



Ministry of Agriculture, Nature and
Food Quality of the Netherlands

Seal Rehabilitation Agreement



The Parties,

1. The Minister of Agriculture, Nature and Food Quality, acting as an administrative authority and representing the State of the Netherlands (hereafter referred to as 'LNV');
2. Groningen provincial executive, acting as an administrative authority, and the King's Commissioner of the Province of Groningen, acting as the representative of the Province of Groningen, both represented in this matter by: Mr H. Staghouwer, member of the Groningen provincial executive;
3. Fryslân provincial executive, acting as an administrative authority, and the King's Commissioner of the Province of Fryslân, acting as the representative of the Province of Fryslân, both represented in this matter by: Mr H. Staghouwer, member of Groningen provincial executive;
4. North Holland provincial executive, acting as an administrative authority, and the King's Commissioner of the Province of North Holland, acting as the representative of the Province of North Holland, both represented in this matter by: Mr H. Staghouwer, member of Groningen provincial executive;
5. South Holland provincial executive, acting as an administrative authority, and the King's Commissioner of the Province of South Holland, acting as the representative of the Province of South Holland, both represented in this matter by: Mr H. Staghouwer, member of Groningen provincial executive;
6. Zeeland provincial executive, acting as an administrative authority, and the King's Commissioner of the Province of Zeeland, acting as representative of the Province of Zeeland, both represented in this matter by: Mr H. Staghouwer, member of Groningen provincial executive;

Parties 2 to 6 are hereafter jointly referred to as: the Coastal Provinces;

7. The executive board of De Waddeneilanden (the partnership of West Frisian Islands), acting as an administrative authority, and the chair of the general board of De Waddeneilanden, acting as representative of the Waddeneilanden public body, represented in this matter by: Ms Ineke van Gent, acting in accordance with the decision taken by the executive board on 29 November 2019 and by the executive boards of the municipalities of Texel, Vlieland, Terschelling, Ameland and Schiermonnikoog on 4 and 11 February 2020;
8. The Vereniging van Waddenzeegemeenten (Association of Wadden Sea Municipalities), with its registered office in Harlingen, represented in this matter by Mr H. Blok;
9. Stichting A Seal Centrum voor Zeezoogdierenzorg, with its registered office at Stellendam, represented in this matter by Mr R.M. Wissekerke;
10. Stichting Texels Museum (Ecomare) with its registered office at Texel, represented in this matter by Ms A.L. Schrama;
11. Stichting Zeehondencentrum Pieterburen, with its registered office at Pieterburen, represented in this matter by Mr N. Kuizenga (hereafter referred to as: Pieterburen seal rehabilitation centre);
12. Stichting Zeehondenopvang Eemsdelta, with its registered office at Oldambt, represented in this matter by Mr P. Landman and Ms R.V. Janac;
13. Stichting Zeehondenopvang Terschelling, with its registered office at West-Terschelling, represented in this matter by Mr A.C. Schweigmann;

Parties 9 to 13 are hereafter jointly and separately referred to as: the Seal Rehabilitation Centres;

14. Stichting E.H.B.Z. (Eerste Hulp Bij Zeezoogdieren), with its registered office at Pieterburen, represented in this matter by Mr N. Kuizenga;
15. Stichting ReddingsTeam Zeedieren, with its registered office at The Hague, represented in this matter by Mr J.G.J. van der Hiele and Mr D. Scholtens (hereafter referred to as: the Marine Animal Rescue Team);

Parties 14 and 15 are hereafter jointly referred to as: the Foundations;

All Parties are hereafter jointly referred to as: the Parties;

Having considered that:

I. Reasons for the Seal Rehabilitation Agreement

- The seal population living in the wild in Dutch coastal waters and the international Wadden Sea is faring well.
- The day-to-day operations at seal Rehabilitation Centres were guided by different views about when and how seals should be rehabilitated. The then State Secretary for Economic Affairs, in agreement with the provincial authorities, requested scientific advice on all aspects of rehabilitation policy, partly in light of international agreements and the applicable legislation.¹
- The Wetenschappelijke Adviescommissie Zeehondenopvang (Scientific Advisory Committee on Seal Rehabilitation in the Netherlands, WAZ) was established by Order of the then Secretary of State of Economic Affairs of 9 August 2017² and asked to define evidence based guidelines for seal rehabilitation in the Dutch Wadden Sea region and other coastal waters of the Netherlands.
- The WAZ presented its advice to LNV on 13 March 2018.
- The advice (hereafter referred to as: the WAZ report) sets out in which field situation animals are to be taken in to the seal rehabilitation centres (rehabilitation) and in which situation rehabilitation is inadvisable, how to act in situations where rehabilitation is inadvisable, what requirements rehabilitation in the field and in the centre should meet, and what conditions should be set for the return of the animals to the wild.
- LNV sent its response to the WAZ report to the House of Representatives on 9 July 2018.³
- The Parties have taken the WAZ report and LNV's response as the basis for this Seal Rehabilitation Agreement.
- The WAZ report states that:
 - the population of common seals and grey seals in the Wadden Sea and other Dutch coastal waters is faring well;
 - the rehabilitation of seals is not necessary for the conservation and protection of the seal population;
 - besides the interests of the population, the wellbeing of individual animals is also important;
 - it is desirable that a structural reduction be achieved in the number of animals in rehabilitation centres;
 - there are specific situations in which sick and stranded seals may be rehabilitated;
 - the emphasis, however, should shift to leaving seals in their natural habitat as much as possible, and giving them the space and time to recover in their own natural environment;
 - when rehabilitation is necessary, professionally trained seal guardians should be allowed to collect and transport the animals to the seal rehabilitation centre.
- The Parties to the Seal Rehabilitation Agreement have made agreements whereby each of the Parties has its own role and responsibility with regards to the care of seals living in the wild and the rehabilitation of seals. The Seal Rehabilitation Agreement applies to live seals (particularly the common seal and the grey seal) and, on an ad hoc basis, the other five marine animal species⁴ in Dutch coastal waters.

¹ Parliamentary Papers, House of Representatives 2015/16 session, 28 286, no. 856.

² Order establishing the Scientific Advisory Committee on Seal Rehabilitation, *Staatscourant* (Government Gazette) 2017, 44874.

³ Parliamentary Papers, House of Representatives 2017/18 session, 28 286, no. 970.

⁴ Besides the common and grey seal, these are the harbour porpoise, the short-beaked common dolphin, the common bottlenose dolphin, the Atlantic white-sided dolphin and the white-beaked dolphin.

II. International treaties and agreements, applicable legislation and administrative rules

- Common seals (*Phoca vitulina ssp. vitulina*) and grey seals (*Halichoerus grypus ssp. atlantica*) are listed in Annex IV to the Habitats Directive⁵ of animal and plant species in need of strict protection and in Appendix II to the Bern Convention,⁶ and the common seal is listed in Appendix II to the Bonn Convention.⁷ The Netherlands is party to the Agreement on the Conservation of Seals in the Wadden Sea⁸ implementing the Bonn Convention, and the common seal and grey seal are characterised as ‘least concern’ on the Red List of Threatened Species.⁹
- The deliberate killing or capture of grey and common seals living in the wild and deliberate damage to or destruction of their permanent breeding or resting sites are forbidden¹⁰ (under section 3.10 of the Nature Conservation Act (Wet natuurbescherming)). LNV is authorised to grant an exemption from this general ban for the capture and rehabilitation of sick or injured seals of the species to which this Agreement applies¹¹ at a rehabilitation centre and for the purposes of scientific research.¹² The Nature Conservation (Implementation) Order provides for an exemption for the purposes of capturing sick or wounded common and grey seals, provided the seals are handed over to one of the following seal Rehabilitation Centres within 12 hours: A Seal in Stellendam, Ecomare in Texel, Zeehondencentrum Pieterburen in Pieterburen, Stichting Zeehondenopvang Eemsdelta in Termunterzijl or Zeehondenopvang Terschelling in Terschelling.¹³
- The provincial authorities of the Coastal Provinces may under a provincial ordinance grant exemptions from the ban on relocating common or grey seals to other regions or from the ban on returning seals to the wild¹⁴ (section 3.34, subsection 3 of the Nature Conservation Act).
- The Nature Conservation Act includes a general duty of care for animals.¹⁵
- The Protocol in the appendix to the legislation on the quality of animal rescue centres¹⁶ defines quality requirements for the rehabilitation at the centre with which the five rehabilitation centres listed above must comply.

III. Planned merger of the Foundations

- The Foundations plan to merge into a single organisation, the proposed name of which will be Stichting Zeezoogdierenhulp Nederland (the Dutch Marine Mammal Care Rescue Organisation). This will enable them to pool their resources, knowledge and experience with a view to further improving emergency and other assistance to marine mammals, including seals, along the entire Dutch coast. The other Parties welcome this plan.

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ EC 1992, L 206).

⁶ Convention on the Conservation of European Wildlife and Natural Habitats, 19 September 1979 (Treaty Series 1979, 175).

⁷ Convention on the Conservation of Migratory Species, 23 June 1979 (Treaty Series 1980, 145 and Treaty Series 1981, 6).

⁸ Agreement on the conservation of seals in the Wadden Sea, 16 October 1990 (Treaty Series 1990, 174 and Treaty Series 1991, 136).

⁹ *Staatscourant* (Government Gazette) 2009, 13201.

¹⁰ Section 3.10 of the Nature Conservation Act.

¹¹ Besides the common and grey seal, this also applies to the harbour porpoise, the short-beaked common dolphin, the common bottlenose dolphin, the Atlantic white-sided dolphin and the white-beaked dolphin.

¹² Section 3.10, subsection 2 in conjunction with section 3.8, subsection 1 of the Nature Conservation Act in conjunction with article 1.5, paragraph 1 of the Nature Conservation Decree.

¹³ Article 3.22 (a) of the Nature Conservation (Implementation) Order.

¹⁴ Section 3.34, subsection 3 of the Nature Conservation Act.

¹⁵ Section 2.1 of the Animals Act and section 1.11 of the Nature Conservation Act.

¹⁶ *Staatscourant* (Government Gazette) 2015, 42940 and *Staatscourant* (Government Gazette) 2016, 69148.

Agree as follows:

I. General

Article 1 Definitions

The Parties use the following definitions in this Agreement on Seals:

Weaned seals: young seals that have been abandoned by their mother, as the result of a normal biological process.

Seal Rehabilitation Procedural Framework: a framework for the procedures to be followed by seal guardians in various situations and in various regions, which serves as a guideline for dealing with stranded live seals.

Observation: a seal guardian, having first marked a stranded seal, observes it for a defined time, also taking the actions necessary to assess the seal's condition and welfare.

Seal guardian: a natural person employed as a professional or working as a contractor or volunteer for one of the Seal Rehabilitation Centres or organisations, and whose work in the territory covered by that rehabilitation centre involves observing, moving, releasing or transporting seals to and from that seal rehabilitation centre.

Article 2 Purpose

In light of the WAZ report, the Seal Rehabilitation Agreement aims to bring about uniform procedures for rehabilitating seals in the Netherlands with due care, focusing on the interests of both the seal population and individual animals. The Parties will collaborate to this end, each on the basis of its own role and responsibilities.

Article 3 Best efforts obligation to reduce rehabilitation numbers

1. The Parties will work on the basis of the Seal Rehabilitation Procedural Framework as referred to in article 11 to reduce the number of juvenile (aged 0-12 months) grey and common seals rehabilitated to no more than 5% of the population increase (per year and per species), taking 2018 as the reference year.¹⁷
2. The target of 5% will be used as a specific benchmark. The Parties do not intend this value to be taken as a maximum percentage for the rehabilitation of seals. Nor is it the intention to stop rehabilitating seals during the course of a year, so the target will have no implications for the treatment of animals at the seal Rehabilitation Centres.

Article 4 Parties' approach and efforts

The Parties will use the following means to achieve the goal: collaboration, communication, training, research and improved monitoring and enforcement of legislation.

Article 5 Parties' roles and responsibilities

1. The Parties have the following roles and responsibilities in respect of the rehabilitation of seals and of this Seal Rehabilitation Agreement:
 - a. LNV is a competent authority under the Nature Conservation Act and the Animals Act;
 - b. the Coastal Provinces and their administrative bodies are a competent authority under the Nature Conservation Act.
2. The Seal Rehabilitation Centres are rehabilitation centres which, under the Animals Act, are exempt from the ban on the keeping of wild animals, for the purpose of rehabilitating seals. The five rehabilitation centres are responsible for the rehabilitation of seals in the Netherlands, and for making the right decision concerning rehabilitation in every single situation that a live seal is stranded in its territory.

¹⁷ Population increase is defined as the number of pups born, counted each year by Wageningen University and Research centre (common seals between April and October, grey seals between October and April). In 2013 34.1% of the population increase of common seals were rescued, rehabilitated and released. By 2018 this had fallen to 13.1%. The figures for grey seals were 29.1% and 10.5% respectively. The percentages are based on animals released after rehabilitation.

3. The Seal Rehabilitation Centres' respective territories are mapped and appended to this Seal Rehabilitation Agreement. In the event of any physical overlap in territories, the Seal Rehabilitation Centres will agree between themselves how to collaborate and coordinate.
4. The Foundations are independent rescue organisations for marine mammals that operate throughout the Netherlands, with the exception of Texel.¹⁸

II. Collaboration and implementation arrangements

Article 6 Collaboration between Seal Rehabilitation Centres and Foundations

1. The Seal Rehabilitation Centres and the Foundations will work together constructively on the rehabilitation of seals in the Netherlands, in accordance with the principles of this Seal Rehabilitation Agreement. They all endorse the ambition of achieving efficiently organised, high-quality seal rehabilitation.
2. The collaboration between the Seal Rehabilitation Centres and the Foundations will be facilitated by an independent person, with a view to safeguarding and further strengthening the trust and collaboration between them. In the framework of this agreement, LNV and the Coastal Provinces will be responsible for designating an independent person who receives sufficient support from both the Seal Rehabilitation Centres and the Foundations. LNV and the Coastal Provinces are willing to facilitate the work of this independent person.

Article 7 Seal guardians

1. In the interests of uniform and proper implementation, the Parties consider that seal rehabilitation in the Netherlands should be done by individuals with the necessary skills and expertise, acting in accordance with the Seal Rehabilitation Procedural Framework.
2. Seal guardians will perform their tasks in close consultation with the Foundations in order to guarantee uniform and proper implementation of seal rehabilitation procedures in accordance with this Seal Rehabilitation Agreement. The voluntary seal guardians working for the Seal Rehabilitation Centres are affiliated with the Foundations.
3. The Seal Rehabilitation Centres and the Foundations will ensure that all seal guardians:
 - a. in so far as they are employed or contracted by a Seal Rehabilitation Centre, have signed a declaration stating that they are aware of and endorse the Seal Rehabilitation Agreement, particularly the Seal rehabilitation procedural framework, unless this is guaranteed in some other way;
 - b. are in possession of a seal guardian certificate as referred to in article 8, paragraph 2 of this Seal Rehabilitation Agreement or demonstrably satisfy the requirements for seal rehabilitation in accordance with the Seal Rehabilitation Procedural Framework as referred to in article 11 of this Seal Rehabilitation Agreement;
 - c. in so far as they are volunteers, have signed into an individual agreement with the Seal Rehabilitation Centre in question, which includes the obligation to act in accordance with the Seal Rehabilitation Procedural Framework.
4. The agreement between a Seal Rehabilitation Centre and a seal guardian volunteer as referred to in paragraph 3 (c) includes:
 - a. a provision to the effect that, if a seal guardian is found not to comply with the Seal Rehabilitation Procedural Framework, the Foundations will be informed.
The Seal Rehabilitation Centre may not dissolve or give notice of termination of the agreement until:
 - the Foundations have been given the opportunity to propose an amicable solution;
 - the Seal Rehabilitation Centre in question has issued a written reminder to the seal guardian that they must act in accordance with the Seal Rehabilitation Procedural Framework;
 - b. a provision to the effect that, in the event of a dispute concerning the implementation of this agreement the Seal Rehabilitation Centres, the Rescue Organisations or the seal guardian may request the advisory opinion of the independent person as referred to in article 6, paragraph 2.

Article 8 Seal guardian training

1. The Foundations will develop or commission the development of suitable training for seal guardians, together with the Seal Rehabilitation Centres.

¹⁸ Marine mammals that become stranded in Texel are rescued and rehabilitated by the staff of Ecomare seal rehabilitation centre.

2. After completing training, seal guardians will be able to obtain a seal guardian certificate.
3. The professionals affiliated with the Seal Rehabilitation Centres and all current volunteers who are or become affiliated with one of the two Foundations are prospective or potential seal guardians.
4. The seal guardian training will in any event cover the following subjects:
 - a. the relevant statutory framework, such as the Nature Conservation Act and the Animals Act;
 - b. knowledge of the common seal and grey seal;
 - c. skills in handling the common seal and grey seal;
 - d. knowledge of the behaviour of the common seal and grey seal when they are sick or injured;
 - e. the procedures of the Seal Rehabilitation Centres and, more specifically, of the seal rehabilitation centre in whose territory the seal guardian operates;
 - f. communication skills, such as how to deal with bystanders;
 - g. the content and purport of the Seal Rehabilitation Agreement, particularly the Seal Rehabilitation Procedural Framework.
5. All prospective or potential seal guardians will be given the opportunity to follow the training once developed. They will be expected to endorse the agreements set out in the Seal Rehabilitation Agreement and in any case to act in accordance with the Seal Rehabilitation Procedural Framework.
6. The Seal Rehabilitation Centres and Foundations will make every effort to enable all prospective and potential seal guardians to take the training course within 18 months of the entry into force of this Seal Rehabilitation Agreement.
7. The Parties will regard the period of 18 months after the entry into force of this Seal Rehabilitation Agreement as a transitional period for the introduction of seal rehabilitation practices that are based on this Agreement. During this period the Seal Rehabilitation Centres may, in consultation with the Rescue Organisations, award individuals working in seal rehabilitation the status of provisional seal guardian. To this end the Seal Rehabilitation Centres will ensure, in consultation with the Foundations, that those individuals sign an agreement or statement that they endorse the Seal Rehabilitation Agreement and will act in accordance with the Seal Rehabilitation Procedural Framework.

Article 9 Role and duties of the seal guardian

1. When carrying out seal rehabilitation, seal guardians can show that they are acting on behalf of an organisation referred to in article 3.22a, paragraph 4 of the Nature Conservation Order, and can present written evidence to this effect on the orders of a competent supervisory and/or enforcement body. This body may, in the event of transport or relocation of a seal, contact the rehabilitation centre in question via the seal guardian, as referred to in article 2.3 of the Keepers of Animals Order and its appendix IIa, table A, part d, to check that the rehabilitation centre has been notified about the animal.
2. Seal guardians will perform an initial analysis as to whether a stranded seal should be rescued, observed and/or relocated, and play an advisory role in the decision-making process at the Seal Rehabilitation Centre to which they are affiliated. Responsibility for relocation, observation or rehabilitation of the seal remains at all times with the veterinarian or professional animal keeper affiliated with the rehabilitation centre as referred to in paragraph 1. For this reason, seal guardians will always contact the rehabilitation centre in question before rescuing, relocating or observing a stranded seal.
3. Seal guardians will record the precise location where the animal is found and its physical condition, as well as the procedure followed or any actions taken. Any deviation from the observation periods in the Seal Rehabilitation Procedural Framework must be noted and reported to the rehabilitation centre.
4. Seal guardians must be recognisable as such to onlookers.
5. Seal guardians will inform onlookers and if necessary admonish anyone disturbing the seal. Seal guardians will call in the competent authority if the animal is continually disturbed or there is a risk of imminent violence in accordance with the general duty of care under section 1.11, subsection 1 of the Nature Conservation Act.

Article 10 Information gathering and hotline

1. The Seal Rehabilitation Centres will in so far as can reasonably be expected provide their seal guardians with diagnostic information on the outcome of the treatment of the seals they have rescued, so that both parties can learn from the process. Seal guardians have the right to request diagnostic information from the Seal Rehabilitation Centre at any time, in the interests of their own learning process.
2. The Seal Rehabilitation Centres will seek to establish a single national hotline for stranded seals that is available 24 hours a day.

3. If a seal needs to be rescued and rehabilitated and the Seal Rehabilitation Centre in question has no capacity available, it will contact the other Seal Rehabilitation Centres (preferably before initial transportation from the place where the seal is found) to find a suitable place for the rehabilitation of the seal.

Article 11 Seal Rehabilitation Procedural Framework

1. The Seal Rehabilitation Procedural Framework provides guidelines for the Seal Rehabilitation Centres, Rescue Organisations and seal guardians on how to deal with stranded live seals in different situations and regions.
2. The Parties will use the Seal Rehabilitation Procedural Framework as a basis for the Rehabilitation of seals and their efforts in the context of the Agreement on Seals.
3. The Seal Rehabilitation Centres and Rescue Organisations undertake to act in accordance with the Seal Rehabilitation Procedural Framework as elaborated in table 1 when dealing with stranded live seals.

Table 1: Seal Rehabilitation Procedural Framework

Situation	Agreed procedure
trapped and injured animals	<p>Give immediate assistance to trapped and injured animals (outside closed nature reserves, as referred to in section 2.5, subsection 1 of the Nature Conservation Act) consisting of:</p> <ul style="list-style-type: none"> • Medical and other assistance on site, and possibly relocation • Admission to a Seal Rehabilitation Centre • Euthanasia (if there is little chance of recovery).
suckling pups with no mother in the vicinity	<p>24 hours of observation, and ensure the pup is left in peace so that the mother can return. Rescue before 24 hours have passed if:</p> <ul style="list-style-type: none"> • the pup is in an awkward or dangerous place and/or • there are too many onlookers causing disturbance and there is no possibility of cordoning off the area or ending the disturbance through enforcement measures. <p>In the event that the pup is moved before 24 hours: provide a detailed record of the reasons and the process.</p>
weaned seals	<p>Make sure there is no disturbance within a 30 to – preferably – 50 metre radius around the animal (preferred action)</p> <p>Move the animal to a quiet spot if there are too many onlookers</p> <p>(Weaned seals will not be admitted, even in the event of underweight.)</p>
mildly ill animals	<p>24 hours of observation in the event of mild illness or if the animal is weak, to see if it recovers naturally.</p> <p>If necessary, ensure there is no disturbance around the animal or move it to a quieter spot. Admit the animal after 24 hours if it is clear that it will not recover without intervention.</p> <p>Admit earlier if:</p> <ul style="list-style-type: none"> • the animal is in an awkward or dangerous place; • on closer inspection, the animal is found to be seriously ill or weak (see ‘seriously ill animals’); • there are too many onlookers which is causing a disturbance and it is not possible to cordon off the area or take enforcement measures; • the animal is experiencing unbearable and unnecessary suffering (in that case, euthanasia); • there is a risk of infection for people or other animals (zoonotic diseases). <p>In the event that the animal is admitted before 24 hours: create a detailed record of the reasons and the process.</p>
seriously ill animals	<p>Immediate admission to the seal rehabilitation centre for treatment (or, if there is little chance of recovery, for euthanasia) of any animals that are seriously ill, severely malnourished or weak.</p>
in closed nature reserves (under section 2.5, subsection 1 of the Nature Conservation Act)	<p>The standard principle is no assistance or rescue.</p> <p>If necessary LNV and the Coastal Provinces may, under the relevant legislation, decide on their own authority to assist trapped or injured animals. Within closed nature reserves the competent Party is responsible for public communication.</p>

Article 12 Alignment of national and provincial legislation and competencies with the Agreement on Seals

1. LNV will amend the Nature Conservation (Implementation) Order (article 3.22a) as it pertains to the rehabilitation of seals in such a way that it is in line with this Agreement on Seals.
2. The Coastal Provinces will ensure that the exercise of the powers of the provincial authorities and the provincial council as referred to in section 3.34, subsection 3 of the Nature Conservation Act as they pertain to the rehabilitation of seals is in line with this Agreement on Seals.

Article 13 Lapse of provisions after incorporation into regulations

Article 11 and article 12, paragraph 1 will lapse as soon as the amendment to the Nature Conservation (Implementation) Order concerning the incorporation of the Seal Rehabilitation Procedural Framework enters into force. After this amendment enters into force, any reference to the Seal Rehabilitation Procedural Framework in this Agreement will be regarded as a reference to the relevant provisions in the amended Nature Conservation (Implementation) Order.

Article 14 Marking stranded animals

1. The Parties or Party concerned will if necessary enter into arrangements with the competent authority on placing temporary identification markings on stranded seals, for instance using sustainable, animal-friendly markers, to minimise interaction and avoid unnecessary admission to a seal rehabilitation centre .
2. The Parties or Party concerned will if necessary make arrangements with the competent authority on designating quiet locations to which sick or weakened seals found at high-traffic areas can be moved for observation. The public will be informed, using information boards for example, that seals may be present there for the purposes of observation and that they must therefore keep their distance.

Article 15 Seal rehabilitation quality protocol for animal welfare at rehabilitation centres

1. The Seal Rehabilitation Centres will draft a joint quality protocol for care at the rehabilitation centres.
2. The joint quality protocol will contain further details of the obligatory procedures based on article 4 of the Protocol in the annexe to the Administrative rules on the quality of animal rescue centres for different species of animal.¹⁹ The Seal Rehabilitation Centres will have the quality protocol assessed by one or more international seal experts before it is adopted.

Article 16 Release of seals

1. The Parties endorse the view that seals must be kept at rehabilitation centres for the shortest possible time. As soon as an animal has regained its vigour and the attending veterinarian is of the opinion that it has a satisfactory chance of survival, it can in principle be released. There are no minimum weight requirements for the release of animals.
2. Before seals are released they must be free of medication in accordance with the specifications set out in the Seal Rehabilitation centres' joint quality protocol as referred to in article 15.
3. Seals will be released where they were found or, if this is not possible, in a suitable natural habitat close to the place where they were found. In many cases this will mean that the animal is released close to a rehabilitation centre.
4. All seals to be released will be chipped and/or tagged for the purposes of scientific research to determine the long-term survival chances of each category admitted.
5. The Seal Rehabilitation Centres are prepared to participate in a study using transmitters, for a 'post-release' distribution study for example, provided such a study is in line with the objectives of this Agreement on Seals and all the legal requirements pertaining to animal welfare have been met.

¹⁹ Staatscourant (Government Gazette) 2015, 42940 and Staatscourant (Government Gazette) 2016, 69148.

Article 17 Research

1. LNV is willing to commission a scientific study by a consortium of independent research institutions, with due regard for the relevant statutory frameworks and procedures.
2. LNV will involve the Seal Rehabilitation Centres in drafting the outline for the scientific study, which will in any case include the following research topics:
 - a. the survival chances of seals with lungworm;
 - b. improvements to triage procedures for seals with lungworm, in order to achieve the target set out in article 3.
3. LNV will involve the Seal Rehabilitation Centres in the further elaboration of the research proposal once the research tender has been awarded.
4. As well as the study referred to in paragraphs 1 to 3, the Seal Rehabilitation Centres will also draw up a multi-year research agenda in consultation with research institutions. Pieterburen Seal Rehabilitation Centre will initiate this and involve the other Parties.

Article 18 Data management

1. The Seal Rehabilitation Centres and the Rescue Organisations will keep clear records of stranded seals, both living and dead.
2. The Seal Rehabilitation Centres will keep clear records of released seals.
3. No later than four weeks after the end of a calendar year, the Seal Rehabilitation Centres will provide the information referred to in paragraphs 1 and 2 to a data administrator to be designated jointly by the Parties.
4. The data administrator referred to in paragraph 3 will publish the data on stranded and released seals each year in a public report and/or on a website. This will provide a clear picture of the number of seals rescued, rehabilitated and released in the Netherlands each year. In view of the target set out in article 3, this overview will in any case also specify, for each species, the number and percentage of juvenile animals (up to the age of 12 months) rescued and rehabilitated, and released.
5. The Seal Rehabilitation Centres will ensure that clear records are kept of the treatment administered in the rehabilitation centres. This data will not be made freely accessible, but may be used for scientific purposes after the Seal Rehabilitation Centre concerned has been given information and has given its consent to the research institution concerned.

Article 19 Consultation

The Seal Rehabilitation Centres and the Rescue Organisations will in principle organise a meeting with the other Parties twice a year in order to discuss progress on the Agreement on Seals. The independent person referred to in article 6, paragraph 2 will chair this meeting.

Article 20 Communication

1. The Seal Rehabilitation Centres and the Rescue Organisations will together draft a joint communication plan setting out how they intend to communicate the new approach to seals and the new procedure based on the Agreement on Seals to the general public and to specific groups (e.g. tourists).
2. The Parties will consistently promote the new approach to seals as described in the Agreement on Seals in their own communications.

Article 21 Funding of the Seal Rehabilitation Agreement

1. With due regard for the relevant statutory frameworks and procedures and in accordance with European Union law, in particular the competition rules, LNV and the Coastal Provinces are willing prepared to contribute financially to:
 - a. the development of seal guardian training as referred to in article 8;
 - b. the study as referred to in article 17, paragraphs 1, 2 and 3;
 - c. the implementation of the communication plan as referred to in article 20.
2. The Seal Rehabilitation Centres and the Rescue Organisations may submit grant applications for their activities as referred to in the first paragraph at a and c, accompanied by a concrete project plan and budget.

Article 22 Amendment

1. Any Party may submit a written request to the other Parties for the Agreement on Seals to be amended. An amendment needs to be endorsed by all Parties in writing.
2. The Parties will enter into consultation within six weeks of a Party informing the other Parties in writing of its wish to do so.
3. The amendment and statements of endorsement will be appended to the Agreement on Seals.

Article 23 Withdrawal

1. Each Party to the Agreement on Seals may withdraw from the Agreement subject to three months' notice in writing if circumstances have changed to such a degree that termination of this Agreement in the short term is deemed fair and reasonable. The notice of withdrawal must specify the change in circumstances.
2. In the event that a Party withdraws from the Agreement on Seals, the Agreement will continue to apply to the other Parties in so far as this is not precluded by the content and purport of the agreement.
3. In the event that the Agreement on Seals is terminated by means of withdrawal, none of the Parties shall be liable for damages in respect of any other Party.

Article 24 Accession

1. In order to create the broadest possible support for the Agreement on Seals, additional parties may accede to the agreement. Parties acceding to the Agreement must accept the applicable obligations ensuing from the Agreement.
2. A party wishing to accede to the Agreement must submit a written request for accession to the competent authority. The accession of a new party requires the approval of the Parties by unanimous vote. After the Parties have approved the request for accession in writing, the acceding party will acquire the status of Party to the Agreement and will be subject to all the applicable rights and obligations ensuing from the Agreement.
3. The request for accession and the declaration of approval will be appended to the agreement.

Article 25 Declaration of support

1. The Parties will involve others in this Agreement on Seals who, though they do not wish to become a Party to the Agreement, are willing to play an active role in pursuit of the goals set out in the Agreement and have, for example, signed a statement to that end.

Article 26 Enforceability

This agreement is not enforceable by law.

Article 27 Settlement of disputes

1. The Seal Rehabilitation Centres and the Rescue Organisations will present any disputes arising in the framework of this Agreement on Seals to the independent person as referred to in article 6 for mediation or an advisory opinion. The Seal Rehabilitation Centre and the Rescue Organisations involved in a dispute agree to accept the advisory opinion of the independent person with regard to the settlement of the dispute.
2. A dispute will be deemed to exist if one Party notifies the other Parties accordingly, giving reasons, after which the Parties must enter into consultations with each other within four weeks in order to ascertain whether an amicable solution to the dispute can be found.
3. If no amicable solution can be found within two months, the Parties may withdraw from the Agreement on Seals, with due regard for article 23 of this Agreement.

Article 28 Evaluation

1. The Parties undertake to perform an interim evaluation no later than four years after the entry into force of the Agreement on Seals, and a final evaluation in 2028.
2. LNV and the Coastal Provinces will initiate the evaluation.
3. If the Parties deem it necessary in response to the interim evaluation, the arrangements in the Agreement on Seals (including the Seal Rehabilitation Procedural Framework in so far as it has not lapsed) may be amended, with due regard for article 22.

Article 29 Counterparts

The Parties may sign different copies of the Agreement on Seals which together will have the same legal effect as if one copy of the Agreement had been signed by all Parties.

Article 30 Entry into force and duration

The Agreement on Seals will enter into force after it has been signed by all Parties and will remain in force up to and including 31 December 2027.

Article 31 Publication

1. This Agreement will be published in the *Staatscourant* (Government Gazette) within two months of signing.
2. Any amendments, accessions, withdrawals, cancellation or termination will be announced in the *Staatscourant* (Government Gazette).



Ministerie van Landbouw,
Natuur en Voedselkwaliteit

Zeehondenopvang

april 2020

werkgebieden opvangcentra

- Eemsdelta
- Terschelling
- Ecomare
- A Seal
- Pieterburen
(heel Nederland met
uitzondering van Texel)



GISCompetenceCenter - Rijksdienst Voor Ondernemend Nederland - Ministerie van Economische Zaken en Klimaat

Agreed and signed (at *locatie* on *datum*) by:

Carola Schouten
Minister of Agriculture, Nature and Food Quality,

Mr H. Staghouwer
For Groningen provincial executive and the Province of Groningen

Mr H. Staghouwer
For Fryslân provincial executive and the Province of Fryslân

Mr H. Staghouwer
For North Holland provincial executive and the Province of North Holland

Mr H. Staghouwer
For South Holland provincial executive and the Province of South Holland

Mr H. Staghouwer
For Zeeland provincial executive and the Province of Zeeland

Ms Ineke van Gent
For the Executive Board of De Waddeneilanden, acting as an administrative authority, and the chair of the general board of De Waddeneilanden, acting as representative of the Waddenzee Islands public body

Mr H. Blok
For Vereniging van Waddenzeegemeenten

Mr R.M. Wissekerke
For Stichting A Seal Centrum voor Zeezoogdierenzorg

Ms A.L. Schrama
For Stichting Texels Museum (Ecomare)

Mr N. Kuizenga
For Stichting Zeehondencentrum Pieterburen

Mr P. Landman and Ms R.V. Janac
For Stichting Zeehondenopvang Eemsdelta

Mr A.C. Schweigmann
For Stichting Zeehondenopvang Terschelling

Mr N. Kuizenga
For Stichting Eerste Hulp bij Zeehonden

Mr J.G.J. van der Hiele and Mr D. Scholtens
For Stichting Reddingsteam Zeedieren Nederland

Published by:

Ministry of Agriculture, Nature and Food Quality
Bezuidenhoutseweg 73 | 2594 AC The Hague
Postbus 20401 | 2500 EK The Hague

April 2020 | Publication-nr. 0420-015

Disclaimer:

This English translation is suitable for international consultation and coordination. But slight differences in the contents between the original Dutch text and this translation might occur. Therefore the only valid document is the Dutch version of the Zeehondenakkoord.