



OUTCOME OF THE 39TH MEETING OF
BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION
(HELCOM)

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OUTCOME OF THE 39TH MEETING OF BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION (HELCOM)

Introduction

0.1 The 39th Meeting of the Helsinki Commission was attended by all Contracting Parties, by Chairs/Co-Chairs and Vice-Chairs of HELCOM Groups, and the following observer organizations: Baltic Farmers' Forum on Environment (BFFE), Baltic Sea States Subregional Cooperation (BSSSC), Coalition Clean Baltic (CCB), the Federation of European Aquaculture Producers (FEAP), Local Authorities International Environmental Organisation (KIMO International), OSPAR Commission and the World Wide Fund for Nature (WWF). The List of Participants is contained in **Annex 1** to this Outcome.

0.2 The Meeting was chaired by the Chair of the Commission, Ms. Marianne Wenning, European Union.

0.3 The Meeting was opened on Monday, 5 March 2018, at 10:00. The Meeting was held back-to-back with the HELCOM Ministerial Meeting (6 March 2018).

Agenda Item 1 Adoption of the Agenda

Documents: 1-1, 1-2

1.1 The Meeting adopted the Agenda as contained in document 1-1.

Agenda Item 2 2018 HELCOM Ministerial Meeting

Documents: 2-1, 2-2, 2-3, 2-4, 2-5, 2-5-Rev.1, 2-6, 2-6-Rev.1, 2-7, 2-7-Rev.1

2.1 The Meeting took note of the Provisional Programme and Annotated Agenda for the 2018 HELCOM Ministerial Meeting (document 2-3). The Meeting noted that the Ministerial debate will focus on two questions and that participants that wish to do so can address the Declaration in the debate. The Meeting noted that a list of decisions will be prepared for adoption at the meeting, including brief reflections from the Ministerial debate and on the statements by Observers, while a full outcome will be prepared in consultation with the Chair after closure of the meeting.

2.2 The Meeting took note of the invitation by WWF and CCB to a joint side event at the HELCOM Ministerial Meeting (document 2-5-Rev.1) and welcomed all HELCOM Contracting Parties and Observers to attend the event.

2.3 The Meeting took note of the HELCOM report "Implementation of the Baltic Sea Action Plan 2018 – three years left to reach good environmental status" (document 2-1) and noted that it has been submitted as a background document to the Ministerial Meeting. The Meeting took note that Germany will submit to the Secretariat a list of additional voluntary German commitments to the UN Oceans conference to be included in the Annex to the report. The Meeting noted the proposal by Finland to continue the reporting on implementation of the Baltic Sea Action Plan (BSAP) and to further develop the HELCOM Explorer to support the update of the BSAP.

2.4 The Meeting discussed the draft Brussels Ministerial Declaration (document 2-7), elaborated on open issues in paragraphs 6, 8, 15, 16, 17, 31, 37, 38, 39, 40, 41, 42, 46, 52, 54, 55 and 59, finalized the Declaration as included in document 2-7 Rev.1, and agreed to submit the draft Declaration to the HELCOM Brussels Ministerial Meeting for adoption.

2.5 The text regarding quantitative targets to reduce input of litter was discussed in length. Denmark stated that in their view “input of litter” should be understood as the national inputs of litter to ensure that the polluter pays principle is applicable.

2.6 The Meeting considered the proposal for the update of the HELCOM Baltic Sea Action Plan (document 2-6) and adopted the proposal as contained in document 2-6 Rev.1. The Meeting noted that the establishment of the BSAP Task Force was hereby agreed and that its Terms of Reference will be proposed and considered at the next HOD meeting.

2.7 The Meeting considered the contribution provided by OSPAR to the HELCOM Ministerial Meeting 2018 as presented by Ms. Laura Piriz, Chair of the OSPAR Commission, and Ms. Susanna Salvador, Executive Secretary of OSPAR Commission (document 2-2, **Presentation 1**) and the proposal for further collaboration between OSPAR and HELCOM, *inter alia*, in the field of biodiversity, underwater noise, invasive species and marine litter as well as for emerging issues such as climate change and contamination by pharmaceuticals.

2.8 The Meeting welcomed the presentation by the OSPAR Commission and highlighted in particular the cooperation in the implementation of the UN Agenda 2030 for Sustainable Development. The Meeting further pointed out the collection of fisheries data from ICES and assessing potential impacts of fisheries on the marine environment as other examples of collaboration.

2.9 The Meeting took note of the information from Germany on the enhanced national focus on cooperation between RSCs, including a three-year project on the development of a platform for exchange of information.

2.10 The Meeting considered and endorsed the updated content of the current Roadmap of HELCOM activities on ecosystem approach (document 2-4).

2.11 The Meeting took note of the proposal by Finland to add for each activity a reference to the decision for the activity, to include accomplished activities in the annual HELCOM report but not necessarily in the Roadmap, and to check the list of SDGs and agree on which target to address in the HELCOM Roadmap. Finland, furthermore, noted that less resources are allocated to activities under programmes of measures than under other themes and this situation was proposed to be considered by HELCOM.

2.12 The Meeting took note that a major update of the Roadmap will be made to include perspectives beyond 2021, based on the outcome of the Brussels Ministerial Meeting, and that a renewed Roadmap is to be presented at HELCOM HOD 54-2018.

Agenda Item 3 Matters arising from the subsidiary bodies

Documents: 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10

Underwater noise

3.1 The Meeting considered HELCOM input to the process of establishing environmental targets for underwater noise (document 3-5).

3.2 The Meeting took note that the study reservation by Russia remains on the document. Russia is of the view that the need for further scientific knowledge should be stressed in the document and that economic interest should be taken into account.

3.3 The Meeting clarified that the document in its current form already recognizes the need to revisit the document as more knowledge becomes available.

3.4 The Meeting took note that Russia is prepared to approve of the document with some further revisions which will be forwarded to the Secretariat and concluded that the document will be reconsidered at the next meeting of HOD.

HELCOM Recommendations

3.5 The Meeting adopted the revised HELCOM Recommendations 34E/2 (**Annex 2**), 19/10 (**Annex 3**), 10/11 (**Annex 4**), 36/3 (**Annex 5**), 15/1 (**Annex 6**), and 19/3 (**Annex 7**) (document 3-1).

3.6 The Meeting took note that Poland could not agree on the revised Recommendation 24/10 'Implementation of integrated Marine and Coastal Management of Human Activities in the Baltic Sea Area' and invited Poland to clarify the reservation at the next meeting of the State & Conservation Working Group.

3.7 The Meeting decided to withdraw HELCOM Recommendations 2/2, 4/1, 21/1, 21/2, 22E/5, 24/8, 28E/4 and 34E/3 from the list of valid Recommendations (document 3-2).

3.8 The meeting took note and regretted that no further progress has been made to reach an agreement on the draft Recommendation on conservation of Baltic Sea underwater biotopes, habitats and biotope complexes and that the matter will be considered at STATE & CONSERVATION 8-2018.

Nutrient reduction targets

3.9 The Meeting considered the policy message on progress towards nutrient reduction targets (document 3-3).

3.10 The Meeting took note of the information by Germany and Denmark that no solution has been found regarding the formulation of principle 8 of the methodology to reallocate extra nutrient reduction between neighboring sub-basins. The principle 8 states that based on the precautionary approach, extra reductions cannot be used to purposely increase inputs to a sub-basin. The Meeting took note of the position of Denmark that the decision on re-allocation of extra reduction is to be taken by each country nationally, thus Denmark keeps reservation on principle 8. The Meeting took note that Germany is of the view that re-allocation should be allowed in some instance but that this should not affect the nutrient input ceiling to the sub-basins and could only be realized based on the package of principles, including principle 8.

3.11 The Meeting recalled that, based on the 2013 HELCOM Copenhagen Declaration, the re-allocation of extra nutrient reduction is an opportunity and not an obligation and that it is up to the countries if they wish to apply re-allocation. The Meeting agreed that further re-allocation should only be used in the CART follow-up if based on commonly agreed methodology and principles.

3.12 The Meeting agreed to publish the policy message with no re-allocation included and decided that the discussion on principles for re-allocation of extra nutrient reduction will continue in the Pressure Working Group with the aim to resolve the principles during the update of the BSAP at the latest.

HOLAS II

3.13 The Meeting took note of the HOLAS II regional consultation summary (document 3-4). The Meeting acknowledged that the consultation had provided valuable proposals to the report and how it can be improved in the future.

Indicators

3.14 The Meeting adopted the revised secondary threshold value for PBDEs in sediments (document 3-6).

3.15 The Meeting took note of the view of Russia to take into account the Stockholm Convention on POPs in further work to establish thresholds for persistent organic pollutants.

3.16 The Meeting adopted the proposed Zooplankton MSTs indicator threshold for the Gdansk Basin, as an additional sub-basin included in the indicator report and final State of the Baltic Sea report (document 3-7).

3.17 The Meeting took note that a German project is elaborating threshold values for the MSTs indicator and would appreciate the possibility to, together with Poland, bilaterally ensure consistency across adjacent sub-basins.

3.18 The Meeting took note of the outcome of the CBD Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas (EBSAs) in the Baltic Sea, held on 20-24

February 2018 in Helsinki, Finland, as presented by Ms. Penina Blankett, co-Chair of the State and Conservation Working Group (document 3-10). The Meeting noted that the workshop report will be submitted for consideration to the 22nd meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), scheduled for 2–7 July 2018, Montreal, Canada, and subsequently to the 14th meeting of the Conference of the Parties to the Convention (COP), scheduled for 10–22 November 2018, in Sharm El-Sheikh, Egypt.

3.19 The Meeting thanked Finland for the resources and efforts dedicated to carrying out this initiative and for hosting the EBSA workshop.

HELCOM Groups

3.20 The Meeting took note of the information on the progress of work of the HELCOM subsidiary bodies, as well as expert and correspondence groups during 2017 (document 3-8).

3.21 The Meeting acknowledged the good progress that has been achieved in many working areas while recognizing that some activities and topics are lagging behind. The Meeting thanked the Chairs and co-Chairs of HELCOM Working Groups and others involved in subsidiary bodies for the contribution to HELCOM work.

HELCOM projects

3.22 The Meeting took note of the information on the status of HELCOM projects (document 3-9).

3.23 The Meeting recalled the approval by HOD of HELCOM involvement as a partner in new projects under the Baltic Sea Region Programme and more specifically the Interreg Project Platform Call. These project proposals are related to agriculture, Baltic MSP, Clean Shipping, and integrated water management and took note of the information that the proposals were submitted to Interreg on time.

Other issues

3.24 The Meeting took note of the information on the planned HELCOM-BONUS conference “Joint BONUS-HELCOM Conference on Research and Innovation for Sustainability” to take place on 6 November 2018, Copenhagen, and recalled the intersessional decision by the HODs approving HELCOM involvement in new project proposals.

Agenda Item 4 Activities of the Commission during 2017 and contributions to the work of the Helsinki Commission

Documents: 4-1, 4-2, 4-3

4.1 The Meeting took note of the statement by Ms. Monika Stankiewicz, Executive Secretary of HELCOM, on the work of the Secretariat, including her comments and evaluation of the work of the Commission and its subsidiary bodies during 2017 (**Annex 8**).

4.2 Having regard to Rule 11.4 of the Rules of Procedure of the Helsinki Commission, the Meeting agreed that the report “Implementation of the Baltic Sea Action Plan 2018 – Three years left to reach good environmental status “ (c.f. document 2-1) will serve as the annual report on the activities of the Helsinki Commission during 2017, complemented with a general overview of HELCOM activities.

4.3 The Meeting took note that the annual annexes containing information on meetings, personnel and other administrative activities (document 4-3) have been made available in HELCOM Meeting Portal. Contracting Parties are invited to provide comments to the annex by 19 March 2018.

4.4 The Meeting took note of the Civil Society Declaration on Ecosystem Health of the Baltic Sea submitted by CCB (document 4-1) which reflects position of the BSR grass-root environmental NGOs on the state-of-play with implementation of the Baltic Sea Action Plan and the proposed 2018 Brussels Ministerial Declaration.

4.5 The Meeting took note that Russia appreciates the work while the document may not necessarily represent the whole civil society of the region.

4.6 The Meeting took note of the WWF Baltic Sea Action Plan Scorecard 2018 (document 4-2) that assesses the progress by the nine Baltic Sea coastal countries against the Baltic Sea Action Plan commitments.

4.7 The Meeting welcomed the documents from CCB and WWF and expressed appreciation for their contribution to assessing and scrutinizing HELCOM work and took note that they will be made available to the participants of the Ministerial Meeting.

Agenda Item 5 Accounts 2016–2017, budget 2018–2019 and other institutional and organisational matters of the Commission

Documents: 5-1, 5-2, 5-3, 5-4

5.1 The Meeting took note of the Audit Report and the Financial Statement of the Helsinki Commission for the financial period 1 July 2016 to 30 June 2017, as well as of the explanatory memorandum (document 5-1) and officially discharged the accountables from responsibility.

5.2 The Meeting considered and adopted the draft budget for the financial period 1 July 2018 to 30 June 2019 as well as considered and endorsed the draft budget estimate for the financial period 1 July 2019 to 30 June 2020 (document 5-2).

5.3 The Meeting acknowledged that after the web-based PLC water data reporting system has been operationalized, there is no further need for involvement of external services for handling of the annually reported PLC data. The Meeting agreed that this task can be performed by the Secretariat and approved the Executive Secretary to reallocate the resources accordingly.

5.4 The Meeting took note of the information provided by the Executive Secretary that, following an open and competitive recruitment procedure and the approval by the Heads of Delegation, Mr Dominik Littfass, Germany, has been appointed to the post of HELCOM Communication Secretary at the HELCOM Secretariat initially for three years as from 1 April 2018.

5.5 The Meeting took note of the draft priorities of the Finnish HELCOM Chairmanship 2018-2020 (document 5-4) including the focus on leading the update of the Baltic Sea Action Plan, development of a follow-up system for the reduction of nutrient inputs, formulating a regional nutrient recycling strategy, understanding the role of the Baltic Sea in the global carbon cycle, and creating strong links between the UN Agenda 2030 process and HELCOM work.

5.6 The Meeting considered the applications for observer status to HELCOM by Race For The Baltic, Waste Free Oceans Foundation and Baltic Sea Action Group (document 5-3) and granted observer status to these organizations.

5.7 The Meeting took note of the proposals by Germany to consider the principles for HELCOM observer status in the future.

Agenda Item 6 Any other business

Documents: 6-1, 6-2, 6-3

6.1 The Meeting took note of the information by Poland on international cooperation in wastewater management and sludge management in catchment area of the Bug River, which is shared with Ukraine and Belarus (document 6-1).

6.2 The Meeting took note of the information by Poland on the gas infrastructure project Baltic Pipe which includes the construction of a planned offshore gas pipeline from Denmark to Poland (document 6-2).

6.3 The Meeting took note of the UNEP Regional Seas Report and Studies No. 204 “Ocean Policies and Institutional Arrangements for Cross-sectoral Cooperation - Case studies for achieving Sustainable Development Goals”, including the case study prepared by the HELCOM Secretariat “HELCOM cross-sectoral cooperation and partnerships on clean and safe Baltic Sea shipping” (document 6-3). The Meeting thanked the Secretariat for the contribution to the report.

6.4 The Meeting took note of the information by Denmark on errors revealed in measurements of concentrations of nitrogen and phosphorus in Danish waters. Aarhus University and the Ministry of Environment and Food are currently evaluating the magnitude of the erroneous data and the report will be published in the coming months. The Meeting took note that the relevant HELCOM bodies will be informed of the results of the evaluation.

6.5 The Meeting thanked Hermanni Backer for his excellent and dedicated work as Professional Secretary for Maritime, Response and Fish groups. The Meeting appreciated his broad view on the multiple topics on which he has worked at the Secretariat also prior to the post of Professional Secretary, and the sense of aesthetic that he has brought to his work.

6.6 The Meeting thanked Monika Luxem-Fritsch for her valuable contribution as the Head of Delegation for Germany and wished her all the best for the future.

6.7 The Meeting thanked the European Union for excellent arrangements during HELCOM 39-2018.

6.8 The Meeting took note of the statement by the European Union on financing and legislation as included in **Annex 9**.

Agenda Item 7 Next meeting(s) of the Commission

Documents:

7.1 The Meeting decided to arrange the next meeting of the Commission 6-7 or 7-8 March 2019 at the Marina Congress Centre in Helsinki.

Agenda Item 8 Outcome of the Meeting

Documents: 8-1

8.1 The Meeting adopted the Draft Outcome as contained in document 8-1. The Outcome of the Meeting will be circulated to all Contracting Parties and Observers.



Baltic Marine Environment Protection Commission

Helsinki Commission
Brussels, Belgium, 5 March 2018

HELCOM 39-2018

Annex 1 List of Participants

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Annex 2 Revised HELCOM Recommendation 34E/2

Adopted 3 October 2013 and amended 5 March 2018,
having regard to Article 20, Paragraph 1 b)
of the Helsinki Convention

FURTHER TESTING AND DEVELOPMENT OF THE CONCEPT OF EXCHANGE OF VOYAGE PLANS AS WELL AS OTHER E-NAVIGATION SOLUTIONS TO ENHANCE SAFETY OF NAVIGATION AND PROTECTION OF THE MARINE ENVIRONMENT IN THE BALTIC SEA REGION

THE COMMISSION,

RECALLING the 1992 Helsinki Convention and its Article 8 and the Annex IV on Prevention of pollution from ships, including Regulation 1 on Cooperation, Regulation 8 on Improved hydrographic services and promotion of the use of Electronic Navigational Charts (ENC) and Regulation 9 on Use of Automatic Identification Systems (AIS),

RECALLING the Declaration on the safety of navigation and emergency capacity in the Baltic Sea area (HELCOM Copenhagen Ministerial Declaration) of 2001, HELCOM Baltic Sea Action Plan of 2007 (Krakow) and HELCOM Ministerial Declaration 2010 (Moscow), and HELCOM Ministerial Declaration 2013 (Copenhagen) including the commitments to undertake measures to improve mariners' abilities to assess and interpret hydrographic content in nautical charts and publications either in printed or digital form, especially in the Electronic Chart Display and Information System, and to investigate new tools to improve safety of navigation,

RECALLING the United Nations Convention on the Law of the Sea (UNCLOS), 1982, the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended; International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL); Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG), as amended and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) as amended, as well as for HELCOM member states being also EU member states Directive 2002/59/EC of 27 June 2002 establishing a Community vessel traffic monitoring and information system (VTMIS),

RECALLING the International Maritime Organisation (IMO) e-Navigation strategy of 2008, the subsequent work to develop and implement a IMO Strategy Implementation Plan for e-navigation and the ongoing work carried out within the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) e-Navigation Committee on aspects of e-navigation relating to aids to navigation,

RECALLING the relevant HELCOM Recommendations including 23/3 on Enhancing the use of pilots in route T and the Sound by notification to departing ships and establishment of an early warning system, 25/7 on safety of winter navigation in the Baltic sea area; 28E/11 Further measures to improve the safety of navigation in ice conditions in the Baltic sea, including advancing high quality training programmes in navigation in ice conditions; 28E/13 on introducing economic incentives as a complement to existing regulations to reduce emissions from ships, and 33/1 Unified interpretation in relation to access to and use of HELCOM AIS,

NOTING the recent e-navigation related projects carried out in the Baltic region within i.a. the MONALISA, MONALISA 2.0, STM Validation Project, ENSI, EfficienSea, EfficienSea 2 and the Russian e-Navigation Pilot Project in the Gulf of Finland,

RECOGNISING that the Baltic Sea test bed of Sea Traffic Management (STM) is a good start and that the second test phase should begin in 2019 and there is a need to widen the test globally and see to that various initiatives are working in the same direction,

NOTING that e-navigation, as the harmonized collection, integration, exchange, presentation and analysis of marine information, will be defined by IMO onboard and by IALA ashore by electronic means to enhance berth to berth navigation and related services for safety and security at sea and protection of the marine environment,

RECOGNISING the potential of e-navigation in helping to protect the Baltic marine environment from shipborne pollution stemming from collisions and groundings by bringing improvements to navigation safety through the reduction of risk,

RECOGNISING the potential of e-navigation in helping to reduce carbon, sulphur and nitrogen emissions from ships in the Baltic Sea through more efficient vessel handling, and as a monitoring tool helping in introducing economic incentives as a complement to existing regulations to reduce emissions from ships,

RECOGNISING FURTHER the potential of exchange of voyage plans in the Baltic Sea for increased safety of navigation and improved environmental performance as well as for increased competitiveness of environmentally friendly maritime transport without violating international regulations,

WITHOUT PREJUDICE to international agreements and legislation of the Contracting Parties,

RECOMMENDS the Governments of the Baltic Sea countries to further test the concept of exchange of voyage plans, including a legal assessment for example in regard of liability and ownership of a distributed route on the basis of the general practice of the master as the liable person in respect of accepted conventions and regulations, as well as other e-navigation services such as promulgation of Maritime Safety Information (MSI), Notice to Mariners (NM), ship to ship route exchange, Route optimization, Route Cross-checking, Route and port monitoring, Ice routeing, Port call optimization, Port call synchronization, Flow optimization, Facilitated reporting, Pilot route distribution, and efficient exchange of SAR information in the Baltic Sea region,

RECOMMENDS the Governments of the Baltic Sea countries to bring forward/develop concrete solutions suitable for testing and-validating e-navigation services in the Baltic Sea region and to take necessary actions to support the technical developments, including defining the relevant performance and technical standards, and potentially define the regulatory framework,

RECOMMENDS the Governments of the Baltic Sea countries to closely cooperate with the private sector and within international organisations and associations to develop common technical protocol in order to secure an unhampered information flow between ship-ship and ship-shore,

ENCOURAGES the Governments of the Baltic Sea and other relevant parties to take part in the coming test period for Sea Traffic Management (STM) exchange of voyage plans in shore-based systems and services e.g. VTS, ice-breaking, Search and Rescue and pilotage,

ENCOURAGES the Governments of the Baltic Sea and other relevant parties to take the necessary steps so that ships with suitable equipment and sailing in the Baltic Sea may have the ability to share their voyage plans ship to shore and shorter route messages between ships, or if not possible other information on their voyage plans,

RECOMMENDS the Governments of the Baltic Sea countries to cooperate closely within IMO and IALA in order to inform and involve the organizations about the results and outputs from any projects within the Baltic Sea region that may enhance safety and security at sea and protection of the marine environment. This may include further perspective research in the field of e-navigation,

RECOMMENDS that the appropriate HELCOM Group analyses these tests and the concrete solutions developed and, if appropriate, prepare draft text for joint input by the Baltic Sea countries to IMO and IALA,

RECOMMENDS FURTHER that the Governments of the Baltic Sea and other relevant parties bring the Baltic Sea STM test and other Baltic Sea region e-navigation developments to the attention of IMO to enable further global progress.

Annex 3 Revised HELCOM RECOMMENDATION 19/10

Adopted 26 March 1998 and amended 5 March 2018
having regard to Article 13, Paragraph b)
of the Helsinki Convention

APPLICATION BY THE BALTIC SEA STATES OF GUIDELINES FOR HOLDING TANKS/OILY WATER SEPARATING OR FILTERING EQUIPMENT FOR SHIPS OF LESS THAN 400 -GROSS TONNAGE ^{*)}

THE COMMISSION,

RECALLING Regulation 4 of Annex IV of the 1974 Helsinki Convention concerning the application of Annex I of the International Convention for the Prevention of Pollution from Ships (MARPOL) for ships trading in the Baltic Sea Area,

RECALLING ALSO Paragraph 3, 6 and 9 of Regulation 15 and Paragraph 9 of Regulation 34 of Annex I of MARPOL concerning methods for the prevention of oil pollution from machinery spaces of ships, and cargo area of an oil tanker, of less than 400 gross tonnage,

NOTING Paragraph 4 and 5.2 of Regulation 14 of Annex I of MARPOL concerning obligation of the Administration to ensure that ships of less than 400 gross tonnage for machinery spaces are equipped, as far as practicable, to retain on board oil or oily mixture or discharge them in accordance with the requirements of Paragraph 6 of Regulation 15 of Annex I of MARPOL,

RECOGNIZING the need for supplementary guidelines to the above mentioned MARPOL Regulations in order to achieve uniform provisions for the Prevention of Pollution of the Baltic Sea Area by oil from machinery spaces of ships of less than 400 gross tonnage,

RECOGNIZING ALSO the need to avoid the retention of oil or oily mixtures in machinery space bilges due to the risk of polluting the sea during bilge pumping,

REALIZING that the presence of oil or oily mixtures in machinery spaces bilges would add fuel to an engine room fire,

RECOMMENDS that the Governments of the Contracting Parties shall apply the attached Guidelines for the prevention of pollution of the sea by oil from machinery spaces of ships of less than 400 gross tonnage,

REQUESTS ALSO the Governments of the Contracting Parties to report on the implementation of this Recommendation in accordance with the reporting format on the implementation of the Baltic Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues.

^{*)} *Applicable to all ships referred to in Regulation 15.3.2-of Annex I of MARPOL*

Guidelines for the prevention of pollution of the sea by oil from machinery spaces of ships of less than 400 gross tonnage

1. Such ships should be fitted with approved oily-water separating or oil-filtering equipment and sufficient tank capacity for oily residues, which enable the ship to comply with Paragraph 3 of Regulation 15 of Annex I of MARPOL;

or

2. Such ships should be equipped with holding tank/tanks to retain generated oily bilge water and other generated oily residues, as well as oil or oily mixtures from the cargo area of an oil tanker, on board for subsequent discharge to reception facilities, which enable the ship to comply with Paragraph 9 of Regulation 15 and Paragraph 9 of Regulation 34 of Annex I of MARPOL;

3. Tanks required by paragraphs 1. and 2. above should be equipped with pumping facilities and standard discharge connection to enable pipes/hoses of reception facilities to be connected. *) The tank/tanks should have adequate capacity taking into account the type and condition of the ship, trading pattern, time at sea, etc.;

4. For ships of less than 24 meters in length the Administration may allow other arrangements than stated in paragraphs 1.-3. above;

5. For any ship whose constructional features are such as to render the above mentioned arrangements unreasonable or impracticable the Administration may allow other equivalent protection against pollution by oily residues.

*) *Ships should preferably be equipped with the quick release connection shown in figure 1. of the European Standard EN 1305, but may alternatively be equipped with a standard discharge connection referred to in Regulation 13 of Annex I of MARPOL.*

Annex 4 Revised HELCOM Recommendation 10/11

Adopted 15 February 1989 and amended 5 March 2018
having regard to Article 17
of the Helsinki Convention

INTERNATIONAL COOPERATION ON LIABILITY FOR DAMAGE RESULTING FROM VESSEL-BASED POLLUTION

THE COMMISSION,

RECALLING that under Article 17 the Contracting Parties undertake, as soon as possible, jointly to develop and accept rules concerning responsibility for damage, resulting from acts or omissions in contravention of the present Convention,

NOTING the importance of the achievements made within the International Maritime Organization as regards liability regimes for vessel-based pollution,

NOTING FURTHER the current work within that Organization to bring into force the liability regime created by the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (HNS PROT 2010),

RECOGNIZING that the cooperation between the Baltic Sea States within the International Maritime Organization in matters relating to the protection of the marine environment of the Baltic Sea Area from vessel-based pollution should be further enhanced,

RECOMMENDS the Governments of the Contracting Parties to the Helsinki Convention to:

- a) accede to/ratify and enforce existing Conventions concluded under the auspices of the International Maritime Organization, such as the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (HNS PROT 2010), the Nairobi International Convention on the Removal of Wrecks, 2007 (Nairobi WRC 2007) and the 1971 Convention relating to Civil Liability in the field of Maritime Carriage of Nuclear Material;
- b) cooperate fully within the International Maritime Organization with a view to elaborating further regimes on liability for pollution damage.

Annex 5 Revised HELCOM RECOMMENDATION 36/3

HELCOM RECOMMENDATION 36/3

Adopted 4 March 2015 and amended 5 March 2018
having regard to Article 20, Paragraph 1 b)
of the Helsinki Convention

MARINE POLLUTION INCIDENT REPORTING AND REQUESTS FOR ASSISTANCE BETWEEN CONTRACTING PARTIES IN THE BALTIC SEA AREA

THE COMMISSION,

RECALLING the 1992 Helsinki Convention ratified by the coastal countries of the Baltic Sea and the European Union, Article 13 of the concerning notification and consultation on pollution incidents and Article 14 on co-operation in combatting marine pollution,

RECALLING Annex VII of the Helsinki Convention including Regulation 1 §2, concerning pollution incidents which affect or are likely to affect interests of other Contracting Parties, Regulation 5, concerning reporting procedure and Regulation 11 on HELCOM Response Manual,

RECALLING FURTHER the HELCOM Response manual Volume I Chapter 3 on reporting procedures and the HELCOM POLREP BALTIC standard message, Chapter 4 on Requesting and providing assistance and Chapter 5, on operational co-operation, especially 5.4.2 on External (off-site) Communications,

RECALLING ALSO the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990, and its Protocol on HNS, as well as Article 8 and Protocol I (Resolution MEPC.21(22)) of the International Convention for the Prevention of Pollution from Ships (MARPOL),

RECALLING that according to IMO Resolution A.851(20) as amended by Resolution MEPC.138(53) the Baltic State Governments are urged to ensure that ship reporting systems and reporting requirements comply as closely as possible with the general principles specified in its Annex,

RECALLING Directive 2002/59/EC, establishing a Community vessel traffic monitoring and information system,

CONSCIOUS that efficient and effective reporting on incidents is an essential tool in taking appropriate and timely measures to combat pollution and to investigate the matter,

NOTING that while the HELCOM POLREP BALTIC messages, including requests for assistance, have been traditionally sent via telefax new electronic means of communication have developed during the last decades and that the current trend in emergency communication is towards integrated solutions where the operator can access several communication systems via one or few access points,

NOTING FURTHER that the Contracting Parties which are also EU member states such electronic means of incident reporting is enabled by the national nodes of the EU SafeSeaNet network, as well as the marine pollution CECIS,

EMPHASIZING that ensuring efficient response in the Baltic Sea region and the full implementation of marine pollution incident provisions of the Helsinki Convention calls for efficient and operational communication channels connecting all Contracting Parties on an equal basis,

RECOMMENDS that formal POLREP BALTIC messages warning (POLWARN) and informing (POLINF) on an incident, requesting and rendering assistance (POLFAC), as well as acknowledging the receipt of such messages, shall be handled by the National Contact Point as defined in the HELCOM Response Manual Volume I,

RECOMMENDS that such POLREP BALTIC messages, containing the information defined in the HELCOM Response manual Volume I Chapter 3, should be submitted using SafeSeaNet and Marine Pollution CECIS, respectively, or other available communication means to ensure communication between all Contracting Parties on an equal basis,

RECOMMENDS FURTHER that urgent official or informal contacts may be made through any available communication means. Any matter of importance for joint efforts should be confirmed as soon as possible by formal POLREP BALTIC messages,

RECOMMENDS that the relevant sections of the HELCOM Response Manual are amended by the HELCOM Response group accordingly.

Annex 6 Revised HELCOM Recommendation 15/1

HELCOM RECOMMENDATION 15/1

Adopted 8 March 1994 and amended 5 March 2018,
having regard to Article 13, Paragraph b)
of the Helsinki Convention

PROTECTION OF THE COASTAL STRIP

THE COMMISSION,

RECALLING Article 13 g of the Convention on the Protection of the Marine Environment of the Baltic Sea, 1974 Helsinki Convention,

NOTING Article 15 of the 1992 Helsinki Convention,

BEARING IN MIND the effort and activities of HELCOM in nature conservation, inter alia, with the establishment of the HELCOM Coastal and Marine Baltic Sea Protected Areas (HELCOM MPA) network the United Nations Convention of Biological Diversity (UN CBD) Aichi 11 target of at least 10 % spatial coverage has already been achieved,

RECALLING the UN CBD and its Programme of Work on Marine and Coastal Biodiversity, including relevant tools and guidelines developed in this context, such as the voluntary guidelines for the consideration of biodiversity in environmental impact assessments in marine and coastal areas,

RECALLING ALSO HELCOM Recommendation 24/10 on implementation of integrated marine and coastal management of human activities in the Baltic Sea Area and to promote integrated management of human activities having impacts on the marine environment, HELCOM Recommendation 28E/9 on Development of Broad-Scale Marine Spatial Planning Principles in the Baltic sea Area and HELCOM Recommendation 35/1 on System of costal and marine Baltic Sea protected areas (HELCOM MPAs),

RECALLING FURTHER legislation of the European Union in the field of environment and coastal protection, including Habitats Directive (92/43/EEC), Birds Directive (2009/147/EC), Marine Strategy Framework Directive (2008/56/EC), Recommendation on Integrated Coastal Zone Management (2002/413/EC), Floods Directive (2007/60/EC), Maritime Spatial Planning Directive (2014/89/EU) as well as INSPIRE Directive (2007/2/EC),

RECALLING ALSO the Maritime Doctrine of the Russian Federation to the year 2020 and the Green Paper on a Future Maritime Policy for the European Union (Towards a future Maritime Policy for the Union: A European vision for the oceans and seas),

BEING AWARE that natural coastal areas where land and sea meet are in a constant dynamic relation to each other and

- are systems of great biological richness, variety and productivity;
- form habitats of highly specialized and often endangered species of wild fauna and flora as well as large populations of breeding and migratory birds;
- are landscapes of great natural beauty;

-
- are highly important for public recreation;
 - are a natural resource which is becoming more and more scarce,

BEING DEEPLY CONCERNED about the increasing pressure for commercial exploitation of the remaining natural coast and about the consequences this might have for the coastal environment and the biological diversity of the whole Baltic Sea area,

APPRECIATING the measures already taken by several Baltic Sea States in order to protect the coastal strip,

BEING CONSCIOUS that urgent measures are required to stop further degradation of the natural coasts,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention:

- a) that the Contracting Parties take all appropriate measures to ensure the protection of biodiversity and nature (biology and geology) as well as recreational values of the coastal strip;
- b) that a generally protected coastal strip therefore be established outside urban areas and existing settlements, the width of which shall be determined by the nature and landscape values of the coast, extending at least 100 to 300 meters from the mean water line landwards and seawards;
- c) that in this protected coastal strip:
 - activities which would permanently change the nature and landscape such as extraction of soil and minerals, construction of buildings (except for buildings necessary for existing farming or fishing and saunas in connection with existing buildings), marinas, roads, camping grounds etc. not be allowed except when proved to be in overwhelming public interest including responsibilities of public administration with regard to coastal and flood protection and when it is proved that no less sensitive site can be found;
 - intensive forestry and intensive farming including drainage be restricted;
- d) that exceptions can be made from the provisions in points b) and c) by a land use plan approved and sanctioned by a competent authority;
- e) that a zone of at least 3 kilometres landwards from the mean water line should be established as a coastal planning zone where major building development and other major permanent changes in nature and landscape be preceded by an appropriate land use plan, and/or an environmental impact assessment,

RECOMMENDS ALSO that actions be taken by the Contracting Parties as soon as possible and be reported to the Commission every 6 years and that the HELCOM working group in charge stays in contact with the Contracting Parties for information and cooperation in this matter.

Annex 7 Revised HELCOM Recommendation 19/3

HELCOM RECOMMENDATION 19/3

Adopted 26 March 1998 and amended 5 March 2018
having regard to Article 19 [3]
of the Helsinki Convention

MANUAL FOR THE HELCOM JOINT COORDINATED MARINE MONITORING

THE COMMISSION,

RECALLING the provisions of Articles 4 and 24 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992, (Helsinki Convention), concerning the application of the Convention and scientific and technological cooperation,

NOTING the concern on the state of the Baltic Sea, due to discharges of pollutants from various sources, especially from land-based sources, in spite of comprehensive measures taken by the Contracting Parties to reduce the discharges,

RECALLING the previous decisions to use a joint coordinated programme in monitoring and the principles of the [HELCOM Monitoring and Assessment Strategy](#), adopted in 2013,

REFERRING to the HELCOM Copenhagen Ministerial Declaration agreements to start implementing the revised HELCOM Monitoring and Assessment Strategy immediately, and emphasizing the importance of active and regionally harmonized data collection, including making data and information available in the regional data pool,

BEING MINDFUL of the need of reliable physical, chemical and biological data, necessary for assessments as needed of the state of the marine environment of the Baltic Sea,

RECALLING ALSO the need for a coordinated implementation of the Baltic Sea Action Plan and, for those Contracting Parties who are also EU member states, the Water Framework and Marine Strategy Framework Directives (including the monitoring and indicator based assessment systems) to achieve good status of the Baltic Sea,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

- a) the monitoring of the state of the marine environment¹ of the Baltic Sea should be performed in accordance with the HELCOM [Monitoring and Assessment Strategy](#) and the HELCOM [Monitoring Manual](#);
- b) the annual coordinated monitoring data, as committed by the Contracting Parties in the [HELCOM Data and Information Strategy](#), should be reported or made available to the Commission on deadlines given in the HELCOM Monitoring Manual ([Introduction](#), chapter „Data and reporting“).

¹ The whole waterbody of the Baltic Sea as covered by the Helsinki Convention

Annex 8 Statement by the Executive Secretary, 5 March 2018

I would like to share with you my reflection on our joint work in 2017.

When I started as Executive Secretary six years ago, the streamlining process of HELCOM had been initiated. One of the aims of the process has been to maintain and strengthen the inter-linkage with other international frameworks. There are many benefits of cooperating, but the one I would like to highlight is an opportunity for increasing political support for HELCOM work and its policy impact, particularly in relation to the implementation of the Baltic Sea Action Plan. Through cooperation, HELCOM success stories and good examples are better known, and our own work can be inspired by best practices elsewhere.

Last year was particularly successful in terms of HELCOM increasing the cooperation with regional, European and global partners. In pursuing our goals, HELCOM was partnering with UN Environment and other Regional Sea Conventions and Programmes, International Maritime Organization, Convention on Biological Diversity, Convention on the Conservation of Migratory Species of Wild Animals, Sargasso Sea Commission, UNESCO, OSPAR, Council of the Baltic Sea States, and EU Strategy for the Baltic Sea Region.

HELCOM was represented at the UN Ocean Conference on Sustainable Development Goal 14 in June in New York, a major event launching world-wide implementation of the agenda for oceans, including partnerships. As HELCOM is an organization based on an international treaty, recognized under the UN system, we were given the possibility to speak both at the General Assembly as well as in one of the Partnership Dialogues. HELCOM work was promoted by Contracting Parties and the Secretariat in a number of workshops at the Conference.

Contracting Parties pledged voluntary commitments at the Conference, many of which were directly related to the protection of the Baltic Sea. HELCOM itself made four commitments, on which we are already following up.

The first commitment was about designating and enhancing the implementation of the Baltic Sea as NOx Emission Control Area for ships and public-private partnership.

As a follow up, the first meeting of the HELCOM Maritime Sub-group on Green Technology and Alternative Fuels for Shipping (GREEN TEAM), in September in Sweden, included a dedicated session on a joint regional agenda for green shipping, technology, and alternative fuels. At the joint session, the nearly 70 registered participants from the networks of HELCOM, Council of the Baltic Sea States, and a number of other participating organisations, as well as other stakeholders, considered past progress and identified priorities for future regional work.

The second commitment was about identification of Ecologically or Biologically Significant Marine Areas (EBSA) in the Baltic Sea.

The Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas (EBSAs) in the Baltic Sea was held on 20–24 February 2018, in Helsinki, Finland, hosted by Finland and with financial support by Finland and Sweden. The workshop was convened by the Secretariat of the Convention on Biological Diversity in collaboration with HELCOM. Nine EBSAs in the Baltic Sea were described by the workshop, highlighting the fact that despite the known marine environmental problems, the unique Baltic Sea does have a great ecological or biological significance.

HELCOM was praised in the workshop for its regionally harmonized data layers on the HELCOM Map and Data Service, which has been serving as one of the largest hubs of spatial data for the Baltic Sea marine environment since 2010, and which was completely redesigned and rebuilt last year, including for instance INSPIRE compliant metadata record of each dataset. HELCOM nowadays provides free access to more than 600 map layers in total, with maps ranging from biodiversity and species distribution to information on maritime traffic.

The third HELCOM commitment at the UN Ocean Conference concerned cooperation within Regional Seas Programme for ocean-related SDGs.

And the fourth commitment was on strengthening the implementation of the HELCOM Baltic Sea Action Plan to support ocean-related SDGs. The first step towards this will be taken in tomorrow's Ministerial Meeting.

Cooperation with our neighbor continued in 2017. HELCOM and OSPAR joined resources for preparing a fully operational workspace for the evaluation of HELCOM indicators for hazardous substances.

A new online risk assessment tool for non-indigenous species transfers via the ballast water of commercial ships has been released jointly by HELCOM and OSPAR last year. The IMO Ballast Water Management Convention for ships entered into force on 8 September 2017, and efforts on its harmonized implementation will continue in HELCOM in cooperation with OSPAR.

Recently, IMO invited HELCOM to become a strategic partner of the new GEF-UNDP-IMO GloFouling Partnerships. This partnership will create new possibilities for cooperation, allowing biofouling issues to be better addressed within the context of invasive species management as a whole.

Another example of linking HELCOM work with other international activities was the workshop on eel hosted by Sweden and held in cooperation with the Convention on Migratory Species and the Sargasso Sea Commission. Furthermore, a recent status report on pharmaceuticals in the Baltic Sea region was jointly developed by HELCOM, Policy Area Hazards of the European Union Strategy for the Baltic Sea Region and UNESCO.

The first version of the "State of the Baltic Sea" is in itself a major, if not the largest, collaborative HELCOM effort when it comes to producing assessments. The report was released last year, and serves as background information for tomorrow's Ministerial Meeting. The project of producing the report is in itself an achievement. Contracting Parties have mobilized the needed expertise, also across disciplines – for instance, this is the first time environmental economists have been directly engaged in HELCOM; in addition, we have a good team in the Secretariat to lead and execute the project, and we managed to obtain sufficient funding to ensure a higher than ever level of ambition, thanks to three EU grants topping HELCOM's own budget and to special contributions by Sweden, Finland, Germany and Denmark.

The report will be updated in a few months' time, and together with a new HELCOM report on the status of implementation of HELCOM agreements, will inform future decisions.

The HELCOM Maritime Working Group has been awarded the Baltic Sea Fund Prize 2017 for its persistent and long-term work to reduce pollution from maritime traffic in the Baltic Sea, including the ban of sewage discharges to international waters of the Baltic Sea and the designation of the Baltic Sea as a special area for nitrogen oxide emissions from ships exhaust gases.

Our colleague Hermanni Backer, whose term is coming to an end this week, has been Professional Secretary for the Maritime Group for the last 6 years, substantially contributing to the group's success.

During the last year or so, as many as four recruitment panels for new Professional Staff in the Secretariat were organized and successfully concluded, ensuring the work of the Secretariat can continue smoothly.

HELCOM is most of all its people, and in 2017, one of the HELCOM family members, Leonid Korovin, from Russia, passed away. We felt this loss very deeply, as so many of us knew him and appreciated his dedication to the protection of the marine environment.

Leonid's lifetime achievement was the International Forum "Baltic Sea Day", an annual forum devoted to the Baltic Sea and to HELCOM work. The organization of the Forum continues, but we will always remember the person who was behind one of the most important, long-standing and appreciated environmental events in the region.

Thank you.

Annex 9 Statements by the European Commission

Statements by the European Commission Regarding Financing and the Implementation of EU Legislation

The EU is an important financing body for potential projects being considered within the context of HELCOM. In order to avoid any interference with the independent decision-making procedures established under the various financing instruments, the EU does, as a matter of principle, not take any position as regards any project proposal intended for submission to EU financing bodies. This should not be interpreted in any way as prejudging the position of the EU when taking financing decision.

The responsibility for implementing EU legislation is solely with the EU Member States. The role of the European Commission is, inter alia, to assess compliance with EU legislation once a Member State has submitted its report. Hence, any statement or position taken by the EU within the context of HELCOM should not be construed to give any assessment of whether the work done by HELCOM is compliant with EU legislation.

Statement regarding MSFD Implementation

The EU pointed out that any agreement that the EU delegation will give within the context of HELCOM in this respect is without prejudice to the European Commission's role under the EU Treaty to assess the implementation and compliance of EU Member States with EU law and the assessments that the European Commission is required to carry out in accordance with Articles 12 and 16 MSFD after EU Member States have officially reported to the European Commission.