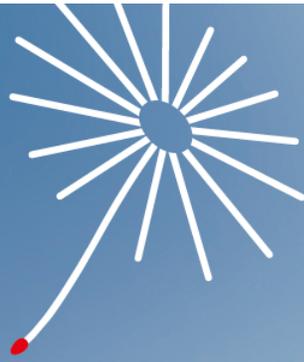


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Analysis of the status of implementation of the Baltic Sea Action Plan for WWF

REPORT 17.5.2010

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1 Introduction

HELCOM, the intergovernmental organisation of all the nine Baltic Sea countries and the EU working for the protection of the Baltic marine environment, will hold the Meeting of the Ministers of the Environment of its Member States on 20 May 2010 in Moscow. The Ministers will discuss the current state of the Baltic marine environment and the implementation of a strategic Baltic Sea Action Plan to radically reduce pollution to the sea and restore its good ecological status by 2021. The HELCOM Member States will present their National Implementation Programmes to achieve the objectives of the Baltic Sea Action Plan.

The National Implementation Programmes (NIPs) should describe how the commitments made in the Baltic Sea Action Plan (BSAP) in 2007 have and will be implemented in the Member States. Some countries have already prepared their NIPs; however, it is still an open question whether all will be able to deliver their NIP in time for the Moscow meeting as it was previously agreed.

The WWF commissioned Gaia Consulting Oy to review the implementation status of the Baltic Sea Action Plan in the Member States prior to the Ministerial Meeting in Moscow. The original assignment was to assess the status of the implementation of the BSAP through the analysis of each NIP (to be submitted in due time before the Moscow Ministerial Meeting) in each of the four thematic areas of the BSAP (eutrophication, hazardous substances, marine conservation and biodiversity and maritime activities) and report on which country has or has not lived up to each commitment. During the initial days of the assignment in May 2010, Gaia and WWF learned that most NIPs will not be available prior to the Moscow meeting, and therefore the analysis is based on information available from the HELCOM process. Given the above, the analysis is based on limited available material and it should be updated when more accurate material is available.

Despite the deficiencies in the information from the Member States, the analysis provides some indication on the progress made in the implementation of the BSAP, and where the possible strengths and weak spots may lie. The analysis suggests that (a) much progress has been made in terms of BSAP implementation, but (b) in many areas of the BSAP, implementation is lagging behind the set timetable; and (c) that the currently existing monitoring system to review the progress in BSAP implementation does not easily enable stakeholders to understand whether the implementation is on time and/or making progress as agreed.

2 Methods and Data

The analysis focuses on the four main thematic areas of the Baltic Sea Action Plan: eutrophication, hazardous substances, marine conservation and biodiversity, and maritime activities. The aim is to give a short and easily understandable overview of the implementation status in each of these areas by each of the Member States. The following sections give a brief overview of the methods and data that were used as the basis of the analysis.

2.1 Selection of actions to be assessed

The Baltic Sea Action Plan has more than one hundred different actions that the HELCOM Member States should implement. The deadlines vary over a ten-year time period, from 2008 until the final deadline 2021, when the good ecological status of the Baltic marine environment should be restored. For the purpose of this analysis, some thirty actions from the BSAP were chosen for review by WWF. The criteria for the selection of those thirty actions were the following:

- The deadline should be in 2010 or earlier.
- The emphasis is on concrete actions that will improve the ecological status of the sea.
- The emphasis is on actions that are implemented mainly by the individual countries, although few joint HELCOM actions of major importance were also included.
- The selected actions should be such that implementation is expected from all of the Member States.

The actions selected for the analysis are presented in Chapter 3.

2.2 Sources of information and quality of data

The original assignment was to assess the status of the implementation of the BSAP through an analysis of the National Implementation Programmes from the Members States, which should have been available prior to the Ministerial Meeting in Moscow. By 14 May, the situation with the national implementation plans was as follows:

- Denmark: NIP under translation,
- Estonia: NIP under translation,
- Finland: a draft of NIP covering all segments,
- Germany: NIP under preparation,
- Latvia: NIP under preparation,
- Lithuania: NIP on Hazardous substances and Eutrophication available in English,
- Poland: NIP under preparation,
- Russia: NIP under preparation, and
- Sweden: NIP on all segments available in English from 2008.

Since most NIPs were not available, the following alternative sources of information had to be used in preparing this study:

- Progress reports prepared by the HELCOM Secretariat for the 32nd Heads of Delegation Meeting (HOD) in Helsinki on 29 April 2010.
- Selected HOD and BSAP follow-up materials available from the HELCOM Meeting Portal.
- Discussions with HELCOM Secretariat.
- Email exchanges or telephone discussions with representatives from Estonia, Finland, Germany, Latvia and Lithuania. Other Member States were also contacted, but their representatives could not be reached.
- The draft HELCOM Moscow Ministerial Declaration of 29 April 2010.



Although the information from HELCOM was of very good quality and well prepared, there are several gaps in the data provided by the Member States to HELCOM and in some cases assessments are based on material that dates back to 2009 or even 2008. The analyses reported here may therefore be partly outdated; however, the NIPs that will be presented in the Ministerial Meeting should provide additional information.

Regarding the reporting from Member States to HELCOM, there were also some challenges in interpreting the contents of the information. In some cases, for example, it was difficult to judge if the action reported by a country as the fulfilment of a certain goal was equal in content to the action they committed themselves to in the BSAP. Although it was agreed that reporting should be carried out with a certain format in some thematic areas, the formats were not always used.

Another issue is the vagueness of some activities that are listed in the BSAP - if it is not clearly stated what exactly should be done under a certain activity, it is impossible to assess the results. There seems to be a great variety in the extent of detail regarding the targets for each activity.

2.3 Assessment criteria

The implementation of the activities of the BSAP by the Member States has been evaluated according to the following scale:

- 0 – No activity
- 1 – Action is being planned or initially started
- 2 – Action is planned, implementation in progress
- 3 – Action partly implemented with significant progress
- 4 – Action implemented
- N/A – Information not available

This scale may have been adjusted according to the specific needs under each of the thematic areas. In case when joint activities were assessed, all countries were given the score according to the common progress made in implementing the action in question.

In the assessment, the facts provided by the Member States have been taken for granted as there were too few resources to check the accuracy of the submitted data. Further, the analysis is rather quantitative than qualitative in the sense that if an action is reported as completed this has sufficed for the analysis. An assessment of the quality of the action - and whether it truly fulfils the requirements set in the BSAP - was not possible within the timeframe of this analysis.

It should be noted that the assessment examines the implementation of certain activities from the Baltic Sea Action Plan - it does not assess the environmental and marine protection work that has been carried out in the Member States. For this reason, it should not be confused with the assessment of the environmental status; rather, it assesses the status of a plan and selected activities that have either been implemented or not.

3 Review of the implementation of the BSAP

3.1 Eutrophication

Eutrophication is a major problem in the Baltic Sea. Its main causes are excessive inputs of nitrogen and phosphorous, which mainly originate from inadequately treated sewage, agricultural run-off, airborne emissions from shipping and combustion processes. These are the issues that the Baltic Sea Action Plan also aims to act on.

According to the recent evaluation by HELCOM Secretariat on the progress of implementation of the BSAP eutrophication segment, Baltic Sea is still affected by eutrophication in all assessed open water areas, except the Bothnian Bay and the northeastern Kattegat and in nearly all assessed coastal areas, except some areas in the Gulf of Bothnia, despite the substantial reductions in the loads of nutrients to the Baltic Sea. Excessive inputs of nutrients remain one of the key threats to the Baltic Sea ecosystems.

This assessment was requested to analyse the progress in five (out of 14) actions under the eutrophication segment. The assessment has looked at the status of the implementation of actions related to:

- national programmes to achieve nutrient reductions
- advanced municipal waste water treatment
- the substitution of phosphorus in detergents
- permit systems for major and small animal farms
- the establishment of a list of hot spots concerning animal farms

As seen in table 1, all the countries have national regulation or programmes and targets for nutrient reductions either in preparation or already set. Denmark, Estonia and Latvia report their national regulation already includes the BSAP targets, whereas in Russia and Germany the regulation is under preparation. Within the HELCOM process, the Member States have agreed on a certain type of reporting format to be used for the national programmes (NIPs) in order to facilitate the follow-up of national target-setting and to provide comparable information. To date, only Finland, Lithuania and Sweden have provided national programmes on eutrophication in the agreed format.

The action on advanced municipal waste water treatment has been divided into four steps, with deadlines during 2010 and 2018. The largest urban areas (over 200,000 inhabitants) should have the appropriate techniques in place by 2010 and the smallest (300-10,000) by 2018. As the progress on this action has not been reported separately for each step, it is difficult to assess if the goal for 2010 has been achieved. There is a specific deadline from the Member States to report on this activity by the end of this year. From the present information it seems that the implementation of the advanced waste water treatment is unequal between the Member States. Only Denmark has completed this activity; reporting from different countries leaves it unclear whether this activity will be implemented in time.

##	BSAP §	Reference to the HELCOM BSAP	DE	DK	EE	FIN	LT	LV	PL	RU	SE	Original deadlin
1.1	E-9	National programmes on nutrient reduction	2	3	3	4	4	3	2	1	4	2010
4	E-11, E-12	Advanced municipal waste water treatment	3	4	3	3	2	1	2	2	3	2010-2018
6	E-13	Substitution of phosphorus in detergents	3	1	1	3	2	3	2	0	4+	2010
9	E-17	Permit systems for animal farms	4	4+	3	4+	3	3	4	1	4+	2012
10	E-19	List of agricultural hot spots	0	N/A	1	4	1	N/A	1	N/A	N/A	2009

Table 1: Status of implementation of selected activities in the eutrophication segment of BSAP.

Key: red - no action or action started, yellow – action in progress, green – action implemented. N/A – no data.

The use of phosphorus-free detergents, especially laundry detergents, is already quite common in some of the countries, such as Finland and Denmark, due to voluntary activities since the 1990s. BSAP, however, states that the use of phosphorus should be banned in laundry detergents and possibly in dishwasher detergents later. Sweden and Germany have already banned laundry detergents with phosphorus, with Sweden also banning dishwasher detergents. Finland, Poland and Lithuania will also be implementing a ban on phosphorus in laundry detergents over the next years; in Latvia the ban will enter in force already in June 2010. Estonia and Denmark, however, are waiting for relevant EU regulations while Russia has reported that it has carried out some national considerations prior to acting on this issue.

Positive progress has taken place regarding nutrient losses from agriculture. According to the BSAP, the Member States should have a permit system for animal farms, which should fulfil the criteria outlined in the HELCOM Recommendation 28 E/4 Amended Annex III of the Helsinki Convention. Already five countries report that such a system is in place; three are quite far in the process of setting them up; and according to the reports, only the progress in Russia is still in the developing phase.

Regarding the action on listing the agricultural hot spots, HELCOM has prepared common criteria for the establishment of the list, which was agreed on in 2009. Most of the states, however, have not yet reviewed their hot spots, nor do they seem to be very likely to carry out such a review in the near future. Only Finland reports to have done this.

In conclusion, the progress in eutrophication varies widely between countries and different issues. For example, the deadline for listing agricultural hot spots has not been met, although work has been done in developing common criteria. Similarly, the deadline for substituting phosphorus in detergents will not be met and although many countries are already quite far in implementation, some are still at the initial phase. This has also been recognised by HELCOM, which in the draft of 29 April 2010 for the Moscow Ministerial Declaration suggests a new deadline for 2015. Although much work has obviously been done, it remains to be seen how many of the deadlines of the rest of the actions will be met.

3.2 Hazardous substances

According to HELCOM Recommendation 19/5, the objective of HELCOM with regard to hazardous substances is to prevent pollution of the Convention Area by continuously reducing discharges, emissions and losses of hazardous substances, with the ultimate aim of concentrations in the environment to be near background values for naturally occurring substances and close to zero for man-made synthetic substances.

According to the Baltic Sea Action Plan, HELCOM has, as a start, selected nine organic substances or substance groups and two heavy metals, cadmium and mercury for further action. The BSAP also highlights the interlinkages between the thematic objectives and actions, noting that failure to reach the objectives for hazardous substances will impair, for example, the achievement of favourable status of biodiversity.

A recent HELCOM integrated thematic assessment of hazardous substances in the Baltic Sea notes that all open sea areas of the Baltic Sea, except northwestern Kattegat, are classified as being 'disturbed by hazardous substances'. While there are encouraging signs of decreasing trends of certain 'old' substances¹ and an improvement in the health status of some top predators, there is still much work to be done in order to reach the Baltic Sea Action Plan's goal of a *Baltic Sea with life undisturbed by hazardous substances*.

This assessment was requested to analyse the progress in 10 (out of 24) actions under the hazardous substances segment. The assessment has looked into progress of the following actions in the nine partner countries, in particular related to:

- national programmes to reduce pollution by hazardous substances (see H-5)
- the reduction of dioxins and other hazardous substances from small scale combustion and the development of specific ELVs and efficiency requirements (HELCOM Recommendations 28E/8, see H-1, H-2)
- screening the occurrence and sources of selected hazardous substances (see H-7, H-8)
- the introduction of use restrictions and/or substitutions and/or bans on priority substances
 - the introduction of use restrictions and substitutions if relevant assessments show the need to initiate adequate measures for medium-chain chlorinated paraffins (MCCPs); octylphenols (OP)/Octylphenol ethoxylates (OPE); perfluorooctanoic acid (PFOA); decabromodiphenyl ether (decaBDE); and hexabromocyclododecane (HBCDD) (see H-12)
 - the introduction of a ban on the use, production and marketing of endosulfan, pentabromodiphenylether (pentaBDE) and octabromodiphenylether (octaBDE) (see H-13)
 - start work on strict restrictions of the use of perfluorooctane sulfonate (PFOS), nonylphenol/nonylphenoethoxylates (NP/NPEs), short-chain chlorinated paraffins (SCCPs) (see H-14)

¹ Such as DDT, PCBs, dioxins, TBT as well as decreasing trends of concentrations of man-made radioactivity in fish.

- assess by 2009 the possibility of introducing restrictions for cadmium content in fertilisers (H-15)
- the application of strict restrictions on the use of mercury in products and from processes, and support the work towards further limiting and, where feasible, totally banning mercury in products and from processes (H-16)

A summary of the analysis results is presented in Table 2 below. Based on the available material, the existence of explicit national programmes, addressing these priority substances in the Baltic Sea context seems rather mixed. While most of the HELCOM BSAP priority hazardous substances are governed by EU regulations which either regulate or ban their use, some countries limit their reporting to HELCOM to this overall fact (e.g. Germany notes: All actions of the ‘Hazardous Substances Segment’ are carried out in the framework of relevant existing European regulations/policy.). In consequence, the score in the analysis does not necessarily indicate anything directly about the level and progress in the management of hazardous substances, per se.

##	BSAP #	Reference to the HELCOM BSAP	DE	DK	EE	FIN	LT	LV	PL	RU	SE	Original deadline
15,1	H-5	National programmes to reduce pollution by hazardous substances	2	1	1	3	3	2	3	3	3	2010
20	H-1, H-2	Reduction of dioxins and other hazardous substances from small scale combustion and development of specific ELVs and efficiency requirements	N/A	3	N/A	3	2	1	1	N/A	4	2008
21 + 22	H-7, H-8	Screening of the occurrence of selected hazardous substances and screening of sources of selected hazardous substances	3	N/A	3	N/A	3	3	3	3	3	2008-2009 / 2009
25 +26 +27	H-14, H-12, H-13	Introduction of use restrictions and/or substitutions and/or bans on priority substances (including pentaBDE, octaBDE, decaBDE, PFOS, PFOA, HBCDD, NP, NPE, OP, OPE, SCCP C10-13, MCCP, C14-17 and endosulfan)	N/A	3	2	4	2	2	2	N/A	4	2008 / 2009 / 2010
28	H-15	Assess the possibility of introducing restrictions for cadmium content in fertilisers	N/A	3	2	4	3	4	1	N/A	4	2009
29	H-16	Application of strict restrictions on the use of mercury in products and from processes and support the work towards further limiting and where feasible totally banning mercury	N/A	2	2	3	3	2	2	N/A	4	2010 - review

Table 2: Status of implementation of selected activities in the hazardous substance segment of BSAP. Key: red - no action or action started, yellow – action in progress, green – action implemented. N/A – no data.

Several countries have multiple national programmes and strategies that address dangerous substances and the protection of waters, which also address these substances. At this moment, however, for some of the HELCOM priority substances there are neither applicable EU regulations

nor global conventions (perfluoroalkylated substances (PFAs), hexabromocyclododecane (HBCDD) and chlorinated paraffins (MCCP/medium-chain)). Consequently, the initiatives by some proactive countries to include PFAs and HBCDD under the Stockholm POPs Convention, and MCCP in the revision of the EU RoHS Directive are seen very positively. The work conducted under UNEP leadership to establish a global mercury convention and a synergy platform between the Basel, Stockholm and Rotterdam conventions will also be of relevance for the BSAP implementation. The forthcoming NIPs should provide a more solid basis to assess the actual progress of different countries in having comprehensive BSAP-specific and/or relevant national hazardous substance programmes and how they foresee to address all of the 11 substances.

With regards to the reduction of dioxins and other hazardous substances from small-scale combustion and the development of specific ELVs and efficiency requirements, overall progress is not according to the original deadlines. The available reporting suggests that only Sweden, Denmark and Finland have either completed or are close to completing the agreed actions. In Denmark and Finland, for example, the necessity of reduction measures for discharges needs to be assessed as part of the environmental permitting procedures (EU IPPC). In addition, the EU's BREFs and HELCOM's recommendations are taken into account in the environmental permitting process as far as possible. Denmark and Finland are preparing a draft revision of HELCOM Recommendation 28E/8 on the reduction of dioxins and other hazardous substances from small-scale combustion when the development of specific ELVs and the efficiency requirements have been completed.

With regard to the screening of the occurrence and sources of selected hazardous substances, the available reporting indicates that some overall progress has been made; however, it does not provide exact information on the status and in particular what sources have been/or will be screened and when. In general, common/multilateral research projects (in particular the COHIBA project) seem to form the basis for most BSAP partner country's information. Consequently, the level of progress is more or less the same in most of the countries that have provided information on these action points. However, progress, in general, seems to be behind schedule. This is also reflected in the fact that the section dealing with the sources and magnitude of discharges/emissions, was removed from the Hazardous Substances NIP template as the parties found that relatively little information was available on a country-by-country basis.² The COHIBA (Control of hazardous substances in the Baltic Sea region, COHIBA, 2009-2012) Project will identify the sources and inputs of the 11 hazardous substances which are still largely unknown and develop measures to reduce them.

Progress is varied regarding the introduction of use restrictions and/or substitutions and/or bans on priority substances on a broad group of substances (including pentaBDE, octaBDE, decaBDE, PFOS, PFOA, HBCDD, NP, NPE, OP, OPE, SCCP C10-13, MCCP, C14-17 and endosulfan). In many respects, Sweden can be considered a forerunner as they have, among other things, introduced bans on NP/NPE in detergents, textile processing and paper and pulp production; bans on OPE in detergents (ban also introduced in Finland and Latvia); and have succeeded in nearly phasing out the use of SCCP (Short-chain) by the use of voluntary agreements. Several countries refer to EU regulations to

² HELSINKI COMMISSION HELCOM HOD 29/2009. Heads of Delegation 29th Meeting. Saint-Petersburg, the Russian Federation, 2-3 December 2009

give the minimum framework for a required action; other countries, on the other hand, are actively supporting the inclusion of octa- (octaBDE) penta- (pentaBDE) and hexa- (hexaBDE) in the revision of the POPs Protocol under the CLTRAP and in the revised POPs list of the Stockholm Convention (to enter into force on 26.08.2010).

The BSAP action of assessing the possibility of introducing restrictions for cadmium content in fertilizers by 2009 is behind schedule. Based on the available documentation, to date six countries (Denmark, Estonia, Latvia, Lithuania, Poland and Sweden) have reported on activities taken/planned to reduce the emissions of cadmium. They refer to ban, use restrictions and emission limit values according to EU legislation, including on-going discussions on the limitation of cadmium content in fertilizers and/or global regulations (Protocol on Heavy Metals to the CLRTAP). Within the BSAP context, Denmark prepared a proposal in 2009 on the limit values for Cd in fertilizers (which was adopted at LAND/15). At present, Sweden has a tougher restriction than the EU requirements (EU-wide requirements are currently being elaborated) for cadmium in fertilizers.

With regards to mercury, the application of some kinds of restrictions on its use in products and/or from processes have been initiated or completed in all countries that have reported to HELCOM. The countries refer to bans, use restrictions and emission limit values according to EU legislation and/or global regulations (Protocol on Heavy Metals to the CLRTAP, Rotterdam Convention as well as preparations for a convention on mercury). While some countries suggest a review by 2011/2012 of the feasibility of reducing and avoiding the use of mercury in products and from processes as well as further reducing mercury emissions, especially from coal fired large combustion plants and waste handling, some countries are opting to wait for outcomes from the preparations for a global mercury convention.

In conclusion, based on the available material the progress in hazardous substances varies widely between countries and different substances. The rather vague definition of some BSAP actions, or their conditionality on some other actions or further research, makes the assessment of actual progress quite challenging. The decision to develop a solid core set of indicators, with quantitative targets to facilitate cost-effective monitoring of the implementation of the HELCOM Baltic Sea Action Plan, is strongly welcomed by this analysis.³ Overall, even though progress is behind schedule, some countries have clearly taken a proactive approach and are acting as drivers for BSAP, relevant EU legislation as well as global conventions.

3.3 Maritime activities

The Baltic Sea is one of the most intensely trafficked shipping areas in the world. Both the number and size of the ships (especially oil tankers) have been growing during the last several years. The significant growth in traffic will result in the increasing risk of major pollution events - intense traffic

³ HELCOM HOD 32/2010. Agenda Item 2. Preparations for the 2010 HELCOM Moscow Ministerial Meeting. Document code: 2/8/Rev.2 Date: 29.4.2010 Submitted by: Executive Secretary.

is putting a lot of pressure on the environment of the Baltic Sea through accidental pollution, pollution by ship-generated waste, air pollution and the transportation of non-indigenous organisms.

Maritime traffic is inherently an international issue governed by number of international regulations. However, since maritime traffic is one of the rapidly growing concerns in the Baltic Sea, the Baltic Sea Action Plan (BSAP), adopted in 2007, lays out a significant list actions for the contracting parties to move towards a Baltic Sea with maritime activities carried out in an environmentally friendly way. BSAP includes specific actions related to the enforcement of international regulations, accidental pollution, emergency response, sewage pollution and alien species transported by ships, and reducing air pollution.

This assessment was requested to analyse the progress in 11 (out of 42) actions. The assessment has looked at the status of implementation of actions related to:

- strengthening international efforts regarding the Baltic Sea
- improving port reception facilities for ship generated wastes
- managing ballast water, alien species and harmful native species
- responding to oiled wildlife
- developing emergency response mechanisms
- developing aerial and satellite surveillance systems

As seen in table 3, progress has been made in relation to the IMO requirements on nutrient discharges in sewage. The joint submission was given on time; however, further information is requested by the IMO on the status of port reception facilities. The actual enforcement of the new regulation will not be effective without upgrading the port reception facilities in passenger ports.

Some progress has been made at least in Sweden, Denmark, Germany and Finland in terms of improving port facilities for sewage reception. The no-special-fee –based system is being introduced to the legislation in many countries including Finland and Lithuania, but there are apparent difficulties in implementation of the legislation. The Moscow Ministerial meeting is likely to postpone the deadline (until 2013 or 2015) for the upgrading of port facilities. No detailed information was made available with which to analyse the precise status of progress in the Baltic Sea countries.

##	BSAP §	Reference to the HELCOM BSAP	DE	DK	EE	FIN	LT	LV	PL	RU	SE	Original deadline
73	M-33	Joint submission to IMO regarding nutrient discharges in sewage	4	4	4	4	4	4	4	4	4	2009
75 + 76	M-34, M-11	Improvements in the availability of port reception facilities for sewage	1	1	0	2	1	0	0	0	2	-
79	M-37	Ratification the Ballast Water Management Convention	1	2	2	3	0	2	0	0	4	-
79.1	M-37	Road map for the BWMC - compilation of a list of non-indigenous, cryptogenic and harmful native species	2	2	2	2	2	2	2	2	2	
79.2	M-37	Road map for the BWMC - conducting of baseline surveys of prevailing environmental conditions in major ports	1	1	1	1	1	1	1	1	1	
79.3	M-37	Road map for the BWMC –joining OSPAR to request vessels to conduct on a voluntary basis ballast water exchange before arriving at the OSPAR or HELCOM area	4	4	4	4	4	4	4	4	4	
79.4	M-37	Road map for the BWMC – develop criteria risk scenarios to consider ballast water management options	3	3	3	3	3	3	3	3	3	
79.5	M-37	Road map for the BWMC - adjust HELCOM monitoring programme	1	1	1	1	1	1	1	1	1	
81	M-32	Integrating oiled wildlife response into response/contingency planning	1	0	0	2	0	0	1	0	2	-
81.1	M-21, M-22	Strengthening sub-regional cooperation in response field	0	0	0	0	0	0	0	0	0	
82	M-31, M-22	Develop best practices for shoreline response	1	1	1	1	1	1	1	1	1	-
85	M-30	Promote development and use of technology to respond to accidents	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	-
91 + 92	M-8, M-13	Harmonized aerial and satellite surveillance in the whole Baltic Sea	3	3	3	3	2	2	3	0	0	-

Table 3: Status of implementation of selected activities in maritime activity segment of BSAP.

Key: red - no action or action started, yellow – action in progress, green – action implemented. N/A – no data.

Only one of the contracting parties (Sweden) has ratified the Ballast Water Management Convention. Most of the contracting parties are reportedly making progress with the ratification preparations and will meet the (final) deadline of 2013.

Less has happened in the implementation of a road map for the ratification and harmonised implementation of the BWM Convention. A list of harmful native species that may impair or damage the environment, human health or resources in the Baltic Sea should have been compiled by 2008 but has yet to be completed. Further, the baseline survey on the prevailing environmental conditions in major ports is not yet available. A new proposal on this assessment will be discussed at a later HELCOM meeting in 2010. The HELCOM monitoring programme should have been adjusted by 2010; however, the HELCOM Ministerial meeting in Moscow is expected to adopt a new guidance on this issue.

The Moscow meeting will also adopt a new recommendation on oiled wildlife response. BASP requires the contracting parties to integrate oiled wildlife into oil pollution contingency plans. Policies and action plans have reportedly been introduced in Sweden, Poland, Germany and Finland.

Implementation of the actions to improve response mechanisms has been delayed due to the postponed start of the BRISK programme. Risk assessment will be ready in early 2011 and not 2009 as agreed. The Moscow Ministerial Meeting will consider an extension to the BRISK. Best practice work on shoreline response is only at the initial stage and an evaluation of the state-of-the-art response mechanisms has been carried out. Information on the specific progress in the promotion of new technology to respond to accidents (refers to difficult weather conditions, heavy oil, hazardous substances) was not available.

Pollution surveillance in the Baltic Sea has improved and the number of observed illegal oil discharges is decreasing. Joint aerial and satellite surveillance in the Baltic Sea has been established; however, no surveillance activities have been reported by Russia, while the Latvian and Lithuanian reports do not contain night-time surveillance.

In conclusion, much is happening to strengthen the international regime on environmentally friendly maritime traffic in the Baltic Sea. However, progress on some crucial areas is slower than agreed and the number of accidents is increasing as are the risks of major accidents.

3.4 Biodiversity

The biodiversity segment of the HELCOM Baltic Sea Action Plan aims to serve as an all encompassing element reflecting the performance of the whole plan, since continuous eutrophication, emissions of hazardous substances and intensified shipping all have strong impacts on biodiversity. Achieving the goal of a favourable conservation status for the biodiversity of the Baltic Sea also requires active implementation of targets and measures set in all the other segments.

The actions covered in the biodiversity segment encompass a large variety of topics from marine spatial planning to the management of protected areas and from promoting research to fishery management. This assessment was requested to analyse the progress in 13 (out of 27) actions under the biodiversity segment. The assessment has looked at the status of the implementation of actions related to:

- marine spatial planning principles
- the designation of HELCOM Baltic Sea Protected Areas (BSPA)
- management plans for BSPAs
- the further development of detailed landscape maps
- a coordinated reporting system on harbour porpoise
- management measures for fisheries inside marine protected areas
- a Baltic Sea model of good management based on ecosystem approach
- management plans for commercially exploited fish species
- additional fisheries management measures to minimise the by-catch of harbour porpoises
- the elimination of illegal, unregulated and unreported (IUU) fisheries
- the implementation of existing long-term plans for cod and eel



- additional fisheries measures: restorations to reinstate migratory fish species, conservation of salmon rivers and the reintroduction of wild salmon
- developing the cooperation network to promote the ecosystem-based management of coastal fisheries

The activities regarding the biodiversity segment of the BSAP are less reported than the activities in other segments. There was no information at all on the progress of the implementation of the biodiversity actions from many Member States. This is especially the case concerning activities related to fisheries, which include eight out of the selected thirteen actions to be reviewed here. Another difficulty concerning the assessment of the status of the implementation of various actions is the fact that many of the biodiversity actions are not explicitly defined; there are no clear targets or measures against which it could be assessed whether the actions have been completed or not.

There has been positive development in many sectors (Table 4). Marine spatial planning principles have been under development as a joint effort between HELCOM and VASAB⁴ and are due to be presented for adoption in the Moscow Ministerial Meeting. Another joint activity is the coordinated reporting system on the harbour porpoise, which should also be completed this year. The database earlier administered by ASCOBANS⁵ has been transferred to HELCOM and is now being developed for Internet use.

Clear progress has also been made in the designation of the Baltic Sea Protected Areas (BSPAs). Over 20% of the respective marine area has been protected by Denmark, Germany and Poland while Estonia has protected over 15%. Altogether, the total area of BSPAs has increased from 5.5% in 2008 to 10.3% in 2010. According to HELCOM, the Baltic Sea is the first marine region to achieve the target of the CBD⁶ WSSD, and CBD decision (VII/30) which called for the effective conservation of at least 10 % of each of the world's ecological regions by 2010 and for MPAs by 2012. With the BSPAs and Natura 2000 sites combined, 12% of the Baltic Sea is protected.

⁴ VASAB - Vision and Strategies around the Baltic Sea - is an intergovernmental network of 11 countries of the Baltic Sea Region promoting cooperation on spatial planning and development in the Baltic Sea Region.

⁵ ASCOBANS was concluded in 1991 as the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) under the auspices of the Convention on Migratory Species (CMS or Bonn Convention) and entered into force in 1994.

⁶ The Convention on Biological Diversity (CBD) entered into force on 29 December 1993.

##	BSAP §	Reference to the HELCOM BSAP	DE	DK	EE	FIN	LT	LV	PL	RU	SE	Original deadline
38.1	B-1, B-2, B-3	Develop marine spatial planning principles	3	3	3	3	3	3	3	3	3	2010
39	B-4	Designation of HELCOM Baltic Sea Protected Areas (BSPA)	3	3	3	2	2	2	3	2	2	2009 / 2010
41	B-5.b	Management plans for BSPAs	2	1	1	1	2	2	1	1	N/A	2010
42	B-7.c	Further development of detailed landscape maps	3	N/A	2	3	2	N/A	2	N/A	2	2010
49	B-7.g	Coordinated reporting system on harbour porpoise	3	3	3	3	3	3	3	3	3	2010
52	B-8	Management measures for fisheries inside marine protected areas	3	N/A	1	1	1	N/A	1	N/A	1	2010
54	B-10, B-11	Baltic Sea a model of good fishery management based on ecosystem approach	N/A	-								
56	B-13.a	Management plans for commercially exploited fish species	N/A	N/A	1	1	1	N/A	1	N/A	N/A	2010
57	B-13.b	Additional fisheries management measures including minimisation of by-catch of harbour porpoises	1	N/A	3	3	1	N/A	1	N/A	1	2012 / 2008
58	B-14.a	Elimination of illegal, unregulated and unreported (IUU) fisheries	N/A	N/A	4	3	N/A	4	4	N/A	N/A	immediately
59	B-14.b, B-15	Implementation of existing long-term plans for cod and eel	N/A	N/A	3	3	N/A	1	N/A	N/A	4	2012
61.3 + 61.4	B-17	Additional fisheries measures: restorations to reinstate migratory fish species, conservation of salmon rivers and reintroduction of wild salmon	N/A	N/A	3	2	N/A	0	2	N/A	2	2010 / 2009
62	B-21.a	Cooperation network to promote the ecosystem-based management of coastal fisheries	2	2	2	2	2	2	2	2	2	-

Table 4: Status of implementation of selected activities in biodiversity segment of BSAP.

Key: red - no action or action started, yellow – action in progress, green – action implemented. N/A – no data.

However, as the new study⁷ by HELCOM on the status of BSPAs shows, the network of protected areas in the Baltic Sea is not yet ecologically coherent - in order to protect the entire range of biodiversity in the basin, 20% or even 30% of the area should be protected. Especially the protection

⁷ Baltic Sea Environment Proceedings No. 124A, Towards an ecologically coherent network of well-managed Marine Protected Areas – Implementation report on the status and ecological coherence of the HELCOM BSPA network

areas in the exclusive economic zones should be increased. In addition to the designation of new protected areas, the management plans of the protected areas require much more work. For many of the present sites these have not yet been developed; further, the status of actual protection measures in these areas are cause for concern.

Actions on fishery management, including fisheries inside protected areas, and the management plans for commercially exploited fish species are progressing very slowly, at least in those countries that have reported their activities. However, many of the fisheries-related actions (e.g. the management plans for commercial species) are regulated and conducted within the EU framework.

Due to deficiencies in the data, it is difficult to draw conclusions on the implementation; however, it certainly seems that few, if any, of the fishery activities will be completed in time. Regarding the goal of the Baltic Sea area becoming a model of good fishery management based on ecosystem approach its completion seems to be in the distant future.

In general, due to the lack of data, it is difficult to assess the status of implementation of the biodiversity segment. Although much progress has been made in marine planning and in the designation of protected areas, much work is still to be done and thus the deadlines will not be met. Regarding actions on fisheries, if any conclusions can be made based on the scores of those countries which provided information, the status of many of the activities is not promising.

4 Conclusions

The aim of this report was to give a short and easily understandable overview of the status of implementation of the Baltic Sea Action Plan (BSAP) in each of the four main thematic areas: eutrophication, hazardous substances, marine conservation and biodiversity and maritime activities. The analysis focuses on some thirty of the actions listed in the BSAP scoring the status of their implementation by Member States on a scale of 0 to 4. The assigned scores for each country are only comparable within that particular action. The scale of scores for each action is subjective and not directly comparable across actions or thematic areas. Therefore no total or average scores have been assigned.

It should be noted that the assessment looks at the implementation of an action plan – not the status of the protection of the Baltic Sea; neither does it evaluate the environmental and marine protection work that has been carried out by the Member States for the Baltic Sea, although it may give some indication.

The original purpose was to base this analysis on the national implementations programmes of the BSAP that each of the Member States should have provided in due time; however, as the Member States have not complied with the original schedules, this was not possible. Therefore the analysis has been based mainly on materials available from the HELCOM meeting portal. The national implementation plans that will be presented in the Moscow Ministerial Meeting will hopefully fill in many of the gaps identified by this study.

Despite the deficiencies in information from the Member States, the analysis provides some indication on the progress made in the implementation of the BSAP, and where the possible strengths and weak spots may lie. The analysis suggests that (a) much progress has been made in

terms of BSAP implementation, but (b) in many areas of the BSAP, implementation is lagging behind the set timetable, and (c) that the currently existing monitoring system to review the progress in BSAP implementation does not easily enable stakeholders to understand whether the implementation is on time and/or making progress as agreed.

Activities related to eutrophication, together with hazardous substances, have had a priority in the reporting of the Member States activities on BSAP to HELCOM. This was also clearly reflected in the amount of data available from the Member States and in the structure of the BSAP. For example, a number of recommendations related to the eutrophication actions have been developed in order to have a common understanding of which activities a certain action should include. This makes it easier to carry out reporting and assessments in order to establish how well an action has been implemented. The rather vague definition of some BSAP actions, or their conditionality on some other actions or further research, makes the assessment of actual progress quite challenging. The plan to develop a solid core set of indicators, with quantitative targets to facilitate cost-effective monitoring of the implementation of the HELCOM Baltic Sea Action Plan, is strongly welcomed by this analysis.

Although overall the progress is behind schedule, many positive developments have taken place and a number of tasks are actively being carried out such as the designation of Baltic Sea Protected Areas. In several countries, use restrictions and/or bans have been introduced on hazardous substances and the substitution of priority substances is encouraged. Overall EU legislation as well as global conventions are providing further support to BSAP implementation. Progress has also been made in terms of strengthening international cooperation on environmental shipping norms; for example, pollution surveillance in the Baltic Sea has improved and the number of observed illegal oil discharges is decreasing.

However, there are also issues where progress seems to be lacking momentum and would need a further push. For example, the management plans of the nature protection areas as well as fisheries and fish species have not reportedly been developed. With regards to hazardous substances, there is still a lack of solid baseline data about the levels and sources of priority substances. Implementing actions to reduce risks from harmful (native) species in the Baltic Sea, as well as baseline surveys of prevailing environmental conditions in major ports are late. Also, much more is needed in terms of upgrading the port facilities to receive sewage and ship generated wastes. Delays in implementation of these and other important BSAP actions will most likely also cause delays in restoring a good ecological status to the Baltic Sea by 2021.

Finally, the lack of adequate data to follow-up the implementation of the BSAP by the Member States supports the idea of improved, effective and more transparent monitoring of the BSAP implementation. Increased awareness on the agreed actions, progress and bottlenecks in implementing them would generate further support for the protection of the Baltic Sea.



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