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Background

The Assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework is implemented in the frame of the EU funded project “Pan Baltic Scope”. The Assessment is implemented as one of the activities - Activity 1.1.4: Follow-up of Common Regional Framework - and is led by VASAB Secretariat. The Assessment shall support Joint HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM-VASAB MSP WG) in fulfilling their Work Plan 2017-2019. The Baltic Environmental Forum – Latvia (BEF-Latvia) has been contracted by the State Regional Development Agency of Latvia (VASAB Secretariat) to carry out the Assessment. The BEF -Latvia has sub-contracted Hendrikson&Ko, Estonia to support in the implementation of the Assessment.

Assessment of the application of the Baltic Sea Common Regional Maritime Spatial Planning Framework: Draft October 2019 shall serve as an input for discussing the future agenda of the HELCOM-VASAB MSP WG: Workplan 2020-2021 and Roadmap/Action plan 2020+.

Action requested

Meeting is invited to take into account the findings of the Assessment when discussing the future agenda: Workplan 2020-2021 and Roadmap/Action plan 2020+.

Assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework

Draft October 2019

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Disclaimer

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1. Introduction

The Assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework (hereafter – Assessment) is implemented in the frame of the EU funded project “Pan Baltic Scope” (<http://www.panbalticscope.eu/>). Duration of the “Pan Baltic Scope” project is January 2018-December 2019. The partnership is formed by 12 partners representing national authorities responsible in MSP and relevant macro-regional organizations.

The Assessment is implemented as one of the activities - Activity 1.1.4: Follow-up of Common Regional Framework - and is led by VASAB Secretariat. However, it has synergies and a need for communication with other activities, for example, Activity 1.1.1: Planning Forum, 1.2.1. Ecosystem-based Toolbox. It is also important to recognise that the Assessment shall support Joint HELCOM-VASAB Maritime Spatial Planning Working Group (MSP WG) in fulfilling their Work Plan 2017-2019.

The Baltic Environmental Forum – Latvia (BEF-Latvia) has been contracted by the State Regional Development Agency of Latvia to carry out the Assessment. The BEF -Latvia has sub-contracted Hendrikson&Ko, Estonia to support in the implementation of the Assessment.

The objective of the Assessment is to analyse the application, implementation, achievements and possible future adjustments to update the joint regional framework for Maritime Spatial Planning (MSP) process in the Baltic Sea Region (BSR):

- 1) Baltic Sea Broad-Scale Maritime Spatial Planning Principles (MSP Principles),
- 2) Guidelines on transboundary consultations, public participation and co-operation (Guidelines),
- 3) Regional Baltic Maritime Spatial Planning Roadmap 2013-2020 (Roadmap).

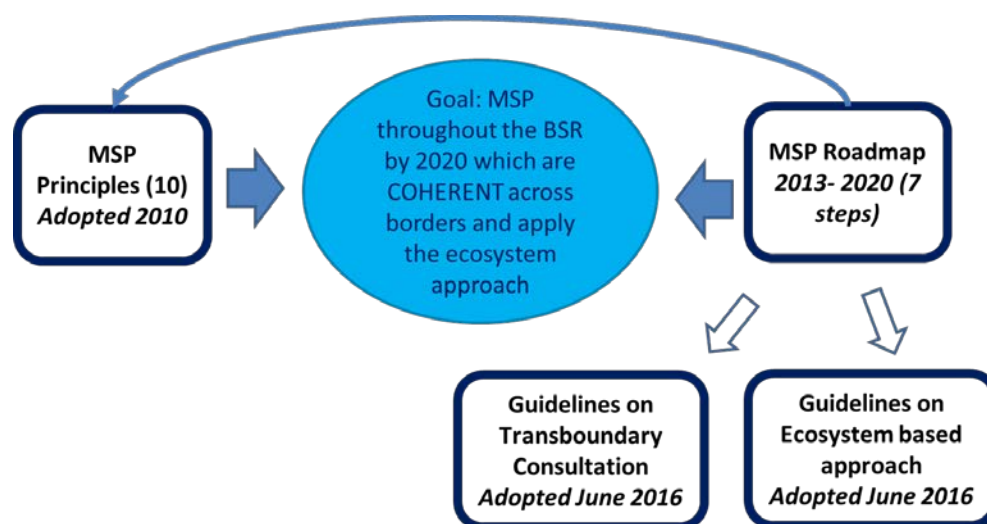


Figure 1. Common Regional MSP Framework

The geographical scope of the assessment: marine waters of countries around the Baltic Sea – Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, Sweden.

The duration of the contract – 30.10.2018-27.12.2019.

2. Methodology of the assessment

The implementation of the Assessment demands to apply several methods, which are relevant to all three components of the Assessment. The experts use available published information and reports as well as on-line survey, interviews as well face-to face meetings and workshops. The assessment is carried out in close cooperation with the VASAB Secretariat, HELCOM-VASAB MSP WG and other activities of the Pan-Baltic Scope project.

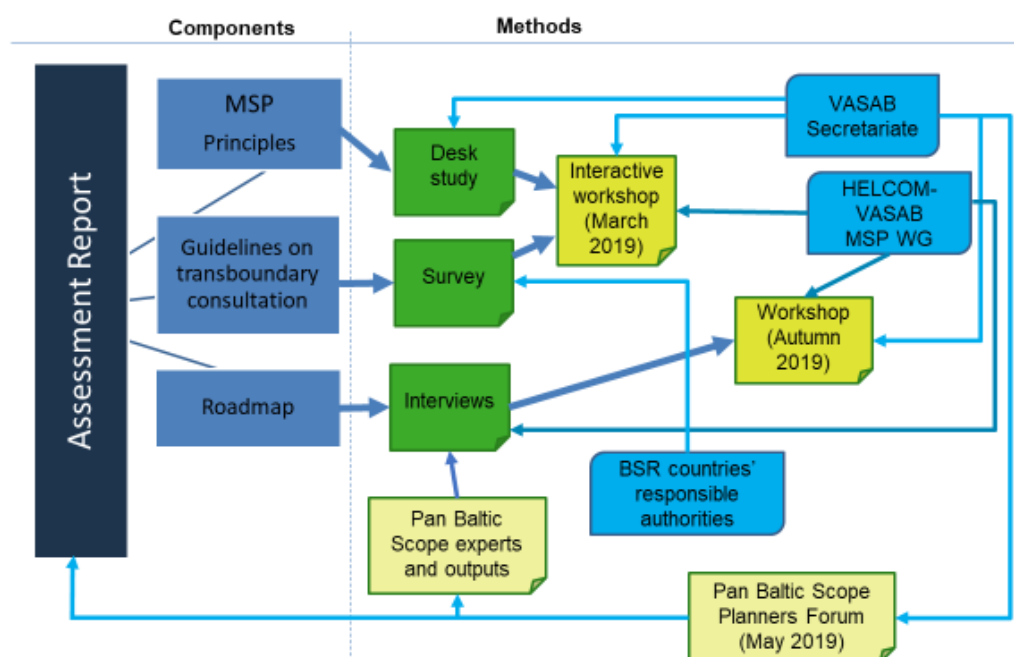


Figure 2. Methodology of the Assessment

2.1. Desk study

VASAB Secretariat is collecting the MSP Country Fiches in BSR and they are made available at VASAB and HELCOM websites. The link: <https://vasab.org/theme-posts/maritimespatial-planning/msp-country-fiches/>

European MSP platform is also presenting information on EU member States, including the Baltic Sea. The link: <https://www.msp-platform.eu/>.

The progress in cooperation and MSP implementation is also reflected in the Outcomes from HELCOM-VASAM MSP WG bi-annual meetings.

The countries are having information presented at their national websites.

2.2. Survey

The survey focused on implementation aspects of the Guidelines. The template is presented in the Annex 1. In January 2019, the survey was sent to the contact person in the countries in charge of the MSP and created as an online form. The list of the contact persons was up-

dated in the 17th HELCOM-VASAB MSP Working Group meeting on 14-15 November in Riga, Annex 3 of the Outcome of the meeting.

2.3. Interviews

An interview as a method was selected to contribute to the evaluation of implementation of the Roadmap. The specific objectives of the interview were:

- to clarify the implementation status of the MSP Roadmap in the BSR countries and on pan Baltic level. The main information will have been obtained by the desk study, but during the interview the gathered facts shall be verified.
- To identify and propose possible future tasks to include in the MSP Roadmap must be indicated including also the future scope for regional cooperation.

The target group of the interview was the HELCOM-VASAB WG members. The interviews were held additionally, based on the outcomes of the interactive workshop in March-April, 2019. The guiding interview questions are presented in the Annex 2.

2.4. Interactive workshop, March 2019

An interactive workshop to collect opinions on implementation of the MSP Principles and Guidelines was held as an event organized by VASAB Secretariat back-to-back with HELCOM-VASAB MSP WG on 27 March 2019 in Hamburg, Germany. The BEF-Latvia and Hendrikson-Ko in collaboration with VASAB secretariat prepared contents for the workshop and moderated the sessions. The agenda is included in the report as Annex 2. The target group of the workshop was HELCOM - VASAB MSP WG members.

2.5. PanBaltic Scope Planning Forum, May 2019

A dedicated session to present the interim results on the Assessment and to conduct facilitated discussions was organized during the Planning Forum of the PanBaltic Scope project on 29th of May. The working session focused on MSP principles and proposing good examples. The target groups of the event were planners from the Baltic Sea region countries and PanBaltic Scope project experts.

2.6. Workshop, October 2019

The BEF-Latvia will present the results of the Assessment and participate in the discussion on the Roadmap as well as future mandate and workplan of HELCOM-VASAB MSP WG as well as input to HELCOM Baltic Sea Action Plan. The workshop will be take place as a part of the HELCOM-VASAB MSP WG Meeting held on 28-29 October, 2019 in St. Petersburg, Russia.

2.7. Involved target groups of the assessment

The assessment depends on fruitful cooperation with key public stakeholders of the MSP sector in the Baltic Sea region. Therefore, the input from public authorities involved in MSP is highly important to achieve desired quality of the assessment about the components of regional framework. Figure 2 above shows involvement of stakeholders to provide input to the Assessment with regard to applied methods. Different methods (desk study, literature and available data review, interviews, survey, interactive workshop) are used to carry out the assessment. As part of representatives of the public authorities are engaged in assessment of all three components, the communication with them needs to be coordinated

and they anticipated input clearly explained to avoid frustration. Moreover, the activities are and shall be coordinated with other Pan Baltic Scope project activities.

Several institutions are competent authorities for MSP in the Baltic Sea region as well having representation in the HELCOM-VASAB MSP WG. Survey, interviews and workshops of the three tasks are mutually coordinated.

3. Status of MSP process in the Baltic Sea countries

The map shall be developed based on the categories and data published in the HELCOM Data and Map services. The process steps to assess the progress in MSP are defined according to the INSPIRE Directive 2007/2/EC and the Guidelines on transboundary MSP output data structure in the Baltic Sea.

Table 1. Status of MSP process

Process step	Definition
Preparation for elaboration	Plan in the process of preparation - no official decision to elaborate the plan yet, but legislation is in the place and/or preparatory work for MSP has been launched (preparation of the ToR, context analysis etc.)
Elaboration phase	Plan is under elaboration - decision of the starting the plan has been taken by responsible authority and officially announced
In force	Plan is already adopted and being legally binding or active.
Obsolete	Plan has been substituted by another plan, or is not any longer in force

Available spatial data in the HELCOM Data and Map services:

Data are collected within HELCOM-VASAB data group activities and related support by Pan Baltic Scope project and stored at HELCOM portal as BASEMAPS for MSP in the Baltic Sea. The data layer “**maritime spatial plan area**” shows the actual process in development of MSP in the Baltic Sea region.

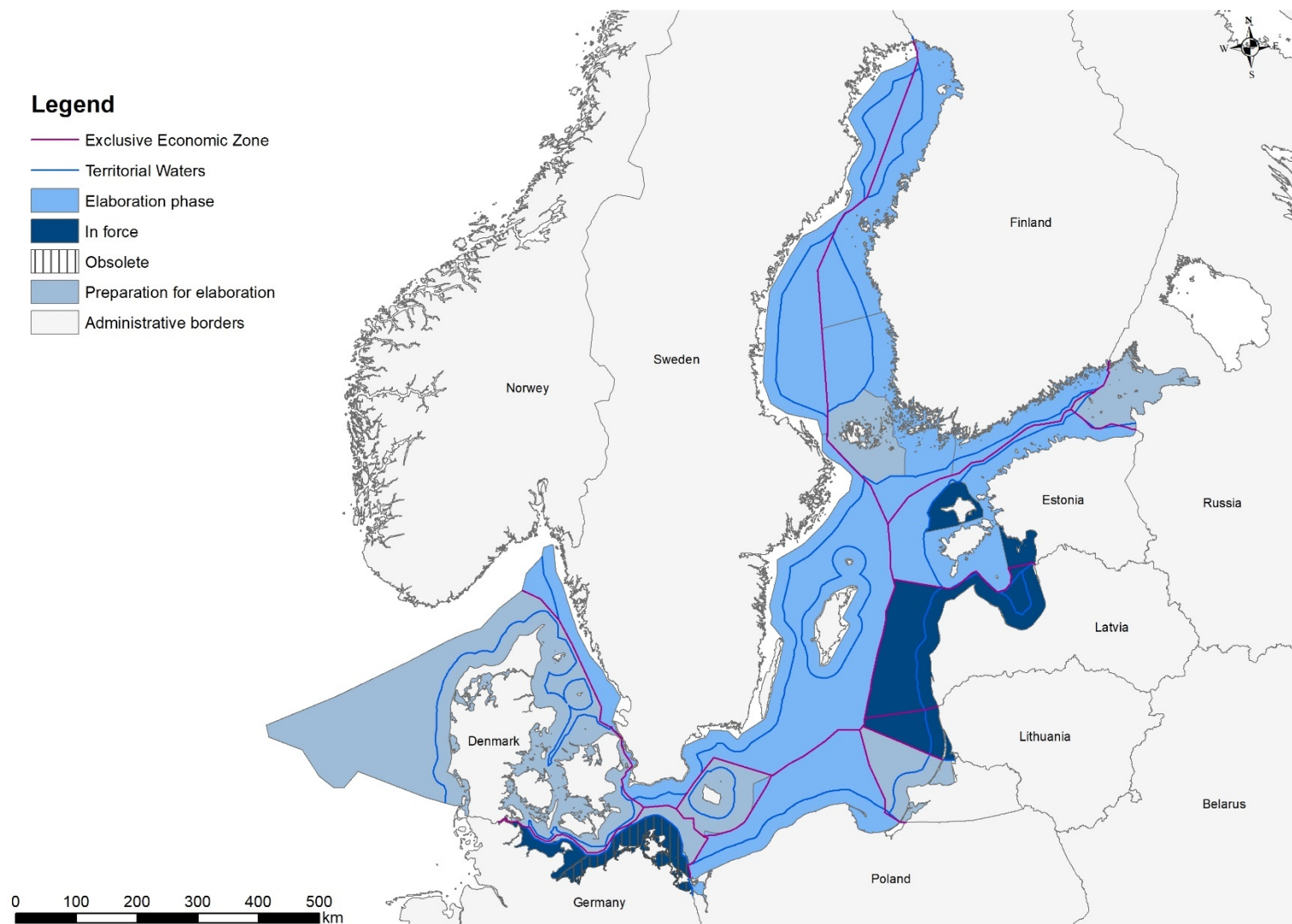


Figure 3. Status of MSP process in Baltic Sea. (based on HELCOM web-service 23.09.2019)

4. Implementation of MSP Principles

“Baltic Sea broad-scale maritime spatial planning principles” (further in the text – MSP principles) were adopted by HELCOM Heads of Delegations meeting on 8-9 December 2010 and by VASAB Committee on Spatial Planning and Development of the Baltic Sea Region on 13 December 2010. Ten principles were adopted aiming to provide valuable guidance for achieving better coherence in the development of MSP systems in the Baltic Sea Region. The joint document lists the principles as well as provide definitions. It needs to be highlighted that MSP principles were adopted well before EU MSP Directive (2014/89/EU).

The EU MSP Directive contains minimum requirements for MSP which are also related to the MSP principles (see Table 2.) as well as content of the principles have more or less been integrated in the legal text of the directive. Therefore, all EU Member States when transposing provisions of the EU MSP directive into national legislation also integrates HELCOM-VASAB MSP principles. The deadline for transposition of MSP Directive in national legislation and designation of competent authorities was 18 September 2016. All EU Member states around the Baltic Sea have transposed the directive requirements and notified on that to the European Commission by 2018. Till March 2019, legislation on MSP is not adopted in Russian Federation.

Table 2. MSP principles and minimum requirements according to EU MSP Directive

	VASAB-HELCOM MSP principles	EU MSP Directive, minimum requirements and the text.
1.	Sustainable management	Article 6, subparagraph 2(b) take into account environmental, economic and social aspects, as well as safety aspects
2.	Ecosystem approach	Recital (13); Article 5.; point 1.
3.	Long term perspective and objectives	-
4.	Precautionary Principle	Recital (14)
5.	Participation and Transparency	Article 6, subparagraph 2(d) ensure the involvement of stakeholders
6.	High quality data and information basis	Article 6, subparagraph 2(e) organise the use of the best available data
7.	Transnational coordination and consultation	Article 6, subparagraphs 2(f) ensure trans-boundary cooperation and 2(g) promote cooperation with third countries
8.	Coherent terrestrial and maritime spatial planning	Article 6, subparagraphs 2(a) take into account land-sea interactions and 2(c) aim to promote coherence between maritime spatial planning and the resulting plan or plans and other processes, such as integrated coastal management or equivalent formal or informal practices
9.	Planning adapted to characteristics and special conditions at different areas	-
10.	Continuous planning	plans shall be reviewed by Member States at least every ten years (article 6, paragraph 3)

As discussed with representatives of the competent authorities at the workshop in March 2019 in Hamburg, role of the MSP principles can be seen differently. In general, the HELCOM-VASAB principles shall be treated as valuable guidance, on other hand, the document outlines specific tasks to be undertaken during the MSP. Generally, the representatives agreed that the principles should be 'held in the back of our minds' as guiding statements.

One of the main conclusions of the 1st interactive workshop was that the HELCOM-VASAB principles are working well, there are no major amendments needed. The group suggested to avoid adding new principles, but rather to integrate the message and new knowledge in existing ones. Enhancement or further guidance for implementation would be needed for some of the principles. For example, the compensation for "lost access" or "impact on" resources could be addressed as new emerging issue, potentially in relation to the precautionary principle. At the same time, it should be handled as a sensitive topic as it hints to significant impacts that need to be compensated. Also, good environmental status and climate change were mentioned as important issues, but it was not considered necessary to define them as specific principles as they are connected to almost all of them.

During the Pan Baltic Scope's Planning Forum in Tallinn, participants also stated that the MSP principles are still valid whereas definitions could be amended based on gained practical experience in MSP.

During the discussions in both events different weight of the principles was revealed. The Ecosystem Approach was believed to be the overarching, 'umbrella'- principle. The same stands for the principle on sustainable management. It has been recommended to create a kind of structure of MSP principles thus to illustrate relations between them.

The links to MSP Global initiatives shall be looked at up; some of the issues (principles or goals) might be relevant for the Baltic Sea region. The Global perspective could be integrated after the 3rd MSP Forum which is organised in cooperation with VASAB and UNESCO in November 2019.

In general, "Coherence of MSP" needs to be clarified among the competent authorities of the Baltic Sea as maritime spatial plans are/will be with different legal status – from guiding to binding document. The discussion on the issues was also raised at the 18th HELCOM-VASAB MSP WG held on 27-28 March in Hamburg.

As presented in the chapter 3, Baltic Sea countries are in different stage of the MSP process. Consequently, the application of the MSP principles is not yet taken place to full extent. The assessment of the MSP below is built of the practices and experiences gained so far.

4.1. 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.

The MSP Directive establishes a framework for maritime spatial planning aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources. When establishing and implementing maritime spatial planning, Member States shall consider economic, social and environmental aspects to support sustainable development and growth in the maritime sector, applying an ecosystem- based approach, and to promote the coexistence of relevant activities and uses.

The HELCOM-VASAB MSP principle highlights the MSP as "management" tool which seems to be less ambitious role than imposed by the MSP directive – promotion of sustainable growth, development, use. The definition of this principle consists of two sentences which is not fully consistent in the message.

Whereas the first sentence could be understood as definition of “sustainable management” having 3 components: balancing interests, integrating sectorial planning, applying ecosystem approach, the second sentence states that for balancing interests “sustainable management” should have a priority.

Additionally, the term “specific uses” could be also clarified.

Nowadays social aspects are expanded also by “cultural” dimension, representing intangible values and heritage to be safeguarded on one hand and considered as a resource on the other hand during the MSP. This aspect could be highlighted also in the description of this principle.

When balancing interests or promoting sustainable growths, development and use, the MSP could encourage multi-use approach and spatial efficiency. This aspect also could be highlighted by this principle.

Recommendation: The definition requires revision to ensure consistency in the message as well as to integrate additional new, emerging issues of sustainable management.

The word “sustainable” is very commonly used in planning process. However, it is not so often that plans demonstrate explicitly their contribution to the sustainable development or management. Therefore, an indicator approach and appraisals could be used for ex-ante (benchmarking) as well interim or ex-post evaluations.

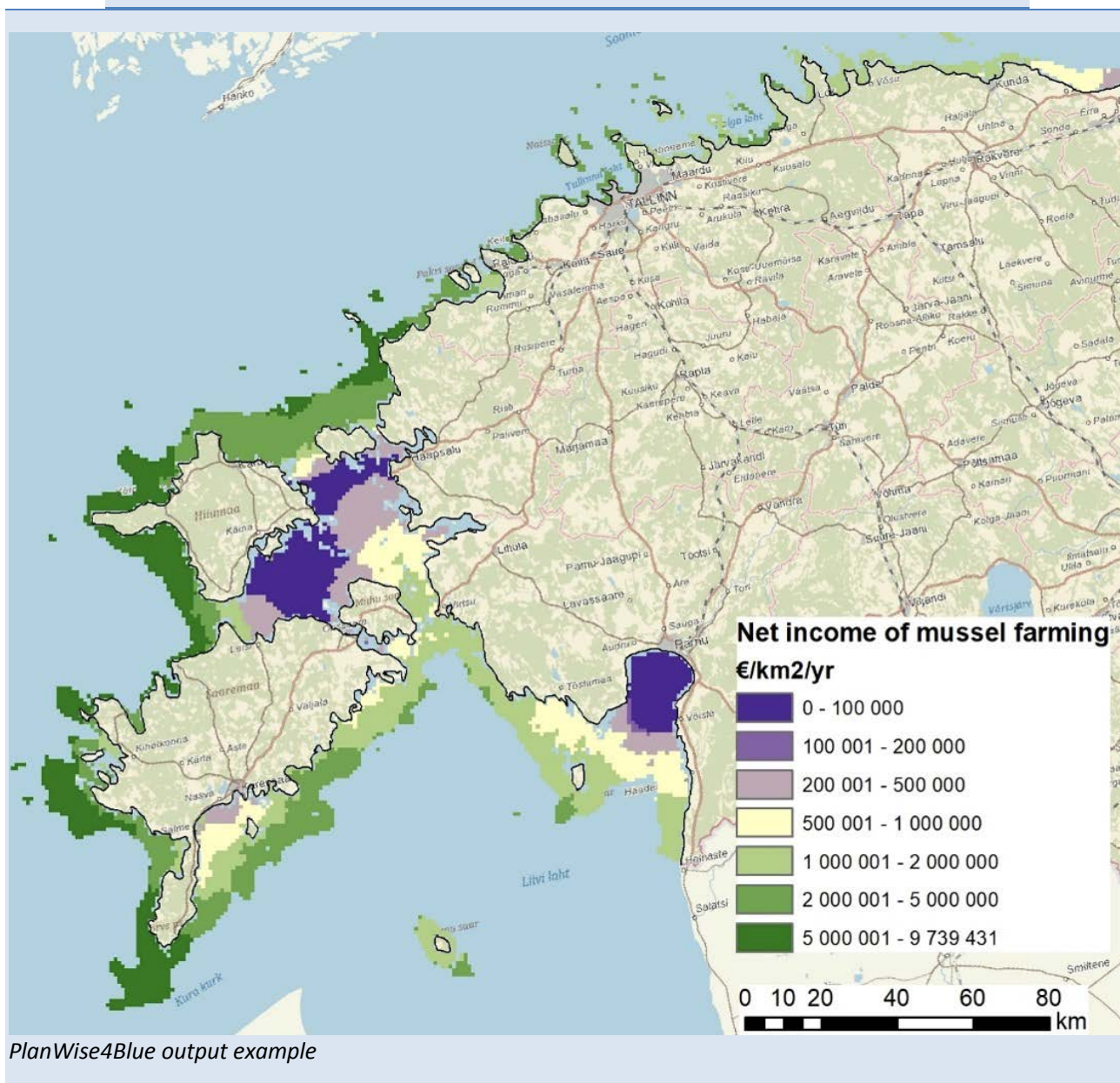
Good example: Sustainability Appraisal of the draft MSP of Swedish waters ¹. The report presents the assessment results according to three dimensions of sustainability: economic, social and environmental and selected criteria.

Good example: Web-based application on integrating economy model with cumulative impacts for development of Estonian MSP.

PlanWise4Blue www.sea.ee/planwise4blue is a web-based application developed during the compilation of the Estonian national MSP for improved decision-making. PlanWise4Blue combines models of marine economy and cumulative impact assessment. Such a combined model allows one to assess the economic benefits of various management scenarios along with their environmental impact across Estonian sea space. Outcomes of the model make it possible to work towards sustainable solutions to maximize the economic benefit gained from the use of marine resources with minimum damage to the environment. The aim of the economy model is to increase the capacity for knowledge-based management of marine resources and accounting for their potential economic benefits. The aim of the cumulative impact model is to identify various human pressures and account for their cumulative effects on the natural environment, while considering regional differences of nature. The spatial resolution of the model is 1 km²,

¹ <https://www.havochvatten.se/hav/uppdrag--kontakt/publikationer/publikationer/2019-05-07-hallbarhetsbeskrivning-av-forslag-till-havsplaner-for-sverige.html>

and the temporal timescale is 1 year. This tool has been developed to assist with maritime spatial planning but is also applicable in other fields.



4.2. 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.

Country representatives recognise the “Ecosystem approach” as “umbrella” or overarching principle as already stated in its definition.

To ensure consistency in terms with EU MSP Directive, it has been proposed to rename the principle to “ecosystem-based approach” (EBA). The adopted guidelines on this issue have already introduced and adopted EBA term. The same term would ensure consistency of the HELCOM-VASAB documents.

This principle is linked to the above described principle of “sustainable development” which states that application of the ecosystem approach is one of the components to ensure sustainable management.

The definition of this principle is derived from the Convention of Biological Diversity, that endorsed the description of the ecosystem approach and operational guidance and recommended the application of the principles and other guidance on the Ecosystem Approach in its COP5 meeting in 2000.² The 12 principles of the ecosystem approach were elaborated in a Workshop on the Ecosystem Approach held in Lilongwe, Malawi, 26-28 January 1998, thus these principles are very often called as the Malawi principles on ecosystem approach.

In 2003, HELCOM and OSPAR adopted a joint statement of the of their common vision of an ecosystem approach to managing human activities impacting on the marine environment (an “ecosystem approach”) in their maritime areas.³ The ecosystem approach was defined as “the comprehensive integrated management of human activities based on the best available scientific knowledge about the ecosystem and its dynamics, in order to identify and take action on influences which are critical to the health of marine ecosystems, thereby achieving sustainable use of ecosystem goods and services and maintenance of ecosystem integrity”. This definition is broader compared to the MSP principle on ecosystem approach defined above.

In order to create a common understanding on how the ecosystem approach can be applied in drawing up a spatial plan for a sea area in accordance with spatial planning legislation in force in the Baltic Sea countries, the guideline for the implementation of ecosystem-based approach in Maritime Spatial Planning (MSP) in the Baltic Sea area was adopted by the 72nd meeting of VASAB CSPD/BSR on 8 June 2016 and approved by HELCOM HOD 50-2016 on 15-16 June 2016. The guideline presents main steps of the maritime spatial planning process and relevant tasks to be carried out for applying an ecosystem-based approach.

Pan Baltic Scope project has carried out an assessment of the Guidelines on Ecosystem approach in relation to Malawi principles as well as in relation to the scientific literature on the ecosystem approach. The key conclusion is the Guidelines could be potentially amended to address issue of the uncertainty and precaution in a more systematic fashion, ensuring that public participation processes enable genuine two-way communication and avoid capture by particularly resourceful or articulated interests, as well as increasing transparency concerning trade-offs among users and interest.⁴

The guideline points out that some of key elements of the ecosystem-based approach are integrated more specifically into strategic environmental assessment (SEA) (*Chapter 5 of the Guideline*). Therefore, the implementation of SEA for MSP strengthens ecosystem-based approach in MSP as well. Recital 23 of MSP Directive states: “Where maritime spatial plans are likely to have significant effects on the environment, they are subject to Directive 2001/42/EC”. The Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment requires that “an environmental assessment shall be

² Secretariat of the Convention on Biological Diversity (2004) The Ecosystem Approach, (CBD Guidelines) Montreal: Secretariat of the Convention on Biological Diversity 50 p.

³ https://www.ospar.org/site/assets/files/1232/jmm_annex05_ecosystem_approach_statement.pdf

⁴ David Langlet and Aron Westholm. Department of Law, University of Gothenburg. 2019. Synthesis report on the ecosystem approach to maritime spatial planning. Pan Baltic Scope project.

carried out for all plans and programmes which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use and which set the framework for future development consent of projects listed in Annexes I and II to Directive 85/337/EEC” (Article 3, paragraph 2 of the Directive 2001/42/EC). In practice, this means that MSP is a subject of SEA for EU Member States. The country representatives participating in the assessment activities have pointed out that the added value for EBA compared to SEA shall be explained in more details.

Good example: Pan Baltic Scope project supports the implementation of EBA through SEA procedure. The project will also carry out a study on SEA will look into the Southern Baltic Sea region with a transboundary perspective on Denmark, Sweden and Poland. The outcomes could be illustrated in the report at later stage.

The MSP principle on EBA expects that *Maritime Spatial Planning must seek to protect and enhance the marine environment and thus should contribute to achieving Good Environmental Status (GES) according to the EU Marine Strategy Framework Directive (MSFD) and HELCOM Baltic Sea Action Plan*. Currently, the link between MSP and to GES is weak. The key challenge is to address the pollution reduction targets as the activities are mainly land based whereas MSP scope is marine areas. There is a need to highlight the efforts of synchronizing data inputs for MSP- MSFD. The limitation to contribute to achievement of good environmental status has been recognized already in early stage of development of MSP in the Baltic Sea region. Only some of the MSFD good environmental status descriptors are sensitive to the MSP instruments and measures; therefore only those relevant should be subject to further examinations by MSP⁵.

To support the implementation of this aspect of the EBA, HELCOM GEAR Group in 2018 has produced a report that outlines the Roadmap of the HELCOM region coordination to ensure implementation of ecosystem approach.

EBA can be applied in planning as well as in implementation (e.g., permitting) phase. Different conditions shall be respected and needs to be explained and highlighted in larger details.

Recommendation: The definition requires a revision as it states that “overarching principle for Maritime Spatial Planning which aims at achieving a Baltic Sea ecosystem in good status” is rather unfeasible considering that main pollution sources are land based, thus the potential contribution to achievement of the good ecosystem status is rather limited in its scope. Nevertheless, it is important to highlight importance of the MSP to contribute to achieving GES based on the MSP instruments and mandate.

4.3. 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

⁵ Zaucha, J., & Matczak, M. (2012). Identification of maritime spatial planning best practices in the Baltic Sea Region and other European Union maritime regions. *MaritimeInstitute in Gdańsk, Gdańsk*.

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.

Maritime Spatial Planning should have a long-term perspective in relation to the goals. However, there is no common agreement what is meant as long-term. The time perspective depends on the type of MSP – if a document is more strategic and vision and goal oriented, the time period is longer. If the document contains specific tasks and targets to be achieved then the time period for validity of MSP might be shorter.

EU MSP Directive indicates that plans shall be reviewed at least every ten years. Reviews are carried out based on adaptive management approach and not necessarily reflects the time horizon of maritime spatial planning. However, 10 years period can be also considered as long-term perspective as average sectorial policies are most often planned for 6th year period – bound to financial programming periods of the European Union. Moreover, there were strong EU policies developed with focus on achievements by 2020; whereas the further long-term policy perspective at EU level (post-2020) is still debated.

As environmental data are crucial for development of MSP, including applying EBA, then it is also relevant to synchronize the MSP revision with MSFD revision phase. The latter is the same for the whole EU: 6-year cycle: 2021 – 2027. The synchronisation would also support the implementation of the MSP principle “continuous planning”.

Participants of the HELCOM-VASAB workshop as well as of the Planning Forum acknowledged that long-term planning is important principle of the MSP. However, the difficulty is phased in communication with sectorial representatives who are lacking their long-term perspective objectives, thus having challenges in defining clear long-term interests in MSP. The long-term perspective is very challenging element if the MSP is with the strong local stakeholder involvement component. Local inhabitants are very often interested to foster and promote blue growth sectors as soon as possible, thus to ensure better jobs and incomes in the short term.

The EU MSP Directive requires that the first plans are established by the 31 March 2021 - which is the final deadline, whereas member state can adopt the plan according to individually determined process, e.g., Latvia adopted the plan in 2019; Mecklenburg-Vorpommern in 2016. Thus, the time horizon of maritime spatial plans is not harmonised between the countries.

Table 3. Validity of the maritime spatial plans and revision schedule.

Country	Validity of the plan (in years or by the date)
Denmark	-
Estonia	-
Finland	-
Germany EEZ	Adopted in 2009, valid for 10 years; revision in 2019.
Germany (Mecklenburg-Vorpommern)	Adopted in 2016; valid for 10 years
Germany (Schleswig-Holstein)	Adopted in 2010; valid by 2025; new plan is elaborated
Latvia	12 years, by 2030
Lithuania	By 2020; by new one is elaborated for 2030
Poland	Drafted, but to be valid by 2030 as linked to implementation of the Maritime Policy.
Russia	-

Sweden	New proposal to be elaborated every 8 year. Target year 2030; vision year 2050
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Recommendation: revision of the definition is not needed with regard to the long-term perspective.

The MSP principles call for clear and effective objectives to be formulated by a Maritime Spatial Plan. The effectiveness of the objectives could be assessed by the use of the measurable indicators that would allow to follow the progress.

Table 4. Type of the objectives and identified performance indicators used in MSP (the table to be still filled in, based on Pan Baltic Scope case study on monitoring of the implementation, based on the objectives)

The table to be still filled in, based on Pan Baltic case study on monitoring of the implementation

Objectives	Indicators

4.4. 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.

Precautionary principle implies to the planning approach to anticipate potential adverse effects to the environment before they occur. This principle is embedded in the Helsinki Convention calling its contracting parties “to take preventive measures when there is reason to assume that substances or energy introduced, directly or indirectly, into the marine environment may create hazards to human health, harm living resources and marine ecosystems, damage amenities or interfere with other legitimate uses of the sea even when there is no conclusive evidence of a causal relationship between inputs and their alleged effects.”

EU Directive on strategic on the assessment of the effects of certain plans and programmes on the environment (SEA Directive 2001/42/EC) also refers to the importance that Member States comply with precautionary principle and requires to take precautionary or mitigation measures. Therefore, a mechanism for implementation of the precautionary principle is in place and shall be enforced by EU Member States for many years.

In 2000, European Commission published the Communication on the precautionary principle (COM/2000/0001 final).⁶ The document aims to establish guidelines for applying the principle. One of

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3AI32042>

points is that the precautionary principle, which is essentially used by decision-makers in the management of risk meaning that potentially dangerous effects deriving from a phenomenon, product or process have been identified, and that scientific evaluation does not allow the risk to be determined with sufficient certainty.

Hiiumaa county MSP: the Supreme Court of Estonia revoked the Hiiumaa county MSP plan concerning prospective offshore wind farm development areas. According to the court, failure to offer a precise enough assessment of the environmental impacts cannot be substantiated with the argument that the plans of the developers and details of their actions in implementing the plan, such as the number of turbines, their capacity and height, are not known for certain. It said that in assessing the impacts of a plan it is crucial what activity, at what location and on what scale the state is planning and considering possible in principle in the plan, not on what scale and how exactly the developers will actually carry out the plan. The court found that in the framework of the SEA, the impacts of the wind turbines as well as the cables connecting them with the mainland and their links to other activities have not been established and relevant surveys conducted. This includes failure to conduct an assessment necessary to determine the impacts of the planned activities on Natura areas and protected species. Court also pointed out that this does not mean that the SEA has to find out all the conditions to the details and establish all possible parameters if it is more appropriate to decide them later in the application phase. As a result of the planning procedure, the state had to become convinced that in principle, the designated areas would be suitable, at least under certain conditions, for wind energy production. It was also necessary to be convinced that there are no better alternatives to wind energy production. Therefore, the decision to establish the plan regarding wind energy development areas is not legitimate, according to the Supreme Court.⁷

The SEA also contributes to the implementation of the EBA approach. The HELCOM-VASAB guidelines on EBA⁸ presents strong integration perspective between SEA and application of EBA. Therefore, the principle has been conceptually embedded twice.

Recommendation: a debate whether precautionary principle shall be kept as distinct principle or included within EBA as practical application is strongly linked to EBA and SEA. This requires additional discussion based on expected outcomes of the Pan Baltic Scope project.

During the interactive workshop, it was pointed out that socio-economic aspects needs clarification as the principle is mainly applied in the context of environmental protection.

Recommendation: clarification is needed with regard to the last sentence “A similar, but distinct, the forward looking perspective should be applied with respect to the

⁷ <http://www.tuuleenergia.ee/en/2018/08/estonias-top-court-revokes-hiiumaa-wind-farms-plan/>

⁸ HELCOM-VASAB MSP Working Group, Guideline for the implementation of ecosystem based approach in Maritime Spatial Planning (MSP) in the Baltic Sea (2016); <http://www.helcom.fi/action-areas/maritime-spatial-planning/msp-guidelines/>

economic and social dimensions.” Otherwise, the sentence is rather repetitive of the message in the MSP principle of sustainable development.

4.5. 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.

A number of EU Directives and policy instruments set out requirements in relation to public participation. Some are fairly detailed, while others follow a more general approach. This MSP principle is also in line with the MSP Directive, the article 9 on the Public participation. The MSP directive requires that the Member States shall establish means of public participation by informing all interested parties and by consulting the relevant stakeholders and authorities, and the public concerned, at an early stage in the development of maritime spatial plans, in accordance with relevant provisions established in Union legislation.

Another important legal piece for the EU Member States is the Public Participation Directive 2003/35/EC which sets obligations arising under the Århus Convention, in particular by (a) providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment; (b) improving the public participation and providing for provisions on access to justice. The MSP directive refers to the Directive 2003/35/EC as good example of public consultation provisions.

Table 5. An overview on public participation and access to information

Country	Information to general public	Commenting period	Consultation& involvement mechanism
Denmark	A draft plan published only digitally	6 months, but may be deviated in special cases; general public is commenting only digitally.	Plan shall be draw up other ministries affected and with the involvement of coastal municipalities and coastal regions as well as any relevant business and interest organisations
Estonia	Compulsory public displays on the web-site of the authority	Wider public as well as any stakeholder has the right to express their opinion about the plan in every phase of the planning process; Initial phase - may not be shorter than 30 days. Draft MSP – commenting phase at least 30 days.	Plan is prepared in cooperation with ministries, authorities and national associations of local authorities Any person who expresses an interest are invited to participate in development of the plan and notifies to the authority the method of communicating notices. Compulsory discussions are held in different stages of the planning process

Finland	The plan is published on internet	At least 30 days for expressing comments	The plan is developed in cooperation by regional authorities. Additionally, everyone can express their interest to participate.
Germany EEZ	The adopted plan (2009) is published on internet; Draft plan shall be publicly available, incl. electronically	Commenting period at least 1 month;	Broad public participation was organised through consultations with stakeholders (agencies and NGOs). A public hearing on the draft plan– was held in Rostock in late 2008.
Germany (Mecklenburg-Vorpommern)	The plan (2016) is published on internet	Commenting period at least 1 month;	Two rounds of broad participation processes with regional conferences
Germany (Schleswig-Holstein)	The plan (2010) is published on internet; A new plan is in preparation	Commenting period at least 1 month;	Several public stakeholder meetings in different parts of Schleswig-Holstein.
Latvia	A draft plan published only digitally at the governmental platforms and web-sites	Not shorten than 30 days; the draft plan was consulted in 2 rounds– 18.12.2015-31.01.2016. and 27.07.-27.08.2019.	A special MSP working group consisting of representatives from relevant ministries, public administration, regional and local coastal municipalities, as well NGOs (about 30 members)
Lithuania	The plan is published on internet		Official public hearings, Ad hoc meetings with specific groups, individual negotiations. The plan was adopted by the Parliament, thus a lot of involvement of politicians.
Poland	The draft plan was displayed for public hearing in maritime offices and published on internet	The draft plan for consultation – 27.12.2018-13.02.2019. National consultation meeting on 15.01.	The stakeholder consultations are organized in several rounds along the MSP development process. Zero draft plan was consulted intensively with different stakeholders in June 2017. Eight specialised meetings (i.e. discussing concrete problems such as navigation or fishing in offshore wind farms) and one meeting for the general public were organised in the fall of 2017.
Russia	-	-	-

Sweden	<p>The drafts are published on SwAM website.</p> <p>The adopted plan shall be available for public by SwAM</p>	<p>1st round of consultations – 6 month (15.02.2018-15.08.2018)</p> <p>2nd round of consultations (examination) – 3 months (from 14.03.2019- 15.08.2019)</p>	<p>MSP shall be produced in closed cooperation by SwAM with National Board of Housing, the Swedish Board of Agriculture, national agencies responsible for national interests, and county administrative boards. Other relevant national agencies, municipalities and regional councils are invited in the process.</p> <p>Any party (also public) is invited to give its opinion on the proposals.</p>
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Recommendation: revision of the definition is not needed.

4.6. 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.

The importance of the high quality data and information basis is acknowledged by all BSR countries. Therefore, a lot of efforts are allocated to collect and store the data at national and/or regional level. Nevertheless, a lack of data (especially environmental data) is one of the planning constraints. Information on technologies and future innovations in marine sea uses is another constraint in the process.

Data sharing is important requisite to ensure that the MSP is coherent across the borders. A HELCOM-VASAB MSP Data Experts Subgroup (Data ESG) has been established under the HELCOM-VASAB MSP WG to support data, information and evidence exchange for MSP processes with regard to cross-border/transboundary planning issues. In order to facilitate coherent MSP process, the Guidelines on transboundary MSP output data structure in the Baltic Sea (elaborated by the HELCOM-VASAB MSP Data ESG) emphasizes the need for transboundary consultations at the early stage to avoid costly misalignments and negative environmental impacts, as well as promoting efficiency gains and synergies. The guidelines were agreed by the joint HELCOM-VASAB MSP Working Group in its 17th meeting on 14-15 November 2018, Riga, Latvia and adopted by the VASAB CSPD/BSR in its 80th meeting on 22-23 January 2019, Schwerin, Germany.

The countries have agreed to work towards common Baltic MSP web-map. The HELCOM-VASAB MSP Data ESG ongoing is work on elaborating Baltic Sea MSP web-map⁹ (BASEMAPS) <https://basemaps.helcom.fi/> - map service to access Baltic Sea maritime spatial planning (MSP) relevant data from the original source where it is stored.

⁹ <https://basemaps.helcom.fi/>

The some spatially relevant information with download function is also available at HELCOM Map and Data service <http://maps.helcom.fi/website/mapservice/>. However, the most recent and nationally available data might not yet been published in this platform; therefore it is also advisable to contact neighbouring countries directly, if cross-border data and information is needed.

The work on data sharing is also supported by the EU Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE Directive) which aims at making data harmonized and published in open standard format across all EU countries by the end of 2020. INSPIRE Directive defines datasets which should be harmonized and published.

Recommendation: the headline could be revised by replacing “High” with “Best” as it is rather difficult to judge whether data has “high” quality.

4.7. 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.

Maritime spatial planning should acknowledge the characteristics and special conditions of the different sub-basins of the Baltic Sea and their catchments. This principle is implemented in several BSR countries where marine waters are divided accordingly.

Sweden is elaborating three maritime spatial plans: Bothnian Bay, Baltic Sea, Western Waters (Skagerrak/Kattegat).

In addition to the national MSP, the Poland elaborates maritime plans for for Szczeciński Lagoon and Kamieński Lagoon; Maritime Spatial Plans for Vistula Lagoon.

In Finland, there will be four plans: one for the northern Bothnian Sea, Quark and Bothnian Bay, one for the Archipelago Sea and southern Bothnian Sea; the third for the Gulf of Finland and fourth for the territorial water of Åland.

Recommendation: revision of the definition is not needed

4.8. 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 communautaire*. 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.*

The assessment of this principle is carried out in the chapter 5 on the implementation of the Guidelines on transboundary consultations, public participation and co-operation.

4.9. 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.

Assessment on land sea interactions is carried out by Pan Baltic Scope. There has been a scoping report developed and the project will produce a handbook for LSI in the BSR and country information relevant for planners with a LSI perspective.

4.10. 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.

Maritime spatial planning should reflect the fact that planning is a continuous process that will need to adapt to changing conditions and new knowledge. The Article 6, point 3 of the EU MSP Directive requires that the plans are reviewed by Member States at least every ten years.

Participants of the HELCOM-VASAB workshop as well as of the Planning Forum emphasised that the planning is a cyclic process with several key phases which requires different financial and human efforts and expertise. Huge resources are mobilised during the elaboration of the plan (especially the first ones), nevertheless resources are also required for implementation (e.g., permitting) and monitoring of the plans.

Table 6. Frequency of the review of the plan as defined by legislation

Country	Status of MSP	Frequency of the review of the plan
Denmark	Preparation	at least every 10th year
Estonia	Elaboration	After 5 years
Finland	Elaboration	Depending on the need; discussion is that the review shall be connected to reporting on MSFD.
Germany, EEZ	Legally in force since 19.12.2009; updated version in 2021	After 5 years
Germany (Mecklenburg-Vorpommern)	Legally in force since 09.06.2016	After 5 years
Germany (Schleswig-Holstein)	Legally in force since 04.10.2010; currently under revision	After 5 years
Latvia	Legally in force 22.05.2019	After 6 years, linked to MSFD reporting

Lithuania	Legally in force since 11.06.2015. and valid till 2020. Now the elaboration of the new plan is launched.	n.a.
Poland	Elaboration	At least after 10 years
Russia	Preparation, various pilot projects	n.a.
Sweden	Elaboration	At least after 8 years

Baltic Scope project developed a guidance on evaluation and monitoring transboundary collaboration in MSP (in 2017¹⁰). The guidance contains the framework on the evaluation which will be tested in the Pan Baltic Scope project for Poland and Latvia. The results of the evaluation will be also reflected in this report at later stage.

Recommendation: revision of the definition is needed to emphasise that planning is a cyclic process and different human and financial resources are required at each planning phases.

¹⁰ http://www.balticscope.eu/content/uploads/2015/07/BalticScope_EvaluationMonitoring_WWW.pdf

5. Application of Guidelines on transboundary consultations, public participation and co-operation

The 12th Meeting of the Joint HELCOM-VASAB MSP Working Group held in Gdansk on 24-25 February 2016 approved the *Guidelines on Transboundary Consultations, Public Participation and Co-operation* (the Guidelines). The Guidelines contain the Glossary of the key terms and definitions, and two sets of recommendations: 1) Recommendations for Transboundary consultation and Cooperation for a specific MSP Process and 2) Recommendations for transboundary pan-Baltic cooperation on MSP.

Based on survey (Annex 1) results a comparative analysis of application of Guidelines in countries around the Baltic Sea will be conducted and results presented in the chapter.

The participants of the survey – representatives of the competent authorities and/or Members of the HELCOM-VASAB MSP Working Group – have pointed out that the transboundary consultation for them has been experienced mainly after the adoption of the Guidelines. Representatives from Latvian and Sweden MSP authorities have experience before the adoption of the Guidelines.

5.1. Scope of the transboundary consultation

The Guidelines recommend broadening the scope of transboundary dialogue: Building on the Espoo Convention while strengthening the scope of consultation. The transboundary consultation shall be at full-scale with a broader range of MSP issues, in particular socio-economic ones (synergies, opportunities, conflicts).

The scope of the transboundary consultation on MSP varies between the countries which depends on the status of process in the country. The common feature is to include strategic environmental impact assessment in the consultation process. Majority of the countries are consulting with neighbours on overall aims and objectives of maritime spatial plans (potentially including visions and priorities) whereas only three countries will also consult particularly on socioeconomic aspects: trends and future perspectives. The countries are also pointing out that transboundary consultations are used to review on potential conflicts and synergies.

Full maritime spatial plan is/will be consulted by almost all of the Member States. This issue is related to documents made available for the competent authority and stakeholders of the neighbouring country. January 2019 Denmark was preparing to launch the MSP process; therefore the scope of transboundary consultation process has not yet been decided.

5.2. Coherence of maritime spatial plans

The overall aim of the cooperation between countries in maritime spatial planning is to ensure that maritime spatial plans are coherent and coordinated across the marine region concerned. The maritime spatial planning shall avoid spatial misalignments and thus potential conflicts between the countries.

Table 7. Maritime issues assessed in transboundary context to avoid misalignments¹¹

	Estonia	Finland	Germany (MV)	Latvia	Lithuania	Russia	Poland	Sweden

¹¹ Denmark has not yet started the MSP elaboration, there information is not presented.

Shipping line and maritime traffic	x	x	x	x		x	x	x
Cables and pipe lines	x	x	x				x	x
Production of renewable energy	x	x	x	x	x		x	x
Nature conservation interests (birds and mammals)		x	x		x		x	x
Management of Fish resources		x					x	x
Environmental pollution		x				x		x
Cultural heritage		x						
Maritime tourism		x				x	x	

Shipping lines, avoiding potential conflicts between shipping and offshore wind farms.

This issue has been recognised by almost all countries. Transboundary discussions have been on how to harmonise the “spatial presentation” of the maritime traffic in MSP; as well as how to ensure that new developments of offshore wind energy parks do not create barriers and risks for safety of shipping.

Cables and pipe lines

The issue has been identified as important for some of the countries. The coherence in alignment of cables is important not only externally (between the countries) but also within the national boundaries - between EEZ and territorial waters, between territorial waters and terrestrial areas. Alignment of cables and pipe lines is also looked within Environmental Impact Assessment and its transboundary consultation process. Placing new cables in the marine environment might cause significant negative impact of environment, therefore countries have experience in consultation process with regard to the alignment of this type of infrastructure.

Offshore wind energy

The development of this new sea use has been discussed transboundary rather intensively. Positive outcome can be observed that the designated areas for wind park development has been located in “cross-border” areas, e.g., between Estonia and Latvia; Latvia-Lithuania; Germany-Sweden-Denmark. The cooperation for cross-border wind parks can facilitate attraction of investments for development joint cable and grid networks, thus reducing development costs for the production of renewable energy.

When planning offshore wind energy areas, the cumulative impacts on environment from total development areas in the Baltic sea area is not yet fully assessed. The issue has been mainly focused on the connectivity of the offshores to the grid and its capacities.

Nature conservation interests (birds and mammals)

The importance of cooperation on nature conservation interests in transboundary context have been recognised by almost all countries. The authorities have been concerned about the potential impacts on the environment, including in nature protection sites in neighbouring countries. A need to reserve adequate space for green-blue corridors has been pointed out by Lithuania and Poland.

Management of fish resources

Finland, Sweden and Poland see importance of MSP to coordinate issues related with management of fish resources. In the Baltic Sea fishing activities take place also outside national boundaries, therefore the issue on taking into account the interests of foreign fishermen is seen important to avoid potential conflicting situations.

Environmental pollution

The impact of economic activities on the state of the environment in the neighbouring countries is also recognised as an issue to be considered in transboundary cooperation. Traditionally the environmental pollution is in focus of the strategic environmental impact assessment of the draft plans. However, there is an increasing interest to integrate in MSP also more directly the environmental objectives as defined by the Marine Strategy Framework Directive. The work on marine environmental indicators, including HELCOM core indicators stimulate the transboundary cooperation in this aspect.

Maritime tourism

Ferries, cruises as well as sailing is important aspects in MSP as well. The avoiding any barriers or extra navigation is particularly essential for regularly ferry lines, for example, Gdańsk and Stockholm /Nynashamn, Helsinki-Tallinn; Liepaja – Nynashamn.

Cultural heritage

Finland is the only country that has identified the cultural heritage issue that needs to have a coherent approach transnationally.

5.3. Timing of the MSP transboundary consultation process

“Timing of formal transboundary consultations remains a critical issue. In order to give neighbouring countries a chance to understand the essence of the envisaged plan, and a real chance to contribute not only to the planning provisions/solutions but also to the planning process, it is necessary to start consultations before the maritime spatial plan is fully drafted.”

The past practice to start the transboundary consultation when maritime spatial plan and related Environment Report is drafted based on requirements of ESPOO Convention and EU SEA Directive 2001/42/EC. According to these documents the Member State in whose territory the plan is being prepared shall, before its adoption or submission to the legislative procedure, forward a copy of the draft plan and the relevant environmental report to the other Member State. With that the Member States agree on detailed arrangements of the consultations.

The guidelines recommend that the consultations are started before the MSP is fully drafted. The MSP directive 2014/89/EU requires that the Member States bordering marine waters shall cooperate to ensure coherence of the plans. No special procedure or requirements on consultation required.

As survey results show (Figure 5.3), the countries enter transboundary consultation at different phases of the elaboration of MSP. Few countries (Finland, Latvia and Sweden) has launched the transboundary process in the same time when elaboration of the national plan has started. Poland has started when the stocktaking and assessment of the current situation has been completed, whereas Estonia when the main

aims and objectives have been drafted in initial planning outline. Germany, including Mecklenburg-Vorpommern, is the country which was the frontrunner in development of MSP for their EEZ (before MSP directive and the guideline), therefore they took the approach to consult on the draft plans. Denmark and Russia have not started transboundary consultation as the elaboration of the MSP has not yet been started.

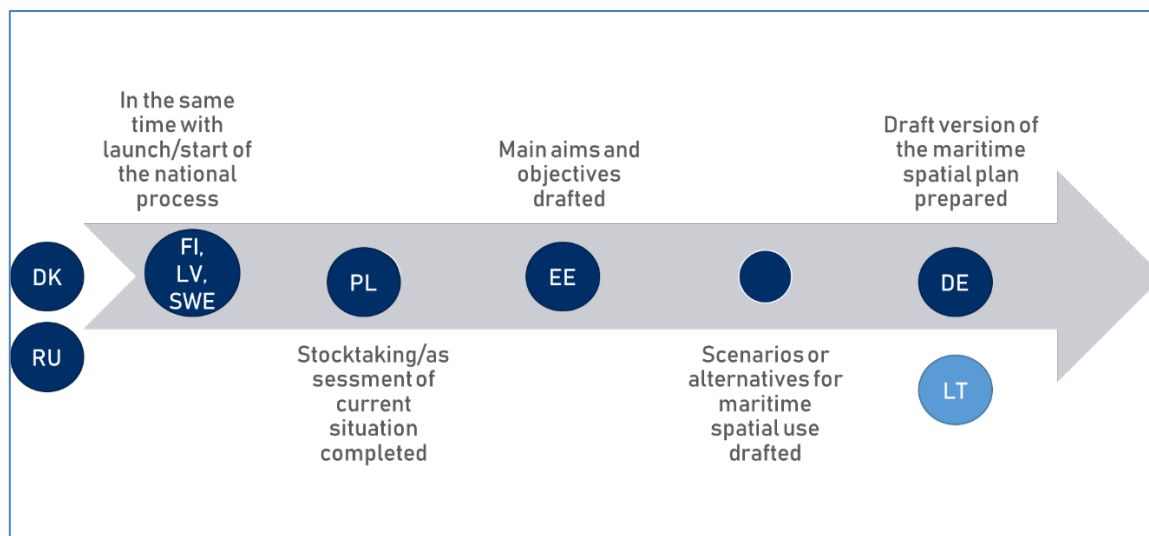


Figure 4. Launch of the transboundary consultation process (Spring 2019)

There have been many complaints about the transboundary consultation process of the Strategic Environmental Assessment, that there is likely no chance to influence essentially the decision making if the well-elaborated draft of the plan or programme is presented for commenting.

5.4. Information and knowledge sharing

The Guidelines outline several steps to be followed by the Baltic Sea countries. At first, it is recommended that all BSR countries and the relevant pan-Baltic organisations should be informed when the impact of the plan is of pan-Baltic nature. Up till know Estonia and Finland has sent the information on the start of MSP process to all BSR countries. Other countries have focused the consultation process with the neighbouring countries. In case of Sweden, these are almost all BSR countries, except Russia, covered by the consultation process. Germany (Mecklenburg-Vorpommern) has sent the information only to the contact person in charge of SEA in the country and not to MSP contact persons.

The competent authorities should inform their neighbouring counterparts of their intention to start a MSP process by a formal letter/e-mail in English (or national language of the addressees). The survey results in table 5.4., illustrates that almost all countries observe also official information routines. The competent authorities shall also inform the neighbouring countries not only about the intention to start MSP process, but also when the stakeholder process begins in order to give the neighbouring country the option of installing a parallel domestic stakeholder process (or public participation) on issues of cross-border significance. This has been followed by several countries.

The competent authorities clearly state the intention and the nature of the maritime spatial plan, so other countries can understand the possible influence and the impacts of the plan. This point in recommendation is also implemented by majority of countries. However, the information included in the initial announcement letter might be generic as the MSP process is at the beginning and it is rather difficult to

estimate potential impacts. Therefore, it is mainly explaining the nature of the maritime spatial plan as well describing its boundaries (e.g., national or regional plan).

The Guidelines also encourage that competent authorities (preferably via National MSP contact points) ask for relevant documents and any other information, if available (or public sources of such information) from the neighbouring countries. The requested documents and information should have an impact on the development of the envisaged plan, such as environmental data and information on human uses of the sea, in particular with cross-border elements (e.g. issues suggested under Article 8 of Directive 2014/89/EU of the European Parliament and of the Council). The survey reveals that this recommendation is not implemented to the full scale. Only few countries have used this approach – Poland, Germany (Mecklenburg-Vorpommern) and Latvia.

Table 8. Steps were taken to inform neighbouring countries about your MSP process

	EE	FI	DE (MV)	LV	LT	PL	SE
Information on the start of MSP process was sent to all BSR countries	x	x					
Information on the start of MSP process was sent to direct neighbouring countries				x	x		x
Information was sent to the contact person in charge of the MSP in the country		x		x		x	x
Information was sent to the contact person in charge of the SEA in the country	x		x	x			x
Information on the start of MSP process was sent to the relevant pan-Baltic organisations		HELCOM, VASAB				HELCOM- VASAB MSP WG	
The information on start of MSP process was sent in the form of a formal letter/e-mail in English (or national language of the addressees)	x	x		x	x	x	x
The sent information stated the intention and the nature of the maritime spatial plan	x		x	x	x		x
The sent information including estimated time schedule of MSP process and stakeholder involvement	x		x	x		x	x
Your organisation requested for relevant documents and any other information, if available (or public sources of such			x	x		x	

	EE	FI	DE (MV)	LV	LT	PL	SE
information) from the neighbouring countries							
Information was sent once the stakeholder process begins in order to give the neighbouring country the option of installing a parallel domestic stakeholder process (or public participation) on issues of cross-border significance	x	x	x	x			X (*)

** In Sweden, the consultation period started 4 months later than in the national consultation. However, earlier stages of consultation started at the same time nationally and internationally.*

The competent authorities were asked to make self-assessment with regard to their effort to provide information to the neighbouring countries. About half of the countries are satisfied with own efforts in providing information while other half see a room for improvement in future.

5.5. Transboundary consultation strategy

The Guidelines emphasizes an importance of the establishment of appropriate consultation and communication formats. The transboundary consultation approach shall include a minimum the following features of the consultations format should be taken care of in the early planning phases:

- Direct communication at the level of the competent authorities is essential for building up a capital of trust, so networking between the competent authorities and MSP practitioners should be encouraged. This method has been implemented Estonia, Finland, Latvia, Lithuania, Poland.
- Face to face meetings with the neighbouring countries are encouraged, to present and discuss the planned MSP process. This method has been practices by all BSR countries. Finland organised a consultation meeting in early stage of the elaboration of the MSP to discuss potential conflicts as well as the procedure of the development of MSP. Additionally, HELCOM-VASAB MSP WG meetings also has been a platform where to communicate and exchange information.
- Direct communication to stakeholders on the planned undertaking is also important both in the country itself and in the neighbouring countries. There have been several cases that the competent authorities travelled to the neighbouring countries in the early stages of elaboration of a maritime spatial plan and explain their plans and intentions. This mainly was due to the ongoing transboundary projects (Partiseapate; Estonian-Latvian cross-border MSP project). During the development of the Latvian MSP, early meetings were arranged with stakeholders in Lithuania and Estonia.
- Alternatively, National MSP contact points from neighbouring countries are invited to the country which prepares the plan. This method was explored by Sweden within the Baltic Scope and Pan Baltic Scope Project.

Language of communication with neighbouring countries is very essential to ensure adequate stakeholder involvement. Most common practice is to send information in English. The documents in English are accompanied by summary in national language. Thus, the minimum requirement of the guidelines that the

nontechnical summary of the draft MSP and maps with legends are translated and provided to the neighbouring countries.

Germany (Mecklenburg-Vorpommern) has fully translated all documents into the national language of Poland - neighbour. For direct communication during meetings representatives from Germany partly used English but, in most cases, interpreters were hired to translate to Polish thus providing opportunity for a full communication.

There is a debate between countries whether it is necessary to send the printed document package as such or rather to submit an electronic version of the files or provide a link where documents can be seen or downloaded.

The Guidelines point also an issue of the technical language which might cause misunderstanding if not clearly understood. The experience in using the official translation service without abilities to ensure "quality control" of the translation into neighbouring country's language has led to some misinterpretation of "true" issue. Therefore, a draft MSP and the Environment Report in good English quality might be more efficient in transboundary consultation.

Response to the received comments during the transboundary consultation

To ensure long-lasting cooperation, it is essential that the countries also receive a response on how their comments have been taken into account. A feedback loop is considered a good practice in public participation, in general. The methods are various – from formal letter to organisation of extra meetings to discuss issues of concern. As majority of the countries are still in process of the elaboration of MSP then the commenting and responding to the comments are still ahead.

Germany (Mecklenburg-Vorpommern) has accomplished the transboundary consultation process. They organised cross-border and transnational meetings on conflicting issues. Information on remarks taken or not taken into account were published online. Poland has also organised a transnational meeting to discuss the received comments for solving conflicting issues.

Latvia have organised transboundary consultation process with neighbours in two rounds – in 2015 and 2018. When sending the 2nd draft MSP for commenting, a letter was included information and justification to earlier comments on to what extent their remarks have been taken into consideration in the process of drafting the 2nd version of MSP. Some of the remarks have been also discussed informally in meetings and events organised in the frame of the ongoing transnational projects in the Baltic Sea.

Sweden has sent an official letter to neighbours as response to the received comments.

The respondents of the survey were also asked to provide their evaluation on the communication efforts. A majority of the countries are fully satisfied with own efforts in communication. However, Russian competent authority is not directly engaged in the cooperation and communication on the MSP. This has been admitted also by colleagues. Germany (Mecklenburg-Vorpommern) and Latvia evaluate that improvement is needed next time, for example additional discussions meetings with neighbouring countries would be beneficial.

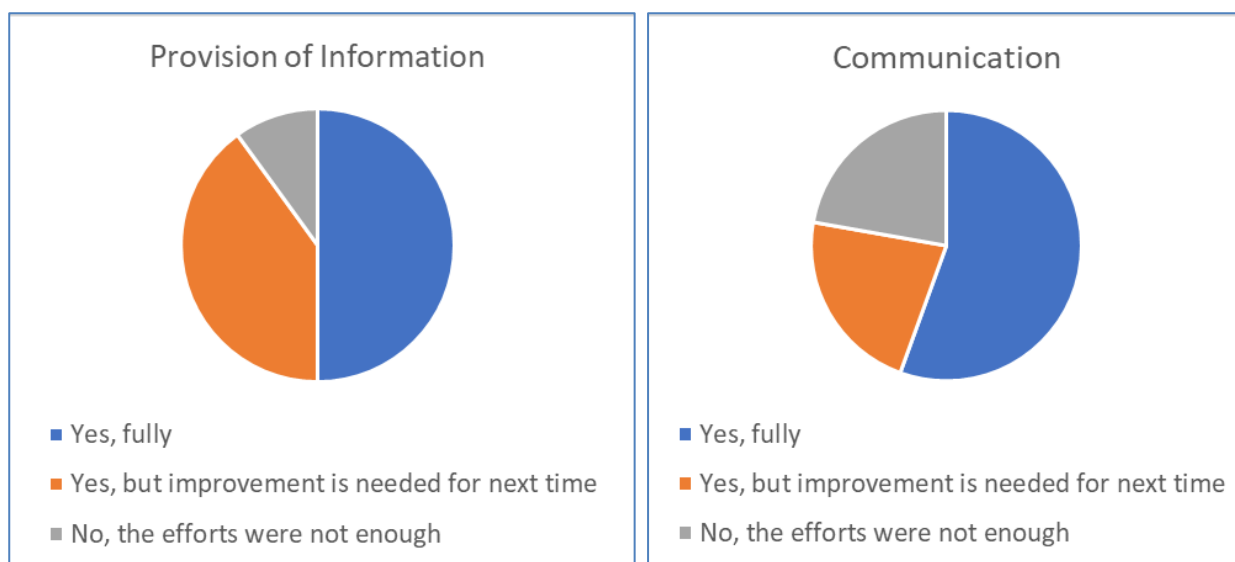


Figure 5. Self -evaluation of information provisioning and communication efforts

5.6. Stakeholder involvement

The competent authorities of BSR neighbouring countries approached by the competent authorities from the country that is developing the maritime spatial plan are in charge of organising stakeholder process in own country depending on existing procedures on public participation. The Guidelines recommend several steps to be followed the authorities of the BSR neighbouring countries.

Launch of stakeholder involvement by the authorities of the BSR neighbouring countries

The guidelines recommend that the competent authority initiate and run a stakeholder involvement process within the territory of their state immediately after obtaining the request and in line with information received (on the intention and the nature of the plan). It seems this step of the recommendation is implemented in the practice. In Sweden and Latvia, the stakeholder process is implemented via ESPOO contact points on the strategic environmental assessment. They communicate in coordinated way about both processes MSP and SEA.

Extent and methods used for stakeholder involvement in the neighbouring country

The procedure for stakeholder involvement varies between the Baltic countries. Majority of countries (Finland, Sweden, Latvia) send an e-mail to the selected stakeholders and publishes information at internet for wider public. The received written comments from national stakeholders are collated and sent to the relevant neighbouring country.

There has been an experience that representatives of the country in charge of MSP participated in the consultation meeting in the neighbouring country. When implementation of transboundary maritime project is ongoing in parallel, the consultation process is supplemented by wider stakeholder involvement via several meetings with representatives from the country developing MSP. They are invited to present and discuss their work and draft MSP and the Environment Report, thus direct coordination of interests between the countries are facilitated.

Issues of concern

The stakeholders have been concerned about the impact on national interests of the country, e.g., impact on environmental quality due to intensified or new sea uses, impact on resources due to exploration activities and unsustainable use, undisturbed shipping activities.

Different data format and no access to the draft MSP in GIS format is one of the issues pointed out. In order to ensure coherence and consistencies between the plans, it is important that the data files are made available as well.

Self-evaluation of the transboundary consultation organised within the country

The respondents of the survey were also asked to provide their evaluation on consultation in the country aiming at collecting the comments from own stakeholders and public on the draft MSP of the neighbouring country. A majority of the countries are fully satisfied with own efforts in arranging consultation. Similarly, as mentioned above on communication and information, Russian is not yet implementing the consultations as procedure has not been established. Germany (Mecklenburg-Vorpommern) and Latvia evaluate that improvement is needed next time. Latvia would like to involve more actively established MSP cross-ministerial/ transdisciplinary working group established to support national MSP process.

5.7. Informal transboundary cooperation processes

The Guidelines encourage the competent authorities of the BSR also to undertake informal cooperation activities thus to strengthen exchange of information and experiences. The respondents of the survey have pointed out transnational projects (Pan Baltic Scope, Plan4Blue, Baltic Scope, Partiseapate, Baltic LINES) that strengthens the cooperation among EU and also with Russia, as well as HELCOM-VASAB MSP WG and EU MSEG. Despite of the fact that HELCOM-VASAB MSP WG is established the formal cooperation platform between BSR countries, the respondents also acknowledge informal spirit and information exchange happening “outside” the regular WG meetings’ agenda.

Field trip for participants to demonstrate Finnish underwater biodiversity research in the context of MSP has been also mentioned as important method for informal consultation. International environmental and economic forums in Russia has increased awareness of the issue. The developed MSP games help authorities and colleagues to engage with for the general public.

Almost all respondents acknowledged that the informal transboundary cooperation process delivers following benefits:

- It facilitates the informal supply of information outside the narrow confines of (potentially restrictive) formal channels;
- Informal discussions can be initiated as a useful vehicle for brokering common solutions and preventing emerging conflicts;
- Build trust, and also to know who to communicate with during formal processes;
- Informal meetings before formal meetings make the latter more efficient.

Further on, through informal activities, people understand better the planning systems and procedures in the neighbouring country.

The informal cooperation of Spatial Planning as EU Strategy for Baltic Sea Region Horizontal Action has been supported by has been supported by Interreg Baltic Sea Region Programme 2014-2020¹². Since

¹² <https://vasab.org/project/hasps-3/>

Autumn 2019, the cooperation is strengthened by the Project platform Capacity4MSP¹³: Strengthening the capacity of MSP stakeholders and decision makers.

5.8. Main challenges and proposals for improvement

Several challenges have been identified by the competent authorities. Some countries are experiencing of having too many formal meetings with limited outcomes. In general, informal and links to sectorial cooperation is seen as very important condition. Maybe the official process could go faster if there are more informal meetings. Informal meetings before formal meetings make the latter more efficient, as the information changed in a deeper way.

There is a room for improvement regarding preparation and facilitation of the meetings. Most often, materials are presented only at meetings without prior review; thus it is difficult to contribute. There have been also situations that meetings focused on topics that are of very low or non-direct importance as the cross-border issue.

There is established good practice to nominate MSP contact points by each country. However, the contacts might not be always updated when staff has been changed.

Although the main steps and principles of transboundary consultation are in general clear, a development of a separate and more focused transboundary consultation strategy could be considered for future case.

5.9. Good practices

Good practices have been collected or created in various research and transboundary projects. There are also recent papers and publications published that have assessed transboundary consultation and cooperation processes¹⁴.

In the frame of this assessment, the representatives of the competent authorities have been asked to point out some recent good practices in transboundary consultations. The information below shall be looked as a state of the art in Winter 2019.

Swedish approach to arrange transboundary consultation process from “formal” and “informal” elements has been recognised as best practice. The approach that all countries are addressed and invited to participate is well recognised. The informal consultation has been possible due to ongoing Pan-Baltic wide cooperation projects where Sweden is the lead partner.

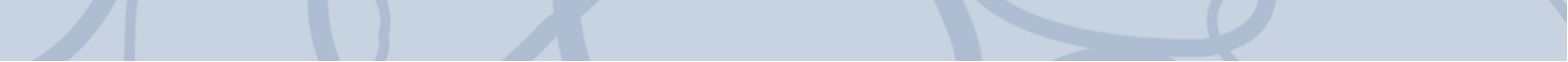
Another important criterion for satisfied consultation process is about the response and feedback to received comments and the integration or rejection for revised version of MSP. The clear and justified explanation and response letter from the country developing MSP to the country concerned is very important. The response letter of the Latvian competent authority to neighbouring countries has been mentioned as good practice example, too.

Another example is related to the setting shipping routes between Latvia and Sweden. A number of cross-border expert events were organised to clarify approaches of planning shipping activities, in particularly delineating zones, areas or routes for the development needs of the maritime transport in future.

Polish MSP review process is also well recognised by the colleagues from Russia who have been involved as neighbouring country in their transboundary consultation process.

¹³ <https://vasab.org/project/capacity4msp/>

¹⁴ Janßen, H., Varjopuro, R., Luttmann, A., Morf, A., & Nieminen, H. (2018). Imbalances in interaction for transboundary marine spatial planning: Insights from the Baltic Sea Region. *Ocean & Coastal Management*, 161, 201-210.



6. Evaluation of MSP Roadmap

MSP Roadmap was adopted to fulfil the goal of drawing up and applying maritime spatial plans (MSPs) throughout the Baltic Sea region by 2020. The MSPs shall be coherent across borders and apply the ecosystem approach. The MSP Roadmap includes necessary steps in seven fields in order to achieve the goal as well as timeline. The Roadmap was drafted by the MSP WG and adopted by the HELCOM Ministerial Meeting on 3 October 2013 and agreed by the 62nd VASAB CSPD/BSR meeting on 6-7 June 2013.

The implementation of the MSP RoadMap is supported by the HELCOM-VASAB MSP Working Group and its work plans: 2014-2016 and 2017-2019. The progress with implementation is regularly reviewed at the HELCOM-VASAB MSP working group.

6.1. Evaluation of the MSP Roadmap

One of the first tasks in Roadmap is to ensure intergovernmental cooperation. The transboundary Pan-Baltic cooperation on MSP is also highlighted by the Guidelines. To implement that the key role is envisaged to the bodies of HELCOM and VASAB as well as jointly established HELCOM-VASAB MSP WG. Respondents of the survey were asked to evaluate the role of HELCOM and VASAB in supporting transnational consultation process on MSP. The role has been assessed mainly as significant and very significant. HELCOM and VASAB cooperation structures and established working groups are seen as key tool to inform about the MSP process and to use the events also for networking. For Denmark, the role has been neutral (MSP process is still in preparation). HELCOM and VASAB is having key role to ensure cooperation with Russia for whom the EU directives are irrelevant as well as Russia has not ratified the ESPOO Convention on assessment of environmental impacts which also requires transboundary consultations.

Although HELCOM and VASAB are important cooperation mechanism for BSR countries, one needs to bear in mind that in terms of transnational consultation, the legal obligations set by European and international law might be even more important.

Table 9. Overview on evaluation of the implementation of the MSP Roadmap

	Status	Success	Challenges	Involved parties
1. Intergovernmental cooperation on MSP				
1.1. Cooperate in the field of MSP using inter alia the HELCOM-VASAB MSP WG framework and thus facilitate reaching the target of drawing up and implementing transnationally	HELCOM-VASAB MSP WG is actively facilitating cooperation between the countries	<ul style="list-style-type: none"> Good expertise in the HELCOM-VASAB MSP WG 	<ul style="list-style-type: none"> Too difficult to bring the outcomes and conclusions to national level; some resistance has been experienced; Non-binding status of adopted guidelines hinders strong application on national level 	HELCOM and VASAB Secretariats, Competent authorities of Baltic Sea States

	Status	Success	Challenges	Involved parties
coherent Maritime Spatial Plans applying the ecosystem approach throughout the region by 2020			<ul style="list-style-type: none"> It is challenging to bring the knowledge and agreements from experts to governmental (decision making) level; As MSP covers so many sectors and interests, the subject has become very broad in content. 	
1.2. Take into consideration and cooperate upon global and European policy and regulatory developments related to MSP	Participation in various EU and UN events	<ul style="list-style-type: none"> Baltic Sea is seen as frontrunner in the MSP and transboundary cooperation Good cooperation on EU level, in the MSP expert working group Baltic Sea - Black Sea cooperation has been established in Russia 	<ul style="list-style-type: none"> There is stronger need to communicate about the Baltic Sea MSP approach outside EU; UNESCO could be a potential platform as they would lead the work on transboundary MSP guidelines New UN supported global project where Sweden is invited could also provide better linkage between Baltic and global scales; HELCOM is also invited to take part in Global projects. <p>Baltic Sea region still could be more visible on global level and in sectors</p>	HELCOM and VASAB Secretariats, Competent authorities of Baltic Sea States; stakeholders

	Status	Success	Challenges	Involved parties
1.3 Draft and adopt by 2015 Baltic Sea regional “Guidelines on transboundary consultations and cooperation in the field of MSP”	The Guidelines adopted in June 2016 together with the guidelines on public participation	<ul style="list-style-type: none"> The guidelines were adopted in short time and smoothly. Poland as an example to apply Guidelines 	<ul style="list-style-type: none"> The issue of the transparency could be clarified; good practices promoted 	HELCOM; VASAB; Competent authorities of Baltic Sea States
1.4. Coordinate the MSP related actions and projects		Horizontal Action on MSP (HASPS) is operating, led by VASAB	It is important to ensure its continuity after 2020, in the updated EUSBSR	HELCOM; VASAB;
2. Public participation				
2.1. Draft and adopt by 2015 guidelines on public participation	The Guidelines adopted in June 2016 together with the guidelines on transboundary consultation		Took longer time.	HELCOM; VASAB; Competent authorities of Baltic Sea States
3. Ecosystem approach in MSP				
3.1. Draft and adopt by 2015 procedurally oriented Baltic Sea regional Guidelines	The Guidelines adopted in June 2016	<ul style="list-style-type: none"> The guidelines are adopted. The checklist of EBA 	<ul style="list-style-type: none"> Adequate implementation of the EBA is still an open issue, as HELCOM-VASAB guidelines might be too general. A manual or handbook on EBA would be a valuable tool. Such manual will be outcome of Ban Baltic Scope Project. 	HELCOM; VASAB; Competent authorities of Baltic Sea States
4. Information and data for MSP				

	Status	Success	Challenges	Involved parties
4.1. Identify by 2013 competent contact points for MSP	The list of contact point are regularly up-dated and shared	Contact list is very valuable tool	<ul style="list-style-type: none"> Unfortunately, the countries do not always announce changes in staff; there is weakness in handing over between new and former staff. 	VASAB
4.2. Share basic, relevant and available MSP related information	Information is regularly share in HELCOM-VASAB MSP WG Meetings and MSP Country fiches are available on VASAB webpage	<ul style="list-style-type: none"> Direct contacts in info requests works MSP Country fiches are regularly updated¹⁵ 		HELCOM-VASAB MSP WG; Competent authorities of Baltic Sea States
4.3. Promote the creation and sharing of MSP relevant Baltic Sea regional datasets	<p>The Guidelines on transboundary MSP output data structure in the Baltic Sea adopted in January 2019</p> <p>The information is shared via HELCOM Data and Map Service</p>	<ul style="list-style-type: none"> Success has been achieved to harmonise output data; HELCOM Map and Data service contains also information relevant for MSP BASEMAPS – first steps towards Baltic MSP web-map 	<ul style="list-style-type: none"> The updates of the data and maps is rather slow; BASEMAPS could be developed using common data structure and possibly could provide a solution Too late and too difficult to share input data; data are not regularly updated even at national level. But it is difficult to interpret understand. Some data are not sharable 	HELCOM-VASAB MSP Data ESG.

¹⁵ <https://vasab.org/theme-posts/maritimespatial-planning/msp-country-fiches/>

	Status	Success	Challenges	Involved parties
4.4. Utilize existing processes for sharing of spatial information including	HELCOM Data and Map Service; EMODNET	EMODNET is a success to some extent, but there are weaknesses	<ul style="list-style-type: none"> Inspire works with some issues but not for all MSP needs and not for data harmonisation In addition to public data, EMODNET also publishes data from other different sources which are not always agreed by the competent authorities of country 	HELCOM; Competent authorities of Baltic Sea States
4.5. Prepare a future oriented report by 2015 on marine and maritime activities	<p>The report on marine and maritime activities has been produced by HELCOM 2018. HELCOM Assessment on maritime activities in the Baltic Sea 2018.</p> <p>Baltic Sea Environment Proceedings No.152. Helsinki Commission, Helsinki. 253pp. (BSEP152, 2018)</p>	<ul style="list-style-type: none"> Report on Maritime activities has been prepared by HELCOM http://www.helcom.fi/Lists/Publications/BS-EP152.pdf 		<p>HELCOM team in cooperation with various projects and relevant HELCOM</p> <p>Working Groups (Maritime, Response, Fish, and others)</p>
5. Education for MSP				
5.1. Promote the education and professional development of MSP planners	Summer schools for PhD students and early career professionals have been carried out; support from the BONUS programme (e.g. BASMATI, BALTSAPACE)	<ul style="list-style-type: none"> Education (Erasmus mundus maritime spatial planning (5th round) In Russian, St. Petersburg University has a dedicated course; 	<ul style="list-style-type: none"> How many experts do we need? Might be a course with ongoing programmes on planning is enough? <p>Although a lot is ongoing in the MSP</p>	<p>Students and Universities from Baltic sea countries:</p> <ul style="list-style-type: none"> Klaipeda, 2016 Copenhagen, 2018

	Status	Success	Challenges	Involved parties
		<ul style="list-style-type: none"> Many courses on MSP within ongoing planning or environmental management programmes; Development of MSP Games and ICES cases	education, this group could get more involved.	- Turku, 2019
5.2. Initiate and draw lessons from practical sub-regional experiences of coherent MSP to try out guidelines and joint regional working practices	Various projects and workshops have been supporting this task, for example the Planning Forum within Pan Baltic Scope.	Citizens science for input data on existing situation (bird watching, marine litter)	Awareness raising and education for broader public and spatial and development planners at local level would be important too, to ensure better acceptance of the development activities in marine areas	HELCOM; VASAB; Competent authorities of Baltic Sea States, Other stakeholders
6. National and Baltic Sea regional frameworks for MSP in place				
6.1 National frameworks for coherent MSP are in place in all Baltic Sea countries by 2017	Nearly all Baltic Sea countries, except Russia is part of the EU, thus the national frameworks are established on the same principles and minimum requirements. The legal transposition of the requirements of the MSP directive been accomplished.	MSP Directive has facilitated cooperation and the coherence in MSP in EU member countries		Competent authorities of Baltic Sea States
6.2. Apply by 2018 Baltic Sea regional "Guidelines on transboundary consultations and cooperation	The status of the application of the guidelines varies between countries (See section 5)	<i>See section 5</i>	<i>See section 5</i>	Competent authorities on MSP; support by transnational/cross-border projects

	Status	Success	Challenges	Involved parties
in the field of MSP”				
6.3. Apply by 2018 Baltic Sea regional “Guidelines on public participation for MSP with transboundary dimensions”.	The status of the application of the guidelines varies between countries (See section 5)	<i>See section 5</i>	<i>See section 5</i>	Competent authorities on MSP; support by transnational/cross-border projects
6.4. Apply by 2018 Baltic Sea regional “Guidelines on the application of EA in transnationally coherent MSP”.	The status of the application of the guidelines varies between countries (See section 4.2.)	<i>See section 4.2.</i>	<i>See section 4.2.</i>	Competent authorities on MSP; support by transnational/cross-border projects
7. Evaluation and follow-up				
7.1. Take further steps related to regular monitoring and evaluation needs of MSP	Assessment report is carried out in 2019.	<i>The process is ongoing</i>	<i>The process is ongoing</i> <i>Main challenge – only few countries have experience in practical MSP implementation</i>	VASAB; HELCOM-VASAB WG, Competent authorities on MSP
7.2. Update the Roadmap, if necessary, in 2014 after HELCOM and VASAB ministerial meetings and assess the implementation of this Roadmap 2016, 2018 and 2020	The Roadmap has been as a part of HELCOM-VASAB MSP WG work plan.	<i>The process is ongoing</i>	<i>The process is ongoing</i>	HELCOM-VASAB

6.2. Proposals for future tasks for MSP Roadmap beyond 2020

The relevance of MSP Roadmap beyond 2020 was among the discussion issues in the interactive workshop in March 2019. An opinion was expressed that maybe the future Roadmap should be more specific, more similar to an action plan. Alternatively, a review or coherency system replacing the MSP Roadmap was proposed. It was agreed that international commitment is strongly needed to implement the MSP across Europe, so for that a joint plan would be required.

The table below specifies the proposed structure of the Roadmap/Action plan. The table would be discussed in next workshop. Please feel free insert your proposals already now.

Action/ Task	Description	Responsible body	Deadline

Key conclusions and recommendations

MSP Principles

The MSP principles agreed in 2010 is still valid and relevant to be followed in the MSP process in the Baltic Sea Region. This has been stated by all experts and authorities consulted in the assessment work. Nevertheless, definitions of several principles need amendments for including lessons learned from past and ongoing MSP process and to integrate new created knowledge on MSP.

An introduction of a hierarchy of the principles could be considered as few principles are overarching whereas other ones are specific ones. Sustainable management and ecosystem approach are recognised as overarching principles.

When sharing the experience and challenges in the application of the MSP principles, participants of the workshops as well as interviews revealed that a guidance document or explanatory note would be valuable to support the application on sustainable development, EBA (more detailed than existing one), on coherent terrestrial and maritime spatial planning.

Guidelines on Transboundary Consultations, Public Participation and Co-operation

The Baltic States are in different stage of the development of MSP, consequently the Guidelines have not been tested yet at full extent. Nevertheless, the survey launched to evaluate how the guidelines are put in practice in the BSR countries indicated that one of the weakest components in the transboundary consultations on MSP is related to engagement of the stakeholders in consultation on a draft MSP of the neighbouring country. Cross- border cooperation among the competent authorities of MSP and SEA is rather well established – information exchange is ensured and SEA authorities also leading transboundary consultation process in many countries. However, it would be recommendable to review the process of the practices in organising the transboundary consultation process for own stakeholders and assessing how the own and transboundary interests are ensured in the plans of the neighbouring countries.

MSP Roadmap

MSP Roadmap was set-up to ensure intergovernmental cooperation. Even the MSP Directive is adopted and implemented and it requires the transboundary cooperation, the BSR countries see an added value for jointly discussing and developing several MSP challenging issues in future. It has been recognised that HELCOM-VASAB MSP WG plays an important role to ensure intergovernmental cooperation and this cooperation mechanism is important to be kept. Informal forums and meetings have facilitated closer contacts and communication between the planning authorities.

Data and information sharing are very important preconditions to ensure coherent planning. Therefore, the work on enhancement of data collection, storage and exchange shall be also strengthened in coming years.

Whereas a good cooperation between planners from competent authorities are well-established, involvement of stakeholders in MSP in the transboundary context still needs encouragement. Various Interreg and BONUS projects have or will have recommendations with regard to stronger engagement of economic, social and environmental actors in the transboundary cooperation on MSP. These shall be considered when developing new Roadmap or Action plan.

Annex 1. Survey template

A Survey of the responsible authority of MSP in the Baltic Sea Region on the application of Guidelines on transboundary consultations, public participation and co-operation

The 12th Meeting of the Joint HELCOM-VASAB MSP Working Group held in Gdansk on 24-25 February 2016 approved the *Guidelines on Transboundary Consultations, Public Participation and Co-operation* (the Guidelines). The Guidelines contain the Glossary of the key terms and definitions, and two sets of recommendations: 1) Recommendations for Transboundary consultation and Cooperation for a specific MSP Process and 2) Recommendations for transboundary pan-Baltic cooperation on MSP.

The survey shall support the assessment on how transboundary consultation is organized in the countries around the Baltic Sea and to which extent Guidelines are being implemented. The assessment is organised by VASAB Secretariat subcontracted to the Baltic Environmental Forum- Latvia within the project “Pan Baltic Scope”. You are kindly asked to fill in the survey as a representative of competent authority or MSP national contact person of your country.

1. Information about the Respondent

1.a. Country	Click or tap here to enter text.
1.b. Organisation	Click or tap here to enter text.
1.c. Contacts for clarification needs	Click or tap here to enter text.

2. What kind of experience do you have with the transboundary consultation of MSP? *(multiple choices)*

2.a. I have organised the process on behalf of my country	<input type="checkbox"/>
2.b. I have organised the consultation process about MSP of a neighbouring country	<input type="checkbox"/>
2.c. I have participated in the process as involved stakeholder	<input type="checkbox"/>
2.d. Other (please specify)	Click or tap here to enter text.

3. When did you had experience with the transboundary consultation of MSP? *(only 1 answer)*

3.a. Before adoption of the Guidelines (February 2016)	<input type="checkbox"/>
3.b. After adoption of the Guidelines	<input type="checkbox"/>

4. Scope of the transboundary consultation: which issues are/have been included in transboundary consultation of MSP? *(multiple choices)*

4.a. Overall aims and objectives of maritime spatial plans (potentially including visions and priorities)	<input type="checkbox"/>
4.b. Environmental impact assessment	<input type="checkbox"/>
4.c. Socioeconomic aspects: trends and future perspectives	<input type="checkbox"/>
4.d. Potential Conflicts and Synergies	<input type="checkbox"/>
4.e. Full maritime spatial plan	<input type="checkbox"/>

5. Coherent maritime spatial plans: which maritime planning issues are/were assessed in transboundary context to avoid misalignments? *(multiple choices)*

	Yes	Description
5.a. Shipping line and maritime traffic <i>(please tick the relevant and describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.b. Cables and pipe lines <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.c. Production of renewable energy <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.d. Nature conservation interests (birds and mammals) <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.e. Management of Fish resources <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.f. Environmental pollution <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.g. Cultural heritage <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.h. Maritime tourism <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.
5.i. Other issues <i>(please describe the issue)</i>	<input type="checkbox"/>	Click or tap here to enter text.

6. Timing of the transboundary consultation process: when did your country STARTED the transboundary process? *(question relevant for the countries who have experience in organising the process)* *(only 1 answer)*

6.a. In the same time with launch/start of the national process	<input type="checkbox"/>
6.b. When the stocktaking/assessment of current situation was completed	<input type="checkbox"/>

6.c. When main aims and objectives were drafted	<input type="checkbox"/>
6.d. When scenarios or alternatives for maritime spatial use were drafted	<input type="checkbox"/>
6.d. When draft version of the maritime spatial plan was prepared	<input type="checkbox"/>
6.e. Other <i>(please specify)</i>	Click or tap here to enter text.

7. Timing of the transboundary consultation process: when did your country were INVOLVED in the transboundary consultation of neighbouring MSP process? *(question relevant for the countries who have experience in the participation of the process). Please fill in the table.*

Country which involved you	Title of the maritime spatial plan	When your organisation was involved?	Was there a timing of consultation appropriate?

8. Which steps were taken to inform neighbouring countries about your MSP process? **(The answer to be provided by the competent authority) (multiple choices)**

8.a. Information on the start of MSP process was sent to all BSR countries	<input type="checkbox"/>
8.b. Information on the start of MSP process was sent to direct neighbouring countries	<input type="checkbox"/>
8.c. Information was sent to the contact person in charge of the MSP in the country	<input type="checkbox"/>
8.d. Information was sent to the contact person in charge of the SEA in the country	<input type="checkbox"/>
8.e. Information on the start of MSP process was sent to the relevant pan-Baltic organisations <i>(please specify to which organisations)</i>	Click or tap here to enter text.
8.f. The information was sent in the form of a formal letter/e-mail in English (or national language of the addressees)	<input type="checkbox"/>
8.g. The sent information stated the intention and the nature of the maritime spatial plan	<input type="checkbox"/>

8.h. The sent information including estimated time schedule of MSP process and stakeholder involvement	<input type="checkbox"/>
8.i. Your organisation requested for relevant documents and any other information, if available (or public sources of such information) from the neighbouring countries	<input type="checkbox"/>
8.j. Information was sent once the stakeholder process begins in order to give the neighbouring country the option of installing a parallel domestic stakeholder process (or public participation) on issues of cross-border significance	<input type="checkbox"/>
8.k. Other steps taken to inform neighbouring countries and /or pan-Baltic organisations <i>(please describe)</i>	Click or tap here to enter text.

9. Communication and cooperation with neighbouring country during the development of maritime spatial plan **(The answer to be provided by the competent authority)** *(multiple choices)*

9.a. Direct communication with the competent authorities of neighbouring countries by phone or in relevant events and occasions	<input type="checkbox"/>
9.b. Arranging meeting for competent authorities of neighbouring countries for MSP to explain the nature of the maritime spatial plan and to discuss potential conflicts and synergies	<input type="checkbox"/>
9.c. Other methods or comments <i>(please describe)</i>	Click or tap here to enter text.

10. Language of communication **(The answer to be provided by the competent authority)** *(multiple choices)*

10.a. The following information is sent in English to the neighbouring countries: <i>(Please describe)</i>	Click or tap here to enter text.
10.b. The following information is sent in national language of a neighbouring country <i>(Please describe)</i>	Click or tap here to enter text.
10.c. Information is not translated; the sent letter contains a link to published document in the language of the country that develops MSP	<input type="checkbox"/>
10.d. other option <i>(Please describe)</i>	Click or tap here to enter text.

11. Response to received comments during the transboundary consultation **(The answer to be provided by the competent authority)** *(multiple choices)*

11.a. A formal letter is sent to the neighbouring country to inform to what extent their remarks have been taken into consideration in the process of drafting the plan	<input type="checkbox"/>	Commenting
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11.b. A formal letter also justifies the remarks that have not been taken into account in the drafting the plan	<input type="checkbox"/>	
11.c. A cross-border meeting is organised to discuss the conflicting issues	<input type="checkbox"/>	
11.d. A transnational meeting is organised to discuss the conflicting issues	<input type="checkbox"/>	
11.e. Other approach (<i>please describe</i>)	Click or tap here to enter text.	

TRANSBOUNDARY CONSULTATION PROCESS IN THE NEIGHBOURING COUNTRY

12. Launch of stakeholder involvement by the authorities of the BSR neighbouring countries (The answer to be provided by the competent authority or involved stakeholder) (multiple choices)

12.a. A stakeholder involvement process was initiated immediately after obtaining the request from the neighbouring country	<input type="checkbox"/>
12.b. A stakeholder involvement process was initiated later (please describe when and reasons for starting the process later)	Click or tap here to enter text.

13. Extent of stakeholder involvement in the neighbouring country (The answer to be provided by the competent authority or involved stakeholder) (1 answer)

13.a. Stakeholder involvement by asking only selected stakeholders for opinion on the draft maritime spatial plan	<input type="checkbox"/>
13.b. Stakeholder involvement organised as formal full-scale public participation	<input type="checkbox"/>
13.c. Special procedure organised to ensure stakeholder involvement (<i>please describe</i>)	Click or tap here to enter text.

14. Methods for stakeholder involvement in the neighbouring country (The answer to be provided by the competent authority or involved stakeholder) (multiple choices)

14.a. A consultation meeting or several are/were organised for stakeholders at national level	<input type="checkbox"/>
14.b. A representative of the country in charge of MSP participated in the consultation meeting in the neighbouring country	<input type="checkbox"/>
14.c. A consultation was organised via written communication without holding a meeting	<input type="checkbox"/>
14.d. Stakeholders were asked to contribute with their information and data	<input type="checkbox"/>

14.e. Other methods <i>(please describe)</i>	Click or tap here to enter text.
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15. Issues of concern: Which issues have been most critical in your consultation process? (The answer to be provided by the competent authority or involved stakeholder) (multiple choices)

15. a. In the context of data and information accuracy and availability <i>(please describe)</i>	Click or tap here to enter text.
15.b. In the context of impact on national interests <i>(please describe)</i>	Click or tap here to enter text.
15.c. in the context of coherence of MSP <i>(please describe)</i>	Click or tap here to enter text.
15.d Other <i>(please describe)</i>	Click or tap here to enter text.

16. How the follow-up of the transboundary consultation in the neighbouring country (The answer to be provided by the competent authority or involved stakeholder) (multiple choices)

16.a. The response letter from the competent authority is published at the web-site of the competent authority	<input type="checkbox"/>
16.b. The response letter is forwarded to stakeholders who participated in the consultation process	<input type="checkbox"/>
16.c. The response letter is forwarded to all relevant stakeholders, including those who did not contribute directly to the consultation but are important.	<input type="checkbox"/>
16.d. No follow-up steps	<input type="checkbox"/>
16.e. Other steps <i>(please specify)</i>	Click or tap here to enter text.

INFORMAL TRANSBOUNDARY COOPERATION PROCESSES

17. Which fora, occasions or other ways have you used for strengthening transboundary consultation process on MSP?

Please describe Click or tap here to enter text.

18. What benefits do you receive from informal cooperation process?

18.a. It facilitates the informal supply of information outside the narrow confines of (potentially restrictive) formal channels	<input type="checkbox"/>
18.b. Informal discussions can be initiated as a useful vehicle for brokering common solutions	<input type="checkbox"/>

18.c. Build trust, and also to know who to communicate with during formal processes	<input type="checkbox"/>
18.d Other (<i>please describe</i>)	Click or tap here to enter text.

TRANSBOUNDARY PAN-BALTIC COOPERATION ON MSP

19. How important has been HELCOM and VASAB role in supporting transnational consultation process on MSP?

Very significant	Significant	Neutral	Slightly insignificant	Insignificant
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please justify for answer Click or tap here to enter text.

20. Which of the established expert groups for MSP topics do you see as very needed?

Please describe Click or tap here to enter text.

21. Any additional comments? (please feel free to write in)

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Thank you for your participation in the survey!

Annex 2. Interview template

MSP Roadmap was adopted was created to fulfil the goal of drawing up and applying maritime spatial plans throughout the Baltic Sea region by 2020 which are coherent across borders and apply the ecosystem approach. It includes necessary steps in seven fields in order to achieve the goal as well as timeline. The Roadmap was drafted by the MSP WG and adopted by the HELCOM Ministerial Meeting on 3 October 2013 and agreed by the 62nd VASAB CSPD/BSR meeting.

The interviews shall support the assessment of implementation of the Roadmap. The specific objectives of the interview are:

- to clarify the implementation status of the MSP Roadmap in the BSR countries and on pan Baltic level. The main information will have been obtained by the desk study, but during the interview the gathered facts shall be verified.
- To identify and propose possible future tasks to include in the MSP Roadmap must be indicated including also the future scope for regional cooperation.

The assessment is organised by VASAB Secretariat subcontracted to the Baltic Environmental Forum- Latvia within the project “Pan Baltic Scope”. You are kindly asked to agree on the interview as a representative of HELCOM-VASAB WG member.

1. National frameworks for coherent MSP is one of the directions of work indicated in the MSP Roadmap. How would you describe the coherence in planning from your country’ s perspective? What is an approach and applied criteria in your country to ensure coherence of MSP?

2. Are there any specific drivers that are facilitating the implementation of the MSP Roadmap in your country? What drivers?

3. Are there any specific drivers that are facilitating the implementation of the MSP Roadmap on pan Baltic level? What drivers?

4. Are there any specific barriers that are hindering the implementation of the MSP Roadmap in your country?

5. Are there any specific barriers that are hindering the implementation of the MSP Roadmap on pan Baltic level? What drivers?

6. How would you characterize educational opportunities on MSP in your country? Are there new programmes available since adoption of MSP Roadmap?

7. The MSP Roadmap has planned to develop 3 guidelines on MSP: i) on transboundary consultations and cooperation; ii) on public participation; iii) application of Ecosystem Approach. Are there any other guidelines needed that would support the implementation of MPS in the BSR countries and on pan Baltic level?

8. What are new activities and tasks to be jointly undertaken to foster and strengthen implementation of MSP in the Baltic Sea region?

Annex 3. Agenda of the interactive workshop on 27 March, 2019 in Hamburg

Agenda

27 March 2019
Hamburg, GERMANY

An interactive workshop on

Assessment of Regional MSP Framework

Federal Maritime and Hydrographic Agency of Germany, Bernhard-Nocht-Straße 78, Hamburg

8:45	Registration
9:00	Opening , by VASAB Secretariat
9:10	Introduction to the Assessment of the application of Baltic Sea Common Regional Maritime Spatial Planning Framework <i>by the consultant, BEF and Hendrikson&Ko</i>
9:20	Preliminary findings on the application of the Baltic Sea Broad-Scale MSP Principles in the Baltic Sea region countries <i>by the consultant, BEF and Hendrikson&Ko</i>
9:40	Preliminary findings on the application guidelines on transboundary consultations, public participation and co-operation <i>by the consultant</i>
10:00	Survey results on the application of ecosystem approach and SEA <i>By P. Arndt, BSH, Germany (tbc)</i>
10:15	Discussion on the preliminary findings, proposals for adjustment and new MSP principles; moderated by consultants
11:00	Coffee break
11:10	A Brief overview on the implementation of the Roadmap <i>by the consultant, BEF and Hendrikson&Ko</i>
11:30	Ecosystem Toolbox – outcome of the Pan Baltic Scope <i>by J. Schmidtbauer Crona, SwAM, Sweden (tbc)</i>
11:40	Discussion on initial steps for upcoming Roadmap and broader MSP context; moderated by consultants
12:15	Wrap-up
12:30	Closed