



House of Commons
Environmental Audit Committee

**Sustainable Seas:
Government Response
to the Committee's
Fourteenth Report**

**Seventeenth Special Report of Session
2017–19**

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Environmental Audit Committee

The Environmental Audit Committee is appointed by the House of Commons to consider to what extent the policies and programmes of government departments and non-departmental public bodies contribute to environmental protection and sustainable development; to audit their performance against such targets as may be set for them by Her Majesty's Ministers; and to report thereon to the House.

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The current staff of the Committee are Lloyd Owen (Clerk), Leoni Kurt (Second Clerk), Ruth Cahir (Committee Specialist), Laura Grant (Committee Specialist), Laura Scott (Committee Specialist), Helen Muller (Committee Researcher), Jonathan Wright (Senior Committee Assistant), Baris Tufekci (Committee Assistant), Anne Peacock (Media Officer) and Simon Horswell (Media Officer).

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Special Report

The Environmental Audit Committee published its Fourteenth Report of Session 2017–19, [Sustainable Seas](#) (HC 980) on 17 January 2019. The Government's response was received on 15 March 2019 and is appended to this report.

Government Response

The Government thanks the Environmental Audit Committee for its report of its inquiry on Sustainable Seas.

As set out in the 25 Year Environment Plan, the Government is committed to securing clean, healthy, productive and biologically diverse seas and oceans. We are working both domestically and internationally in order to achieve this and to deliver our commitments under the United Nations' Sustainable Development Goals.

A number of recent initiatives address recommendations in the Sustainable Seas report including: the publication of [Our waste, our resources: a strategy for England](#); the establishment of the North East Atlantic Ocean Acidification hub; and the publication of the draft Environment Bill¹ which sets out how we plan to maintain environmental standards as we leave the EU and build on the vision of the 25 Year Environment Plan. We are also seeking new powers through the Fisheries Bill to protect marine species and habitats across the English Exclusive Economic Zone once the UK has left the EU. Finally, the upcoming publication of the International Ocean Strategy will bring together, in one place, the Government's vision and objectives on international ocean matters and demonstrate our leadership on these issues.

This report sets out the Government's response to the Committee's conclusions and recommendations.

Threats to the Ocean

1. Meeting the UN Framework Convention on Climate Change Paris Agreement is critical for the future health of the oceans. A two-degree temperature rise will significantly harm biodiversity and fish stocks and destroy 99 per cent of global coral reefs. We welcome the Government's updated actions and milestones for the Clean Growth Strategy and its request for advice on meeting the Paris Agreement. *The Government must not delay in implementing the Committee on Climate Change's advice on how to meet the ambitions of the Paris Agreement whether through legislative means or otherwise. It should set out its plans in the first half of 2019. This should include setting a net-zero target by 2050 at the very latest.* (Paragraph 18)

The Government is committed to tackling climate change, and we look forward to receiving the Committee on Climate Change's advice on the UK's long-term targets in the spring, including on setting a net zero target. We believe that such an important decision needs to be based on clear, evidence-based advice and we will consider the Committee on Climate Change's advice carefully when it is received.

¹ <https://www.gov.uk/government/publications/draft-environment-principles-and-governance-bill-2018>

2. Human induced carbon dioxide emissions are causing ocean acidification, warming and deoxygenation. This will have major implications for fisheries and biodiversity around the UK and some of the UK Overseas Territories which are reliant on coral reefs for their livelihoods and resilience to extreme weather events. We heard that there is limited knowledge of how these dangers are affecting the biodiversity of our waters and, we are disappointed that monitoring of ocean acidification is no longer being funded by the Government. *In line with the Science Advisory Council's advice to Defra on future ocean acidification monitoring, the existing UK time series for ocean acidification should be maintained on a long-term basis and additional UK sites for ocean acidification monitoring should be established to cover other important habitats. The Government must also use its expertise internationally to help Overseas Territories and Commonwealth countries understand and assess, including through monitoring, their vulnerabilities to ocean acidification, warming and deoxygenation particularly with regards to the impact to biodiversity and fisheries.* (Paragraph 19)

Following the Science Advisory Council's advice The North East Atlantic Ocean Acidification Hub has been established in the UK, with support from Defra. This initiative is part of the Global Ocean Acidification Observing Network (GOA-ON) and will act as the European regional centre on monitoring and research into ocean acidification, primarily within the North East Atlantic region. The North East Atlantic Ocean Acidification Hub is part of a wider research community and will complement existing regional hubs in North America, Latin America, Africa and the Western Pacific to collaborate on all aspects of ocean acidification monitoring research. A North East Atlantic Ocean Acidification Hub workshop will be held in London in 2019 to foster collaboration and share information on ocean acidification monitoring and modelling across communities, to encourage and ease the data-submission process via the GOA-ON Portal, promote best practices, and to build capacity for further training.

The UK will also work with other Contracting Parties of the Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR) to develop biogeochemical and biological indicators for the monitoring of ocean acidification. This will include developing quality assurance processes to ensure that ocean acidification data collection meets specific standards, so that data from different countries' monitoring programmes can be compared with confidence. The UK based North East Atlantic Ocean Acidification hub will allow a wider application of these procedures to include additional academic initiatives and activities in European countries that are not OSPAR Contracting Parties.

The UK is a member of the Commonwealth Blue Charter Action Groups² on ocean acidification, coral reef protection and restoration, and ocean change and climate change. UK participation in these Action Groups will allow us to share our expertise and help the UK Overseas Territories, regional partners and wider international community in understanding and addressing the impacts of climate change and ocean acidification on the marine environment.

3. Many of the chemical pollutants found in the ocean are from land-based sources. It is worrying that the UK is lagging behind other countries in the EU with regards

² The Commonwealth Blue Charter was a key outcome of the 2018 Commonwealth Summit. Agreed by all 53 Commonwealth member countries, it is a commitment to work together to protect and sustainably manage our ocean. The establishment of Blue Charter Action Groups was mandated by the Blue Charter to drive forward its ambition. Following the Summit, nine Action Groups are in place.

to nitrate pollution, and much greater progress must be made to reducing land-based sources of chemical pollution. *The Government should, as part of its Environment Bill, produce legally binding targets on water quality in-line with or exceeding those set out in the EU Water Framework Directive. These targets should be underpinned by clear milestones.* (Paragraph 26)

Chemical pollution can impact on all parts of our environment and human health. It affects the quality of our water, air, land, wildlife, health and the safety and security of our food. We have made good progress to better understand how to manage the lifecycle of chemicals to protect health and the environment. There is still more to do as harmful chemicals in our environment remain one of the most long-term risks for ecosystems and all they provide for us. We have a strong regulatory framework designed to tackle sources of pollution, which needs to be flexible to address the historical legacy from chemical use whilst being smarter at identifying emerging risks and supporting innovation.

The 25 Year Environment Plan sets out an ambitious vision for the environment and we have been consistently clear that we will not weaken our environmental protections when leaving the EU. Longer term, leaving the EU means we have the opportunity to identify ways of strengthening environmental policy and tailoring it more to domestic needs, priorities and our ambition for an improved environment as set out in the 25 Year Environment Plan. The draft Environment Bill proposes to make a statutory commitment to maintain a long term plan for the environment and a framework for indicators was published with the draft bill.

The Government already has extensive targets in statute for the environment, including water quality, air quality and waste management. These targets exist in domestic law and will continue to have effect after the UK leaves the EU. In addition, we will explore options for including additional cross-cutting targets for environmental improvement as part of this framework. Well-designed targets could offer greater certainty on the strength of the government's ambition and drive action by businesses and wider society.

4. Once in the marine environment, Persistent Organic Pollutants can travel across the globe. They therefore require global commitments and coordination to eliminate, restrict or reduce their use. Although Polychlorinated Biphenyls (PCBs) have been banned in the UK for over 30 years, they remain high in estuarine and coastal environments. This highlights the importance of the precautionary approach to chemical regulation and use. *In addition to meeting its obligations under the Stockholm Convention, the Government should to use its expertise and influence in the international community to pressure non-ratifying states to eliminate the use of Persistent Organic Pollutants and ensure that those which have signed the Treaty are complying with its requirements.* (Paragraph 27)

The UK already provides a strong, distinct and influential voice on the world stage. The Government believes it is important to support countries in developing their own national capacity for dealing with chemicals and wastes. We aim to facilitate innovation and the adoption of green chemistry principles as part of a sustainable chemistry approach.

We agree with the precautionary principle and, informed by science, adopt a risk-based approach to the regulation and use of chemicals. We actively seek to remove the most

hazardous chemicals from global supply chains as well as avoid the use of alternative chemicals with similar adverse impacts that lead to continuous environmental harm both domestically and internationally.

In our 25 Year Environment Plan we made three commitments specifically relating to persistent organic pollutants (POPs). Firstly, to increase substantially the amount of POPs material being destroyed or irreversibly transformed by 2030, with a target of achieving negligible emissions to the environment. To this end our approach to manage legacy chemicals in products has been published in the recent 'Our waste, our resources: a strategy for England'.

The second commitment is to eliminate the use of all Polychlorinated Biphenyls (PCBs) by 2025 in line with our international commitments under the Stockholm Convention. PCBs have been progressively restricted since the 1970s and they have been banned in the UK since 1986. Since then we have made determined efforts to remove most known PCB equipment. As a result, total emissions have significantly declined over the last twenty years and in 2014 the UK PCB emissions had reduced by 97% from 1990 levels. We are working now with the relevant industries on the removal of the last group of known equipment that still contain small amounts of PCBs. Additionally, the Environment Agency continues to be active in seeking out any PCB equipment not destroyed or registered on its inventory.

The third commitment is fulfilling our obligations under the Stockholm Convention, as outlined in the UK's most recent National Implementation Plan (NIP). The commitments detailed in the NIP are centred on identifying where POPs exist in the environment and how we can further reduce emissions and therefore exposure to the environment and humans.

At an international level we have close relationships with many countries with both differing and similar regulatory chemicals regimes in support of protecting the environment and human health. Over the years we have fostered strong links with many countries including the United States, Canada, Switzerland and Japan and recently celebrated the 20th anniversary of the UK-Japan Endocrine Disrupting Chemicals partnership. More recently we have also been increasing our engagement with Brazil and China.

We are actively supportive of an ambitious post 2020 framework under the Strategic Approach to International Chemicals Management (SAICM). Our aim is to have an innovative and flexible framework that is complementary to the work of existing institutions and multilateral agreements and works through them. We are seeking to make sure that any new targets are ambitious, whilst also achievable and measurable, and contribute to the delivery of the UN Sustainable Development Goals.

Growth in global trade, coupled with increases in production of chemicals and wastes, has resulted in a need to find new approaches to manage associated risks. With this in mind the UK has recently joined a High Ambition Alliance on chemicals and wastes as part of leadership efforts to advance and strengthen action on chemicals and waste at all levels, beyond the 2020 goal setting process.

5. Around 70 per cent of all the litter in the oceans is made of plastic and, if no action is taken, it will treble within the next ten years. There are a wide range of risks associated with marine litter and plastic pollution including direct entanglement or ingestion by seabirds and marine life and the suffocation of coral reefs and life on the

seabed. Plastics break down to form microplastics which have the potential to enter the food chain and act as vectors for toxins. There is a lack of data on their serious long-term harm and the health implications of these plastic particles entering the food chain. (Paragraph 34)

6. There is much more that the Government could do to prevent waste reaching the ocean, both domestically and by not exporting waste to countries with poor recycling infrastructure. Supporting Indonesia and Malaysia to reduce plastic while simultaneously exporting contaminated plastics to them shows the lack of a lined-up approach at the heart of the Government's strategy. We welcome the Government's Resources and Waste Strategy which puts more onus on producers to pay for the costs of recycling and disposal of waste. Yet much of the strategy remains subject to consultation and will not be implemented for several years. We are disappointed that the plastic bottle deposit return scheme promised in 2017 will not be ready until 2023. Action needs to be taken much sooner to meet the Sustainable Development Goal target to prevent and significantly reduce marine pollution of all kinds by 2025.

We recommend that the Government should:

- *bring forward the 2042 target date to achieving zero avoidable plastic waste and set binding interim targets in its upcoming Environment Bill which meet or exceed targets set by the European Union, in consultation with the Welsh, Scottish and Northern Irish Governments and the proposed Office for Environmental Protection;*

Our 2042 target refers to all avoidable plastic waste, not just that from single-use plastic or plastic packaging. We recognise that in some areas we can and will move faster. The Resources and Waste Strategy commits the Government to work towards all plastic packaging placed on the UK market being reusable, recyclable or compostable by 2025. This is in advance of comparable EU targets.

We are currently consulting on reforming the packaging waste regulations, and will ensure that the reformed system matches or exceeds where economically practicable the revised packaging recycling targets set by the EU for 2025 and 2030. Existing packaging waste regulations operate on a UK-wide basis, and we are working with the governments of the devolved administrations as we reform the regulations.

- *expedite the deposit return scheme and extended producer responsibility schemes proposed in the Resources and Waste Strategy as soon as practicable and before the end of this Parliament;*

We are currently consulting on these measures. The Government is proposing significant reforms to the packaging producer responsibility system and to operate effectively this will require new IT systems, new infrastructure and new governance arrangements to be in place. We also need to allow businesses time to adapt their operations to meet the requirements of the reformed regulations.

We want to introduce a DRS earlier than 2023 but we must make sure that any scheme is right for our domestic market and draws on the evidence of what works elsewhere in the world and achieves our goals to reduce litter from drinks containers and improve recycling of them in the most effective way possible.

Our preference is to adopt a UK-wide approach to DRS if it is introduced. Waste and recycling policy is a devolved matter but we will continue to work closely with the Devolved Administrations on this policy area.

- ***provide a clear definition of 'single use' plastics and 'avoidable' plastics;***

The government's working definition of 'single-use' plastics includes all products that are made wholly or partly of plastic and are typically designed to be used just once and/or used briefly before being disposed of. This includes much plastic packaging as well as a variety of other items.

The government's working definition of 'avoidable' plastic waste refers to when the plastic could have been reused or recycled; when a reusable or recyclable alternative could have been used instead; or when it could have been composted or biodegraded in an appropriate environment.

- ***ban single use plastic packaging that is difficult or impossible to recycle;***

We expect our proposed reforms of packaging producer responsibility, alongside initiatives from industry, to eliminate from use the most problematic and difficult to recycle plastic packaging. There may, however, be times when a ban is appropriate as part of a wider strategic approach. We will continue to review the latest evidence on problematic products and/or materials to take a systematic approach to reducing the use of unnecessary single-use plastic products including problematic packaging materials.

- ***introduce a 25p latte levy on disposable coffee cups and for all coffee cups to be recycled by 2023; and***

We recognise that the evidence provided to the EAC was based on a small scale scheme of 12 sites, 8 of which were on a university campus showing the average percentage of people purchasing hot drinks in reusable cups rose from an average of 3.3% to 7.6%. While that is informative, we do not think it is reflective of the wide working environment. As such, as set out in the 2018 Budget, the Government has concluded that a levy on all disposable cups, for both hot and cold drinks, would not, at this point, deliver a decisive shift from disposable to reusable cups across all beverage types. Businesses are already taking steps to limit their environmental impact, but we expect industry to go further and will return to the issue if sufficient progress is not made. We are considering other options, including using the reformed packaging producer responsibility system to provide a strong incentive for business to provide cups that are easy to recycle, and including disposable cups filled at the point of sale in a possible deposit return scheme.

- ***set out how it will create and fund the necessary infrastructure to support a domestic recycling industry to help end of export of contaminated waste/recycling.*** (Paragraph 35)

Through the Waste Infrastructure Delivery Programme, the Government is committed to spending some £3bn by 2042 on developing new waste infrastructure, including facilities to help improve recycling as well as facilities to dispose of truly residual waste.

Our clearly articulated strategic approach aims to give business confidence to invest in recycling infrastructure. We are also committed to increasing the demand for recycled materials in the UK. Subject to consultation, we want to introduce country-wide collection

of a core set of materials, which would reduce confusion over disposal routes. This would help reduce contamination and provide better quality materials for secondary materials markets. Together with packaging producer responsibility reforms, the proposed recycled content tax will significantly boost demand for recycled materials in the UK, incentivising increased investment in UK recycling.

Sustainable Fisheries

7. The Marine Stewardship Council standard is the market leader and the most rigorous certification in the seafood sector. We heard evidence that it is driving incremental change towards sustainable fish stocks through improvements in fishing practices, but there were concerns with the holistic assessment of fisheries and the inclusion of small scale fisheries. To ensure continued consumer confidence in the Marine Stewardship Council certification, we recommend the MSC addresses specific criticisms raised by WWF, Prof Callum Roberts and others into its five-year review and strengthens its standard accordingly. These criticisms include its unit of assessment, the need to factor in carbon from ships into its standard, concerns about shark finning (where we look forward to the publication of data verifying the reduction of this practice in 2019) and barriers to entry for small scale fisheries. The review should be transparent and ideally independently evaluated. Ultimately voluntary, market-based schemes will never be applicable or relevant to every fishery. The responsibility for managing and overseeing fisheries and ensuring their sustainability lies with policymakers both at the national and international level, whether it be individual governments or regional bodies such as the European Union. (Paragraph 46)

The Marine Stewardship Council (MSC), as the market leader and the most rigorous certification scheme in the seafood sector, has a role and a responsibility to uphold high standards in the holistic assessment of fisheries. Taking into consideration stakeholder views and specific recommendations for the strengthening of the standard is an integral part of the MSC processes. The Government strongly encourages non-governmental organisations and individuals to participate in the frequent stakeholder consultations that the MSC holds, which cover specific issues in the assessment methodology as well as general improvements to the standard. The MSC standard has evolved positively over time and constructive comments will help ensure this continues to happen and that the MSC standards reflect the best available fisheries governance.

The Government commits to playing its role in managing and overseeing fisheries and ensuring their sustainability, and to work alongside MSC so that common aims can be achieved, following the example of successful cooperation under the UK Project Inshore.

8. By 2030 as much as 63 per cent of fish for human consumption could come from aquaculture. Salmon is a net producer of protein and can be a sustainable source of food provided that its feed is sustainably sourced, and its environmental impacts are mitigated. We welcome and support the precautionary approach of the Scottish Parliament's Environment, Climate Change and Land Reform Committee suggesting that independent assessments are needed on the environmental sustainability of the predicted growth of the sector and a full cost-benefit analysis of closed containment systems. We also welcome the Scottish Environmental Protection Agency's proposals for a revised regulatory regime, including the sustainable siting of fish farms and

tighter standards for the release of organic waste. The Government has recognised that aquaculture and marine conservation are interconnected economic and environmental issues and we look forward to this being reflected in its International Oceans Strategy to help ensure that wild fish stocks recover from overfishing. (Paragraph 55)

Deep sea mining

9. Deep sea mining would have catastrophic impacts on the seafloor site and its inhabitants. We heard that Environmental Impact Assessments are very difficult to undertake for the deep sea and that there was little evidence that mitigation measures such as setting aside areas of the seafloor will mitigate the damage and allow for the recolonisation of habitats and species recovery. Licences have been granted by the International Seabed Authority to permit exploration in unique habitats, but we consider the exploitation of resources must be prohibited in unique ocean environments, such as hydrothermal vents, until it can be determined that adequate mitigation techniques are available. We are concerned that the ISA, the licensing body for seabed exploration, also stands to benefit from revenues, which is a clear conflict of interest. *The Government must commit not to pursue licences for polymetallic sulfides/ seafloor massive sulfides found at active hydrothermal vents within its own jurisdiction and internationally. The UK should utilise its substantial experience in regulating marine industries and its influence with the International Seabed Authority (ISA) to impose a moratorium on exploitation licences in these areas as ISA develops its exploitation guidelines. Outside of these unique areas, the Government should proactively work with ISA to ensure Environmental Impact Assessments are robust, based on the precautionary principle and use the best available scientific evidence.* (Paragraph 70)

The UK government has sponsored two exploration licences in the Pacific in relation to polymetallic nodules lying on the seabed. To date, the UK government has not received any applications under the Deep Sea Mining Act 2014 or the Deep Sea Mining (Temporary Provisions) Act 1981 to issue a licence for exploration activities for polymetallic sulphides or seafloor massive sulphides found at active hydrothermal vents within the Area regulated by the International Seabed Authority (ISA). A licence must be approved under the 2014 Act before the UK will act as a Sponsoring State for an application for an exploration contract to the ISA. Any application for a licence would, in accordance with the provisions of the 2014 Act, be subject to rigorous environmental assessment. No deep sea mining for minerals of any category is currently undertaken within the UK's waters or the waters of any UK Overseas Territories. Legislation would be required before any such activities could take place.

The ISA must adopt Exploitation Regulations before any exploitation activities can take place in the Area.³ The UK government remains committed to ensuring that the highest environmental standards are adopted for this new industry. We will continue to push for transparent, science-based and environmentally sound regulation of seabed mining by the ISA to ensure effective protection of deep sea habitats and biodiversity, while allowing UK businesses to realise the commercial opportunities. We will use our influence to secure the adoption of a mining code in 2020 that provides for robust and accountable oversight of mining activity. This includes (i) enshrining the precautionary principle and an ecosystem

3 The ISA regulates all activities related to mining of the seabed, ocean floor and subsoil in areas of the ocean that lie beyond the limits of national jurisdiction this is known as "The Area".

approach in the mining code; (ii) ensuring that in addition to the core regulations, effective and binding standards and guidelines to ensure environmentally sound mining have been adopted before exploitation licences are granted, and that these reflect the different environmental and other features of the different mineral deposits; (iii) ensuring that Regional Environmental Management Plans (REMPs) with robust environmental objectives are established before exploitation licences can be granted and that there is a clear regulatory link between the REMPs and exploitation licences; (iv) allowing for the suspension of mining activities when operators fail to adhere to environmental safeguards or where new evidence of risk of serious harm arises.

10. The case for deep sea mining has not yet been made. We welcome the Government's review on the economic case for extracting minerals from the seabed. This should include a full review into the necessity for deep sea mining for rare earth metals, based on the availability of these materials in old and discarded products. (Paragraph 71)

The Government will conduct a study during 2019 that outlines the key economic issues for the UK to inform the Government position on the economic case for seabed mining. This will consider the availability of rare earth metals from waste resources.

Marine Conservation

11. The Government claims to have met its targets for marine conservation in the UK, but its approach to marine protection is not working, with too many harmful activities such as bottom trawling occurring across too wide an area. Fisheries are not adequately incorporated into marine planning and few Marine Protected Areas have management plans in place. Monitoring of the success of protected areas is also inadequate. The Government is complacent: its goal should not only be to designate protected areas, but to ensure they are achieving the desired effect to improve ecological status. We heard that an adaptive management approach could tackle the multiple stressors which threaten the marine system. We welcome Defra's review of ecological status of UK seas and recommend that in response to this report, it sets out how its new strategy will deliver more integrated marine planning, restoration and adaptive management to achieve ecologically diverse, healthy and productive seas. It should also set out its timetable for when all marine protected areas will have management plans and monitoring in place. (Paragraph 80)

The upcoming consultation on the updated UK Marine Strategy Part 1 will set out a comprehensive assessment of the state of UK seas and the extent to which we have achieved Good Environmental Status (GES). The UK Marine Strategy, which also includes Parts 2 and 3, which set out the relevant monitoring programmes and actions that we are taking to achieve GES, provides the framework for an ecosystem based approach for the management of our seas at a UK level. It looks to address all the major stressors that threaten the marine environment and their cumulative impacts.

In pursuing the Government's ambition to substantially complete the UK's ecologically coherent network of Marine Protected Areas (MPAs), the Government has surpassed the

Aichi target⁴ agreed by the Convention on Biological Diversity of protecting at least 10% of coastal and marine areas by 2020. Considerable progress has been made to complete the network, both in terms of designation of sites and improved management of our waters. As set out in the [Marine Protected Areas Network Report 2012–2018](#) in December 2018, the Government is considering further measures in English waters including exploring the scope for Highly Protected Marine Areas (where all/most human activities are restricted) and implementing a Whole Site Approach (protecting all of the species and habitats in a site).

Once a site is designated as an MPA, that site has immediate protection from impacts other than fishing through licencing. Further management measures are put in place to reflect the level and impact of fishing activity against conservation objectives. These measures are specific to each site, its features and their condition. Regulatory bodies all have a legal duty to provide effective management, which may include restrictive management, such as prohibiting particular types of fishing. Examples of measures already in place include byelaws that restrict the use of bottom towed gears with 72 inshore MPAs subject to restrictions on bottom towed fishing gear. This means an area of over 3900km² of inshore MPA areas are permanently closed to trawling and shellfish dredging.

Measures have been identified for all tranche 1 MCZ sites in English offshore waters (12–200nm) and the majority of tranche 2 sites. Currently, these need to be agreed with other Member States as required under the Common Fisheries Policy. Defra is seeking powers through the Fisheries Bill to allow the MMO to protect marine species and habitats across the English Exclusive Economic Zone once the UK has left the European Union. This will allow the UK to progress a number of management measures in the English offshore more quickly than at present.

The Government considers that management plans are needed only for those MPAs which have complex management needs, particularly where multiple marine industries are involved and where there are a range of different regulatory bodies acting. These are being trialled by the Joint Nature Conservation Committee, initially for offshore sites.

The UK Marine Policy Statement (UK MPS) provides the policy framework for preparing Marine Plans and taking decisions affecting the marine environment. The UK MPS includes the requirement that marine plan authorities should have regard to the UK Administrations' priorities for fisheries management and that marine plan authorities should consider the potential social and economic impacts of other developments on fishing activity, as well as potential environmental impacts.

The recently published England South Marine Plan includes objectives to protect the marine environment; including consideration of proposals on fisheries and aquaculture.

The Government expects regulators to use the best available evidence when developing their management regimes. The Government recognises the importance of monitoring and is in the process of agreeing its programme for 2019/20 with the Statutory Nature Conservation Bodies.

4 Target 11: By 2020, at least 17 per cent of terrestrial and inland water areas and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscape and seascape.

12. Not all Marine Protected Areas established by the Blue Belt programme are meeting international best practice guidelines by the IUCN. We are concerned that the UK's MPAs are missing key components to meet protected area demarcation, and that the UK missed its OSPAR commitment to establish a network of well-established MPAs by 2016. Whilst designating Marine Protected Areas is important, their benefits will only be realised if they are effectively managed. They must be monitored to deter illegal activity and to establish if species and habitats are recovering, to inform future designations and adaptive management decisions. *The Government must, as a matter of urgency, guarantee sustainable levels of funding for the Blue Belt Programme post 2020, to ensure monitoring, management and enforcement of marine protected areas. We recommend the Government should work in collaboration with all Overseas Territories with MPAs to set up a fully integrated monitoring and surveillance regime for satellite tracking of illegal, unreported and unregulated fishing. In particular, the UK Government should support the Ascension Island Government in designating 100 per cent of its Exclusive Economic Zone as an MPA as the Secretary of State for DEFRA told us he is considering.* (Paragraph 88)

The Government remains committed to completing a network of Marine Protected Areas (MPAs) around our coasts. These sites will contribute to an ecologically coherent network of MPAs in the North East Atlantic to which the UK has committed under the OSPAR convention and other international agreements. Limitations in evidence have been a challenge, prompting the move to designating Marine Conservation Zones (MCZs) in tranches, with the first tranche designated in 2013 and the second in 2016. Almost 24% of UK waters and 36% English waters are now within MPAs. Last summer we consulted on an ambitious third tranche of MCZs that would substantially complete our network of MPAs; designation of this third tranche will occur by June. At that point, we expect the network to be substantially complete.

The Marine Management Organisation (MMO) and the Inshore Fisheries and Conservation Agencies (IFCAs) are responsible for making sure no damaging fishing take place in MCZs, using a combination of byelaws and voluntary measures. MMO and IFCAs monitor marine activities to make sure these measures are being followed. For the offshore area (12–200 nautical miles from the coast) the UK has been negotiating with European Member States on proposals to limit the use of bottom-towed fishing gears in all offshore English MPAs. We are seeking new powers through the Fisheries Bill that will allow the MMO to use byelaws to manage fishing in offshore MPAs. The marine licensing process is used to make sure any developments in or close to MCZs that might cause damage, such as coastal developments or dredging, is only be allowed if a way can be found for them to occur without damaging the MCZ.

The Governments of the UK Overseas Territories are constitutionally responsible for environmental policy and management in their own territories, including the designation of protected or well-managed marine areas. Mindful of this constitutional relationship, the Blue Belt initiative works in partnership with the Territories to identify appropriate solutions to ensure the long-term protection of these environments, whilst fully taking into account traditional marine usages and the contributions of the marine environment to their economic diversity and prosperity.

The International Union for the Conservation of Nature (IUCN) has developed guidance to aid countries establishing Marine Protected Areas. This guidance recognises that

protected areas are by no means uniform entities and can range from areas where all activities are prohibited to areas that encompass sustainable activities with appropriate management. It is for Governments to determine the level of protection necessary and, if relevant, the associated IUCN category. The UK Government is confident that the UKOT MPA designations within the Blue Belt initiative meet the standards and objectives in the IUCN best practice guidelines for the category of MPA that has been awarded to it. Recent discussions with IUCN officials confirmed the MPAs within the Blue Belt meet internationally recognised standards.

Global losses from Illegal, Unreported and Unregulated (IUU) fishing have been estimated to be upwards of USD\$23 billion annually, representing one of the most serious threats to the sustainability of world fisheries. Understanding the potential level and impact of IUU activity around the UKOTs is necessary to enable development of appropriate, and cost effective, enforcement strategies.

Since 2016, the Blue Belt programme has funded satellite surveillance capabilities to provide baseline information on the areas and timeframes within which each Territory is most likely to be at risk from IUU fishing. This information, together with increased understanding of fish stock migration patterns, historical fishing vessel movements and integrated local knowledge, has provided the basis for the development of comprehensive surveillance and enforcement plans.

Satellite surveillance is currently not a standalone tool to identify and prevent IUU fishing. It should be used as part of a range of technologies and traditional surveillance methods in order to effectively monitor OT waters. Each OT has unique challenges in terms of monitoring and surveillance of these vast and remote areas, therefore the programme is looking to develop a suite of technology solutions (both short and long term) to reflect this.

The Blue Belt programme is working closely with the National Maritime Information Centre (NMIC), to support UKOTs with analysis of threats and real-time surveillance information. In addition the programme is supporting the development or update of the legislative and policy frameworks underpinning the designations, for example the British Indian Ocean Territory's new 5 year Conservation Management Plan which is due to be published later in 2019.

Whilst the current Blue Belt funding ends in 2020, we are working with our delivery partners to prepare the case for ongoing long-term support to those Territories who have engaged in the programme. The Government recognises that designating MPAs is only the initial commitment, and as with domestic protected areas, we need to ensure these areas are monitored and well managed. The recent announcement in the Spring Statement, that the UK government is backing an Ascension Island bid to protect 100% of its offshore waters demonstrates this commitment.

13. The South Sandwich Islands present an opportunity to protect one of the most biodiverse areas in the UK's jurisdiction. Adding this area as a 'no take' designation would add half a million square kilometres to the Blue Belt. We welcome the South Georgia and South Sandwich Islands Government's announcement on 12 December 2018 to extend the 'no-take zones' to cover 23 per cent of the MPA, while also implementing additional measures to enhance marine protection around South

Georgia and the South Sandwich Islands. This will extend the MPA and close around 170,000 square kilometres to commercial fishing. *The Government should continue to work with the South Georgia and South Sandwich Islands Government to work towards designating 100 per cent of the South Sandwich Islands MPA as a 'no take' area for commercial fishing while recognising the need to licence very limited fishing for scientific purposes. This would help to realise the Government's ambitions to protect four million square kilometres of ocean.* (Paragraph 89)

The UK Government is currently on track to deliver over 4 million km² of protected ocean around the UK Overseas Territories by 2020, with previously announced commitments to designate internationally recognised marine managed areas around Ascension and Tristan da Cunha. The MPAs established around the UKOTs take account of traditional marine usage and economic diversity and prosperity: they are a mix of highly protected areas and areas where sustainable activity can take place, in line with international guidance.

Both the Government of South Georgia & the South Sandwich Islands and the UK Government recognise the ecological importance and sensitivity of this region, and we welcome the enhanced protective measures announced in December 2018 as the result of the first five-year review of the MPA. It is worth noting that the MPA expert review panel, which included scientists and representatives from the fishing industry and environmental groups, did not reach consensus about whether a full no-take marine reserve around the South Sandwich Islands would deliver any conservation benefits or the level of impact this could have on the more vulnerable areas around the Antarctic Peninsula.

South Georgia & the South Sandwich Islands maritime zone falls within the region covered by the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR), which considers how best to spread out fishing activity to avoid such activities concentrating and threatening Antarctic wildlife. Leading scientists have raised concerns that unilateral action around the South Sandwich Islands may result in pressure within CCAMLR to move a notional krill catch limit from there (which is not currently fished), to more vulnerable areas around the Antarctic Peninsula, where it would be fished.

To aid regional negotiations on Antarctic krill (scheduled to take place in 2021) the UK has funded a research expedition to South Georgia & the South Sandwich Islands to improve our understanding of krill abundance and distribution around the South Sandwich Islands. These results will inform a larger analysis of the krill distribution across the Southern Ocean, undertaken through CCAMLR.

It is also worth noting that the small-scale, sustainable and highly precautionary commercial fisheries operating within the SGSSI maritime zone are subject to some of the most stringent management measures in the world, with two of the three fisheries receiving the highest rating under the globally recognised Marine Stewardship Council certification scheme.

International Leadership

14. The Government's ambition to protect 30 per cent of the world's oceans by 2030 will only be meaningful if it commits to an ecologically coherent network of Marine Protected Areas and commits to government-backed monitoring and enforcement. Given what we have heard about the monitoring and enforcement of existing marine

protected areas we are yet to be convinced that the Government's plans will result in more than just lines on a map. *While we welcome the Government's clarification that the 30 per cent target will be included in its International Oceans Strategy, it must also set out how it will identify priority areas for protection and what levels of funding it will commit to international enforcement. In advance of the next conference of parties of the Convention on Biodiversity in Beijing 2020, the UK should use the highest levels of Government, including the Foreign Secretary, to mobilise its diplomatic network and use its position as Chair of the Commonwealth to advocate for its targets for marine protection.* (Paragraph 100)

At the United Nations General Assembly in September 2018 the United Kingdom called for 30% of the world's ocean to be protected by 2030. This puts the United Kingdom at the forefront of global discussions on new targets for Marine Protected Areas (MPA) to be agreed internationally at the Conference of Parties to the Convention on Biological Diversity in 2020. The Government is committed to this target being met through a range of MPA mechanisms as recognised by the International Union for the Conservation of Nature. The Department for Environment, Food and Rural Affairs and the Foreign Office will work in partnership to campaign internationally for the 30by30 target. The UK is also committed to negotiations for a new treaty under the UN Convention on the Law of the Sea for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction. One of the key objectives of this treaty will be to deliver a Marine Protected Area regime for areas beyond national jurisdiction which will be essential to meeting the 30% target.

The UK's MPAs are designed to contribute to an ecologically coherent network of Marine Protected Areas, based on the OSPAR Commission guidance: http://jncc.defra.gov.uk/pdf/06-03e_Guidance%20ecol%20coherence%20MPA%20network.pdf. The sites are identified to ensure protection of rare, threatened, and nationally important habitats, species and geological features. The Government continues to support OSPAR in the identification and designation of MPAs in areas beyond national jurisdiction. So far OSPAR has identified 7 MPAs situated in areas beyond national jurisdiction.⁵

The MPA monitoring programme aims to yield information on all designated sites to guide management decisions. Given that for many sites management measures have not been in place for very long, the extent of any improvement is difficult to observe. Condition monitoring reports are one way of assessing the condition of features. Where sites lack condition assessments, 'vulnerability assessment' is undertaken as a means to review the exposure of protected features of a site to pressures associated with human activities and to which the features are considered sensitive.

See also the response on enforcement in section 12 above.

15. The failure of the negotiations to protect the Weddell Sea highlight the importance of protecting and managing the seas within the UK's jurisdiction, particularly the opportunity to create MPAs in the Southern Ocean without multi-lateral negotiations. The difficulty of protecting the Weddell Sea also shows the scale of the challenge to negotiate the Government's target to achieve 30 per cent of the ocean in marine protected areas by 2030. To tackle the threats to the ocean and overcome conflicts of

5 2016 Status report on the OSPAR Network of Marine Protected Areas <https://www.ospar.org/documents?v=37521>

interest between different nations and their commercial interests will require high level ministerial diplomacy. We welcome the Minister's commitment to pursue bi-lateral diplomacy with Norway. Ministers must also commit to diplomacy with Russia and China to reinvigorate the negotiations to establish the world's largest marine reserve in the Weddell Sea, Antarctica. (Paragraph 101)

The UK Government is fully committed to establishing a representative network of Marine Protected Areas around Antarctica and led the agreement on the first Antarctic MPA around South Orkneys Southern Shelf in 2009, and supported the designation of the Ross Sea MPA in 2016. We also led a successful proposal to protect marine areas newly exposed by ice shelf retreat or collapse; and after the massive iceberg broke off from the Larsen Ice Shelf in the Weddell Sea in 2017, we were able to secure protective measures for the area of sea exposed by the ice, keeping it in pristine condition.

At the 2018 annual CCAMLR meeting, the UK worked with the majority of Members to seek agreement on establishing MPAs in the Weddell Sea, East Antarctica and around the Antarctic Peninsula. However, an agreement could not be reached due to objections from key fishing nations. Subsequent to the meeting, the UK has engaged with China and discussed how to move forward on MPA proposals. No discussions have yet taken place with Russia. The UK Government continues to have a productive relationship with Norway, who in principle support the establishment of the Weddell Sea MPA but wish to undertake further Norwegian-led scientific research in the eastern portion of the proposed MPA. The UK will use a number of upcoming international meetings to continue to engage CCAMLR Members to address the outstanding issues.

16. The UN High Seas treaty presents a huge opportunity for global ocean protection. The Government should work to increase ambition within the EU for the High Seas treaty and clarify the UK's negotiating position should the UK begin to negotiate outside of the EU. The Government should call for the creation of a legally-binding 'Paris Agreement for the Sea', including a conference of parties, that meets annually with a review conference every five years, to designate marine protected areas. The Government should also support the establishment of a new body to oversee Environmental Impact Assessments by other competent authorities including species specific management organisations, regional fisheries management organisations, the International Seabed Authority and the International Maritime Organisation. The Government should use its International Oceans Strategy to set out this position. (Paragraph 102)

The Government is committed achieving a new legally binding instrument by 2020 under the UN Convention on the Law of the Sea for the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ agreement). This commitment is set out in the 25 Year Environment Plan and will be repeated in the International Ocean Strategy. We will seek to ensure that such an agreement: (i) sets up a clear means of designating and effectively managing an ecologically coherent network of Marine Protected Areas in areas beyond national jurisdiction, which builds on and does not undermine work undertaken by regional seas conventions such as the Convention for the Protection of the Marine Environment of the North-East Atlantic (The 'OSPAR Convention'); (ii) delivers an effective Environmental Impact Assessment regime that takes account of cumulative impacts; (iii) maintains freedom of access to marine genetic resources (MGR) and delivers a system for sharing the benefits arising from MGR that does not undermine scientific research and the development of products; (iv) provides

an effective mechanism for capacity building and the transfer of marine technology to developing countries to conserve and sustainably manage ocean resources and (v) does not undermine existing rights and obligations under UNCLOS and complements the work of existing competent bodies such as the International Maritime Organisation, Regional Fisheries Management Organisations and other relevant regional bodies.

With respect to the governance structures for the new agreement, the Government is open to considering the options put forward. However, until there is more clarity on the agreed substantive provisions of the new agreement it is difficult to agree the governance structures as the governance structures must be designed to implement those substantive provisions.