FINAL DRAFT SUMMARY RECORD

Ad hoc Meeting of the

**Task Group World Heritage (TG-WH)**

1 September 2023

Virtual Meeting

1. **State of Conservation (SoC) Report**

*Document:* [*State of Conservation Report – Wadden Sea World Heritage Site (p. 38-43)*](https://whc.unesco.org/archive/2023/whc23-45com-7B.Add2-en.pdf)

The chair stated the following facts:

* The SoC report for the Wadden Sea World Heritage was published on Monday 28 August 2023.
* The draft decision neither suggests listing the Wadden Sea in Danger nor does it threaten this. It contains several detailed recommendations/requests in terms of content.
* The decision is not on the list of properties opened for discussion (as there is no proposal for danger listing or so), which means that the decision will be adopted without any debate unless we (all three State Parties together) actively decide to lobby for this to be opened. This always entails the risk that discussions in the Committee go in any direction.

General TG-WH agreements (for details please see Annex 2):

* Not to ask for opening the SoC report decision for discussion.
* Offer clarification/communicate to IUCN and WHC on some points for which information has been sent by TWSC (e.g. Wilhelmshaven Declaration, The SIMP) and ask IUCN for clarification when needed.
* Discuss and coordinate how are we formally going to:
  + Construct a map accompanied of the relevant information to provide an overview of all existing and planned extractive activities within and around the property,
  + Conduct a joint Strategic Environmental Assessment to assess the cumulative impacts.
* Send a response / updated joint report on the state of conservation of the property and the progress on the implementation of the above, for examination by the World Heritage Committee at its 46th session within the established timeframe (by 1 Feb. 2024) including:
  + the specific points for which TWSC requests clarification,
  + the specific points for which TWSC offers clarification,
  + the map of all existing and planned extractive activities accompanied by explanations, and
  + roadmap / next steps to answer the further request: joint Strategic Environmental Assessment.

1. **Any other business**

Sjon de Haan informed the Ministry of Environment and the Parliament about the SoC report and explained that a reply will be prepared in coordination with Germany and Denmark.

Margrita Sobottka suggested to the Review Group members that the SoC report’s tasks could be integrated to the terms of reference of some groups. Effective development of the tasks could also have an influence on the groups structure, especially TG-WH/TG-M.

Barbara Engels also called the attention to consider the development of SoC tasks (especially SEA) in the supplementary budget 2024.

1. **Next Meeting**

The next WSB meeting is scheduled in Wilhelmshaven, 23 November 2023. Deadline to submit documents is 1 November.

The next TG-WH meeting is planned as an online meeting by the end of September 2023 to discuss and coordinate the activities to respond to the SoC Report and draft decision and to prepare a report to WSB 43.

**Annex 1**

**Participants TG-WH ad hoc SoC Report, 1 September 2023**

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|  | **Ms Soledad Luna (Secretary)**  Common Wadden Sea Secretariat  Virchowstr. 1.  D – 26382 Wilhelmshaven  [luna@waddensea-secretariat.org](mailto:luna@waddensea-secretariat.org) |

**Annex 2. Draft Decision paragraphs**

**Green OK, Yellow for discussion**

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| 1. *Welcomes the development of the ‘Agenda for the Wadden Sea Region 2050’ in 2021 and the adoption of the ‘Single Integrated Management Plan’ (SIMP) for the transboundary property in 2023 and strongly encourages the States Parties of Denmark, Germany and the Netherlands to adopt a precautionary and strategic approach to the management of the property,* |  |  |
| *including to clarify longer-term projections based on the latest scientific climate change data for the Wadden Sea;* |  | No action needed. Interpreted as referring to what we say in the SIMP. (if needed we could request clarification from WHC/IUCN). |
| 1. *Reiterates its position that extractive activities are incompatible with World Heritage status,* |  | Refer to the Wilhelmshaven Declaration para. 28. |
| *and considers that natural resource extraction below the property has the potential to adversely impact its Outstanding Universal Value (OUV);* |  | Communicate to WHC/IUCN that the three countries are paying more attention to this than before. Internal discussions, no trilateral agreement yet and needs to be regarded case by case / situation specific. |
| 1. *Also welcomes the confirmation by the State Party of the Netherlands that no new gas extraction permits will be issued in the Wadden Sea, but notes with serious concern the approval of a new salt extraction project and the ongoing consideration of a proposed gas development at Ternaard, in the vicinity of the property, which would extend extractive activities below the property* |  | Decision on Ternaard will be taken after the WH Committee meeting. |
| 1. *Notes with further concern that, in the Environmental Impact Assessment (EIA) process, the State Party of the Netherlands has not undertaken a comprehensive assessment of the potential impacts of the proposed Ternaard gas extraction project on the OUV of the property when, based on information available, it would appear that the project has direct negative impacts on the OUV of the property, and therefore urges the State Party not to approve the project* |  | Difference in opinion: NL still follow the same rules as when the Wadden Sea was listed in the World Heritage List. National law is sufficient to protect OUV. |
| 1. *Requests the State Party of the Netherlands not to approve further extractive projects, in line with the precautionary principle, to assess whether adaptation of the ‘hand on tap ’ monitoring mechanism is required to account for uncertainties linked to climate change, and to consider limiting or halting existing salt extraction activities, as required, to effectively maintain and protect the OUV* |  | Difference in opinion: National law is sufficient to protect OUV. |
| 1. *Also notes with serious concern the Wintershall Dea’s oil development, which is currently being considered by the State Party of Germany, and appears to be located inside the property, as well as the GEMS gas development located close to the boundary of the property;* |  | Oil is below not inside the property. Final decision in few weeks.  GEMS gas fields do not run below the property, and it is not close to the boundary. This can be depicted in the map. |
| 1. *Also urges the State Party of Germany not to proceed with any proposed oil exploration inside the property and to conduct a detailed EIA, including an assessment of potential impacts on the OUV of the property, for any oil or gas extraction project that may negatively impact the property, in accordance with the Guidance and Toolkit for Impact Assessments in a World Heritage Context;* |  | Communicate/Explain to the WHC a detailed EIA is needed only if there will be drilling. |
| 1. *Further notes with serious concern the scientific advice from the Independent Scientific Advisory Body (ISAB) established by the State Party of the Netherlands that, as a result of salt mining, there is a reasonable probability that future sediment accretion will be insufficient to offset sea level rise and that the potential for subsidence of the seabed will be prolonged once the mining operation is stopped, and also considers that subsidence of the seabed, especially in the light of projected sea level rise as a result of climate change, could reduce the extent of the tidal flats, which are one of the main attributes of the property’s OUV, and therefore directly result in a significant negative impact on the property’s OUV;* |  | Not sure how to deal with this point yet. For now point is noted and also communicate that “Hand on tap” is working. |
| 1. *Further welcomes the decision by the State Party of the Netherlands to carry out additional studies on the proposed routing to connect the planned offshore wind power installation to the mainland, through impact assessments specifically focused on the property’s OUV and including an assessment of the impacts of the potential hydrogen production north of the Wadden Sea and the pipelines to be constructed for delivering the substance to the mainland, and also requests the State Party to submit these assessments to the World Heritage Centre for review by IUCN prior to a final decision on the project* |  | It would be interesting to discuss with WHC and IUCN that their reaction time could be improved to be able to consider their responses in the official national processes.  (Internal remark: For now, this para 11. Addresses the Netherlands only but in the future could apply to all parties. Consider this point when discussing the decision paper on when to report developments to WHC (para. 172).) |
| 1. *Notes the numerous existing and proposed wind energy projects in the vicinity of the property and encourages the States Parties to use the online Guidance for Wind Energy Projects in a World Heritage Context when planning and assessing their impacts and taking proactive measures for the protection and preservation of the property’s OUV;* |  | Discuss at a later stage in a smaller group within TG-WH: how are we approaching these kind of **guidance documents** considering that each country has a formal way/laws/system to dealing with the elements covered in the guidance documents.  (Difficult to ask e.g. TSO to use these kind of guidance documents since they are not binding). |
| 1. *Further notes the multiple existing and/or proposed extraction and infrastructure developments within and around the property, and further requests the three States Parties to:*    1. *Provide to the World Heritage Centre and IUCN an overview of all existing and planned extractive activities within and around the property, with appropriate maps,* |  | Discussion and agreement on what information are we including (what *extraction and infrastructure developments*) and what explanation to add so that it is well understood.  (Extractive activities: have a thorough look at the text, seems focused on gas and oil activities. In WH understanding would also include mineral extraction) |
| * 1. *Conduct a joint Strategic Environmental Assessment to assess the cumulative impacts of these developments on the OUV of the property, in line with the key principles of the Guidance and Toolkit for Impact Assessments in a World Heritage Context, prior to continuing to permit individual projects on a case-by-case basis,* |  | Not feasible by 1st Feb 2024  SEIA: decision at national level what is really feasible to do, especially regarding cumulative effects.  This is an activity that requires significant resources.  Moratorium will not be possible to implement. |
| * 1. *Authorise project proposals only if adequate assessments demonstrate that they will not have an adverse impact on the OUV of the property;* |  | repetitive |
| 1. *Finally requests the States Parties of Denmark, Germany and the Netherlands to submit to the World Heritage Centre, by 1 February 2024, an updated joint report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 46th session.* |  | Would only be an update.  Answer with Points for Clarification, Map accompanied by explanation and info on our discussions and next steps to further answer |