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<b>Agenda Item</b>	2 - MSP developments and regional coordination
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<b>Reference</b>	Outcome of HELCOM-VASAB MSP WG 9-2014, paragraph 2.16-2.19

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### Background

The attached documents contain updated country fiches on MSP status in Latvia and Norway as an addition to the previously submitted [document 2-7](#).

### Action required

The Meeting is invited to

- take note of the filled in/reviewed and updated country fiches,
- approve them for publishing on the HELCOM and VASAB web pages.



# Country Fiche

## Latvia

## 1. General information



- Marine waters under Latvian jurisdiction include inland sea waters, territorial sea (12 nautical miles from the baseline) and exclusive economic zone (EEZ) waters.
- Total area of Baltic Sea waters (including Gulf of Riga) under jurisdiction of Latvia is 28,000 km<sup>2</sup>.
- The Baltic Sea waters under jurisdiction of Latvia border upon Lithuania, Estonia and Sweden.

## 1.1. Governance

Latvian marine waters are owned by the state, but the responsibility for them is divided between respective sectorial ministries (Environment, Agriculture, Transport, Economics). Ministry of Finance on its part possesses seashore (up to depth of 20 m) owned by the state, but in relation to the seashore management and planning there is a discussion on competencies of the coastal municipalities ongoing. This competence will be given to local municipalities after Draft Land management law will be adopted by Parliament (currently adopted on 2<sup>nd</sup> reading)

## 1.2. Contacts

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## 2. General information on legislation

The legal base for MSP in Latvia is Spatial planning law, issued on 1<sup>st</sup> of December, 2011, where MSP and the deadline for starting it's elaboration (by 1<sup>st</sup> of January, 2014) is defined, as well the secondary legislation is prescribed. Regulations on Development, Implementation and Monitoring of Maritime Spatial Plan have been approved by the

Latvian Government in 2012, where the content, elaboration procedure as well as implementation and monitoring procedures of MSP are covered.

Other MSP relevant legislation:

- Marine Environment Protection and Management Law (effective as from 18 November 2010) and Law on Territorial Development Planning (effective as from 1 December 2011) states the necessity of maritime spatial planning
- National report “On distribution of competencies among the authorities for maritime spatial planning” (12.04.2012. Section 40 of the Minutes of the Cabinet of Ministers No. 19), which defines responsibilities of the authorities in development of the plan, as well as states that the Maritime Spatial Planning shall be developed for land/shore territory that is functionally related with the sea.
- Provisions of several international conventions and binding legal acts such as UNCLOS, Espoo Convention, Bonn Convention and EU directives (MSFD, HABITAT, BIRD, SEA, EIA), which have been transposed into national legislation.

### 3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

The above mentioned legislation applies to all territory of Latvia, including territorial sea and EEZ sea waters.

### 4. Spatial Plans

No effective maritime spatial planning in place

Ministry of Environmental Protection and Regional Development has gained experience in maritime spatial planning through participation at different pilot projects BaltSeaPlan (<http://www.baltseaplan.eu/index.php/Latvian;839/1>), Plan Bothnia, GORWIND (<http://gorwind.msi.ttu.ee/home/info>) and PartiSEAPate (<http://www.partiseapate.eu/>).

Law on Spatial Development Planning prescribes that maritime spatial planning shall be commenced until 1 January 2014. According to the Regulations of the Cabinet of Ministers No. 740 “Marine planning development, implementation and supervision procedure” accepted by 30 October 2012 the maritime spatial plan shall be developed by Latvian Institute of Aquatic Ecology in cooperation with Maritime Administration of Latvia. Maritime Spatial Planning will be developed taking into consideration the international liabilities of the Republic of Latvia and in cooperation with countries, with which Latvia has common sea border.

National MSP shall consist of:

1. **strategic part** (includes long-term development vision, strategic objectives, development guidelines and tasks).
2. **explanatory note**, which includes an assessment of the current situation, covering:
  - 2.1. relations of the marine plan to other planning documents and legislation;
  - 2.2. general marine and environmental characteristics;

- 2.3. overview of marine natural and cultural resources, including landscapes;
  - 2.4. information on the sea uses, taking into account environmental, social and economic aspects;
  - 2.5. marine and terrestrial functional coherence;
  - 2.6. trend analysis on marine spatial usage.
3. **graphical part**, which is made up of a map on marine permitted uses and, if necessary, thematic maps and schematic maps;
4. **description of permitted marine uses** that includes:
- 4.1. the categories and types of permitted use;
  - 4.2. conditions for marine use of each category and types of use

Graphical part of the MSP shall be developed in WGS84 (World Geodetic System 1984) coordinate system of Mercator projection (57 °) using geodetic (elliptical) coordinates with the determination of scale 1:200 000. For the thematic plans of separate marine parts other appropriate scale may be chosen.

## 5. What countries want to share

### 5.1. Pilot plans

Within “**BaltSeaPlan**” project a pilot plan for Latvian territorial sea and EEZ waters of Baltic Sea was elaborated. The plan was a good practice for stakeholder involvement in planning process, where during the project:

- 17 stakeholder events were held in Latvia
- 245 individuals took part at the stakeholder’s events
- ca. 450 participants took part at all events in total
- Core group of stakeholders was established (ca. 30 people).

More information on pilot plan can be found here:

<http://www.baltseaplan.eu/index.php/Latvian;839/1>

## 6. New developments / current status

Development of MSP for all sea waters under Latvian jurisdiction was started in 2013 with announcing by the Ministry of Environmental Protection and Regional Development of Latvia a tender for preparation of a Terms of Reference for MSP. Actual planning process is was launched on 1st of January, 2014, when a national MSP coordination group was established and initial enlightening seminar about timeline and content of national MSP for general public was organized.

In august, 2014 tender on elaboration of National MSP was launched, which results with contracting “Baltic Environmental Forum” as consultant on 1<sup>st</sup> of January 2015.

All MSP process will be divided in 4 steps (detailed timeframe provided bellow):

- 1) Progress report on existing situation
- 2) Elaboration of development scenarios
- 3) Detailed scenarios and determination of permitted sea uses
- 4) Public consultations, including cross-border consultations and finalization of MSP project

jan.15	feb.15	mar.15	apr.15	may.2015	jun.2015	july.2015	aug.15	sep.15	okt.15	nov.15	dec.15	jan.16	feb.15
I step		II step				III step					IV step		
					Public hearing on proposed scenarios					Public hearing and cross-border consultations			



# Country Fiche

## Norway



## 1. General information on marine areas under Norwegian jurisdiction

*(following the United Nations Convention on the Law of the Sea, UNCLOS)*

Norway has established three zones of 200 nautical miles: an exclusive economic zone around the Norwegian mainland (EEZ), a fishery protection zone around Svalbard, and a fishery zone around the Jan Mayen island. All three zones were created pursuant to the Act of 17 December 1976 relating to the economic zone of Norway (“The Zone Act”).

### 1.1. Governance of Norwegian waters

The Norwegian [Ministry of Climate and Environment](#) has the main responsibility for ensuring integrated governmental climate and environmental policies. This ministry, and the underlying [Environment Agency](#), has the main responsibility for the management plans for Norwegian waters, see below.

The [Ministry of Transport and Communications](#) has the overall responsibility for, among other areas, “coastal management, the marine environment and port and sea transport policy” in Norwegian waters.

The [Norwegian Coastal Administration](#), an agency under the Ministry of Transport and Communications, has as its main objective to ensure safe and efficient navigation in the fairways along the coast and into ports, as well as national preparedness for acute pollution. They have a GIS/mapping service (only partly in English)

<http://kart.kystverket.no/default.aspx?gui=1&lang=1>

Fisheries.no, an official web site provided by the [Norwegian Ministry of Trade, Industry and Fisheries](#), includes information on MSP:

[http://www.fisheries.no/resource\\_management/Area\\_management/](http://www.fisheries.no/resource_management/Area_management/)

### 1.2. Contacts

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Espoo contact point:       As above

## 2. General information on legislation

There is limited legislative authority behind Maritime Spatial Planning (MSP) in the Norwegian EEZ in form of the integrated ecosystem-based management plans for the Barents Sea, the Norwegian Sea, and the North Sea.

The most important legal tool for integrated coastal zone planning in Norway, which includes sea areas out to the baseline (i.e., a straight line between the outer islets and reefs), 90 000 km<sup>2</sup> of sea, is the Act relating to Planning and the Processing of Building Applications ([Planning and Building Act](#), 2008). The purpose of the act is to bring about uniform planning for national-, county- and municipal activities. The municipalities (there are 428 in total) have the main responsibility for coastal zone planning.

### **3. General applicability (e.g. territorial Sea, EEZ, other distinctions)**

The integrated ecosystem-based management plans apply to the parts of the Barents, Norwegian, and North Seas that lie within the Norwegian EEZ, not including the coastal zone, which may be covered by local and regional plans.

## **4. Maritime spatial planning**

### **4.1. Integrated ecosystem-based management plans for Norwegian EEZ**

#### **4.1.1. Legal basis**

There is limited legislative authority behind Maritime Spatial Planning (MSP) in Norwegian waters. Each sector (in particular shipping, fisheries and aquaculture, petroleum and energy) is managed separately through specific legislations and dedicated ministries.

The *Act relating to the management of wild living marine resources* ([Marine Resources Act, 2008](#)) has been designed with this in mind and addresses, e.g., MPAs. Chapter 1, Section 1 of this act states: "The purpose of this Act is to ensure sustainable and economically profitable management of wild living marine resources and genetic material derived from them, and to promote employment and settlement in coastal communities." Ch. 4, Sec. 19 states that: "The King may establish marine protected areas where harvesting and other forms of use of wild living marine resources is prohibited. Exemptions may be granted for harvesting activities and other forms of use that will not be in conflict with the purpose of protecting the area".

Further, MSP is anchored in government reports to the parliament and in government declarations. Also, a number of area-based management tools are in place, with a basis in various legislations (e.g. provisions on MPAs in the Nature Diversity Act, fisheries closures based on the Marine Resources Act and routing measures/shipping regulations).

#### **4.1.2. Legal impact**

There is limited legislative authority behind MSP in Norwegian waters.

#### **4.1.3. Area covered**

The integrated ecosystem-based management plans apply to the parts of the Barents, Norwegian, and North Seas that lie within the Norwegian EEZ, not including the coastal zone.

- Total (Norwegian continental shelf): 2 039 951 km<sup>2</sup>
- Marine internal waters: 89 091 km<sup>2</sup>
- Territorial sea (12-nm zone): 145 458 km<sup>2</sup>
- Exclusive Economic Zone: 787 640 km<sup>2</sup>

#### **4.1.4. Historical development**

The foundation for integrated, ecosystem-based management of Norwegian coastal and marine areas was laid in the coming to power declaration to the parliament of the government elected in September 2001, followed by a more in-depth government white paper in 2002 («Protecting the riches of the sea»). The first Norwegian integrated management plan for a large marine area covers the the Norwegian part of the Barents Sea and the sea areas off Lofoten. It was developed in 2002–2006 adopted by the Norwegian Parliament in 2006. A similar plan for the Norwegian Sea was adopted in 2009 and a plan for the Norwegian part of the North Sea and Skagerrak was adopted in 2013. Each of the plans are to be updated at regular intervals, the Barents Sea-Lofoten plan was fully revised in 2010, a revision of the Norwegian Sea plan is close to being finalized.

#### **4.1.5. Objectives of the plan**

The main goal of the plan is to allow for sustainable use while ensuring the health of the ecosystem. The latter part of the goal is the basis for environmental protection. Coordination across sectors is sought through the establishment of regional integrated management plans. The management plans set an overall framework for both existing and new activities in these waters, and facilitates the co-existence of different industries, particularly the fisheries industry, maritime transport and petroleum industry. The aim of the plan is to establish a holistic and ecosystem-based management of the activities in the seas around Norway. Thus, the ideal goal is that marine spatial planning is not carried out as a separate process, but as a tool with an ecosystem-based, integrated approach to the management of marine areas.

#### 4.1.6. Map

Integrated ecosystem-based management plans for the Norwegian EEZ (Figure 1)

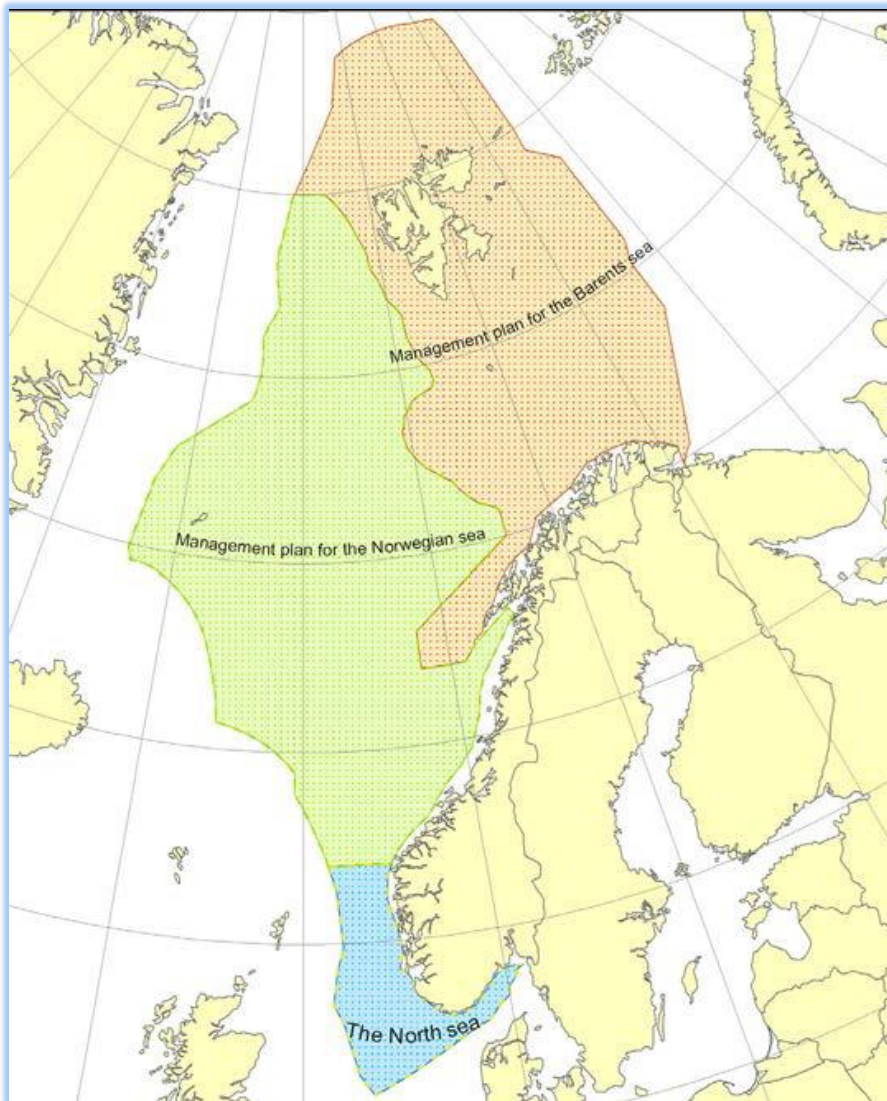


Fig. 1. The areas covered by the three integrated ecosystem-based management plans. The parts of the Barents, Norwegian and North Seas within the Norwegian EEZ.

#### 4.1.7. Designation

To allow for sustainable use while ensuring the health of the ecosystem. Spatial designations have been made by the identification of areas which have been designated as Valuable and Vulnerable based on their biodiversity or biological production (e.g. spawning areas or breeding sites). These areas are subject to special considerations, e.g. when it comes to restrictions on petroleum activity, shipping lanes etc.

#### **4.1.8. Regulations**

The management plans are mainly strategic and advisory, not regulatory, and it to a large degree remains to be seen how much they actually influence the management of the seas around Norway. Each sector (in particular shipping, fisheries and aquaculture, petroleum and energy) is managed separately through specific legislations and dedicated ministries.

The plans have contributed, via the Norwegian Coastal Administration and IMO, to changes in the routing system for all non-domestic voyages of tankers and larger ships. Their routes are now to be further from the coast, reducing risk of accidents and environmental consequences of accidents.

#### **4.1.9. Adoption**

The plans have been adopted and enacted by the Norwegian parliament.

#### **4.1.10. SEA**

The SEA instrument was not used, but extensive sectorwise EIAs were carried out. The EIAs covered the impacts of fisheries, petroleum related activities and maritime transport, which were the sectors deemed most likely to affect the state of the environment. In addition, the impacts of external pressures such as climate change, long-range transboundary pollution, ocean acidification, emissions from activities in the coastal zone, and the introduction of alien species were assessed. Each EIA described and discussed the relation between the activities within the sector and external pressures. Impacts were assessed in relation to the current situation and for scenarios for projected levels of activity in the different sectors in 2020/2025.

#### **4.1.11. Public participation**

Figure 2 illustrates the process behind the development of the integrated ecosystem-based management plan for the Norwegian Sea; it was similar but not identical for the Barents and North Seas. Note that consultations with stakeholders took place at three different stages. The stakeholders responding covered a wide range, including local and regional elected authorities, organizations representing sectorial interests at the local, regional and national level, NGOs and concerned citizens.

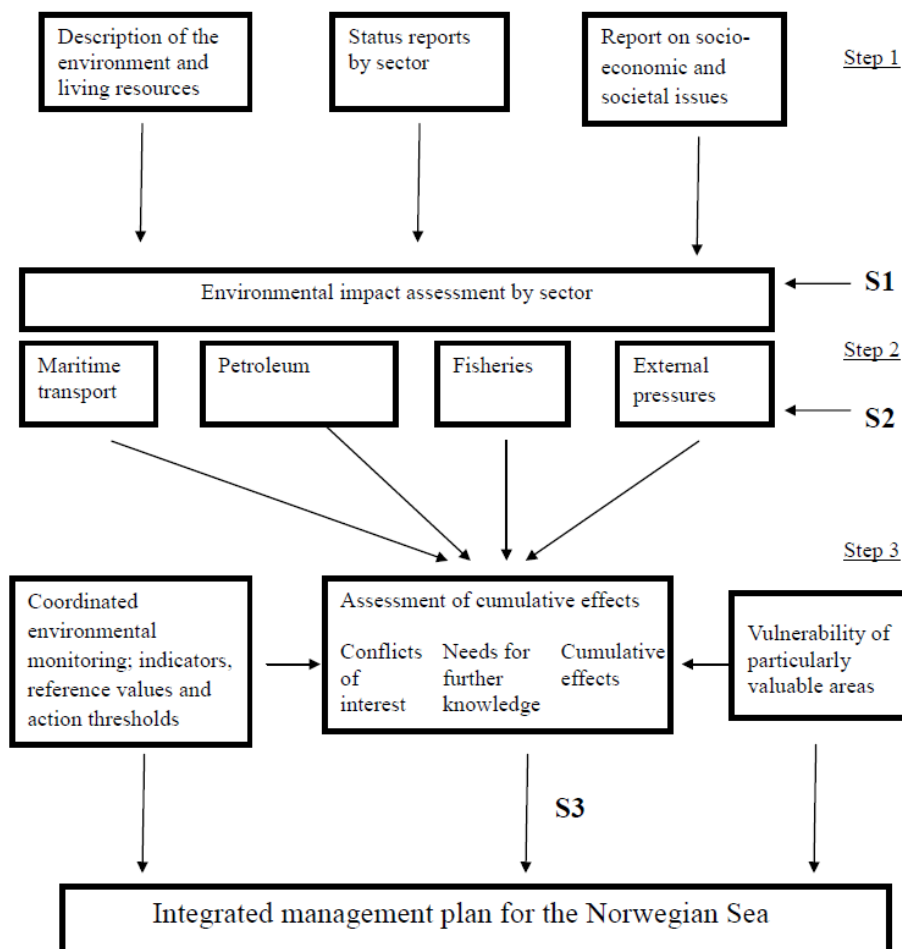


Fig. 2. The process behind the integrated ecosystem based management plan for the Norwegian Sea. S1: written feedback from stakeholders on plan for Environmental impact assessments (EIAs), 2: written feedback from stakeholders on EIAs, S3: stakeholder hearing conference on Assessment of cumulative effects.

#### 4.1.12. Transboundary consultation

No formal transboundary consultations have been conducted.

#### 4.1.13. Harmonisation with other plans

The plans build upon sectorial plans and plans for nature protection.

#### 4.1.14. Monitoring

Designated groups, representing the governmental agencies and research institutes involved in developing the plans, undertake continuous monitoring of the implementation of the plans. Annual reports of ecosystem status, human use and level of knowledge are provided, based mainly on an indicator reporting system. Work has been done towards assessment of environmental risk.

#### 4.1.15. Electronic resources

The original management plan for the Barents Sea–Lofoten area (2006):

<http://www.regjeringen.no/en/dep/md/documents-and-publications/government-propositions-and-reports-/reports-to-the-storting-white-papers-2/20052006/Report-No-8-to-the-Storting-20052006.html?id=456957>

The updated management plan for the Norwegian part of the Barents Sea-Lofoten area (2011):

<http://www.regjeringen.no/en/dep/md/documents-and-publications/government-propositions-and-reports-/reports-to-the-storting-white-papers-2/2010-2011/meld-st-10-20102011.html?id=682050>

The management plan for the Norwegian Sea (2009):

<http://www.regjeringen.no/en/dep/md/documents-and-publications/government-propositions-and-reports-/reports-to-the-storting-white-papers-2/2008-2009/report-no-37-2008-2009-to-the-storting.html?id=577875>

The management plan for the North Sea and Skagerrak (2013):

[https://www.regjeringen.no/en/dokumenter/meld.-st.-37-2012-2013/id724746/?docId=STM201220130037000ENGEPI&ch=1&q=north%20sea%20management%20plan&redir=true&regj\\_oss=10&ref=search&term=north%20sea%20management%20plan](https://www.regjeringen.no/en/dokumenter/meld.-st.-37-2012-2013/id724746/?docId=STM201220130037000ENGEPI&ch=1&q=north%20sea%20management%20plan&redir=true&regj_oss=10&ref=search&term=north%20sea%20management%20plan)

#### 4.2 Coastal Zone planning according to the Planning and Building Act

*The coastal zone within one nautical mile from the coastal base line is covered by the Planning and Building Act of 2008. The regional and local authorities (counties and municipalities) have the main responsibility for planning in these areas. The Norwegian Ministry of Local government and Modernisation is national planning authority according to this act.*

Counties are responsible for preparing regional plans and regional planning provisions, and have the opportunity to prepare regional coastal plans. From 1 January 2010, the counties also have the regional responsibility for aquaculture and aquaculture interests.

The Planning and Building Act of 27 June 2008, is the central law to control land use along the coast in Norway. Planning and Building Act includes land and coastal and sea area up to one nautical mil beyond the baseline, but does not include oil pipelines in the sea or facilities for transmission / conversion of electrical energy. Ministry administers the planning part of the Planning and Building Act. Legislation provides for a system of comprehensive planning for state, county and municipal activity. Planning and Building Act regulations on environmental impact assessment includes both projects and plans, including marinas, fishing ports, aquaculture facilities and the establishment of fairways, ports and harbors.

Counties are responsible for preparing regional plans and regional planning provisions, and have the opportunity to prepare regional coastal plans. From 1 January 2010, the counties also the regional responsibility for aquaculture and aquaculture interests.

Land use in the coastal zone is regulated primarily through municipal planning under the Planning and Building Act. Through municipal plans and zoning may contain provisions relating to aquaculture facilities, for traffic on the lake, use and protection of water surface, water column and bottom and permission necessary buildings and smaller plants related to aquaculture, fishing, trapping and traffic at sea within the building restriction zone along the waterfront. Planning and Building Act also allows municipalities to plan their sea areas out to one nautical mil beyond the baseline and to pave the way for a coordinated coastal planning between municipalities and regional authorities in the various regions throughout including intermunicipal coastal plans. Fisheries conducts an annual survey of the status of coastal municipalities work with coastal planning.

#### **4.3 Water management plans according to EU-directives**

In pursuance of the Water Regulations Norway have been divided into 11 water regions, each region headed by a river basin authority which is one of the affected counties in the region. It has been prepared water management plans for 20 percent of rivers and coastal waters in Norway in 2010. Plans will be completed during 2015 the rest of the country, with environmental achievement in 2021. The plans must be reviewed every six years.

#### **5. What countries want to share**

N/A

#### **6. New developments / current status**

A full revision of the plan for the Barents Sea was published in 2011. The intent is that all plans should be updated on a regular basis.