



SUBMISSION

by

THE IRISH MARITIME FORUM

To the

Department of the Environment, Community and Local Government

MARINE SPATIAL PLANNING

Submitted on behalf of The Irish Maritime Forum by

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Introduction

The Irish Maritime Forum (TIMARFOR) is an independent and non-political collegiate group of over thirty maritime professionals who have a wide range of experience in the maritime domain. TIMARFOR members hold, or have held, positions at the highest level in national and international maritime organisations.

The vision of TIMARFOR is to increase awareness of the importance of Ireland's Maritime Dimension in the national interest. Recent press reports on our activities have referred to TIMARFOR as a "maritime think tank".

The Irish are an island nation and we claim the largest maritime domain to landmass of any Northwest European State. **92% of Ireland is under water.** This domain contains natural resources with a potential value of several Trillion Euro including mineral deposits, fossil fuels, marine life, fisheries and wind and wave energy.

We are a small trading nation living on an island and 99% by volume and 92% by value of everything we import or export is transported by sea. The curtailing of the freedom of navigation would have a severe detrimental effect on our economy.

The sea and air traffic between Northern Europe and the USA passes close to our shores and through or above waters over which we have jurisdiction and for which we have responsibility.

TIMARFOR is encouraged by the content of the joint statement of the Taoiseach and Minister for Agriculture, Food and the Marine included in the report entitled "Harnessing our Ocean Wealth", specifically:

"We are determined to put behind us the days of underachievement in the marine area. We want to make our ocean wealth a key component of our economic recovery and sustainable growth, generating social, cultural and economic benefits for all our citizens."

Historical Context

For an island nation Ireland has a remarkable lack of interest in or knowledge of the sea and matters maritime. For example in 2007, our ocean economy supported 1% of the total workforce. However, the equivalent figures in neighbouring countries are UK 2.2%, Netherlands 2.2%, Portugal 3.3% and Norway 6%. In spite of the Government's efforts we have a long way to go.

The hasty creation of a token naval force in 1939 to comply with the minimal requirements of a neutral coastal state in wartime under international law indicates this lack of maritime appreciation. Similarly the establishment, with great difficulty and considerable risk, of Irish Shipping in 1941, was symptomatic of national indifference to maritime affairs but its creation saved the state from being forced into abandoning neutrality. Had there been any realisation by those in power of the country's absolute dependence on shipping services, in the years before the war, such a critical situation might have been avoided.

The persistence of this indifference during the EEC joining negotiations which effectively surrendered 90% of our fisheries is further evidence of national “sea- blindness

We are greatly encouraged that the Department of the Environment, Community and Local Government intends to transpose Directive 2014/89/EU into Irish law and that a framework for Marine Spatial Planning will be implemented in Ireland. We are also encouraged that this process will include public consultation which is an essential element of MSP. Coming in the wake of the publication of “Harnessing our Ocean Wealth” it is to be fervently hoped that Ireland is moving from being a land-centric nation living on an island to becoming a maritime nation.

Marine Spatial Planning

UNESCO defines Marine Spatial Planning (MSP) as a public process of analysing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic and social objectives that are typically specified through the political process. MSP is an element of sea use management.

Essential characteristics of MSP include that it is ecosystem-based, integrated, area based, adaptive, strategic, anticipatory and participatory. It should be based on sound science. MSP has the potential to address the impacts of all activities in the waters under Irish control (Inland Waters, Territorial Seas, EEZ and Continental Shelf) so that the marine ecosystems can be productive, resilient to change and accommodate responsible and appropriate economic activities. Ireland must avoid fragmented management schemes that do not adequately tackle the complex interactions of the myriad activities that occur simultaneously in, on and under our seas.

MSP is a process that brings together multiple users of marine areas including shipping, education, offshore energy, fishing, aqua culture, conservation, recreation, search and rescue and government (including defence and security) to make informed, coordinated decisions about how to use marine resources sustainably and, importantly reduce or remove reasons for conflict between users. More detail about this holistic approach to MSP can be found in the UNESCO document “Marine Spatial Planning - A Step by Step Approach” at

http://www.unesco-ioc-marinesp.be/marine_spatial_planning_msp

Examples of regional and national applications of MSP can be found in this document.

Challenges

Growth in the world economy is expected to result in an increase in ship traffic in decreasing sea

space. In addition there will be competition for space between activities such as oil and gas, offshore renewable energy, commercial fishing, aggregate dredging, mining, aqua culture, recreation and government imposed restricted zones such as Special areas of Conservation and Defence Exercise Areas.

MSP discussions are likely to be emotive and controversial. It is important to note that MSP is the “planning” stage and it will need to be integrated with the full management process including monitoring, enforcement and re-evaluation.

It is very easy for non-mariners to assume that shipping operations and shipping lanes can be altered without consequences to accommodate new demands such as offshore energy or environmental protection. In some cases the rerouting of a shipping lane may be justified to provide food or energy to a community. In other cases such a rerouting may increase the risk of collision or grounding to an unacceptable degree or change the commercial dynamics of a region so that ports or shipping services become uncompetitive.

Developing a common vision for the use of sea space is essential to the successful outcome of the MSP process and all decisions on use allocation must be based on this common goal. One approach when conducting training for those participating in MSP could be scenario development in which stakeholders could be challenged to provide their own vision and then invited, as a group, to find a common starting point for the MSP process.

Participation by Maritime Professionals

It is imperative that maritime professionals are participants in the discussion and determination of the common vision for MSP. Without such participation there is a significant risk that MSP will not include full consideration of the existing and potential economic activities in Irish controlled sea space.

We are fortunate in Ireland to have significant maritime expertise on which to call. The Navy is probably the largest repository of professional mariners in the country. This expertise is reinforced by the growing educational, scientific and research cluster that is the National Maritime College of Ireland, Irish Maritime and Energy Resource Cluster, the Beaufort Centre and the Marine Institute. The Commissioners of Irish Lights will have considerable expertise on Aids to Navigation and are backed up by the International Association of Marine Aids to Navigation and Lighthouse Authorities. In addition there is maritime expertise to be found in The Nautical Institute (Ireland Branch), the Irish Institute of Master Mariners and the Irish Chamber of Shipping. Marine Safety and Search and Rescue expertise can be found in the Department Agriculture, Food and the Marine.

Risks Associated with Restricting Sea Space for Shipping.

When considering the rerouting of shipping lanes or the placement of MSP limitations on sea space the manoeuvring characteristics of ships both in normal and abnormal conditions must be considered. Non-mariners often consider that offshore sea lanes do not need much more “Corridor Width” than in-port channels. What must be understood is that service and support levels in port differ from those offshore as do navigational accuracy and visual references. Also the impact of wind and weather on ships in the open ocean is very different from that in the sheltered waters of a port.

A good guide is published by the UK Maritime and Coastguard Agency entitled “Offshore Renewable Energy Installations, Guidance on UK Navigational Practice, Safety and Emergency Response Issues” MGN 543 at

<https://www.gov.uk/government/publications/mgn-543-mf-safety-of-navigation-offshore-renewable-energy-installations-oreis-uk-navigational-practice-safety-and-emergency-response>

Annex 3 of the above mentioned document gives a particularly good template when assessing boundaries between Offshore Renewable Energy Installation boundaries and shipping lanes

Legal Aspects

There is a substantial legal and policy framework relevant to the development of Ireland’s MSP. The key international legal regime that needs to be taken into account is the United Nations Convention on the Law of the Sea (UNCLOS) which sets out a states rights and responsibilities in all the waters under its sovereignty, control or jurisdiction. Also to be considered is the Integrated Maritime Policy for the European Union.

It is also important to recognise that MSP is not a once off activity but must be flexible and proactive in order to take into account changes in the environment, commercial activity, social demands and government policy. Ireland’s MSP should specify achievable goals that can be monitored, evaluated, enforced and, when necessary improved.

Recommendations

1. That the generation and implementation of a Marine Spatial Plan for Ireland must include the broadest range of stakeholders possible.
2. That Maritime Professionals be involved at every stage of the process.

Acknowledgement

The information contained in the paper above was largely drawn from the Nautical Institute’s publication entitled “The Shipping Industry and Marine Spatial Planning” and is reproduced with the permission of the Nautical Institute.