

Joint HELCOM/OSPAR Task Group on Ballast Water Management Convention Exemptions  
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## Background

The 2018 HELCOM Brussels Ministerial Meeting agreed to update the Baltic Sea Action Plan at the latest by 2021. The aim of the update of the BSAP is to adjust actions based on the newest scientific knowledge so that HELCOM's strategic goals and ecological objectives can be reached and relevant marine and water targets of 2030 Agenda for Sustainable Development can be met in the Baltic Sea. The updated BSAP will include the existing commitments that may not be fulfilled by 2021 and also address new issues on the basis of the commitments made in the 2018 Ministerial Declaration and further deliberations during the BSAP update process.

HOD 54-2018 approved a strategic plan for the BSAP update as contained in this document. The strategic plan outlines various phases of the BSAP update, culminating with the adoption of the updated BSAP by the HELCOM Ministerial Meeting in autumn 2021.

The update of the BSAP will build on the existing expertise in the HELCOM working structure according to the mandates of the working groups and will be overseen by the Heads of Delegation. A dedicated project manager will support the tasks of the Secretariat in the BSAP update process. At HELCOM 39-2018 the establishment of the BSAP update Task Force was agreed, to function as an expert platform and involving HELCOM groups to carry out specific tasks in an interdisciplinary manner. Tasks for such expert group have been considered intersessionally by HODs, Terms of Reference to be put forward for decision at HOD 55-2018. The expert group would in particular support the analyses of 'sufficiency of measures' which is one of the key activities under the strategic plan (activity 2.5).

A draft work plan for the implementation of the update of the BSAP has been prepared by the Secretariat and will be considered by HOD 55-2018 (4-5 December 2018).

## Action requested

The Meeting is invited to take note of the information.

## Update of the Baltic Sea Action Plan (BSAP)

### I STRENGTHENING OF THE IMPLEMENTATION OF THE BSAP BY 2021

The Baltic Sea Action Plan is an ambitious and comprehensive regional programme of action to achieve a healthy marine environment. There are some basic factors that can be seen as underlying the success of the BSAP:

- all major environmental problems are addressed in a single plan, based on the best available knowledge,
- in general, actions included are concrete and have deadlines,
- the structure of the BSAP is relatively straight forward and its objectives are formulated in a clear and understandable manner,
- stakeholders are invited to, and do contribute to, the implementation of the plan,
- there is a follow-up system to track progress.

The BSAP timespan, 2007-2021, has provided a suitable (long enough) time frame for the work and it has been possible to add commitments through the follow-up Ministerial meetings (2010 - Moscow, 2013 - Copenhagen and 2018 - Brussels).

HELCOM's overall endeavour to streamline the BSAP and integrate it with other (global, European and national) commitments and obligations of the Contracting Parties further supports the BSAP implementation. While maintaining the strong regional perspectives and focusing on where the organization adds value, it has been of paramount importance that HELCOM agreements are closely linked with and integrated into national processes.

Despite extensive efforts, good environmental status and favourable conservation status of biodiversity for the Baltic Sea area are unlikely to be reached by 2021 for all aspects. The HELCOM Brussels Ministerial Meeting re-affirmed the strong commitment of the Contracting Parties to strengthen the implementation of the BSAP and the follow-up declarations, by 2021.

#### **Activity 1. Discussion on reasons for not yet accomplishing BSAP actions**

Main responsible/resource indication: working groups and Contracting Parties.

The working groups will be requested to continue discussion and identify the reasons for lagging behind with the implementation of BSAP, for both regional and national actions. For regional actions forward planning or stock taking could be carried out with the aim of accomplishing of the actions by 2021. For national actions a discussion could be related to timelines, or how HELCOM could support further efforts of the countries to achieve a more uniform implementation. The discussion aims at supporting the strengthening of efforts to implement BSAP by 2021 and beyond.

The Secretariat will prepare background documentation/overall guidance on how the discussion could be structured.

The task will be introduced to the working groups in their meetings in autumn 2018 and will be followed up in the next meetings. Based on the WGs considerations, GEAR and HODs could also be involved to discuss the issue (for instance, GEAR could prepare for such a discussion to be organized in one of the HODs meetings).

## Activity 2: Preparing information for the Ministerial Meeting 2021

Main responsible: a) & b) Secretariat (resources not secured yet).

This activity will include: a) making a proposal for an overall update of the information in the BSAP follow-up system and organizing the reporting by CPs [2020], b) further development of the HELCOM Explorer to support the update of the BSAP (end of 2019- early 2020).

For task b) the resources will amount to 3 man months of a GIS Developer, with implication for HELCOM budget 2019-2020 of ca. 12.000 EUR.

The updated results on the BSAP implementation are to be ready by the time of the 2021 Ministerial Meeting.

## II MANDATE TO UPDATE THE BSAP

The update of the BSAP is a task for Contracting Parties, based on the mandate given by the Brussels Ministerial Declaration.

Contracting Parties decided to update the BSAP by 2021 at the latest, with the aim being to set out a robust action plan for the achievement of the comprehensive HELCOM vision – a healthy Baltic Sea environment.

Furthermore, the Contracting Parties have also decided that the updated BSAP will, in addition to existing commitments, address new issues based on the commitments made in the 2018 Ministerial Declaration and further deliberations during the BSAP update process (cf. paragraph 16 of the Brussels Ministerial Declaration).

Moreover, the HELCOM Ministers have committed to using the water and ocean related goals, and targets of the UN Sustainable Development Goals (SDGs), as a framework for updating the BSAP (cf. paragraph 17 of the Brussels Ministerial Declaration).

Specifically, paragraphs 18-20 of the Ministerial Declaration provide further overall guidance on the BSAP update, in particular noting that Contracting Parties will maintain the ambition level of agreed actions and objectives:

“WE DECIDE that the updated BSAP should include actions necessary for managing human activities in such a way that the current HELCOM strategic goals “Baltic Sea unaffected by eutrophication”, “Baltic Sea with life undisturbed by hazardous substances”, “Maritime activities carried out in an environmentally friendly way” and “Favourable conservation status of the Baltic Sea biodiversity” can be achieved, and that its overall objectives support relevant political processes and strengthen science based decision-making. WE RECOGNIZE the economic and social benefits of achieving these objectives;

WE AGREE that the updated BSAP should be based on an ecosystem approach, fully use the precautionary principle, be supported by fit-for-purpose scientific research, be strongly communicated with stakeholders, enable knowledge sharing between science and policy across all levels, be developed in a participatory and transparent way at regional and local levels, including all appropriate stakeholders, and give due consideration to economic and social impacts of the measures to be taken to meet its objectives;

WE ACKNOWLEDGE that while we work on updating the BSAP we will at least maintain the ambition level of agreed actions and objectives.”

A key to achieving this goal will be to utilize the most recent scientific findings, including from BONUS projects, consolidate the available knowledge and to synthesize information in such a way that Contracting Parties will be in a position to utilise it when developing and agreeing on the updated BSAP. In this respect, an analysis of sufficiency of measures to reach HELCOM goals and objectives will be a major task. Furthermore, a business as usual scenario (BAU), developed in an inclusive and interdisciplinary manner, as well as economic analysis, could support the update of the BSAP.

It is also considered important to create a process in which Contracting Parties have the possibility to be continuously engaged at a policy level, are able to prioritize the BSAP update nationally, and through which a clear common vision can be produced. Therefore, the HELCOM Heads of Delegation should maintain the role to oversee and guide the update process. Thus the HODs engagement should be meaningfully organized, and tasks shared between individual Contracting Parties, the Secretariat, working groups and projects; with sufficient resource allocation to ensure the process is efficiently and properly executed.

In addition, HELCOM should involve contribution from stakeholders throughout the process, e.g. via participation of HELCOM Observers in HELCOM meetings and stakeholder conference(s).

HELCOM 39-2018 agreed on the guidance for the BSAP update as included in the **Annex**. The guidance in the Annex is an inherent part of this Strategic Plan for the BSAP update.

## **Overall organization and division of responsibility for the BSAP update**

### **HELCOM Heads of Delegation**

HELCOM Heads of Delegation will provide the overall guidance for the BSAP update process including over any additional HELCOM working arrangement for the tasks within the BSAP update that may be decided at a later stage. The Heads of Delegation will consider matters of the BSAP update at their regular meetings. Additional meetings of HODs may be necessary, especially in the latter part of the process (years 2020 and 2021).

### **HELCOM groups**

It will not be necessary for HODs to deal with all the details or aspects of the BSAP update. The existing working structure will be utilized and the existing HELCOM groups, in particular working groups, will be involved and responsible for advancing the work in accordance with their mandates. For instance, it can be foreseen that GEAR will be responsible for strategic policy review elements, such as a proposed adjustment to the overall structure of BSAP, and that working groups will have a task to review of BSAP actions, including those not yet implemented. More detailed planning how the contribution of working groups is to be organized within the individual phases will be developed at a later stage (cf. BSAP update Work Plan). Work plans of the groups will need to be adjusted accordingly.

### **HELCOM project (BSAP 2030 project)**

A HELCOM project for the BSAP update is established (BSAP 2030 project). The project represents an operational level and its overall goal is to support and facilitate the work of the Contracting Parties to update the BSAP in line with the Ministerial mandate and the guidance agreed by HELCOM 39-2018, as in the Annex. The work within the project will be carried out by: 1) the Secretariat and a dedicated project manager, 2) Contracting Parties taking lead roles for specific topics or themes, and 3) any additional resources that may be mobilized to carry out the work. Furthermore, an additional working arrangement may be decided by HODs to carry out analysis of sufficiency of measures.

- 1) The Project Manager will mainly support the work of the HELCOM groups with regard to the BSAP update as well as the work in HELCOM to analyse sufficiency of measures (make substantive proposals for consideration, prepare background and guidance documents and compilations, etc.).

The Project Manager will work from July 2018 to December 2020, tentatively to continue from January 2021 until the HELCOM Ministerial Meeting later in the year. In the latter period, half-time employment might be foreseen.

Budget year	Cost of project manager incl. travels	Source of funding
2018/2019	70.000 EUR	58.000 EUR HELCOM and CPs are invited to provide 12.000 EUR (otherwise to be covered by HELCOM)
2019/2020	70.000 EUR	50.000 EUR HELCOM and CPs are invited to provide 20.000 EUR
2020/2021 (tentatively extending 2021/2022) to	35.000 EUR (+ tentatively ca. 20.000 EUR)	35.000 EUR HELCOM

- 2) Contracting Parties will be invited to support the work by offering a leadership and direct contributions (e.g. resources and/or expertise) for individual tasks, which could, for instance, include: directing foreseen results from ongoing national projects into the task force discussions, financial support for analysis and information gathering, and/or hosting the task force meetings.

### Three phase BSAP update

#### FORMULATION PHASE: mid 2018 – mid 2019

Formulation phase	Main responsible on working level
1 Proposal for work plan	Secretariat* → HOD 55-2018
2 Proposal for adjusting the BSAP structure	- Secretariat* → HOD 55-2018 - Working Groups
3 Status of the BSAP implementation	- Working Groups → HODs - (Secretariat*)

Additional resources needed for BSAP update project to support activity

\* Project manager in HELCOM Secretariat to support BSAP update

#### Activity 1. BSAP update Work Plan Overview

Main responsible/resource indication: the Secretariat.

This activity will result in a detailed work plan for the BSAP update, including individual steps for the activities presented below, specifying HELCOM groups' involvement and requested contribution, setting associated timelines, further indicating resource needs, etc.

The Secretariat (Project Manager together with other Secretariat Staff) will be responsible for preparing a proposal for the Work Plan, to be approved by HODs. A draft work plan will be consulted with the working groups in autumn 2018, finalized by the Secretariat and submitted to HOD 55-2018 for endorsement in principle.

The BSAP update Work Plan - version 2018, as endorsed in principle by HODs, will be adjusted and expanded in the course of work, so it can serve as a reference document for all involved in the process. Iterative versions of the Work Plan will be endorsed by HODs. The Project Manager will be responsible for keeping the document up to date.

### **Activity 2. Adjustment to the overall structure of BSAP proposal**

Main responsible/resource indication: the Secretariat and specific input by working/expert groups, including GEAR.

This activity will involve: a) creating a nested system of the BSAP strategic goals and objectives mapped against the SDGs and other policy goals and objectives, b) reviewing the existing HELCOM ecological objectives and proposing possible amendments, to be carried out via working/expert groups, c) proposing new ecological objectives for marine litter, underwater noise and seabed damage and disturbance, to be carried out via working/expert groups, and d) identifying other possible additional issues of relevance to the overall BSAP structure.

This work will result in a proposal for an overarching structure and main components of the updated BSAP.

This is to be taken up based on the input from working/expert groups and an initial proposal for the updated overarching BSAP structure will be submitted to HOD 55-2018.

### **Activity 3. Status of implementation of the current measures and agreements**

Main responsible/resource indication: a) working groups and Secretariat, b) Contracting Parties (+ resource need to facilitate reporting from the Secretariat), and c) additional resources needed.

This activity will involve:

- a) identifying HELCOM agreements, not covered by the current BSAP follow-up system, for which additional reporting by CPs will be needed, e.g. recommendations; working groups in their meetings in autumn 2018 will be requested to provide contribution in this regard, supported by the Secretariat;
- b) organizing additional reporting by CPs on main agreements - focusing on measures - not covered by the current BSAP follow up; [tentatively early 2019];
- c) proposing a collection of information on other (than HELCOM) existing measures in the countries and their level of implementation, e.g. utilizing interim reporting on progress of measures under MSFD by the end of 2018 for those CPs being EU member states; organizing and reporting by CPs (in 2019).

The activity will feed into an analysis of sufficiency of measures to reach HELCOM objectives and targets.

**CREATING THE CONTENT PHASE mid-2019 – end of 2020**

Creating the content phase	Main responsible on working level
<p><b>4 Review of the current BSAP</b></p>	<p>- Working Groups → HOD Dec. 2019 - (Secretariat*)</p>
<p><b>5 Analysis of sufficiency of measures</b></p> <p>— planning (as part of activity 1)</p> <p>— analysis</p>	<p>- Secretariat → HOD 55-2018 - GEAR 19-2018</p> <div style="background-color: #e0e0e0; padding: 5px; border: 1px solid #ccc; margin-top: 10px;"> <p>Additional resources and working arrangement needed for BSAP update project to support activity</p> </div>

\* Project manager in HELCOM Secretariat to support BSAP update

**Activity 4. Review of the current BSAP**

Main responsible/resource indication: Working Groups.

The remaining BSAP actions (not yet implemented, MM 2010 and 2013 inclusive) will be analysed and grouped (following the overarching BSAP structure), taking into account possible overlaps and utilizing the common interpretation of actions done for the HELCOM Explorer. The work will progress topic by topic.

As agreed in the BSAP update guidance, the actions that do not have measurable and clear targets will be identified, with the aim to develop them into a more specific actions or set of actions for the updated BSAP. Obsolete actions will be identified and proposed for a decision to either delete them or supersede them by another action.

As a result, there will be an update of regional and national actions per BSAP component not yet implemented that will be taken as the basis in the draft updated BSAP. This step is to be finalized by end of 2019.

The most recent 2018 Ministerial commitments will be integrated into the work.

**Activity 5. Analysing sufficiency of measures to reach HELCOM objectives and targets**

Main responsible: GEAR 19-2018 for planning the work, and an additional working arrangement might be necessary to carry out the task e.g. via the thematic workshops and jointly with the working groups; CPs; resources for implementation not secured yet.

The HELCOM Explorer provides information on which actions have been implemented but it does not provide information on the impact of those actions. In order to estimate whether current actions (HELCOM actions and measures implemented under other policies) are sufficient to reach good status this information is required. This is particularly relevant for those actions aimed at reducing pressures to a level that is consistent with good environmental status. The activity will involve substantial work and will be organized topic by topic. In addition to identifying tentative gaps in measures the activity will also identify knowledge and data needs for effective implementation of measures. This work is to be based on newest scientific findings and knowledge, including from BONUS projects and related to climate change. Steps and working arrangements needed to carry out this work and associated timeline will be identified. The planning of work on sufficiency of measures will be carried out as part of the preparation of the BSAP update Work Plan, to be taken up at GEAR 19-2018.

**RENAISSANCE PHASE: end 2019 - 2021**

<b>Renaissance phase</b>	
<p><b>6</b> <b>New actions (based on 4 &amp; 5, e.g. improvement of existing actions)</b></p>	<p>HODs to decide based on proposals from Working Groups and HELCOM Secretariat, and outcomes of actions 4 &amp; 5</p>

**Activity 6. Proposing new actions and improvement of the existing actions**

HELCOM 39-2018 provided basic guidance in this regard: the updated BSAP will include new joint (regional) and national actions, to be decided on the basis of the 2018 Ministerial Declaration and the scientific results of the “State of the Baltic Sea” report. To this end, the analysis of sufficiency of measures will be utilized for identifying gaps between the current measures and the measures needed to reach GES. New findings, as may become available within HELCOM and elsewhere, will be utilized as well.

Proposals for new measures and actions will emerge via the regular work of HELCOM and as an outcome of some of the other activities within this strategic plan, in particular the assessment of the sufficiency of measures. Proposals will be put forward to HODs, to be finally decided as part of the process to reach an agreement on the updated BSAP.

A high-level segment of HELCOM in March 2020 could consider milestones towards reaching an agreement on the updated BSAP in 2021.

A full draft of the updated BSAP to be available last quarter 2020.

**Three phases of the BSAP update**

