TABLE OF CONTENTS

| | MINUTES OF THE FIRST MEETING OF JOINT HELCOM-VASAB MARITIME SPATIAL PLANNING WORKING GROUP | |
|---------------|---|----|
| | (HELCOM-VASAB MSP WG) | 2 |
| Introduction | , | |
| Agenda Item 1 | Adoption of the Agenda | 2 |
| Agenda Item 2 | Mandate, tasks and work programme | 2 |
| Agenda Item 3 | Joint MSP Principles | |
| Agenda Item 4 | Any other business | |
| Agenda Item 5 | Outcome of the Meeting | |
| Annex 1 | List of Participants | 5 |
| Annex 2 | Mandate for the joint, co-chaired Working Group on Maritime Spatial Planning between HELCOM and VASAB | |
| Annex 3 | Draft Baltic Sea Broad-scale Maritime Spatial Planning (MSP) | 1 |
| | Principles | 10 |
| | · ··· | |

MINUTES OF THE FIRST MEETING OF JOINT HELCOM-VASAB MARITIME SPATIAL PLANNING WORKING GROUP (HELCOM-VASAB MSP WG)

INTRODUCTION

- 0.1 The First Meeting of the Joint HELCOM-VASAB Working Group on Maritime Spatial Planning (HELCOM-VASAB MSP WG) was held at the premises of the HELCOM Secretariat (Katajanokanlaituri 6 B) in Helsinki, Finland, on 21-22 October 2010.
- 0.2 The Meeting was attended by the experts nominated by HELCOM and VASAB from all the Contracting Parties/Member Countries, except from Lithuanian and the Russian Federation, as well as by WWF as an Observer. The List of Participants is contained in **Annex 1**.
- 0.3 The Meeting was welcomed by Ms. Anne Christine Brusendorff, HELCOM Executive Secretary.
- 0.4 Ms. Anita Mäkinen, Finland, and Mr. Andrzej Cieslak, Poland, presented themselves and co-chaired the Meeting. Executive Secretary Ms. Anne Christine Brusendorff and Project Manager Mr. Hermanni Backer acted as Secretaries of the Meeting.

Agenda Item 1

Adoption of the Agenda

Documents: 1/1

1.1 The Meeting <u>adopted</u> the agenda which was jointly elaborated by the HELCOM and VASAB Secretariats, as contained in document 1/1.

Agenda Item 2

Mandate, tasks and work programme

Documents: 2/1, 2/2, 2/3, 2/4, 2/5, 2/5/Rev, 2/6, 2/6/Rev, 2/6/Rev2

- 2.1 The Meeting took note of the relevant extracts from the 2009 VASAB Vilnius Ministerial Conference outcome and the 2010 HELCOM Moscow Ministerial Declaration as contained in document 2/1 and agreed to take these into account when considering the various Agenda Items.
- 2.2 The Meeting took note of the Draft Report of the first VASAB MSP WG Meeting held in Riga, Latvia, on 16-17 March 2010 as contained in document 2/2.
- 2.3 The Meeting took note of the initial mandate (Annex 1) and the Draft Work Plan 2010 (Annex 2) for the VASAB Working Group on Maritime Spatial Planning (VASAB MSP WG), as well as the comparison (Annex 3) between the initial mandate of the VASAB MSP WG and the draft proposed mandate TOR of the joint HELCOM-VASAB MSP WG as contained in document 2/3.
- 2.4 The Meeting took note of the comments by VASAB (Annex 1) and HELCOM (Annex 2) on the progress in implementing the actions in the EU Strategy for the Baltic Sea Region, related to Land-based Spatial Planning and Maritime Spatial Planning as contained in document 2/4.
- The Meeting took note of the proposed mandate for the joint, co-chaired Working Group on Maritime Spatial Planning between HELCOM and VASAB as contained in document 2/5. The Meeting finalized the text and agreed on the mandate as contained in document 2/5/Rev and attached as **Annex 2** to these Minutes. The Meeting decided to submit the mandate for adoption by HELCOM and VASAB.
- 2.6 The Meeting <u>agreed</u> on the usefulness of keeping each other informed on the participation in MSP related events, and especially in case of presentations on work carried out in the Joint HELCOM-VASAB MSP Working Group.

- 2.7 The Meeting took note of the proposed Work Plan for the joint, co-chaired Working Group on Maritime Spatial Planning between HELCOM and VASAB as contained in document 2/6. The Meeting discussed the Work Plan and agreed to finalize the Work Plan via intersessional e-mail consultations, using document 2/6/Rev2 as a basis, with the aim to agree on the Work Plan at the second meeting of the HELCOM-VASAB MSP WG.
- 2.8 The Meeting <u>decided</u> to focus during the second meeting of the HELCOM-VASAB MSP WG on the international legislative basis for Maritime Spatial Planning and the application of the ecosystem approach, as given in document 2/6/Rev2. In addition, the Meeting <u>agreed</u> to invite the BaltSeaPlan to make a presentation on the Spatial Vision for the Baltic Sea Region, developed within the Project.
- As promised, the Co-Chair Anita Mäkinen contacted the BONUS Secretariat and found out that a strategic workshop, dealing with the future research areas within the BONUS programme, has been scheduled for the beginning of February 2011. The joint input of HELCOM and VASAB, a first draft of which is to be developed by the HELCOM and VASAB Secretariats by 15 November for circulation to the MSP Working Group's Members (cf. the draft Work Plan, document 2/6/Rev2), should therefore be submitted to the BONUS Secretariat preferably by mid December 2010 and in any case no later than by the end of December 2010.

Agenda Item 3 Joint MSP Principles

Documents: 3/1, 3/1/Rev, 3/1/Rev2

- 3.1 The Meeting <u>took note</u> of the Draft Baltic Sea Broad-scale Maritime Spatial Planning (MSP) Principles as contained in Annex 1 of document 3/1.
- 3.2 The Meeting <u>recalled</u> that the HELCOM 2010 Moscow Ministerial Declaration asked "the joint HELCOM-VASAB Working Group to finalise, for adoption by HELCOM and VASAB in 2010, a set of joint HELCOM-VASAB broad-scale transboundary Maritime Spatial Planning principles based on the document on Maritime Spatial Planning".
- 3.3 The Meeting <u>considered</u> the proposed changes and <u>endorsed</u> the common principles as contained in document 3/1/Rev2 and attached as **Annex 3** to these Minutes. The Meeting decided to submit the MSP Principles for adoption by HELCOM and VASAB.

Agenda Item 4 Any other business

Documents: None

- 4.1 The Meeting took note of the progress and mid-term results of the Baltic Sea Region Programme funded BaltSeaPlan Project (2009-2012) which is developing propositions of sea space and spatial management related recommendations for national maritime strategies of project partners' countries, preparing a spatial vision 2030 for the Baltic Sea and drawing up pilot maritime spatial plans and identifying elements and processes for possible inclusion to national regulations dealing with integrated sea management.
- 4.2 The Meeting took note of the information about PLAN BOTHNIA, a transboundary MSP "Preparatory action" in the Baltic Sea focused on the Bothnian Sea between Sweden and Finland, funded by the European Commission (DG MARE) and anticipated to run Autumn 2010- Spring 2012.
- 4.3 The Meeting is looking forward to close cooperation with both Projects.
- 4.4 The Meeting took note of the information by the European Union on plans for a proposal for action on Maritime Spatial Planning (MSP), including a common approach to MSP in order to facilitate cross-border cooperation. In order to determine the way forward, the Commission will launch an impact assessment, to explore a range of options such as non-binding and legislative options.

- 4.5 The Meeting <u>took note</u> of the upcoming meetings on MSP, inter alia to be arranged by ICES on 1-4 November 2010 in Portugal and the Nordic Council of Ministers.
- 4.6 The Meeting <u>decided</u> to arrange its next meeting in Riga, Latvia on 20-21 January 2011, starting at 14:00 and terminating at 16:00.

Agenda Item 5

Outcome of the Meeting

Documents: 5/1, 5/1/Rev

- 5.1 The Meeting <u>adopted</u> the draft Outcome of the First Meeting of the Joint HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG) containing the main decisions of the Meeting (document 5/1/Rev).
- 5.2 The final Outcome of the Meeting will be finalized by the Secretariats of HELCOM and VASAB in consultation with the Chairs of the Meeting and made available in the HELCOM Meeting Portal as well as on the VASAB web-site, together with meeting documents and the presentations given during the Meeting.

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ANNEX 2 MANDATE FOR THE JOINT, CO-CHAIRED WORKING GROUP ON MARITIME SPATIAL PLANNING BETWEEN HELCOM AND VASAB

1. The Rationale

The Baltic Sea is an important common resource for the Baltic Sea Region countries and further neighbouring countries. It represents an important economic potential and at the same time a vulnerable ecosystem. The current environmental status requires intensive efforts towards stabilisation and improvement. Many sea use conflicts call for a wise management and coordinated introduction of continuous Maritime Spatial Planning (MSP). Development potential for future uses needs to be preserved.

2. Political Context

The HELCOM Baltic Sea Action Plan (2007) commits the HELCOM Contracting Parties to jointly develop by 2010, as well as test, apply and evaluate by 2012, in cooperation with other relevant international bodies, broad-scale, cross-sectoral, MSP principles based on the Ecosystem Approach that reflect the specific conditions and needs in the Baltic Sea Region.

The VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region (2009) has specified concrete activities towards developing the Baltic Sea Region into a European Model Region for MSP.

In its Green Paper on the future Maritime Policy (2006) and its Blue Book/Action Plan "An integrated Maritime Policy for the European Union" (2007), the European Commission has emphasised the need for MSP. In the Communication on a "Roadmap for Maritime Spatial Planning: Achieving common principles in the EU" (2008), the European Commission has outlined relevant issues, steps and principles. The European Union Marine Strategy Framework Directive (EU MSFD, 2008) promotes spatial measures as one of the means to reach Good Environmental Status of European Seas. The EU Strategy for the Baltic Sea Region (2009) has attributed HELCOM and VASAB a prominent role in promoting maritime spatial planning in the region together with other stakeholders.

The "Maritime Doctrine of the Russian Federation to the year 2020" supports cooperation similar to MSP in fields like integrated management of sea resources, conflict resolution, future-oriented use of sea space, research, information, legislation and education.

3. The Joint Working Group and its overall aims

In order to address these challenges the VASAB Committee on Spatial Planning and Development of the Baltic Sea Region (CSPD/BSR) and Helsinki Commission (HELCOM) sets up a joint co-chaired Working Group on Maritime Spatial Planning to ensure cooperation among the Baltic Sea Region countries for coherent regional Maritime Spatial Planning processes. It will:

- Provide a forum for regional, trans-boundary and cross-sectoral dialogue on Integrated Coastal Zone Management and Maritime Spatial Planning -enabling a common approach
- Assist the CSPD/BSR and its member states in implementing the actions decided 2009 in VASAB Long Term Perspective for the Territorial Development of the Baltic Sea Region towards the next Ministerial Conference
- Assist HELCOM and its member states to implement the Maritime Spatial Planning relevant actions decided in HELCOM Baltic Sea Action Plan 2007 and its follow-up
- Provide Baltic Sea Region countries a platform to discuss the links between relevant International Agreements, EU legal instruments and policies, Baltic Sea Region and national policies,
- Assist the Baltic region in profiling itself as a global and European forerunner in maritime spatial planning

4. Anticipated Tasks

In order to achieve these goals the Group will:

- Promote the development of maritime spatial planning in the region and follow up its implementation as outlined in VASAB Long Term Perspective as well as HELCOM Baltic Sea Action Plan and relevant HELCOM Recommendations, including supporting the setting-up of governing structures, legislative basis, transboundary consultations as well as developing concepts for common Maritime Spatial Planning Principles.
- Propose to organize workshops and events as well and information material on maritime spatial planning.
- Follow and examine as well as make use of the outcomes and findings of regional project activities relevant to MSP, such as BaltCoast, East-West Window, PlanCoast, BaltSeaPlan, PlanBothnia
- Promote the development of compatible datasets and information relevant to BSR maritime spatial planning and thus ensure keeping HELCOM GIS and other regional GIS data portals up to date with best available information.
- Prepare decision proposals on Maritime Spatial Planning in the BSR for the forthcoming VASAB Ministerial Conferences and HELCOM Ministerial meetings.

The Group will develop a Working Programme, for adoption by VASAB CSPD and HELCOM HOD.

5. Membership

Participation is open to representatives from relevant ministries or government agencies in all VASAB and HELCOM Member Countries/Contracting Parties as well as for experts delegated by them. The members should be nominated by the Member Countries/Contracting Parties . A representation of all VASAB and HELCOM countries with sea coast is envisaged.

VASAB and HELCOM observers can participate. Other guests, organisations and initiatives from around the Baltic Sea and from other parts of Europe with a substantial maritime spatial planning interest can be invited as observers.

6. Organisation

The Working Group will be jointly co-chaired by a VASAB CSD/BSR chair (nominated by group and adopted by VASAB CSD/BSR) and HELCOM chair (nominated by group and adopted by HELCOM HOD). The two chairs will, with the assistance of both HELCOM and VASAB secretariats, jointly prepare meetings and Agendas for the Working Group.

The Working Group will document its meetings. A concise outcome will be adopted before the end of each meeting. The outcome is agreed by consensus. All meeting documents and the outcome will be made freely available to the public shortly after the meeting trough the HELCOM and VASAB websites.

Meetings will take place up to three times a year. The Group may change the frequency of meetings according to need. In addition to meetings, exchange of e-mails will be used for intersessional work. The Group will send its outcomes and progress reports for approval both to the CSPD-BSR and HELCOM, including proposals for creation of sub-groups. The working language is English.

7. Timeframe

The mandate of the Group is valid for three years, starting from its first meeting. The Group may request a prolongation jointly from the CSPD/BSR and HELCOM.

8. Resources

Costs for the participants including travel costs to meetings will be covered by the delegating institutions. Direct costs for meetings will be borne by the host country if not arranged within HELCOM or VASAB Secretariat premises. Staff support from the VASAB and HELCOM Secretariats will be provided for technical support (e.g. preparation of meeting documents including minutes, registration of participants, etc.) and Secretariat attendance at meetings.

ANNEX 3 DRAFT BALTIC SEA BROAD-SCALE MARITIME SPATIAL PLANNING (MSP) PRINCIPLES

HELCOM and VASAB,

RECALLING the HELCOM Baltic Sea Action Plan commitment to jointly develop by 2010, as well as test, apply and evaluate by 2012, in co-operation with other relevant international bodies, broad-scale, cross-sectoral, marine spatial planning principles based on the Ecosystem Approach: whereby all Contracting Parties and relevant HELCOM bodies shall co-operatively participate; thereby giving guidance for the planning and ensuring the protection of the marine environment and nature, including habitats and seafloor integrity; securing sustainable use of marine resources by reducing user conflicts and adverse impacts of human activities.

RECALLING the "HELCOM Recommendation 28E/9 on development of broad-scale marine spatial planning principles in the Baltic Sea area" adopted to facilitate the protection and sustainable use of the Baltic Sea.

RECALLING that Maritime Spatial Planning is promoted and called for by the VASAB Long Term Perspective, Nordic Council of Ministers, the European Union Strategy for the Baltic Sea Region and its objectives, The European Union Marine Strategy Framework Directive, the Integrated Maritime Policy for the European Union, including its roadmap with Maritime Spatial Planning Principles, and the work of UNESCO.

AWARE that while management and regulation of human activities is divided into sectoral frameworks, the Baltic Sea ecosystem hosting these activities and enabling economic and social prosperity, is a single entity which has limits in terms of ecological integrity and available space, and is inherently connected to activities and processes on land.

AWARE that there is an increasing need and competition for marine space of the Baltic Sea which requires an integrated, cross-sectoral approach of managing human activities.

AWARE that 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.

AWARE that the Baltic Sea is in great need of a developed, well adapted and coherent Maritime Spatial Planning to accomplish long term trade-offs between different and sometimes competing human activities, thereby providing a predictable framework for maritime economic investment and activities, for creating job opportunities and at the same time ensuring compatibility with good environmental status, thus promoting sustainable development of the marine areas and the Baltic Sea Region.

AWARE that according to sustainable development the needs of the present generation should be met without compromising the ability of future generations to meet their own needs.

ACKNOWLEDGE that although substantial work has already been carried out in the Baltic Sea Region as regards Maritime Spatial Planning and Management, still great differences exist between the Baltic Sea Region countries in terms of Maritime Spatial Planning systems

AGREE that this document, including the following ten principles, will provide valuable guidance for achieving better coherence in the development of Maritime Spatial Planning systems in the Baltic Sea Region:

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, by managing specific uses and coherently integrating sectoral planning, and by 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.

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

4. Precautionary Principle

Maritime Spatial Planning should be based on the 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.

5. Participation and Transparency

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 in order to facilitate a trans-boundary data exchange process that could lead to a harmonised pan-Baltic data and information base for planning.

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.

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, bearing in mind the need to apply international legislation and agreements and, for the HELCOM and VASAB EU member states, the EU acquis communitaire. 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.

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.

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. Consideration should be taken of the need for separate sub-regional planning adapted to such areas including sub-regional objectives supplementing regional objectives specified in principle 3. In general maritime spatial plans should seek coherence across ecosystems.

10. Continuous planning

Maritime spatial planning should reflect the fact that planning is 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, as well as socio-economic, effects should be carried out with a view to identify unforeseen impacts and to improve planning data and methods. This monitoring and evaluation should, particularly in its trans-boundary dimensions and in addition to national and transboundary monitoring schemes, build on, and if possible be part of, regional monitoring and assessments carried out by regional organisations.