

Inventory

Implementation of Articles III.4 and III.5 of the Convention

Netherlands		
Party since 1 November 1983		
National Reports submitted: COP12 (2017), COP11 (2014), COP10 (2011), COP9 (2008)		
Relevant Legislation		
	<ul style="list-style-type: none">• The Nature Conservation Act 2017 protects the nature areas, plant and animal species of the Netherlands and replaces the Nature Conservation Act 1998, the Flora and Fauna Act and the Forest Act.• The provinces are responsible for nature conservation in their areas.• For Policy and Legislation in the Caribbean Netherlands and Aruba, Curacao and St. Maarten see the overview at the website of the Dutch Caribbean Nature Alliance (www.dcnanature.org).	
Article III.5		
	Laws that Implement the Take Prohibition	
	Aquatic Mammals	Taking of all Appendix I aquatic mammals is prohibited, but relevant law is not identified.
	Terrestrial Mammals	Taking of all Appendix I terrestrial mammals is prohibited, but relevant law is not identified.
	Birds	Taking of all Appendix I birds is prohibited, but relevant law is not identified.
	Reptiles	Taking of all Appendix I reptiles is prohibited, but relevant law is not identified.
	Fish	Taking of all Appendix I fish is prohibited, but relevant law is not identified.
	Exceptions to the Take Prohibition	
	Aquatic Mammals	None granted, but no law is identified to determine the scope of permissible exceptions.
	Terrestrial Mammals	None granted, but no law is identified to determine the scope of permissible exceptions.
	Birds	None granted, but no law is identified to determine the scope of permissible exceptions.
	Reptiles	None granted, but no law is identified to determine the scope of permissible exceptions.
	Fish	None granted, but no law is identified to determine the scope of permissible exceptions.
Article III.4		
	Laws to conserve and, where feasible and appropriate, restore habitats of CMS Appendix I species	

	<ul style="list-style-type: none">• EU Natura 2000 sites have been designated for the conservation of <i>Anser erythropus</i> and <i>Haliaeetus albicilla</i>, while all other Appendix I bird species for which the Netherlands are considered a range state, are generally rare or vagrant species in the Netherlands. The status of <i>Calidris canutus rufa</i> during migration in the Dutch Caribbean however is not clear. This means that the above listed potential migration obstacles can not be identified for this species.• Protected areas, including Ramsar sites and or Natura 2000 sites, have been designated in the Netherlands, as well as in Curacao (2013) and St. Maarten (2016), nature management activities at Ramsar Site Spaan Lagoen (Aruba 2016-2017) and the designation of more protected areas (2016 - 2017) in Aruba.• EU Natura 2000 sites have been designated for the conservation of <i>Haliaeetus albicilla</i>.• Restoration of the Ramsar site Spaans Lagoen in Aruba occurred in 2016/2017.• The Yarari Marine Mammal en Shark Sanctuary (2015) around the Caribbean islands of Saba and Bonaire was designated.• Protection and monitoring of nesting beaches on St. Maarten, (<i>Dermochelys</i>, <i>Chelonia</i>, <i>Eretmochelys</i>), St. Eustatius (<i>Dermochelys</i>, <i>Chelonia</i> and occasionally <i>Eretmochelys</i>), Bonaire (<i>Eretmochelys</i>, <i>Caretta</i> and <i>Chelonia</i>), Curacao (<i>Eretmochelys</i>, <i>Chelonia</i>) and Aruba (<i>Dermochelys</i>, <i>Chelonia</i>, <i>Caretta</i> and <i>Eretmochelys</i>).• In 2011 the Netherlands agreed to 'open up' the Haringvlietdam (so-called Kierbesluit), which blocks one of the main entrances of the North Sea to the large European rivers Meuse and Rhine. The measures will be finalised in 2018. Atlantic sturgeon was reintroduced again in the Rhine in 2012. <p>However, insufficient information is provided to identify the content of any obligations arising from these designations.</p>	
Laws that prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species		
	Windmills (birds and bats)	<ul style="list-style-type: none">• The licensing regime for wind turbine parks has been adjusted with the adoption of the new (2015) Offshore Wind Energy Act (Wet Wind op Zee). New conditions have been set for the driving of wind turbine piles in so-called plot decisions ('kavel besluiten') in order to avoid negative impacts on marine life. Conditions could be changed based on new insights from seismic research in the EEZ requires licenses from the Nature Conservation Act and the Flora and

		<p>fauna Act accompanied with mitigation measures to avoid impacts of underwater noise on marine fauna.</p> <ul style="list-style-type: none"> • Environmental Impact Assessments are obligatory as well as mitigation and/or compensation measures. • The Netherlands bans windfarm construction between 1 January and 1 July. This ban was introduced for young fish, but marine mammals can potentially also benefit from it.
	Cell towers (birds and bats)	Unknown
	Dams (fish)	Unknown
	Road construction (mammals)	Unknown
	Train tracks (mammals)	Unknown
	Fishing gear/bycatch (marine mammals, sea turtles, fish)	Unknown
	Shipping (marine mammals)	Unknown
	Laws that prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of or controlling or eliminating, already introduced species.	
		<ul style="list-style-type: none"> • Bijzondere Soorten Project (Rare Species Project), started in 1989, collects any records of species that are too rare in the Netherlands to monitor systematically. The purpose is to monitor developments in numbers and distribution of rare or vagrant species. • The use of sonar has been regulated by Commando Zeestrijdkrachten MWC 320 'Responsible use of active sonar' which aims to minimize the impacts of submarine-fighting-sonar on sea mammals. Also, the <i>Royal Netherlands Navy</i> introduced in 2010 a tool for assessing the dangers for sea mammals of using military sonar. The use of this tool is mandatory at all times. It must be used when planning and implementing exercises at all times when active sonar will be used. The tool is filled with data from different sources on the distribution during all seasons of sea mammals worldwide and is continuously updated as there are still large gaps in knowledge. The tool calculates with the source level and propagation models to calculate on a scientific basis a safe distance for sea mammals from the source before sonar is being switched on. Low Frequency Active Sonar is being equipped with listening devices to detect invisible sea mammals underwater prior to activation of the sonar. The Ministry of Defence also helped in holding sea trials to study the consequences of the use of active sonar for Orcas together with Norway.

		<ul style="list-style-type: none"> • The Code of Conduct for clearing of explosives at sea by the Ministry of Defence describes measures to avoid significant impacts on marine fauna. • the Netherlands were adopted in 2016/2017 management plans for the Waddensea and three Natura 2000-sites in the North Sea coastal zone (Vlakte van de Raan, Voordelta, Noordzeekustzone). The final steps for the designation of three marine Natura 2000-sites in the EEZ (Friese Front, Doggerbank, Klaverbank) was started on 15 June 2016. • Passive Acoustic Monitoring (PAM) noise recorders have been deployed to detect whale soundings in the Caribbean. • The improved water quality and defragmentation of rivers and streams led to the reintroduction of migratory fish species like the Atlantic Sturgeon. In May 2012 the first Atlantic Sturgeons were released in the Netherlands. The species was released again on 10 June 2015. • High tension power lines for regional/local distribution are usually underground, which is better feasible here than in more rocky countries. • Farmers and transporters of live animals must take hygienic measures to prevent infection and the spread of the avian influenza virus. However, insufficient information is provided to identify the content of any obligations. • Regarding invasive alien species, measures are focused on prevention of the introduction of exotic species, early eradication of introduced species and management of invasive species populations. However, insufficient information is provided to identify the content of any obligations.
Reservations, territorial inclusions, and territorial exclusions		
	Reservations	None
	Territorial Scope	The Netherlands and its overseas Caribbean territories of Aruba, Curacao and St. Maarten (separate countries within the Kingdom of the Netherlands) and the special Caribbean municipalities Bonaire, St. Eustatius and Saba.