

Recommendation 27:

Process of establishing marine protected areas in the Outermost Regions

According to the European Union (EU) Biodiversity Strategy for 2030, from the European Commission, *“at least 30% of lands and 30% of seas should be protected in the EU¹, and of those, at least 1/3 (about 10%) should be strictly protected. In this context, special attention should be given to areas of high value or potential in terms of biodiversity. These are the most vulnerable to climate change and should benefit from special care in the form of strict protection.”* This objective is totally compatible with the predominantly low-impact fisheries that characterize the Outermost Regions (ORs) and is essential to ensure the good state of marine ecosystems and commercially exploited stocks. This document also states that *“Member States will be responsible for the designation of new protected and strictly protected areas². The designations should contribute to completing the Natura 2000 network or be frame in national protection regimes¹. **Clearly defined conservation objectives and measures will be mandatory for all protected areas.** The Commission, “working in cooperation with Member States and the European Environment Agency, will present in 2020 criteria and guidelines for the identification and designation of new areas, including a definition of strict protection, as well as for appropriate management planning. Note also that “the targets concern the EU as a whole and can be allocated according to EU bio-geographic regions and sea basins or at a more local level”¹. Each Member State will have to do its fair share of the effort based on objective ecological criteria, recognising that each country has different quantitative and qualitative levels of biodiversity¹. i.e., the European Union leaves to the consideration of each member state the Marine Areas to be protected.*

The ORs are environmentally and geostrategic relevant. With the huge wealth of marine ecosystems that fall under the jurisdiction of Portugal, Spain and France, these should be coastal states of reference, in international policies for the ocean (within and abroad the EU), particularly for the conservation of marine biodiversity and as a guarantee

¹ [Communication from the commission to the european parliament, the council, the european economic and social committee and the committee of the regions](#) about EU Biodiversity Strategy for 2030 - Bringing nature back into our lives

² “The new Natura 2000 designations will be implemented with the support of the funds and, where appropriate, EU enforcement means.”

of the good environmental status of the marine environment in the basins of the: western Atlantic, eastern Atlantic and Indian Ocean.

In addition to the above mentioned, the Biodiversity Strategy also sets out the need to have a commitment to "*effectively manage all protected areas, defining clear conservation objectives and measures, and carrying out appropriate monitoring of these*¹."

Considering the review work recently sent to the European Commission and Member States, about the Marine Protected Zones in the Outermost Regions, and the difficulties experienced by members of CCRUP in the negotiation process to establish Marine Protected Areas (MPAs) in order to comply with the 2030 Biodiversity Strategy, we stand for the following:

Azores:

The target of 30% protected maritime area, with at least 15% of the area totally protected, is welcomed and realistic, given that until the moment, about 26% of the Azores sea accommodates Marine Protected Zones, i.e. marine areas with some level of protection. We highlight a 22% increase in areas classified with some protection status between 2018 (4%) and 2021 (26%).

Considering that the current marine protected zones in the Azores have lack of surveillance, the Azorean fisheries sector has doubts regarding the capacity of the Portugal and the Regional Government to ensure that future MPAs will be effectively beneficial, without having studies on the effectiveness of actual implemented ones.

We know that in February 2019 the Azores Regional Government signed a memorandum with two partner entities (*Fundação Oceano Azul* and *Waite Foundation*) for the establishment of 15% MPAs by 2021, which had the approval of the Azorean fisheries sector. However, we are unaware of any addendum to this protocol that would duplicate the area of protection and increase its level.

Meanwhile, and despite all the doubts that remain, the XIII Regional Government of the Azores (GRA) and the *Blue Azores* programme, had proposed the following percentages of Marine Protected Areas to be implemented: *30% of the Azorean sea, with at least 15% of the area totally protected, by 2023*. Facing with this pressure, doubts are still growing, as we believe that the one-year deadline to properly fulfil all the criteria for

the establishment of 279.206 km² of MPAs in the Azores sea is too short; this rush in implementing MPAs is causing an enormous pressure, discomfort, discouragement to investment by traders and investors, and also instability among the azorean fishermen, who fear the end of their source of income.

The representatives of the fisheries sector in the Azores, believe that some procedures that are relevant to this process are not being carried out with due care, in order to meet the regional government's objective. Given that the Portuguese Government has until 2030 to protect part of its sea, we propose that this process should be carried out in a more smooth and reasoned way, **without endangering the socio-economic sustainability of the fishermen.**

Compared to the EU Biodiversity Strategy, the GRA imposes an increase in 1/3 of totally protected marine areas (15%) compared to the European targets (10%), however, so far they have not clarified to the fishermen on the reasons that lead to this big increase.

The fisheries sector in the Azores reinforces that the fishing practiced in their archipelago is a cultural, artisanal and sustainable practice, and that due to the absence of a "continental shelf" and the reduced number of fishing grounds, these proposed very large areas of MPAs will annihilate a sector of activity that always preserved the sea and has been proved to be increasingly sustainable. We should also remember that there are thousands of families in the Azores who still depend on a single member of their household - the fisherman to live.

The representatives of the fishermen and ship-owners of the Azores therefore refuse to issue opinions on this subject until their doubts have been cleared up.

Madeira:

In the Autonomous Region of Madeira, on 29th of November of 2021, ship owners and fishermen were surprised, through the social media, with the decision of their Regional Government to create the largest Marine Protected Area with Total Protection in Europe and the entire north atlantic, through the approval of a new legal regime on the Natural Reserve of the *Selvagens* islands, significantly expanding the protection of the waters of this archipelago, being a marine area with total protection covering an area of 2.677 Km², corresponding to 12 nautical miles around the *Selvagens* islands, prohibiting

all fishing activity. It is known that this measure has the direct support of the *Fundação Oceano Azul*, the *National Geographic* and the *Waitt Foundation*, entities which are said to have contributed to obtain data. However, we believe that it would be essential that the ship-owners and fishermen have been heard and consulted about this decision, given that they know the state of the resources well and will be directly affected by this measure.

Representatives of the fisheries sector in Madeira have been trying to get the local authorities to propose an exception regime for tuna fishing. However, they have not yet obtained any positive opinion for this proposal.

It should be noted that tuna fishing, in this territory, has a significant social and economic impact, as it creates and secures jobs and is their only mean of subsistence. Tuna fishing is part of the history of many fishermen.

The fleet of Madeira practices a highly selective artisanal fishing technique, where minimum capture sizes and quotas are implemented. In the case of tuna fishing, this is practiced by "pole and line" with live bait (small pelagic fish), that only implies the action of a man, a cane, a line and a hook, which does not harm the marine ecosystem.

With the recent extension of the *Selvagens* islands marine reserve and the consequent protection of all species that exist there, prohibiting any fishing activity, the tuna fleet is faced with yet another restriction, and consequent loss of fishing ground, which will bring consequences for the economy of the fishing communities and for the Region.

Considering the above mentioned, we advocate and propose positive and exclusive discrimination for tuna fishing and capture of live bait, for tuna vessels with a licence for pole-and-line gear, within the 12 nautical miles of the *Selvagens* islands.

We therefore want an exceptional regime for fishing tuna species and live bait similar to the ones in force in other reserves, such as the Regional Nature Reserve of *Ilhéus das Formigas*, since we would like to reinforce, once again, that the commercial fishing practised by these tuna fleets is sustainable and takes into consideration respect for nature and the integrity of ecosystems, with emphasis on the type of fishing gear used.

Therefore, CCRUP recommends to the interested Member States:

1. The definition of the zones to be protected in an inclusive and dialoguing way with the stakeholders (fishing sector and other interest groups);

2. The increase of financial and human resources to manage, monitor and supervise the marine protected areas;

3. The creation of conditions for fisheries and fishermen, who may have limited access to traditional fishing grounds, in order to adapt, reconvert and diversify their activities;

4. The verification of the implementation of ongoing procedures, namely, all conditions, objectives, geographic areas and management models, for each of the MPAs to be implemented in the sea of the ORs, as we believe that only in this way, all those involved will be able to give informed opinions on such a crucial issue.

The president of then Executive Committee of CCRUP

(David Pavón Gonzalez)