

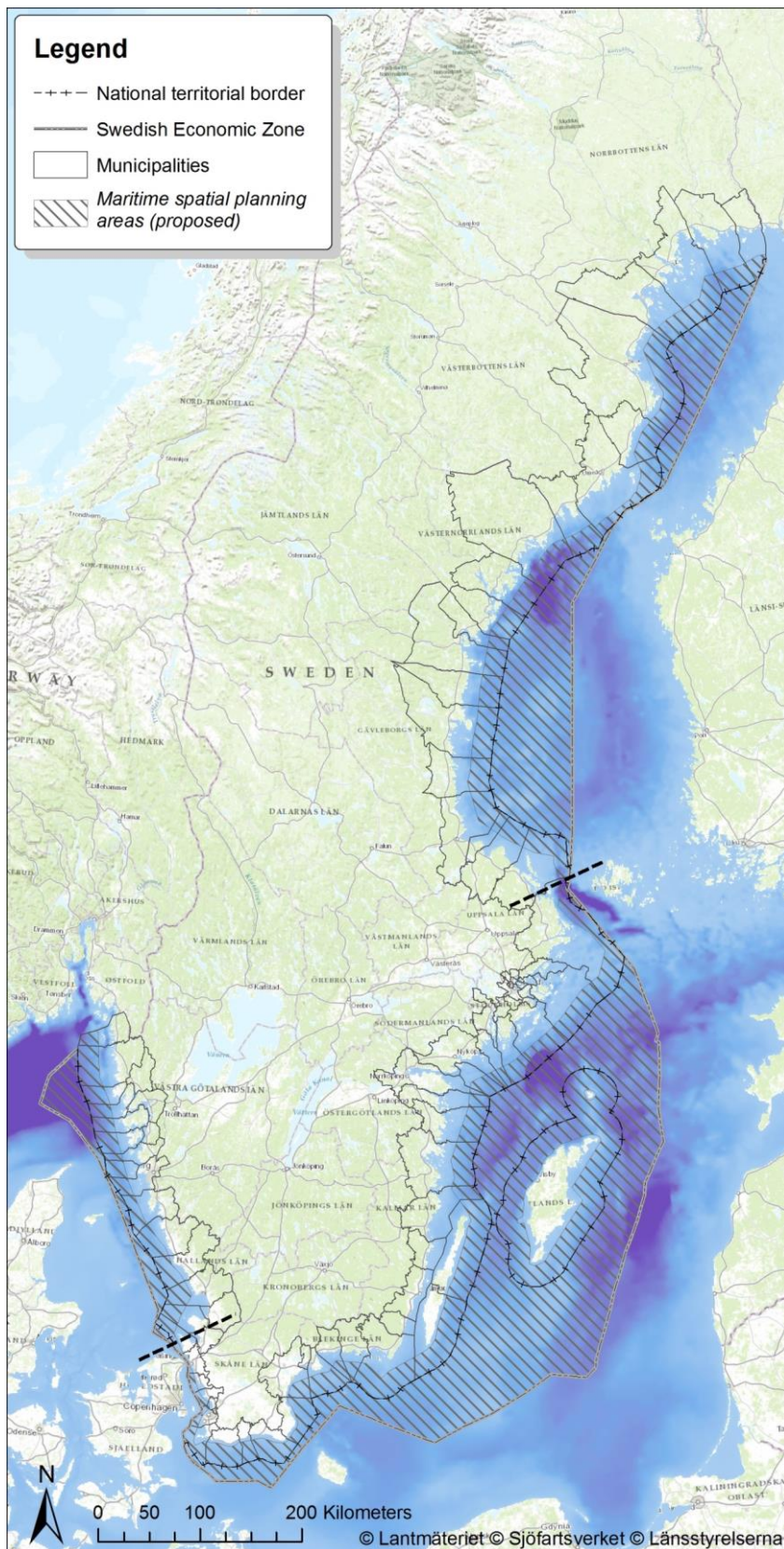


# Country Fiche

## Sweden

Updated January 2015

# 1. General information



- the territorial sea (12-nm zone) – 70,000 km<sup>2</sup>
- the Exclusive Economic Zone – 60,000 km<sup>2</sup>
- the EEZ is limited to the central line between adjacent states because the width of the sea is shorter than 400 nautical miles.
- in Öresund and the Åland Sea, the territorial seas meet at the central line by a special agreement with Denmark and Finland respectively, and at the Norwegian border in the Skagerrak and the Finnish border in the Bothnian Bay.
- the Swedish territorial water is divided into two zones, Public Waters and Private Water.

### 1.1. Governance

The Swedish territorial water is divided into two zones, Public Waters and Private Water. The Private Water zones, both water and sea floor is parcelled property governed by the Real Property Formation Act and comprises the water area 300 m from the shore line and further to the contour line of 3 m depth if it is situated outside the area of 300 m. In sounds, bays, fjords and areas with islands and archipelagos special rules regulate the boundary between Private and Public water.

The Public Water belongs to the public and is represented by the Legal, financial and Administrative Service Agency. Private water can be owned by a person, a juridical person, a municipality and the state. Several properties in the Private Water are jointly owned.

### 1.2. Contacts

#### MARITIME SPATIAL PLANNING PUBLIC ADMINISTRATION

Regarding MSP:

#### **Ministry of Environment**

Ms Ida REUTERSWÄRD  
Division for Natural Environment  
Ministry of Environment  
Regeringskansliet  
SE-103 33 Stockholm, Sweden  
Phone: +46 (0)8-405 27 75  
E-mail: [ida.reutersward@regeringen.se](mailto:ida.reutersward@regeringen.se)  
Web: [www.regeringen.se](http://www.regeringen.se)

#### **Swedish Agency for Marine and Water Management**

Mr Thomas JOHANSSON/Head  
Division for Marine Spatial Planning and Maritime Affairs  
Box 11930, SE-404 39 Göteborg, Sweden  
Phone: + 46 (0)10-698 60 19  
E-mail: [thomas.johansson@havochvatten.se](mailto:thomas.johansson@havochvatten.se)  
Web: [www.havochvatten.se](http://www.havochvatten.se)

Comprehensive planning: **Swedish National Board of Housing, Building and Planning**

Box 534, SE-371 23 Karlskrona, Sweden

Phone: +46 (0) 455-35 30 00

[www.boverket.se](http://www.boverket.se)

Espoo:

**Swedish Environment Protection Agency**

Mr Egon ENOCKSSON

Policy Implementation Department

Swedish Environmental Protection Agency

SE-106 48 Stockholm, Sweden

Phone: +46 0) 10 698 11 91

E-mail: [egon.enocksson@naturvardsverket.se](mailto:egon.enocksson@naturvardsverket.se)

Web: [www.naturvardsverket.se](http://www.naturvardsverket.se)

## 2. General information on legislation

The Swedish Environmental Code (1998:808) and the Plan and Building Act (2010:900) constitute the legal base for marine spatial planning in Sweden.

According to an additional section (from the 1 September 2014) in chapter 4 of the Environmental Code there shall be three marine spatial plans: Bothnian Bay, Baltic Sea, Western Waters (Skagerrak/Kattegatt) covering the area one nautical mile from the baseline seawards (incl. the exclusive economic zone, EEZ). The plans, which shall be adopted by the Government, shall be guiding and contribute to sustainable development. The Government may according to the legislation adopt regulations prohibiting or limiting activities in destined geographical areas. Detailed rules related to the implementation are to be regulated in a separate MSP Government Ordinance.

In parallel, the Plan and Building Act (2010:900) regulates the responsibilities and mandate for the municipalities to plan land and water including the territorial sea, which means that there is a geographical overlap between the national marine spatial plans (the Environmental Code) and the municipal comprehensive plans (Plan and Building Act)..

Chapter 1 and 2 of the Plan and Building Act includes basic principles and objectives guiding the spatial municipality planning of the territorial sea and coastal areas. These principles also refer to the application of the Environmental Code (chapters 3 and 4 referring to basic and spatial provisions concerning land and water management and chapter 5 concerning environmental quality standards and environmental quality administration).

The Plan and Building Act stipulates that the municipalities shall have a valid comprehensive plan, adopted by the municipality assembly. The plan should be revisited at least once during the terms of office (related to the election period, normally every four years). The plan is guiding, but not legally binding. It should indicate the municipalities' intentions about the future development. It should also consider issues of national interests. The Plan and Building Act is

a framework law emphasizing the need for stakeholder involvement, but is not stipulating what the plan should contain or how it should be developed.

The Plan and Building Act is closely linked to the Environmental Code, which regulates among other things the relation between planning and environment and the need for environment impact assessment (EIA) and strategic environment assessment (SEA).

Another part of the Swedish planning system are areas of national interest for a number of sectors identified by appointed national agencies or areas specifically listed in the Environmental code. These areas have to be considered in planning and when authorities are granting permission for activities within different sectors. Cultural environment and values, nature protection, outdoor recreation, shipping, energy production, commercial fisheries are examples of such areas of national interests. Areas of national interest can be pointed out on land as well as in the territorial waters and the exclusive economic zone (EEZ)..

Several international conventions and binding legal acts such as UNCLOS, Espoo Convention + Kiev Protocol, Bonn Convention (including EUROBAT, ASCOBANS), CBD, La Valetta Convention, IMO Resolutions and conventions (E.G. MARPOL, COLREGS, INTERVENTION), HELCOM recommendations, EU directives (MSFD, HABITAT, BIRD, SEA, EIA) and many others are transposed to Swedish internal law.

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

The legal acts listed above cover in the same way territorial sea internal sea and land (with exception of some EU Regulations on Fisheries not applicable to internal waters). The PBL Act and EU also regulate planning of the coastal belt and the terrestrial spatial planning.

### **4. Spatial Plans**

Up-to now, there has been no national maritime spatial plans covering the territorial sea and the EEZ developed in Sweden. Only a few non-binding comprehensive municipality plans has in one way or the other included the 12 nm in their comprehensive plans. However, they will not be addressed below since they are not devolved on the basis of marine spatial planning perspective, but are rather focused on urban planning and land use. On the web site of Swedish National Board of Housing, Building and Planning <http://www.boverket.se/Vagledning/PBL-kunskapsbanken/Oversiktsplanering/Arkiv-for-oversiktsplaner/> it's possible to find links to all Municipalities Comprehensive plans. Only some plans are available in English.

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

N/A

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

6.1 New MSP-legislation entered into force on September 1 2014. According to a new paragraph in the Environmental Code there shall be three marine spatial plans: Bothnian Bay, Baltic Sea, Western Waters (Skagerrak/Kattegatt) covering the area one nautical mile from the

baseline seawards (incl EEZ). The plans, which shall be adopted by the Government, shall contribute to sustainable development. The Government may according to the legislation adopt regulations prohibiting or limiting activities in destined geographical areas.

Detailed rules related to the implementation are to be regulated in a separate MSP Government Ordinance. It is proposed that the Swedish Agency for Marine and Water Management (SwAM) shall be the responsible body for developing plan proposals. SwAM shall in its work be assisted by County Administrative Boards (regional government authority). The planning process is foreseen to be broad including the municipalities and a wide range of stakeholders.

6.2 To prepare for the introduction of national marine spatial planning, the Government assigned the Swedish Agency for Marine and Water Management (SwAM) in 2014 (as in 2012 and 2013) to develop necessary competence in MSP and to collect information that may constitute planning evidence for MSP from the County Administrative Boards (CABs), national agencies and other bodies. As part of the assignment, SwAM also developed cooperation with authorities in neighboring countries responsible for MSP or marine management. The CABs have a similar assignment to assist SwAM with regional evidence and coordinate the municipality planning work. A preliminary version of an evidence and assessment report was published in March 2014 and a broad dialogue process was undertaken. The final report will be published in early 2015.

A guidance document for the coming MSP-process is under preparation. The document which is being prepared by the Swedish Agency for Marine and Water Management will include proposals on, *inter alia*, planning objectives and strategies

6.3 In June 2014 Government Bill on Biodiversity and Ecosystem Services was adopted by the Parliament. The Bill includes measures to promote the integration of ecosystem services in planning by ecosystem services assessment. Also the Bill confirms the Government decision that another 5700 km<sup>2</sup> of coastal and marine areas need to be protected in order to reach the 10 per cent protection target by 2020 according to the Convention on Biological Diversity.