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Background

Application of the regional “Guidelines for transboundary consultation, public participation and cooperation” by 2018 Baltic Sea is one of the milestones of the Regional Baltic Maritime Spatial Planning Roadmap (2013-2020). Review of the practices, and if needed, an update of the guideline based on the experience gathered in this process is one of the actions of the Group’s work plan 2017-2019.

The EU MSP Platform is currently preparing a study on cross-border consultation for the European Commission. The study considers also HELCOM-VASAB Guidelines on Transboundary Consultations and addresses practical application of the guidelines as well as additional key principles identified as a result of analysis of cross-border consultation experiences throughout the Europe.

The document contains brief information on the material to be presented to the meeting.

Action requested

The Meeting is invited to take note of the draft Cross-Border Consultation Study, provide feedback on the findings of this study and its recommendations, and reflect on the use of the study for implementation of the group’s work plan.

Cross-Border Consultation Study - Description

November 2018

The EU MSP Platform is currently developing a study for the European Commission on cross-border consultation for maritime spatial plans, titled "*How to conduct Cross-border Consultation on maritime spatial plans within the EU and with EU neighbors?*". The objective of the study is to **inform the design and execution of cross-border consultation exercises**, which facilitate the "give and take" of information relevant to developing maritime spatial plans and exchanging feedback on draft plans. The study will contribute to the collective knowledge base on **how maritime spatial plans can aim to be coherent** – meaning they take into consideration cross-border synergies as well as prevent current or future conflicts – as called for in the EU MSP Directive. The **target audience** is coastal EU Member States who have yet to develop their first national maritime spatial plans, as well as those who are preparing "next" generation plans – both of whom will be or currently are consulting their neighboring countries, which include third countries.

Study input to date has focused on establishing a baseline of **existing cross-border consultation practice** among coastal EU Member States – both with other Member States, as well as third countries. Input was collected from desk research and interviews with individuals involved in consultation on legally-adopted MSP plans, plans under development, and from cross-border MSP projects. Findings have been organised according to the following conceptual framework:

- **WHY is consultation necessary?** Including a review of the legal conventions and mandates relevant to international MSP consultation, along with practical reasons
- **WHICH countries could be consulted, and WHO could be consulted from within them?** Including contact with non-EU countries and addressing multiple levels of consultation
- **WHAT are the issues to be addressed in consultation?** Including how both those seeking feedback as well as providing feedback exchange on cross-border issues
- **WHEN could neighbouring countries be engaged?** Including consideration for milestones throughout the MSP process
- **HOW could consultation be effectively carried out?** Including methods and approaches to gain targeted input from neighbouring countries, as well as respond to ensure interests are considered.

The study authors are interested in supplementing these findings with relevant experiences from related processes, such as sea-basin cooperation mechanisms and other environmental management processes (e.g. Water Framework Directive consultations).

The main study output will be **key principles and concrete checklists** under each framework element to guide the reader (e.g. MSP authorities and planners) to practical information and facilitate ease of use. The checklists will include recommended steps or tasks for MSP authorities to consider when developing a consultation exercise.

Study authors are currently organising **validation exercises** to ensure that recommendations are applicable and relevant to a given context. The final study will be submitted to the European Commission in December 2018. For further discussion, please contact Clare Waldmann: cw@sustainable-projects.eu or +49 30 832 1417 49