



### Summary

Scottish Environment LINK commissioned an independent academic report evaluating the extent and effectiveness of Scotland's marine protected area (MPA) network. The findings of the report show:

1. **Inadequate Protection Measures and Declining Biodiversity:** The research underscores insufficiencies in current protection measures within Scotland's Marine Protected Area (MPA) network, particularly for the most damaging types of fishing.
2. **Legal and Policy Framework Gaps:** there are gaps in MPA designations that call for comprehensive revisions and enhancements to align with international best practices, including legal provisions for areas of strict protection.
3. **Recommendations for Strengthening the MPA Network:** The report recommends essential steps to strengthen the MPA network, including legal and policy revisions, robust monitoring and enforcement, active community engagement, climate-resilient management strategies, and public awareness campaigns.

### Introduction

The Scottish Government's commitment to being a global leader in marine conservation is partially underpinned by its goal of establishing a world-leading suite of Marine Protected Areas (MPAs). However, recent research by Professor James Harrison, commissioned by Scottish Environment LINK, evaluating the network's effectiveness has shed light on critical shortcomings within the existing MPA network. This briefing aims to present the findings of this solutions-focused research, emphasising the urgent need to strengthen and enhance Scotland's MPA network for a sustainable marine future.

### Overview of the research findings

The Scottish MPA Network comprises 233 sites for nature conservation, each type of MPA receiving general statutory protection. Variations exist in the level of protection from certain industries offered to different types of MPAs. The Scottish Government's approach to implementing the MPA network emphasizes sustainable use rather than high levels of protection for the site as a whole.

Professor Harrison's analysis reveals **significant gaps in Scotland's MPA network**, both in terms of the designations that contribute to it and the management measures that have been implemented. Globally, there are a range of approaches taken to marine management, with areas managed to protect specific habitats or species weaker than approaches such as strict nature reserves. International guidelines, such as those under the Convention on Biodiversity (CBD), recommend **a balance between areas with prohibitions and those allowing sustainable use**. The majority of Scotland's MPAs fall under the weaker category of habitat/species management areas.



The study highlights inadequacies in the current protection measures within Scotland's MPA network, leaving critical marine habitats vulnerable to numerous threats, particularly damaging or inappropriate commercial fishing. A process for developing and adopting specific management measures for fisheries has been underway since 2014. **In the 10 years since this process for developing fisheries management measures in MPAs started, statutory measures have been adopted in a handful of inshore sites (around 7% of the inshore area), and these cover less than 0.6% of the seabed that has been historically subject to bottom-towed fishing activities<sup>1</sup>.** This underscores that **current safeguards for our MPAs aren't likely to make a big difference** in reducing the amount of fishing activity that harms the seabed habitats and the species that depend upon them.

Professor Harrison's report highlights the **need to progress the rest of these management measures**, which is underscored by the **significant public support** garnered by LINK's recent petition demonstrating public desire for swifter action on effectively protecting Scotland's MPAs<sup>2</sup>. The report calls for the Scottish Government to **review and clarify the contribution of other components** of the MPA network, including 'Other Effective Conservation Measures' (OECMs). It also recommends including National Nature Reserves and privately managed nature reserves to enhance the diversity of management approaches within the MPA network. The report emphasises the need for **ongoing monitoring of protected features**, revision of the Scottish MPA Monitoring Strategy, and development of statutory targets for achieving MPA conservation objectives. It advocates for reform in penalties for MPA infringements, alignment of fine levels, development of sentencing guidelines, and a review of the fixed penalty notice system.

The European Union's recently adopted landmark Nature Restoration Law<sup>3</sup> requires members to put measures in place to jointly restore 20% of degraded ecosystems on land and at sea by 2030. Following the Scottish Government decision not to pursue their initial proposal for Highly Protected Marine Areas, Professor Harrison's report recommends **consideration of how equivalent nature restoration policy can be achieved in Scotland** and urges the Scottish Government to **"...continue the dialogue with relevant stakeholders on achieving enhanced protection of the MPA network and increasing the area within the network subject to strict protection."**

Crucially, the report **promotes active collaboration with local communities and stakeholders** to ensure effective MPA management, garnering support for conservation efforts and meaningfully involving those who will be affected in the decision-making. LINK members have increasingly sought to help facilitate community engagement and dialogue, fostering communication between citizens and policymakers on crucial environmental issues. To maximise this potential, the Scottish Government must explore ways to streamline processes for community engagement, ensuring **all voices are heard and considered in environmental decision-making**.

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<sup>1</sup> Langton, R., Stirling, D. A., Boulcott, P., & Wright, P. J. (2020). Are MPAs effective in removing fishing pressure from benthic species and habitats?. *Biological conservation*, 247, 108511.

<https://doi.org/10.1016/j.biocon.2020.108511>

<sup>2</sup> <https://twitter.com/ScotLINK/status/1826629864369389701>

<sup>3</sup> [https://www.eeas.europa.eu/delegations/montenegro/nature-restoration-law-council-gives-final-green-light\\_en?s=225](https://www.eeas.europa.eu/delegations/montenegro/nature-restoration-law-council-gives-final-green-light_en?s=225)



## Conclusion

Strengthening Scotland's Marine Protected Areas – and doing so as a matter of national priority - is imperative for ensuring sustainable marine ecosystems, achieving international conservation goals and ensuring equitable opportunities for marine businesses. Addressing gaps in management measures, diversifying management approaches, including introducing areas of stricter protection, and implementing a more effective enforcement framework are vital steps toward enhancing the overall MPA network. By integrating international best practices and fostering a comprehensive marine conservation strategy, Scotland can set a benchmark for marine protection worldwide, preserving its marine biodiversity for future generations.

The full report by Professor Harrison is available here: <https://www.law.ed.ac.uk/news-events/news/professor-james-harrison-publishes-new-MPA-report>

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

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