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European Maritime and
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Workshop on Assessment of Regional MSP Framework

18th HELCOM-VASAB MSP WG meeting

BSH, Hamburg, 27 March 2019

Swedish Agency
for Marine and
Water Management



DANISH MARITIME AUTHORITY



Aim of the workshop

- To reflect on the preliminary findings on the assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework
- To contribute to the development of the MSP Roadmap beyond 2020.

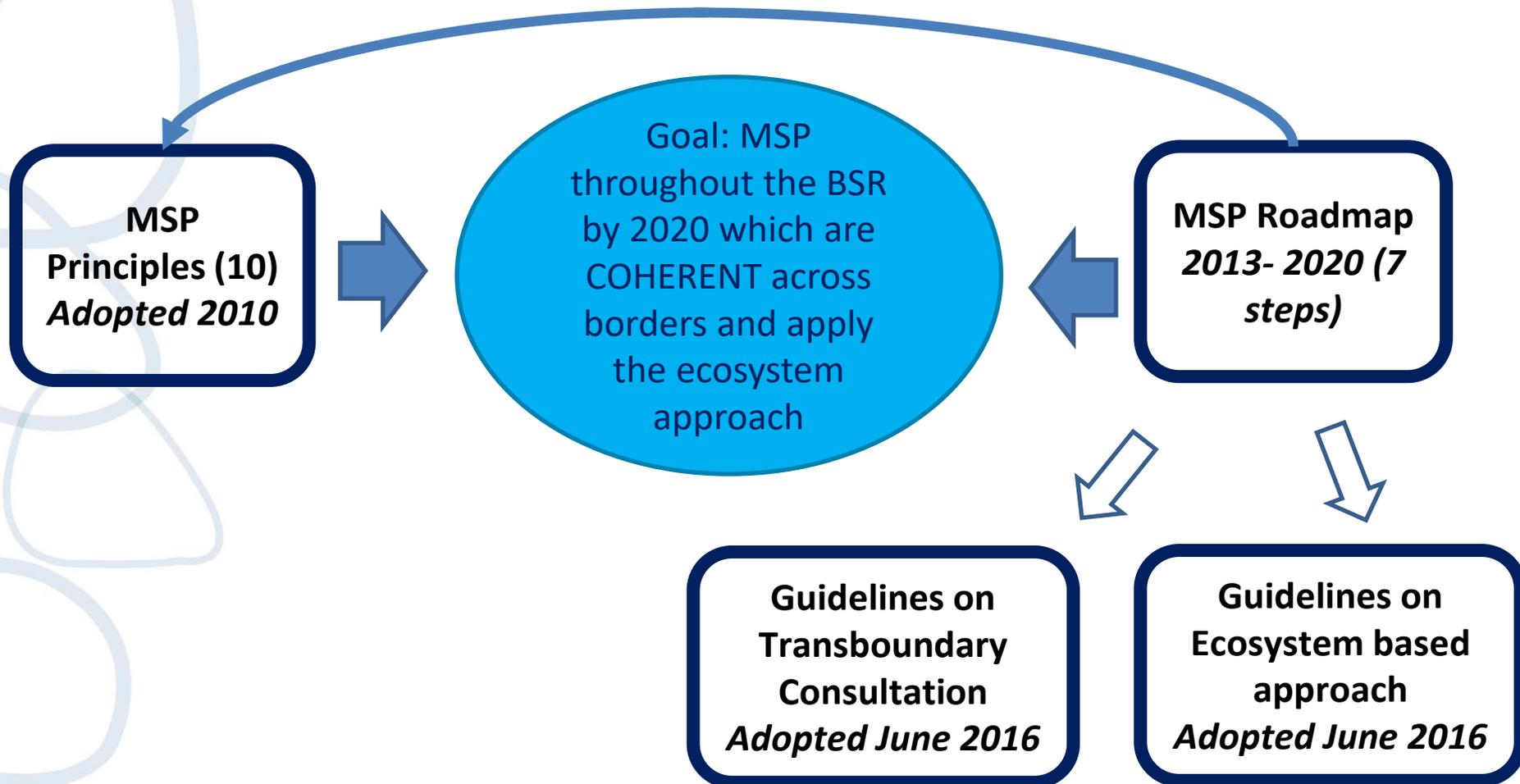


Introduction to the Assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework

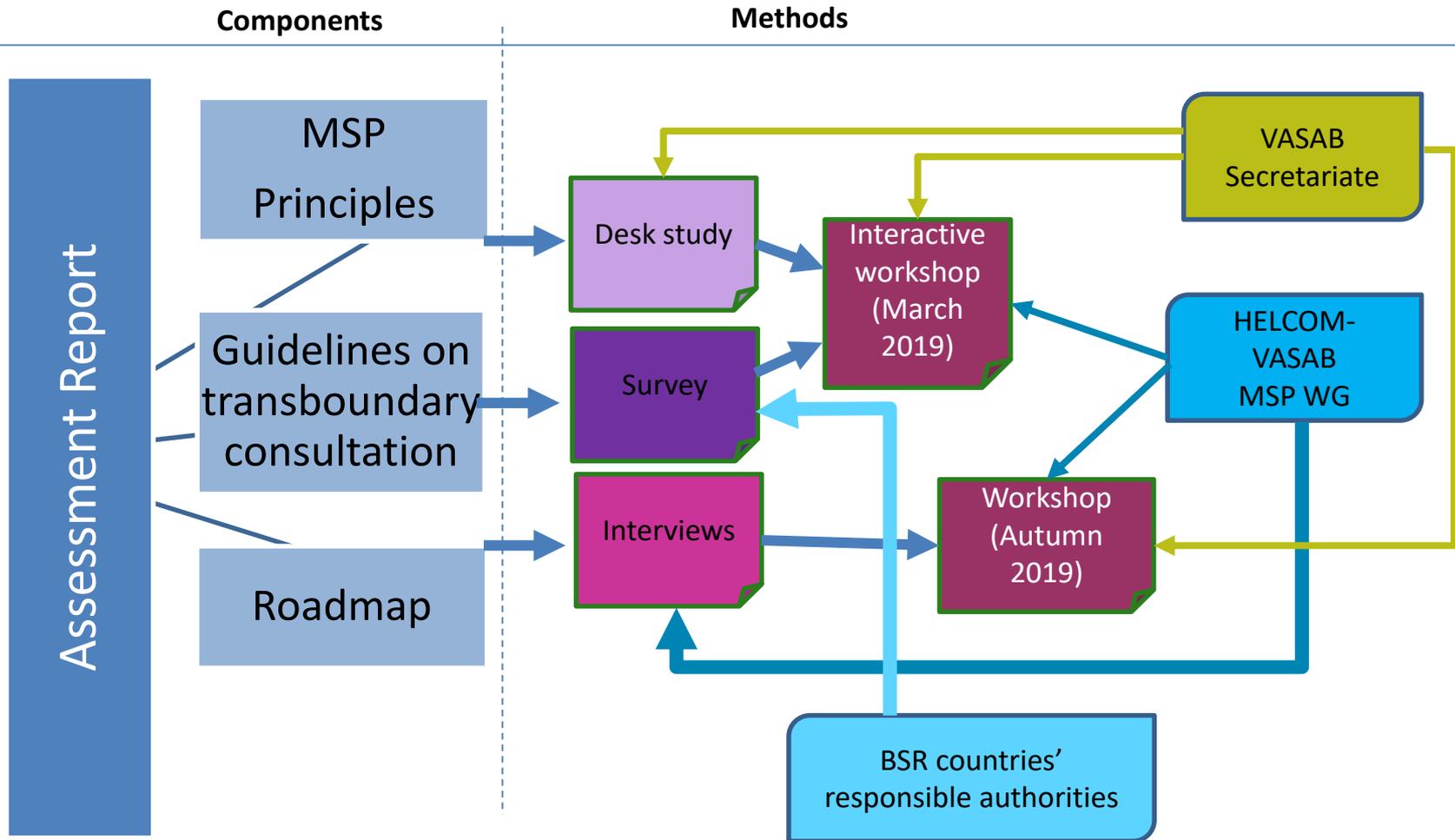


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Common Regional MSP Framework



Methods and Involvement





Desk study on MSP principles

Publicly available information, fact sheets, reports

Key issues:

- Status of the MSP in the countries
- whether the principles are applied; to what extent and why they are applied
- Good examples and challenges





Survey on the Guidelines

© **Involved target group:** responsible authority of MSP in all 11 countries

© **Time:** January- February, 2019

© **Key issues:**

- how transboundary consultation is organized
- to which extent Guidelines are being implemented
- main challenges to implement guidelines
- suggestions for improvements

Interviews on the Roadmap

🌀 **Involved target group:** HELCOM-VASAB MSP WG members

🌀 **Time:** Spring 2019

🌀 **Key issues:**

- To which extent all tasks within MSP Roadmap are implemented in the countries and on pan Baltic level.
- Steps from the Summary Timetable must be evaluated one by one.



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**Preliminary findings on the
application of THE BALTIC
SEA BROAD-SCALE MSP
PRINCIPLES in the Baltic Sea
region countries**



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THE BALTIC SEA BROAD-SCALE MSP PRINCIPLES

- Adopted in 2010 by VASAB and HELCOM
- broad-scale, cross-sectoral, based on the Ecosystem Approach
- principles will provide valuable guidance for achieving better coherence in the development of Maritime Spatial Planning systems in the Baltic Sea Region

Maritime Spatial Planning is an instrument for analysing, coordinating and allocating the spatial and temporal distribution of human activities in marine areas to achieve a balance between economic, environmental, social and any other interests in line with internationally and nationally agreed objectives.

Principles and MSP Directive

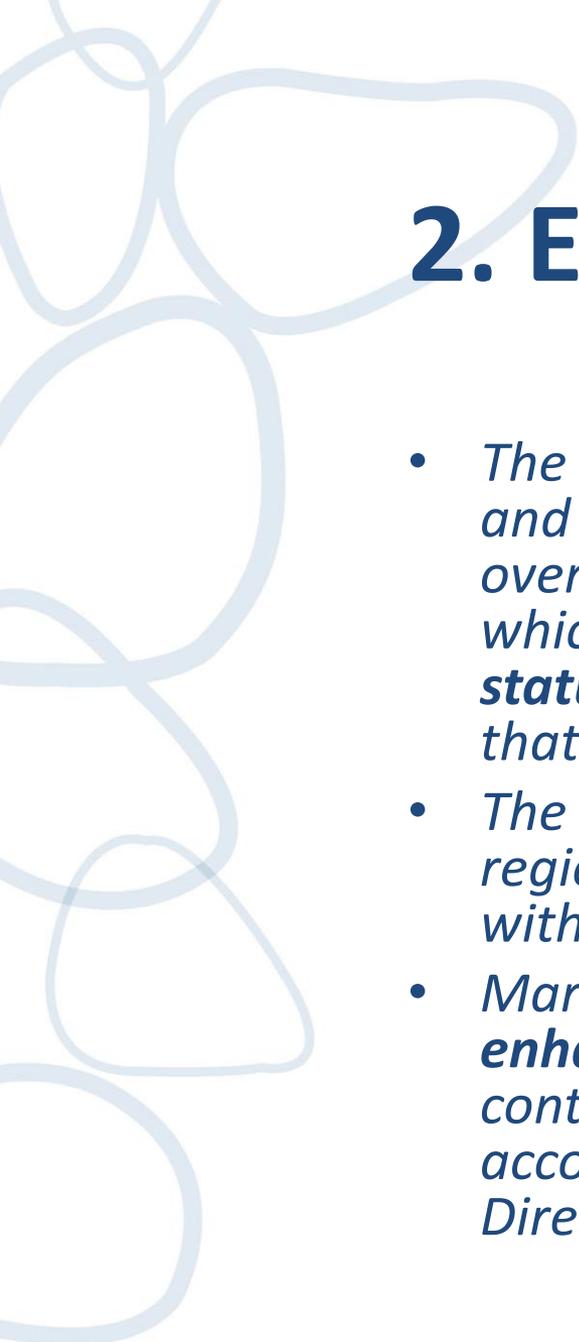
	Baltic Sea MSP principles	EU MSP Directive, minimum requirements and the text.
1.	Sustainable management	(b) take into account environmental, economic and social aspects, as well as safety aspects
2.	Ecosystem approach	Recital (13); Article 5.; point 1.(EBA)
3.	Long term perspective and objectives	-
4.	Precautionary Principle	Recital (14)
5.	Participation and Transparency	(d) ensure the involvement of stakeholders
6.	High quality data and information basis	e) organise the use of the best available data
7.	Transnational coordination and consultation	(f) ensure trans-boundary cooperation (g) promote cooperation with third countries
8.	Coherent terrestrial and maritime spatial planning	(a) take into account land-sea interactions (c) aim to promote coherence between maritime spatial planning and the resulting plan or plans and other processes, such as integrated coastal management or equivalent formal or informal practices
9.	Planning adapted to characteristics and special conditions at different areas	-
10.	Continuous planning	plans shall be reviewed by Member States at least every ten years (article 6.; point 3)

1. Sustainable management

Maritime Spatial Planning is a key tool for sustainable management by

- *balancing between economic, environmental, social and other interests in spatial allocations,*
- *managing specific uses and coherently integrating sectoral planning,*
- *applying the ecosystem approach.*

When balancing interests and allocating uses in space and time, long-term and sustainable management should have priority.



2. Ecosystem approach

- *The ecosystem approach, calling for a cross-sectoral and sustainable management of human activities, is an overarching principle for Maritime Spatial Planning which aims at achieving a Baltic Sea ecosystem **in good status -a healthy, productive and resilient condition** so that it can provide the services humans want and need.*
- *The entire regional Baltic Sea ecosystem as well as sub-regional systems and all human activities taking place within it should be considered in this context.*
- *Maritime Spatial Planning must **seek to protect and enhance the marine environment** and thus should contribute to achieving Good Environmental Status according to the EU Marine Strategy Framework Directive and HELCOM Baltic Sea Action Plan.*

Ecosystem approach

- Identification of nature values, setting areas for potential protection (new MPAs)
- Implementing Strategic Environmental Impact assessment.

The guideline for the implementation of ecosystem-based approach in Maritime Spatial Planning (MSP) in the Baltic Sea area

3. Long term perspective and objectives

- *Maritime Spatial Planning should have a long term perspective in relation to the goals it seeks to attain and to its environmental, social, economic and territorial effects.*
- *It should aim for long-term sustainable uses that are not compromised by short term benefits and be based on long term visions strategies and action plans.*

3. Long term perspective and objectives

- *Clear and effective objectives of Maritime Spatial Planning should be formulated based on these principles and national commitments.*

Objectives	Indicators

Monitoring and evaluation of the implementation



3. Long term perspective and objectives

The establishment of a legal basis for Maritime Spatial Planning in the Baltic Sea countries should be investigated including vertically and horizontally well coordinated decision making processes concerning sea space uses to ensure efficient implementation of maritime spatial plans and to provide for an integrated sea space allocation process when such plans do not yet exist.

MSP Directive, National legislation in place, except Russia

4. Precautionary Principle

*This implies planning has an obligation to anticipate potential adverse effects to the environment before they occur, taking into account Article 3 of the Helsinki Convention, and **take all precautionary measures** so that an activity will not result in significant harm.*

A similar, but distinct, forward looking perspective should be applied with respect to the economic and social dimensions.

4. Precautionary Principle

EU Member States:

- **Communication from the Commission on the precautionary principle (COM/2000/0001 final)**
- **SEA Directive 2001/42/EC**
- Article 191 of the **Treaty** on the Functioning of the **European Union**:
 - It relates to an approach to risk management whereby if there is the possibility that a given policy or action might cause harm to the public or the environment and if there is still no scientific consensus on the issue, the policy or action in question should not be pursued. Once more scientific information becomes available, the situation should be reviewed.

5. Participation and Transparency

Århus
Convention

MSP
Directive

- *All relevant authorities and stakeholders in the Baltic Sea Region, including coastal municipalities as well as national and regional bodies, should be involved in maritime spatial planning initiatives at the earliest possible stage and public participation should be secured.*
- *Planning processes should be open and transparent and in accordance with international legislation.*

6. High quality data and information basis

Maritime Spatial Planning should be based on best available and up to date comprehensive information of high quality that to the largest extent possible should be shared by all.

This calls for close cooperation of relevant GIS and geo-statistical databases, including the HELCOM GIS, monitoring and research.

This base should cover historical baselines, present status as well as future projections of both environmental aspects and human activities. It should be as comprehensive, openly accessible and constantly updated as possible and compatibility with European and Global initiatives should be ensured.

HELCOM
Map and
Data
Service

EMODNET

7. Transnational coordination and consultation

Maritime spatial planning should be developed in a joint pan-Baltic dialogue with coordination and consultation between the Baltic Sea states

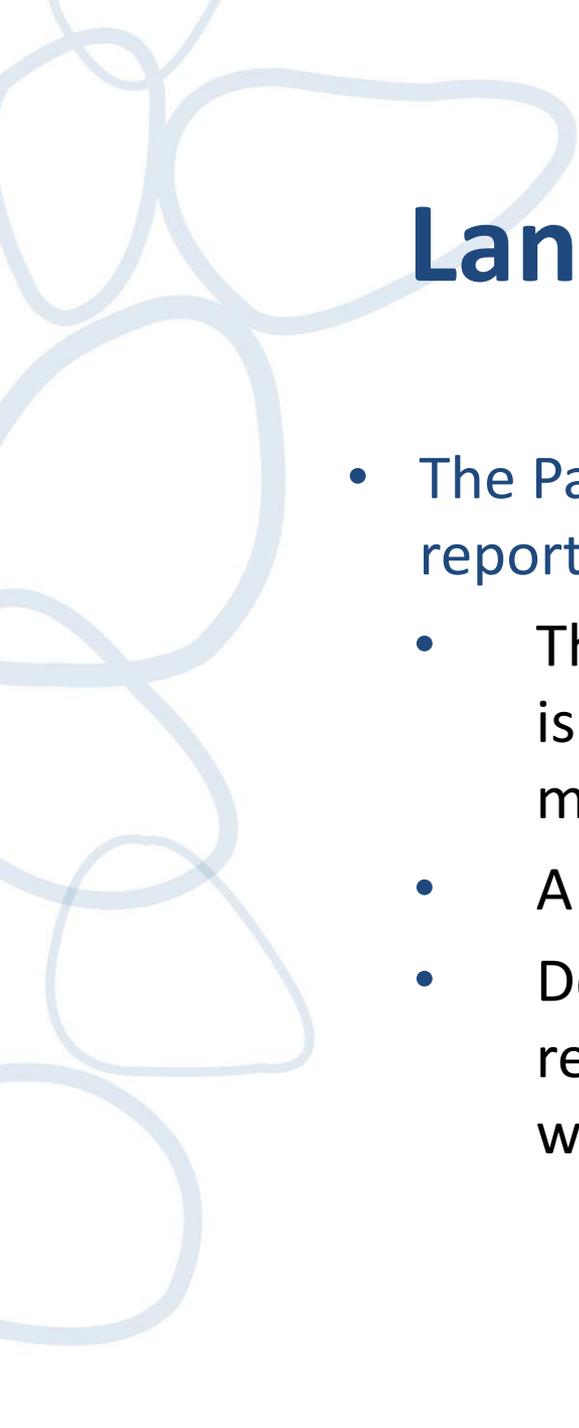
Such dialogue should be conducted in a cross-sectoral context between all coastal countries, interested and competent organizations and stakeholders.

Whenever possible maritime spatial plans should be developed and amended with the Baltic Sea Region perspective in mind.

HELCOM-VASAB MSP WG; Baltic MSP Forums

8. Coherent terrestrial and maritime spatial planning

- *Spatial planning for land and for the sea should be tightly interlinked, consistent and supportive to each other.*
- *To the extent possible legal systems governing spatial planning on land and sea should be harmonised to achieve governance systems equally open to handle land and sea spatial challenges, problems and opportunities and to create synergies.*
- *Synergies with Integrated Coastal Zone Management should be strengthened in all BSR countries and in a cross-border setting.*



Land-Sea-Interactions

- The Pan Baltic Scope project produced a scoping report including survey of partner countries in 2018
 - The guidelines to clarify the meaning on what LSI is and how it can be considered in coastal and marine planning at different scales.
 - A number of challenges and needs identified;
 - Develop knowledge and methods for analyses relevant for practical problem solving when working with LSI in coastal and marine planning

9. Planning adapted to characteristics and special conditions at different areas

- *Maritime spatial planning should acknowledge the characteristics and special conditions of the different sub-basins of the Baltic Sea and their catchments.*
- *In general maritime spatial plans should seek coherence across ecosystems.*

- Sweden - 3 plans: Bothnian Bay, Baltic Sea, Western Waters
- Finland - 4 plans: 1) northern Bothnian Sea, Quark and Bothnian Bay 2) Archipelago Sea and southern Bothnian Sea; 3) Gulf of Finland; 4) the territorial water of Åland.
- Poland: national + lagoons (Vistula, Szczeciński , Kamieński)

10. Continuous planning

- *A continuous process that will need to adapt to changing conditions and new knowledge.*
- *Monitoring and evaluation of the implementation of maritime plans and its environmental and socio-economic effects*
- *This monitoring and evaluation should build on, and if possible be part of, regional monitoring and assessments carried out by regional organisations.*

Continues or regular revision process???

Revision of the plans

Country	Status of MSP	Frequency of the review of the plan
Denmark	Preparation	at least every 10th year
Estonia	Elaboration	After 7 years
Finland	Elaboration	Depending on the need
Germany	Legally in force since 19.12.2009; updated version in 2021	After 5 years
Latvia	Adoption	After 6 years
Lithuania	Legally in force since 11.06.2015. and valid till 2020.	
Sweden	Elaboration	After 8 years



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Guidelines on Guidelines on transboundary consultations, public participation and co-operation

Swedish Agency
for Marine and
Water Management



Ministry of Environmental
Protection and Regional
Development
of the Republic of Latvia

DANISH MARITIME AUTHORITY



S Y K E



REPUBLIC OF ESTONIA
MINISTRY OF FINANCE



Nordregio



SATAKUNTALIITTO
The Regional Council of Satakunta



Ålands
landskapsregering

Survey with focus on the Guidelines on Transboundary consultation cooperation

🌀 **Target group:** responsible authority of MSP in Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden, Russia.

🌀 **Time:** January, 2019

🌀 **Key issues:**

- how transboundary consultation is organized
- to which extent Guidelines are being implemented
- main challenges to implement guidelines
- suggestions for improvements

Scope of the transboundary consultation

- Overall aims and objectives of maritime spatial plans
- Environmental impact assessment (strategic)
- Socioeconomic aspects: trends and future perspectives
- Potential Conflicts and Synergies
- Full maritime spatial plan

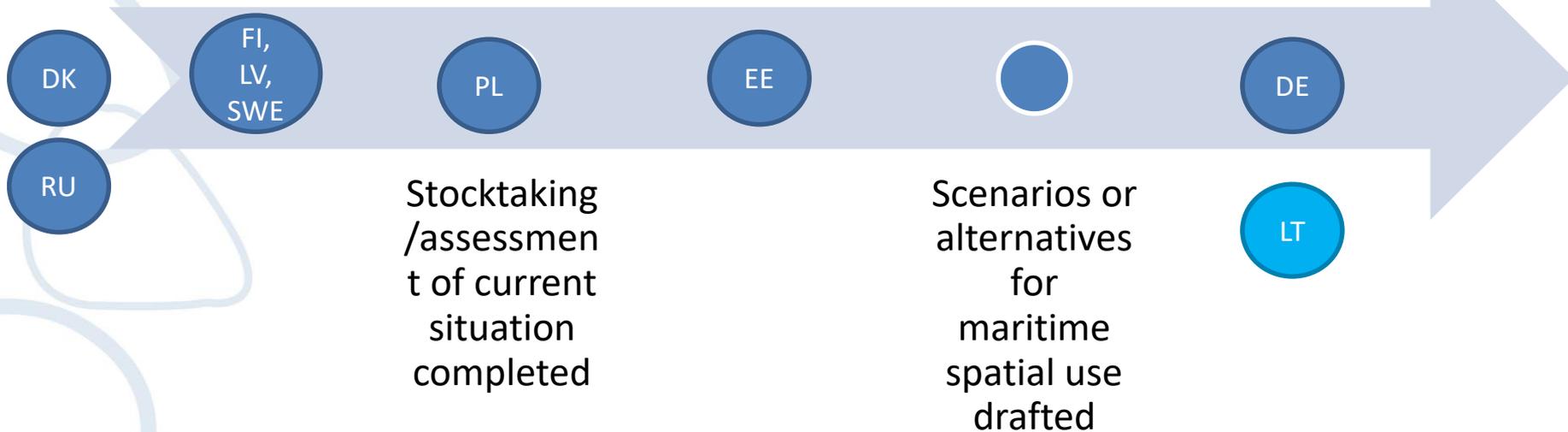


Timing of the transboundary consultation

In the same time with launch/start of the national process

Main aims and objectives drafted

Draft version of the maritime spatial plan prepared





Coherent maritime spatial plans

- **Shipping line and maritime traffic: continuity of the lines from own country to the neighbouring country**
- **Cables and pipe lines**
- **Production of renewable energy**
- **Nature conservation interests**
- **Maritime tourism (ferry lines)**
- Management of Fish resources
- Environmental pollution



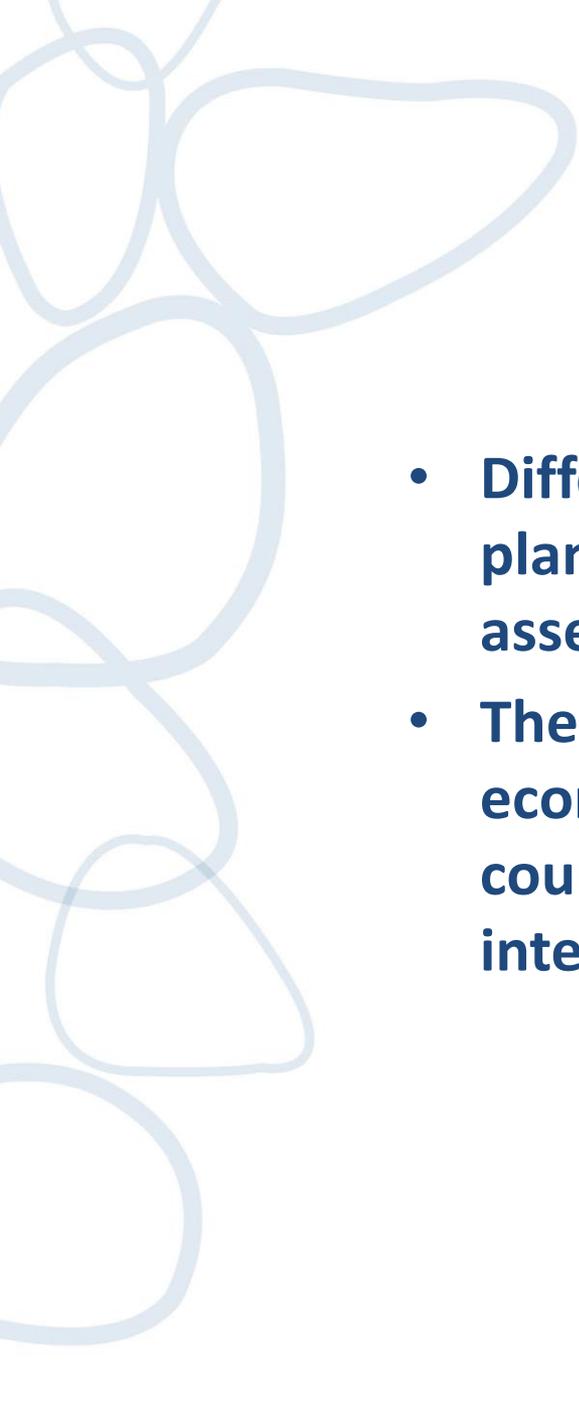
Information and communication

- **Direct communication** with the competent authorities of neighbouring countries **by phone** or in relevant events and occasions
- **Arranging meeting** for competent authorities of neighbouring countries for MSP to explain the nature of the maritime spatial plan and to discuss potential conflicts and synergies
- **Taking part in the meetings** arranged by neighbouring country

Countries are satisfied (fully or with some improvement needs) with efforts in PROVIDING INFORMATION and COMMUNICATION to the neighbouring countries

Language of communication with neighbouring countries

- information is sent in **English** to the neighbouring countries – **most common practice**
- information is sent in **national language** of a neighbouring country (**all documents are translated by DE to PL; summaries by other countries**)
- information is not translated; the sent letter contains a link to published document in the language of the country that develops MSP (**the whole document or related background documents**)



Most critical in consultation process

- **Different data format, no access to the project plan in GIS format which would facilitate the assessment of the coherence**
- **The most important issues are environmental and economic activities impact of neighboring countries in the context of impact on national interests:**



Good example

- **Transboundary consultation process organized by Sweden**
- **Polish MSP review process**
- **Response of Latvia on comments from Sweden**

To be avoided

- **Too many formal meetings and letters. There should be informal collaborations to have constructive results.**
- **Presentation of finished materials only at meetings without prior review.**
- **Changing of the MSP contact point without informing the concerned countries.**

Response to the received comments

A

A formal letter is sent to the neighbouring country to inform to what extent their remarks have been taken into consideration in the process of drafting the plan

B

A formal letter also justifies the remarks that have not been taken into account in the drafting the plan

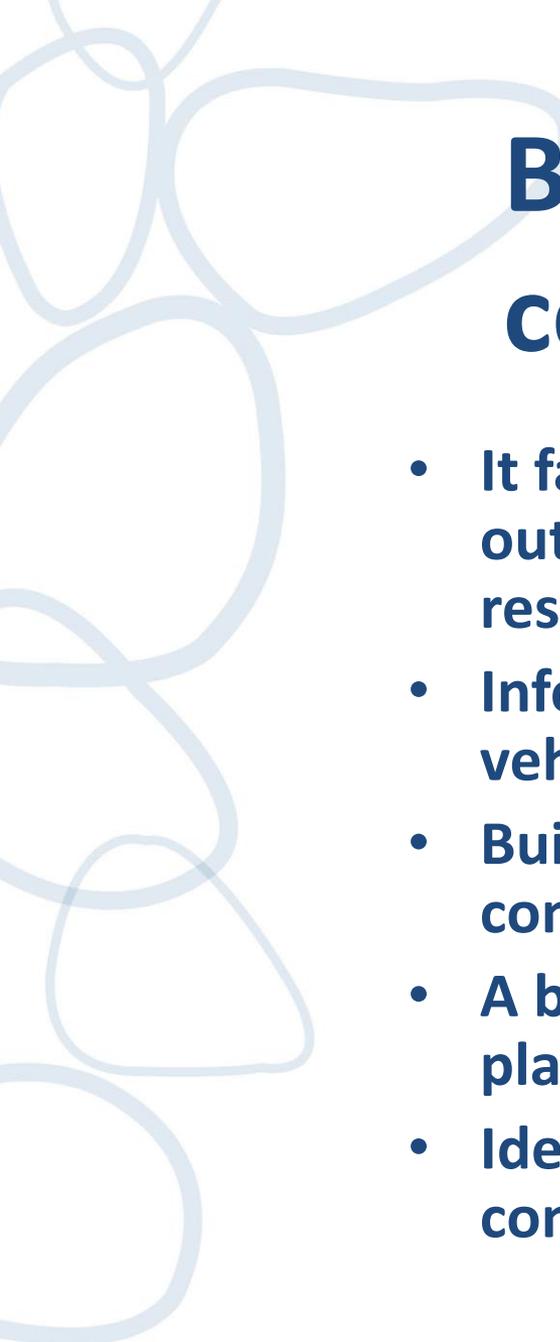
A cross-border meeting is organised to discuss the conflicting issues

A transnational meeting is organised to discuss the conflicting issues



Informal transboundary cooperation processes

- **HELCOM-VASAB MSP WG – is official platform, nevertheless countries see this also as platform for sharing experience and knowledge beyond the official platform**
- **bi-lateral committees on Spatial planning (DE/PL)**
- **projects (Baltic & Pan-Baltic Scope, Interreg)**
- **Field trip for participants to demonstrate Finnish underwater biodiversity research**



Benefits from informal cooperation process

- **It facilitates the informal supply of information outside the narrow confines of (potentially restrictive) formal channels**
- **Informal discussions can be initiated as a useful vehicle for brokering common solutions**
- **Build trust, and also to know who to communicate with during formal processes**
- **A better understanding of my neighbours planning system.**
- **Identification and prevention of transboundary conflicts at an early stage**



Evaluation of the Pan-Baltic cooperation on MSP

Role of HELCOM and VASAB

Mainly significant and very significant; 1 country neutral and 1 country slightly insignificant

To inform about the process and for networking

Important role in cooperation with Russia

Need for cooperation on:

Data infrastructure, exchange

Ecosystem approach

MSP process and content

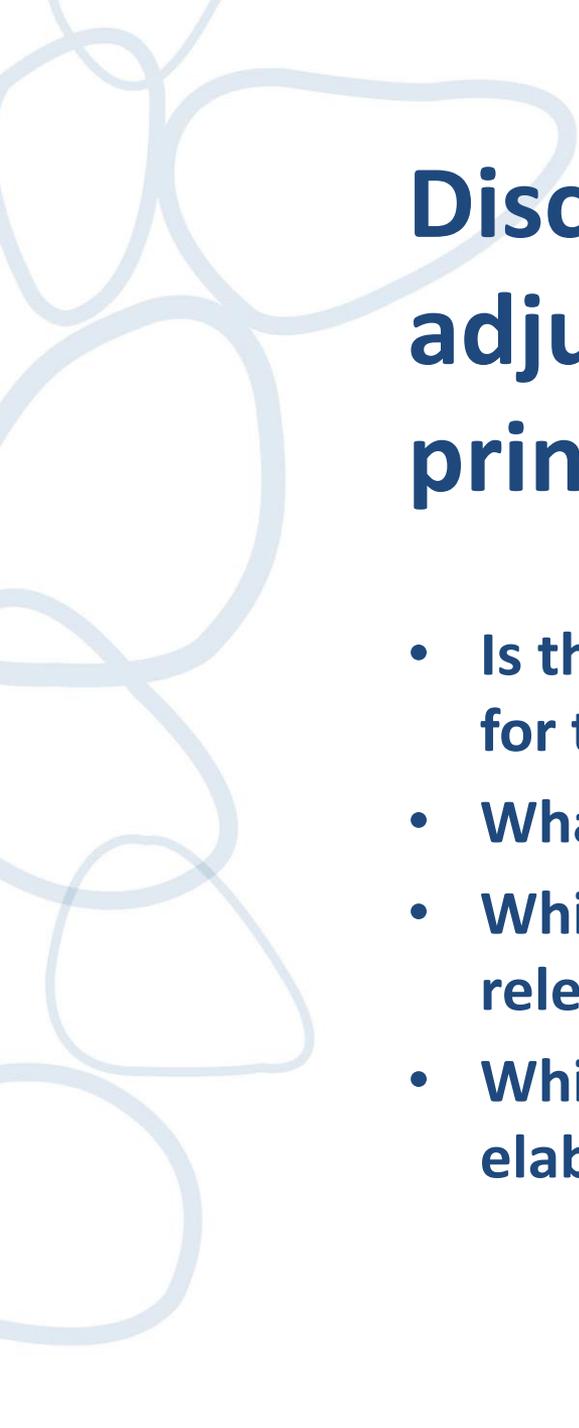
Blue Growth



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THANK YOU!





Discussion proposals for adjustment and new MSP principles

- **Is there a need for any modification/adjustment for the VASAB-HELCOM MSP principles?**
- **What should be modified?**
- **Which of the MSP principles are not any more relevant?**
- **Which new principle shall be proposed, elaborated and adopted?**