



7TH CONFERENCE OF BSR MINISTERS
FOR SPATIAL PLANNING AND DEVELOPMENT
VILNIUS, LITHUANIA, 2009



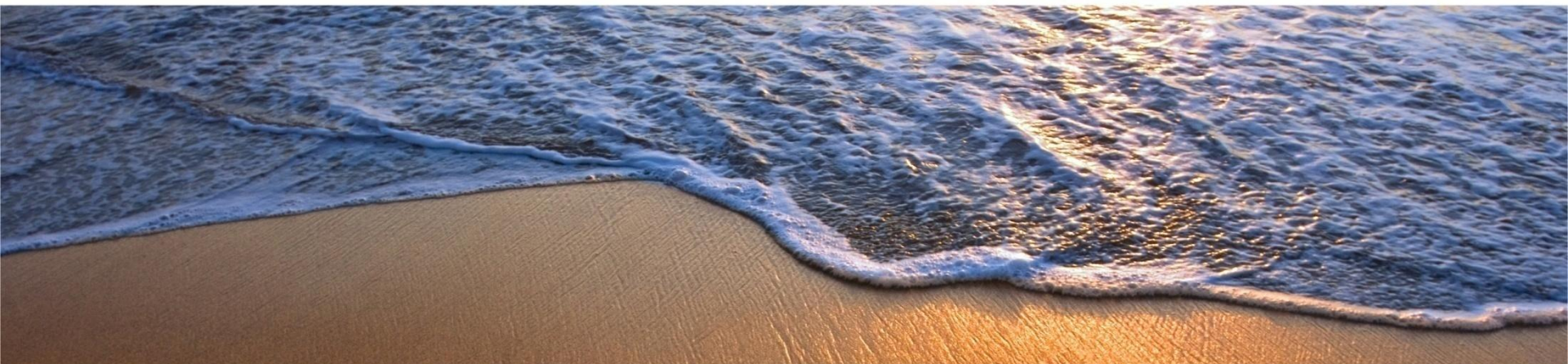
Maritime Spatial Planning Challenges in the Baltic Sea

Developing legislative basis for the Baltic MSP

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Institute in Gdańsk



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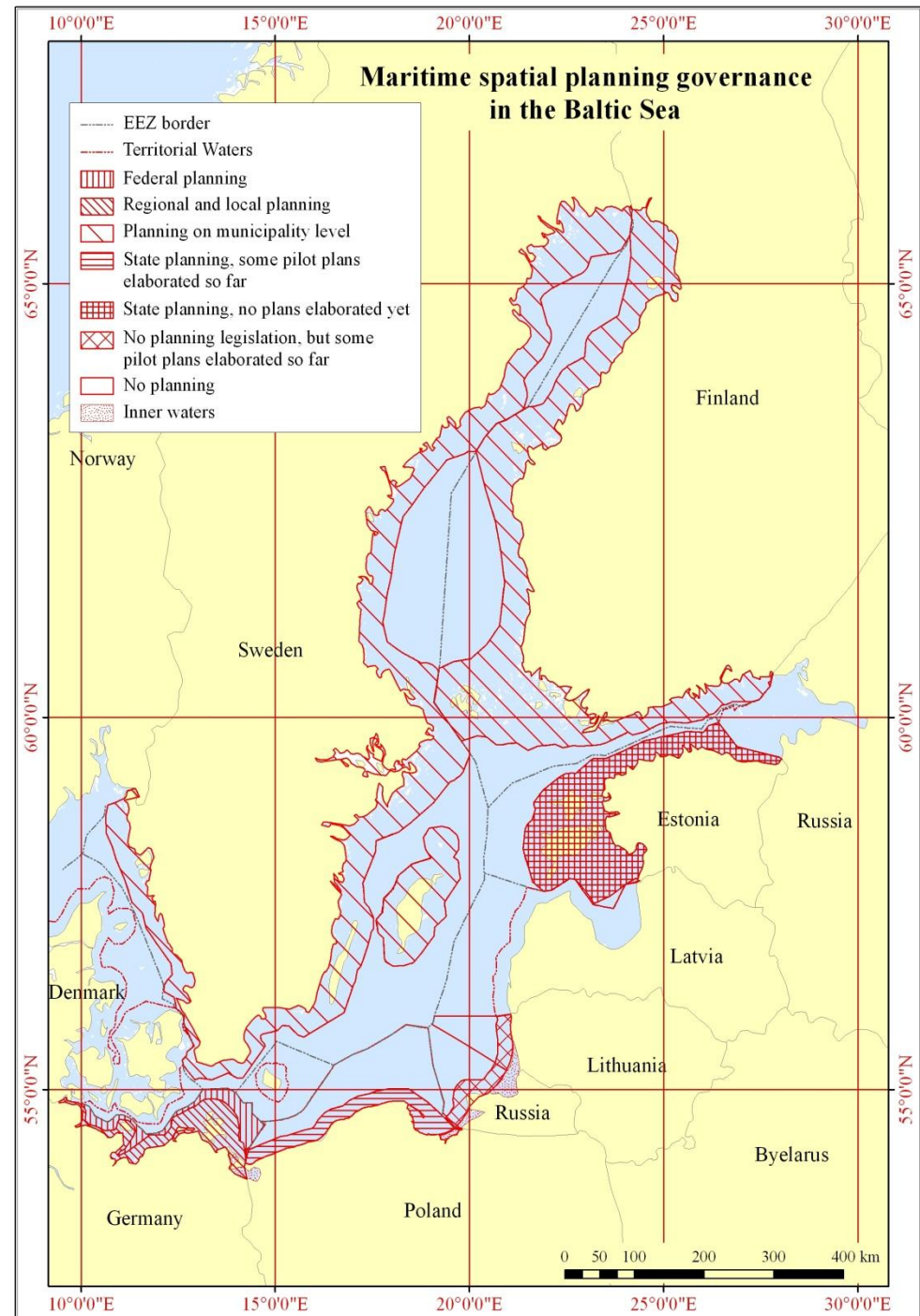
One system versus integration of different systems



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Context

1. Germany has managed to cover the whole EEZ and territorial waters with plans
2. Pilot in Poland and some pilot work in RU and LT
3. Local level planning in SE and NO
4. Sectoral planning in DK
5. Possibilities to plan territorial waters in FI and EE



Context:

1. Different ways of legislation development - reinterpreting/adjusting the existing one (GE, PL) or enforcing the exiting one (NO,EE) or building a new body of law (SE)
2. Usually MSP is in line with specificity of the national planning systems
3. Different countries are at different stage of their MSP development
4. All these pose a challenge for harmonious planning of the Baltic Sea as a whole

Key questions :

What joint actions are necessary at the BSR level to facilitate the legal changes in the countries? How much international uniformity of legislative and regulatory framework is at minimum necessary for smooth development of MSP in a regional sea?

What is the best way of starting and managing the process of new legislation building/amendment, how to convince decision makers? Do we need EU support?

Which lessons of the forerunners would be important to the countries that are just in the beginning of building the MSP framework?

Key questions (continuing):

What would be the priority tasks and optimal timeline to build such legislative basis?

Do we need maritime policy in each country as a prerequisite of successful MSP?

In which BSR countries we need to build new legislative body from scratch, in what countries there is a need for some (limited) amendments of the existing law and in what countries MSP is already possible and only reinterpretation of the existing law and political leadership is necessary?

Key questions

What is the best way of starting and managing the process of new legislation building/amendment, how to convince decision makers? Do we need EU support? (Sten Jerdenius)

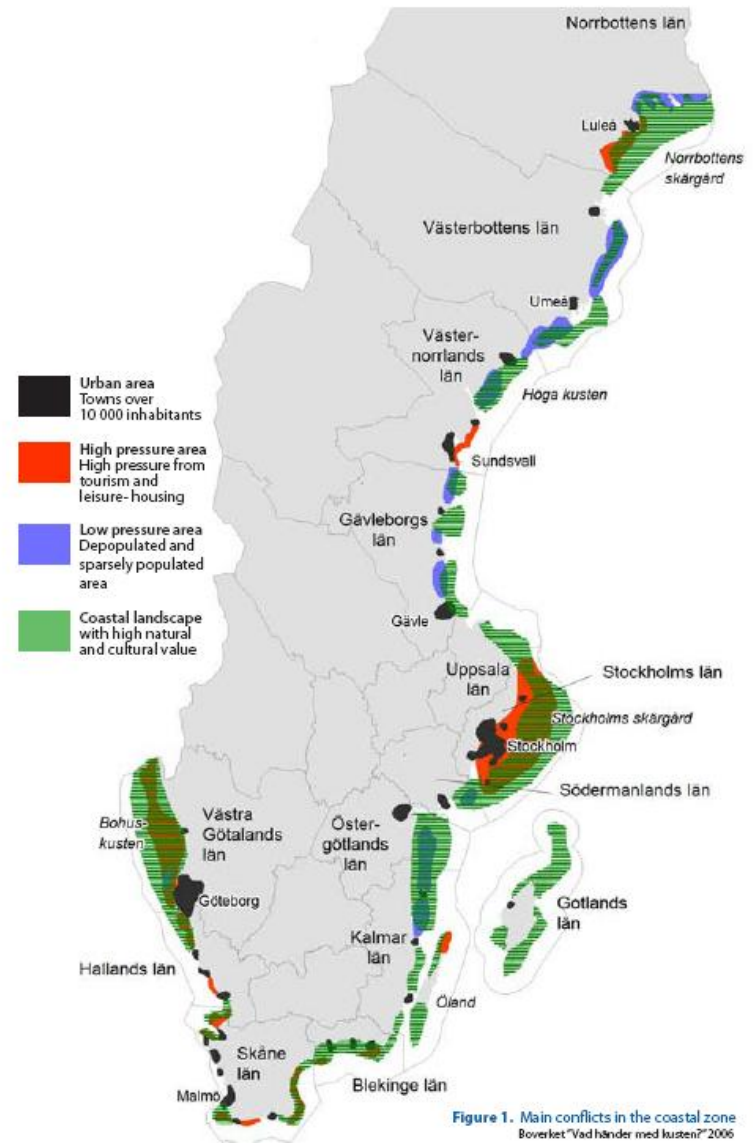


Figure 1. Main conflicts in the coastal zone
Boverket "Vad händer med kusten?" 2006

Key questions

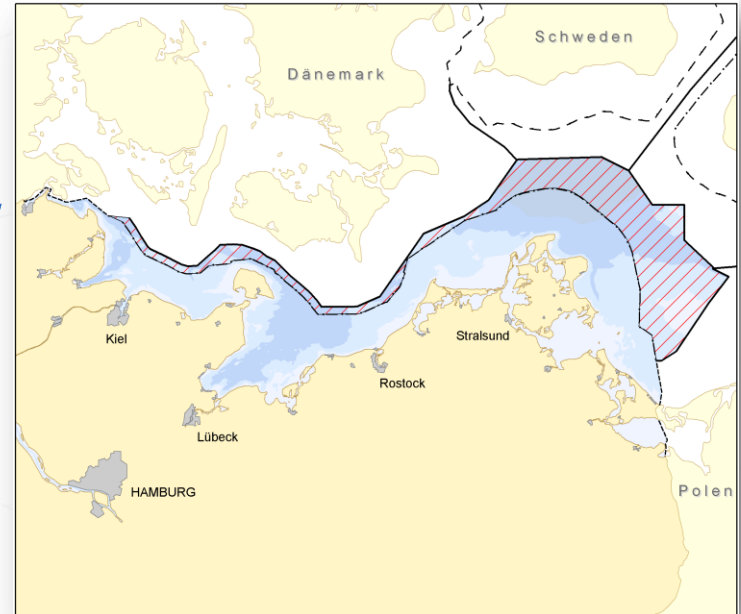
*What would be the
priority tasks to
build MSP
legislative basis?
(Andrzej Cieslak)*



Key questions

Do we need integrated maritime policy in each country as a prerequisite of successful MSP?

What other sectoral policies or national strategies would be necessary?



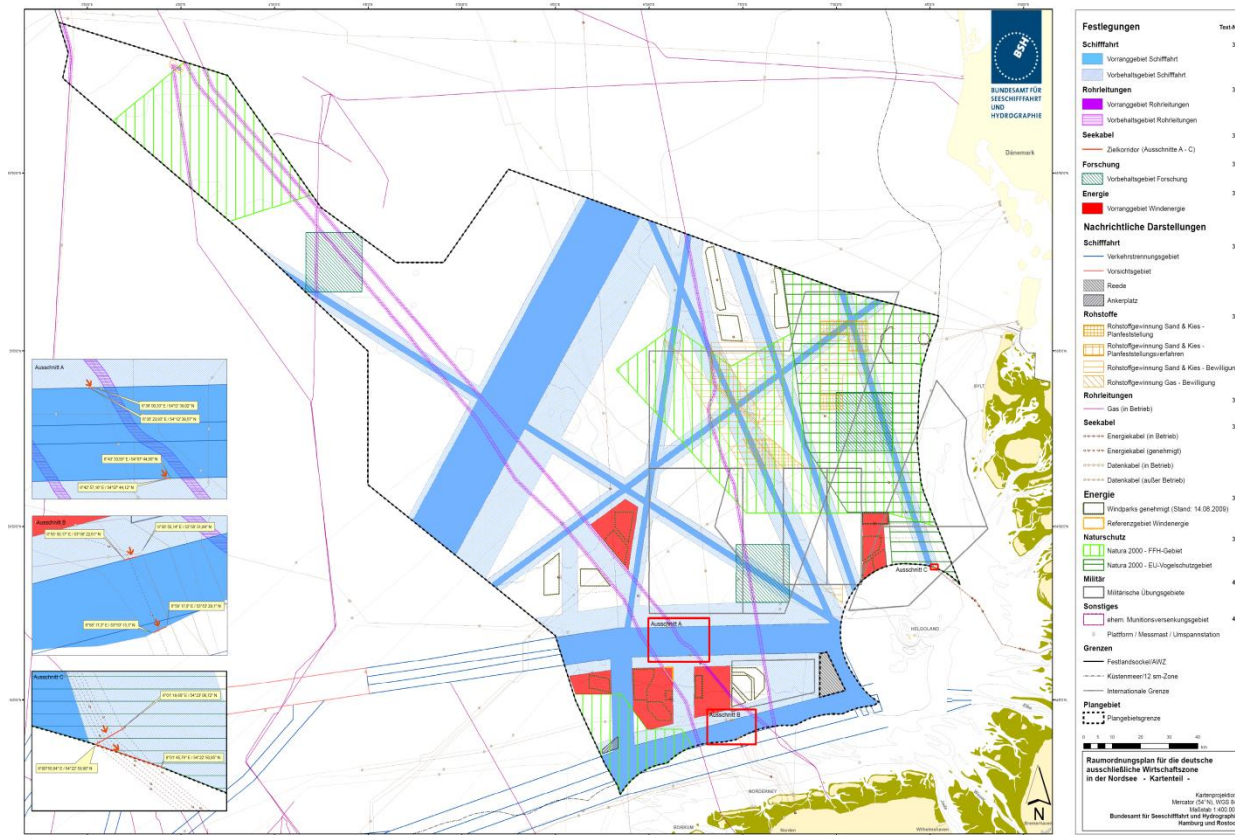
Maritime spatial planning in the German EEZ

Nico Nolte

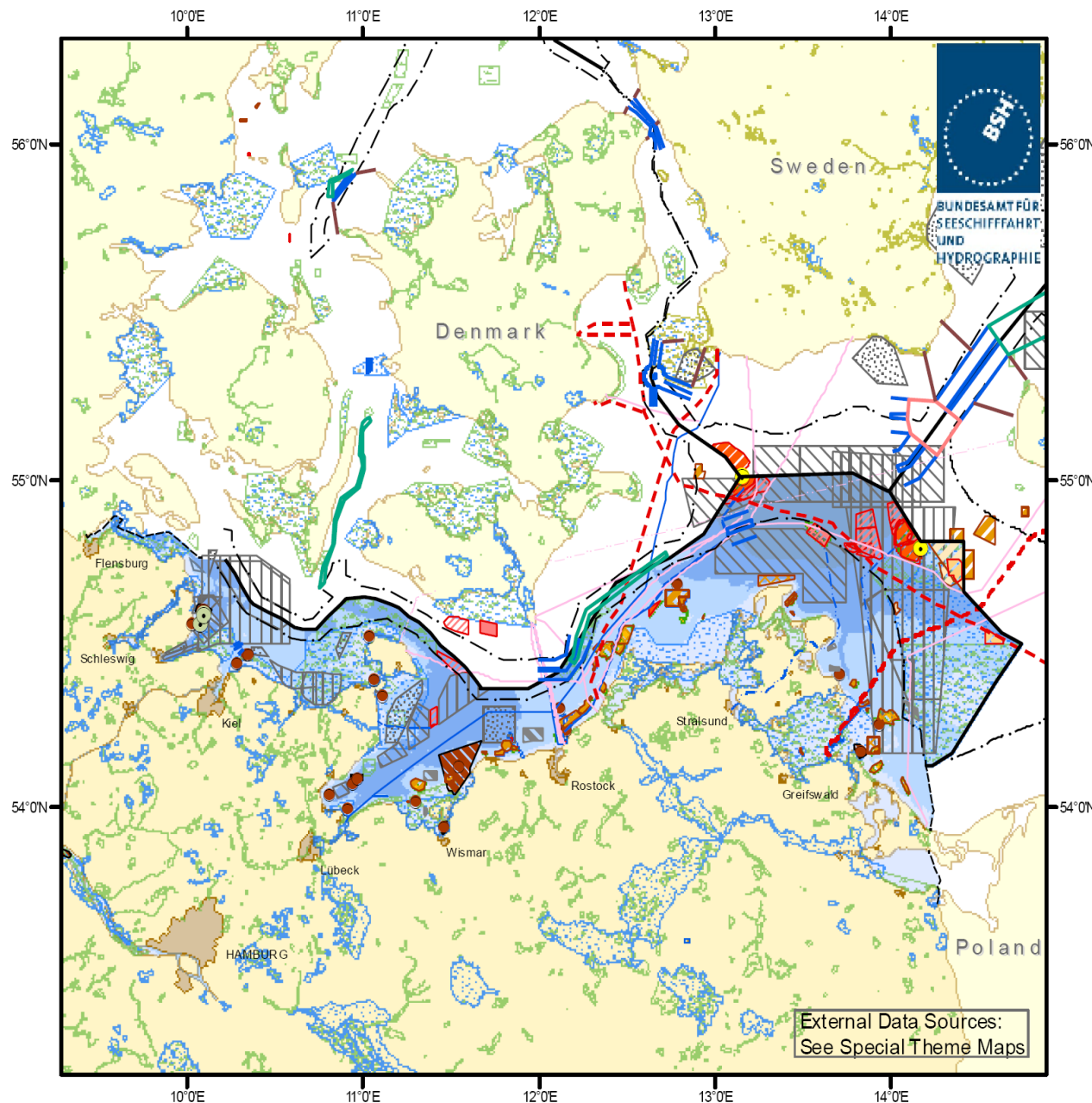
www.bsh.de

Maritime Spatial Plan for the EEZ in the North Sea, legal ordinance in force since 26 September 2009

Raumordnungsplan für die deutsche ausschließliche Wirtschaftszone in der Nordsee - Kartenteil -



Baltic Sea: Existing and Perspective Uses and Nature Conservation



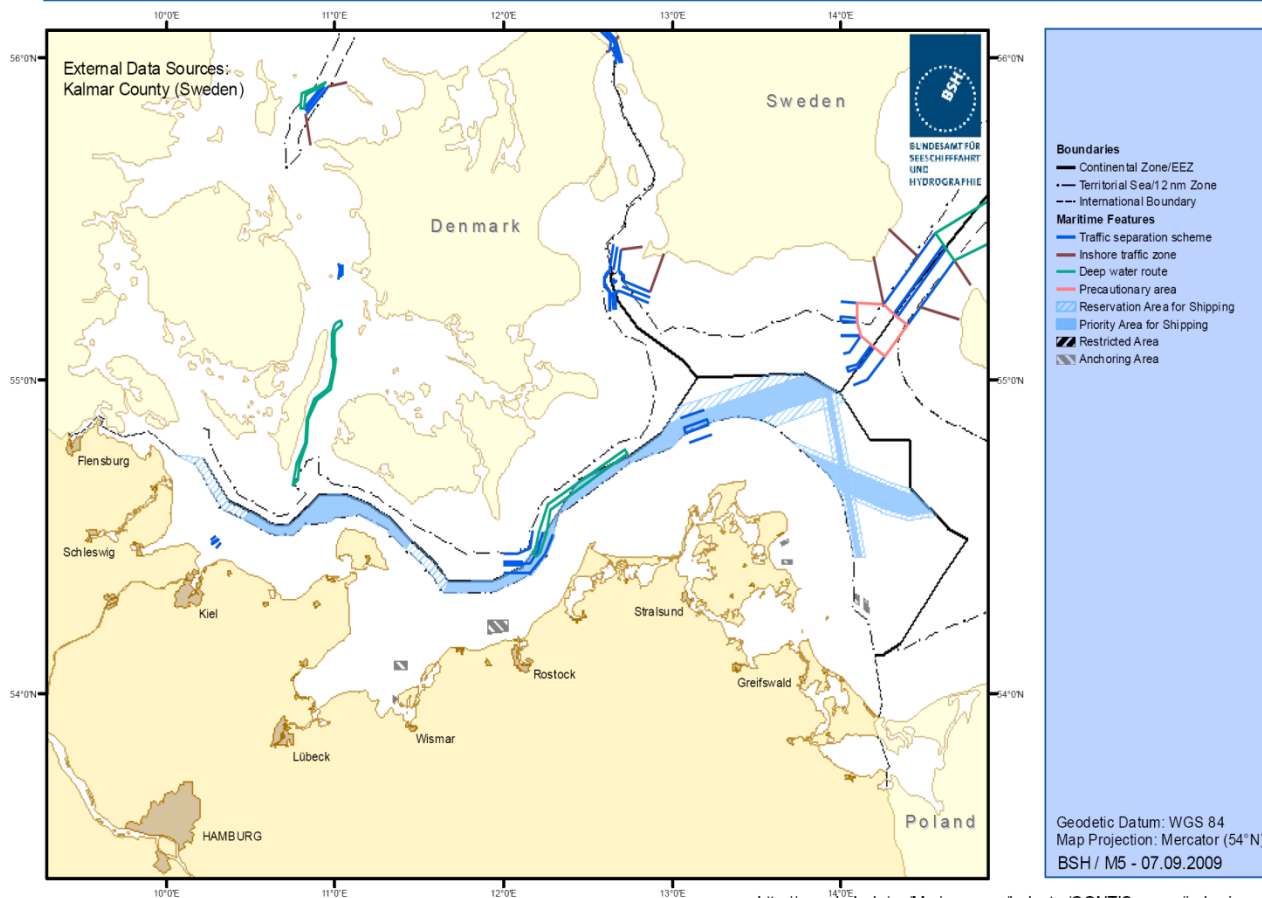
- Boundaries**
- Continental Zone/EEZ
 - - Territorial Sea/12 nm Zone
 - - International Boundary
- Maritime Features**
- Traffic separation scheme
 - Deep water route
 - Precautionary area
 - Inshore traffic zone
 - Shipping lane (recommended)
 - Shipping lane (not classified)
 - ▨ Restricted Area
 - ▨ Anchoring Area
- Platforms**
- Measurement Platform (In Use)
 - Measurement Platform (Planned)
 - Petroleum Platform (Decommissioned)
- Pipelines**
- Natural Gas (in Use)
 - - Natural Gas (planned)
- Data Cables**
- In Service
 - - Planned
 - - Out Of Service
 - - Unknown
- High Voltage Cables**
- In Service
 - - Approved
 - - Planned
- Offshore Windfarms**
- ▨ Planned
 - ▨ Approved
 - ▨ Under Construction
 - ▨ In Use
 - ▨ Not Approved
- Sediment Extraction**
- ▨ In Use
 - ▨ Presently Not In Use
 - ▨ Project Approval Procedure
 - ▨ Planned
- Dumping Grounds**
- Dredged Material (In Use)
 - ▲ Ammunition (Out Of Use)
 - ▨ Dredged Material (In Use)
 - ▨ Dredged Material (Out Of Use)
 - ▨ Ammunition (Out Of Use)
- Military Practice Areas**
- ▨ Torpedo Exercise
 - ▨ Submarine Exercise
 - ▨ Firing Exercise
 - ▨ Mine Hunting Exercise
 - ▨ Air Force Exercise
 - ▨ Restricted Areas
 - ▨ Unclassified
- Conservation Areas**
- ▨ Natura2000 SPA
 - ▨ Natura2000 SCI
 - ▨ Natura2000 SCI
- Preferred Areas**
- ▨ Offshore Wind Energy
- Priority Areas**
- ▨ Sediment Extraction
 - ▨ Wind Energy
- Reservation Areas**
- ▨ Pipelines
 - ▨ Cables
 - ▨ Sediment Extraction

Geodetic Datum: WGS 84
Map Projection: Mercator (54°N)

BSH / M5 - 07.09.2009

External Data Sources:
See Special Theme Maps

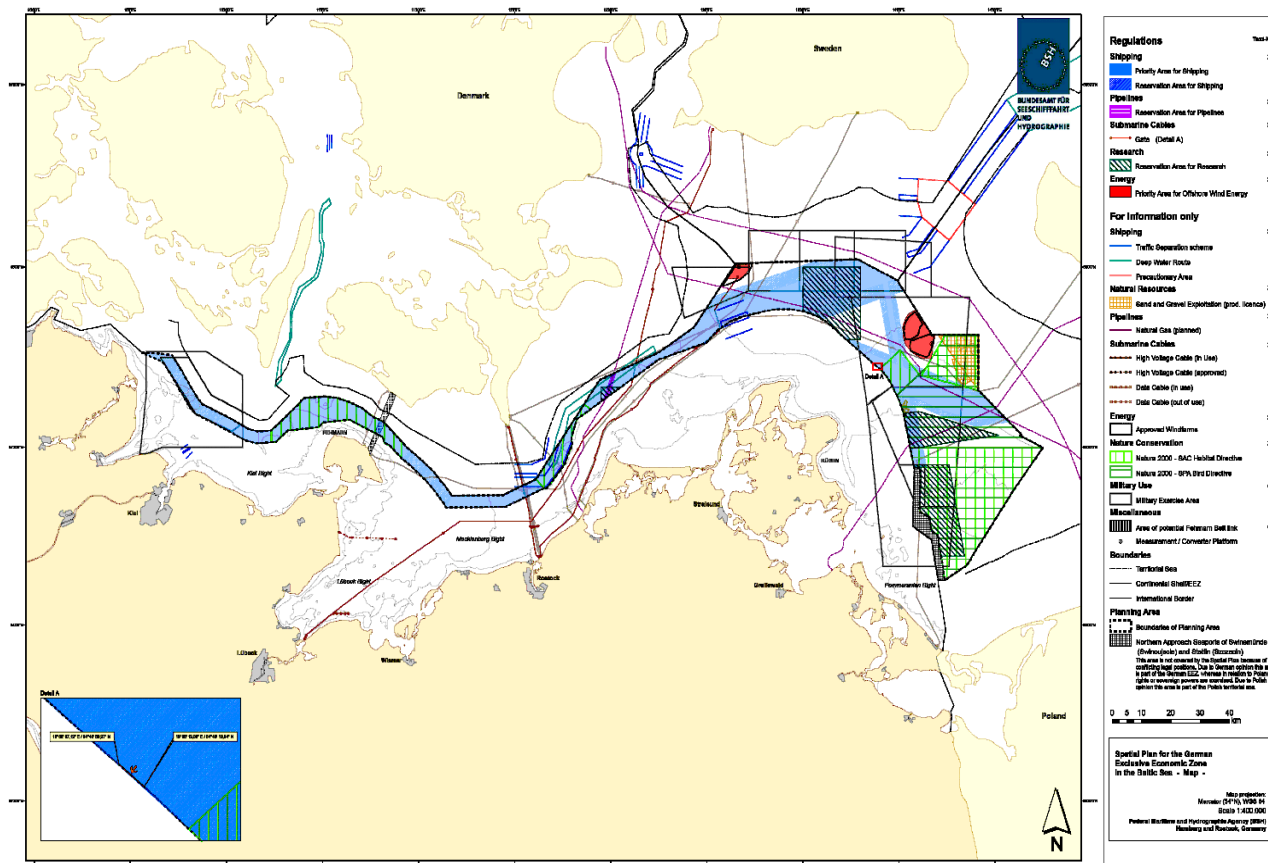
Baltic Sea: Maritime Features



http://www.bsh.de/en/Marine_uses/Industry/CONTIS_maps/index.jsp

- Shipping lanes as basic structure of the draft
- priority areas: must be kept free from obstacles
- reservation areas: shipping has special weight in balancing process
- no traffic regulation!!!!
(protection of existing traffic)

Spatial Plan for the German Exclusive Economic Zone in the Baltic Sea (Draft) - Map -



Priority areas for wind energy (red)

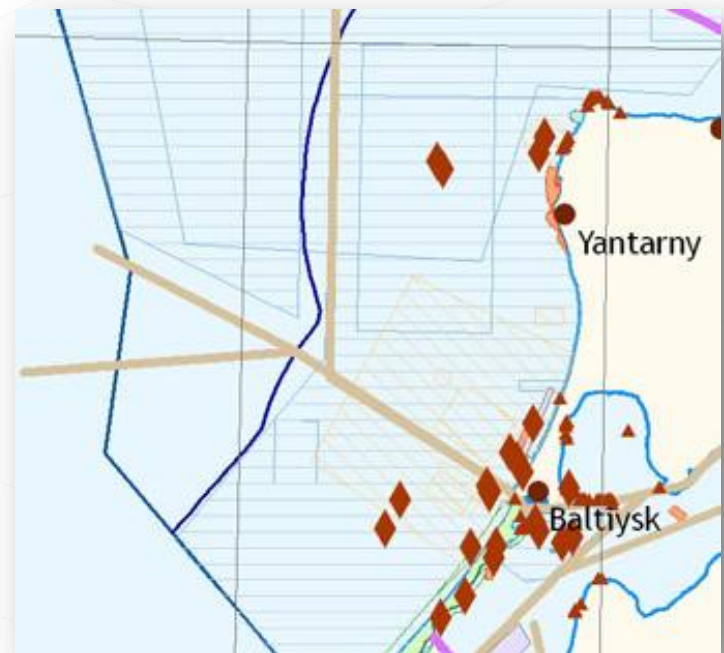
no turbines in Natura 2000 areas

gates for electricity cables

Key questions

What joint actions are necessary at the BSR level to facilitate the legal changes in the countries?

How much international uniformity of legislative and regulatory framework is at minimum necessary for smooth development of MSP in a regional sea?





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Building of coherent legislative basis for MSP

Yuriy Mikhaylichenko

October 15, 2009



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What Russia might expect from the
BSR level in order to introduce *MSP*?

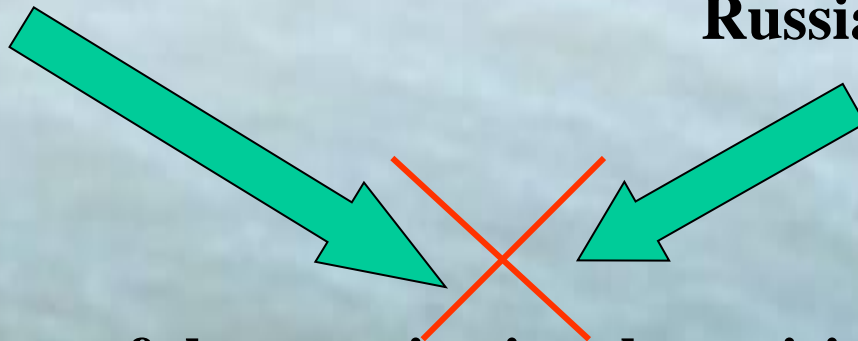
**Maritime activity is influenced by
country's general economic processes**

**Main actors are newly formed sectoral
“centres of power”**

According to the Constitution of the Russian Federation:

**marine areas of
the country are
under federal
jurisdiction**

**issues of ownership, use and disposal
of the land, interior, water and other
natural resources are in joint
competence of the Russian
Federation and subjects of the
Russian Federation**



**Development of the constitutional provision on joint competence
as applied to marine and coastal resources
hasn't been realized yet**

**Principles adopted
in national
marine policy of
many countries**



**Principles reflected
in the Russian
legislation
(in Federal Laws,
international
conventions
ratified)**



**majority of these principles have yet to be
included in marine management directives**

**Further development of Federal legislation
to extend subjects of Federation's
opportunities in transboundary
cooperation**

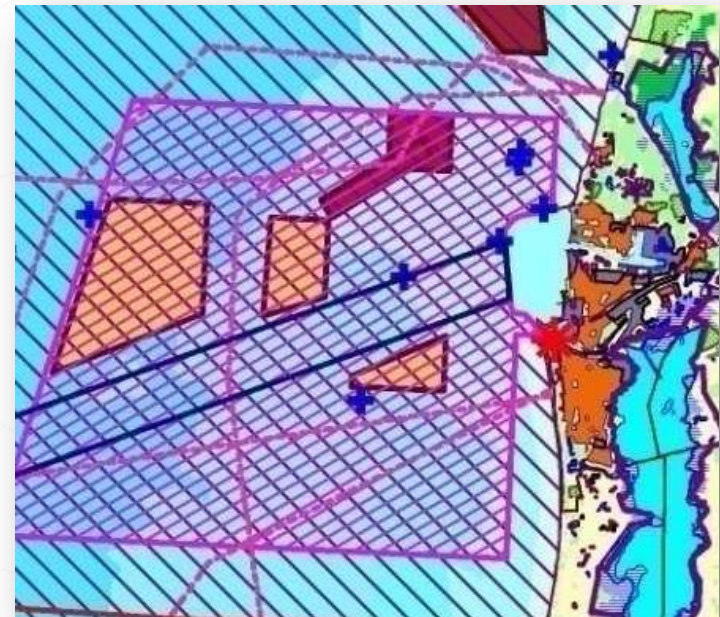
EU assistance:

**to promote and catalyse MSP development
in Russia through continued efforts on:**

- involvement in regional cooperation**
- presentation of any more or less
successful experience of MSP on the
ground**

Key questions

Which lessons of the forerunners would be important to the countries that are just at the beginning of building the MSP framework?
(Nerijus Blazauskas)



Conclusions:

The most promising path is MSP legislation based on the specificity of terrestrial planning systems in each country.

MSP is more transnational than TSP. MSP principles jointly agreed at Baltic level should provide a sufficient common denominator for sound MSP methodology and for cross-border co-ordination.

Try to ensure proper linkages with terrestrial spatial planning - horizontal linkages.

Try to make MSP a coherent part of the country spatial planning system- vertical linkages.

Conclusions:

MSP is not just addressing potential conflicts but as well offering possibilities for positive synergies (wind mills=mariculture)

Certainty, predictability for sea users, investors

Tak you for your attention

Additional slides if necessary

MSP principles by VASAB



- MSP should demonstrate a farsighted/pro-active approach – planning based on a BSR vision, internationally agreed goals etc.
- MSP should be run by an institution enjoying organisational independence from the individual sectors.
- MSP should be based on a principle of diversity, on participatory approach and transparency.
- MSP should respect the ecosystem approach.
- MSP should cover all sea layers and should take into consideration important seasonal changes in the sea space.
- MSP should use the adaptive approach to planning and be of a continuous character. Such planning cycles can differ between the countries as far as details are concerned, could be improve or redeveloped. What really matters is principle of continuity of the MSP process.
- MSP should be science-based (evidence based spatial planning).
- Maritime Spatial Plans should be transnationally coordinated and joint planning of some sea areas should be installed.
- MSP should follow the nested approach.
- Complementary planning of the sea space and adjacent coastal areas should be achieved.
- MSP should be of precautionary character.
- MSP should take into account recommendations, knowledge and information of Pan-Baltic organizations and CEMAT at an early stage of planning.
- The decision making processes in case of lack of Maritime Spatial Plans should be well coordinated vertically and horizontally, transparent and include public participation.

KEY PRINCIPLES EMERGING FROM MARITIME SPATIAL PLANNING PRACTICE

- Using MSP according to area and type of activity
- Defining objectives to guide MSP
- Developing MSP in a transparent manner
- Stakeholder participation
- Coordination within Member States — Simplifying decision processes
- Ensuring the legal effect of national MSP
- Cross-border cooperation and consultation
- Incorporating monitoring and evaluation in the planning process
- Achieving coherence between terrestrial and maritime spatial planning relation with ICZM
- A strong data and knowledge base