

NGO Observership in the Trilateral Wadden Sea Cooperation

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For the first time in the history of the Trilateral Government Conferences, non-governmental organizations (NGOs) were allowed to participate as observers in its preparations. The fishing industry was represented by Europêche (European umbrella of fishermen's federations) and the Trilateral Cooperation of Shrimp Producers' Organizations. The observership was a first step in establishing a formal link between the Trilateral Cooperation and the stakeholders in the Wadden Sea and a more participatory approach to trilateral decision-making. We feel that this was, arguably, the major result of the Esbjerg conference. Therefore, our focus is not on the positive achievements concerning shipping safety and the Wadden Sea Forum, but on the NGO observership.

The observership in the Trilateral Working Group (TWG) has given us a unique opportunity to take a look 'backstage'. Until then, the preparations of the trilateral conferences were a 'black box'. Limited participation of the fishing industry often resulted in a lack of knowledge and, consequently, a lack of support for trilateral agreements. The same can probably be said for other economic sectors. The observership resulted in a more transparent decision-making process. At first, we thought that our role would be limited to 'observing' only, but under Danish chairmanship we were allowed to participate in the discussions and raise our own issues. Besides these general advantages, we experienced a number of specific benefits.

A first positive result of the observership is related to the collection and presentation of data. The Common Wadden Sea Secretariat (CWSS) is responsible for the publication of reports that form the basis for the trilateral agreements, such as the Quality Status Report and Progress Reports. These reports are the result of a tremendous effort. Considering the sheer number of subjects that relate to the protection and management of the Wadden Sea, it is impossible to have all data and information ready, even where specialist subgroups are concerned. The observership provided us with an opportunity to critically read draft versions of reports and give technical comments where necessary. A very good example of close cooperation with the CWSS was the comparative study on shellfish fisheries in policy in the three countries. As a result of this cooperation, agreements were

made on the exchange of fisheries data.

Second, we were pleased with the way the observers were given the opportunity to participate in the TWG. This gave us an opportunity to discuss trilateral issues from our perspective and focus on issues that perhaps were not so dominantly present on the trilateral agenda. Particularly in relation to the recent trilateral agreements on the Particularly Sensitive Sea Area (PSSA) and the Wadden Sea Forum, the presence and active involvement of the NGO observers has made a difference in the decision-making process. In addition, our presence in the TWG gave us an opportunity to bring in expert knowledge where necessary. Our experience is that the TWG members have always treated us as experts where fisheries data or fisheries policy was concerned. Of course, because of time constraints, the TWG could not always give our contributions the attention we thought they deserved. The other NGOs probably have the same experience. But on the whole, we feel that the TWG has adopted a constructive attitude towards the observers.



Nathalie Steins (Fishing Industry, left) and Anja Possekel (WWF, Wadden Sea Team, right) during a conference break (Photo: Poul Anker).

A third positive aspect is the (renewed) contact with other NGOs. The TWG meetings gave us the opportunity to exchange views and ideas. In the TWG, we worked together with the nature conservation NGOs on issues such as windmill parks, the Wadden Sea Forum and the PSSA. At a meeting on the PSSA in Hamburg, the Wadden Sea Team even represented our organizations, which caused a bit of a shock! In the Netherlands, the fishing industry and nature conservation NGOs have been involved in a dialogue for some years now. Of course, this is not to say that there are no problems. In Germany, however, the fishing industry and nature conservation NGOs are still very much opposing parties. Also in Denmark, there are tensions. Our cooperation at the trilateral level has been important in showing that there are many issues, which tie us together and that it is worthwhile to work collectively on those issues. We feel that this cooperation has made a real difference in the decision-making process on the aforementioned issues. We would like to further strengthen these contacts, work together on shared concerns and start a dialogue on issues that still separate us.

Finally, the observership has resulted in the strengthening of the relationships within the fishing industry. Prior to the TWG meetings, the agenda and documents were disseminated amongst the Danish, German and Dutch representatives. Our contributions to the TWG were discussed to make sure that we all agreed. Of course, sometimes compromises had to be made, but we always managed to find a trilateral view. As a result of this process, we are now better informed about each other's positions and it is easier to contact the 'colleagues abroad' on issues of concern. One development that deserves to be mentioned in this respect is the establishment of a trilateral association of shellfish organizations.

In sum, we feel that the Trilateral Cooperation has made the right decision in allowing NGO observers to participate in the TWG. We believe that this was an important step in finding a balance between the need for nature protection with the needs of other stakes in the Wadden Sea. The challenge for the coming years will be to further strengthen this process. The Wadden Sea Forum will undoubtedly play an important role in this process. However, increasing participation of stakeholders through their representative organizations in the Trilateral Cooperation also raises a number of fundamental issues that have to be addressed.

First of all, there is the problem of commitment. If the role of the NGO observers were to be strengthened and to become full members of the TWG, this means that the Trilateral Cooperation also expects their full commitment to trilateral decisions. This may in some cases cause problems. Take the fishery NGOs, what if a trilateral agreement was reached on a total ban on all fishing activities? Or take the nature conservation NGOs in case it would be decided that economic activities would be favored over nature protection? A solution to this problem would be to demand that the NGOs have a clear mandate from their organizations. However, considering the organizational remit of some organizations, particularly when a large and diverse membership is concerned, this may not be realistic.

A second problem is related to the costs of participation. The trilateral meetings are held in turn in the three countries. Extensive travelling and accommodation costs are involved. Also the preparation of the meetings takes up a great deal of labor time. In view of the limited funds and personnel available, participation in the TWG has been problematic for some NGOs. As it is expected that the participation of the NGOs in the Trilateral Cooperation will increase over the next years, this problem will manifest even more strongly. This issue should be addressed, for example by subsidizing travel expenses for NGOs with a weak financial position, otherwise the Trilateral Cooperation runs the risk of only hearing the voices of those stakeholders that have the funding to send representatives to the meetings. This is undesirable.

The future will bring many challenges to the Trilateral Cooperation, particularly in finding a balance between nature conservation and economic activities. We are confident in the future and are willing to continue the constructive dialogue that was started at the first TWG meeting we attended in 1999.

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