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### Background

The activity 1.2.1 Ecosystem toolbox of the Pan Baltic Scope MSP project included the development of a [Synthesis report on the Ecosystem Approach to Maritime Spatial Planning](#) as well as a review of the current HELCOM-VASAB EBA guidelines as an input for further elaboration by the meeting or a dedicated task-force.

### Action requested

The Meeting is invited to take note and discuss the document including the appendix as an input for the revision of the current HELCOM-VASAB EBA guidelines including proposed changes in track-changes.

## HELCOM-VASAB MSP WG EBA guidelines recommendations from the EBA toolbox activity in the Pan Baltic Scope project

### 1.1. About this document

This document gives recommendations on how to develop the EBA guidelines from the HELCOM-VASAB MSP WG. The document was produced the EBA toolbox activity in the Pan Baltic Scope (PBS) project. The document is meant as concrete input to the HELCOM-VASAB MSP WG, as an idea and discussion material on how the current guidelines could be developed.

### 1.2. Pan Baltic Scope and aims of EBA activities

The aim of the Pan Baltic Scope-project is to achieve coherent national maritime spatial planning in the Baltic Sea region and to build lasting macro-region mechanisms for cross-border MSP cooperation. The project is co-funded by the European Maritime and Fisheries Fund.

The proposed recommendations were developed as part of the activities “Ecosystem-Based Toolbox” and “Ecosystem-Based Approach in Sub-basin SEA”, SEA standing for Strategic Environmental Assessment, under work package 1.2 “Advancing the Implementation of the Ecosystem-Based Approach and Data Sharing”, but also include results from other activities in the project.

The aim of the activity “Ecosystem-Based Toolbox” has been to further strengthen the common understanding of implementation of Ecosystem-Based Approach (EBA) in national MSP in the Baltic Sea Region.

The aim of the activity “Ecosystem-Based Approach in sub-basin SEA” has been to develop best possible transboundary SEA using a coherent approach and assumptions for the southern Baltic as test case for methodologies and guidance. To achieve the aims, a survey was performed where representatives from planning authorities in the Baltic Sea countries answered a number of questions concerning the national EBA and SEA practices. A workshop was held in Helsinki with MSP and environmental experts from Finland and Åland testing the EBA-checklist toolbox of the Baltic Scope project. Additionally, three workshops for planners and environmental experts were held in Hamburg and Malmö, where tools for EBA and possible needs for future work were discussed. Furthermore, a synthesis report on the current guidelines<sup>1</sup> for EBA has been published, . The report included recommendations on how the guidelines can be updated to represent a state-of-the-art version of the EBA.

### 1.3. Analysis of current guidelines (Synthesis report)

As a part of the activity “Ecosystem-Based Toolbox” a synthesis report has been published analyzing the current guidelines (HELCOM-VASAB 2016)<sup>2</sup> for the application of the EBA to MSP in the Baltic Sea region. The analysis is based on how the EBA has been discussed in scientific literature, selected reports and guidance documents. The report evaluates how well the guidelines are aligned with the findings of such literature as well as with the Malawi principles (CBD 1998). The analysis showed that the guidelines fairly well cover the Malawi principles, however there is still room for improvement of the current guidelines. The report mainly focuses on the key elements of the EBA as forwarded in the guidelines, and how they could be developed to better reflect a more comprehensive EBA. The results of the workshops have shown that the table of implementation in the guidance document also is in need of revision. These revisions are to some extent discussed here but can also be found in the Appendix to this document.

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<sup>1</sup> HELCOM-VASAB Guideline for the implementation of ecosystem-based approach in Maritime Spatial Planning (MSP) in the Baltic Sea area (HELCOM/VASAB 2016)

<sup>2</sup> Ibid.

One of the main findings in the Synthesis report is a *lack of consistency* in interpretation of the EBA among the Baltic Sea states. The synthesis report suggests a development of the guidelines framed by the scientific findings to reflect these important perspectives of the EBA. An over-arching challenge for MSP is how to deal with the management of conflicts or opposing perspectives relating to values and objectives, or overcoming lacking trust or understanding between actors. These issues are currently not reflected in the guidelines. As will be further addressed in the discussion-section below, guidelines may also not be the most suitable tool for dealing with such issues.

#### 1.4. Recommendations from the Pan Baltic Scope project

The analysis in the synthesis report shows that the guidelines currently are relatively well aligned with the Malawi principles, which represent the most commonly referred to definitions of the EBA. However, the analysis also shows that the guidelines, like the Malawi principles, are short on substance and provide little insight as to how the EBA can be translated to practice. In the synthesis report there is a concluding discussion on how to incorporate and try to handle some of the insights and challenges in implementing the EBA found in the scientific literature. In this section we present a set of recommendations that is based on the findings of the synthesis report. The text also reflects results from a survey to take stock of the current EBA practices in MSP throughout the Baltic Sea region, which has been performed as a part of work package 1.2 of the PBS. The respondents in the survey were civil servants active at different levels and capacities in the national MSP processes. The results from the survey show that some of the main challenges when applying the EBA are the lack of data/knowledge, differing interpretations of the precautionary principle, issues with stakeholder involvement, and diversity of approaches and methodologies in working with the EBA.

##### 1.4.1. Recommendations (suggested amendments)

The recommendations on how to amend the guidelines can be divided into two sets. The first set of recommendations originates from the results of the synthesis report, and the second set aims at integrating the results of the survey and the planner's perspective. The combination of these two sets of recommendations aims to provide a new type of guidelines that are more easily applied in the practical work of MSP based on a scientific foundation.

##### *Recommendations from the synthesis report*

As concluded above, the HELCOM-VASAB MSP WG guidelines for EBA in MSP and the key elements to a large extent correspond to the Malawi principles. There is thus no need to propose a complete revision. However, the existing key elements can be made more understandable and concrete through a number of amendments. This section provides the reasoning behind the proposed amendments and is structured in accordance with the key elements of the guidelines. The actual amendments, as recommended, are presented in the Appendix.

1. Best available knowledge and practice – To strengthen this element, different types of knowledge need to be acknowledged. Ecosystems can be valued differently by different groups, and local knowledge can be an important source of information about ecosystems. The present wording does not reflect the fact that knowledge also concerns perceptions, values and practices that affect human behavior.
2. Precaution – The version of precaution reflected in the key elements is rather weak and could be strengthened by more explicitly referring to uncertainty as an inherent property of the management of socio-ecological systems. This calls for clear communication of such uncertainties between and among scientists and decision-makers. A way of strengthening the precautionary principle in MSP is to include extra margins of safety in the process where there are uncertainties.
3. Alternative development – The evaluation of societal (including social) effects in MSP can be more clearly reflected in this element. There are existing practices that could be referenced in the elements

- to facilitate implementation, such as transparent accounts of trade-offs among uses and interests in the different planning options.
4. Identification of ecosystem services – In the identification of ecosystem services, it is important to define their role in trade-off analysis of the alternative development, and understand them as one of many tools. This could be more clearly reflected in the elements as well as their consideration in MSP. The key element could be changed to: “Identification and consideration of ecosystem services”
  5. Mitigation – Including margins of safety is important in precautionary mitigation of adverse environmental effects. This, together with highlighting the need for consideration of high nature values and key species for ecosystem structure and functioning, would render the key element more concrete and useful.
  6. Relational understanding – Although this element rather well reflects the aspects found in literature, one useful amendment would be to have a clear reference to methods for managing land-sea interactions, as this seems to be one of the more challenging aspects of MSP.
  7. Participation and communication – This is one of the most intensely discussed themes in literature. Some of the important factors that should be more clearly reflected are that the processes need to be inclusive and reach a diversity of people. They need to acknowledge power structures and that there can be different perceptions and terminologies. Lastly, the expectations of participants need to be aligned with the expected outcomes of the process to ensure that stakeholder perceive the process as meaningful and legitimate. All of these aspects could be more clearly formulated in the key element to facilitate participatory processes.
  8. Subsidiarity and coherence – Since marine ecosystems are nested, there cannot be *one* appropriate level of management. The element should reflect this and focus more on the integration of management levels. This may also promote a coherent understanding of both the ecosystem functions and the EBA as well as a more coherent implementation.
  9. Adaptation – Change is inevitable in ecosystem management and new information and changing circumstances will inevitably affect adaptation. None of this is reflected in the element presently.

#### *Recommendations based on the survey*

This section contains reflections based on the survey results. Together with the current formulation of key principles, and the recommendations in the previous section, the results can inform how concrete amendments can be made to the key principles to best fit the needs of practitioners. The structure of the recommendations in this section does not follow the key elements as the previous section did. Rather, the text presents some general themes that were recurring in the survey results.

Knowledge as an aspect of planning is mentioned in several instances in the survey. Four out of six respondents that are applying the EBA mentioned knowledge as an important part of the application. Here knowledge seems to be understood mostly as ecosystem knowledge, such as the need of data, resources and expertise to assess relationship between ecosystem structure, functions and flow of services as well as to evaluate cumulative impacts of various human uses on the marine ecosystem. A lack of knowledge is identified as a challenge to the implementation of the EBA. One of the questions in the survey specifically addressed the integration of best available knowledge in the MSP process. Here, six out of seven answers mentioned knowledge about the ecosystems in varying ways, one respondent mentioned cultural knowledge and one mentioned involvement of relevant actors. In relation to the recommendations in the previous section, it seems clear that the societal (including social) dimension needs to be strengthened in the guidelines if they are to better reflect the scientific understanding of the EBA. This concerns both the “Best available Knowledge and Practice”-principle, and the “Adaptation”-principle. None of the responses concerning adaptation included aspects of knowledge. Instead, all focus on the review periods of national marine plans, which can be seen as consistent with the current wording of the guidelines.

The precautionary principle is identified by one of the respondents as unclear with different countries and stakeholders interpreting it differently. On a direct question on how the precautionary principle is considered in planning, the responses are unspecific and no clear definitions promoted. This is in line with the findings from the synthesis report, that the precautionary principle needs to be strengthened in the key elements. One respondent offers an example of a best practice, something that could be useful to include in the key elements. In regard to relational understanding, the answers also corroborate the findings in the synthesis report, as land-sea interactions do not seem to be a part of the holistic approaches applied in current national MSP processes. The relational understanding has a close connection to the answers concerning subsidiarity, where, at least in two cases, there are different levels of government involved in the planning process. As stated in the synthesis report, it is important that these levels are closely connected, also to promote a better relational understanding.

A recurring issue in the survey is the lack of data, funding, and best practice examples or concrete guidance. While the guidelines cannot help with the first two, they can be more specific to better answer to the need of best practice examples and concrete guidance. To be able to facilitate the allocation of resources, in terms of both time and data, one possibility is to strengthen the status of the guidelines by giving them the formal status of a HELCOM recommendation.

#### 1.4.2. Recommendations based on workshop results and experiences made in the activities

The workshops included discussions on the experienced challenges at national level with EBA implementation. The lack of an EBA-perspective in sector planning was highlighted as an important obstacle as sector planning and decisions on projects in many cases lay the basis for the content of MSP-plans. Integration between MSP and environmental authorities, developing shared knowledge such as Green infrastructure maps and cumulative assessment methods is needed. Further the issue of transnational/cross border environmental assessment has been dealt with in the case of offshore windpower on the Southern Middle Bank shared by Sweden and Poland. MSP applying EBA may need to integrate such assessments to cover cumulative spatial impacts.

A key element on Environmental Objective is proposed to be added. It stresses the environmental objective in MSP to promote conservation and sustainable use of marine ecosystems while making the linkage to the environmental target clearer in the guidelines including the MSFD's good environmental status.

#### 1.5. Discussion

The results from the survey indicate that the current guidelines are not fully useful in national MSP processes. The suggested amendments aim to create guidelines that are clearer, and better manage the challenges identified in the scientific literature, the survey and in workshops carried out in Pan Baltic Scope.

A general aspect of the EBA is that it is difficult to translate into practice. Sharing good/best practices is thus important for facilitating implementation, as well as for creating a coherent understanding of the EBA in the Baltic Sea region. Only two of the eight respondents indicate that the HELCOM/VASAB guidelines are used to inform the process. While time and funding seem to be two central factors for this lack of use, clearer and more precise guidelines can give better preconditions for national application of a coherently understood EBA. The recommended amendments are aimed at providing such preconditions, still maintaining the guidelines relatively open. For additional guidance a handbook on how to apply the EBA and strategic environmental assessments in MSP has been developed as a part of the Pan Baltic Scope project. Other relevant Pan Baltic Scope, e.g. on marine green infrastructure, cumulative assessments and economic and social analysis in MSP are available on the project webpage: [www.panbalticscope.eu](http://www.panbalticscope.eu)

The recommended amendments to the guidelines are not meant to entail any major substantial changes in content of the guidelines. Rather, they are suggested as clarifications to better align the guidelines with the scientific understanding of the EBA as well as the practical needs of planners in the BSR countries. In this sense, they would provide individual countries with a clearer vision of how the EBA can be applied.

A challenge that may arise in implementation of the amended guidelines is how to include societal aspects of knowledge including economic, social, cultural, and ecosystem services. These are not included in the guidelines presently, and few countries include societal aspects of knowledge in planning. Funding and time are scarce, and a remaining undeveloped element in the guidelines and in the MSP of many countries will require both time and resources, as it is a matter of gathering and analyzing new data. Nevertheless, the amendments should be seen as a clarification regarding the EBA, which is a legal requirement in both the MSFD and the MSPD as well part of CBD Ecosystem Approach strategy, thus requiring the individual countries to provide the necessary resources. The proposed revisions to the guidelines are a way of providing clearer information on what resources are needed.

It could also be discussed that only two out of eight respondents in the survey indicated that the guidelines are used in the national process. This may indicate a need to raise awareness of the guidelines among MSP-practitioners, and emphasize the cause for revising them into being more relevant.

The HELCOM recommendation IMPLEMENTATION OF INTEGRATED COASTAL MANAGEMENT AND MARITIME SPATIAL PLANNING IN THE BALTIC SEA AREA (Adopted 25 June 2003 and amended 7 March 2019, having regard to Article 20, Paragraph 1 b) of the 1992 Helsinki Convention) includes a number of EBA-relevant recommendations on knowledge development, integration with management, participation etc. The recommendation also recommends Contracting Parties to develop maritime spatial plans in accordance with the Baltic Sea Broad-scale Maritime Spatial Planning (MSP) Principles and utilizing the Guideline for the Implementation of Ecosystem-based Approach in Maritime Spatial Planning and Guidelines on Transboundary Consultations, Public Participation and Co-operation. The HELCOM/VASAB MSP WG guidelines could benefit from further references to this recommendation.