



OUTCOME OF THE TWELFTH MEETING OF THE HELCOM-VASAB MARITIME SPATIAL PLANNING WORKING GROUP (HELCOM-VASAB MSP WG 12-2016)

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OUTCOME OF THE TWELFTH MEETING OF THE HELCOM-VASAB MARITIME SPATIAL PLANNING WORKING GROUP (HELCOM-VASAB MSP WG 12-2016)

Introduction

- 0.1 The Twelfth Meeting of the joint HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG 11-2016) was held on 24-25 February 2016 in Gdansk, Poland, upon invitation by the Ministry of Maritime Economy and Inland Navigation.
- 0.2 The Meeting was attended by representatives of all Contracting Parties/Member States, except for Latvia. The Meeting was also attended by the Coastal and Marine Union (EUCC) as Observer and an invited guest. The List of Participants is contained in **Annex 1**.
- 0.3 The Meeting was chaired by the Co-chairs of the Working Group, Mr. Andrzej Cieslak, Poland, and Ms. Anita Mäkinen, Finland.
- 0.4 Mr. Kazimierz Szeffler, Director of Maritime Institute in Gdansk, welcomed the participants to the meeting.
- 0.5 Ms. Monika Stankiewicz, HELCOM Executive Secretary, and Mr. Talis Linkaits, Head of VASAB Secretariat, welcomed the participants to the meeting.
- 0.6 HELCOM Secretariat acted as Secretary of the Meeting.

Agenda Item 1 Adoption of the Agenda

Documents: 1-1, 1-2

- 1.1 The Meeting adopted the Agenda (document 1-1) elaborated by the HELCOM and VASAB Secretariats in consultation with the Chairs.

Agenda Item 2 Matters arising from other HELCOM and VASAB meetings

Documents: 2-1

- 2.1 The Meeting took note of the information by HELCOM Secretariat on ongoing activities in the HELCOM framework and upcoming HELCOM meetings and other relevant meetings as presented in document 2-1.
- 2.2 The Meeting took note of the information by VASAB Secretariat on the discussions at the 71st VASAB CSPD/BRS meeting held on 23 February 2016 and that the second Baltic MSP Forum will take place 23-24 November 2016 in Riga, Latvia. The VASAB Secretariat invited the countries and Observers to provide any ideas for topics to the VASAB Secretariat (info@vasab.org).

Agenda Item 3 Regional coordination and policy follow-up

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

- 3.1 The Meeting took note of the presentation by Ms. Angela Schultz-Zehden, s.Pro sustainable-projects GmbH, leading contract manager for MSP Assistance Mechanism launched by the European Commission (**Presentation 1**). The Assistance Mechanism will provide assistance to the Member States in implementing MSP.
- 3.2 The Meeting welcomed the Assistance Mechanism but expressed their wish to be informed in more detail on the objective, scope and expected output of the technical study on data needs for MSP, which is to be conducted within the Assistance Mechanism. Ms. Schultz-Zehden confirmed that the pre-

scoping paper will be presented to the members of the EU Member States Expert Group (MSEG) on MSP at the 8th Meeting of the Group to be held on 14-15 March 2016 in Madrid, Spain.

3.3 The Meeting took note that an EU conference on MSP will take place on 8-9 June 2016 in the Azores.

3.4 The Meeting took note of the information that HELCOM, in addition to VASAB already previously, has officially been granted Observer status to the MSEG on MSP, which provides an opportunity for increased information exchange and showcasing Baltic experiences, including within the joint MSP WG at the European level.

3.5 The Meeting took note of the following information on national MSP developments:

- Denmark: The new Government started working in June 2015. Terrestrial planning and MSP is now under the same ministry, i.e. the Ministry of Business and Growth and the responsibility in MSP has been delegated to the Danish Maritime Authority. Implementation of the EU MSP Directive is ongoing, public consultation on the national legal act has been finalized and the act is anticipated to be adopted in spring 2016.
- Estonia: 2016 will be the final preparatory phase for the initiation of MSP in Estonia as some research is being done (e.g. socio-economic issues) to be able to launch MSP in the end of 2016 and Terms of Reference (current status report) to initiate the plan are being prepared.
- Finland: MSP legislation is expected to be in place by 1 September 2016 after which the development of maritime spatial plans will start. The Finnish Inventory Programme for the Underwater Marine Environment ([VELMU](#)) has come to an end after 12 years and a [map service](#) was opened in January 2016 which was demonstrated to the Meeting. Information in the map service will be made also in English and Swedish.
- Germany: The transposition of the EU MSP Directive is still ongoing. It is expected to be completed by the end of 2016. Mecklenburg-Vorpommern is updating the whole state spatial development plan and extending renewable energy in the 12 mile zone is an important element of this plan. After the first consultation round ambitious objectives to offshore windfarm areas have been cut to almost one third by the Government. The final round of sectorial consultation is ongoing. The adoption by the Government is expected in June 2016.
- Lithuania: Lithuanian maritime space is owned by the state. The Comprehensive Plan of the Territory of the Republic of Lithuania is complemented by marine spatial solutions adopted on 11 June 2015. Additional information can be found in the Lithuanian country fiche (c.f. document 8-2-Add.1).
- Poland: A new Government was recently established after the parliamentary election. The new ministry responsible for MSP is the Ministry of Maritime Economy and Inland Navigation. Department of Maritime Economy will continue the work on MSP. Changes to the main legal base for MSP were adopted by the end of 2015. Few changes to the Ministerial ordinance are still need. Procedure for how the plan will be consulted is set in the law on maritime areas of the Republic of Poland and maritime administration. A first draft of the plan should be ready by 2018.
- Sweden: The EU MSP Directive was transposed on 15 July 2015. Thematic working groups on providing evidences for planning activities have been established and a guidance document on planning objectives and planning strategies is under consultation. Actual planning will start after the guidance document has been adopted. The first draft plans are expected in October/November 2016. In December 2015 ESPO notification was sent to neighbouring countries, responses are expected by 2 March 2016. Sweden intends to invite to bilateral meeting in late 2016/early 2017.
- Russia: A draft Federal law on Maritime Spatial planning was prepared by the Federal Ministry of economic development with an intention to submit the draft to the Federal Government and the sectorial committee of the State Duma of the Federal Assembly for further consideration by the end of 2016. Unfortunately, the document was not included into the working plan of the Federal

Government and State Duma for 2016. Actual work has been ceased for an undefined time. The Meeting was informed that national stockholders including Federal authorities and members of the sectorial committee of the Federal Assembly are invited to attend a round table on MSP which will be organized in the frame of the Baltic Sea Day in St.Petersburg 22 March 2016. The Meeting was invited to contribute to the agenda of the round table in order to facilitate further development of the national legal framework of Russian Federation on MSP.

3.6 The Meeting took note that the Interreg Baltic Sea Region Programme 2014-2020 has had calls with regard to the EUSBSR which have or will close soon. An ERDF-network (MAs) is being established across the Baltic Sea region to contribute to the implementation of the EUSBSR. It will have a focus on innovation. DG Region will report to the Council on the progress of macroregional strategies towards the end of the year. PACs and HACs will be asked for contributions. There will be a meeting of National Coordinators in April where proposals for granting flagship status to projects can be considered.

3.7 The Meeting took note of recent developments and activities related to the EU Strategy for the Baltic Sea Region (EUSBSR) and Horizontal Action (HA) Spatial Planning for which HELCOM and VASAB act as the Horizontal Action Coordinators (HACs) and the HELCOM-VASAB MSP WG acts as the Steering Committee concerning the MSP part (document 3-2).

3.8 The Meeting noted the positive funding decision for the Baltic LINes (Coherent Linear Infrastructures in Baltic Maritime Spatial Plans) project from the Baltic Sea Region Programme and the approval of the MSP&MHM project on integration of maritime cultural heritage to MSP processes for EUSBSR Seed Money Facility.

3.9 The Meeting took note of the activities carried out by HELCOM and VASAB Secretariat with the support of the Interreg Baltic Sea Region Programme Technical Assistance (one year) for HA Spatial Planning (HA Spatial Planning Support (HASPS)) (document 3-3) and that extension of the assistance has been requested under the 2nd call for PAC/HAC support (two years) in February 2016.

3.10 The Meeting noted that an AIS data explorer tool is being developed by HELCOM within HA the Spatial Planning Support to enable easy access to data on shipping in the Baltic Sea for users outside the maritime community, such as MSP planners and on regional scale. The tool is expected to be launched in few months and feedback is invited on the tool and its usability to be sent to the HELCOM Secretariat (hermanni.backer@helcom.fi).

3.11 The Meeting took note that the 7th Strategy Forum of the EUSBSR will be hosted by Sweden in Stockholm on 8-9 November 2016 (document 3-1), back-to-back with the Baltic Development Forum. The overall theme of the Forum is the future of the Baltic Sea Region and how to achieve a common vision for 2030.

Agenda Item 4

Implementation of the Regional Baltic Roadmap 2013-2020

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

4.1 The Meeting recalled that the Guideline for the implementation of ecosystem-based approach in MSP was agreed by HELCOM-VASAB MSP WG 11-2016 and was informed by the HELCOM Secretariat that HELCOM Heads of Delegation requests the Guideline are consulted by the HELCOM State and Conservation Working Group (S&C) before adoption by HODs. Accordingly the Guideline will also be put forward for adoption by VASAB CSPD/BSR.

4.2 The Meeting invited Ms. Penina Blankett, Co-chair of HELCOM S&C and member of HELCOM-VASAB MSP WG, as well as Co-chairs of the MSP WG to facilitate the upcoming process of additional consultations and emphasized the importance of national coordination between the groups and organizations.

4.3 The Meeting welcomed an offer by Germany to organize a one day HELCOM-VASAB workshop on MSP and ecosystem approach in autumn 2016 and invited members of the MSP WG to provide input to

the agenda of the workshop. The Meeting agreed that the workshop could be organized within the “MSP” week in November 2016 (c.f. the second Baltic MSP Forum on 23-24 November 2016).

4.4 The Meeting reviewed the final draft of the Guidelines on transboundary consultations, public participation and co-operation, which has gone through two consulting rounds since HELCOM-VASAB MSP WG 11-2015 (document 4-1), approved the Guidelines as contained in **Annex 2** and noted that the Guidelines will be submitted to VASAB CSPD/BSR to be held on 8 June 2016 and to HELCOM HOD 50-2016 on 15-16 June 2016 for final adoption. The Meeting invited Co-chairs of the MSP WG to consider attending the HOD meeting to present the Guidelines.

4.5 The Meeting reiterated their appreciation to Poland for leading the process on preparing the Guidelines.

4.6 The Meeting took note of the involvement of stakeholders in the HELCOM work as presented in document 4-2 and 4-2-Rev.1 as a background for discussing ways to engage and cooperate with industrial sectors and other interest groups.

4.7 The Meeting considered the proposed Terms of Reference (ToR) for a future oriented report on marine and maritime activities prepared by Sweden in collaboration with the Co-chairs and Secretariats (document 4-4). Bearing in mind the wide scope of the report, Sweden suggests a two-step approach. A concept of the report could be prepared and presented at the 7th Strategy Forum of the EUSBSR (8-9 November 2016).

4.8 The Meeting took note of the information by the HELCOM Secretariat on the ongoing work to prepare the second holistic assessment of the ecosystem health of the Baltic Sea (HOLAS II) by mid-2017, to be updated by mid-2018, and the Maritime Assessment to be released by March 2017 (**Presentation 2**). The Meeting was of the opinion that HOLAS II can provide an important input to a regional baseline on the status of the marine environment and pressures from human activities of use for MSP especially in transboundary context and that links to the MSP needs could be further explored in these assessments. The HELCOM Secretariat also informed of the intended maritime report to be delivered by HELCOM within the Baltic SCOPE project.

4.9 The Meeting supported, in principle, the ToR for the future oriented report by the HELCOM-VASAB MSP WG, however, noted that further considerations on how the report could be prepared, including allocation of resources, are needed. The Meeting invited Contracting Parties/Member States to consider leading this activity and to contribute to elaboration of the content of the report.

4.10 The Meeting welcomed an offer by VASAB Secretariat to suggest possible financial support for the future orientated report at the VASAB CSPD/BSR meeting in June 2016. The Meeting noted the comment by Lithuania that an alternative solution should be considered in case of the appropriate resources would not be found.

4.11 The Meeting took note of the list of competent national contact points as presented in document 4-3 and invited the countries to send updates to the Secretariats (laura.meski@helcom.fi and info@vasab.org) at the latest **by 4 March 2016**.

Agenda Item 5

Assessments and data for MSP

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

5.1 The Meeting took note of the outcomes of the meetings of the Baltic Sea Region MSP Data Expert Sub-group held on 1-2 October 2016 and 19-20 January 2016 (document 5-4) presented by the Chair of the Sub-group, Ms. Katarzyna Krzywda, Poland. The next meeting will be held on 12-13 April 2016 in Gothenburg, Sweden.

5.2 The major task of the MSP Data Expert Sub-Group is to elaborate the document describing minimum input and output data requirements for transboundary consultations of the plan. An applicability of the data from some international sources (databases) has been discussed within the Group in order to avoid double work for data collection.

- 5.3 The Meeting took note that the Sub-group has decided to apply to BONUS for a project aimed at development of MSP data infrastructure common data standards and to resolve linguistic difficulties in data exchange and overall support the work of the Sub-group. The Chair of the Sub-group will ask the Contracting Parties/Member States for letter of support.
- 5.4 The Meeting recognized the work of the Sub-group as a flagship activity for the MSP WG.
- 5.5 The Meeting thanked the Chair and the Sub-group for their valuable work and welcomed the initiative by the Chair of the Sub-group to present the outcomes of the Sub-group at the next meeting of the MSEG on MSP (14-15 March 2016).
- 5.6 The Meeting took note of the outcome of the stocktaking of the regional list of human activities and related environmental pressures in the Baltic Sea region (document 5-1). Matrix of activities and pressures will be shared to the contacts of the MSP WG as soon as it is ready.
- 5.7 The Meeting further took note of the HELCOM Data call on human activities (document 5-3).
- 5.8 The Meeting also took note of the information by the HELCOM Secretariat on the release of data products on fisheries effort and intensity fishing activity based on Vessel Monitoring System (VMS) data, requested from ICES in a form of the ICES advice. The data products represent the first regional and free access dataset on fishing intensity and effort at this resolution.
- 5.9 The Meeting welcomed the newly modernized and updated HELCOM database for the coastal and marine Baltic Sea protected areas (HELCOM MPAs, <http://mpas.helcom.fi>) demonstrated to the Meeting and described in document 5-2.
- 5.10 HELCOM Secretariat invited the countries to provide feedback on possible database development suggestions by to the HELCOM Secretariat (ullali.zweifel@helcom.fi) by **11 March 2016**.
- 5.11 The Meeting also took note that a report on regional analysis on ecological coherence of MPAs has been submitted to HELCOM 37-2016 (10-11 March 2016) for adoption.

Agenda Item 6

Planning future work and a new Work Plan

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

- 6.1 The Meeting took note of the Conclusions of the Chair and Moderator of the VASAB MSP workshop, which was held on 24 February 2016 back-to-back with HELCOM-VASAB MSP WG 12-2016 (document 6-3 and **Annex 3**) as well as of the background information (**Annex 4**) for the presentation at the workshop by Co-chair Ms. Anita Mäkinen.
- 6.2 The Meeting thanked Poland and VASAB for organizing the useful workshop and found the Conclusions document relevant and a valuable starting point for discussing the future MSP needs by the MSP WG.
- 6.3 The Meeting recalled that the current Mandate for HELCOM-VASAB MSP WG is set until 31 December 2016 and that the Work Plan of the Working Group covers years 2014-2016 and the task for this meeting is to identify working items for future work.
- 6.4 The Meeting recalled the HELCOM-VASAB MSP Roadmap 2013-2020 as an already existing political commitment for the Baltic Sea regional work on MSP to be done by the HELCOM and VASAB.
- 6.5 The Meeting saw added value of and the need for continuing the cooperation according to the Roadmap and the tasks as may be agreed by the HELCOM HODs and VASAB CSPD/BSR.
- 6.6 The Meeting took note of the view by Lithuania that activities of the MSP WG should be without prejudice of the national legislations based on respective VASAB and HELCOM competences, reminding that the role of the WG is to prepare recommendations to HELCOM and VASAB and creating synergies.

6.7 The Meeting noted that achievements of the WG have been documented in the [Working Group report 2010-2013](#) and also reflected in the background information document (c.f. Annex 4), which could be further elaborated on.

6.8 The Meeting recalled Article 11 “Cooperation among Member States” and Article 12 “Cooperation with third countries” of the EU MSP Directive that requires the EU countries to cooperate with the aim of ensuring that maritime spatial plans are coherent and coordinated across the marine region concerned and that such cooperation shall be pursued through e.g. existing regional institutional cooperation structures as Regional Sea Conventions and/or other networks and structures. The Directive also states that MSP will contribute to achieving the aims of other EU Directives.

6.9 The Meeting discussed the pan Baltic needs for MSP in the future based on the two documents as in Annex 3 and 4 and made initial and complementary suggestions on topics for continued cooperation:

- how plans are applied, including information exchange on new projects of transboundary relevance that may come up both within preparing the plan and its application;
- follow-up on the implementation of the agreed guidelines on ecosystem approach and on transboundary consultations, public participation and co-operation, review them and amend them as regarded necessary once experiences have been gained and reach out for political commitment to the implementation of the guidelines with to aim for coherent MSPs;
- common criteria for monitoring and evaluation;
- continue with all-inclusive cooperation involving both EU and non-EU countries;
- reflect on how to consult with other countries and have a baseline or process where to start communication from,
- deepen the task of exchange of information on the plans under preparation, including among others how to deal with transboundary issues, green infrastructure, socio-economic aspects and environmental protection.
- what to do to ensure coherence of MSP, taking into account the requirements of the MSP Directive and the related Directives as far as EU countries are concerned, the possible cooperation with other relevant HELCOM working groups (such as safety of navigation, on ecosystem approach)

6.10 The Meeting took note of the suggested process to consider a future work plan on MSP in the Baltic Sea (document 6-2). The proposed process has already been discussed by the 71st VASAB CSPD/BSR meeting (23 February 2016) and will be further considered by HELCOM 37-2016 (10-11 March 2016). The Meeting noted that VASAB Chair has been invited by the HELCOM Executive Secretary, in consultation with the Heads of Delegation, to the upcoming meeting of the Helsinki Commission, e.g. to inform of the outcome of the VASAB MSP workshop. The Meeting invited members of the WG to liaison with the HELCOM Heads of Delegations in their countries regarding preparations for the discussion in HELCOM 37-2016.

6.11 According to the proposed process to consider a future work plan on MSP, the Meeting agreed on the following steps to further work on future work items on MSP:

- Contracting Parties/Member States are invited to provide comments on any possible missing topics to complement document 6-3 (Annex 3) and the background information (Annex 4) **by 4 March 2016,**
- Secretariats will as soon as possible prepare a consolidated document on future MSP work, including a first draft list of MSP pan-Baltic topics based on the available documents and the exchange of views by the Contracting Parties/Member States;
- Contracting Parties/Member States are invited to provide comments to the consolidated document **by 15 April 2016,**

- if needed an online meeting will be held **on 25 April 2016** to discuss the comments received and the second round of consultations will be initiated on possibly further developed document to be finalized **by 9 May 2016**,
- The document will be submitted to VASAB CSPD/BSR (8 June 2016) and HELCOM HOD 50-2016 (15-16 June 2016) as a proposal by the HELCOM-VASAB MSP WG.

6.12 The Meeting considered the action on Marine Protected Areas (MPAs) in MSP and vice versa (document 6-1), were positive towards the action as a joint activity between the HELCOM-VASAB MSP WG and HELCOM S&C and agreed, as a first step, to request Contracting Parties/Member States to inform how MPAs are taken into account in the MSP, which could be used to amend information in the country fiches.

6.13 The Meeting decided that the next meeting of the Working Group (HELCOM-VASAB MSP WG 13-2016) will be held in Riga, Latvia, on 24 (noon)-25 November 2016, back-to back with the 2nd Baltic MSP Forum on 23-24 November 2016. The major themes for the meeting will be the MSP and ecosystem approach workshop (c.f. paragraph 4.3) and future MSP work.

Agenda Item 7 **MSP related projects an events**

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

7.1 The Meeting took note that an [EU Conference on maritime spatial planning and the environment](#) was held on 7 December 2015 in Brussels, Belgium, where also Baltic experiences were presented. Presentations and webstreaming of the conference is available on the event page.

7.2 The Meeting took note of the information on the joint United Nations Environment Programme (UNEP)/European Commission expert workshop on Regional Ocean Governance, which was held on 9-10 November 2015 (document 7-2).

7.3 The Meeting took note that the annual International Environmental Forum "Baltic Sea Day" will be held in St. Petersburg, Russia, on 22-23 March 2016 and of the draft programme for the MSP roundtable (document 7-5).

7.4 The Meeting expressed the wish to have the invitation to the Forum circulated in the future at an earlier stage to enable countries to plan attendance well in advance. Finland, Sweden and the VASAB Chair confirmed participation in the MSP roundtable.

7.5 The Meeting took note that the European Maritime Day 2016 will be held in Turku, Finland, on 18-22 May 2016. HELCOM will organize a workshop together with shipping industry and ports on sustainable cruise shipping, VASAB will be involved in the workshop "Making blue growth happen". Both HELCOM Secretariat and VASAB Secretariat have applied for stands on MSP at the Exhibition of the EMD (document 7-3 and 7-3-Add.1).

7.6 The Meeting suggested to consider having a joint stand e.g. showcasing the joint work within HELCOM-VASAB MSP WG and took note of the information that in both applications it is indicated that optimally the stands are to be located next to each other.

7.7 The Meeting took note of the information on the activities within the [Baltic SCOPE project](#) (Towards coherence and cross-border solutions in Baltic Sea Maritime Spatial Plans) by Sweden (document 7-1). The project has reached halfway. Among other things, there has been extensive exchange of information, topics in a transboundary context has been discussed and geographical hot spots have been identified in the in the southern Baltic Sea. A lot has been learned on cooperation as well as on various topics. A need to find ways for continuous cooperation beyond the project lifespan has been clearly expressed.

7.8 The Meeting invited the Task Force on the ecosystem approach, established within the Baltic SCOPE project, to present the ecosystem approach check list to the WG when ready as well as any considerations on the practical implementation on the Guideline on ecosystem approach.

- 7.9 Final results of the Baltic SCOPE project will be presented at the second Baltic MSP Forum, which will also be the final Baltic SCOPE conference (23-24 November 2016).
- 7.10 The Meeting took note of the information by Ms. Angela Schultz-Zehden, managing director of the SUBMARINER network, on the recently approved MSP&MHM project for the EUSBSR Seed Money Facility. A full scale project proposal (MSP & BSR Integrated Maritime Heritage Management) will be developed and submitted to the 2nd call of the Interreg Baltic Sea Region Programme 2014-2020 on 1 June 2016. Ms. Schultz-Zehden welcomed ideas and information on relevant contacts.
- 7.11 The Meeting considered the InterMSP (Interdisciplinary Analysis of Obstacles to Marine Spatial Planning in the Baltic Sea Area) project proposal and was of the opinion that the information provided is somewhat limited and full evaluation of the project requesting the flagship status cannot be done at this meeting.
- 7.12 The Secretariats clarified that flagship project status can be granted to activities that are of importance and are at a proposal stage as well as to already financed projects as long as the activity/project fulfil the criteria for becoming a flagship project (c.f. [EUSBSR roles and responsibilities](#))
- 7.13 The Meeting mandated the Co-chairs to organize the feedback from the MSP WG to the applicant of the InterMSP project proposal.
- 7.14 The Meeting considered the Plan4Blue project proposal (document 7-6), which has been approved for the second round of the Interreg Central Baltic Programme 2014-2020, and requested the Co-chairs of the meeting to sign a letter of support for Plan4Blue.
- 7.15 The Meeting requested the Secretariats to prepare for the next meeting of the WG a document on procedures for granting flagship project status and support letters.

Agenda Item 8 Any other business

Documents: 8-1, 8-2, 8-2-Add.1

- 8.1 The Meeting took note of the updates to the country fiches of Denmark, Poland, Latvia, and Russia (document 8-2) and the filled in country fiche by Lithuania (document 8-2-Add.1), noting also that country fiches for all Baltic Sea countries are now available on the [HELCOM](#) and [VASAB](#) web pages.
- 8.2 The Meeting took note of the information by Mr. Peter Dam, Danish Maritime Authority, on the work related to MSP within the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA). A workshop some years ago delivered a draft IALA Guideline on Navigational Safety within Marine Spatial Planning which is expected to be adopted in autumn 2016.
- 8.3 The Co-chairs will write a letter to the IALA Secretariat expressing the interest of the MSP WG towards the Guideline and to establish collaboration on MSP.
- 8.4 The Meeting checked and updated the list of nominated experts for the HELCOM-VASAB MSP WG (document 8-1) as contained in **Annex 5**.
- 8.5 The Meeting thanked Poland and VASAB for the excellent arrangements of the meeting.

Agenda Item 9 Outcome of the Meeting

Documents: 9-1

- 9.1 The Meeting adopted the draft Outcome of the Meeting as contained in document 9-1.
- 9.2 The Outcome of the Meeting has been finalized by the HELCOM Secretariat and made available in the [HELCOM Meeting Portal](#) as well as on the [VASAB website](#), together with meeting documents and the presentations considered during the Meeting.

Annex 1 List of Participants

Representing	Name	Organization	E-mail address
Chair	Andrzej Cieslak	Maritime Office in Gdynia	cieslak@umgdy.gov.pl
Chair	Anita Mäkinen	Finnish Transport Safety Agency	anita.makinen@trafi.fi
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Guidelines on transboundary consultations, public participation and co-operation

Introduction

The Regional Baltic Maritime Spatial Planning Roadmap 2013-2020 adopted by the HELCOM Ministerial Meeting in 2013 and welcomed by the VASAB Ministerial Conference in 2014 calls for the development of guidelines regarding: a) Transboundary consultations and cooperation in the field of MSP and b) Public participation for MSP with transboundary dimensions.

In view of the inter-relationship between these two different aspects, it has been decided by the Joint HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG), that both topics will be covered by one guideline document.

The guidelines presented in this document have been prepared in order to assist maritime spatial planners and the authorities they work for. They are of a non-binding character.

The guidelines are applicable for transboundary maritime areas without prejudice to the national systems of the spatial planning.

Transboundary cooperation and consultations for maritime spatial planning (MSP) take place in different formats depending on the topics to be consulted or cooperated on.

In general terms consultation and co-operation could be described as follows:

Consultation of more practical topics is arising in the course of elaboration of maritime spatial plans, e.g. transboundary impacts of the plan, or transboundary coherence of the planning provisions. This usually takes place in bilateral or trilateral interactions (cross-border interactions) and refers to the formal process, which takes place between affected Baltic Sea Region (BSR) countries and their authorities on specific provisions foreseen in a given Maritime Spatial Plan.

Cooperation on maritime spatial planning is understood as a more open and preparatory process with focus on information and knowledge exchange as well as development of common understanding.

Co-operation at pan-Baltic level concerns strategic and farsighted decisions on joint directions or joint guidelines and principles for development of marine areas.

Cooperation as well as consultation at transboundary scale relates mainly to the structured and organised interaction between various government bodies.

Stakeholder involvement (including municipalities and non-governmental organisations (NGOs) such as trade associations and other interest groups) is, often part of MSP. This is the process to engage a selected range of targeted stakeholders in the planning activities since clear articulation of sectoral and other interests is essential for MSP and helps planners to draw more qualitative long-term solutions.

Public participation is very similar but broader in scope as it involves methods which engage the general public in MSP.

The purpose of public participation or at least stakeholder involvement is to ensure that stakeholder voices are heard, not only from within the country developing the plan but also across the borders and on pan-Baltic scale.

The guidelines cover the following aspects:

- i) **consultations** between MSP authorities of neighbouring countries and/or those countries directly affected by MSP and the related **public participation** process that should take place concerning transboundary aspects during the process of drafting a maritime spatial plan.
- ii) **cooperation** between MSP authorities at pan-Baltic scale on issues affecting most or all of the Baltic Sea and/or the level involving most or all BSR countries as well as the process foreseen to ensure effective **stakeholder engagement** at a more strategic level.

Glossary

Definitions used in this set of guidelines:

Competent authorities (authorities responsible for MSP): the authorities preparing and/or approving maritime spatial plans.

National MSP contact points: The chosen authority in charge of MSP in each BSR country, which act as the “focal point” for transboundary as well as pan-Baltic MSP cooperation.

Consultation: the formal process which takes place between competent national authorities usually from 2-3 BSR countries to discuss practical topics arising in the course of elaboration of maritime spatial plans, e.g. transboundary coherence of the planning provisions.

Cooperation: more open, informal and often preparatory process of information and knowledge exchange as well as development of common understanding, which involves a larger number of competent authorities and stakeholders.

Public participation: the process by which an organization consults with interested or affected individuals, organizations, and government entities before making a decision. Public participation is two-way communication and collaborative problem solving with the goal of achieving better and more acceptable decisions. Public participation prevents or minimizes disputes by creating a process for resolving issues before they become polarized. Thus, public participation is very broad by engaging general public in addition to the more institutionalised stakeholders. Widespread public participation helps to ensure a wider acceptance for the planning solution.

The Aarhus Convention - The United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (adopted on 25 June 1998): the Aarhus Convention grants the public rights regarding access to information, public participation and access to justice, in governmental decision-making processes on environmental matters in the transboundary context at national, regional and other levels.

The Espoo (EIA) Convention – United Nations Economic Commission for Europe (UNECE) Convention on Environmental Impact Assessment in a Transboundary Context (signed in 1991, entered into force in 1997) and the its Protocol on Strategic Environmental Assessment (adopted in 2003): the Espoo (EIA) Convention sets out the obligations of Parties —that is States that have agreed to be bound by the Convention— to assess the environmental impact of certain activities at an early stage of planning and lays down the general obligation of States to notify and consult each other on all major projects under consideration that are likely to have a significant adverse environmental impact across boundaries.

The UNECE Protocol on Strategic Environmental Assessment to the aforesaid Convention on Environmental Impact Assessment in a Transboundary Context (Kyiv, 2003): the protocol requires its Parties

to evaluate the environmental consequences of their official draft plans and programmes also in the transboundary context

Pan-Baltic scale/level: affecting most or all of the Baltic Sea countries, and/or the level involving most or all BSR countries. The pan-Baltic level mainly deals with strategic issues, such as achieving coherence or providing general guidelines.

Relevant Pan-Baltic organisations: in a transboundary MSP consultation process these are HELCOM and VASAB.

Cross-border issues: issues which are relevant for two or more neighbouring countries only.

Transboundary issues: issues which are pan-Baltic and cross-border where impacts may extend across boundaries, not necessarily only immediate neighbouring countries.

Stakeholder: a person, group or organization that has interest or concern in a given maritime spatial plan, its preparation or any other MSP relevant process.

Stakeholder involvement: processes which deals with concerns and issues raised at stakeholder and/or expert level. Unlike **public participation** these processes do not necessarily involve the general public.

Spatial subsidiarity: the principle which stipulates that spatial challenges should be dealt with at the lowest most appropriate spatial level.

Stakeholder consultation steps in these guidelines are understood in the following way:

- a) **informing** in a targeted way about relevant aspects of the MSP process (e.g. commencement of MSP, entering new phase of MSP, availability of materials for consultations etc.),
- b) **screening** the resources of stakeholders available at public domain (e.g. website, reports, available data and information etc.) in order to use them in the MSP,
- c) **asking stakeholders for inputs** to the MSP process in order to identify existing practice and interests of various stakeholders, e.g. identification of development plans towards a certain sea space, identification of areas of most intensive use of the sea space, identification of an exclusive possession of the stakeholder, etc.,
- d) **asking stakeholders for opinions and reflections** on a draft proposal of the maritime spatial plan (goals, methodology and proposed solutions/preferences),
- e) **preparing jointly with stakeholders new** knowledge, new know-how, tentative solutions of the problems etc.

Consultation forms of each step can vary: sometimes opinions should be extracted and sought actively, and sometimes screening available materials and information is sufficient. For the public participation the steps are similar, whereas the instrument must accommodate a more open way of information, dialogue and exchange of opinions.

Recommendations for transboundary consultation and cooperation for a specific MSP process

Consultation processes should be in line with the common approaches decided in pan-Baltic co-operation. The aim of the processes should ensure that maritime spatial plans are coherent across the Baltic Sea-basin scale to avoid costly misalignments and negative environmental impacts as well as promoting efficiency gains and synergies.

Consultations are facilitated by National MSP contact points if appropriate. National MSP contact points are the gateways able to sort out, discuss and address within each country problems and questions related to MSP raised by the competent MSP authorities from other countries. Ideally this should be one institution

(one contact person) only, which in turn will consult with the other authorities in its own country as to provide one national position.

The following recommendation has been proposed in order to facilitate transboundary consultations for coherent MSP across the Baltic Sea basin.

Broadening the scope of transboundary dialogue: Building on the Espoo Convention while strengthening the scope of consultations

The Protocol on Strategic Environment Assessment (Kiev Protocol) referring to the Espoo (EIA) Convention provides a framework for facilitating formal transboundary consultation between affected states with focus on environmental impacts only. But full-scale consultation should deal with a broader range of MSP issues, in particular socio-economic ones. Consultations should be extended towards encompassing not only potential conflicts but also synergies (in particular socio-economic opportunities) as a result of voluntary compliance of the competent authorities in the BSR. The co-operation should cover general planning approaches, such as overall aims and objectives of maritime spatial plans.

Therefore MSP needs a broader scope, and consultations and co-operation starting earlier than is required by the Kiev Protocol referring to the Espoo (EIA) Convention. At least the broader scope (covering socio-economic concerns) consultations should start together with the Kiev Protocol referring to the Espoo (EIA) Convention consultations. This should be achieved through voluntary compliance of the competent authorities in the BSR, as a result of adoption of these Guidelines. The broadening of scope is in line with the spirit of Directive 2014/89/EU of the European Parliament and of the Council – Article 1, Article 11 and Article 12, as far as it concerns the EU member states.

Establishing a formal process of transboundary information exchange and consultation early in the MSP process

Timing of formal transboundary consultations remains a critical issue. In order to give neighbouring countries a chance to understand the essence of the envisaged plan, and a real chance to contribute not only to the planning provisions/solutions but also to the planning process, it is necessary to start consultations before the maritime spatial plan is fully drafted.

The following steps are proposed:

- a) All Baltic Sea countries should start consulting neighbouring countries at the early stage of preparation of a maritime spatial plan as a part of the routine MSP process. If the impact of the plan is of pan-Baltic nature, all BSR countries and the relevant pan-Baltic organisations should be informed. This applies to all national, but also to sub-national maritime spatial plans if these are expected to have cross-border impacts.
- b) The competent authorities should inform their neighbouring counterparts of their intention to start a MSP process. This should be done in the form of a formal letter/e-mail in English (or national language of the addressees). The information should be sent to the countries affected, as well as to the relevant pan-Baltic organisations.
- c) The competent authorities clearly state the intention and the nature of the maritime spatial plan, so other countries can understand the possible influence and the impacts of the plan.
- d) The competent authorities (preferably via National MSP contact points) ask for relevant documents and any other information, if available (or public sources of such information) from the neighbouring countries. The requested documents and information should have an impact on the development of the envisaged plan, such as environmental data and information on human uses of the sea, in particular with cross-border elements (e.g. issues suggested under Article 8 of Directive 2014/89/EU of the European Parliament and of the Council).

- e) The competent authorities (preferably via National MSP contact points) also inform the neighbouring countries, once the stakeholder process begins in order to give the neighbouring country the option of installing a parallel domestic stakeholder process (or public participation) on issues of cross-border significance. It is suggested that the information is being given in the form of a letter/e-mail in English (or national language of the addressees) describing the location of the plan, its main objectives and possible cross-border impacts.

Organising stakeholder involvement in the transboundary consultation process

The decision on how to organise the transboundary stakeholder process is the responsibility of the competent authorities of BSR neighbouring countries approached by the competent authorities from the country that is developing the maritime spatial plan. Communication between countries takes place preferably through the established National MSP contact points. Stakeholder involvement is organised best at national level, as each country has a different culture and legislation (regulations) on **public participation** and different settings on how stakeholders are organised. It therefore needs to find its own way of involving stakeholders and general public and engaging them in the MSP process in line with a subsidiarity principle.

Following steps are proposed:

- a) **The authorities of the BSR neighbouring countries (in co-operation with National MSP contact points)** - when requested by the competent authorities from a country which started elaboration of the maritime spatial plan - initiate and run a stakeholder involvement process within the territory of their state immediately after obtaining the request and in line with information received (on the intention and the nature of the plan). The process might vary and should be shaped in line with the nature of the problems to be discussed, ranging from asking selected stakeholders for opinion up to full-scale public participation.
- b) They should ensure the necessary comprehensive participation of stakeholders in line with information received from the neighbouring country. They sort out which type of input can be obtained via screening available national resources, which information can be extracted via asking stakeholders for inputs or opinions and to what extent involvement of general public is necessary. They prioritise the results of the stakeholder process, if necessary.
- c) They should communicate the results of the stakeholder process to the country, i.e. the country drafting the maritime spatial plan.
- d) The competent authorities inform the relevant **authorities of the BSR neighbouring countries**, who run the consultation process, in due time of how and to what extent their remarks have been taken into consideration in the process of drafting the plan, and, in case the remarks have not been taken into account, provide a justification.

The competent authority, if appropriate, might also consider engaging well organised stakeholder groups existing at pan-Baltic level, and also consulting existing transboundary expert groups (e.g. established by the HELCOM-VASAB MSP WG) on particular topics (see recommendations below) in line with the subsidiarity principle.

Developing a transboundary consultation strategy

Apart from the step-by-step approach, appropriate consultation and communication formats have to be found within a transboundary consultation process. Whereas each approach should depend on the specificities of an individual maritime spatial plan, as a minimum the following features of the consultations format should be taken care of in the early planning phases:

- a) Direct communication at the level of the competent authorities is essential for building up a capital of trust, so networking between the competent authorities and MSP practitioners should be encouraged.
- b) Written information alone is often not sufficient; face to face meetings with the neighbouring countries are encouraged, to present and discuss the planned MSP process.
- c) Direct communication to stakeholders on the planned undertaking is also important both in the country itself and in the neighbouring countries. The competent authorities should therefore be prepared to travel to the neighbouring countries in the early stages of elaboration of a maritime spatial plan and explain their plans and intentions, if asked by the National MSP contact points of the countries influenced by the plan. Alternatively National MSP contact points from neighbouring countries are invited to the country which prepares the plan. The outcomes of bi-lateral and multilateral discussions should be distributed to all neighbouring countries by the competent authorities.
- d) Language is a critical issue in this process:
 - a. The MSP technical language needs to be explained. To avoid misunderstanding the different stages of MSP, the respective aims, outputs and tools need to be clearly explained.
 - b. The competent authorities should be ready to make available relevant information in English. As a minimum a translation should be provided of the nontechnical summary of the draft MSP and maps with legends.

Strengthening informal transboundary cooperation processes

In parallel with the processes of informing neighbouring countries described above, informal processes of co-operation i.e. exchanging information and experience can be strengthened:

- a) Informal routes of communication should be established between the relevant authorities before a maritime spatial plan is drafted, as this can facilitate the informal supply of information outside the narrow confines of (potentially restrictive) formal channels.
- b) Informal discussions can be initiated as a useful vehicle for brokering common solutions.
- c) Informally agreed solutions then need to be endorsed through formal channels, e.g. to the extent that remarks and suggestions raised in the consultation process should be taken into consideration.
- d) Authorities responsible for MSP should be in regular contact with each other, in order to build trust, and also to know who to communicate with during formal processes.

The existing networks and fora, such as Polish-German Intergovernmental Commission on Regional and Cross-border co-operation, can also be used as proper fora for bi- and multilateral co-operation in the field of MSP in order to secure synergies of key transboundary policies affecting MSP.

Recommendations for transboundary pan-Baltic cooperation on MSP

Continuing policy guiding at pan-Baltic level

It is recommended that VASAB CSPD/BSR and HELCOM HOD should continue their role as a facilitator of pan-Baltic MSP development by providing a forum for:

- exchange on MSP strategies and policies of their Member States/Contracting Parties,
- provide the decisions on transboundary consultation in the BSR.

Practical cooperation in this field could continue to be steered by HELCOM and VASAB on MSP. The joint cooperation set up so far has provided a platform for transboundary information exchange and cooperation in the MSP process and concentrated mainly on practical issues and preparation of decision-making of pan-Baltic scope and relevance.

Creating and facilitating expert groups for pertinent MSP topics and issues and implementing their results

It is recommended that the main focus of pan-Baltic co-operation should be on actual MSP plans (or outcomes from the practitioners forum/projects), in order to develop and present ways of solving different planning issues. The issues requiring policy support should be brought to VASAB CSPD/BSR and HELCOM HOD.

If the need to support the work of HELCOM and VASAB in MSP arises, it is recommended that expert groups are established by decision of HELCOM and VASAB with concrete mandate to deal with pertinent specific topics and issues related to MSP development within the BSR. The expert groups are expected to work within a given timeframe towards clearly defined outputs to be presented for decision-making to HELCOM and VASAB. They should work on issues that need expert support to become solved (using existing HELCOM-VASAB framework).

The expert groups should meet following requirements:

- a) They should represent a broad range of relevant perspectives for a given topic.
- b) The BSR countries shall be consulted on the nomination of relevant experts. National MSP contact points in each country (if existing) should be involved in such consultations.
- c) Nominees should not be seen as political representatives.
- d) Expert group topics could be selected based on the following criteria:
 - the urgency of the issue for all BSR countries,
 - manageability of the task and achievement of a clear output,
 - inability of being solved under existing frameworks,
 - willingness of sectors and stakeholders to become involved.
- e) A close liaison should be provided of the groups' work with other important pan-Baltic processes such as actions of the EU Strategy for the Baltic Sea Region (in particular Horizontal Action Spatial Planning), and with the work of the EU Member States Expert Groups on ICM and MSP.
- f) It should be taken into account that in the HELCOM-VASAB cooperation there are non-EU countries represented as well.

Before establishment of an expert group a possibility of making use of the results of the relevant completed or on-going projects and projects under preparation should be analysed in order to avoid duplication of the work and ensure sparing use of the expert resources.

Engaging and cooperating with other pan-Baltic organisations on a continuous basis

Cooperation with industrial and other interests' sectors is a prerequisite of proper and successful MSP. Their stakeholders/representatives may become increasingly involved in transboundary as well as pan-Baltic MSP processes in future, through active co-operation at national and pan-Baltic level. Furthermore they may also be represented within expert groups.

Therefore it is recommended that HELCOM and VASAB, without prejudice of their mandates:

- a) prepare and ensure an update of the list of relevant sectors that might be involved in pan-Baltic co-operation on MSP, and identify their formal roles, responsibilities and mandates in concrete MSP relevant fields/policies,
- b) run the process of recognition of each other's competences (sectors and within HELCOM-VASAB framework) and concrete cases/issues to be jointly discussed (identification of common goals/interests),
- c) monitor on a regular basis major changes in the work of those sectors relevant for Baltic MSP,
- d) develop and implement the communication policy regarding the engagement of different types of sectors in MSP at pan-Baltic level,
- e) co-operate, discuss and develop solutions for concrete issues with sectors at pan-Baltic level.

Promoting informal pan-Baltic co-operation of MSP practitioners

In parallel to the existing working groups/expert groups, it is suggested to promote an informal discussion platform on MSP issues for those responsible for developing and implementing maritime spatial plans in their countries (practitioners' level).

VASAB will use this platform, as well as given projects and other MSP initiatives on MSP at various levels: regional, national, transboundary, and even outside the BSR if appropriate.

In order to promote pan-Baltic co-operation on MSP, VASAB will facilitate an ongoing, structured process of conducting regular events, targeting at fostering information and knowledge exchange and creating trust among Baltic Sea MSP practitioners across different initiatives, thereby enhancing future transboundary MSP processes.

Annex 3 Chair and Moderator conclusions from the VASAB MSP workshop

Chair and Moderator conclusions from the VASAB MSP workshop

Highlights

- Building joint understanding how to pursue planning stages after plan elaboration [PLANNING CYCLE]
- Sorting out issues matured enough for political support [POLICY SUPPORT]
- Monitoring and evaluation what works and what not and what should be improved [MONITORING/EVALUATION]
- Deepening understanding what transboundary coherence of plans mean in practice [COHERENCE]
- Building broader support and understanding for MSP (engaging sector, educating people, decision makes etc. [CAPACITY]

Political support

It was acknowledged that more political support is needed for MSP work, especially as planning has its limits and not all issues can be solved by planners themselves or by the joint HELCOM-VASAB Maritime Spatial Planning Working Group.

Example of such issues requiring political attention are border settling, data sharing and transboundary consultations.

Thus working level process have to be coupled with a political dialogue to lift certain MSP issues to a higher level.

To anchor MSP on a political level, topics that can drive political attention could be identified. Based on the collaboration so far, we should also be able to identify which are specific topics to be addressed by policy-makers/politicians. Example can be minimum legal content of MSP legislation, ensuring coherence of legislation, joint vision or document on avoidance of conflicts etc.

Added value of our cooperation

The added value of regional cooperation on transboundary MSP is that doing it together we ensure the coherent implementation of MSP. We can effectively utilize existing legislative and policy contexts, covering both EU and non-EU countries, for the region to become an area of best practice for MSP. Dialogue is our major mean to achieve coherence across the borders – among planners, countries, the sectors.

Coherence of maritime spatial plans across the borders

Minimum requirements for preparing and implementing MSP across the borders are needed, and could be further identified, to make the requirement for coherence effective on a transboundary level. Coherence related to both national legal requirements and technical aspects and achieving it should be facilitated by policy process.

Joint documentation could be useful to realize and address coherence needs, based on the identified differences of national planning processes, and underlying legislation including for transboundary consultation.

Technical coherence (of parameters) is under development such as for shipping or pipelines, bearing in mind existing governance frameworks for different sectors.

Another example is that we have not achieved a full understanding how to apply ecosystem-approach in MSP in practice, which is also a question of coherent implementation (of various legislation).

Link between sea and land planning has not been fully explored, in this ongoing cycle of MSP.

For uniform pan-Baltic implementation, a higher level governmental agreement (beyond working group or a project) might be needed.

Data and information sharing

In order to obtain coherence in the plans, the underlying data should be as uniform as possible. In order to achieve this, a common understanding and documentation should be achieved on what thematic datasets should be sourced from international sources and what data is from national sources. In addition, listing of required parameters by thematic datasets needs to be agreed.

We should not forget of the importance of making sense out of data – sharing also concerns information and expertise (how to interpret data).

Knowledge integration should be enhanced, especially on natural and social science.

Monitoring and evaluation

Once the MSPs are in place, continuous monitoring is needed and evaluation organized as a coordinated process (between the countries). The need for continuous monitoring and evaluation cannot be fulfilled within projects.

Revisiting the joint guiding documents should be part of the evaluation process.

Sectorial cooperation

We acknowledge the necessity and value of engagement of public and commercial sectors in regional MSP considerations. Especially regional ministerial level cooperation is to be strengthened.

Such engagement could be organized around themes and as regional overarching discussions and should recognize and tackle different time-scales of sectorial planning.

We wish for holistic planning and thinking to become inherent part of the sectorial policies. Territorial perspective could be brought to existing sectorial networks in particular HELCOM Working Groups.

Capacity building and learning

Education on MSP is needed ranging from introductory courses of a few hours to full scale years long education in MSP to help building up the common understanding on MSP and to fit all levels from general public, students, authorities and politicians.

Planning as iterative process – towards the next planning cycle

Countries are at the phase of preparing maritime spatial plans. Sharing of experiences on practical aspects of implementing the jointly agreed guidelines and principles is invaluable, to facilitate iterative process of planning and collecting lessons learnt for the next cycle of planning and its transboundary dimension.

In few years' time the countries will move from the first generation of Maritime Spatial Plans into the next cycle, planning beyond 2020 is a matter of few years' time.

Thus, time-perspective needs to be more strongly incorporated in identifying and planning tasks ahead within international cooperation on transboundary MSP.

Experience gained from the first cycle can form regional MSP *acquis*, which may include common terminology, revision of the pan-Baltic guiding documents, etc.

After the first cycle – having concrete plans covering the whole Baltic Sea in place, a new cooperation needs will likely emerge and pan-Baltic thinking strengthened.

Annex 4 Background material for the presentation “Point of departure: where we are now and where we are heading”

by Anita Mäkinen, Co-chair of the HELCOM-VASAB MSP WG

Background material for the presentation “Point of departure: where we are now and where we are heading”

Introduction

Our joint HELCOM-VASAB MSP WG has been operating for more than five years now providing a platform for competent MSP authorities of the Baltic Sea countries as well as EU to maintain a dialogue on transboundary aspects of ecosystem-based MSP and work towards coherent national spatial plans.

The joint HELCOM and VASAB set up for the WG has combined the legal framework, institutional capacities and knowledge of marine ecosystems and environmental and sectorial policies by HELCOM and the tradition and experience of strategic spatial planning at land by VASAB.

The WG has evolved and emerged as a recognized “quality” partner on the map of the international cooperation in the Baltic Sea region. The joint working group now represents increased MSP competence to be tapped by both HELCOM and VASAB, and the issues the WG is addressing are of the highest importance for both VASAB CSPD and the Helsinki Commission and its Heads of Delegation.

Likewise, the competencies of HELCOM and VASAB Secretariats in MSP have been further developed, building on past experience and support offered by the EUSBSR.

The set up for the joint MSP group is unique Europe-wide:

- It is a formal cooperation (thus giving it a weight the topic deserves, expression of interest of the countries to consult and cooperate closely).
- It links policies for effective implementation: HELCOM and VASAB Ministerial commitments and regional MSP roadmap, HA Spatial Planning of the EUSBSR for which HELCOM and VASAB are co-leaders, and EU MSPD (for EU countries) and emerging (corresponding) MSP legislative framework in Russia. (synergies from the outset)

What I think is still unutilized potential within the group is

- 1) to have a stronger input by the individual countries to shape the agenda of the WG and share more in detail what are the timely national developments with possible transboundary implications,
- 2) to come up with a more concrete vision or a plan for engaging line ministries and commercial sectors in the regional MSP deliberations (not forgetting about the civil society).

Progress of the WG so far (based on the Roadmap/work plan)

Intergovernmental cooperation on MSP is well established, using the HELCOM-VASAB MSP WG framework and bilateral and multilateral contacts as seen appropriate by the countries.

Progress in the field of MSP in individual countries is regularly reported (country fiches). Competent national focal points for MSP for the purpose of transboundary consultation and joint planning are identified by most of the countries. The work of the joint WG has been reported in an Assessment for the

HELCOM Ministerial meeting in 2013, e.g. on adopted MSP Principles (adopted 2010), MSP roadmap (adopted 2013) and a document on legal requirements for MSP.

HELCOM and VASAB have just been granted observer status to the EU EG MSP, thus giving opportunities for and facilitating further information exchange between regional and European levels. The Guidelines for transboundary consultation, public participation and cooperation has been developed and ready for the adoption by the Contracting Parties/Member states.

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 very much facilitated by the fact that the WG is acting as a steering body for the EUSBSR HA Spatial Planning. Transnational projects and events have facilitated the working level contacts and exchange of experience.

Experience on how to establish links between EU's MSFD and MSP nationally has not been addressed yet at the level of the WG. However, such considerations have been kicked-off at the EU level at the recent EU conference on MSP and the environment. MSP is typically addressed only on a general level in this cycle of Programmes of Measures under the MSFD. However, a full overview can only be established once the PoMs are finalized.

The Guidelines for the implementation of ecosystem-based approach in MSP has been developed and agreed on the level of the MSP WG. HELCOM HOD requested the Guidelines to be considered also by the HELCOM State and Conservation WG before endorsement by the HODs. A Workshop on MSP and ecosystem approach could be a way forward to present experiences from testing the guidelines.

An expert group under HELCOM-VASAB MSP working group has only recently been established to provide a regional overview on minimum data requirements, gaps and availability of data required in MSP in a transboundary context. The work has so far provided an updated list on Baltic MSP data contact points and will work further on a guidance document for data availability in the Baltic Sea region.

Here today we would like to discuss together, what are the lessons learnt from the past and needs for the future.

Now it is time for a critical review of on the work of the joint WG: what has worked well and what are the needs for the future. We would like to receive your comments and input not only in relation of the joint WG, but also on the needs for future MSP, in general.

Here are some fruits for thought:

How to facilitate coherent national implementation?

- What is perhaps needed in the WG is a stronger management perspective, based on the needs recognized and expressed by the member countries, and to seek for additional means and tools for coherent and effective implementation (in the form of soft law, jointly agreed requirements – however, we need to consider, in which form , follow-up).

(Do countries/Contracting Parties know and see a possible good use of the other tools within the existing frameworks, than those used so far (documents and guidelines topped up with the Ministerial Declarations. For example, once the Guideline on transboundary consultation, public participation and cooperation is agreed, how can we ensure that it is applied nationally?)

- Should we develop jointly a common understanding what **coherent** MSP may mean, to not only fulfil the aim of the roadmap, and MSP Directive for the EU countries but also to ensure harmonized approach with non EU MSs.

- Most of the member countries are now in the phase of preparing national Maritime Spatial Plans, and thus experience from projects' is continuously needed, e.g. to boost national resources, test and pilot cross-border cooperation. Other issues may become crucial (other less important) once the plans have been established. Can these be identified already now (perspective beyond 2017/18).

Improvement in Cooperation - also with other actors

- Need for cooperation with other inter-governmental and specialized organizations contributing to, or addressing MSP aspects, is emerging: CBSS on cultural heritage, International Hydrographic Organization [their group on MSP], IALA [MSP guidelines]. It is likely that various organizations, including specialized organizations, will be increasingly dealing with MSP. How can MSP WG benefit from these developments and competencies of other organizations? Is an *ad hoc* nature of this cooperation sufficient (for the time being)?
- Involvement of sectors in common considerations is also needed at the regional level. It has been quite *ad hoc* so far. How could more systematic cooperation be possible? What are the specific topics we would like to jointly address? What are the "incentives" for sectors to engage (will shipping industry come to the meeting to discuss concepts or guidelines? real life planning issues combined with regional perspective!).
- Cooperation with other line ministries – so far there has been little interaction on regional level. Ecosystem approach and environment and MSP are perhaps the only example of such (limited) engagement (few participants in the MSP WG meetings). What are the other line ministries we would like to engage and what for?
- More integration with other groups working on a regional level on cross cutting issues and benefit from other processes is needed. Priorities could be identified through preparing a list of the current working items in other international organizations and bodies, including HELCOM groups of potential relevance to national and regional MSP work (for instance, MPAs (ecological coherence, influence of activities outside MPAs), social and economic analysis I and ecosystem services).

Enhanced information exchange

- **Among the countries:** There are infrastructure and other developments ongoing in the member countries. It could be of interest to routinely exchange information on the national plans for major/larger scale developments and uses of the sea. HELCOM, based on the Helsinki Convention, has a strong tradition of information exchange (for example, on planned routing measures for ships, new marine protected areas, pipelines and oil exploration and exploitation) but not all topics are covered by routine information exchange. Can the countries see the benefit of regular information exchange (in the WG) ahead of planned activities and developments on new ports and terminals, major dredging, laying pipelines and cables, planned windfarms and aquaculture, etc. (this is not to substitute specialized discussions or formal consultations required under the Espoo Convention).
- **Between regional and European levels:** Coordinate with the work under EU member states group on MSP. How can the cooperation between HELCOM and VASAB and EU EG MSP be effectively established (now when both organizations are granted observership)?

- **Between HELCOM and VASAB:** Facilitate consolidated national views for smooth decision-making, cater for the needs that may stem from different countries, shared visibility for joint outcomes; a task for the Secretariats but also Chairs and the countries. This may include: more information exchange on the outcomes and upcoming processes both in HELCOM and VASAB, synchronized planning regarding joint deliverables, mutual attendance in relevant meetings (HELCOM, Heads of Delegation, VASAB CSPD).

Projects and research

- The focal point functions of the MSP WG becomes increasingly important as more MSP related projects can be expected in the future (Interreg, BONUS) – we have responsibility to indicate what are the implementation and other needs, to have good and beneficial projects for the needs of MSP.
- Which cooperation issues of regional importance could or should be supported by future projects?
- What is needed to advance the work on valuation of ecosystem services and its application in real life MSP?

Data

- A past situation regarding sharing of marine and maritime data transnationally was typically characterized by the following features:
 - o Countries possess and possibly made openly available national information, which typically is in national languages and formats. Some thematic datasets are openly available but some are restricted.
- In the Baltic Sea we have enjoyed centralized data hosting and sharing initiatives such as by HELCOM and ICES. This data is based member states ´report to international organizations and harmonized datasets and it is covering the whole sea .. On a European scale, EMODnet is compiling available datasets into a single entry point portal.
- However, a foreseeable (albeit still quite distant) future might contain strengthening of focus on data availability directly from the source/national data providers. This development is promoted by:
 - Overall development of IT infrastructure, technologies and common standards
 - Improving MSP relevant data sharing by developing Spatial Data Infrastructures and web services within the countries (supported by INSPIRE directive within EU member countries)
 - Growing understanding on minimum data requirements needed for transboundary MSP.
- Thus, hopefully (during the next decade?) there will be a decentralized and interoperable pan-Baltic marine data infrastructure that supports MSP activities with accurate, updated and comprehensive data. To make it happen, below is an indicative list on achievements which need to be accomplished:
 - o Current pilot activities to “translate” INSPIRE data sharing activities to marine domain are realized in a practical way which serves the purpose of data sharing.
 - o Agreement is reached on minimum requirements regarding what data to share and in what format to fulfill MSP needs
 - o Countries implement the needed data formats and standards and obstacles for data sharing are gradually removed.
- What could be the practical steps to achieve this?
 - o Joint roadmap towards INSPIRE compatibility? Baltic as a pilot?
 - o Utilization of regionally agreed Marine spatial data infrastructure for the themes not covered by INSPIRE?

We have ambitious work on our plate; we should plan realistically and give sufficient time to deliver! Additionally, it is important to keep timeframes in mind when discussing these issues in the workshop.

Annex 5 Contact addresses of HELCOM-VASAB MSP WG

Contact addresses of HELCOM-VASAB MSP WG in the Contracting Parties/Member Countries

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