



## SUMMARY REPORT

# MPAs: between the MSFD and the CFP - How to strike the right balance?

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European Parliament, Brussels

Policy-makers and stakeholders gathered in the European Parliament to discuss marine protected areas (MPAs) and the need to strike the right balance between the Marine Strategy Framework Directive (MSFD) and the Common Fisheries Policy (CFP) in order to further balance environmental protection with social and economic needs.

**Alain Cadec MEP and Chair of the “Fisheries, Aquaculture and Integrated Maritime Affairs” Working Group of the EP Intergroup on “Climate Change, Biodiversity, and Sustainable Development”** welcomed the participants and stressed the importance of this topic for both fisheries and maritime activities, and the environment. It was said that the need to find a balance between the MSFD and the CFP is pivotal as they both intend to protect the marine environment while ensuring a sustainable use of marine resources. It was underlined that coordinated governance is crucial while trying to involve different stakeholders and sectors in addressing the challenges.

**Ernesto Penas Lado Director for “Policy development and coordination”, DG MARE & Marianne Wenning, Director “Quality of Life, Water and Air”, DG ENV, European Commission** highlighted a positive message from the European Commission emphasising the need to ensure the complementarities between these two pieces of legislation. It was said that the MSFD is an environmental policy and therefore, a shared competence with Member States: both the EU and Member States can adopt legally binding acts, but Member States can do so only where the EU has not exercised its competence or has explicitly ceased to do so. In the CFP context, only the EU is able to legislate and adopt binding acts. Member States may do so only if empowered by the EU to implement these acts. It was said that the main objectives of the CFP are to make fishing and aquaculture environmentally sustainable and achieve economic, social and employment benefits and contribute to food supplies; to be precautionary, and manage so as to obtain the highest yields from exploited fish stocks and to implement the ecosystem approach. Further, one of the CFP specific objectives is to be coherent with environmental legislation, in particular with achieving a Good Environmental Status (GES) by 2020 according to the MSFD. In making these two policies work, similarities (policies aim at ecological sustainability and the ecosystem approach) and differences (CFP is centralised and manages fish stocks while MSFD is decentralised and covers all human impacts including fishing) should be taken into account. It was underlined that MPAs are a way to join both policies. It was further underlined that the MSFD aims to achieve healthy, clean and productive seas and oceans under a sustainable use of resources. The MSFD deals with Marine Protected Areas as an important tool to ensure that certain parts of the ocean are under particular protection for being under specific pressures. Some of these areas have been established under Natura 2000 and Regional Seas Conventions. It was said that it is necessary to ensure harmonisation and



coherence of the maps of MPAs. The Commission provides funding to ensure that MPAs are not only widespread but also represent a coherent net. It was informed that the Commission is also working together with Regional Seas Conventions in order to better understand the coverage of MPAs in high seas under UNCLOS. It was said that MPAs are not only beneficial for the environment (biomass of plants and animals increase by 200%) but also entail great economic benefits with an estimation of 1.5 billion per annum. It was underlined that they also bring various spillover effects to nearby areas. It was concluded by stating that the two policies are not yet benefiting from each other but strides are being made to ensure this in the long term, also stressing that the first results of such actions are positive.

**Werner Kuhn MEP** stated that the MSFD represents very ambitious objectives that always lead to obligations from Member States to translate this piece of European legislation into theirs. It was said that the new and differentiated use of oceans could lead to new conflicts: spatial planning and coastal management should not forget that shipping lines are very important transport areas and fishing areas have a very important economic role. It was highlighted that various regulations should be taken into account such as the agreement on sulphur emissions, the Natura 2000 network as well as the Birds and Habitats Directives. In order to ensure long-term sustainability it was said that human activities must be compatible with the environment. It was also said that management plans are essential to achieve this as well as having stakeholders on board. It was concluded by emphasising that working groups should be established to reach the objectives highlighted today.

**Pim Visser, President, EAPO** stressed that fishing is never subject to planning as it depends on several unpredictable variables such as wind and temperature, and questioned the benefits of closing fishing areas since this will only lead to a displacement of activities highly detrimental. It was said that socioeconomic consequences must be taken into consideration as well as the fact that fisheries aim to provide food to a growing population. Three questions were outlined that should be answered in order to strike the balance: what are we protecting? why are we protecting it? how will we protect it? Regarding the protection of habitats it was said that this does not necessarily mean closing areas for fishing activities. The Natura 2000 legislation was designed for land with strict definitions, though these could be adapted if required. It was stressed that socioeconomic considerations are not part of Natura 2000 measures and that this must be taken into account. In that respect the MSFD is an improvement also providing room for manoeuvre. It was said that even though the MSFD is in its second phase of implementation there is still no clear scientific definition of what GES really means. The need for a mixed fisheries approach was emphasised calling for a balance between environmental and maritime aspects. The Benthis project was also presented, which deals with fishing impacts on the sea floor integrity, which runs from 2013-2017 and involves European scientific institutions. It was concluded by reiterating that the only way forward in the fishing sector is to engage with stakeholders in order to strike the right balance also stressing the need to use the correct indicators.



**Bertie Armstrong, Chief Executive, Scottish Fishermen's Federation, Europêche Member** presented a small scale case of MPAs under the MSFD in Scotland highlighting a clear example of a sound process that went wrong due to information not being presented at the correct resolution. It was outlined that the evidence presented at national level was competently presented but the Minister did not receive enough information at the local scale and the potential impacts it would entail. It was outlined that for one of the four disputed areas certain activities were restricted (ban Scallop Dredge across area, reduce restrictions on static gear, restrict trawling for Nephrops). It was justified as it was said that the actions would not make much difference as it only entailed 2% of Scottish waters and would only affect one or two vessels. It was stated that the figures presented were not at the correct level and that the effects have been devastating for the affected small coastal community with 17 jobs lost. Representative and participatory democracy was also mentioned stressing that socioeconomic analysis must be taken into account appropriately.

**Paul Piscopo, Secretary General of Koperattivi Malta, Europêche Member** presented what was discussed in the MEDAC (Mediterranean Advisory Council) regarding swordfish stocks outlining that the industry is aware of the problem and aim to reduce the efforts without fishermen suffering loss of income. It was proposed that long line vessels targeting swordfish and albacore should be allowed to fish for tuna in a specific season. It was said that this is supported by calculations made according to Maltese fishing vessels also underlining that tuna stocks have recovered well in the last two years. It was stated that they are assessing a situation where long liners targeting swordfish are catching 5-6 tuna every night, but as the liners do not have the quota are not allowed to bring it to land and therefore discard it. In the past it was underlined that long line fisheries have suffered due to major reductions in tuna quota, but as they have recovered small scale fishery needs to recover. It was proposed that long liners that target albacore and swordfish should have a non transferable quota depending on recent calculations. Further, it was highlighted that the Mediterranean is a shared basin, which has identified low fishing areas agreed at GFCM (General Fisheries Commission for the Mediterranean). However it was underlined that areas cannot be closed for swordfish as it is a migratory species. It was also said that albacore long liners are the real culprits depleting swordfish stocks and that the EU must consider taking action on this issue.

**Björn Stockhausen, Fisheries Policy Officer, Seas At Risk** reiterated that the MSFD is a framework in which human activities can be managed based on the ecosystem approach. Regarding fisheries, it was said that the GES works as a basis for thriving fish stocks. It was said that the creation of MPAs is the main tool to achieve GES and that Member States are obliged to do so under the Birds and Habitats Directives. If implemented properly, the MSFD and CFP strengthen each other. It was argued that MPAs should be established under a coherent network, which is one of the cornerstones of achieving the MSFD targets. It was said that scientific reports showcase that descriptors such as sea floor integrity, natural food webs and biodiversity are improving. There is however a lack of offshore areas and the network of MPAs is not coherent. These areas are poorly managed, enforced and monitored. The Commission's review on the implementation of the MSFD in 2014 showed low ambition, weak measurable



targets, weak integration with other policies and a very fragmented governance. Another issue raised is that the environment is often seen as one pillar detached from other policy areas. It was stressed that the policies are available and need to be considered in a holistic manner. The socioeconomic benefits of MPAs are considerable: well managed MPAs may provide protection for commercially targeted fish stocks inside the protected area as well as a certain degree of spill-over; globally, marine organisms absorb around 55% of all carbon that is captured via photosynthesis; revenue gained could be used to finance the maintenance and monitoring of the protected area; MPAs help stabilise sediments and reduce erosion, creating natural protective barriers. It was concluded by emphasising that MPAs are key to ensure GES and thriving fish stocks underlining the importance to take advantage of the synergies to be found.

**The discussion with the audience** further reiterated the importance of MPAs and striking a balance between the two pieces of legislation. **MEP Ricardo Serrao Santos** highlighted that MPAs are an important instrument to manage many aspects of the marine environment in a holistic way. Several projects have been funded by the Commission to make the needed assessments. It was however pointed out that MPAs take a long time to fulfil their objectives and that many things often go wrong during this time resulting in slow progress. It was said that IUCN has tried to create a strong framework dividing the MPAs in 6 categories, but management and enforcement are two major issues. It is important to highlight that MPAs are not just marine reserves but should bring productivity to the economy in order to push the blue growth agenda. In order to make MPAs more effective it was said that their creation should be legally binding for Member States. **MEP Antonio Marinho e Pinto** further stressed the importance of protecting oceans to preserve fish stocks as well as protect these fish stocks from IUU (illegal, unreported and unregulated fishing) fishing.

The debate further highlighted that when trying to strike a balance between the MSFD and CFP, Maritime Spatial Planning should also be kept in mind. The issue of allowing economic activity in MPAs was raised also mentioning that this can sometimes be based on a case by case basis. It was also said that there can be different kind of MPAs depending on their objectives and status. It was stressed that this is needed as the entire ocean cannot be protected but a compromise between preservation and economic activity needs to be found. Further, when finding such a compromise all activities in the ocean need to be taken into consideration and not only fishing. The need to further strengthen the management and enforcement of MPAs was reiterated as well as the need to involve stakeholders in the policy process from the beginning in order to ensure successful implementation.

**Alain Cadec MEP and Chair of the “Fisheries, Aquaculture and Integrated Maritime Affairs” Working Group of the EP Intergroup on “Climate Change, Biodiversity, and Sustainable Development”** concluded by highlighting that a holistic approach, which includes all relevant stakeholders is needed to successfully protect biodiversity. Moreover, it was said that it is important to keep in mind that several activities in the oceans play a key role in this.

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