



Document title	Assessment of application of the Baltic Sea Broad-Scale Maritime Spatial Planning Principles and the Guidelines on transboundary consultations, public participation and co-operation, and achievements of regional targets for maritime spatial planning of the Regional Baltic Maritime Spatial Planning Roadmap 2013-2020
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Background

According to the Work Plan 2017-2019 of the HELCOM-VASAB MSP Working Group, evaluation of application of Baltic Sea Broad-scale MSP principles, Guidelines for transboundary consultation, public participation and cooperation and implementation of the Regional Baltic Sea MSP Roadmap (2013-2020) has to be carried out.

VASAB Secretariat is invited to inform the meeting of activity 1.1.4 Follow-up of Common Regional Framework in the Pan Baltic Scope. As part of the implementation of the Pan Baltic Scope project, the VASAB Secretariat has prepared proposals for three Terms of Reference for the follow-up of the principles, guidelines and road map respectively.

Action requested

The Meeting is invited to discuss how the execution of these three tasks can be organised and agree on the Terms of Reference.

Pan Baltic Scope Activity 1.1.4. Follow-up on Joint Regional Framework

Assessment of application of the Baltic Sea Broad-Scale Maritime Spatial Planning Principles and the Guidelines on transboundary consultations, public participation and co-operation, and achievements of regional targets for maritime spatial planning of the Regional Baltic Maritime Spatial Planning Roadmap 2013-2020

Background:

The objective of Pan Baltic Scope project is to promote coherent maritime spatial planning in the Baltic Sea Region and to build lasting macro-region mechanisms for cross-border MSP cooperation.

The project is designed to support the implementation of the EU MSP directive and the objectives defined in the EU BSR Strategy, Blue economy and EU2020 Strategy as well as the VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region and HELCOM Baltic Sea Action Plan.

Project's lifetime is 2 years, January 2018-December 2019 and its partnership is shaped by 12 partners representing national authorities responsible in MSP and relevant macro-regional organizations.

N°	Country	Project Partner
1	SE	Swedish Agency for Marine and Water Management – lead partner
2	DE	Federal Maritime and Hydrographic Agency (BSH)
3	DK	Danish Maritime Authority (DMA)
4	PL	Maritime Office in Szczecin (UMS)
5	LV	Ministry of Environmental Protection and Regional Development (MoEPRD)
6	EE	Ministry of Finance
7	FI	SYKE, Finnish Environmental Institute
8	FI	Satakunta Regional Council (RCS)
9	FI	Government of Åland (GoA)
10	BSR	VASAB Secretariat (State Regional Development Agency)
11	BSR	HELCOM
12	BSR	Nordregio

Associated partners are Lithuanian Ministry of Environment, Finnish Ministry of Environment and Ministry for Energy, Infrastructure and Regional Development Mecklenburg and Vorpommern, Germany.

To build lasting macro-regional MSP coordination mechanisms, project activities are based on the work from Baltic SCOPE project (2015-2017). As part of Pan Baltic scope implementation of Ecosystem Based Approach and Data Sharing will be strengthened as well as it will investigate opportunities to incorporate Land-Sea Interaction into MSP and national plans.

VASAB Secretariat is responsible for Activity 1.1.4. Follow-up on Joint Regional Framework and as part of it Assessment of Baltic Sea Broad-Scale Maritime Spatial Planning Principles, Guidelines on transboundary consultations, public participation and co-operation and Regional Baltic Maritime Spatial Planning Roadmap 2013-2020 will be elaborated. This task will directly support Joint HELCOM-VASAB Maritime Spatial Planning Working Group (MSP WG) in fulfilling their Work Plan 2017-2019.

HELCOM-VASAB MSP WG ensures cooperation among the Baltic Sea Region countries for coherent regional MSP processes in the Baltic Sea.

VASAB Secretariat is collecting the MSP Country Fiches in BSR and they are made available at VASAB and HELCOM websites.

Project target groups:

- Spatial planning experts and other parties interested in planning in BSR which are directly involved in preparations of cross-border plans as part of the Pan Baltic Scope
- Spatial planning experts and other parties interested in planning in BSR which are not directly involved in preparations of cross-border plans as part of the Pan Baltic Scope, but are participating in the national MSP process
- National institutions and authorities responsible for MSP outside BSR, who might benefit from the experience in cross-border planning in BSR, as well as regional organizations from other Sea Basins.
- EU Directorate-General for Fisheries and Maritime Affairs (DG Mare) and Member States Expert Group on Maritime Spatial Planning.
- BSR institutions, authorities, scientists, non-governmental organisations and other stakeholders who are interested in European Union Strategy for Baltic Sea Region (EUSBSR).

Terms of Reference

Objective of the Task:

Objective of the Task is to assess application, implementation, achievements and possible future adjustments to update the joint regional framework for Maritime Spatial Planning (MSP) process in the Baltic Sea Region (BSR):

- 1) Baltic Sea Broad-Scale Maritime Spatial Planning Principles (hereafter - MSP Principles),
- 2) Guidelines on transboundary consultations, public participation and co-operation (hereafter - Guidelines),
- 3) Regional Baltic Maritime Spatial Planning Roadmap 2013-2020 (hereafter – MSP Roadmap).

Area to assess:

Marine waters of countries around the Baltic Sea – Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, Sweden.

Description of the Task:

The Task is divided in three parts:

- To assess implementation of MSP Principles,
- To assess application of Guidelines,
- To evaluate implementation of MSP Roadmap.

1. Implementation of MSP Principles

MSP Principles have been adopted by the HELCOM Heads of Delegations meeting on 8-9 December 2010 and VASAB Committee on Spatial Planning and Development of the Baltic Sea Region on 13 December 2010. MSP Roadmap supports implementation of the MSP Principles and HELCOM-VASAB MSP WG Work Plan 2017-2019 contains actions to assess implementation of MSP Principles. HELCOM-VASAB contracting parties/member countries put in practice MSP principles when developing MSP.

Analytical assessment of MSP Principles application for all (ten) principles in all countries around the Baltic Sea must be conducted. As part of it a matrix type check-list must be created and explained more in details. The assessment includes and evaluates whether the principles are applied:

- a. formally or substantially;
- b. interlinked within each other or separately;
- c. to the whole maritime spatial plan or partially to specific, separated areas;
- d. in the legislation, regulatory framework and/or in maritime spatial plans;
- e. during the whole MSP process or in separated phases/periods;
- f. any guidance/rules regarding the monitoring of MSP have been developed.

Additionally, analysis of each principle has to be done mentioning good examples as well as challenges in application process. Challenges and good practices must be described with concrete examples evaluated and mentioned, pointing out the practices that could be replicated by others.

At the final stage of the evaluation recommendations whether any improvements or adjustments to MSP Principles must be provided. If the assessment concludes with a need to add new topics to the MSP Principles they must be pointed out and explained. Assessment also includes propositions for the steps to be taken on pan-Baltic regional level to fulfil these principles and evaluation if there are any specific tasks that could be best done on transnational level. To implement MSP Principles successfully “Guideline for the implementation of ecosystem-based approach in MSP in the Baltic Sea Area” and “Guidelines on transboundary consultations, public participation and co-operation” have been adopted. As a result of the MSP Principles assessment it must be concluded whether there are other principles that could be implemented more successfully with designated guidelines.

MSP Principles must be evaluated also in the context to the EU MSP Directive (2014/89/EU) according to which all member states have to have finished Maritime Spatial Plans by 2021.

Methods to be used:

- Desk research on “status quo” in MSP process in the countries around BSR, how far are the BSR Countries in their MSP processes;
- If needed – additional questions can be included in the Survey or Interviews conducted as part of MSP Guidelines and MSP Roadmap evaluation.
- Other methods.

2. *Application of Guidelines*

A comparative analysis of application of Guidelines in countries around the Baltic Sea must be conducted. Assessment must consist of a detailed evaluation of the section Recommendations for Transboundary consultation and Cooperation for a specific MSP Process and a general assessment for Recommendations for transboundary pan-Baltic cooperation on MSP. Assessment includes a detailed evaluation how transboundary consultation is organized in the countries around the Baltic Sea and to which extent Guidelines are being implemented in the following fields:

- a. approaches and methods used to organize transboundary consultations,
- b. whether the consultations are formal or substantial,
- c. how broad is the stakeholder involvement, which stakeholders are represented,
- d. transparency of the consultation process, availability of information,
- e. time frame, phases of MSP process when the consultation and involvement take place.

Analysis has to include description of main challenges to implement guidelines as well as suggestions for improvements. Experience on using the Guidelines to reduce spatial conflicts should be explained.

Additionally, a compilation of best practices in transboundary consultation and public participation must be created. This list of best practices will be published on VASAB webpage after it has been agreed with the MSP competent authorities in the countries around the Baltic Sea.

Methods to be used:

- Desk research on “status quo” in MSP process in the countries around BSR, how far are the BSR Countries in their MSP processes;
- A Survey with the responsible authority of MSP in all countries must be carried out to find out more in detail about the application of Guidelines;
- An interactive workshop to collect opinions on Guidelines implementation organized back-to-back with HELCOM-VASAB MSP WG Meeting (Autumn 2018);
- Other methods.

3. *Evaluation of MSP Roadmap*

It must be evaluated to which extent all tasks within MSP Roadmap are implemented in the countries around the Baltic Sea and on pan Baltic level. Steps from the Summary Timetable must be evaluated one by one, implementation in each country must be assessed where possible. The different stages of MSP process in countries around the Baltic Sea must be taken into consideration.

Possible future tasks to include in the MSP Roadmap must be indicated including also the future scope for regional cooperation. Assessment should contain suggestions for the further future providing possible actions in the field of MSP after 2021 and should take into account EUSBSR Revision process.

Methods to be used:

- Desk research on “status quo” in MSP process in the countries around BSR, how far are the BSR Countries in their MSP processes;
- interviews with HELCOM-VASAB MSP WG members about the progress in implementing MSP Roadmap and achieving regional goals.
- An interactive workshop to discuss achievements of regional targets of MSP Roadmap organized back-to-back with HELCOM-VASAB MSP WG Meeting (Autumn 2019);

As part of Roadmap assessment, a map must be prepared to depict status of MSP process in the Baltic Sea: possible phases to include in the map are: preparation phase, consultation phase, confirmation phase, implementation phase. As part of the evaluation process other categorization might be proposed.

Survey, interviews and workshops of the three tasks must be coordinated.

Additionally to the written report, short summary with visual materials (info graphs, schemes etc.) must be prepared.

Throughout the assessment process of the regional framework it is advisable to consult with Pan Baltic Scope project partners.

Documents to take into account:

- Baltic Sea Broad-Scale Maritime Spatial Planning Principles¹,
- Guidelines on transboundary consultations, public participation and co-operation²,
- Regional Baltic Maritime Spatial Planning Roadmap 2013-2020³,
- EU MSP Directive (2014/89/EU)⁴

¹ Available at <http://vasab.org/index.php/maritime-spatial-planning/msp-wg>

² Available at <http://vasab.org/index.php/maritime-spatial-planning/msp-wg>

³ Available at <http://vasab.org/index.php/maritime-spatial-planning/msp-wg>

⁴ Available at http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0135.01.ENG

- MSP Country Fiches⁵
- Outcomes from the interview and survey,
- National(regional) maritime spatial plans where available,
- Final outcomes of Baltic SCOPE project, especially the Recommendations on Maritime Spatial Planning Across Borders⁶,
- Outcomes from HELCOM-VASAB MSP WG Meetings⁷,
- Outcomes from HELCOM-VASAB MSP Data Expert Sub-group⁸,
- European Union Strategy for Baltic Sea Region (EUSBSR)⁹.

Time frame and deliverables:

No	Time frame	Deliverable
1.	One month after entering the Contract	A detailed work plan, description of methodology, structure of the report, suggestions for the structure and contents of survey/interviews, Structure of the workshop.
2.	One month after the HELCOM-VASAB MSP WG Meeting (Autumn 2018)	Desk research report, Summary and analysis of interviews/survey, Summary and analysis of finding in the workshop, Structure for assessment.
3.	Two months before HELCOM-VASAB MSP WG Meeting (Spring 2019)	Draft Assessment, including the maps Visual summary.
4.	One month after HELCOM-VASAB MSP WG Meeting (Spring 2019)	Fine tuning process according to the VASAB and HELCOM-VASAB WG comments.

Contents for the Technical Tender:

- Interpretation of the Terms of Reference by characterising the objectives, main tasks, planned activities to achieve the objectives.
- A time schedule of doable works and activities according to the Terms of Reference.
- Description of the methodology to be applied.
- Explanation of the work provided by each expert.

⁵ available at <http://www.vasab.org/index.php/maritime-spatial-planning/msp-country-fiches> and <http://www.helcom.fi/action-areas/maritime-spatial-planning/country-fact-sheets/> and European MSP Platform (<http://www.msp-platform.eu/>)

⁶ Available at <http://www.balticscope.eu/events/final-reports/>

⁷ Available at <http://www.helcom.fi/helcom-at-work/groups/helcom-vasab-maritime-spatial-planning-working-group>

⁸ Available at <http://www.helcom.fi/helcom-at-work/groups/helcom-vasab-maritime-spatial-planning-working-group/msp-data-expert-sub-group/>

⁹ Available at <https://www.balticsea-region-strategy.eu/action-plan>