



**eMSP
NBSR**

Emerging Ecosystem-based
Maritime Spatial Planning
Topics in the North and Baltic
Sea Regions



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Policy Brief

Addressing the fragmentation of Ocean Governance across borders



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Policy Brief on Ocean Governance as a policy tool for emerging ecosystem-based maritime spatial planning in the North and Baltic Sea regions, balancing new tendencies and requirements while strengthening ties between the two sea basins.

Abstract

This policy brief on ocean governance and Maritime Spatial Planning (MSP) in the North and Baltic Sea Region (NBSR) addresses the pressing need within the EU and the Baltic and North Sea countries to adapt their laws, regulations, policies, strategies, business models, and institutions in response to the evolving challenges and needs in ecosystem-based MSP. They should consider doing so in order to respond to the traditionally fragmented and sector-based nature of ocean governance regimes and the dual challenges of climate change-related ecosystem shifts that are taking place in these sea basins and the increasing competition for space from multiple uses, and the conflicts these bring. These new and expanding ocean uses, driven by and in response to the international climate, energy, food, biodiversity, and nature policies and those of the EU, and the priority of advancing sustainable blue economies, make these considerations timely and important.

The North Sea and Baltic Sea differ in terms of their development patterns and the models they pursue in MSP collaboration. The ocean governance regimes in the two basins also vary in their legislative, regulatory, policy and institutional frameworks, resulting from distinctive geopolitical and socio-economic developments, and cultural values. In both models, more systemic cooperation between MSP planners and sectoral actors, including their cross-border collaboration, is desired. This can be pursued by building on the diverse and engaged community of practice that has been developed in this project and strengthening the ongoing collaboration that has been built. Recommendations are presented for EU and NBSR leaders and policy makers to meet these challenges and opportunities.

1. Intro: Background, issue and target groups

Ocean Governance (OG) was identified as one of the five most urgent emerging topics for the project “Emerging ecosystem-based Maritime Spatial Planning topics in the North and Baltic Sea Regions” (eMSP NBSR; hereafter referred to as the project). The ongoing human expansion into the sea and the growing density of human interests there require clear-cut rules and procedures to reduce conflicts, clashes, and mismatches, and, ideally, to enhance possible synergies.

This Ocean Governance Policy Brief was developed through the leadership of the OG Learning Strand lead in the Danish Maritime Authority, and through ongoing engagement of a diverse and growing community of practice in the North and Baltic Sea region (NBSR), with the support of the project’s Scientific Advisory Board and the other project learning strands.

Its recommendations, which is based on the discussions in the Community of Practice meetings (see section 3), are targeted towards:

- policymakers,
- planning experts,
- interested researchers including the EU Commission,
- senior officials at upcoming inter-ministerial meetings, and
- MSP practitioners for the NBSR regional seas.

The recommendations are also presented for the consideration of other MSP and ocean governance projects (e.g., CrossGov, PERMAGOV) and cooperation networks (e.g., HELCOM-VASAB MSP Working Group, North Sea MSP Collaboration Group, Greater North Sea Basin Initiative).

2. The problem

Cognisant that ocean governance is inherently fragmented in different sectors and at multiple scales, with different regulations and governing bodies managing specific activities, habitats or species, the overall objective of this project was to coalesce and engage a diverse community of practice around the challenges and needs in ocean governance, to examine and assess how to implement MSP in an evolving policy and ecological context, and to strengthen the capacity and will to improve ocean governance in relation to MSP in the NBSR.

The COP recognises that MSP, and OG generally, are faced with increasingly complex demands, including growing human pressures on sea spaces and ecosystems, contradictory policy goals (e.g., biodiversity vs climate change mitigation vs sustainable seafood), climate change, as well as potential mismatches between the priorities and ambitions of neighbouring nations in the transboundary context. As a result, a shift is required from an expert-oriented to a more community-oriented approach based on mutual learning, exploration of tacit

knowledge, negotiations, and trust-building among maritime stakeholders. A Community of Practice (CoP) allows a group of people to come together around a central question, in order to facilitate collaboration and mutual learning between maritime stakeholders both from a given and neighbouring countries. Collaboration and learning across scales and sectors are of the key prerequisites for successful MSP, particularly in densely developed sea basins such as the North Sea and Western Baltic.



3. The approach

The Ocean Governance CoP was built around the following key questions:

Are the existing MSP governance frameworks, laws, policies, institutions, MSPs, and attitudes in the North and Baltic Sea regions sufficiently robust in meeting the new demands and targets from the international commitments and the EU marine directives, including those laid out in the IOGF's recommendations ([International Ocean Governance Framework](#)) and the EU Green Deal? Equally, can they respond to the dual challenge of contributing positively to a growing sustainable blue economy while, at the same time, maintaining and indeed restoring the natural ocean capital upon which our society depends?

The two sea basins follow different models in MSP collaboration. The Baltic model is based on organised collaboration of MSP officials; potential problems are anticipated, and their solving is facilitated. In the North Sea

Region, cooperation is based on actual needs coming from the EU policy and legislative framework, and international commitments, and is, in general, more informal in nature. In both models, more systematic cooperation between marine spatial planners, practitioners and other sectoral actors, including their cross-border collaboration, seems to require more tangible efforts. Further Community of Practice development in both sea regions could support this need.

The core question in this learning strand was discussed and analysed through a review of the international and EU ocean governance guidance and published evaluation (see Further reading) and engagement of the ocean governance community of practice through several CoP meetings and workshops (in-person, hybrid and/or online) during 2022 and 2023.

The process of building the ocean governance CoP began with a stakeholder analysis to determine who should be engaged in discussions about ocean governance and MSP in the NBSR. The next step involved engaging the OG CoP throughout the project to explore the questions, as well

as others that would emerge during the learning strand discussions. Through several webinars and workshops, over 40 organisations from 10 countries were engaged throughout the OG project events.

In support of building a common understanding among the eMSP NBSR project OG Learning Strand CoP and the overall participants in the project, on what ocean governance is, in concept and in practice, a [‘Backgrounder’ report on OG and MSP in the NBSR](#) was

prepared, shared, and discussed within the CoP and updated throughout the project. The report describes OG’s multi-scale dimensions, highlights the challenges inherent in its implementation, and discusses its relationship to MSP, specifically in the Baltic and North Seas regions.



A workshop in May 2023 and a subsequent survey of project participants explored the strengths and weaknesses in the current governance structures in the NBSR and how these structures support or inhibit key activities in MSP. A number of weaknesses were identified:

- There is widespread support for ecosystem-based MSP now, but in order to maintain momentum, some formal structures are needed for the results of this project to live on in ten years and thereafter.
- Not all the relevant sectors and stakeholders are involved in MSP, including citizens, local governments and to some extent also, state governments. If politicians are not sufficiently involved, the efforts will not have adequate policy support;
- There are many actors working on many different MSP projects and there is a risk that valuable knowledge and experiences are not shared with other appropriate actors, including those initiating new ocean governance and MSP-related projects.
- Due to states' sovereignty, involvement, and implementation is not necessarily guaranteed. Additionally, the different states may not all have given the MSP teams sufficient mandate to solve the issues at hand;
- Changes in the political environment can be a possible threat if future administrations do not prioritise MSPs; and
- Cooperation with non-EU actors can be an issue, since they do not adhere to the same commitments. Brexit, for instance, has resulted in high levels of uncertainty about the UK's commitment, and since the issues in the North Sea are transboundary, omitting states can threaten the efforts of the participating states.

Several strengths were identified for this project and its legacy:

- The Sustainable Development Goals and the EU Green Deal express clear high-level policy objectives, including energy as a security issue, strong problem and solution awareness, and a sense of urgency;
- The commitment and motivation among diverse stakeholders across the interconnected sea basins allows for greater cooperation across multiple levels and areas, and it strengthens the pan-European approach;
- Even where formal structures exist, the actors maintain flexibility if the circumstances change;

As a penultimate step in CoP engagement, participants from across the project were surveyed over the summer of 2023 about their priorities of identified OG topics in the NBSR. Without ranking, they identified:

- Multi-level governance,
- Land-sea interactions/Coastal-ocean linkages,
- Cross-basin collaboration,
- Co-existence,
- Political engagement and support,
- Accommodating offshore renewable energy in MSPs,
- Responding to the EU Green Deal,
- Missing stakeholder engagement, and
- Linkages to related ocean governance projects.

4. Conclusions and recommendations

Ocean governance in the NBSR faces the challenge of reflecting the multi-dimensional and interconnected role that the ocean plays in environmental health, economic prosperity, and human well-being. Given the complexity of the marine environment, the variety of related activities and threats, and overlapping jurisdictions, a dense and often confusing policy environment has developed, with a patchwork of laws, regulations and responsible authorities, largely organised along sectoral lines that to date have been challenging in terms of coordination or integration for regional collaboration and national implementation.

Each sector has its own specific jurisdictional, legislative, policy, strategic, and institutional framework for managing specific activities, habitats or species, operating largely in isolation, despite the systemic and interconnected nature of these ocean and coastal systems. Such a fragmented governance arrangement, which in particular hinders the cross-basins processes, with its legal and institutional gaps and a lack of

full implementation and enforcement of current regulations, does not necessarily consider the impacts of management decisions on sea users as a whole, or their desired co-existence, that are needed for effective ocean governance.

While substantial progress has been made over the past few decades in advancing MSP and its ocean governance dimensions, it is equally acknowledged that there remains much to be done in strengthening these processes and making them more successful. This is particularly true in light of the rapidly evolving policy priorities on, e.g., multi-use sustainable blue economies, co-existence, and still deteriorating coastal and marine environments.

Based on the discussions in the CoP meetings, we find an agreement amongst participants that **the ocean governance frameworks, laws, policies, institutions, MSPs and normative frameworks in the North and Baltic Sea regions are not sufficiently integrated across sectors in meeting the new demands and targets from**

the international commitments and the EU, including those laid out in the IOGF's recommendations ([International Ocean Governance Framework](#)) and the EU Green Deal. As ocean spaces in the NBSR are becoming increasingly busy, with multiple spatial conflicts and a not-yet fully realised potential for synergies and co-existence among uses, significant advancement is required to enable strengthened means of governance and implementation.

The recommendations formulated by the CoP are provided to inform on ways to expedite and enhance system-wide collaboration and to rally efforts in bridging the gaps and scaling up coherent support to sustainable ocean management in sea-basins settings. This is necessary to achieve the goals of the EU Green Deal, the Integrated Maritime Policy with EU marine directives, the Regional Sea Conventions (HELCOM, OSPAR), and at the global level international instruments (including international treaties, regulations, multilateral agreements, resolutions and other policy instruments and commitments).

Prioritise climate-smart ocean governance. Climate change is having profound and growing impacts on the marine ecosystems, human communities and economies of the NBSR and beyond. The responses to these changes must be based on the latest climate science, be ecosystem-based, and highly coordinated among all relevant sectors, overcoming the traditionally siloed approaches. Climate-smart ocean governance implies greater coherence in the laws, regulations, policies, and institutions relevant to the NBSR, enabling a more holistic and integrated response to climate change, linking across marine regions and globally.

Given the policy priority of the EU Green Deal and now a call for an EU Blue Deal, as well as related EU directives, MSP policy developers and planners in the NBSR and sector-specific leads are strongly encouraged to prioritise climate-smart approaches to ocean governance and give effect, in the next-generation of national MSPs and regional MSP efforts to basin-specific actions and commitments that respond to the climate challenge (see the eMSP NBSR [Policy Brief on Climate-smart MSP](#)).

Strengthen transboundary thinking, communication and collaboration in ocean governance.

This has several dimensions:

- **Implement a transboundary hydrosphere approach.** MSP, integrated coastal zone management, and watershed management are mostly pursued separately in most NBSR countries. This ignores the highly integrated nature of these systems and the impacts they have on each other, as well as the principle and application of the ecosystem-based approach. A fully integrated, transboundary ‘hydrosphere’ approach that crosses the land-sea interface has been called for previously and should now be pursued at the EU level and by NBSR states.
- **Build and promote cross-basin collaboration platforms.** The planning and coordination systems for MSP in the Baltic and North Sea differ in their degree of formality and culture of collaboration. While there are existing mechanisms for transboundary communication and cooperation, such as the European MSP Platform, the European Blue Forum, HELCOM-VASAB MSP Working

Group, and the BSR MSP Planners’ Forum, the participants in this ocean governance CoP agreed that there is more to be learned from each other and that member states and regional seas bodies should create cross-basin platforms or forums, either formal or informal, where stakeholders can regularly communicate, share information and experiences, and jointly problem-solve. These platforms can facilitate ongoing collaboration and further build trust among participants.

- **Expand the EU MSP Platform** into a more interactive collaborative system. Planning and coordinating systems for MSP in the NBSR and beyond could be strengthened by broader and more active use of the European MSP Assistance Mechanism and its [European MSP Platform](#). It is a service to member states to share relevant knowledge and experiences on MSP, operated via a dedicated team with presence in all European sea-basins. Experts continuously draw together information on MSP experience, funding and training opportunities as well as relevant events from across Europe. The information is then made available in various interactive, easy-to-use formats readily accessible through the website. This platform

could be enhanced to become more interactive, e.g. including a chat and question function for experts and practitioners to share experiences amongst each other.

- **Harmonisation and interoperability of data sharing and official consultation mechanisms.**

The degree to which two or more systems can exchange information and use the information that has been exchanged - will be critical enablers of a regional approach to MSPs. This was recently highlighted by the EC when presenting its Communication of 24.10.2023 on “Delivering on the EU offshore renewable energy ambition” (COM(2023) 668 final) where it has been specified ‘to move from purely national MSPs with cross-border consultations, to regional MSP within the respective sea basins’. Interoperability across such a distributed land/seascape as the NBSR is considered essential to enable data to be reused, preserved and integrated, and to minimise costs in the process. This is considered essential and should be pursued as a priority.

- **Continuous collaborative learning and problem solution in cross-border MSP.** Spatial conflict management must continue as an ongoing effort and a learning process, also across borders where lessons learned from one country can be adopted and applied in others. With the adoption of the EU Green Deal and the EU Biodiversity Strategy for 2030, new aspects need to be taken into consideration.

- **Apply multi-use and co-existence as a principle and priority in MSP - at strategic and operational scale.**

Due to increasing spatial demands for energy, food, and ecosystem services, various types of multiple and overlapping use of marine space will become more important in the next decades. Thus, countries will be increasingly required to find and promote ways of combining different uses where possible. Compared to the North Sea, multi-use is still less urgent in the northern parts of the Baltic Sea area but is likely to become increasingly topical in the longer-term.

Currently, in different projects across the EU, various approaches to the multi-use of sea space and infrastructure, including multi-technologies, are being

explored and developed, combining two or more activities such as aquaculture and tourism or tidal energy and seaweed production. These combinations are, however, still difficult to implement due to the design of national planning and licensing systems that are sectoral and can be extremely complex resulting in time-consuming unpredictable application procedures.

As an operational level example, the development of MariParks – sustainable, synergistic and nature-inclusive business parks at sea, are one way to address competition for space and bring diverse stakeholders together in collaborative sustainable blue economy development. From a governance perspective, integrated policy and regulatory reforms, technology development, innovative business models and investment with regard to co-existence (living or existing at the same time or in the same place), would be necessary to enable such an approach and should be pursued in the two sea basins (see the [eMSP NBSR Policy Brief Towards a sustainable blue economy](#)).

4 Increase the capacity of planners, sector experts and policy-makers for next-generation MSP. In the light of a continuously evolving policy landscape, increasing ocean uses and changing ecological conditions in the NBSR and beyond, marine planners, sector experts, and policy-makers have to keep up with the knowledge, tools, and skills required to address these changes. This requires investment in tools and technology development and practice-related research funding and training.

5 Promote education and ocean literacy to serve future ocean governance. Moreover new generations of marine experts and planners need to be trained and society made ready to participate in MSP and OG through the promotion of ocean literacy. Here, long-term collaboration of planning, trainers and education actors at all levels is necessary and requires continuous funding of collaboration in wider networks (COST and ERASMUS and other competitive initiatives are too short-term and narrow). Here, European and Nordic countries, the US/Canada and MSPglobal could collaborate on financing and linking universities and other institutes conducting such capacity building.

Develop structures to complement the existing incomplete formal frameworks for stakeholder involvement.

- Promote multi-sector and multi-level stakeholder involvement. Building an all-encompassing overall framework for stakeholder involvement in ocean governance will be challenging due to various national sovereignty issues and the legacies of established governance structures. Nonetheless, this ambition should be pursued.
- Build coherence for stakeholder involvement. Existing MSP structures in terms of stakeholder involvement and what is there should be complemented by a parallel building and facilitation of appropriate transboundary networks of MSP experts, stakeholders, and knowledge producers.
- Test applying a community of practice based approach. A community of practice could also work with current challenges, such as enabling mobilisation and keeping stakeholders involved by building several sea-basin specific communities of practice and/or by building a geographically embedded network. In the domain of MSP, there is a great need for collective learning, searching for meaning of signals, observations, and experiences. Given its transboundary character, the institutional complexities and the many still existing uncertainties,

these networks should not be aimed at simple answers, but rather at the needs and the expertise of professionals working hands-on with others. This can improve legitimacy, extend the knowledge base upon which a plan and a governance infrastructure can be built, and generate greater understanding of MSP and ownership of the process (see the eMSP NBSR [Policy Brief Communities of Practice in marine spatial planning across sea basins - making it work](#)).

Create robust monitoring and evaluation frameworks and more integrated data management platforms for MSP in the NBSR.

To continuously assess whether governance policies, strategies, and actions are achieving their intended outcomes, policy-making and decision-making should be based on robust and harmonised sound ocean data and information. This is the key to determine the state of the seas and to guide policy developments for sustainable blue economy, as per the advice provided by the eMSP learning strand 'Data sharing, information, and communication technology supporting MSP', particularly in regard to transboundary MSP (see the eMSP NBSR Policy Brief [Monitoring and Evaluation in MSP –Always aim for better plans!](#) and [Policy Brief Strengthening Data sharing for informed decision-making in Maritime Spatial Planning](#)).

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Further reading

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Ocean
Governance



Ecosystem-based
Approach



Community of
Practice approach

Sustainable
Blue Economy



Climate-smart MSP

Monitoring
and Evaluation



Data Sharing,
Information &
Communication
Technologies



The eMSP NBSR project, implemented from September 2021 to February 2024, provided a platform for marine spatial planners and other experts to collaboratively advance MSP practice. It addressed five urgent emerging MSP topics through a community of practice-based approach that enabled joint learning across professions and across the North Sea and Baltic Sea areas.

Project work took into account the European Green Deal, climate change and how climate-neutrality targets can be addressed in MSP.

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