

**MINISTERIAL DECLARATION OF THE
SEVENTH
TRILATERAL GOVERNMENTAL CONFERENCE
ON THE PROTECTION OF THE WADDEN SEA**

LEEUWARDEN, NOVEMBER 30, 1994

THE MINISTER OF AGRICULTURE, NATURE MANAGEMENT AND FISHERIES OF THE KINGDOM OF THE NETHERLANDS

THE STATE SECRETARY FOR THE ENVIRONMENT, NATURE CONSERVATION AND NUCLEAR SAFETY OF THE FEDERAL REPUBLIC OF GERMANY

THE MINISTER FOR THE ENVIRONMENT AND ENERGY OF THE KINGDOM OF DENMARK

responsible for the protection and conservation of the **Wadden Sea**

participated in

THE 7TH TRILATERAL GOVERNMENTAL CONFERENCE ON THE PROTECTION OF THE WADDEN SEA, LEEUWARDEN, THE NETHERLANDS, NOVEMBER 30, 1994.

The Conference was attended by representatives of

- **the European Commission**
- **the Russian Federation**
- **Guinea Bissau**
- **English Nature**

as observers from governmental and inter-governmental organizations.

Representatives of

- **Nature and Environment Organizations**
- **Fishery Organizations**
- **Outdoor Recreation Organizations and**
- **Oil and Gas Drilling Companies**

attended the Conference as observers from non-governmental organizations.

PREAMBLE

The Trilateral Wadden Sea cooperation is based on the [Joint Declaration on the Protection of the Wadden Sea](#), which was signed at the 3rd Trilateral Governmental Conference on the Protection of the Wadden Sea in Copenhagen in 1982. In the Declaration, the three countries declared their intention to consult each other in order to coordinate their activities and measures for implementing the obligations resulting from international legal instruments in the field of nature protection, in particular the Ramsar, Bonn and Bern Conventions and the EC Bird Directive and other relevant EC Directives with regard to the comprehensive protection of the Wadden Sea region as a whole including its flora and fauna.

The Ministerial Declaration adopted at the last Trilateral Governmental Wadden Sea Conference in

Esbjerg in 1991 ([Esbjerg Declaration](#)) initiated a new era in the trilateral Wadden Sea cooperation. The Esbjerg Declaration is a specification of the Joint Declaration. It entails a **guiding principle** for the trilateral Wadden Sea cooperation, **common management principles** and **common objectives** for the human use of the area based on the common principles.

The European Union plays a substantial role in the trilateral Wadden Sea cooperation. Important parts of the area of the trilateral cooperation qualify for nomination as a special area of conservation under the EC Habitat Directive as an essential element in the NATURA 2000 network, consisting of the sites designated under the EC Habitat and Bird Directives. The participants also noted that parts of the Wadden Sea have been designated as Man and Biosphere Reserves and that it will be further considered how this approach will be integrated in the trilateral Wadden Sea cooperation.

Since the adoption of the Esbjerg Declaration the 4th Meeting of the Contracting Parties on the Ramsar Convention in Kushiro, 1993, constituted a stimulus for an increased cooperation with regard to management of the Wadden Sea. Especially the resolutions 5.7 - 5.9 concerning planning, zoning and management of fish stocks are welcomed.

A number of important documents were adopted at the United Nations Conference on Environment and Development in Rio de Janeiro, 1992. The Convention on Biological Diversity and Agenda 21, in particular chapter 17 on the Protection of Oceans, Seas and Coastal Areas, are important for the efforts to protect the Wadden Sea.

The scientific symposia have always played a fundamental role in the framework of the trilateral cooperation. The 8th International Scientific Wadden Sea Symposium on "Birds and Their Ecology in the Wadden Sea", was held in Esbjerg in 1993. The recommendations of this symposium have been a basis for the development of the concepts on the further protection of the Wadden Sea adopted at this Conference.

Since the last Trilateral Governmental Conference, the cooperation between the regional authorities adjacent to the Wadden Sea has been extended. The regional efforts on the protection of the Wadden Sea are welcomed as a valuable supplement to the trilateral cooperation since the regional authorities are responsible for solving many of the concrete problems.

The joint statement of the advisory councils, representing inhabitant groups in the three countries, is a valuable contribution to the conference. This statement is welcomed representing the people and organizations having an interest in the area.

Throughout the years of trilateral cooperation, the non-governmental organizations have taken many initiatives in promoting the trilateral cooperation. Their continuous efforts are a source of inspiration and a vital element in promoting the cooperation on the protection of the Wadden Sea and in promoting public support of the various initiatives taken by the responsible authorities. The continuation of the participation of the non governmental organizations at the Governmental Conferences is welcomed.

The participants appreciate the work carried out in drafting the Wadden Sea Quality Status Report (QSR), and underlined the importance of the QSR as a basis for the assessment of the ecological status of the Wadden Sea.

ACHIEVEMENTS AND ISSUES OF CONCERN

The participants noted that:

1 In The Netherlands, the relevant agreements of the Esbjerg Declaration have been included in the amended Wadden Sea Memorandum (PKB-Wadden Sea), which entered into force on December, 3 1993. Recently the Dutch Parliament agreed upon the Partial Revision of the Wadden Sea Memorandum regarding mining. Nearly the whole Wadden Sea is protected by the Nature Conservation Act. In the framework of the Policy Document on Shooting and Game Management, a phasing-out policy with regard

to hunting of migratory species has been agreed on. In the framework of the Policy Document on Sea and Coastal Fisheries, areas have been closed for cockle and mussel seed fisheries. Further a policy for years with food shortage has been elaborated.

2 In Germany, the federal and state authorities are responsible for the implementation of the Esbjerg Declaration. This has, amongst others, resulted in the continuation and further extension of the policies with respect to diminishing environmental problems or disturbance caused by exploration, exploitation or transportation of gas and oil, and the introduction of a shipping regulation in the Wadden Sea national parks. Amended Nature Conservation Acts have tightened the protection of Wadden Sea biotopes. The grazing intensity of large salt marsh areas has been sharply reduced by administrative measures. The military exercise area at Sylt was closed in April 1993, and the ballistic tests in the remaining military area at Meldorfer Bucht were diminished and ecologically tuned with sensitive periods for waterbirds. Furthermore, cockle fishery ended in the German part of the Wadden Sea in March 1992, and hunting has been reduced considerably.

3 In Denmark, the relevant agreements of the Esbjerg Declaration have been embraced by the amended Statutory Order on the Nature and Wildlife Reserve, which entered into force on July 1, 1992. The amended Nature Protection Act and Planning Act restricts urban development and construction in a coastal zone of approx. 3 km along all Danish coasts. The new Act on Hunting and Wildlife Administration secures a better protection of the wildlife. The amended Nature Conservation Act entails a tightened protection of salt marshes, fresh marshes, dunes and other biotopes. An amended Statutory Order entails provisions on the administration and delimitation of internationally designated areas (among others Ramsar and EC Bird Directive areas). These regulations have entered into force during the last three years and have also resulted in a stronger protection in the Wadden Sea area.

The participants take note of the Assessment Report and identify some issues that need further attention and some major issues of concern regarding the quality of the Wadden Sea ecosystem:

4 With the aim to achieve further progress in the protection of the Wadden Sea, the most essential general issues that need further attention are:

- the differences in the spatial implementation of the Esbjerg Declaration since the national protection areas have been defined differently (in Germany the national parks, in Denmark the area of the Statutory Order and in The Netherlands the PKB-area);
- the difference in the approach of external aspects, e.g. the regulation of activities outside the protected areas;
- the different results of the national implementation of the trilateral policies due to national political, juridical and administrative circumstances.

5 In the Assessment Report, some major issues of concern regarding the quality of the Wadden Sea ecosystem have been identified:

- natural assets (food availability for birds, eelgrass, natural mussel beds and benthic communities) are negatively influenced by fisheries;
- biotopes are damaged and lost and wildlife and birds are disturbed by tourism and recreation;
- the area of, in particular, natural salt marshes has decreased considerably;
- brackish habitats and related ecological conditions are lost;
- inputs of nutrients causing serious eutrophication effects (e.g. increase of biomass, shift in species diversity, oxygen deficiency in the sediment);
- discharges and emissions of man-made and natural micropollutants are at levels which are harmful to the ecosystem (e.g. effects of the immune system of fish and mammals); and
- the expected sea level rise may cause negative effects on sedimentation and erosion processes.

The participants therefore **decide** on the following:

THE TARGETS

6 In continuation of the Common Principles, agreed upon at the 6th Trilateral Governmental Wadden Sea Conference and, in particular, the Guiding Principle and the decision to address a set of common targets,

the participants agree:

6.1 that the common trilateral conservation policy should be directed towards achieving the full scale of habitat types which belong to a natural and dynamic Wadden Sea, taking into account the existing protection regimes;

6.2 that each of these habitats needs a certain quality, which can be reached by proper conservation and management;

6.3 that regarding the targets on the quality of water and sediment, it is the trilateral policy to strengthen the cooperation in relevant international frameworks to realize the targets to reduce environmental pollution.

7 The quality of the habitats should be maintained or improved by working towards achieving targets such as in **Annex 1**, to the extent feasible.

AREA OF THE TRILATERAL WADDEN SEA COOPERATION

8 The geographical scope of the trilateral Wadden Sea cooperation is based on the principle of coherency. Because the Wadden Sea is an ecological entity it implies that the status of the environment in estuaries, islands and in offshore waters has an impact on the realization of the guiding principle which is trilaterally directed towards the protection of tidal flats, salt marshes and dunes.

9 Based on this principle, the geographical scope of the trilateral cooperation is:

- the area seaward of the main dike and the brackish-water limit, or where the main dike is absent, the spring high-tide-water line;
- an offshore zone 3 nautical miles from the baseline;
- the corresponding inland areas to the designated Ramsar and/or EC Bird Directive areas;
- the islands.

10 Within the cooperation area, as defined under §9, the trilateral areas of conservation are:

- in The Netherlands, the areas under the Wadden Sea Memorandum including the Dollard;
- in Germany, the Wadden Sea national parks and protected areas under the existing Nature Conservation Acts seaward of the main dike and the brackish-water limit including the Dollart;
- in Denmark the Wildlife and Nature Reserve Wadden Sea.

11 After the nomination of the joint Natura 2000 area in the framework of the EC Habitat Directive, the consequences for the trilateral area of cooperation and the trilateral area of conservation will be considered.

12 It is recognized that within the area of the trilateral cooperation there are areas in which human use has the priority.

13 In order to protect the Wadden Sea, targets have been formulated for the area of the trilateral cooperation.

14 The area of the trilateral cooperation, as defined under §9, is the geographical scope of the management plan.

15 The participants agree furthermore that the estuaries require special protection and management measures. They assure that valuable parts will be protected and that the river banks will remain, and as far as possible, be restored in their natural state.

TOWARDS ESTABLISHMENT OF A MANAGEMENT PLAN

16 Being aware that on the basis of the agreements of the 6th Trilateral Conference on the Protection of

the Wadden Sea, a working group was installed with the task to elaborate a draft management plan. This work was financially supported by the European Commission.

The participants acknowledge the first results as a valuable contribution for the further work towards the elaboration of a coordinated management plan.

17 Being aware of the fact that more time is needed and agree to continue the preparation of the management plan with the aim to reach substantial achievements at the next Governmental Conference, 1997,

17.1 taking into account:

- (i) the awareness that the targets are strategic goals, and that the continuous efforts to realize these targets require a long working process and regular evaluation during the management plan process;
- (ii) that there is a diversity amongst the habitats regarding ecological conditions and the need for management, as well as, a diversity of local methods of management and of traditional use;
- (iii) the opinion, that it is advantageous to implement measures in geographically coherent areas of sufficient size, that cover various habitats; and
- (iv) the wish to cooperate with central, regional and local authorities as well as with interest groups;

17.2 establish the following ecological quality targets as priority targets for the trilateral cooperation within the cooperation area:

- (i) an increased area of natural salt marshes;
- (ii) an increased area of geomorphologically and biologically undisturbed tidal flats and subtidal areas;
- (iii) an increased natural dynamics of beaches, primary dunes, beach plains and primary dune valleys;
- (iv) conditions for estuaries, as agreed in § 15;
- (v) favorable conditions for migrating and breeding birds;
- (vi) an increased area and a more natural distribution and development of natural mussel beds;
- (vii) viable stocks and natural reproduction capacity of the common seal, grey seal and the harbor porpoise.

18 To agree to the following trilateral actions, as the basis for the management plan:

18.1 to assess the present state of the habitats of the area of the trilateral cooperation in each country, propose relevant measures to realize the targets and enhance the sustainable use of the area, as defined in the Biodiversity Convention. Each country shall carry out this process in cooperation with local authorities, local interest groups and local citizens within the frames of the respective national legislation;

18.2 based on the proposals of §18.1, to elaborate separate sets of measures on a trilateral level that contribute substantially to the realization of the targets referred to in § 17.2;

18.3 as a next step, to indicate where sets of measures can be combined in geographically coherent areas of sufficient size and covering various habitats resulting in an identification of these areas and the proposed measures;

18.4 to investigate which of the agreements of the 6th Governmental Conference can be made valid for the entire area of the trilateral cooperation, in developing proposals for the realization of the priority targets;

18.5 to acknowledge zoning as a valuable management instrument and consider the need for harmonization of this and other management instruments.

19 The Ministers put their Senior Officials in charge of supervising the further progress of developing a coordinated management plan on the basis of a working program 1995-1997 according to § 18.

20 In addition to §18, at the national level, efforts should be made to realize the targets of **Annex 1**.

21 At the next Governmental Conference, 1997, the participants will discuss the substantial achievement in the progress in establishing a management plan on the basis of the results of §18, indicating further trilateral priorities for their implementation.

EC HABITAT DIRECTIVE

22 Important parts of the area of the trilateral cooperation should be nominated on a coordinated basis according to art. 4 of the EC Habitat Directive taking into account the results of the Habitat Working Group.

NOMINATION UNDER THE WORLD HERITAGE CONVENTION

23 In continuation of § 35 of the Esbjerg Declaration, the nomination of the Wadden Sea or parts thereof as a World Heritage Site will be strived for by 1997 taking into account the natural values of the area.

ENVIRONMENTAL IMPACT ASSESSMENT

24 To note that in order to implement §§ 30 and 31 of the 6th Trilateral Governmental Conference on the Protection of the Wadden Sea a working group (EIAWG) was installed with the task to elaborate proposals to harmonize environmental impact assessment (eia) with regard to the activities in the Wadden Sea region and for procedures including mutual information and consultation.

25 To welcome the results of the EIAWG as a basis for further consideration.

26 To note that the investigation of the EIAWG showed that there is a need to increase the knowledge about the more detailed field of application of eia for activities in the Wadden Sea region, and, on a voluntary basis, to exchange information about eia's which have been carried out in the Wadden Sea and adjacent areas.

27 To note that therefore the participants agree to exchange information on the application of eia in the Wadden Sea region in the framework of existing laws, taking into account the approach as embodied in the Espoo Convention and the Esbjerg Declaration.

28 To discuss the progress on this issue at the next Governmental Conference.

FOLLOW-UP ESBJERG DECLARATION

Energy Resources

29 With respect to regenerative energies and energy resources involving low CO₂ emission levels, it may be necessary, reaffirming the conditions mentioned in the Esbjerg Declaration, to consider the generation of energy in the areas not under protection.

30 To note the Dutch agreement with the mining companies, based on the common principles, to renew the moratorium for exploitation. E4 be aware that exploratory drilling within the concession area will only be permitted if it is reasonably plausible that gas can be exploited from outside the Wadden Sea (North Sea, islands and mainland) or from the already existing Zuidwal production platform.

31 To note the initiative of the Dutch government and the mining companies to elaborate a Plan of Action, in which further agreements will be laid down concerning space and time limits, monitoring, associated research, mitigating and physical, and where required, financial compensating measures.

32 To note the close relation with the environmental impact assessment procedures to obtain the required permits and to note the responsibility to also take into account the possible cumulative effects of drilling in and from outside the area.

33 To note that currently the concessionaires do not plan exploration and exploitation activities within the

boundaries of the Lower Saxon Wadden Sea National Park.

34 To note that exploration and exploitation of oil and gas in the Hamburg Wadden Sea National Park is prohibited according to the National Park Act.

35 To note that the responsible authorities in Schleswig-Holstein have announced the firm intention to grant no further permits for other new activities in the Schleswig-Holstein Wadden Sea (National Park), subject to existing licenses and legal titles.

36 To note that exploitation of gas and oil in the Danish part of the Wadden Sea is prohibited according to the Statutory Order on the Nature and Wildlife Reserve.

Recreation

37 To note that the objective concerning, in particular, speed limits have not yet been fully implemented in the German part of the Wadden Sea.

Ultra-light aircraft

38 To reaffirm their policy aimed at preventing the use of ultra-light aircraft above the Wadden Sea, with the exception of scientific and enforcement purposes.

Hunting

39 To note that hunting on migratory species will be phased out in the Dutch part of the Wadden Sea, and that hunting on migratory species is also prohibited in most of the nature areas, both on the islands and on the mainland. To note further that since September 1994 there has been a trade ban on migratory species, except widgeons. Further, to take note of the agreement of the Dutch government and the hunting organizations to further reduce hunting of geese species and to that end elaborate management plans within two years.

40 To note that hunting on the major parts of the tidal flats in the Lower Saxon Wadden Sea National Park has been phased out and will be totally terminated by the end of 1994. In coastal salt marshes and on the islands, hunting on waterfowl is in some parts forbidden and in the remaining areas restricted to a maximum of ten days/annum in zone I of the National Park. The process of phasing out this kind of hunting is ongoing by a successive changing of the leases.

41 To note that hunting is forbidden in the Hamburg National Park.

42 To note that hunting in important parts of the Schleswig-Holstein National Park has been phased out and in the remaining leased areas will be phased out in 2000. However, an agreement not to hunt in these areas has been introduced.

43 To note that, for the Danish part of the Wadden Sea, according to the Statutory Order, hunting of migratory species will be prohibited in 1998 at the latest.

44 To note, however,

44.1 that a new strategy has been elaborated for the Danish part of the Wadden Sea;

44.2 that, according to the strategy, hunting will be allowed on certain private areas in front of the dikes, but management measures will be implemented on certain areas behind the dikes in order to achieve as strong and ecologically sound protection for birds as prohibition of hunting in the Wadden Sea would;

44.3 that the possibilities of implementing the strategy will be investigated until the next Trilateral Governmental Conference in 1997; essential elements of the strategy will be to reduce hunting pressure by, amongst others, reducing the number of hunters and shortening the hunting period (season and hours/day); the selection of species will be considered in periodical evaluations under Danish law;

44.4 that the strategy will be discussed at the next Trilateral Governmental Conference 1997 and, upon acceptance, be implemented in the Danish part of the trilateral area of cooperation unless a more

ecologically appropriate strategy can be applied.

Fisheries

45 To note that cockle fishery ended in the German part of the Wadden Sea on March 1, 1992.

46 To note that, in the Danish part of the Wadden Sea, cockle fishery is only carried out in three specific well defined areas, of which only one will be fished in per year.

47 To note that three large areas in the Danish part of the Wadden Sea have been closed for mussel fishery amounting to 46% of the Danish Wadden Sea inside the islands including tidal and subtidal areas.

48 To note that, in the Dutch part of the Wadden Sea, 26% of the intertidal area is closed for cockle and mussel seed fishery, and that in years with limited food availability of mussel and cockles, 60% of the average food demand of birds will be reserved for them. To note the responsibility of the Dutch fishery sector to achieve a balance between fishing activities and nature values outside the closed areas (self-management). To note the scheduled evaluation of the Dutch policy for 1997. To note further the Dutch initiative to hold a workshop in the first half of 1996 to discuss the topic 'self-management'.

49 To note that, in the German part of the Wadden Sea, the issue of closing further areas for mussel seed fishery than have already been closed for reasons of water quality prior to the agreement of the Esbjerg Declaration § 15 will be solved on the basis of the results of the project 'Ecosystem Research in the Wadden Sea', which will be available until 1995.

50 To note that shrimp fishery in the Danish part of the Wadden Sea is carried out only outside of the islands.

51 To investigate the possibilities of a common research project on the effects of shrimp fishery (including industrial shrimp fishery) and flatfish fishery on the bottom fauna within the realm of national competencies with the aim to define trilateral proposals in 1997, and to consider, depending on the outcome of the investigations, further regulations, including the possibility of closing parts of the German and the Dutch Wadden Sea.

52 To investigate the possibilities and the need for harmonizing the regulation of minimum size of mussels and bycatch of undersized mussels.

53 To note that in Denmark shellfish fishery, apart from mussel and shrimp fishery, outside the islands up to 3 nautical miles from the baseline is prohibited.

54 To investigate shellfish stocks (e.g. *spisula*) and the impact of fishery on the benthic stocks outside the islands and, depending on the outcome, to discuss the results on a trilateral basis with the aim to safeguard the food stock for birds.

55 To note that commercial mechanical lugworm digging has already been terminated in the German and the Danish Wadden Sea, and to further note that mechanical lugworm digging on a commercial scale in the Dutch Wadden Sea is concentrated in two areas and will be closed as soon as the present license holders terminate their activities.

CONSERVATION OF SEALS AND SMALL CETACEANS

56 To acknowledge that Art. VI of the Agreement on the Conservation of Seals in the Wadden Sea prohibits taking of seals and entails strict provisions on exemptions for taking.

57 To reaffirm, as stated in the "Conservation and Management Plan for the Wadden Sea Seal Population 1991-95", that the rehabilitation and release of seals is not necessary from the biological and wildlife management point of view .

58 To note the "Statement on Seal Rehabilitation and Release, based on scientific experience and knowledge" as elaborated by seal experts as a basis for the elaboration of guidelines for rehabilitation and release of seals. The experts concluded that the rehabilitation and release of seals should not be undertaken because it is not necessary for the population and because of the risks involved in terms of introduction of pathogens, anti-selection/reduced fitness and resistance, and mixing of populations.

59 To acknowledge that the current level of taking, since the Seals Agreement has entered into force, is too high to be justified and therefore:

60 To reduce the current number of seals taken from and released to the Wadden Sea to the lowest level possible by applying guidelines for handling diseased or weakened seals or evidently abandoned pups, and to release seals based on the precautionary approach, referred to under § 58 to be elaborated in the framework of the Conservation and Management Plan for the Wadden Sea Seal Population 1996-2000. The guidelines shall be based upon the following principles:

60.1 only a very limited number of persons in each country shall be authorized to decide on the handling of diseased or weakened seals or abandoned pups, including taking and releasing of the animals, and only such animals may be taken which have a chance to survive;

60.2 seals rehabilitated shall only be released into the wild on a permit granted by the national authority responsible for nature conservation and management if the following criteria are met:

(i) the seal has not been treated with specific groups of medicine to be further specified in the framework of the Conservation and Management Plan for the Seals which will be amended in 1995;

(ii) the seal does not carry pathogens alien to the wild population;

(iii) the seal is released as soon as possible but not later than half a year after it has been brought in for rehabilitation;

(iv) the seal has not been kept in a center where species of animals alien to the Wadden Sea, or marine mammals not resident in the Wadden Sea, are held;

60.3 seals should only be released in the areas where they were found;

60.4 seals shall not be transported between subregions of the Wadden Sea;

60.5 seals held in captivity shall, in principle, not be released into the wild;

60.6 seals born in captivity shall not be released into the wild; exemptions can only be allowed after the approval of the competent authorities.

61 To agree that the principles and guidelines, to be elaborated as stated under § 60, also apply to the grey seal.

62 To amend the Conservation and Management Plan for the Wadden Sea Seal Population, which will expire in 1995, for 1996-2000 in the light of the results of the Joint Trilateral Seal Project.

63 To welcome that the Agreement on the Conservation of Small Cetaceans of the Baltic and North Sea entered into force and to confirm that the close cooperation with its respective bodies was established and will further be elaborated where appropriate.

SHIPPING

64 Being aware of the current discussion within the IMO about environmental problems caused by shipping, in order to improve the protection of the marine environment through various measures, including the establishment of Particularly Sensitive Areas (PSAs), to take the following steps:

64.1 to study and consider a proposal to the IMO to designate the Wadden Sea and an adjacent zone as Particularly Sensitive Area;

64.2 to support the initiatives in the IMO to make routing measures and reporting systems mandatory for all ships or for certain categories of ships carrying dangerous or harmful cargoes;

64.3 to urge the ministers responsible for the North Sea to include the measures contained in Annex 2 of this Declaration, in the Ministerial Declaration of the 4th International Conference of the North Sea;

64.4 to invite the competent authorities to take appropriate steps to minimize discharges into the sea,

especially from recreational shipping, including systems for the operations of shore reception facilities as soon as possible, at the latest by 1996.

TRILATERAL MONITORING AND ASSESSMENT PROGRAM

65 Being aware that the Trilateral Integrated Monitoring Program of the Wadden Sea Ecosystem, which was elaborated following the decisions of the Esbjerg Declaration, started in January 1994 to take the following steps:

66 To note with satisfaction the start of the implementation of the Integrated Monitoring and Assessment Program of the Wadden Sea Ecosystem.

67 To carry out an overall evaluation of the program in 1997 and to decide on the basis of this evaluation about further steps concerning

67.1 the further development of the program (including the program of ecological research concomitant with the monitoring program) and the development of the program in order to be able to assess the progress made in realizing the targets;

67.2 the organization of processing the trilateral data;

67.3 the overall organizational structure of the program.

RED LIST OF SPECIES AND HABITATS

68 To welcome the work carried out so far by the trilateral Red List Working Group on the preparation of a red list of species and habitats as important for the implementation of the targets as indicated in §§ 6 and 7 and to invite the group to complete its work by spring 1995.

FLYWAY CO-OPERATION

69 To welcome the Memorandum of Intent between the Trilateral Wadden Sea cooperation and Guinea Bissau on the Wadden Sea and the coastal areas of Guinea Bissau.

70 To welcome the preparation of the proposed African-Eurasian Waterbird Agreement which calls for the development of international conservation and management of various species.

71 To invite the Bonn Convention to develop a management plan for a long-distance migrant wader to act as an example for integrated flyway management plans in the framework of the African-Eurasian Waterbird Agreement in order to gain experience in these plans for a variety of other species.

72 To take note of the recommendations of the international workshop on the Dark-bellied Brent Goose in the Wadden Sea, Leeuwarden, 22-23 September 1994.

73 To acknowledge that the Wadden Sea is one of the major wintering and resting areas for the Brent Goose and that specific management requirements are necessary. Therefore, to invite the secretariat of the Bonn Convention, in cooperation with the Russian Federation, where the main breeding areas are, to prepare an international conservation plan for this species, within the framework of the African-Eurasian Waterbird Agreement, and to note that The Netherlands would be prepared to act as a lead country to assist the Bonn Convention secretariat in developing the conservation plan.

74 To welcome the extension of the cooperation concerning nature protection between the Wadden Sea National Park of Schleswig-Holstein and the Taymyr Reserve in Russia to all three German Wadden Sea national parks and the Great Arctic Reserve as well as other protected areas in the region of the Barent Sea.

75 To note that the Dutch cooperation with the Russian Federation has been intensified.

76 To consider a further extension of the cooperation with the Russian Federation to the whole trilateral

Wadden Sea as appropriate.

LANDSCAPE AND CULTURAL ASPECTS

77 To be aware of the importance of maintaining the special landscape elements and the cultural-historical elements which characterize the Wadden Sea area.

78 To welcome a Danish initiative of hosting a workshop on the mutual exchange of information and status for conservation of cultural heritage in the Wadden Sea area.

NORTH SEA CONFERENCES

79 To adopt a Joint Statement to the 4th North Sea Conference on eutrophication, pollution, species and habitat protection and shipping issues, as contained in **Annex 2**.

THE WASH - NORTH NORFOLK COAST AND THE WADDEN SEA

80 To acknowledge that the work program 1992 - 94, conducted and reviewed as agreed upon in the framework of the Memorandum of Intent between the Trilateral Wadden Sea Cooperation and English Nature on the Wadden Sea and The Wash/ North Norfolk Coast, has provided valuable exchange of information and experience in terms of the development of coastal management in particular in the North Sea context.

81 To agree that the collaboration shall be continued within the framework of the Memorandum of Intent by a new three-year work program which continues and builds upon past experience and develops understanding of ecological principles and delivers sustainable management of coastal zones.

82 To agree within the context of the Memorandum of Intent §1.2, to support the conservation of these two areas with strong ecological links and that the following priorities will be

82.1 management of waterfowl populations.

82.2 management of water quality in coastal areas specifically in terms of nature conservation.

82.3 management of sustainable fisheries.

82.4 management and creation of coastal habitats.

And that these areas will be developed in agreed periodic work programs of which the progress will be reviewed.

PUBLIC AWARENESS AND PARTICIPATION

83 To be aware that the policy aims and targets, and management planning can only be achieved in cooperation with the inhabitants, the users of the area and all the responsible authorities.

84 Taking into account the results of the 1st International Conference on Public Information and Education in the Wadden Sea area.

85 To acknowledge that increasing public awareness of and active public support for environmental and nature protection measures regarding the Wadden Sea is a necessary condition.

86 To agree to involve individuals, groups and authorities concerned in decision-making processes (principle of public participation).

87 To note the initiative of The Netherlands to develop, as a pilot project, a communication plan to stimulate the dialogue between interest/user groups and policy makers.

THE COOPERATION 1995 - 1997

Germany will chair the Trilateral Cooperation on the Protection on the Wadden Sea from January 1st, 1995.

The 8th Trilateral Governmental Conference on the Protection of the Wadden Sea will be held in 1997 on the invitation of the Government of the Federal Republic of Germany.

The 9th International Scientific Wadden Sea Symposium will be held in 1996 in Germany.

**For the Government of the
Kingdom of The Netherlands**

Mr. J.J. van Aartsen

**For the Government of the
Federal Republic of Germany**

Mr. C. Stroetmann

**For the Government of the
Kingdom of Denmark**

Mr. S. Auken

[Top of page](#)

ANNEX 1

ECOLOGICAL TARGETS AND TARGETS ON CULTURAL AND HISTORICAL ASPECTS

A basic element in the elaboration of the Guiding Principle is the presence of the full scala of habitat types which belong to a natural and dynamic Wadden Sea. Each of these habitats needs a certain quality (natural dynamics, absence of anthropogenic disturbance, absence of pollution), which can be reached by proper management of the area.

The physical, biological, chemical and geomorphological quality of the habitats has been specified by means of Ecological Targets, in short Ecotargets, elaborated by the trilateral Eco-Target Group (ETG) in its Final Report.

The Ecotargets are valid for the whole area of the trilateral cooperation, be it with a differentiation in scale, place and time. The Ecotargets regarding the chemical quality have not been geographically differentiated.

In addition to the above Ecotargets, a number of targets on cultural aspects have been developed.

TARGETS ON HABITAT AND SPECIES

SALT MARSHESThe habitat type salt marsh includes all mainland and island salt marshes, including the pioneer zone. Also the brackish marshes in the estuaries are considered part of this habitat type.

The following targets apply to salt marshes:

an increased area of natural salt marsh;

an increased natural morphology and dynamics, including natural drainage patterns, of artificial salt marshes, under the condition that the present surface area is not reduced; an improved natural vegetation structure, including the pioneer zone, of artificial salt marshes.

TIDAL AREAS

The tidal area covers all tidal flats and subtidal areas. The border to the North Sea side is determined by an artificial line between the tips of the islands. The borders to the estuaries are determined by the average 10 " isohaline at high water in the winter situation.

The following targets are valid:

a natural dynamic situation in the tidal area;

an increased area of geomorphologically and biologically undisturbed tidal flats and subtidal areas;

an increased area of, and a more natural distribution and development of natural mussel beds, *Sabellaria* reefs and *Zostera* fields;

viable stocks and a natural reproduction capacity, including juvenile survival, of common seal and grey seal;-

favorable conditions for migrating and breeding birds:

- a favorable food availability;

- a natural breeding success;

- sufficiently large undisturbed roosting and moulting areas;

- natural flight distances.

ESTUARIES

Estuaries include the estuaries of the rivers with a natural water exchange with the Wadden Sea. On the landward side, estuaries are delimited by the mean-brackish-water line. On the seaward side, the border is the average 10" isohaline at high water in the winter situation.

Estuaries will be protected and restored according to the conditions as agreed on in § 15.

BEACHES AND DUNES

Beaches and dunes include beaches, primary dunes, beach plains, primary dune valleys, secondary dunes and heathland behind the dunes.

The following targets apply:

increased natural dynamics of beaches, primary dunes, beach planes and primary dune valleys in connection with the offshore zone;

an increased presence of a complete natural vegetation succession;

favorable conditions for migrating and breeding birds.

OFF-SHORE ZONE

The offshore zone ranges from the 3-sea-mile line to an artificial line connecting the outer tips of the islands. The border between the offshore zone and the beaches on the islands is determined by the average low-tide water mark.

The following targets apply to the offshore zone

an increased natural morphology, including the outer deltas between the islands;

a favorable food availability for birds;

viable stocks and a natural reproduction capacity of the common seal, grey seal and harbor porpoise.

RURAL AREA

The rural area includes meadows and arable land on the islands and on the mainland where there is a strong ecological relationship with the Wadden Sea.

The following target applies:

favorable conditions for flora and fauna, especially migrating and breeding birds.

TARGETS ON THE QUALITY OF WATER AND SEDIMENT

NUTRIENTS

- a Wadden Sea which can be regarded as a eutrophication non-problem area.

NATURAL MICROPOLLUTANTS

- background concentrations in water, sediment and indicator species.

MAN-MADE SUBSTANCES

- concentrations as resulting from zero discharges.

TARGETS ON LANDSCAPE AND CULTURAL ASPECTS

Firstly, the Wadden Sea landscape with its special natural and characteristic impressions has to be conserved or developed as far as possible. Secondly, the typical features that remind us of its cultural and historic past should be maintained:

IDENTITY

- to preserve, restore and develop the elements that contribute to the character, or identity, of the landscape.

VARIETY

- to maintain the full variety of cultural landscapes, typical for the Wadden Sea landscape.

HISTORY

- to conserve the cultural-historical heritage.

SCENERY

- to pay special attention to the environmental perception of the landscape and the cultural-historical contributions in the context of management and planning

[Top of page](#)

ANNEX 2

STATEMENT OF THE 7TH TRILATERAL GOVERNMENTAL CONFERENCE TO THE 4TH INTERNATIONAL NORTH SEA CONFERENCE, JUNE 1995

The Ministers, responsible for the protection of the Wadden Sea, gathered at the 7th Governmental Conference on the Protection of the Wadden Sea, Leeuwarden , The Netherlands, 30 November 1994,

EUTROPHICATION

aware of the work carried out by the OSPAR ad-hoc working group on eutrophication (EUT Group) on the development of criteria for distinguishing between eutrophication problem and non-problem areas;

aware that there has been no clear improvement in the eutrophication status of the Wadden Sea and other North Sea coastal waters, although a general reduction of phosphorus inputs has been achieved;

recalling their decision to base their nutrient reduction policies upon the ecological target to improve the eutrophication status of the Wadden Sea from 'eutrophication problem area' to that of 'eutrophication non problem area';

recalling the decision of the Intermediate Ministerial North Sea Meeting to consider at the 4th North Sea Conference 'the size and nature for further reduction targets for nutrients in the light of the strategy developed, the QSR and additional scientific knowledge';

call upon the North Sea Ministers to base their future policies for the reduction of nutrient inputs upon the target that all North Sea eutrophication problem areas be transferred into eutrophication non-problem areas';

call upon the North Sea ministers to apply the Precautionary Principle in the process of further developing and specifying criteria for distinguishing between the said two categories, by giving nature the benefit of the doubt in cases where little or insufficient data is available for fixing criteria;

call upon the North Sea Ministers to apply the Precautionary Principle in the further development of the strategy to combat the eutrophication in the North Sea and to give impulses to the application of the source oriented approach, which includes:

- BAT, especially designed for nitrogen and phosphorus removal from industrial and urban sewage;
 - BAT for the reduction of atmospheric emissions of nitrogen;
 - BEP for agriculture, e.g. the concept of balanced fertilization;
- unless it can be demonstrated to the satisfaction of the competent international organizations, that for non problem areas scientific studies demonstrate that inputs of nutrients will not adversely affect the North Sea on a local or regional level;

POLLUTION

welcome the generally observed reductions of inputs of heavy metals to the marine environment and the resulting reductions in concentrations of these substances in water, sediment and biota;

aware of the fact that many organic micropollutants occur in the marine environment, which are not part of regular monitoring programs;

aware that there is increasing evidence for the impairment of the immune and reproductive functions in seals due to the combined presence of polluting substances in the (marine) environment;

recalling the decision of the Ministerial Meeting of the Oslo and Paris Commissions (1992), reiterated by the Inter Ministerial North Sea Meeting (1993), of 'reducing by the year 2000, discharges and emissions of substances which are toxic, persistent and liable to bio-accumulate, to levels that are not harmful to man or nature with the aim of their elimination..';

call upon the North Sea Ministers to base the future policies for the reduction of inputs of natural and man-made micropollutants to the North Sea upon ecosystem targets derived from § 11 of this Annex;

call upon the North Sea Ministers to give the current practice of developing definitions of BAT and BEP an impulse towards a continuous improvement which focuses on all aspects of product life cycles, including possibilities for cleaner process technology, environmentally sound products and substitution of the use of hazardous substances by non-hazardous substances or by the application of environmentally sound practices;

PROTECTION OF SPECIES AND HABITATS

note that the implementation of already agreed on measures with regard to pollution reduction and additional measures to reduce the negative ecological effects of fishery are prerequisites for an effective policy for the protection of species and habitats in the North Sea;

recommend the further development of Ecological Quality Objectives, together with a comprehensive set of measures to reach those targets, as an important step in the elaboration of policies for the protection of species and habitats;

recommend that ecological networks to be established, should contain a variety of different habitat types, including habitats of the coastal zone;

recalling that the collaboration between the trilateral cooperation and the Wash North Norfolk coast is a first step in establishing such networks;

recalling their decisions and initiatives to establish in the Wadden Sea considerable areas permanently closed for cockle and mussel fishery, and to designate sufficiently large areas where all exploitation and disturbing activities are banned and which can serve as reference areas for scientific purposes;

stress the importance of investigating the establishment of undisturbed areas in the North Sea for scientific purposes on an experimental basis in order to assess the recovery and redevelopment of the marine ecosystem;

recommend to the North Sea Ministers to combine this initiative with research programs on the possible

value of areas with or without restricted human use, for species and habitat protection;

SHIPPING

aware of the current discussion within the IMO about environmental problems caused by shipping, in order to improve the protection of the marine environment through various measures, including the establishment of Particularly Sensitive Areas (PSAs);

recalling their decisions to study and consider a proposal to the IMO to designate the Wadden Sea and an adjacent zone as a Particularly Sensitive Area, to support the initiatives in the IMO to make routing measures and reporting systems mandatory for all ships, or for certain categories of ships, carrying dangerous or harmful cargoes, and to invite the competent authorities to take appropriate steps to minimize discharges into the sea, especially from recreational shipping, including systems for the operations of shore reception facilities as soon as possible, at the latest by 1996;

urge the North Sea Ministers

to study and consider a proposal to the IMO to establish the status of Special Area with respect to Annex I and II of the Marpol Convention;

to continue to improve the availability and the quality of shore reception facilities for residues and wastes, to encourage the use of such reception facilities and to study alternative methods of charging the costs of the use of such facilities

to promote expeditious enactment of Annex IV of the Marpol Convention after adjustment of the present text of that Annex;

to explore the possibilities of additional protection of the North Sea, and hence of the Wadden Sea, resulting from the enactment of the UN Convention on the Law of the Sea on 16 November of this year;

to give an impulse to the development of measures for waste prevention, recycling and closed-loop processes in the conduct of shipping operations, with the final aim of eliminating discharges in order to protect the Wadden Sea from any kind of waste disposed of by ships.