



Outcome of the 59th Meeting of the Heads of Delegation (HOD 59-2020)

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Outcome of the 59th Meeting of the Heads of Delegation (HOD 59-2020)

Introduction

0.1 The 59th Meeting of the Heads of Delegation was held online on 7-8 December 2020, in line with HELCOM policy on COVID-19.

0.2 The Meeting was attended by participants from all Contracting Parties, by Observers from Baltic Farmers' Forum on Environment (BFFE), Baltic Sea Advisory Council (BSAC), Baltic Sea Parliamentary Conference (BSPC), Baltic Sea States Subregional Co-operation (BSSSC) & CPMR Baltic Sea Commission, Coalition Clean Baltic (CCB), Cruise Lines International Association Europe (CLIA Europe), Federation of European Aquaculture Producers (FEAP), Global Water Partnership Central and Eastern Europe, International Dialogue on Underwater Munitions (IDUM) and World Wide Fund for Nature (WWF) and by invited guests representing the German National Academy of Sciences Leopoldina. The List of Participants is contained in **Annex 1** to this Outcome.

0.3 The Meeting was co-chaired by the Chair of the Helsinki Commission, Ms. Lilian Busse, Germany and the Vice-Chair 2020-2021 of the Helsinki Commission, Mr. Johannes Oelerich, Germany.

Agenda Item 1 Adoption of the Agenda

1.1 The Meeting adopted the Agenda as contained in document 1-1-Rev.1 with the addition to discuss the revision of the Rules of Procedure for the Helsinki Commission under Agenda Item 8 (Any other business) as proposed by Russia.

Agenda Item 2 Work Plan of the German Chairmanship of HELCOM

2.1 The Meeting took note of the initiatives taken since July 2020 or planned by Germany as a guidance for future HELCOM activities under the German chairmanship of HELCOM (document 2-1). Germany explained that while this document presented a brief overview, details of how Germany planned to progress the various issues would be explained in the respective HELCOM working groups. First issues have already been presented to the working groups in autumn this year.

2.2 With regard to document 2-2 on strengthening Global Ocean Governance under the German chairmanship, Germany stated that HELCOM was a symbol of successful cooperation for the marine environment and that continued and enhanced cooperation with other regional actors and with neighbouring Regional Sea Conventions would benefit from ocean governance in and beyond the region. The Meeting noted the planned initiatives by Germany.

2.3 The Meeting in principle supported the idea of strengthening cooperation between HELCOM and other regional actors. It also noted, however, that cooperation already existed, especially with OSPAR, and that, not least in light of resource constraints, increasing cooperation should deliver strategic added value and benefit HELCOM's core work.

2.4 The Meeting welcomed and accepted the offer by Germany to take the lead with the aim of proactively initiating exchange, i.a. with respective acting presidencies of other actors in the Baltic Sea Region with the aim of strengthening the cooperation.

2.5 The Meeting in principle supported addressing the OSPAR Commission with regard to strengthening and extending the existing co-operation between HELCOM and OSPAR.

2.6 The Meeting stressed that any measure from the side of the Lead Party Germany, which might have political and/or financial consequences for HELCOM and /or the HELCOM budget, would need to be coordinated with the HELCOM Secretariat and be agreed by the HODs.

Agenda Item 3 Preparations for HELCOM 42-2021

3.1 The Meeting endorsed the Provisional Agenda for the 42nd Meeting of the Helsinki Commission (HELCOM 42-2021) and decided that the meeting will be held online in light of the COVID-19 situation.

Agenda Item 4 Preparations for HELCOM Ministerial Meeting 2021

4.1 The Meeting recalled the decision by HOD 58-2020 to arrange the next HELCOM Ministerial Meeting in 2021.

4.2 The Meeting took note of the following organizational information from Germany related to the 2021 Ministerial Meeting:

- the Ministerial Meeting will be held on 20 October 2021 in Lübeck, Germany;
- a working dinner for all participants, including ministers, will be held in the evening of 19 October 2021;
- a preparatory HOD meeting will be held on 19 October 2021 to finalize any open issues for the Ministerial Meeting; and
- travel information for the Ministerial Meeting will be provided in the spring 2021.

4.3 The Meeting took note that Germany is preparing a short ministerial statement. A first draft will be presented to HELCOM 42-2021 and suggested for adoption by the Ministerial Meeting. Germany further clarified that the statement would not overlap with the preamble of the updated Baltic Sea Action Plan (BSAP), but rather be a short overall political statement focussing on the importance of the implementation of the BSAP.

4.4 The Meeting recalled the regulations on the legal basis for decision-making in HELCOM (cf. Rule 3.1 of the Rules of Procedure of the Helsinki Commission), noting that ministerial-level meetings are meetings of the Commission in accordance with the provision cited above and that the 2021 Ministerial Meeting therefore has the power to officially adopt the updated BSAP.

4.5 The Meeting approved the communication strategy for the updated BSAP (document 4-1), noting that the planned communication actions have already been provided for under the regular communication budget.

4.6 The Meeting also requested that all communication materials be shared with the Contracting Parties to facilitate the translation of the various communication materials to their respective national languages, in order to enable further dissemination and increase the reach at the national level.

4.7 The Meeting further took note of the information that the communication strategy and subsequent actions will remain open to further discussion and amendments whenever needed to reflect any future developments and new communication needs that may arise after the adoption of the revised BSAP. This includes opening a discussion at HOD level when planning the BSAP-themed HELCOM Stakeholder Conference and possibly tying it to HOLAS III, as well as revising the communication messages once more is known about the final content of the BSAP.

4.8 The Meeting took note of comments by Denmark on organizing a high-level stakeholder donation event associated with the Ministerial Meeting (cf. paragraph 5.36) in the communication strategy should such an event be approved in the future.

4.9 The Meeting took note of comments by Russia that the updated BSAP, in its current form, contains only few actions geared towards the general public and that specifically targeted messages and communication tools will raise awareness about the BSAP among the general public.

Agenda Item 5 Update of the Baltic Sea Action Plan*Analysis of sufficiency of measures*

5.1 The Meeting considered the results of the sufficiency of measures (SOM) analysis and their presentation and use in the Baltic Sea Action Plan (BSAP) update (document 5-3, **Presentation 1**).

5.2 The Meeting noted that Denmark preferred to use the word “indicate” and not “identify” regarding the results in the SOM analysis in document 5-3, due to the assumptions and uncertainties the results are building on.

5.3 The Meeting agreed that the results of the SOM analysis could be used by the Segment Teams of the Drafting Group for the Updated Baltic Sea Action Plan (DG BSAP) when working further on the segment introductions and actions, and that they could be used for the implementation of the BSAP.

5.4 The Meeting took note that a review of the SOM main report by Contracting Parties will be arranged in January 2021 before it is submitted as a HELCOM ACTION deliverable to the EU.

5.5 The Meeting discussed the publication of the SOM main report as a background document to the 2021 Ministerial Meeting, as a project report or as a Baltic Sea Environment Proceedings (BSEP) report. After submission to DG ENV the main report will be reviewed by EN ESA and GEAR 24-2021. The Meeting agreed to revisit the format of the report in HELCOM 42-2021. The Meeting agreed to decide on the inclusion of the report as a background document to the updated BSAP and 2021 Ministerial Meeting in HOD 60-2021.

5.6 The Meeting agreed to publish the topic report on marine mammals as part of the outputs from the SOM analysis.

Analysis of cost-effectiveness of new measures

5.7 The Meeting considered the cost-effectiveness analysis of proposed new measures (document 5-4, **Presentation 2**).

5.8 The Meeting agreed that the results of the cost-effectiveness analysis will be linked to the proposed new measures and effectiveness and cost estimates for individual measures are provided.

5.9 The Meeting took note that a review of the cost-effectiveness analysis report by Contracting Parties will be arranged in January 2021 before it is submitted as a HELCOM ACTION deliverable to DG ENV.

5.10 The Meeting took note that results of the cost-effectiveness analysis should not be used when selecting actions but could give qualitative indications on the effectiveness and costs of proposed new measures.

5.11 The Meeting took note of the Outcome of the Fifth Meeting of the ad hoc HELCOM Platform on sufficiency of measures (SOM Platform 5-2020) held online on 30 November 2020 (document 5-12).

First full draft of the updated BSAP

5.12 The Meeting welcomed the first full draft of the updated BSAP (document 5-8, **Presentation 3**) and expressed appreciation for the work done to prepare the draft content.

5.13 The Meeting took note of the document highlighting issues where guidance by Heads of Delegation is needed for the further drafting of the updated BSAP in 2021 (document 5-10) as well as the outcome of the Fourth Meeting of the Ad hoc Drafting Group for the Updated Baltic Sea Action Plan (DG BSAP 4-2020) and the comments made by the meeting on the first draft of the BSAP (document 5-11) and noted that these points have been included under the relevant section of Presentation 3. The Meeting further took note of document 5-14 submitted by Finland and that provides general guidance on document 5-10.

5.14 The Meeting took note of the information that Sweden has submitted comments on the BSAP sections as a document to the meeting (document 5-13) and invited DG BSAP and the DG BSAP Segment Teams to consider both this input and the Finnish document 5-14 where relevant in the further drafting.

5.15 The Meeting discussed the overall structure of the updated BSAP and agreed that the biodiversity segment should be placed at the beginning.

5.16 The Meeting acknowledged that the Declaration adopted at the “Our Baltic” Conference organized by the European Commission can provide support for the BSAP drafting process.

5.17 The Meeting pointed out that the BSAP should include a general statement acknowledging the validity of existing HELCOM Recommendations also after adoption of the updated BSAP.

5.18 The Meeting invited the Secretariat to update the guidance for drafting the updated BSAP (document 4-11 from HOD 58-2020) in line with the concretizations provided in this outcome **by 15 December 2020** and, following review by Heads of Delegation **by 8 January 2021**, submit the updated guidance to DG BSAP and the Segment Teams.

Overarching preamble and introduction

5.19 The Meeting discussed the draft overarching preamble and the introduction for the updated BSAP.

5.20 The Meeting agreed that the overarching preamble should include a paragraph on recognizing the socio-economic benefits of implementing the measures and actions. The Meeting also agreed that the preamble should include a paragraph on mitigating the effects of climate change with a focus on the importance of improving and ensuring the resilience of the ecosystem.

5.21 The Meeting pointed out that the political and legal commitments could be better distinguished in the preamble e.g. by highlighting how, for the Contracting Parties that are EU member states, the implementation of the BSAP contributes to the EU Green Deal.

5.22 The Meeting agreed that the content of the overarching preamble should be revisited when the content of the other sections of the updated BSAP are more developed.

5.23 The Meeting took note that Russia will send written comments to the overarching preamble and the introduction to the Secretariat.

5.24 The Meeting supported two reporting intervals for the follow-up of implementation of the updated BSAP, as well as a short explanation of the plan for follow-up in the updated BSAP, tentatively to be included in the introduction. The final placement of the information can be revisited at a later stage of the drafting process.

5.25 The Meeting agreed on the following process for further work:

- Additional comments on the overarching preamble and introduction can be submitted to the Secretariat (susanna.kaasinen@helcom.fi) **by 11 January 2021**.
- The overarching preamble and the introduction will be further considered and developed by DG BSAP in spring 2021, based on the guidance from HOD 59-2020 and comments received in the review processes in 2020.
- Further developed drafts will be presented for guidance by HELCOM 42-2021.
- The overarching preamble and introduction will be drafted further by DG BSAP based on guidance from HELCOM 42-2021.,
- Final approval will take place at HOD 60-2021.

Segment introductions

5.26 The Meeting noted the study reservations by Estonia and Denmark regarding the content of the segment introductory texts. The Meeting acknowledged that the introductions will be presented for final approval at HOD 60-2021 and, taking this into consideration, agreed that further work on the texts can continue in spring 2021 under the auspice of DG BSAP and the respective DG BSAP Segment Teams, with support from the Secretariat.

5.27 The Meeting discussed the introductions and the descriptions of the current and desired state for the segments on eutrophication, hazardous substances and litter, sea-based activities, and biodiversity and provided the following general guidance for the Segment Teams for further drafting in spring 2021:

- A stronger link between the goals, objectives and actions and the content of the introduction of the respective segment is needed with the segment introduction providing clear links to the goals, management objectives and actions for the segment in question. The goal and ecological objectives should function as the basis for presenting the desired state.
- The introductions should, wherever possible, strive to outline the strategic framing of the segment and include aspirations and strategic agreements. Actions under each segment formulated in a general way could be used as a starting point for formulating such strategic statements. The final placement of aspirations and strategic agreements within the segments will be decided later on.
- Wherever possible harmonization across segments should be strived for, though the length of the introductions may vary, and appropriate covering of MAI/NIC commitments in the eutrophication segment should be ensured. The same subheadings should be used for each section to guide the drafting, ensuring that an uninitiated reader can follow the content across segment. These subheadings function as place holders but could be considered for removal at a later stage, once the texts are in place.
- The section on Current state (currently included as part of the Operative section of each segment) should be moved to the general introduction and included as general background for each segment
- Introductions should be kept as short as possible and be drafted under the assumption that the reader is informed regarding the topics. To this end, the following concretized guidance was provided:
 - o Topics included in the visualization/text box should not be repeated in the text of the introduction (i.e. objectives, climate change, SDGs, addressed activities, addressed pressures and cross-referencing to other segments);
 - o Wherever possible visualization should be preferred over text, e.g. *Action areas* currently presented as part of the introductory text could also be included as part of the visualization/information box.
 - o The section on links to other treaties should be as short as possible.
- How to present the content of the current text box needs further development as part of the further process, e.g. SDG targets could be presented in relation to which specific objectives they relate to.

5.28 The Meeting agreed on the following process for further work:

- Additional comments to the segment introductions of the segments on eutrophication, hazardous substances and litter, sea-based activities, and biodiversity can be submitted to the Secretariat (susanna.kaasinen@helcom.fi) **by 10 December 2020**, to be considered for further drafting.
- The Secretariat is to implement editorial changes and harmonize content across segments, based on this guidance from HOD 59-2020, prior to submission of the introductions to respective Segment Team meetings in early 2021.
- The introductions will be further considered and developed in the respective Segment Teams in spring 2021, based on the guidance from HOD 59-2020 and comments received in the review processes in 2020. Special focus in the Segment Teams should be on identifying strategic decisions.
- Further developed drafts will be presented for review by DG BSAP and guidance by HELCOM 42-2021.
- The segment introductions will be drafted further by DG BSAP Segment Teams and DG BSAP based on guidance by HELCOM 42-2021.,

- Final approval of the introductions will take place at HOD 60-2021.

Horizontal actions segment

- 5.29 The Meeting discussed the horizontal actions segment.
- 5.30 The Meeting took note that work on the climate change Fact Sheet and the associated key messages is progressing and that the Fact Sheet will be submitted to HELCOM 42-2021 for approval.
- 5.31 The Meeting took note that Denmark will send editorial comments for the section on economic and social analysis by 10 December 2020.
- 5.32 The Meeting took note that the linkages to MSFD have been reflected in the introductions to the various segments, but they could also be considered only in the introduction to the horizontal actions segment.
- 5.33 The Meeting took note that Russia supports adding HELCOM Hot Spots as an additional topic to the horizontal actions segment.
- 5.34 The Meeting took note of the position of Denmark that while the financing part can list different options for financing of the BSAP, specific programmes should not be bound to the implementation of the BSAP but this should be a decision taken at the national level. The Meeting also took note that Denmark at present does not foresee a possibility to contribute financially to the BSAP Fund.
- 5.35 The Meeting took note of the view by Sweden on the importance of setting aside financial resources to support the implementation of the BSAP.
- 5.36 The Meeting invited DG BSAP to consider alternative wording for the financing part taking into account the comments made.
- 5.37 The Meeting took note of the proposal to organize a high-level stakeholder donation event associated with the Ministerial Meeting.
- 5.38 The Meeting agreed on the following process for further work:
- Additional comments on the horizontal actions segment can be submitted to the Secretariat (susanna.kaasinen@helcom.fi) by **11 January 2021**.
 - The horizontal actions segment will be further considered and developed by DG BSAP in spring 2021, based on the guidance from HOD 59-2020 and comments received in the review processes in 2020.
 - Further developed drafts will be presented for guidance by HELCOM 42-2021.
 - The horizontal actions segment will be drafted further by DG BSAP based on guidance by HELCOM 42-2021.
 - Final approval will take place at HOD 60-2021.

Operative section

- 5.39 The Meeting took note that the following Contracting Parties have study reservations on all actions: Latvia and Russia and that Denmark has a study reservation specifically for the action coded EE14 in document 5-8 as well as a general reservation due to ongoing national coordination.
- 5.40 The Meeting recalled that HOD 58-2020 had agreed in principle that the majority of rephrased and concretized existing HELCOM actions should be transferred to the updated BSAP, with the understanding that for those proposals where open issues remained, further drafting would take place intersessionally with the aim of submitting proposals for approval to HOD 59-2020.
- 5.41 The Meeting took note of the clarification of the implication and aim of agreement in principle as follows:

- Implication of agreement in principle: the content of the action can be agreed to be included in the updated BSAP but there might still be need for reformulation.
- Aim of agreement in principle: to ensure that, given the large number of actions, the time and effort of the experts in the DG BSAP and the respective DG BSAP Segment Teams is prioritised to improve and formulate actions which have support, thus ensuring efficient resource allocation.

5.42 The Meeting took note that final approval on the actions is expected to take place at HOD 60-2021.

5.43 The Meeting supported the proposals for rephrased and concretized existing HELCOM actions in document 5-8 for the actions coded EE09, EE10, EE11, EE12, EE13, EE14, SE06, SE31, BE01, BE08, BE09, BE10, BE15 and HAE07 as the basis for further drafting in the Segment Teams, noting the study reservation by Denmark on EE14.

5.44 The Meeting took note of the comments by Denmark on the existing actions and noted that the comments have been submitted to the Secretariat to be considered in the further drafting. The Meeting further noted that Finland also submitted comments on the actions to the Secretariat.

5.45 The Meeting recalled that HOD 58-2020 agreed to retain actions related to ongoing Convention on Biological Diversity (CBD) processes in square brackets until they can be aligned with CBD targets (actions BE02-BE04, HAE19-HAE20), and invited DG BSAP to consider formulation of final actions.

5.46 The Meeting took note that CBD COP 15 will now be held in the second quarter of 2021 due to the delays resulting from the COVID-19 pandemic. It is thus unlikely that the new CBD targets can be used as direct input to the BSAP update. The Meeting also took note that STATE&CONSERVATION 13-2020 and DG BSAP BIO 1-2020 had emphasised that the rephrased and concretized actions proposed for the updated BSAP, which have been directly linked to the CBD process and thus not considered for provisional approval in HOD 58-2020, will likely need to be uncoupled from the CBD process.

5.47 The Meeting agreed that work on these actions can resume, however, noted that Russia cannot approve the targets for spatial conservation currently included under actions coded BE02 and BE03 in document 5-8. The Meeting noted that ongoing CBD processes, as well as the EU Biodiversity Strategy, could be used as support for further drafting of actions coded BE02-BE04. The Meeting further noted the comment by Denmark that the suitability of actions HAE 19-20 for inclusion in the updated BSAP will need to be considered following further drafting in the Gear Group and DG BSAP.

5.48 The Meeting took note of the list of proposed new actions as well as the comments and endorsements by the Working Groups and the full evaluation of all proposed new actions as contained in document 5-8-Att.1.

5.49 The Meeting supported the endorsement of actions by Working Groups as the basis for further drafting in the DG BSAP Segment Teams, noting that if gaps are identified in the drafting process by Segment Teams, the actions that were not endorsed could be considered to fill in these gaps.

5.50 The Meeting agreed that the work on actions for inclusion in the updated BSAP should now continue at the strategic/managerial level, under the umbrella of DG BSAP, the respective Segment Teams and the HELCOM 42-2020 and possible intersessional HOD meetings planned for spring 2021, supported by the Secretariat. In exceptional cases where deemed necessary DG BSAP can involve topical experts from outside of the DG or the Segment teams where specific expert advice is required, and DG BSAP team participants should consider involving national experts to support the respective national considerations. The Meeting agreed that in spring 2021 the main focus of the work of DG BSAP and the Segment Teams should be the further development of the actions.

5.51 The Meeting recognized that there is a need to make the formulation for some actions clearer, that including similar actions under separate segments should be avoided and that when new actions are further developed there is a need to cross-reference with actions included under existing HELCOM

Recommendations to ensure synergies as opposed to overlap. The Meeting invited DG BSAP and the Segment Teams to consider these issues in the process of further work on the actions.

5.52 The Meeting supported the proposals presented by Sweden regarding structuring actions and information in the Operative section as follows (further outlined in document 5-13 and Presentation 3):

1. Gather actions of more strategic or aspirational character in the preamble or the beginning of the presentation of actions under the operative sections.
2. Avoid duplication with already existing agreements.
3. Explore options for giving actions with a direct effect on the environment higher attention than supporting actions.
4. Consider the possibility of aggregating actions in separate decision documents.

5.53 The Meeting agreed that there is a need to ensure that in the process of structuring the actions under the operational sections, as outlined in paragraph 5.51, none of the existing actions are lost, nor the level of ambition lowered.

5.54 The Meeting acknowledged that with regards to point 4 (in paragraph 5.51 above), consideration should be given to the content and aim of such separate decision documents to avoid proliferation of action plans.

5.55 The Meeting considered, with regard to point 1 (in paragraph 5.51 above), the need to separate proposals requiring concrete action from those which do not, and supported using this to guide the division of topics between the segment introduction (strategic and aspirational actions) and the operative sections (concrete actions and measures).

5.56 The Meeting agreed that in exceptional cases, where in well-grounded circumstances a clear gap is identified during further drafting in spring 2021, an additional action may be prepared and presented to HODs for consideration.

5.57 The Meeting took note of the comments to proposed new actions for the updated BSAP by WWF and CCB (document 5-9). The Meeting thanked WWF and CCB for their active contribution to the BSAP update process. The Meeting noted that, regarding climate change mitigation, the Maritime Working Group has endorsed the proposed new actions aiming at ultimately reducing GHG emissions and they are considered for inclusion in the updated BSAP. The Meeting also noted that a set of actions addressing continuous underwater noise was endorsed by the Maritime Working Group, as a result of constructive cooperation between Contracting Parties and the Chair of EN Noise and the Chair of the Maritime Working Group.

5.58 The Meeting agreed on the following process for further work:

- Comments to the new actions can be submitted to the Secretariat (susanna.kaasinen@helcom.fi) using the template provided in document 5-8-Att.1. Comments provided **by 10 December 2020** will, to the extent possible, be considered when re-formulating actions prior to the Segment Team meetings in early 2021. Comments submitted after 10 December 2020 will be shared directly with the respective meeting.
- The Secretariat will, to the extent possible, redraft proposed actions based on the comments received from Contracting Parties and through the review process in 2020, prior to the Segment Team meetings in early 2021.
- All actions will then be further considered and developed in the respective Segment Teams in spring 2021, based on the guidance from HOD 59-2020 and comments received in the review processes in 2020.
- Further developed actions will be presented for review at DG BSAP and for provisional agreement at HELCOM 42-2021 (and possible subsequent intersessional HOD meeting), as they become available.

- The actions will be drafted further by DG BSAP Segment Teams and DG BSAP based on guidance by HELCOM 42-2020.,
- Final approval will take place at HOD 60-2021.

Annexes

5.59 The Meeting took note of and discussed the proposal for the structure of the annexes as presented in document 5-8 and Presentation 3 and the comments on the structure by the Working Groups.

5.60 The Meeting also discussed a proposal on not including any annexes in the updated BSAP but instead transferring the information on the rationale and the target years to the segments to further describe the actions (document 5-14), as well as a proposal to include the supporting actions in the annexes and only include the measures with a direct effect to the segments (document 5-13).

5.61 The Meeting acknowledged the close link between the information collected for the annexes and the HELCOM Explorer. The Meeting noted that information on the activities and pressures related to the actions and the implementing Working Groups is also needed for the Explorer and should be collected.

5.62 The Meeting agreed on the following process for further work:

- The Working Groups are to collect the information for the annexes as outlined in document 5-8 in spring 2021.
- HELCOM 42-2021 is to continue discussion on where to place the information when the next version of the draft updated BSAP is available.

Supporting documents

5.63 The Meeting took note of the list of supporting documents that are expected to be adopted alongside the BSAP as well as information on the possible other background documents (document 5-6) and recalled the agreement that additional documents which are adopted alongside the updated BSAP will remain as separate documents and will not be merged with the main BSAP document.

5.64 The Meeting supported that documents submitted together with the updated BSAP will be divided into three specific categories depending on their nature, as follows:

- **Background documents:** material providing background information for the BSAP and the update process e.g. implementation report of the BSAP 2007-2021, rationale and process of the BSAP update etc.
- **Supporting documents:** documents which function as support for implementing and achieving the overall visions and objectives of the updated BSAP, but which do not require specific and concrete actions, e.g. the Climate Change Fact Sheet and the HELCOM Science Agenda.
- **Associated action documents:** documents which directly relate to implementing actions and measures for achieving the overall visions and objectives of the updated BSAP e.g. roadmaps, topic specific action plans, strategies, Recommendations etc.

5.65 The Meeting noted that the SOM main and topic reports will be published as project reports and that the decision on the inclusion of these as background material for Ministerial Meeting 2021 will be made in HOD 60-2021 (cf. paragraph 5.4).

5.66 The Meeting acknowledged that the appropriate process for the adoption of the Revised Annex III part II of the Helsinki Convention needs to be clarified and agreed to revisit this at HELCOM 42-2021.

HELCOM Science Agenda

5.67 The Meeting took note of the comments received for the final draft of the HELCOM Science Agenda (document 5.2) and the clarifications provided by the Secretariat, and recalled the timeline and plan for the work as agreed at the start of the process (HOD 56-2019 outcome para.2.32, timetable outlined in doc 2-6).

5.68 The Meeting provisionally approved the final draft of the HELCOM Science Agenda, noting that amendments to selected topics may take place in spring 2021 based on ongoing HELCOM processes.

HELCOM Stakeholder Conference

5.69 The Meeting approved the organization of an online HELCOM Stakeholder Conference on the Ecosystem Approach and Ecosystem-Based Management on 11 March 2021 in cooperation with CCB and the Swedish Agency for Marine and Water Management- SwAM (tbc) (document 5-5). The Meeting further took note of comments by Finland according to which there should also be a focus on the BSAP and its connection with the Ecosystem Approach and Ecosystem-Based Management during the Conference.

HELCOM Explorer

5.70 The Meeting took note that the updated [HELCOM Explorer](#) was launched in autumn 2020.

5.71 The Meeting endorsed the reporting on the joint actions by the Working Groups to be included to the HELCOM Explorer (document 5-7).

5.72 The Meeting took note that the reporting on the implementation of the national actions is still ongoing and that the updated information will be uploaded to the HELCOM Explorer once the reporting is complete.

Regional quantitative targets for marine litter

5.73 The Meeting took note of the proposal by Sweden to develop a regional quantitative reduction target for marine litter for uptake in the updated BSAP, providing a politically interesting agreement for Ministers and the public (document 5-1).

5.74 The Meeting took note of the view of Sweden that a lot of information is already available and that a threshold value has already been set by the EU for marine litter on coastlines.

5.75 The Meeting recalled that there is a HELCOM commitment to develop ambitious quantitative targets for marine litter. The Meeting pointed out that the key point is setting targets for the input of marine litter.

5.76 The Meeting welcomed the proposal by Sweden (cf. paragraph 5.73). Some Contracting Parties cautioned that the work is to be undertaken. Finland and the EU offered to provide reports as background material for this work. In case the quantitative reduction targets could not be developed by the 2021 Ministerial Meeting, an option could be that EN-marine litter will focus on the development of the methods to set the targets as the first step, aiming at proposing the targets in 2022.

5.77 The Meeting agreed to task EN-marine litter to consider in two months an opportunity to develop the quantitative targets, utilizing available knowledge and also the results of SOM analysis and conclude on the possibility of proposing transparent and substantiated quantitative targets as well as on the timeframe when such a proposal can be presented to the Pressure working group and subsequently to HODs.

Agenda Item 6 Matters arising from the HELCOM Groups

Gear Group

6.1 The Meeting took note of the Outcome of the 23rd Meeting of the HELCOM Group for the Implementation of the Ecosystem Approach (GEAR 23-2020), which was held online on 9-11 November 2020 (document 6-21) and approved that GEAR 26-2022 will be held on 24-26 May 2022.

6.2 The Meeting agreed to align the update of the Roadmap on HELCOM activities on the ecosystem approach with the BSAP update.

6.3 The Meeting took note of the comments provided by Contracting Parties and the clarification by the Secretariat regarding the project proposal for HELCOM Holistic Assessment Methodology Development Project (MetDev) (document 6-18), including that resources for the project have been secured from the

HELCOM budget. The Meeting recalled that the preparatory work processes to support the third State of the Baltic Sea report was agreed by HELCOM 41-2020 (para. 5.15 of the Outcome HELCOM 42-2020 and document 5-11), where the last step of the process is to start in January 2021 and run until the end of the first quarter of 2022. MetDev constitutes this third and last step of this process.

6.4 The Meeting took note that editorial changes proposed by Sweden will be implemented and noted the Swedish view that Working package 2D (driver indicators) should be considered to be of lower priority.

6.5 The Meeting approved that resources from the HELCOM budget can be used to fund the outlined work.

6.6 The Meeting approved the project proposal for the HELCOM Holistic Assessment Methodology Development Project (MetDev), thus enabling the work to begin in early 2021, however noting that changes stemming from NEFCO project applications, should it not be successful, may still require that changes are made to the proposal or alternative solutions are found

6.7 The Meeting took note of the progress towards addressing the gaps in knowledge for the third Holistic Assessment of the State of the Baltic Sea (HOLAS III) and noted the comments by the Contracting Parties (document 6-16).

6.8 The Meeting noted the clarifications by the Secretariat that the aim for the HOLAS III assessment for commercial fish to be based on the data and work done under the auspices of ICES. Thus the Workshop on Commercial Fish outlined in document 6-16 will strive to incorporate the national experts involved in the ICES Baltic Sea stock assessment work.

6.9 The Meeting took note of the comment by Russia that, wherever possible, expertise under existing HELCOM groups should be utilized to support the work (e.g. FISH WG and EG MAMA).

6.10 The Meeting approved the Terms of Reference and the provisional time plans for the HELCOM Correspondence Group on Food Webs, the Workshop on Pelagic Habitats and the Workshop on the topic of Commercial Fish (document 6-16) and encouraged the nomination of national experts to populate the group and the planned workshops.

6.11 The Meeting took note of the comments by Contracting Parties on the proposed working structure of the HOLAS III assessment phase (document 6-14), which were received prior to the meeting, and required an overall revision of the document. The Meeting took note of clarifications by the Secretariat.

6.12 The Meeting took note of the comments by Denmark that the review and commenting period for indicator reports as indicated in the current document is too short (10 days) and that 3 weeks would be needed. The Meeting invited the Secretariat to consider modifying the review timetable for this process.

6.13 The Meeting noted that the proposal for an expert-level platform is not supported by all Contracting Parties. However, the Meeting recognized that improving the integration across topics is beneficial and invited the Secretariat to explore alternative and flexible ways of achieving this (e.g. dedicated workshops) and to include alternative proposals in an updated version of the document.

6.14 The Meeting agreed to come back to the approval of the working structure of the HOLAS III assessment phase at HELCOM 42-2020 and invited the Secretariat to prepare an updated proposal, taking into account the comments received prior to and at HOD 59-2020.

6.15 The Meeting took note of the information that leads for some indicators (e.g. beach litter, continuous noise, and oxygen debt) are currently missing and that, should leads not be found for these indicators, the evaluation for the HOLAS III process will be problematic, and it cannot be guaranteed that they can be included in the HOLAS III assessment.

6.16 The Meeting approved the targeted HOLAS III data call (document 6-20).

6.17 The Meeting took note of comments provided by Denmark, Germany and Russia stating that reporting of data for some topics and some years will not be possible.

6.18 The Meeting took note of the information that the number of years of data included in the assessment will likely not differ much from that under HOLAS II as similar restrictions applied to that assessment. The Secretariat is exploring if it is possible to assess the impact of including the data year 2021 to the assessment.

Maritime Working Group

6.19 The Meeting took note of the Outcome of the 20th Meeting of the HELCOM Maritime Working Group (MARITIME 20-2020), which was held online on 5-8 October 2020 (document 6-4).

6.20 The Meeting approved the Work Plan for the Maritime Working Group for 2021-2022 as contained in Annex 3 of the Outcome of MARITIME 20-2020.

6.21 The Meeting noted a general comment that future updates of the Work Plans of all HELCOM Working Groups should, whenever possible, include specific target dates for work items in order to facilitate the planning of work by Contracting Parties and the Secretariat.

6.22 The Meeting noted that MARITIME 20-2020 had agreed to the draft Regional Baltic Biofouling Management Roadmap in principle and mandated TG BALLAST 11-2020 (26-27 November 2020) to finalize and agree to it, followed by direct submission by TG BALLAST 11-2020 to HOD 59-2020 for approval and subsequent adoption by HELCOM 42-2021.

6.23 In considering document 6-32, however, the Meeting took note that TG BALLAST 11-2020 had agreed that the proposed Roadmap should not be approved as an official HELCOM instrument but should instead serve as a basis for future work on harmonizing biofouling management in the Baltic Sea and contributing to the review of the IMO Biofouling Guidelines. The Meeting invited the DG BSAP Segment Team for sea-based activities to take this into account when considering proposed new BSAP actions, making reference to the proposed Biofouling Roadmap.

6.24 The Meeting noted that Sweden has offered to host MARITIME 21-2021, with the exact dates to be decided in due course.

6.25 The Meeting approved the revised Joint Harmonised Procedure on the granting of exemptions under International Convention for the Control and Management of Ships' Ballast Water and Sediments (JHP) (document 6-9).

6.26 The Meeting noted comments by Russia regarding the discussions at MARITIME 20-2020 on the Regional Action Plan on underwater noise and on concerns regarding the format of the work on the SOM analysis, which focuses to a large extent on questionnaires and expert input rather than research.

Pressure Working Group

6.27 The Meeting took note of the Outcome of the 13th Meeting of the HELCOM Working Group on Reduction of Pressures from the Baltic Sea Catchment Area (PRESSURE 13-2020), which was held as an online meeting, on 13-16 October 2020 (document 6-29) and approved that PRESSURE 14-2021 will be held in the week of 13 to 16 April 2021 and PRESSURE 15-2021 in the week of 1 to 5 November 2021.

6.28 The Meeting agreed on the proposed workplan for revising the Regional Action Plan on Marine Litter (RAP ML).

6.29 The Meeting agreed to start the work on the development of a new HELCOM Recommendation on expanded and extruded polystyrene (EPS and XPS).

- 6.30 The Meeting approved the publication of the report of the ACTION project WP4.2 on sufficiency of the EU WFD targets for individual rivers basins for achieving the BSAP goals as part of the Baltic Sea Environment Proceedings (BSEP), assuming that all comments by PRESSURE 13-2020 have been addressed.
- 6.31 The Meeting approved the Work Plan for the Pressure Working Group for 2021-2022 as contained in Annex 3 of the Outcome of PRESSURE 13-2020.
- 6.32 The Meeting took note of the draft HELCOM Regional Action Plan on Underwater Noise (document 6-3) and the supportive comments to the Action Plan by CCB in document 6-31 with references to available up-to-date knowledge.
- 6.33 The Meeting took note that the updated BSAP refers to the draft Action Plan on Underwater Noise and, thus the goal is to adopt the Action Plan before the BSAP. The Meeting also recalled that the development of the Action Plan was committed by the HELCOM Ministerial Meeting in 2018.
- 6.34 The Meeting also pointed out that although the regulation of shipping is under the mandate of IMO, Contracting Parties under Regional Sea Conventions can propose the introduction of required regulations to IMO as well as facilitate harmonized implementation of relevant regulations.
- 6.35 The Meeting took note that Russia at the moment is not in a position to endorse the draft Action Plan. The main concern was raised regarding the inadequate inclusion the continuous noise from offshore wind farms, examples of possible mitigation measures only in aspect of shipping, non-ability of outcomes of up-to-day knowledge regarding the concrete negative impact to specific marine species and possible mitigation measures, as appropriate, etc. All the issues rose as a result of national consultations of the draft Action Plan. The Meeting took note that Russia appreciates the work done by EN-Noise and its Chair in addressing all comments provided at HOD 58-2020 to have a balanced structure of the document with all underwater noise sources.
- 6.36 The Meeting welcomed the offer by Russia to provide concrete proposals to the draft Action Plan to the Secretariat (marta.ruiz@helcom.fi) **by 28 December 2020**.
- 6.37 The majority of Contracting Parties expressed general support for the submitted draft Action Plan and willingness to adopt it. The Meeting agreed to nominate national representatives to address the final drafting of the Action Plan by 15 January 2020 and inform the Secretariat accordingly (marta.ruiz@helcom.fi), so that an online meeting of the drafting group is held in February 2020 aiming at providing an update version of the draft Action Plan on Underwater Noise to HELCOM 42-2021 for consideration.
- 6.38 The Meeting took note of the strong support for the draft Action Plan expressed by CCB and that from CCB's point of view there is a solid scientific background behind actions proposed in the draft Action Plan.
- 6.39 The Meeting agreed on the need to produce soundscape maps for the development of the continuous noise section in HOLAS III (document 6-8).
- 6.40 The Meeting pointed out that the production of the soundscape maps is to be coordinated with OSPAR and congratulated the Secretariat for the positive decision on the HELCOM BLUES project proposal, noting that it highlights the importance of the issue of continuous noise for the protection of the marine environment. The Meeting further pointed out that the HELCOM BLUES project will be beneficial for HOLAS III in general as it also addresses additional work strands.
- 6.41 The Meeting pointed out that the work is to be done under the supervision of EN-Noise, ensuring that the work is done in the most efficient way.

6.42 The Meeting took note that Russia is interested in the involvement of Russian experts in cooperation on the implementation of the related tasks of the HELCOM BLUES project.

6.43 The Meeting in general supported endorsement of the revised HELCOM Recommendation 23/5 on storm water management for the adoption by HELCOM 42-2021 (document 6-2), pending study reservation by Germany with expected clarification by 15 January 2021.

6.44 The Meeting took note that Russia suggests including the words “..and modernization of urban areas” in item 7 section A and adding one measure related to redistribution of excess water between catchment areas with available capacity in item 12 section B.

6.45 The Meeting also took note that Russia requests clarification of the term “secondary runoff paths” applied in item 6 section A.

6.46 The Meeting took note of the concern by Estonia regarding the reporting format proposed in the draft Recommendation and invited Estonia to provide concrete proposals how to address this issue to the Secretariat as soon as possible.

6.47 The Meeting took note of the presentation by Latvia on the proposal for deletion of the Rīga wastewater treatment plant from the HELCOM list of hot spots (hot spot No. 42) (document 6-27, **Presentation 4**).

6.48 The Meeting welcomed the information, congratulated Latvia on the progress achieved in reducing emissions to the Baltic Sea and agreed to delete hot spot No. 42 Rīga wastewater treatment plant from the HELCOM list of hot spots.

6.49 The Meeting agreed that the deletion of the hot spots is an important regional activity, which is to be continued in the frame of the updated BSAP. The Meeting also noted that the EU is currently reviewing the Urban Waste Water Treatment Directive and that the HELCOM requirements for water purification are stricter than those of the EU.

6.50 The Meeting took note of progress in the development of the risk assessment framework for internal nutrient reserve management (document 6-23).

6.51 The Meeting recalled that the HELCOM risk assessment framework for the management of internal nutrient reserves and the regional principles and risk assessment framework for management of internal nutrient reserves were agreed by the HELCOM 2018 Ministerial Meeting in 2018 and the ad hoc group (MINUTS) was set up to fulfil this task. The Meeting took note that Estonia questions the necessity of this activity.

6.52 The Meeting took note that measures to manage internal nutrient reserves which require specific regional risk assessment framework are currently being developed and tested in a small scale.

6.53 The Meeting agreed on supporting the first alternative for the paragraph reflecting the role of HELCOM in the risk assessment framework proposed in document 6-23.

6.54 The Meeting also took note that Denmark proposes to limit the scope of the Recommendation by physical and chemical measures only.

6.55 The Meeting took note that Germany is in favour of a stronger HELCOM role in the risk assessment framework and would like to support the second alternative but could also agree with the first alternative, in a spirit of compromise, if consensus among all Contracting Parties can be achieved on this basis.

- 6.56 The Meeting took note of the recommendation by Russia to consider article 6 of the Helsinki Convention related to information exchange in the risk assessment framework.
- 6.57 The Meeting in general supported the proposed modification of the Terms of Reference for the ad hoc Group MINUTS pending a study reservation by Estonia which is to be resolved through consultations with the Secretariat by the end of January 2021.
- 6.58 The Meeting approved publication of the report on the HELCOM core indicator on inputs of nutrients for the period 1995-2018 (document 6-24).
- 6.59 The Meeting considered and approved the project proposal for region-wide-scope screening of hazardous substances (document 6-28)
- 6.60 The Meeting took note that the EU proposes to include the EU MSFD expert network in the discussion on the project results to ensure the integration of screening results in the EU work.
- 6.61 The Meeting took note that Russia expects certain difficulties in transferring samples across the national borders which require consideration when planning the screening campaign.
- 6.62 The Meeting agreed to complete the participation table and send it to the Secretariat (owen.rowe@helcom.fi) **by Friday, 28 January 2020** at the latest to enable further planning and coordination of the campaign.
- 6.63 The Meeting agreed in principle on the proposed changes to the HELCOM Guidelines for Management of Dredged Material at Sea, pending clarification of the comments and possible necessary modifications proposed by Finland by the end of January 2021.
- 6.64 The Meeting approved the draft policy brief on End of Life Boats (ELB) (document 6-1) as a HELCOM policy message on End of Life Boats.

Response Working Group

- 6.65 The Meeting took note of the Outcome of the 28th Meeting of the HELCOM Response Working Group (RESPONSE 28-2020), which was held online on 3-5 November 2020 (document 6-10).
- 6.66 The Meeting approved the proposal by RESPONSE 20-2020 to withdraw HELCOM Recommendation 17/12 on measures to abate pollution by oil and other harmful substances in cases of grounding, collision, sinking of a ship or other maritime casualty.
- 6.67 The Meeting took note that RESPONSE 28-2020 approved the draft HELCOM Annual Report on discharges observed during aerial surveillance of the Baltic Sea 2019 for publication on the HELCOM web page.
- 6.68 The Meeting took note that REPONSE 28-2020 agreed that it is premature to publish Volume 1 of the draft Submerged Assessment on warfare materials and that RESPONSE 28-2020 agreed on a proposed way ahead, including drafting of new Terms of Reference for the Expert Group on Environmental Risks of Hazardous Submerged Objects (SUBMERGED) for consideration by RESPONSE 29-2020.
- 6.69 The Meeting took note that progress has not been made on Volume 2 of the draft Submerged Assessment on wrecks in the Baltic Sea.
- 6.70 The Meeting approved the Work Plan for the Response Working Group for 2021-2022 as contained in Annex 6 of the Outcome of RESPONSE 28-2020.

6.71 The Meeting took note that Mr. Bernt Stedt (Sweden) was elected as the Chair and Mr. Torben Iversen (Denmark) was elected as Vice-Chair of the Response Working Group for the next two-year period (2021-2022).

6.72 The Meeting noted that Estonia has offered to host RESPONSE 29-2021 in the summer or autumn of 2021, with the exact dates for the Meeting to be decided in due course

6.73 The Meeting approved the draft Joint Inter-Regional Marine HNS Response Manual, as set out in document 6-11, with a view to its adoption by HELCOM 42-2021, to replace the current HELCOM Response Manual Volume 2. In this context, the Meeting recognized that certain non-substantial aspects of the draft HNS Manual are still to be finalized, including internal links, photos, formatting, proofreading and the Annex on regional specificities.

6.74 The Meeting approved the draft revised HELCOM Response Manual with a view to adoption by HELCOM 42-2021, as set out in document 6-19. The Meeting, however, encouraged Lithuania and Russia to provide the missing national information to the Secretariat (markus.helavuori@helcom.fi) at their earliest convenience for inclusion in the final draft for HELCOM 42-2021.

6.75 The Meeting considered the draft revised HELCOM Recommendation 31E/6 on integrated wildlife response planning in the Baltic Sea area (document 6-12). Following discussion, the Meeting approved the revised Recommendation as contained in document 6-12-Rev.1 with a view to its adoption by HELCOM 42-2021.

State and Conservation Working Group

6.76 The Meeting took note of the Outcome of the 13th Meeting of the HELCOM Working Group on the State of the Environment and Nature Conservation (STATE&CONSERVATION 13-2020), which was held online on 5-9 October 2020 (document 6-22) and approved that STATE&CONSERVATION 14-2020 will be held on 3-7 May 2021 and STATE&CONSERVATION 15-2021 will be held on 4-8 October 2021.

6.77 The Meeting approved the Work Plan for the State and Conservation Working Group for 2021-2022, as contained in Attachment 2 to document 6-22.

6.78 The Meeting approved the organization of an intersessional meeting of the State and Conservation Working Group on marine mammal indicator development in spring 2021 and meetings for taking the work on the MPA LIFE project proposal forward in autumn 2020 and spring 2021.

6.79 The Meeting took note that additional intersessional meetings to finalize the BSAP Annex are likely to be needed.

6.80 The Meeting took note that the planning for the next HELCOM Red List assessment has started and that the State and Conservation Working Group supported the development and publication of a joint scoping study based on the background material and outcomes of the joint HELCOM-ICES-OSPAR bycatch workshop

6.81 The Meeting took note that Ms. Marie-Louise Krawack (Denmark) and Mr. Norbert Häubner (Sweden) were elected as Co-Chair for nature conservation and biodiversity-related topics and Co-Chair for monitoring and assessment-related topics, respectively, for the next two-year period (2021-2022), and Mr Dieter Boedeker (Germany) as Vice Chairperson for nature conservation and biodiversity-related topics.

6.82 The Meeting approved the publication of the HELCOM Checklist 2.0 as part of the Baltic Sea Environment Proceedings (BSEP) (document 6-15).

6.83 The Meeting approved the HELCOM Indicator Manual for publication as part of the Baltic Sea Environment Proceedings (BSEP) (document 6-17).

6.84 The Meeting took note of the view by Denmark that with regards to the development of operational indicators, the primary criteria in the GES decision should have first priority and that it is

important that the indicators which hopefully will be developed under the HELCOM BLUES project also follow the manual and that involvement of all Contracting Parties is assured.

6.85 The Meeting took note of the clarification by the Secretariat that opportunities for involvement by all Contracting Parties in the indicator development under the HELCOM BLUES project have been planned into the project structure (involvement and guidance of expert groups and working groups as well as opportunities for direct involvement e.g. through workshop) and that it is the hope of the consortium and the Activity leads that Contracting Parties take the opportunity to engage in the work.

Agri Group

6.86 The Meeting took note of the Outcome of the Tenth Meeting of the HELCOM Group on Sustainable Agricultural Practices (AGRI 10-2020), which was held online on 4-5 November 2020 (document 6-4) and approved that AGRI 11-2021 will be held on 27-28 April 2021.

6.87 The Meeting took note of the current status of the revision of Part 2 of Annex III to the Helsinki Convention (document 6-6) and considered the comments and proposals by CCB as contained in document 6-33.

6.88 The Meeting welcomed the progress achieved by the Agri Group in revising Part 2 of Annex III to the Helsinki Convention and thanked the group for the work done.

6.89 The Meeting approved the revised Regulation 2 Item 3, the revised Regulation 2 Item 6 and the glossary of terms.

6.90 The Meeting took note that the EU would like to provide minor written comments on the regulations under revision to the Secretariat (susanna.kaasinen@helcom.fi and dmitry.frank-kamenetsky@helcom.fi) for consideration by AGRI 11-2021.

6.91 The Meeting in general supported the new paragraph on nutrient recycling, taking note of a study reservation by Denmark on the first two bullet points of the new paragraph on nutrient recycling and that Germany finds that it would be desirable for the paragraph to be formulated with the same ambition as the Nutrient Recycling Strategy and the currently proposed texts for the BSAP. The Meeting took note that Denmark proposed a discussion in the Agri Group regarding the placement of the text.

6.92 The Meeting invited Denmark to lift the reservation by AGRI 11-2021 as well as provide concrete written proposals to update the paragraph to the Secretariat (susanna.kaasinen@helcom.fi and dmitry.frank-kamenetsky@helcom.fi), if this will be needed.

6.93 The Meeting requested the Agri group to consider written proposals by the EU and Denmark and use them in accordance with the decisions of this Meeting.

6.94 The Meeting considered the proposed alternatives for revising Regulation 2 item 7 and did not come to an agreement on selection one of them.

6.95 The Meeting took note of the CCB's view that multi-year accounting method of phosphorus is considered as weakening of the annex and, thus should not be accepted in accordance with the principles of the revision (document 6-6).

6.96 The Meeting recognized that since consensus on the revision of Regulation 2 Item 7 has not been achieved the current version of the regulation remains valid, noting that Denmark, Latvia and Sweden would prefer either of the proposed new alternatives to the original text.

6.97 The Meeting agreed that the glossary of terms is to be an integral part of Annex 2, being applicable only to Annex 2.

6.98 The Meeting requested the Secretariat to clarify the formal procedure for the adoption of the revised Part 2 of Annex III to the Helsinki Convention to HOD 60-2021.

6.99 The Meeting considered the first draft of the Baltic Sea Regional Nutrient Recycling Strategy (document 6-26).

6.100 The Meeting supported the draft Strategy, pointing out that the document provides a comprehensive vision of nutrient recycling in line with the commitments given by HELCOM Ministerial Meeting in 2018.

6.101 The Meeting took note that measures listed in the draft Strategy are of a voluntary nature and can be utilized as a pick-up list for national implementation. The Meeting also took note that six key strategic actions corresponding to each objective of the nutrient recycling strategy were proposed for inclusion in the updated BSAP (Annex 2 to document 6-26). These actions will be utilized to follow-up the Strategy implementation.

6.102 The Meeting expressed various views on the inclusion of the nutrient recycling-related actions (annex 2 to the document 6-26) in the update BSAP. The Meeting agreed that the action corresponding to the first objective and committing to undertaking adequate measures for implementing the Strategy is to be included to the updated BSAP. The Meeting further agreed that the relevance of other proposed measures for the updated BSAP is to be considered by DG BSAP together with other actions proposed for inclusion in the eutrophication segment of the updated BSAP.

6.103 The Meeting took note that Russia considers the implementation of the strategy as a rather expensive activity.

6.104 The Meeting took note that FISH 12-2020 approved the updated Terms of Reference and Work Plan for CG Aquaculture, as included in Annex 2 of the Outcome of FISH 12-2020.

Fish Group

6.105 The Meeting took note of the Outcome of the 12th Meeting of the HELCOM Group on Ecosystem-based Sustainable Fisheries (FISH 12-2020), which was held online on 11-13 November 2020 (document 6-13).

6.106 The Meeting noted the plan to organize FISH 13-2021 on 18-19 May 2021, which was considered to be too close to HOD 60-2021. The Meeting invited the Secretariat to liaise with the Chair of the Fish Group in order to agree on an earlier timing for FISH 13-2021.

6.107 The Meeting took note of the initial follow-up on the Roadmap on fisheries data in order to assess incidental bycatches and fisheries impact on benthic biotopes in the Baltic Sea (document 6-30).

HELCOM-VASAB MSP Working Group

6.108 The Meeting took note of the Outcome of the 21st Meeting of the HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG 21-2020), which was held online on 12-13 November 2020 (document 6-25) and approved that HELCOM-VASAB MSP WG 21A-2021 will be held on 3 February 2021 and HELCOM-VASAB MSP WG 22-2021 will be held on 20-21 April 2021.

Agenda Item 7 HELCOM institutional and organisational matters

7.1 The Meeting took note of the Audit Report and the Financial Statement of the Helsinki Commission for the financial period from 1 July 2019 to 30 June 2020, as well as of the explanatory memorandum (document 7-3) and advised the Executive Secretary to submit them to HELCOM 42-2021 in order to have the accountables officially discharged from responsibility.

7.2 The Meeting took note of the HELCOM budget transfers for the current financial year 2020-2021 that were previously approved by the HELCOM Chair, in accordance with Rule 2.6 of the Financial Rules for the Helsinki Commission (document 7-4).

7.3 The Meeting took note of the meeting plan for HELCOM bodies and endorsed the future mode of HELCOM meetings as contained in document 7-1, noting that the new arrangements should be reviewed in due course, based on the experience gained. The Meeting agreed that special circumstances may apply to the Response Working Group and that this group will be consulted separately. The Meeting further noted the comments by Germany that if physical attendance is possible, the principle of rotating hosts should be fairly kept.

7.4 The Meeting considered the draft budget for the financial period from 1 July 2021 to 30 June 2022 (document 7-2-Rev.1) and advised the Executive Secretary to submit it to HELCOM 42-2021 for official adoption.

7.5 The Meeting recalled the commitment to reaching equal shares in monetary terms and acknowledged that all countries except for one will now have reached equal shares, noting that the delay of the remaining country, Estonia, in shifting to equal shares is unprecedented in HELCOM and strongly requested Estonia to consider speeding up its transition to paying equal shares with a view to reaching equal shares in monetary terms for the financial year 2022-2023.

7.6 The Meeting considered the draft income budget estimate for the financial period 1 July 2022 to 30 June 2023 (document 7-2) and advised the Executive Secretary to submit it to HELCOM 42-2021 for further consideration.

7.7 The Meeting took note of the comment by Russia regarding a possible modification of the titles of the Associate/Assisting Professional Secretaries to Associate Professional Officer/Official to avoid any possible confusion with P-staff selected by HELCOM.

Agenda Item 8 Any other business

8.1 The Meeting took note of the information on the XXI International Environmental Forum "Baltic Sea Day", which will tentatively be held on 23-24 March 2021 in a hybrid format. The Meeting encouraged the Contracting Parties to have national representatives attend the event.

8.2 The Meeting approved the publication of the HELCOM Activities Report 2020 (document 8-1) under the Baltic Sea Environment Proceedings (BSEP) series, pending minor requested text changes, further minor editing (non-substantial) and layout work.

8.3 The Meeting took note of the list of on-going projects within HELCOM and with HELCOM involvement (document 8-2).

8.4 The Meeting took note of the overview of planned meetings and exercises within HELCOM and other forums and external projects in 2021 (document 8-2), requested the Secretariat to update the list based on the outcome of this meeting and further requested the Contracting Parties to check their possibility of hosting and propose venue/date for meetings that have not yet been confirmed.

8.5 The Meeting took note of the proposal of the Russian Federation to amend Rule 6 "Submission of Documents for Meetings of the Commission" of the Rules of Procedure of the Helsinki Commission with an additional paragraph "Proposals submitted by non-governmental organizations for amendments to

mandatory documents, recommendations, guidelines/manuals, and other working documents, which need a decision and further implementation by the Contracting Parties shall be co-sponsored by one or more Contracting Parties”, which is a common international practice, for example, in IMO. Russia kindly requested the HELCOM Secretariat to prepare a document for further consideration of the proposal by the Contracting Parties.

8.6 The Meeting took note that Finland was of the view that the rationale behind the proposal needs to be considered in greater depth and that HODs should therefore return to this.

8.7 The Meeting took note of and thanked the representatives of the German National Academy of Sciences Leopoldina for the interesting presentation on underwater heritage and archaeology (**Presentation 5**). The Meeting further noted the mutual benefits of protecting both the marine environment and underwater heritage and the option to include underwater archaeology into MSP processes. The Meeting especially noted, the common pressures on underwater heritage arising from ammunitions, ghost nets and eutrophication. The Meeting further encouraged to remain in contact with Leopoldina on this matter.

8.8 The Meeting took note of the information in document 8-5 on the threat caused by magnetic fishing.

8.9 The Meeting took note of the statement by the European Union on financing and legislation as included in **Annex 2** to this Outcome.

Agenda Item 9 Next meeting(s)

9.1 The Meeting decided that the next meeting of Heads of Delegation (HOD 60-2021) will be held on 3-4 June 2021 in Germany, if the COVID-19 situation allows. The Meeting decided that HOD 61-2021 will be held tentatively on 8-9 December 2021.

9.2 On behalf of the Contracting Parties the Chair thanked two staff members of HELCOM who will be leaving the Secretariat at the end of 2020, Ms. Heini Ahtiainen and Mr. Riku Varjopuro, for their dedicated and excellent services to the organization.

Agenda Item 10 Outcome of the Meeting

10.1 [The Meeting adopted the draft Outcome of the Meeting as contained in document 10-1 via correspondence. The final Outcome, incorporating the comments by the Meeting, has been prepared by the Secretariat and made available in the HELCOM Meeting Portal.]

Annex 1 List of participants

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Annex 2 Statements by the European Commission

Statement by the European Commission Regarding Financing and the Implementation of EU Legislation

The EU is an important financing body for potential projects being considered within the context of HELCOM. In order to avoid any interference with the independent decision-making procedures established under the various financing instruments, the EU does, as a matter of principle, not take any position as regards any project proposal intended for submission to EU financing bodies. This should not be interpreted in any way as prejudging the position of the EU when taking financing decisions.

The responsibility for implementing EU legislation is solely with the EU Member States. The role of the European Commission in accordance with EU Treaties is, inter alia, to assess compliance with EU legislation, for instance once a Member State has submitted its report under the Marine Strategy Framework Directive. Hence, any statement or position taken by the EU within the context of HELCOM should not be construed to give any assessment of whether the work done by HELCOM or by its contracting parties that are EU Member States is compliant with Union legislation.