

Mr David Miliband
Foreign Secretary
BIOT Marine Protected Area consultation
Overseas Territories Directorate
Foreign and Commonwealth Office
King Charles Street
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11 February 2010

Dear Mr Miliband

CONSULTATION ON WHETHER TO ESTABLISH A MARINE PROTECTED AREA IN THE BRITISH INDIAN OCEAN TERRITORY

This letter is a formal response to the above consultation, outlining the position of the trustees of the Marine Education Trust (registered charity number 1118505).

We fully support the UK Government's efforts to protect the Chagos archipelago through the declaration of a Marine Protected Area within the territorial waters and Environmental Preservation and Protection Zone/Fisheries Conservation and Management Zone. We do not, however, support any of the three broad options proposed in the consultation document.

Instead, we believe a fourth option, one which explicitly considers the future possibilities of resettlement by Chagos islanders and a transfer of sovereignty to Mauritius is the best way ahead.

Our belief is that MPAs should represent strong, permanent protection of marine ecosystems. To consider, as the consultation document does on p7, that "should circumstances change, all the options for a marine protected area may need to be reconsidered" sends entirely the wrong message for the long term sustainability of a Marine Protected Area. It implies that MPAs are temporary, transient measures that can be modified as conditions change, and this undermines their strength as a conservation tool.

The full involvement of all stakeholders in marine conservation gives protection measures the best chance of long-term success, and its importance is widely recognised. The UK's own draft MPA strategy¹, which is shortly to be published, clearly identifies the need for active participation of stakeholders in the identification and establishment of MPAs. The strategy covers inshore and offshore waters around the British Isles, but the best-practice principles it has adopted are equally applicable to overseas territories.

In particular, the process to establish Marine Conservation Zones (MCZs), a new form of MPA that will be designated under the new Marine and Coastal Access Act, may take account of socio-economic factors. The aim of MCZs is "to conserve ecosystems and biodiversity and create an ecologically coherent network whilst minimising the economic and social impacts, and to seek ways to maximise the wider benefits to society". The strategy recognises that this can only be achieved through the active participation of a wide range of stakeholders (including individual fishermen operating small inshore vessels and recreational users, through to multi-national companies,

international organisations and Government Departments and agencies). In the case of MCZs, a process has now been set up to ensure that stakeholders will have the opportunity to be involved in identifying potential MCZs and their boundaries and developing the conservation objectives for sites. The current consultation on the Chagos MPA therefore appears at odds with the wider national strategy on marine conservation.

As the draft strategy¹ states, the UK government is committed to delivering MPAs that are "built with the engagement of all stakeholders" so that they protect marine biodiversity "whilst ensuring we continue to accommodate the wide range of activities that take place in our oceans and seas. Such a network will help deliver the UK's wider global and European commitments to marine conservation and demonstrate our leadership in the delivery of sustainable development." It would seem appropriate that these sentiments are extended to the UK's marine conservation obligations in its overseas territories.

Lack of stakeholder engagement is one of the main reasons for MPAs becoming no more than 'paper parks', and a further major cause of MPA failure is inadequate financing². The establishment of a full no-take zone would severely restrict opportunities for income generation to support the running costs of the MPA, making it more likely to fail in the long-term. Currently, the most significant threat to reef areas of the outer islands is illegal fishing. That existing fisheries prohibition is not respected, suggests that the current level of enforcement is not sufficient³. For any MPA to be effective, therefore, greater levels of enforcement would be required. Under a full no-take scenario, funding would have to be found not only to replace the income currently provided by fishery licences but also to fund additional patrols.

Any perceived lack of transparency or injustice in the creation of an MPA may also impact on funding opportunities. Donors "are becoming increasingly preoccupied with the creation of a good image. They have introduced for long time in their projects such safeguard measures as population resettlement"⁴.

The recent agreement between France and Mauritius illustrates that international cooperation to manage marine resources is possible even when sovereignty issues have not been resolved⁵. Furthermore, a bilateral agreement with Mauritius to jointly manage a Chagos MPA could be of benefit in securing financing for the MPA, as it could potentially open new avenues of funding, such as debt-for-nature swaps that would facilitate the creation of a conservation Trust Fund from which to meet MPA costs⁶.

There is strong support amongst the scientific and conservation community for an MPA option that explicitly considers the future possibilities of resettlement by Chagos islanders and a transfer of sovereignty to Mauritius. This was first demonstrated at an academic workshop that was held on 7 January 2010 at Royal Holloway, University of London, which concluded that none of the three options identified in the consultation are suitable, as an MPA should withstand future challenges that might arise through resettlement and/or a change in sovereignty. The report identifies a preferred fourth option, which would reflect the possibility of such changes by making provision for limited sustainable utilisation of natural resources through zoning or other means, and also calls for the explicit recognition of this option by the UK Government.

The report goes on to suggest that, given the desirability of an MPA having international and regional recognition as well as cost-effective enforcement, Chagos Islanders and the Mauritius Government should be closely involved in the MPA discussions and in the planning process. Unless these aspects are addressed, future legal or political developments could jeopardise the long-term status of the MPA, or at least result in a significant decline in its effectiveness, delivering only a 'paper park'.

The report from this workshop⁷ has been submitted to the consultation by the Plymouth Marine Laboratory, and is also being included in the formal submission by the Research Councils UK.

A petition organised by the Marine Education Trust also illustrates the strong public support for a solution that, from the beginning, makes provision for resettlement and that protects Mauritius' legitimate interests. The petition will form a separate submission to this consultation, and has been signed by over 1,000 people, including Vince Cable, MP, and Casaam Uteem, the former President of Mauritius, as well as the President of the Global Coral Reef Alliance, Professors of Conservation Science and Tropical Marine Biology, many other marine researchers and practitioners, other Members of Parliament, senior staff from international Non-Governmental Organisations, and people from all walks of life.

The MET petition was started in direct response to that organised by the Chagos Environment Network (CEN). In failing to mention the issues of resettlement or sovereignty, the CEN petition fails to provide members of the public with the background they require to make an informed decision. The validity of the CEN petition must therefore be in question, as there can be no automatic inference that signatories would continue to endorse full no-take protection had they been fully informed. Indeed, MET has firsthand knowledge that people have asked for their names to be removed from the CEN petition after they became aware of the implications for the islanders.

In conclusion, we urge you to work with the Chagos islanders and the Government of Mauritius to devise an MPA solution that makes provision for resettlement and that protects Mauritius' legitimate interests, as it is this approach that will ensure the long-term viability of any MPA.

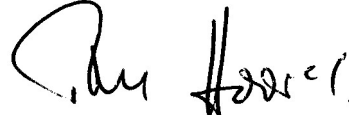
Yours sincerely



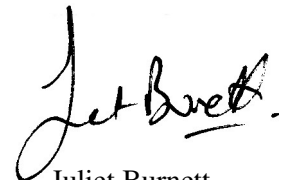
David Snoxell
Chairman



Tara Hooper



Tom Hooper



Juliet Burnett

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