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

INTRODUCTION

0.1 The Fourth Meeting of the Joint HELCOM-VASAB Working Group on Maritime Spatial Planning (HELCOM-VASAB MSP WG) was held at the at Monika Centrum Hotels (Elizabetes street 21) in Riga, Latvia, on 7-8 February 2012.

0.2 The Meeting was attended by nominated experts from all Contracting Parties/Member Countries, except from Belarus, Norway and Lithuania, as well as by various invited guests and WWF as an Observer. The List of Participants is contained in **Annex 1**.

0.3 The Meeting was chaired by the Co-Chairs Ms. Anita Mäkinen, Finland and Mr. Andrzej Cieslak, Poland. In the latter part of the meeting Co-Vice-Chair Mr. Sten Jerdenius, Sweden, stepped in for Ms. Mäkinen who had to leave the meeting due to other responsibilities.

0.4 The Head of Secretariat Mr. Talis Linkaits welcomed the participants on behalf of the VASAB Secretariat.

0.5 The new Executive Secretary of HELCOM Ms. Monika Stankiewicz shortly introduced herself and emphasized the good work done by the Working Group so far and the possibilities for enhanced cooperation with other groups and processes such as Fisheries and Environment Forum, Maritime Group of HELCOM as well as the regional process to determine and assess good environmental status of the marine environment.

0.6 Ms. Stankiewicz acted as secretary of the meeting assisted by Ms. Laura Meski, Assisting Professional Secretary from the HELCOM Secretariat.

Agenda Item 1 Adoption of the Agenda

Documents: 1/1, 1/1/Rev

1.1 The Meeting adopted the Agenda (document 1/1/Rev) elaborated by the HELCOM and VASAB Secretariats in consultation with the Co-Chairs.

Agenda Item 2 Information on Maritime Spatial Planning developments, projects and events in the Baltic Sea Region

Documents: 2/1, 2/2

2.1 The Meeting took note of the following information by the Contracting Parties/Member Countries on recent developments in their MSP as well as recent meetings dealing with MSP:

2.2 **European Commission:** The process of the Impact Assessment for MSP and ICZM is still on-going. A report is under work which will be the basis for the policy initiative on MSP. The report will be made public together with the policy initiative which will be presented as it looks now in June/July 2012. A newly established Expert Group on MSP held its first meeting in December 2011 and is expected to meet every third month. A high-level conference will be arranged 26 March in Brussels, Belgium. The Conference will be initiated by a ministerial panel, followed by two technical sessions.

2.3 **Finland:** The VELMU project received in 2011 and in 2012 financing for 1,3 million euros. Funding has been granted for the TOPCONS (Transboundary tool for spatial planning and conservation of the Gulf of Finland, 2012-2014) project together with Russia on data collection and MSP in the Eastern part of the Gulf of Finland and the project has started. Ratified regional plans cover almost all territorial waters in Finland. At the moment all in all

nine coastal regional plans are being drafted, and three plans are in the Ministry of the Environment for ratification.

2.4 **Latvia:** The Spatial Planning law was adopted in October 2011. An expert group meeting with participants from the Baltic States was organized in December 2011.

2.5 **Sweden:** Sweden is working on a bill for a new law on MSP which is expected to be ready later in spring 2012. A new committee has been established for review of the Swedish boundaries at sea which need to be digitalized. The committee is also to propose the contiguous zone for Sweden. The committee is to report on its results by the end of 2012. A section for MSP has been established at the new Swedish Agency for Marine and Water Management in Gothenburg and preparations for its upcoming work are made.

2.6 The Meeting welcomed the procedure, as suggested in document 2/1, on updating the table containing a summary of MSP developments reported by Contracting Parties/Member Countries prior to each HELCOM-VASAB MSP WG meeting. The Contracting Parties/Member Countries were requested to update and amend the information in document 2/1 and to send it to HELCOM Secretariat (laura.meski@helcom.fi) **by 15 February 2012.**

2.7 The Project Manager Mr. Hermanni Backer presented the present status of the Plan Bothnia project (**Presentation 1**). The initiative has now passed the point where activities and interests have been turned into draft material for plans. Two proposals were discussed at the last meeting and the project is currently finalising the material for the final report. The 18 month initiative is closing 1 June 2012 and will finalise with final events during the European Maritime Day 2012 in Gothenburg, Sweden. All participants were welcomed to attend the events.

2.8 The Project Manager Mr. Nico Nolte presented the present status of the BaltSeaPlan project which has 14 partners in seven countries. The Final Conference of the project was arranged 12 January 2012 in Berlin, Germany, which was attended by approximately 170 participants from 18 countries with representatives from high political level. The technical phase of the project will end in end of April 2012. A total of 30 reports will be made available within the project of which eight are pilot area reports and two covering transboundary areas. Several technical reports are also prepared, for example one on modelling for MSP and the other one on data exchange structure for MSP. All reports will be on the web page (www.baltseaplan.eu) latest by March 2012.

2.9 The Project Manager indicated the BaltSeaPlan Pilot MSP for the Western Coast of Latvia as an example of a good cooperation due to broad participation of both stakeholders and ministries. A first draft of a MSP for the area was developed within the project.

2.10 WWF offered to present some of the BaltSeaPlan reports prepared by WWF concerning fisheries during the next HELCOM-VASAB MSP WG meeting. WWF further informed that a brochure with illustrations on the ecosystem based approach, similar to the previous one on MSP, is under preparation.

2.11 The Meeting took note of information on the 5th call for project proposals under the EU Baltic Sea Region Programme (BSRP) 2007-2013. The application period started 9 January 2012 and will be closed 29 March 2012, however, the project idea form needs to be submitted by 20 February 2012 at the latest. The applicants for the 5th call will apply under the Programme priority 4 "Promoting attractive and competitive cities and regions". Only limited funds (circa 4.4 million EUR) are available for the 5th call.

2.12 The Meeting took note of the information on a project idea which is being drafted (document 2/1).

2.13 The Meeting took note of the following comments by the Contracting Parties/Member Countries as well as information by the Secretariat on the project idea:

- by Finland that MSP governance would be of interest, and due to limited resources available for the project the stakeholder involvement, while important, could be targeted at some selected sectors, and that data related component could be

reconsidered as this is a very time consuming task; The added value of the project would be if MSP authorities in all Baltic Sea countries were involved to ensure the link to formal processes in the countries;

- by the Co-Chair Mr. Sten Jerdenius that MSP authorities are responsible for MSP, and the intergovernmental cooperation is taking place within HELCOM and VASAB, including this Group, which means that such projects should not risk to duplicate that work;
- by Sweden that a way forward could be the development of a methodology for stakeholder involvement in transboundary MSP;
- by the EU on the added value of the project being its focus on integration of sectorial policies into the MSP process, and on the need to avoid double work e.g. by taking into account processes ongoing under sectorial policies;
- by the HELCOM Secretariat that the idea is to build on the proposals and needs and stakeholders of the Fisheries and Environment Forum;
- by Poland and Latvia that the project idea is interesting and worthwhile exploring;
- by Germany that in order to be successful in receiving financing, the project should deliver durable outcomes, address multilevel governance, ensure links to terrestrial planning, highlight the links to the EU Strategy for the Baltic Sea Region, involve a limited number of sectors (1-2), and in addition to the governance discussion, cover some pilot cases.

2.14 The Meeting clarified the financial conditions of BSRP projects (75% EU co-financing, and 25% own contribution).

2.15 The Meeting recognized the tight timetable for applying under the 5th call of BSRP, and challenge of committing the involvement of project partners under such a short notice.

2.16 The Meeting invited the Contracting Parties/Member Countries to provide their view and general comments on the preliminary project idea, including indication of possible participation **by 18 February 2012** to the HELCOM and VASAB Secretariats as well as Germany in order to adjust the proposal accordingly, also taking into account comments presented at this meeting, to reflect the common interests and views in the project idea application for a possible HELCOM and VASAB project and in order to file the application by the given deadline by 20 February 2012, after which a second round of comments on the content of the possible project by the Contracting Parties/Member Countries will take place with the view to formulate the possible project that meets the needs of also the MSP Working Group.

2.17 The Meeting took note of the information by the EU on a new regulation on a programme to support Integrated Maritime Policy and on a proposal for European Maritime and Fisheries Fund, providing possibilities for funding MSP related initiatives in 2014-2020.

Agenda Item 3 Maritime Spatial Planning minimum requirements and best practices – outcomes of the Plan Bothnia project

Documents: 3/1, 3/2

3.1 The Meeting took note of a presentation by consultant Mr. Jacek Zaucha on MSP best practices study, executed within the Plan Bothnia project, including corrections made since HELCOM-VASAB MSP WG 3/2011 (**Presentation 2**). Based on the study a draft summary on best practices was submitted to the meeting (document 3/1). Mr. Zaucha informed the meeting that comments from the previous HELCOM-VASAB MSP WG meeting had been taken into account in the report and that the report is still open for commenting according to the project deadlines. The report is divided into two parts, firstly looking at the compliance of the selected MSP initiatives with the HELCOM-VASAB MSP principles and secondly identifying and analysing the most relevant good practices of MSP.

- 3.2 The latest version of the full report will be distributed by the VASAB Secretariat in short.
- 3.3 The Meeting thanked Mr. Zaucha for his good work and pointed out that the work of Mr. Zaucha could also be an important document outside the Baltic Sea area since this kind of compilations of information are not available.
- 3.4 The Meeting took note of the information that the best practices summary would be of interest to the VASAB Committee on Spatial Planning and Development of the Baltic Sea Region (CSPD/BSR).
- 3.5 The Meeting underlined the importance of keeping MSP as a process tool and not to duplicate the work since a lot is already dealt with within sectorial policies affecting seas and oceans, such as the Marine Strategy Framework Directive, Agenda 2020, Common Fisheries Policy etc., and MSP is to be complementary and bridge policies to support their cross-sectoral implementation. It has also been pointed out that all processes and policies need to be taken into account in the MSP process, but keeping in mind that not all may have spatial aspects.
- 3.6 The Meeting briefly discussed governance, and took note of the different views by the Contracting Parties/Member Countries on possible governance aspects and structures.
- 3.7 The Meeting discussed how the conclusions of the report could be used in the work of the Working Group and how these could be taken forward to the Ministerial Conferences.
- 3.8 The Meeting pointed out that the conclusions from the assessment should not be too strong since it is based on a limited number of MSP initiatives. Other good practices, not covered by the assessment, might also exist.
- 3.9 The Meeting took note of the clarification by the Plan Bothnia Project Manager Mr. Hermann Backer that the full report presents the author's views and will still be discussed by the stakeholders within the project according to the agreed timetable.
- 3.10 The Meeting invited the Contracting Parties/Member Countries to send their possible comments on document 3/1 to Mr. Zaucha (jacek.zaucha@im.gda.pl) as well as HELCOM and VASAB Secretariats (laura.meski@helcom.fi and info@vasab.org) and Co-Chairs (cieslak@umgdy.gov.pl and anita.makinen@trafi.fi) **by 31 March 2012** with the aim to further consider input to the Ministerial Conferences at the next meeting.
- 3.11 The Meeting took note of a presentation by consultant Mr. Bernhard Heinrichs on Minimum Requirements for transboundary MSP executed within the Plan Bothnia project (document 3/2 and **Presentation 3**).
- 3.12 The Meeting thanked Mr. Heinrichs for his good work.
- 3.13 The Meeting agreed that comments to the document 3/2 should be sent to the HELCOM and VASAB Secretariats (laura.meski@helcom.fi and info@vasab.org) as well as Co-Chairs (cieslak@umgdy.gov.pl and anita.makinen@trafi.fi), with cc to Mr. Heinrichs (bheinrichs2006@web.de) **by 31 March 2012** with view to get first commentary on the minimum requirements for transboundary MSP that could be presented by this Group as input to the Ministerial Conferences. Based on the comments received the Secretariat will make a compilation for circulation to the Group.

Agenda Item 4 Vision of the Baltic Sea - Outcome of the BaltSeaPlan

Documents: 4/1

- 4.1 The Meeting took note of a presentation by BaltSeaPlan Project Manager Mr. Nico Nolte on the Vision 2030: Towards the sustainable planning of the Baltic Sea space, proposed by the BaltSeaPlan project (document 4/1 and **Presentation 4**). The Vision identifies three dimensions which belong together: environmental vision, socio-cultural vision and economic vision. The key principle of the Vision is pan-Baltic thinking. Other important principles are spatial efficiency, connectivity thinking and sustainability. The key transnational topics for which transboundary cooperation is needed were identified in the Vision as a
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healthy marine environment, a coherent pan-Baltic energy policy, safe, clean and efficient maritime transport and sustainable fisheries and aquaculture as well as some key elements for implementing the above.

4.2 The Meeting discussed the BaltSeaPlan Vision, including its timeframe (2030), how the HELCOM-VASAB MSP principles have been incorporated and how MSP developments between now and the Ministerial Conferences could be taken into account.

4.3 The Co-Chair Mr. Andrzej Cieslak noted that the Vision encompasses vision for planning, but also for an institutional set up.

4.4 The Meeting discussed how to make use of the BaltSeaPlan Vision in further HELCOM/VASAB work and concurred that the report raised important questions and welcomed that it can serve further discussion.

4.5 The Meeting discussed the need for having a joint HELCOM/VASAB pan-Baltic vision developed for the Ministerial Conferences, as a first step, before a more detailed discussion on the components of the vision could take place and resources are dedicated to this work. The Meeting also noted the limited time for preparing a vision for the Ministerial Conferences due to also other inputs which have been decided on.

4.6 Therefore, the Meeting was not in the position to have a common view whether the BaltSeaPlan Vision could be taken as the basis for the possible joint HELCOM-VASAB Vision, however considered the report as a good background report.

4.7 The Meeting was of the view that if the joint vision is elaborated, it should be rather general.

4.8 The Meeting noted the comment by Germany that such a possible joint vision for the Baltic Sea would be complementary to the VASAB vision on land/land based approach (1992).

4.9 The Meeting referred to the earlier cooperation between VASAB and HELCOM e.g. on HELCOM Recommendation 24/10 on implementation of integrated marine and coastal management of human activities in the Baltic Sea area and found it relevant to build on this experience when elaborating a possible vision.

4.10 The Meeting agreed on having an overview of the opinions on the need for a vision, as well as on requesting feedback on possible components of such a vision, taking into account the BaltSeaPlan Vision, and requested Contracting Parties/Member Countries and HELCOM Observers to provide their feedback accordingly to the HELCOM and VASAB Secretariats (laura.meski@helcom.fi and info@vasab.org) and Co-Chairs (anita.makinen@trafi.fi and cieslak@umgdy.gov.pl) and Co-Vice-Chairs (nico.nolte@bsh.de and sten.jerdenius@environment.ministry.se) **by 30 April 2012**, and pending the outcome of this consultation, to set up a correspondence group to develop a contribution to the next meeting of the Working Group.

Agenda Item 5 International legislative basis for Maritime Spatial Planning

Documents: 5/1, 5/2, 5/3

5.1 The Meeting referred to the outline for the overview of legislative basis for MSP (document 5/1), agreed by HELCOM-VASAB MSP 3/2011.

5.2 The Meeting took note of a consultancy report commissioned by the European Commission in 2009 giving an overview of legal aspects of MSP (document 5/2) presented by Germany. The document covers aspects of International law (UNCLOS) also covered by document 6/1, presented at HELCOM-VASAB MSP WG 3/2011, and describes conditions for Coastal States to act based on UNCLOS, however, it does not say how MSP can be applied. The document discusses the rights and obligations of coastal states for MSP but does not describe the limits of MSP.

5.3 The Meeting discussed that the document could be of use and complemented with additional information e.g. on relevant HELCOM recommendations.

5.4 The Meeting took note of a presentation by Denmark on the UNCLOS related special Strait Regime in the Sound and Little Belt in the Baltic Sea that needs to be taken into account in MSP (document 5/3) and thanked Denmark for providing the input.

5.5 The Meeting discussed possible deliverables for the upcoming Ministerial Conferences of HELCOM and VASAB.

5.6 The Meeting found it useful to work on a common view on how far reaching MSP can be and what can/cannot be done in MSP. This could serve for instance for the development of a vision if such was decided by the Working Group.

5.7 The Meeting agreed to compile an overview of national legislation on MSP and processes to put MSP legislation in place, in order to share experiences among the countries, especially in relation to how the international legislation is to be dealt with when drawing maritime spatial plans and how international legislation has been used as the basis for MSP, and thus build a common understanding on legal possibilities for MSP. It is also of interest to learn on applicability of existing national legislation for activities at land for EEZ.

5.8 The Meeting took note that within SEAENERGY project national spatial planning legislation and instruments have been analysed.

5.9 The Meeting welcomed the offer by Germany to lead the activity to compare national legislation and requested Germany with assistance of the HELCOM and VASAB Secretariats to develop a template **by 31 March 2012**, and requested the Contracting Parties/Member Countries to provide the information according to the common template to Germany (nico.nolte@bsh.de) **by 30 April 2012** with the aim to present the draft compilation at the next meeting. The Meeting recognized that due to ongoing development of national legislative basis for MSP, the compilation is to be seen as a living document.

5.10 The Meeting referred to a template used for the VASAB compendium of national MSP systems.

5.11 The Meeting discussed another way of considering the legislative basis for MSP, namely from the point of view of activities taking place at sea and considering which legal regimes are applied to these activities and under whose authority (coastal states, IMO, EU for Common fisheries Policy etc.) they are regulated. Here, the focus is on bringing stakeholders together and looking into how coastal states interact with other authorities to plan in the transboundary context. Further, the Meeting discussed that concrete cases of conflicts could be looked into to find out how MSP could be used to solve these hypothetical conflicts and to serve as guidance for practical application of MSP.

5.12 The Meeting took note of the information by the Co-Chair Mr. Sten Jerdenius on the Nordic Council of Ministers (NCM) workshop on Use and Management of the Nordic Maritime areas, 15-16 November 2011 in Torshavn, the Faeroe Islands, where among other things the topic of Strategic Environmental Assessment for MSP was presented, and welcomed the renewed offer by Sweden to provide input on this topic for further development of legislative basis for the next meeting.

5.13 The Meeting requested the Secretariats to update the outline for the input on legislative basis for the Ministerial Conferences (document 5/1) according to the discussion (**Annex 2**), to form the basis for continuing the discussion on this topic intersessionally as well as at the next meeting of the Working Group. The Meeting welcomed the offer of Sweden, Germany, and possibly Denmark, with the help of the EU to continue the work according to the updated outline, which will provide input to the minimum requirements for MSP.

5.14 The Meeting noted that there is an on-going revision of the Environmental Impact Assessment Directive and that the European Commission is expected to present its proposal later this year.

Agenda Item 6 Practical application of the ecosystem approach in Maritime Spatial Planning

Documents: 6/1, 6/2

6.1 The Meeting referred to document 6/1 outlining the necessary elements of a MSP relevant application of the ecosystem based approach as a starting point for the discussion.

6.2 The Meeting took note of a presentation by Finland, on how the ecosystem approach should be taken into account in each step of the planning process (document 6/2). The planning process in the document is based on a national planning process (Finland), but with an international process in mind. Finland suggested the core of the document to be very simple and to include Annexes to the document.

6.3 The Meeting thanked Finland for the input and interesting approach, and considered the topic as very relevant for the work of the Working Group as well as Ministerial Conferences, recognizing, however, the need to gain practical experience.

6.4 The Meeting agreed in principle that the document is a good starting point for the work, noting the information by Germany that a common position on the paper is being elaborated in that country, and by Latvia that an ecosystem approach in MSP is reflected in the national legislation.

6.5 The Meeting suggested inclusion of an introductory part to the document on references to HELCOM and VASAB definition of an ecosystem approach, and requested Contracting Parties/Member Countries to provide their possible comments on document 6/2 to the lead country Finland (tiina.tihlman@ymparisto.fi) **by 31 March 2012**.

6.6 The Meeting referred to the EU 2009 Communication stating that application of an ecosystem approach as an overarching principle of MSP has to be ensured, at the same time pointing to the need to have a common understanding how sectors are to be involved.

6.7 The Meeting took note of the information by the Secretariat on the on-going process within HELCOM related to implementation of the ecosystem approach, as well as the coordinating role of HELCOM for regional implementation of the EU Marine Strategy Framework Directive (for HELCOM countries being EU member states). As part of this process the work is being carried out to determine a good environmental status (GES) of the marine environment and establish indicators and targets to follow up the progress towards reaching GES. The system is planned to be ready by mid-2013, and its products will be of support e.g. to build the knowledge base for MSP.

6.8 The Meeting agreed to have the HELCOM work on ecosystem approach implementation presented at the next meeting of the Working Group to support the discussions on practical application of the ecosystem approach in MSP and discuss other linkages.

6.9 The Meeting took note that the Swedish Agency for Marine and Water Management is to make a study on how to deal with the ecosystem approach and invited Sweden to inform on the study to the next meeting of the Working Group.

6.10 The Meeting referred to the input by WWF (by Mr. Jochen Lamp) on indicators and targets of the Baltic Sea Action Plan to the Plan Bothnia's paper on best practices, the BALANCE project, as well as to the implementation guidelines for ecosystem approach (Annex to document 6/2) as useful sources of information for further work.

6.11 The Meeting requested the Secretariats to update document 6/1 to serve as the basis for continuation of the work on necessary elements of a MSP relevant application of the ecosystem based approach, including document 6/2, with Finland having the overall lead and other countries contributing according to the outline (**Annex 3**).

Agenda Item 7 Integrated Coastal Zone Management and its relations to MSP

Documents: 7/1, 7/2

7.1 The Meeting took note of information by EU on a review process of the EU Integrated Coastal Zone Management (ICZM) Recommendation. The Recommendation was adopted in 2002. To explore the need and options for future EU action a review of the

Recommendation was launched in 2011, with a similar process as for MSP presented previously. A public consultation on ICZM was launched in March 2011. The consultation report can be found on the European Commission web page. The consultation confirmed the linkages between ICZM and MSP. The consultation showed that 70-80% considered a directive needed for ICZM due to present difficulties with the implementation of the recommendation. In the Mediterranean an ICZM Protocol to the Barcelona Convention was adopted in 2010 making ICZM binding. The Impact Assessment is made jointly for ICZM and MSP but it is still unclear to which extent ICZM and MSP should be linked. The policy initiative on ICZM will come in June/July 2012.

7.2 The Meeting took note of the information by Poland, on the approach to implementation of ICZM in Poland and on the Polish view on the relationship between MSP and ICZM (document 7/2).

7.3 The Meeting discussed the differences in implementing ICZM in different countries as well as pointed to the HELCOM HABITAT work on ICZM, including HELCOM Recommendation.

7.4 The Meeting was informed on an ICZM project in Schleswig-Holstein and the resulting paper "Success on ICZM projects" (only in German).

7.5 The Meeting concluded that there are clear inter-linkages between ICZM and MSP.

Agenda Item 8 Data gathering and mapping processes needed for MSP in the Baltic Sea

Documents: 8/1, 8/2

8.1 The Meeting took note of the information by the HELCOM Secretariat on the HELCOM map and data service (document 8/2). The HELCOM map and data service is a publicly available GIS data service, which currently integrates over 300 data layers related to the marine environment and human activities in the sea, many relevant for MSP, including both data officially delivered by the countries and outcomes of different projects. HELCOM GIS is a functional tool for making regional datasets visible and downloadable. HELCOM map datasets can be added to other third party web mapping applications without downloading and maintaining the datasets locally (INSPIRE compliant view services to the data). In the future the service will be updated as new versions of ArcGIS server technology is released, and the work is ongoing to transform the HELCOM holistic assessment of ecosystem health in the Baltic Sea into an interactive indicator-based follow-up version.

8.2 The Meeting noted the possibilities for interaction between this Group and HELCOM map and data service development, in relation to presentation and organization of MSP relevant data.

8.3 The Meeting took note of the information on the cooperation between HELCOM and ICES on data hosting and sharing.

8.4 The Meeting took note of the information by BaltSeaPlan Project Manager Mr. Nico Nolte on the recommendations from the BaltSeaPlan project on the development and implementation of a data exchange network and infrastructure for MSP. The INSPIRE Directive provides a very good basis for such cooperation, although many features of INSPIRE have not been implemented yet and marine space and maritime features so far are not adequately represented by INSPIRE data specifications. At the same time there is a need for making the data available for MSP. This is the background for the BaltSeaPlan recommendations on MSP data infrastructure, specifications, exchange network as well as institutional set-up for a Baltic MSP data portal (expert/advisory group).

8.5 The Meeting took note of the clarification that the aim is to ensure that national systems are able to communicate with each other and networking of existing databases is organized, and intention is not to create a new pan-Baltic data base.

8.6 Sweden informed that they are in the process of creating a national database for MSP and that a second report by the Commission on MSP on data availability has been

published. The EU referred to a process related to the Common Information Sharing Environment as well as MARSUNO project.

8.7 The Meeting addressed the question of data quality and confidence level.

8.8 The Meeting noted that the Plan Bothnia project is also working on the availability of MSP data and the requirements on such data in a transboundary context, and the results of this work would benefit the discussions at the next meeting of the Working Group.

8.9 The Meeting agreed to follow up on the recommendations at the next meeting of the Group, and thus invited the Contracting Parties/Member Countries to provide their comments to document 8/1 to the BaltiSeaPlan Project Manager (nico.nolte@bsh.de), and agreed to continue the discussion on the possibilities for harmonization and consistency of maps and data as well as data requirements for MSP in the Baltic Sea, also in the context of minimum requirements and taking into account the possible inputs on data from other processes and projects.

8.10 The Meeting agreed to discuss this subject at the next meeting and encouraged delegations to bring technical experts to allow fruitful discussions.

8.11 The Meeting took note of the information by Germany:

- on a project to build marine data infrastructure in Germany involving a number of agencies, with the aim to connect databases and enhance the data sharing (www.mdi-de.org);
- on BSH portal GEOSEAPORTAL, containing different databases to which other users can be interactively connected;
- on Boundary GIS, developed by the University of Tartu for MSP within BaltiSeaPlan, for interactive stakeholder participation (www.baltseaplan.eu).

Agenda Item 9 Future work and next meeting

Documents: None

9.1 The Meeting referred to the previous discussions under different Agenda Items, indicating topics for the next meeting, and in addition to further discussion on a vision, finalizing the legislative basis, developing a practical application of an ecosystem approach, and the minimum requirements, also a proposal by the EC on MSP action, especially in the context of the regional cooperation, as well as the results of the Plan Bothnia and conclusions from selected case studies in BaltSeaPlan are of interest for the next meeting.

9.2 The Meeting encouraged cooperation with OSPAR and ICES on MSP and noted that OSPAR and ICES are Observers to HELCOM and can participate in the meetings of this Group. The Meeting requested the HELCOM Secretariat to maintain contacts with the OSPAR Secretariat and ICES to exchange information on the MSP work.

9.3 The Meeting decided to arrange its next meeting (HELCOM-VASAB MSP WG 5/2012) in Helsinki, Finland, on 13-14 September 2012 starting at 09:00 on the first day and finalizing no later than at 16:00 on the second day.

9.4 The Meeting preliminary agreed on the date of the 6th meeting to be tentatively scheduled for week 4 of 2013 (24-25 January) to take place in Riga, Latvia, and on the 7th meeting to be in May 2013.

Agenda Item 10 Any other business

Documents: 10/1, 10/2

10.1 The meeting took note of the information concerning the joint HELCOM/VASAB, OSPAR and ICES workshop on Multi-Disciplinary Case Studies of MSP which was arranged 2-4 November 2011 in Lisbon, Portugal, and the simulation game "MSP Challenge 2011"

which the participants could take part in during the work shop (<http://sk-1.tbm.tudelft.nl/cpsvideos/MSPChallenge/MSPChallenge2011.pdf>).

10.2 The Meeting found it useful to bring the simulation game to the Baltic Sea and requested the HELCOM and VASAB Secretariats to prepare short information on possibilities for the simulation game in the Baltic.

10.3 The Meeting took note of the information on European Maritime Day 2012, which will be organized 21-22 May 2012 in Gothenburg, Sweden and that HELCOM and VASAB have applied for a joint stakeholder event during Stakeholder Day on 22 May 2012 (document 10/2).

10.4 The Meeting took note that the Plan Bothnia and MASPNOSE projects in cooperation with the Swedish Agency for Marine and Water Management also have applied for the stakeholder event.

10.5 The Meeting took note of the information by the EU on a high number of applications received and a possible need to merge applications into more overall themes.

10.6 The Meeting took note of the information on a roundtable which will be organized during the Baltic Sea Day on 22-23 March 2012 in St. Petersburg, which will deal with the development and implementation of transboundary ecosystem based MSP in the Baltic Sea. All interested are invited to participate and contribute to the roundtable and the HELCOM Secretariat will circulate an invitation and programme to the members of the Working Group.

10.7 The Meeting took note of the information on the first planning meeting for Master's level education in the field of MSP, which took place 25-26 January 2012 in Karlskrona, Sweden. The meeting was arranged by Baltic University Programme in cooperation with VASAB. The VASAB Secretariat will circulate the minutes of the meeting. The next meeting under the Baltic University Programme will take place on 20 May 2012 in Gothenburg. The Meeting encouraged universities which have not been involved so far, to engage in this initiative.

10.8 The Meeting took note of the information on a meeting of the OSPAR Intersessional Correspondence Group on MSP under EIHA taking place on 14 February 2012, dealing with 1) a common transboundary map for the North Sea, 2) guidelines for transboundary MSP procedure, 3) a tailor made solution for the North Sea specific MSP problems.

10.9 The Meeting took note of a presentation by the European Wind Energy Association (EWEA) and the Energy Research Center of the Netherlands on the outcome of the EU-funded project SEANERGY 2020, which contains e.g. recommendations for transboundary cooperation (**Presentation 5**). The project period is May 2010 – April 2012. The number of project partners is eight. Quick development in the wind energy section is expected. MSP is therefore of major interest for wind energy sector. The Baltic Sea will be an important area for wind energy development. At the moment 22 % of all offshore wind energy in Europe is installed in the Baltic Sea.

10.10 The recommendations of the project will be taken into account when preparing the EU policy initiative on MSP.

Agenda Item 11 Outcome of the Meeting

Documents: 11/1

11.1 The Meeting adopted the List of Decisions (document 11/1).

11.2 The Minutes of the meeting will be finalized by the Secretariats of HELCOM and VASAB in consultation with the Co-Chairs of the meeting and made available in the HELCOM Meeting Portal as well as on the VASAB website, together with meeting documents and the presentations given during the meeting.

ANNEX 1

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ANNEX 2

Overview of legislative basis

1. The UNCLOS regime

- I. Internal waters; examples of limited sovereignty due to the international strait regime outlined in UNCLOS (cf. document 6/1 of HELCOM-VASAB MSP WG 3/2011)
- II. International straits; a specific regime according to UNCLOS (cf. document 5/3 of HELCOM-VASAB MSP WG 4/2012)

A common understanding on how far reaching MSP can be (actions that can/cannot be taken) – possible topic for consideration at the later stage

2. International and Regional Conventions, Agreements, Policies and Strategies and EU Directives

- I. International, European and regional legislative frameworks on Environmental Impact Assessment and Strategic Environmental Impact Assessment – establish a common ground for trans-national co-operation and co-ordination in general, based on the international regime established for assessment of environmental impacts
Sweden will elaborate an input on this issue
- II. International, European and regional legislative frameworks on substantial requirements
 - environmental requirements (e.g. the Helsinki Convention, HELCOM Recommendations and Declarations, EU Birds and Habitats Directives)
 - rights/requirements regarding specific uses (e.g. laying of cables and pipelines, maritime transportation and fisheries, military exercises), including cases and consideration which legal regimes are applied to these activities and under whose authority (coastal states, IMO, EU for Common Fisheries Policy etc.) they are regulated.
Sweden, Germany and Denmark with the help of EU will elaborate a condensed input on this issue.

When elaborating input on points I and II, existing documents are to be made use of and referred to, such as the one elaborated by the Swedish Commission on Maritime Spatial Planning (to be found on <http://www.regeringen.se/sb/d/108/a/156847>) and the EU legal report (to be found on http://ec.europa.eu/maritimeaffairs/pdf/legal_aspects_msp_report_en.pdf) (as well as a study to be commissioned by EU on the use of zoning in MSP in the Mediterranean).

3. Overview of national MSP legislation and processes

Germany will take the lead to develop a template (with assistance from the HELCOM and VASAB Secretariats and in cooperation with Co-Chairs) on information to be requested from the countries. The countries to provide national information.

The aim is to elaborate a condensed document, containing conclusions on the above issues, as far as feasible, which can be forwarded as an input to the next Ministerial meetings.

ANNEX 3

Necessary elements of a MSP relevant application of the ecosystem based approach

(Finland to take the overall lead, with the contribution of others as indicated below)

1. Vision, for the use and the protection and preservation of the marine environment
(To make references to existing documents on the MSP and Ecosystem Approach relation, such as the HELCOM/VASAB MSP principles, the joint HELCOM/OSPAR Declaration, the UNESCO document on MSP and include the relevant ideas, aims and principles)
2. Knowledge of international and national legislative requirements (as stated in Annex 2)
3. Knowledge; good background datasets; extensive, spatially explicit, quality-controlled and verified data and models
 - a) Description of and delineation of areas in the Baltic Sea into eco-regions
 - b) Collection of data, existing and production of new (collation and modeling)
 - nature (which aspects do we need data on: safeguarding of ecosystem functions and services, resilience and what is needed to assess the carrying capacity of the ecosystem (Finland and [Germany] will provide an input to this)
 - Human use, current and future
 - Cumulative and trans-boundary effects on the environment of human uses to obtain a holistic view on the marine environment
 - c) Development of coarse-scale and finer-scale sensitivity and pressure indices for respectively regional and smaller-scale plans
4. Governance structure, identifying obstacles to a MSP relevant application of the Ecosystem Approach and necessary decision-making processes in order to get away from sectorial decisions and with the aim to achieve integrated approaches
(EU to provide an input to this)

The aim is to develop a document on a common understanding and with practical advice by outlining the necessary elements of a MSP relevant application of the Ecosystem based Approach in the Baltic Sea, including

- how can HELCOM BSAP/MSFD contribute in this process, e.g. indicators/descriptors which are spatially relevant (Paper by Jochen Lamp, WWF, on indicators and targets of the BSAP to the paper on best practices within the Plan Bothnia project) and vice-versa
- [safeguarding of ecosystem functions and services, resilience and understanding of the carrying capacity of the ecosystem (Germany to provide an input)]
- how can the SEA contribute in this process (Sweden will provide an input to this) (as stated in Annex 2)
- comparing spatial planning at land and at sea and how the ecosystem approach differs from land to sea (Finland will provide an input to this)
- Description of the planning process and how the ecosystem approach should be taken in to account in each step (document 6/2 of HELCOM-VASAB MSP WG 4/2012 by Finland). To be further developed until HELCOM-VASAB MSP WG 5/2012.

Work of other inter-governmental institutions is to be taken into account, such as OSPAR and ICES.

LIST OF DOCUMENTS

HELCOM - VASAB MSP WG 4/2012	Date dd.mm.yy	Title	Submitted by
1/1	20.12.11	Provisional Annotated Agenda	VASAB and HELCOM Secretariats
1/1/Rev	03.02.12	Provisional Annotated Agenda	VASAB and HELCOM Secretariats
2/1	03.02.12	Maritime Spatial Planning developments reported by Contracting Parties/Member Countries	VASAB and HELCOM Secretariat
2/2	08.02.12	Draft Project Proposal for EU BSR 5th Call	Germany and HELCOM Secretariat
3/1	07.02.12	Summary of best practices	Plan Bothnia Project Manager
3/2	07.02.12	Summary of minimum requirements	Plan Bothnia Project Manager
4/1	31.01.12	BaltSeaPlan Vision 2030	Project Manager
5/1	20.12.11	Overview of legislative basis for MSP - Annex 2	VASAB and HELCOM Secretariat
5/2	31.01.12	Legal aspects of Maritime Spatial Planning	Germany and Sweden
5/3	01.02.12	Brief on the Strait Regime and Maritime Spatial Planning	Denmark
6/1	20.12.11	Necessary elements of a MSP relevant application of the ecosystem based approach – Annex 3	VASAB and HELCOM Secretariats
6/2	31.01.12	Ecosystem approach in drafting a plan for maritime areas	Finland
7/1	31.01.12	ICZM Final report and national reports	VASAB and HELCOM Secretariats
7/2	03.02.12	ICZM - The Polish approach	Poland
8/1	03.02.12	BaltSeaPlan recommendations on the development and implementation of a data exchange network and infrastructure for Maritime Spatial Planning and Management purposes in the Baltic Sea Region	Project Manager of BaltSeaPlan
8/2	08.02.12	HELCOM Map and Data Service	HELCOM Secretariat
10/1	31.01.12	Seanergy 2020 Transnational Maritime Spatial Planning recommendations	Project Manager
10/2	03.02.12	European Maritime Day 2012 event application	VASAB and HELCOM Secretariats

11/1	08.02.12	List of Decisions	VASAB and HELCOM Secretariats
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