

Wadden Sea Board

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Vester Vested, Denmark



Agenda Item:	6.1
Subject:	Outcome of the PCDG 5 Meeting
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Submitted by:	Secretariat

Secretariat's note: The attached paper reflects the outcome of the 5th meeting of the Partnership Center Drafting Group and contains a proposal regarding next steps concerning the future PC/PH

Proposal: The WSB is requested to consider the document and endorse the approach suggested by the PCDG

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Outcome of the 5th Meeting of the Partnership Center Drafting Group (PCDG 5)

I. Introduction and Summary

The present paper reflects the outcome of the 5th meeting of the Partnership Center Drafting Group (PCDG 5), held in Bremen, Germany, on Monday, September 25, 2017. On the basis of two documents (CWSS, date August 28, 2017 and Germany, dated September 29, 2017), the Group discussed how to proceed regarding options for organizational structure, the governance mechanism and the legal status of the projected Wadden Sea World Heritage Partnership Center (PC) and Partnership Hub (PH). The meeting came to the conclusion that a two-phase approach was preferable. This approach would involve an initial pilot phase lasting through December 2018 in which an Agreement of Cooperation (AOC) model, as proposed by CWSS, is implemented. The pilot phase should be initiated as soon as possible and concluded by an evaluation, which should be conducted without any preconceived views as to its outcome. The required decisions regarding the PC/PH beyond 2018 should be taken based on this evaluation.

II. Current state of discussion

While deliberations on the character and structure of the future PC and PH have been long and somewhat sinuous, a basic consensus on a number of points has meanwhile emerged. Thus, there is general agreement that the objective of the future PC is to pool expertise and generate synergies, as well as facilitate networking beyond the merely governmental sector for the benefit of the Wadden Sea World Heritage and that this can best be achieved by co-locating the current Common Wadden Sea Secretariat (CWSS) with various other extant and potential players of the Trilateral Wadden Sea Cooperation (TWSC), as well as institutions and entities that contribute to, but are independent of the TWSC. Furthermore, there is agreement that the seat of the future PC should be Wilhelmshaven, Germany. Specifically, the Parties of the

TWSC have agreed that the future PC should comprise the CWSS and a future Partnership Hub (described in greater detail below) as independent but related entities under the overall management of the Executive Secretary of CWSS. It is also understood that trilateral entities to be co-located with and hosted by CWSS could be the Secretariat of the Wadden Sea Forum (WSF), which is already hosted by CWSS today, and the secretariat of a possible future Wadden Sea World Heritage Foundation (WSWHF). Moreover, efforts are currently ongoing to appoint a Flyway Coordination Officer of the Arctic Migratory Bird Initiative (AMBI). This officer would be a staff member of CAFF but would also be hosted by CWSS. In addition, it is planned to continue the current co-location between the agencies of the TWSC and the Lower Saxony Wadden Sea National Park Administration (NPA). There will, however, be no legal connection of any kind between the trilateral entities and the NPA.

Concerning the partnership element of the future PC, preference is now being given to the Partnership Hub (PH) model. Initially, the main activities of the PH are to focus on research, sustainable tourism, education and work theme-related nature management with relevant NGOs as well as other civil society liaison. Further areas of activity may be added in due course and based on the needs perceived in the course of the development of the PH. The PH would consist of a flexible pool of facilitators connected to and feeding in the initiatives of network partners. Within its remit, the PH will serve as a coordinating hub, an initiator and an interface for cooperation between the TWSC and a number of sectors of relevance to the Wadden Sea World Heritage). The facilitators would work both within the PH and in close direct connection with their networks, serving the whole Wadden Sea Region. There is a general understanding that the PH would not be all things to all sectors because not all sectors would necessarily derive the same types of benefits and accordingly the role and services provided by the PH could also differ from sector to sector. Furthermore, agreement appears to have been reached that the fact that a topic or task is attributed to the PH does not necessarily imply that it would no longer be dealt with by CWSS/ in the TWSC.

Contrary to the points outlined above, a number of other issues concerning the future PC remain unresolved. Notably, these include its exact mandate, the sectors it should address, the legal and organizational structure of and the need for and possible structure of a specific governing body for the PH. PCDG 5 discussed how to proceed with the latter two issues and arrived at the conclusions outlined below.

III. Terminology

In order to avoid confusion, but also to determine the most appropriate organizational and legal structure for the future PC, it is essential to be clear and consistent with regard to the terminology used. It should therefore be noted that the Partnership Center is not identical to the Partnership Hub. Rather, the latter is one of several elements of the former. In addition it seems appropriate to differentiate between the PC in the narrower and in the broader sense of the term. The former encompasses only those elements of the cluster of organizations and institutions in the PC that were or will be established in the framework of the TWSC and have a trilateral/international remit, as well as international entities that are directly linked to the work of the TWSC and CWSS, i.e.: CWSS, the PH, the secretariat of the WSF, the secretariat of the future possible WSWHF, as well as the outposted one-person unit of CAFF. The broader meaning of the term also encompasses national German entities that are or will be co-located with the trilateral institutions in the PC. Currently, this concerns only the Lower Saxon Wadden Sea National Park Administration (NPA), which is a crucial partner of the TWSC without being legally or organizationally linked to it.

IV. Structure

The terminological differentiation outlined above facilitates understanding of the potential organizational structure of the PC in the broader meaning and the legal implications it entails.

The situation is most straightforward with regard to the relationship between the PC and the NPA. The two entities will remain wholly independent of each other from an organizational as well as a legal perspective, however, due to the fact that they will share the use of some office space, a co-location agreement, in which the conditions of shared use are laid down will need to be concluded.

With regard to the secretariat of the WSF, the secretariat of the possible future WSWHF and CAFF, the situation will be as follows: The WSF Secretariat is currently being hosted by CWSS and a similar arrangement will be agreed upon with CAFF and, presumably with the possible WSWHF. Insofar as not already existent, it will therefore be necessary to conclude host agency agreements clearly delineating the

terms and conditions of hosting by CWSS and, possibly agreements of cooperation (AOCs), with these organizations.

Concerning the PH, however, the situation is different, and the legal and organizational arrangements depend upon the nature of the hub as such and the degree of integration of its components into the architecture of the TWSC. In this regard, PCDG 5 opted for a two-phase approach beginning with a pilot phase to test the AOC-model suggested by CWSS and to gain further insights into wishes and needs of future strategic partners through the activities of the OPteamPH. During the pilot phase, the PH would not enjoy juridical personality and be effectively a flexible pool of on-site or off-site facilitators linked to the PC by agreements of cooperation concluded on a case-by-case basis between the network partner and the TWSC, represented by CWSS and with the approval the WSB. CWSS would also make available the necessary office facilities. This is a very lean approach that ensures a maximum of flexibility while requiring a minimum of legal and administrative effort and generating the lowest possible costs to the TWSC and the sector partners. In addition, the pilot phase based on this approach would require virtually no lead time to launch once sector partners are available to participate. Assuming endorsement by the WSB, AOCs – which would be geared to the specific needs and projected level and nature of cooperation of the respective partners – could be concluded immediately with those partners identified, interviewed and approached by the OP-GroupPH according to the given Terms of Reference of that Group. The pilot phase should last through December 2018 and be concluded by an evaluation, without preconceived outcome, taking into account the wishes and needs of strategic partners, on the basis of which decisions regarding the future development of the PC/PH would be taken by the WSB. A projected timeline up to the end of the pilot phase is annexed to this paper.

V. Conclusion

For several years, the TWSC has been intensively discussing the various aspects and implications of establishing a Wadden Sea World Heritage Partnership Center aimed at pooling expertise and generating synergies and facilitate networking beyond the merely governmental sector for the benefit of the Wadden Sea World Heritage. A certain measure of agreement has meanwhile been achieved on a number of points but implementation has not begun. It is, however, necessary to proceed from

largely theoretical considerations to a pilot stage of practical implementation, both because there is a perceived need for the PC/PH and because credibility with the projected partners may be jeopardized by further delays. The AOC model facilitates this step from theory to practice as it can be implemented easily, flexibly, cost efficiently and without any significant lead time. Moreover, it would not require any additional governing body. The evaluation at the end of the projected pilot phase up to December 31, 2018 would allow the TWSC to assess whether and to what piloting the AOC model was successful and delivered the desired results, while taking account of the wishes and needs of strategic partners and to draw the necessary conclusions and take the required decisions with regard to the further development of the PC/PH beyond 2018.

Annex

Establishment of a Wadden Sea World Heritage Partnership Hub (PH)

Draft Indicative Roadmap

(As of 20 October 2017)

Activity	Product	Lead	Projected Timeline
Define as precisely as possible the mandate and tasks of the future Partnership Hub and develop a proposal for a governance structure	Paper on mandate and tasks	PCDG/CWSS	WSB 20 (June 16, 2017)
Discuss proposals by PCDG and provide guidance	WSB guidance	HLG/WSB	WSB 20 (June 16, 2017)
Installation of OPteamPH	Terms of Reference	WSB	September 2017
Ministerial Council declaration regarding establishment of PH	Draft Declaration text	MCDG	WSB 21 (November 17 2017)
Proposal on two-phase approach for establishment of PH	Revised roadmap	PCDG/CWSS	WSB 21 (November 17 2017)
Task CWSS to take on interim-secretariat function for PH until end of 2018	Decision on two step approach, description of interim tasks	WSB 21	
Explore possible options for enhanced engagement of possible sectors/partner networks	Preliminary overview of sectors/partner networks structure, fields of common interest, added value	OPteamPH	By WSB 22 (February 2 2018)
Network analysis and partner interview series	Report on findings	OPteamPH	4 th quarter of 2017, by WSB 22 (February 2, 2018)
Identification of known potential strategic partners and their willingness to cooperate	Proposals for partnership agreements to WSB	OPteamPH	4 th quarter of 2017, by WSB 22 (February 2, 2018)

Identification of new potential sectors and their willingness to cooperate	Further proposals for partnership agreements to WSB	OPteamPH	1 st /2 nd quarter 2018
Ministerial Counsel Declaration regarding PH	Decision	MC	May 2018
Paper (commissioned by Dutch ministry of Economic Affairs?) develop proposal on legal character/structure and legal / institutional linkage with CWSS	Proposal on legal character and institutional linkage	Dutch Ministry of Economic Affairs and Dutch government Help Desk	Third quarter 2018
Evaluation of pilot phase	Draft Evaluation report, recommendations to WSB	OPteamPH	December 2018
Decide on future status and structure of PH beyond 31, December 2018 based on outcome of evaluation	Decision on future status of PH beyond December 31, 2018	WSB	4th quarter 2018
Discuss staffing arrangements, budget and funding mechanism (if appropriate)	Proposal on staffing arrangements, budget and funding mechanism of the future PH	CWSS/Partners	1 st quarter of 2019
Agree on staffing arrangements, budget and funding mechanism (if appropriate)	WSB Decision	HLG/Partners	1 st quarter of 2019
Agree on recruitment and appointment modalities and carry out recruitment process for PH staff members (if appropriate)		HLG/Partners	1 st /2 nd quarter 2018