

# Panel Discussion

## Saving the Oceans: What Needs to be Done?

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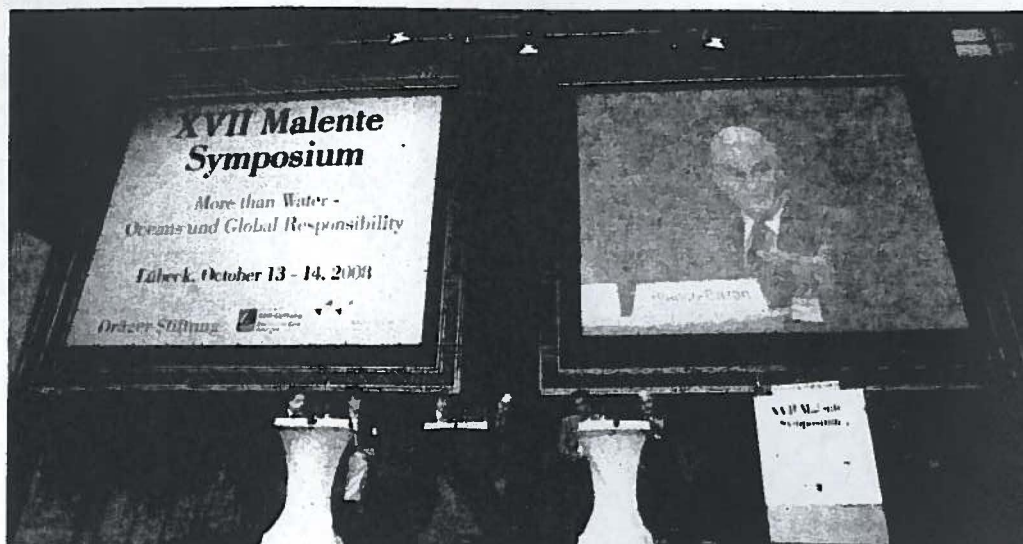
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The panel discussion between **Paul Nemitz**, Head of Maritime Policy Development and Coordination at the European Commission, and the four chairmen of the afternoon breakout sessions, **Martin Visbeck** and **Colin Devey** – both Deputy Directors of the Leibniz Institute of Marine Sciences, IFM-GEOMAR in Kiel –, **Daniel Pauly**, Director of the Fisheries Centre at the Aquatic Ecosystems Research Laboratory of the University of British Columbia in Vancouver, and **Agustín Blanco-Bazán**, Senior Deputy Director at the UN International Maritime Organization in London focused on the need for immediate and future action. After introductory remarks by Paul Nemitz, the chairmen of the breakout sessions highlighted some of their major concerns which they liked to discuss in greater detail later in the working groups.

For those of us who work in the policy-making area, the key challenge is to progress from good ideas and good scientific advice to real action – we need to enforce the declarations we adopted and the laws we passed and make them change the real



world, said **Paul Nemitz** in his introductory remarks. The Marine Strategy Framework Directive of the EU, which is in fact a directive for the protection of the marine environment, came into force on July 15, 2008 and is the environmental pillar of the Integrated European Maritime Policy which aims to provide a coherent framework for concerted maritime governance. This is a start, said Nemitz, and the rules are in place, but now comes the phase in which we have failed more often than not in the past – particularly as regards the Common Fisheries Policy, but also in relation to many aspirations enshrined in the United Nations Convention on the Law of the Seas – namely the phase of implementation and enforcement. What we will need in the future to achieve real impact is much more than just natural science advice and political support, he believes; we will need good economists to analyze the economic incentives which spur governments and individuals into action, because what we are talking about in this room is how to regulate and influence people's willingness to engage.





Nemitz also pointed out that the Commission will only be able to bring about a change in attitude if it focuses not on ocean protection alone but also on the sustainable use of ocean resources, because people have lived off the seas for centuries and will continue to have to do so. Millions of people make a living from coastal and marine tourism, for example, yet marine tourism suffers if the sea is polluted, if algae is prevalent and if dead fish or seals can be seen floating belly-up on the surface. We need to build a coalition for the oceans which includes all stakeholders. That is the philosophy of the Integrated Maritime Policy which the EU Commission is trying to drive forward in Europe; indeed, it is the philosophy inspired by the preamble of the United Nations Convention on the Law of the Sea, which says we must regard the sea as one, which means we have to include the actors who make money. Looking at the oceans as one also means that we have to look at it across borders and across disciplines, and that we have to see risks and opportunities together rather than only the risks. We need to involve not only the experts but also the general public.



We have a governance challenge in Europe, Nemitz stated, because we will either not succeed in putting our aspirations and ambitions into practice or we will encounter conditions which make it difficult for the law to cover a sufficient geographic area. In the Mediterranean, for example, we face the problem that the member states of the European Union do not have exclusive economic zones. This means that EU law – the directive on the protection of the marine environment, for instance, or the EU fisheries law – only applies in principle to the twelve mile zone, beyond which one finds oneself in international waters. Managing the high seas within the system of international law requires consensus, and reaching this consensus is very difficult. So it may be better to extend the zones of responsibility in the Mediterranean by giving the coastal states ownership of their resources, because ownership automatically entails responsibility.

Paul Nemitz's last remark addressed one of the key issues of the European Union, the Common Fisheries Policy. Why is it so important for the European Union to get the Common Fisheries Policy right, he







asked. First of all, because it is one of the few exclusive competences of the European Union. If we don't get this policy right, it casts doubt on more than just our ability to deal with fisheries. After a first reform in 2002, the EU is beginning another reform of the Common Fisheries Policy as one of the keys to ocean sustainability. And we are calling on everybody, on scientists and actors and civil society, to support us in this. Do not give us only your ideas relating to legal regimes and scientific models but also your best and second best ideas on what can work in practice in an environment in which there is likely to be limited willingness to enforce even in the future. It is important in this area to start thinking within a system which will never be perfect, Nemitz concluded, finishing with an invitation for a broad dialogue.

**Colin Devey** started the discussion by pointing out that there is no such thing as a pristine ocean and by asking how we want the oceans to look in the future. If you were to look at the way the earth was several hundred thousands years ago, you would find that the Alps would look quite different, that an Alpine pasture would not be at all the same as it is nowadays, that Lübeck would not resemble the city we see today. It is simply a fact that humankind has made decisions about how to use the land. What we need to do for the oceans is to think about how we want them to look in the future. We are going to change the ecosystem whatever happens; the problem is that we are doing it by default at present, without really controlling our actions – so let us give this some thought.

**Martin Visbeck** endorsed Paul Nemitz's request for concerted action on the part of all stakeholders, i.e.



for a joint endeavor of regulatory bodies, business, natural and social scientists, and environmental organizations aimed at observing and exploring the oceans in a realistic way and establishing a comprehensive ocean information system. As natural scientists, he says, we are used to taking things apart in order to understand how they work, but are utterly lost when it comes to policy and what it means to take up stewardship. Quite often we stop once we have discovered how things work and then pass the buck to somebody else. We need to understand how the ocean is behaving now and how it is changing, and I think we should be in this research altogether.

**Daniel Pauly**, in his capacity as the Director of the Fisheries Center at the University of British Columbia, complained about the worldwide overfishing of the oceans. Although this has manifested itself in a continually diminishing catch of fish throughout the world since the late eighties, this is not noticed in the rich countries of the west because they compensate for declining catches by increasing

imports. The EU countries, for example, get the bulk of their fish from outside of the EU – Spain imports around 65% of its fish consumption, while Germany imports more than 70%. This also applies to Japan and to the USA. It is the developing world, on the other hand, which suffers from overfished oceans. According to the WTO, about 34 billion dollars a year are given as subsidies to fisheries. Of these, about 20 billion dollars are capacity enhancing; in other words, they contribute to depleting fishing stocks that are already on the decline, that are already heavily overfished. The major donors of these bad capacity enhancing subsidies are East Asia and Europe. This certainly is not the way to ensure sustainability, Pauly said, adding that it is up to the EU to go ahead and set a good example, because what is happening in Asia is very often done by firms that do not have sufficient scientific knowledge and do not know what



they are doing, while here in Europe we have no shortage of scientific information about the state of our oceans. Thus the west should take the lead when it comes to saving the oceans' biodiversity.



Agustín Blanco-Bazán pointed out that shipping is only responsible for some 10% of total marine environment pollution, while 90% is due to land-based sources. While shipping is essentially international, i.e. you can regulate every aspect of international navigation with international treaties issued by international maritime organizations, land-based sources of pollution are national and not regulated by international treaties. The same is true if you look at CO<sub>2</sub> emissions: CO<sub>2</sub> emissions from shipping amount to just 11% of total CO<sub>2</sub> emissions incriminating the marine environment. These imbalances are at the core of potential conflicts between international navigation and national coastal management.