

MSP

Country Fiche

Denmark

Updated February 2023

1. General information

1.1. Governance

The Danish territorial water belongs to the public and is managed by the Government.

1.2. Contacts

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 - MSP in general:
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2. General information on legislation

The Danish Parliament has adopted the "Act on Maritime Spatial Planning", which establishes the framework for spatial planning in the Danish marine areas. On March 31st, 2021 the Act was implemented through Denmark's first maritime spatial plan, which was published as an executive order. The maritime spatial plan can be seen [here](#).

The purpose of the Act on Maritime Spatial Planning is to promote economic growth, the development of marine areas and the use of marine resources on a sustainable basis. The Act aims to contribute to achieving the goals of maritime spatial planning while taking account of land-sea interaction and strengthening cross-border cooperation.

With the Act on Maritime Spatial Planning, the Danish Government recognised the need for greater coordination between activities conducted in the Danish marine space and between the authorities that manage and regulate these activities. These authorities have worked together through formal channels to coordinate their work and to establish new joint initiatives. The implementation of the Act on Maritime Spatial Planning therefore draws and builds upon the established background of interagency collaboration.

Sectors included in the maritime spatial plan are: the energy sector, maritime transport, fishing, aquaculture, the extraction of raw materials, transport infrastructure and the preservation, protection and improvement of the environment, including resilience to the consequences of climate change. Military activities, cultural heritage, municipal plans for use of coastal waters, etc. are not regulated by the plan but they are taken into account. Economic growth is a strong focus for the maritime spatial planning of the Danish marine waters.

3. General applicability (e.g., territorial Sea, EEZ, other distinctions)

The maritime spatial plan applies to the marine internal waters, the territorial sea and the EEZ. The Danish sea, the EEZ as well as the territorial waters, belong to the public and are managed by the Government.

4. Spatial Plans

The maritime spatial plan went under consultation on March 31, 2021 with immediate legal effect. The consultation period ran for six months until September 30th.

4.1. Draft executive order on Denmark's maritime spatial plan, March 31, 2021

4.1.1. Legal basis

The legal basis for the Danish maritime spatial plan is the Danish Act on Maritime Spatial Planning (LBK nr 400 af 06/04/2020). The Act is an implementation of the Directive 2014/89/EU, and was adopted by the Danish Parliament in 2016. It was later updated in 2020.

4.1.2. Legal impact

The Danish plan is implemented as an executive order, and will therefore have legal effect as such.

4.1.3. Area covered

The plan covers the entire ocean area, from the coastline to the border of the EEZ.

4.1.4. Historic development

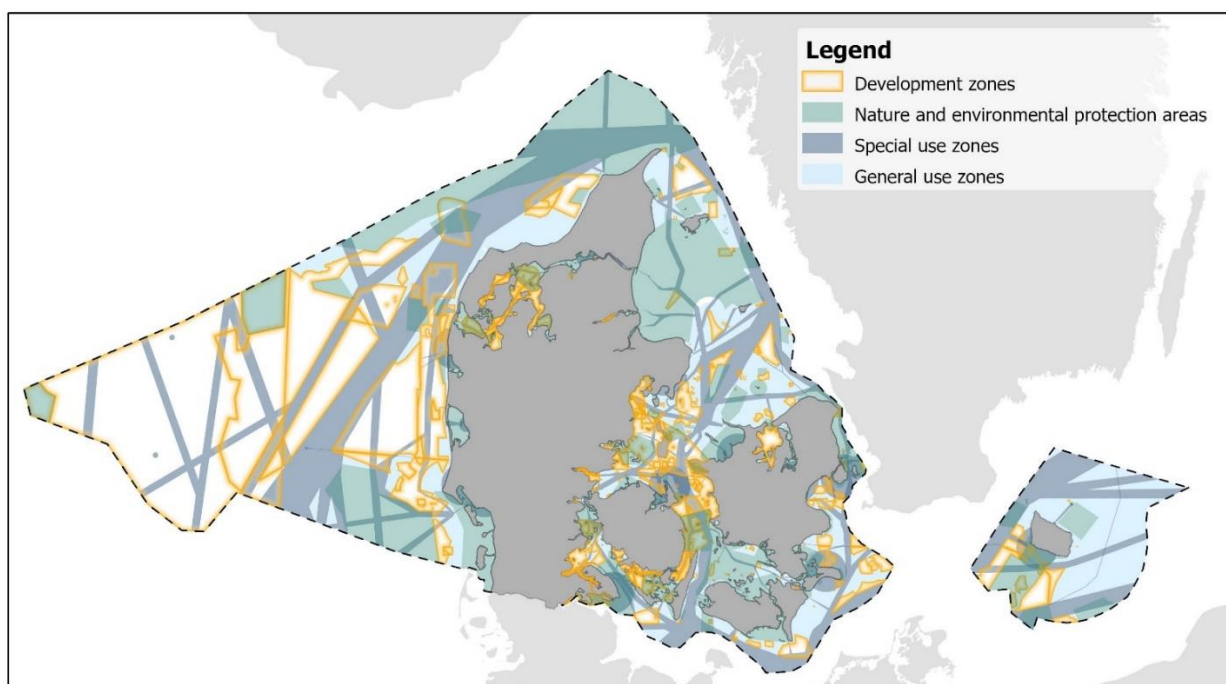
The plan was first published in March 2021. While having temporary legal effect, the plan still awaits final adoption.

4.1.5. Objectives of the plan

The purpose of the plan is to promote economic growth, the development of marine areas and the use of marine resources on a sustainable basis.

4.1.6. Map

For a detailed map, please see <https://havplan.dk/en/page/info>



4.1.7. Designation

- Designation categories

The Danish plan consists of four zone categories: general use zones, development zones, zones for nature conservation and environmental protection and zones for special purposes.

Using this model, Danish marine areas are covered by the general use zone, if the area is not allocated for any other purpose. This means the general use zone is the default zone-type, which can include any activities that does not require fixed installations/structures. The zone can therefore contain activities such as sailing, fishing, recreational activities and tourism.

- Planned Sea-uses:

- Renewable energy
- Nature conservation and environmental protection
- Oil and Gas activities
- CO₂ storage
- Aquaculture (shellfish and fish farming)
- Mineral resource extraction
- Transport infrastructure
- Land reclamation project
- Shipping

- Spatial efficiency

Overlapping interests are discussed in the Danish working group on MSP, and major decisions are discussed in the steering group. For the working group, all authorities with activities or responsibilities at sea are represented, whereas the steering group receives input from the working group and consists of representatives from the ministries with key responsibilities at sea (i.e. in relation to energy, defence, nature conservation, shipping, financing, fishing and aquaculture). Overlaps that are seen to not be able to co-exist are then addressed in these groups, whereas overlapping interests that might be able to co-exist are left in the plan and will then await the development of specific projects before the overlap of interests are addressed.

4.1.8. Regulations

The aquaculture- and extraction of raw materials sectors as well as parts of the energy and transport infrastructure sectors are covered by the development zone category. These activities can only take place within the designated zones. Meanwhile, the zones for special purposes, which include for example transport and energy cables, functions as priority zones. This means that these uses are prioritized in the designated areas but that they can also exist outside the boundaries of the zones.

4.1.9. Adoption

The plan has temporary legal effect. It awaits a revision driven by the government before it can be finally adopted.

4.1.10. SEA

A strategic environmental assessment was developed alongside the planning process to ensure an iterative process between the drafting of the plan and the environmental assessment. The report can be found in Danish [here](#).

4.1.11. Public participation

An initial step of the planning process was to have two workshops with stakeholders and experts to locate expectations and ideas for the planning process. Once the draft was finalised and sent into consultation, the DMA held seven physical meetings in seven larger maritime cities throughout Denmark to share knowledge of the plan and receive input and feedback from the public.

4.1.12. Transboundary consultation

The plan was sent into transboundary consultation (Espoo) at the same time as it went into national consultation.

4.1.13. Harmonisation with other plans

There has been a particular focus on assuring the alignment of shipping corridors with neighbouring MSPs. There is ongoing knowledge sharing with neighbouring countries and considerations are taken whenever changes are suggested to the plan.

4.1.14. Implementation, Monitoring, evaluation, follow-up MSP

Implementation, processes & tools for evaluation & assessment, MSP impact to certain projects, management of activities: The main legal effect of the plan is the insurance that ministries consult with each other before permits etc. are given. In addition, it also makes sure that development of physical structures only takes place in the allocated zones. Due to the plan being an executive order, ministries and authorities are now obliged to follow the regulations in the plan.

The evaluation of the plan is primarily carried out by the MSP secretariat with the support of the working group.

Identification of relevant policies or processes concerning marine and coastal domain and their relations to the achievements of targets set in maritime spatial plans: postponed.

Identification of MSP impacts on progress towards sustainable blue economy and to the SDGs 2030:

Denmark has worked actively for many years to achieve sustainable management of the Danish sea areas and, in connection with the preparation of Denmark's first maritime spatial plan, has also sought to support the UN goals that are affected by maritime spatial planning. A significant part of the UN's goals are supported in connection with Denmark's first maritime spatial plan. These are as follows:

- Goal 7 - Affordable and clean energy
- Goal 8 - Decent work and economic growth
- Goal 9 - Industry, innovation and infrastructure
- Goal 11 - Sustainable cities and communities
- Goal 12 - Responsible consumption and production
- Goal 13 - Climate action
- Goal 14 - Life below water
- Goal 15 - Life on land

The 8 Sustainable Development Goals are directly or indirectly reflected in the maritime spatial plan and in the work that has been ongoing in connection with its preparation.

4.1.15. Electronic resources

- Website(s) with further information about MSP

The plan and additional information can be found here: <https://havplan.dk/en/page/info>

- Access to MSP data

GIS-services on the Danish plan can be found here: https://havplan.dk/en/about/data_gis

5. Other information

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6. New developments / current status

On March 31 2021, the first Danish MSP was published with immediate legal effect. At the same time, the plan went under consultation, both national and Espoo, until September 30th. Since then, the plan is being revised based on consultation responses. It was decided by the former government that the plan should be politically negotiated, however, negotiations were not finalised before election for parliament was held on November 1st 2022. The new government has stated that they wish to update the plan. This update is now ongoing.

7. MSP role in protection of marine environment

The Danish plan allocates area for environmental conservation, however the legislation is placed elsewhere with the Ministry of Environment as the responsible authority. National conservation targets are however debated as part of the revision of the plan.

8. MSP role in Climate change mitigation, adaptation and resilience

Climate change mitigation is a key focus of the Danish plan. Large areas are allocated for renewable energy to enable the achievement of various agreements and national as well as international targets. In addition, the plan allocates space for CO₂-storage, which is a developing activity in Denmark.

Climate change adaptation is mainly addressed by keeping the coast free from zone allocation wherever this is possible, to ensure that the coastal protection of municipalities are not hindered by the maritime spatial plan.