



UNESCO World Heritage Centre



7, Place de Fontenoy
75352 Paris CEDEX 07
France

Harlingen, December 18 2023

WV/WvdH/FP/23075

Re: World Heritage Wadden Sea in danger?

Dear 

In accordance with § 174 - § 191 of the Operational Guidelines to the World Heritage Convention (1972) we are submitting to you information concerning World Heritage property no. 1314ter (Wadden Sea), with a request to verify the information therein, and reflect it in your considerations and be part of the decision-making relating to this property at the 46th World Heritage Committee to be held in 2024.

World Heritage: source of pride and honor

First and foremost, we feel an enormous sense of pride and honor that the Wadden Sea was first nominated and then recognized by UNESCO as a World Heritage site. From the very moment the World Heritage Status was received in 2009 in The Netherlands and in Germany and from 2014 in Denmark we have felt this as a kind of universal motivation for our locally-felt connection and appreciation of this particular part of North-Western Europe.

Today we are highly concerned to see the unique natural characteristics of the Wadden Sea deteriorating - both across the entire area and to an extreme extent at certain sites. The demand for both fossil and clean energy is to a large extent driving the exploitation within and very close to the property, as well as insufficiently regulated shipping and associated poor sediment management. Commercial fisheries, notably for brown shrimp, continue to degrade the sensitive sea floor. These impacts have weakened the ability of the Wadden Sea to adapt to climate change, notably sea level rise.

We would like to alert you to the fact that management across the three countries is currently failing to protect and preserve the Wadden Sea as a unique and irreplaceable World Heritage. Decisions and plans at governmental levels in Denmark, Germany and the Netherlands contradict the core needs of this UNESCO World Heritage Site.





Unfortunately, the Wadden Sea in 2023 belong to those World Heritage sites which are just as they were in 1972 when the Convention was born: *"increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction"*.² We hope the tides can still be turned.

Yours Sincerely,

██████████, acting director Waddenvereniging, also on behalf of:

- Danish Ornithological Society, ██████████
- Deutsche Umwelthilfe, ██████████ (Executive Director)
- Greenpeace Deutschland, ██████████ (Executive Director)
- Greenpeace Nederland, ██████████ (director)
- Landschappen NL, ██████████ (director)
- NABU, ██████████ (Head of Marine Conservation)
- Natuurmonumenten, ██████████ (Public Affairs Wadden Sea)
- Stichting WAD, ██████████ (chair)
- Vogelbescherming Nederland, ██████████ (Chief Conservation Officer)
- Wereld Natuur Fonds Nederland, ██████████ (Head of Programme Nederland)
- World Wide Fund for Nature (WWF), Germany, ██████████ (Head Wadden Sea Office)

Copy Conform:

- Netherlands' Minister for Nature and Nitrogen, ██████████ (by email)
- Germany's Minister for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection, ██████████ (by email)
- Denmark's Minister of Environment, ██████████ (by email)
- Common Wadden Sea Secretariat, ██████████ (by email)
- National UNESCO Commission Denmark, ██████████ (by email)
- National UNESCO Commission Germany, ██████████ (by email)
- National UNESCO Commission The Netherlands, ██████████ (by email)
- Parliament of The Netherlands, Commission LNV, EZK, I&W (by email)
- Netherlands' Omgevingsberaad Waddenzee, ██████████ (by email)

Annex: "World Heritage Danger Wadden Sea in danger or not in danger?"

² First paragraph of the convention text, adopted on 16 November 1972 in Paris. See:

<https://www.unesco.org/en/legal-affairs/convention-concerning-protection-world-cultural-and-natural-heritage>



Annex:

World Heritage Wadden Sea, in danger or not in danger

A quick scan based on art. 180 of the Operational Guideline of the World Heritage Convention

Art. 180 a i: Serious decline

The Wadden Sea was formally nominated for the UNESCO World Heritage Status among others on the basis of Criterion X (art. 170 Operational Guidelines). The nominating governments of Germany and The Netherlands informed UNESCO that *“the Wadden Sea is essential for the existence of these bird species. A severe deterioration of the Wadden Sea implies a biodiversity loss on a worldwide scale”*.³ Additionally the nominating governments expressed the need for and commitment to the protection of endangered species of birds and fish by informing the World Heritage Committee that: *“without the Wadden Sea, several European bird populations would be endangered or even lost. The Wadden Sea is also an essential staging area for fish migrating between rivers for spawning and the oceans for feeding or vice versa. These fish could not complete their life cycles without the nutritious habitats of the shallow Wadden Sea. This also applies to many fish and invertebrates that rely on the tidal zone as a nursery and spend their adult life further offshore.”*⁴. A stunning total of 149 different species of fish and 106 different species of birds were listed in the nomination files. Sadly, after managing the Wadden Sea as a World Heritage since 2009 the most recent (2019) reports to the European Commission by The Netherlands’ government about the status of endangered species paint a picture of decline for fish- and bird species that were explicitly mentioned at the time of nomination.⁵ Harbour porpoises are declining across the German Bight, notably in one of their calving grounds just off the island off Sylt.⁶ The OSPAR Quality Status Report confirms the poor environmental status and food webs in the region.⁷

In other words, we fear that there is a serious decline in the population of the endangered species or the other species of Outstanding Universal Value for which the property was legally established to protect. It is our understanding that for 13 different species of breeding birds which are legally protected under the EU Birds Directive, the Dutch regime for protection failed to reach the established targets for protection of 8 species (62%). In addition, it is our understanding that for 29 species of migratory birds legally protected under the EU Birds Directive the Dutch regime for

³ Nomination file, p. 81

⁴ Nomination file, p. 82

⁵ <https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=NL1000001>

⁶ <https://www.frontiersin.org/articles/10.3389/fmars.2020.606609/full>

⁷ <https://oap.ospar.org/en/ospar-assessments/quality-status-reports/qsr-2023/>



protection failed for 21 species (72%).⁸ There are also declines in Germany and in Denmark. This is a critical issue specifically because the Wadden Sea is an essential staging site of major importance for migratory waterbirds along the East Atlantic Flyway.⁹

Therefore we suggest that the World Heritage Committee requests that the Natura 2000-reports and the relevant draft national reports due in 2024 under the Marine Strategy Framework Directive¹⁰ to the European Commission of Denmark, Germany and The Netherlands be made available to the Committee and its advisory body prior to WHC 46. Based on these reports the Committee and its advisory body will then be able to verify whether the observed declines as reported by the three State Parties to the EU meets the criteria set out in the Operational Guidelines of the Convention for the inscription of properties on the List of World Heritage in Danger.

Art. 180 a ii; severe deterioration of the natural beauty

Recently reports and investigations in relation to the pollution of Wadden Sea by a.o. fertilizers, pesticides and other chemical substances have been made public. Research by scientists as well as by public media all point to the same observation that an alarming mix of chemical substances is present in the Wadden Sea.¹¹ The sheer presence of these substances we interpret as a disturbing deterioration of one of the critical substances for life on our planet.

Perhaps even more worrying is the realization that in The Netherlands alone 66 individual companies were found by the government to refute permits and regulations set out to prevent and regulate the discharge of chemicals in Wadden Sea.¹² The sad result of this being that the government which nominated the Wadden Sea for its outstanding natural beauty apparently fails to protect one of the very foundations of life; clean and healthy water. The pollution of sea water received widespread attention from both media and Parliament in the Netherlands and led the responsible Minister to admit things are not going well in relation to important natural characteristics which make Wadden Sea a unique ecological system. All this culminated in a court-appeal about the sad state of water in the Wadden Sea.

⁸ In addition the reported decline in species was expressed by the Dutch Government when it reported to Parliament that “*nature in Wadden Sea is not going well; both in terms of the decline of specific species and habitats but also in relation to other important natural characteristics which make Wadden Sea a unique ecological system*” (see: <https://www.rijksoverheid.nl/documenten/kamerstukken/2023/07/04/beantwoording-schriftelijke-overleg-kamervragen-motie-beckerman-lozingen-waddenzee>, specifically response to question no. 5)

⁹ <https://rijkewaddenzee.nl/nieuws/waddenzee-blijft-zwakke-schakel-in-internationale-flyway/>

¹⁰ For Germany available here: <https://mitglieder.meeresschutz.info/de/oeffentlich/zustandsbewertung-2024.html>

¹¹ Scientific report by Wadden Academy: <https://www.waddenacademie.nl/organisatie/publicatie-lijst/publicatie-detail/factsheet-kwaliteit-van-het-oppervlaktewater-in-het-waddengebied/>

¹² See for example answers to questions by Members of Parliament:

<https://www.tweedekamer.nl/kamerstukken/detail?id=2023D30488&did=2023D30488>



In addition to the deterioration of the Wadden Sea's natural beauty by chemicals the governments of Germany and The Netherlands still appear to persist in allowing new mining developments (gas, oil) or increase existing mining operations (salt) underneath the property. Mining may lead to ongoing subsidence of the ocean floor to the extent that more parts of the ocean floor will be permanently covered by the sea thereby drastically altering the intertidal system of the property. Also, recent scientific research proved that in areas in the Wadden Sea where tidal flats subside due to gas extraction the quality of tidal mudflats of the intertidal system changes.¹³ It was precisely the intertidal system which formed the heart for the inscription to the UNESCO-list based on Criterion VIII. Concerns about mining activities have been addressed already by the World Heritage Committee at its 45th meeting and will need to be on the agenda at WHC46 again.

Realizing the effects by a wide range of chemical substances on the Wadden Sea in combination with the ongoing concerns about more mining operations affecting the property we suggest that the World Heritage Committee requests that Denmark, Germany and The Netherlands provide a trilateral update on the presence of chemical substances in the water and of the monitoring of the changes in macrozoobenthic community of the World Heritage Wadden Sea. Based on this information the Committee and its advisory body will then be able to verify whether the alarming quality of sea water and intertidal mudflats warrants the criteria set out in the Operational Guidelines of the Convention for the inscription of properties on the List of World Heritage in Danger.

Art. 180 b ii: development projects with impacts that may threaten the property

In its decision at WHC 45 a number of specific developments were mentioned by the Committee with impacts that may threaten the World Heritage Wadden Sea. Apart from developments which are already under the attention of the Committee we have the impression that within all three countries there are a number of new projects that may have new and potentially additional impacts on the Wadden Sea. We feel that these need to be brought to the attention of the Common Wadden Sea Secretariat in Wilhelmshaven. This will allow for an overall inventory of proposed projects and may be of assistance in assessing the cumulative effects of these new projects on top of the effects on the property by already existing and/or permitted projects.

Knowing that there are new projects under consideration by entities in both the private as well as the public sector (such as potential construction of pipelines between the Wadden Sea countries and subterranean storage of CO₂ underneath the North Sea or a proposed replacement of a ferry terminal to connect the island of Ameland to the mainland) we feel that as long as there is uncertainty as to the cumulative effects of current projects that may threaten the property no new projects should be eligible for formal governmental permits.

¹³ Journal of Applied Ecology November 2023: <https://besjournals.onlinelibrary.wiley.com/doi/10.1111/1365-2664.14530>



In the Danish Wadden Sea region, the government considers establishing a wind turbine test center in the polder close to Skærbæk (8 turbines spread over 10 km with a height of impressive 450 m) This would have a potentially huge negative impact on migrating bird species. Beside the direct impact, the industrial utilization of the polder would make it very difficult to restore the populations of breeding birds and other natural values in the area which is designated as NATURA 2000. Although the polder is just outside the border of the World Heritage area, we consider this yet another development project with impacts that may threaten the property

We also want to bring under your attention that the Dutch government is allowing more and more activities without a proper permit in place. In this way it becomes possible for (potential) harmful activities to be carried out. This is for instance the case with the shrimp fisheries in the Netherlands, after receiving a 'gedoogvergunning' the fishery can continue without a legal permit and without any research into the damaging effects until December 2024. New scientific research points to trawling shrimp-fisheries as an activity that is harmful to the sea environment of the Wadden Sea¹⁴.

Realizing that there is an impressive list of both existing and potentially new projects that may threaten the World Heritage Wadden Sea we suggest that the World Heritage Committee requests that the Common Wadden Sea Secretariat compiles and monitors a list of all projects (with or without permit) that may threaten the property. In addition, the Committee may wish to call upon the State Parties managing the property to provide a trilateral approach for the scientific assessment of cumulative effects of all existing infrastructure (including maintenance), extraction and other commercial projects currently in operation within the boundaries of the property with formal governmental approval.

Art. 180 b iv; inadequate management or management plan

At the heart of the nomination of Wadden Sea is the assurance that the existing regime for the protection of nature (Natura 2000 and its equivalent national adaptations) provides sound and reliable protection of the Outstanding Universal Value of the Wadden Sea. It is alarming to realize that the implementation of Natura 2000 management-plans for the Wadden Sea failed to reach the targets set out to adequately protect it. This is at stake in The Netherlands as it became obvious after a recent comprehensive evaluation¹⁵ of all protection and preservation measure under the Natura 2000 scheme. We are very worried that the formal UNESCO site holder appears to permit projects, or let projects go forward without any permit, that may deteriorate the OUV or obstruct an adequate management plan to implement Natura 2000 measures (at the time of nomination brought forward as a means to safeguard and protect the OUV of the Wadden Sea).

¹⁴ See: <https://www.waddenacademie.nl/nieuws/nieuwsbericht/breed-gedragen-wetenschappelijk-rapport-over-de-ecologische-effecten-van-garnalenvisserij/>

¹⁵ The evaluation of the Natura 2000 management plan was briefly published and later withdrawn from the government website as it needed to be 'brought to the attention of the Minister'. It has not been made public again on the day this letter was sent.



In light of the apparent shortcomings e.g. in management plans in The Netherlands we suggest that the World Heritage Committee requests that Denmark, Germany and The Netherlands provide information to ascertain if they benefit or contradict the protection of Wadden Sea as a UNESCO World Heritage. Based on this information the Committee and its advisory body will then be able to verify whether existing management plans can be termed adequate or inadequate under the criteria set out in the Operational Guidelines of the Convention for the inscription of properties on the List of World Heritage in Danger.

Art. 180 b v: threatening impacts of climate change

The ongoing exploration and use of fossil fuels has put the world “on a highway to hell” was the clear message earlier this year by Mr. Guterres, Secretary General of the United Nations. Unfortunately, recent insights, reports and scientific research made it abundantly clear that this was no exaggeration on his part. A recent UNEP report called upon all State Parties within the United Nations to adopt drastic measures. In addition, UNESCO launched a policy document on Climate Action. At the same time, we witness a political neglect to what Mr. Guterres described as the requirement to “tear out the poisoned root of the climate crisis: fossil fuels.”¹⁶ In this light we also refer to the decisions taken at COP28. ¹⁷It is our understanding that the one of the easiest and most cost-effective ways to an ‘orderly transition away from fossil fuels towards climate-neutral energy systems’ would be to refrain from granting permits to new fossil fuel mining projects and to phase out existing ones.

Climate Change facts and effects in relation to the Wadden Sea have been carefully been identified by a special trilateral initiative and are highly concerning. It seems as if we will witness an extreme rise in sea temperature and sea level throughout the Wadden Sea.

At a time when the impacts of climate change threaten all World Heritage Sites we think it is morally unacceptable that the root-cause of the climate crisis, development of new fossil fuel projects, is allowed to persist within the properties on the World Heritage list such as fossil fuel mining underneath the Wadden Sea. We strongly urge the State Parties concerned to refrain from granting permits to new fossil fuel mining projects as outlined in the Decision of WHC 45, and to phase out existing ones.

¹⁶ Statement by UN SG Gutierres at the launch of the 2023 Emissions-Gap report of UNEP. See: <https://www.unep.org/news-and-stories/press-release/nations-must-go-further-current-paris-pledges-or-face-global-warming>

¹⁷ <https://unfccc.int/news/cop28-agreement-signals-beginning-of-the-end-of-the-fossil-fuel-era>