



HARBASINS Report:

Water Framework Directive and North Sea coastal areas and estuaries

HARBASINS Phase 1: Legislation and administration

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Water Framework Directive in North Sea coastal areas and estuaries

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Preface

The Interreg project HARBASINS focuses on the implementation of the Water Framework Directive (WFD) in relation to the Birds and Habitats Directives and the concept of Integrated Coastal Zone Management (ICZM). However, there are also many other international agreements which have a relationship with management of coastal areas and estuaries and of which we have to take notice. This report gives an overview of European legislation and international agreements with respect to the North Sea and regional agreements for specific coastal areas and estuaries. National administrations responsible for implementing these directives and agreements are mentioned. This illustrates the environment of the Harbasins-project.

This report is a product of the first phase of the project: Administrative embedding.

Leeuwarden, March 2007
Paul de Graaf and Harald Marencic

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1 Introduction

1.1 HARBASINS

Management of European waters is governed by the EU Water Framework Directive (WFD) for river basins together with a variety of international agreements for coastal waters. Based on the concept of River Basin Management at the European level, a stepwise implementation of the directive has been prescribed. However, the fact that river basins cross both regional and national borders often poses problems, particularly as management strategies are not always well coordinated even within individual countries.

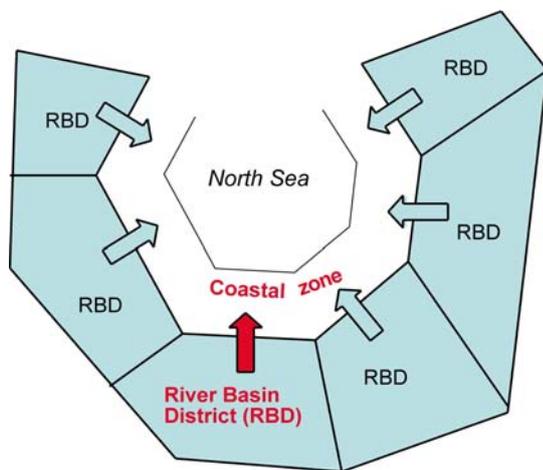


Figure 1.1. River Basin Districts (RBDs) meeting in the North Sea

Coastal zones which encompass several river basin areas (Figure 1.1) are guided by different international agreements, such as the Oslo-Paris Convention (OSPAR) and the Trilateral Wadden Sea Cooperation (TWSC). This may result in different approaches being adopted which are not always well tuned with the implementation of relevant European Directives. Often national administrations are not well aware of the differences between national approaches regarding the implementation of EU Directives in adjacent river basins.

International cooperation and coordination of the various practices and initiatives is therefore required in order to effectively integrate and manage the North Sea as one region.

The aim of the HARBASINS-project ('Harmonised River Basin Strategies for the North Sea') is to enhance the compatibility of management strategies and international cooperation for the coastal waters and estuaries of the North Sea region. The focus is on harmonisation of the EU Water Framework Directive (WFD) and the international cooperation on integrated management of estuaries and coastal waters in the North Sea region, ultimately leading to ecosystem restoration and compatible instruments which ensure sound environmental management of interconnected coastal zones.

The partner countries in HARBASINS are: Belgium, Germany, The Netherlands and The United Kingdom. Therefore research activities are focussed on the coastal waters in these countries as well as the estuaries, especially the Scheldt, the Ems, the Weser and the Humber.

HARBASINS is funded by the European Regional Development Fund Interreg and executed within the Interreg IIIB North Sea Programme. More details can be found on the website (www.harbasins.org).

1.2 Project phases

Within the HARBASINS project the following 4 phases are distinguished:

Phase 1: Administrative embedding.

This first phase includes an inventory on relevant documents concerning the implementation of the Water Framework Directive (WFD), the Birds and Habitat Directives (BHD) and Integrated Coastal Zone Management (ICZM). A selected series of WFD-documents are analysed in order to be able to derive conclusions as to agreements and differences between countries in implementing the WFD in relation to the BH-directives and ICZM. The notions are input for an analysis of the implementation process. The description of legislation and administrations of the present report is a first step to explore the project environment.

Phase 2: Method development, data handling and monitoring

During this phase methods and instruments as tools for management are evaluated and developed.

Phase 3: Pilots or field application

The instruments developed are tested and applied in different areas within the participating countries. The focus is on coastal waters and a selection of estuaries (Ems, Weser, Scheldt and Humber).

Phase 4: Evaluation and knowledge dissemination.

The aim of the last phase is to formulate recommendations for management of coastal areas and estuaries which are based on the results of earlier phases.

1.3 Scope of the report

The focus of HARBASINS is on the implementation of Water Framework Directive (WFD) in relation to the Birds and Habitat Directives (BHD) and ICZM. However, as mentioned above, other international and regional agreements have to be taken into account. In chapter 2 an overview is given of the European legislation and international and regional agreements relevant for the coastal areas and estuaries of the North Sea. In chapter 3 the authorities who are responsible for implementation of these EU Directives and other international and regional agreements are mentioned. Both chapters finish with some conclusions. The Annexes contain a list of acronyms and abbreviations (Annex 1), the bibliography (Annex 2) and a list of administrations (Annex 3).

2 Legislation

The present chapter reviews the European Directives and international agreements as far as relevant for the objective of HARBASINS, i.e. the implementation of the Water Framework Directive in the estuaries and coastal zones of the North Sea. For each agreement or directive the following items are regarded: i) date of entry into force, ii) objective, iii) contents, iv) instruments, v) area, vi) deadline for implementation and vii) monitoring requirements (only for WFD and BHD).

2.1 Levels of extend / geographical scope

Global versus regional

A long list of international agreements and European Directives are relevant for the coastal waters and estuaries of the North Sea region. The level of extend of these agreements range from global to regional (Fig. 2.1). The Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), the Ramsar Convention and Marpol by the International Maritime Organization (IMO) are examples of 'global agreements'. Other agreements have a more regional character, such as the Trilateral Wadden Sea Cooperation (TWSC) (The Netherlands, Germany, Denmark). Others are restricted to specific coastal areas or estuaries, such as the Ems-Dollard Treaty (between The Netherlands and Germany), the Scheldt Treaty (between The Netherlands and Belgium) and the Tweed Forum (UK).

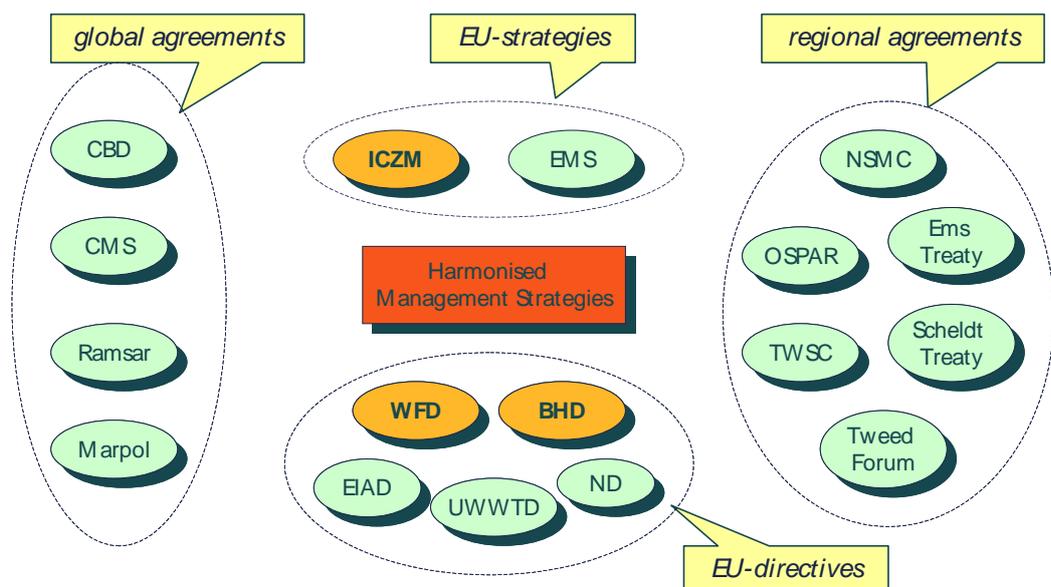


Figure 2.1. Overview of the main global and regional agreements and EU-strategies and directives, which are relevant for the North Sea and for the HARBASINS project (for abbreviations: see Annex 1).

European Strategies and Directives

Other international agreements, like Integrated Coastal Zone Management (ICZM), are merely 'strategies'. Member states are asked to work out national plans for coastal areas based on specific principles of these strategies.

The last decades a number of directives have been adopted by the European Union which are of importance for the North Sea. Examples are the Nitrate Directive (ND), the Urban Waste Water Treatment Directive (UWWTD), the Birds Directive (BD), the Habitat Directive (HD) and the Water Framework Directive (WFD). Other directives, such as the Marine Strategy Directive (MSD), are in development/ under negotiation. The EU Directives should be regarded as an integrated package of measures that have the aim of EU wide environmental policy.

Sectoral versus integral

Many international agreements and EU Directives have a rather sectoral approach. They are focussed on specific topics, such as pollution (OSPAR), shipping (Marpol), nature (Ramsar Convention, Convention on Biodiversity (CBD), Convention on Migratory Species (CMS). Also many regional treaties deal only with specific topics on which agreements are regarded necessary.

Other agreements and strategies have a more integrated approach. This is the case for the concept of Integrated Coastal Zone Management (ICZM), the Marine Strategy and also for the Water Framework Directive (WFD).

In Figure 2.1 an overview of global, regional and EU directives relevant for the North Sea area is given. All these agreements should be used as management tools by national authorities in a harmonised way to reach a healthy North Sea ecosystem (coastal areas and estuaries).

2.2 European legislation

2.2.1 Water Framework Directive (WFD)

On 23 October 2000 the European Union established a framework for Community action in the field of water policy, commonly referred to as the Water Framework Directive (2000/60/EC). This Directive entered into force on 22 December 2000. All pre-2004 15 Member States of the European Union are contracting parties to the Directive.

The Directive establishes a framework for the protection of all bodies of surface water (rivers, lakes, transitional and coastal) and groundwater on an EU level and aims to achieve a 'Good Ecological Status' and a 'Good Chemical Status' by 2015.

The Directive has the following main objectives:

- to prevent further deterioration and protect and enhance the status of aquatic ecosystems;

- to promote sustainable water use based on a long-term protection of available water resources;
- to aim for enhanced protection and improvement of the aquatic environment, *inter alia*, through specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing-out of discharges, emissions and losses of the priority hazardous substances;
- to ensure the progressive reduction of pollution of groundwater and prevent its further pollution; and
- to contribute to mitigating the effects of flooding and droughts.

The European Commission and the Member States established a Common Implementation Strategy (CIS) for the Water Framework Directive. CIS prepared guidance documents such as the Guidance on Heavily Modified Water Bodies. The Water Framework Directive has additional measures with respect to protected areas under Article 6 of the Directive. There is a requirement for a register of protected areas including areas designated for the abstraction of drinking water and areas designated for the protection of economically significant aquatic species, in addition to the various protected areas under other EU legislation such as the Habitats Directive and the Nitrates Directive.

The Water Framework Directive will integrate the current approaches of the Urban Waste Water Treatment Directive and the Nitrates Directive into the classification systems for “ecological status”, where eutrophication will play an integral part.

Area

In coastal areas, the WFD covers transitional waters and coastal waters up to one nautical mile from the territorial baseline of a Member State for a Good Ecological Status and up to 12 nautical miles for a Good Chemical Status.

Implementation

There are several deadlines for implementing the WFD (see Table 2.1). After the directive has been translated into national legislation (art. 23) River Basin Districts and responsible authorities have to be identified (art. 3). Then steps are taken to set up a River Basin Management Plan, including a programme of measures for each river basin district. By performing the programme of measures the authorities expect to reach the objectives by 2015. Monitoring will be done to check the effectiveness of the measures. If necessary extra time can be given to take additional measures in order to reach the objectives at the latest in 2027.

Table 2.1 Deadlines associated with the Water Framework Directive.

Article	Task	Deadline
25	Directive entered into force	2000

23	Transposition in national legislation	2003
3	Identification of River Basin Districts and Authorities	
5	Characterisation of river basin: pressures, impacts and economic analysis	2004
8	Establishment of monitoring network	2006
14	Start public consultation (at the latest)	
13	Present draft River Basin Management Plan	2008
13 & 11	Finalise draft River Basin Management Plan including programme of measures	2009
9	Introduce pricing policies	2010
11	Make operational programmes of measures	2012
4	Meet environmental objectives	2015
4 & 13	First management cycle ends	2021
4 & 13	Second management cycle ends, final deadline for meeting objectives	2027

In conjunction with the Water Framework Directive, several so-called Daughter Directives have been or will be adopted:

- Groundwater Directive (Dec. 2006)
- Priority Substances Directives (in prep 2007))
- Flood Directive (in prep in 2007)

Management Plans

A River Basin Management Plan covers an entire river basin district (Article 13) with the intention to facilitate management planning that transcends administrative and national borders. It consists of (1) a general description of the river basin district, i.e. of surface waters and groundwater, (2) a summary of all significant pressures and anthropogenic impacts, (3) mapping of the protected areas, maps of the monitoring networks for the bodies or surface water, bodies or groundwater and protected areas (inter alia Natura 2000 sites), (4) a list of environmental objectives for the water use, (5) a summary of all measures and programs of measures adopted under Art. 11 WFD, (6) a list of the competent authorities, and (7) a summary of public information and consultations measures.

Monitoring

As part of a River Basin Management Plan, a monitoring network has to be established by end of 2006 (WFD Art. 8) to provide a coherent and comprehensive overview of ecological and chemical status within each river basin. WFD Annex V specifies the information that is

required from monitoring. Three types of monitoring¹ for surface waters are described: 1. Surveillance monitoring, 2. Operational monitoring and 3. Investigative monitoring.

A guidance document on monitoring has been adopted by the EU Water Directors (CIS, 2002). This legally non-binding document provides a common understanding on monitoring requirements of the WFD. The guidance underlines that the WFD introduces a flexible hierarchical system for monitoring the very many different types of water bodies across Europe. A WFD guidance document on chemical monitoring activities is under preparation and will be published in spring 2007.

The objective of monitoring is to establish a coherent and comprehensive overview of water status within each River Basins District (RBD) and must permit the classification of all surface water bodies into one of five classes. 'Water bodies' are the units that will be used for reporting and assessing compliance with the Directive's principal environmental objectives.

An important aspect in the design of monitoring programs is quantifying the temporal and spatial variability of quality elements (and the parameters) being considered. Those that are very variable may require more sampling (and hence costs) than those that are more stable or predictable. The WFD allows the member states to tailor monitoring frequencies to the condition and variability within their own waters. The key is to ensure that a reliable assessment of the status of all water bodies can be achieved. WFD Annex V provides the minimum monitoring frequencies, however these are generally lower than currently applied in some countries. More frequent sampling may be necessary to obtain sufficient precision of WFD Annex II assessments.

A further regional-specific elaboration of the monitoring program has to be carried out on the national level and within each River Basin District organization by the end of 2006, when an operational WFD monitoring must be available.

2.2.2 Birds Directive (BD)

The Conservation of Wild Birds Directive (79/409/EEC) was adopted on 2 April 1979 and aims to protect bird species within the European Union through the conservation of populations of certain birds and the habitats used by these species. Member states are required to classify Special Protected Areas (SPA) to conserve the habitats of rare and vulnerable species, and of regularly occurring migratory species, to ensure their survival and reproduction in their area of distribution. The Directive identifies 194 species and sub-species (listed in Annex I) which have been designated as particularly threatened and in need of special conservation measures. SPAs are scientifically identified areas which are crucial for the survival of the aforementioned targeted

¹ In the context of the Directive monitoring means the gathering of data and information on the status of water, and does not include the direct measurement of emissions and discharges to water.

species, such as wetlands. The SPAs form part of *Natura 2000*, the EU's network of protected nature sites, which was established in 1992. The designation of an area as an SPA gives it a high level of protection from potentially damaging developments.

The Birds Directive applies not only to the birds, but also to their eggs, nests and associated habitats. Therefore the Member States must take the requisite measures as stated in Article 3 to preserve, maintain or re-establish a sufficient diversity and area of habitats for all the species referred to in Article 1 of the Directive.

2.2.3 Habitats Directive (HD)

Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna, generally referred to as the Habitats Directive, was adopted on 21 May 1992 and complements and amends the 1979 EC Birds Directive (79/409/EEC). All pre-2004 15 Member States of the European Union are contracting parties to the Habitats Directive.

The aim of the Directive is to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States (Article 2.1). The Directive also aims to maintain or restore, at favourable conservation status, natural habitats and species of wild flora and fauna of Community interest (Article 2.2).

To accomplish these objectives a coherent ecological network of protected areas across the European Union will be established, known as *Natura 2000*. This network will comprise:

- Special Protected Areas (SPAs) to conserve the 182 bird species and sub-species listed in Annex I of the Birds Directive (79/409/EEC) as well as migratory birds;
- Special Areas of Conservation (SACs) to conserve the 253 habitat types listed in Annex I and the 200 animal and 434 plant species listed under Annex II of the Habitats Directive (92/43/EEC).

The purpose of this network is to maintain and restore the habitats and species at a favourable conservation status in their natural range. *Natura 2000* entails management obligations both locally and within the broader EU.

Area

The HD is in force within the national borders of the Member States and on the continental shelf.

Management Plan

Member States can choose the mechanisms to implement the relevant conservation measures on its territory. According to Article 6 of the Habitat Directive the management plan for *Natura 2000*-sites is not mandatory but facultative. The necessary conservation measures can involve “if need be, appropriate management plans specifically designed for the sites or integrated into other development plans”.

The Directive must be applied so that measures taken, i.e. plans or projects, shall be designed to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of community interest (Art. 2.2). Therefore, if it is considered by the Member State (or the Commission) that particular habitats or species of Community importance within an area may be affected by for example a high or increasing level of nutrients, then the Member State must establish a plan or project in order to maintain or restore the area to favourable conservation status. These plans or projects must also take into account the economic, social or cultural requirements of the particular area, as stated under Article 2.3 of the Directive.

Monitoring and Reporting

Monitoring of conservation status is an obligation arising from Article 11 of the Habitats Directive (HD) for all habitats (as listed in Annex I) and species (as listed in Annex II, IV and V) of Community interest. Consequently this provision is not restricted to Natura 2000 sites and data need to be collected both in and outside the Natura 2000 network to achieve a full appreciation of conservation status. The main results of this monitoring have to be reported to the Commission every six years according to Article 17 of the directive (EC, 2005, 2006). A transboundary approach is recommended, such as for the “collection of information related to mobile marine species...to avoid double counting of populations and provide better judgements on range”.

Purpose of monitoring conservation status and reporting

The overall objective of the directive is to achieve and maintain Favorable Conservation Status (FCS) for all habitats and species of Community interest and to contribute towards maintaining biodiversity of natural habitats and of wild fauna and flora in the European territory of the Member States. Monitoring must therefore lead to a clear picture of the actual conservation status and its trends on various levels and indicate the effectiveness of the directive in terms of approaching and reaching this objective. By doing so, monitoring, assessment and the reporting of results should:

- help assess the effectiveness of management measures in Natura 2000 sites as well as other provisions of the directive
- assess the contribution of the directive to the broader biodiversity conservation policy (2010 target, biodiversity indicator work, etc.)
- provide background/guidance for setting priorities in conservation policy (on national and EU level)
- help set priorities for further monitoring (on national and EU level)
- support the assessments made on the impact of plans and projects, which could have negative impacts on species, habitats and the Natura 2000 network.
- support the assessment of correct use of derogation schemes
- give an indication as to how far the annexes of the directive need adaptation (e.g. upgrading of species to priority status,

deletion of species/downgrading, inclusion of a listed species in an additional annex)

Timing & character of the reports

The Habitats Directive defines a six-year cycle for reporting, with the second report covering the period between 2001 and 2006. This second report will have to include, on the best available information, a first assessment of conservation status for all species and habitats of Community interest.

Table 2.2 Overview of reporting under the Habitats Directive (EC, 2005)

	Reporting period	National report (EU synthesis report)	Main focus
1.	1994 – 2000	2001 (2003/4)	Progress in legal transposition and implementation of the directive; progress in establishing the Natura 2000 network, administrative aspects.
2.	2001 – 2006	2007 (2008/9)	First assessment of conservation status based on best available data (based among others on trends and ideally in comparison with favorable reference values)
3.	2007 – 2012	2013 (2014/15)	Renewed assessment of conservation status, based on established monitoring system. Assessment of effectiveness of measures taken under the directive.

Along these lines, the Habitats Committee approved in April 2005 a framework for reporting, monitoring and assessment of conservation status.

2.2.4 Integrated Coastal Zone Management (ICZM)

Coastal zone management is concerned with the planning and management of resources within the coastal area, across the range of habitats and land use types, including land and water management. It relates the management of resources to particular pressures upon the coastal zone and the human activities which take place there (including fishing, tourism, urban and industrial development) as well as the importance of such areas as sites for the conservation of natural habitats and species.

Since 1996 the European Commission has been working to identify and promote measures to improve the overall situation in the coastal waters. From 1996 to 1999 a Demonstration Programme was set up which was intended to lead to consensus regarding the measures necessary in order to stimulate ICZM. In this context the Commission

defined the *coastal zone* as 'a strip of land and sea of varying width depending on the nature of the environment and management needs.' This zone may extend well beyond the limit of territorial waters and also includes inland areas.

Based on the experiences of this programme the Commission adopted the following documents:

- a Communication from the Commission to the Council and the EU Parliament on 'Integrated Coastal Zone Management: A Strategy for Europe' (COM/00/547, 17 Sept. 2000).
- a Proposal for a EU Parliament and Council Recommendation concerning the implementation of ICZM (COM/00/545, 8 Sept. 2000).

In May 2002, the European Parliament and Council adopted the 'Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe' (2002/413/EC). The intention is to improve not only management of the coastal zones, but also to improve the implementation of other EU legislation and policies. Coastal Member States are encouraged to develop and implement a national strategy for integrated coastal zone management (<http://europe.eu.int/comm/environment/iczm/home.htm>).

The recommendation consists of six principal sections, covering a strategic overall approach, a set of principles, national stocktaking, national strategies, co-operation and reporting. These sections are summarised in the following table.

Recommendation of 30 May 2002 on ICZM (2002/413/EC)

This policy statement recommends:

- 1) that Member States take into account the EU's sustainable development strategy and take a strategic approach to the management of the coastal zones, with due attention to protection of the environment via appropriate measures, the recognition of threats and the requirements of providing sustainable economic and employment opportunities as well as supporting social and cultural systems of local communities;
- 2) that a set of principles be followed, based on a broad overall perspective, a long-term perspective, adaptive management, local specificity, the need to work with natural processes and to involve all parties concerned, etc.
- 3) that a national stocktaking be made by Member States to analyse institutional relationships within the coastal zone, looking at the range of activities and areas of relevance (i.e. including fisheries, resource management, agriculture, education, regional development, tourism and recreation, energy, etc).
- 4) that national strategies be developed based on the stocktaking, which identify administrative actors and the appropriate mix of instruments for implementation of the principles (including necessary land purchase mechanisms, fiscal incentives, etc.), as well as developing legislation, policies, etc. and identifying measures to promote initiatives. Monitoring, training and education are also to be supported by these strategies.
- 5) that Member States should maintain (and where necessary, enter into) conventions with neighbouring countries to establish mechanisms for better co-ordination of responses to cross-border issues. Member States are also required to work with the range of coastal stakeholders.
- 6) that Member States report back to the Commission on experience with this recommendation within a specified period.

The national strategies were delivered to the EU in 2006. Whether this objective has been reached was substance of an evaluation project which was finalized in December 2006 (Rupprecht, 2006)

Based on the evaluation report and the EEA's state of the coast report (EEA 2006), the Commission will prepare a Communication to the European Parliament and the Council providing policy orientations for integrated coastal zone management in Europe (March 2007). The Communication will be an intermediate step in a broader process defining a future integrated maritime policy for the Union

In June 2006, the European Commission has adopted a Green Paper 'Towards a future maritime policy for the European Union', in which the concept of ICZM is incorporated. A process of consultation runs until the end of June 2007 (<http://ec.europa.eu/maritimeaffairs/policy>).

2.2.5 European Marine Strategy (EMS)

On 24 October 2005 the European Commission (EC) proposed a 'Thematic strategy on the protection and conservation of the marine environment' (COM(2005)504). The overall aim of this strategy is to achieve a good environmental status of European marine waters by 2021 and to protect the resource base upon which marine-related economic and social activities depend. This strategy is a key component of the Green Paper on Maritime Policy of the EC, announced in the Strategic Objectives of the EC for 2005-2009.

Key elements of the strategy will encompass:

- A dual EU/regional approach: common cooperation and approaches among Member States are set at EU-level, but leaving the planning and execution of measures to the regional level;
- A knowledge-based approach;
- An ecosystem-based approach: human activities affecting the environment will be managed in an integrated manner promoting conservation and sustainable use;
- A cooperative approach: providing for broad engagement with all relevant stakeholders and enhancing cooperation with existing regional seas conventions.

To achieve the common objective of the strategy the Commission reviewed several options and came to the conclusion that a binding legal commitment is required. Therefore the Commission proposed a 'Directive establishing a Framework for Community Action in the field of Marine Environmental Policy' (Marine Strategy Directive).

The Community approach has the aim to ensure coherence between the sectors and with other European policies, such as the common fisheries policy or the future European maritime policy. Adopting a common framework for regional cooperation, which forms the basis for this strategy, was considered more effective than merely reinforcing existing sectoral measures or possible voluntary undertakings. Sectoral measures may be incompatible with each other and voluntary agreements do not guarantee that a high level of protection will be observed by all States.

Marine Strategy Directive (MSD)

The proposed Marine Strategy Directive (COM(2005) 505 final) will define common objectives and principles at EU-level. The directive will establish EU marine regions and identify potential subregions as management units for implementation, on the basis of hydro-morphological, oceanographical and bio-geographical features. Possible regions are: the Baltic Sea, the North-East Atlantic and the Mediterranean. Member States within each region will be required to develop marine strategies for their region in close coordination with relevant third countries. Member States have to submit the details of their strategies at each stage of their formulation as well as their

complete programmes of measures. This information is examined and then approved by the Commission that thus ensures compliance with the strategy and the coherence of the proposed measures. Strategies are reviewed every six years and interim reports are drawn up every three years.

Member States must firstly assess the ecological status of their waters and the impact of human activities. This assessment covers:

- 1) an analysis of the essential characteristics of these waters (physical and chemical features, types of habitat, animal and plant populations, etc.);
 - 2) an analysis of the main impacts and pressures, particularly as a result of human activities which affect the characteristics of these waters (contamination by toxic products, eutrophication, smothering or sealing of habitats by construction work, introduction of non-indigenous species, physical damage caused by ship anchors, etc.);
- an economic and social analysis of the use of these waters and the cost of the degradation of the marine environment.

Member States must then determine the 'Good Ecological Status' of the waters for which they are responsible on the basis of the criteria to be drawn up by the Commission and the results of the evaluation of waters that they have carried out.

On the basis of the evaluation of waters, the Member States must define the objectives and indicators to achieve this good ecological status. These objectives must be measurable, consistent within a particular maritime region or subregion and tied to a definite timetable. Member States draw up a programme of specific measures to achieve these objectives. These measures must give due consideration to their economic and social consequences. Member States must specify the reasons preventing successful completion of any of these measures (action or inaction of another State, force majeure, etc.). Before they are implemented, the measures decided by the Member States must be the subject of impact assessments and cost/benefit analyses. Member States must also establish coordinated monitoring programmes in order to evaluate on a regular basis the status of the waters for which they are responsible and progress with regard to the objectives they have set.

The Marine Strategy is consistent with the water framework directive from 2000 which requires that surface freshwater and ground water bodies (lakes, streams, rivers, estuaries, coastal waters...) achieve a good ecological status by 2015 and that the first review of the River Basin Management Plan should take place in 2021.

Urban Waster Water Treatment Directive (UWWD)

The Urban Waster Water Treatment Directive (91/271/EEC, adopted in 1991, amended in 1998) has the aim to ensure that all significant discharges of sewage (public services and industrial sectors) undergo treatment before discharged into surface waters, estuaries or coastal

waters. This includes waste water collection and treatment for all settlement above 2,000 population equivalents, biological (secondary) treatment, and nutrient removal (tertiary treatment) where the receiving waters show an elevated nutrient level and/or eutrophication. The Directive aims to determine the sensitivity of the receiving waters towards showing adverse effects of nutrients. Member states have to identify sensitive areas based on specific criteria set up an implementation program and provide a situation report every two years.

Nitrates Directive (ND)

The Council Directive (91/676/EEC) concerning the protection of waters against pollution cause by nitrates from agricultural sources (Nitrate Directive) was adopted in 1991. The objectives are to reduce water pollution that is caused or induced by nitrates from agricultural sources and to prevent further pollution of this type. The Member States are required to place mandatory restriction on agricultural practices that contribute to nitrogen pollution. Waters which are or may be affected have to be identified as vulnerable zones either for specific areas or all their territory. Every 4 years these designated Nitrate Vulnerable Zones (NVZ) have to be revised.

2.3 International agreements

2.3.1 North Sea Ministerial Conferences

The aim of the North Sea Ministerial Conferences (NSMCs) is to provide a political framework for the intensification of work within relevant international bodies, and also to ensure more efficient implementation of the existing European and international rules related to the marine environment in all North Sea States. The NSMCs are therefore political events which make commitments that are required in influencing legally binding environmental management decisions at a national level, as well as within the framework of competent international bodies. A summary of the history of the NSMCs can be seen in Table 2.3. The North Sea ministerial meeting in Stockholm in May 2006 focused on environmental impacts of shipping and fisheries. Another North Sea Conference or Ministerial meeting is not planned because many of the issues that have been discussed over the years are now being treated in other forums, and substantial parts of the North Sea process can be continued efficiently, notably in OSPAR and the EU.

Table 2.3: History of the North Sea Ministerial Conferences

Year	Ministerial Conference	Declaration
1984	First North Sea Ministerial Conference	The Bremen Declaration
1987	Second North Sea Ministerial Conference	The London Declaration

1990	Third North Sea Ministerial Conference	The Hague Declaration
1993	Intermediate Ministerial Meeting (Copenhagen)	-
1995	Fourth North Sea Ministerial Meeting	The Esbjerg Declaration
1997	Intermediate Ministerial Meeting (Bergen)	-
2002	Fifth North Sea Ministerial Conference	The Bergen Declaration
2006	North Sea Ministerial Meeting (Stockholm)	Göteborg Declaration

At the first conference in 1984 the ministers underlined their joint responsibility in safeguarding the North Sea as an important and irreplaceable ecosystem and focused on five main topics: 1) reduction of inputs from rivers and coastal waters, 2) reduction of atmospheric pollution, 3) reduction of pollution from ships, off-shore platforms and waste dumping at sea, 4) promotion of environmentally compatible technologies and products, 5) improved of joint monitoring and assessment of the North Sea environment.

This conference brought together for the first time the ministers responsible for the protection of the North Sea environment to discuss common problems in a specific geographical area.

The Bremen Declaration (1984) therefore facilitated further political activity on the North Sea at subsequent Ministerial Conferences. The first conference was also attended by observers from contracting parties to the Oslo and Paris Conventions and Member States of the EEC, in addition to representatives from the international bodies concerned.

The London Declaration (1987), the second NSMC, introduced for the first time the “principle of precautionary action” as well as the use of “best available technology and other appropriate measures”. One of the key elements agreed at the London Convention was the requirement of a substantial reduction (of the order of 50%) between 1985 and 1995 in inputs of phosphorus and nitrogen to those areas of the North Sea where such inputs are likely, directly or indirectly, to cause pollution. A North Sea Task Force (1988-1994) to augment the scientific knowledge and understanding of the North Sea.

At the following conferences in London (1987) and The Hague (1990) the “principle of precautionary action”, the use of “best environmental technology” were introduced and agreements were made for a substantial reduction (of the order of 50%) between 1998 and 1995 in inputs of phosphorus and nitrogen. The Hague Conference also introduced the protection of habitats and species for the first time.

The fourth NSMC was held in 1995 and resulted in the Esbjerg Declaration addressed seven main topics

1. the protection of species and habitats in coastal and offshore areas;
2. fisheries;
3. the prevention of pollution by hazardous substances;
4. further reduction of nutrient inputs to the North Sea;
5. the prevention of pollution from ships;
6. management of radioactive substances, including waste;
7. future co-operation for the protection of the North Sea.

The Bergen Declaration (2002) addressed a wide range of issues including the use of an ecosystem approach to marine management, genetically modified organisms, fish stocks, shipping, hazardous and radioactive substances, offshore installations, renewable energy, marine litter, spatial planning, future co-operation and eutrophication.

In May 2006, the intermediate ministerial meeting in Stockholm focussed on fishery and shipping issues (Göteborg Declaration 2006).

For delivering an ecosystem approach for the North Sea, the Ministers stress the importance of developing a coherent and integrated set of ecological quality objectives (EcoQOs). OSPAR and ICES are currently developing operational EcoQOs for the North Sea.

Management Plan

The North Sea Ministerial Conferences have provided a political framework, all Ministers' decisions had to be drawn into a binding (legal) framework for all the North Sea States. This has been accomplished predominantly by the adoption of Decisions and Recommendations established by the Oslo and Paris Commissions (OSPAR) and the European Union Directives.

2.3.2 Oslo-Paris Convention (OSPAR)

The Convention for the Protection of the Marine Environment of the North-East Atlantic, commonly referred to as the OSPAR Convention, was signed on 22 September 1992 and entered into force on 25 March 1998. It combined and up-dated the 1972 Oslo Convention on dumping waste at sea and the 1974 Paris Convention on land-based sources of marine pollution. The Convention has been signed and ratified by all of the contracting parties to the original Oslo and Paris Conventions.

The OSPAR Convention is the main inter-governmental convention to regulate and control marine pollution in the North Sea and the North-east Atlantic. It covers all human activities the might adversely affect the marine environment; nevertheless, questions related to fisheries management cannot be adopted under the convention..

Contained within the OSPAR Convention, as adopted in 1992, are a series of Annexes deal with the following specific topics:

- Annex I: Prevention and elimination of pollution from land-based sources;
- Annex II: Prevention and elimination of pollution by dumping or incineration;
- Annex III: Prevention and elimination of pollution from offshore sources; and
- Annex IV: Assessment of the quality of the marine environment.
- Annex V: Protection and conservation of the ecosystems and biological diversity.

The work under the Convention is guided by the Ministerial Declarations and Statements made at the adoption of the Convention and at the Ministerial Meetings of the OSPAR Commission. The work applies the ecosystem approach to the management of human activities. It is organised under six strategies:

1. Protection and conservation of marine biodiversity and ecosystems.
2. Eutrophication
3. Hazardous substances
4. Offshore oil and gas industry
5. Radioactive substances
6. Monitoring and assessment.

The strategy for protection and conservation has four elements:

- ecological quality objectives: in support of the ecosystem approach to the management of human activities, a pilot project on ecological quality objectives for the North Sea has been started;
- species and habitats: assessments are made of species and habitats that are threatened or in decline, and programmes and measures are developed for their protection;
- marine protected areas: an ecologically coherent network of well managed marine protected areas is being created;
- human activities: the human activities in the OSPAR maritime area which may adversely affect it are being assessed, and programmes and measures to safeguard against such harm are being developed.

Area

The sea area covered by the OSPAR Convention is the north-east Atlantic defined as extending westwards to the east coast of Greenland, eastwards to the continental North Sea coast, south to the Straits of Gibraltar and northwards to the North Pole.

Monitoring

The 1992 OSPAR Convention contains a general obligation to collaborate in regular monitoring and assessment of the state of the

marine environment in the maritime area. Annex IV to the Convention provides for cooperation in monitoring programs, joint quality assurance arrangements, the development of scientific assessment tools, such as modeling, remote sensing and risk assessment strategies, and the preparation of assessments.

In 1995, the Joint Assessment and Monitoring Program (JAMP) was agreed to provide the basis for a comprehensive quality status report. In 2003, a new JAMP strategy was adopted which provides for the work to support and produce a series of thematic assessments, leading to a further comprehensive assessment in 2010.

The main objectives of the JAMP are:

- the preparation of environmental assessments of the status of the marine environment of the OSPAR maritime area or its regions, including the exploration of new and emerging problems in the marine environment;
 - the preparation of contributions to overall assessments of the implementation of the OSPAR Strategies, including in particular the assessment of the effects of relevant measures on the improvement of the quality of the marine environment. Such assessments will help inform the debate on the development of further measures;
- supported by:
- the implementation of collective OSPAR monitoring, including the development of the necessary methodologies;
 - the preparation of environmental data and information products needed to implement the OSPAR Strategies.

The three main OSPAR monitoring programs are the Co-ordinated Environmental Monitoring Programme (CEMP), the Comprehensive Atmospheric Monitoring Programme (CAMP) and the Comprehensive Study on Riverine Inputs and Direct Discharges (RID).

The OSPAR Commission adopted the report on North Sea Pilot Project on Ecological Quality Objectives (EcoQO) in 2005 (OSPAR, 2005) and is currently preparing the application of the EcoQOs for the QSR 2010.

2.3.3 Ramsar Convention

The Ramsar Convention's mission is "the conservation and wise use of all wetlands through local, regional and national actions and international co-operation, as a contribution towards achieving sustainable development throughout the world." Article 3.1 of the Convention states that "the Contracting Parties shall formulate and implement their planning so as to promote the conservation of the wetlands included in the List [of Wetlands of International Importance] and, as far as possible, the wise use of wetlands in their territory."

Contracting parties have to designate at least one wetland that meets the criteria for inclusion in the List of Wetlands of International Importance ("Ramsar List") and ensure the maintenance of the ecological character of each of these "Ramsar Sites". Listed sites do

not necessarily require protected area legal status, provided their ecological character is maintained through a wise use approach.

In the second Ramsar's Strategic Plan 2003 - 2008, "three pillars" of action have been defined: wise use of wetlands through a wide range of actions and processes (establishing national wetland policies and plans), further designation and management of sites for the Ramsar List and cooperating internationally through the management of transboundary wetlands with other conventions and international organizations.

2.3.4 Convention on Biological Diversity (CBD)

The key international convention on biodiversity stems from the Rio Earth Summit in 1992. The Convention on Biological Diversity establishes three main international goals: the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits from the use of genetic resources. (UN Convention on Biological Diversity (CBD) Jakarta Mandate: Protection of marine and coastal diversity www.biodiv.org).

The agreement covers all ecosystems, species, and genetic resources. It links traditional conservation efforts to the economic goal of using biological resources sustainably. It sets principles for the fair and equitable sharing of the benefits arising from the use of genetic resources, notably those destined for commercial use. It also covers the rapidly expanding field of biotechnology, addressing technology development and transfer, benefit-sharing and biosafety.

The Convention is legally binding; countries that join it are obliged to implement its provisions.

Reaching the target of significantly reducing the loss of biodiversity by 2010 is a widely accepted global goal, in Europe with an even stronger goal: to stop the loss by 2010. Biodiversity indicators are among the best tools to assess and inform about the progress towards the 2010 target. Hence large efforts are presently undertaken by many national and international organizations to develop and coordinate work on 2010 relevant biodiversity indicators.

2.3.5 Convention for Migratory Species (CMS)

The Convention on the Conservation of Migratory Species of Wild Animals (also known as CMS or Bonn Convention) is an intergovernmental treaty, concluded under the aegis of the United Nations Environment Program. It aims to conserve terrestrial, marine and avian migratory species throughout their range. CMS is the only global (and UN-based) intergovernmental organization which is established exclusively for the conservation and management of migratory species.

CMS Parties strive towards strictly protecting of migratory species threatened with extinction, conserving or restoring the places where

they live, mitigating obstacles to migration and controlling other factors that might endanger them. Besides establishing obligations for each State joining the Convention, CMS promotes concerted action among the Range States of many of these species.

The CMS also acts as a framework Convention. For the North Sea these are: ASCOBANS (Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas), Seal Agreement (Agreement on the Conservation of Seals in the Wadden Sea), AEWA (African-Eurasian Waterbird Agreement). The development of models tailored according to the conservation needs throughout the migratory range is a unique capacity to CMS.

2.3.6 IMO MARPOL

The MARPOL Convention is the main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes. It is a combination of two treaties adopted in 1973 and 1978 respectively and updated by amendments through the years.

The International Convention for the Prevention of Pollution from Ships (MARPOL) was adopted on 2 November 1973 at the International Maritime Organization (IMO) (and modified by the Protocol of 1978) and covered pollution by oil, chemicals, harmful substances in packaged form, sewage and garbage.

The Convention includes regulations aimed at preventing and minimizing pollution from ships - both accidental pollution and that from routine operations - and currently includes six technical Annexes:

- Annex I Regulations for the Prevention of Pollution by Oil (entry into force 1983, revised Annex enters into force 1 January 2007)
- Annex II Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk (entry into force April 1987, revised Annex enters into force 1 January 2007)
- Annex III Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form (Entry into force: 1 July 1992)
- Annex IV Prevention of Pollution by Sewage from Ships (Entry into force: 27 September 2003)
- Annex V Prevention of Pollution by Garbage from Ships (Entry into force: 31 December 1988)
- Annex VI Prevention of Air Pollution from Ships (entry into force 19 May 2005)

2.4 Regional agreements

2.4.1 Trilateral Wadden Sea Cooperation (TWSC)

The Trilateral Cooperation on the Protection of the Wadden Sea established in 1978 is a formal cooperation between The Netherlands, Germany and Denmark which underlines that the Wadden Sea must be regarded as an ecological entity and that protection measures can be

implemented more effectively and successfully by a common and coordinated management approach.

In 1982, the 'Joint Declaration on the Protection of the Wadden Sea' was adopted in which the three governments declared their intention to consult each other in order to coordinate their activities and measures to implement a number of international legal instruments - the Ramsar, the Bonn and Bern Conventions and the EC Birds Directive - with regard to the comprehensive protection of the Wadden Sea region as a whole.

The objective of the trilateral management is to guarantee the natural functioning of the ecosystem through proper regulation of human activities. The best guarantee for a natural ecosystem is to achieve the full scale of habitat types which belong to a natural and dynamic Wadden Sea. Each of these habitats needs a certain quality, which can be reached by proper management of the area. This quality can be described by certain characteristic structures, the presence of certain organisms, the absence of disturbance and toxic effects and by the chemical condition of the habitat.

For the habitats ecological targets were adopted with the objective to increase the area which is natural, dynamic and undisturbed. In addition supplementary targets on marine mammals, birds and mussel beds have been agreed upon, because these are important indicators of the biological quality of the ecosystem.

Targets on the chemical quality of the Wadden Sea ecosystem were adopted as well. The essence of these targets: the concentrations of naturally occurring substances (for example nutrients and heavy metals) should be at natural levels and the discharges of non-natural substances, for example pesticides, should be zero.

Based on these Targets, the trilateral Wadden Sea Plan (WSP) was adopted in 1997. The plan entails agreements on a common policy and trilateral activities and projects to implement the targets.

A trilateral monitoring program (TMAP) was established with the aim to provide a scientific assessment of the status and development of the Wadden Sea ecosystem and to assess the status of implementation of the trilateral Targets of the Wadden Sea Plan.

Furthermore, the Wadden Sea was commonly designated as Particularly Sensitive Sea Area (PSSA, IMO). A common application for the Wadden Sea as a World Heritage Site (UNESCO) is currently under preparation. The sustainable development of the Wadden Sea region has got increasing importance during the last year and will be implemented in the framework of an Integrated Coastal Zone Management (ICZM). The Wadden Sea Forum (WSF) which consists of various stakeholders started in 2005 and is aiming for a sustainable development of the Wadden Sea region (covering the Wadden Sea and the adjacent mainland regions) based on the ICZM principles and the trilateral Wadden Sea Plan.

2.4.2 Other Agreements

Within the Interreg IIIB region there are several estuaries located at the border between Member States. Examples are the Ems-estuary and the Scheldt-estuary. For these estuaries special regional agreements have been adopted, which set the boundaries for water management and shipping management of the countries involved. In implementing EU-directives these regional agreements should also be taken into account.

Ems-Dollard Treaty

On 8 April 1960 the Dutch and the German governments agreed upon a general Treatment between The Netherlands and the German Federal Republic to arrange the cooperation in the Ems-estuary. This treaty is mainly focussed on maintenance and development of shipping routes and the accessibility of harbours, but the function of the estuary for drainage of water (water outlet) and coastal defence are also taken into account. The agreement therefore is related to the shipping routes in the Bocht van Watum, the Emden Vaarwater and the Dollard area.

In August 1996 an additional protocol on water management and nature conservation issues ('Eems-Dollard Milieuprotocol') has been adopted. In this respect the following principles have been agreed:

- The principle of good neighbourship;
- The precautionary principle;
- The principle of prevention;
- The polluter pays principle;
- The standstill principle;
- The issue of sustainability;
- The application of Best Available Techniques and the Best Environmental Practice;
- The principle of non shifting of environmental impacts to other environmental compartments.

Scheldt Treaty

In the Scheldt, consultation on water policy has been taking place for years between the riparian states and regions, i.e. France, the Wallon Region, the Flemish Region, the Brussels Capital Region and the Netherlands. In 1994, this cooperation was formalized by the signing of the international Treaty for the Protection of the Scheldt and setting up of the International Commission of the Protection of the Scheldt. As a result of the entering in force of the WFD, a new international treaty, the Scheldt and Meuse Treaty, was signed in Ghent in December 2002, to which the Belgian Federal Government became a signatory party. It determined that the multilateral coordination for the implementation of the WFD takes place within the International Scheldt Commission (ISC).

UK Estuaries

Regional agreements exist for estuaries which are situated between two devolved countries within the UK. Such agreements include the

Tweed Forum (on the east coast of England and Scotland), the Solway Firth Partnership (on the west coast of England and Scotland) and the Dee Estuary Strategy (on the west coast of England and Wales). The latter two agreements relate to catchments which discharge into the Irish Sea on the west coast of Britain, and are thus not within the HARBASINS study area and are not described further.

The Tweed Forum

The Tweed Forum was established in 1991 to manage the Tweed catchment, situated on the east coast of the UK, with its north bank situated in Scotland and its south bank in England. The catchment discharges into the North Sea at Berwick upon Tweed and thus is located within the Interreg IIIB region. The Tweed catchment is part of the Solway Tweed River Basin District under the WFD. The Forum aims to bring all those with an interest in the Tweed together to ensure an integrated approach to the management of the catchment. There are currently 29 members including local councils, government agencies, environmental and recreational groups. In November 2003, the River Tweed Catchment Management Plan (CMP) was launched to help manage the Tweed over the next 10-15 years (www.tweedforum.com/publications/cmp). The Tweed CMP sets out how the Tweed might be managed in a sustainable way and is a culmination of public participation workshops throughout the catchment, meetings, focus groups and seminars.

2.5 Conclusions

Based on the paragraphs above conclusions were drawn on the following items:

Overlap in delimitation

It can be concluded that there is overlap in the areas in which different EU directives and international agreements are in force.

In the coastal areas, the WFD is in force up to 1 sea mile (ecological parameters) and 12 sea miles (for chemical parameters). The Marine Directive (MD) and the OSPAR conventions will also cover this coastal strip. There is an overlap with the Habitats and Birds Directives which are valid for the entire area of a Member State including the terrestrial areas.

In the Wadden Sea, the Trilateral Cooperation attempts to coordinate the implementation of the different national, EU and international policies for an entire ecosystem. Other examples of a transnational cooperation on a more regional level are the cooperation in the Ems-Dollart and Scheldt estuaries.

It is not clear which agreement prevails over other agreements from a legal point of view. Although the overlap only concerns a small coastal strip, it may result into problems regarding a coordinated assessment of the ecological status of coastal areas.

Experiences from the Wadden Sea Cooperation (for estuaries and coastal waters) and the ICZM (on land and sea based activities in the coastal zone) covers all aspects of this area.

Differences in objectives

A large number international agreements listed in chapter 2 have specific sectoral objectives or address specific habitats and species establishing various schemes for monitoring, assessment and management (see Table 2.4). Moreover, EU-directives are obligatory for all EU-member states. If they do not meet the objectives in time penalty fees will be delivered. The implementation of OSPAR objectives on the other hand largely relies on the voluntary action of OSPAR contracting parties members. Although to a lesser extent, the same holds for the implementation of the concept of ICZM.

There is a risk that the sectoral views and approaches may take the focus from the original objective to achieve a 'healthy environment'. The use of specific tools or indicators such as the 'Quality Elements' of the WFD, the selected habitats types or species of the Birds and Habitats Directive may lead to a too narrow view guided by administrative and reporting needs rather than an ecosystem approach.

Possibility for Synergies

The aim is to integrate the various policies in an ecosystem-based management of the environment from land to the open sea (Apitz et al., 2006).

The ICZM recommendations may offer a process to apply the different tools for an ecosystem-based management of the environment from land to the open sea.

For the Wadden Sea, this is been addressed by the Trilateral Wadden Sea Cooperation (with focus on nature conservation and ecological objectives for the entire ecosystem) and the Wadden Sea Forum (with focus on sustainable development of the Wadden Sea region).

For the North Sea, OSPAR has already developed strategies and tools for the management of marine waters. Although land-based impact on marine waters are addressed, no specific focus is given to the management of the coastal zone.

Synergies in assessment and monitoring between OSPAR and various EU policies have been described with regard to biodiversity (OSPAR 2006) and eutrophication (OSPAR, 2005)

On the other hand, the regional seas approach of the Marine Directive Regional Seas approach will probably be implemented via regional agreements such as OSPAR or the Wadden Sea Cooperation. The European Marine Monitoring and Assessment activity (EMMA) has been established with participation by the EC and regional marine agreements (OSPAR, HELCOM, Barcelona).

Recommendations

The overview on implication of various policies on international, regional and EU level on the North Sea coastal zones has identified overlaps in delimitation and sectoral approaches of these policies. This has often resulted in various schemes for monitoring, assessment and reporting. In order to develop proposals for a coordinated approach for the North Sea coast a more detailed and regional specific analysis is necessary on:

- regional specific objectives
- development of reference values
- methodological aspects,
- assessment tools
- monitoring and reporting schemes

The WFD Article 5 Reports submitted to the EC in 2005 and described how the WFD generic definitions have been translated into specific transitional and coastal waters. Based on the analysis of the Article 5 reports, a more specific analysis can be carried namely the relation to and coordination with other policies an

The Wadden Sea can be used as a case study of transnational cooperation because all various policies are valid for this area and a broad experience already exists in coordinated implementation and integration of various sectoral policies.

Table 2.4: Overview of main relevant EU Directives and regional agreements

	WFD	Habitats D :	Birds D .:	Marine D :	OSPAR	Trilateral Cooperation
Legal aspect	Transposition into national legislation	Transposition into national legislation	Transposition into national legislation	(in prep.)	Convention	Formal agreement, non-legally binding. (Seal Agreement in CMS)
Overall objective	Good ecological status until 2015	Maintain or restore habitats and species at a Favorable Conservation Status in their natural range	To maintain the population of bird species ... or to adapt the population of these species to that level. Preservation, maintenance and re-establishment of biotopes and habitats.	Good environmental status	Healthy ecosystem	Guiding principle: "to achieve as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way" Seven Management Principles
Indicators / parameters	Quality Elements (QE): Biological QE (phytoplankton, other aquatic flora, macroinvertebrates, fish) Hydromorphological QE (continuity, hydrology, morphology) Physico-chemical QE (thermal conditions, oxygenation, salinity, nutrient status, acidification status, other pollutants, priority substances)	Habitats (253) - Range and area, - structure and functions, - typical species Species (200 animals, 343 plants) - population dynamic - range, - sufficient habitat size	194 (182?) Bird species and sub-species	Essential characteristics: Physical and chemical, Habitat types, Animal and plant populations,	Several strategies (eut, chem., biodiv.), EcoQos Marine Habitats and species	Targets for all Wadden Sea habitats and characteristic species: Landscape and culture, Water and sediment, Salt marshes Tidal area Beaches and Dunes Estuaries Offshore Area Rural Area For all habitats: - Birds - Marine Mammals
Compliance area	Water Body	Member State and Biogeographic region	Member State	Sub-regions (to be defined)	North East-Atlantic, (incl. subregions)	Wadden Sea Area
Delimitation	All surface waters, Coastal water 1-sm (12-sm chem.)	Whole area of MS	Whole area of MS	Marine waters (from 1 sm-line)	North East Atlantic	Enire Wadden Sea (from dike/MTHW/ brackish water limit

	WFD	Habitats D :	Birds D :.	Marine D :	OSPAR	Trilateral Cooperation
						to 3-sm/12 sm-line)
Management Plan	Article 13 RBD Plan obligatory: 2009	Article 6 SAC Plans (if needed)	Designation of SPAs	Report on program of measures	No	Voluntary agreement, Wadden Seas Plan (WSP): Targets and policy for habitats and species.
Monitoring	Article 8 Obligatory,	Article 11, obligatory			JMAP	TMAP (within WSP)
Reporting	Article 15 (within RBD Plan)	Article 17 Every 6 years	Article 12 Every 3 years	Every 3 years		Every 4 years (Governmental Conference)
Environmental focus	Status of water bodies	Selected habitats and species	Birds	Marine waters	Marine and coastal waters	Coastal and estuarine waters, habitats and species

3 Administration

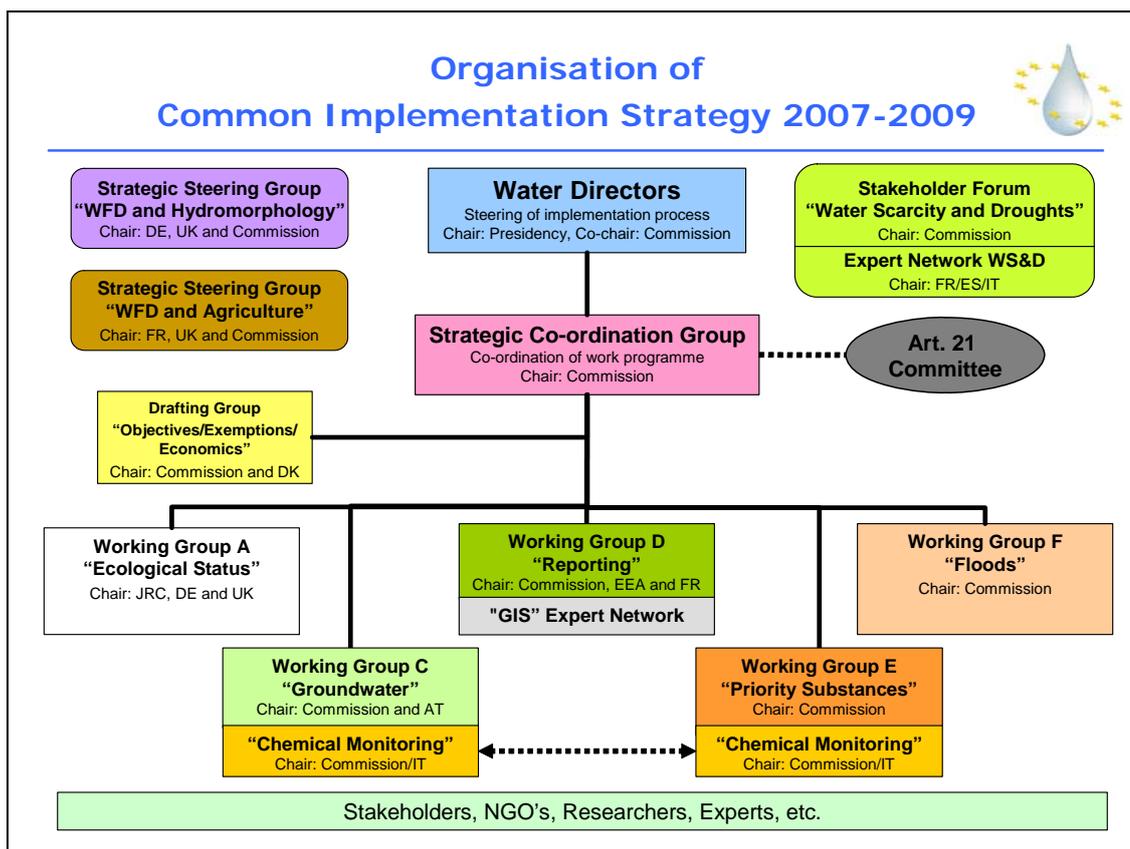
This chapter gives a brief overview of the national administrations responsible for implementing the key EU-directives and other international and regional agreements in the North Sea region. The division in EU-legislation, international and regional agreements, used in the previous chapter, has also been applied here. A list with key persons of these administration involved in the implementation of EU directives relevant for the North Sea is attached in Annex 2.

3.1 European legislation

3.1.1 Water Framework Directive

Common Implementation Strategy (CIS)

The European Commission and the Member States together work on a Common Implementation Strategy (CIS) for the Water Framework Directive. Decisions are taken by a forum of Water Directors. Although not legally binding, these decisions are generally regarded as leading in the implementation process. Legally binding decisions are taken in the Art. 21 Committee. To support the implementation process technical, preparatory work is done in working groups and coordinating activities are executed by the Strategic Coordination Group (SCG).



National authorities

The national authorities responsible for implementation of the WFD are listed in the Article 5 reports of each river basin district.

The Netherlands

The Dutch Ministry of Transport, Public Works and Water Management is responsible for implementation of the WFD in The Netherlands. The ministry has appointed a coordinator for each river basin district within the national borders, i.e. for Ems, Rhine, Meuse and Scheldt. These coordinators are responsible for the implementation process in the regions. Within each river basin the national authorities cooperate with provinces, water boards and municipalities to meet the requirements of the WFD within the time schedules set.

The main rivers, the territorial waters and the estuaries fall under direct national administration of Rijkswaterstaat, which is an executive directorate ('uitvoeringsorganisatie') of the Ministry of Transport, Public Works and Water Management. The Institute for Coastal and Marine Management (RIKZ) serves as a research and advisory board for Rijkswaterstaat.

At the international level The Netherlands is represented in the forum of European Water Directors and in international river commissions for the Rhine (ICPR), the Meuse (IMC) and the Scheldt (ISC). These commissions work on basis of international treaties.

The organisational structure for the Eems-Dollard region is slightly different from all other regions, due to the fact that part of the estuary is regarded as a 'disputed area'. Water and shipping issues in this area are dealt with by the Subcommission G of the Dutch-German Ems Commission ('Permanente Grenswater Commissie') (see 2.4.2.). The chairmanship of this commission is a shared responsibility of both the Dutch and German partners. Meetings are prepared by a Dutch-German Working Group Eems-Dollard. This cooperation is supported by the Geschäftsstelle Ems, which is part of the NLWKN. Decisions are taken in the Steering Group Ems. Tuning of view point/positions, preparation of decisions and strategic matters are dealt with in the Coordination Group Ems. Technical preparation takes place in an international working group, supported by experts.

In addition Dutch experts participate in EU working groups and expert networks. The international participation via delegations of Ministry of Transport, Public Works and Water Management in frame of the Common Implementation Strategy and in the international river commissions takes place under authority of the Directorate General Water.

Belgium

Since 2002 the Scheldt and Meuse Treaty (Schelde- en Maasverdrag) exists. In the 'decree concerning the integrated water policy' (DIWB, November 2003) It is stated that The Flemish Government should take all necessary initiatives to enable the formulation of a River Basin Management Plans for both the Scheldt and the Meuse. This decree is the legal basis for the Flemish water policy and international coordination. For Flanders the Coordination Commission Integrated Water Policy (CIW) is the authority responsible for the WFD-implementation process. According to these agreements the international Scheldt Commission (ISC) and the international Meuse Commission (IMC) are responsible for the international coordination within the river basins of the Scheldt and the Meuse river.

The Federal State of Belgium consists of three regions: Flanders, Walloon and the Brussels Capital. These regions have each competencies for territory related issues, in addition to environmental, water and nature management.

For administrative purposes, Flemish watercourses are divided into navigable and non-navigable waters, with the latter being sub-divided into three categories i.e. the source, the middle parts and the mouth of the watercourse.. Management of these different classifications of watercourse is the responsibility of different levels of administration. Water management of the coastal and territorial waters, however, fall under the responsibility of the Federal State Government.

The Flemish Decree on Integrated Water Policy (8 July 2003) envisages the integration of the water frame directives and the existing water policy into one framework decree for an integrated water policy in the Flemish Region. The starting point of the decree is the division of the Flemish territory, based on hydrographical conditions. The Flemish

territory is divided into two major river basin districts in accordance with the European Water Framework Directive. These river basin districts, i.e. the Scheldt and the Meuse basins, are further divided into 11 sub-river basins, which are subdivided into smaller catchment areas on the local level.

For each of this 3 hydrographical levels the integrated water management plans contain the highlights of the water policy, indicating the destinations for use (taking into account the principles of sustainable and multifunctional use of water resources). The plans will be elaborated in a coherent, integrated way, using the bottom up and the top down approach.

For the elaboration of the plans on the 3 hydrographical levels, the Flemish Co-ordination Commission for Integrated Water management (CIW) ensures the co-ordination between the different hydrographical levels. The structure of the CIW is demonstrated in Figure 3.1. The members of the Commission for Integrated Water management belong to different departments of the Flemish district: Environment, Nature and Energy, Public Works, Environmental planning and Mobility, Agriculture, economy as well as local water managers.

The secretary and the different working groups assist the commission to fulfil their tasks. The preparation of the decisions taken by the commission is mainly carried out by one of the working groups. Here, the representatives of the members of the commission and experts participate in the discussion.

On the international river basin level, there is co-operation of the CIW with the International Scheldt and Meuse Commissions, two joint bodies of the Scheldt and Meuse Treaties (Gent, 2002) (Table 3.1). A main point in the elaboration of integrated water policy is the public consultation on each hydrographical level. The bottom up and top down approach is the guarantee to handle questions on the right level.

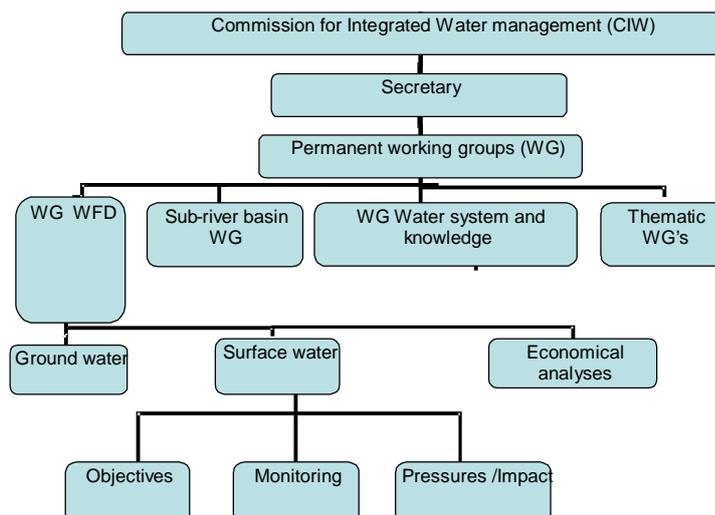


Figure 3.1 Structure of the Flemish Co-ordination Commission for Integrated Water management (CIW) with the different working groups concerning the WFD.

Table 3.1 Preparation of the rapport to Europe on the international and national level. * Environment and Nature Council of Flanders; **SERV: Social and Economic Flanders.

Level	Preparation	Plan/Note	Advice	Agreement
International river basin	International Scheldt and Meuse Commissions	draft International river basin management plans		Belgian government
Flanders	Commission Integrated water policy (CIW)	draft river basin management plans	MiNa Council* SERV**	Flemish government

At an international level, the Scheldt is managed by the International Commission for the Protection of the Scheldt against pollution (ICBS/CIPE) which was established in 1994 between France, the three regions of Belgium (Flanders, Walloon, and Brussels-Capital) and the Netherlands. The ICBS/CIPE comprises two permanent working groups on water quality and emission policies and one temporary working group, which investigates the co-operation between the ICBS/CIPE and other trans-boundary associations. The tasks of the ICBS/CIPE include:

- the identification of significant sources of pollution;
- the co-ordination of water quality survey programmes;
- the co-ordination of information exchange on sources of pollution and water policies;
- the preparation of an action programme for the improvement of water/ecosystem quality;
- the analysis of the socio-economic conditions and all anthropogenic impacts on the water bodies;
- the establishment of a concerted river basin management plan;

- the definition of priorities for an action plan;
- co-operation between other comparable international organisations.

Germany

The 16 Federal States who are in charge of the WFD implementation (co-ordination body is the national working group LAWA) have established a work structure for each RBD based upon the existing administration.

In Lower Saxony, the RBDs Ems, Weser and Elbe are divided into 36 working areas coordinated by the State ministry and the environmental agency NLWKN. The Eider RBD in Schleswig-Holstein is co-ordinated by the ministry and the environmental agency LANU and is divided into 9 working areas (see Figure 3.2).

In Hamburg, the environmental agency (BSU) is cooperating with Lower Saxony and Schleswig-Holstein in the Elbe RBD.

The National Park administrations in Lower Saxony, Hamburg and Schleswig-Holstein are also involved in the WFD working groups and projects as far as the National Park area is concerned.

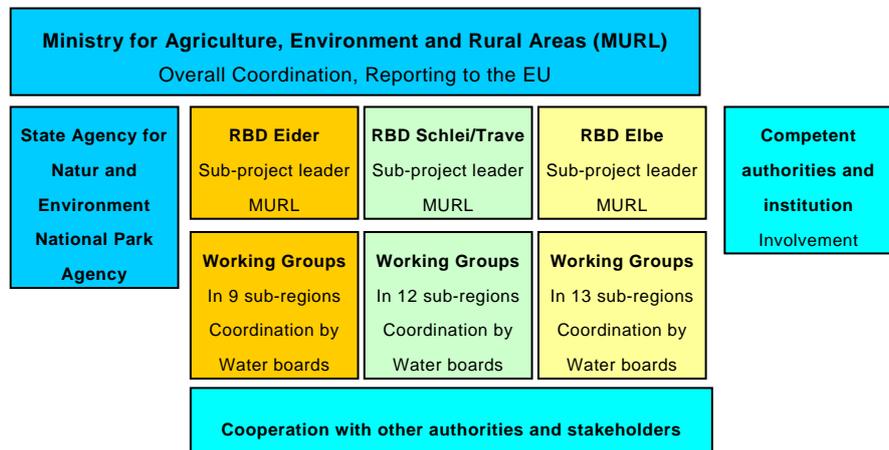


Figure 3.2 Organizational structure of the WFD implementation in Schleswig-Holstein

Denmark

In Denmark, four administrative RBD units were established across existing regional boundaries for the purpose of integrated river basin planning and management. Two are located at the North Sea coast: Jylland and an international RBD (at the Danish-German Border).

The regional authorities, the County Councils respectively the new regional administrations are foreseen as keeping their current responsibility for water planning and management within the new structure, although new means of transboundary cooperation and consultation between the Councils will be established.

United Kingdom

Within the UK, implementation of the WFD is a devolved matter, and thus relies on an ‘appropriate authority’ and an ‘agency’ in each of the four component countries. The appropriate authorities have the general responsibility for ensuring the directive is given effect and have to approve environmental objectives, programmes of measures, and river basin management plans (RBMPs). The agencies, on the other hand, are responsible for: carrying out the analysis required for characterisation and monitoring; preparing draft environmental objectives, programmes of measures and RBMPs; and ensuring public participation in preparing the RBMPs. The appropriate authorities and agencies, for each devolved UK country, are shown below (Table 3.2).

Table 3.2 The appropriate authority and agency in each UK country responsible for implementation of the WFD.

Country	Appropriate Authority	Agency
England	Secretary of State (Defra)	Environment Agency
Wales	National Assembly of Wales	Environment Agency
Scotland	Scottish Ministers	Scottish Environmental Protection Agency
N. Ireland	Department of the Environment	Department of the Environment

3.1.2 Birds and Habitats Directives

The Netherlands

The Ministry of Agriculture, Nature and Food Quality (LNV) is responsible for implementation of the Birds and Habitats Directives in The Netherlands. The designation of protected areas is done by this ministry. The same holds for the formulation of management objectives. However, the development of management plans including measures for specific areas is a task of the regional water managers. For the Wadden Sea and the other coastal areas this task will be taken up by the Ministry of Transport, Public Works and Water Management.

Belgium

The administration for the preservation of the Environment, Nature, Land and Water (AMINAL), a department of the Flemish government is responsible for the implementation of the birds and habitats directives for the Belgian part of the Atlantic region. This department designated the protected areas.

The preparation for the habitats and species will be carried out by the Research Institute for Nature and Forest (INBO) which is the scientific institute of the Flemish government. At this moment the first version of criteria to assess the favourable conservation status of species and habitats is formulated.

The fact that the WFD and the BHD are implemented by different administration makes that the work is carried out separately. At the

moment a proposal to work closer together concerning these directives are made.

A combined monitoring program has already been developed and is now in the process of being studied by the directorate. This program will be presented to the responsible minister for acceptance in June 2006.

Germany

According to the Federal Nature Conservation Act (Art 33), the 16 Federal States are in charge of designating the Birds and Habitats Directive areas. The state environmental ministries and their agencies are in charge of designation, management, monitoring and reporting.

The work is coordinated by the Federal Ministry of the Environment, Nature Conservation and Nuclear Safety (BMU) and its Nature Conservation Agency BfN (Bundesamt für Naturschutz) and the working group LANA (Bund/Länder-Arbeitsgemeinschaft für Naturschutz, Landschaftspflege und Erholung).

In Lower Saxony, the Ministry of Environment and its local agencies NLPV (Nationalparkverwaltung Niedersächsisches Wattenmeer) and NLWKN (Niedersächsischer Landesbetrieb für Wasserwirtschaft, Küsten- und Naturschutz) are responsible for the implementation of the Birds and Habitats Directive. In Schleswig-Holstein the Ministry of Agriculture, Environment, Nature Conservation and Rural Areas (MLUR) and its agencies LANU (Landesamt für Natur- und Umweltschutz) and NPA (Landesamt für den Nationalpark Schleswig-Holsteinisches Wattenmeer) are responsible for implementation.

In Hamburg, the environmental agency BSU (Behörde für Stadtentwicklung und Umwelt) is in charge of implementing the Birds and Habitats Directive.

Denmark

Denmark has implemented the EU Habitats Directive within the Nature Protection Act of 1998.

The Ministry of Environment and its Forest and Nature Agency (SNS) are in charge of implementing the Birds and Habitats Directive.

Monitoring and reporting is carried out by NERI (National Environmental Research Institute).

For the Wadden Sea, the revised Statutory Order for the Danish Nature and Wildlife Reserve was enacted in 1998. On the regional level, physical plans have been established.

United Kingdom

In the UK, the Habitats Directive has been transposed into law by means of the Conservation (Natural Habitats &c) Regulations 1994 (as amended) and the Conservation (Natural Habitats &c) Regulations (Northern Ireland) 1995 (as amended). Within the UK, the Joint Nature Conservation Committee (JNCC) advises the government on the application and interpretation of the Habitats Directive including the

'conservation status of habitats and species' under the terms of the Directive. JNCC also report to government on the implementation of the Directive in addition to advising the Government on the UK suite of sites that meet the criteria for consideration as a Site of Community Importance (SCI). For this latter role, JNCC work along side the nature conservation advisors e.g. English Nature (EN) with respect to England, Scottish Natural Heritage (SNH) for Scotland and the Countryside Council for Wales (CCW) with respect to Welsh habitats and species. It is anticipated that the forthcoming Natural Environment and Rural Communities (NERC) Act 2006, will extend JNCC's remit to Northern Ireland, when it comes into force in October 2006.

In the UK, the provisions of the Wild Birds Directive are implemented through a number of agreements including the Wildlife & Countryside Act 1981 (as amended), [the Conservation \(Natural Habitats, &c.\) Regulations 1994](#) (as amended), the Wildlife (Northern Ireland) Order 1985, the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, and [the Conservation \(Natural Habitats, &c.\) \(Northern Ireland\) Regulations 1995](#) (as amended). The 'Habitats Regulations' apply to the UK land area and its territorial sea (to 12 nautical miles from the coast), and are supported by government policy guidance. JNCC act as technical advisor to the Department for the Environment Food and Rural Affairs (Defra), with respect to the implementation of the Wild Birds Directive and coordinates relevant actions across the various country agencies (EN, SNH, CCW).

3.1.3 Integrated Coastal Zone Management (ICZM)

In May 2002, European Coastal Member States were encouraged to elaborate and implement a national integrated coastal zone management strategy on the basis of a national stocktaking. The Recommendation also established eight principles to be followed in the national strategies that had been established on the basis of experiences developed by the Demonstration Programme.

The national strategies were delivered to the EU in 2006. Whether this objective has been reached was substance of an evaluation project which was finalized in December 2006 (Rupprecht, 2006).

It revealed that 13 countries are implementing the ICZM principles but that six countries have no agreed ICZM policy. All North Sea countries have delivered a national ICZM report and established a set of planning instruments and mechanism which address ICZM issues to some extent.

The Rupprecht report concluded that, on regional seas basis, the ground is laid through OSPAR, the Trilateral Wadden Sea Cooperation and the Irish Sea project to intensify collaboration and exchange. This may act as window-of-opportunity to streamline the respective ICZM national efforts to promote further cross-boundary sharing of information, communication and management in the coastal zones. However, one of the key obstacle to ICZM is the current strong

legislative separation between land and sea-based activities in many countries (Rupprecht 2006).

Denmark

A comprehensive Danish ICZM National Strategy, following the EU ICZM Recommendation has not yet been formulated. Some initial steps were taken until 2003, when it was decided to have a major structural reform of the Danish municipal system in 2007. It was decided to postpone a debate on a possible national strategy on ICZM to after 2007 when the reform is implemented.

Denmark participated in a number of Interreg projects concerning integrated management and spatial planning in the coastal zone at land and at sea, and implementation of ICZM elements in the Wadden Sea conservation area.

The Ministry of Environment (Spatial Planning Department, Danish Forest and Nature Agency) is the leading organization and unit for ICZM in Denmark at the national level, responsible for integrated management and sustainable development in coastal and marine areas, including the EEZ.

Germany

The national ICZM report was submitted to the EC in April 2006. It defines the strategy as an informal and thus voluntary approach supporting sustainable development of the coastal areas. ICZM is not regarded as a statutory instrument to formal planning and decision-making procedures. The report states that the current legislative framework in Germany is capable of meeting most of the ICZM principles, however, further legislative adaptation and optimisation of governance instruments are encouraged by the national strategy. The Ministry of Environment (BMU) through the Federal Environmental Agency (Umweltbundesamt) is the leading agency and formally responsible for collating the development of the German National ICZM Strategy.

According to the Constitution, both the federal government as well as the federal states have joint responsibility for most areas of coastal planning issues. The Federal Ministry of Transport, Building and Housing is responsible for providing national guidelines and co-ordinating planning policy from which the individual states derives its own planning legislation. This entails that for regional planning, nature conservation and water-management, the Länder have a high degree of freedom in establishing their own legislative structure and adhering laws, albeit having to be in co-ordinance with the federal legal framework.

The Netherlands

The Dutch ICZM report was submitted to the EC in March 2006. It was decided not to develop a separate strategy for ICZM but to make use of two existing building blocks which in fact are supported by a variety of complementary statutory institutions:

Since 2002 the national level is responsible for the implementation of the Recommendation. Coordination here is carried out jointly by the Ministry of Transport, Public Works and Water Management, in close cooperation with the Ministry of Housing, Spatial Planning and the Environment, the Ministry of Economic Affairs and the Ministry of Agriculture, Nature and Food Quality. Management of the Dutch coastal zone is in hands of a multitude of public and private-sector bodies.

Belgium

The national ICZM report was submitted to the EC in March 2006. The report was prepared by the North Sea and Oceans Steering Committee, in cooperation with the Cooperation Point for Integrated Coastal Zone Management. The reporting institution is the SPF Santé publique, Sécurité de la Chaîne alimentaire et Environnement, Directorate General for Environment, Brussels.

United Kingdom

The national ICZM report was submitted to the EC in March 2006 by the Department of the Environment, Food and Rural Affairs (DEFRA). The legal framework for the management of coastal areas was created by the UK Parliament in 1999. The different administrations in Scotland, Wales and Northern Ireland have, over the years, taken ICZM policy forward individually, with tailored solutions to their own diverse coastlines and differing terrestrial and marine planning systems. Such tailored practice in coastal management has been important in ensuring good practice.

3.1.4 European Marine Strategy (EMS)

The EMS and the future Marine Strategy Directive will be implemented by the Member States through the administrative authorities in charge of marine affairs. A national implementation network has not yet been established.

Currently, the EMS Working Group on Marine Monitoring and Assessment (EMMA) is preparing a roadmap for the development of monitoring and assessment programmes. In the development of this roadmap, the monitoring and assessment programmes and activities carried out under the regional marine conventions such as OSPAR are taken into account

3.2 International agreements

3.2.1 North Sea Ministerial Conferences

The North Sea Ministerial Conferences (NSMC) provide a political framework and make commitments that are required in influencing legally binding environmental management decisions at a national

level, as well as within the framework of competent international bodies (such as the EU and OSPAR).

3.2.2 OSPAR

The work under the OSPAR Convention is managed by the OSPAR Commission, made up of representatives of the Governments of 15 Contracting Parties and the European Commission, representing the European Community. Each year it discusses decisions and recommendations and adopts them, either unanimously or by a three-quarters majority of the Contracting Parties.

3.2.3 Global international agreements

Global international agreements such as the Ramsar Convention, the Convention on Biological Diversity (CBD) and the Convention for Migratory Species (CMS) with its regional agreements are implemented via European and national strategies.

They are integrated into several European Directives such as the Birds and Habitats Directive and via the European strategy “Implementing European 2010 Biodiversity Indicators (IEBI2010)”.

On the national level, these conventions are implemented via national legislation and the competent authorities in charge of nature protection.

3.3 Regional agreements

3.3.1 Trilateral Wadden Sea Cooperation (TWSC)

The implementation of the agreements made in the framework of the Trilateral Wadden Sea Cooperation is carried out by the national responsible, primarily nature conservation authorities, but also other authorities that have a stake in Wadden Sea conservation and management. Though there is a common conservation and management regime for the entire Wadden Sea, there are some distinct differences between the actual legal and management frameworks at the national level.

In Germany, nature conservation is in the responsibility of the federal states. They have established Wadden Sea national parks which constitutes the main units for integrated management and conservation. The federal government has competency for shipping and navigation and therefore the regulation concerning these issues can only be done according to an executive order of the federal government. Also in state level, the competencies of the state authorities have been maintained unless regulated in the national park laws.

In Denmark, the National Forest and Nature Agency is the competent authority for management and issuing of permits and exemptions in the Danish Wadden Sea nature and wildlife reserve. The nature reserve order is supplemented by a specific regional plan, which incorporates the Trilateral Wadden Sea Plan, and is implemented by the municipalities.

In the Netherlands, the Wadden Sea conservation and management is based on a national planning decree (Planologische Kernbeslissing, PKB) which is the basis for all further planning, conservation and management of the area of all state, regional and local authorities. On ministry level, the Ministry of Agriculture, Nature and Food Quality and the Ministry of Traffic and Water Management are directly involved in the trilateral cooperation.

Implementation of the EC Directives in the Wadden Sea

In general all three countries devolve responsibility for many aspects of the day to day operation of the Directives to the local level of public administration. In Denmark key implementation agencies were the counties of Sønderjylland and Ribe, which have physical planning responsibilities over land. Since 2007, new regional authorities (on municipality and state level) are in charge.

In Germany much of the responsibility for transposing the Directives lies with individual states 'Länder', although there is also national level legislation for the transposition of the Directives and the Länder, produce their own legislation within the national framework. In Schleswig-Holstein, for example, there are different levels of administration for the day-to-day implementation of the Directives as there are a number of environmental and other licensing regimes relevant to the Directives that are administered by different competent authorities. Some aspects are covered centrally by the Ministry for the Environment, Nature Protection and Agriculture (Schleswig-Holstein) and the National Park Office, while others are dealt with at the local level by the two districts of Kreis Nordfriesland and Kreis Dithmarschen. In the Netherlands the implementation of the Directives is also the responsibility of a number of regional divisions within the provinces of Noord-Holland, Fryslân and Groningen and they have their own regulations that complement the national legislation. In turn the competent authorities include the lower-tier municipalities such as Gemeente De Marne.

For the Dutch Wadden Sea area special administrative structures have been developed, in which all ministries, the provinces of Noord-Holland, Fryslan and Groningen, as well as coastal municipalities are represented. At the governmental level the ministers meet in the Interdepartementaal Wadden College (IWC).

3.3.2 Other areas

Eems-Dollard

The Ems-Dollard Treaty (Eems-Dollard Verdrag) is executed by the Dutch-German Ems Commission ('Permanente Nederlands-Duitse Grenswateren Commissie'). Both member states are represented by 3 commissioners, supported by experts if necessary. The commission meets at least once a year. The main task is to negotiate on and give advise to their governments on issues of shipping, hydrological investigations, land reclamation, coastal defence, dredging and extraction of sand, gravel and shells.

Scheldt Commission

According to the new Scheldt and Meuse Treaty (Ghent, 2002), the governments of France, the Walloon Region, the Flemish Region, the Brussel Capital Region, Belgium and the Netherlands are cooperating in implementing the WFD in the Scheldt river basin district. Details on the administrative implementation are given in chapter 3.1.1.

3.4 Conclusions

Implementing authorities

Due to the fact that different authorities are responsible for implementation of different EU directives and international and regional agreements and given the fact that communication between these organisations is often not intense, there is a huge risk of divergence in development and assessment of objectives and instruments. This risk is reinforced since implementation processes are not running parallel in time.

Due to the large number of authorities involved in implementing the key EU Directives and the division of responsibilities to different tiers of government, the implementation process is rather complex. This not only holds for individual river basin districts, but even more at a transnational level between adjacent river basin districts.

It can be concluded that at present the exchange of information regarding the implementation of EU Directives and other agreements relevant for the coastal area within and between countries requires a high coordination effort which has not yet been reflected sufficiently in the administrative network.

This concerns especially the link between administrations in charge of land-based and sea-based activities, as well as for nature conservation and water management. In addition, complex administrative structures between national government and regional or state governments require a high coordination effort.

Recommendations

The installation of an effective information network within administration on national and international level is crucial for a successful implementation of coastal legislation. This can cover regular topical newsletter, workshop and conferences on specific cross-cutting themes.

Key persons should be identified and be involved in establishing of a network for coastal areas. These persons could also give advice on specific requirements for a closer cooperation in coastal areas.

Annex 1 Acronyms and Abbreviations

AEWA	African-Eurasian Waterbird Agreement
ASCOBANS	Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas
BD	EC Birds Directive
BHD	EC Birds and Habitats Directives
BMU	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit, Federal Ministry of the Environment, Nature Conservation and Nuclear Safety
BfN	Bundesamt für Naturschutz, Nature Conservation Agency
BSU	Behörde für Stadtentwicklung und Umwelt, Hamburg
CBD	UN Convention on Biological Diversity
CCW	Countryside Council for Wales
CIW	Flemish Coordination Commission Integrated Water Policy
CAMP	Comprehensive Atmospheric Monitoring Programme
CEMP	Co-ordinated Environmental Monitoring Programme
CIS	Common Implementation Strategy
CMS	Convention on the Conservation of Migratory Species of Wild Animals (also known as CMS or Bonn Convention)
CWSS	Common Wadden Sea Secretariat
DEFRA	Department for the Environment Food and Rural Affairs
DIWB	Flemish Decree on Integrated Water Policy
EcoQO	Ecological Quality Objective
EMMA	European Marine Monitoring and Assessment activity
EMS	European Marine Strategy
EN	English Nature
EU	European Union
EC	European Commission
EEZ	Exclusive Economic Zone
FCS	Favourable Conservation Status
HARBASINS	Harmonised River Basin Strategies for the North Sea
HELCOM	Helsinki Commission
HD	EC Habitats Directive
ICES	International Council for the Exploration of the Sea
ISC	International Scheldt Commission
ICBS/CIPE	International Commission for the Protection of the Scheldt against pollution
ICPR	International Commission for the Protection of the Rhine
IMC	International Meuse Commission
ICZM	Integrated Coastal Zone Management
IECS	Institute of Estuarine Coastal Studies, Hull
IMO	International Maritime Organization
INBO	Research Institute for Nature and Forest, Belgium
JAMP	Joint Assessment and Monitoring Program

JNCC	Joint Nature Conservation Committee
LAWA	Bund/Länder-Arbeitsgemeinschaft Wasser
LANA	Bund/Länder-Arbeitsgemeinschaft für Naturschutz, Landschaftspflege und Erholung
LANU	Landesamt für Umwelt und Natur, Schleswig-Holstein
MARPOL	International Convention for the Prevention of Pollution from Ships
MS	Member States
MSD	Marine Strategy Directive
NATURA 2000	Coherent ecological network of protected areas across the European Union
ND	EC Nitrate Directive
NERI	Danish National Environmental Research Institute
NLPV	Nationalparkverwaltung Niedersächsisches Wattenmeer
NLWKN	Niedersächsischer Landesbetrieb für Wasserwirtschaft, Küsten- und Naturschutz
NPA	Landesamt für den Nationalpark Schleswig-Holsteinisches Wattenmeer
NSMC	North Sea Ministerial Conferences
MLUR	Ministerium für Landwirtschaft, Umwelt, Naturschutz und ländliche Räume des Landes Schleswig-Holstein (Ministry of Agriculture, Environment, Nature Conservation and Rural Areas)
NVZ	Nitrate Vulnerable Zones
OSPAR	OSPAR Commission for the Protection of the Environment of the North-East Atlantic
PSSA	Particularly Sensitive Sea Area
PKB	Planologische Kernbeslissing (national planning decree)
QE	Quality elements
QSR	Quality Status Report
RBD	River Basin District
RBMP	River basin management plan
RID	Comprehensive Study on Riverine Inputs and Direct Discharges
RIKZ	Rijksinstituut voor Kust en Zee (Institute for Coastal and Marine Management)
RWS	Rijkswaterstaat
SAC	Special Area of Conservation
SCI	Site of Community Importance
SNH	Scottish Natural Heritage
SERV	Social and Economic Flanders
SNS	Miljøministeriet, Skov- og Naturstyrelsen, Ministry of Environment and its Forest and Nature Agency
SPA	Special Protected Areas

SPF	Santé publique, Sécurité de la Chaîne alimentaire et Environnement, Directorate General for Environment, Brussels
SCG	Strategic Coordination Group
TWSC	Trilateral Cooperation on the Protection of the Wadden Sea
UNESCO	United Nations Educational, Scientific and Cultural Organization
UWWTD	EC Urban Waster Water Treatment Directive
WFD	EC Water Framework Directive
WSF	Wadden Sea Forum
WSP	Wadden Sea Plan

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Annex 3 List of Administrations

Belgium

Federale Regering van België,
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SPF Santé publique, Sécurité de la Chaîne alimentaire et
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