

**A CMS Conference**

**Conserving Biodiversity  
in the Marine Environment  
What needs to change?  
Targets and Actions for the Future  
Decade**

**June 3<sup>rd</sup> 2003**

**SOAS University of London, Russell Square, London**

**Conference Report**

Organised by CMS – Coastal Management for Sustainability

**CMS Conference**  
**Conserving Biodiversity in the Marine Environment -What needs to change?**  
**Targets and Actions for the Decade**

**Introduction**

In the 1990s marine conservation grew enormously in both the extent of its interest and the resources expended. Over this period there have been a number of successes, however, there is a shared sense that this is not translating into significant progress for either species or habitat conservation in the marine environment.

Perhaps it is because over the last 30 years we have repeatedly seen working groups established to protect the marine environment and yet little practical action has emerged above and beyond what Government would have achieved if such reviews had never taken place. The current review of Review of Marine Nature Conservation has been meeting for nearly 4 years but any new and significant initiatives for marine conservation have yet to emerge. Perhaps it is the horrifying rate of decline of sharks worldwide, including European species or the bycatch of dolphins in the Channel, or the ongoing destruction and degradation of climax communities at a wide variety of scales from Lophelia reefs, to maerl beds, to mussels in the Wash and Strangford Lough, some within proposed SACs? Perhaps it is the clear evidence of ecosystem and food chain decline, alterations in benthic and pelagic community composition, local / regional losses of species and the catastrophic decline of fisheries through human impacts and mis-management. The launch of English Nature's Maritime State of Nature Report '*Getting on to an even keel*' and the sense of impatience it imparted has found resonance in the wider the marine conservation community. Will we be any happier by 2010?

This meeting will focus directly on concerns for marine species, communities and habitats (at a variety of scales) and the action that needs to be taken to try and reverse this rather dismal picture.

We are drowning in initiatives, paper, reviews, reports etc but there are few tangible signs that all the plans, criteria and listings are actually halting the loss of marine biodiversity. The meeting will take place against the context of the current initiatives including:

- the Wildlife and Countryside Link marine legislation campaign
- the DEFRA Marine Stewardship and Seas of Change consultation
- the English Nature campaign to halt biodiversity loss and promote recovery of our coasts and seas
- the Irish Sea Pilot and the work of the Review of Marine Nature Conservation

**but** it will seek clarity on what needs to be done and the targets needed to achieve this.

The aim of this meeting is to set out what needs to change, and, through the targeting approach, highlight those actions and solutions that can be adopted to make a real difference for nature conservation in the marine environment.

The objectives will be to:

1. Highlight *what needs to change* to progress nature conservation in the next decade
2. *Prioritise those targets* that emerge from this assessment
3. Highlight those *actions* and solutions that will help achieve those targets
4. Work towards *providing input to all the initiatives* outlined above.

The outputs of the meeting will include:

A pre-conference briefing will contain an assessment of the successes and failures of the last decade, elaboration of the reasons for change and other appropriate documentation.

A post conference report giving:

- a prioritised listing of what needs to change
- prioritised listing of the key targets
- and a range of potential actions and how to take these forward

## Editorial

**Bob Earll**, Coastal Management for Sustainability

This report describes the outcomes of the group discussions from the *Marine Biodiversity Conservation – What Needs to Change* conference. The background to the conference is set out opposite. This report further develops themes set out in the delegate notes circulated before the event; these summarised the successes and failures of marine conservation over the last decade as well as a selection of issues about *what needs to change*.

### What needs to change – the priorities

After some short presentations giving perspectives on what needs to change the delegates were asked to place their views on three post-its. These were then placed on a large map and clustered into groups. The groups represented the collective priorities of this set of people. They were as follows [*not* in priority order]

Group 1	Marine legislation
Group 2	Fisheries
Group 3	Marine protected areas
Group 4	The ecosystem approach
Group 5	Spatial planning
Group 6	Public awareness
Group 7	The way we work
Group 8	Political will
Group 9	Biodiversity and information

This report describes outcomes of the group discussions and these are mainly presented in a standardised format - targets – why? – barriers – solutions. With half the topics – those that are on the official agenda - there are targets (many rather vague) and in others there are not. ‘Progress’ with marine biodiversity is correctly perceived to be numbingly slow and recognising this reality it is essential that there are clear targets which the biodiversity community can sign-up to, to achieve results in the long term. Understanding the barriers to progress can help clarify the solutions that need to be put in place.

The content of each groups deliberations stands and can be read in isolation, however, reading across the groups proves very fruitful because it illustrates strong cross-cutting themes. *Political will* for example was a key point in virtually *all* of the group deliberations and the marine legislation group included a section in spatial planning and so on.

One interesting and significant outcome from the conference process was that, just as with the questionnaire undertaken before the meeting, roughly a third of the responses highlighted issues concerned with *‘the way we work’*. This is not surprising given the voluntary nature of many biodiversity initiatives and that much biodiversity work is spent trying to mitigate the damaging effects of other sectors. People operating in the biodiversity sector have become adept at working and communicating with other sectors. Indeed some of the main challenges of the past decade, TBT, oil pollution and fisheries have required a fundamental dialogue with organisations and policy makers in other sectors. But working with other sectors was not the point of this meeting.

## ***Marine Biodiversity Conservation – What Needs to Change* Conference Report 2003**

The focus of this meeting was on the marine biodiversity conservation sector and *its* priorities.

So, has the marine biodiversity sector got its act together; can it say what it wants clearly and with a concerted voice? There is a real concern that because the biodiversity sector does work with such a range of policy initiatives and virtually all the main marine sectors that its message and work becomes unfocussed and diffuse.

So what does the marine biodiversity sector want to achieve its ends? This set of notes sets out a perspective on this question.

Given the location and nature of the meeting and delegates it was perhaps not surprising that some of the major general marine policy topics of the day attracted so much attention – marine legislation, the ecosystem approach, spatial planning and fisheries - all are high on the current agenda. Progress in these areas will provide benefits to *many* sectors and *might* lead to more effective protection for biodiversity, but this cannot be taken for granted.

Unfortunately, there is plenty of evidence of how our current approach to protecting both species, habitats and increasingly ecosystems is failing – Strangford's horse mussels – the bycatch dolphins – sharks and rays – decimation of fisheries and the changed structure of ecosystems are all too evident. In preparing for the conference one of the contributors highlighted the dilemma of, on the one hand wanting to do more directly to counter the dolphin bycatch problem but on the other knowing that the high level policy work and generating the political will *eventually* make a difference. The reality is, of course, that there is a need to do both types of work, but there is a need to meet the biodiversity agenda *as well* providing a sounder context for the sustainable management of the marine environment. Put another way, there is no point in having perfect spatial planning in 10 years time if we still don't have any provision for marine protected areas or the having the ecosystem approach if there are no dolphins, sharks or fish stocks left.

The major nature conservation agencies have now been in place for roughly a decade and notable progress has been made during that time. There is however, much still to do and the many current policy initiatives provide scope and hope that progress will be more rapid in the next decade. In particular the challenges posed by addressing the health of marine ecosystems will also require a willingness to work in different ways. One can't help concluding that the need is stronger than ever for the marine biodiversity sector to retarget and redouble its efforts on meeting the needs of species, habitats and ecosystems.

### **Acknowledgements**

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## **Group 1 Marine legislation**

**Tim Sands** The Wildlife Trusts and **Melissa Moore**, Marine Conservation Society

### **1. Target**

- Revise existing and develop new legislation

### **2. Why**

- Nature of marine environment is different from the land
- The marine environment is also politically different.
- Existing legislation is cobbled together, designed for land, not sea
- There are genuine gaps in legislation
- Government agrees there are gaps e.g. developing legislation for offshore wind
- Need resources to enforce / implement national and EC legislation
- Negotiated voluntary approach is a good starting point; but legislation helps
- Legislation can bring economic and social benefits as well as biodiversity benefits

### **3. Barriers**

- Resources
- Political will / opportunities
- Political windows
- Organisation remits / jurisdiction
- Misconceptions e.g. DTI think we want to stop development when it is more about location.
- Agreement on legislation needed
- No EEZ

### **4. Legislative processes (our solutions)**

- Spatial Planning
- Consents regime (effective and environmental)
- Site and species protection
- Fisheries
- Enforcement
- Competencies
- Civil liability regime

#### Spatial Planning

- Provides framework for all of the above
- Area least worked up
- Extent legislation required

**Further comments and suggested legislative needs of Marine Spatial Planning :**

- Need a plan (providing conflict resolution in an increasingly complex and over-used sea)
- Need a duty on a body to develop a plan/s
- Need competencies to implement / enforce
- Needs co-ordination, rather than integration as departments such as DTI are protective of rights
- Spatial Planning does not remove the existing consenting regime
- A non-departmental agency could be used to implement MSP (Consents Review may recommend this)
- Need mechanism to enforce over larger sea areas and whole UKCS
- Need to define boundaries / zones
- Need the stick as well as the carrot of forward planning for users
- Policies on MSP are not sufficient e.g. if there is no legal basis for a development free zone, there will be a legal challenge
- It is possible in law to provide for MSP
- Legislation needs to allow for integrated sea use and assessment of cumulative impacts not just licensing plans and projects
- A forum / select committee should be established to discuss the issue

**5. Conclusion**

- Need a comprehensive piece of legislation
- Need a strategic overview of requirements so opportunities can be used
- Need to be ready for an opportunity / window.

## Group 2 Fisheries

Andrea Carew, English Nature, Ali Ross, consultant to WDCS, David Symes

### 1. Existing Targets (overarching frameworks)

We noted few targets with *firm dates* but some potentially useful ones included:

#### Bergen Declaration

- target reference points for stocks established by 2004 with subsequent action if not met
- reduce bycatch of marine mammals to less than 1%
- establish undisturbed areas of significant size by 2004

#### WSSD – Johannesburg Summit

- Maintain/restore fish stocks by 2015 “where possible” – we interpreted this to mean that it is recognized several stocks are likely beyond recovery!
- establish representative networks of Marine Protected Areas by 2012 (note we are slipping already from the Bergen target of 2004)
- “encourage” application of the ecosystem-based approach by 2010
- halt decline of marine biodiversity!!!

#### EU – SSD

- “reverse” decline of fish stocks
- ensure sustainable fisheries and healthy marine ecosystems in the EU and globally
- propose system of biodiversity indicators by 2003
- implement EU Biodiversity Action Plan (BAP) for Fisheries by 2006

#### Defra – Safeguarding our Seas (Stewardship Report) – again few firm dated targets!

- environmental integration into the CFP
- align capacity and effort with available resources
- greater international coordination on sustainable development
- integrate scientific research into policy development

#### English Nature – State of Nature report

- paints grim but realistic picture of the state of the marine environment with comprehensive provision of evidence to support this
- the main (although general) target is to immediately halt and reverse the declines in biodiversity and improve maritime environmental quality
- specific actions and detail on how to proceed to tackle existing state of maritime environment main focus of Maritime Strategy – currently in consultative process with stakeholders!!

#### The CFP

- Objective: provide sustainable exploitation of living and aquatic resources and aquaculture within the context of SD - taking account of environmental, economic, and social aspects in a balanced manner
- Exploitation of resources should proceed in such a way as to not *inter alia* have a negative impact on marine ecosystems

**Some useful targets and overarching aspects identified by the Group**

**Legislative / Regulatory**

Reform of the CFP *alone* will not deliver. Need implementation of its key provisions, but also immediate measures including:

- easier and more immediate implementation of emergency measures (i.e., Darwin Mounds case)
- integration of other key EU legislative instruments including Habitats Directive
- adoption of a more strategic approach to management which **MUST** include EIA/SEA!!
- from here – continuous environmental monitoring will be required to monitor “reformed” policy performance
- consideration of synergistic/cumulative effects
- more level playing field across Europe urgently needed for enforcement, monitoring etc.

**\*\*Integrated Inshore Fisheries Management!!!\*\***

- Concern that this is being overlooked. Increasing pressure on inshore resources due to state of “offshore” resources??
- in the UK specifically – an urgent need exists to develop a new framework legislation for inshore fisheries.
- England and Wales example (reference Symes report to EN) new inshore “Act” desired. Currently Sea
- Fisheries Committees working with archaic and antiquated legislation. Limited effectiveness with byelaw making process
- Role of UK government in this? So far, not much coming from them on this!

**2. The way we work**

**Fishing industry treated/approached differently than other marine industries? Justified? Perhaps not!**

- BUT a change to the current approach is clearly desired. We should be working in partnership with the fishing industry
- must develop incentives for the industry to comply with conservation measures and regulation with an aim to instilling a sense of “ownership” to encourage them to act more as stewards of the resources they rely upon!

**Fisheries Management must adhere more to scientific advice**

- uncertainty in science must not be an excuse for failing to act in a “precautionary” manner
- multi-species approach clearly desired – but while also taking account of uncertainty within a framework of “adaptive” management

**Role of Fisheries / Environment Ministers and EU Fisheries Council**

- potential conflict of interest (balance social realities with resource availability – lobbying pressure from the industry vs the need to conserve resources and reduce capacity and effort in the EU fleet.)
- lack of political will crippling attempts to progress towards sustainability!!!

**Should now get on with...**

## ***Marine Biodiversity Conservation – What Needs to Change* Conference Report 2003**

- CFP Action Plans including cod and hake recovery plans (although on their own unlikely to deliver “recovery), Action Plan to reduce discards, multi-annual management plans, EU Aquaculture Strategy
- Regional Advisory Councils!! -reasonable vehicle for delivery of Ecosystem-based approach to fisheries management
- working toward ensuring industry have a meaningful role in fisheries management (using their ecological knowledge as a starter...)

### **4. Barriers**

#### **Interpretation of CFP**

- Stop CFP bashing!! Support it – at least give it a chance post-reform. It has the main ingredients – but where should pressure be applied now?
- Political will issue. This needs work.
- Do we have a general understanding of CFP “issues” such as jurisdictional considerations, sanctions, control, enforcement
- perception of the general public toward the CFP? Is there an understanding/distinction made between the current state of some stocks vs the Policy itself?

#### **Regional Advisory Committee development and ensuring adherence to RAC advice by the Council of Ministers**

- Need time to tell how/if this will work but a current concern none the less

#### **Abilities/Limitations in science**

- modelling, uncertainty, predictive ability, UNCERTAINTY...
- need more adherence to scientific advice but uncertainty must not paralyse our ability to act in a precautionary manner
- lack of industry confidence in fisheries science as well as insufficient input of fishermen’s ecological knowledge into science

#### **Inshore (i.e., England and Wales)**

- inability currently for Sea Fisheries Committees to meet many of their “new” environmental obligations under Habs Regs.
- 6-12 nautical mile uncertainties re: regulatory control etc.

### **5. Solutions and ways forward**

- Stop CFP bashing. Get on with implementing its key provisions!
- Work on “hearts and minds” of ministers and decision makers, as well as the fishing industry. Also a role for public education on state of fisheries and the marine environment as a whole
- Financial incentives for more responsible fishing
- A legitimate forum for the fishing industry to determine where it is heading under the “new” CFP (some exist in UK and across EU – but their effectiveness outside political lobbying was questioned).
- Move forward on involving stakeholders – RACs (get on with it including implementation of ecosystem-based approaches through RACS). Potentially encourages enhanced partnerships between conservationists and the fishing industry – GET ON WITH IT!!

## **Group 3 Marine Protected Areas**

**Mark Duffey** English Nature and **Sam Fanshawe**, Marine Conservation Society

### **Some Key Global Initiatives on Marine and Coastal Protected Areas**

OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic  
Commitments under OSPAR include ‘the establishment of a network of marine protected areas to ensure the sustainable use, conservation and protection of marine biological diversity and its ecosystems’ and the development of, by 2006, ‘guidelines on the identification, selection and management of marine protected areas and guidance on how to achieve, by 2010, an ecologically coherent network of well managed marine protected areas. [www.ospar.org](http://www.ospar.org)

### **World Summit on Sustainable Development (WSSD)**

The Johannesburg Declaration in September 2002 agreed to ‘the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012’.

### **Convention on Biological Diversity (CBD)**

Recommendations have been made to the Convention of Parties of the CBD by SBSTTA (Subsidiary Body for Scientific, Technical and Technological advice) regarding the establishment of an overall marine and coastal management framework for the sustainable use of resources. The recommendations include the use of non-extractive use areas and other MCPAs, a range of underlying measures, research, monitoring and reporting arrangements and that the CBD agree to adopt the WSSD goal for the establishment of networks of marine protected areas by 2012.

Websites for further information

[www.un.org/esa/sustdev](http://www.un.org/esa/sustdev)    [www.biodiv.org](http://www.biodiv.org)    [www.effectivempa.noaa.gov](http://www.effectivempa.noaa.gov)

## **1. Targets for MPA Networks**

### **Have those we have already signed up to (see above)**

- Convention on Biological Diversity – led to the Habitats Directive and the N2K Network of SPAs and SACs. The aim of CBD is to Halt Biodiversity decline by 2010.
- OSPAR – network of marine and coastal protected areas by 2012
- Bergen Declaration (from the North Sea Ministers Conference)
- EU’s Sixth Environmental Action Programme- bring about
- UK Government’s Marine Stewardship Process (mostly reinforcing the above International targets at a national level)

### **The group also defined some helpful targets**

The clearest would be to set aside a certain percentage of our territorial waters as MPAs. There are obvious benefits to this

- it sends out a clear message to ALL as to what is to be achieved and provides a target to focus upon
- it also enable some quantification of the issue, where we can not only provide some measure of our progress against goal but can also quite readily see the direct benefit to the resources (£££) that we input to this issue

- On the negative side there is a risk in that we could be presenting a picture that this is the only action that needs to be undertaken with respect to safeguarding our seas and their biodiversity ie in short all those areas outside might be seen as areas that may readily be overexploited.
- Such a target could be seen as too diffused by industry and we could be queried on the robustness of the science of it (when it would be clear that this had been arrived at in both a subjective manner and that the precautionary principle had been applied)

## **2. Definitions of MPA Networks**

**Network:** Need to be clear over what we (as conservationists *et al.*) mean by a NETWORK. It was clear that there was not a common understanding of what this entailed, and therefore it needs defining and reinforcing. We eventually agreed it was both a Network in the true spatial meaning, but also in the terms of the context in which the sites were selected) but also regarding the information network upon which it depended.

**Marine:** there was overwhelming agreement that this meant “maritime” as in marine and coastal sites.

- **Protected:** there was agreement that there were different levels of protection applicable to sites – depends on (see “why” below)
- **Area** – the area of an MPA should be of an order of magnitude / scale fit for its intended purpose, and so with many different levels of protection this could great vary in range

## **3. Why (do we need MPA Networks?)**

- For pure **nature conservation purposes** ie to protect, enhance, and restore marine and coastal biodiversity
- To progress towards sustainable fisheries – a place where are clearly not at present (as such, MPAs for this purpose could be seen as fisheries stock management tools)
- Those MPAs established for other reasons but could in effect yield benefits to marine biodiversity (some might argue that these were not MPAs *sensuo stricto*); these would include shipping Areas To Be Avoided, Military exclusion zones, heritage reasons (eg Wreck protection) etc.
- Simply because the legislation is already there in place and we must implement it; put bluntly, if the legislation and commitments exist, then we don’t need to make the case to have MPAs
- MPAs are an essential part of the toolkit to protect and conserve marine biodiversity. They are not a panacea, and more action is required to raise the overall quality of the background biodiversity in parallel.
- Provision of clear demarcation of these sites does provide developers with a degree of certainty of where they can and can not operate. Makes their planning more efficient.
- Establishing networks of MPAs will also help safeguard the “Good & Services function that the maritime environment provides to us all more generally – this is not just the basic resources, but also the role the wider marine environment has to play in Carbon cycling etc.
- Establishing networks of MPAs provides a clear Flagship for the public to follow – in the way that Nature Reserves on the land do.

<b>BARRIERS</b>	<b>SOLUTIONS</b>
<p>The Political Process is a major barrier – for example how cross departmental support is required before a Marine Nature Reserve can be established. This is an excellent example of how not to do it – the number of MNRS speaks out loudly re this failure ie. 3</p>	<p>(a) Need more local partnerships on the ground – to take forward such initiatives in a <i>bottom-up</i> manner.                      (ii) Having just the one decision-making body may alleviate some of the political impediments</p>
<p>Clearly there is a public and industry perception that Networks of MPAs restrict their actions. In short this is true and we should recognise this – however, -                      -----&gt;</p>	<p>-&gt;there are possible integrated solutions e.g. joining up windfarm developments with fishery no-take areas</p> <p>Further we need to better sell and promote MPAs and what it is they can deliver for the wider public. This can be reinforced by some more trials of the different classes of “protected area”, ranging from sustainable use (N2K) to no-take zones.</p>
<p>Identification as to who (state / organisation) has the competency to take forward MPAs, and more importantly what is the level of competency with member states regarding enforcement. It is clear that UK can propose MPAs under the Habitats Directive, but enforcing species/habitat protection for the Darwin Mounds will be an EU competency.</p>	<p>International problems require international solutions: EU needs to realise that for effective MPAs some clear internationally adhered to “guidelines” are required...</p>
<p>Improved Communications as to what are MPAs and why we need them.</p>	<p>A “no-surprises” bottom-up approach should be adopted to all aspects of developing a network of MPAs – this is the only way to ensure buy-in, right from the beginning, so that appropriate activities impacted will engage positively.</p> <p>Need to have an Education initiative, possibly via the national curriculum so that the public are informed at an early stage as to what we are trying to do to conserve wider marine biodiversity and that this is directly related to Quality of life.</p> <p>Similarly we need to engage with the wider public and Government so that they too (now) can fully appreciate the benefits etc. An awareness raising programme should be initiated.</p>

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<b>BARRIERS</b>	<b>SOLUTIONS</b>
<p>Lack of contextual information for designating sites and establish a network – biodiversity information missing at two levels – (1) wider seas so we can establish what a coherent network of sites requires for fulfilment and (2) at the local level, in-depth scientific information to actually propose individual sites that have robust qualified science backing them up.</p>	<p>1. Undertake a research programme to determine what a network of sites should be able to achieve at various scales. 2. Map our wider seas to ascertain what our marine biodiversity resource is, can establish the framework for a Network and ultimately propose sites.</p>
<p>Enforcing the associated protection measures for an MPA – an inability to do this, results in a perception that MPAs are ineffective tool.</p> <p>It is clear that the cost of “policing” MPAs is prohibitive</p> <p>Need new Technology – or at least application of expensive state of art Vessel Traffic Management Information Systems with respect to monitoring marine activities remotely.</p>	<p>Resolve the Competency issue referred to above (? Appropriate derogations for member state to take action). Possibly new role for a marine agency?</p> <p>Develop cost-effective solutions for policing MPAs - would self-regulation of fishing industry work? -they could certainly collect some of the much needed data (incentives would be required, not necessarily financial)</p> <p>Investigate potential benefits of wider use of existing systems.</p>
<p>“too many scientists spoil the broth” – perception (and reality) of too many divergent agendas in marine science field, which ultimately dilutes the goal of an effective MPAs Network. Being seen to “reinvent the wheel”.</p>	<p>Co-ordination of marine science agendas so that the different strands have a common goal with respect to contributing to a Network of MPAs. Potentially role for a central agency to drive? Marine science programmes of Industry need to integrate (and for data to be available)</p>
<p>Lack of national legislation – Randall failed. It is clear that N2K does not meet the national need, especially with respect to the specific “interest features” that N2K sets about to protect.</p>	<p>Implement legislation for nationally important sites and their related features.</p>
<p>Perception that N2K has “ticked the MPA box” There is a belief in some quarters that having marine component of N2K up and running will mean that there is no need for further MPAs. It is clear that this is not the case, as N2K is only one type of MPA – those for sustainable use. Other types of MPA are required eg non-extractive use areas.</p>	<p>1. Widely publicise that N2K are for sustainable use sites only (although it may be possible to raise the level of protection within subsequently e.g. Lundy no-take zone. 2. Examine the case for other types of Protected Area that can be established in the marine environment. Examine the links with other resource users eg fishing / windfarms / aggregate extraction etc and look for the win-win</p>

## **Group 4 The Ecosystem Approach**

**Dan Laffoley** English Nature and **Joan Edwards** The Wildlife Trusts

### **1. Targets**

- 2010 WSSD
- Accept in MSR - within generation
- Principles

### **2. A UK Target?** *The Practical application of the Ecosystem Approach by 2010*

The Challenge: concept to reality: political will joined up science/policies/data plus inclusiveness

### **3. Why do we need the Ecosystem Approach?**

To achieve sustainable use

- Economic reasons (interdependency)
- Social reasons (interdependency)
- Environmental reasons (interdependency)

Ethical reasons (Stewardship)

Humans and Ecosystems

### **4. What are the barriers?**

- Political will
- Public understanding/support
- Acceptance of risk
- Integration
- Sectoral approach
- Use of evidence/science in decisions
- Europe!

### **Solution and actions** *Fast Track/Quick Wins*

2003 - Sec of State (DAs) Annual Marine Report card  
2004 - Common view - regional seas (LME)  
2004+ - Basic map - UK waters  
2004+ - Eco Indicators  
2005+ - Public Service Agreements for Eco App  
2006 - Irish Sea Pilot II Ecosystem Approach  
2006 - NGO's engage public and users regional sea debate  
2007 - Nat Science Tech Plan  
2007 - Strategies recovery of stocks 10 most critical 2006/10/15  
2010 - Achieve experience and trialling of the ecosystem approach and adaptive management

## Group 5 Spatial planning

**Paul Gilliland** English Nature and **Susan Gubbay** Independent consultant

### 1. Existing 'targets'

There are some very general statements but few specific actions or time scales.

#### **UK Government**

*Safeguarding our Seas* (2002) sets out how to achieve Government's vision, particularly at the cross-cutting level, including exploring the role of spatial planning (and building on seabed mapping) to improve integration, and reviewing the regulatory framework and consenting regimes to make them more effective (and protect the environment).

#### **North Sea: Bergen Declaration**

At the fifth International Conference on the Protection of the North Sea in 2002, Ministers agreed that in order to prevent and resolve the potential problems created by conflicts between conservation and restoration of the marine environment and different human activities, to strengthen cooperation in spatial planning processes (see paragraph 76, Bergen Declaration, 2002).

#### **OSPAR** (*convention for protection of the marine environment of the north-east Atlantic*).

At the meeting of the OSPAR Commission in June 2002, it was agreed that the relevant committee would include marine spatial planning in their work programme to help meet commitments made under the Bergen Declaration. Could be updated based on Bremen meeting [June,2003]

#### **European Union**

In October 2002, the European Commission published *Towards a strategy to protect and conserve the marine environment*. The Strategy states "the Commission will address the integration of nature protection measures and the various sectoral activities impacting on the marine environment including spatial planning..". A stakeholder conference to help progress the strategy (December 2002, Copenhagen) concluded that "principles from spatial planning should be considered to establish a good basis for a more integrated approach of the marine area".

There is a widespread feeling that there should be *a more strategic approach* to marine management and spatial planning is one element of this. [See also the marine legislation section].

### **Suggestions for specific targets - also [see](#) actions below**

- Gain recognition across all sectors of need and utility (nb: including fisheries) Now!
- Identify what spatial planning is (including relationship with ICZM) and regional/local structure by 2004
- Conservation seen as a valid 'sea use'
- Get statutory underpinning for spatial planning\* - be clear on relationship to existing powers [marine legislation]
- Gather key information and map
  - marine countryside mapping (1 yr)
  - marine use/activities mapping
  - existing management

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- Spatial plan for UK Regional Seas (Build on – Irish Sea Pilot (ISP) and Marine Natural Areas (MNAs))
- Spatial plan for Southern N Sea (3 yrs)
- \*Identify competent body

### **2. Why**

- Helps deliver sustainable use
- Helps deliver ecosystem approach in decision-making
- Helps assess cumulative and in-combination decisions
- Chance to be more proactive in relation to conservation
- Biodiversity at heart of decision making
- Identify where key resources are and their sensitivity and thereby reduce conflicts and impacts
- Context for MPAs
- Conservation seen as a valid 'sea use'
- Allow potential multiple use/concentration of activities
- Enables opportunities to be identified e.g. between cons and other uses
- Reducing conflict - saves time and money (and therefore more time to be proactive). Increases certainty for developers
- Improves public participation and transparency and challenge
- Consistency of decision making
- Enables planning to be devolved to local / regional level
- Better integrated land and sea decision making
- Opportunity to incorporate economic valuation

### **3. Barriers**

#### Information and data

- Information availability
- Cost
- Pooling of data and how to interpret/data standards
- Maintenance - Keeping information up to date

#### Initiating

- Lack of understanding by stakeholders and public
- Lack of leadership - no 'champion'
- Lack of engagement by sector

Too complicated to deal with

### **4. Specific targets, actions and solutions**

#### **Information related**

- Marine “countryside” map –(consortium supported project) by 2004 (add other information such as marine use/activities mapping, existing management in parallel or subsequently) to provide key base information without which spatial planning could not take place
- Develop INTERREG broad scale mapping proposal (2003 for possible bid in spring 2004)

## ***Marine Biodiversity Conservation – What Needs to Change* Conference Report 2003**

- Government funded data logged with National Biodiversity Network and British Oceanographic Data Centre in order to derive further value from base map and inform planning discussion – already happening
- Public web access –2004-2005 and pilot initiatives for GIS and data sharing (CEFAS are doing this – contact Francis Franklin) – to provide access to “countryside” map, promote its utility and enable others to explore benefits of such information
- Consult key stakeholders/data users to identify who needs what 2003-2004 (CEFAS are doing this) to optimise what data is collated and utility of further development of countryside map

### **Political will**

- It is difficult to envisage such a cross-sectoral/departmental issue being championed by one department or agency alone therefore need combination of relevant Ministerial briefing ( how does it help them address risk of not achieving their department’s targets) in 2003 and a Select Committee hearing in late 2003 or 2004
- Legislation (with clear relationship to existing powers and identified competent body) required in order to enable spatial planning to deliver what is envisaged of it. Target of 2006 informed by govt response to Regulatory Review of Developments in coastal and marine waters and learning from demonstration projects
- 

### **Advocating need and addressing stakeholder awareness**

There is a need to gain recognition across all sectors of need for and utility of sea use planning including fisheries sector. This must include clarifying what spatial planning is (including relationship with ICZM) and national/regional/local hierarchy. This should be done by:

- Meetings/engagement with regional govt to determine their views and interest - 2003
- Follow up actions to Marine Stewardship Report (to implement commitment to explore role of spatial planning") – Defra consultation 2003/2004?
- Discussion (workshop?) involving relevant sectoral stakeholders including, *inter alia* , ports, wind energy, aggregate and fisheries -in 2003 (may be achieved by Defra-led consultation)
- Specifically investigate role and relevance of Regional Advisory Committees as a potential structure for considering all sectors in 2003
- To inform some of these discussions, by bringing different groups up to the same level of knowledge or understanding, provide a quick review of key work to date inc lessons from terrestrial - 2003

To test ideas arising from above discussions and further develop understanding and awareness of what spatial planning is, undertake demonstration projects building on existing work or tentative proposals. An example of a comprehensive, regional spatial plan should be completed by 2006. Suggest pursuing all of following in hope that at least one will come to fruition.

- Spatial plan for UK Regional Seas building on Irish Sea Pilot, Marine Natural Areas etc. Initial draft for Irish Sea 2005 (current pilot project ends spring 2004)
- Spatial plan for a part of UK in combination with other Member States using INTERREG funding (bid in spring or autumn 2003)
- Collaboration between OSPAR members on spatial plan for Southern North Sea.

**Develop and explore routine systems for routine *management* of areas of sea**

There is no routine management by anyone / or group of regulators of areas of sea

- and so no continuity of decision making in a holistic way.
- And so no ability to assess cumulative or in-combination effects over the long term
- To improve resource management
- To try and achieve some overall benefit from the fragmented but expensive ‘regulatory’ investment
- Spatial plans would be a tool of such a group of people....

**From the Legislation section of the Marine Biodiversity Meeting June 14th**

**Further comments and suggested legislative needs of Marine Spatial Planning :**

- Need a plan (providing conflict resolution in an increasingly complex and over-used sea)
- Need a duty on a body to develop a plan/s
- Need competencies to implement / enforce
- Needs co-ordination, rather than integration as departments such as DTI are protective of rights
- Spatial Planning does not remove the existing consenting regime
- A non-departmental agency could be used to implement MSP (Consents Review may recommend this)
- Need mechanism to enforce over larger sea areas and whole UKCS
- Need to define boundaries / zones
- Need the stick as well as the carrot of forward planning for users
- Policies on MSP are not sufficient e.g. if there is no legal basis for a development free zone, there will be a legal challenge
- It is possible in law to provide for MSP
- Legislation needs to allow for integrated sea use and assessment of cumulative impacts not just licensing plans and projects
- A forum / select committee should be established to discuss the issue

## **Group 6 Public awareness**

**Lisa Browning** The Wildlife Trusts and **Peter Richardson** The Marine Conservation Society

### **Introduction**

The group discussions resulted in the development of three targets: one fundamental target and two subsidiary targets. The subsidiary targets are not comprehensive in their coverage of key issues and further ones would have been added had time permitted.

### **Fundamental target**

*The UK public appreciates, values, understands and takes active responsibility for the marine environment.*

### **Why?**

A climate in which every citizen is motivated to take personal responsibility for the marine environment would facilitate every aspect of marine biodiversity conservation.

### **Barriers**

- *Lack of access (physical and virtual) to the marine environment and wildlife.* N.B. ‘Virtual access’ is taken to include all facilities and media that provide indirect access to the marine environment e.g. education centres, museums, aquaria, internet, TV.
- *Lack of lead from key organisations such as Government, public authorities, media etc.* E.g. Why don’t marine environmental examples feature in the National Curriculum/exam syllabuses? Why didn’t the BBC’s Blue Planet get to grips with conservation issues? What can we do about it?
- *Lack of long term view and resource planning.* If you want lasting results, awareness-raising is not something you can achieve in a flash and then leave. It requires regular, consistent and continuous effort.
- *Lack of consistent and appropriate media engagement.* Why don’t marine stories get the interest we would like them to?
- *Lack of evaluation of effectiveness of awareness programmes.* We need to be able to demonstrate our successes and learn from our failures.

### **Solutions**

- *Promote relevance of marine environment and conservation to all.* We need to identify and communicate ways in which the state of the marine environment is relevant and important to all.
- *Improve access (physical, virtual, intellectual) to marine environment for all.* We need to identify existing and potential locations and media for improved access and understanding, both at the coast and inland.
- *Forge new partnerships to promote marine environmental messages and individual responsibility.* E.g. industry involvement in eco-friendly labelling of domestic products.
- *Adopt a strategic, non-competitive approach to awareness (including media engagement).* We need to try harder to work together to raise awareness of the marine environment.
- *Forum to deliver and evaluate above.* We need a forum bringing together those organisations and individuals involved in raising public awareness of the marine environment, in order to deliver, co-ordinate and evaluate the solutions outlined above, as well as those outlined under the 2 subsidiary targets.

DEADLINE: establish Forum and hold first meeting in spring 2004.

**Target 2** *Employ greater empathy in stakeholder liaison, understanding the needs and aspirations of the target audience*

**Why?**

If we are to ensure genuine stakeholder participation and ownership of marine initiatives it is essential to understand the different perspectives involved. Employing appropriate techniques in stakeholder liaison (including language, attitude etc.) ensures that time, money and resources are well spent.

**Barriers**

- *Short term approach and lack of continuity.*
- *Lack of experience/understanding of stakeholder perspective in conservationists.*

**Solutions**

- *Take a longer term approach.* It takes time to build up trust and mutual respect.
- *Put more effort and resources into stakeholder analysis and involvement.* If we don't understand our audience, how are they ever going to understand us?
- *Ensure staff have appropriate skills and perspective for effective communication with stakeholders.* We need to give greater recognition to the role of marine conservation staff as ambassadors for the marine environment and as enablers of stakeholder participation, and ensure that we seek these wider skills and experiences in addition to academic qualifications and knowledge of biodiversity.
- *Respect stakeholder knowledge.*

**Target 3** *Enable and promote action by stakeholders*

**Why?**

Public awareness of the marine environment and wildlife is not an end in itself. Rather it is a means to promote a sense of personal responsibility and a desire to take positive action.

**Barriers**

- *Insufficient development and promotion of opportunities to take action and consumer choices.*
- *Lack of perception of links between personal action and benefits to the marine environment.*
- *Lack of awareness of problems and urgency to act.*
- *Complexity of issues* (e.g. consumer-friendly seafood choices – what is sustainable?)
- *Key organisations not prepared to lead by example.* Hands up all those who check the provenance of seafood for catering at their conservation meetings....

**Solutions**

- *Prioritise issues, audiences and actions.* We must identify where the public can make the most difference with their actions and how we get them involved.
- *Improve access.* We must work together to promote these opportunities more effectively and in a more co-ordinated way.
- *Develop consistent message amongst conservation organisations.* We must work together to ensure that we are conveying consistent messages about the opportunities and choices available to the public.
- *Evaluation.* We must make sure that we are able to learn from our experiences.

## **Group 7    The way we work**

**Peter Jones** University College London and **Helen Rae**, English Nature

The discussions were based around four perspectives, which were identified by grouping the post-its that were assigned to this theme.

### **1. Communication & information** - '*Coordination, clarity & availability*'

- Proactive generation
- Involving stakeholders
- Different perspectives/currency
- Avoid paralysis by analysis: living with uncertainty
- Realism

In general, there is a need to predict who will have a perspective, what their key interests/concerns will be and the related questions. Information needs should thus be proactively identified and addressed with the involvement of stakeholders and disseminated as widely as possible on a proactive basis. Efforts should be focused on targeting critical information gaps, *ie* information that could help reduce or conflicts and support informed discussions on them, recognising overtly that these can never be completely filled and that decisions will generally have to be taken under a degree of uncertainty. It is also important to recognise that different stakeholders have different 'languages and currency' and that information may need to be sensitively translated

### **2. Participation** - '*Having all stakeholders at the table*'

How? Need to achieve a *balance* between top-down, e.g. Marine Act, and bottom-up, e.g. local voluntary partnerships

This enables the strengths of each approach to be combined

Agreed amongst group that a non-prescriptive Marine Act which sets strategic objectives (previously agreed on a consensus basis as far is possible) and requires/enables all relevant authorities and stakeholder groups to participate in an ICZM governance approach to achieve these objectives was optimal for achieving constructive participation. Such an approach could be supported / steered by an inter-departmental marine working group rather than an executive marine department, as latter approach is arguably contrary to the concept of integration *ie* many functions will inevitably remain in other departments and the linkage with the marine dept could be tenuous and lead to power struggles.

### **3. Integration**

*'Where are we?*

*Where do we want to be?*

*How do we get there?'*

Vertical and horizontal integration needed: National strategic → Local sectoral (Maritime Natural Areas might be an appropriate regional geographic scale)

## ***Marine Biodiversity Conservation – What Needs to Change* Conference Report 2003**

Consensus building is critical basis for addressing subsequent issues and conflicts: establish what we can agree on and then build on this to address more detailed issues.

Conceptual hooks, such as the Ecosystem Approach, can be useful in generating consensus, provided that they are not subsequently employed as a Trojan horse

Make friends with your 'enemies', *eg* go out on fishermen's boats, invite them to laboratories, understand and learn to empathise with their perspective: working with new friends supports consensus building and conflict management challenges. On a mutual basis, people must engage on their territory, in their language and recognising their concerns.

Win-Win solutions should be sought but it must be recognised that there will generally be some losers (perceived or in reality) and these need to be recognised and taken account of, otherwise policies may not be socially equitable and sustainable.

Avoid conflicting targets, *eg* antagonistic Public Service Agreement targets amongst government departments, and distracting targets, *eg* answering the phone within 4 rings and responding to letters in 5 working days.

Avoid sectorally dominated fora, as these will eventually feed conflicts

Recognise and manage the diversity of perspectives related to a given conservation initiative/project

Recognise *intra*-sectoral conflicts, *eg* static and dynamic fishermen, as failure to do so can lead to the capture of an initiative by a particular interest group and the entanglement of the initiative with an internal conflict

### **4. Implementation**

*'Making it work'*

Critical to elaborate and operationalise strategic objectives at a more local and multi-sectoral level

Consensus provides a critical basis upon which to address conflicts, which emerge during implementation, *ie* if integration is successful implementation, will follow relatively easily

## **Group 8 The Lack of Political Will**

**Sharon Thompson and Darren Kindleysides** RSPB

### **1. The Group Target**

A committed and active Government with an interest in the marine environment and its biodiversity.

This is Government at the EU, UK, devolved administration/country, regional and local levels. To do this we will have to raise Government awareness and understanding first. We will have to define marine conservation messages in terms of votes and in economic terms. We will have to push from all angles and work on more/better environmental alliances with industry.

### **The symptoms of lack of commitment**

- Weak legislation
- Poor resourcing
- Poor enforcement
- Short-term decision-making

*... & in the meantime, marine biodiversity is suffering*

### **2. Issues and barriers to progress**

#### ***Why is Political will lacking?***

- The marine environment is complex, therefore it isn't 'sexy'
  - For the media
  - For the public
- Lack of public awareness therefore a lack of (public) pressure for change
- Internal Government conflict, *ie* between different Government departments with different priorities
- Government has traditionally given priority to economic interests over environmental interests, *eg* development and resource use is favoured over environmental conservation
- The case isn't being made (strongly enough) for the benefits of marine conservation, *eg* amenity value, health benefits, sustainable resource utilisation
- Lack of consensus between
  - Environmental groups - different NGO priorities - NGOs *vs.* the Statutory/Country Agencies
  - All marine stakeholders
  - National *vs.* international interests
- Difficult (and large) working environment, therefore problems with management, policing and enforcement
- Successes on land and the NIMBY culture have made marine the poor cousin of terrestrial conservation, & hence resources, etc

### **3. Solutions and actions**

#### **Build pressure for change**

- Raise media profile
- Raise public awareness
- Make the public care about the marine environment
- Education and dissemination of knowledge/information

#### **Reduce Government inter-departmental conflict**

How? Some suggestions:

- Cross-departmental marine group
- Cross-departmental marine strategy
- A new Marine Department [akin to a Forestry Commission for the seas]
- A new maritime management agency

#### **Cultivate political ‘Marine Champions’**

- Encourage politicians who dive to promote political interest in marine
- Use Select Committees to discuss marine issues
- Aim for more Parliamentary time to be devoted to marine conservation

#### **Concerted lobbying**

- By environmental groups (NGOs & Statutory Agencies together)
- With industry allies

#### **‘Sea: the Benefit’ (@ national/UK/EU level)**

- Case studies and demonstration project sites
- Highlight the economic benefits of conservation (direct and indirect)
- Best practice studies

#### **EC Marine Directive**

- Akin to a Water Framework Directive for the sea
- Improved marine legislation
- Better EU transboundary integration and management

*A little less conversation, a little more action* **E Presley**

## **Group 9 Biodiversity and Information Research**

**Jean-Luc Solandt** Marine Conservation Society and **Ali Hood** Shark Trust

### **1. BAP Process**

#### **1.1 *Relevance of current BAP targets***

- Why:
- Tighten targets (as they are currently weak for marine)
  - Meaningful and quantifiable
- Barriers:
- Lack of data
  - Poor data sharing
  - Resources – especially a lack of time
- Solutions:
- Contractual obligations – required data release to be written into proposals, and possibly to have a statutory clause written into data gathering exercises
  - ‘Time clause’, such that data will be released by institutions and individuals after a certain amount of ‘stagnant’ time.
  - Target review 2005 – why reassess the targets in 2005 when we have the results of the 2002 reporting round now – get the new targets out asap so we can re-focus effort

#### **1.2 *Identification of Delivery Responsibilities***

- Why:
- Accountability (there appears to be no one organisation)
- Barriers:
- Lack of relevant priority targets to help focus poor resources
  - Unclear structures
- Solutions:
- More clarity within BAP targets
  - Combine work on a number of BAPs within proposals
  - Improve effectiveness of BAP steering groups
  - *Resources*

#### **1.3 *Appropriate Engagement of NERC/DEFRA, and other funders in BAP Process***

- Why:
- Funds not filtered from larger organisations to the BAP process
- Barrier:
- Not cutting edge research
  - Intellectual snobbery
- Solution:
- Taking time (whose?) to engage NERC/DEFRA in BAP

process

**2. Identify Data Sources**

- Why:
- To assess biodiversity resource
  - To set quantifiable targets
- Barriers:
- Data ownership
  - Data quality
  - Time/effort
  - Sensitivity
- Solutions:
- Appreciation of true (financial) value of data
  - ‘Data access’ clause
  - Contractual obligations

**3. SUPPORT AT SENIOR POLITICAL LEVEL**

- Why:
- Overcome barriers to BAP action implementation
  - Get things moving (!) at EU and UK level
- Barriers:
- Apparent irrelevance of marine (low priority) on political agenda
  - Marine issues (fisheries?) not always ‘visible’ as terrestrial problems (eg. Flooding, BSE) both literally, and through media
  - Not being listened to
- Solutions:
- Long-term influence through campaigning
- An Environmental Catastrophe! May provoke action (a Prestige on UK shores?)

**4. IMPROVED LIAISON BETWEEN AGENCIES**

- Why:
- To produce a medium-term strategy
  - To avoid duplication
  - Encourage best practice
  - Better use of resources – funds!

- Barriers:
- Time
  - Close doors between departments
  - Geographical barriers
- Solutions:
- Web-based inter-SNCO communications
  - A Department of Marine Environment
  - JNCC's remit to have higher profile

**5. ENGAGE STAKEHOLDERS IN MARINE BIODIVERSITY PROCESS**

- Why:
- Because stakeholders can make a difference and know the score (fishermen know where the fish are and aren't)!
- Barriers:
- Mutual suspicion
  - (Perceived) conflict of interest
- Solutions:
- Building good relationships
  - Improved stakeholder awareness

Tread carefully!

**6. RAISING PUBLIC AWARENESS OF BIODIVERSITY**

- Why:
- Appreciation can increase public support
  - Political pressure at local level
- Barriers:
- Lack of understanding
  - Public don't care enough (only for dolphins)
  - Concept that exciting and important marine life only exists in the tropics
- Solutions:
- Increase profile through all forms of media
  - Increased number and role of coastal officers
  - Acknowledge importance of volunteer input (data eg. Seasearch and Beach cleans)
  - Improve access to awareness material

**7. TO UNDERSTAND BIOLOGICAL TIMESCALES OF ECOSYSTEMS AND SUBSEQUENT CULMULATIVE**

## **IMPACTS OF EFFECTS**

- Why:
- Need for truly holistic approach and to match actions on ground with biological timescales
- Barriers:
- Ecosystem timescales cross different political timescales (although we are currently in a strong position with the existing Labour majority)
- Solutions:
- Register of activities
  - Improved spatial planning
  - Powerful civil service sector within DEFRA to continue thought even though governments may change