

MEETING DOCUMENT

Wadden Sea Board (WSB 33)

27 August 2021
Wilhelmshaven, Germany



Agenda Item:	5.1 Wadden Sea World Heritage
Subject:	Progress report ad-hoc Working Group Wadden Sea World Heritage Foundation (WG WHF)
Document No.:	WSB 33/5.1/2
Date:	04 August 2021
Submitted by:	Ad-hoc WG-WHF

Background

WSB 31 (June 2020) has tasked an ad hoc working group to submit, by WSB 33, proposals for the foundation statutes, the endowment transaction, financing and procedure in the starting phase of a trilateral Wadden Sea World Heritage Foundation (WHF). The group had its first meeting in August 2020, and since then has made progress in preparing the requested documents. WSB 32 (March 2021) adopted a Road Map for the establishment of a foundation with a view to approve the foundation documents before WSB 34 (November 2021) for national consultation in 2022 with the aim to launch the foundation at the Trilateral Governmental Conference in Wilhelmshaven (Nov. 2022).

The 'foundation documents' to be presented to WSB 34 will comprise a set of documents as follows:

- Endowment Transaction (draft separately sent by mail only)
- Foundation Statutes (draft separately sent by mail only)
- Rules of Procedure
- Funding Guidelines
- Business Plan for the Initial Phase

The Endowment Transaction and the Statutes form the legal basis of the foundation. They have to be adopted by the founders.

The Funding Guidelines complement the Statutes by concretizing the foundation objectives as well as adding technical and procedural aspects of donating and funding. Their adoption, as well as the adoption of Rules of Procedure, will be the task of the foundation council after the WHF has been established. To get a whole picture of the foundation, drafts of the RoP and the Funding Guidelines will be presented to the WSB 34 for information.

The Business Plan serves as a separate agreement of the founders for performing the foundation management, especially on financing at least minimum management services by CWSS and on initial funds during the initiation phase of about five years.

The inter-connection between these 5 documents is depicted in the image at the final page of this document.

Progress and next steps

The ad-hoc working group has prepared consolidated draft statutes and a draft endowment transaction. These two draft documents are only sent by mail to the Wadden Sea Board members and advisors. Both documents are in the process of a legal check by a German lawyer because the foundation will be established under German foundation law. Danish and Dutch legal requirements for foundations are still to be considered. A final check and following approval by the responsible national administrations should be included in the national consultations. Furthermore, the ad-hoc working group identified aspects of the foundation statutes that need to be operationalized within the Funding Guidelines and Rules of Procedure.

Based on the German proposal the ad-hoc working group agreed on structure and tasks of the foundation bodies following a lean approach to keep the administration cost to a reasonable level, especially during the initiation phase.

The preparation of the Funding Guidelines and Rules of Procedure are currently in preparation. All documents will be made available before WSB 34 (November 2021). According to the agreed Road Map, WSB 34 will be requested to give its approval to start the national consultations, based upon the full set of documents available at that time.

Proposal:

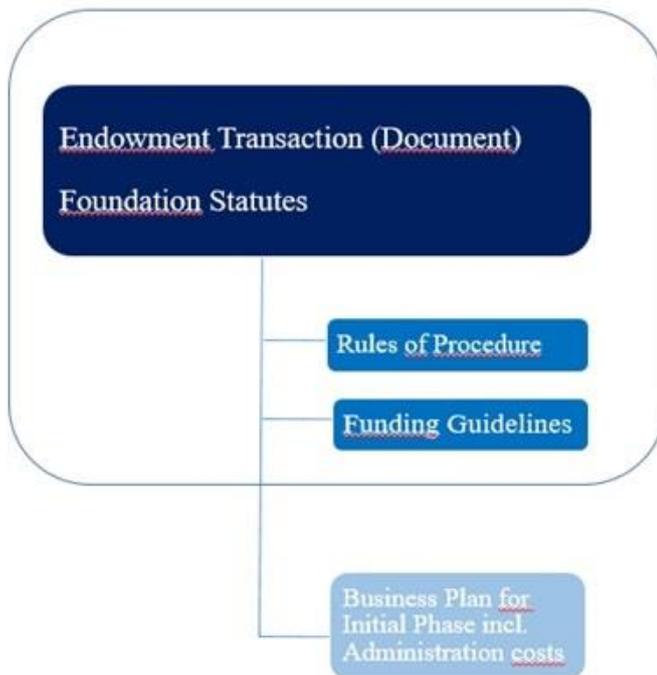
- WSB to take note of the work progress so far,
- WSB is invited to provide the ad-hoc working group with strategic advice on the further development of the foundation (with reference to the specific questions given below).

Specific Questions

- Does the proposed lean approach concord with the perception and ideas of the WSB with respect to the establishment of this WHF?
- What are the considerations and options to take into account regarding a proper management construction of the foundation, especially at the initial phase?

Wadden Sea World Heritage Foundation

Required decisions within the process of establishing the WHF



- Founders, based on decision within TWSC (WSB)
- Foundation Council
- Founders