

SUMMARY RECORD

MEETING OF THE WADDEN SEA BOARD TRILATERAL WADDEN SEA COOPERATION

WSB 6

5 October 2012

AGENDA ITEM 1: OPENING OF THE MEETING

The chairman, Mr Ilsøe, opened the meeting at 09:00 h. and welcomed the participants and supportive staff to the sixth meeting of the WSB. He in particular welcomed the new member of the Dutch delegation, Mr Waalkens, representing the municipal level and Mr Lauenborg, who replaced Ms Bolette Lehn Petersen

A list of participants is in **Annex 1**.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

Document: WSB 6/2/1 Draft Agenda

The meeting **adopted** the draft agenda of the meeting. The agenda is in **Annex 2**.

AGENDA ITEM 3: SUMMARY RECORD WSB 5

Document: Final Draft Summary Record WSB 5

The final draft Summary Record WSB 5 was **adopted**.

The following remarks were made with regard to the record:

- p.2. A person has been employed for World Heritage promotion and has started 1 September
- p.5. Mr Rebanks will be able to give a presentation at WSB-7.

AGENDA ITEM 4: ANNOUNCEMENTS

Germany.

- The environment minister on federal level had changed, the new German environment minister is Mr Altmaier (CDU). His main task will be the implementation of the German energy transition.
- The magazine "Natur und Landschaft" of the German Federal Nature Agency (BfN), has published an article about the trilateral Wadden Sea cooperation written by Harald Marencic and Jens Enemark. It might be worthwhile to translate the article into English.
- There is a new government in Schleswig-Holstein. The new environment minister is Dr Robert Habeck.
- Mr Sander, the former environment minister of Niedersachsen retired. The former state secretary Mr Birkner has been designated the new environment minister.
- After weeks of odyssey, the German Container Vessel MSC „Flaminia“ had been tossed to the Jade Weser Port at Wilhelmshaven, where it is currently unloaded; Lower Saxon politicians request a better international cooperation and a binding European urgency concept for the salvage of damaged ships.
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Netherlands

- There will be a change of government after the national elections of 12 September. Currently negotiations are ongoing between the social democrat (PVDA) and the liberal party (VVD).
- The Wadden Sea Fund has been decentralized and is now a responsibility of the Wadden Sea provinces. The Fund has been opened for project applications 1 October 2012.

Denmark

- In December 2012 the local management plans N2000 will be adopted.
- The National Park plan has been published and subject to public hearings. Some small amendments will be made.
- The Danish municipalities have prepared a report on CO² emission in the four Danish Wadden Sea municipalities based on existing data.

Advisors

- Mr Rösner informed that the new German environment minister Altmaier has visited the Wadden Sea and has supported that noise in relation to pile driving activities for offshore wind turbines must be reduced to protect harbor porpoises.
- A Wadden Sea poster in World Heritage lay-out has been published by WWF in four languages.
- A Wadden Sea information booklet for school children (so far Dutch and German language versions) has been published in cooperation with the CWSS, WWF and Schutzstation Wattenmeer.
- Mr Friis-Hauge informed that WSF vice-chairperson Ms Schokker has stepped down. Her successor will be Mr Wiebe van der Ploeg (province Groningen).

The meeting **noted** the information.

Mr Verhulst informed that the Dutch parliament has decided that a representative of the Pieterburen seal rehabilitation center should participate in the TSEG.

The German delegation stated that a common approach to TSEG membership is needed. TSEG membership should comply with the following criteria:

1. Subscribe trilateral policies
2. Independent expert (important because otherwise also other interest groups, such as hunters, fishermen and/or animal-welfare groups could apply)
3. Timely and productive results to be delivered.

The Danish delegation supported these criteria and underlined that the door must not be opened for other interests groups.

AGENDA ITEM 5: BUSINESS PLAN 2010 – 13

Documents: WSB 6/5/1 Alien species strategy; WSB 6/5/2 LIFE project alien species; WSB 6/5/3 TMAP strategy; WSB 6/5/4 Sustainable fisheries; WSB 6/5/5 MSFD; Hand-out Germany MSFD; WSB 6/5/6 Nature restoration; WSB 6/5/7 Seed mussel import; WSB 6/5/8 Report TG-STs; WSB 6/5/9 Progress Business Plan; WSB 6/5/10 Workshop maritime heritage

Alien species strategy

WSB **took note** of the proposed Strategy on Alien Species as in document WSB 6/5/1 and **agreed** on installing an ad-hoc working group for further developing the Strategy. The working group should focus on a catalogue of “no regret” measures that could be adopted at the 2014 Conference. Such a list should preferably be submitted to the WSB-7 meeting. The working group should also prepare proposals for priorities, next steps to be taken and possible amendments to the draft Strategy. The working group should be in close contact

with stakeholders. The Terms of Reference for the ad-hoc working group, as in document 6/5/1, were amended accordingly and are in **Annex 3**.

LIFE+ application invasive species

The meeting **took note** of the progress of the LIFE+ application as in document WSB 6/5/2. Mr Verhulst stated that the Netherlands were prepared to act as coordinating beneficiary. WSB **acknowledged** that contributions by the partners in the project will be further explored in the run-up to the 2013 call.

The secretary underlined that the project coordination should be located at the CWSS.

TMAP Strategy

WSB **adopted** the strategy as in document WSB, pending 3 weeks for commenting and including the remark made by Mr Verhulst that more emphasis be given to innovative ways of monitoring, such as remote sensing.

Sustainable fisheries

The meeting discussed the proposed procedure in document WSB 6/5/4 and **agreed** that before contacting the sector, a common position would be elaborated by the Steering Committee and TG-M in accordance with §§16-17 of the Sylt Declaration, as well as a proposal for a dialogue with all stakeholders. The procedure was amended accordingly and is in **Annex 4**.

Mr Scherer stated that Schleswig-Holstein has submitted serious concerns in written form regarding the contents of the report. Provided that these concerns are recorded Schleswig-Holstein is now prepared to set aside its concerns and to agree to the proposed procedure.

Marine Strategy Framework Directive

The meeting **took note** of document WSB 6/5/5, including a German hand-out. Upon the question by Mr Verheij about the legal status of the Dutch decision not to apply the MSFD to the Wadden Sea in a legal sense, Mr Verhulst answered that the Netherlands is not going to implement the MSFD in the Wadden Sea but will cooperate in a practical way.

Nature Restoration

The meeting **acknowledged** that nature restoration should be dealt with at the regional level and was not in favour of discussing the issue from a conceptual point of view. WSB **took note** of document WSB 6/5/6 and **agreed** that TG-M should continue to address nature restoration with the aim of identifying some good examples for presentation at the 2014 Conference.

Seed mussel import

The meeting **took note** of document WSB 6/5/7 with the addition that in Lower Saxony there are no applications for the import of seed mussels at present, but nevertheless, possible future consequences of the court ruling are communicated between the responsible authorities.

The meeting **supported** the conclusions from the document and **agreed** to come back to the issue after the ruling of the highest German administrative court.

Sustainable tourism strategy

The WSB **expressed its concern** about the delay in the finalisation of the sustainable tourism strategy. WSB was informed that there will be a meeting with Europarc Consulting GmbH on 12 October after which more information will be available about progress. WSB **took note** of document WSB 6/5/9 and **instructed** the CWSS to closely watch the process.

Workshop Maritime Heritage

The meeting **noted** the information on the workshop on indicative mapping of the maritime heritage of the Wadden Sea held in Husum 24-26 September 2012.

The secretary informed that a popular version of the comparative study of the Wadden Sea Region cultural landscape made in 2010 was under elaboration together with and financed by the Dutch Wadden Academy. The brochure will be available at the scientific symposium in November 2012 in four languages. The meeting **noted** the information.

Workshop PSSA Vision

Mr Scherer as chairman briefly reported on the outcome of the workshop on the Wadden Sea PSSA vision held on 19 September 2012 in Hamburg. The objective of the workshop as instructed by the Task Group Shipping (TG-S) was to develop a vision for the Wadden Sea PSSA as stipulated in §38 of the Sylt Declaration 2010 on maritime safety and pollution prevention. The workshop was extremely successful in that it unanimously adopted a vision after a detailed and meticulously discussion on a draft. He felt that it was essential to recognize that significant progress had been made to guide the further work.

The meeting **noted** the report of the chairman. Furthermore on his suggestion, the meeting **noted** with satisfaction the successful drafting of a vision that has the support of key stakeholders, appreciated the unanimous decision of all participants of the workshop and valued the unreserved agreement on the drafted vision as a firm basis for the coming steps.

In conclusion the WSB **appreciates** the organization of this workshop by the TG-S and CWSS, and **requests** the TG-S to assess the results of this workshop, including the adopted vision, with the specific aim of delivering a corresponding operational action plan (prevention, emergency assistance etc.) to be discussed at the next WSB meeting.

Business Plan 2010-13

The secretary briefly went through the progress report on the Business Plan 2010-13. He indicated that the plan was on schedule in terms of implementation but that further discussions were necessary on certain topics to determine the exact deliveries to the 2014 Conference such as with regard to monitoring and reporting on sustainable development.

On the inquiry of Mr Verhulst on whether something could be delivered on climate Mr de Jong replied that as requested Task Group Climate would present a climate adaptability vision to be discussed at WSB 7. Mr Rösner added that also the CO₂ neutrality issue should be discussed at the 2014 Conference though as a separate issue from the climate adaptability.

The meeting **noted** the information.

AGENDA ITEM 6: COMMUNICATION STRATEGY

Document: WSB 6/6/1 Communication Strategy

After a presentation of the Communication Strategy (Guidelines) by the CWSS Communication Officer it was discussed by the meeting.

Ms Nickel stated that the general impression of the Communication Strategy was very good and firm basis to continue the communication. The Strategy would however demand a high degree of discipline to align with the existing regional communication including the communication of the Wadden Sea national park authorities. In view of the late reception of the final draft Germany would need an additional two weeks to consolidate consultations.

Mr Rasmussen indicated that he and other interviewed Danish representatives had difficulties in recognizing their viewpoints in the Strategy. He requested a distinct definition of the difference between internal and external communication and a discussion on the strategic aims which he thought were too unfocussed, not practise related, could be reduced and emphasized the added value too much. He suggested that the strategic aims were

discussed and approved of by the partners to ensure ownership by the Cooperation of these aims.

Mr Verhulst backed by Mr Waalkens indicated that overall the Strategy could be supported including the strategic aims though the latter could possibly be more focussed. During the implementation of the Strategy, however, its function should become clearer in terms of helping local partners and stakeholders who are proud to live near the Wadden Sea World Heritage, to do their work within the Trilateral Wadden Sea Cooperation including making clear the lines of communication.

Mr Rösner indicated that overall he welcomed the strategy but its success would very much depend on whether it would be incorporated in the partner communication such as the communication of the German national park authorities, and whether the strategy would comply with their needs. Mr Verheij added that the communication should always be seen as a two way communication and should be an honest communication not only confined to the good sides of the Cooperation. Furthermore, he stated that the partners also have duties of their own and could not always follow the duties as outlined in the strategy. Mr Friis-Hauge noted with appreciation that the synergies would be sought with the Wadden Sea Forum during the communication.

The secretary responded to the comments made and underlined that the strategic aims were not aims of the Cooperation which is stipulated in the 2010 Joint Declaration but the strategic aims of the communication. Furthermore, the strategy is a tool to help partners in their communication of matters related to the Wadden Sea and the Cooperation in line with the communicative principle and in accordance with the duties of the CWSS and the partners outlined in the Strategy.

The chairman summarized that some time would be needed for further consultation and the strategic aims needed to be discussed further. On his proposal it was **agreed to**

- (1) Install a three weeks consultation period for comments on the Strategy.
- (2) Discuss and approve of the strategic aims at the latest at WSB 7 and, as appropriate, amend the Strategy.
- (3) Authorise the CWSS Communication Officer with the implementation of the Communication Strategy taking account of the limitations of (1) and (2) and to report on progress to WSB 7.

AGENDA ITEM 7: WADDEN SEA CONFERENCE

Document: WSB 6/7/1 Outline Ministerial Council Declaration

Overall the meeting welcomed the update of the outline to include timetable and feasibility of finalization of issues before the 2014 Conference submitted by the ad-hoc working group. On proposal of Mr Verhulst it was agreed to include in the further work the energy issue and the impact on the Wadden Sea e.g. as discussed on the Wadden Sea Day. The CWSS and the WSF secretariat were **instructed** to develop a proposal in this regard.

On an inquiry of Mr Verheij the CWSS informed that the next QSR was scheduled for 2015.

It was further **agreed** to invite the (Dutch) Wadden Academy by a formal letter to advise on the prioritization of the outcome and recommendations of the Scientific Symposium for the 2014 Conference.

On the proposal of the chairman it was **agreed** taking account of the above to

- (1) Instruct the ad-hoc group with the elaboration of the structure and outline of the draft Ministerial Declaration for presentation at WSB 7.
- (2) Provide an overview of the documents to be elaborated together with timetable and responsibilities for WSB 7.

AGENDA ITEM 8: WADDEN SEA WORLD HERITAGE

Document: WSB 6/8/1 Wadden Sea World Heritage

Extension Nomination

The chairman TG-WH briefly referred to the outcome of the meeting of the Task Group the day before as circulated in the document. The TG-WH was not able to finalize the nomination document because of the still on-going consultation in Denmark. In the discussion of the boundaries of the nominated property the TG-WH underlined the following starting points:

- (1) The nomination is based on the existing rules and regulations encompassed by the Trilateral Conservation Area.
- (2) Outstanding Universal Value is fundamental (OUV), only smaller areas that did not meet the OUV in the 2009 inscription – oil and gas and military exercise fields – were excluded from the property.
- (3) The three state parties have a common responsibility for the inscribed and nominated property.

The TG-WH further proposed a detailed time schedule for the completion and submission of the dossier to meet the deadline of ultimately 1.2.13.

Furthermore, the TG-WH advised that a Danish representative be included in the Flyway Initiative Steering Group. Finally the status of implementation of the communication programme and follow up and Korean initiative to nominate a part of their tidal area for the World Heritage List was presented.

Mr Rasmussen informed about the progress on the consultation on the nomination of the Danish Wadden Sea for the World Heritage List. Overall, the municipalities and the stakeholders had approved of the principles on which the Dutch-German Wadden Sea World Heritage property was based, namely the Trilateral Conservation Area but there were still a number of outstanding discussion issues being

- The shipping lane to Esbjerg which was neither a N2000 area nor designated PSSA which would justify an exclusion from the nomination
- The shipping lane to Havneby on the island of Rømø which was both N2000 and PSSA
- Two other very small areas e.g. in the Magrethe Kog with extensive agriculture
- The municipality of the island of Fanø which in the early consultation round had declined the nomination

The Danish Environment Minister will be informed shortly on the status of consultation and she will approach the municipalities and the Advisory Boards with a final decision and request letters of support for the nomination.

The meeting **agreed** to

- (1) Note the progress report provided by Denmark on the consultation on the nomination of the Danish Wadden Sea.
- (2) Approve of the time schedule in the attachment taking account of the nomination principles.
- (3) Note the information about Korea.

Furthermore Denmark **agreed** to nominate an expert for the Wadden Sea Flyway Initiative Steering Group.

Wadden Sea World Heritage Foundation

The WSB had agreed to the ToR for investigating the feasibility and merits of establishing a foundation for promoting the Wadden Sea World Heritage at the telephone conference 28 June 2014.

Germany and the Netherlands each designated a person for the Committee to carry out the investigation and Denmark promised to designate a person from government level that would match the two others. The secretary was **instructed** to set the investigation in motion taking account of the agreement of the WSB telephone conference to aim having a preliminary draft of the investigation discussed at WSB 7 with a view to have the Foundation issue settled, as appropriate, at the 2014 Conference.

Germany will seek to find its share of the proposed budget of € 14,000. The Netherlands will reserve resources for the activities (investigations, travel costs) within existing budgets and Denmark will attempt to do the same.

AGENDA ITEM 9: WADDEN SEA FORUM

Document: WSB 6/9/1 Progress Report WSF

The chairman of the Wadden Sea Forum (WSF), Mr Friis-Hauge, in addition to the available report, informed about the outcome of the WSF Steering Committee held the day before. He underlined that WSF attaches much importance of the development of the Wadden Sea PSSA vision and the WSF would constructively support the further work. He very much hoped that the cooperation between the TG-S and Mr de Hoop as chairman of the WSF shipping group will achieve a good result.

The WSF will deliver to the 2014 Conference a strategic report reflecting on the work and the role of the WSF in the past 10 years. Currently he and the secretary were initiating talks with members, organizations and regional authorities to discuss possibilities of increasing the financial support of the WSF. Since 2008 the costs of the secretariat have increased substantially and currently it is estimated that an additional contribution of € 50,000 after 2013 is necessary.

The meeting **noted** the report.

AGENDA ITEM 10: CWSS BUDGET

Document: WSB 6/10/1 Budget CWSS 2013

The secretary explained that the draft budget 2013 and the indicative budget 2014-15 had been amended in comparison to the draft submitted at WSB 5 to include the increase of the salary for public employees in Germany for 2013 and the years after. The increase resulted from the collective bargaining after several years of zero increases and downscaling of the salary scales for new employees. This draft had been kept on the same level as the previous one which resulted in significant cuts in the budget chapters information and publications activities, and the WSP/TMAP chapter because these were the only flexible chapters.

He also informed the meeting that the auditing of the 2011 financial statement has not yet been done and would have to be done in a written procedure.

The meeting **adopted** the draft Budget CWSS 2013 pending final approval of the state budgets. The meeting **noted** the indicative budget 2014 – 15.

AGENDA ITEM 11: REPORT CWSS

Document: WSB 6/11/1 Report CWSS

The meeting **noted** the CWSS progress report on developments since the last meeting of the WSB.

AGENDA ITEM 12: NEXT MEETING

WSB 7 will be postponed and held on **6-7 March 2013** in Germany at a location to be determined.

AGENDA ITEM 13: ANY OTHER BUSINESS

No other business discussed.

AGENDA ITEM 14: CLOSING

Mr Verhulst on behalf of the WSB congratulated the chairman with his 50th birthday on 6 October 2012 and wished him many happy returns.

The chairman thanked him for the wishes and the participants for a very pleasant meeting and constructive discussions, and closed the meeting at app. 14:30 h.

Annex 1

Participants WSB 6

<p>Mr Peter Ilsøe Chairman Deputy Director General Nature Agency Ministry of the Environment Skovridervej 3, DK - 6510 Gram Phone: +45 72 54 36 20 Mobile: +45 23 20 72 42 E-mail: pil@nst.dk</p>	
Denmark	
<p>Mr Bent Rasmussen Head of Delegation Chief Forester Nature Agency Skovridervej 3, DK - 6510 Gram Phone: +45 73 51 44 66 Mobile: +45 22 59 38 05 E-mail: brasm@nst.dk</p>	<p>Ms Anne Krag Svendsen Danish Municipal Wadden Sea Secretariat Torvegade 74 DK - 6700 Esbjerg Phone: +45 76 16 13 24 Mobile: +45 29 65 84 18 Email: anks@esbjergkommune.dk</p>
<p>Mr Michael Lauenborg Heritage Agency - Ministry of Culture H.C. Andersens Boulevard 2 DK - 1553 København K Phone: +45 33 74 51 89 Mobile: +45 22 76 07 19 Email: miclau@kulturarv.dk</p>	
Netherlands	
<p>Mr Jaap Verhulst Head of Delegation Director Department North Ministry of Economic Affairs, Agriculture and Innovation PO Box 30032 NL - 9700 RM Groningen Phone: +31 (0) 50 - 599 2331 Mobile: +31 (0) 6 - 525 259 10 E-mail: j2.verhulst@minlnv.nl</p>	<p>Ms Tineke Schokker-Strampel Deputy Province of Fryslân Dutch Wadden Sea Provinces PO Box 20120 NL - 8900 HM Leeuwarden Phone: +31 58 292 5850 Mobile: +31 6 50 65 0733 E-mail: secr.gs.schokker@fryslan.nl</p>
<p>Mr Harm Evert Waalkens Alderman Municipality of Marne PO BOX 11 NL 9965 ZG Leens</p>	
Germany	
<p>Ms Elsa Nickel Head of Delegation Director Nature Conservation Federal Ministry for the Environment, Nature Protection and Nuclear Safety Postfach12 06 29 D - 53048 Bonn Phone: +49 22899 305 2605 Mobile : +49 162 139 5425 E-mail: elsa.nickel@bmu.bund.de</p>	<p>Mr Bernd Scherer Deputy Director General Department for Water Management, Marine and Coastal Protection Ministry of Energy Transition, Agriculture, Environment and Rural Areas Mercatorstrasse 3 D - 24106 Kiel Phone: +49 431 988 7288 Mobile: +49 175 585 7418 E-mail: bernd.scherer@mlur.landsh.de</p>
<p>Mr Hubertus Hebbelmann Ministry of Environment, Energy, and Climate Protection of Niedersachsen Referat 52 Postfach 4107 D - 30041 Hannover phone: +49 (0) 511120-3382 fax: +49 (0) 511120-993382 hubertus.hebbelmann@mu.niedersachsen.de</p>	<p>Mr Klaus Janke Ministry of Urban Development and Environment Free and Hanseatic City of Hamburg Stadthausbrücke 8 D - 20355 Hamburg Phone: +49 40428403392 E-mail: klaus.janke@bsu.hamburg.de</p>

Advisors	
Mr Hans-Ulrich Rösner Wadden Sea Team WWF – Wadden Sea Office Hafenstraße 3 D - 25813 Husum Phone: +49 4841 66 85 51 Mobile: +49 151 122 90 848 E-mail: wwf.husumr@mac.com	Mr Herman Verheij Wadden Sea Team Wadden Society PO Box 90 NL - 8860 AB Harlingen Phone: +31 51 749 3640 Mobile: +31 6 13 54 9964 E-mail: verheij@waddenvereniging.nl
Mr Preben Friis-Hauge Chairman WSF Søndergade 18 DK - 6862 Tistrup Mobile: +45 60 21 45 44 E-mail: prfh@varde.dk	
Secretariat	
Jens Enemark, secretary Folkert de Jong	

Supporting Staff

Ms Stefanie Hedtkamp Federal Ministry for the Environment, Nature Protection and Nuclear Safety (BMU) Habitat Protection, Natura 2000 and Marine Nature Conservation Robert-Schuman-Platz 3 D - 53175 Bonn phone: +49 (0) 228 99 305 2629 fax: +49 (0) 228 99 305 2694 e-mail: stefanie.hedtkamp@bmu.bund.de	
Mr Bernard Baerends Ministry of Economic Affairs, Agriculture and Innovation Department North Postbus 30032 NL - 9700 RM Groningen Phone : +31 (0)64 85860 58 E-mail: b.baerends@minlnv.nl	Mr Ronald van Dokkum Directorate-General for Public Works and Water Management Directorate Noord-Nederland PO Box 2301 NL - 8901 JH Leeuwarden Phone: +31 58 234 Mobile: +31 6 E-mail: @rws.nl
Mr Manfred Vollmer Wadden Sea Forum Virchowstr. 1 D – 26382 Wilhelmshaven Phone: +49 4421 9108 18 Fax: +49 4421 910830 E-mail: vollmer@waddensea-forum.org	

Annex 2

**AGENDA
MEETING OF THE WADDEN SEA BOARD
TRILATERAL WADDEN SEA COOPERATION
WSB 6
5 OCTOBER 2012
CWSS, WILHELMSHAVEN**

1. Opening of the Meeting
2. Adoption of the Agenda
3. Summary Record WSB 5
4. Announcements
5. Business Plan 2010 – 13
6. Communication Strategy
7. Wadden Sea Conference
8. Wadden Sea World Heritage
9. Wadden Sea Forum
10. CWSS Budget
11. Report CWSS
12. Next Meeting
13. Any Other Business
14. Closing

Annex 3

AD-HOC WORKING GROUP ALIEN SPECIES STRATEGY Terms of Reference

The 2010 Sylt Ministerial Council meeting has agreed the following regarding the trilateral approach to dealing with invasive aliens species

25. Support the ongoing international efforts to prevent and manage alien species introductions *inter alia* by ratifying the 2004 International Convention for Control and Management of Ships' Ballast Water and Sediments (BWM Convention) as soon as possible, but in all cases not later than 2013 and instruct the Board to investigate the possibility to get involved in already ongoing ballast water projects covering the Wadden Sea (e.g. the Interreg Project "North Sea Ballast Water Opportunity).

26. Instruct the Board to develop during the period until the next Ministerial Conference a common strategy for dealing with alien species introductions in the Wadden Sea, also taking account of the request of the UNESCO World Heritage Committee and the BWM Convention.

The Task Group Management has drafted a common Alien Species strategy, which was welcomed by the Wadden Sea Board in October 2012. The Wadden Sea Board has installed an ad-hoc Working Group Alien Species with the remit to:

Tasks

- (1) Evaluate the feasibility of the proposed policies and actions and coordinate any necessary follow-up tasks by
 - assessing the financial implications and feasibility of anticipated additional monitoring and management measures
 - formulating recommendations for the structural aspects of the implementation
 - developing proposals for next steps
 - improving the strategy
- (2) Act as an exchange platform for actions related to regional, national and EU alien species policies, *inter alia* concerning the MSFD descriptor 2 implementation, the EU alien species directive and the anticipated LIFE project alien species.

Composition

The ad-hoc Working Group Alien Species Strategy shall consist of representatives of authorities responsible for the various aspects related to Alien Species (Hull/hard substrate fouling; Ballast Water; Shellfish transports; Monitoring and assessment; terrestrial invasions)

Output

Recommendations/reporting to TG-M regarding

- structural, legal and financial aspects of implementing the strategy
 - evaluation of the feasibility of the policies and actions of the strategy
 - priorities and next steps for implementation
- progress and evaluation of and linkages with other relevant activities.

Budget

To be determined as part of Task 1. Travel costs to be carried by member organisations. Facilitation costs from CWSS budget. Projects and studies to be financed externally.

Reporting Schedule

2012 Formation of the ad-hoc Working Group Alien Species Strategy

2013 Three meetings envisaged. Outputs to be delivered to TG-M by August 2013.

Annex 4**Procedure follow-up sustainable fisheries**

1. WSB mandates TG-M (through the Steering Committee) to draft a guidance document, leading to a common position of the TWSC in accordance with §§ 16-17 of the Sylt Declaration, for submission to WSB-7, containing:

- a review of the main conclusions and recommendations of the report, including a prioritisation;
- a review of the main strengths and weaknesses of the report;
- proposals for an operationalisation of the suggested sustainability criteria within the “indicator based framework” that was developed in the report, including a specification of the fishing gears contained within the criteria;
- proposals for the further process;
- recommendations for structuring the dialogue with stakeholders (fisheries sector + green NGOs).

2. WSB-7 decides on the further process, including an effective and timely consultation with stakeholders, on the basis of the guidance document.