

14.07.1987

Administrative Agreement

on a Common Secretariat for the Cooperation on the Protection of
the Wadden Sea

between

the Ministry of the Environment of Denmark,

the Federal ministry for the Environment, Nature Conservation and
Nuclear Safety of the Federal Republic of Germany

and

the ministry of Agriculture and Fisheries of the Netherlands.

The Ministry of the Environment of Denmark and the Federal Ministry
for the Environment, Nature Conservation and Nuclear Safety of the
Federal Republic of Germany and
the ministry of Agriculture and Fisheries of the Netherlands,
hereinafter referred to as the Parties,

MINDFUL of the Joint Declaration dated 9 December 1982
of the Federal Republic of Germany, the Kingdom of Denmark and the
Kingdom of the Netherlands on
the Protection of the Wadden Sea and its implementation,

TAKING INTO ACCOUNT the conclusions arrived at in connection with
the 4th trilateral governmental conference on the Wadden Sea in
the Hague on 12 September 1985,

have agreed as follows:

Article I

(1) The Parties shall establish a Common Secretariat for their cooperation on the protection of the Wadden Sea.

(2) The duties of the Common Secretariat shall be carried out by a Secretary who is provided with adequate administrative support.

Article 2

(1) The Common Secretariat shall have the following duties relevant to the cooperation of the Parties on the protection of the Wadden Sea.

- a) to provide assistance with regard to trilateral
 - governmental conferences;
 - consultations on policy and other relevant matters between senior government officials;
 - consultations at the policy preparing and technical level within the framework of working groups;
 - consultations of the representatives referred to in Article 3.
- b) - to collect and disseminate information on conservation measures;
 - to analyse legal instruments and/or other means in each country, in existence or needed, in order to fulfil the obligations resulting from the instruments mentioned in the Joint Declaration.
- c) - to provide assistance with regard to trilateral meetings on practical management in the field of nature conservation.
- d) - to collect information on activities that have or may have significant effects on the natural environment in the Wadden Sea, to identify and signal such activities and give suggestions for appropriate action.
- e) - to promote or take care of, as appropriate, compilation, updating and evaluation of lists on completed and current research projects;
 - to make proposals for closer scientific cooperation;
 - to promote or take care of, as appropriate, the identification of needs and priorities for scientific research;
 - to promote or take care of, as appropriate, the publication of expert information.
- f) - to provide assistance with regard to scientific symposia.
- g) - to make suggestions for a coordinated approach by the Parties in international fora;
 - to make an assessment of measures being taken or to be taken by other states adjacent to the North Sea and by the European Communities.

- h) - to prepare drafts for the annual work programme and budget;
 - to prepare and propose financial statements.
- i) - further duties assigned to it by the representatives, e.g. providing assistance with regard to future trilateral agreements.

(2) Suggestions and proposals concerning the items mentioned in the preceding paragraph, can only be presented by the Common Secretariat to the representatives or in trilateral working groups in accordance with the representatives. The external functioning of the Common Secretariat in the framework of its duties shall furthermore require the approval of 'the Chairman of the representatives.

(3) The senior government officials shall establish, on the proposal of the representatives, the annual work programme to be carried out by the Common Secretariat.

Article 3

(1) The Parties each shall appoint a representative to jointly supervise the performance of the duties of the Common Secretariat.

(2) The group of representatives shall be chaired by the representative of the Party responsible for hosting the next trilateral governmental conference. The chairman shall supervise the functioning of the Common Secretariat. He shall issue assignments to the Secretary in accordance with the representatives of the other two states. The chairman of the group of representatives shall be the Secretary's immediate superior.

(3) Differences among the representatives as to the functioning of the Secretariat shall be referred to the senior government officials, appointed by each Party, and settled by them using the appropriate means.

Article 4

(1) The Common Secretariat shall have an annual budget, covering the costs of the Secretariat. Office facilities are provided by the party, where the Secretariat is located; normally outside the budget.

(2) Each of the Parties shall finance one third of the annual budget.

(3) The budget shares of the Parties shall be paid at the beginning of every budget year. The accounts shall be closed at the end of the same year.

(4) The senior government officials - each in accordance with national practices - shall adopt on the proposal of the representatives the annual budget and the financial statements, including the salaries of the personnel of the Common Secretariat.

Article 5

The working language of the Secretariat is English.

Article 6

The legal status of the Common Secretariat, including that of its personnel, is determined by the laws of the country in which the Secretariat is located. The Party in whose country the Secretariat is located shall be the formal employer of the Secretary.

Article 7

(1) The Common Secretariat shall first be established in the Federal Republic of Germany.

(2) The next location of the Common Secretariat shall be decided at the latest at the next trilateral governmental conference on the basis of a proposal presented by the Party organizing and hosting the subsequent conference (Denmark, and subsequently the Netherlands, The Federal Republic of Germany and so forth).

(3) The Common Secretariat shall be attached to a national public institution in the country where it is located without prejudice to the provisions of Article 3 (2).

Article 8

(1) The chairman of the group of representatives proposes in agreement with the other representatives a candidate for appointment as Secretary. The Secretary shall be first appointed by the German side. The next Secretary is appointed by the Party referred to in Article 7 (2).

(2) The Secretary is appointed for the period between two trilateral governmental conferences, which is normally 3 years.

(3) The Secretary's qualifications shall be university level or equivalent, and his salary shall be set at a corresponding level.

(4) important decisions concerning the Secretary, including possible dismissal, are taken by that Party, which appointed the Secretary, in agreement with the other representatives.

Article 9

This Agreement shall also apply to Land Berlin, provided that the government of the Federal Republic of Germany does not make a contrary declaration to the other two Parties within 3 months of the date of entry into force of this agreement.

Article 10

(1) This Agreement can only be amended with the consent of the three Parties.

(2) Each Party may denounce this Agreement by written notification to the other Parties. The denunciation shall take effect 12 months after the last Party has received the notification, in no circumstances however prior to expiry of the period for which the secretary is appointed.

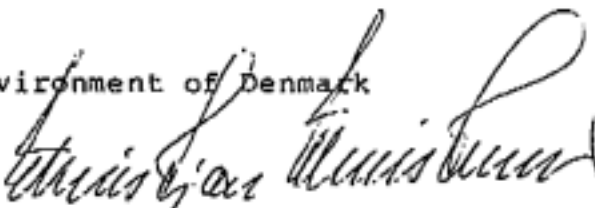
Article 11

This Agreement shall enter into force 10 days after it has been signed by the last Party and has been notified to the other Parties.

The Minister for Environment of Denmark

Kopenhagen

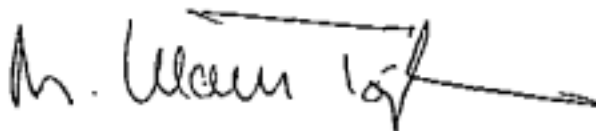
Date: 23.7.1987



The Federal Minister for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany

Bonn

Date: 28.7.1987



The Minister for Agriculture and Fisheries of the Netherlands
Gravenhage

Date: 29.7.1987

