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Assessment of Application of Baltic Sea Common Regional Maritime Spatial Planning Framework

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1. Introduction

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

The Assessment was implemented as one of the activities, namely 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, 1.3. Integrating Land Sea Interactions into MSP. It was also important to recognise that the Assessment should support Joint HELCOM-VASAB Maritime Spatial Planning Working Group (MSP WG) in fulfilling the current Work Plan 2017-2019 and designing the up-coming one for 2020-2021.

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

The objective of the Assessment was to analyse the application, implementation, achievements and possible future adjustments to update the joint regional framework for the 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).

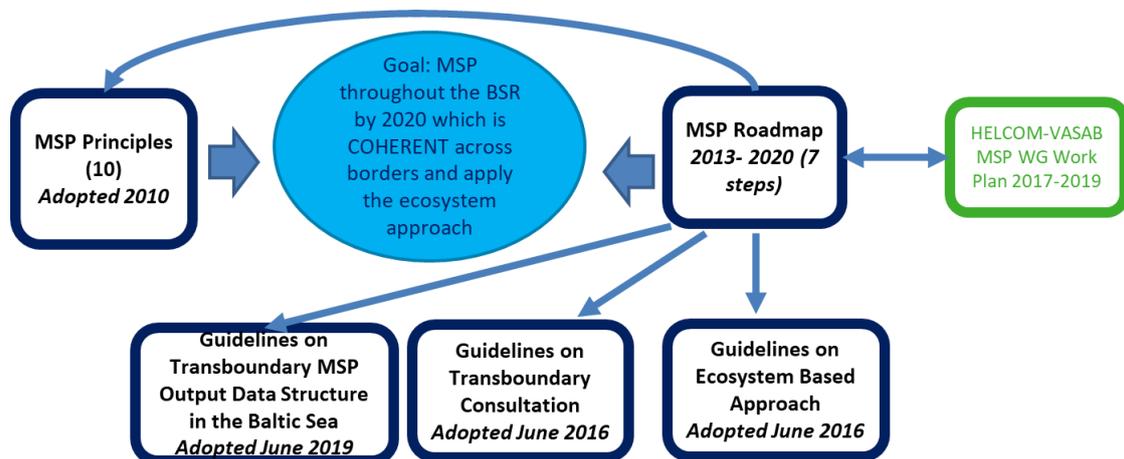


Figure 1. Common Regional MSP Framework

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

The duration of the contract – October 2018-December 2019.

2. Methodology of the assessment

The implementation of the Assessment demanded to apply several methods, which were relevant to all three components of the Assessment. The experts used available published information and reports as well as on-line survey, interviews, face-to face meetings and workshops. Also, direct experiences and emerging ideas from the on-going MSP process were used. The assessment was carried out in close cooperation with the VASAB Secretariat, HELCOM-VASAB MSP WG and other activities of the Pan-Baltic Scope project.

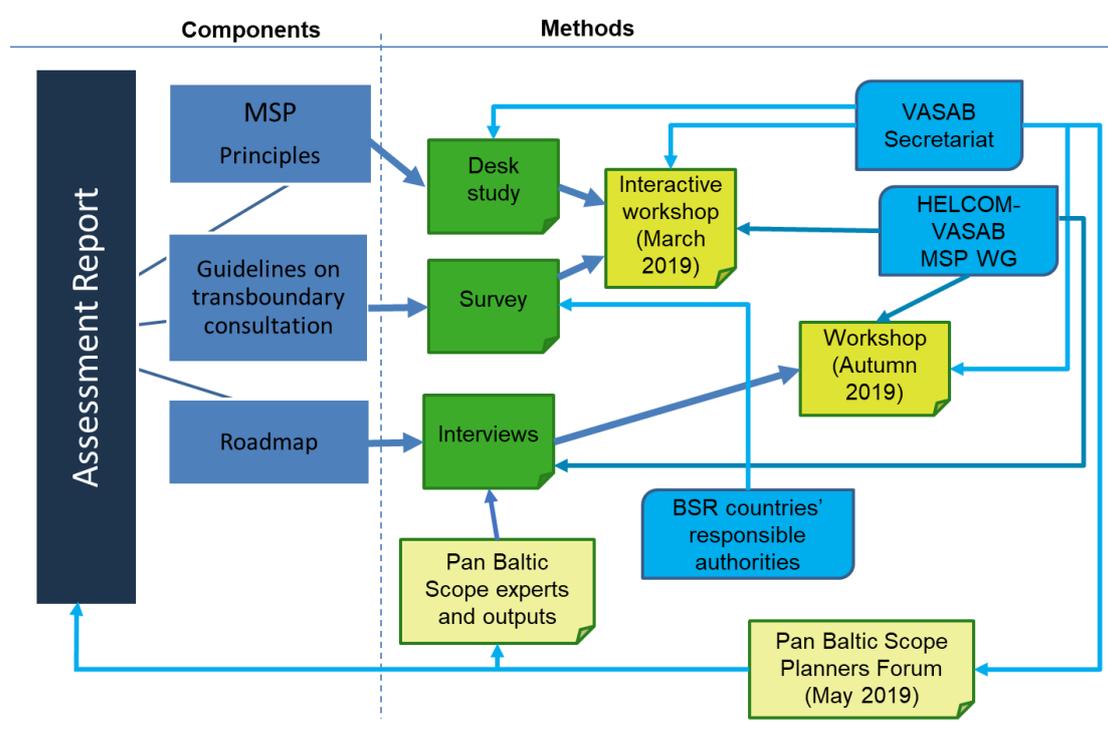


Figure 2. Methodology of the Assessment

2.1. Desk study

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

European MSP platform also presents information on EU Member States, including the Baltic Sea countries. 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 present information on their national websites, mostly in national languages. Information on transboundary relevance is also presented in English.

In recent years, several scientific publications have been dedicated to MSP approaches and tools as well as to evaluating experiences and presenting lessons learned. The relevant conclusions for the Assessment from scientific papers have been considered in this report. Conclusions from relevant transboundary projects have also been screened during the Assessment.

2.2. Survey

The survey focused on implementation aspects of the Guidelines. The template is presented in Annex 1. In January 2019, an online survey form was created and sent to contact persons in charge of MSP in the countries. The list of the contact persons was updated in the 17th HELCOM-VASAB MSP Working Group meeting in Riga on 14-15 November, 2018 (Annex 3 of the Outcome of the meeting).

2.3. Interviews

The interview as a method was selected to contribute to evaluating the 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, indicated the future scope for regional cooperation.

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

2.4. Interactive workshop, March 2019

An interactive workshop to collect opinions on implementation of the MSP Principles and the 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 target group of the workshop was the HELCOM - VASAB MSP WG members.

2.5. Pan Baltic Scope Planning Forum, May 2019

A dedicated session to present the interim results on the Assessment and to conduct facilitated discussion was organized during the 6th Planning Forum of the Pan Baltic Scope project on 29 May. The working session focused on the MSP principles and proposing good examples. The target groups of the event were planners from the Baltic Sea region countries and Pan Baltic Scope project experts.

2.6. Workshop, October 2019

The BEF-Latvia presented the results of the Assessment and participated in the discussion on the Roadmap, future mandate and workplan of HELCOM-VASAB MSP WG and the input to HELCOM Baltic Sea Action Plan. The workshop took 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 depended on fruitful cooperation of the assessment team with key public stakeholders of the MSP sector in the Baltic Sea region. The input from public competent authorities involved in MSP was particularly important to achieve desired quality of the assessment of the three components of the regional framework. Several institutions are

competent authorities for MSP in the Baltic Sea region and represent their countries in the HELCOM-VASAB MSP WG. Figure 2 above shows the involvement of stakeholders in providing input to the Assessment and corresponding applied methods and activities: desk study (literature and available data review), interviews, survey, interactive workshops. The activities were coordinated with other Pan Baltic Scope project activities.

3. Status of the MSP process in the Baltic Sea countries

The map displaying the status of the MSP process in different countries was 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 (See Table 1).

Table 1. Status of the 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 place and/or preparatory work for MSP has been launched (preparation of the ToR, context analysis etc.).
Elaboration phase	Plan is under elaboration – the decision on starting the plan has been taken by responsible authority and officially announced.
In force	Plan is already adopted and 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 was collected within HELCOM-VASAB Data Expert Sub-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.

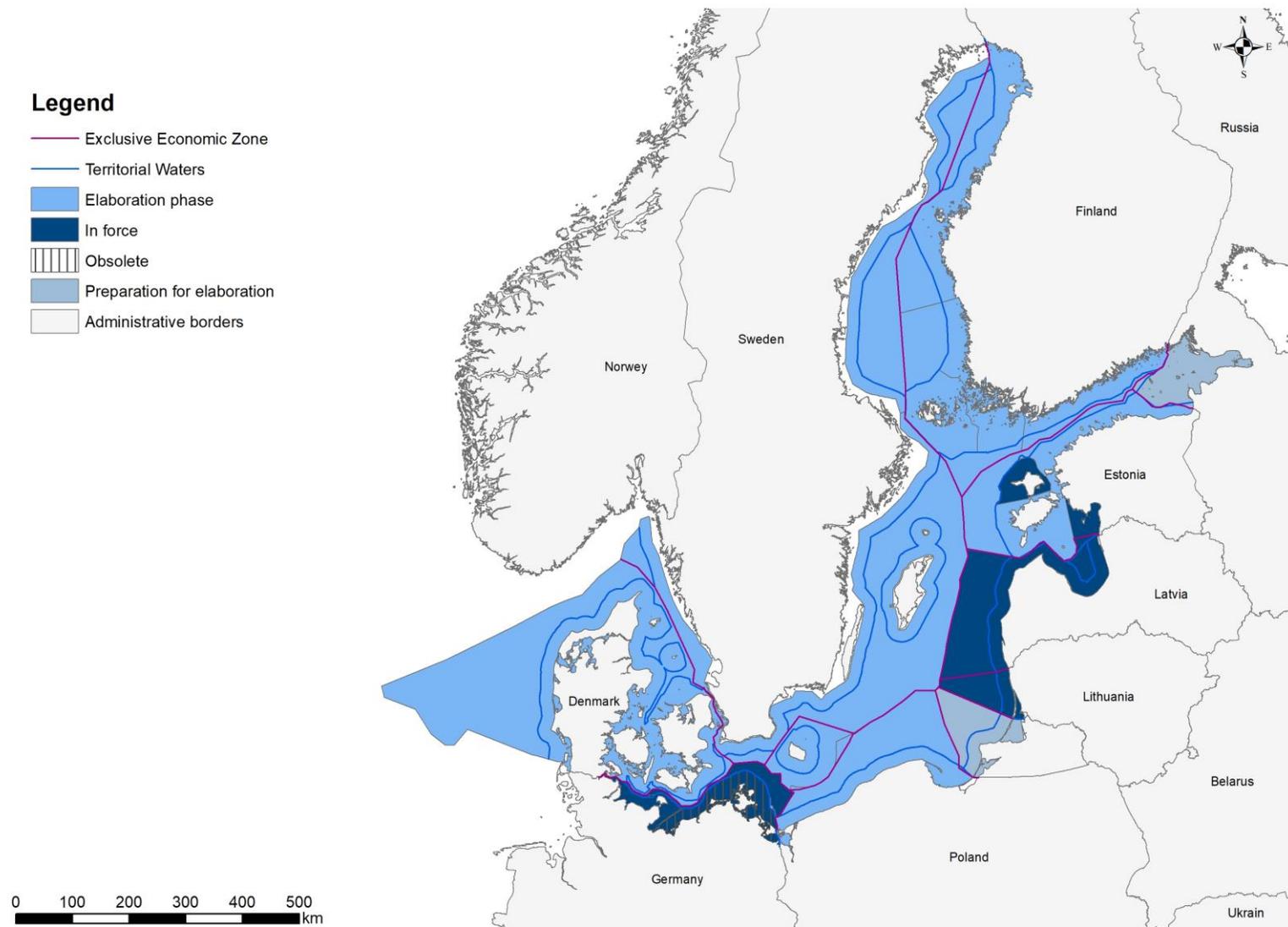


Figure 3. Status of the MSP process in the Baltic Sea (December 2019)

4. Implementation of the MSP principles

“Baltic Sea broad-scale maritime spatial planning principles” (further in the text – the 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 provides definitions. It needs to be highlighted that the MSP principles were adopted well before the EU MSP Directive (2014/89/EU).

The EU MSP Directive contains minimum requirements for MSP that are also related to the MSP principles (see Table 2) as the content of the principles has largely 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 integrate the HELCOM-VASAB MSP principles to some extent. The principle “Long term perspective and objectives” is especially noteworthy. Considering the proposed MSP review period of at least every ten years, the intention of the directive is that planning has long-term time horizon.

The deadline for transposition of the 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 requirements of the MSP directive and notified on that the European Commission by 2018. By November 2019, legislation on MSP has not yet been adopted in the Russian Federation.

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

	HELCOM-VASAB 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. Article 4, point 1.
9.	Planning adapted to characteristics and special conditions at different areas	Article 4, point 5 "...Member States shall have due regard to the particularities of the marine regions, relevant existing and future activities and uses and their impacts on the environment, as well as to natural resources..."
10.	Continuous planning	Article 6, paragraph 3 "...plans shall be reviewed by Member States at least every ten years..."

As discussed with representatives of the competent authorities at the workshop in March 2019 in Hamburg, the role of the MSP principles can be seen differently. In general, the HELCOM-VASAB principles shall be treated as valuable guidance, on the other hand, the document outlines specific tasks to be undertaken during 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 were working well and there were no major amendments needed. The group suggested to avoid adding new principles, but rather to integrate the emerging statements and new knowledge in the 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 a new emerging issue, potentially in relation to the precautionary principle. At the same time, the issue should be handled as a sensitive topic since it hints to significant impacts that need to be compensated. Although good environmental status and climate change were mentioned as important issues with MSP relevance, the participants did not consider it necessary to define them as separate principles since they are connected to almost all the existing MSP principles.

In the Pan Baltic Scope's Planning Forum in Tallinn, participants stated again that the MSP principles were still valid, whereas definitions could be amended based on gained practical experience in MSP over the past years.

During the discussions in both events different weight of the principles was revealed. The Ecosystem Approach was believed to be the overarching or 'umbrella' principle. The same stands for the principle on sustainable management. It was recommended to create a structure of the MSP principles that would illustrate the relationships between them.

The links to MSP Global initiatives shall be looked at in future. Some of the global 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 organized 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, either a guiding or binding document. The issues were also discussed at the 18th HELCOM-VASAB MSP WG held on 27-28 March 2019 in Hamburg.

As presented in Chapter 3, Baltic Sea countries are at different stages of the MSP process. Consequently, the application of the MSP principles has not yet taken place to full extent. The assessment of the MSP below is built on 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 sustainable growth of maritime economies, sustainable development of marine areas and 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 coexistence of relevant activities and uses.

The HELCOM-VASAB MSP principle highlights MSP as a management tool, which seems to be a less ambitious role than imposed by the MSP directive, which defines it as promotion of sustainable growth, development and use. The definition of this principle consists of two sentences that are not fully consistent in the message. Whereas the first sentence could be understood as definition of “sustainable management” having three components: balancing interests, integrating sectoral planning and applying ecosystem approach, the second sentence states that for balancing interests “sustainable management” should have a priority. Also, the term ‘specific uses’ needs to be 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 within MSP. This aspect could be highlighted also in the description of this principle.

When balancing interests or promoting sustainable growth, 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.

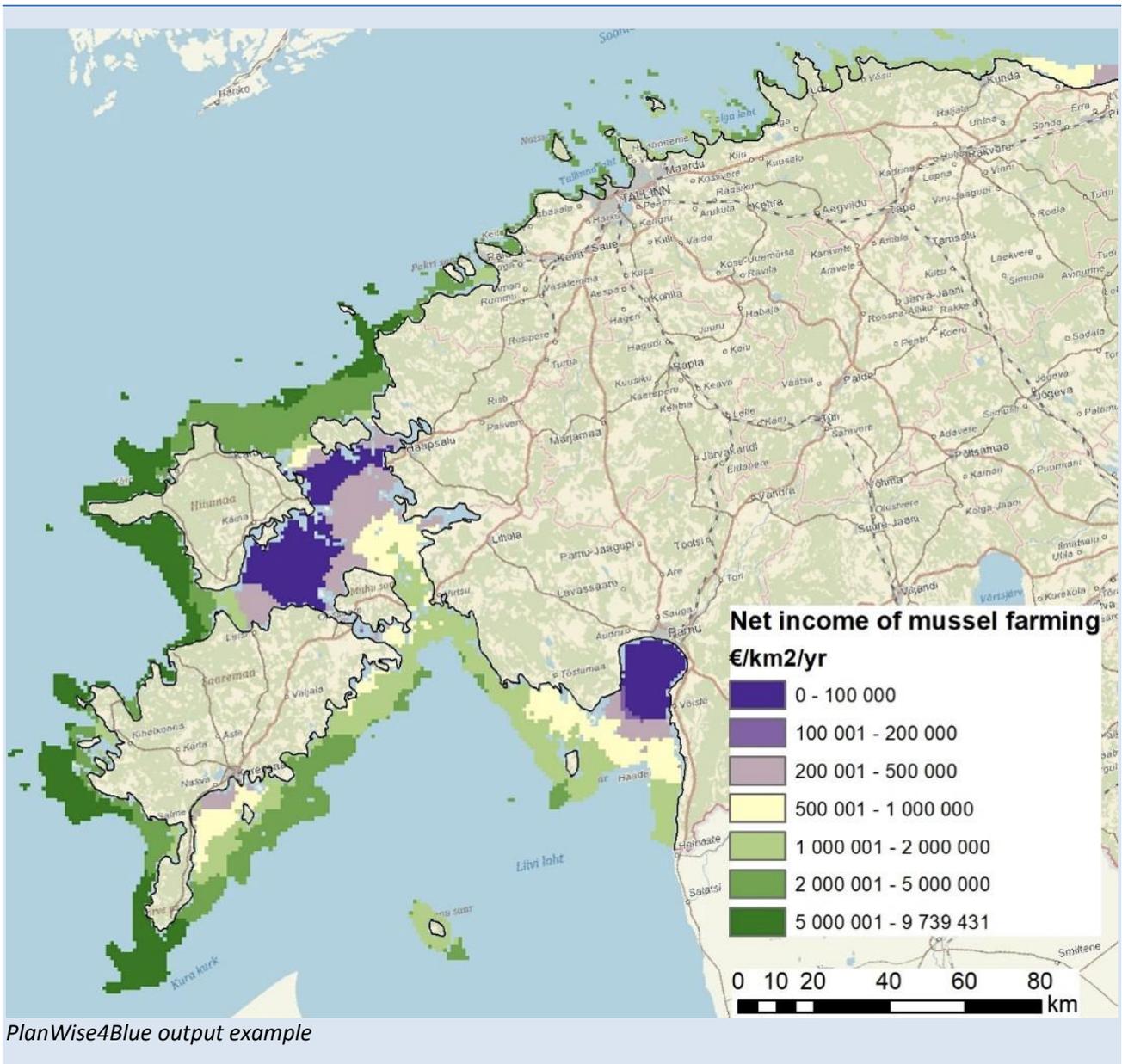
The word ‘sustainable’ is very commonly used in planning process. However, it is not frequent for plans to demonstrate explicitly their contribution to sustainable development or management. Therefore, an indicator approach and appraisals could be used for ex-ante (benchmarking) as well as interim or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

Good example: Sustainability Appraisal of the draft MSP of Swedish waters¹. The report presents the assessment results according to three dimensions of sustainability: economic, social and environmental, and selected criteria.

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

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, 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 an “umbrella” or overarching principle as already stated in its definition.

To ensure consistency in terms with the 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 refer to as the Malawi principles on ecosystem approach.

In 2003, HELCOM and OSPAR adopted a joint statement of their common vision of the ecosystem approach to managing human activities impacting 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 the 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 the main steps of the maritime spatial planning process and the 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 that the Guidelines could be potentially amended to address the issue of 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 key elements of the ecosystem-based approach are integrated more specifically into the strategic environmental assessment (SEA) (*Chapter 5 of the Guideline*). Therefore, the implementation of SEA for MSP strengthens the 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 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*

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.

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 supported the implementation of EBA through SEA procedure. The project carried out a study on SEA, looking into the Southern Baltic Sea region with a transboundary perspective on Denmark, Sweden and Poland. The report will be available at www.panbalticscope.eu

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 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 and MSFD. The limitation to contribute to achievement of good environmental status was recognized already at an early stage of the 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 produced a report that outlines the Roadmap of the HELCOM region coordination to ensure implementation of ecosystem approach.

The EBA can be applied in planning as well as in implementation (e.g., permitting) phase. Different conditions shall be respected and need to be explained and highlighted in more detail.

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 achieving good ecosystem status is rather limited in its scope. Nevertheless, it is important to highlight the importance of MSP in contributing 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 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 although continuous changes and impacts occur in an extended or virtually unbounded period of time. There is no common

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*.

agreement among the Baltic sea countries on what is meant by ‘long-term’. The time perspective depends on the type of MSP. If the document is more strategic and vision and goal oriented, the time period is longer and can be linked to overall strategic planning time horizons in the country, e.g. 2030 or 2050. If the document contains specific objectives and targets to be achieved and tasks to be implemented, the time period for validity of MSP might be shorter, e.g. 10 -15 years.

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

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

The participants of the HELCOM-VASAB MSP WG and the Planning Forum acknowledged that long-term planning is an important principle of 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 a very challenging element if MSP has a strong local stakeholder involvement component. Local inhabitants are very often interested to foster and promote blue growth sectors as soon as possible, thus ensuring better jobs and income in the short term. MSP can also be seen as a communication means that helps to explain to the involved parties the relevance and unavoidability of a long-term perspective in planning sea space.

The EU MSP Directive requires that the first plans are established by 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 and Mecklenburg-Vorpommern in 2016. Thus, the time horizon of maritime spatial plans is not harmonised between the countries. The goal of HELCOM -VASAB Regional MSP Roadmap is to draw up and apply maritime spatial plans throughout the Baltic Sea Region by 2020.

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

Country	Validity of the plan (in years or by the date)
Denmark	To be developed by 2021, towards 2030.
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 until 2025, new plan under elaboration.
Latvia	12 years, valid until 2030.
Lithuania	Valid until 2020, new one under elaboration for 2030.
Poland	Drafted, to be valid until 2030 as linked to the implementation of the Maritime Policy.

Russia	-
Sweden	New proposal to be elaborated every 8 years. Target year 2030, vision year 2050.
Åland, Finland	A revision of the MSP is to be elaborated every 6 years. First plan to be adopted by 2021.

Recommendation: revision of the definition is not needed with regard to the long-term perspective.

This MSP principle calls 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 measurable indicators that would also allow to follow the implementation progress and achievement of the set objectives. Performance indicators are seen as one of the key tools to measure the progress. The Pan Baltic Scope project has developed a guidance and tested the application of the indicators for the evaluation of Latvian and Polish MSP. The implementation of this element (issue) is closely linked to the principle of continuous planning that requires monitoring and evaluation of the implementation of maritime plans (see section 4.10).

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 to 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.

The Precautionary Principle obliges 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.”

The EU Directive 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 the 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, the 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 points is that of 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

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A132042>

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, the failure to offer a precise enough assessment of 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 have not been conducted. This includes the failure to conduct an assessment necessary to determine the impacts of the planned activities on Natura areas and protected species. The 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 confident that, 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 the EBA⁸ present a strong integration perspective between the SEA and the application of the EBA. Therefore, the principle has been conceptually embedded twice.

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

During the interactive workshop, it was pointed out that the socio-economic aspects need 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 economic and social dimensions.” Otherwise, the sentence is rather repetitive of the message in the MSP principle of sustainable development.

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/>

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 detailed, while others follow a more general approach. This MSP principle is also in line with the MSP Directive 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 the 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 4. An overview of public participation and access to information (as of Dec 2019)

Country	Information to general public	Commenting period	Consultation & involvement mechanism
Denmark	A draft plan shall be published only digitally.	Six months, but may be deviated in special cases. General public comments only digitally.	Plan shall be draw up involving 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 website 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 must not be shorter than 30 days. Public meetings required. 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 is invited to participate in the development of the plan and notifies the authority of the method of communicating notices. Compulsory discussions are held in different stages of the planning process
Finland	The plan shall be published on the 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.
Åland, Finland	The plan is published digitally, but it will be	1 st round of consultations lasts 2 months.	The plan is developed in cooperation with departments of the Government of Åland as well as municipalities, stakeholders, and

	reformatted into a printable document.	2 nd round of consultations lasts 2 months.	sector representatives. Close cross-border collaboration with Finland is also highlighted in the MSP work. The public and other parties are invited to give opinion on the proposals and background material.
Germany EEZ	The adopted plan (2009) is published on the internet. Draft plan shall be publicly available, also electronically.	Commenting period lasts 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 the internet	Commenting period lasts at least 1 month.	Two rounds of broad participation processes with regional conferences.
Germany (Schleswig-Holstein)	The plan (2010) is published on the internet. A new plan is in preparation.	Commenting period lasts at least 1 month.	Several public stakeholder meetings in different parts of Schleswig-Holstein.
Latvia	A plan published only digitally on governmental platforms and websites.	Not shorter 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 the 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 the internet.	The draft plan consultation: 27.12.2018-13.02.2019. National consultation meeting on 15.01.2019.	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 autumn of 2017.
Russia	-	-	-

Sweden	<p>The drafts are published on SwAM website.</p> <p>The adopted plan shall be made available for public by SwAM.</p>	<p>1st round of consultations lasted 6 months (15.02.2018-15.08.2018).</p> <p>2nd round of consultations (examination) lasted 3 months (14.03.2019-15.08.2019).</p>	<p>MSP shall be produced in close 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 high-quality data and information basis is acknowledged by all BSR countries. Therefore, considerable efforts are allocated to collect and store 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 an important requisite to ensure that MSP is coherent across 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 an early stage to avoid costly misalignments and negative environmental impacts, as well as to promote efficiency gains and synergies. The guidelines were agreed on 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 a common Baltic MSP web-map. The HELCOM-VASAB MSP Data ESG is working on elaborating Baltic Sea MSP web-map⁹ (BASEMAPS) <https://basemaps.helcom.fi/> - map service to access data relevant to Baltic Sea maritime spatial planning from the original sources where it is stored.

The same 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

⁹ <https://basemaps.helcom.fi/>

data might not yet be published on 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 quality” with “Best available” 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 and Western Waters (Skagerrak/Kattegat).

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

In Finland, there will be three plans: one for the northern Bothnian Sea, Quark and Bothnian Bay, one for the Archipelago Sea and southern Bothnian Sea, and the third for the Gulf of Finland.

The Government of Åland, having jurisdiction over the autonomous region of the Åland Islands in Finland, is to plan the territorial sea areas of the Åland Islands. The Åland Islands MSP is independent from the Finnish MSPs and is drafted based on its own legislation.

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 the implementation of the principle is carried out in Chapter 5 on the implementation of the Guidelines on transboundary consultations, public participation and co-operation. The definition of the principle is valid and implemented as far as possible by BSR countries as well as HELCOM and VASAB. The work is supported by various Interreg, EMFF, BONUS and other funding programmes.

Recommendation: revision of the definition is not needed.

4.9. Coherent terrestrial and maritime spatial planning

Spatial planning for land and for 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.

Land sea interactions were explored within the Pan Baltic Scope project. For the 3rd MSP Forum in Riga in November 2019, the project has published *Excerpt: Lessons, Stories and Ideas on How to Integrate Land Sea Interactions into MPS*. The *Excerpt* contains synthesis of key challenges and related enablers within the countries, in cross-border context and enablers for addressing the challenges. The synthesis was prepared based on a separate survey carried out by the project, project meetings as well as received feedback from the experts working in the field. LSI in cross-border context is seen particularly difficult due to language barrier, differences in planning and management systems, involvement of multiple actors, lack of knowledge and data, missing platforms for sharing the issues of concern across the borders.

The *Excerpt* includes five key recommendations on how to go forward to promote the integration of LSI in MSP. These recommendations emphasise the importance of institutional coordination between land and sea planning and management systems, involvement of stakeholders, knowledge, capacity building as well as awareness of multi-dimensions and multi-directions of LSI throughout the planning loops and levels. The full report will be available at www.panbalticscope.eu.

Recommendation: there is a need to clarify the role of ICZM as due to adoption of the MSP Directive many countries do not implement ICZM as a separate activity anymore.

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 their environmental and 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.

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

monitoring of the plans. Article 6, Point 3 of the EU MSP Directive requires that the plans are reviewed by Member States at least every ten years.

Table 5. Frequency of the review of the plan as defined by legislation

Country	Status of MSP	Frequency of the review of the plan
Denmark	Elaboration	At least every 10 years
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 since 22.05.2019.	After 6 years, subject to MSFD reporting.
Lithuania	Legally in force since 11.06.2015. and valid till 2020. 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
Åland, Finland	Elaboration	Depending on the need but at least every 6 years; discussion is that the review shall be connected to the work with WFD and MSFD.

Baltic Scope project developed a guidance on evaluating and monitoring transboundary collaboration in MSP (in 2017¹⁰). The guidance contains a framework on the evaluation which will be tested in the Pan Baltic Scope project for Poland and Latvia.

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 phase.

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 a glossary of 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.

On the basis of survey (Annex 1) that took place in January 2019 a comparative analysis of the application of the Guidelines in countries around the Baltic Sea is presented in this chapter.

The participants of the survey, i.e. representatives of the competent authorities and/or Members of the HELCOM-VASAB MSP Working Group, have pointed out that most transboundary consultation took place after the adoption of the Guidelines. Representatives from Latvian and Sweden MSP authorities, however, were involved in transboundary consultation before the adoption of the Guidelines.

5.1. Scope of 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 transboundary consultation on MSP varies between the countries, depending on the status of the 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 socio-economic aspects: trends and future perspectives. Countries are also pointing out that transboundary consultations are used to review on potential conflicts and synergies.

A full maritime spatial plan is/will be consulted by almost all the Member States. It is related to documents made available for the competent authority and stakeholders of the neighbouring country. In 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 cooperation between countries in maritime spatial planning is to ensure that maritime spatial plans are coherent and coordinated across the marine region concerned. Maritime spatial planning shall avoid spatial misalignments and thus potential conflicts between the countries.

Table 6. Maritime issues assessed in transboundary context to avoid misalignments¹¹

	Estonia	Finland	Åland, Finland	Germany (MV)	Latvia	Lithuania	Russia	Poland	Sweden
Shipping lanes and maritime traffic	x	x	x	x	x		x	x	x
Cables and pipelines	x	x	x	x				x	x
Production of renewable energy	x	x	x	x	x	x		x	x
Nature conservation interests (birds and mammals)		x	x	x		x		x	x
Management of fish resources		x	x					x	x
Environmental pollution		x	x				x		x
Cultural heritage		x	x						
Maritime tourism		x	x				x	x	

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

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

Cables and pipelines

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

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

Offshore wind energy

The development of this new sea use has been discussed transboundary rather intensively. Positive outcome can be observed as the designated areas for wind park development have been located in “cross-border” areas, e.g., Estonia- Latvia, Latvia-Lithuania, Germany-Sweden-Denmark. The cooperation for cross-border wind parks can facilitate attraction of investments for developing 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 the environment from all development areas in the Baltic Sea area has not been fully assessed yet. Planners have 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 has been recognised by almost all countries. The authorities have been concerned about the potential impacts on the environment, including 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 the importance of MSP in coordinating issues related to the management of fish resources. In the Baltic Sea, fishing activities take place also outside national boundaries, therefore the issue of taking into account the interests of foreign fishermen is seen important to avoid potential conflict 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, environmental pollution is in focus of the strategic environmental impact assessment of the draft plans. However, there is an increasing interest for the environmental objectives as defined by the Marine Strategy Framework Directive to be integrated in MSP more directly. The work on marine environmental indicators, including HELCOM core indicators, stimulate transboundary cooperation in this aspect.

Maritime tourism

Ferry, cruise and sailing lanes are important aspects in MSP as well. Avoiding any barriers or extra navigation is particularly essential for regularly ferry lanes, for example, between Gdańsk and Stockholm /Nynashamn, Helsinki and Tallinn, Liepaja and 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 was to start transboundary consultation when the 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 are required.

As survey results show (Figure 4), the countries enter transboundary consultation at different phases of the elaboration of the MSP. Few countries (Finland, Latvia and Sweden) launched transboundary process at the same time when the elaboration of the national plan started. Poland started it when the stocktaking and assessment of the current situation had been completed, whereas Estonia started consultation when stocktaking had taken place and the main aims and objectives had been drafted in the initial planning outline. Germany, including Mecklenburg-Vorpommern, is the country which was the frontrunner in the development of MSP for their EEZ (before the 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 been started yet.

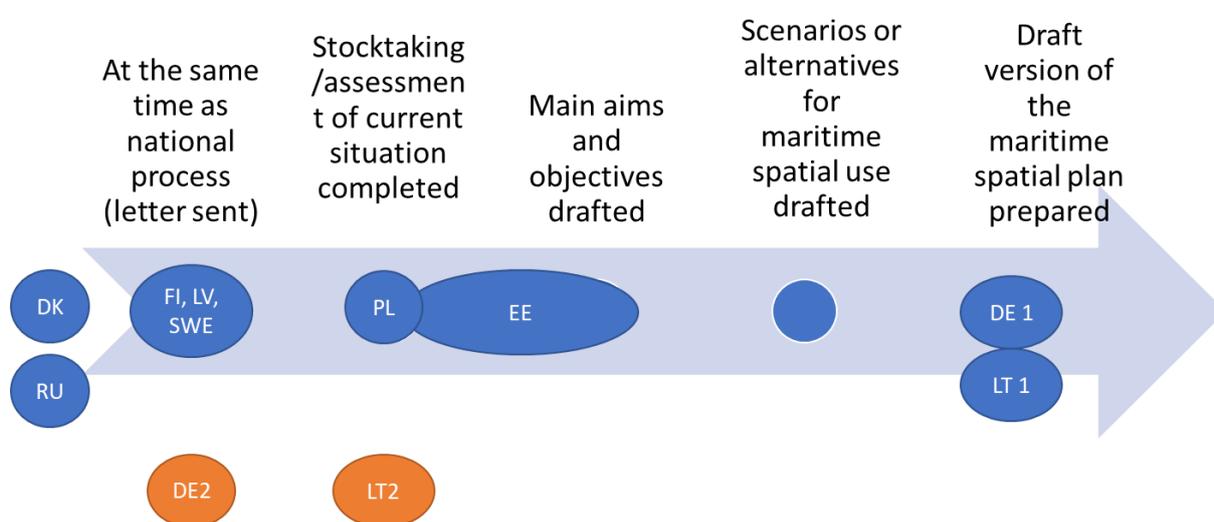


Figure 4. Launch of transboundary consultation process (spring 2019)

There have been many complaints regarding the transboundary consultation process of the Strategic Environmental Assessment; mainly, that there is little chance to influence decision making if a 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. Until now Estonia and Finland have sent information on the start of MSP process to all BSR countries. Other countries have been focusing on consulting with the neighbouring countries only. In case of Sweden, all BSR countries, except Russia, are covered by the consultation process. Germany (Mecklenburg-Vorpommern) has sent 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 an MSP process by a formal letter/e-mail in English (or national language of the addressee). The survey results in Table 8. illustrate that almost all the countries observe official information routines. The competent authorities shall also inform the neighbouring countries not only about the intention to start the 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 impacts of the plan. This point in recommendation has also been implemented by majority of the countries. However, the information included in the initial announcement letter might be generic as the MSP process is at its beginning and it is rather difficult to estimate potential impacts. Therefore, it merely explains the nature of the maritime spatial plan as well describes 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 a few countries have used this approach, namely Poland, Germany (Mecklenburg-Vorpommern) and Latvia.

Table 7. Steps were taken to inform neighbouring countries about your MSP process

	EE	FI	DE (MV)	LV	LT	PL	SE
Information on the start of the MSP process was sent to all BSR countries	x	x					
Information on the start of the MSP process was sent to direct neighbouring countries				x	x		x
Information was sent to the contact person in charge of 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 the MSP process was sent to the relevant pan-Baltic organisations		HELCOM, VASAB				HELCOM- VASAB MSP WG	
Information on the start of the MSP process was sent in the form of a formal letter/e-mail in English (or national language of the addressee)	x	x		x	x	x	x
The sent information stated the intention and nature of the MSP	x		x	x	x		x

	EE	FI	DE (MV)	LV	LT	PL	SE
The sent information includes estimated time schedule of the MSP process and stakeholder involvement	x		x	x		x	x
Your organisation requested relevant documents and any other information, if available (or public sources of such information) from the neighbouring countries			x	x		x	
Information was sent once the stakeholder process began 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 international consultation period started 4 months later than in the national consultation. However, earlier steps 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 the other half see room for improvement in future.

The Government of Åland has benefited from Pan Baltic Scope project activities to share information with the Baltic Sea countries on what Åland is doing, when, and how for implementation of MSP. Activity 1.1.2 FIAXSE of the project had multiple Skype meetings, and cross-border meetings were organised to update one another on the MSP process, the current situations, next steps and share data with each other to increase cross-border consideration.

5.5. Transboundary consultation strategy

The Guidelines emphasizes the importance of establishing appropriate consultation and communication formats. The transboundary consultation approach shall include the following features of the consultations format and take care of the following in the early planning phases:

- Direct communication at the level of the competent authorities is essential for building trust, so networking between the competent authorities and MSP practitioners should be encouraged. This method has been implemented by 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 practiced by all BSR countries. Finland organised a consultation meeting at an early stage of the elaboration of the MSP to discuss potential conflicts as well as the procedure of the development of its MSP. Additionally, HELCOM-VASAB MSP WG meetings have 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 the elaboration of a

maritime spatial plan and explained their plans and intentions. This was mainly done as part of 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 is preparing the plan. This method was explored by Sweden within the Baltic Scope and Pan Baltic Scope Projects.

Language of communication with neighbouring countries is very essential to ensure adequate stakeholder involvement. The most common practice is to send information in English. The documents in English are accompanied by a summary in the national language. Thus, the minimum requirement of the guidelines is 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, its neighbour. For direct communication during meetings representatives from Germany partly used English but, in most cases, interpreters were hired to translate into Polish, thus ensuring effective communication.

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

The Guidelines also point to an issue with the technical language, which might cause misunderstandings if not clearly understood. Using professional translation service without being able to ensure quality control of the translation into the neighbouring country's language has led to some misinterpretation of issues in question. Therefore, a draft MSP and the Environment Report in good English might be more efficient in transboundary consultation. It is also recommended that key terms used in MSP are explained in a separate section of the draft planning document.

In order to support the transboundary consultations and cooperation, BSR MSP Data group has compiled a 'Glossary' of most important sea uses from planners' perspective ("sea use code list"), indicating the possible sea use themes in national languages. See at: <https://vasab.org/theme-posts/maritimespatial-planning/bsr-msp-data-esg/>.

Response to the received comments during 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. There are various methods to do it, for example, by sending a formal letter or organising additional meetings to discuss issues of concern. As majority of the countries are still in the process of elaborating their MSP, commenting and responding to comments will be tasks in the future.

Germany (Mecklenburg-Vorpommern) has accomplished its 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 has 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 with information and justification to earlier comments. It explained to what extent remarks had been taken into consideration in the process of drafting the 2nd version of MSP. Some of the remarks have been 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 communication efforts. Most countries are fully satisfied with their 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 in the future; for example, additional discussion meetings with neighbouring countries would be beneficial.

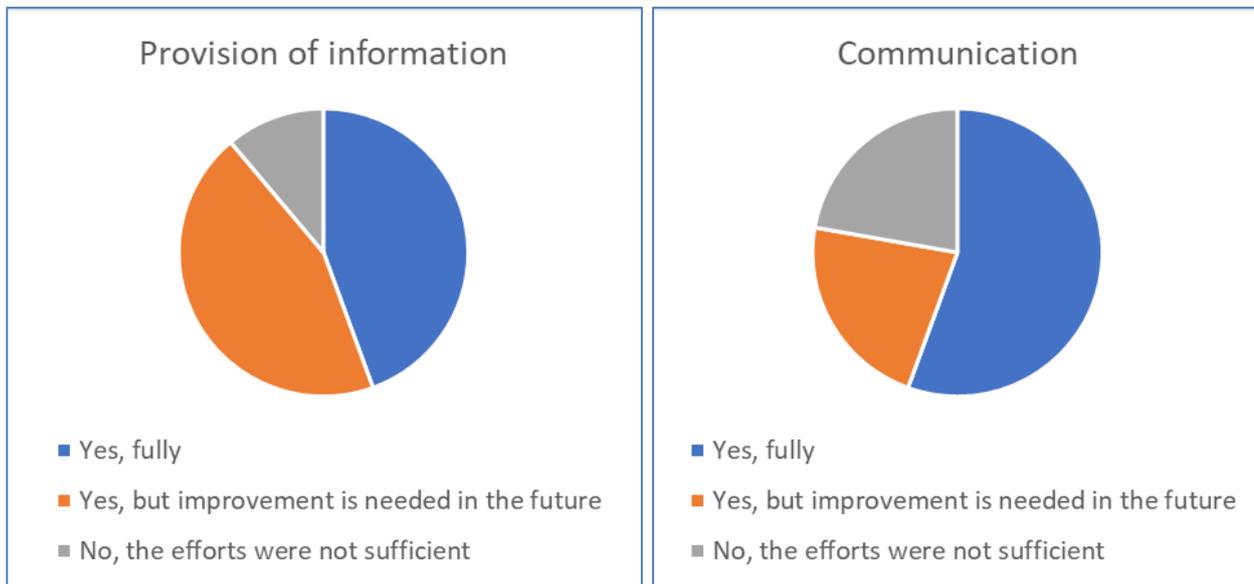


Figure 5. Self-evaluation of information provision and communication efforts

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 their own country depending on existing procedures on public participation. The Guidelines recommend several steps to be followed by 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 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). This step of the recommendation seems to be implemented in practice. In Sweden and Latvia, the stakeholder process is implemented via ESPOO contact points on the strategic environmental assessment. They communicate in a 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. The majority of the countries (Finland, Sweden, Latvia) send an e-mail to the selected stakeholders and publish information on the internet for wider public. The received written comments from national stakeholders are collated and sent to the relevant neighbouring country.

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

Issues of concern

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

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

Self-evaluation of the transboundary consultation organised within the country

The respondents of the survey were asked to provide their evaluation of consultation in their own country which aimed at collecting comments from their own stakeholders and public on the draft MSP of the neighbouring country. Most of the countries are fully satisfied with own efforts in arranging consultation. Similarly, as mentioned above on communication and information, Russia has not started implementing consultations yet as the legal procedure has not been established. Germany (Mecklenburg-Vorpommern) and Latvia point out that consultation process needs to be improved in the future. Latvia would like to see a more active involvement of the established MSP cross-ministerial/ transdisciplinary working group which was established to support national MSP process.

5.7. Informal transboundary cooperation processes

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

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

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

- It facilitates 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.
- It builds trust and thus facilitates communication during the formal processes;
- Informal meetings before formal meetings make the latter more efficient.

Further on, informal activities help people understand the planning systems and procedures in the neighbouring country more fully.

The informal cooperation of Spatial Planning as EU Strategy for Baltic Sea Region Horizontal Action has been supported by the Interreg Baltic Sea Region Programme 2014-2020¹². Since 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 complain of having too many formal meetings with limited outcomes. In general, informality and links to sectorial cooperation are seen as a very important condition for successful MSP. The official process might go faster if there are more informal meetings. Informal meetings before formal meetings make the latter more efficient, as the information exchanged is more profound.

There is room for improvement regarding preparation and facilitation of the meetings. Most often materials are presented only at meetings without prior review, which impedes contribution. Some meetings have focused on topics that are of very low or non-direct importance to 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 after staff changes.

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

5.9. Good practices

Good practices have been collected or created in various research and transboundary projects. There are also recent papers and publications 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.

The Swedish approach to transboundary consultation process integrating 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, with Sweden as its lead partner.

Another important criterion for satisfactory consultation process is response and feedback to received comments and their integration or rejection for a revised version of MSP. A clear and justified explanation and response letter from the country developing its 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.

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

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.

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

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

6. Evaluation of MSP Roadmap

The 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 on the implementation is regularly reviewed at the HELCOM-VASAB MSP WG meetings. The latest evaluation took place during the 19th Meeting of the joint HELCOM-VASAB MSP WG held in St. Petersburg, Russia, on 28-29 October 2019.

6.1. Evaluation of the MSP Roadmap

One of the first tasks on the Roadmap is to ensure intergovernmental cooperation. The transboundary Pan-Baltic cooperation on MSP is also highlighted by the Guidelines on Transboundary Consultations, Public Participation and Co-operation. To implement intergovernmental cooperation 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 of HELCOM and VASAB has been assessed mainly as significant and very significant. HELCOM and VASAB cooperation structures and the established working groups are seen as the key tool for informing about the MSP process and using the events for networking. For Denmark the role of HELCOM and VASAB in supporting transboundary consultation process has been neutral as the MSP process was in early stage. HELCOM and VASAB have the key role in ensuring cooperation with Russia, for whom the EU directives are irrelevant. In addition, Russia has not ratified the ESPOO Convention on Assessment of Environmental Impacts, which also requires transboundary consultations.

Although HELCOM and VASAB are important cooperation mechanisms 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 8. 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,	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"> It is too difficult to bring the outcomes and conclusions to national level; some resistance has been experienced. 	HELCOM and VASAB Secretariats, Competent authorities of Baltic Sea countries

	Status	Success	Challenges	Involved parties
and thus facilitate reaching the target of drawing up and implementing transnationally coherent Maritime Spatial Plans, applying the ecosystem approach throughout the region by 2020.			<ul style="list-style-type: none"> • The non-binding status of the adopted guidelines hinders strong application on national level. • 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"> • The Baltic Sea is seen as the frontrunner in the MSP and transboundary cooperation. • Good cooperation at the 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 the EU. The UNESCO could be a potential platform as they would lead the work on transboundary MSP guidelines. • A new UN-supported global project, where Sweden has been invited, could also provide better linkage between the Baltic and global scale. • HELCOM is also invited to take part in Global projects. • The Baltic Sea region could be made more visible on global level and 	HELCOM and VASAB Secretariats, Competent authorities of the Baltic Sea countries, stakeholders .

	Status	Success	Challenges	Involved parties
			across EU sectorial policies.	
1.3 Draft and adopt the Baltic Sea regional “Guidelines on transboundary consultations and cooperation in the field of MSP” by 2015.	The Guidelines adopted in June 2016 along with the guidelines on public participation	<ul style="list-style-type: none"> The guidelines were adopted in short time and smoothly. Poland has set a good example of how to apply the Guidelines. 	<ul style="list-style-type: none"> The issue of transparency could be clarified; good practices should be promoted. 	HELCOM, VASAB, competent authorities of the Baltic Sea countries.
1.4. Coordinate the MSP related actions and projects.		Horizontal Action on MSP (EUSBSR) is operating, co-led by VASAB and HELCOM.	It is important to ensure its continuity after 2020, in the updated EUSBSR.	HELCOM, VASAB.
2. Public participation				
2.1. By 2015, draft and adopt guidelines on public participation.	The Guidelines adopted in June 2016 along with the guidelines on transboundary consultation.		Took longer than expected.	HELCOM, VASAB, competent authorities of Baltic Sea countries.
3. Ecosystem approach in MSP				
3.1. Draft and adopt procedurally oriented Baltic Sea regional Guidelines by 2015.	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 the HELCOM-VASAB guidelines might be too general. A manual or handbook on the EBA would be a valuable tool. Such a handbook will be outcome of Pan Baltic Scope Project. 	HELCOM, VASAB, competent authorities of the Baltic Sea countries.
4. Information and data for MSP				
4.1. By 2013, identify competent contact points for MSP.	The list of contact point is regularly updated and shared.	The contact list is a very valuable tool.	<ul style="list-style-type: none"> Unfortunately, the countries do not always announce changes in staff so there is weakness 	HELCOM, VASAB.

	Status	Success	Challenges	Involved parties
			in handing over information between new and former staff.	
4.2. Share basic, relevant and available MSP related information.	Information is regularly shared in HELCOM-VASAB MSP WG Meetings, and MSP Country fiches are available on VASAB and HELCOM webpages.	<ul style="list-style-type: none"> • Direct contacts in info requests work. • MSP Country fiches are regularly updated.¹⁵¹⁶ 		HELCOM-VASAB MSP WG, competent authorities of Baltic Sea countries.
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>Information is shared via HELCOM Data and Map Service.</p>	<ul style="list-style-type: none"> • There has been success in harmonising output data. • HELCOM Map and Data Service contains information relevant to MSP as well. • BASEMAPS – the first steps towards the 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 for sharing data. • Late receipt of data and difficulty in sharing input data; data are not regularly updated even at national level; it is difficult to interpret and understand. Some data are not sharable. 	HELCOM-VASAB MSP Data ESG.
4.4. Utilize the existing processes for sharing spatial information.	HELCOM Data and Map Service, EMODNET.	EMODNET is a success to some extent, but there are weaknesses.	<ul style="list-style-type: none"> • Implementation of the INSPIRE Directive covers some issues but not on all MSP needs and not on data harmonisation. • In addition to public data, EMODNET 	HELCOM, competent authorities of the Baltic Sea countries.

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

¹⁶ <https://helcom.fi/action-areas/maritime-spatial-planning/country-fact-sheets/>

	Status	Success	Challenges	Involved parties
			publishes data from other different sources which are not always agreed upon by the competent authorities of the country.	
4.5. BY 2015, prepare a future oriented report on marine and maritime activities.	The report on marine and maritime activities has been produced by HELCOM 2018. HELCOM Assessment on maritime activities in the Baltic Sea 2018. ¹⁷	<ul style="list-style-type: none"> The 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 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, BALTSPEACE).	<ul style="list-style-type: none"> Education (Erasmus mundus maritime spatial planning (5th round). In Russian, St. Petersburg University has a dedicated course. Many courses on MSP within ongoing planning or environmental management programmes. Development of MSP Games and ICES cases. In summer 2019 first young planners contest was organised by 	<ul style="list-style-type: none"> How many experts are needed? Is a course with ongoing programmes on planning enough? <p>Although a lot is ongoing in MSP education, educators could get more involved in sharing the experiences in development of MSP curriculum.</p>	<p>Students and universities from the Baltic Sea countries:</p> <ul style="list-style-type: none"> - Klaipėda, 2016 - Copenhagen, 2018 - Turku, 2019

¹⁷ Baltic Sea Environment Proceedings No.152. Helsinki Commission, Helsinki. (BSEP152, 2018)

	Status	Success	Challenges	Involved parties
		VASAB; the participants were actively involved in the 3 rd MSP Forum.		
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 project.	Citizen science for input data on the current situation (bird watching, marine litter).	Awareness raising and education for broader public and spatial and development planners at local level would be important to ensure better acceptance of the development activities in marine areas.	HELCOM, VASAB, competent authorities of the Baltic Sea countries, 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.	All Baltic Sea countries, except Russia, are 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 EU MSP directive has been accomplished.	The MSP Directive has facilitated cooperation an coherence in MSP among the EU member countries.	A lack of MSP legal framework in Russia hinders the transboundary MSP development in the Baltic Sea region.	Competent authorities of the Baltic Sea countries.
6.2. Apply the Baltic Sea regional “Guidelines on transboundary consultations and cooperation in the field of MSP” by 2018.	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.
6.3. Apply the Baltic Sea regional “Guidelines on	The status of the application of the guidelines varies	<i>See Section 5.</i>	<i>See Section 5.</i>	Competent authorities on MSP; support by

	Status	Success	Challenges	Involved parties
public participation for MSP with transboundary dimensions” by 2018.	between countries (See Section 5)			transnational /cross-border projects.
6.4. Apply the Baltic Sea regional “Guidelines on the application of EA in transnationally coherent MSP” by 2018.	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 of MSP.	Assessment report is carried out in 2019.	<i>The process is ongoing.</i>	<i>The process is ongoing.</i> <i>The main challenge – only a 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 in 2016, 2018 and 2020.	The Roadmap has been part of HELCOM-VASAB MSP WG work plan.	<i>The process is ongoing.</i>	<i>The process is ongoing.</i>	HELCOM-VASAB.

6.2. Implementation of the HELCOM-VASAB MSP WG Plan

The structure of the HELCOM-VASAB MSP WG Work Plan 2017-2019 reflects the Roadmap 2013-2020. The work plan specifies the action to be implemented, Lead country or organisation, supporting institutions or projects, time frame of implementation and expected deliverable or output from the action.

During the 19th Meeting of the joint HELCOM-VASAB MSP WG held in St. Petersburg, Russia, on 28-29 October 2019, the members of the MSP WG reflected on the implementation aspects of the work plan. The majority of the actions require continuation (e.g. updating the country fiches) or follow-up activities (e.g. revision of the guidelines). The 19th Meeting also drafted the new Work Plan 2020-2021. The structure of the new document is slightly different compared to the previous one. It has stronger emphasis on supporting more coordinated regional approaches, tools, guidance for better implementation of MSP in the Baltic Sea region. The activities are structured in 4 groups of action (could also be called directions of work): follow-up progress in regional MSP; intergovernmental cooperation on MSP; development of the regional MSP framework; information and data for MSP. With regard to the fact that the Work Plan is developed for two years covering four MSP WG meetings, the agreed actions and tasks are rather ambitious and external support (i.e. transboundary project activities) is needed.

6.3. Proposals for future activities of MSP Roadmap beyond 2020

The relevance of the MSP Roadmap beyond 2020 was among discussion issues at the interactive workshop in March 2019. An opinion was expressed that the future Roadmap should be more specific, more similar to an action plan. Alternatively, a review or coherency system to evaluate MSP and its implementation could be set up instead of the MSP Roadmap. It was agreed that an international commitment is strongly needed to implement MSP across Europe (not only in the EU Member States), so for that a joint plan would be required.

During the 19th Meeting of the joint HELCOM-VASAB MSP WG in October 2019, the issue of the Roadmap was addressed briefly, as the focus of the meeting was to agree on Work Plan 2020-2021. In general, the Work Plan 2020-2021 already identifies several directions of work that would be taken at regional level beyond 2020. Nevertheless, the new Roadmap could be a more strategic document towards supporting the implementation of MSP in the BSR.

The following directions of work could be addressed by the new MSP Roadmap:

1. Intergovernmental cooperation on enhancing the existing guidelines and developing new ones

- HELCOM-VASAB MSP WG has initiated, elaborated and adopted already 3 guidelines. Having experience with official process of MSP in the Baltic Sea countries, the guidelines might require revisions. This is particularly relevant for the guidelines on the EBA, which will be dealt with in MSP WG Work Plan 2020-2021. The MSP WG could also initiate and steer the development of the new guidelines, e.g. on land sea interaction, on impact assessment or appraisals. This could be supported by transboundary projects and platforms which would provide input for discussion and common agreements on approaches.

HELCOM-VASAB MSP WG is the official platform for transboundary cooperation, nevertheless the countries see this also as a platform for sharing experiences and knowledge beyond the official agenda. New project ideas are discussed and initiated there, too. The work of MSP WG could be also supported by outcomes from the Planning forum.

- HELCOM-VASAB MSP Data expert subgroup – the data expert subgroup meetings with involvement of planners as well as institutions that hold sectorial data is an important strand to be supported.
- Cooperation between MSP WG and HELCOM thematic groups (fish, shipping, aquaculture, etc.) – this would support better understanding and implementation of the ecosystem based approach as HELCOM is developing and maintaining regional environmental knowledge base on marine issues as well as on maritime activities that causes pressure on the Baltic Sea.

2. Information and data exchange:

- On development and implementation of MSP (status, licensing, projects, contact persons, other relevant info) – this work is continuous and could be also just reflected by the HELCOM-VASAB MSP WG Work Plan and not as a part of Roadmap.
 - MSP relevant data via BASEMAPS, HELCOM, EMODNET – the optimum way of coordination and data sharing is still one of the key challenges that requires additional efforts.
- 3. Follow-up of implementation of MSP and adaptive governance**
- Strengthening involvement of planners and stakeholders in cross-border and Pan Baltic discussions on Blue Growth policies – this could be achieved through a planning forum, Baltic MSP forum, sectorial discussions with key stakeholder groups. There is an intention to set up a long-lasting cooperation mechanism in form of the Planning Forum which was set up within the Pan Baltic Scope project, will be continued by the Capacity4MSP project.
 - Monitoring and evaluation of the implementation of MSP - success, barriers due to misalignments, conflicts – the concepts and approaches are still to be agreed on how to evaluate the achievements and effectiveness of MSP. The operationalization of the concept of ‘the coherence of MSP’ shall be further explored and discussed among the planners and decision makers of maritime economy sectors, as well as other issues of concern in MSP. Use of qualitative and quantitative indicators for monitoring of achieving MSP objectives shall be promoted.
 - Adaptive planning and revisions of MSP due to new ambitious policy objectives (e.g. energy and climate change) – although MSP has a long-term perspective, many changes in policy goals and other factors are inevitable. Although some review process is foreseen, it might, however, not be sufficient to respond promptly to the actual processes and drivers of changes.
 - Licensing and impact assessment of large-scale projects in the Baltic Sea – there has been some experience with carrying out environmental impact assessment of large-scale projects; however, these have been mainly assessed from environmental perspective and not in the context of MSP. Therefore, some studies and related discussion could be launched on how to handle such developments from the MSP perspective.
- 4. Outreach and experience transfer beyond the Baltic sea region**
- Involvement of the global and EU wide MSP initiatives has mutual benefits. It provides opportunity to learn from other regional seas and countries as well as to increase visibility of Baltic sea region at global scale.
 - Strengthening cooperation or regular information exchange between other conventions and cooperation mechanisms of EU regional seas (e.g., OSPAR for the North Sea; Barcelona convention for the Mediterranean Sea)

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 the past and ongoing MSP process and to integrate newly created knowledge on MSP.

An introduction to a hierarchy of the principles could be considered as a few principles are overarching, whereas some others are specific. '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 interviewed persons revealed that a guidance document or explanatory note would be valuable to support the application on sustainable development, the EBA (more detailed than the existing one), coherent terrestrial and maritime spatial planning.

Guidelines on Transboundary Consultations, Public Participation and Co-operation

The Baltic Sea countries are in different stage of the development of MSP, consequently the Guidelines have not been tested to full extent yet. 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 the engagement of stakeholders in the 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 lead transboundary consultation process in many countries. However, it would be recommendable to review the process of the practices in organising transboundary consultation process for countries' own stakeholders and assessing how the national and transboundary interests are ensured in the plans of the neighbouring countries.

MSP Roadmap

The MSP Roadmap was set up to ensure intergovernmental cooperation. Even the EU MSP Directive is adopted and implemented, and it requires transboundary cooperation. The BSR countries see an added value of jointly discussing and developing several MSP challenging issues in future. It has been recognised that HELCOM-VASAB MSP WG plays an important role in ensuring 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 the enhancement of data collection, storage and exchange shall be also strengthened in coming years.

While good cooperation between planners from competent authorities is well-established, the involvement of stakeholders in MSP in 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 a 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
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 (please describe)	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 (please describe)	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.

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 website 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"/>				

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)

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?