



Outcome of the ninth Meeting of the Working Group on the State of the Environment and Nature Conservation (STATE & CONSERVATION 9-2018)

Introduction

0.1 In accordance with the decision by HOD 54-2018 (Outcome of the meeting, paragraph 4.11), the ninth Meeting of the Working Group on the State of the Environment and Nature Conservation (STATE & CONSERVATION 9-2018) was convened on 22-26 October 2018 in Copenhagen, Denmark, in the premises of of Ledernes Mødecenter.

0.2 The Monitoring and assessment session was attended by delegations from all Contracting Parties except Russia, Lithuania and EU. The Joint session was attended by delegations from all Contracting Parties except Russia and EU, observers from Coalition Clean Baltic (CCB) and OCEANA. The Nature conservation session was attended by delegations from all Contracting Parties except Russia and EU as well as observers from Coalition Clean Baltic (CCB), Nordic Hunters' Alliance and OCEANA. The List of Participants is contained as **Annex 1**.

0.3 The Meeting was chaired by the Co-Chairs of the Working Group: Mr. Urmas Lips (Estonia), Chair of monitoring and assessment related topics, and Ms. Penina Blankett (Finland), Chair of nature conservation issues. The Joint session was chaired jointly by the Co-Chairs. Ms. Jannica Haldin, HELCOM Professional Secretary and Ms. Laura Hoikkala, HELCOM Associate Professional Secretary acted as secretaries of the Meeting.

0.4 The Meeting was welcomed by Ms. Katrine Nissen, Head of department of the Danish Ministry of Environment and Food.

Nature conservation

Agenda Item 1N Adoption of the Agenda: Nature conservation

1N.1 The Meeting adopted Agenda items 1N-6N as contained in document 1-1.

Agenda Item 2N Matters of relevance for the Meeting and information from the Secretariat

2N.1 The Meeting took note of the Extracts from outcomes of recent HELCOM meetings of relevance for Nature conservation (**document 2J-5**).

The Meeting took note of the information on new instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, as presented by the Secretariat (**document 2N-1**). The Meeting requested the Secretariat to keep State and Conservation informed of the progress of the work.

Agenda Item 3N Development and implementation of Recommendations

RECOMMENDATION 15/1 PROTECTION OF THE COASTAL STRIP

3N.1 The Meeting took note that, in accordance with the reporting interval stated in the Recommendation the next reporting round for Recommendation 15/1 will be during 2020, unless otherwise decided under the update process of the Baltic Sea Action Plan.

RECOMMENDATION 16/3 PRESERVATION OF NATURAL COASTAL DYNAMICS

3N.2 The Meeting considered the draft questionnaire, consisting of nine questions related to the Recommendation, prepare by lead country Denmark. The Meeting reviewed and amended the proposed questions for the reporting questionnaire and agreed to set up an intersessional review process, further input to be provided to Denmark (makra@mfvm.dk) by 22 November 2018. The Meeting invited Denmark to amend the questionnaire accordingly and presented the finalized version to State and Conservation for intersessional approval between 1-7 December 2018.

3N.3 The Meeting agreed to initiate the reporting on the recommendation by sending the finalized questionnaire to national State and Conservation representatives by 1 February 2019. Responses are to be made available to lead country Denmark (makra@mfvm.dk) by 1 April 2019, after which the results will be compiled and presented to State and Conservation 10-2019

3N.4 The Meeting acknowledge the relevance of the information under the Recommendation for MSP related work and invited the Secretariat to share the information collated under the reporting of the recommendation with the HELCOM-VASAB MSP working group.

RECOMMENDATION 17/2 PROTECTION OF HARBOUR PORPOISE IN THE BALTIC SEA AREA

3N.5 The Meeting considered the technical changes made to the draft proposal of the HELCOM Recommendation 17/2 on protection of harbor porpoise, as drafted and agreed by SEAL 12-2018 (**document 3N-12**).

3N.6 The Meeting noted the comment by Denmark that Denmark cannot fully endorse point a. of the recommendation, which sets targets for bycatch without differentiating between the two populations of harbour porpoise in the HELCOM area. Denmark finds this distinction important, as the state of the two populations are different. Denmark agrees that bycatch levels should be as low as possible and should be close to zero for Baltic proper population. However, Denmark cannot aim at a bycatch rate close

to 0 for the Belt Sea population as it is large and stabile. This target could potentially require a closure of fisheries.

3N.7 The Meeting agreed to set up a drafting group consisting of Sweden, Germany, Poland, Finland, Denmark and CCB, to further draft technical amendments to the text. The amended text was presented to the Meeting, as contained in presentation 1.

3N.8 The Meeting took note that Denmark, Germany and Sweden, have study reservations on the draft update of the recommendation. The Meeting invited the three contracting parties to clarify their positions on the document by 9 November with the aim to submit the draft to HOD 55-2018 for endorsement of the technical amendments. The Meeting took note of the proposal by the drafting group on way forward, as presented by Poland (**presentation 1**).

3N.9 The Meeting in principle endorsed the technical amendments of the updated recommendation, taking into account the study reservations of Denmark, Germany and Sweden, (**document 3N-12 rev. 1**) to HOD 55 for approval and to HELCOM 40 for adoption.

3N.10 The Meeting considered that, as new knowledge on the existence of two sub-populations of the harbour porpoises in the Baltic Sea and work on the new indicators concerning Baltic harbour porpoise, a revision of the Recommendation 17/2 is needed, and invited HOD 55-2018 to consider initiating a process to revise the Recommendation.

a. Follow-up of action ‘avoiding by-catches of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan’

3N.11 The Meeting took note of the information by Poland on the progress in work related to bycatch within HELCOM FISH and FISHDATA.

3N.12 The Meeting took note of the joined work of ACCOBAMS and ASCOBANS by-catch group, as presented by the Co-Chair.

3N.13 The Meeting took note of the ongoing work under the ICES Working Group on Bycatch of protected species as presented by Ms Sara Köningson, Sweden (**Presentation 2**) and noted that next Meeting of the Working group will take place in early March 2019, Portugal. The Meeting invited Sweden to keep the State and Conservation Working Group informed of the progress of the groups work on an annual basis.

3N.14 The Meeting took note of the annual compilation of registered marine mammal mortality (3N-14). The Meeting noted that new data from Germany, Estonia and Lithuania have been amended to the associated excel file (**document 3N-14 Att.1**) since the STATE & CONSERVATION 8-2018 Meeting. The Meeting noted that Germany will provide data for suspected by-catch in Mecklenburg-Vorpommern for the year 2017 and Russia and Denmark will submit further complimenting data prior to HELCOM Expert Group on Marine Mammals (EG MAMA) 13-2019

3N.15 The Meeting took note of information by CCB that mutilated carcasses of seals and harbour porpoises have been reported in Poland, Germany and Lithuania.

3N.16 The Meeting took note of the information on draft Terms of Reference for a joint OSPAR-HELCOM workshop for indicators for incidental bycatch, as presented by the Secretariat (**document 3J-1**). The Meeting took note of the clarification that the workshop will be further discussed in the Joint session.

3N.17 The Meeting took note of the clarification by Sweden that the Contracting Party offered to host a joint workshop of RSC covering overlap under all indicator work, not specifically for bycatch.

b. Follow-up of action ‘take action in close co-operation with ASCOBANS and ICES’

3N.18 The Meeting took note of the information regarding the 24th meeting of the ASCOBANS Advisory Committee (AC), including the list of action points agreed at the 24th ASCOBANS Advisory Committee Meeting as presented by the vice-Chair of ASCOBANS AC (**document 3N-9**).

3N.19 The Meeting took note of the comment by Germany that should a revision of the Recommendation 17/2 take place the action points under ASCOBANS might become relevant as part of the update.

3N.20 The Meeting noted the list of national contacts for updating the HELCOM/ASCOBANS harbour porpoise database and took note of the status of the database (**document 3N-13**). The Meeting noted that Poland and Finland have reported new data since the previous State and Conservation Meeting, and that Denmark will provide updated information before EG MAMA 13-2019 Meeting.

c. Follow-up of action 'establishment of marine protected areas for harbour porpoises within the framework of the Baltic Sea Protected Areas (BSPAs)

3N.21 The Meeting welcomed the information that the Swedish national species management plan for harbour porpoise is expected to be ready in spring 2019.

3N.22 The Meeting took note of the information by Sweden on the progress of the drafting of a management plan for the newly established harbor porpoise MPA, as presented by Ms Ida Carlén, CCB.

RECOMMENDATION 21/4 PROTECTION OF HEAVILY ENDANGERED OR IMMEDIATELY THREATENED MARINE AND COASTAL BIOTOPES IN THE BALTIC SEA AREA

3N.23 The Meeting welcomed the information by Denmark on the progress made to clarify their position on the Recommendation 21/4 and that there has not been enough time to finalize the national parliamentary process prior to State and Conservation 9-2018. The Meeting supported the process proposed by Denmark, whereby the document will be submitted to HOD 55- 2018 in its current form and Denmark will clarify their national position at HOD 55-3018, with the intention to submit the Recommendation for adoption by HELCOM 40-2019.

RECOMMENDATION 34E/1 SAFEGUARDING IMPORTANT BIRD HABITATS AND MIGRATION ROUTES IN THE BALTIC SEA FROM NEGATIVE EFFECTS OF WIND AND WAVE ENERGY PRODUCTION AT SEA

3N.24 The Meeting took note on the following information on national work relevant to action a of Recommendation 34E/1:

- Finland: Bird associations in Finland have been collating information on important resting, staging and breeding sites in the Gulf of Finland and that this data will likely be provided for the use of the HELCOM Workshop on Seabird Migration Routes.

a) Follow-up on action 'Compile and exchange information on existing, on-going as well as planned developments for wind energy facilities and wave energy installations well as on migration routes and staging areas of birds'

3N.25 The Meeting took note on the information regarding Workshop on Seabird migratory routes as present by Germany (**document 3N-16**). The Meeting noted that the Workshop will take place 20-22 November 2018 in Helsinki. The Meeting noted that Contracting Parties that have not already nominated national experts were requested to do so, and the nominated experts were asked to register to the workshop as soon as possible.

3N.26 The Meeting welcomed the information by Finland, Estonia, Denmark and Sweden that they have nominated experts and that Poland is exploring the possibility to nominate an expert.

3N.27 The Meeting took note of the information by Germany that the Co-lead countries have been working on collating data and literature to support the work at the workshop. The Meeting further noted the

information by the Secretariat that a data call to support the work at the workshop is being elaborated and that to the extent possible Contracting Parties are invited to submit all relevant data before the workshop.

RECOMMENDATION 35/1 SYSTEM OF COASTAL AND MARINE BALTIC SEA PROTECTED AREAS (HELCOM MPAs)

3N.28 The Meeting took note of the information on the Outcome of the MPA managers' workshop as presented by Sweden and the Secretariat (**document 3N-7, presentations 3 and 4**), and thanked Sweden for a well-organized, constructive and fruitful workshop.

3N.29 The Meeting considered the main conclusions and recommendations from the workshop and discussed possible concrete avenues to forward the work.

3N.30 The Meeting discussed the possibilities to combine and/or link the topics identified as requiring guidelines, taking into account the discussion on the need for updating the HELCOM MPA guidelines overall and acknowledge the need to estimate the need for and possible workload of updating the information in the existing guidelines (BSEP 105). The Meeting further acknowledged that such an update would include connection with European legislation, especially MSFD, Habitats and Birds Directives.

3N.31 The Meeting endorsed the establishment of a regional MPA management network under the auspice of HELCOM and requested the Secretariat to present the proposal to HOD 55-2018 for consideration. The Meeting agreed that should HOD 55-2018 endorse the proposal, Terms of Reference will be drafted intersessionally to be presented for approval by State and Conservation 10-2019.

a) Follow-up of action 'reach goal of 10% of the marine area in all sub-basins of the Baltic Sea including the EEZ areas beyond territorial waters is covered by MPAs where scientifically justified'

3N.32 The Meeting took note of the current distribution and coverage of the MPA network, and inclusion of sub-basin wise data, and noted that part of the sub-basins still have MPA coverage below 10% (**document 3N-17, presentation 5**).

3N.33 The Meeting requested the Secretariat to include an additional column containing the total area covered by MPAs (HELCOM MPAs and Natura 2000 areas) in the overview.

3N.34 The Meeting took note of the comment by Finland that due to rounding of the shares, MPA coverage for the EEZ in the document is 0 though some area is protected.

3N.35 The Meeting took note of the information by Finland that work is ongoing on the designation of new protected areas in the Gulf of Finland, and invited Finland to present further information to STATE&CONSERVATION 10-2019.

3N.36 To support the implementation of the Recommendation action a) the Meeting invited the Secretariat to intersessionally provide calculations for the total area (HELCOM MPA's and N2000) coverage of MPA's by sub-basin and based on these calculations compile a list of those sub-basins with a total coverage of less than 10%, as well as identify the countries bordering the respective sub-basins. The results of this work are to be shared with the State and Conservation Working Group by 15 February 2019. The Meeting agreed that the relevant Contracting Parties will collate any additional information regarding spatial protection in the respective areas and present this at State and Conservation 10-2019 for further discussion.

3N.37 The Meeting agreed that in the future the overview of the MPA network should be reported annually.

3N.38 The Meeting took note of the outcome of the online meeting of MPA TG, as well as the overview of actions and level of implementation for Recommendations 35/1 and 37/2 presented in document 8J-1Attachment 4 (**document 3N-8**). The Meeting agreed on amendments or changes to the

assessment criteria for the listed actions of the Recommendations as contained in document 8J-1 Att. 4 rev. 1.

3N.39 The Meeting further discussed:

- the need to reconsidering the need for a size limit of HELCOM MPAs as part of the update process for the guidelines.
- the need to split the assessment of management effectiveness and the monitoring into two separate actions should the Recommendation be updated.
- the need to amend the text under X to state that the management plans should be reviewed with an interval of no more than 12 years, and be updated in accordance with the results of the review.

b) Follow-up of action 'review whether new coastal and marine areas justify being selected as HELCOM MPAs, and to designate new sites as HELCOM MPAs where ecologically meaningful, especially in offshore area beyond territorial waters'

3N.40 The Meeting welcomed the information from Sweden (**presentation 6**) on the designation of existing protected areas to the HELCOM MPA network with a target of 10 % coverage for Sweden by 2020. The proposal by SWaM contains nine new areas in the Gulf of Bothnia, 17 new areas in the Baltic Proper and 5 new HELCOM MPAs in the Kattegat and Skagerrak. The proposal is currently awaiting approval by the Swedish government.

3N.41 The Meeting took note of the information by Denmark of considerations to designate MSFD MPAs to the HELCOM MPA network and invited Denmark to present progress to STATE&CONSERVATION 10-2019.

3N.42 The Meeting took note the information by Estonia that a project to identify and designate at least two new protected areas in Estonian EEZ of the Baltic Proper is about to commence, and invited Estonia to present further information to STATE&CONSERVATION 10-2019.

d) Follow-up of action 'ensure, when selecting new areas, that the network of HELCOM MPAs is ecologically coherent and takes into account connectivity between sites'

3N.43 The Meeting welcomed the information that lead country Finland will arrange a workshop on habitat and biotope mapping, mapping methods, habitat and species modelling and production of relevant maps (**presentation 21**). The Meeting highlighted the importance and usefulness of such a workshop.

3N.44 The Meeting agreed that the first workshop should be a two to three-day workshop, preliminarily to be held in fall 2019, aimed at those experts performing mapping and working on producing the end products used in conservation and MSP. It should serve as a scoping exercise, identify the gaps and needs in knowledge and present successful mapping practices which will then be used to inform further work. The Meeting agreed that the work should be conducted in close cooperation with EN BENTHIC.

3N.45 The Meeting agreed that further comments to the proposal can be made to Finland (markku.viitasalo@ymparisto.fi) by 5 November 2018, after which the document will be finalized. The Meeting further agreed that the finalized document be presented to HOD 55-2018 for approval.

3N.46 The Meeting took note of the workplan of EN BENTHIC, as presented by the Secretariat and noted that the workplan will be presented in more detail and approved under the Joint session (document 7J-2).

h) Follow-up of action 'develop and apply by 2015 management plans or measures for all existing HELCOM MPAs, and to establish management plan or measures for every new MPA within five years after its designation'

3N.47 The Meeting took note of the current status of management plans for MPAs as contained in the HELCOM MPA database (**presentation 8, document 3N-11**). The Meeting took note of the following information by contracting parties:

- Finland that they will provide further updates to the database.
- Denmark informed the Meeting that all its MPAs have management plans.

3N.48 The Meeting agreed that in the future information on the coverage of MPAs and the management plans of MPAs will be presented in one document including relevant maps.

i) Follow-up of action 'update the management plans when necessary and in accordance with other legal requirements with a maximum of 12 years intervals'

3N.49 The Contracting Parties agreed to provide information on national frequency of review and/or update of management plans to State and Conservation 10-2019, using templates that the Secretariat will provide.

j) Follow-up of action 'harmonise the designation of neighbouring HELCOM MPAs in transboundary marine areas'

3N.50 The Meeting discussed the draft update of Guidelines for MPA pressure evaluation, as presented by Finland (**document 3N-4, presentation 7**). The Meeting noted a need for further discussion on the matter and agreed that the Contracting Parties can provide comments to Finland (lasse.kurvinen@metsa.fi) by the 26 November 2018, after which an intersessional online meeting will be arranged in the beginning of 2019.

3N.51 The Meeting took note of the information by Germany on current and upcoming activities in the MSFD CIS process as regards the establishment of a new technical group on seafloor integrity and the request to ICES as regards pressures related to physical loss and physical disturbance.

k) Follow-up of action 'assess the effectiveness of the management plans or measures of HELCOM MPAs by conducting monitoring, and where feasible scientific research programmes, which are directly connected to the conservation interests of HELCOM MPAs'

3N.52 Germany informed the Meeting of presenting information of the progress of assessing management effectiveness of the OSPAR MPA Network at State and Conservation 10-2019.

l) Follow-up of action 'include HELCOM MPAs as areas of particular ecological significance in coastal and maritime spatial planning processes and incorporate their management provisions'

3N.53 The Contracting Parties were invited to inform the Meeting on how natural values and nature conservation interests have been taken into account in their maritime spatial plans. The Meeting took note of information by Finland that they are currently working to incorporate these values into their MSP plans, including the identification of ecologically valuable areas to be included in the MSP processes.

3N.54 The Meeting took note of the information on the upcoming joint Pan Baltic Scope project– HELCOM regional expert workshop on essential fish habitats in the Baltic Sea, as presented by the Secretariat (**document 2J-2**).

m) Follow-up of action 'update, when necessary, HELCOM MPA related guidelines and guiding documents in order to keep them in line with new knowledge and compatible with other international criteria'

3N.55 The Meeting noted the HELCOM MPA management and designation guidelines (**document 3N-10**), and discussed the state of and need for updating the guidelines in order to keep them in line with new knowledge and recent best practices (cf. discussion notes by Finland, **presentation 9**). The Meeting agreed on a process for reviewing the guidelines to get an overview of the magnitude the update required,

including a reconsideration of the existing size limit of the HELCOM MPA's, as follows: Contracting Parties can provide comments to the document to the Secretariat (laura.hoikkala@helcom.fi) or their national TG MPA representative by 30 January 2019. Concomitantly the members of TG MPA will individually review the guidelines and share the results by 30 January, after which Finland, as lead country for the Recommendation, will collate the information and present it at a TG MPA meeting in early March where the group will elaborate a way forward. The Meeting invited the Secretariat to collate relevant information to support the work from the outcome of the MPA Managers workshop.

p) Follow-up of action 'modernize the HELCOM MPAs database'

3N.56 The Meeting took note of information on HELCOM MPA database session at MPA Managers workshop, as presented by the Secretariat (**presentation 10**) and agreed to consider the recommendation when funding for updating of the MPA database becomes available.

r) Follow-up of action 'regularly assess the status and development of HELCOMs MPAs according to the time tables set by HELCOM and to ensure that the assessments are applicable for corresponding EU and global reporting

3N.57 The Meeting took note of an overview on international commitments for 2018-2030, linked to the work of State and Conservation, as presented by the Secretariat and agreed to use the information as needed when drafting the updated work plan in the Joint session.

RECOMMENDATION 37/2 CONSERVATION OF BALTIC SEA SPECIES CATEGORIZED AS THREATENED ACCORDING TO THE 2013 HELCOM RED LIST

3N.58 The Meeting took note of the following information from the Contracting Parties on national work relevant to the Recommendation 37/2:

- Estonia: the national threat evaluation of mammals, fish and birds (including migratory birds) is finalized in spring 2019.

- Finland is finalizing their national red list of species in the beginning of 2019 and biotopes by 18 December 2018.

3N.59 The Meeting invited Estonia and Finland to present the progress of the work and the results at State and Conservation 10-2019.

3N.60 The Meeting agreed to initiate reporting on the Recommendation and welcomed Germany's offer to draft a template for reporting on the level of implementation of the actions under the Recommendation, with assistance from the Secretariat, and present it to State and Conservation 10-2019. The Meeting agreed that it would be beneficial to report on the Recommendation both from the perspective of level of implementation and effectiveness of measures, taking note of the related OSPAR work

3N.61 The Meeting invited OSPAR/Germany to present the work on reporting done under the OSPAR Recommendation to State and Conservation 10-2019.

a) Follow-up of action 'Inventory of existing and planned national and regional conservation-, recovery- and/or action plans, and by 2018 review their effectiveness and, if necessary, define future protection needs'

3N.62 The Meeting took note of the information on national conservation plans for species and biotopes categorized as threatened according to HELCOM 2013 Red List, as presented by the Secretariat (**document 3N-2**).

3N.63 The Meeting noted that Germany has a minor change into the species list and that Denmark will update Danish data to the document by the next State and Conservation Meeting. The Meeting took note of Finland's comment that conservation measures are no longer categorized under the Habitat and Birds directive.

3N.64 The Meeting took note of the information by Finland on regional cooperation for conservation measures for dunlin and ringed seal: Cooperation on ringed seal is ongoing in the Gulf of Finland, including and aerial counts done by all relevant CP ([SEAL 12-2018 presentation 2](#)). Finland is currently updating the national seal management plan and measures for the ringed seal are to be included. No progress has been made on dunlin.

3N.65 The Meeting expressed concern about the low numbers of ringed seal in the Gulf of Finland and encouraged the relevant Contracting Parties to take necessary measures to ensure the conservation of the species.

3N.66 The Meeting took note of the information that there is active cross-border work ongoing within a group of Baltic Sturgeon experts and considered the possibility to link the groups work with that of HELCOM State and Conservation, probably through the establishment of a sturgeon expert network.

3N.67 The Meeting agreed to come back to this issue in State and Conservation 10-2019 after the action plan has been adopted by HELCOM 40-2019.

3N.68 The Meeting invited the Baltic Sturgeon expert group to keep State and Conservation informed of the work.

3N.69 The Meeting thanked the Chair of the group for the work in preparing the document and endorsed the HELCOM Action Plan for the protection and recovery of Baltic sturgeon, as presented by Germany, and agreed to submit the plan to HOD 55-2018 for approval, with the aim of submitting it to HELCOM 40-2019 for adoption (**document 3N-3**).

[b\) Follow-up of action 'Introduce and/or update national legislation or, if more appropriate, choose different kinds of instruments \(such as incentives, administrative actions or negotiated agreements\), to provide for effective protection of relevant HELCOM threatened species'](#)

3N.70 The Meeting took note of Guidance by JWGBIRD concerning conservation measures for threatened bird species, as presented by Sweden/ the Secretariat (**document 3N-1**).

3N.71 The Meeting took note of the information by Germany and Denmark that they provided amendments to the information in to document as contained in document 3N-1 rev.1.

3N.72 The Meeting took note of the comment from Finland that there is a need to clarify from which field in the SDF information has been extracted.

3N.73 The Meeting invited the JWG BIRD group to prioritize for which species HELCOM could bring the most value and suggest most effective measures.

3N.74 The Meeting supported the proposal that the JWG BIRD group be approached with an invitation to hold their next meeting at the HELCOM Secretariat in Helsinki, Finland.

[d\) Follow-up of action 'Selection as new or expanded MPAs for the conservation of HELCOM threatened species with the aim to improve connectivity between populations and key areas along migration routes'](#)

3N.75 The Meeting took note of information and result on connectivity from the BONUS project BAMBI, as presented by Elisabeth Anderberg, Sweden (**presentation 11, document 3N-15**).

3N.76 The Meeting expressed interest in the work and congratulated the project on the results.

[e\) Follow-up of action 'Identify and/or map areas of ecological significance for individual or groups of HELCOM threatened species, also in order to support maritime spatial planning based on the ecosystem approach'](#)

3N.77 The Meeting took note of the information regarding the progress of the EBSA process, as presented by the Co-chair.

Agenda Item 4N Plans for implementation of the work plan and emerging issues

4N.1 The Meeting took note of the information presented by Sweden on the voluntary session on common understanding and future regional coordination of the assessment of relevant marine species and habitats under EU directives (**presentation monday evening session**). The outcome of the session and recommendations is presented as **Annex 2** of this outcome.

4N.2 The Meeting supported the proposal to have regional discussion on the topics and agreed that this should be a reoccurring agenda point of State and Conservation meetings, especially in preparation for the next reporting on the directives.

4N.3 The Meeting took note of the information on the progress of the BaltiCheck project, as presented by Jana Wolf, the Project Coordinator (**presentation 12**).

4N.4 The Meeting took note of the clarification that a gridded approach to presenting the data is compatible with the use of assessment units, and what Darwin Core is. The Meeting discussed the need for quality checking and quality checking procedures for the data submitted to the database.

4N.5 The Meeting further discussed the need to delineate the data call to focus on filling identified gaps in the data available at HELCOM, and that the long term intention for the database is to provide infrastructure to store data on a regional scale, e.g as collected through projects or indicator assessments under HELCOM.

4N.6 The Meeting took note of the question by Germany whether data from the HELCOM Combine database hosted by ICES will be used as well, e.g. macrozoobenthos and whether those data fulfill the requirements regarding coordinates and gridded approach. The project informed that ICES data are commonly compatible with Darwin Core.

4N.7 The Meeting took note of the information from Finland that the Finnish biodiversity information facilities species portal allows users to comment observations and that Estonia is carrying out updating national checklists and invited the Project Coordinator to be in contact with the Estonia State and Conservation contact as soon as possible.

Agenda Item 5N Any other business

5N.1 The Meeting took note of the information on Violations of HELCOM Recommendations in case of construction of Nord Stream II pipeline, as presented by Ida Carlén, Coalition Clean Baltic (**document 3N-6**). The Meeting noted the concern of CCB of the effects of the construction of the pipeline e.g. the important area in the Kurgalskiy peninsula and nature reserve for the threatened population of ringed seal in the Gulf of Finland.

5N.2 The Meeting took note of the concerns regarding proposed navigation canal across Vistula Spit and Lagoon, as presented by Coalition Clean Baltic (**document 3N-5**). The Meeting took note of the answer by Poland (**Annex 3 of the Outcome**). The Meeting was further informed that it is still possible to provide comments within an environment impact assessment procedure.

5N.3 The Meeting took note of the Concerns on effects on marine mammals regarding German ship shock trials as presented by Ida, Coalition Clean Baltic. The Meeting took note of the information by Germany that they will provide comments on CCBs concern to the EG MAMA 13 Meeting. The Meeting further noted the information by Germany that this issue was discussed in the German parliament (Bundestag). The answer from the German government to a query from parliament members is attached as **Annex 4** to this outcome.

Agenda Item 6N Outcome of the Nature conservation session

Documents: draft Outcome

6N.1 The Meeting adopted the outcome of the Nature Conservation theme and noted that the outcome will be available (together with the outcomes of the joint and monitoring and assessment themes)

at the [STATE & CONSERVATION 8-2018 Meeting Site](#), together with the documents and presentations considered by the Meeting.

Joint session

Agenda Item 1J Adoption of the Agenda: Joint themes

1J.1 The Meeting adopted items 1J-12J in the Agenda as contained in document 1-1.

Agenda Item 2J Matters of relevance for the Meeting and information from the Secretariat

2J.1 The Meeting took note of the information on the priorities of Finnish HELCOM Chairmanship 2018-2020.

2J.2 The Meeting took note of the extracts from outcomes of relevant HELCOM meetings for State and Conservation (**document 2J-5**), as presented by the Secretariat.

2J.3 The Meeting took note of the information that a workshop on seals-fisheries interactions arranged by HELCOM is planned to take place during 2019 in Denmark and noted that Germany is interested to be involved in the preparations of the workshop.

2J.4 The Meeting took note of the Draft Roadmap on collection of fisheries data (**document 2J-3, presentation 13**) in order to assess incidental by-catches and fisheries impact on benthic biotopes in the Baltic Sea as presented by Ms Katarzyna Kaminska, Poland

2J.5 The Meeting invited CG FISHDATA to consider incorporating a timeline and with associated task deadlines into the Roadmap. Meeting took note of the information that it is possible to provide further comments by 31 October 2018 and invited Poland to present progress regarding the work at State and Conservation 10-2019.

2J.6 The Meeting took note of the information on upcoming regional expert workshop on essential fish habitats in the Baltic Sea, organized by PanBaltic SCOPE project in cooperation with HELCOM, to be held on 12-13 December 2018 in Riga, Latvia (**document 2J-2**). The Meeting recommended that the maps and spatial information resulting from the work be presented in the HELCOM Map and Data Services.

2J.7 The Meeting took note of the letter by OSPAR (**document 2J-4 Att. 1**) and the reply by HELCOM (**document 2J-4 Att. 2**) on HELCOM-OSPAR cooperation.

2J.8 The Meeting noted that the work to identify actions under the Recommendations which are possibly suited for cooperation with other organization has already started on the Nature Conservation sessions and that the actions under Recommendation 35/1 and 37/2 will be share with the upcoming OSPAR ICG MPA meeting. The Meeting invited the Secretariat to report back to State and Conservation on the response and outcome of the OSPAR ICG MPA meeting regarding topics identified for possible cooperation under recommendations 35/1 and 37/2.

2J.9 The Meeting invited the Secretariat to explore the possibility of an EU Commission representative to present ongoing work at the EU level on marine litter, noise and seafloor integrity at State and Conservation 10-2019 with the aim of harmonizing approaches and avoiding double work.

Agenda Item 3J HELCOM indicators and assessments

Indicators

3J.1 The Meeting took note of the publication of the endorsed indicator reports on the HELCOM website, as supporting material to the 'State of the Baltic Sea' report.

3J.2 The Meeting took note of the information on indicator leads and co-leads (**document 3J-2**) and noted that Denmark, Estonia, Finland, Germany and Sweden will provide changes to the information in the document and noted that amendments can be provided to the Secretariat (owen.rowe@helcom.fi) by **13 November**.

3J.3 The Meeting noted that work to review the HELCOM Indicators has commenced and will, in accordance with the work plan (approved by HELCOM HOD 54-2018, paragraph 4.25 and document 4-5), be considered next by GEAR 19-2018, on 7-8 November 2018 (**document 3J-5**).

3J.4 The Meeting took note concerns raised by Germany about the planned HELCOM indicator review. It is very ambitious and it would bind the capacities of indicator leads. An “intersessional indicator reference group” may not be the best way forward, since expert input is required from the individual indicator leads. It also remains unclear what the purpose and content of the workshop planned for spring 2019 is.

3J.5 The Meeting took note of the statement by Sweden that, as part of this further development work on integration of indicators, e.g. for foodwebs and habitat quality, should be considered as specific themes.

3J.6 The Meeting took note of the clarification by the Secretariat that the annex (**document 3J-5 Att.1**) represents the first step in the process to review and evaluate the indicators currently addressed in the State of the Baltic Sea report (i.e. responses from the expert level), and that the work will be furthered by GEAR 19-2018. Aspects including defining timing, role and possible thematic division of the workshop in spring 2019, and the plan for indicator experts and policy advisors to be present, were mentioned as part of the existing plan.

3J.7 The Meeting reviewed the Draft Terms of Reference for a joint OSPAR-HELCOM workshop for indicators for incidental bycatch (**document 3J-1**).

3J.8 The Meeting took note of proposed amendments by Denmark, Germany and Sweden to the document as contained in document **3J-1 rev. 1**. The Meeting noted that further comments to the document will be provided by Denmark by **30 October 2018**.

3J.9 The Meeting agreed that it would be beneficial to include references to relevant HELCOM (and OSPAR) commitments related to by-catch in the documentation for the workshop. The Meeting further noted that FISH and CG FISH DATA groups are missing from the indicated participants for the workshop, which should be amended to the draft ToR.

3J.10 The Meeting invited the respective Secretariats to communicate with the ACCOBAMS/ASCOBANS by-catch working group regarding the workshop to benefit from the work done under ACCOBAMS and ASCOBANS.

3J.11 The Meeting recalled that the proposed project HELCOM ACTION under the EU 2018 MSFD call contains a work package focusing defining high-risk areas for by-catch of marine mammals and birds and evaluating technical measures to reduce by-catch. The proposal is awaiting the funding decision.

3J.12 The Meeting took note of the updated indicator report and the ongoing developments towards a core indicator of the pre-core indicator ‘Cumulative impact on benthic biotopes’ as presented by Kristine Brüggemann, Germany (**document 3J-7, presentation 14**).

3J.13 The Meeting took note of the comment by Finland that there is a discrepancy in the conversion between the broad habitat types under the MSFD and the HUB for the class mixed substrate, and the comment by Germany that there is a need for further consideration of the classifications and delineations of physical loss and physical disturbance.

3J.14 The Meeting took note of the information by Germany, that the discussions and evaluations in relation to human activities leading to physical disturbance or physical loss are still ongoing on national level and in the EU-MSFD-CIS, where expert groups are just beginning to deal with the issue, e.g. in the forthcoming TG Seafloor and in the context of a recent request of the WG GES and MSCG to ICES. Germany stated that the categorization of any human activity into physical loss or disturbance needs thorough

consideration as it can also have legal consequences in permission procedures. The question was raised by Germany whether the 12 year threshold is scientifically sound if recovery of the benthic community is possible after 12 years.

3J.15 The Meeting discussed whether and how the recovery time has been considered in the development of the indicator. Germany pointed out that some human activities may fall into both categories, loss and disturbance, depending on how they are carried out.

3J.16 The Meeting took note that it is possible to provide comments to the indicator lead on cumulative impacts on benthic habitats, Torsten Berg (berg@marilim.de), cc'd to co-lead (Antonia Nyström Sandman antonia.sandman@aquabiota.se) by the **29 November 2018**.

3J.17 The Meeting welcomed the information on the *Operational Marine Acidification Indicator (OMAI)* project, which aims to produce an operational marine acidification indicator (**document 3J-3**). The Meeting took note of the information that the kick off meeting for the project will take place 10 January at the premise of the HELCOM Secretariat in Helsinki, Finland.

3J.18 The Meeting took note of the information related to indicator development for Sustainable Development Goal 14 (SDG 14) that took place in the Expert Workshop on Marine Pollution Indicators under Sustainable Development Goal Target 14.1.1 (September 2018), as presented by the Secretariat (**document 3J-6**). The Meeting noted that the lead partners in that process (UN Environment and IOC-UNESCO) was developing an outcome report from the workshop. The Meeting welcomed the information that the State of the Baltic Sea report (HOLAS II) was published in July 2018.

3J.19 The Meeting took note of the Communication plan for the launch of the State of the Baltic Sea report (2018 update) and the tools with which the report will be promoted (**document 3J-4**).

3J.20 The Meeting took note that the third thematic assessment on coastal fish will be published under the Baltic Sea Environment Proceedings in November.

3J.21 The Meeting took note of the information related to indicator development of Sustainable Development Goal 14 (SDG 14) - Expert Workshop on Marine Pollution Indicators under Sustainable Development Goal Target 14.1.1 as presented by the Secretariat (**document 3J-6**).

Agenda Item 4J Monitoring guidelines for biota

4J.1 The Meeting took note of the information on lead and co-lead countries for HELCOM Monitoring Programme topics (**document 3MA-2**), as presented by the Secretariat, and invited the Contracting Parties to send possible revisions to the document to the Secretariat (laura.hoikkala@helcom.fi).

4J.2 The Meeting took note of the information on monitoring guidelines on marine bird health, as presented by Sweden and invited Sweden to present further progress on the issue at State and Conservation 10-2019.

4J.3 The Meeting took note of the monitoring guidelines for seal abundance and distribution in the HELCOM area, based on consideration by SEAL 12-2018 Meeting (**document 4J-1**)

4J.4 The Meeting took note of the study reservation by Sweden and Denmark, and agreed that further comments to the guidelines can be submitted to the Secretariat (laura.hoikkala@helcom.fi) by **14 November 2018**.

4J.5 The Meeting agreed that reporting frequency should be included into the guidelines and suggested that the reporting should take place annually concomitantly with the EG MAMA meeting. The Meeting invited EG MAMA to discuss this at EG MAMA 13-2019 and agree on a reporting frequency for data on distribution and abundance.

4J.6 The Meeting in principal endorsed the guidelines, noting the study reservation by Sweden and Denmark, and agreed that once they have been approved they will be transferred to the HELCOM Monitoring Manual.

Agenda Item 5J Development and implementation of Recommendations

RECOMMENDATION 21/3 SUSTAINABLE AND ENVIRONMENTALLY FRIENDLY TOURISM IN THE COASTAL ZONES OF THE BALTIC SEA AREA

5J.1 The Meeting considered the report on the progress of updating the Recommendation 21/3, as presented by the Lead country Latvia (**document 5J-1**).

5J.2 The Meeting discussed the need to have access to guidance on sustainability of tourism, including potential, indirect influence of hydromorphological conditions near shore.

5J.3 The Meeting agreed that such guidance is relevant and needed but that this guidance could take other forms than a recommendation, e.g. guidelines.

5J.4 The Meeting agreed to propose to HOD 55-2019 to delete the recommendation and in instead focus the efforts on reviewing and updating the guidelines on sustainable tourism.

5J.5 The Meeting welcomed the offer of Latvia to collect proposals on what should be included in the guidelines and the Meeting invited Contracting Parties to send their proposals to Latvia (laura.seile@varam.gov.lv) by **28 February 2019**. The Meeting welcomed the information that Latvia will consider taking the lead on updating and reviewing the guidelines and invited Latvia to present a proposed plan for the task at State and Conservation 10-2019.

RECOMMENDATION 24/10 IMPLEMENTATION OF INTEGRATED MARINE AND COASTAL MANAGEMENT OF HUMAN ACTIVITIES IN THE BALTIC SEA AREA

5J.6 The Meeting recalled the following information regarding Recommendation 24/10: HELCOM 39-2018 took note that Poland could not agree on the revised Recommendation 24/10 'Implementation of integrated Marine and Coastal Management of Human Activities in the Baltic Sea Area' and invited Poland to clarify the reservation at the next meeting of the State & Conservation Working Group.

5J.7 The Meeting took note of the information by Ms. Katarzyna Kaminska, Poland, that work on the recommendation is currently ongoing and that the revised text will be presented at the upcoming HELCOM-VASAB MSP meeting, after which it will be submitted to State and Conservation 10-2019 for approval.

5J.8 The Meeting agreed to return to the question on the reporting on the Recommendation once the revision process is finalized, unless otherwise decided under the BSAP update process.

Agenda Item 6J Baltic Sea Environment Fact Sheets

6J.1 The Meeting took note of the review of the Baltic Sea environment fact sheets (BSEFS), as presented by Sweden (**document 6J-1**). The Meeting considered the overlap between BSEFS and the recently published "State of the Baltic Sea" report and core indicators, and agreed that wherever possible the BSEFS should be integrated into relevant indicator reports should be so, and that priority should be given to keeping the indicator report up to date.

6J.2 The Meeting agreed on the suggested actions as contained in document **6J-1 rev. 1** and further agreed that the respective leads, as identified in the document, will commence with implementing the actions and invited them to report on progress of the work to State and Conservation 10-2019.

6J.3 The Meeting agreed that old fact sheets should remain accessible but be archived to avoid confusion.

6J.4 The Meeting noted that Baltic Sea Environment Fact Sheets 'Cyanobacterial biomass', Sea surface temperature in the Baltic Sea' and 'Wave climate in the Baltic Sea' have been updated since the State & Conservation 9 Meeting.

Agenda Item 7J Progress of relevant HELCOM expert groups and projects

7J.1 The Meeting took note of the overview of the work of the Expert Groups, Intersessional Networks and projects associated with the group, as presented by Secretariat (**documents 7J-9, 7J-9 Rev1.**).

7J.2 The Meeting endorsed the election of Antonia Nyström Sandman (Sweden) as new Chair of the HELCOM IN BENTHIC group and agreed on the change of the name to 'The HELCOM Expert Network on Benthic Habitats, EN BENTHIC', as based on the expanded scope of the groups work.

7J.3 The Meeting agreed to add specific references to the EU and EU TG Seabed in the relevant section of the ToRs where synergies are discussed, as contained in document 7J-2 rev. 1.

7J.4 The Meeting acknowledged that the work plan is ambitious and noted the caveat associated with some of the identified activities and tasks under the work plan that they are dependent on resource availability.

7J.5 The Meeting took note of the information that Denmark will provide input to work with assessments to the EN BENTHIC.

7J.6 The Meeting agreed on the Terms of Reference for the EN BENTHIC and considered and agreed on the groups work plan (**document 7J-2 rev. 1**).

7J.7 The Meeting took note of the Meeting outcome of IN BENTHIC 2-2018 (**document 7-8**).

7J.8 The Meeting considered cooperation with OSPAR on harmonization of soft-bottom macrofauna monitoring and methodologies, by expanding the OSPAR questionnaire on soft-bottom sampling and regional harmonization of approaches to include the HELCOM region.

7J.9 The Meeting discussed the possibility to assign national resources to this initiative (documents **7J-3, 7J-3 Rev1.**) and was of the opinion that currently, in light of e.g. the HELCOM monitoring guidelines, such an initiative is not considered to bring added value to the processes within HELCOM.

7J.10 The Meeting took note of the report from HELCOM EN-Hazardous Substances, including the plans made related to guidelines the group is responsible for.

7J.11 The Meeting considered options for hosting of a physical meeting of the EN-HZ group (**document 7J-6**) and agreed that a physical meeting where the work plan could be further elaborated would be beneficial.

7J.12 The Meeting in principle endorsed the ToRs of the EN-HZ group and took note of the information that once a draft work plan is available it will be submitted to State and Conservation 10-2019 for approval.

7J.13 The Meeting discussed the linkages between State and Conservation and PRESSURE via EN-HZ and welcomed the initiation of this process, though also requested that care was taken in division of the roles to ensure both loads and status aspects are strengthened and maintained.

7J.14 The Meeting took note of the opinion of Germany that JWG BIRD may be an appropriate host group for the white-tailed sea eagle indicator (and monitoring and assessment guideline), and the information that the JWG BIRD group had expressed concern that they currently lack the experts to specifically address this work. The Meeting took note of the information by Sweden that they are aware of the current challenges regarding the housing of the white tailed sea eagle productivity indicator, and are

addressing this issue nationally, and will inform State and Conservation of any progress in the matter as soon as it is available.

7J.15 The Meeting considered the work plan of HELCOM IN-Eutrophication group. The Meeting took note of the comment by Germany that a more elaborate work plan would support the future work of the group.

7J.16 The Meeting agreed on the Draft Terms of Reference for the IN-Eutrophication group (**document 7J-5 rev.1**) with the addition regarding links to the MSFD for those contracting parties who are also EU Member States with regards to identification of new indicators.

7J.17 The Meeting took note of the Progress of work in Expert group on Monitoring of Radioactive Substances in the Baltic Sea (MORS EG), as presented by Mr Sven Poul Nielsen, Denmark (**presentation 15**).

7J.18 The Meeting approved the draft Terms of Reference of MORS EG (**document 7J-7**).

7J.19 The Meeting welcomed the presentation of Ms. Iveta Jurgensone (**presentation 16**), Chair of the Phytoplankton Expert Group (PEG), and considered how to find a suitable working arrangement to support the evolving needs and emerging issues and topics under HELCOM, e.g. in relation to indicators and assessments. The Meeting discussed the need and capacity of the PEG group to take on the work on identifying and developing indicators, as well as conducting assessment, to support HELCOM work and agreed to come back to this at State and Conservation 10-2019.

7J.20 The Meeting noted the clarification that additional members can be nominated to the PEG group.

7J.21 The Meeting considered and in principle endorsed the project proposal for Quality assurance of phytoplankton monitoring in the Baltic Sea, taking into account the need to identify suitable working arrangements with regards to indicators and assessment (**document 7J-1**).

7J.22 The Meeting agreed on the suggested change of name of the SEAL group to expert group on marine mammals (EG MAMA) as well as the new proposed working structure and in principle endorsed the terms of reference for the EG MAMA (**document 7J-10 rev.1**), with study reservation by Germany and Denmark. The meeting noted that comments to the ToR can be provided by **7 November 2018**.

Agenda Item 8J Baltic Sea Action Plan (BSAP)

Proposal for dedicated HELCOM work on climate change

8J.1 The Meeting took note of the presentation on the Strategic Plan and Work Plan for the update of the Baltic Sea Action Plan (**document 8J.1, Att 1 and Att 2**) as presented by the Secretariat (**presentation 17**). The expected contribution by HELCOM Working Groups stemming from the agreed activities in the strategic plan was also presented.

8J.2 The Meeting discussed the not yet implemented joint HELCOM actions linked to the State and Conservation Group and agreed on a process for their implementation as indicated in **Annex 5**.

8J.3 The Meeting noted the following identified needs and agreed to include them in the State and Conservation 2019-2020 Workplan (**document 10J-3**):

- to further consider monitoring of how to follow up on measures in relation to the Baltic Sea Action Plan.
- to provide information and an overview of which redlisted species could be reliably linked to which habitat features.
- to collate national information on port surveys of NIS and share it at State and Conservation 10-2019

- to collate information on existing technical measures for minimising bycatch of harbour porpoise, and which of these measures are currently being used in the Baltic Sea, to support future evaluation of the effectiveness of measures.
- to collate information on existing criteria for assessing favourable conservation status of harbour porpoise.

8J.4 The Meeting proposed that a review of existing knowledge on biological impacts of marine litter is carried out as a first step in the foreseen task of the EN-Marine Litter to consider the development and establishment of biological impact indicators of marine litter (cf. the EN- Marine Litter ToR for 2019-2021).

8J.5 The Meeting highlighted that there is a need for more concrete planning for HELCOM work on threshold values for underwater noise, in line with the decision of the HELCOM Ministerial Meeting 2018, which is currently lacking in the proposed ToR for EN-Noise for 2018-2021. The Meeting suggested to GEAR to discuss the issue with the aim of establishing a shared understanding and guidance on how this Ministerial task related to thresholds should be executed in collaborative manner with the work of TG Noise.

8J.6 The Meeting agreed to submit the information in **Annex 5** on actions related to the implementation of the BSAP to HOD 55-2018.

8J.7 The Meeting noted that in accordance with the Strategic Plan for the BSAP update, Contracting Parties will be requested to report on the implementation of HELCOM recommendations to support the update of the BSAP and that Working Groups are invited to propose a priority list of recommendations to be reported. The Meeting agreed on a priority list of recommendations as included in **Annex 6**, focusing on recommendations that include concrete measures to improve or protect the Baltic Sea. Paragraphs of these recommendations that are related to information exchange or monitoring will not be included in the current reporting request.

8J.8 The Meeting furthermore proposed that the Recommendation 19/1 'Marine Sediment Extraction in the Baltic Sea Area' is to be followed-up under the Pressure Working Group. With regard to Recommendation 28E/9 'Development of broad-scale marine spatial planning principles in the Baltic Sea area' the Meeting proposed that the follow-up should be carried out in cooperation between State and Conservation and the HELCOM-VASAB MSP Group while the Recommendation as such remains under the State and Conservation.

8J.9 The Meeting discussed the workplan for the BSAP update as contained in document **8J-1, Att 2**. The Meeting proposed to include a preparatory step to cater for the review of BSAP ecological objectives which has been indicated as an activity by Working Groups for spring 2019 (activity 2.2). The Meeting decided to come back to the discussion on reasons for not achieving BSAP commitments at the next meeting.

8J.10 The Meeting took note that adjustments to the overall structure of the BSAP will be considered and recognized that the BSAP provides an opportunity to cover aspects, for the whole Baltic Sea region, from different marine and environmental policies as well as to cover additional topics not addressed elsewhere.

8J.11 The Meeting took note of the point raised by Germany on the importance of taking into account the MSFD and the new GES Decision in the update of the BSAP to create synergies.

8J.12 The Meeting took note of the information by the Secretariat that comparison of goals and targets of other policies (MSFD, CBD Aichi Targets and SDGs) and BSAP is being carried out, showing their overall good alignment.

Agenda Item 9J Election of co-Chairs

- a. The Meeting elected Norbert Häubner and Marie-Louise Krawack as co-Chairs for the Working Group for the time period of 2019-2020 representing the monitoring/assessment and biodiversity/nature conservation components, respectively.
- b. The Meeting elected Vivi Fleming-Lehtinen and Dieter Boedeker to continue as vice-Chairs for the Working Group for the time period of 2019-2020 representing the monitoring/assessment and biodiversity/nature conservation components, respectively.
- c. The Meeting thanked the co-Chairs Penina Blankett and Urmas Lips for the excellent chairing of the group for the duration of the respective terms.

Agenda Item 10J Future work

10J.1 The Meeting took note of the Review of the State and Conservation Working Group and noted that HOD 54-2018 agreed that the current working structure should be in place until the completion of the update of the Baltic Sea Action Plan and may be revisited in 2021 in light of the results of the update process of the BSAP.

10J.2 The Meeting took note of the June 2018 version of the Roadmap of HELCOM activities, containing an overview of major HELCOM activities and associated timelines and indicating resource needs (**document 10J-1**).

10J.3 The Meeting took note of the preliminary program of Multiple drivers workshop 26-27 November 2018 (**document 10J-4**). The Meeting requested that the outcome of the workshop will be presented to the State and Conservation 10-2019 Meeting.

10J.4 The Meeting took note of the summary for policy makers of the IPCC special report on the impacts of global warming (**document 10J-5**).

10J.5 The Meeting reviewed the draft Terms of Reference (ToR) for EN CLIME and the proposed work plan (**document 10J-2**).

10J.6 The Meeting took note of the concerns raised by Germany and the study reservation on the proposed Expert Network and the draft Terms of Reference.

10J.7 The Meeting took note that the majority of the Contracting Parties strongly supported the proposed work process as well as the draft ToRs.

10J.8 The Meeting noted the following clarifications by the Secretariat to the comments raised by Finland and Denmark and the concerns by Germany regarding the proposed process, plan and ToR:

- that clarifications will be provided in the document related to need of streamlining the proposed work with HELCOM BSAP and indicator work, who will prepare the fact sheets, and to the end products.
- that the work plan and process has been developed in close collaboration with the Chair of the Baltic Earth Science Steering Group to align with already planned work within the Baltic Earth community to maximize use and uptake of the work of Baltic Earth experts.
- that it is the estimation of the Chair of BE SSG that most of the information needed by EN CLIME is already available,
- and that Baltic Earth will contribute to the EN CLIME work via future BACC III work, as suggested by Baltic Earth itself,
- that the key messages will be identified by the experts, distilled by the Secretariat and again reviewed by the experts.
- that organizing of physical meetings is not a requirement for HELCOM Expert Networks.

- that effort will put into ensuring that the work on climate change is efficiently linked to, and anchored in, the work of other HELCOM groups.
- that there is a need to have a more consistent working structure within HELCOM (as opposed to occasional thematic assessments) dealing with climate change to ensure more horizontal uptake of climate change considerations in HELCOM work.
- that the Nordic Council of Ministers also has ongoing initiatives regarding climate change and cooperation will be explored.

10J.9 The Meeting took note that Germany will provide comments to the ToR by **7 November**. The Meeting invited Germany to clarify its position at HOD 55-2018 at the latest.

10J.10 The Meeting in principle endorsed that the proposed work process, the draft ToRs and the founding of an Expert Network on Climate Change, and invited the Secretariat to submit the document to the Baltic Earth Science Steering Group meeting (taking place on the 28 November 2018). The Meeting agreed to submit the document, keeping in mind that the document will be revised to take into account the comments from the Meeting, to HOD 55-2018 for approval, noting the study reservation by Germany.

10J.11 The Meeting discussed the international commitments as presented by the Secretariat (**presentation 18**).

10J.12 The Meeting took note of the draft updated Work Plan of State and Conservation Working Group for 2019-2020, as presented by the Secretariat (**document 10J-3**), and amended the Work Plan as presented in **document 10J-3 rev.1**. The Meeting agreed on the updated Work Plan and invited the Secretariat to submit it to HOD 55-2018 for approval.

Agenda Item 11J Any other business

11J.1 The Meeting took note of the upcoming BONUS-HELCOM 8th stakeholder conference 'Research and Innovation for Sustainability' (document 11J-2).

11J.2 The Meeting took note of the draft update of HELCOM Data and Information Strategy, as presented by the Secretariat (document 11J-3). The Meeting in principle agreed on submitting the data and information strategy to HOD-55-2018 for approval. The Meeting noted it is possible to provide comments on the strategy to the Secretariat (joni.kaitaranta@helcom.fi) by 8 November.

11J.3 The Meeting commented on the need for clarifying the scope of the strategy and agreed to adding a preamble to the strategy stating that this document is explicitly addressing data stemming from HELCOM monitoring activities and data from other sources is not regulated by this document.

11J.4 The Meeting considered the referencing of data. The Meeting noted that the data provider organization is currently both mentioned in the metadata and included as a parameter in the data, but the data would be referred to as a HELCOM dataset. The Meeting noted that inclusion of same data in several international databases with different references/content can cause confusion.

11J.5 The Meeting noted that publication of certain data containing sensitive information, e.g. fisheries data, used in HELCOM assessments but not stemming from HELCOM monitoring, would have to be restricted due to the EU Data protection regulation (GDPR), which should be taken into account in the formulation of the document.

11J.6 The meeting noted that for paragraph 4.4 the reason for requiring aggregation such as gridding might be related to data use policy and not necessary species protection legislation and agreed that the working should be change to accommodate that.

11J.7 The Meeting noted the need for mentioning modern data platforms such as earth observation, flow-through data or satellite data and agreed to include it in to the description of underlying data sources used in the assessment.

11J.8 The Meeting confirmed that the next meeting of the Working Group (STATE & CONSERVATION 9-2018) will be organized in Finland on 6-10 of May 2019.

11J.9 The Meeting noted the information on previous hosts of State and Conservation Meetings (document 11J-1). The Meeting agreed that State and Conservation Meeting 11-2019 will be organized on 21-25 October, starting with Nature Conservation session. The meeting noted that Latvia will explore the possibility to host the meeting.

11J.10 The Meeting considered and updated the lists of contacts and observers for the Working Group.

11J.11 The Meeting thanked Denmark for the excellent organization and hospitality during the Meeting.

Agenda Item 12J Outcome of the Joint themes

12J.1 The Meeting adopted the outcome of the Joint themes and noted that the outcome will be available (together with the outcomes of the nature conservation and monitoring and assessment themes) at the [STATE & CONSERVATION 9-2018 Meeting Site](#) together with the documents and presentations considered by the Meeting.

Monitoring and assessment

Agenda Item 1MA Adoption of the Agenda: Monitoring and assessment

1MA.1 The Meeting adopted the Agenda items 1MA-6MA as contained in document 1-1.

Agenda Item 2MA Matters of relevance for the Meeting and information from the Secretariat

2MA.1 The Meeting took note of the information on the project BONUS Future Marine Assessment and Monitoring of the Baltic (FUMARI), focusing on gap analysis and applicability of new monitoring methods, which started in October and will run for eighteen months (**document 2MA-1**).

2MA.2 The Meeting took note of the information regarding the BONUS SEAM (Towards Streamlined Baltic Sea Environmental Assessment and Monitoring) project as presented by the Co-Chair. The Meeting noted that SEAM will focus on benthic, pelagic and hazardous substances monitoring, and will run for eighteen months.

2MA.3 The Meeting considered that work of both these projects is very relevant for the work of State and Conservation and asked the secretariat to invite the Project Coordinators of the respective projects to come and present the work at State and Conservation 10-2019.

Agenda Item 3MA Development and implementation of Recommendations

RECOMMENDATION 10/1 ABNORMAL SITUATIONS IN THE MARINE ENVIRONMENT

3MA.1 The Meeting took note of information presented by lead country Estonia on the current CMEMS (Copernicus Marine Environment Monitoring Service) stations and the possibility to apply for funding to develop a permanent CMEMS service for reporting on abnormal situations in the Baltic Sea to HELCOM (**document 3MA-7**).

3MA.2 The Meeting took note that data on some topics from certain countries are not openly available in the CMEMS service and that these stations have not been included in the list.

3MA.3 The Meeting supported that, should a CMEMS project call open, interest in joining a regional consortium should be canvassed within State and Conservation.

3MA.4 The Meeting welcomed the information from Latvia that they will explore the possibility to share more data openly through the CMEMS service.

3MA.5 The Meeting took note of the information from Sweden on their network of information centres which register abnormal events. The Meeting discussed the concrete actions taken by relevant national bodies when an abnormal event is registered and how this information is shared with other countries.

RECOMMENDATION 19/3 MANUAL FOR THE HELCOM JOINT COORDINATED MARINE MONITORING

3MA.6 The Meeting took note that there was no additional information on ongoing or planned national work on reporting on the Recommendation 19/3.

3MA.7 The Meeting agreed that reporting on the Recommendation should take the form of an overview of reported data and gaps from the different data repositories, to be provided annually for the fall meeting of State and Conservation. The Meeting invited the respective data hosts to provide such a report in relation to Recommendation 19/3 annually.

3MA.8 The Meeting took note of the initial overview of deadlines for data reporting listed in HELCOM Monitoring Manual and guidelines, as presented by Estonia (**document 3MA-9**). The Meeting agreed that

this topic will be further discussed in State and Conservation 10-2019 when the input on optimal reporting dates are available from the Expert Networks.

3MA.9 The Meeting invited the Secretariat to prepare a revised version of the document, including the information from the Expert Networks and indicator leads, to be shared with State and Conservation contacts by 28 February. The Contracting Parties are then invited to provide input to the document by the 1 April 2019, after which comments will be collated and prepared for submission to State and Conservation 10-2019.

3MA.10 The meeting took note of the HELCOM Monitoring Manual change templates. The Meeting noted the information by Sweden that there are a number of minor corrections and amendments needed for the introduction to the Manual and that these will be provided to the Secretariat. The Meeting further noted that Germany will make changes to the Monitoring manual only after the new MSFD monitoring program is in place.

3MA.11 The Meeting took note of the list of Lead and co-Lead countries for HELCOM Monitoring Programme topics (**document 3MA-2**).

Underwater noise

3MA.12 The Meeting noted that HOD 54-2018 approved the new regional monitoring sub-program of continuous noise (**document 3MA-1**).

3MA.13 The Meeting took note of the information on coordinated reporting and hosting of HELCOM continuous noise monitoring data and supported the hosting of the database and soundscape by ICES (**document 3MA-6**).

3MA.14 The Meeting took note that Denmark and Poland would prefer that the database is funded from the HELCOM budget.

3MA.15 That Meeting welcomed the information that Sweden is willing to co-fund initial cost to set up the database at ICES and that Sweden is of the opinion that the tool should also be hosted there.

3MA.16 The Meeting took note that Germany is of the opinion that the evaluation of the requirements for soundscape modelling should be addressed as soon as possible, or as soon as the hosting of the data is settled.

3MA.17 The Meeting agreed that it would be highly beneficial for experts across the region working on monitoring of noise to share experiences, e.g. Contracting Parties which are now starting monitoring could seek advice from Contracting Parties where the monitoring is already in place.

3MA.18 The Meeting agreed to submit this information to the upcoming HOD 55-2018 for further deliberation on funding options for hosting HELCOM continuous noise monitoring data from the Contracting Parties.

Marine Litter

3MA.19 The Meeting took note of the national activities in relation to marine litter monitoring as follows:

- Estonia: is participating in the BLASTIC project with Finland. The project is, among other activities, conducting monitoring of litter loads from rivers. There are other national projects ongoing such as microplastics loads from WWTPs and microlitter monitoring in seawater. Estonia also intends to join the JPI Ocean microplastics project call.
- Latvia: there is funding available for projects monitoring marine litter, among them one is monitoring microplastics in the Gulf of Riga. Beach litter monitoring is being conducted by a non-

governmental organization. Also there are recently funded Interreg Baltic Sea Region projects which will focus on plastics (short list can be found [here](#)).

- Finland: there is national ongoing work such as a roadmap to remove microlitter from the marine environment. One project aims at studying the role of microplastics in the food chain, and one is studying derelict fishing gear. One project is studying the role of water treatment plants in removing microliter and one the hazardous substances in microliter. Finally, there is a project studying the degradation of biodegradable plastic in the environment. Additional information can be obtained through Outi Setälä (outi.setala@ymparisto.fi).

3MA.20 The Meeting took note of the information from the Secretariat that HELCOM is a partner in the FanPLEStic-sea – Initiatives to remove microplastics before they enter the sea, a project recently approved by the Interreg Baltic Sea Region programme. The project which will start in January 2019 will contribute to the development of actions RL4, RL6 and RL7 of the Regional Action Plan on Marine Litter.

3MA.21 The Meeting took note that the guidelines for monitoring beach litter and continuous noise, endorsed by STATE & CONSERVATION 8-2018, have been published on the HELCOM website.

3MA.22 The Meeting recalled that STATE & CONSERVATION 4-2016 agreed that Recommendation 29/2, which includes Guidelines on sampling and reporting of marine litter found on beaches, will be superseded by Recommendation 36/1 once the HELCOM monitoring guidelines for marine litter on beaches have been developed and included in the HELCOM Monitoring Manual (cf. Outcome of STATE & CONSERVATION 4-2016, para. 3J.9).

3MA.23 The Meeting agreed to invite HODs to supersede Recommendation 29/2 by Recommendation 36/1.

Monitoring Guidelines

3MA.24 The Meeting took note of the Guidelines for sampling and determination of dissolved oxygen in seawater as presented by Johan Håkansson, Sweden (**document 3MA-4**). The Meeting provided further amendment to the guidelines as contained in document **3MA-4 rev.1**.

3MA.25 The Meeting in principle endorsed the Guidelines for sampling and determination of dissolved oxygen in seawater and agreed on their publication on the HELCOM website. The Meeting noted that further comments to the guidelines can be provided to lead country Sweden by **8 November 2018**.

3MA.26 The Meeting took note of the Guidelines for physical oceanography as presented by Johan Håkansson, Sweden (**document 3MA-5**). The Meeting noted comments by Denmark and Poland that the document is rather general and could be more detailed and provided further guidance to lead country Sweden. Germany will also provide comments to lead country Sweden by **8 November**. The Meeting invited Sweden to present a new version of the document at State and Conservation 10-2019.

3MA.27 The Meeting considered the guidelines on the determination of heavy metals in sediment (document 3MA-3). The Meeting in principle endorsed the Guidelines and agreed on their publication on the HELCOM website. The Meeting noted that further comments to the guidelines can be provided to lead country Germany by **8 November 2018**.

3MA.28 The Meeting took note that reviewing the Guidelines for monitoring chlorophyll-a will be postponed to the State and Conservation 10-2019 Meeting. The Meeting invited the respective leads of the remaining guidelines to report on progress of the work at State and Conservation 10-2019.

3MA.29 The Meeting took note of the overview of existing HELCOM databases and data flow arrangements, including information about hosts agreements and maintenance as compiled and presented by the Secretariat (**document 3MA-8, presentation 19**).

3MA.30 The Meeting invited the JWG BIRD experts to identify the best way to collate available data on birds at sea and invited the experts to identify and suggest on the optimal reporting frequency and timing for at sea monitoring data. The Meeting further concluded that a structured process needs to be developed for bird indicators and Contracting Parties commitment needed to report the data.

3MA.31 The Meeting invited the zoo- and phytoplankton and zoobenthos indicator experts to clarify what issues they came across regarding data usability from COMBINE during HOLAS II and to join a half day online workshop, together with the data host ICES and Secretariat.

3MA.32 The Meeting invited the indicator leads to present an overview of gaps in the data which need to be solved for enabling functional data flow arrangements for future assessments.

3MA.33 The Meeting invited the zoo-, phytoplankton and zoobenthos groups to report data on an annual basis to COMBINE and clearly communicate the issues encountered in reporting to the Secretariat and the data host ICES.

3MA.34 The Meeting discussed the need to even and spread out the reporting to ease the load of data hosts at times of peak activity (e.g. for MSFD reporting) and agreed that more frequent, more regular reporting facilitates communication between the data host and the reporter, the identification and solving of issues, better governance and control over data quality.

3MA.35 The Meeting agreed that the aim for all indicator data flows should be regular and frequent.

3MA.36 The Meeting invited the Secretariat to produce an overview of the data flows related to the BSPI/BSII for State and Conservation 10-2019.

3MA.37 The Meeting invited all indicator leads and the Secretariat to present an overview of gaps in the data needed to make the indicators fully functional, to facilitate prioritization of the upcoming work (to largely be based on already existing information collected through the indicator review questionnaire), and invited the indicator manager to present the information at State and Conservation 10-2019.

3MA.38 The Meeting invited the Secretariat to include data flows and data needs for candidate indicators in the overview, to facilitate prioritizing further work on indicator development, and present this overview at State and Conservation 10-2019.

3MA.39 The Meeting took note of the presentation by Mr. Neil Holdsworth, ICES, regarding data flows, and the importance of identifying the need/end use of the data to ensure data adequacy (**presentation 20**).

Agenda Item 4MA [Plans for implementation of the work plan and emerging issues](#)

4MA.1 The Meeting did not discuss any further plans relating to implementing the work plan nor identified emerging issues.

Agenda Item 5MA [Any other business](#)

5MA.1 The Meeting took note of the information that Sweden can host the physical meeting of the Hazardous Substances Expert Network in spring 2019.

5MA.2 The Meeting took note of the information by Sweden that the current co-Chair of EN HAZ will no longer be in a position to continue as she is changing positions. The Meeting invited the Contracting Parties to consider taking over co-Chairing of the group.

Agenda Item 6MA [Outcome of the Monitoring and assessment session](#)

6MA.1 The Meeting adopted the outcome of the monitoring and assessment theme and noted that the outcome will be available (together with the outcomes of the nature conservation and joint themes) at the [STATE & CONSERVATION 9-2018 Meeting Site](#) together with the documents and presentations considered by the Meeting.

Annex 1. List of participants

Name	Organization	E-mail address
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Annex 2. Outcome of Voluntary session on common understanding and future regional coordination of the assessment of marine species and habitats under EU directives

The session was attended by participants from DE, DK, EE, FI, PL, SE and observers CCB and Oceana.

Why it is important to discuss regional coordination of assessment under the Birds and Habitats and Directives (BHD):

- Link to MSFD which demands regional coordination and coordination with Habitats Directive
- Birds and Habitats Directives already entails a coordinated approach for transboundary populations
- Previous activities on regional coordination include:
 - o Ongoing regional discussions, e.g. boreal workshops
 - o Paper from EU com exploring synergies in assessments and reporting in MSFD and BHD to the Marine Expert group (Dec 2017)
- Joint meeting between marine experts under the MSFD and BHD processes in March 2018

Aim of the session

- Share information on methods and preliminary results for the ongoing assessments of BHD – Cooperation now, or next reporting?
- Which features, how and when?

National experiences and ongoing processes in reporting BHD:

- *Poland*: work on assessment is quite advanced, no possibility for common reporting during this cycle, but next round could be possible; PL raised its concerns about some practical consequences of switching from separate to common reporting by the EU member states
- *Denmark*: similar situation as PL: Denmark is in the process of gathering the data, no possibility for direct regional coordination under the ongoing reporting cycle
- *Estonia*: too late now for effort to coordinate the work regionally, but open for discussions for next reporting opportunity 2025
- *Finland*: just starting the reporting, bilateral loose discussion would be possible, e.g. sharing of ideas on issues relating to e.g. delineating of habitats such as 1110 and 1170. Harbour porpoise might be a good pilot for elaborating national coordination.
- *Germany*: started reporting, focus is on national coordination. There might be some issues with migrating species but otherwise the reporting is based on special monitoring programmes. Germany sees the necessity for dedicated work for harbour porpoise, e.g. indicators for harbour porpoise developed within Helcom might be interesting for harbour porpoise assessment under HD
- So far no country used indicators or other products from the recent “State of the Baltic Sea” in their BHD assessments

Overall countries did not see the possibility for regional coordination in time for the next reportings in 2019. However, the meeting agreed that for certain species such as marine mammals bilateral talks on methods and reporting plans would be beneficial as soon as possible.

Recommendations from the workshop

- o Contracting parties attending the session (Poland, Germany, Finland, Estonia, Denmark, Sweden, as well as observers CCB and Oceana) agreed that there is some room for coordination of the assessment of Habitats- and Bird Directives.

- Contracting parties should be given the opportunity to report on the work regarding the assessment under the Birds- and Habitat directives at every Helcom State & Conservation meeting.
- In depth discussions could be started within relevant HELCOM Expert groups, as the Helcom SEAL expert group for both harbour porpoise and seal species. Policy support for this discussion is needed. For seals, regional differences need to be reflected in the discussions. The assessment of fish species was discussed. It was suggested that Helcom FISH group could start discussions about regional coordination of both salmon and eel. However, the meeting acknowledged that non-commercial fish are difficult to tackle in a coordinated way and welcome further thoughts on this.
- The meeting agreed that it is important to initiate joint discussions on benthic habitats as soon as possible. To address this, it was suggested that a special session on habitats should be held at one State & Conservation meeting in 2019. Aim of the session should be to prioritize and scope the work on the assessment of benthic habitats within the Habitats Directive. It is important to consider the ongoing discussion within the TG Seabed, initiated by MSCG

Contactpersons for article 17 and 12 reporting:

- Denmark: Anders Friis (afri@mst.dk), Anna-Grethe Underlien Petersen (aup@mst.dk)
- Article 17 in Sweden for marine species and habitats: Anna Karlsson (anna.karlsson@havochvatten.se) and Lars Gamfeldt (lars.gamfeldt@havochvatten.se); SEPA is responsible for whole process in Sweden
- Poland: Magdalena Kaminska m.kaminska@gios.gov.pl reporting under art. 17 Habitat directive and art. 12 Birds Directive
- Finland: Penina Blankett (penina.blankett@ym.fi), Lasse Kurvinen (lasse.kurvinen@metsa.fi)

Annex 3. Answer by Poland to the concerns regarding proposed navigation canal across Vistula Spit and Lagoon

Ninth Meeting of the Working Group on the State of the Environment and Nature Conservation (STATE & CONSERVATION 9-2018)

Poland's position on Doc 3N-5

Concerns with regards to proposed navigation canal across Vistula Spit and Lagoon

Ongoing procedure on the scope of issuing a decision on the environmental conditions (EIA procedure) of the project: "The waterway connecting the Vistula Lagoon with the Gulf of Gdansk - Nowy Świat location" is conducted due to the basis of the Act of 3 October 2008 on publishing information on the environment and its protection, public participation in concerning environmental protection and environmental impact assessment (Dz. U. of 2017 item 1405 with further amendments) - hereinafter referred to as EIA Act. The EIA Act as above is pursuant to international Law including the HELCOM guidelines. The EIA Act, within the scope of its regulation, implements the following directives of the European Union:

- Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora
- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment
- Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC
- Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC
- Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control
- Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)
- Convention on Environmental Impact Assessment in a Transboundary Context, drafted at Espoo on 25 February 1991 (Dz. U. of 1999 No. 96 item 1110)

Pursuant to Article 33.1, read in conjunction with Article 79.1 of the Polish Law, the Regional Director for Environmental Protection in Olsztyn provided public participation in proceedings for the issuance of the decision on environmental conditions of the project: "The waterway linking the Vistula Lagoon with the Bay of Gdańsk - location Nowy Świat" by publishing the information referred to in the article mentioned above - notice of 6 June 2018 was posted on the notice board in the registered office of RDOŚ in Olsztyn and on the website of the Public Information Bulletin of RDOŚ in Olsztyn, in the Department of Field Matters of Regional Directorate for Environmental Protection (RDOŚ) in Elbląg as well as in the Commune Office in Sztutowo, the Krynica Morska City Office, the Tolkmicko City and Commune Office, the Commune Office in Elbląg, the City Office in Elbląg and in the Regional Directorate for Environmental Protection in Gdańsk.

The public interested could check the application and the report on environmental impact of the project in the registered office of Regional Directorate for Environmental Protection in Olsztyn and additionally with the report - in the Department of Field Matters (RDOŚ) in Elbląg, as well as submit oral and written comments and requests within 30 days after publication, i.e. from 13 June to 12 July 2018.

As part of public consultations conducted by RDOŚ in Olsztyn, environmental organizations such as the Ecological Association EKO-UNIA and the Polish Ecological Club of the East Pomeranian District, the Society for Nature Conservation and the Mayor of the City of Krynica Morska, as well as citizens of the region, made comments. Coalition Clean Baltics did not submit any comments or applications to the documentation provided by RDOŚ.

As regards the issue of the letter written by Coalition Clean Baltics, it should be explained that the 30 days' time limit is explicitly stated in Article 33.1 EIA Act.

In addition, to inform all the public interested in the planned public consultation in the project location on 13 July 2018, the notices informing of the public participation were posted in the following places: The Harbour Master's Office on-duty Services in Elbląg, the Maritime Office in Gdynia and its Delegations, the advertising columns, bus stops and the notice boards in the area influenced by the project.

It needs to be highlighted that Poland has ratified the Convention on Environmental Impact Assessment in a Transboundary Context, drafted at Espoo on 25 February 1991 (Dz. U. of 1999 No. 96 item 1110). Transboundary EIA procedure was not issued due to the lack of significant adverse transboundary impact which may occur in any Party to the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo on 25 February 1991.

The letter of 28 September 2018 (date of posting 01.10.2018), reference number: TI.1-PK-221-73/635/448/18, submitted to this authority by the Investor - the Director of the Maritime Office in Gdynia with the Annex to the report on environmental impact of the project: The waterway linking the Vistula Lagoon with the Bay of Gdańsk, developed in September 2018 by EKO-KONSULT Sp. z o.o. with registered office in Gdańsk.

Therefore, on 2 October 2018 in the proceedings for the issuance of the decision on environmental conditions of the project: "The waterway linking the Vistula Lagoon with the Bay of Gdańsk - location Nowy Świat", the Regional Director for Environmental Protection in Olsztyn published the information referred to in Article 33.1 EIA Act - notice of 2 October 2018 was posted on the notice board in the registered office of RDOŚ in Olsztyn and on the website of the Public Information Bulletin of RDOŚ in Olsztyn, in the Department of Field Matters of Regional Directorate for Environmental Protection (RDOŚ) in Elbląg as well as was transmitted to the Commune Office in Sztutowo, the Krynica Morska City Office, the Tolkmicko City and Commune Office, the Commune Office in Elbląg, the City Office in Elbląg and to the Regional Directorate for Environmental Protection in Gdańsk.

The public interested may now learn the necessary documentation of the case, in the proceedings with public participation within 30 days, i.e. from 5 October to 3 November 2018 in the registered office of Regional Directorate for Environmental Protection in Olsztyn, at ul. Dworcowa 60 (room 27), between 08.00 and 15.00. In addition, information about another public consultation can be found on the RDOŚ website in the Aktualności tab as well as the possibility to download the report and the annex with appendixes (<http://olsztyn.rdos.gov.pl/ponowne-konsultacje-spoeczne-w-sprawie-przekopu-mierzei-wislanej>).

Nevertheless, it is worth to mention that the provisions of applicable law do not require publishing documentation e.g. on the website. The Regional Director for Environmental Protection in Olsztyn makes the said report and its annex available to the public interested under the applicable law EIA

Act. Pursuant to Article 14.3 EIA Act the report and its annex shall be made available immediately but no later than 3 days after the day of submitting the request.

In relation to the submitted annex the Regional Director for Environmental Protection in Olsztyn adapted letters to the State Border Sanitary Inspector in Elbląg, the State Border Sanitary Inspector in Gdynia, the Regional Director for Environmental Protection in Gdańsk on 2 October 2018 again in which he asked for an opinion on the planned project and letters to the General Director for Environmental Protection and the Maritime Office in Gdynia on 2 October 2018 in which he asked for arranging the conditions of the project implementation.

RDOŚ in Olsztyn is currently analysing the whole documentation thus the assessment of the environmental impact of the project, including Natura 2000 sites, habitats and species of a priority significance will be reflected in the decision on environmental conditions ending the EIA Act proceedings. It has to be emphasized that even the investment with a significant negative impact on the environment, including Natura 2000 sites, may be carried out, according to the EU law, only when it fulfils specific conditions.

The construction of the waterway connecting the Vistula Lagoon and the Gulf of Gdańsk through Vistula split has been on the agenda of the Polish Government since 2007. It must be stressed out, that the Minister of Maritime Economy and Inland Navigation was always open to any dialogue with all environmental organizations including Coalition Clean Baltics. On 18th of November 2016, at the headquarters of the Ministry of Maritime Economy and Inland Navigation a meeting was held to which Coalition Clean Baltic was also invited, along with its Member Organizations consisting of environmental NGOs of the Baltic Sea Region. CCB itself did not attend this meeting.

It should be underlined, that there is still possibility to provide comments to the Environmental Impact Assessment regarding the waterway connecting the Vistula Lagoon and the Gulf of Gdańsk, therefore we invite CCB to contact Poland and to discuss all the questions and doubts bilaterally.

Deutscher Bundestag

Drucksache 19/323

19. Wahlperiode

27.12.2017

Antwort

der Bundesregierung

**auf die Kleine Anfrage der Abgeordneten Cornelia Möhring, Lorenz Gösta Beutin, Christine Buchholz, Dr. Kirsten Tackmann und der Fraktion DIE LINKE.
– Drucksache 19/162 –**

Anspengversuche und Beschuss der Fregatte Karlsruhe

Vorbemerkung der Fragesteller

Im Juli 2017 wurde bekannt, dass die Bundeswehr im Rahmen der Wehrforschung im ersten Halbjahr 2018 im Sperrgebiet Schönhagen bei Damp/Ostsee Anspengversuche und einen Beschuss der ausgedienten Fregatte Karlsruhe plant (Kieler Nachrichten vom 22. Juli 2017). Bei Anspengversuchen werden Sprengladungen unterschiedlicher Größenordnungen in der Nähe der Bordwand gezündet, um anhand von Messungen Aussagen über die Schockresistenz von Schiffen in Abhängigkeit der Ladungsgröße treffen zu können.

Durch die bei Sprengungen auftretenden Schockwellen sind Meerestiere stark gefährdet. Durch abrupte Scherkräfte in Geweben kommt es zum Zerreißen von Lungen, Schwimmblasen, Darmwänden sowie zum Verschieben von Gehörknöchelchen. Darüber hinaus sind schwere Blutungen in Gehirn oder Ohren sowie Fettembolien, ausgelöst durch abrupte Blutdrucksteigerung durch äußere Einwirkung, dokumentiert (Koschinski, Sven, Marine Technology Society Journal Volume 45, Number 6, 2011). Insbesondere Meeressäuger, Fische und schwimmende oder tauchende Seevögel sind in Abhängigkeit von der Ladungsgröße bis in mehrere Kilometer Entfernung einem erheblichen Verletzungs- oder Tötungsrisiko ausgesetzt. Viele dieser Arten genießen jedoch einen besonderen Schutz gemäß Fauna-Flora-Habitat- oder Vogelschutzrichtlinie der Europäischen Union. Darüber hinaus fordert die EG-Meeresschutz-Rahmenrichtlinie die Mitgliedstaaten auf, Maßnahmen zu entwickeln und umzusetzen, damit die europäischen Meeresschutzgebiete bis zum Jahr 2020 einen guten Umweltzustand erreichen. Der Deskriptor 11 sagt aus: „Die Einleitung von Energie, einschließlich Unterwasserlärm, bewegt sich in einem Rahmen, der sich nicht nachteilig auf die Meeresumwelt auswirkt“ (vgl. Anhang 1 der EG-Meeresschutz-Rahmenrichtlinie – Richtlinie 2008/56/EG des Europäischen Parlaments und des Rates vom 17. Juni 2008 zur Schaffung eines Ordnungsrahmens für Maßnahmen der Gemeinschaft im Bereich der Meeresumwelt). Deutschland hat entsprechend ein Umweltziel für die Ostsee festgeschrieben, um die Meeresorganismen vor anthropogenen Energieeinträgen zu bewahren (www.meeresschutz.info/msrl.html).

1. In welchem genauen Zeitraum sind jeweils die Ansprengeversuche an der ausgemusterten Fregatte Karlsruhe bzw. die Beschüsse aus der Luft und Beschüsse unter Wasser geplant?

Die Versuche sind im zweiten Quartal 2018 und ab Spätsommer 2018 (ggf. bis Januar 2019) geplant. Eine genaue Terminierung ergibt sich nach den jeweils vorliegenden Erkenntnissen von Schon- und Schutzzeiten (vgl. Antwort zu Frage 2) und wird entsprechend ausgeplant.

Ein Beschuss unter Wasser ist nicht geplant.

2. In welchen Zeiträumen kommen nach Kenntnis der Bundesregierung im Seegebiet bei Schönhagen Meeressäuger, geschützte Seevogelarten oder geschützte Fischarten vor?

In welchem Zeitraum haben hier kommerziell genutzte Fischarten sensible Zeiten (z. B. Laichzeit, inklusive Vorlaicheransammlungen)?

Grundsätzlich kann das Vorkommen von Meeressäugern, geschützten Seevogelarten oder geschützten Fischarten im vorliegenden Gebiet nicht ausgeschlossen werden. Der Schweinswal kommt zum Beispiel ganzjährig im Gebiet vor und hat seine störungssensiblen Zeiten in der westlichen Ostsee vom 1. Juni bis 30. September. Die Vorkommen aller nach Fauna-Flora-Habitat (FFH)- und Vogelschutzrichtlinie geschützten Meeressäuger, Seevogelarten und Fischarten, sind dem „Nationalen Bericht nach Artikel 17 FFH-Richtlinie in Deutschland 2013“ (www.bfn.de/themen/natura-2000/berichte-monitoring/nationaler-ffh-bericht.html) und dem nationalen Vogelschutzbericht 2013 (www.bfn.de/themen/natura-2000/berichte-monitoring/nationaler-vogelschutzbericht/2013.html) zu entnehmen.

Im Küstenmeer sind die Länder für den Vollzug von Naturschutzaufgaben zuständig.

3. Welche Minderungsmaßnahmen sind genau geplant, um während der Versuche nachteilige Auswirkungen auf die unter Frage 2 aufgeführten Artengruppen zu vermeiden?

Neben Beachtung der Schon- und Schutzzeiten sind folgende Minderungsmaßnahmen vorgesehen:

- Beobachtung des Seegebietes,
- optische und akustische Aufklärungen sowie
- Vergrämuungsmaßnahmen.

4. Ist eine gezielte Nachsuche auf verletzte oder getötete Meeressäuger vorgesehen?

In welcher Form ist das für die Untersuchung von Totfunden von Meeressäugern zuständige Institut für Terrestrische und Aquatische Wildtierforschung (Stiftung Tierärztliche Hochschule Hannover) eingebunden?

Nach einer Sprengung wird das Versuchsgebiet abgesucht. Bei dem Totfund eines Meeressäugers wird die Wehrtechnische Dienststelle für Schiffe und Marinewaffen der Bundeswehr, Maritime Technologie und Forschung (Wehrtechnische Dienststelle/WTd 71) das für Meeressäuger zuständige Institut für Terrestrische und Aquatische Wildtierforschung in Büsum informieren.

5. Wie viele Sprengladungen mit welchen Ladungsgewichten sollen bei den Ansprengeversuchen eingesetzt werden, und mit welchem Sprengstoff (bitte bei Angaben zur Ladungsgröße als TNT-Äquivalent angeben)?

Auf die „VS – Nur für den Dienstgebrauch“ eingestufte Anlage wird verwiesen.*

Die Einstufung erfolgt, da die dort angeführten Daten in Verbindung mit den späteren Ergebnissen der Versuche Schlüsse auf die Verwundbarkeit der Kampfschiffe ermöglichen können und ihre Veröffentlichung somit nachteilig für die Bundesrepublik Deutschland wäre.

6. Mit welchen Geschossen soll die Fregatte beschossen werden (bitte Zahl und Kaliber sowie Hinweis, ob aus der Luft oder unter Wasser, angeben)?

Wie ist der Kenntnisstand bezüglich einer Schockwellenausbildung im Wasser durch Munitionskörper, die zum Beschuss verwendet werden?

Auf die „VS – Nur für den Dienstgebrauch“ eingestufte Anlage wird verwiesen.* Zur Begründung der Einstufung wird auf die Antwort zu Frage 5 verwiesen.

Die Beschussversuche werden so angelegt, dass kein Projektil ins Wasser geschossen wird. Die Effekte der Stoßwellenausbreitung im Wasser sind bekannt, hier jedoch nicht relevant.

7. Welche Zahl und welche Arten panzerbrechender Munition kommen zum Einsatz?

Werden uranhaltige Projektile verwendet?

Es werden keine uranhaltigen Projektile verwendet. Auf die „VS – Nur für den Dienstgebrauch“ eingestufte Anlage wird verwiesen.* Zur Begründung der Einstufung wird auf die Antwort zu Frage 5 verwiesen.

8. Welche Firmen sind an der Erprobung/Wehrforschung am Projekt EX Karlsruhe beteiligt?

An dem Projekt sind im Hinblick auf Messung und Simulation das Unternehmen Industrieanlagen-Betriebsgesellschaft mbH (IABG) sowie die Niederländische Organisation für Angewandte Naturwissenschaftliche Forschung (niederländisch: Nederlandse Organisatie voor toegepast-natuurwetenschappelijk onderzoek – TNO) beteiligt.

* Das Bundesministerium der Verteidigung hat die Antwort als „VS – Nur für den Dienstgebrauch“ eingestuft. Die Antwort ist im Parlamentssekretariat des Deutschen Bundestages hinterlegt und kann dort von Berechtigten eingesehen werden.

9. Wie ist sichergestellt, dass mögliche Umweltschäden durch die Bundeswehr bzw. die beteiligten Firmen vermieden werden?

Wie wird die Grundsatzweisung für den Umweltschutz der Bundeswehr sichergestellt?

Welches Ergebnis hatte die Umweltverträglichkeitsprüfung

- a) in Bezug auf die Auswirkungen der Schockwellen,
b) in Bezug auf die durch die Munition in die Meeresumwelt und die Nahrungskette eingetragenen Schadstoffe?

Die Beantwortung der Fragen erfolgt im Zusammenhang.

Das Schiff wird auf die jeweiligen Versuche vorbereitet (u. a. Entsorgung von Gefahrstoffen, Verschließen sämtlicher Außenhautdurchbrüche). Daneben werden Sprengungen nur in den in der Antwort zu Frage 1 genannten Zeiträumen vorgenommen und die in der Antwort zu Frage 3 angegebenen Maßnahmen durchgeführt.

Da die Minimierung der Auswirkungen von Sprengungen bei der Festlegung der Zeiträume, in denen Sprengungen zulässig sind, sichergestellt wurde, werden für die Sprengungen im einzelnen keine Untersuchungen hinsichtlich der Fragen 9a und 9b durchgeführt.

10. Wie wird sichergestellt, dass die Schutz- und Erhaltungsziele der dem Sperrgebiet Schönhagen naheliegenden Natura 2000-Schutzgebiete (DE 1423-394 und DE 1326-301) sowie die zwischen beiden Schutzgebieten befindliche Uferschwalbenkolonie nicht beeinträchtigt werden und dem geltenden Verschlechterungsverbot Rechnung getragen wird?

Alle Maßnahmen sind auf das Sperrgebiet beschränkt. Eine Prüfung aller Maßnahmen auf ihre Verträglichkeit mit den Erhaltungszielen der Gebiete ist nach § 34 des Bundesnaturschutzgesetzes (BNatSchG) vor ihrer Zulassung oder Durchführung verpflichtend, wenn sie geeignet sind, das Gebiet erheblich zu beeinträchtigen.

11. Welche staatlichen und privaten Institutionen der Umweltüberwachung sind eingebunden?

Wie ist die Haftung im Falle eines Umweltschadens geregelt?

Die öffentlich-rechtliche Aufsicht der Bundeswehr (Bundesamt für Infrastruktur, Umweltschutz und Dienstleistungen der Bundeswehr – BAIUDBw) ist beteiligt.

Im Falle eines Schadens haftet die Bundesrepublik Deutschland.

12. Ist ein öffentlicher Dialogprozess über die möglichen Auswirkungen des Vorhabens und ihre Vermeidung in die Wege geleitet?

Welche Institutionen sind beteiligt?

Im Falle eines nicht öffentlichen Dialogs, welche Behörden wurden von der Planung unterrichtet, und welche Behörden wurden in die Planung einbezogen?

Von der Planung des Vorhabens, dass zur Verbesserung des Schutzes von Personal und Ausrüstung der Bundeswehr durchgeführt wird, sind die öffentlich-recht-

liche Aufsicht (BAIUDBw), das Marinekommando, das Bundesamt für Ausrüstung, Informationstechnik und Nutzung der Bundeswehr (BAAINBw) mit WTD 71 sowie verschiedene Wasser- und Schifffahrtsämter unterrichtet.

13. Welche weiteren Kampagnen von Anspengversuchen hat die Bundeswehr in den vergangenen sechs Jahren durchgeführt, und in welchen Gebieten (bitte auch Gebiete in anderen NATO-Ländern nennen)?

In welchen Zeiträumen sind für welche Gebiete zukünftig weitere Anspengversuche geplant?

Die Bundeswehr hat 2011 in Norwegen die Anspengung einer Fregatte nördlich von Stavanger messtechnisch unterstützt.

Im Sperrgebiet Schönhagen hat die Bundeswehr in den letzten sechs Jahren folgende Kampagnen durchgeführt:

- 2011 Anspengung ex Uboot U25
- 2012/2013 Vergleichsspengung Torpedogefechtskopf
- 2014 Spengung für Splash Spotting
- 2015 Anspengung Polyurethan Small Waterplane Area Twin Hull (PU Swath)
- 2016 Anspengung Mehrzweckboot klein, Anspengung Uboot U212, Vergleichsspengung Torpedogefechtskopf.

Zukünftig sind im Sperrgebiet Schönhagen geplant:

- 2017 Gasblasenversuche t (bis 15. Dezember), aufgrund von schlechtem Wetter bislang aber nicht durchgeführt
- 2018 – 2019 Anspengung ex Fregatte F122
- Anspengung Fregatte F125
- weitere Gasblasenversuche.

14. Welche finanziellen oder ggf. anderweitigen Kompensationen sind für wirtschaftlich Betroffene (etwa Fischer, Tourismus) vorgesehen?

Es werden keine wirtschaftlichen Schäden erwartet.

15. In welchem Umfang und mit welchem Ergebnis wurde vorab geprüft, ob die Auswertung von Anspengversuchen verbündeter Partner ebenfalls Antworten resp. verwertbare Ergebnisse auf die Fragestellungen der geplanten Versuchskampagne an der „Karlsruhe“ liefern könnten?

Durch regelmäßige Kontakte und regelmäßigen Informationsaustausch mit verbündeten Partnern ist bekannt, dass keine vergleichbaren Versuche durchgeführt wurden.

16. Welche Anstrengungen werden unternommen, um z. B. durch numerische Modellierung und Simulationsrechnungen in Zukunft auf Anspengversuche verzichten zu können?

Die Bundeswehr investiert erhebliche Mittel zur Entwicklung von Simulationen, um die Anzahl der erforderlichen Anspengversuche zu minimieren. Die Anspengung der Fregatte Karlsruhe dient der Validierung der Simulationsdaten.

Annex 5. Implementation of not yet accomplished HELCOM actions under the State and Conservation Group

1) Plans for implementation of not yet implemented joint actions

Action (origin)	Current status	Proposed process
Establish a set of indicators including technical standards which may be used for monitoring ambient and impulsive underwater noise in the Baltic Sea (MD 2013)	Partly accomplished	Ongoing process by HELCOM EN Noise. Reflection: Threshold values to be developed in close cooperation with other fora, e.g. EU TG Noise. Agreement on threshold values may not be in place by 2021. Proposal: discussion in Gear to establish a common understanding on how to take the work on threshold values forward, to be later specified in the ToR for the EN Noise and request EN Noise to provide estimate of resource requirements for developing threshold values.
Already initiated revision of the HELCOM monitoring programmes be finalized by 2013 and that it results in cost-effective joint monitoring, which fully supports the indicator-based assessment approach and monitoring of the implementation of the HELCOM Baltic Sea Action Plan, and is in line with other international monitoring and reporting requirements (MD 2010)	Partly accomplished	When the revision of HELCOM monitoring guidelines is ready (expected pre-2021) the action can be considered as accomplished. Reflection: The task is continuous and cost-efficiency has not yet been considered. Monitoring to follow-up implementation of measures is still in need of further development.
Protect seabirds in the Baltic Sea, taking into consideration migratory species (MD 2013)	Partly accomplished	Reflection: Bird protective measures in place and the action can therefore be considered as partly accomplished. To safeguard flyways has not been accomplished. Proposal: follow-up the action through HELCOM Rec 34E-1 which includes more specific targets and agreements with regard to the protection of seabirds.
Develop by 2015 a new HELCOM Recommendation on conservation plans for habitats and biotopes which are at risk of extinction (MD 2013)	Partly accomplished	A proposal for adoption on 'Conservation and Protection of Marine and Coastal Biotopes, Habitats And Biotope Complexes Categorized as Threatened According to the HELCOM Red Lists' will be submitted to HOD 55-2018.
Reach the target set by the HELCOM 2010 Moscow Ministerial Declaration that at least 10% of the marine area in all sub-basins of the Baltic Sea including the EEZ areas beyond territorial waters is covered by MPAs where scientifically justified (MD 2010/Rec 35/1)	Partly accomplished	State and Conservation 9-2018 Meeting invited the Secretariat to intersessionally provide calculations for the total area (HELCOM MPA's and N2000) coverage of MPA's by sub-basin and based on these calculations compile a list of those sub-basins with a total coverage of less than 10%, as well as identify the countries bordering the respective sub-basins. The results of this work are to be shared with the State and Conservation Working Group by 15 February 2019. The Meeting agreed that the relevant Contracting Parties will collate any additional information regarding spatial protection in the respective areas and present this at State and Conservation 10-2019 for further discussion.
Ensure that HELCOM MPAs inter alia provide specific protection to those species, habitats, biotopes and biotope complexes included in the HELCOM Red Lists, as agreed in the	Partly accomplished	Reflection: The HELCOM MPA database does not necessarily provide a full overview of protected species/habitats, e.g. species may also be indirectly protected through habitats. Also, a clarification is needed on whether it is sufficient that red-listed

HELCOM 2013 Copenhagen Ministerial Declaration, by considering these in the site selection procedure (MD 2013/Rec 35/1)		<p>species/habitats reside in MPAs or if there should be specific protection in place to meet the aim of the action.</p> <p>It was also noted that protection on red-listed species is used as criteria used in the assessment of ecological coherence; i.e. when ecological coherence has been reached also this action will be accomplished.</p> <p>Proposal: TG MPA to be requested to look into possibility to link species-habitats in the MPA database.</p>
Implementation of the HELCOM Ballast Water Road Map – adjust HELCOM monitoring programme to obtain reliable data on non-indigenous species/ to link the port surveys and monitoring to shore-ship communication systems (BSAP)	Partly accomplished	<p>Guidelines for non-indigenous species by extended Rapid Assessment Survey (eRAS) are included in the HELCOM Monitoring Manual and the agreed port survey protocol (HELCOM/OSPAR Joint Harmonised Procedure) is implemented by some countries.</p> <p>Proposal: S&C 10-2019 to inform on national implementation of monitoring guidelines for NIS.</p>
Identify the socio-economic and biological impacts of marine litter, also in terms of toxicity of litter (2013)	Not accomplished	<p>Proposal: highlight in the ToR of EN Marine Litter that biological impacts of marine litter could in a first step include a review existing knowledge.</p> <p>Reflection: Such review should be carried out in cooperation with EU TG Marine Litter. May not be accomplished by 2021. Socio-economic impacts is not a topic under the mandate of S&C.</p>
Evaluation of the effectiveness of existing technical measures to minimise by-catch of harbour porpoises (BSAP)	Not accomplished	<p>Reflection: To be considered in cooperation with ASCOBANS (by-catch group), ICES by-catch group, HELCOM Fish, EG Marine mammals. The evaluation need to be based on areas with higher populations of harbour porpoise (i.e. western Baltic Sea).</p> <p>Proposal: As a first step request harbour porpoise team of EG marine mammals to identify which technical measures are available.</p>
Carry out the monitoring of the progress towards achieving the agreed goals and to gain an inventory of marine litter in the Baltic Sea as well as scientific sound evaluation of its sources (MD 2013)	Partly accomplished	Ongoing by EN Marine Litter.
Develop common indicators and associated targets related to quantities, composition, of marine litter, including riverine inputs, in order to gain information on long-term trends (MD 2010/2013)	Partly accomplished	Ongoing process through EN Marine Litter. Likely to continue beyond 2021.
Take decisive action to work towards a favourable conservation status of the harbor porpoise based on implementation of the CMS (Convention on Migratory Species) ASCOBANS (Agreement on the Conservation of Small Cetaceans in the Baltic, North East Atlantic, Irish and North Seas) Jastarnia Plan for the harbor porpoise in the Baltic Sea, in particular by addressing the	Not accomplished	<p>Reflection: To be considered in cooperation with Jastarnia/ASCOBANS. Currently the evaluation under the Habitats Directive is done jointly for the two populations of harbour porpoise in the Baltic Sea; consider making assessments separately for the two populations.</p> <p>Red list assessments could help; FCS only compatible with not being a red-listed species. The HELCOM red-list assessment distinguishes between two populations.</p>

pressing problem of by-catch (MD 2013)		Proposal: As a first step request EG Marine mammals to define “favourable conservation status” (e.g. threshold value), considering also IUCN red-list criteria.
Ensure when selecting new areas, that the network of HELCOM MPAs is ecologically coherent and takes into account connectivity between sites including for example migration routes, species mobility and areas of special ecological significance such as spawning areas	Future target year (2020)	Proposal: Identify data needs to fulfil the criteria used in HELCOM when assessment ecological coherence. Consider development of sub-criteria e.g. coverage of genetic diversity. Improvement of habitat maps needed to evaluate e.g. connectivity. Could be discussed in a first step at workshop arranged by Finland on habitat and biotope mapping, mapping methods, habitat and species modelling and production of relevant maps. Not likely accomplished by 2020.

2) Discussion and information on implementation of not yet accomplished national actions

Action	Status in March 2018 (number of countries that have accomplished the actions)	Comment
Develop biological effects monitoring to facilitate a reliable ecosystem health assessment	Partly accomplished (7/9)	Estonia: pilot monitoring on biological effects carried out through projects.
Finalisation of national management plans for grey seals	Partly accomplished (4/6)	
Implementation of national management plans for grey seals	Partly accomplished (4/6)	
Finalisation of national management plans for ringed seals	Partly accomplished (2/4)	
Implementation of national management plans for ringed seals	Partly accomplished (1/4)	
Protect the ringed seal in the Gulf of Finland, including to significantly reduce by-catch and to improve the understanding of the other direct threats on the seals, and urge transboundary co-operation between Estonia, Finland and Russia to support achieving a viable population of ringed seals in the Gulf	Partly accomplished (1/3)	Estonia: monitoring of ringed seals is ongoing in the Gulf of Riga project.
Designate new sites as HELCOM MPAs where ecologically meaningful especially in offshore area beyond territorial waters [counting from 2014 – when rec 35/1 was adopted]	Partly accomplished (2/9)	Finland (currently reporting as “accomplished”) will check and come back.
Develop and apply by 2015 management plans or measures for all existing HELCOM MPAs	Partly accomplished (0/9)	Denmark: All HELCOM MPAs have management plans
Implementation of non-lethal mitigations measures for seals-fisheries interactions (HELCOM Recommendation 27-28/2)	Partly accomplished (2/9)	Germany/Denmark/Sweden: Ongoing national projects on e.g. seal-safe fishing gear.
Develop long-term management plans by 2012 for protecting, monitoring and sustainably managing coastal fish species, including the most threatened and/or declining, including anadromous ones, according to BSEP109	Partly accomplished (2/9)	German/Poland: programme for reintroduction of sturgeon. HELCOM action plan for reintroduction of sturgeon. Finland: Ongoing since plans for salmon, seatrout, and eel is in place. National plans linked to CFP could be considered for migratory species.

		Development of new management plans should be made based on the newest red-list assessment.
Take measures so that by 2020, regionally, a) the loss of all red listed marine habitats and biotopes in the Baltic Sea will be halted	Future target year	Not possible to assess by 2020 (no new red-list assessment planned within the time-frame). Targets tentative established through new Recommendation on <i>'Conservation and Protection of Marine and Coastal Biotopes, Habitats And Biotope Complexes Categorized as Threatened According to the HELCOM Red Lists'</i>
Take measures so that by 2020, regionally b) red listed marine habitats and biotopes have largely recovered, and that degradation and fragmentation have been significantly reduced, the progress of which will be measured with a core indicator to be produced	Future target year	Not possible to assess by 2020 (no new red-list planned within the time-frame). As above.
Establish management plan or measures for every new MPA within five years after its designation. [<i>first target year 2019 – five years after adoption of Rec 35/1</i>]	Future target year	It was noted that should a revision of the Recommendation at some point be considered the five year period should be reconsidered and be extended.

Annex 6. Proposals on recommendations to report to support the update of the BSAP

35/1	System of coastal and marine Baltic Sea protected areas (HELCOM MPAs)
37/2	Conservation of Baltic Sea species categorized as threatened according to the 2013 HELCOM red list
15/1 R	Protection of the coastal strip
34-E/1	Safeguarding important bird habitats and migration routes in the Baltic Sea from negative effects of wind and wave energy production at sea
27/28	Conservation of seals in the Baltic Sea Area
24/10	Implementation of Integrated Marine and Coastal Management of Human activities in the Baltic Sea Area
21/4	Protection of heavily endangered or immediately threatened Marine and Coastal Biotopes in the Baltic Sea Area <i>[NB; the draft HELCOM Recommendation on 'Conservation and Protection of Marine and Coastal Biotopes, Habitats And Biotope Complexes Categorized as Threatened According to the HELCOM Red Lists' will, if adopted, cover marine coastal biotopes and reporting on the topic should then take place under the new recommendation.]</i>
17/2	Protection of Harbour Porpoise in the Baltic Sea Area
16/3	Preservation of Natural Coastal Dynamics