

## Report of ACOPS – GLOBE Europe Meeting on

### Sea Change: A Review of Current Marine Policies in the UK and EU

Footnote: Abstracts and PowerPoint presentations follow this summary of the meeting.

Held on 15<sup>th</sup> December 2011 in the House of Lords London

**Chair:** Lord Julian Hunt (President of ACOPS / Vice President of GLOBE)

**Sponsored by:** Advisory Committee on Protection of the Sea (ACOPS) and Group of Legislators for a Balanced Environment (GLOBE) International.

ACOPS was set up in 1952 by the late James Callaghan, former Prime Minister. The initial activity of ACOPS was on pollution of the sea, which continues with the yearly Marine Pollution Survey conducted for the UK Marine Coast Guard Agency by Professor Trevor Dixon. There is a positive trend, but vigilance is still necessary. The last five years have witnessed the biggest legislative changes in marine policy in the past 100 years; the pace of change has been unprecedented and implementation has been made even more complex by the current constraints on the public purse. Greater uses are continually made of the marine environment above and below the sea surface at the same time the physical and bio environment is being seriously damaged. The question is not merely minimise change but to protect the whole marine system. Across Europe we are moving away from a regime of virtual to open access to marine space to one where property and user rights are being assigned more tightly, largely through Marine Spatial Planning.

The Marine and Coastal Access Bill of 2009, the Marine Act in Scotland and legislation in Wales, together with the European Marine Strategy Framework Directive, have resulted in the establishment of the Marine Management Organisation for England, and for the 63% of UK seas north of the border, Marine Scotland. The progressive roll-out of marine protected areas and their different uses that will be permitted are proving very controversial: there is a danger of not meeting the UK's international commitments in this area. Policy statements have also been issued and, most importantly, the EU Common Fisheries Policy is now under review; the scale of the administrative burden is truly daunting. The coalition Government in the UK has reviewed the expenditure on ocean measures, but maintains the UK's involvement in European and international organisations. This is very important, given the pace of international legal developments that extend beyond European waters and in which the UK is involved as a major negotiating partner.

The Aim of this meeting was to bring together leading experts with a range of standpoints to explain and debate these developments, discuss how collaboration might be improved and suggest directions for further policy development to contribute to the UK's important work in this area. ACOPS and GLOBE are hosting this event as a public service in furtherance of their mission to support the responsible use of the oceans.

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**Laurence Mee (Director of The Scottish Association for Marine Science; Chair of ACOPS)**

He explained how the importance of Government Marine Policies can only be effective with better communication and consultation with the public both about the impact of policies on coasts and deep ocean ( not forgetting connection with rivers and land), and the need for sustainable uses of technology, especially fishing , mineral extraction, and wind power.

Because of Europe's narrow seas, e.g. Irish Sea, plans for intense exploitation communication and collaboration have to be on a European scale. This has led to several surveys in European Countries; have shown that most people agree that change to oceans is now quite significant. However despite recent public campaigns ( e.g. about fishing) the UK is less concerned than other EU countries both about marine as well as climate change issues .But surveys do show that significant changes to oceans and Arctic Ice, could be critical for future weather and climate.

Professor Mee also emphasised that government marine policies are now beginning to be connected to wider economic , social and environmental policies , and that the possibilities of collapse of fish stocks under current level of exploitation has to be discussed openly. But pointing to examples of alternative successful fishing and marine conservation in New Zealand should be part of the public communication strategy.

The UK ( DEFRA) and EC are publishing their Marine strategies in 2012, and also their Marine Science strategies for 2020 ( Interagency Marine Science Committee) , but it is not clear whether the UK and other European Government will make the necessary based on scientific evidence ( See for example : Froese, Nature , 7<sup>th</sup> July 2011).

**Martin Simpson (Head of Energy and Technology; Crown Estate)**

Through its ownership of the seabed out to 12 miles, the UCL Crown Estates play a major role in exploiting and preserving the marine Environment and providing for it is the UK tax payer.

The offshore energy programme over the next 20 years involves investment by energy companies of £ 6 billion per year. Offshore wind energy is the most ambitious programme amounting to 33 giga watts of installed power that could provide 40 % of UK Electric.

Investment is also beginning in Wave / Tidal energy with 33 sites to produce 500 MW. These systems will be more effective when a North-Sea electrical grid is established, particularly linking UK, Germany, Denmark, power grid so as to share excess capacity.

Another use of the sea bed that is growing is for storing Carbon Dioxide extracted from power station exhausts in the depleted rock formation that formally held oil and gas. But not all formations are suitable. The planning of this complex and interconnected exploitation requires close coordination between different government agencies in UK (e.g. Marine Management Organisations, Marine Coast Guard Agency) within an overall marine Strategy.

The spaghetti map of electrical line and pipes shows there is big problem; about £200 billion of investment is needed for the UK and UK Share of a European network.

**Philomene Verlaan (Senior Technician at MAREST; ACOPS representative and the London Convention and IMO)**

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The UN 1982, sewage Law of the Sea (LOS) obliges the signatory states (which includes most states) to preserve the Marine Environment as well as defining the right to exploit the sea bed etc. There are also clauses about the pollution in the atmosphere above the ocean, e.g. air pollution and Green House Gas from shipping. The provisions for pollution are the responsibility of the three international bodies based in London, London Convention (LC) (which includes dumping), and IMO (especially for Shipping) and OSPAR (for marine environment of the Eastern Atlantic). They also have science groups but their environmental monitoring capabilities are very limited. They have to rely on member states.

There has been progress in regulating and reducing Air pollution from shipping. But this will take some time to complete.

Philomene Verlaan also received how these bodies are responsible for regulating trials to artificially affect how ocean process near the surface can be modified to reduce the increase of greenhouse gases in the atmosphere. The original concept was to launch the project over 4 months with 100 tons of chemicals (Iron Particles) over 10,000 km<sup>2</sup> of the ocean.

But although some countries (not the UK) are in favour of these trials, they are not permissible under the current regulations of LOS on LC. Discussions about new regulation are being considered but keeping the cautionary principles on a central tenet. It has been noted that such trials to reduce GHG provide no short term economic advantage (unlike the 'experiments' in whale fishing!)

#### **Olivia Longmead (Associate Fellow, Marine Biology Association)**

Olivia Longmead reviewed the UK plans for establishing a network at Marine Protection Areas in which exploitation will be controlled. To preserve marine bio diversity these must be located in diverse regions around the UK ranging from oceans to Marine coastal zones (MCZ). Ideally these zones should link areas with sites of special scientific interest.

Currently 127 sites have been proposed for discussion in September 2011. The decisions on their location, extent and regulations are delayed by lack of scientific data, lack of consultation and acceptance with user groups (Fishing, Leisure, and Mineral)

There are also delays in implementation because establishing MPA's affect the rights of fishing by other countries in the EU. The economic and environmental benefits of establishing MPA along the coast of New Zealand should help dispel fears about MPA's MCZ around UK. The fact that some species are highly mobile also has not caused a problem in New Zealand; nor should it around the UK.

#### **Daniel Owen (Environmental Lawyer, Cambridge Fenners Chambers)**

Daniel Owen reviewed new current thinking, from political and legal point of view, of the European Common; can be regionalised, Fishery Policies. The apparent rigidity of the current EU system has been shown (e.g. with the other EU policies and regulation) to be more flexible when applied by non – UK countries, for example EU can give permission conditionally to nations for their own flagged vessels for certain purpose, e.g. in MPA. Never-the-less CFP needs to be changed. One way will be to apply the policy regionally. Another important flexibility is that, following the Lisbon treaty in 2005, the European Parliament now has, potentially, a stronger role to modify CFP. But there is no certainty yet about how this will work. The European Parliament has a strong reputation in acting on scientific evidence.