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Background

This document contains **the first part** of the proposal for streamlining of HELCOM, covering strengths and challenges of HELCOM and possible solutions to meet the challenges, recommendations for establishing and implementing priorities as well as for improved work flows. It is based on document 3-3, HELCOM HOD 45-2014, and reflects the decisions of HOD 45/2014, additional comments received by the Contracting Parties (Finland and Sweden) by 12 February 2014, and fine-tuning by the Secretariat.

The second part of the proposal will concern the working structure and will be submitted to the Meeting as a separate document.

HELCOM HOD 45-2014 regarding the first part of the streamlining outcome (paragraphs 3.28-3.37, 3.53-3.54):

The Meeting considered the outcome of the Task Group on Streamlining as contained in document 3-3. The work of the Task Group has been carried out according to HOD 40/2013 decision to carry out the second step of HELCOM streamlining concerning the working structure. The Task Group consisted of members from six Contracting Parties – Germany, Denmark, European Union, Finland, Russian Federation and Sweden, in addition to the Secretariat. The membership has been open to all Contracting Parties.

The Meeting took note that Russia, Poland, Latvia and Estonia would need additional time to comment the outcome in document 3-3 in more detail. Denmark informed that they consider the conclusions as initial outcome.

The Meeting supported the structure of the document 3-3 and agreed that it should form the basis for finalizing the work, clarifying that the possible solutions in the first part of document should be seen as a catalogue of possible actions, not as a definite selected set of actions. The Contracting Parties provided their general comments to document.

The Meeting agreed to divide the document 3-3 into two parts, first one covering Introduction, Strengths and Challenges of HELCOM, Prioritization and major future deliverables and tasks for HELCOM as well as recommendations for improved work flows, and the second part – a proposal for a working structure.

The Meeting considered the need to map all relevant issues that require to be addressed by HELCOM with a view not to lose them when establishing new groups and welcomed the offer by the EU to send such initial mapping to the Secretariat for its further development and submission to HELCOM 35-2014.

Meeting tasked the Secretariat to add an introductory text on the principles and priority areas of the BSAP to the first part of the streamlining outcome. The Meeting invited the Contracting Parties to send their comments in writing to the Secretariat by Wednesday 12 February 2014 noon, after which the Secretariat will reflect these proposed changes and submit the document for consideration by HELCOM 35-2014. In case the Contracting

Parties are not able to provide comments by the given deadline, they should provide their written comments to the document prior HELCOM 35-2014.

The Meeting considered and supported the recommendations for improving work flows (document 3-3) and commented that they should be fine-tuned to check against the identified challenges, and have focus on subsidiary bodies and expert groups, not limited to projects. The Meeting found it especially useful to have a common template for ToR/working programmes. The Secretariat has been requested to further work on the recommendations to be included in the first part of the streamlining submission to HELCOM 35-2014.

The Meeting suggested that explanation should be added that the first part of the streamlining submission that the described challenges addresses overall challenges in HELCOM work and go beyond administrative matters, while the proposed working structure (second part of the submission) is to provide solutions to administrative questions.

HELCOM HOD 45-2014 regarding the cooperation with other organizations (paragraphs 3.13-3.23):

Meeting welcomed and supported the proposed way forward to strengthen cooperation with OSPAR, Bonn Agreement, Black Sea Commission and ICES, and the outline of concrete areas where cooperation could be pursued (cf. document 3-5). The Meeting referred to the Copenhagen Ministerial Declaration and one of the agreed approaches to use limited resources effectively in further aligning the implementation of the ecosystem approach by better drawing on synergies between the work HELCOM, other relevant international organizations, including Regional Seas Organizations, and the MSFD Common Implementation Strategy as well as the EU Strategy for the Baltic Sea Region.

The Meeting noted that increased cooperation is also associated with additional coordination tasks and that also in the area of collaboration prioritization has to be made. Further, a consideration should be given which are the concrete outputs and gained synergies that can be achieved.

The Meeting noted that for natural reasons the cooperation between HELCOM and OSPAR is more active than with the other RSCs. The Meeting also noted the proposal to reconsider the possibility of arranging a joint HELCOM/OSPAR Ministerial Meeting.

Regarding the cooperation of HELCOM with the Black Sea Commission (BSC), the Meeting noted the successful cooperation in the Baltic2Black project. While there are benefits of sharing experiences between the two regions in the work towards good environmental status, a consideration should be given, including to available resources, to how such cooperation should be best organized, for instance through involvement of interested countries. The Meeting took note of the suggestion by Poland referring to potential areas of cooperation with Black Sea not only in MSFD-related work, but also regarding nutrient pollution and chemical munitions. The Meeting also took note of the comment by Russia, being a member of the Black Sea Commission, that the issue of chemical munitions has never been discussed in the meetings of BSC, and that there eutrophication is of different nature as is the economic situation. The Meeting recognized that there are possible areas of cooperation with the Mediterranean Sea region, e.g. in marine litter, response to pollution accidents, etc.

The Meeting welcomed the information by the EU on further financing opportunities for extending the cooperation between RSCs. The examples of work across the regions that could be supported are compatible data systems between HELCOM and OSPAR as well as areas that could be identified as a result of possible revision of the EC Decision on GES.

The Meeting pointed to the benefits of activating HELCOM's cooperation with UNEP Regional Seas Programme, including utilising UNEP experiences, e.g. in Marine Litter/Debris Programme under the Global Programme of Actions.

The Meeting encouraged cooperation with ICES, but also pointed out that the Contracting Parties to HELCOM are member countries in ICES and as such should be active to ensure that the work in ICES supports the needs of HELCOM.

The Meeting supported the following, more systematic approach to make closer cooperation with other organizations operational:

- regular updates on HELCOM developments to the MSFD CIS,

- *establishing a regular exchange of information on meetings and deliverables and their timetables with other RSCs and ICES,*
- *requesting HELCOM subsidiary bodies and experts groups/projects to regularly map relevant processes outside HELCOM into their working programmes and plans, and seek synergies with the work in these other fora,*
- *requesting subsidiary bodies, expert groups/projects to appoint countries' rapporteurs/ project managers/chairs to attend relevant meetings outside HELCOM to share HELCOM knowledge and information and utilize others' work (for OSPAR experts from Germany, Denmark and Sweden could serve as liaison persons between the two conventions),*
- *the Secretariat and chairs to invite other RSCs and ICES representatives to attend the meetings with agendas of common interest to exchange information/plan joint developments.*

The Meeting invited OSPAR to consider the proposed ways and areas of cooperation with HELCOM and took note of the information by the Executive Secretary on the invitation to OSPAR to attend the next GEAR meeting in order to further explore specific themes that could be suitable for cooperation, also taking into account the activities outlined in the HELCOM Roadmap.

Action required

The Meeting is invited to consider and endorse in general the directions and solutions for streamlined HELCOM activities contained in the document, and more specifically:

- recognize the strengths and challenges of HELCOM,
- agree on possible solutions to meet these challenges,
- endorse the recommendations for establishing and implementing priorities in HELCOM, also taking into account document 3-1 with the Roadmap of HELCOM activities on ecosystem approach,
- endorse the recommendations for improving the work flows in HELCOM,
- request the Secretariat and the Contracting Parties to start implementing the solutions and recommendations, and decide to follow-up on the implementation at the next meeting of the Heads of Delegations.

1. Introduction

The streamlining process has been initiated in 2012 in order to better prepare HELCOM to cope with increasing changes in marine and maritime governance, to maintain and strengthen the inter-linkage with other international frameworks, and to ensure forward-looking and focused agenda well reflecting priorities of the Contracting Parties. The streamlining will lead to more efficient HELCOM and better use of limited resources to more effectively address the identified challenges of the Baltic Sea

The first step of streamlining has already been taken. HELCOM GEAR Group on the Implementation of the Ecosystem Approach has been established with a specific role to combine efforts and enhance synergies of national, regional and EU efforts for the implementation of marine environment policies in the Baltic Sea.

The Roadmap of HELCOM activities on ecosystem approach provides an outline and timetable for major HELCOM's activities and deliverables until 2021 and serves as a tool for the Contracting Parties in planning and coordinating the various activities in HELCOM, also in relation to the work of other organizations and on European and global level.

The existing working methods and tools have been fine-tuned to provide better possibilities to the Contracting Parties for preparations and consultation prior to the meetings and smoother decision-making process. This included new practice for scheduling the meetings, increased use of tele- and video conferencing, and a new deadline for submission of meeting documents with refined format of cover pages. New HELCOM website has been launched and modernization of the HELCOM meeting portal is soon to be finalized.

The second step of streamlining is being undertaken. In this process it has been clarified that the current rules and division of responsibilities of the Helsinki Commission and Heads of Delegation meet the needs of the Contracting Parties and the purposes of the Convention. Further, the lessons learnt from running projects under the HELCOM umbrella have been discussed. More systematic approach to "operationalize" the closer cooperation with other organizations, such as OSPAR and ICES, has been agreed, and HELCOM input to MSFD Common implementation Strategy has been provided, to better draw on synergies between the work of Regional Seas Conventions, and between regional and European level.

The further pages describe the overall strengthens and challenges of HELCOM and possible solutions to meet these challenges. Some of the solutions have already been followed as briefly described above. For some others specific recommendations are put forward: for establishing and implementing priorities and for improving the work flows.

Some of the challenges remain to be addressed: a new working structure of HELCOM is under preparation, which is covered in a separate document. And lastly, some of the proposed solutions will require follow-up consideration and actions.

HELCOM's core role is to support the common policy development for the protection for the Baltic in relation to other emerging international legal obligations that increasingly influences the prioritization and content of the implementation processes by the Contracting States, based on reliable and timely monitoring, data management, source apportionment of loads, inventories, status assessments, models, etc.

The Baltic Sea Action Plan remains a common regional policy to restore the good environmental status of the marine environment by 2021, and its underlying principles guide the implementation process: the ecosystem-

based approach to the management of human activities, adaptive management, integration of environmental objectives with economic and socio-economic goals and coherence between different policies.

The BSAP jointly identified major environmental problems in the Baltic Sea to be tackled: eutrophication, pollution by hazardous substances, declining status of biodiversity, and impacts from maritime activities.

The following, overall aims for future HELCOM have been singled out to scope the streamlining efforts:

- **FOCUS.** HELCOM structures, scope of action and working efforts should be concentrated on the most important issues where HELCOM's involvement has a clear value added to the Contracting Parties in relation to their other ongoing processes and existing cooperation schemes. It is not necessary for HELCOM to address all issues at the same time with the same intensity. For increased focus of HELCOM work, it is necessary to prioritize the number of issues to be dealt with, keeping in mind the ecosystem approach which is at the heart of the Baltic Sea Action Plan.
- **ENSURING COUNTRY OWNERSHIP.** The Contracting Parties are clearly responsible for implementation of the Helsinki Convention, but ineffective implementation of recommendations is undermining the relevance of HELCOM. There are many reasons for this need, including:
 - lack of focus, which do not allow countries to allocate staff, resources or have necessary national consultations with responsible ministries;
 - differing perceptions of the possibilities or needs to prioritise work at expert levels or in projects;
 - too lengthy and complicated documentation for meetings;
 - other important global or regional processes, including in the EU that needs to be taken into account.
- **MORE EMPHAZIS ON REACHING OUT TO OTHER SECTORS AND PROCESSES.** Recently HELCOM has focused on producing and presenting the scientific background information for the policy process in the environmental field. It remains essential for HELCOM to continue to provide a solid scientific underpinning to policy making in the Baltic. While this is still necessary, it needs to be complemented by a greater effort to integrate and mainstream marine protection to other policies on national and regional level and to involve the economic sectors and stakeholders in the implementation process. The EU Strategy for the Baltic Sea Region (EUSBSR) is a process which should be used for this purpose. HELCOM should to a greater extent incorporate social and economic considerations into its environmental assessments. HELCOM should increasingly address obstacles behind delayed implementation and action.
- **COORDINATION WITH OTHER PROCESSES,** in particular other Regional Seas Conventions and the EU legislation is crucial for avoiding overlapping, increased harmonization and possible simplification and efficiency gains at national levels. In this regard it is important to identify phases in planning and developing activities which are suitable for joint efforts, such as through Roadmap of HELCOM activities on ecosystem approach identifying clear deliverables, processes, deadlines and processes to implement it. Synergies with processes outside HELCOM, but relevant to the marine environment (IUCN, ICES, OSPAR, EUSBSR, etc.) should be pursued whenever relevant, with the view to benefit from the most relevant expertise and avoid duplications.

In order to address these focal themes, strengths and challenges of HELCOM have been identified.

2. Strengths and challenges of HELCOM

Strengths:

1. HELCOM provides a unique platform for developing regionally coordinated and coherent approaches and solutions needed to achieve good environmental status of the Baltic Sea; all coastal countries act on an equal footing.
2. Added value of working together regionally: pooling resources offers potential for reducing workload on national level and improved cost-efficiency.
3. Solid scientific basis supporting decision-making and HELCOM work, including data collection covering the whole region.
4. HELCOM contributes to fulfilling global and European commitments (UN, Rio+20, CBD, IMO, MSFD CIS, etc.) and is well connected to marine organizations outside the region, and utilizes, as well as shares knowledge, solutions and experiences with other frameworks e.g. Regional Seas Conventions and Action Plans.
5. HELCOM has been able to work under tight deadlines and respond to a number of emerging needs with targeted products thanks to *ad hoc* processes, experts groups and projects.
6. Nowadays HELCOM directly engages some sectors (agriculture, fisheries, spatial planning) in the work to implement the Helsinki Convention in addition to maritime sector and navies/coastguards involved in HELCOM work from its start, and serves/facilitates cross-sectorial consultations on regional level (with the sensitivities and hurdles common to cross-sectorial cooperation).
7. Longer-term planning of major processes and deliverables has started (Roadmap of HELCOM activities), including in the fields of monitoring, assessment, indicators, data and databases, and it has given a start to better streamlining of the work of various groups and projects.
8. An efficient and proactive Secretariat which has been able to absorb the increased work load over the recent years.

Challenges

1. To focus HELCOM's work and outputs on priorities of the Contracting Parties

Lack of prioritization and equally high level of ambition in all fields and for all working items, and a high number of meetings and projects, has led to partial loss of focus of HELCOM work, creating a difficulty for the Contracting Parties to follow, contribute, and consult domestically in all these fields – there is a strong need to prioritize and further adjust the timetables;

Possible solutions:

- a) Roadmap for HELCOM's work has already been developed; next step is to improve the reporting structures, defining which contributions are needed, from which groups, when; Ensure the mandates of the various HELCOM groups are in line with HELCOM priorities and have clear, time bound objectives which are coherent with the Roadmap.
- b) Policy documents for decisions should be concise and to the point. Long background documentation should normally be avoided as far as possible as main issues cannot be communicated by a huge flow of information.
- c) HELCOM should produce reliable and timely monitoring, data management, source apportionment of loads, inventories, status assessments, models, etc. and present potential options for policy solutions and monitoring implementation.
- d) Target audience for HELCOM's outputs to be better defined and outputs adapted. In principal, HELCOM's work and output should target policy makers and avoid targeting individual stakeholders.

2. To ensure national commitment and that HELCOM work is used at national and regional level

Currently, initiative, participation and contributions by the Contracting Parties to HELCOM work are diminishing due to e.g. too many priorities in HELCOM, decreased resources on national level, redirecting national resources to engagement in the MSFD, high number of meetings, leading to a lack of ownership of deliverables and weak commitment to implement. Poorly utilized lead country and chair roles;

Possible solutions:

- e) Strengthen the role of HELCOM as a policy-maker for regional cooperation in order to increase an ownership by the Contracting Parties and increase visibility and understanding the value of HELCOM's work in the countries.
- f) Establishing under the guidance of HODs a clear and effective monitoring mechanism for the implementation of the HELCOM commitments based on the summaries on the progress and involving all relevant stakeholders that can contribute to the implementation.
- g) More often tasking of the Contracting Parties with elaboration of documents/inputs deemed necessary and strengthen the motivation for involvement of the Contracting Parties in initiatives, including preparing inputs, by laying out the possible benefits and added value of those initiatives, in order to safeguard their proactive involvement and increase ownership as regards deliverables.
- h) Establish longer-term planning for the reporting on actions taken on e.g. implementing HELCOM recommendations, organized theme-wise in response to policy needs.
- i) Develop common understanding of HELCOM's role and approach in agriculture and fisheries, focusing on areas where HELCOM has added value and avoiding duplication of already existing processes, reflected in the working structure.
- j) Strengthen HELCOM's contribution to the implementation of national, and for HELCOM Contracting Parties being EU Member States, EU common policies, legislation, projects and financing.
- k) Draw on synergies between the EU Strategy for the Baltic Sea Region and HELCOM's work to achieve Good Environmental Status of the Baltic Sea by 2021 (e.g. HELCOM Stakeholder Conferences in conjunction with annual Helsinki Commission meetings, clarifying the roles in policy-making and project implementation).
- l) Strengthen efforts regarding activation of funding to support implementation of HELCOM-related activities, i.a. by re-establishing cooperation with International Financial Institutions and other funding sources.

3. To better share the workload

3 a) Partly overlapping and not complementary work at national, HELCOM and European levels, leads to competition for the same human resources and increase of costs. Further strengthen cooperation and synergies with other fora and initiatives such as OSPAR, ICES, CIS MSFD, EU-Russia Dialogue on EUSBSR/ Strategy for Socio-Economic Development of North West Federal District of Russia, and the EU Strategy for the Baltic Sea region, as appropriate, to better support HELCOM's work;

3 b) Lead countries/parties role should be better utilized to coordinate and steer processes.

Possible solutions:

- m) Clear definition of the type and timing of input needed from processes outside HELCOM, with a view to avoid duplication and benefit from state of the art expertise.
- n) Joint working groups/meetings/outputs with other bodies, in particular OSPAR, should be considered.

- o)** To enter into a dialogue with ICES to better use its' potential to support scientifically the work of HELCOM.
- p)** Targeted contribution to relevant processes outside HELCOM, such as, but not limited to, the Russian Maritime Doctrine and the EU MSFD.

4. To improve the use of scientific advice as the basis for decision-making and to better reach out to sectors and use science-based input to interact with (propose, monitor, evaluate) sectorial policies

The scientific-technical bodies have the challenge to effectively communicate technical information and provide policy-relevant inputs to HoDs e.g. they refrain from concluding on scientific findings and subsequently making management proposals; The scientific inputs from the expert bodies should be such that it enables the HoDs to take informed decisions;

The emerging international legal frameworks that has come into play during the last couple of decades, has made it increasingly difficult to directly transpose advice from the expert groups into managerial decisions. There is a need to consider how to match expectations from expert groups with the constraints managers need to take into account before decisions can be made.

Possible solutions:

- q)** Better and timelier coordination on policy issues at national level.
- r)** Transparent, timely and efficient reporting and presentation of monitoring data to improve the quality of HELCOM's assessments and modeling work.
- s)** More emphasis on communication – less issues raised, but more visibility!
- t)** Introduce top down elements in the very bottom up processes of HELCOM, including by clarifying the mandates of the groups and the deliverables they are asked to provide.
- u)** Consider to add a level between the strictly technical bodies in HELCOM and the managerial bodies (HODs) in order to facilitate transmission of scientific information, and decision making.
- v)** Find a creative approach to identify, point out, exchange experiences, and propose ways forward on emerging marine environmental issues, such as acidification.

5. To clarify and improve reporting lines

In few cases different groups are dealing with the same issue without clarity about the main responsibility resulting in overlapping document submission and triggering national consultations a number of times on the same issue; it is difficult to trace changes and evolution of an issue through the documentation; the roles and mandates of some subsidiary bodies need to be clarified;

6. To ensure responsiveness of the groups to meet evolving needs

Poor ability by some subsidiary bodies to renew themselves, take up tasks according to the Roadmap of HELCOM activities and to better respond to the needs (e.g. core indicator development, quicker pace of work requiring more frequent communication /meetings), this has also partly resulted in creation of new projects;

Possible solutions:

- w)** HODs need to ensure/keep a balance between work of HELCOM sub-groups and project implementation.
- x)** Capture important topics for the countries into working group discussions, such as in relation to agriculture.

7. To ensure better focus the work of the Secretariat

The Secretariat, especially the professional and assisting staff, have big challenges in keeping up with the increased quantity of work and to maintain the quality.

Possible solutions:

- y) Need to consider how HODs can assist Executive Secretary in securing a realistic balance between the tasks given to the Secretariat and available staff resources, and enable efficient focus of the Secretariat's work.
- z) HoDs to continuously keep the track of priorities setting in order to match activities with existing resources.

3. Recommendations for establishing and implementing priorities in HELCOM

General shortage of resources, pressing deadlines and emerging needs call for stronger prioritization of HELCOM work. This includes consideration of possible issues that, while important, could be dealt with at a later stage.

The Helsinki Convention (1992) provides general obligations in the marine environment protection for the Contracting Parties to implement; the Baltic Sea Action Plan identifies current priorities for environmental protection of the Baltic Sea and the follow-up Ministerial declarations (Moscow and Copenhagen) describe in further detail, or identify new priority actions.

Since resources are limited, if not decreasing, and needs tend to have an increasing trend, there is a need and a scope for HELCOM groups' arranging its work in more prioritized way. **This should be a process driven by the Heads of Delegation.**

Major deliverables and their timelines in HELCOM have been described in the Roadmap of HELCOM activities on ecosystem approach. The Roadmap's deliverables serve as a starting point for setting future-orientated working programmes of the subsidiary bodies. Each subsidiary working group should specify how they can contribute according to the deadlines.

There are at least two ways to prioritize: substance-wise, i.e. what is more important to do than what not and time-wise, i.e., what could we do less often.

Examples of the substance-wise prioritization:

- For monitoring, indicators and assessment, delimitation of the coreset of indicators to an optimal set of what is needed, with the understanding that all Parties commit themselves to their monitoring and updating, and through these activities can also show their activity in regional coordination and cooperation;
- Some synergies can be achieved and duplication of work avoided by sharing the work load on national, regional and international levels, for instance issues covered by non-HELCOM projects, sister organizations or at European level can be identified, with the aim to follow the progress and build on the results by adjusting to the Baltic Sea conditions (existing examples: BIAS project on noise, work on ballast water, dredged material or marine litter in OSPAR).

Examples of the time-wise prioritization:

- Decreasing frequency of meetings of some groups;

- Planning and introducing cycles of work instead of continuously dealing with specific issue: for instance, updating and assessment of Baltic Sea Protected Areas network could be done at agreed intervals (as it is now decided for red listing of habitats and species);
- Less frequent updating of some of the core indicators, where the status is clearly good (GES) or where the indicator values change slowly and/or predictably and the trend is good.

A practical way forward for setting the tasks of the groups according to the forward looking agenda and priorities of the Contracting Parties **is as follows:**

HELCOM/HODs set the need for major deliverables and timeframes, subsidiary bodies should respond to them through implementation of their working programmes, which HODs adopt. When organizing and implementing their work, the subsidiary bodies should:

- undertake on longer-term and adaptive planning towards major milestones and deliverables (based on the HELCOM Roadmap) and carry out shorter-term detailed planning (working programmes)
- focus on policy relevance
- promote positioning of HELCOM among European and global marine policies
- seek synergies with work carried out in other fora e.g. the relevant work undertaken in ICES and OSPAR (e.g. mutual participation of chairs in meetings, Contracting Parties with dual membership to lead the work on same issues in both conventions; see HELCOM HOD 45/2014 agreement on more systematic approach to make the closer cooperation with other organizations operational)

4. Recommendations for improving work flow in HELCOM

- Observe hierarchy of decision-making, e.g. expert groups, subgroups and projects to report to working groups, subsidiary bodies to check for policy implications of intermediate results
- Develop a common format for working programmes of the subsidiary bodies (including a short summary on group's working practices and rules)
- Prepare guidance to chairpersons of the groups to facilitate their work
- For each new project and initiative (e.g. policy document, recommendations, guidelines) a consultation plan will be prepared at the beginning of the process to schedule expected feedback from the Contracting Parties as well as to mandate approval of the final version for releasing
- One responsible actor (Lead subsidiary body/expert group/country/chair/Secretariat) for leading the work on a specific item/deliverable should be clearly defined
- Lighter documentation practices to be applied for *ad hoc* and subgroup meetings (e.g. shorter/simplified minutes)
- Video and teleconferencing should be utilized to a larger extent and at a regular basis; Secretariat should remind of such possibility when setting a new meeting.