

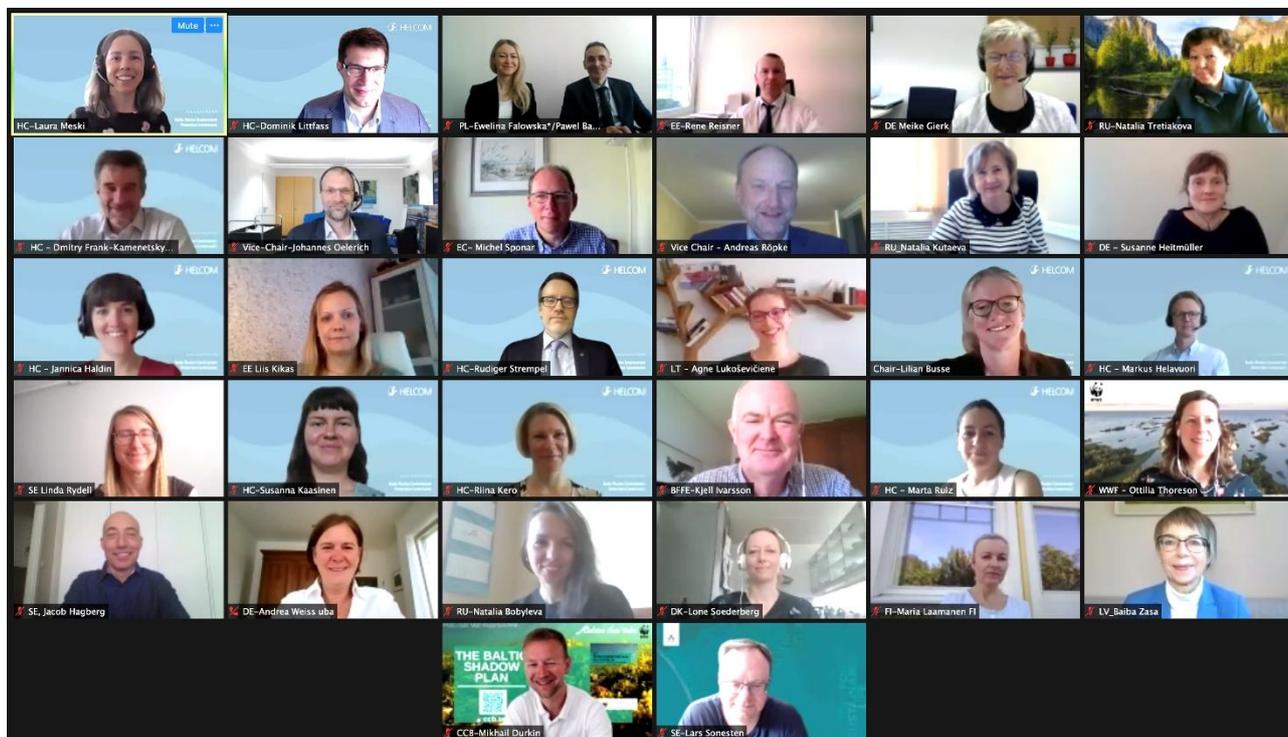


# Baltic Marine Environment Protection Commission

Heads of Delegation  
Online meeting, 3-4 June 2021

HOD 60-2021

## Outcome of the 60th Meeting of the Heads of Delegation (HOD 60-2021)



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## Outcome of the 60th Meeting of the Heads of Delegation (HOD 60-2021)

### Introduction

0.1 The 60th Meeting of the Heads of Delegation (HOD 60-2021) was held online on 3-4 June 2021, in line with HELCOM policy on COVID-19.

0.2 The Meeting was attended by participants from all Contracting Parties, by Observers from the Baltic Farmers' Forum on Environment (BFFE), the Baltic Sea Parliamentary Conference (BSPC), the Baltic Sea States Subregional Co-operation (BSSSC) & Conference of Peripheral Maritime Regions Baltic Sea Commission (CPMR BSC), Coalition Clean Baltic (CCB), Cruise Lines International Association Europe (CLIA Europe), the Nordic Environment Finance Corporation (NEFCO) and the World Wide Fund for Nature (WWF), as well as by an invited guest. 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 of HELCOM 2020-2021, Mr. Johannes Oelerich, Germany.

### Agenda Item 1 Adoption of the Agenda

1.1 The Meeting adopted the Agenda with the addition by Sweden, which wished to inform on the change of Head of Delegation (HOD) under Agenda Item 7.

1.2 The Meeting noted the comment by Russia that even though the limited time available for this meeting would make it difficult to deal with all topics, the meeting should not seek to hurry through the agenda at the expense of the substance of the issues as well as decide about additional meetings in the summer/fall, if any, for completing current considerations. The updated Baltic Sea Action Plan (BSAP) is a very important tool and should be considered with care.

### Agenda Item 2 German Chairmanship of HELCOM

2.1 The Meeting recalled the decision by Germany to have a Vice-Chair from each the two German federal states bordering the Baltic Sea, Schleswig-Holstein and Mecklenburg-Vorpommern, which is related to the particular structure of Germany as a federal state, due to which the competency for marine environmental protection was divided between the federal level and the federal states.

2.2 The Meeting welcomed Mr. Andreas Röpke, Ministry for Agriculture and Environment (Mecklenburg-Vorpommern), as the Vice-Chair of HELCOM from 1 July 2021 onward and took note of the introductory word by Mr. Röpke, noting in particular his long involvement in HELCOM work.

2.3 The Meeting thanked Mr. Johannes Oelerich, Ministry of Energy, Agriculture, the Environment, Nature and Digitalization (Schleswig-Holstein) for his valuable work as the Vice-Chair of HELCOM from July 2020 to June 2021.

2.4 The Meeting took note of a comment by Mr. Oelerich that the issue of hazardous submerged munition in the Baltic Sea is a matter of priority for Schleswig Holstein and the German chairmanship, and the wish to see renewal of the mandate of the Expert Group on Environmental Risks of Hazardous Submerged Objects (SUBMERGED) by HOD 61-2021.

2.5 The Meeting approved the organization of a HELCOM Workshop on Blue Carbon in the Baltic Sea region on 17-18 November 2021 (one and a half day) in cooperation with Germany (document 2-1).

2.6 The Meeting approved in principle the organization of an online HELCOM Stakeholder Conference on climate change in the Baltic Sea region in cooperation with Baltic Earth and Germany, tentatively scheduled for week 10 in March 2022 (document 2-2).

2.7 The Meeting noted that the Workshop on Blue Carbon will specifically focus on mitigation measures related to the potential of the Baltic Sea for carbon sequestration while the Stakeholder Conference will address broader issues related to climate change, including the presentation of the joint HELCOM/Baltic Earth Climate Change Factsheets.

2.8 The Meeting further noted that the Stakeholder Conference should also focus on the implementation of the relevant actions contained in the updated BSAP that are related to climate change.

### **Agenda Item 3 Preparations for HELCOM Ministerial Meeting 2021**

3.1 The next HELCOM Ministerial Meeting will take place on 20 October 2021, hosted by Germany. The Ministerial Meeting will take place in Lübeck, Germany in person if the COVID-19 situation allows.

3.2 The Meeting took note of the draft provisional agenda for the Ministerial Meeting as contained in Annex 1 to document 3-1, the provisional programme of the Ministerial Meeting and the intersessional HOD meeting to be held on 19 October 2021 as contained in Annex 2 to document 3-1 and agreed on the questions proposed for the ministerial debate as contained in Annex 3 to document 3-1.

3.3 The Meeting considered the draft Ministerial Statement (document 3-2) and thanked Germany for the draft. The Meeting took note of comments by Germany that the statement is in the process of being finalized, pending the inclusion of additional comments from the Contracting Parties.

3.4 The Meeting took note of the remark by Russia, which will need to ask for comments from other national authorities that may also have a stake in the Statement.

3.5 The Meeting noted that mentions of the COVID-19 pandemic should only be included if they contain a direct correlation with either HELCOM work or the state of the marine environment. The Meeting also noted that the pandemic has led to an increased awareness of environmental matters, which could be reflected in the Statement. The Meeting further noted that the 2021 Ministerial Meeting, due to its high-level political attendance, would be a good occasion for delivering a more ambitious statement. Furthermore, the Meeting noted that separate references to the European Union and Russia in para. 5 should be removed in order to portray HELCOM as speaking with one voice.

3.6 The Meeting agreed that additional comments on the draft Ministerial Statement are to be provided to Germany ([meike.gierk@bmu.bund.de](mailto:meike.gierk@bmu.bund.de)) and the Secretariat ([rudiger.stempel@helcom.fi](mailto:rudiger.stempel@helcom.fi)) by **11 June 2021** at the latest, with a view of having the Statement approved at the intersessional HOD meeting on 8-9 September 2021 (HOD 60A-2021).

### **Agenda Item 4 Update of the Baltic Sea Action Plan**

4.1 The Meeting took note of the draft updated Baltic Sea Action Plan (BSAP) (document 4-1), the overview of the BSAP actions by target year (document 4-3) and the Outcome of the Intersessional Meeting of the HELCOM Working Group on Reduction of Pressures from the Baltic Sea Catchment Area (PRESSURE 14B-2021) which was held online on 24 May 2021 (document 4-7, **Presentation 1**).

4.2 The Meeting noted that there are still ongoing national consultations by some Contracting Parties and reiterated that the final adoption of the BSAP will take place at the Ministerial Meeting. Furthermore, the Meeting noted a general study reservation by Russia on fisheries related actions.

4.3 The Meeting took note of the comment by Finland that the use of the word “shall” needs to be exchanged for the word “will” in document 4-1. The Meeting noted the comment by Germany that a thorough review needs to be done following this amendment to ensure that the level of ambition is not lowered and that “shall” was also used in the 2007 BSAP.

4.4 The Meeting took note of the preference expressed by Sweden to have an indication in the BSAP on which actions are identical to actions in the 2007 BSAP and which actions are either entirely new or have been modified in the update process.

## BSAP Actions

4.5 The Meeting considered the comments provided by Denmark (document 4-5, document 4-5-Add.1), the European Union (document 4-8, document 4-8-Add.1) and Lithuania (document 4-9) on the draft updated BSAP.

4.6 The Meeting discussed the late proposal for a new action on ports presented by Lithuania in document 4-9 (“Develop a regional approach/action plan based on the latest scientific knowledge to mitigate increased pollution to coastal waters and the Baltic Sea from port areas”) and agreed not to include it in the updated BSAP. The Meeting highlighted that there are already a number of other actions related to ports included in the draft updated BSAP (e.g. SN03/SN04, SN05/SN06, SN10, SN13, SN14/SN15, SN16, SN18, SE14, SE16).

4.7 The Meeting discussed the actions in document 4-1 Att.1, and approved the formulation and target years of the actions as indicated in the excel attachment to the outcome (Column “Action approved by HOD 60-2021”, presented in dark green). For a number of actions approved at the meeting, amendments to the formulation or target year(s) were introduced (Column Action approved by HOD 60-2021, pending review, presented in light green). The Meeting agreed that for these actions Contracting Parties have the possibility to review the proposed changes, indicated by red text and invited Contracting Parties to provide their positions **by 11 June 2021** with the aim of discussing any remaining open issues for these actions at DG BSAP 7-2021 on 15 June 2021. For the remaining open actions (Column “Open actions”, presented in yellow) the Meeting agreed on the way forward as follows:

### Eutrophication segment

- Action EE07/ EN10a/ EN10b: continue discussion in DG BSAP 7-2021 on 15 June 2021 with the aim of finding a compromise solution and submitting a final proposal for approval to HOD 60A-2021. The Meeting invited Russia and Poland to clarify their respective study reservations **by 30 June 2021**.

### Sea-based activities segment

- Action SE31/SN32: Contracting Parties to clarify their position **by 11 June 2021** and continue discussion DG BSAP 7-2021 with the aim of finding a compromise solution and submitting a final proposal for approval to HOD 60A-2021.
- Action SN34: Contracting Parties to clarify their position on the alternative proposals **by 11 June 2021** and continue discussion DG BSAP 7-2021 with the aim of finding a compromise solution and submitting a final proposal for approval to HOD 60A-2021.
- Action SN39: Approved pending clarification by Russia regarding the approach to differentiate between EU Member States and non-EU Member-States. The Meeting invited Russia to clarify its position **by 11 June 2021**. Continue discussion on open issues in DG BSAP 7-2021 on 15 June 2021 and submitting a final proposal for approval to HOD 60A-2021.

### Horizontal actions segment

- Action EN20/ EE26: Definitions are to be clarified intersessionally. The Meeting invited the Secretariat to prepare clarifications intersessionally and submit the action for further consideration at DG BSAP 7-2021 on 15 June and agreement at HOD 60A-2021.

4.8 The Meeting clarified that actions, pending clarification by Contracting Parties as reflected in paragraph 4.5 above, are to be considered approved once the reservations have been lifted and agreed that any remaining open issues are to be considered in DG BSAP 7-2021 and submitted for approval at HOD 60A-2021.

4.9 The Meeting agreed to move action SN41 from the operative section of the updated BSAP and instead use the text of the action in the introduction of the Sea-based activities segment, utilising as appropriate also the corresponding supporting information contained in document 4-2-Rev.1. The Meeting

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invited the Secretariat to draft a proposal for the text to be submitted for review and consideration by DG BSAP 7-2021 on 15 June 2021, and approval by HOD 60A-2021.

### **BSAP Preamble**

4.10 The Meeting discussed, amended and agreed on the preamble as presented in document 4-1-Rev.1, with remaining open questions presented in square brackets.

4.11 The Meeting acknowledged that the Ministerial Meeting represents an extraordinary meeting of the Helsinki Commission.

4.12 The Meeting agreed to retain square brackets for paragraphs 28-30 on adoption of documents until the documents in question have been adopted by the Ministers.

### **BSAP overarching introduction**

4.13 The Meeting discussed and agreed on the the overarching introduction, with the caveat that definitions and reporting mechanisms for the ecological and management objectives need further consideration in DG BSAP 7-2021.

### **BSAP Segment introductions**

4.14 The Meeting agreed that for all segments the actions on on-going cooperation are to be included under the relevant themes after the more concrete actions and not presented separately.

4.15 The Meeting agreed that the references used for the introductions should be included as a list to the overarching introduction and not be included as footnotes.

4.16 The Meeting welcomed the draft layout for the Biodiversity segment and the proposal for presenting the links to climate change as well as activities and pressures as visualizations (document 4-6).

4.17 The Meeting provided the following guidance for further work on the layout:

- Icons should be self-explanatory and thus some icons may need further consideration.
- Currently, the comparative size of the illustration for the effect of climate change and the illustrations for activities and pressures could be construed to indicate that climate change is the largest pressure for each segment while this might not be the case. If possible, the size or order of the illustrations could be changed to address this.
- Where this is not the case the title of the icons for climate change should indicate the actual effect, rather than the parameter being affected by climate change (i.e. change in water temperature rather than water temperature).
- As the list of pressures and activities are quite long for the Biodiversity and Sea-based activities segments it should be considered if some of the pressures/activities could be merged (to be implemented across all the segments) or the lists broadened for the two segments in question.
- Consider the possibility to increase the intensity/saturation of the colors used to increase readability.

4.18 The Meeting discussed and agreed on the introductions to the segments as indicated in document 4-1-Rev.1, with remaining open issues presented in square brackets.

4.19 The Meeting agreed that the remaining open issues will be further discussed at DG BSAP 7-2021 on 15 June 2021.

### **Eutrophication segment**

4.20 The Meeting took note of the position of Estonia that the Nutrient Input Ceilings (NIC) values proposed for inclusion in the updated BSAP remain a point for national discussion. The Meeting further took

note that Estonia would be in favor of keeping statement on the agreement on NIC values in square brackets until the position is finally formulated.

4.21 The Meeting also took note that Denmark, Finland, Germany and Sweden consider HELCOM nutrient input reduction scheme and its components – maximum allowable inputs and nutrient input ceilings – as vital part of HELCOM work to abate eutrophication – as eutrophication is a major threat to the Baltic Sea marine environment.

4.22 The Meeting took note that Denmark would be in favor of including in the introduction to the eutrophication segment a sentence indicating that activities crucial for major societal functions would not be precluded by the overarching commitment to avoid increase of nutrient inputs even in basins where inputs are below the NIC. The Meeting further took note of an alternative proposal to formulate the respective paragraph proposed by Germany. The Meeting was not able to conclude on the issue and agreed that consensus in wording will be sought at DG BSAP 7-2021.

#### Sea-based activities segment

4.23 The Meeting invited the Secretariat to, where needed, provide editorial amendments for the fifth paragraph (on page 29) under the Sea-based activities segment, to be submitted to DG BSAP 7-2021 for further consideration.

4.24 The Meeting took note the editorial comments by Russia for the second paragraph (on page 29) under the Sea-based activities segment and that consensus in wording will be sought at DG BSAP 7-2021.

#### Horizontal topics

4.25 The Meeting agreed to change the title of the Horizontal Actions segment to read Horizontal topics to more appropriately reflect the content of the chapter.

4.26 The Meeting decided that the DG BSAP meeting planned for 15 June 2021 will be held.

#### Additional information on the actions

4.27 The Meeting reviewed the draft supporting document for the updated BSAP on the additional information on the actions (document 4-2-Rev.1).

4.28 The Meeting emphasized that it is important that the additional information reflects the ambition of the actions and that the criteria for achievement is clear and distinguishes between national and joint actions.

4.29 The Meeting invited the Contracting Parties to submit their comments to the supporting information, as presented in document 4-2-Rev.1, in the form of concrete proposed amendments to the content, to the Secretariat ([susanna.kaasinen@helcom.fi](mailto:susanna.kaasinen@helcom.fi)) **by 18 June 2021**.

4.30 The Meeting invited the Secretariat to collate the input, amend the content accordingly and submit an updated version of the document on additional information to the intersessional HOD meeting on 8-9 September 2021 for approval.

4.31 The Meeting took note of the updated list of associated action documents, supporting documents and background documents (document 4-4).

4.32 The Meeting noted the view by Sweden that there should be references to the associated action documents in the segment action lists especially regarding the Regional Action Plan on Marine Litter (RAP ML) and the Regional Action Plan (RAP) on Underwater Noise to highlight the actions in these documents.

4.33 The Meeting took note of the statement by WWF acknowledging the significant efforts of the Contracting Parties in updating the BSAP and emphasizing the importance of including political targets for all segments to raise the ambition of the BSAP to ensure reaching the good environmental status of the Baltic Sea.

4.34 The Meeting thanked the HELCOM Observers for their valuable input to the update of the BSAP.

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**Agenda Item 5      Matters arising from the HELCOM Groups***Gear Group*

- 5.1            The Meeting took note of the outcome of the 24th Meeting of the HELCOM Group for the Implementation of the Ecosystem Approach (GEAR 24-2021) held online on 18-20 May 2021 (document 5-23) and noted that GEAR 27-2022 will be organized on 8-10 November 2022.
- 5.2            The Meeting considered the proposal by GEAR 24-2021 on organizing an external review of HELCOM's work model and methods in relation to implementing the ecosystem approach. The Meeting concluded that at this point in time the proposal is not supported.
- 5.3            The Meeting took note of the overview of overall progress on the further development of HELCOM indicators towards the Third HELCOM Holistic Assessment of the Baltic Sea Environment (HOLAS III) (document 5-11).
- 5.4            The Meeting took note of the information that leads for some indicators are currently missing and that, should leads not be found for these indicators, it cannot be guaranteed that the indicators in question can be included in the HOLAS III assessment.
- 5.5            The Meeting took note of the magnitude and temporal distribution of resources foreseen to be needed to produce the Third State of the Baltic Sea report (document 5-12) and approved the plan for use of Secretariat resources for HOLAS III, including the remaining open resources in the HELCOM budget.
- 5.6            The Meeting took note of the offer by the EU to, under the auspice of the GEAR Group, support the Secretariat to ensure that the indicators developed and used by HELCOM are compatible with national reporting obligations under the MSFD, for those Contracting Parties who are also EU Member States.
- 5.7            The Meeting welcomed the information that Sweden is striving to secure 500.000 SEK to secure additional support at the Secretariat for producing the summary State of the Baltic Sea report.
- 5.8            The Meeting further welcomed the information that Finland is looking into the possibility to provide additional resources to support the HOLAS III work.
- 5.9            The Meeting acknowledged the need to also secure sufficient national resources, e.g. sufficient time and relevant expertise, to secure the integrity and quality of the HOLAS III assessment process.

*Pressure Working Group*

- 5.10           The Meeting took note of the outcome of the 14th Meeting of the HELCOM Working Group on Reduction of Pressures from the Baltic Sea Catchment Area (PRESSURE 14-2021), held online on 13-16 April 2021 (document 5-20) and approved that PRESSURE 15-2021 will be held on 2-5 November 2021 in Sweden, in if the COVID-19 restrictions allow, and PRESSURE 16-2022 tentatively in week 17 (25-29 April) in 2022.
- 5.11           The Meeting approved the publication of the PLC-7 thematic report on hazardous substances (Attachment 2 in document 5-20) and on input of nutrients by seven big rivers (attachment 3 in document 5-20) under the Baltic Sea Environment Proceedings (BSEP) series.
- 5.12           The Meeting took note that the remaining PLC-7 outputs - evaluation of effectiveness of measures, assessment of nutrient sources and PLC-7 executive summary – will be delivered in fourth quarter of 2021.
- 5.13           The Meeting adopted in general the HELCOM Recommendation on the Regional Action Plan (RAP) on Underwater Noise (**Annex 2** to this Outcome), pending clarification of the position of Russia on the proposed wording of regional action 30 and on removing the wording "flag state" from national action 7 and a number of the SOLAS regulation V/19 or 18 **by 11 June 2021**.
- 5.14           The Meeting agreed that the RAP on Underwater Noise will be revised in 2028.

- 5.15 The Meeting requested the Secretariat to review the terminology of the RAP on Underwater Noise and ensure its consistence with the updated BSAP.
- 5.16 The Meeting considered the German comments and the proposed amendments of the reporting format of the draft revised HELCOM Recommendation 23/5 (document 5-15) and adopted the Recommendation with the amendments as contained in **Annex 3** to this Outcome.
- 5.17 The Meeting considered the draft revised Regional Action Plan on Marine Litter (RAP ML) (document 5-13) and took note that Denmark and the EU lifted their study reservations on actions RL13 and RS6 respectively.
- 5.18 The Meeting agreed with the proposal by Denmark to change the term “microparticles” to “microplastics” throughout the document for the sake of consistency and to split action RL13 into two separate actions.
- 5.19 The Meeting endorsed the draft revised RAP ML with subsequent adoption at the 2021 HELCOM Ministerial Meeting as contained in **Annex 4** to this Outcome.
- 5.20 The Meeting discussed and agreed on the formulation for a HELCOM operational reduction target for marine litter and its inclusion in the introductory part of the hazardous substances and marine litter segment of the updated BSAP (document 5-4). The Meeting took note that Denmark and Germany lifted their respective study reservations.
- 5.21 The Meeting requested to integrate the proposed targets in the introductory part for the hazardous substances and litter segment of the updated BSAP.
- 5.22 The Meeting considered and took note of the comments by Estonia (document 5-25) on the document on input ceilings for nutrients in the Baltic Sea region (document 5-17).
- 5.23 The Meeting took note of the position of Estonia that the document does not contain references to scientific publications utilized for NIC calculations. The Meeting also took note that Estonia agrees with the general concept of nutrient input ceilings as provided in the document but does not approve of publication of the paper in the HELCOM BSEP series.
- 5.24 The Meeting took note that scientific publications related to calculation of NICs exist and that all required references can be integrated in the report. The Meeting also took note that the concept of NICs is an evolution of the previously used reduction targets (CARTs, agreed in 2013), which utilizes the same scientific background but is based on improved factual material. The Meeting further pointed out that the commitment to undertake all possible measures to abate eutrophication had been taken jointly by all Contracting Parties based on the scientific background described in the submitted paper. Denmark, Finland, Germany, Sweden and Russia explicitly expressed their support for publication of the document under the BSEP series.
- 5.25 The Meeting strongly encouraged Estonia to submit to the Secretariat a written document providing the arguments underlying its disagreement with the scientific facts explicated in the document 5-17. The Meeting took note that Estonia agreed to provide such a written argumentation to the Secretariat ([dmitry.frank-kamenetsky@helcom.fi](mailto:dmitry.frank-kamenetsky@helcom.fi)) **by 18 June 2021**.
- 5.26 The Meeting endorsed the draft Guidelines for Sea-Based Measures to Manage Internal Nutrient Reserves in the Baltic Sea Region for adoption together with the updated BSAP at the 2021 HELCOM Ministerial Meeting (document 5-3).

5.27 The Meeting approved publication, under the BSEP series, of the regional policy document on hazardous substances, including the background report on the update of HELCOM work on hazardous substances in the Baltic Sea (attachment to document 5-16) and the summary of conclusions and recommendations (annex to document 5-16). The Meeting thanked HELCOM experts and working groups involved in the preparation of the document and the support offered by Sweden to this valuable work.

5.28 The Meeting supported the proposal by PRESSURE 14-2021 to prepare terms of reference for a HELCOM body, demonstrating a holistic approach to the problem of contamination of the marine environment. The Meeting took note of the view by Denmark that the terms of reference for the Expert Network on Hazardous Substances (EN-HZ) preferably should be modified instead of creating a new group.

5.29 The Meeting supported an extension of resources and competence within the Secretariat to coordinate regional work on hazardous substances and requested the Secretariat to make a practical proposal to organize such work starting from the year 2022.

#### *State and Conservation Working Group*

5.30 The Meeting took note of the outcome of the 14th Meeting of the HELCOM Working Group on the State of the Environment and Nature Conservation (STATE & CONSERVATION 14-2021) held online on 3-6 May 2021 (document 5-22), and noted that STATE&CONSERVATION 15-2021, focusing on nature conservation, biodiversity, and Joint sessions, will be held on 4-8 October 2021. It also approved that STATE & CONSERVATION 16-2022 will be held on 9-13 May 2022, tentatively to be hosted by Germany, and that STATE & CONSERVATION 17-2022 will be held on 10-14 October 2022, tentatively to be hosted by Sweden.

5.31 The Meeting took note of the remaining open key messages of the HELCOM-Baltic Earth Climate Change Fact Sheet (CCFS) (document 5-9) and the comments provided by Russia on the key messages for the parameters for Offshore wind farms and Shipping.

5.32 The Meeting took note of the information by Russia that until IMO MEPC 76 (10-17 June 2021) has adopted new regulation it cannot be mentioned in regards of the parameter Shipping.

5.33 The Meeting approved the remaining open key messages of the HELCOM-Baltic Earth Climate Change Fact Sheet (CCFS), with the exception of the parameter Shipping, which was provisionally approved pending the decision by IMO MEPC 76

5.34 The Meeting noted that the CCFS will be published on 2 September 2021.

5.35 The Meeting took note of the further developments on the establishment of a Joint OSPAR HELCOM Expert Group on Non-Indigenous Species (JEGNIS) (document 5-10).

5.36 The Meeting reviewed the draft Terms of Reference and the draft three-year Work Programme for the Joint Expert Group and expressed general support for the proposal to establish a Joint Expert Group on NIS with OSPAR, however noted the position by Estonia that at this time Estonia cannot support the establishment of a Joint Expert Group on NIS with OSPAR and thus Estonia placed a study reservation on the document. The Meeting further noted the comments by Estonia that the current draft Terms of Reference and workplan includes expectations of Contracting Parties which are not common in HELCOM and further drafting of these documents are needed. The Meeting invited Estonia to continue discussions bilaterally with the Secretariat and clarify their position **by 30 June 2021**.

5.37 The Meeting considered the draft project description for reviewing and updating the HELCOM Red List of species and habitats/biotopes (HELCOM RED LIST II, 2022-2024) (document 5-21) and the foreseen expert participation in the HELCOM RED LIST II project (document 5-24).

5.38 The Meeting highlighted the importance of the work, however also expressed concern regarding the workload and availability of national experts and took note of the comments by Finland that as far as possible existing HELCOM groups should be utilized for the work.

5.39 The Meeting took note that at this time Contracting Parties are not in a position to provide additional financing to secure the work, invited the Secretariat to continue exploring possible financing of the work, and provisionally approved the use of HELCOM funds to finance the planned work, should these be available. The Meeting agreed to come back to the question of financing the work at HOD 61-2021.

5.40 The Meeting provisionally approved the draft project, pending securing funding of the work, and invited the Secretariat and the State and Conservation Working Group to further elaborate the project description with the aim of submitting a finalized draft to HOD 61-2021 for final approval.

#### *Agri Group*

5.41 The Meeting took note of the outcome of the Eleventh Meeting of the HELCOM Group on Sustainable Agricultural Practices (AGRI 11-2020) held online on 27-28 April 2021 (document 5-18) and approved that AGRI 12-2021 will be held on 10-11 November 2021 at the HELCOM Secretariat in Helsinki.

5.42 The Meeting endorsed the draft HELCOM Recommendation for amending Annex III part II of the Helsinki Convention with subsequent adoption at the 2021 HELCOM Ministerial Meeting (document 5-19).

5.43 The Meeting took note that Russia places study reservation on the Recommendation for amending Annex III part II of the Helsinki Convention, pending finalization of national consultations with competent national authorities, and will clarify its position informing the Secretariat ([dmitry.frank-kamanetsky@helom.fi](mailto:dmitry.frank-kamanetsky@helom.fi)) **by 26 June 2021**.

5.44 The Meeting took note that some minor editorial comments will be provided in writing by Denmark.

5.45 The Meeting endorsed the draft Baltic Sea Regional Nutrient Recycling Strategy with a view to subsequent adoption at the 2021 HELCOM Ministerial Meeting (document 5-5).

#### *Fish Group*

5.46 The Meeting took note of the outcome of the 13th Meeting of the HELCOM Group on Ecosystem-based Sustainable Fisheries (FISH 13-2021) held online on 21-22 April 2021 (document 5-1) and noted that FISH 14-2021 will be held on 23-24 February 2022 on the Isle of Vilm, Germany.

5.47 The Meeting approved the draft report *River restoration in the Baltic Sea region: best practices and recommendations for successful projects*, produced by the RETROUT project, for publication under the HELCOM BSEP series (document 5-2), incorporating a proposal by Denmark to replace the text in Figure 1 and in the footnote to Table 1 with the following: "Due to delineations of River Basin Districts only a fraction of the Danish rivers have been included here".

#### *HELCOM-VASAB MSP Working Group*

5.48 The Meeting took note of the outcome of the 22nd Meeting of the joint HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG 22-2021), held online on 20-21 April 2021 (document 5-6) and approved that HELCOM-VASAB MSP WG 23-2021 will be held on 16-17 November 2021.

5.49 The Meeting supported cooperation with the German National Academy of Sciences Leopoldina on underwater heritage in MPS with the view to develop a regional guideline.

5.50 The Meeting endorsed the draft Regional MSP Roadmap 2021-2030 for adoption at the 2021 HELCOM Ministerial Meeting (document 5-8).

5.51 The Meeting approved the prolongation of the mandate for HELCOM-VASAB MSP WG for the next 9 years, until 2030, in line with the timespan of the new Regional MSP Roadmap 2021-2030 (document 5-7). The Meeting noted that 85th meeting of the VASAB Committee on Spatial Planning and Development of the Baltic Sea Region (CSPD/BSR) agreed on the prolongation for the MSP WG on 6 May 2021.

**Agenda Item 6 HELCOM institutional and organisational matters**

6.1 The Meeting considered the co-location of the Joint Baltic Sea and North Sea R&I Programme (BANOS) Secretariat with the HELCOM Secretariat as of January 2022 and endorsed the proposal that the HELCOM Secretariat undertake an in-depth examination of options for co-location with a view to implementing such an arrangement if it is deemed feasible and in the interest of HELCOM (document 6-1).

6.2 The Meeting considered the additional information to the application for observer status to HELCOM by the Nordic Boat Council (NBC) (document 6-2) and granted observer status to the NBC, in accordance with the pronouncement by HELCOM 42-2021 to defer the decision on granting observer status to the NBC to HOD 60-2021.

6.3 The Meeting took note of the comment by Russia that an NGO observer review should be conducted every five years in order to evaluate the compliance and the input of observers with the HELCOM Observer Guidelines.

6.4 The Meeting considered the proposal by Russia to amend Rule 6 “Submission of Documents for Meetings of the Commission” of the Rules of Procedure of the Helsinki Commission (document 6-3), suggesting to add a requirement for co-sponsorship by at least one Contracting Party for documents submitted by NGO observers that require further decision and implementation by the Contracting Parties in accordance with the practice followed by other international organizations. Russia pointed out that observers, especially regional non-governmental organizations, contribute to the work of the Organization by drawing attention to the most sensitive and still unresolved issues of environmental protection in the Baltic Sea regions and the restoration of its good ecological status. At the same time, observers provide their knowledge and experience based on their studies and observations, which allow the Contracting Parties to make more informed and balanced decisions. But documents with proposals that require a decision, including amendments to the Convention as well as various Regional Action Plans, should be submitted by observers in co-sponsorship with one or more Contracting Parties, as being carried out by all Contracting Parties to the Helsinki Convention.

6.5 The Meeting discussed the role of observers in the development of the regional policy framework and, recognizing the valuable contribution of various observer organizations to the HELCOM agenda as well as in the development of concrete regional documents, and agreed that HELCOM provides an appropriate participatory framework.

6.6 The Meeting took note of the request by Russia that the Secretariat provide scoping information about the implementation by observers of HELCOM mandatory documents.

6.7 The Meeting took note of the view of Finland and Sweden that they cannot support spending resources of the Secretariat in drafting information in support of a proposal by only one individual Contracting Party.

6.8 The Meeting took note of the view of Russia that one individual Contracting Party completely fulfilling its financial obligation and always on the basis of equal share contribution to the Helsinki Convention budget has a right to request the Secretariat to take action when that Contracting Party considers this important and essential.

6.9 The Meeting agreed to the renewal of the HELCOM Meeting Portal as presented in document 6-4 and agreed that a detailed budget and timetable on the renewal of the Meeting Portal will be presented to HODs in autumn 2021 for approval.

6.10 The Meeting further agreed to opening access rights to all meeting documents and meeting registrations to all HELCOM Meeting Portal user groups as part of the portal renewal. The Meeting noted that this change in procedure will be implemented as soon as possible. The Meeting further agreed to take into use a self-managed contact list of HELCOM groups and networks, and also agreed that HELCOM HODs will be responsible for the nominations to the main groups, and that the HODs of the main groups (Gear, Maritime, Pressure, Response, State and Conservation, Agri, Fish and HELCOM-VASAB MSP WG) will be

responsible for nominations to sub-groups, expert working groups and networks under the respective main groups. The same procedure would also apply to HELCOM observers. This change in procedure will be used as soon as the new Meeting Portal is operational

6.11 The Meeting decided to refrain from carrying out a recruitment procedure for the post of Executive Secretary, with a view to the reappointment of Mr. Rüdiger Stempel for a three-year period, commencing on 1 August 2022, by HELCOM 43-2022 in accordance with Rule 9.1 of the Rules of Procedure of the Helsinki Commission and Rule 3.1 of the Staff Regulations for HELCOM Professional Staff.

#### **Agenda Item 7 Any other business**

7.1 The Meeting took note of the concerns raised by Coalition Clean Baltic (CCB) related to recent large infrastructure projects in the Baltic Sea (document 7-2), namely the D33 offshore oil exploration project (Russia), the artificial island Lynetteholm which is planned off the port of Copenhagen (Denmark), and the deepwater container terminal to be built in Świnoujście (Poland).

7.2 The Meeting noted a comment by Denmark regarding the Lynetteholm project, for which a construction law was adopted by the Danish Parliament on 4 June 2021. In this regard, Denmark stated that an EIA has been conducted, showing that the project does not have significant transboundary environmental consequences, which would have necessitated consultations with HELCOM Contracting Parties in accordance with Article 7 of the Helsinki Convention. The Meeting further noted that Denmark has consulted Sweden throughout the process and that Parties to the Espoo Convention have been provided with a description of the project.

7.3 The Meeting took note of information by Poland that an EIA will be undertaken with regard to the container terminal planned in Świnoujście.

7.4 The Meeting took note of the overview of planned meetings and exercises within HELCOM and other fora and external projects in 2021 and 2022 (document 8-2), requested the Secretariat to update the list based on the outcome of this meeting. In this context, the Meeting noted that the XXII Baltic Sea Day will be organized in St Petersburg on 22-23 March 2022.

7.5 The Meeting requested the Contracting Parties to check their possibility of hosting and propose venues/dates for meetings that have not yet been confirmed.

7.6 The Meeting took note of the statement by the European Union on financing and legislation as included in **Annex 5** to this Outcome.

7.7 The Meeting took note that Mr. Jacob Hagberg will step down as the Swedish HOD, thanked him for his contribution to the work of HELCOM and congratulated him on his new appointment.

7.8 The Meeting thanked Mr. Dmitry Frank-Kamenetsky for his excellent work and dedication during his term as Professional Secretary, which will come to an end on 30 June 2021 and noted that he will continue to work for the Secretariat in his new capacity of Special Advisor as of July 2021.

#### **Agenda Item 8 Next meeting(s)**

8.1 The Meeting recalled that two intersessional HOD meetings will be held in preparation for the 2021 HELCOM Ministerial Meeting, namely HOD 60A-2021 on 8-9 September 2021, as an online meeting, and HOD 60B-2021 on 19 October 2020 in Lübeck, Germany in person.

8.2 The Meeting further recalled that HOD 59-2020 endorsed the future mode of HELCOM meetings (HOD 59-2020 document 7-1). In accordance with the plan one physical and one online HOD meeting will be held per year.

8.3 The Meeting decided that the next regular meeting of Heads of Delegation (HOD 61-2021) will be held on 8-9 December 2021 as an online meeting.

8.4 The Meeting agreed to decide on the dates for HOD 62-2022 via correspondence taking into account the German public holiday on 6 June 2022.

8.5 The Meeting decided that HOD 63-2022 is tentatively scheduled for 30 November – 1 December 2022 as an online meeting.

**Agenda Item 9 Outcome of the Meeting**

9.1 The Meeting adopted the draft Outcome of the Meeting 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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| Name  | Organization   | Email address                         | Telephone no.             |
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## Annex 2 HELCOM Recommendation on the Regional Action Plan on Underwater Noise

### HELCOM RECOMMENDATION X/X

[Adopted 4 June 2021],  
having regard to Article 20, Paragraph 1 b)  
of the Helsinki Convention

### REGIONAL ACTION PLAN ON UNDERWATER NOISE (RAP NOISE)

#### THE COMMISSION,

**BEING AWARE** that sound plays a significant role in the functioning of the aquatic ecosystems and **NOTING WITH CONCERN** that human-generated impulsive and continuous underwater noise severely affects noise sensitive aquatic species and may cause degradation of their population;

**BEING AWARE** of the severity of the underwater noise problem in the oceans, while **EMPHASIZING** the need to further improve our understanding of the adverse impacts of underwater noise on those identified noise sensitive marine species and in particular the cumulative impacts of impulsive noise from multiple activities;

**BEING ALSO AWARE** that human-generated sources of impulsive noise with the highest intensity are explosions, pile driving, seismic explorations and low frequency sonars, whereas anthropogenic noise of a more continuous nature encompasses sources such as pipelines, oil platforms, dredging, shipping, and offshore windfarms among other sources;

**NOTING** that underwater noise is among the most widely distributed pressures causing impacts in the Baltic Sea which is preventing it from achieving Good Environmental Status;

**RECALLING** the Guidelines for the Reduction of Underwater Noise from Commercial Shipping to Address Adverse Impacts on Marine Life approved in 2014 by the International Maritime Organization (MEPC Circular MEPC.1/Circ.833);

**RECALLING** the 2013 HELCOM Copenhagen Ministerial Declaration determination to take further measures, initiatives or efforts needed to reach a healthy marine ecosystem supporting a prosperous Baltic Sea region, including impacts on marine organisms from underwater impulsive and continuous noise;

**RECALLING FURTHER** the 2013 HELCOM Copenhagen Ministerial Declaration agreement that the level of ambient and distribution of impulsive sounds in the Baltic Sea should not have negative impact on marine life and that human activities that are assessed to result in negative impacts on marine life should be carried out only if relevant mitigation measures are in place;

**RECALLING FURTHERMORE** that 2018 HELCOM Brussels Ministerial Declaration committed to develop an action plan, preferably by 2021, and regionally coordinated actions on underwater noise, whilst safeguarding the potential of the Baltic Sea for sustainable human activities; to continue fruitful cooperation between European Regional Seas Conventions and other relevant fora including UNEP Regional Seas Programme; to continue regional work in developing scientifically sound threshold values for underwater noise that are consistent with GES for species identified as sensitive to noise in the Baltic Sea;

**RECALLING** that this complementary approach is without prejudice to the implementation of related regulations and policy initiatives applicable for HELCOM countries being EU members, related regulation of the Russian Federation as well as provisions concerning underwater noise management contained in other national, regional, European or international instruments or programmes;

**ACKNOWLEDGING** related, including stricter, national, European and international legislation, provisions, criteria and guidance for underwater noise prevention and sustainable management as complementary underwater noise approaches;

**RECOMMENDS** to the Governments of the Contracting Parties to the Helsinki Convention to implement the actions of this Regional Action Plan on Underwater Noise, where such actions have scientific justification and taking into account socioeconomic impacts, having the scope to define and achieve good environmental status of the Baltic Sea;

**RECOMMENDS ALSO** to

- a) develop and operationalize common indicators and associated definition of Good Environmental Status (GES) related to underwater noise for application in the assessment of the state of the Baltic Sea marine environment, taking into consideration ongoing work at EU level for HELCOM countries who are EU Member States;
- b) continue and improve reporting of national monitoring data on continuous noise and impulsive noise events to the already established regional databases, to ensure availability of high-quality data for regular assessment of the state of underwater noise in the Baltic Sea area;
- c) report on the implementation of actions for the first time by 2022 and thereafter on an annual basis;

**RECOMMENDS FURTHER** that the Contracting Parties review and, if necessary, update this Recommendation and the action plan in 2028;

**RECOMMENDS FURTHERMORE** that the Governments of the Contracting Parties to the Helsinki Convention foster cross-sectorial cooperation and seek close cooperation with other relevant regional and global organizations and initiatives to combat underwater noise, including UNEP and Regional Seas Conventions and Action Plans, the International Maritime Organization, the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), including via partnerships with the private sector and with non-governmental organizations.

## Preamble

In 2013 it was agreed in the HELCOM Copenhagen Ministerial Declaration that

- the level of ambient noise and distribution of impulsive sounds in the Baltic Sea should not have negative impact on marine life, and that
- human activities that are assessed to result in negative impacts on marine life should be carried out only if relevant mitigation measures are in place.

By this is meant that HELCOM should commit to monitoring and managing man-made (anthropogenic) underwater noise in the Baltic and actively assure that levels do not exceed targets established to secure that man-made noise does not prevent recovery of the Baltic Sea ecosystems.

This commitment resulted in the development and implementation of the Regional Baltic Underwater Noise Roadmap 2015-2017, which includes the establishment of a joint HELCOM/OSPAR registry of licenced impulsive noise events and development of a regional monitoring programme for continuous noise.

Furthermore, in the HELCOM Brussels Ministerial Declaration in 2018 it was agreed to:

- Develop an action plan, preferably by 2021, and regionally coordinated actions on underwater noise, aiming, in the long-term, at addressing adverse effects of underwater noise on marine species identified as sensitive to noise, whilst safeguarding the potential of the Baltic Sea for sustainable human activities; and
- Continue fruitful cooperation between European Regional Seas Conventions, and in particular OSPAR, in order to exchange good practices and to fill knowledge gaps, and to continuing regional work in developing scientifically sound threshold values for underwater noise that are consistent with GES for species identified as sensitive to noise in the Baltic Sea, in close coordination with work undertaken by Contracting Parties in other relevant fora including UNEP Regional Seas Programme.

The present document lists current activities and proposed new ones directed at achieving these goals. These activities take their natural outset in the current work on developing and maturing indicators to be used in assessment of GES with respect to underwater noise and establishment of associated thresholds and management targets.

## Types of actions

HELCOM Contracting Parties agreed to start implementation of actions, where such action has scientific justification, and taking into account socioeconomic impacts to reduce the negative impacts of underwater noise<sup>1</sup> to be further developed jointly, assisted by the relevant HELCOM subsidiary bodies including lead countries. The actions on reduction of pressures of underwater noise are an inherent part of the RAP on Underwater Noise, having the scope to define and achieve good environmental status by member states towards 20XX<sup>2</sup>. Recalling Article 4, point 3. of the HELCOM Convention actions shall not apply to any warship, naval auxiliary, military aircraft or other ship and aircraft owned or operated by a state and used, for the time being, only on government non-commercial service. However, each Contracting Party shall ensure, by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships and aircraft owned or operated by it, that such ships and aircraft act in a manner consistent, so far as is reasonable and practicable, with this Convention.

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<sup>1</sup> Noise and sound are often used interchangeably but can carry slightly different meanings. Sound is a neutral physical entity, whereas noise usually implies sound, which is potentially detrimental to someone or something. In this document 'noise' is used consistently in reference to sound generated by human activities and natural processes (wind, waves etc.), in opposition to sound made by the animals themselves. The only exception is in direct quotes from other documents, where any use of 'sound' has been retained.

<sup>2</sup> To be in agreement with the BSAP update.

The actions are divided into regional actions and national actions.

The regional actions are to be jointly implemented on a regional scale by the Contracting Parties to the Helsinki Convention. The national actions are actions to be implemented by Contracting Parties individually.

Both types of actions (regional and national) are focused on reduction of pressures and impacts from underwater noise sources of different types. Actions are thus further subdivided into four subcategories, three addressing different source types and a fourth one addressing measures involving third parties.

The effectiveness of the suggested actions has not been formally evaluated, as effectiveness is related to the underwater noise indicators, which are not yet fully developed. Once the indicators are further developed (listed as actions below), it will become possible to describe how the remaining actions link to the indicators and thereby assess the effectiveness of the actions.

The knowledge on required noise reduction to reach acceptable levels differ between different sources as do the knowledge on their relative importance. Actions should be based on quantitative evidence of significant cumulative impact on the Baltic Sea ecosystem. However, uncertainty about the target levels should not prevent actions to be taken.

#### Actions addressing reduction of pressures and impacts from impulsive noise sources

These actions relate to impulsive<sup>3</sup> noise sources, such as those covered by the Joint HELCOM/OSPAR impulsive noise register, hosted by ICES. The relevant impacts from these noise sources are primarily disturbance of behaviour, leading to an effective habitat loss (temporary or permanent) and possible direct injury and/or damage to the auditory system of animals. The relevant sources include pile driving, especially during the construction of offshore wind farms, air gun surveys, underwater explosions, sonars, acoustic deterrence devices and other impulsive sources, with significant energy below 10 kHz and are currently addressed by the pre-core indicator “Distribution in time and space of loud low- and mid-frequency impulsive sounds”. Suggested actions for this group of noise sources relate to improving the coverage and quality of the data supplied to the ICES impulsive noise register and to development of impact indicators, which will allow inclusion of information about relevant and sensitive ecosystem components (i.e. noise sensitive animals). Indicators can act as triggers for the implementation of actions/measures necessary to improve the state when Good Environmental Status is not reached with respect to the pressure. In such a case, technical and operational mitigation measures need to be implemented in the Baltic Sea. Several mitigation measures are already implemented nationally and have served as efficient incentives to the development of mitigation techniques and alternative technologies. These examples are to be evaluated as candidates for Best Environmental Practice and implemented at regional level, where appropriate. Specific actions to reduce the impact of impulsive noise include implementing the use of Best Available Technology (BAT) and Best Environmental Practice (BEP), as well as establishing common criteria for injury and disturbance.

#### Actions addressing reduction of pressures and impacts from continuous noise

These actions relate to sources emitting continuous low frequency noise, which means sources whose main impact on the environment relates to the increase of noise levels above natural ambient noise. The primary impact is believed to be through a temporary or permanent reduction in communication distances for animals, as well as other masking effects, such as reduced ability to detect prey, predators and obstacles (e.g. gill nets) acoustically. The primary sources are engine and propeller noise from ships and boats but may also be noise from offshore wind farms, towed bottom-touching fishing gear and offshore installations of various kinds. These sources are currently addressed by the pre-core indicator “Continuous low-frequency anthropogenic sound”. Suggested actions for this group of noise sources relate to maturing the pressure

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<sup>3</sup> There is no clear definition of impulsive sounds, but the sources included under this category all emit short pulses (not more than a few seconds in duration) and typically with a sharp onset. In addition, they are loud enough to potentially affect sensitive animals at distances of hundreds of meters to several kilometers. For further, see Dekeling et. al. (2014).

indicators and developing impact indicators, which, as noted above, will allow inclusion of information about relevant and sensitive ecosystem components (i.e. noise sensitive animals). Further actions relate to studying and quantifying the impact of continuous noise on noise sensitive species, followed up by adequate actions to reduce such impact. In order to mitigate the impact of these sources that produce a diffuse noise field, operational measures, such as, but not limited to, re-routing and speed regulations, should be explored. Further technical mitigation measures include implementing ship-quieting technology in new ships or additional technologies for existing ships. While some of the relevant actions can be implemented through national legislation, all actions related to commercial shipping must be executed by Contracting Parties acting through the International Maritime Organisation (see also para “Actions with third parties”).

### Actions addressing reduction of pressures and impact from other noise sources

These actions relate to pressures from sources not covered under the above categories, but with reason for concern regarding negative impact on the marine ecosystem. This includes sources such as echosounders, sonars and other surveying equipment, acoustic deterrence devices and other continuous or impulsive sources with primary energy above 10 kHz. Some of these sources are sufficiently loud to have effects at long range (such as seal scarers and sonars), whereas others raise concern primarily because of their ubiquitous abundance (such as echosounders). Relevant effects of these sources include both behavioural disturbance and masking of communication/passive hearing. Suggested actions for this group of sources relate to increasing the knowledge about abundance and impact of sources and, if relevant, develop specific indicators that can quantify the pressure from this group of sources and capture the impact on ecosystem components. Furthermore, actions include developing and implementing guidelines and regulation of the design and use of impulsive noise sources to reduce their impact.

### Actions with third parties

These actions require involvement and actions of third parties, which include international and national stakeholders (such as IMO, fisheries organisations, NGO’s, OSPAR and the EU Technical Group on Underwater Noise as well as organizations and companies conducting industrial activities in the Baltic Sea). An important aim for these actions relates to coordination of work with indicators, thresholds and targets across regional seas conventions and with ongoing work at EU level. A similarly important aim relates to developing useful frameworks for regulating cross-border activities, in particular shipping, through close cooperation with IMO as the global standard-setting authority for the safety, security and environmental performance of international shipping.

## Regional actions – HELCOM Collective Actions

The following tables contain preliminary lists of actions for the Contracting Parties to the Helsinki Convention for joint implementation on the regional scale. The lists are to be further elaborated and amended. Actions are grouped, but not prioritized.

### 2.1 Regional actions addressing impulsive noise sources

| CODE  | REGIONAL ACTION  | FURTHER SPECIFICATION  |
|---|--|--|
| <b>Monitoring of pressure and collection of ecological data</b> |  |  |
| 1   | Improve the quality of data submitted to the HELCOM impulsive noise registry by updating and improving the common HELCOM guidelines for monitoring impulsive noise events in the Baltic Sea. | Based on the reporting to the registry already available. Main aim of action is to increase the completeness, spatio-temporal resolution and quality of submissions to the registry. |
| 2   | Improve assessment of impact of impulsive noise by identifying important habitats and biologically sensitive areas and periods in the Baltic Sea   | Based on HELCOM identified noise sensitive marine animal species (HELCOM 2019), which are to be delineated based   |

|  |   |  |
|--|---|--|
|  | region, where the introduction of high-energy impulsive noise is likely to have negative impact.  | on biological data and science-based criteria and in cooperation with other HELCOM working and expert groups (such as EG-MAMA)   |
| <b>Measures to improve assessment of impact from impulsive noise</b> |   |  |
| <b>3</b>   | Establish common methodology for the assessment of negative impact from impulsive noise   | Development and description of best practice for assessing potential injury and behavioural disturbance (habitat loss) in relation to for example environmental impact assessments (EIAs) and strategic impact assessments (SIAs).   |
| <b>4</b>   | Further develop the HELCOM impulsive noise pre-core indicator towards an operational core indicator   | This includes development of methods to assess environmental status based on the indicator as well as definition of thresholds and targets.  |
| <b>5</b>   | Develop and implement one or more HELCOM impact indicators for impulsive noise  | Based on the current pressure indicator, but with the inclusion of information about distribution of sensitive species and habitats. This work is a continuation of the work described in the noise sensitivity report (HELCOM 2019) and should preferably be along the same lines as the impact indicator currently under development in OSPAR and in accordance with the recommendations by EU TG-NOISE. |
| <b>Measures to reduce impact of impulsive noise</b>                  |   |  |
| <b>6</b>   | Identify Best Available Technologies (BAT) related to the abatement of impulsive noise. Among these collect existing national regulations and guidelines aimed to reduce the impact of underwater impulsive noise on the ecosystems of the Baltic Sea and related observations in order to form relevant HELCOM guidelines. | Including noise abatement systems and alternative installation methods for offshore wind farms, spatio-temporal exclusion of UXO clearing and alternatives to detonation, commercial sonars and test/training/exercise of military sonars, alternative seismic sources, and sub-bottom profilers.  |
| <b>7</b>   | Increase the use of Best Environmental Practice (BEP) and Best Available Technology (BAT) in mitigation of impact from impulsive noise by establishing common HELCOM best practice guidelines in methods for mitigation of impact from impulsive noise  | Implementation of the knowledge gained from action 6.  |
| <b>8</b>   | Improve regional and cross-border coordination of the spatio-temporal planning and permitting by establishing a common reporting system for planned activities likely to produce impulsive noise.   | This constitutes an extension of the impulsive noise registry to include future activities that are currently only recorded after they occurred.   |
| <b>9</b>   | Improve protection of areas, which have already been defined as important or critical habitat for noise sensitive species, by obligating the adoption of adequate operational and technical noise mitigation measures.  | HELCOM (2019) already identified a number of important areas which are important for noise sensitive species (such as the core habitat of the critically endangered harbour porpoise population of the Baltic proper or spawning areas of fishes using sound for communication).   |

|    |  |  |
|----|--|--|
|    |  | If the area is already protected as an MPA, this can be included as part of the management. This does not imply that measures (such as those identified in action 6) are not required in other areas not specifically protected. |
| 10 | Reduce injury and behavioural disturbance from impulsive noise by establishing common HELCOM criteria for injury and disturbance, as well as common exposure limits. | These criteria and exposure limits are not identical to the GES-thresholds to be established under point 4, but are operational criteria that can be applied to individual activities generating impulsive noise.                |

## 2.2 Regional actions addressing continuous low frequency noise

| CODE  | REGIONAL ACTION  | FURTHER SPECIFICATION  |
|---|--|--|
| <b>Monitoring of pressure and collection of ecological data</b>       |  |  |
| 11  | Improving accessibility and sharing of monitoring data by operationalisation of the common database for monitoring data on continuous underwater noise   | As decided by HOD 55-2019 and implemented by database hosted by ICES.  |
| 12  | Development of common guidelines for reporting of continuous noise levels in the Baltic Sea.   | Linked to and in progress in connection to establishment of common database hosted by ICES.  |
| 13  | Increase regional coordination and management of continuous noise sources by establishing a common framework for modelling past, present and future noise levels in the Baltic.                              | Continuation of the Soundscape planning tool developed under the BIAS project, as decided by HOD 55-2019. Such modelling is based on AIS and other relevant information about sources, such as source levels and frequency spectra. Includes developing methods to include noise from leisure boats without AIS transmitters as well as natural ambient noise. |
| 14  | Improve assessment of impact of continuous noise by identifying important habitats and biologically sensitive areas and periods in the Baltic Sea region, vulnerable to elevated levels of continuous noise. | Some information available (HELCOM 2019). To be amended based on biological data and science-based criteria and in cooperation with other HELCOM working and expert groups (such as EG-MAMA).  |
| <b>Measures to improve assessment of impact from continuous noise</b> |  |  |
| 15  | Establishment of a common methodology for assessment of impact of activities generating continuous noise.  | Applies to for example shipping, offshore wind farms, offshore installations, construction works (other than pile driving and similar impulsive sources) and offshore infrastructure, etc.   |
| 16  | Further develop the HELCOM continuous low-frequency noise pre-core indicator towards an operational core indicator.  | This includes development of methods to assess environmental status based on the indicator (action 15) as well as definition of thresholds and targets.  |

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|-----------|---|--|
| <b>17</b> | Increase the knowledge and encourage data sharing on impact of noise by supporting research on sources and effects of continuous noise on marine biota. | Impact studies as detailed in the HELCOM science agenda.<br>Encourage exchange of statistical information about continuous low frequency sources, including frequencies' spectrum characteristics. |
| <b>18</b> | Develop and implement one or more HELCOM impact indicators for continuous low-frequency noise.  | Based on the current pressure indicator (action 16), but with the inclusion of information about distribution of sensitive species and habitats (action 14).                                       |

| <b>Measures to reduce impact from continuous noise</b> |   |   |
|--|---|---|
| <b>19</b>  | Expand and improve the existing and potential operational and technical measures to reduce the impact of continuous noise to form a basis for common guidelines on management. Suitable technical measures to reduce input of continuous noise should be identified (BAT/BEP), based on a scientific justification, and taking into account socioeconomic impacts                         | Collection of experience from HELCOM members and abroad and collection of new information through research and development, as detailed in the HELCOM science agenda  |
| <b>20</b>  | Reduction of elevated continuous noise levels in noise sensitive and biologically important areas in the Baltic Sea by adoption of guidelines on management, based on the "HELCOM input to the establishment of environmental targets for underwater noise" (2018). The environmental targets for underwater noise should take into account the target values set by TG Noise at EU level | Implementation of knowledge gained under action 19.   |
| <b>21</b>  | Inciting national and voluntary actions with respect to raising awareness of ship and boat operators and cooperation with shipping companies and boat owners on speed management for their vessels including different aspects of adjusting and planning for vessel speed and engine load optimised for the reduction of underwater noise.  | This can include installing monitoring systems at strategic locations (for example at outer approaches to ports) with real-time feedback to the ship's crew, to raise awareness and to aid in optimizing vessel and engine operations for reduced underwater noise radiation. |
| <b>22</b>  | Enhance Baltic Sea wide cooperation of port authorities to introduce novel initiatives, such as harbour fee systems, in order to set incentives for voluntary quiet vessel operation.   | See Port of Vancouver (2017), ECHO Program  |

### 2.3 Regional actions addressing other noise sources

| <b>CODE</b>   | <b>REGIONAL ACTION</b>  | <b>FURTHER SPECIFICATION</b>   |
|---|---|--|
| <b>Monitoring and collection of ecological data</b> |   |  |
| <b>23</b>   | Identification of other noise sources with significant impact on the marine ecosystems but not covered by the measures targeting impulsive and continuous noise | This includes, but is not limited to, sources with main energy above 10 kHz: echosounders, military and non-military sonars, sub-bottom profilers, net pingers, and hydroacoustic instruments. |

|  |   |   |
|--|---|---|
| 24   | Identification of important habitats and biologically sensitive areas and periods in the Baltic Sea region, vulnerable to elevated levels of noise from other sources than those covered by existing pressure indicators. | Based on biological data and science-based criteria and in cooperation with other HELCOM working and expert groups (such as EG-MAMA)  |
| <b>Measures to improve assessment of impact from other noise sources</b> |   |   |
| 25   | Compile and assess available information about potential impact caused by noise from leisure boats  | As detailed in the HELCOM science agenda  |
| 26   | Development of HELCOM indicators suitable for monitoring noise sources identified under measure 23.   | Existing indicators cover impulsive noise under 10 kHz and continuous low-frequency noise, but does not include echosounders, most sonars and sub-bottom profilers, net pingers, etc. |
| 27   | Development of common guidelines for assessing impact from echosounders, sonars and other sources not covered by 2.1 and 2.2  | Such as to apply to environmental impact assessments (EIAs) and assessment of environmental status (GES).   |
| 28   | Support for research on pressure and impact from echosounders and other low-level, but abundant noise sources.  | As detailed in the HELCOM science agenda  |
| <b>Measures to reduce impact from other noise sources</b>                |   |   |
| 29   | Reduce the impact from acoustic deterrent devices by developing and agreeing on common guidelines and regulation of the design and use of deterrent devices   | Action proposed for BSAP update   |

## 2.4 Regional actions involving third parties

| CODE | REGIONAL ACTION   | FURTHER SPECIFICATION  |
|------|---|--|
| 30   | [Strengthen <del>cooperation</del> <u>coordination</u> with IMO <del>and relevant actors</del> <u>and cooperate with other relevant actors</u> -as needed on the development of <u>potential common</u> actions, <u>as appropriate</u> , -to reduce underwater noise from commercial shipping].               | Includes, but it is not limited to, discussions on current and future quiet ship design as well as on shipping's contribution to underwater noise and the impact of underwater noise on marine species. Initiate discussions on feasibility of reducing or otherwise regulate the emissions from echosounders (in general or restricted to sensitive areas) without compromising navigational safety. Discuss feasibility of systems providing real-time feedback to bridge about noise emissions from the ship. |
| 31   | Establish platforms to share best practices on policy options within member states and between authorities, the private sector and NGO's. Improve public awareness, so that political decision makers, local administrations and civil society are adequately informed about the underwater noise challenges. | For example, issuing a bulletin on best practices and policy options in the region and in the world.   |
| 32   | Strengthen the cooperation with OSPAR on development of common and/or compatible  | As agreed on an overall level in the 2018 HELCOM Brussels declaration  |

|    |  |   |
|----|--|---|
|    | indicators, databases and assessment methodologies   |   |
| 33 | Maintain and strengthen cooperation with the European Union expert group TG-Noise on issues of mutual interest   | In particular to assure consistency in development of indicators and criteria and methods for establishing thresholds and targets   |
| 34 | Reduce the impact from leisure boats by establishing a discussion with producers of echosounders and fishfinders with the goal of introducing standards for noise emission from echosounders, fishfinders and engines of leisure boats.  | This aims for example at installing on/relates to the ability to turn off and adjust source level and frequency of echosounders and fish-finders, as well as developing industry standards for underwater noise emissions for boat engines.   |
| 35 | Reduce the impact from underwater explosions in connection to munition clearance, by developing international guidelines for the safe removal and detonation of ammunition. The guidelines should be established through consultation with the Ministry of Defence of the Russian Federation and NATO and lead actions for use of noise mitigation technologies and operating practices in the Baltic Sea. | Initiate discussions on the use of noise mitigation measures, as well as informing nature protection institutions about planned detonations and mitigation methods.<br>Including, but not limited to, discussions on deterrent measures, abatement technologies, spatio-temporal planning of clearance operations in relation to ecosystem sensitivity. Initiate discussions on feasibility of reducing the impact on biota without compromising navigational safety. |

## National actions

The following tables provide lists of proposed voluntary actions for the Contracting Parties to the Helsinki Convention for implementation on the national level.

### 3.1 National actions addressing impulsive noise sources

| CODE | PROPOSED NATIONAL ACTIONS   |
|------|---|
| 1    | Propose national legislation to reduce impact of impulsive noise from activities such as: <ul style="list-style-type: none"> <li>• Pile driving, in particular in connection to offshore wind farms</li> <li>• Underwater explosions</li> <li>• Sonars and surveying equipment</li> </ul> |
| 2    | Increase awareness, knowledge transfer and coordination through the creation of a national forum for stakeholders on issues related to underwater noise   |
| 3    | Increase regional cooperation and coordination by sharing national experiences on the implementation of national legislation to reduce impact of impulsive noise  |
| 4    | Conduct research into new solutions to reduce impulsive noise, including alternatives to pile driving, seismic sources, sonars and, explosions  |
| 5    | Conduct research on impact of impulsive noise on marine life and provide qualitative and quantitative information to assist in prioritizing and optimizing measures   |
| 6    | Reduce impact of underwater explosions by development and implementation of national regulation on permitting of underwater explosions and implementation of mitigation measures  |

### 3.2 National actions addressing continuous noise sources

| CODE | PROPOSED NATIONAL ACTIONS  |
|------|--|
| 7    | Improve monitoring of leisure boat underwater noise by developing a proposal to establish national regulation for the use of AIS transmitters on [flag-state]-leisure boats likely to emit high levels of underwater noise, consistent with SOLAS regulation V/19 and taking into account both technical and socioeconomic aspects. Could be as a requirement based on engine power or equivalent, hull parameters, etc.                 |
| 8    | Propose national legislation regulating the use of leisure boats with the objective of reducing impact from underwater noise on noise sensitive and biologically important areas and species.<br>This would include certification of engines and operational measures such as speed limits to engine driven leisure boats in MPAs designated for noise sensitive species as identified in HELCOM 2019 and regional actions 2, 14 and 24. |
| 9    | Participation in and active contribution to common platforms for sharing best practices on policy options within HELCOM countries (gaps in national legislation etc.)  |
| 10   | Increase the accuracy of soundscape modelling tools by establishing national databases of source information about ships, to serve as input for spatiotemporal modelling of continuous noise. Enable the use of such national data for HELCOM noise mapping.   |
| 11   | Enable national actions to reduce underwater noise by improving awareness among ship owners and onshore infrastructure owners and the public of the actual noise level radiated by ships, for example by means of real time in-situ measurements close to ports.   |
| 12   | Introduce mandatory requirements for impact assessment prior to permitting noisy activities not regulated by other legislation, such as power boat races.  |

### 3.3 National actions addressing other noise sources

| CODE | PROPOSED NATIONAL ACTIONS   |
|------|---|
| 13   | Reduce impact from acoustic deterrent devices (including seal scarers) by developing and implementing national regulations on their use.  |
| 14   | Development and implementation of national regulations for the use of echosounders and fishfinders on leisure boats, in particular in sensitive areas.  |
| 15   | Development and implementation of national regulation and permitting procedures for use of sub-bottom profiling and similar instruments.  |
| 16   | Discussion with the relevant authorities on how the use of military sonars during testing, training and exercises can be adapted to reduce the potential negative effects on noise sensitive species. |

### 3.4 National actions involving third parties

| CODE | PROPOSED NATIONAL ACTIONS  |
|------|--|
| 17   | Establish national stakeholder fora for issues involving underwater noise. |

### Reporting on effectiveness of actions by member states & analysis of the feedback

Report on the implementation of actions for the first time by 2022 through HELCOM Pressure Working Group and thereafter on annual basis.

## References

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HELCOM 2019. Noise sensitivity of animals in the Baltic Sea. Baltic Sea Environment Proceedings N° 167.

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## Annex 3 Revised HELCOM Recommendation 23/5

### **HELCOM RECOMMENDATION 23/5-Rev.1**

Adopted 6 March 2002  
amended 4 June 2021  
having regard to Article 20,  
Paragraph 1 b) of the Helsinki  
Convention

### **REDUCTION OF DISCHARGES FROM URBAN AREAS BY THE PROPER MANAGEMENT OF STORM WATER SYSTEMS**

#### **THE COMMISSION,**

**RECALLING** paragraph 1 of Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992 (Helsinki Convention), in which the Contracting Parties undertake to prevent and eliminate pollution of the Baltic Sea Area from land-based sources,

**HAVING REGARD** also to Article 3 of the Helsinki Convention, in which the Contracting Parties shall individually or jointly take all appropriate legislative, administrative or other relevant measures to prevent and abate pollution in order to promote the ecological restoration of the Baltic Sea Area,

**RECALLING** Article 5 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992 (Helsinki Convention), in which the Contracting Parties undertake to prevent and eliminate pollution of the marine environment of the Baltic Sea caused by harmful substances,

**RECALLING FURTHER** commitments from the HELCOM Ministerial Declaration 2018 (Brussels) to develop cost-efficient measures addressing input of micro-plastics and hazardous substances in wastewater sector.

**RECALLING ALSO** HELCOM Recommendation 36/1 on the Regional Action Plan on Marine Litter, in particular actions RL4 on improvement of storm water management in order to prevent litter, including microlitter, to enter the marine environment from heavy weather events and RL 7 on compilation of available techniques as well as research and develop additional techniques in wastewater treatment plants to prevent micro particles entering the marine environment,

**BEING MINDFUL** that a considerable part of oil pollution of the marine environment is caused by oil contaminated waters discharged via storm water systems,

**RECOGNIZING** a need for limiting oil pollution from storm water systems applying efficient treatment of oil contaminated waters,

**RECALLING ALSO** HELCOM Recommendation 28E-5 on municipal wastewater treatment,

**RECOGNIZING** the need for limiting the harmful effects caused by storm water discharges to the Baltic Sea,

**RECOGNIZING ALSO** the need for development of present sewerage systems,

**DESIRING** to limit pollution caused by unsuitable sewerage systems,

**RECOMMENDS** to the Governments of the Contracting Parties to the Helsinki Convention that:

## A. Storm water planning

- 1 in order to improve quality of urban environment, the ecosystem services approach should be applied in storm water planning; this means that storm water should be seen as a resource for increasing wellbeing of the environment and citizens, maintaining biodiversity and promoting a good condition of surface and groundwater,
- 2 integrated Storm Water Management (ISWM) should be applied in future urban development processes at all levels – from planning and construction to infrastructure operation and maintenance (see Annex 1 for supporting information),
- 3 storm water planning should be catchment area based and should take the natural runoff paths of stormwater into consideration,
- 4 storm water management processes should be systematically reviewed and improved when urban space development/regeneration is implemented (e.g. roads, streets, squares, public greening),
- 5 storm water systems and facilities should be planned, designed and dimensioned according to future scenarios of climate change, utilizing the best available scientific knowledge on changing precipitation volumes, changing patterns of precipitation intensity and rising water levels in seas, lakes and rivers,
- 6 for high intensity storm events, secondary runoff paths should be prepared to divert storm water exceeding the storm water systems capacity where appropriate, however the proportion on water released through the secondary runoff paths should preferably not exceed 30% of the total estimated annual volume of storm waters. Excessive storm water should preferably be directed to suitable low-lying areas that can be used as temporarily flooded retention basins considering existing infrastructure, land use and natural characteristics of territories. Buildings and infrastructure should be planned on adequate elevations to avoid damage during flood events,
- 7 storm water planning tools (e.g. Green Area Factor) should be applied at early urban planning stages and modernization of urban areas when the water drainage is being planned,
- 8 in order to work systematically with storm water issues, municipalities (or other respective authorities) should develop storm water policies and/or plans,
- 9 impact of climate change should be taken into account when planning storm water management.

## B. Reduction of discharges of urban areas by proper management of storm waters

- 10 storm waters should be managed according to a priority order, adapted to local circumstances. The following general priority order should apply:
  - I. storm water to be treated and utilized at the source,
  - II. storm water to be conveyed away from the source with a system that retains and detains the water,
  - III. storm water to be conveyed away from the source in a storm water sewer to retention and detention areas located on public areas before conveying the water to a waterbody (brook),
  - IV. storm water to be conveyed in a storm water sewer directly to the recipient water body; and
  - V. storm water to be conveyed in a combined sewer to wastewater treatment plant,
- 11 a switch to duplicate systems and/or Low Impact Development (LID) systems should be prioritized in order to avoid overflows in the sewage system if/where possible LID solutions should be integrated in combined system to reduce flow peaks and reduce overflow events during intense storm events (see Annex 1 for supporting information),
- 12 the overflow from combined sewage systems may prevent achieving the environmental objectives

for the receiving waters. To prevent environmental impact of the overflow, main overflow spots should be identified, and measures such as local infiltration, retention basins, treatment of the overflow or separating the combined sewer system applied and redistribution of excess water between catchment areas with available capacity,

- 13 assessment of local storm water impact should be carried out for the waterbodies' catchment areas, as appropriate; such assessment should identify and prioritize measures to be taken to improve storm water management (see Annex 1 for supporting information),
- 14 areas with high storm water flood risk should be mapped and risk of contamination of the aquatic environment by chemicals, oil or litter, including micro litter, should be assessed,
- 15 measures to ensure storm water quality should be taken already at the source to prevent the deterioration of the quality of storm water (e.g. efficient dry street cleaning and other measures minimizing microparticles associated with traffic; management of storm waters and waste on construction sites),
- 16 dumping of the street cleaning snow directly to sea or to any other water bodies should be prevented. The street cleaning snow should be taken to designated areas where meltwater is managed as urban storm water according to the recommendations to reduce urban area storm water discharges.

### C. Management of high-risk storm waters

- 17 storm water from heavily polluted areas should be treated separately on site (e.g. Water Sensitive Urban Design, WSUDs, oils separators); measures can be based on local research and considered case by case (see Annex 1 for supporting information),
- 18 contaminated waters from industrial areas, production plants, leachate from landfills, service stations, mechanical workshops and other plants as well as storm waters from areas where oil is handled or stored should not, without effective water pollution control and treatment measures, be connected to a storm water system or discharged to the recipient.

**RECOMMENDS** that this Recommendation will be in force when adopted,

**RECOMMENDS** that the Contracting Parties assess regularly the implementation of this recommendation, [specify reporting format by 2025](#) and report the results of the assessment to the Commission every six years starting in 2033 with data from 2030,

**DECIDES** that this Recommendation should be reconsidered in 2035.

## Annex 1 – Supporting information for the implementation of the Recommendation

### I. Integrated Storm Water Management (ISWM)

Integrated Storm Water Management (ISWM) is a comprehensive approach to storm water management. Instead of a narrow focus on a single problem, the ISWM undertakes a holistic storm water management approach: studying the characteristics of specific sites and areas, understanding the relevant impacts, and tailoring a comprehensive array of tools to individual situations.

Success requires the integration of the ISWM system into the urban development processes of the city at all levels, from urban planning to operation and maintenance.

With an ISWM system a city can:

- achieve their goals of water quality protection and flood mitigation to protect the natural and built environment,
- design for not just the worst-case scenario, but also for average and minimal events to minimize the impact of storm water on neighbouring lands,
- determine what solutions and infrastructure together with their interconnections are required to manage the storm water runoff that results from different storms events, and
- ensure that storm water is treated as a resource that enhances our cities, rather than treat it as waste that needs to be removed through underground storm sewers.

Besides, the ISWM approach has a number of added advantages compared to conventional storm water drainage. It enhances urban environment by applying greener and more eco-efficient planning principles, thus promoting additional environmental benefits and multiple ecosystem services. Further, the ISWM approach promotes transition from conventional to sustainable storm water drainage where the priority is given to the “Green Infrastructures” over the “Gray Infrastructures”.

More information: <http://www.integratedstormwater.eu/content/integrated-storm-water-management>

### II. Assessment of local storm water impact

A watershed assessment is clarifying the quality, quantity and origin of the storm water in the specific watershed area. Also, factors affecting these values are analysed to deliver information for land use planning and decision making. A watershed assessment can be used as a parallel or as background tools for storm water management guidelines.

Typically, a large watershed of for example a river or stream is divided into smaller sub-watersheds in order to display the movement and course of the water in the landscape. Division into smaller sub-watershed also helps to articulate the effect of the possible land use change into local hydrology and water cycle. Following issues are typically analysed:

- main water bodies, how they are located and in what condition they are,
- soil types and groundwater areas,
- land use in watershed and possible changes.

The existing storm water related problems (like flooding issues, contaminant loads) and potential future changes are analysed. In the assessment the main principles and recommendations for storm water management are presented for each watershed or for each watercourse.

More information: <http://www.integratedstormwater.eu/iwatertoolbox>

### III. Planning of Green infrastructure

**Green Factor** is a practical and user-friendly Excel-based tool for urban planning. It ensures sufficient green infrastructure when building new lots in a dense urban environment. The Green Factor is calculated as the ratio of the scored green area to lot area. The target level for the lot can be achieved flexibly by the garden designer by selecting some of the 39 green elements, such as

planted and maintained vegetation or various run-off water solutions, when designing the lot. The green factor can, for example, be included in the zoning regulations or used for granting concessions during a construction permit application process.

More information: <http://www.integratedstormwater.eu/material/green-factor-tool>

#### IV. Green Technologies

The term **Low Impact Development (LID)** has been commonly used in North America and New Zealand, and dates back to the 1970s. The approach attempts to minimise the impact of development (and the subsequent storm water management) on nature. The most recent LID manuals re-establish hydrological targets for both retrofit and new urban developments as well as provide design options to meet and sustain these objectives.

The term **Water Sensitive Urban Design (WSUD)** began to be used in the 1990s in Australia. The objective of the approach is to manage the water balance, maintain or even enhance the water quality, and maintain water-related environmental and recreational opportunities. Storm water management is a subset of the WSUD approach that aims to address the whole urban water cycle on all scales and densities.

Both concepts offer a strategic approach to urban planning and design that aims at minimising the hydrological impacts of urban development on the surrounding environment. Strategic approaches deliver the principles and objectives of the ways the water infrastructure is considered in planning and design projects. Good to know: to achieve the objectives, different techniques can be used. These techniques are generally categorised under **best management practices (BMPs)** or **sustainable urban drainage systems (SuDS)**.

SuDS consist of a range of storm water management technologies based on the philosophy of replicating the natural, pre-development drainage of the site. These techniques are typically aimed more at water quantity than quality control, but in the end the design of the structure defines its potential functions. In the North American context, Best Management Practice (BMP) has been originally used to describe pollution prevention activities. However, in everyday practice both quality and quantity control are being targeted.

Both concepts are based on a variety of structures capable of managing and controlling surface run-off through techniques, such as infiltration, detention, conveyance and/or rain harvesting. In general, they employ physical, chemical, and/ or biodegradation processes to improve the quality of surface run-off by minimising the amount of storm water-based pollutants washed into nearby watercourses. The structures help to reduce flood impacts by temporarily storing water, often filtering the pollutants at source, and encouraging infiltration of storm water into the ground. The design of structures can often be geared towards reducing impacts across the flood pathways and at distant impact sites further down a catchment.

Instructions in SuDS manuals are always created for local conditions. They often cannot be applied directly to the Baltic Sea Region but demand some adjusting. Unfortunately, an extensive library of suitable techniques for Nordic conditions does not yet exist. However, useful information on ways to implement different sustainable solutions as well as a good handbook is provided, for example, on the Baltic Sea Challenge webpage: [www.waterprotectiontools.net](http://www.waterprotectiontools.net).

A useful manual on different kind of techniques: [www.ciria.org/Resources/Free\\_publications/SuDS\\_manual\\_C753.aspx](http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx). The manual includes not only the list of different techniques, but instructions are also given to various techniques such as hydraulic and treatment design, safeguarding biodiversity and landscape values, as well as material selection.

Some good examples from Sweden: <http://godaexempel.dagvattenguiden.se>

**Annex 2 – Provisional reporting format for HELCOM Recommendation 23/5 concerning reduction of discharges from urban areas by the proper management of storm water systems**

| <b>REPORTING FORMAT FOR HELCOM RECOMMENDATION 23/5 CONCERNING REDUCTION OF DISCHARGES FROM URBAN AREAS BY THE PROPER MANAGEMENT OF STORM WATER SYSTEMS</b>  |    |        |         |
|---|----|--------|---------|
| Country:  |    | Year:  |         |
| <b>A. Storm water planning</b>  |    |        |         |
| 1. Has the ecosystem services approach been applied in storm water planning? If Yes, please describe how  |    |        |         |
| Yes   | No | Partly | Unknown |
| 2. Has the storm water planning been done at catchment area base and considering the natural runoff paths of storm water?   |    |        |         |
| Yes   | No | Partly | Unknown |
| 3. Is Integrated Storm Water Management (ISWM) being applied in urban development processes? If Yes, please describe how  |    |        |         |
| Yes   | No | Partly | Unknown |
| 4. Whether storm water management has been improved when urban space development/regeneration projects were implemented (e.g. roads, streets, squares, public greening)? If Yes, please describe how. |    |        |         |
| Yes   | No | Partly | Unknown |
| 5. Have any storm water planning tools (e.g. Green Area Factor) been applied at early planning urban stages? If Yes, please describe which ones and how   |    |        |         |
| Yes   | No | Partly | Unknown |
| 6. Is there a storm water policy and/or plan in your administration? If Yes, please provide further details   |    |        |         |
| Yes   | No | Partly | Unknown |
| 7. Has the impact of climate change been taken into account when planning storm water management? If Yes, please provide further details  |    |        |         |
| Yes   | No | Partly | Unknown |
| <b>B. Reduction of discharges of urban areas by proper management of storm waters</b>   |    |        |         |
| 8. Has the general priority order indicated (B.10 in the Recommendation) been followed when managing storm waters? If Yes, please provide further details   |    |        |         |
| Yes   | No | Partly | Unknown |
| 9. Have measures been taken to avoid overflows in the sewage system? If Yes, please provide further details   |    |        |         |
| Yes   | No | Partly | Unknown |
| 10. Is storm water conveyed in a combined sewage system? If Yes, please provide further details   |    |        |         |
| Yes   | No | Partly | Unknown |
| a) Have main overflow spots been identified?  |    |        |         |
| Yes   | No | Partly | Unknown |
| b) Is overflow treated? If Yes, please indicate how   |    |        |         |
| Yes   | No | Partly | Unknown |

|  |    |        |         |
|--|----|--------|---------|
| 11. Has an assessment of the impact of local storm water been conducted? If Yes, please provide further details  |    |        |         |
| Yes  | No | Partly | Unknown |
|  |    |        |         |
| 12. Have measures to ensure storm water quality been taken at the source to prevent the deterioration of the quality of storm water? If Yes, please provide further details  |    |        |         |
| Yes  | No | Partly | Unknown |
| 13. Have measures to prevent the dumping of the street cleaning snow directly to sea or to any other water bodies been taken? If Yes, please provide further details   |    |        |         |
| Yes  | No | Partly | Unknown |
|  |    |        |         |
| <b>C. Management of high-risk storm waters</b>   |    |        |         |
| 14. Is storm water from heavily polluted areas treated separately on site? If Yes, please indicate measures taken  |    |        |         |
| Yes  | No | Partly | Unknown |
|  |    |        |         |
| 15. Are contaminated waters from industrial areas, production plants, leachate from landfills, service stations, mechanical workshops and other plants as well as storm waters from areas where oil is handled or stored treated before being connected to a storm water system or discharged to the recipient? If Yes, please indicate measures taken |    |        |         |
| Yes  | No | Partly | Unknown |
|  |    |        |         |

## Annex 4 Draft HELCOM Recommendation on the Revised Regional Action Plan on Marine Litter

### HELCOM RECOMMENDATION X/X

Supersedes HELCOM Recommendation 29/2 and 36/1

Adopted XX,  
having regard to Article 20, Paragraph 1 b)  
of the Helsinki Convention

### REGIONAL ACTION PLAN ON MARINE LITTER (RAP ML)

#### THE COMMISSION,

**BEING CONCERNED** about the harmful effects of litter on the marine ecosystem such as entanglement in and ingestion of marine litter by marine organisms, litter as potential source of accumulation of toxic substances within the marine food web and pathway for transport and introduction of alien species as well as damage, degradation and smothering of marine habitats;

**BEING ALSO CONCERNED** about the harmful effects of marine litter on the human beings, including safety risks caused by marine litter such as sharp items at beaches or entanglement of divers, the potential introduction of toxic and endocrine disruptors in fish and shellfish for human consumption and of risk to navigation safety at sea;

**RECOGNIZING** that plastic may persist in the marine environment for a considerable period, possibly as much as hundreds of years, and that plastic pollution globally is a growing threat to the marine environment;

**BEING AWARE** of the severity of the marine litter problem in the oceans, while recognizing that more knowledge is needed to adequately react on the problem in the Baltic Sea;

**BEING FURTHER CONCERNED** about the harmful effects of marine litter, especially from fishing activities, on archaeological sites on the seafloor and therefore human heritage;

**BEING ALSO AWARE** that the main sources contributing to marine litter inputs in the Baltic Sea are associated with household related/municipal solid waste activities, coastal-based recreational and tourism activities, transport and waste collection/dumping, fishing activities as well as land-based activities involving the use and generation of microplastics;

**NOTING** at the same time the socio-economic losses that marine litter is causing to many activities carried out at the Baltic Sea, e.g. fishing, shipping, coastal tourism, cooling water systems;

**RECALLING** the United Nations Convention on the Law of the Sea and its obligations for States to protect and preserve the marine environment (Art 192) including to take measures to prevent, reduce and control pollution (Art 194) and related United Nations General Assembly Resolutions on Oceans and the Law of the Sea, recently Resolution A/RES/75/239 (2020) and earlier submissions;

**RECALLING FURTHER** the United Nations Environment Assembly resolution 3/7 which stresses the long-term ambition of eliminating discharge of plastic litter and microplastics into the oceans and United Nations Environment Assembly resolution 4/6 calling to address the problem of marine litter and microplastics, prioritizing a whole-life-cycle approach and resource efficiency;

**RECALLING ALSO** the Rio +20 commitment to take action to achieve significant reductions in marine debris by 2025 and the achievement of the goals and strategy objectives of the Honolulu strategy, as outlined in Resolution A/RES/66/288 (2012);

**RECALLING** United Nations Sustainable Development Goal 14 and its target 14.1 to prevent and significantly reduce marine pollution of all kinds by 2025, including marine debris;

**RECALLING FURTHER** the London Convention 1972 and the 1996 Protocol thereto aiming to promote the effective control of all sources of marine pollution and to take all practicable steps to prevent pollution of the sea by dumping at sea of wastes and other matter generated on land;

**ACKNOWLEDGING** marine litter to be one of the eight contaminant categories of UNEP's Global Programme of Action for the Protection of the Marine Environment from Land-Based Sources (GPA) as well as one of the key issues of the Regional Seas Programme (RSP) of UNEP;

**RECALLING FURTHERMORE** the provisions on ship generated waste management under Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) as well as the IMO Action Plan to address marine plastic litter from ships;

**RECALLING** other relevant regional programmes and activities developed in the framework of structures stemming from international agreements such as the Regional Action Plan for Prevention and Management of Marine Litter in the North-East Atlantic and the Arctic Regional Action Plan on Marine Litter;

**ACKNOWLEDGING** the ecological and management objectives for marine litter set by the HELCOM Baltic Sea Action Plan (BSAP 2021) as well as the Regional Action Plan on Marine Litter as a key tool to achieve the objectives;

**BUILDING ON** related commitments of HELCOM Ministerial Meetings and actions to reduce litter input in the Baltic Sea marine environment agreed in HELCOM Recommendations;

**RECALLING** that this complementary approach is without prejudice to the implementation of related regulations and policy initiatives applicable for HELCOM countries being EU members, related regulations of the Russian Federation as well as provisions concerning marine litter management contained in other national, regional or international instruments or programmes;

**ACKNOWLEDGING** related, including stricter, national and international legislation, provisions, criteria and guidance for marine litter prevention and sustainable management as complementary marine litter approaches;

**RECOMMENDS** to the Governments of the Contracting Parties to the Helsinki Convention to jointly implement, assisted by the relevant HELCOM subsidiary bodies including *via* a lead country approach, the actions of this Regional Action Plan on Marine Litter.

**DECIDES** to base further work on fundamental principles, as contained in Articles 3, 6, 8, 9 and 15 of the Helsinki Convention, as well as the following approaches:

- a) "Public participation and stakeholder involvement": Procedures and methods to create awareness of the problems of marine litter and ensuring a sense of public ownership for broad-based support to preventive and removal measures;
- b) "Sustainable consumption and production": The use of goods and services that respond to basic needs and bring a better quality of life, while minimizing (1) the use of natural resources; (2) the generation of toxic materials; (3) the emissions of pollutants and waste generation over the life cycle of the service of product;
- c) "Best available knowledge and socio-economic effectiveness": Actions and operational aspirational targets to be based on available knowledge of the predominant amounts, materials, items and sources of marine litter found in the Baltic Sea as well as social and economic costs of degradation compared to the cost and benefits of proposed measures and, where available, costs for non-action;
- d) "Integration": Marine litter management to be an integral part of the solid waste management to ensure any environmentally sound anthropogenic management including rational use of resources;

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- e) “Application of waste hierarchy”: Solid waste management to follow the five-step waste hierarchy, as introduced by the EU legislation in 2008<sup>4</sup>, starting from prevention to preparing for re-use, recycling, other recovery up to final disposal;
  - f) “Ecosystem approach”: Management of human activities according to the 2003 Joint HELCOM and OSPAR Ministerial Statement on the Ecosystem Approach to the Management of Human Activities;

**RECOMMENDS ALSO to**

- d) finalize, by the end of [2021], common indicator and associated definition of Good Environmental Status (GES) for beach litter and by [20XX] for litter on the seafloor for regional application in the years to follow;
- e) finalize, by the end of [2023], a common indicator and associated definition of GES related to microlitter for regional application in the years to follow;
- f) identify and further develop additional common indicators and associated definition of GES related to litter in other compartments;
- g) improve coordinated monitoring programmes for the beach litter and seafloor litter indicators including data collection for regular assessment of the state of marine litter in the Baltic Sea area;
- h) establish by XXXX coordinated monitoring programmes for microlitter including data collection for regular assessment of the state of marine litter in the Baltic Sea area;
- i) implement points a) to e) taking into account outcomes of the related work under the EU MSFD and involving close coordination with the EU TG Litter, as well as with similar work of the Russian Federation;
- j) report on the implementation of actions and their effectiveness towards achieving corresponding targets for the first time by 1<sup>st</sup> December 2023 as part of the implementation plan to be drafted for each of the actions following the lead country approach and thereafter every second year;

**RECOMMENDS FURTHER** that the Contracting Parties assess the implementation of this Recommendation and the Action Plan by [2027], and, if necessary, based on the assessment, update it in 2028;

**RECOMMENDS FURTHERMORE** that the Governments of the Contracting Parties to the Helsinki Convention foster cross-sectorial cooperation and seek close cooperation with other relevant regional and global organizations and initiatives to combat marine litter, including UNEP and other Regional Seas Conventions (i.a. OSPAR Commission, Barcelona Convention, Black Sea Commission), the International Maritime Organization, the Convention on Biological Diversity, the Baltic Sea Advisory Council, and River Basin Commissions including via partnerships with the private sector and with non-governmental organizations.

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<sup>4</sup> Waste Framework Directive 2008/98/EC (art. 4).

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## **ACTIONS TO REDUCE THE INPUT AND PRESENCE OF MARINE LITTER IN THE BALTIC SEA AS PART OF THE HELCOM REGIONAL ACTION PLAN ON MARINE LITTER (RAP ML)**

HELCOM Regional Action Plan on Marine Litter is considered as the main regional tool to achieve the marine litter ecological and management objectives of the Baltic Sea Action Plan. This updated Action Plan is developed based on lessons learnt from the implementation of the first Regional Action Plan adopted in 2015 and on the best available information on amounts and composition of litter found in the coastal and marine environments as well as its sources and pathways to the Baltic Sea. Thus, the list of actions represents areas where, to the best knowledge, the Contracting Parties need to act.

Actions in this Action Plan are designed for joint regional implementation with assistance and follow up by the relevant HELCOM working group. The implementation also assumes lead country approach with subsequent assignment of actions to countries which are willing to develop them further into concrete measures. An implementation plan for each action will be developed by the end of 2022. The implementation plan will include concrete steps and target years as well as a follow up process with respective milestones and indicators of accomplishment. In doing so, cost-effectiveness of measures and ongoing activities which can be used for the implementation should be considered. The implementation plans will be considered by relevant HELCOM groups as part of the regional communication on marine litter, which is one of the key issues for the success of this Action Plan. The implementation plans will be revised, if necessary, based on the follow up assessment.

Some actions in this Action Plan, for instance, addressing other organizations or institutions having specific competence to act (e.g. exclusive competences of the European Union, the International Maritime Organization regarding new regulations for shipping) require a coordinated approach. Cooperation with other Regional Seas Conventions is an essential part of this work ensuring mutual learning and coordination of actions. Furthermore, the Contracting Parties commit to a global agreement on plastics and microplastics, which could include national *management plans on plastics and microplastics as an element within the agreement*.

Actions in the Action Plan are divided into two themes: (i) actions to combat land-based and (ii) sea-based sources of marine litter which include also actions on removal and disposal of litter already present in the marine environment. Actions aimed at reducing input of litter by means of smart production as well as education and outreach are integral parts of these themes. Contracting Parties will continue regional and national work to increase public awareness and literacy on occurrence and harmful effects of marine litter as well as on measures to prevent plastic pollution of the Baltic Sea.

Successful accomplishment of the Action Plan involves engagement in a dialogue and enhanced cooperation with business and industry, sea users, local communities and other relevant civil society groups as well as national stakeholders focusing on marine litter, at appropriate level, to promote the removal of litter from the marine environment in a practical, feasible and environmentally sound manner, to develop best available techniques (BAT) and best environmental practice (BEP), including identification of circumstances of “escapes” of litter into the marine environment as well as new waste management and adaptation practices to achieve a good environmental status.

Contracting Parties agreed to reach a good environmental status of the Baltic Sea by 2030. The implementation of the Regional Action Plan on Marine Litter will be assessed by [2027] and, if necessary, based on the assessment, the Action Plan will be updated in [2028] to ensure that the implementation of the Action Plan serves to the achievement of this ambitious goal.

## 1. Actions addressing land-based sources of marine litter

| CODE        | ACTION  |
|-------------|---|
|             | <b>Waste prevention and management</b>  |
| RL1         | Share best practices and guidelines for municipalities and other responsible authorities regarding environmentally sound and effective cleaning, sorting and collection infrastructure of plastic litter on beaches and other coastal areas.  |
| RL3         | Evaluate top findings according to the knowledge available and recommend environmentally sound alternatives to phase out top plastic and rubber litter items.   |
| RL4         | Establish a regional pilot project in collaboration with river basin authorities to assess input of macro litter by rivers to build sound regional knowledge base.  |
| RL5         | Reduce marine litter by sharing best practices on national return and refund deposit systems for drink packaging striving to establish such systems in all HELCOM countries and investigate possible bilateral and multilateral solutions to prevent littering and enhance recycling of drink packaging in relation to passenger ships and border shops.                                    |
| RL6         | Identify environmentally open applications using plastics (e.g. agriculture foil, coastal erosion protection, etc...) which need to be addressed and recommend relevant actions.  |
|             | <b>Micro-plastics/articles</b>  |
| RL7         | Based on the evaluations made in the EU and among the contracting parties of the most significant products and processes that release both primary and secondary microplastics, assess if they are covered or not by legislation, and act, if appropriate, to influence or adjust the legal framework, or identify other necessary measures to reduce emissions to the aquatic environment. |
| RL8         | Evaluate the possibility to introduce regional recommendations to reduce release of microplastics/articles from WWTP utilizing the outcome of related studies.  |
| RL9         | Development of a HELCOM guideline on establishment and operation of artificial turfs, to prevent plastic losses, taking into account the ongoing work within the EU including the proposal by ECHA.   |
|             | <b>Single use plastics</b>  |
| RL10        | Investigate opportunities for substitution with subsequent phasing-out non-degradable shot wads and launch information campaigns targeted at hunters.   |
| RL11        | Provide guidance on best-practice examples and regulatory options for municipalities in the Baltic Sea region to reduce the generation of single use plastic litter.  |
| RL12        | Prevention and reduction of single use plastics consumption and littering at major events and promotion campaigns through the establishment of a catalog of possible measures to be utilized by the organizers and authorities.   |
| RL13        | Phase out intentional releases of inflated balloons <del>and consider phasing out the use of plastic components of firework and confetti outdoors.</del>  |
| <u>RL14</u> | <u>Consider phasing out the use of plastic components of firework and confetti outdoors.</u>  |

## 2 Actions addressing sea-based sources of marine litter

| CODE | REGIONAL ACTION  |
|------|--|
|      | <b>Actions addressing shipping related activities</b>  |
| RS1  | Identify opportunities for developing ELB management and recycling methodologies including potential financial arrangements (e.g. producer's responsibility, eco-fee for registered boats).  |
| RS2  | Encourage the development and use of buoys, floats and docks, which do not release expanded polystyrene (EPS) and other problematic materials to the marine environment with the aim to phase out the use of those containing unprotected EPS and problematic materials. |

|  |   |
|--|---|
| RS3  | Cooperate with maritime stakeholders to optimize onboard waste management enhancing separation, fostering recycling, and phasing out the use of single-use plastics in shipping, including in cruise operations.  |
| RS4  | Investigate the problem with cargo losses causing plastic littering of the marine environment and, based on the findings, together with national competent authorities, consider developing a common guidelines for accident management taking into account ongoing work within the IMO and EU. |
| RS5  | Investigate the problem caused by spills of plastic pellets from ships and, based on the findings, consider developing common guidelines for accident management in such events.  |
| <b>Actions addressing ALDFG and other fisheries related litter</b> |   |
| RS6  | Encourage collection of ALDFG and separation of collected ALDFG from end-of-life gear with a view to establish regional targets for collection of end-of-life fishing gear.   |
| RS7  | Elaborate guidelines on the best practices and undertake relevant measures to reduce the input of ALDFG to the Baltic Sea from recreational fisheries with a focus on gillnets taking into account geographical particularities.  |
| RS8  | Evaluate the amounts and composition of lost angling gear in the Baltic Sea including fishing lures and casting weights with corresponding hooks, soft plastic baits and light components and develop appropriate measures to prevent their further loss.                                       |
| RS9  | Investigate available options for fishing gear marking as a tool to prevent and reduce gear losses and produce recommendations to improve gear marking to increase the effectiveness of this tool   |
| RS10   | Consider innovative constructive features of fishing gear as a tool to prevent and reduce gear losses and a tool to prevent and reduce lost fishing gears from ghost fishing.   |
| RS11   | Continue the mapping of areas with high potential for ALDFG accumulation (hot spots) in all HELCOM countries with subsequent update of the HELCOM Map&Data service.   |
| RS12   | Initiate removal of ghost nets and their safe management on land applying the best practices for ALDFG removal in national or international campaigns.  |
| RS13   | HELCOM to join the Global Ghost Gear Initiative (GGGI) which is the world's largest cross-sectoral alliance committed to driving solutions to the problem of ALDFG worldwide.   |
| RS14   | Engage fishermen (both recreational and commercial) and general public to report on lost and observed ghost fishing gear utilizing related reporting tools (e.g. Swedish example of GhostGuard app or German Geistertaucher).   |
| RS15   | Consider the development of HELCOM Recommendation and guidelines on the reduction of marine litter through the implementation of Sustainability Education Programmes for Fishers taking into account results of the ongoing work on the revision of IMO STCW-F.                                 |

### Appendix I – Reporting format on implementation of actions

With reference to item g) of the HELCOM Recommendation XX/XX the implementation of actions is to be reported to HELCOM for the first time by 1st December 2023 and thereafter every second year.

|   |  |
|---|--|
| <b>Country</b>  |  |
| <b>Date</b>   |  |
| <b>Contact person</b>   |  |
| <b>Affiliation</b>  |  |
| <b>E-mail</b>   |  |
| <b>Code of action <sup>1</sup></b>  |  |
| <b>Action</b>   |  |
| <b>Status of the action <sup>2</sup></b>  |  |
| <b>Justification of the achieved progress <sup>3</sup></b>  |  |
| <b>Estimation of the achieved reduction of the environmental pressure where appropriate<sup>4</sup></b> |  |
| <b>Estimation of costs of the implementation.</b>   |  |

1 – Please provide the code of the action as listed in the Annex to the Regional Action Plan on Marine Litter.

2 - Please select accordingly: not initiated, on-going, accomplished.

3 - Please briefly describe progress achieved or justify the accomplishment of the action.

4 - Please provide an estimation of quantified reduction of the input of litter achieved through the implementation of the action where relevant.

## Annex 5      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.