

Strategic Overview

The Nature Conservancy ([TNC](#)), Conservation and Community Investment Forum ([CCIF](#)), and Conservation International ([CI](#)) convened an invitational three-day workshop of U.S. and international experts to assess how conservation agreements can contribute to protecting the world's oceans and coasts. For centuries, private, for-profit entities have entered into agreements and acquired rights to marine areas and resources for a wide range of purposes such as marinas, utility lines, gravel mining, aquaculture, and oil extraction. Also, in many parts of the world, marine tenure systems are such that communities and entities like fishing cooperatives have rights to marine places and resources. Conservation organizations have now demonstrated that it is possible for non-profit entities to acquire or direct similar rights to marine areas for purposes that improve and protect the environment. While this strategy is underutilized, the potential for its application is broad and significant.

Over the past several years, non-profit organizations, both big and small, have assessed and taken advantage of opportunities to acquire or direct rights and management responsibilities to lands and resources lying within ocean and coastal waters through fee-title acquisitions and less-than fee-title leases, licenses, easements, management agreements, concessions, and contracts. Through these activities conservation organizations have directly or indirectly acquired or directed rights and responsibilities over specific geographic areas (such as under water land, the water column, and water surface), resource harvesting (such as fish and kelp), and the ability to access resources (such as equipment and boats). These efforts have protected important marine biodiversity and ecosystems while positioning conservation organizations as vested stakeholders with governments and communities responsible for decision-making. Becoming “vested stakeholders” better positions conservationists to advance broader ocean management strategies such as marine spatial planning and ecosystem-based management. In addition, local communities often support and benefit from these efforts due to on-going engagement, alternative employment opportunities, and improved living standards.

Goals and Outcomes

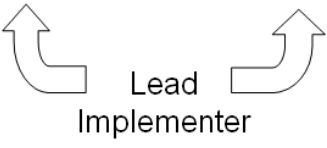
The workshop initiated the development of a long-term vision of strategy success; identified relevant opportunities, organizations, and stakeholders; determined needed actions, support, and funding; and initiated global recognition and acceptance of marine conservation agreements. The workshop also created an informal network of entities involved with and interested in marine conservation agreements. A publication regarding the role of conservation agreements in marine protection and management at local and regional scales is forthcoming. All of the workshop-related information (including the program guide, case study white papers and presentations, posters, tools, and discussion issues) can be found at: http://www.leaseown.org/Resources/PMCA_Workshop.html.

Marine Conservation Agreements Defined

As a result of the workshop and subsequent discussions, a refined definition of Marine Conservation Agreements (MCAs) was developed:

***Marine Conservation Agreements** are any formal or informal understanding between two or more parties in which the parties obligate themselves, for an exchange of benefits, to take certain actions, refrain from certain actions, or transfer certain rights and responsibilities to achieve agreed upon ocean or coastal conservation goals. Marine conservation agreements can be entered into by governments, communities, private entities, and private individuals.*

The matrix below illustrates the elements and variables that apply to Marine Conservation Agreements.

<h1>Marine Conservation Agreements</h1>						
Agreements		Parties		Benefits		Examples
Formal	Informal	Grantor	Grantee	Protection	Incentive	
Purchase & Sale Lease Easement License Permit Covenant Concession Contract	Verbal Handshake	Priv. Ind. Priv. Co. Community Local Govt. State Govt. Fed'l Govt.	NGO Community Ecotourism Aquaculture	Access Harvest Ownership	Money Social Services Infra-structure Jobs Culture Pride	U.S. U.K. Chile Ecuador Mexico Tropical Is. Tanzania Costa Rica
Permanent or Temporary				Behavior changes Laws/regulations Private MPA Community MPA State/Fed'l MPA		

The Role of Marine Conservation Agreements

We identified the role of MCAs as being three-fold:

1. Protection - Protect important places where other strategies may not be applicable.
2. Networks – Serve as one protection element within integrated networks of marine protection which also include government-established MPAs and area-wide laws and regulations.
3. Stakeholder Interests – Establish non-governmental organizations as stakeholders with defensible interests which provide NGOs seats at negotiation tables when decision-makers are considering actions that impact ocean and coastal areas.

MCAs and MPAs

The workshop also helped identify important distinctions between MCAs and its closely related Marine Protected Area (MPA) cousin. MCAs:

- Are centered on agreed terms and conditions as opposed to conflicting interests;
- Are bottom-up (local community participation in planning, decision-making and implementation are integral) as opposed to top-down; and
- Include quid-pro-quo incentives (all parties receive benefits) as opposed to sacrifices.

Major Lessons Learned

1. Fish Protection - Most existing MCA projects directly or indirectly protect fish or fish habitat.
2. Protected Areas - Many existing MCA projects explicitly or functionally lead to the establishment and management of some form of marine protected area.
3. Diversity - MCAs are currently being used by diverse organizations, under diverse circumstances, and in diverse geographies.
4. Communication Needs - MCA strategy itself is not widely understood, accepted or applied by the global marine conservation community. In addition, MCA practitioners do not generally communicate among each other for support, information exchange, or collaboration.
5. Local Integration - Many existing MCA projects that show significant signs of success are integrated into local communities and provide opportunities for local employment.
6. Varying Scales - MCAs can be applied at small scales (less than five hectares) and extremely large scales (up to 400,000 sq kms).
7. Super-charismatic Mega-leader – Many existing MCA projects came to fruition due to the perseverance, persuasive abilities, and personal relationships of a forward-thinking, bold, and charismatic project leader.

Actions taken immediately following the workshop

1. Model Alignment – TNC and CI collaborated to determine how CI's conservation agreement model (http://www.leaseown.org/pdf/Incentive_Agreements_Intro_Lessons_Learned_Guidelines.pdf) can be better aligned with TNC's leasing and ownership toolkit (www.leaseown.org).
2. Model Integration – TNC and CCIF collaborated to determine how CCIF's cost model for protected areas can be incorporated into TNC's leasing and ownership toolkit.
3. Joint WCC Session Development – TNC, CI, CCIF, and WWF collaborated to develop a joint MCA session at the World Conservation Congress.
4. Workshop Information Posting - All workshop-related information has been posted on the leasing and ownership toolkit site (http://www.leaseown.org/Resources/PMCA_Workshop.html).

Strategic Next Steps

1. Capture Information: New information and lessons learned from the workshop must be organized, consolidated, and disseminated.
2. Reach Out – Partners must communicate through global forums to get greater recognition, acceptance and inclusion of MCAs in planning and funding processes.
3. Take Action – TNC will work with CI, CCIF, and WWF to identify national and international collaborative demonstration projects that will be used to catalyze strategic identification of opportunities for MCAs to contribute to protecting the world's oceans and coasts. These will have particular applicability to fisheries issues.