



Report on a Conference on
Marine Diversity, Fisheries Management and
Marine Protected Areas
Brussels 10 November 2005

1. Introduction

The European Bureau arranged the Conference at the European Parliament for Conservation & Development, IUCN and EPP-ED. Participation included MEPs, IGOs, the European Commission, managers from the EU member states, Norway and Iceland, academia and NGOs. The European Parliament, on behalf of the European Bureau for Conservation & Development, invited the Secretary to present the practical experience of the conference themes within NEAFC. The presentation is attached to this note.

The following points are made in a background document.

High Seas Protected Areas (HSPAs) have featured highly on the international agenda over the last few years. The **Johannesburg declaration (World Summit for Sustainable Development, WSSD, 2002)**, which i.a. calls for the establishment of representative networks of MPAs by 2012 constitutes an important milestone. This was followed by recommendations to this effect by **the Conference of the Parties (COP) to the Convention of Biological Diversity (CBD)**.

The year 2006 is going to be decisive in striking the right balance between **fisheries** interests and those of **marine biodiversity**. Important discussions are to take place both at United Nations level and Community level.

The first meeting of the **UN General Assembly (UNGA) Ad Hoc Open-ended Informal Working Group on Marine Biodiversity beyond Areas of National Jurisdiction** is to take place in February 2006. The usefulness of establishing a new legal instrument for the protection of high seas biodiversity, including HSPAs, is likely to be one of the major topics. Many States advocate the negotiation of an Implementation Agreement to the **UNCLOS (UN Convention on the Law of the Sea)** for the protection of marine biodiversity beyond areas of national jurisdiction (high seas and 'the Area'). Some even argue that such an Agreement should specifically relate to MPAs. Some parties have suggested that the **COP to the CBD** may consider adoption of criteria for the establishment of MPAs in marine areas beyond national jurisdiction. **The CBD Ad Hoc Open-ended Working Group on Protected Areas** at its first meeting in **Montecatini, Italy, in July 2005**, did not reach agreement on a series of recommendations to the next **COP, March 2006**, and will therefore reconvene in **December 2005 in Montreal** to try to finalise these.

Finally, **FAO's Committee of Fisheries (COFI)** addressed the issue at its last meeting in February 2005 and recommended that FAO develop technical guidelines on the design, implementation and testing of MPAs.

2. Key note

John Farnell, *Director, DG Fisheries & Maritime Affairs, European Commission*, made the following points:

- Fisheries management and biodiversity are inseparable;
- The Common Fisheries Policy includes preservation of biodiversity;
- The EC assesses internally Marine Protected Areas, MPAs, as a fisheries management tool. This includes specially managed areas to improve returns, and the consideration of total or partial restrictions;
- The EC reviews who does what in international waters;
- The EU supports FAO developing technical guidelines on MPAs;
- MPAs must be based on the following principles
 1. Objectives must be clearly spelled out
 2. Must be based on solid science, however with due regard to the precautionary approach
 3. Social equity and balance of interests
 4. Effective monitoring
 5. Consultation with stakeholders
- Clear picture of costs and benefits
- In international waters the legal situation is not clear. Sectors are regulated separately. The EC favours a new implementation agreement under UNCLOS, and eventually the creation of an International Authority which would decide on MPAs. These will then be managed by regional organisations. The EC will discuss this idea with member states and explore it in the UN.

3. Legal aspects

There were the following presentations under this item.

- Carl Gustaf Lundin, *Head IUCN Marine Programme*

“MPAs as a tool in fisheries management”

- Kevern Cochrane, *Senior Fishery Resources Officer, FAO*

“MPAs and fisheries management in an international context”

- Erik Molenaar, *expert, Netherlands Institute for the Law of the Sea*

“MPAs: the role of the Regional Fisheries Management Organisations (RFMOs)”

These were followed by a **panel discussion** chaired by Struan Stevenson, *MEP*

With the presenters and representatives of the *European Commission (DG Fisheries & Maritime Affairs and DG Environment)* and Michel Dion, *Managing Director, Organisation des Producteurs de Thon Congelé, France, Member of EUROPECHE*.

The presentations demonstrated the different backgrounds for proposing MPAs. The environment side sees this as a major tool to further conservation and ecosystem and habitat protection. The fisheries side is less convinced that this is particularly useful tool. If the general management is responsible and contains the fishing mortality



inside reference points there is no need to add additional measures. By-catch and habitat problems can to a large extent be mitigated with technical measures.

4. Practical experience

There were the following presentations under this item.

- Kjartan Hoydal, *Secretary NEAFC*

“Experience in NEAFC of integrating fisheries and environmental policies”, (attached to this note).

- Erik Molenaar, *expert, Netherlands Institute for the Law of the Sea*

“Experience from CCAMLR”

- Kevern Cochrane, *Senior Fishery Resources Officer, FAO*

“Experience from GFCM”

- Richard Emmerson, *Deputy Secretary, OSPAR*

"Development of an OSPAR Network of MPAs", (attached to this note),

followed by a **panel discussion** chaired by Carmen FRAGA, *MEP* with the presenters and Silvia Revenga, *expert on MPAs, General Directorate for Fisheries, Spain*
Erlend Moksnes, *Research Director, Institute for Marine Research, Norway*
Javier Garat, *General Secretary Federación Española de Organizaciones Pesqueras, Member of EUROPECHE and*
Representatives of the *European Commission (DG Fisheries & Maritime Affairs and DG Environment.*

The presentations gave some practical examples. It is, however, evident that marine MPAs are very much in their infancy. The examples of closed areas of different types around the world are mainly small and coastal. There are some existing or planned offshore inside EEZs. In the high seas they are a very rare feature outside NEAFC, if they exist at all. There is, however, a strong political drive to establish a network of MPAs as called for in the Johannesburg declaration 2002. The effects of such a network on and relevance to fisheries management remains to be seen.

Kjh. November 2005

Presentations at the Conference are available at the Secretariat.