

MSP

Country Fiche

Denmark

Updated April 2024

1. General information

1.1. Governance

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

1.2. Contacts

- MSP in general:
 - MSP in general:
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Danish Maritime Authority
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- MSP Data Focal point:
 - Ministry of Business and Growth
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- Espoo contact point:
 - The Danish Environmental Protection Agency
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5000 Odense C
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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

As of April 2024, there have been one plan draft with legal effect, an adopted plan and an amendment draft with legal effect.

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

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

Executive order on Denmark's maritime spatial plan, September 29 2023

The plan was adopted September 29th 2023.

Draft amendment to the executive order on Denmark's maritime spatial plan, November 27th 2023

Based on political negotiations, the agreed upon amendments to the plan were sent into consultation on November 27 2023, lasting until February 5th 2024. As of April 2024 the amendment has still yet to be adopted.

4.1. 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.

4.2. Legal impact

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

4.3. Area covered

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

4.4. 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.

4.5. Map

For maps over the current and previous plans (drafts), please see <https://havplan.dk/en/page/info>

4.6. Designation

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.

The following activities are planned for in the Danish MSP:

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

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.

4.7. 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.

4.8. 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. In addition, an SEA was conducted for the proposed amendments in 2023. The environmental reports can be found in Danish [here](#).

4.9. 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.

4.10. Transboundary consultation

The plan and amendment were sent into transboundary consultation (Espoo) at the same time as they went into national consultation. Espoo reports and correspondences are available [here](#).

4.11. 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.

4.12. 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 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:

Several political initiatives support the achievement of the overall target of the Danish MSP: To promote economic growth, the development of marine areas and the use of marine resources on a sustainable basis.

With the political agreement on the Danish MSP from June 2023, the parties have agreed to create better conditions for nature and biodiversity. This is done in the Maritime Spatial Plan by designating and indicating a total of more than 30% as protected for nature, and by gradually increasing the proportion of strictly protected areas at sea from approximately 4% of the sea area in the previous Maritime Spatial Plan to 8% of the sea area in 2028, with to 10% strict protection to be achieved by 2030.

Offshore wind power is crucial for the green transition, not only in Denmark, but also in the rest of Europe, as expressed in the ambitions for the North Sea and the Baltic Sea in the Esbjerg and Ostend Declarations and the Marienborg Declaration, which will contribute to both Danish and European independence from fossil fuels. The designations for renewable energy in the Maritime Spatial Plan can support a massive expansion of renewable energy in order to harvest a much larger share of Denmark's unique offshore wind resources.

Areas are also designated for the storage of CO₂ with the aim of ensuring that one or more CO₂ storage facilities can be established within the area. The designation of areas for CO₂ storage provides the framework for studies of how CO₂ can be stored in an environmentally sound and safe manner, and then the establishment of facilities and associated installations for CO₂ storage. CO₂ storage is an important element in the efforts towards the climate targets for 2030 and 2050.

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.

4.13. Electronic resources

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

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

6. New developments / current status

As of April 2024, the draft amendment that went into consultation on November 27 2023 and which reflected the political agreement of June 2023 has yet to be adopted.

7. MSP role in protection of marine environment

The Danish plan indicates existing or proposed area for environmental conservation, however the legislation is placed elsewhere with the Ministry of Environment as the responsible authority.

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.