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Background

The previous restructuring of the HELCOM Groups took place after the 2013 Ministerial Meeting. HOD 54-2018 agreed that the current working structure should be in place until the completion of the update of the BSAP and may be revisited in 2021 in light of the results of the update process of the BSAP.

HOD 61-2021 agreed that to achieve the objectives set in the 2021 BSAP, there is a need to review the working structure and consider necessary adjustments to support the implementation of the actions in an optimal way. The meeting emphasized the urgency and importance of starting implementation of the 2021 BSAP. The meeting agreed that the Helsinki Convention should function as the basis for the structure of HELCOM work, acknowledging, however, that the implementation of the actions in the 2021 BSAP is a core aspect of the implementation of the convention and subsequently emphasized that any change in structure should also support the effective implementation of the BSAP.

HOD 61-2021 agreed that a technical guidance document should be prepared to support the discussions on restructuring at the meeting of Chairpersons, as well as at the Working Group meetings in the spring of 2022 and invited the Secretariat to draft such a document. The meeting agreed to undertake an intersessional scoping exercise regarding the possible gaps, barriers and shortcomings of the current HELCOM structure in relation to the implementation of the 2021 BSAP.

This document includes the technical guidance document including the views on the current structure that were submitted by the Contracting Parties as well as the input from the Second Meeting of the Chairpersons of HELCOM and HELCOM main groups.

In the consideration of restructuring of the HELCOM Working Groups at HOD 61-2021, the second meeting of Chairpersons and intersessionally, no proposals affecting the Fish Group have been made.

Action requested

The Meeting is invited to:

- discuss how the work of the group is functioning currently;
- discuss the need of restructuring the HELCOM working structure regarding the topics under the responsibility of the group; as well as
- if considered relevant, provide feedback on the working proposals for a new HELCOM structure.

Technical guidance for the renewal of the HELCOM working structure

The previous restructuring of the HELCOM Working Groups took place after the 2013 Ministerial Meeting resulting in the current working structure of five permanent Groups (State and Conservation, Pressure, Maritime, Response and Gear) as well as three time-limited Groups (Agri, Fish and HELCOM-VASAB MSP) (Figure 1). HOD 60-2021 approved the prolongation of the mandate of the HELCOM-VASAB MSP WG until 2030, in line with the timespan of the new Regional MSP Roadmap 2021-2030. HOD 54-2018 decided to prolong the mandates of the Fish and Agri Groups until 2022, to cover the period of updating the BSAP.

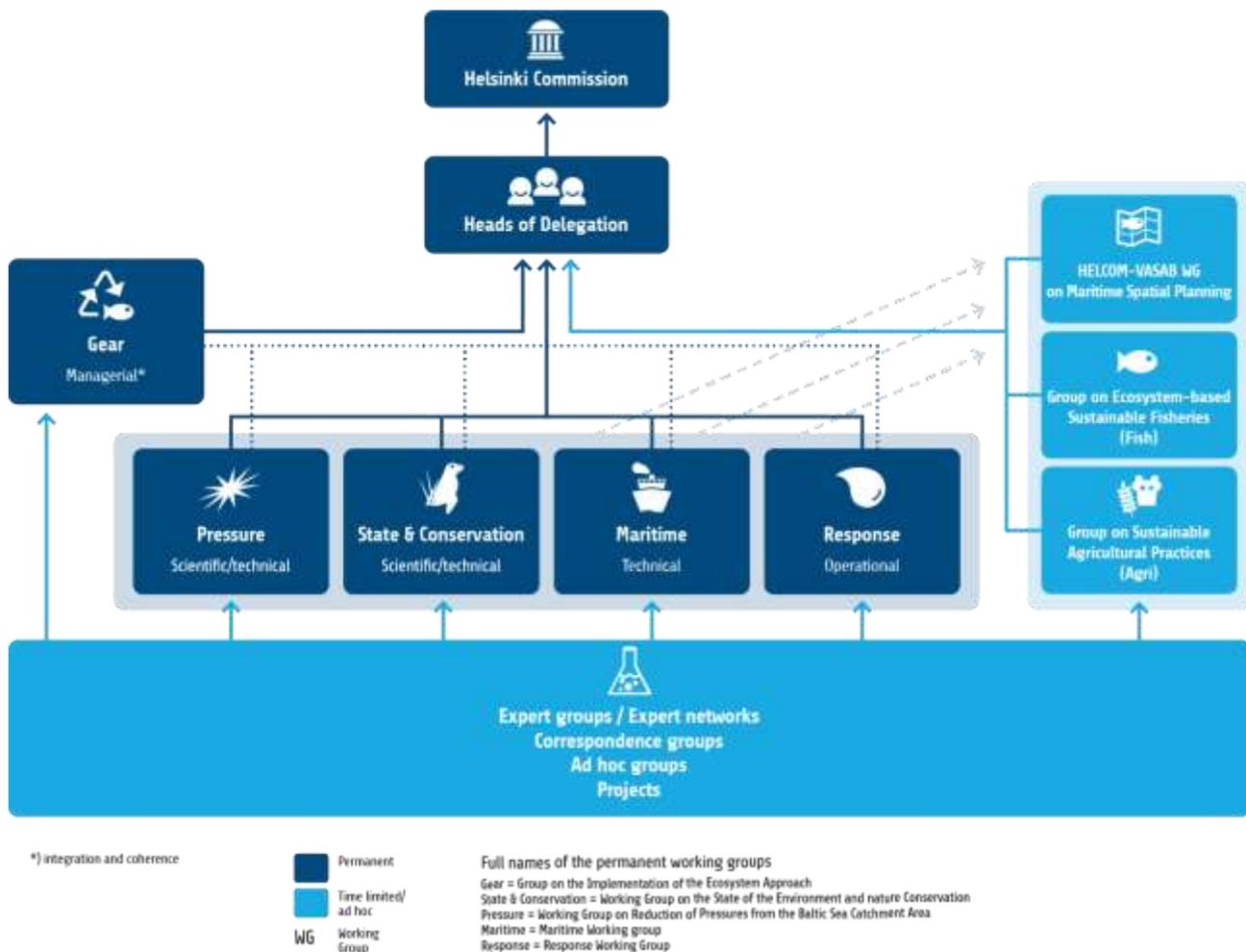


Figure 1. Current HELCOM structure

One of the results of the streamlining of HELCOM, concluded in 2014, was a new structure for the work on land-based pollution, monitoring and assessment, as well as biodiversity and nature conservation. At the time, one of the reasons for combining the former MONAS and HABITAT was allowing for focusing on prioritized issues such as delivery of one of the major HELCOM products – the next holistic assessment of the Baltic Sea (Outcome of HELCOM 35-2014). Changes to the former LAND and LOAD was motivated by the need to put more focus on tracking the progress of the HELCOM nutrient input reduction scheme and input of hazardous substances. Also, some former tasks of LAND were shifted to the Agri Group. It was thought that combining all pressures – both on the level of assessment and proposing actions and measures, in one group would make it impossible to gather competent authorities/experts. Instead, the integration of all pressures into one assessment product would be done in the State and Conservation WG, and the results would be

used by relevant subsidiary bodies for policies/measures considerations (document 3-4 to HELCOM 35-2024). Further rationale for the restructuring of the groups as provided by the Task Group on Streamlining in 2014 is included in attachment 1 to this document.

HOD 54-2018 considered the feedback from the Pressure and State & Conservation Working Groups on the work of the groups under the revised HELCOM structure (see Attachments 2 and 3 respectively). The meeting found it especially relevant to establish closer communication and cooperation between the groups and recognized the high workload of the groups related to the wide spectrum of issues the groups are tasked to deal with. HOD 54-2018 agreed that the current working structure should be in place until the completion of the update of the Baltic Sea Action Plan and may be revisited in 2021 in light of the results of the update process of the BSAP. The meeting also noted the feedback from the State and Conservation Working Group that nature conservation related issues under the current structure receive too little time and focus and recognized that this issue requires more attention in the future.

HOD 61-2021 agreed that to achieve the objectives set in the 2021 BSAP, there is a need to review the working structure and consider necessary adjustments to support the implementation of the actions in an optimal way. The meeting emphasized the urgency and importance of starting implementation of the 2021 BSAP. The meeting agreed that the Helsinki Convention should function as the basis for the structure of HELCOM work, acknowledging, however, that the implementation of the actions in the 2021 BSAP is a core aspect of the implementation of the convention and subsequently emphasized that any change in structure should also support the effective implementation of the BSAP.

HOD 61-2021 took note of the Estonian proposal on updating the HELCOM working structure ([document 7-5](#) to HOD 61-2021). The meeting was of the view that dedicated Working Groups for the BSAP segments on sea-based activities and horizontal topics would likely not be a constructive solution due to the broad thematic scope of the actions under these segments.

1. Timetable

The following timetable for considering the renewal of the HELCOM working structure in 2022 was agreed by HOD 61-2021.

- Spring 2022:
 - o A joint meeting of HELCOM main group Chairs to be organized to discuss the possible restructuring.
 - o Discussion on the possible need for restructuring to take place in the main HELCOM group meetings. Short online meetings can be organized for the groups that have scheduled their next meetings only for autumn 2022.
 - o A joint online meeting of State and Conservation and Pressure Working Groups to be organized to discuss the restructuring.
- June 2022:
 - o Based on the feedback by the main groups and the meeting of the Chairs, HOD 62-2022 to decide on the possible new HELCOM working structure including the decision on the possible prolongation of the mandate of the time-limited groups.
- Autumn 2022:
 - o Updating the Terms of Reference and Work Plans of the main groups based on the decision by HOD 62-2022 on the possible new structure as well as on the detailed planning of the implementation of the BSAP actions carried out by the main groups in spring 2021.
- December 2022
 - o Terms of References and Work Plans of the main groups to be adopted and approved by HOD 63-2022.

2. Framework for the HELCOM structure

HOD 61-2021 agreed that the Helsinki Convention should function as the basis for the structure of HELCOM work, acknowledging, however, that the implementation of the actions in the 2021 BSAP is a core aspect of the implementation of the convention and subsequently emphasized that any change in structure should also support the effective implementation of the BSAP.

2.1 Convention

An overview of the Convention structure, identified based on the articles of relevance for the HELCOM working structure, is presented in table 1. For ease of access the Convention articles and annexes presented have been initially aligned with the corresponding segment of the 2021 BSAP which most closely links to the respective convention article text.

Table 1. An overview of convention articles of relevance for the HELCOM working structure and related BSAP segments

Convention article	Name of the article	Relevant Annex of the Convention	Related BSAP segment
Article 5	Harmful substances	Annex 1, Annex 2	Hazardous substances
Article 6	Principles and obligations concerning pollution from land-based sources	Annex 2, Annex 3	Eutrophication, Hazardous substances
Article 7	Environmental impact assessment		Cross-segmental
Article 8	Prevention of pollution from ships	Annex 4	Sea-based activities
Article 9	Pleasure craft		Sea-based activities
Article 10	Prohibition of incineration	Annex 4	Sea-based activities
Article 11	Prevention of dumping	Annex 5	Sea-based activities
Article 12	Exploration and exploitation of the seabed and its subsoil		Sea-based activities
Article 13	Notification and consultation on pollution incidents	Annex 4, Annex 6	Sea-based activities
Article 14	Co-operation in combatting marine pollution	Annex 6, Annex 7	Cross-segmental
Article 15	Nature conservation and biodiversity		Biodiversity
Article 16	Reporting and exchange of information		Cross-segmental
Article 24	Scientific and technological co-operation		Cross-segmental

In addition to outlining the general structure of HELCOM work the Convention also outlines specific duties for the Commission, which is useful to consider when reviewing the structure. These are presented under Article 20 as follows:

- “a) to keep the implementation of this Convention under continuous observation;
- b) to make recommendations on measures relating to the purposes of this Convention;
- c) to keep under review the contents of this Convention including its Annexes and to recommend to the Contracting Parties such amendments to this Convention including its Annexes as may be required including changes in the lists of substances and materials as well as the adoption of new Annexes;
- d) to define pollution control criteria, objectives for the reduction of pollution, and objectives concerning measures, particularly those described in Annex III;
- e) to promote in close co-operation with appropriate governmental bodies, taking into consideration sub-paragraph f) of this Article, additional measures to protect the marine environment of the Baltic Sea Area and for this purpose: i) to receive, process, summarize and disseminate relevant scientific, technological and statistical information from available sources; and ii) to promote scientific and technological research; and
- f) to seek, when appropriate, the services of competent regional and other international organizations to collaborate in scientific and technological research as well as other relevant activities pertinent to the objectives of this Convention. 2. The Commission may assume such other functions as it deems appropriate to further the purposes of this Convention.”

2.2 Baltic Sea Action Plan

As part of the update process of the Baltic Sea Action Plan the segment structure of the Plan was modified, to better reflect the differences and interlinkage between activities, pressures and state (see Figure 2). In addition, a number of topics were identified as being relevant for more than one segment. These were collated under a section on horizontal topics which addresses cross-cutting issues including climate change, monitoring, maritime spatial planning, economic and social analysis, knowledge exchange and awareness raising, hot spots, and financing. Furthermore, measures within all segments are designed to strengthen the overall resilience of the Baltic Sea, consequently improving its ability to respond to the effects of climate change.

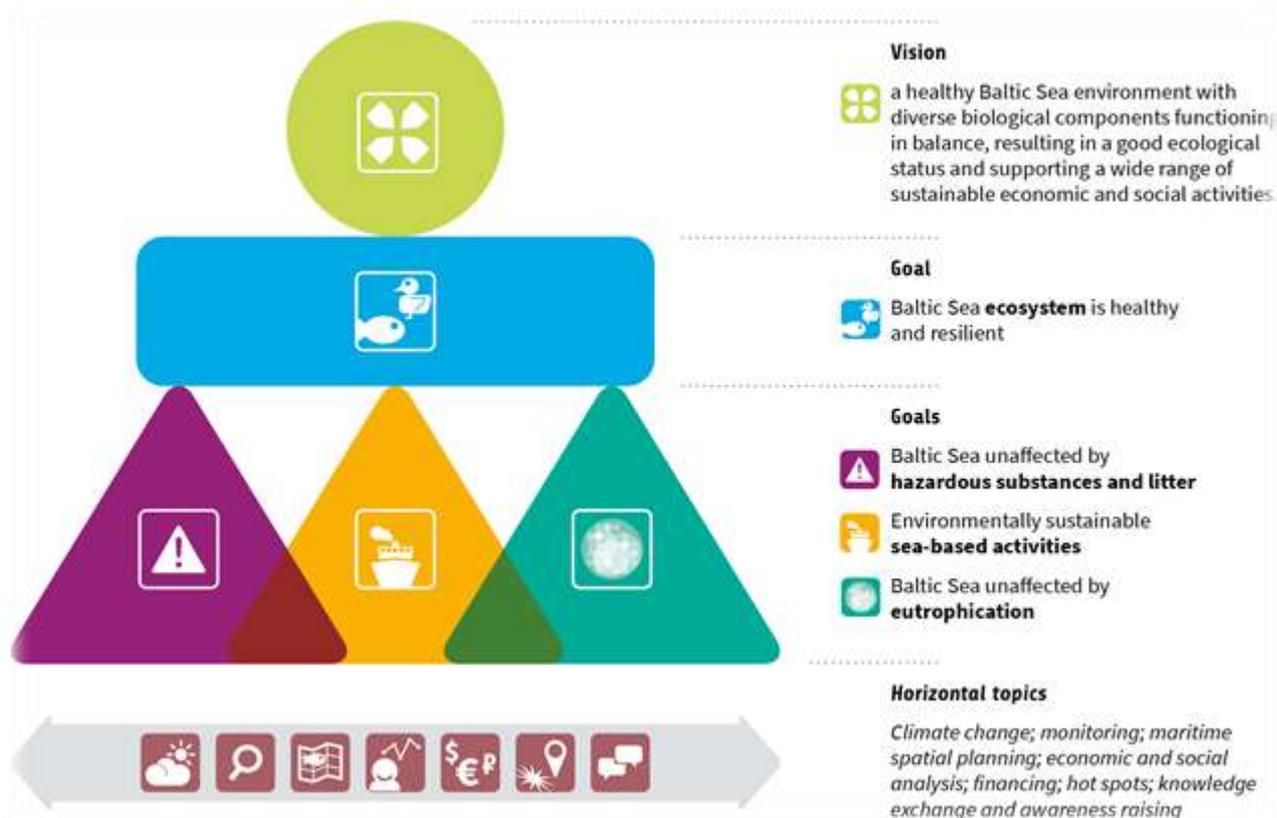


Figure 2. The structure of the BSAP including its vision and goals

The logic behind this division is to more closely reflect the chain of consequence, whereby human activities result in pressures on the environment, which in turn affect the state of biodiversity (Figure 3.). While all three steps are intrinsic aspects which need to be accounted for in order to attain the vision of the BSAP, they necessitate, and respond differently to, different types of management actions and measures. Proactive actions, i.e. actions which address an activity rather than its consequences, are recognized as being both more effective and more efficient. The opportunities and possibilities for management and measures are also significantly more extensive with regard to human activities than they are when trying to manage pressures. A simplified example could be that there are many more options and possibilities to limit the input of nutrients to the marine environment (i.e. human activities) than there are options for removing nutrients which are already causing eutrophication (i.e. pressure resulting from human activities). It is consequently natural that a larger proportion of the work of HELCOM focuses on human activities and their management, something reflected in both the BSAP and the HELCOM working structure.

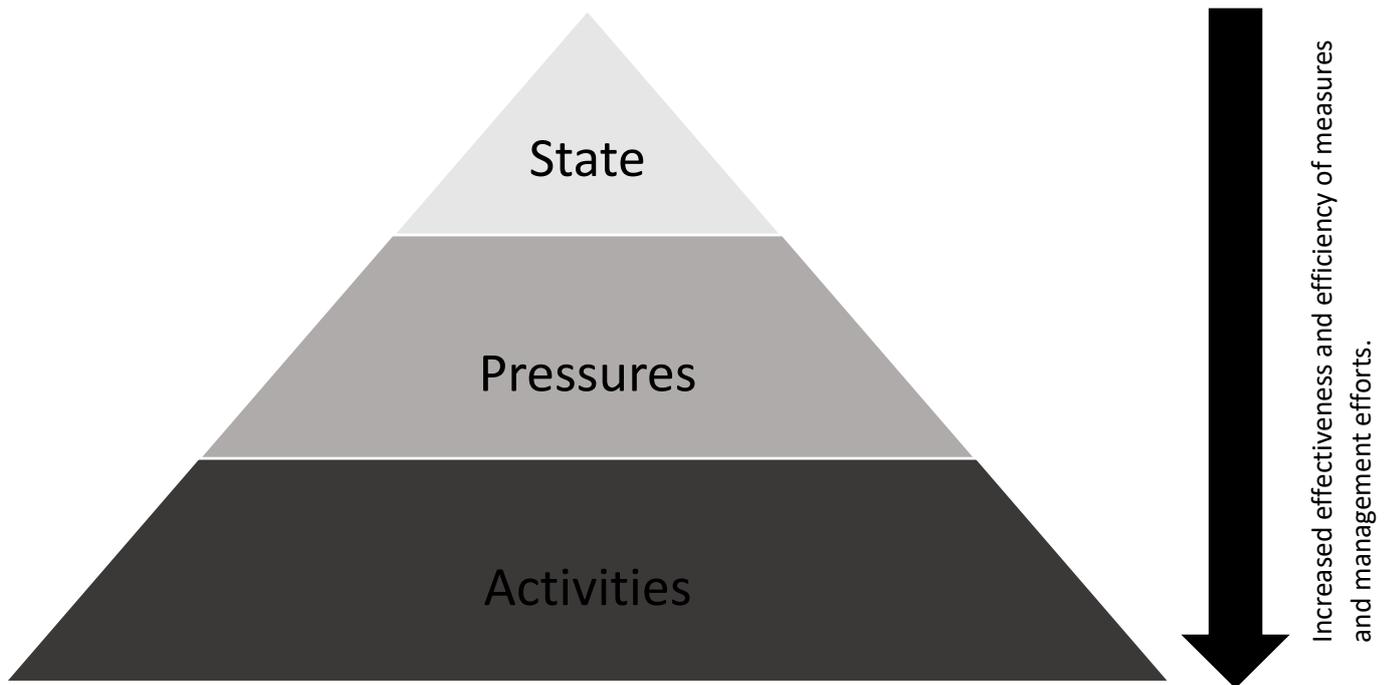


Figure 3. Effectiveness of measures and management efforts targeting state, pressures and activities.

The structure of the 2021 BSAP also reflects these steps in that it strives to structure the topics (i.e. segments) accordingly, illustrating which segments represent which step in the chain (activities, pressures or state), while acknowledging that there are overlaps and interlinkages between segments (Figure 4).

The segments of the 2021 BSAP are further interconnected insofar as e.g. attaining the goal under the biodiversity segment also relies on the successful implementation of the actions included under the other three segments.

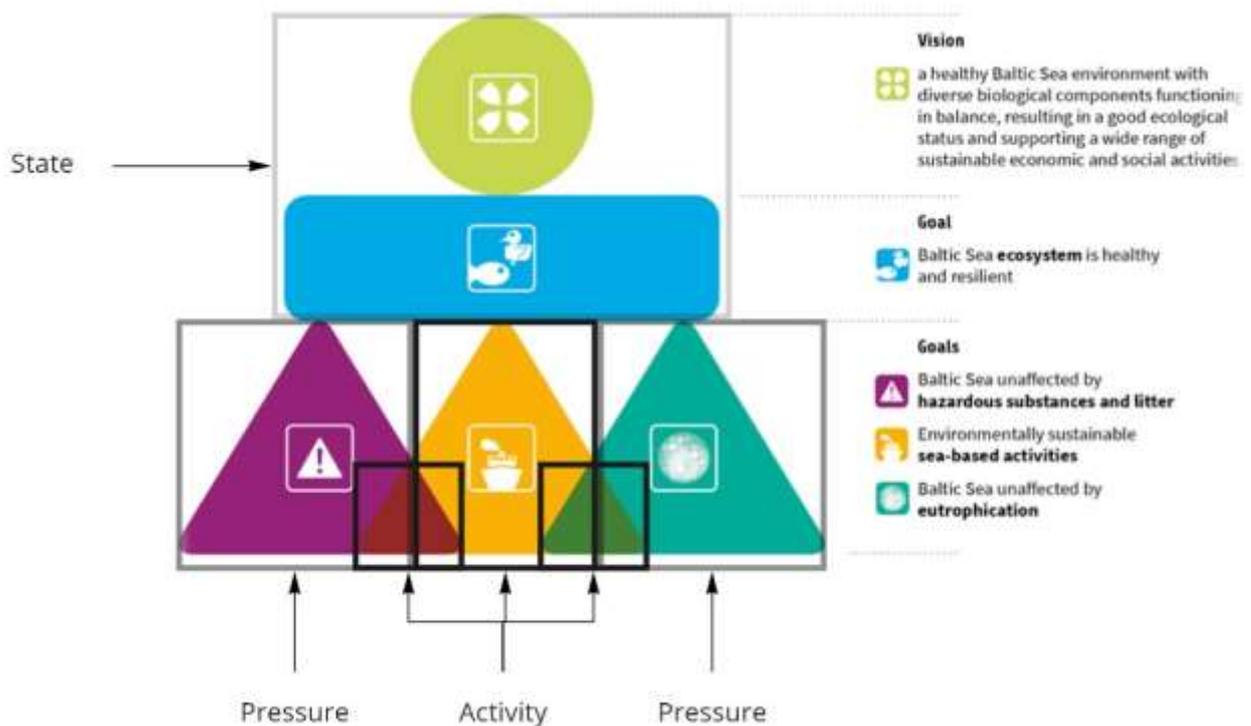


Figure 4. Structure of the BSAP in relation to targeting the state, pressures and activities.

2.2.1 HELCOM working structure and the implementation of the BSAP

To support the implementation of the BSAP each action has been assigned one or several HELCOM groups who are to either implement it or follow/support its implementation. The level of implementation of each action has also been identified as either joint, meaning that the action is to be implemented jointly by HELCOM Contracting Parties, most often through using HELCOM as a platform, or national. National actions need to be implemented individually by each Contracting Party, but implementation can be supported by HELCOM activities and joint actions. It is worth noting that the role of the HELCOM groups varies between joint actions (whose implementation is often the responsibility of one or several groups) and national actions, where the groups function as platforms for exchanging information, solving possible challenges, and tracking progress.

3. Possible gaps, barriers and shortcomings of the HELCOM structure in relation to the implementation of the 2021 BSAP

HOD 61-2021 recognized that the current structure and division of HELCOM working groups (see Figure 1) may not be optimal for the implementation of the BSAP. In previous internal reviews performed by the State and Conservation and Pressure Working Groups (see Attachments 2-3), as well as the Gear Group have expressed that the current structure and division of work is not optimal and should be modified to improve the groups' work.

In general, there is also a need to streamline the approach taken for the Terms of Reference and work plans of the groups to facilitate planning upcoming work, securing necessary resources and help the groups to track progress.

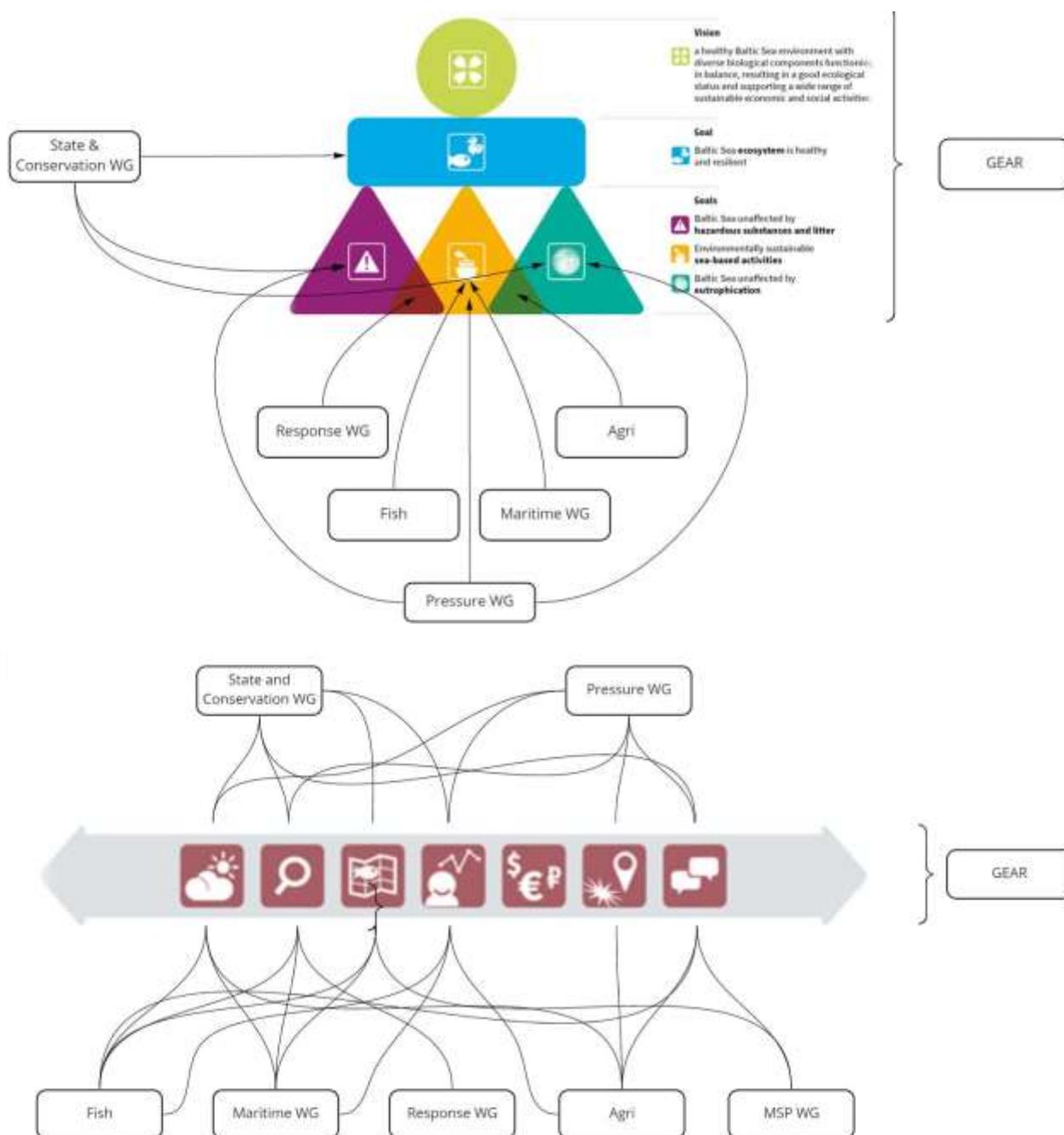


Figure 5. Current working structure of HELCOM linked to the structure of the BSAP

3.1 Initial input by the Contracting Parties

HOD 61-2021 agreed to undertake an intersessional scoping exercise regarding the possible gaps, barriers and shortcomings of the current HELCOM structure in relation to the implementation of the 2021 BSAP. The following views were provided by the Contracting Parties in January 2022.

Views by Denmark

In general, we do not recommend any major restructuring, however we are open to looking at the specific issues highlighted at HOD. Denmark in particular sees a need to consider if changes can be made to ensure an appropriate workload for State and Conservation, and to as far as possible avoid overlaps with Pressure.

We should attempt to avoid too many documents and issues that circles between the two groups, and as much as possible ensure a clear chain of command and clear responsibilities for each group.

Denmark would further encourage that for any new structure we make, we consider the use of resources, as far as possible we should attempt to keep the number of meetings down to those ascribed to each group. And similarly we should avoid having overlapping or unnecessary groups.

Additionally, Denmark would appreciate consideration given to the role of GEAR, who could have a clearer mandate, and a role in relation to the implementation plan for BSAP could be considered.

Before we embark on any changes however, we would request for the Secretariat to look into the previous restructure of HELCOM groups in 2014. What were the topics identified then that led to the need for a new structure, and why were the current solutions chosen? We hope the Secretariat can produce a document outlining these issues for the chairs to consider at the upcoming chair meeting. It is important that we don't repeat mistakes from past set-ups. *(Note from the Secretariat: information on the rationale of the previous restructuring is included in the beginning of the document and in attachment 1.)*

Views by Poland

In the Estonian proposal (document 7-5, HOD 61) there is no GEAR level and the HOLAS 3 project is not taken into account. The update of the HELCOM working structure, especially the division into HELCOM groups should facilitate the identification of relevant area of specialization and representation of experts in groups. It is also important to reorganize State & Conservation group in order to effectively use human resources and time.

We also have one question regarding the SUBMERGED expert group: which group will oversee the work of SUBMERGED in the context of updating HELCOM working structure?

Views by Russia

In the previous HELCOM working structure in 2014 there were eight main permanent subsidiary bodies, including two cross-sectoral platforms.

Currently there are five working groups, of which only two groups deal clearly with fairly specific sources of pollution/specific activities in the Baltic Sea, namely the Maritime Working Group and the Response Working Group.

It was recognized during the previous renewal of the working structure of HELCOM in 2014 when it was mentioned that "the MARITIME and RESPONSE Groups of HELCOM have targeted and specific tasks related to the harmonized implementation of the IMO conventions in the Baltic Sea Region and in ensuring operational oil spill response and preparedness capacity, respectively". Exactly regarding these two groups it was decided that the groups in question were not in need of restructuring.

Now three other working groups deal with different aspects of environmental protection, sometimes linking relevant results from other subsidiary bodies (e.g. shipping pressures) into agreed systems.

In our opinion, the above is the first shortcoming of the current HELCOM structure, namely the disproportionate number of groups with common/general/similar and specific tasks.

From one side there is the aspect for criticism regarding the lack of a link between issues related to the state of the marine environment and loads. On the other hand, we see the high work load of the groups (PRESSURE, STATE AND CONSERVATION) related to the very wide spectrum of issues in the groups. We think there is no need to include diverse tasks, which are under the different competencies, in one group. Possibly dividing STATE AND CONSERVATION could partly provide a solution to this as well as reforming PRESSURE.

We would like also to propose to include the task on all objectives of updated BSAP 2021 in the Terms of Reference of new HELCOM working bodies.

Thus, one of the main issues for consideration is the principle of establishing HELCOM working bodies on their direction of the activities/sphere of work, but not based on the target and specific tasks or the names of the updated BSAP 2021 segments.

It seems that there should be uniform name given to the working bodies, under the working groups could be established the permanent expert groups as well as Ad Hoc expert groups for a short dedicated period.

Possible gaps can be identified as ineffective coordination of work between groups, especially work on common interest and spheres; insufficient use of scientific advice as the basis for decision-making (this gap had been still left since the previous renewal of working structure of HELCOM in 2014).

The decisions are taken very often not only on the scientific advice but often based on ambitions. The decisions are also taken very seldom with clear understanding of social-economic consequences as well as input/consequences to another source of pollution.

Preliminary views by Sweden

The main conclusion is that there is no major obstacle in the current structure for a successful implementation of the BSAP. In fact, working with the implementation of BSAP can help us come to terms with shortcomings which may have been upcoming by:

- sorting clearly which measure is managed by which group,
- pointing out which measure demands collaboration. Some action areas seem to demand “triangular collaboration”, e.g. biodiversity-sea based-eutrophication, or sea based-marine litter-fisheries. It will be important to get these triangles (or similar) to work. And to
- concretize exactly what to collaborate about, across groups (and externally).

We also think that change/adjust the working mode is an alternative to change the organization and should be considered.

However, there may be a need for further analysis on the options to tackle the following observed weaknesses:

- Expert networks observe a difficulty in understanding where (at what meeting) a certain question can be brought up on the agenda.
- State is heavily burdened and has little time for work with measures. Conservation actions cannot be sufficiently covered in one day at state meetings, with the present work setup.
- Restoration work does not have an obvious place/group in the organization.
- Fish and Conservation collaboration requires special attention, potentially also FISH and marine litter. As above mentioned, many action areas seem to demand “triangular collaboration”.
- Eutrophication, being a key challenge, needs special attention. HELCOM needs to find the pathway to be stronger on land-based sources (capacity building, identifying incentives, involving a wider range of actors in the catchment). We note that in Agri, river basin management administrations and other “implementors” are not well represented and thus knowledge of local, land-based measures is not necessarily present in discussions. Pressure is more focused on analysis and modelling than measures. The link to Agri is sometimes weak.

- There is a constant need for support to manage common applications for funding, both for development projects and actions. It would be worth looking into how this can be even better accommodated in the HELCOM structure.

We note that the recent updates to several ToRs for the Expert groups makes clear that the EGs should work across the WG structure. This is very good and necessary. If needed they can choose to focus certain meetings or certain sub-groups on measures/assessments etc.

Finally (this is more of a proposal and not an analysis of gaps/barriers)

It is worth considering for some of the issues listed above, the solution may rather be a change in working mode than in the organisation. For example, regarding the interaction between a WG and its EGs:

- if EGs do not get a substantial response when sending papers to a WG, it might be possible to pay more attention to the specific question asked to the WG (should be a question that they have the capacity to respond, Secretariat helpful here).
- if WGs has many and lengthy documents, would it be possible to clarify if the EG agrees on the outcome of an exercise and it is just a question of recommending to HOD? Can documents be classified as INF rather than CMNT? Trying within the EG to agree as far as possible on one proposal, without relying on WG input other than policy/strategic. This seems to work slightly more so in Pressure than in State & Conservation.

3.2 Initial input by S&C 15-2021:

The Conservation Session of STATE&CONSERVATION 15-2021 started consideration on the future of the nature conservation and biodiversity session of State and Conservation and proposed that in the future, to address identified shortcomings (see e.g. attachment 3), work should be divided into a Biodiversity WG, focused on all aspects of work related species, habitats, foodwebs and conservation and one WG focused on all aspects of work related to pollution. These WGs could cooperate concretely in relation to the HOLAS assessments to ensure synergies and cooperation. The meeting supported further discussions at the intersessional State and Conservation WG meeting in spring 2022 and invited the Secretariat to prepare some initial concepts of such a division.

3.3 Initial input by GEAR 25-2021:

GEAR 25-2021 considered the functionality of the current HELCOM structure with respect to the implementation of the BSAP and acknowledged that improvements could be made.

The meeting further considered the role of the Gear Group in the implementation of the 2021 BSAP in broader terms. The meeting emphasized that the role of the Gear Group should be developed to ensure added value to the implementation process, i.e. fill gaps identified under the 2007 BSAP process. The meeting recognized that the implementation of the individual segments is most appropriately tracked and facilitated through the work of the relevant Working Groups and Expert Groups and thus supported that the role of the Gear Group should be more horizontal in nature, spanning the full BSAP. The focus of the work of the Gear Group should be on solving implementation-related challenges as well as on providing guidance to, and assisting, other groups in identifying and overcoming barriers and challenges related to implementation, under the remit of the ecosystem approach and ecosystem-based management. The Gear Group should also assist HODs through the preparation of material and information to progress implementation. The meeting concluded that the Gear Group can also provide concrete support to the processes on tracking the level of implementation of the BSAP, e.g. the analysis and summarizing of Explorer reporting.

The meeting took note of the information that to limit the need to establish new structures and processes the intention is to use the Work Plans of the Working Groups and Expert Groups as concrete tools for planning and tracking the implementation of the BSAP actions. The meeting emphasized that to optimize the processes the review and update of the Working Groups workplans should be aligned across all groups. The meeting agreed to further consider establishing a Work Plan also for the Gear Group, once any amendments to the ToRs have been implemented.

The meeting supported the suggestion of arranging cross-topical seminars to share information progress of implementation (or lack thereof) and that such events should be aligned with the review and update of the Working Groups work plans, to capitalize on existing work done by the groups and to avoid adding to the reporting workload.

The meeting noted that the output from the discussion on the role of the Gear Group in implementing the BSAP is relevant to update the ToR of the group.

3.4 Input by CHAIRPERSONS 2-2022:

The Chairpersons of HELCOM and HELCOM main groups discuss the restructuring and provided the following input:

- Restructuring could be done based on topic (e.g. type of activities addressed), processes or impact. It was expressed that using topics as the basis for establishing structure and division of tasks is the most functional approach, making it easier to define responsibilities, and should therefore be the basis when developing proposals.
- Any changes in structure should be done in such a way as to avoid causing lag time in implementation, accounting for the fact that new groups require time to establish working modes, map expertise and address tasks.
- Due consideration should be given to how groups are working now ensures that already established cooperation and processes are retained whenever and wherever possible.
- Wherever possible redundancy and duplication of effort (e.g. several groups consecutively reviewing the same document) should be abolished.
- Consequently, restructuring efforts should focus on those groups and topics where the current setup has proven insufficient.
- While not all groups may require restructuring it is apparent that some challenges and bottlenecks which have already been identified need to be addressed urgently in order to be able to start implementation.
- For some groups workload currently represents a major barrier for progress. Unsustainable workloads lead to a loss of functionality and a more evenly distributed workload would hence speed up implementation.
- In some cases, where existing structures may have been sufficient in the past, more defined topical expertise could now be beneficial to ensure momentum of implementation is ensured and/or maintained.
- Overall the relationship between groups needs to be made more clear and tasks and mandates for each group need to be very clearly defined to support both implementation of the 2021 BSAP and cooperation across and between groups and avoid unnecessary overlaps.
- Major cross-topical endeavours such as HOLAS need to be considered and accounted for when restructuring, both to ensure that the workload is more evenly distributed and that the relevant expertise is harnessed. HOLAS could e.g. be made a separate work process with involvement by the relevant groups.
- Pollution should not be used as the title of a group which does not include eutrophication, as input of nutrients can also be considered pollution.

The Chairpersons acknowledged that changes always bring with them an element of disruption, but emphasised that embarking on the implementation of the 2021 BSAP represents an optimal time to address identified shortcomings and ensure improved functionality towards 2030. The meeting expressed support for a targeted restructuring to more evenly divide the workload and to ensure the structure is well suited for the implementation of the 2021 BSAP and noted that all groups will consider the renewal of the HELCOM working structure in spring 2022. The meeting invited the groups most directly affected by the restructuring to discuss the needs and requirements in more detail in their respective meetings in spring 2022.

The Chairpersons emphasised that, in addition to restructuring, implementation of tasks under the groups would benefit from clearer prioritisation of tasks e.g. based on results from HOLAS and sufficiency of measures (SOM). More national coordination would also support implementation.

The meeting invited the Secretariat, once the restructuring is ready, to prepare an overview of the HELCOM groups which outline the major areas of expertise and work for each group, as well as their relationship (e.g. what expert group is housed under what WG), to facilitate cooperation amongst HELCOM groups and to make HELCOM work more accessible and recalled that the responsibilities of the groups are included in their Terms of Reference.

4. Key aspects to consider when forming a working structure to optimally support the implementation of the BSAP

To support the implementation of the BSAP, when forming a possible new structure, it is crucial to ensure the functionality of the groups. It is important to avoid forming or strengthening silos, and to have a holistic view on improving the state of and reducing the pressures on the Baltic Sea. However, for the practical functionality of the groups it is important that the right experts are involved, and their time is used efficiently on the matters where they can best contribute. Enhancing the cooperation between the groups could be a better way of avoiding silos than having groups that have too wide a range in thematic scope. To ensure the functionality of the group, the workload of the groups should not be so extensive so as not to jeopardize the accomplishment of the BSAP actions. Another aspect to consider is that if there is radical change in the structure, it could slow down the implementation of the BSAP due to the time required by the new groups to get established.

It is further important to clearly delineate what topics, actions, tasks, role and responsibilities each group has, so as to avoid unclarity and possible subsequent delays in implementation. Clear delineation also ensures that the right information is presented and facilitates cooperation between the groups.

5. Working proposal to address the shortcomings of the current HELCOM structure

Taking into account the feedback already received, including the input by the Second Meeting of the Chairpersons of HELCOM and HELCOM main groups, and in line with the mandate by HOD 61-2021, the Secretariat has been developing initial working proposals to function as the basis for further discussion in spring 2022.

HOD 61-2021 expressed that in proposing changes to the work structure care should be taken not to risk losing momentum on implementation activities as a consequence of a transition period. Based on this, as well as picking up on the fact that the majority of the comments received related to the State and Conservation and Pressure WGs, the primary focus has been on finding alternative ways of restructuring the work of these two groups (see figures 6, 7 and 8). Consequently, they have also been used as the basis for the more elaborate example of how tasks, EGs etc. could be divided, as provided in this section (see figures 6, 7 and 8).

The Figures 6 and 8 outline alternative structures proposed as working examples.

The Alternative 1 example (figures 6 and 7) outline a proposal where only the structure of the current State and Conservation and Pressure Working Groups (WGs) would be altered, with the tasks currently handled by these two WGs being divided across three new groups (Biodiversity and Conservation WG, Pollution WG and Eutrophication WG). In this example all other groups would retain their current structure. Figure 7 in turn presents an example of the setup, topics and work of the proposed three new groups in more detail.

The Alternative 2 example (figures 8 and 9) outline a proposal where only the tasks of the current State and Conservation and Pressure Working Groups (WGs) would be redistributed but no change in structure is implemented. In this example all other groups would retain their current structure. Figure 9 presents an example of the setup, topics and work of the reorganised two groups in more detail.

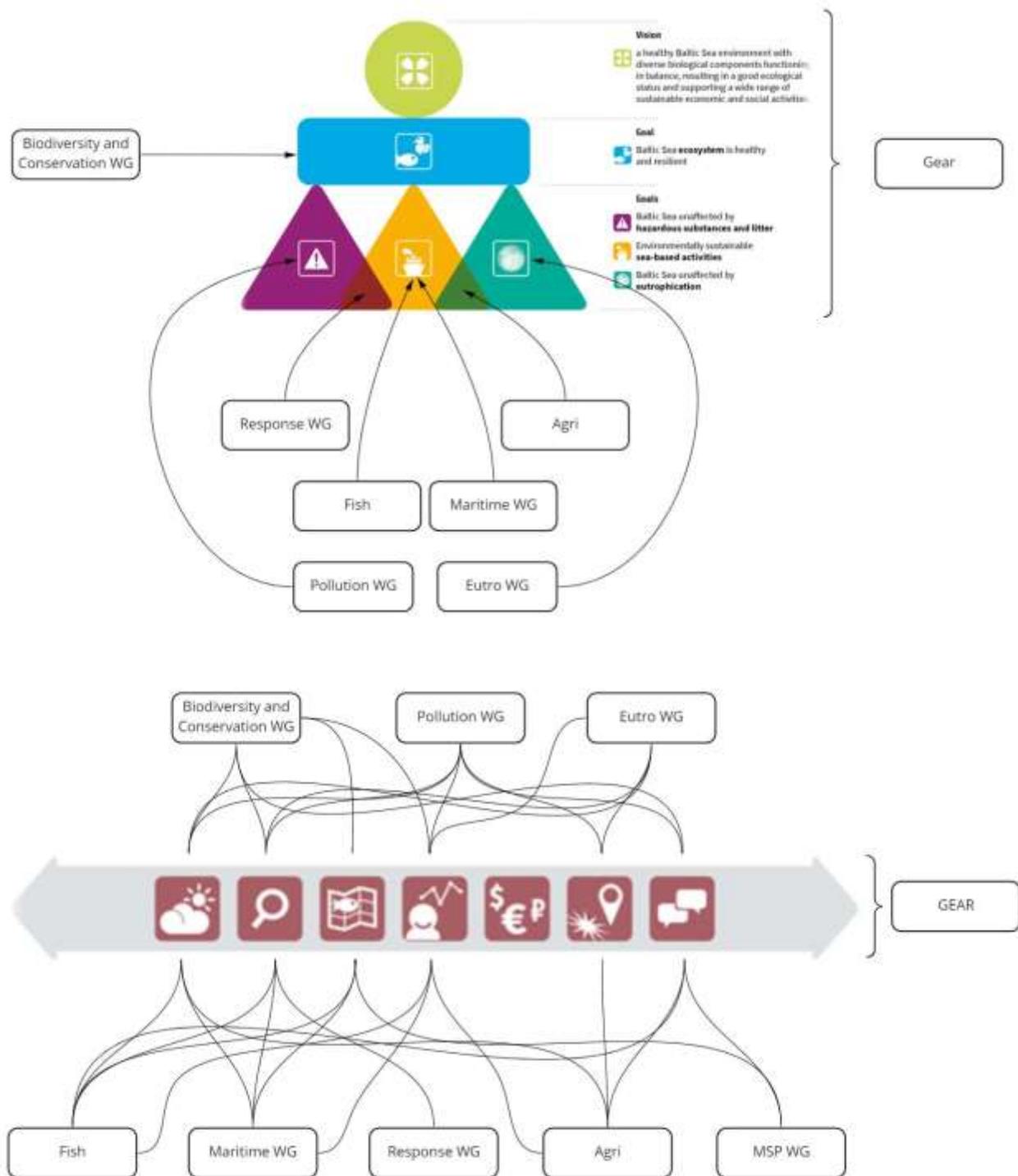


Figure 6. Overview of possible alternative structure for groups working on state and pressure, retaining the working structure for the majority of HELCOM groups but restructuring the current State&Conservation and Pressure WGs and re-distributing the tasks across three new WGs (i.e. Alternative 1).

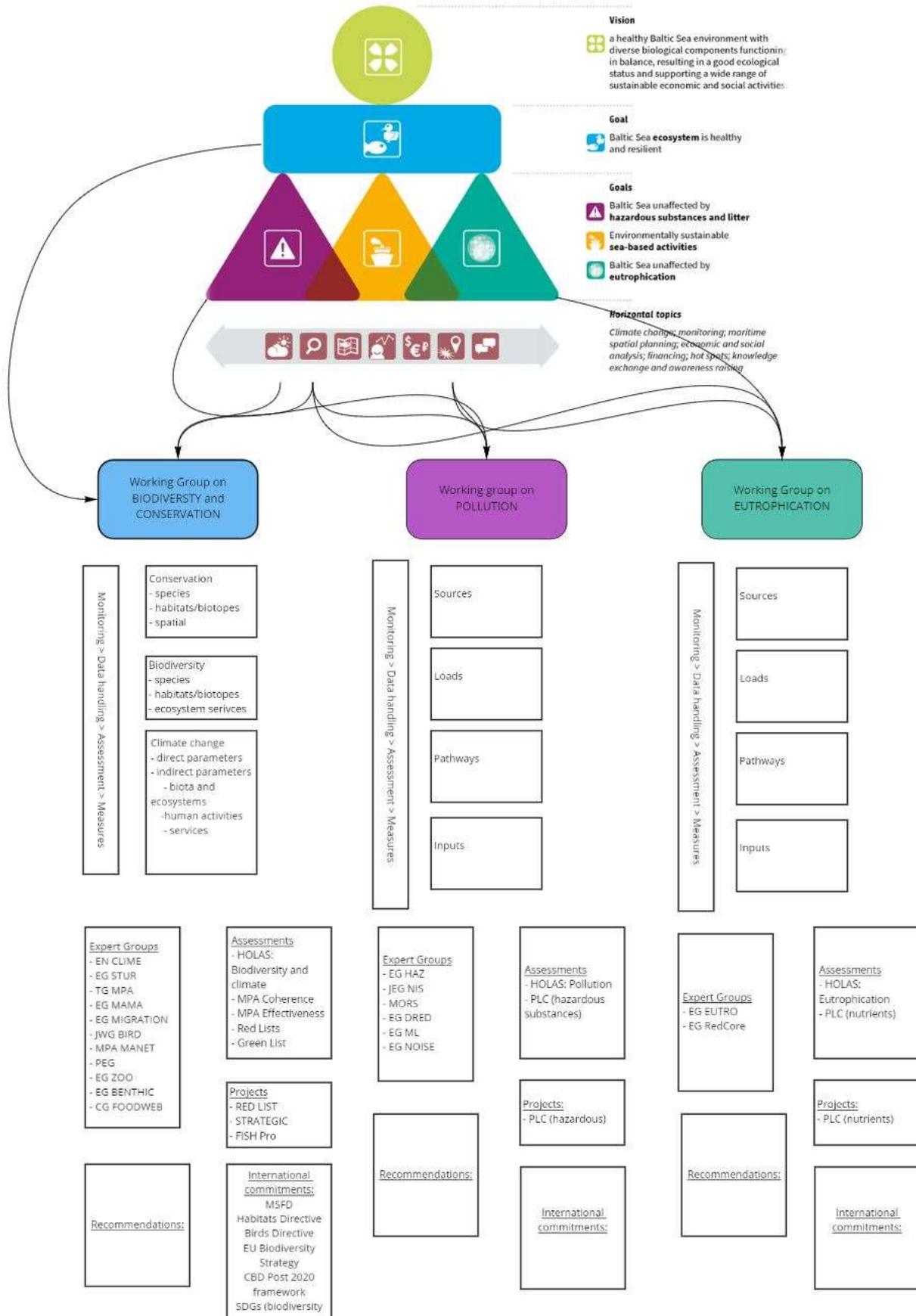


Figure 7. Further elaborated example of division of topics, tasks and roles across the proposed new structure consisting of three new WGs (i.e. Alternative 1).

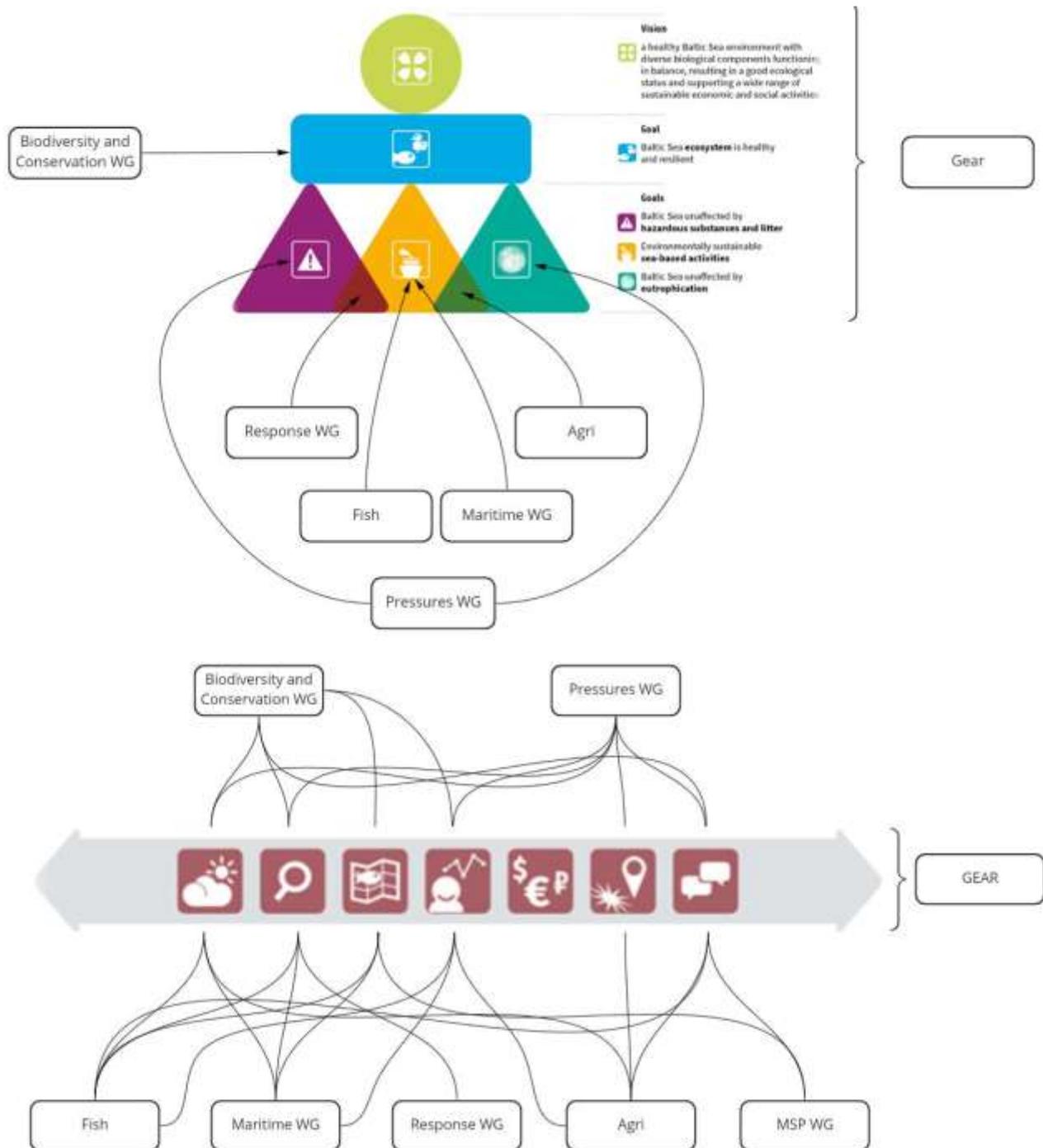


Figure 8. Overview of possible alternative structure for groups working on state and pressure, retaining the working structure for HELCOM groups but redistributing the tasks of the current State&Conservation and Pressure WGs to address identified shortcomings and gaps (i.e. Alternative 2).

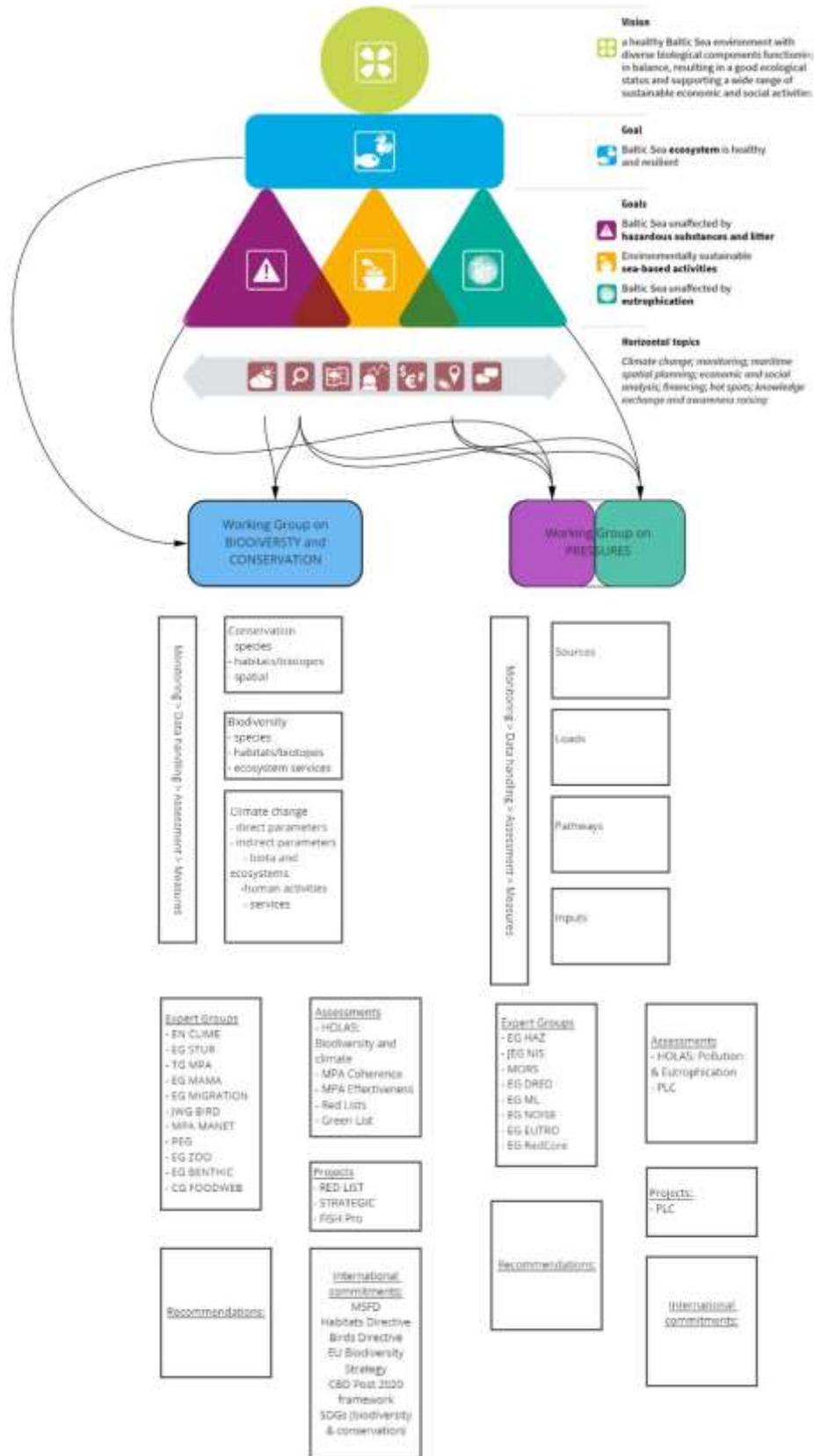


Figure 9. Further elaborated example of division of topics, tasks and roles across the proposed new distribution (i.e. Alternative 2).

Figure 10. Alternative proposal to illustrate how HOLAS task could be divided across a new structure (here using Alternative 1), introducing an ad hoc fixed term HOLAS platform active only during the assessment phase, to function as a concrete way for the WGs to cooperate under the umbrella of HOLAS assessments.

6. Naming of the groups

HOD 61-2021 agreed that as part of the possible restructuring, attention is paid to harmonizing the naming of the HELCOM groups. Currently, some of the main HELCOM subsidiary bodies are called Working Group while others are called Groups. After the restructuring, all main HELCOM groups will be called Working Groups. Also, there is a large variety in naming the sub-groups (expert group, expert network etc.) of the HELCOM main groups and the Secretariat has received many questions on the difference between the various names of these groups. Harmonizing the names of the groups will make them more easily understandable and also facilitate communicating HELCOM work to the general public. HOD 61-2021 agreed that the expert groups should be named as follows: "HELCOM Expert Group on xx (EG xx)". The change in naming is purely editorial and does not affect the agreed working mode of the groups.

HOD 61-2021 also agreed that sub-groups which are shared with other organizations are excluded from the update in terminology as the naming of these groups is agreed jointly. In addition, HOD 61-2021 agreed that the category of Drafting Group (DG) is retained and can be used to describe time-limited groups working on drafting specific products. DG mandates would be terminated once the product is finalized.

It could be further considered if, besides the sub-groups that are shared with other organizations, also sub-groups that have the purpose to cooperate with stakeholders should be excluded from the update of terminology.

Attachment 1 – Rationale for the restructuring in 2014

From [document 3-4](#) to HELCOM 35-2014

Rationale for changing HABITAT and MONAS:

(Note from the Secretariat: The proposed abbreviation of the working Group (WG NATURE) was eventually changed to STATE & CONSERVATION)

MONAS and HABITAT have different origins, MONAS having been born in the monitoring and assessment and biodiversity community and HABITAT in the nature conservation community. What is shared by both of these bodies is their eye for scientifically impeccable work and technical capacity.

However, today's increased focus on biodiversity as an overarching theme for the marine environment protection and the use of core indicators as a basis of HELCOM assessments and guiding monitoring activities does not recognize old division lines. More integrated approach to dealing with monitoring-indicators-assessments is needed.

Further, most major elements of the actual work on monitoring, indicators and assessments of these bodies have been transferred to *ad hoc* structures (e.g. CORESET, RED LIST, PROTECT, MORE), some of which are steered by HELCOM GEAR. Consequently, MONAS and HABITAT have mainly had the task to advice on processes and review outcomes and not all the original tasks will need to be taken up with the same intensity in the future. On the other hand, the schedule of the meetings of MONAS and HABITAT have not always been optimal/frequent enough to provide timely advice to these processes, resulting in reviewing the work when it has almost been completed or agreed on an expert level, and possibly leading to doubling of national consultation processes.

If is foreseen that the meetings of WG NATURE for the major part will have a common agenda for biodiversity, eutrophication and hazardous substances, and discuss matters of relevance of monitoring and assessment jointly among experts of the different topics. The widened fora of experts will provide a strong basis for coordinated development of the HELCOM thematic assessment tools and a coherent holistic assessment of the ecosystems health (HOLAS 2).

At the same time the agenda of WG NATURE should be flexible and, when appropriate, consider to include thematic parts or sessions for topics that concern the specific expertise, for example the development of measures for nature conservation and biodiversity protection, marine litter. Moreover, the agenda should only address item of relevance for the timely contribution to the Roadmap i.e. not all tasks of the Terms of reference will be addressed at all meetings.

Rationale for changing LAND and EG LOAD:

(Note from the Secretariat: The proposed abbreviation of the working Group (WG INPUT) was eventually changed to PRESSURE)

The original tasks of LAND have focused on agriculture, municipal and industrial sectors, including facilitation of actions in JCP hot spots and proposing measures (HELCOM recommendations) to address these sources of pollution (nutrients, hazardous substances).

Substantial progress has been achieved in the Baltic Sea countries to reduce nutrient inputs from wastewater treatment sector and while the work needs to continue on national level to fully implement HELCOM

recommendations, priority should be given by HELCOM to areas where addressing nutrients inputs have been less successful or where there is a potential for new and innovative approaches to do so.

With establishment of the Agriculture and Environment Forum, issues related to measures in agriculture have gradually become no longer included into the agenda of LAND.

Matters related to pollution inputs (both nutrients and some of the hazardous substances - PLC) and nutrient reduction scheme have been dealt with by the LOAD Expert Group, reporting directly to MONAS. LOAD/PLC are self-standing activities and it seems that it is not necessary any longer for the group to report to and seek advice from MONAS. PLC provides technical and scientific underpinning to the work on the implementation of the nutrient reduction scheme through measures addressing emissions, discharges and inputs taking place most of all from land.

Follow up on the implementation of the revised nutrient reduction scheme is a major upcoming task in HELCOM, and the future structure of HELCOM should enable to comprehensively support and follow-up national efforts in fulfilling reduction targets e.g. by identifying and prioritizing most cost efficient pollution prevention measures, as requested by the BSAP.

There seems to be a shift in Contracting Parties approach to regulating inputs of hazardous substances: there is no longer a willingness/need to focus on creating new HELCOM recommendations, but rather on implementation of existing global and regional requirements (e.g. Stockholm POPs Convention, REACH, etc.), on best practices and methodologies and increasing knowledge on emerging substances, in a prioritized way.

The new proposed working group will generate information and data on pressures limited to inputs of nutrients and hazardous substances from land, allowing to concentrate the work around the nutrient reduction scheme implementation as well as actions for limiting inputs of hazardous substances, two HELCOM priorities. The division between pressures from land (WG INPUT) and status and pressures at sea (WG NATURE, MARITIME, RESPONSE) is maintained (with exception of inputs of radioactive substances to be dealt with by WG NATURE) in order to split the tasks and cater for specific expertise in these two fields for meaningful outcomes, including proposing actions and measures.

Other pressures are addressed by other subsidiary bodies. Combining all pressures – both on the level of assessment and proposing actions and measures, in one group would make it impossible to gather competent authorities/experts. Instead, the integration of all pressures into one assessment product will be done in WG NATURE (HOLAS), and the results will be used by relevant subsidiary bodies for policies/measures considerations.

HELCOM GEAR

The current tasks of GEAR will be maintained.

HELCOM MARITIME

The Group is in no need of restructuring.

HELCOM RESPONSE

The Group is in no need of restructuring.

HELCOM-VASAB Maritime Spatial Planning Working Group

The group is in no need of restructuring.

Rationale for changing Agriculture and Environment Forum:

(Note from the Secretariat: The forum was changed to a policy group)

The Agri/Env Forum has been established with the aim to implement agriculture related provisions of the Helsinki Convention (Annex III Part II), the Baltic Sea Action Plan and the Moscow Ministerial Declaration. The Forum should create the added value, for the HELCOM countries being EU members, in relation to the work on implementation of the Common Agriculture Policy, taking into account the specific needs of the Baltic Sea.

The experience so far indicates a challenge in combining expert and policy discussions in the Forum, as these involve different stakeholders (ministries representatives, expert and projects).

From the Baltic Sea point of view agriculture remains one of the sectors with highest potential for environmental gains and the Copenhagen Ministerial Declaration prioritizes number of actions related to agriculture including revision of part II Annex III of the Helsinki Convention. To be effective cooperation, both at expert and policy level is needed and the existing networks and initiatives in the region should be taken into account when carrying out the work within the HELCOM group.

Rationale for changing Fisheries and Environment Forum:

(Note from the Secretariat: The forum was changed to a policy group)

By adopting the Baltic Sea Action Plan, the HELCOM Contracting Parties recommended that all fisheries management should be developed and implemented based on the Ecosystem Approach in order to enhance the balance between sustainable use and protection of natural marine resources.

HELCOM established the Baltic Fisheries and Environmental Forum in 2008 with the aim to ensure that the sector concerned take and share responsibility for their impacts on the quality of the marine environment. The Forum also aims to build up a cross-sectorial integration of environmental and fisheries policies, and to identify what further steps may be needed for this purpose.

The specific challenge of the forum has been to ensure participation of the environmental authorities in the meetings as well as conclude discussions so these would lead to recommendations and solutions to be proposed to HoDs.

Attachment 2 - Feedback from the Pressure Working Group

Annex 6 of the PRESSURE 8-2018 Outcome

According to the ToR, the group was created to provide technical expertise underpinning work on inputs of nutrients and hazardous substances to the sea, including management of HELCOM hot spots. The group should also address issues connected to Marine Litter and Underwater Noise. In addition, aspects connected to physical disturbance of the sea floor such as dredging and placement/deposition of marine sediments have been added to the group's responsibilities.

The group has developed and agreed 5 HELCOM Recommendations covering monitoring of inputs via air and water. HELCOM recommendation on management of both sewage sludge and reporting of dredged material have been adopted. The follow-up system for nutrient reductions was developed and work on the regular Pollution Load Compilations has been advanced. There has also been significant progress since adopting the Regional Action Plan for Marine Litter and the Roadmap for Underwater Noise. The work on hazardous substances has progressed through close cooperation with the EUSBSR PA-Hazards, particularly concerning micropollutants and pharmaceutical loads to the Baltic Sea. To achieve this, Pressure has created and managed a number of expert networks and projects, sometimes as cross-cutting groups in cooperation with e.g. State and Conservation. These groups and projects include EN Marine Litter, EN Noise, RedCore DG, CG Pharma, EN DREDS and PLC. Pressure has organized more than 8 workshops to further the work.

Pressure outreach work has involved cooperation with EU SBSR PA Hazards, PA-NUTRI and PA-BioEconomy, OSPAR INPUT, HASEC and EIHA. Practical work has resulted from the facilitation of a link between Russian authorities and NEFKO for the mitigation of the Krasny Bor toxic waste site.

The overall work load of Pressure group, is comparable to S&C managing about 20-30 documents per day. Streamlining of the HELCOM structure was initiated, among other reasons, to optimise procedures of document circulation by minimizing documents bouncing between groups. This task has been achieved to a certain extent. Within the new structure, document circulation is more transparent and efficient.

One of the main criticisms is that within the remit of Pressure Group, aspects of too many different topics are discussed at each meeting. This hinders in-depth discussions on each of the agenda items. Usually only a limited number of experts are able to attend, and this creates difficulties for Contracting Parties in the in depth discussion. This has led to the creation of a large number of expert groups and networks. Some aspects of the groups work are then only treated on a rather superficial level at PRESSURE meetings and progress made is consequently sub-optimal, with issues sent back to the expert groups. In addition, there is often a lack of synergy between the many of the pressures managed by the group.

To minimize this problem, PRESSURE attempted to have a thematic focus to the meetings, having one meeting per year focusing on eutrophication and the other on hazardous substances. This was not sustainable and meetings have needed to address all issues at all meetings.

Preparation for the work of the group with an agenda including such a diversity of various themes requires the involvement of many experts. It needs strong national coordination and is very tedious. The vast amount of documents and themes hinder in depth discussion.

The other aspect for criticism in the new structure is the lack of a link between issues related to the state of the marine environment and loads, which is clearly shown by the example of HOLAS II project. HOLAS II project is the most confusing example of crosscutting processes in HELCOM. The project involves also assessment of pressures but without proper communication with Pressure group and, hence, the utilization of their expertise.

Pressure manages a subset of the pressures on the Baltic Sea. The group needs a closer relationship to AGRI. AGRI however has a different position in the HELCOM structure which makes communication more difficult. The relationships between Pressure and MORS, Pressure and Maritime and Pressure and FISH, could be improved – particularly concerning load issues. This could be achieved by adjusting Pressure’s mandate. Improved alignment with the pressure descriptors of the MSFD would recreate the link between loads and status (for e.g. eutrophication) that existed in MONAS.

The group is firmly of the opinion that we are better than State and Conservation. **The following might be suggested to improve the work of the group:**

- to evaluate the added value of the choice of pressures managed by the working group;
- to clarify the mandate of the group and withdraw excessive tasks, e.g. underwater noise;
- to improve communication with S&C group on cross-cutting issues in the format of regular joint sessions or workshops, e.g. on hazardous substances;
- to better utilize intersessional work and written procedures as well as provide written comments on documents before the meeting;
- information documents which do not require any specific action from the group can be also be considered via correspondence;
- to publish an extraction from outcomes containing major decisions, agreements, and deadlines;
- to consider a possibility for legal expertise on the documents, especially recommendations, and a specific body to follow up the implementation of HELCOM Recommendations (a compliance commission similar to OSPAR JL).

Attachment 3 - Feedback from the State and Conservation Working Group

Annex 3 of the State & Conservation 8-2018 Outcome

The Contracting Parties expressed their appreciation for the work done in the State and Conservation Working Group and the products that have resulted from this.

The group identified the main challenges of the current group structure to be the following:

- The group has lost its close link with the PRESSURE group.
- The workload and number of documents for the joint session are too extensive and the discussed topics are too broad for the meeting participants to assimilate and discuss in detail. This affects the quality of the more in-depth discussion of the meetings. The topics dealt with at each meeting are similarly very diverse, meaning it is not possible to bring expertise on all the topics to the meeting. It results in a loss of flexibility at the meetings and delay regarding the decision-making process.
- The above-mentioned issues, along with a less constant group, may in some cases lead to a loss of ownership and sense of community, which in turn affects the group ability resolve issues.
- The Nature Conservation related issues have too little time and focus. Previously, HABITAT meetings were four-day meetings once a year. In the current structure, they last for a day twice a year. This results in too much repetition instead of the forward momentum.
- Some of the meeting documents, in particularly HOLAS documents, have been discussed at a number of meetings back to back, increasing workload of national experts.
- HOLAS has taken up the majority of time in the joint sessions in the past meetings. The result is that other relevant issues are no longer discussed in the joint sessions.
- However, State & Conservation is a step towards ecosystem based management in the HELCOM region and served its function well in order to deliver the HOLAS II report. Furthermore, the structure of the group has a future potential to deal with questions along the pressures to state to measures.

The group identified possible solutions to some of the issues:

- A flexible group structure depending on issues – a more dynamic approach to the meeting setup with the possibilities to shift the focus between meetings could solve part of the problems. One suggestion would be to have one meeting per year focusing on nature-related issues and the related joint items and the other meeting focusing on monitoring and assessment items and related joint items. The risk of this approach is that it could lead to the development of two separate groups.
- Another suggestion is to rethink meeting structure, for instance by using drafting groups better during the day to work on a topic can lead to a new dynamic in the group and a new approach to the work.
- The group suggests a flexible structure to the meetings, which could be organised through the work plan for the meetings. By developing a work plan, which contains both a detailed two-year plan and a looser six-year overall structure for HELCOM State and Conservation tasks, each meeting can be planned based on the priorities in the work plan. A timetable of future work, and what issues to focus on in a given year, is directly linked to the timetables of the existing policies, notably BSAP and its update, and MSFD cycles for the Contracting Parties being EU member states. Mapping specific tasks for the group against these timetables and needs well in advance will facilitate longer-term planning in the group (the next work plan is scheduled to be discussed at the next S&C).

- Better connectivity with the Pressure group could be achieved by merging some underlying expert groups, for instance, the eutrophication groups so that they cover both state assessment and load compilation. Through this approach, pressures and state issues can be discussed together. The expert groups must provide feedback to both State and Conservation and Pressure, especially In Eutrophication, EN DREDS, EN Hazardous substance.
- The group suggests to arrange thematic workshops (joint meetings of the groups) devoted to specific topics (e.g. underwater noise, litter, etc.) to cover all aspects from pressures to state, impact on biota and measures.
- Some contracting parties prefer for the current group to be reverted to separate Nature and Monitoring groups similar to the previous setup. Other countries feel that this would lead to a further loss of overview and loss of a platform for synergistic work.