

Governance of the Wadden Sea

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ABSTRACT

The Wadden Sea is a unique area from ecological, geological and cultural perspectives and lies in the territories of Denmark, Germany and the Netherlands. The trilateral cooperation on the protection of the Wadden Sea can be marked to start in 1978, although the countries already cooperated before that date. This article describes the evolution of the governance of the Wadden Sea during the more than 35 years of existence of the trilateral cooperation and shows the co-evolution of issues and institutional arrangements over that period. The trilateral cooperation is built upon concerns from the 1960s and 70s about the ecological status of the Wadden Sea and has a focus on nature conservation, while later the sustainability paradigm came up which is covered by the Wadden Sea Forum. The latest development is the inscription of the Wadden Sea as UNESCO World Heritage Site, which gives an extra boost to the trilateral cooperation. This article describes several aspects that are important for the governance of the Wadden Sea, such as the levels of coordination, conflict regulating mechanisms, the role of science and scientific information, stakeholder participation, and juridical arrangements.

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1. Introduction

The Wadden Sea, an intertidal zone in the southeastern part of the North Sea, is widely regarded as a unique area from ecological, geological and socio-cultural points of view [2]. “The Wadden Sea is one of the largest wetlands in the world. It consists of islands, channels, gullies and flats, which are continually changing shape and sometimes even location. The Wadden Sea is unique. It is the only tidal and coastal island system in the world with a temperate climate that is so large and contains such an enormous variety of plants and animals” [3]. The Wadden Sea is part of Dutch, German, and Danish territory (Fig. 1). It is governed on different levels, i.e. federal (Germany), national and regional level with regulatory frameworks that differ between the countries. The three countries are part of the European Union and are obliged to apply EU Directives, i.e. Habitats and Birds Directives and related Natura 2000 sites, Water Framework Directive and Marine Strategy Framework Directive [5].

In order to protect the “biological, scenic and scientific importance of the Wadden Sea” [5] the three Wadden Sea countries agreed to collaborate on the protection of the Wadden Sea and established the Trilateral Wadden Sea Cooperation (TWSC) [2]. The basis of the TWSC is the “Joint Declaration on the Protection of the

Wadden Sea”, signed in 1982 and revised in 2010 [4,6]. Since the establishment of the TWSC, various institutional mechanisms have evolved for the protection of the Wadden Sea [4]. This article investigates more than 30 years of experience with international Wadden Sea protection from a governance perspective, analyzing management structures and the implementation of measures and mechanisms for stakeholder involvement, conflict resolution, and dealing with scientific information to inform management.

1.1. Methodology

Several methodologies were used to collect data: literature review, observation of trilateral meetings and symposia, and semi-structured interviews with 18 key stakeholders involved in Wadden Sea governance. Representatives from the Trilateral Wadden Sea Secretariat, Wadden Sea Forum, involved NGO's were interviewed, along with seal and fisheries experts, representatives of economic sectors, and governmental representatives from the national and provincial level. The main interview topics were their role in Wadden Sea management, main issues for Wadden Sea management, ways of dealing with these issues, conflict resolution mechanisms, ways of dealing with scientific information, implementation of measures, and specific questions about seal management and fisheries. The interviews were conducted in the first half of 2012, while the literature review was closed mid-2013. Since then, the most important development has been the extension of the UNESCO World Heritage Site, that has been taken up

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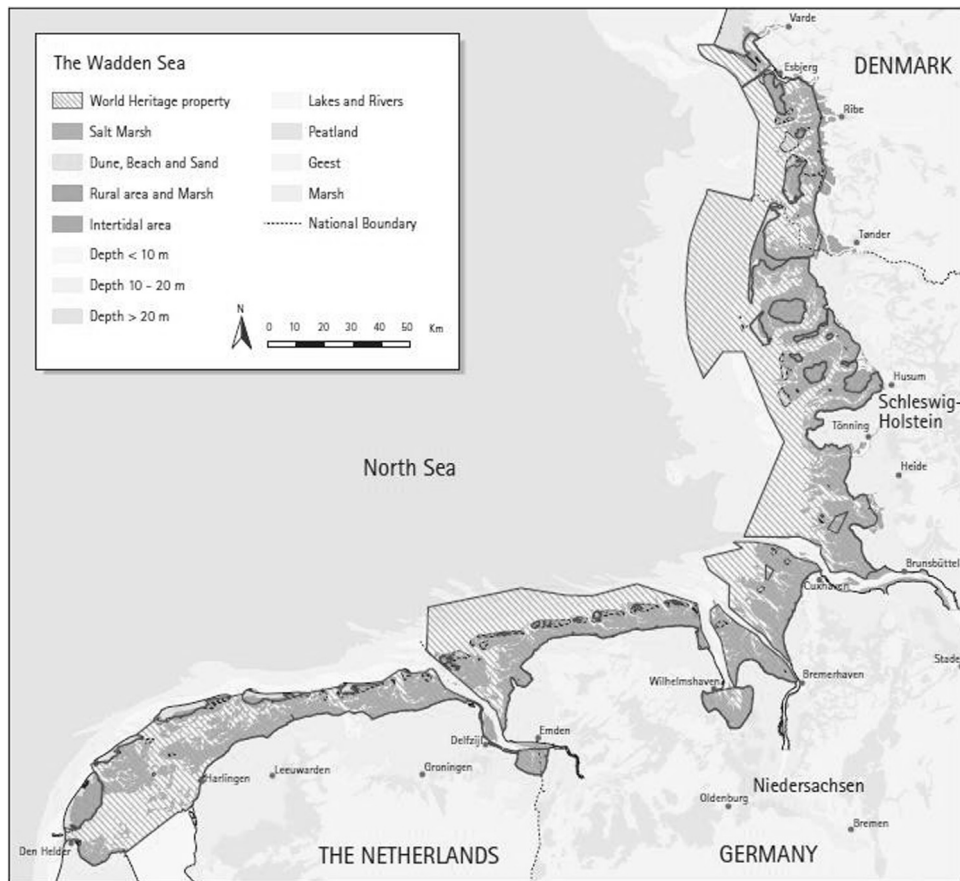


Fig. 1. The Wadden Sea area [30].

in this article.

This research followed the governance analysis approach and structure developed as part of the MESMA project [1] Jones et al., 2015, this issue.

2. The Trilateral Wadden Sea Cooperation

In 1978, during the first Wadden Sea Conference, the decision was taken to strengthen the cooperation between the three countries on the protection of the Wadden Sea [2]. This marks the start of the TWSC.

In the Wadden Sea Conferences important decisions that guide the development of the protection of the Wadden Sea are taken by the Ministers of the three countries. The timeline in Fig. 2 shows some important milestones in the development of the governance of the Wadden Sea in which the TWSC plays a central role. Related to the development of the TWSC, the Wadden Sea Forum was established in 2001 and the Dutch and German parts of the Wadden Sea became UNESCO World Heritage Site in 2009 that was extended in June 2014 with the Danish part of the Wadden Sea and an additional German offshore part [2,7,31].

The TWSC is an example of international cooperation to protect a trans-boundary ecosystem. The cooperation is based on the legally non-binding “Joint Declaration on the protection of the Wadden Sea” [4,8], representing a political agreement between the three countries to protect the Wadden Sea. In this declaration “the governments recognize their responsibilities for the conservation of the ecosystem and declare their intention to coordinate their activities and measures to implement a number of international legal instruments in the field of natural environmental protection,



Fig. 2. Timeline of the development of Wadden Sea governance from 1978.

amongst others the Ramsar Convention and the EC Birds Directive,” [4] (pp7). The “translation” of the international agreements and EC-directives in policies and measures remains the authority of the three national governments. This means that the cooperation relies on dialogue, negotiation and coordination. Decisions between national governments are made at two levels: (1) Trilateral Wadden Sea Governmental Council, i.e. the three national ministers responsible for Wadden Sea affairs, and (2) the Wadden Sea Board (WSB) (Fig. 3). The Trilateral Wadden Sea Council (TWSC) is the politically responsible body at the level of national ministers responsible for inter-governmental cooperation. It “agrees and oversees the cooperation, gives political leadership,

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