



TRANSATLANTIC PLATFORM FOR ACTION ON THE GLOBAL ENVIRONMENT – T-PAGE

Marine Protected Areas - EU and US Experiences

Discussions at Teleconference 13 June 2007

INTRODUCTION

Marc Pallemmaerts (MP) provided an overview of the T-Page project which aims to facilitate transatlantic dialogue between civil society from the US and Europe on two themes– climate change and marine protected areas (MPAs). He highlighted that the reason for picking MPAs as a theme was based on the understanding that there could be mutual learning from experiences on both sides of the Atlantic and this topic was less controversial than the climate change topic.

Melanie Nakagawa (MN) introduced the US paper, previously circulated and highlighted the differences between the US federal and state approaches on MPAs. She also highlighted that there has been a lot of progress at the state level but much less at the federal level. In addition, she highlighted that the US has had a ‘bottom-up approach to the designation of MPAs and this has led to their success.

Indrani Lutchman (IL) introduced the EU background paper and highlighted the following key points:

- there are two types of MPAs currently being implemented at the EU and Member State level, MPAs for biodiversity/nature conservation and for fisheries purposes
- There is a legal basis at the EU level for the former through the EU habitats and birds Directives but none for fisheries
- The debate on the role of MPAs has been stalled by resistance from industry due to the potential socio-economic impacts
- Commission currently reviewing closed areas for fisheries conservation purposes and this has new arguments for and against MPAs
- In terms of the EU meeting the CBD target of a network of protected areas by 2012, there is a general recognition that there is need for integration between the two types of MPAs. The different positions on the MPAs debate is not helped by the fact that two different institutions are responsible for the two different types and this is often the case even at the Member State level
- There is concern that with all these outstanding issues to be resolved that the EC may not meet its international commitment.

- Therefore hoping to learn from the US experiences with designation of MPAs and approaches to dealing with similar blockages to progress.

Silvia speaking as an independent with many years of experience with MPAs in Spain made the following comments on the EU paper:

- She disagreed with the conclusion of the paper based on the experience in Spain where the Common Fisheries Policy was one of the main legal instruments ‘shaping’ the MPAs development in Spain since its accession to the EU
- In terms of national progress on MPAs, the CFP is a major policy driver
- For the conservation/nature protection MPAs, the Fisheries Ministry provides all the relevant fisheries data and there is good cooperation at the national level towards a network of MPAs. In fact most of the funding for MPAs comes from the fisheries sector.

KEY ISSUES IN THE IMPLEMENTATION OF MPAS

Each participant was given the opportunity to present themselves and their interest and experience with MPAs and to provide further comments on the two papers.

Dennis Heinemann (US) (Federal Advisory Committee member)

DH is on the US Federal Advisory Committee which is working on establishing a system for MPAs in the US. He mentioned that coordination between Federal and State departments is improving and there is some progress towards not only the establishment of MPAs in federal waters but synchronization of the federal and state systems. There is a need for a gap analysis before new MPAs can be established and this is a key problem. In terms of fisheries MPAs, specifically, similar to the EU there is a need for clarification of the goals for conservation and fisheries purposes and also the costs and benefits of the different types of MPAs. There is also a need to agree on common terminology and the ‘selling arguments’ for MPAs is equally important to further progress.

Sarah Chasis (Senior Oceans Advisor, NRDC)

Sarah started by saying that there has been some success stories in the US in relation to MPAs – Bush’s decision to designate the NW Hawaiian Islands and the Florida Keys as MPAs. But apart from these significant MPAs, the process is stalled over fisheries MPAs where stakeholders are actively opposing any new establishment of MPAs. The legal basis for designation of new fishing MPAs is now included under the US Fisheries (Magnuson Act) but there is still a need to a mandate to establish more MPAs and network of MPAs and a strategy to achieve this. She informed us that there is a US There is a governmental working group currently working on this.

Mike Osmond (WWF US - California)

MO drew reference to the lessons learned from the Australian experience with the Great Barrier Reef and argued that strong legislation is critical for MPA establishment as well as good governance structures. It is also important to have good political and public support. MO highlighted that although there are good studies of tropical

MPAs, there are no equivalent studies on the costs and benefits of MPAs in the temperate seas and there was a need to address this in order to gain the support of stakeholders.

Steve Gaines (University of California, St Barbara)

SG highlighted that California is one of the leaders in terms of MPA designation in the US. From the scientific viewpoint, there is a mandate for establishing a **functional network** but this has led to changes in the the debate / process and creation of new guidelines. The network approach has ‘stepped up’ the MPA establishment process and there has been good progress, as there is shift from focussing on individual sites but different sites towards ensuring that the sites are contributing to the network. This has led to greater flexibility and more willingness to consider MPAs.

Satie Airame (PISCO, University of California)

SA introduced the review of MPA management which is currently being undertaken by her organisation. So far, there are 125 studies more than half are in temperate waters, less than half in tropical waters, but the review looks at changes in biomass, size, abundance, diversity, average increases in biomass and abundance observed, trophic cascades observed. The product will be a booklet to be published in October 2007, which will be peer reviewed and targeted to a wide audience. It will contain US examples although the aim is to make the document accessible globally and in particular to Latin America (the document will be available in Spanish).

Kate Wing, NRDC

Kate Wing, NRDC spoke about the challenge of protecting cold water fish species and the usefulness of MPA to assist with their recovery. She highlighted that these species also require long term protection and that the permanence of MPAs was important. In California, they are working on public-private partnerships to secure funding for this purpose.

Dan Laffoley (UK) – Chair of the World Commission on Marine Protected Areas (IUCN) and Head of Marine Conservation

Dan works in two professional positions which would be interesting to the group – 1. as Chair of the WCPA and the other as Principal Specialist Marine for Natural England, UK

He explained that WCPA, as one Commission of IUCN, is working on revitalising the global process for MPAs. It is working to bring together international players on MPAs. A key priority on MPAs is the shared Plan of Action. In April 2007, an important meeting was hosted by the WCPA in Washington which kick-started the process which is aimed at the establishment of a global framework to address issues relating to MPAs and further establishment of regional frameworks with regional coordinators who will coordinate regional focussed projects. One of the projects, for example, is aimed at obtaining complete understanding of MPA implementation at a regional level. This would require regional reviews which would look at all aspects of

MPAs implementation, challenges, outstanding issues, costs and successes, for example. IUCN is hoping to work in partnership with a wide range of stakeholders to update the global databases on MPAs and with countries to celebrate success when MPAs are established in a consistent manner. In response to a request from international organisations, the WCPA is working to install a web portal which will showcase examples of good practices and should assist countries with establishment of the networks of MPAs. He also informed the group that the Packard Foundation would be investing funds into developing WCPA.

On the UK side, Dan highlighted that the Habitat's Directive was the main driver for MPA establishment in the UK. In the coastal areas, similar to Spain, he agrees that the UK have done well but not in the marine areas. The Marine Bill has presented a good opportunity for further progress on establishment of MPAs in these areas, however, there are concerns that the 2020 timetable identified in the Bill does not match to the 2012 target the UK as signed-up to, and there are increasingly widespread concerns outside government over the fact that not enough reserves are planned to complement multi-use zones.

Subsequent to the meeting, Dan sent in some additional information to be made available to participants (see Annex 1)

Saskia Richardz (Greenpeace)

Saskia provided some comments on the EU policy paper and agreed with the viewpoint that MPAs are under-used for fisheries and general marine conservation in Europe. In reflecting on the use of MPAs for fisheries purposes, SR mentioned that there are there are few MPAs strictly for fisheries purposes and this paucity of information on the existing MPAs has been used as an excuse to prevent further MPA establishment. There has been less attention to addressing the reasons behind the lack of progress on implementation. As a result the system of MPAs within the EU framework is not working.

Whilst guidelines for adopting fisheries MPAs on the high seas, their designation is hampered by legal questions relating to the CFP and its exclusive competence for the high seas areas. Saskia questioned the validity of the argument against shift MPA responsibility to MS! She argued the resolution of this issue of legal competency and responsibility was key to further progress on high seas MPAs.

Sabine Christiansen, WWF Germany

Further to the exchange of experiences with MPA implementation in national waters, SC saw the implementation of conservation measures in the high seas of the North Atlantic as a potential field of common interest on both sides of the Atlantic..The European Union was currently advocating an Implementation Agreement of UNCLOS. She also mentioned the developing European policies with respect to marine conservation (Marine Strategy Directive, aiming for a "good ecological status" by 2017) and the maritime economy in relation to marine conservation (Maritime Green Paper). Both may contribute to further implementation of MPAs, however the practical influence of the policy remains unclear.

Sylvia Revenga, Senior Advisor on MPAs, Spanish Fisheries Ministry

SM highlighted the positive experience with MPA establishment in the coastal waters (there are 23 areas) and the fact that Spain already has a lot of experience with their design, selection and management and has contributed to international actions and debate on MPAs. She supports the establishment of the region-based network approach as the most logical approach and proposed that a successful formula was where non take zones as a buffer for multi-use areas.

Challenges that Spain faces include: the ongoing problem of insufficient funding for MPAs initiatives and the need for securing funds for monitoring and control -Spain is hoping to use some of the European Fisheries Fund (EFF¹) for further implementation of MPAs; the increase in recreational fisheries and the impact on MPAs especially since there are not under the same level of control as professional fishers. Habitat destruction as a side effect of fisheries is also another concern which may be alleviated by MPAs.

She also mentioned some initiatives that Spain is involved in – ECOMARE and EMPAFISH and informed the group of the upcoming European symposium on MPAs which will bring together experts from Europe and worldwide.

Carmen

Carmen highlighted the ongoing confusion about the different terminology used for MPAs and that consensus on terminology was critical for further progress on MPAs. In addition, monitoring and control of MPAs was important since lack of compliance was also undermining current efforts on MPAs. In relation to Spain, she mentioned that the new MPA for biodiversity and habitats has been based on holistic approach and includes a number of relevant sectors including fishing, mining and shipping.

WRAP-UP AND DISCUSSION OF IDEAS FOR NEXT TELECONFERENCE

IL summarised some of the main points highlighted in the US and EU background papers in particular that the EU and US share some similarities but there were also differences largely due the institutional arrangements and public support for MPAs. However a key problem on both sides of the Atlantic was the lack of political support for MPAs, confusion over the terminology, resistance by various stakeholders for designation of MPAs especially for fisheries and the governance issues relating to MPAs (ie. who should be involved in the establishment, management etc of MPAs).

IL suggested that a potential subject for the next teleconference could be high seas MPAs and the current political support for high seas marine protected areas (HSMPAs) and what is required for their establishment. In addition, it was suggested that MPAs and their role in the implementation of the ecosystem-based approach to fisheries management could be another topic.

DH highlighted that successes with the establishment and management of MPAs was ‘spotty’ on both sides of the Atlantic and that another possible focus of the next teleconference could be the development of an MPA community strategy for building

¹ The EFF sets a framework for the provision of public financial aid to the fisheries sector.

on our success or learning from our mistakes. This would enable the establishment of regional and international networks. There was more support for this idea – in particular, Kate suggestions that we could work towards identifying our successes and how these could be duplicate or transferred to other countries to expand current coverage of MPAs. It was suggested that a proportion of time could be spent on how to communicate and market successes on both sides of the Atlantic for different audiences in order to ensure long term cooperation, with the aim of making MPAs a bigger part of the society and bringing it more into the public domain. Other suggestions included the development of international guidelines for the establishment of MPAs, but there was less support for this idea.

Annex 1. Key WCPA websites (sent in by Dan Lafolley (WCPA))

1. The IUCN WCPA Marine pages that gives the overall information. This includes how I am developing WCPA - Marine (in three languages) as well as the latest guidance on building networks of MPAs. This can be found at:
<http://www.iucn.org/themes/wcpa/biome/marine/marineprogramme.html>
2. The 'working pages' for WCPA - Marine that are held on a Google Groups site so I can quickly and easily update them. This was the site used for the WCPA - Marine Summit in Washington but has now taken on this longer-term value whilst I work out how to build a fully-fledged WCPA - Marine web portal in conjunction with the major NGOs as I mentioned briefly when I spoke. This can be found at:
<http://groups.google.com/group/wcpamarine-summit/web>

Annex 2: Agenda from EU-US teleconference on (MPAs)



TRANSATLANTIC-PLATFORM FOR ACTION ON THE GLOBAL ENVIRONMENT (T-PAGE)

First teleconference on Marine Protected Areas

13 June 2007

Start Time – 5pm Brussels Time/ 8am West coast US time/ 11 am East coast US time

Locations –

Brussels – IEEP Brussels Office, 18 Avenue des Gaulois, B-1040 Brussel, Belgium
Location Map - <http://www.ieep.eu/images/bruxmap.pdf>

Washington – NRDC Washington Office, 1200 New York Avenue, NW, Suite 400, Washington, DC 20005

San Francisco – NRDC San Francisco Office, 111 Sutter St., 20th Floor, San Francisco, CA 94104

Meeting Chairs

Indrani Lutchman– Head of IEEP Fisheries Team

Kate Wing – Senior Ocean Policy Analyst, NRDC

Meeting Purpose

The aim of T-PAGE is to offer a forum for members from US. and EU environmental civil society to come together to develop a better, common understanding of the marine protected areas debate on both sides of the Atlantic. It is hoped that this process will facilitate debate across civil society, identifying priority actions whereby the EU and US. can show leadership.

This meeting represents the first of two teleconferences on MPAs for T-PAGE. You have been invited to help develop a list of priority topics for further discussion and research during the project. This meeting is intended to provide some direction for the work, ensuring that your perspectives and concerns are taken into consideration. At the end of the meeting we hope to have an understanding of the perceived priorities in the US. and EU, how they compare and contrast, where there is potential for collaboration and how T-PAGE should be taken forward in light of this. Priorities identified for T-PAGE will be researched and discussed in depth at a subsequent

teleconference in the Autumn/Fall 2007 and a working conference in the Spring of 2008. The meetings will be supported by a website and papers, press releases and background research.

The T-PAGE project provides an opportunity to explore the pressing issues of the day. We look forward to your input of ideas and expertise starting now and at subsequent meetings; potentially presenting at the final conference in Washington.

The background papers for this meeting and the conclusions will be published online and circulated to environmental experts in the EU and US in order to engender debate. This represents the start of, what we believe, to be an exciting endeavour.

AGENDA

1. Introduction to the aims of T-PAGE, the meeting specifically and its participants, and comments on draft papers	15 mins
2. Roundtable of participants – 5 mins per participant to present what they consider to be the key issues relating to MPA implementation in their region and areas where the EU and US. might learn from each other	45 mins
3. Discussion on the key issues and current state of play in the US. and EU	30 mins
4. Identification of priority topics for further discussion at future meetings, where can T-PAGE add value in terms of engagement and outputs.	15 mins
5. Wrap-up –conclusions from this meeting, ongoing communication/engagement and the future role of this expert group in T-Page	15 mins

Annex 3: List of Participants and contact details from T-PAGE call, June 13, 2007

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