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Background

The joint Baltic Sea MSP Working Group was established in 2010 by VASAB (VASAB CSPD/BSR in May 2010) and the Helsinki Commission (HELCOM Ministerial Meeting in May 2010) to provide a forum for the intergovernmental discussions on Maritime Spatial Planning (MSP) in the Baltic Sea region.

A report on the activities and key outcomes of the HELCOM-VASAB MSP WG for 2010-2013 were prepared for the 2013 HELCOM Ministerial Meeting[1]. The major achievement in this period were Baltic Sea Broad-scale Maritime Spatial Planning (MSP) Principles[2].

In 2013 the mandate of the WG was extended for 2014-2016 (**Attachment 1**).

The Regional Baltic MSP Roadmap 2013-2020 was adopted by the HELCOM Ministerial Meeting on 3 October 2013 (**Attachment 2**). VASAB Ministerial Conference on 26 September 2014 committed to the implementation of the Roadmap.

The work plan for 2014-2016 has focused on the implementation of the Roadmap. The major achievements in this period are:

- Progress in the field of MSP in individual countries is regularly reported (country fiches[3]). Competent national focal points for MSP for the purpose of transboundary consultation and joint planning are identified by most of the countries;
- HELCOM-VASAB MSP WG continues to be a regional focal point for projects and initiatives on MSP in the Baltic Sea region. This role is facilitated by the fact that the WG is acting as a steering body for the EUSBSR HA Spatial Planning;
- The Guidelines for transboundary consultation, public participation and cooperation have been developed and agreed by the WG and will be submitted for approval by HOD 50-2016 and by VASAB CSPD/BSR;
- The Guideline for the implementation of ecosystem-based approach in MSP has been developed and agreed by the MSP WG and will be considered by the State and Conservation WG before forwarding for approval by HOD 50-2016;
- A HELCOM-VASAB Workshop on MSP and ecosystem approach is planned for week 47 in November in Riga, kindly offered to be organized by Germany;

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[1] http://www.helcom.fi/Documents/Ministerial2013/Associated%20documents/Background/Joint%20HELCOM-VASAB%20MSP%20WG%20Report%202010-2013.pdf

[2] HELCOM Recommendation 28E/9 on development of broad-scale marine spatial planning principles in the Baltic Sea area http://www.helcom.fi/Recommendations/Rec%2028E-9.pdf

[3] http://www.helcom.fi/action-areas/maritime-spatial-planning/country-fact-sheets

- Baltic Sea Region MSP Data Expert Sub-group has been established by HELCOM 36-2015 (3-4 March 2015) and VASAB CSPD/BSR on 3 March 2015 and reaffirmed by 69th VASAB CSPD/BSR meeting on 25-26 May 2015 as a sub-group to the joint HELCOM-VASAB MSP Working Group for a period of two years, i.e. until the end of 2016[4]. The aim of the sub-group is to support data, information and evidence availability for MSP processes with regard to cross-border / trans-boundary planning issues to ensure comparability of maritime spatial plans in the Baltic Sea Region. The specific task is to work out minimum requirements for data sharing in MSP, which is a major activity that will not be finalized in 2016.

Both HELCOM and VASAB have been granted observer status to the EU Expert Group on MSP, thus providing opportunities for and facilitating further information exchange between regional and European levels.

Examples of HELCOM requirements and commitments related to MSP are included in **Attachment 3** as background information.

The outcome of the HELCOM-VASAB MSP WG 12-2016 (24-25 February, Poland) will be reported to the 50th Meeting of the Heads of Delegation.

Action requested

The Meeting it invited to <u>take note </u>of the information.

The Contracting Parties may wish to use the document as background information when presenting their preliminary views on prolongation of the MSP WG and possible working topics for future.

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[4] Terms of Reference:
http://www.helcom.fi/Documents/HELCOM%20at%20work/Groups/MSP/ToR%20BSR%20MSP%20Data%20Expert%20Sub-group.pdf

MANDATE FOR THE JOINT HELCOM-VASAB MARITIME SPATIAL PLANNING WORKING GROUP

1. The Rationale
The Baltic Sea is an important common resource for the Baltic Sea Region countries and further neighbouring countries. It represents an important economic potential and at the same time a vulnerable ecosystem. The current environmental status requires intensive efforts towards stabilisation and improvement. Many sea use conflicts call for a wise management and coordinated introduction of continuous Maritime Spatial Planning (MSP). Development potential for future uses needs to be preserved.

2. Political Context
The HELCOM Baltic Sea Action Plan (2007) commits the HELCOM Contracting Parties to jointly develop by 2010, as well as test, apply and evaluate by 2012, in cooperation with other relevant international bodies, broad-scale, cross-sectoral, MSP principles applying the Ecosystem Approach that reflect the specific conditions and needs in the Baltic Sea Region.

The VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region (2009) has specified concrete activities towards developing the Baltic Sea Region into a European Model Region for MSP.

In its Green Paper on the future Maritime Policy (2006) and its Blue Book/Action Plan "An integrated Maritime Policy for the European Union" (2007), the European Commission has emphasised the need for MSP. In the Communication on a "Roadmap for Maritime Spatial Planning: Achieving common principles in the EU" (2008), the European Commission has outlined relevant issues, steps and principles. The European Union Marine Strategy Framework Directive (EU MSFD, 2008) promotes spatial measures as one of the means to reach Good Environmental Status of European Seas. The EU Strategy for the Baltic Sea Region (2009) has attributed HELCOM and VASAB a prominent role in promoting maritime spatial planning in the region together with other stakeholders.

The "Maritime Doctrine of the Russian Federation to the year 2020" supports cooperation similar to MSP in fields like integrated management of sea resources, conflict resolution, future-oriented use of sea space, research, information, legislation and education.

3. The Joint Working Group and its overall aims
In order to address these challenges the VASAB Committee on Spatial Planning and Development of the Baltic Sea Region (CSPD/BSR) and Helsinki Commission (HELCOM) sets up a joint co-chaired Working Group on Maritime Spatial Planning to ensure cooperation among the Baltic Sea Region countries for coherent regional Maritime Spatial Planning processes. It will:

- Provide a forum for regional, trans-boundary and cross-sectoral dialogue on Integrated Coastal Zone Management and Maritime Spatial Planning -enabling a common approach

- Assist the CSPD/BSR and its member states in implementing the actions decided 2009 in VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region towards the next Ministerial Conference

- Assist HELCOM and its member states to implement the Maritime Spatial Planning relevant actions decided in HELCOM Baltic Sea Action Plan 2007 and its follow-up

- Provide Baltic Sea Region countries a platform to discuss the links between relevant International Agreements, EU legal instruments and policies, Baltic Sea Region and national policies,

- Assist the Baltic region in profiling itself as a global and European forerunner in maritime spatial planning

4. Anticipated *Tasks*

In order to achieve these goals the Group will:

- Promote the development of maritime spatial planning in the region and follow up its implementation as outlined in VASAB Long Term Perspective as well as HELCOM Baltic Sea Action Plan and relevant HELCOM Recommendations, including supporting the setting-up of governing structures, legislative basis, transboundary consultations as well as developing concepts for common Maritime Spatial Planning Principles.

- Propose to organize workshops and events as well and information material on maritime spatial planning.

- Follow and examine as well as make use of the outcomes and findings of regional project activities relevant to MSP.

- Promote the development of compatible datasets and information relevant to BSR maritime spatial planning and thus ensure keeping HELCOM GIS and other regional GIS data portals up to date with best available information.

- Prepare decision proposals on Maritime Spatial Planning in the BSR for the forthcoming VASAB Ministerial Conferences and HELCOM Ministerial meetings.

The Group will develop a Work Plan, for adoption by VASAB CSPD and HELCOM HOD.

5. Membership

Participation is open to representatives from relevant ministries or government agencies in all VASAB and HELCOM Member Countries/Contracting Parties as well as for experts delegated by them. The members should be nominated by the Member Countries/Contracting Parties. A representation of all VASAB and HELCOM countries with sea coast is envisaged.

VASAB and HELCOM observers can participate. Other guests, organisations and initiatives from around the Baltic Sea and from other parts of Europe with a substantial maritime spatial planning interest can be invited as observers.

6. Organisation

The Working Group will be jointly co-chaired by a VASAB CSD/BSR chair (nominated by group and adopted by VASAB CSD/BSR) and HELCOM chair (nominated by group and adopted by HELCOM HOD). The two chairs will, with the assistance of both HELCOM and VASAB secretariats, jointly prepare meetings and Agendas for the Working Group.

The Working Group will document its meetings. A concise outcome will be adopted before the end of each meeting. The outcome is agreed by consensus. All meeting documents and the outcome will be made freely available to the public shortly after the meeting trough the HELCOM and VASAB websites.

Meetings will take place up to three times a year. The Group may change the frequency of meetings according to need. In addition to meetings, exchange of e-mails will be used for intersessional work. The Group will send its outcomes and progress reports for approval both to the CSPD-BSR and HELCOM, including proposals for creation of sub-groups. The working language is English.

7. Timeframe
The Mandate of the Group is valid for three years from 2014. The Group may request a prolongation jointly from the CSPD/BSR and HELCOM.

8. Resources
Costs for the participants including travel costs to meetings will be covered by the delegating institutions. Direct costs for meetings will be borne by the host country if not arranged within HELCOM or VASAB Secretariat premises. Staff support from the VASAB and HELCOM Secretariats will be provided for technical support (e.g. preparation of meeting documents including minutes, registration of participants, etc.) and Secretariat attendance at meetings.

Adopted by the HELCOM Ministerial Meeting on 3 October 2013. VASAB Ministerial Conference on 26 September 2014 committed to the implementation of the Roadmap.

REGIONAL BALTIC MSP ROADMAP 2013-2020

PREAMBLE

AWARE of the high and rapidly increasing demand for maritime space and increasing multiple pressures on marine environment and resources.

RECALLING the HELCOM-VASAB Baltic Sea Broad-scale Maritime Spatial Planning Principles adopted by HELCOM and VASAB CSPD in 2010.

NOTING that the MSP Principles have been tested in 2010–2012 through projects, and that they have proven relevant and well suited.

RECOGNIZING the valuable work done by the HELCOM-VASAB MSP WG since 2010 as a regional Baltic Sea platform on Maritime Spatial Planning.

TAKING NOTE of the implementation of the HELCOM Baltic Sea Action Plan, VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region (LTP), the EU Marine Strategy Framework Directive, the EU Strategy for the Baltic Sea Region and of the EU Integrated Maritime Policy and its goals of blue growth as well as the proposal by the European Commission for a Directive of the European Parliament and of the Council on establishing a framework for maritime spatial planning and integrated coastal management (COM 2013 133 final), without prejudice to the outcome of the ongoing negotiations.

AWARE that the Baltic Sea countries are currently at a different stage of advancement in maritime spatial planning.

CONFIDENT that this roadmap will support the achievement of a wide range of HELCOM and VASAB goals and policies relevant to the Baltic Sea including VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region and HELCOM Baltic Sea Action Plan.

AWARE on the potential need for future revisions of the timetable indicated in this roadmap due to ongoing regional and European processes.

GOAL

Will make every effort to draw up and apply maritime spatial plans throughout the Baltic Sea Region by 2020 which are coherent across borders and apply the ecosystem approach.

NECESSARY STEPS

The following steps are perceived as necessary:

1. Intergovernmental cooperation on MSP

1.1 Cooperate in the field of MSP using *inter alia* the HELCOM-VASAB MSP WG framework and thus facilitate reaching the target of drawing up and implementing transnationally coherent Maritime Spatial Plans applying the ecosystem approach throughout the region by 2020.

1.2 Take into consideration and cooperate upon global and European policy and regulatory developments related to MSP.

1.3 Draft and adopt by 2015 Baltic Sea regional "*Guidelines on transboundary consultations and cooperation in the field of MSP*". These guidelines could address the initiation of the process, consultations, cooperation, institutional arrangements and time schedules as well as possibilities for preparing joint transboundary MSPs.

1.4 Coordinate the MSP related actions and projects, including those implemented within the framework of the EU Strategy for the Baltic Sea Region and its Action Plan, noting the role of HELCOM and VASAB as the Horizontal Action Leaders for MSP.

2. Public participation

2.1 Draft and adopt by 2015 Baltic Sea regional "*Guidelines on public participation for MSP with transboundary dimensions*". These guidelines should address means of public consultation and transparency of information.

3. Ecosystem approach in MSP

3.1 Draft and adopt by 2015 procedurally oriented Baltic Sea regional "*Guidelines on the application of Ecosystem Approach in transnationally coherent MSP*".

4. Information and data for MSP

4.1 Identify by 2013 competent contact points for MSP for the purpose of transboundary consultation and joint planning.

4.2 Share basic, relevant and available MSP related information as soon as possible.

4.3 Promote the creation and sharing of MSP relevant Baltic Sea regional datasets.

4.4 While creating and sharing MSP related information and datasets utilize existing processes for sharing of spatial information including, for those Baltic Sea States who are EU member states, the implementation of the EU INSPIRE Directive (2007/2/EC).

4.5. Prepare a future oriented report by 2015 on marine and maritime activities and developments of Baltic Sea regional importance.

5. Education for MSP

5.1 Promote the education and professional development of MSP planners.

5.2 Initiate and draw lessons from practical sub-regional experiences of coherent MSP to try out guidelines and joint regional working practices.

6. National and Baltic Sea regional frameworks for MSP in place

6.1 National frameworks for coherent MSP are in place in all Baltic Sea countries by 2017.

6.2 Apply by 2018 Baltic Sea regional "Guidelines on transboundary consultations and cooperation in the field of MSP".

6.3 Apply by 2018 Baltic Sea regional "Guidelines on public participation for MSP with transboundary dimensions".

6.4 Apply by 2018 Baltic Sea regional "Guidelines on the application of Ecosystem Approach in transnationally coherent MSP".

7. Evaluation and follow-up

7.1 Take further steps related to regular monitoring and evaluation needs of MSP.

7.2 Update the Roadmap, if necessary, in 2014 after HELCOM and VASAB ministerial meetings and assess the implementation of this Roadmap 2016, 2018 and 2020.

Summary timetable

Step	Deadline
Share basic, relevant and available MSP related information utilizing existing processes.	As soon as possible.
Promote the creation and sharing of MSP relevant Baltic Sea regional datasets.	As soon as possible.
Promote the education and professional development of MSP planners.	As soon as possible.
Initiate and draw lessons from practical sub-regional experiences of coherent MSP.	As soon as possible.
Identification of competent national MSP contacts (focal points).	2013
Baltic Sea regional "*Guidelines on the application of Ecosystem Approach in transnationally coherent MSP*" adopted.	2015
Baltic Sea regional "*Guidelines on transboundary consultations and cooperation in the field of MSP*" adopted.	2015
Baltic Sea regional "*Guidelines on public participation for MSP with transboundary dimensions*" adopted.	2015
Prepare a future oriented report on marine and maritime activities and developments of Baltic Sea regional importance.	2015.
Assessment on the implementation of this Roadmap.	2016, 2018 and 2020
National frameworks for coherent MSP in place.	2017
Apply Baltic Sea regional "*Guidelines on the application of Ecosystem Approach in transnationally coherent* MSP*".	2018
Apply Baltic Sea regional "*Guidelines on transboundary consultations and cooperation in the field of MSP*".	2018
Apply Baltic Sea regional "*Guidelines on public participation for MSP with transboundary dimensions*".	2018
Maritime spatial plans throughout the Baltic Sea Region which are coherent across borders and apply the ecosystem approach.	2020

Attachment 3   Examples of HELCOM requirements and commitments related to MSP

2013 HELCOM Ministerial Meeting, Copenhagen

- Regional Baltic Maritime Spatial Planning Roadmap 2013 was adopted,
- the Section "Maritime Spatial Planning applying the Ecosystem approach" was included:

1 (MSP). NOTING that the Baltic Sea countries are entitled to establish a legal regime for Maritime Spatial Planning throughout their Internal Waters, Territorial Sea and Exclusive Economic Zones; WE AGREE to put national frameworks for coherent Maritime Spatial Planning (MSP) in place by 2017 reflecting HELCOM-VASAB MSP principles, including the ecosystem approach, taking into account the relevant EU policy instruments for the Baltic Sea countries being EU Member States;

2 (MSP). FURTHER AGREEING that the ultimate goal is to draw up and apply maritime spatial plans throughout the Baltic Sea region by 2020, which are coherent across the borders and applying the ecosystem approach, WE DECIDE to continue the work towards reaching common understanding and adopting guidelines on ecosystem approach, transboundary consultation and co-operation as well as public participation in the MSP framework according to the Regional Baltic MSP Roadmap 2013-2020;

3 (MSP). WE WELCOME the progress made within the joint HELCOM-VASAB MSP Working Group since 2010 and SUPPORT the continuation of the HELCOM co-operation with VASAB and the role of the joint MSP Working Group to utilize the full potential of the EU Strategy for the Baltic Sea Region and to serve transboundary and cross-sectorial co-operation and consultation;

4 (MSP). WE ENCOURAGE the development of effective and efficient exchange of experience and knowledge from all relevant disciplines taking into account the results from Maritime Spatial Planning practices and projects;

2010 HELCOM Ministerial Meeting, Moscow

WE ALSO AGREE

- that Maritime Spatial Planning (MSP), using as an overarching principle the ecosystem approach, should be developed for the different Baltic Sea areas in close transboundary cooperation with the aim of having long-term sustainable management and planning for the whole Baltic Sea;

AGREE

- to establish a joint, co-chaired HELCOM-VASAB Working Group on Maritime Spatial Planning which will develop and adopt its terms of references by 2010, in this way also enabling coordination and integration of the MSP related actions and projects implemented within the framework of the EU Strategy for the Baltic Sea Region and its Action Plan so that these reflect and address the goals and targets of the Baltic Sea Action Plan;

ASK

- the joint HELCOM-VASAB Working Group to finalise, for adoption by HELCOM and VASAB in 2010, a set of joint HELCOM-VASAB broad-scale transboundary Maritime Spatial Planning principles based on the document on Maritime Spatial Planning;

AGREE

- to test, apply and evaluate the use of these joint principles when developing national Maritime Spatial Planning initiatives, as well as regionally;

2007 HELCOM Ministerial Meeting, Krakow

WE AGREE to jointly develop by 2010, as well as test, apply and evaluate by 2012, in co-operation with other relevant international bodies, broad-scale, cross-sectoral, marine spatial planning principles based on the Ecosystem Approach:

- whereby all Contracting Parties and relevant HELCOM bodies shall co-operatively participate;
- thereby giving guidance for the planning and ensuring the protection of the marine environment and nature, including habitats and seafloor integrity;
- securing sustainable use of marine resources by reducing user conflicts and adverse impacts of human activities,

WE NOTE in this respect the results of the INTERREG-IIIB BALANCE Project related to spatial planning,

To this end **WE ADOPT** HELCOM Recommendation 28E/9 on development of broad-scale marine spatial planning principles in the Baltic Sea area.

Examples of HELCOM Recommendations

The earliest perhaps most detailed Recommendation addressing sustainable use of the Baltic Sea in a comprehensive way is **HELCOM Recommendation 24/10** (2003), "Implementation of integrated marine and coastal management of human activities in the Baltic Sea area". It requires the Contracting Parties:

- to identify laws and regulations of relevance for the use and protection of marine areas and, the authorities responsible for their implementation (governmental, sub-national or municipal sector official
- to identify interacting and/or conflicting interests, obligations and activities of private and public stakeholders. This can for example be carried out following the DPSIR concept;
- to develop criteria, standards and guidelines that are needed for integrated management of human activities by sector authorities, as well as development of practical and applicable ways to share responsibility for plan management, implementation and enforcement;
- to identify the major planning and management issues for human activities in offshore areas;

- to identify data gaps and gaps in knowledge that may impede planning and management of human activities in offshore areas, e.g. lack of spatial data on marine and coastal biodiversity (distribution of habitats and species) and natural resources, use of land and water areas, demography, traffic, oil transport, etc., as well as problems connected with access to data;

- to set up and carry out a scheme to fill in the identified data and knowledge gaps, e.g. by inventories and mapping of biodiversity (e.g. habitats and species) and resources, analysis of existing data or sharing experiences between authorities and stakeholders;

- to improve assessments of the status of biodiversity and of impacts of human activities on the marine and coastal environment.

HELCOM Recommendation 28/9 (2007) on development of broad-scale marine spatial planning principles in the Baltic Sea Area, requires to:

- jointly develop the marine and coastal broad-scale spatial planning common principles to facilitate protection and sustainable use of the Baltic Sea

- fill in data gaps in spatial data e.g. on marine and coastal biodiversity, natural resources, use of land and water areas, demography, traffic, shipping;

- develop joint solutions to the problems associated with access to spatial data;

- provide HELCOM and other relevant parties with the necessary spatial data for marine and coastal broad-scale spatial planning;

- identify and map interacting and/or conflicting interests, obligations and uses of the sea, primarily to broaden the HELCOM GIS as a data source and an effective tool to be used in marine broad-scale spatial planning.

HELCOM Recommendation 34E-1, "Safeguarding important bird habitats and migration routes in the Baltic Sea from negative effects of wind and wave energy production at sea" requires the Contracting Parties to, inter alia,

"a) continuously compile and exchange information on existing, on-going as well as planned developments for wind energy facilities and wave energy installations in the Baltic Sea Area and well as on migration routes and staging areas of birds in the Baltic Sea Area

b) jointly assess cumulative impacts of wind energy facilities and wave energy installations in the Baltic Sea Area on birds, including risks of collisions and adverse effects to migration routes,

c) enable appropriate planning of the use of marine space that incorporates conservation need of seabirds in the Baltic-wide context thus contributing to reaching their favourable conservation status…"

Other HELCOM recommendations of particular relation to MSP:

HELCOM Recommendation 36/2 (2015) "Management of Dredged Material" recommends that the Contracting Parties follow the HELCOM Guidelines for Management of Dredged Material at Sea and report on the national data on management of dredged material.

HELCOM Recommendation 35E/1 (2014) "System of coastal and marine Baltic Sea protected areas (HELCOM MPAs)" requires Contracting Parties individually and jointly to take all appropriate measures to step up efforts to establish an ecologically coherent and effectively managed network of coastal and marine Baltic Sea protected areas (HELCOM MPAs), that also contributes to fulfilling other legal commitments, such as obligations of the CBD and EU legislation and policies.

HELCOM Recommendation 32-33/1 (2011) "Conservation of Baltic Salmon (Salmo salar) and Sea Trout (Salmo trutta) populations by the restoration of their river habitats and management of river fisheries" recommends Contracting Parties to take urgent measures for the recovery of the original salmon and sea trout populations being convinced that that effective conservation and development of the populations requires targeted management and restoration measures in the riverine habitats that complement and support measures in the marine area.

HELCOM Recommendation 31E/5 (2010) "Mutual plan for places of refuge in the Baltic Sea area" recommend Contracting States to cooperate when providing a place of refuge for a ship in need of assistance in order to avoid unnecessary risk for the ship and the environment.

HELCOM Recommendation 21/4 (2000) "Protection of heavily endangered or immediately threatened Marine and Coastal Biotopes in the Baltic Sea Area".

HELCOM Recommendation 21/3 (2000) "Sustainable and Environmentally friendly tourism in the Coastal Zones of the Baltic Sea Area" recommends to the Contracting Parties e.g (c) that for the development of large scaled tourist projects such as holiday villages, hotel complexes, large marinas, large camping grounds and golf courses that need new specific infrastructure be preceded by a spatial planning process on national or regional level and be incorporated into, e.g. integrated coastal zone management plans.

HELCOM Recommendation 17/3 (1996) "Information and Consultation with Regard to Construction of New Installations Affecting the Baltic Sea".

HELCOM Recommendation 17/2 (1996) "Protection of Harbour Porpoise in the Baltic Sea Area".

HELCOM Recommendation 15/1 (1994) "Protection of the Coastal Strip".