



Wadden Sea Forum

WG Shipping, 4th Meeting

Bremen, 23 October 2008

FINAL DRAFT MINUTES

1. Opening

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The chairman Martin Loos welcomed the participants and opened the meeting at 11:00 on 23 October 2008. A list of the participants is in **Annex 1**. The proposed draft agenda was adopted with the agreement of two additional items, loss of containers and spatial planning in the German EEZ and is in **Annex 2**.

2. Adoption of the Minutes WSF Shipping-3

The final minutes of the 3rd WG Shipping meeting on 06 June 2008 in Husum were adopted.

3. Announcements

Referring to the minutes of the last meeting, Martin Loos informed the meeting that he has been officially asked to participate in the steering group for the PSSA evaluation and that he has received the TOR for the evaluation (further details about PSSA under agenda item 4).

Also Herman Verheij referred to the minutes and the Dutch-German information exchange about emergency tools and informed the meeting that a field trip has taken place. Some differences have been figured out, particularly, in Germany necessary emergency equipment is on board while in the Netherlands the equipment has to be requested due to the situation. Furthermore, also biologist and ecologist are on board only in Germany to assess the possible effects on the environment. More information about the emergency exchange meeting will be distributed via the secretariat.

Under general announcements there was a short discussion about the action by Greenpeace, the dumping of huge stones at the reef west of Sylt. The reef is commercially used by fishing and the exploitation of gravel despite protection measures. Greenpeace wanted to protect the ecological valuable reef against further use and dumped several hundred stone with a weight of some tons each. The Federal Ministry for Traffic stopped the action after two weeks.

During the discussion several issues were raised, such as that the activities did not take place in cooperation with other NGOs, that it could make the dialogue between the fisheries sector and the nature NGO's even more difficult than it is already, that the whole situation, as it turned out, is raising concerns about the legal situation in the German EEZ, but also that the problem Greenpeace was targeting really is a problem which would need a solution because governments were still lagging in the implementation of marine protected areas.

Herman Verheij informed the shipping group about the outcome of the meeting of "Seas at Risk", which took place on 22 October. Mr. Verheij has been designated as the new chair of "Seas at Risk". The agenda of that meeting included amongst others, the implementation of the Water Framework Directive (WFD), maritime strategy, Marine Protected Areas (MPA's), clean shipping and climate change.

Hans von Wecheln reported about the activities of the German islands in respect to the 10 years ago disaster of the stranding of a MV Pallas. Furthermore, he informed about the international annual meeting of KIMO in Denmark and recent activities with regard to the construction of the Jade-Weser-Port. Further considerations about loss of containers and fishing for litter are taken up again under the respective agenda item.

4. Loss of Container on Sea

After several accidents of container vessels in European waters, a wide spread concern about the effects can be noted. Recent incidents were the loss of containers in the English Channel, off-shore the Dutch coast and in the Bay of Biscay in 2007. The meeting put this item on the agenda, to discuss further actions taken by the working group and the WSF.

Up to 30% of the cargo is stated as dangerous cargo which is normally stored at the bow. Containers are not equipped with transponders, which means that tracing and tracking is very hard and consequently containers will remain a danger to the adjacent waters, posing a very great risk for the Wadden Sea.

The meeting agreed that far more action is needed to secure the dealings with container shipment. The next steps, however, depend on possible initiatives which could already exist by the responsible administrative bodies and the IMO.

The secretariat was asked to compile the necessary information and on the basis of this, to formulate a proposal for the WSF how to react on the recent situation. Furthermore, if necessary, the working group will elaborate a letter, which should be sent to the responsible ministries by the WSF chair.

5. PSSA evaluation

The Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO), in October 2002 designated major parts of the Dutch, German and Danish Wadden Sea as a Particularly Sensitive Sea Area (PSSA). The area designated as a PSSA is basically the marine area of the Wadden Sea Conservation Area, being the Wadden Sea national parks in Germany and the Wadden Sea nature protection areas in Denmark and the Netherlands.

At the Wadden Sea Conference on Schiermonnikoog, 2005, the designation of the Wadden Sea as a PSSA was recognized and it was decided to evaluate before the 2010 Wadden Sea Conference the effectiveness of the Wadden Sea PSSA, including the level playing field situation.

The chairman and Kristine Jung informed the meeting about the status of the evaluation process, which is at the very beginning. The steering group is not complete yet and the tender has not been sent out. Actually, the Terms of Reference

(TOR) have to be made final by taking into account the received comments. The working group, respectively Martin Loos, will deliver some input to improve the TOR. The meeting considered the history of the PSSA designation, which was implemented on the basis of existing regulations with a view on further development. Therefore, the designation is a recognition of the Wadden Sea as a world wide unique nature area and the measures taken by the Wadden Sea states to protect it.

The meeting appreciated the evaluation in order to elaborate the weak points such as the missing awareness among the sectors and people working in the area, missing rules outside the designated area for a better protection, lacking additional measures and, the missing depiction on sea charts. Following, the meeting stated that the evaluation should be undertaken by an independent and competent organization. Also the TOR should be more precise and concrete, particular with regard to task 3. In order to proceed, the chair Martin Loos will deliver the discussed comments to the CWSS for further development of the TOR.

Finally, the meeting briefly discussed the role of the chair in the evaluation steering group. As the evaluation is a task of the trilateral cooperation, the chair WG shipping was invited to participate in the steering group as an observer. If this status would mean a participation without any influence, the membership should be discussed again in the TWG. The meeting stated it as absolute necessary that the contributions and recommendations of the working group shipping with regard to the PSSA evaluation are seriously taken into consideration. It was also proposed to involve the European Maritime Safety Agency, EMSA in the process as well as in the future work of the shipping group. Concerning the latter it was suggested to invite EMSA for a presentation and discussion at one of the next WSF plenary meetings.

6. Spatial planning in the German EEZ

Germany is going to pass a spatial plan for the EEZ in the North Sea and the Baltic. Recently, a hearing with administrative bodies and stakeholders took place. Hans-Ulrich Rösner briefly introduced the theme and outcome of the hearing.

Germany is the first country with a spatial plan for the EEZ, which was pushed by a large number of applications and permissions for off-shore wind farms. In this plan, some sectors got priority status for the use of the area. Sea traffic takes up very much space, followed by off-shore wind farms and cable corridors. Other sectors like mining have got "reservation status".

Though it is a progress to do spatial planning in the EEZ at all, the shipping group was concerned about the procedure in implementing the spatial plan because the cooperation with the neighbouring countries seemed to be insufficient. As other sectors of the WSF might be interested to discuss and react on the planning contents and procedure, the meeting agreed to forward this issue to the WSF-13 meeting to discuss further common actions. Finally, the meeting proposed to actively support off-shore spatial planning and cooperation on the trilateral level.

7. Project litter collection on sea

The chair referred to the last meeting, when this project was discussed in more detail. Meanwhile, almost all Dutch harbors participate in the project. To inform the WSF about the project, first results and perspectives, the meeting agreed to ask KIMO (Local Authorities International Environmental Organization), who originally developed the project, to present it to the Forum. As a first step, KIMO will be asked to prepare a hand out to be distributed at the Forum meeting. The secretariat will take the initiative to compile the information and to deliver the hand out.

8. Shipping Safety

The chair reported about an information exchange with Groningen Seaports, from whom a presentation about shipping safety should have been given at this meeting. Some control systems were criticized like the lacking Radar control in the river Ems, the different Radar systems in the Netherlands and Germany as well as the insufficient information exchange between the neighboring countries.

However, Hans von Wecheln informed about a letter from the Pilot Association of Ems River, in which the control mechanism were stated as sufficient, as there was one common control system for the river Ems at the Knock, operating for the Netherlands and Germany. The difficulties rather occur at the harbor access course, which are under separated responsibilities and control. The meeting **agreed**, again to invite the experts for the next meeting.

The shipping safety issue would be one of the main tasks for the future work (see next agenda item).

9. WG Shipping Future Tasks

The meeting discussed the future tasks for the WSF shipping group and agreed on the following issues.

- Shipping safety, including the statements in the Esbjerg Declaration (Trilateral emergency towing concept) and Schiermonnikoog Declaration
- Focus on Danish cooperation in shipping safety
- Elaborate on shipping issues stated in the Maritime Strategy (Blue Book)
- Spatial planning in EEZ's, traffic separation schemes
- Development of PSSA
- Active information exchange and distribution, PR
- Cooperation with other related organizations like EMSA

10. Any other business

The meeting requested again to get Danish members in the working group shipping. The secretariat will contact the CWSS and the responsible Trilateral Cooperation delegates as well as the chairman WSF to find solutions for a better involvement of Denmark in the WSF working groups, particularly the WG shipping.

11. Next Meeting

The next meeting will take place on 18 March 2009 in Hamburg.

12. Closing

The chairman thanked all participants for coming and their fruitful contributions and closed the meeting at 15:00 on 23 October.

Action list resulted from the meeting:

- Herman Verheij will deliver more information about the Dutch-German information exchange due to the emergency control and tools.
- The secretariat will compile information about the security of container shipment and following, formulate a proposal for the WSF how to react on the recent situation. On this basis, the working group will draft a letter to the ministries in order to express the concern of the WSF in this respect.
- The chair will deliver comments and recommendations for the TOR PSSA evaluation within the next days to the CWSS to be taken up in the more elaborated TOR.
- The secretariat will forward the issue of spatial planning in the German EEZ to the WSF Steering Committee as well as to WSF-13 meeting with the aim to agree on common actions.
- The secretariat will take the initiative to compile the information about the project "Fishing for litter" from KIMO and to deliver the hand out the WSF.
- The chair and the secretariat will invite experts in shipping safety (Groningen Seaports) to give a presentation at the next meeting in March.
- The secretariat will contact the CWSS and the responsible Trilateral Cooperation delegates as well as the chairman WSF to find solutions for a better involvement of Denmark in the WSF working groups, particularly the WG shipping.

Annex 2

**Wadden Sea Forum
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Agenda

Agenda item 1: Opening

Agenda item 2: Adoption of the minutes WSF Shipping -3

Agenda item 3: Announcements

Agenda item 4: Loss of container on sea

Agenda item 5: PSSA evaluation

Agenda item 6: Spatial planning in the German EEZ

Agenda item 7: Project litter collection on sea

Agenda item 8: Shipping Safety

Agenda item 9: WG Shipping Future Tasks

Agenda item 10: Any other business

Agenda item 11: Next Meeting

Agenda item 12: Closing