

To the ICES Secretariat
and to the FIMPAS Steering Group

Re: position North Sea Foundation and WWF concerning the proposal for fisheries measures in the Cleaver Bank

Utrecht, 18 March 2011

Dear Mr Lassen and Mr IJlstra,

The moment has arrived that fisheries measures will be taken to protect ecological values in the Natura 2000 sites in the Dutch part of the North Sea. We urgently ask you to seize this chance. The marine ecosystem needs protection measures that make a clear difference. We strongly advocate the zoning approach as a fisheries management measure: *inside* Marine Protected Areas the primary focus should be on nature conservation and *outside* Marine Protected Areas sustainable fisheries should become the standard.

We identify the following basic assumptions as essential for the FIMPAS process:

- The Dutch government has requested ICES to make a proposal for protection measures, based on clear ecological grounds and available scientific information. We here emphasize the role of ICES as a scientific community that is responsive, sound, and credible. We acknowledge the great responsibility of ICES to provide information which is developed into unbiased, non-political advice.
- If in the ICES proposal socio-economic aspects are taken into account, this must be done in an explicit manner, and it should be clear that these reasons do not compromise the conservation objectives for the Natura 2000 sites.
- We welcome the transparency of the FIMPAS process. We should avoid the situation where lengthy negotiations between the fisheries sector and environmental ngo's thwart the FIMPAS process.

We urge you to propose the following fisheries measures for the Cleaver Bank:

- We support the present proposal to ban all types of bottom contact gear in the Habitat 1170 area of the Cleaver bank.
- The Cleaver bank offers an important chance to put the concept of buffer zones in practice. In line with the EC guidelines for fisheries management measures under the CFP we strongly support a buffer zone surrounding the Cleaver Bank to ensure site protection, effective control and monitoring. Most probably this buffer zone would also cover the Botney Cut.
- We deem the ban of otter trawls in the Botney Cut necessary to secure the coherence of the Natura 2000 site the Cleaver Bank. For a coherent Cleaver Bank the Botney Cut is needed as a linkage between the dynamic ecosystems of the two H1170 areas, and as a protected dwelling area for mobile Cleaver Bank Species.

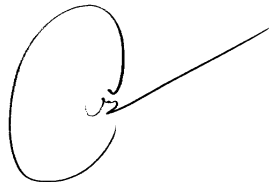
- The Netherlands have nominated the Cleaver Bank as OSPAR MPA. In the Cleaver Bank the Botney Cut meets OSPAR criteria for the selection of MPAs, especially a high benthos biodiversity.¹ There are indications that there are fish concentrations at the slopes of the Botney Cut and marine mammals making use of the Botney Cut. For the Cleaver Bank area including the Botney Cut, the value of all bird species combined is high. Several bird species occur in relatively high numbers over the seasons.²
- We believe that the Botney Cut should be a priority area for the conservation of species and habitats towards achieving Good Environmental Status under the Marine Strategy Framework Directive. Therefore protection in the Botney Cut, including banning otter trawls, is also needed to meet future obligations under the Marine Strategy Framework Directive.

We hope that you will take the preceding points into serious consideration as a way to a clear and effective protection regime for the Cleaver Bank.

Yours sincerely,



Eelco Leemans
North Sea Foundation



Carel Drijver
World Wide Fund for Nature

¹ H. Lindeboom, J. Geurts van Kessel & L. Berkenbosch, 'Areas with Special Ecological Values on the Dutch Continental Shelf', Report RIKZ/2005.008, Alterra Report nr. 1109, 2005.

² M. Leopold, E. Dijkman, G. Gonzales and C. Berrevoets (in prep.), 'Marine protected areas in the Dutch sector of the North Sea; a bird's eye view'.