protection objective along with a set of other objectives and management measures and fall under 3 categories: strictly protected (e.g. natural reserves, centre of natural parks), specific habitat or species objective (e.g. Natura 2000 sites), multi-purpose (marine nature parks, area of adhesion of national parks). The current coverage of MPAs in French waters is 16.5% (all categories, mainland and overseas EEZ). For the MPAs to be effective their network needs to be well managed, well governed under a specific management plan with long term objectives, spatial planning and continuous assessments. According to the speaker, the objectives of MPAs regarding fisheries can be to conserve specific resources, to develop knowledge and monitoring, to enhance impact mitigation and/or support sustainable development. Several examples were given during the presentation. The speaker finalised his presentation by adding the key issues that the future holds, such as MSFD implementation programmes, new Natura 2000 offshore sites, development of strictly protected MPAs and the creation of a new category of MPAs called “fisheries conservation zones” specially dedicated to the protection of essential fish habitats and intended to deal with all human activities. He concluded by adding that confidence needs time to be built.

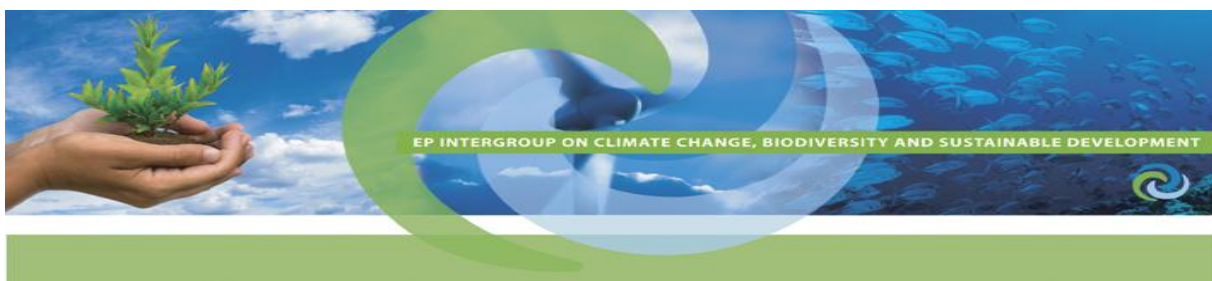
Ernesto Penas Lado, Director for “Policy development and coordination”, DG MARE, European Commission, started his presentation with the statement that MPAs are an instrument and not an objective with various models and cases available as well as a wide variety of aspects to look at when setting them up. They can exist with a fisheries related objective (such as protection of spawning grounds, juveniles, reducing/limiting fishing mortality) or with an environmental related objective (such as protection of fragile seabed, vulnerable species, conservation of biodiversity). On how MPAs are established, there is a current trend asking for a new legal basis for the setting up of MPAs. This is not necessary since mechanisms are already in place under existing legislation; amongst others, the CFP and national legislation for fisheries related issues; and Marine Strategy Framework Directive and the Birds and Habitats Directive for environmental related issues (e.g., in the Mediterranean Sea, MPAs, along with technical measures, are the main instruments in managing fisheries resources). Therefore, implementation is more important than the legal basis. MPA objectives are quantifiable and the lead on setting up MPAs should be taken in mixed ways. On fisheries policy, leadership falls on the European Commission (except in the



case of Art. 8 of the CFP). An example is the upcoming technical measures where the EC will propose a general framework of measures but more emphasis will be given to regionalization and MS initiative where they will need to establish closed areas through new methodology and governance. Regarding environmental policy, it is MS competence to come up and propose MPAs that the CFP will look into in case they touch upon fishing grounds. On issues of governance and control, a potential advantage of MPAs is the fact that it is easy to control what goes in and out but this is only the case of No-Take-Zones. Also, technological advantages can help in this regard but even so this does not apply to areas where fishing is allowed under certain circumstances; in that case, monitoring of catches and traditional control measures are more reliable. Looking into the future, more emphasis is needed on the designation of MPAs, particularly outside the 12mile radius of MS, since as things stand there is much more relative coverage in territorial seas than in the Exclusive Economic Zones of MS. There is a need to ensure a greater ecological coherence as many areas are established on a case by case basis and not on a coherent network of MPAs, where subsequently, a scale effect of protection will need to be ensured. Additionally, management plans will need to be put forward where MPAs will be a tool, not an objective. Lastly, the management of MPAs is a common enterprise and both MS and EC must ensure that a coherent network is set up to achieve fisheries and environmental objectives.

Bertie Armstrong, Scottish Fishermen's Federation, presented the issue of MPAs under the scope of the Scottish fishing industry, the challenges and trade-offs to be worked off and what the management measures are. On the issues of process, the picture is complicated but well enough understood via the conventions on biodiversity and via the work of the Regional Sea Conventions (RSCs) and the Marine Strategy Framework Directive (MSFD). On the issue of progress across European waters in general, as noted in two recent reports, the situation has been relatively good, particularly in the area of the northern continental shelf (especially regarding fish stock improvement). The main aspects of an MPA are adequacy, coherence and representativeness. There also needs to be a sound process for search, selection and designation, along with socio-economic analyses that will inform the decision-maker of the consequences of action. In Scotland, a competent process was in place, however this was abandoned by the Minister when he made his decisions on management measures. One must not succumb to the myths that "more is better" and that "high protection" will benefit the fish stocks, but the Minister appeared to do so, with decisions being influenced by a mass-produced email campaign rather than representative democracy. In the case of Scotland, input from fishers was not adequately taken into account after the forums and workshops on MPA management measures. The speaker concluded in presenting the parallel challenges to be faced in placing a coherent and effective network of MPAs, such as under-evidenced societal pressure, the requirement for food production and community support, all served by ensuring the correct level of socio-economic analysis.

Armand Quentel, Chair of the Environment Commission of the Brittany Fisheries Regional Committee, member of Bluefish, started his presentation with the 17 Sustainable Development Goals (SDGs) under the UN 2030 Agenda. The "raisons d'être" of the fisheries sector are clearly integrated in goals 2 and 14; eliminate famine and conserve/exploit marine resources, respectively. These objectives must not contradict one another. Fishers, over the years, have exploited the seas according to society needs with a sole concern in mind of

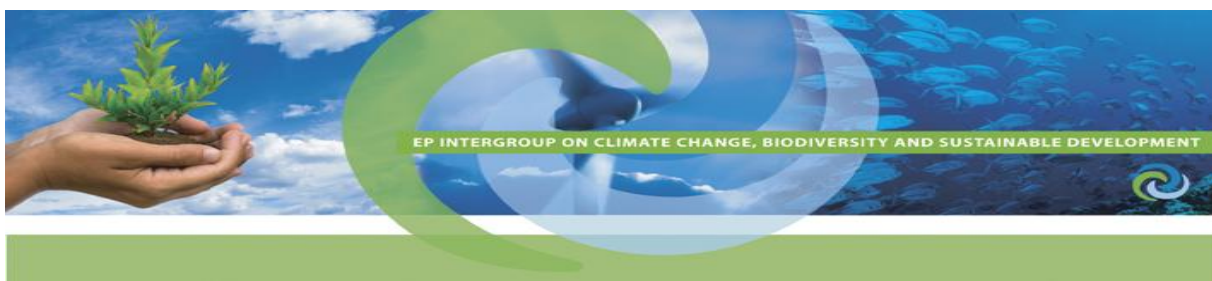


fishing performance with the support of technological advances. European waters are managed under "shared management" within the European Union and specifically fisheries management is ensured by the CFP, whilst each Member State may go beyond by subsidiarity. To achieve goal 2, fishers need to ensure that they can provide a "healthy, loyal and tradeable" product. Currently, as MPAs are structured they do not seem to provide any effective protection against macro-waste pollutions, plastics, climate change and are not left unaffected by the disturbing developments in water quality (acidity, temperature rise and overall degradation), which are having major impacts on the quality of fish. In addition, creating "small pockets of heaven" (such as no take zone) that exclude any exploitation of marine resources is not sustainable and contradictory to the UN sustainable development goal: "leave no one behind". On a global geopolitical scale, MPAs act as a power tool in marking one's territory. One must keep in mind that the sea belongs to all and governments are the only actors capable of "governing" them. Fishers are of the belief that ocean sovereignty is the states' competency and not that of interest groups (unions, foundations, some NGOs and other "structures" with vague objectives). Due to galloping human development and with the growing scarcity of resources associated with technological progress, renewable or not, marine environments are seen as very attractive to meet those needs. Fishers need to be able to rely on MPAs as an effective tool to achieve good ecological status of the waters and to conduct their activity sustainably, at "levels compatible" (against Directive 2008/56/EC). The speaker finalized his intervention by quoting the 2002 Sustainable Development Summit in Johannesburg, "We declare ourselves accountable to each other, accountable to the community of living beings in general and accountable to our children."

Questions and discussion with the audience

MEP Isabelle Thomas kicked off the discussion by noting the discrepancies that exist in the coordination of the involved activities (direct or indirect) surrounding ocean resources. Additionally, it is important to take into account the views of all interested stakeholders, whilst also raising concerns on the transparency of the whole process of decision-making. In many cases, the relevant documents were not easily shareable or made public and were very technical, making it hard for interested stakeholders to provide an input. Therefore, the mode of governance divides "those who know" and the other stakeholders. This creates a discrepancy as to what is voted and subsequently implemented. Today, in France for instance, effective functioning of MPAs is too far from the missions which have been given to them by their management committee. There is a need for a change from the previous top-down to a bottom-up approach. Specifically for MPAs, these are tools that can come in handy as long as they are met with shared objectives, real and transparent dialogues. Lastly, the European Commission must be the hand that ensures that implementation is enforced and homogeneous. The Marine strategy framework for instance is implemented differently from one Member State to the other.

MEP Ricardo Serrão Santos, Co-Chair of the "Biodiversity & Ecosystem Services" working group of the EP Intergroup "Climate Change, Biodiversity and Sustainable Development" started by adding that fisheries science is still young and the long term benefits of MPAs have not been witnessed yet. He continued by stating that, following a project he took part



in that looked into the benefits of MPAs, the socio-economic benefits are too hard to be seen (more or less they can be seen 20 years after). He expressed his disappointment that most MPAs are established in loose ways with weak networks, both on a political and scientific level. He urged, therefore, to listen more to all stakeholders, scientists specifically and to create coherent networks of MPAs.

Armand Quentel intervened by saying that certain aspects can't be controlled (e.g. climate change and other factors stated in his presentation) under an MPA structure and therefore a coherent solution needs to be sought out. A paradigm change is necessary in the way we consider these issues. EU fishermen need to be listened to as they have much to input on issues more beyond fisheries (e.g. plastic waste). The speaker also noted that it was not sustainable for the EU to create pockets of heaven along its coasts as it leads to abusive exploitation of resources in third countries, often poorer than Europe.

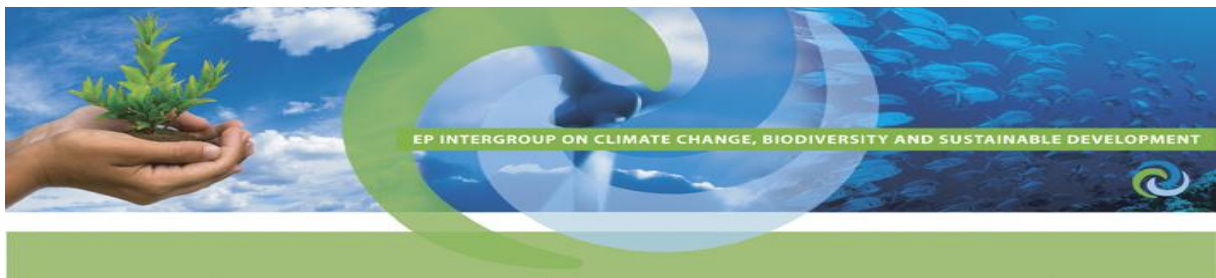
Bruna Campos from Birdlife International expressed her disagreement with the issue of climate change in MPAs and upheld that they ensure nature resilience. On the issue of MPAs and fishing in third countries (specifically low income countries), which greatly depend on fisheries resources, they have been managing them in a much more consistent and coherent way than in some EU waters (e.g. seabird by catch in Namibia). She raised the question on how Natura 2000 sites and MPAs conservation objectives will be handled by fisheries management rules (under the Common Fisheries Policy) and how will they be enforced, since Member States need to approach this issue in a more coherent manner than before (regionalization is a way to look into this).

Ernesto Penas Lado replied by proposing that parallel legislation was discussed between MS and Commission as a potential way forward but in the end regionalization will be the main pillar on which to build on, as they believe that a horizontal legislation will not yield positive results. A soft instrument will be implemented to ensure that mitigation measures are put in place, per region, to ensure that long term conservation goals are met.

François Gauthiez added that biodiversity is crucial in order to ensure food security and food safety. It is important to analyse the ecosystem services but not only from a monetary point of view. The legal framework concerning marine nature parks allows the management council to give legally binding opinions concerning the authorisation of all activities significantly impacting the ocean's environment, including land-based activities. Lastly, an MPA focused on fisheries solely will not be able to play its role; there needs to be an integrated approach to all activities happening in the ocean.

Armand Quentel added that MPAs need to help the industry instead of harming it. MPAs don't betray the fishermen by going beyond agreements. He finished by adding that a strong political position is needed from Member States and especially the EU who will uphold these ideals on an international level.

Serge Garcia in his closing remarks stated that it is difficult to prove that an MPA is successful and operating. At first it was said that MPAs would be beneficial to fisheries resources but later on it was advocated that the results are slow to show. Now it is being said that MPAs are there for conservation measures. This shows that a better process for



setting up MPAs and conservations measures is need; the existing one is too strict and hardly adaptive to an ever-changing environment.

MEP Isabelle Thomas closed the meeting by underlining the point of views offered by the speakers, yet stressing that there is a long way forward, this is just the start and now it is time to act.

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