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*This is a revised version with track changes of the document 3-3 after discussions during the 20<sup>th</sup> Meeting of the HELCOM-VASAB Maritime Spatial Planning Working Group.*

## Background

As it was presented to the HELCOM-VASAB MSP WG meetings 18-2019 and 19-2019, the HELCOM Baltic Sea Action Plan (BSAP) is being updated (i.e. [document 3-4](#) of HELCOM-VASAB 19-2019). The recent meetings of HELCOM's Heads of Delegation (HOD 57-2019) have reviewed the overarching 'BSAP structure', including its segments and goals, and agreed on a provisional structure to be used as a basis for the update of the BSAP and ongoing work by the Working Groups. The structure of the updated BSAP, including its goals and objective is given in the document 3-4 submitted to this meeting.

It is Noteworthy that HOD 57-2019 mandated the HELCOM-VASAB MSP WG to elaborate a proposal regarding the integration of the MSP into the updated BSAP. Timewise, the Baltic Sea MSP Roadmap is updated parallel to the update of the BSAP. This could be an opportunity to coordinate the update of the MSP roadmap with formulation of the HELCOM-VASAB MSP Working Group's proposal regarding integration of MSP into the BSAP.

HELCOM-VASAB MSP WG 19-2019 discussed the first proposal of how MSP could be included into the BSAP. The meeting welcomed the proposal in principle but concluded that very detailed actions cannot be proposed based on MSP. This document presents an updated proposal on how MSP could be included in the preamble sections of the forthcoming BSAP document. The document presents also alternatives on how MSP could be described in more detailed ways to be included either in the segment-specific operative sections or in the supplementary documents.

## Action requested

The Meeting is invited to:

- consider, discuss and agree on the proposed way to integrate MSP related actions into the updated BSAP;
- discuss the level of specification of MSP related actions in the updated BSAP;
- agree on the timetable for development proposals on concrete MSP related actions for inclusions to the BSAP in line with the Strategic plan for the update of the Baltic Sea Action Plan.

## Proposal for including MSP into the BSAP

### Proposals for the new BSAP structure

The 57<sup>th</sup> meeting of the HODs in December 2019 (HOD 57-2019) discussed the structure of the forthcoming BSAP document. The meeting agreed with the proposal that the updated BSAP should be a relatively short and easy to read. There would be an overall preamble and operative sections on each thematic segment. The wish of HOD 57-2019 was that these sections are concrete and straightforward style unlike the current BSAP document. Detailed information on actions would be presented as supplementary documents, such as action plans and roadmaps.

HOD 57-2019 welcomed the following structuring of the BSAP documents as proposed in a the [document 3-5](#) of the same meeting.

#### Preamble:

- Overarching preamble, addressing principles and cross-cutting issues
- Introductory passage for each segment of the BSAP, addressing aspirations and strategic decisions

#### Operative sections for each segment:

- Eutrophication
- Hazardous substances and litter
- Sea-based activities, including maritime issues
- Biodiversity
- Tentatively separate sections for e.g. monitoring and assessment, awareness raising, financing

#### Supplementary information

- Detailed information on each action including e.g. rationale, estimate effect

Documents that are adopted alongside the updated BSAP, e.g. Recommendations, roadmaps, topic specific action plans etc., are proposed to remain as separate documents and not merged with the main BSAP document.

The HOD 57-2019 discussed whether Maritime Spatial Planning (MSP) should be addressed in a management objective ([HOD 57-2019 Outcome](#), para 3.22). Most participants were of the view that as a tool, MSP should not be addressed in an objective but that the role and application of MSP in HELCOM could instead be covered in the text of a segment of the updated BSAP. The Meeting proposed to keep the objective for the time being and mandated the HELCOM-VASAB MSP WG to elaborate a proposal regarding integration of the MSP into the updated BSAP, taking into account deliberations of HOD 57-2019.

### Proposal for addressing MSP in the BSAP

The HELCOM-VASAB MSP Working Group was invited to propose how MSP could be included into the BSAP. In this document we propose for discussion and further elaboration some ideas how this could be done.

It should be noted that the Baltic Sea MSP Roadmap is being updated parallel to the BSAP update. This can be taken as an opportunity to coordinate between the two processes. As the HOD 57-2019 meeting supported the proposal that more detailed actions towards the objectives of BSAP can be presented in supplementary documents to the BSAP, such as roadmaps. The MSP Roadmap, even if it is a document on its own right and it is not developed nor approved within the BSAP update process, could be conceived as a supplementary document to the BSAP. However, the update of MSP Roadmap is only starting now and there are no decisions on the style and level of details of the new MSP Roadmap. It is thus too early to conclude on how exactly the MSP Roadmap could be linked to the BSAP documents, but it is proposed here that this linkage will be considered while developing the new MSP Roadmap.

The details of the future BSAP related documents (main document, operative sections and the supplementary information) are also still under development. This should be taken into account while considering whether and how the MSP Roadmap would be linked to the new BSAP.

### Proposal for presenting MSP in the preamble to the updated BSAP.

MSP should, obviously, be an element of the preamble texts in the updated BSAP where we propose to reflect the following:

- *that maritime spatial planning is a process to support integrated management of sea based human activities and thus reduce their negative impacts on various components of the marine environment safeguarding biodiversity, promoting the sustainable growth of maritime economies and the sustainable use of marine resources and balancing interests of stakeholders;*
- *that maritime spatial planning is based on a comprehensive, forward looking analysis of ~~large sea~~marine areas ~~space~~ with a purpose of identifying preferred and optimal locations for the sea-based activities and, thus, contributes to ecological objectives of different BSAP segments;*
- *that maritime spatial planning has important added value to the BSAP as it is the only process that takes a comprehensive spatial perspective on ~~large sea areas~~marine space, which is not the case with ~~other~~ marine protection measures that focus on single human activities or components of marine ecosystems*
- *that maritime spatial planning includes considerations to marine nature values to enhance nature conservation [supporting improvement of the marine environment] and the enhancement of marine ecosystem services;*
- *that maritime spatial planning supports sustainable development and sustainable blue economy and contributes to achieving good environmental status of the Baltic Sea by applying an ecosystem-based approach and considering social, economic and cultural ~~aspects~~ and other relevant aspects, and by cooperating to produce ~~ing~~ plans that are coherent across borders.*
- *Contracting parties are committed to implementation of the “MSP Roadmap”...*

### Proposals to address MSP related actions in the updated BSAP and related documents.

Specification of how the MSP could be utilized as a tool to help achieving the objectives of the BSAP is based on the table that was presented in [the document 3-8](#) to the HELCOM-VASAB MSP WG 19-2019. The Meeting concluded that the table should be turned into text and actions should also be generalized.

These more detailed texts could be linked to the BSAP in three alternative ways:

- Included into the operational sea-based activities segment in the BSAP main document. This depends on how the segment-specific sections will develop, e.g. how much text and how detailed.
- Part of the MSP Roadmap, for instance, one section of the MSP Roadmap with a clear reference to the BSAP. This is only possible, if the new MSP Roadmap would be more detailed than the current one. Currently the tasks are presented in very concise one or two sentence paragraphs.
- The MSP-related BSAP text is a separate supplementary document to the BSAP. In that case the new MSP Roadmap should clearly refer to that document.

The below text presents the key points from the table that was presented to the HELCOM-VASAB 19-2019 ([the document 3-8](#)).

*MSP plans can steer sea-based activities by a) allocating space for certain types of activities; b) forbidding particular sea-based activities in specific areas; or c) setting conditions or restrictions on sea-based activities in specific areas. The HELCOM-VASAB [Guidelines on transboundary MSP output data structure in the Baltic Sea](#) suggests types of planning decisions in relation to the use of the sea areas in question: priority, reserved, allowed, restricted and forbidden. The MSP plans, especially*

*when being more strategic, can also signal topics or areas that are found valuable for the society without presenting specific planning solutions.*

*It should be noted that MSP does not necessarily address all sea-based activities in all countries in similar ways and can do this with different levels of steering capacity. Regarding some sea-based activities MSP plans can then give only recommendations. Shipping and commercial fishing are typically such sea-based activities that are not strongly steered by the MSP plans as they are regulated through international policy frameworks.*

*Allocation of space for sea-based activities in MSP should apply a precautionary approach with an aim of steering activities away from areas that have known to have high natural values to protected them from potential harm.*

*MSP plans and accompanying documents can be used to signal areas with high natural value without presenting specific planning solutions. Such information should inform decision-making by different authorities and private operators to take into account the natural values.*

*MSP planning decisions should forbid or at least recommend avoiding sea-based activities in specific areas, if the activities are known to cause serious damage or disturbance to habitats and species found in the areas in question.*

*MSP planning decisions can also be used for giving or recommending conditions and restrictions on conducting sea-based activities in specific areas. These can pertain to timing of activities, for instance to avoid disturbance during spawning or breeding periods, or to extent of the sea-based activity.*

*Formulation of the planning decisions that aim to forbid or give conditions or restrictions to sea-based activities should take into account anthropogenic pressures such as loss and disturbance of seabed, disturbance on habitats and species and underwater noise in relation to known vulnerabilities of habitats and species. Furthermore, planning decisions should be used for minimising emissions of nutrients caused by sea-based activities in areas that are particularly vulnerable to eutrophication.*