

Agreement regarding the MSC Certification of the North Sea Brown Shrimp Fishery (NSBS)

between

The “NGO Consortium” acting as a stakeholder in the NSBS fisheries’ MSC certification and being represented for the purpose of this agreement by WWF Netherlands and WWF Germany (in short: the NGOs)

and the

German Brown Shrimp Steering Group GbR;
Danish Fishermen Producer Organisation; and
Coöperatieve Visserij Organisatie (CVO),
being the client in the NSBS fisheries’ MSC certification
(in short: the Fishery)

Preamble

In order to support nature protection and the brown shrimp fisheries’ intention to be a sustainable fishery that deserves a long lasting place in the coastal areas, the Fishery and the NGOs have made this agreement. The purpose of it is to minimize the impact of the shrimp fishery on habitats, protected areas and bycatch species. To contribute to this purpose the agreement defines extra actions that the Fishery has agreed to take within the certification period in addition to those specified under the formal conditions and recommendations set by the Conformity Assessment Body (CAB, Acoura Marine Ltd.) in the framework of the NSBS fisheries’ MSC certification. The NGOs agree to cooperate in this process and to continue to act as a stakeholder during the certification period. In signing this negotiated agreement the NGO Consortium agrees to withdraw the Notice of Objection lodged against the final report and determination for the MSC assessment of the NSBS fishery.

1) Bycatch Reduction Actions

The Fishery agrees that additional measures should be taken that lead to a continual reduction of bycatch in the shrimp fishery. Therefore, the Fishery strives to minimize unwanted catch of (1) small shrimp, (2) other invertebrates and (3) fish. To achieve this goal the Fishery agrees that the collection of bycatch data in the brown shrimp fishery must be improved and harmonized across the trilateral fleet. The Fishery is committed to implementing bycatch monitoring improvements in a clear demonstrable way for the MSC categories of Primary (i.e. managed) and

Secondary (i.e. unmanaged) species and believes that this is necessary to ensure that appropriate actions are taken during the 5-year MSC certification period.

Therefore the parties have agreed to implement the following actions, with the intent to incorporate them also into the Client Action Plan and/or the Brown Shrimp Management Plan to be published in the Public Certification Report for the Fishery:

- a) In addition to Condition 2 set by the CAB for the ETP (i.e. Endangered, Threatened and Protected) Species Information PI (i.e. Performance Indicator) 2.3.3, the Fishery agrees to implement Recommendation 7 made by the CAB in the Public Certification Report that states:

The design and collection of improved catch composition data across all three countries is encouraged, so that bycatch data can be compared and trends noted; i.e. harmonized Dutch and German (and Danish) sampling programs and methods. (See also ICES WGCran 2015):

Future considerations for [both] monitoring programs are:

- 1. We need to find profound methodologies to raise shrimp discard data to fleet level, for example by increasing the sampling coverage and/or by the introduction of a statistically sound sampling scheme.*
- 2. Protocols on board need to be optimized. There is a need for a better estimation of different catch fractions.*

The Fishery hereby agrees to continue to coordinate with the appropriate national institutes and agencies to harmonize and improve bycatch monitoring and to implement recommendations regarding sampling design and observer coverage levels in line with the scientific advice provided by these bodies.

- b) Record which bycatch reduction device is deployed (if not a sieve net) with each haul when any ETP species is registered under the Fisheries ETP registration program. The joint working group (see #3) will look into the potential of recording of information on bycatch reduction devices under the mandatory logbook for the Fishery.
- c) Jointly review the ETP species list, wheelhouse guide and process for recording ETP species with the intention of making it more comprehensive within the first year of certification.
- d) Provide information in the fleet inventory required under Condition 1 on whether vessels are using underwater release of bycatch, and to show that there is considerable progress over time with the implementation of underwater release.

The parties have also agreed that the following changes will be made to the Brown Shrimp Management Plan:

a) As a statement of intent regarding the requirements of Condition 2 set by the CAB for the ETP Species Information / Management PI 2.3.3, the Fishery agrees to add to section E2.1 of the Brown Shrimp Management Plan the following: *“If we detect significant trends in ETP catch rates that require action we will implement additional bycatch reduction measures.”* (see p. 1 in the Fishery response to the “Notice of Objection” filed by the NGOs).

b) To further clarify the requirements for the use of mandatory bycatch reduction devices, the Fishery agrees to amend section C 3.1 of the Brown Shrimp Management Plan to state: *“Trawls used by the participants for brown shrimp fishing must contain at any time – even if exemptions are allowed by national authorities – a sieve net with a maximum opening of 70 mm or a sorting grid with a maximum of 20 mm between the bars or an alternative measure that is qualified to reduce bycatch rates. All measures have to be placed in accordance with the national law and specifications that follow from EU technical rules (850/98 or later versions).”*

2) Habitat Protection Actions

Because a large proportion of the fishery takes place within protected areas, the Fishery agrees to take responsibility to contribute to allowing these areas to fulfill their purpose in the protection of species, habitats, and the ecosystem.

Therefore, in addition to the habitat management and information requirements set by the CAB under Conditions 3 & 4 for the Habitat Management PI 2.4.2 and Habitat Information PI 2.4.3, the parties have agreed to implement the following actions, with the intent to incorporate them also into the Client Action Plan and/or the Brown Shrimp Management Plan to be published in the Public Certification Report for the Fishery:

- a) Request that the Thünen-Institute invite the NGOs to comment within an appropriate timeframe on the research questions and the research design of the German/Danish research project on the habitat impact of the Fishery which is intended to begin in 2018.
- b) Implement CAB Recommendation 10 (following the investigation by Schulte et al 2015) and evaluate the possibility of areal management of the fishery, i.e. fishing in certain areas only, such as particular tidal basins for example, with a view on how the purpose of the protected areas can be fulfilled. This will include monitoring the extent of shrimp fishing in tidal basin closures implemented under the blue mussel fishery Framework Agreement.
- c) If the results of the above mentioned German/Danish research project indicate that fishing in certain areas only can facilitate the recovery of VME (Vulnerable Marine Ecosystems) and other important habitats, the Fishery

will collaborate with the NGOs and the National Park administrations to develop a phased-in approach for a plan to begin the implementation of a representative network of concurrent closures within 5-years.

3) Joint Working Group

During the whole MSC certification period there will be a joint working group consisting of the Fishery and the NGOs, and if mutually agreed other stakeholders, coming together at least twice a year (once close to the beginning of the annual surveillance audit by the CAB and once mid-way between the annual surveillance audits) and discussing/consulting/negotiating the implementation of the conditions, the recommendations and the actions described in this agreement with a view to support the sustainability of the fishery and the protection goals of the area where the fishery is operating in. The working group will be coordinated by the Fishery. The NGOs will name one contact person to serve as coordinator for them. Information as e.g. the information for the MSC surveillance audits is provided also to the NGOs prior to meetings subject to an appropriate confidentiality agreement.

Concluded Nov 24, 2017, and signed Nov 27-29, 2017

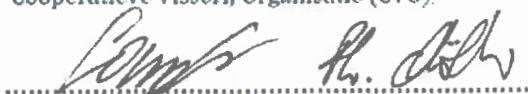
Signatures



Coöperatieve Visserij Organisatie (CVO)



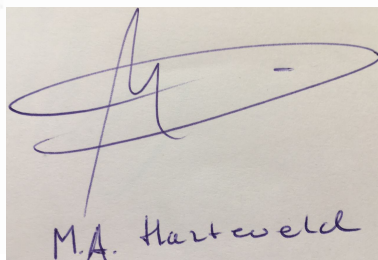
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