

16 April 2019

Joint recommendation by the Netherlands regarding fisheries management measures under Article 11 and 18 of Regulation (EU) No 1380/2013 of The European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy (the Basic Regulation) for protection of the Common Guillemot in a Natura 2000 site designated under the Birds Directive 2009/147/EC of 30 November 2009.

This joint recommendation is initiated by the government of the Netherlands and was agreed to by Member States with a direct management interest: Belgium, Denmark, France, Germany, Sweden and UK.

The overall aim of the proposal is to ensure the adequate protection of the Common Guillemot (*Uria aalge*) and to ascertain a key contribution to achieving the conservation objective, which is at national level to maintain the extent and quality of habitat for the common guillemot, in accordance with the Birds Directive 2009/147/EC. The purpose of fisheries management measures is to reduce the pressure on the Common Guillemot in accordance with the Birds Directive.

The proposal for fisheries management measures for protection of the Common Guillemot has been coordinated with representatives from environmental and fisheries departments in the initiating Member State and those Member States with a direct management interest, the North Sea Advisory Council, the relevant fishing industry associations/organisations and Non-Governmental Organisations (NGOs).

1. Proposed measures to be implemented: establishment of a zoning system

The present joint recommendation entails a fisheries management measure in the Frisian Front as a Special Protection Area (SPA) under the Birds Directive.

The management measures for ensuring a key contribution to the delivery of the conservation objectives for the Common Guillemot in the Special Protection Area (hereafter SPA) and which are designed to contribute significantly to the overall favourable conservation status of the Common Guillemot are as follows:

- One management zone will be established. The full details and the coordinates of the management zone are attached in Annex I.
- The management zone will be closed to gill net fishing in the Frisian Front area from 1 June until 30 November of each year, specifically for the following gear codes:

Gear groups that are banned in all closed zones	Gear Code Annex XI in EU Regulation 404/2011
Gill nets	GN, GNS, GND, GNC, GTN, GTR

- This measure is excepted for a limited amount of fishing from 1 June until 30 November based on the average days at sea for the years 2012-2016. This only includes fleets that have fished there in those years, and results in 3 days per period for the Netherlands, 2 days per period for Denmark and Germany and 1 day per period for the United Kingdom.
- Gill net fishing is allowed in the Frisian Front outside of the period from 1 June until 30 November.

2. Review of the legal regime

After a period of six years after the publication of the delegated act the initiating Member States will assess the impact of the measure on the conservation objective to the Common Guillemot.

3. Control and enforcement of proposed fisheries management measures

The proposed control, enforcement and compliance regime for the Frisian Front SCI consists of a combination of surface and aerial surveillance and remote monitoring of vessel position.

Key provisions, in accordance with Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of common fisheries policy (OJ L 343, 22.12.2009, p. 1) to be included in the delegated act to facilitate control enforcement and compliance are:

- During the period of closure fishing activities of all fishing vessels in the management zone shall be controlled by the fisheries monitoring authorities of the coastal Member State by using their system to detect and to record the vessels' entry into, transit through and exit from the fishing restricted areas.
- During the period of closure fishing vessels carrying on board any prohibited gear types within the management zone must use their vessel monitoring system for reporting fishing vessel identification, geographical position, date, time, course and speed. These data shall be transmitted every 30 minutes.
- Such ping frequency shall not set a precedent for any other MPAs and must be considered provisional as long as:
 - regional groups (accordingly to conclusions of control expert groups) have not yet adopted a relevant uniform compliance policy for MPAs within EU waters; and/or
 - the fisheries control framework has not yet been revised at EU level.
- During the period of closure the vessel will be under the obligation to report to the Fisheries Monitoring Centre of its flag entry and exit of management zone.
- When gillnet fisheries takes place, this will be reported to the competent authority and when the maximum amount of days at sea have been met, a total ban will enter into force. Countries are encouraged to communicate this with their fisheries organisations.
- During the period of closure fishing vessels may transit management zone with prohibited gears on board provided that any prohibited gear on board be lashed and stowed during the transit; and
- During the period of closure the high frequency data can also be transmitted via GPRS/GSM. When GPRS/GSM signal is not available data shall be safely stored and forwarded as soon as the signal is available.
- On the level of the Scheveningen Group guidelines for a common approach are in development. This common approach, when ready, will be taken into account in the implementation of the proposal.

4. Annexes

Annex I: Map and coordinates of the site of community interest and the Management Zone (based on WGS84).

Annex II: Background document to the joint recommendation.

Annex I: Coordinates of the site of community interest and the Management Zone (based on WGS84)

Point X	Egr		Esec	Point Y			Nsec
5,23371	5	14	1,4	54,22331	54	13	23,9
5,22712	5	13	37,6	53,82974	53	49	47,1
4,21599	4	12	57,6	53,41647	53	24	59,3
4,21497	4	12	53,9	53,79984	53	47	59,4

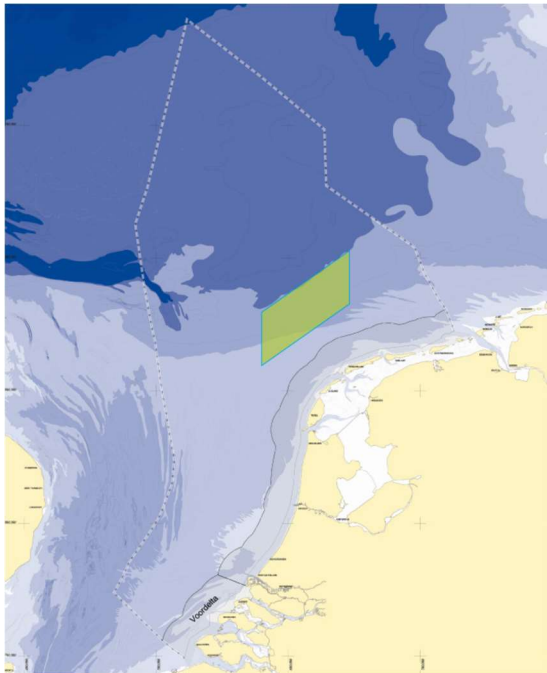


Figure 1: the Frisian Front

Annex II: Background document to the joint recommendation.