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<b>Document title</b>	Structure of the HELCOM risk assessment framework for the management of internal nutrient reserves
<b>Code</b>	5-14
<b>Category</b>	DEC
<b>Agenda Item</b>	5 - Matters arising from the subsidiary bodies
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## Background

In paragraph 26 of the HELCOM Ministerial Declaration 2018 (MD 2018), the Ministers of HELCOM countries committed to:

- develop and apply a risk assessment framework in HELCOM to meet the necessary environmental requirements for measures planned for the open sea and any other measures having potentially significant transboundary effects;
- elaborate in line with the Helsinki Convention commonly agreed regional principles as guidance for internal nutrient reserves management.

For the sake of the implementation of these commitments the ad hoc Group MINUTS was established to develop the regional principles and risk assessment framework for the management of internal nutrient reserves.

As the first step, the Group proposed the structure for the risk assessment framework consisting of two documents, namely a guideline and a HELCOM Recommendation. The guideline intends to provide general guidance for the risk assessment classifying measures to manage nutrient reserves, setting risk assessment procedures, identifying required information, etc. The HELCOM Recommendation identifies the basic principles of risk assessment, provides key definitions, sets required policy links and enacts the use of the guideline.

The proposed structure and documents constituting the framework were initially considered and supported by PRESSURE 11-2019 and subsequently the text of the Recommendation was scrutinized by PRESSURE 12-2020 and PRESSURE 13-2020. A draft of the Recommendation was also presented to HOD 58-2020.

At HOD 59-2020 Estonia questioned the necessity of the activities regarding the development of the risk assessment framework, and the Meeting invited Estonia to clarify its national position through consultations with the Secretariat. In the correspondence following HOD 59-2020 Estonia expressed concern regarding the content of the framework, pointing out that the MD2018 commitment was - **to elaborate in line with the Helsinki Convention commonly agreed regional principles as guidance for internal nutrient reserves management**. Thus, Estonia does not support the development of any HELCOM Recommendation but only principles and guidance.

MINUTS 12-2021 discussed possible formats of documents to institutionalize the risk assessment framework and set regional principles, in the light of the Estonian request. The Meeting considered such options as the

development of a BAT/BEP-type of document, including regional principles in the Ministerial Declaration and integration of the principles in the updated BSAP.

The experts emphasized that the development of the BAT/BEP-type of document involves a multitude of technical details, which at this stage require further research while other options imply an even higher level of political agreement than a HELCOM Recommendation. The Meeting also recalled that HELCOM Recommendations are not legally binding. Further, HELCOM Recommendations are a suitable format not only for setting regional principles but also for identification of policy relevance, defining key terms and providing linkage with other documents constituting the risk assessment framework. In addition, HELCOM Recommendations are well coded and easy traceable, which makes the work with them convenient in the regional context.

The further development of the HELCOM risk assessment framework and presentation of the documents to HOD 60-2021, as it is stated in the MINUTS group TOR, requires an urgent decision on the format of these documents. This decision would enable consideration of the drafts of the respective documents at PRESSURE 14-2021, with subsequent submission to HOD 60-2021 for endorsement.

Adoption of the documents constituting the HELCOM risk assessment framework together with the updated BSAP would give an opportunity to link these documents and assure their coherency. Since the procedure for institutionalization of the HELCOM risk assessment framework has not been discussed and due to the lack of consensus about the structure of the Framework the documents have not been listed in [document 4-2](#). Nonetheless, the adoption of the documents constituting the Framework together with the updated BSAP is the final milestone of the [ToR for ad hoc Group MINUTS](#) approved by HOD 55-2018.

#### Action requested.

The Meeting is invited to deliberate on the documents constituting the HELCOM risk assessment framework for the management of internal nutrient reserves and to come to a decision regarding their possible adoption together with the updated BSAP.