

Wadden Sea Board

**WSB 19
24 March 2017
Wilhelmshaven**



Agenda Item: 6.1

Subject: Progress Paper Wadden Sea World Heritage Foundation and Trust Fund (WS-WHF&T) (version 14-3-2017)

Document No. WSB 19/6.1/1

Date: 20 March 2017

Submitted by: Chair of the Wadden Sea Board

Proposal: The meeting is invited to take note of and comment on the Progress Paper.

PROGRESS PAPER WADDEN SEA WORLD HERITAGE FOUNDATION AND TRUST FUND (WS-WHF&T)(version 17-3- 2017)

Submitted to WSB 19 by the Chair.

Proposal: The meeting is invited to take note of the Progress Paper and comment as appropriate

What happened until now?

- **January 2014.** Publication of 'Report Wadden Sea World Heritage Foundation, Feasibility-Necessities-Opportunities-Merits', written by the 'Foundation Committee', on behalf of the WSB. Conclusion is that the creation of a well-known international WS-WHF&T can 'stimulate the strengthening of ecological and sustainable development¹ of the World Heritage area' (which is a strict UNESCO obligation). A Foundation should lead to a broadening of the 'ownership' of the Wadden with private partners (see Annex). Quote:

A foundation is a prerequisite for private sponsors and donors from various sectors and businesses to engage in the protection of the Wadden Sea World Heritage (WSWH) in various ways'. And: 'The primary activities of the Foundation are to manage and communicate the Brand, to raise funds for the WSWH for projects, including acquiring co-funding from relevant European Union programmes and providing advice for stakeholders and other organizations'
- **February 5th 2014.** The (Tonder) Ministerial Council Declaration (Covenant) states:

'(The Ministers) Agree to consider to establish a Wadden Sea World Heritage Foundation, aiming at taking a decision before 2015'.

The Dutch presidency has appointed the WHF&T as one of its priorities². The challenge is to get it done. The Netherlands would like to formally endorse the creation of this Foundation on the next Trilateral Governmental Conference (May 2018).
- **June 2016.** The WSB meeting dealt with an Action Plan of the Dutch presidency. Paragraphs 1 and 2.1. are accepted by the WSB: prerequisites for a Foundation and exploration talks with private stakeholders for which the WSB mandated Mr. Verdaas.
- **December 2016.** Mr. Pleijsier was appointed by the chairman for supporting him in the further exploration of the possibilities of a WHF&T in cooperation with the CWSS.
- **January-March 2017.** Interviews with all delegations and experts on this subject (of course in the first place our Secretariat, and also WWF-Germany (Mr. Rössner), Mr. Vollmer, Mr. During, Mr. Lankhorst, Mr. Enemark etc.). Appointment is (about to be) made with the CEO of ENECO (energy company) and the Waddenvereniging. Some other proposals of the delegations: Edeka-Nord, ECCO (based in Tonder region), Volkswagen (Emden) and Deutsche See (Bremerhaven);
- **March 2017.** WSB meeting 24th: progress paper on WS-WHF&T.

¹ The recovery and development ambitions are insufficiently realized (on certain topics: birds, fish etc.) according to the draft Policy Exploration Future Role and Ambition of (The Dutch) government and region for the Wadden Sea area (November 2016). Other documents confirm this.

² For the full ambitions of the Dutch presidency, see statement agreement concluded during the trilateral governmental conference, 5th of February, 2014.

Conclusions on the basis of the interviews:

- **The Dutch and German delegations are in favor of a (strictly) private Foundation & Trust fund** within a (new) governmental Wadden Sea structure. **Denmark** has a neutral attitude towards a Foundation;
- **The scope** of the Foundation: there is support for a money generating and advisory focus. Some delegations want a role for management and communication of the Brand, others not;
- All delegations agreed upon using the **criteria** as laid down in the WH Strategy 2020 as well as approved in the Working Group Business Cooperation Partnership in December 2016 ('the five c's'). Schleswig-Holstein wants (as an addition) to use also the criteria used by the (German) WWF;
- Private entities must have a 'heart for nature' and a track record with sustainable choices;
- It will be a *tour de force* to get **private partners** involved. It is therefore necessary to speak/brainstorm with some of them in an early stage. In close cooperation with private partners we try to develop the WHF&T. (Important: what's in it for them?);
- Quick development of a concrete proposal concerning the Foundation, but at the same time *work very sound and solid*. And of course in close connection with the colleagues;
- We need to have **sound icon projects** for fund-raising which are well connected to the interests of private partners. Choose projects which have a cross border or trilateral impact (first reflections of the delegations: flyway, swimway, 'plastic soup problem', scientific research, Wadden Sea chairs at Universities, sponsoring of marketing activities);
- A German (Lower Saxony) legal structure of a Foundation is, in line with the feasibility report, the best option at this moment;
- **Delegations want a concrete draft proposal in June, including the results of talks with private partners.**

What's next in 2017:

- **March.** Proposal: Jochem will join the working groups World Heritage and Business Cooperation Programme. The subject is not part of pre-decision making in the groups, but Jochem uses these groups to get the necessary input and advice from the colleagues;
- **April/May.** (Continuing) tour of the chairman and the project leader. Draft legal structure;
- **March-May.** Explanatory talks/brainstorm with private entities;
- **June.** Concrete draft proposal WHF&T. Possible members of the Foundation, committee of recommendation;
- **Autumn.** WHF-articles in draft Trilateral Wadden Government Declaration;
- **December.** Definitive go-no-go decision in de WSB;
- **May 2018.** Possible approval of the draft WHF&T at the conference.

Items pm:

- Structure of the WHF&T board: members, board, committee of recommendation ('eminent grises', people with authority). Associated with WSB (good governance). Proposal in June;
- Clear distinction between role and task Business Cooperation Programme and Partnership Centre and a possibly new trilateral structure;
- NGO's operating in the Wadden area are hesitant towards a private WHF&T that will approach the same private entities who are sponsoring already Wadden Sea projects via NGO's;
- Fall back options (MOU instead of Foundation and Fund), alternatives.

Executive Summary

'Report Wadden Sea World Heritage Foundation, Feasibility-Necessities-Opportunities-Merits', written by the 'Foundation FEASIBILITY Committee' (on behalf of the WSB), January 2014

The foundation Committee was appointed by the Wadden Sea Board with the overall aim to investigate the feasibility and merits of establishing a trans-national Foundation for promoting the brand Wadden Sea World Heritage.

The challenges and opportunities associated with the Wadden Sea World Heritage Brand, which is compounded by the anticipated inscription of the Danish part of the Wadden Sea on the List by mid of 2014, calls for the establishment of a Wadden Sea World Heritage Foundation. A Foundation is necessary to achieve the full potential of the Brand and demanding stakeholders to pay into the Brand and commit themselves to its protection. It acts supplementary to the regular tasks of the Trilateral Wadden Sea Cooperation, governed by the Statement of Outstanding Universal Value for the Wadden Sea World Heritage.

A foundation offers and is a prerequisite for private sponsors and donors from various sectors and business to engage in the protection of the Wadden Sea World Heritage in various ways.

The vision and the objective of the Foundation should be fully aligned with the vision and objectives of the Wadden Sea World Heritage Strategy. The primary activities of the foundation are to manage and communicate the Brand, to raise funds for the Wadden Sea World Heritage for projects, including acquiring co-funding from relevant European Union programmes and providing advice for stakeholders and other organizations.

There are great merits in establishing a Foundation as its activities are supportive of and provide significant added value to the Trilateral Wadden Sea Cooperation. It enhances ownership of the WSWH and its activities, promotes the pride and identity with the property, raises its profile nationally and internationally and provides an opportunity to use Outstanding Universal Value to promote sustainable regional development as place-making catalyst.

The committee recommends the Wadden Sea Board

1. The establishment of a Foundation as a **private foundation according to German law with registration** in Denmark and The Netherlands as a charitable organization to obtain tax regulations equal to national foundations; (...)
2. The appointment of the Council of the Foundation consisting of **5-7 members and a chairperson** representing the WSWH constituency by the Trilateral Wadden Sea Cooperation and the appointment of its Advisory Board by the Wadden Sea Forum with additional relevant expertise;
3. The State Parties to furnish **the initial capital of the Foundation in an amount of € 150.000** and to **second four persons to the Foundation secretariat** together with overheads and additional resources for an initial period of **five years** to create the basis for the Foundation to work and acquire additional funds and income.

The Committee recommends upon the approval of its recommendations, as appropriate, the Wadden Sea Board to make the Foundation operational, legally,

organizationally and financially and to task a person with knowledge of the WSWH and esteemed within the World Heritage constituency with this assignment. Once the proposal has been endorsed by the Wadden Sea Board, as appropriate, the Foundation Council can assume its work on the basis of the initial annual contribution of the State Parties.