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September 19th, 2017

Joint recommendation by the Netherlands and other Member States with a direct management interest [PM] 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 seabed protection at the Frisian Front and Central Oyster Grounds under article 13.4 of the Marine Strategy Framework Directive 2008/56/EU of 17 June 2008.

This joint recommendation is initiated by the government of the Netherlands and was agreed to by Member States with a direct management interest: B, NL, [PM].

The overall aim of the proposal is the recovery of substantial parts of the sea bed ecosystem from a disrupted state towards a natural condition. The purpose of fisheries management measures is to reduce the pressure on the benthic habitat from towed bottom contacting fishing gear with a view to ensuring a key contribution to the achievement of conservation objectives in accordance with the Marine Strategy Framework Directive.

The proposal for fisheries management measures for protection of the sea bed of parts of the Frisian Front and the Central Oyster Grounds has been coordinated with [PM] 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 fisheries management measures in three sites located on the Frisian Front and Central Oyster Grounds:

- A zoning system will be established, consisting of three management zones. The coordinates of the management zones are attached in Annex I.
- The management zones will be closed to fisheries travelling under six knots using the following towed bottom contacting gear types:

Gear groups that are banned in all closed zones	Gear Code Annex XI in EU Regulation 404/2011	International Standard Classification of Fishing Gears (ISSCFG)
Beam trawl	TBB	03.1.1
Bottom Otter Board Trawl	OTB, OTT, PTB, TBN, TBS, TB, BTM	03.1.2, 03.3.0, 03.1.3, 03.1.9
Dredges	DRB, HMD	04.1.0, 04.2.0, DRM, DRX
Demersal seines	SPR, SDN, SSC, SX, SV	SPR, SDN, SSC, SX, SV

2. Review of the legal regime

After a period of 6 years after the publication of the delegated act the initiating Member States will assess the impact of the measure on the benthic ecosystem.

3. Control and enforcement of proposed fisheries management measures

The proposed control, enforcement and compliance regime for the Frisian Front and Central Oyster Grounds consists of a combination of surface and aerial surveillance, establishment of an alert zone outside the management areas of Frisian Front and Central Oyster Grounds, and remote monitoring of vessel position and gear activity.

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:

- Fishing activities of all fishing vessels in the management zones and a 4NM wide alert zone around the management zones 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.
- Fishing vessels carrying on board any prohibited gear types and travelling under six knots within the alert zone and 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.
- The vessel will be under the obligation to report to the Fisheries Monitoring Centre of its flag entry and exit of alert and management zone.
- Fishing vessels may transit alert zone and management zone with prohibited gears on board provided that
 - any prohibited gear on board be lashed and stowed during the transit; and
 - the speed during transit is not less than six knots except in case of force majeure or adverse conditions. In such cases, the master shall without delay inform the fisheries monitoring centre of the flag Member State which shall then inform the competent authorities of the coastal Member State..
- Data can also be transmitted via GPRS/GSM. When GPRS/GSM signal is not available data shall be safely stored and forwarded to the competent authority on its request.
- A fishing vessel travelling at six knots or less that carries a prohibited gear entering the alert zone area of the management areas at Frisian Front and Central Oyster Grounds without such a system or not transmitting or storing the data is in breach of the regulations, except in the case of force majeure or adverse conditions.
- 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.

Annexes

Annex I: Coordinates of the four protected areas / Management Zones (based on WGS84)

Annex II: Background document to the joint recommendation (separate document)

Annex I: Coordinates of the three protected areas / Management Zones (based on WGS84)

Latitude	Longitude
590345	7098542
590234	7064825
556587	7064865
556556	7098582
516381	7057934
487616	7099509
515436	7118761
544127	7076987
473080	7316907
473080	7247754
430048	7247639
429672	7316788

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