



PartiSEApate

Lessons learnt from the Middle Bank case study

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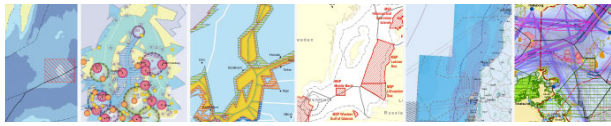
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BACKGROUND

The PartiSEApate project aimed at identifying good practice and enhancing multi-level governance in a transboundary context of Maritime Spatial Planning (MSP).

Project activities included a number of stakeholder workshops. The workshops have been thematic as well as cross sectoral, and were organised on national as well as transnational level.

The Middle Bank case study was carried out by the Swedish Agency for Marine and Water Management (SwAM), the Maritime Office in Gdynia (MOG) and the Maritime Institute in Gdańsk (MIG).

Originally, the Middle Bank case study was aimed at deepening the work on this pilot area with focus on transboundary consultation process between Poland and Sweden. Over the course of the project conditions have changed because both countries entered formal MSP processes with project partners directly involved in these processes.

Since 2012 SwAM has been assigned by the Swedish government to prepare for introducing Maritime Spatial Planning in the Swedish waters and the process of carrying out MSP started during the project lifespan. The official MSP process in Poland started in November 2013, when the directors of the Maritime Offices in Gdynia, Slupsk and Szczecin issued a common announcement about the launch of the planning process for Polish sea areas. The lead in the process is taken by the Maritime Office in Gdynia. The first stage of the process is to produce a Study on the conditions (and directions) of Spatial Development for Polish Sea Areas. On behalf of MOG, the Maritime Institute in Gdańsk is developing this study. All the partners from the very beginning shared the view that it is very important to establish good relations and a network between competent institutions and organisations in the neighbouring countries.

The start of the MSP processes in the two countries influenced the expectations of the involved partners towards the Middle Bank case study. It was decided to reshape the PartiSEApate case study so to get the best possible support for the official MSP processes.

The most important issue was to deepen the professional cooperation between planners to build mutual trust between PL and SE 'national level' civil servants responsible for MSP, by:

- Sharing information and building common understanding about the MSP process in Poland and Sweden (to understand the MSP system and its implementation modes, how to draw the maps, what data should be used and exchanged, how to handle the common ecosystem, how is Blue Growth understood, etc.),
- Harmonizing both MSP processes with regard to cross borders issues,
- Better understanding of stakeholder interests and discussing the state of the art in terms of stakeholder involvement methods (general discussions about stakeholder involvement, their role both from a national perspective and a transboundary perspective and to clarify differences in national and transnational processes),
- Coming up with an assessment of the existing opportunities and necessary changes in terms of stakeholder involvement in MSP in the areas of partners' jurisdiction. The assessment will be worked out in structured discussions.
- Coming up with a list of ideal minimum content of MSP plans prepared in both countries.



ACTIVITIES

A number of bilateral meetings between the responsible planners have taken place in the scope of the project, partly as part of the case studies but there were also additional meetings based on needs identified during project activities.

On 9th April 2013, Swedish and Polish experts met in Gothenburg to discuss the philosophy and practice of stakeholder involvement in Sweden and Poland with regards to regional, urban and MSP processes. An expert on participatory and stakeholder processes participated in the meeting. The meeting resulted in deeper knowledge of national (PL and SE) forthcoming processes. Based on that, further steps in this case study were planned with a focus on better alignment of the project activities with officially on-going actions. The meeting also inspired PL partners who started an in-depth analysis of stakeholders (stakeholders mapping).

In September 2013 SwAM invited all Baltic Sea states to a stakeholder meeting in Visby (this meeting was financed outside the PartiSEApate project). The purpose of the meeting was to present the Swedish work of introducing MSP and to discuss how and with whom to consult and work together with when developing MSP with transboundary perspective. One main outcome from the Visby meeting was an agreement that there is a great need for consultation and discussion about the MSP processes between the respective countries at an early stage of the MSP process. It was stated that the focus of multilateral formal meetings is bound to be rather on national interests than actual planning issues. On the other hand, it was identified that there is a need for an increased understanding and more in-depth pragmatic discussions between actual planners on a professional level, which could be realised through both formal and informal meetings and contacts.

The Visby meeting resulted also in a third SE-PL meeting held in May 2014 in Warsaw. The meetings have been based on the good network and relation created through the cooperation in the PartiSEApate project.

The goal of the third meeting was to:

- Inform about the Swedish Status report on MSP published in spring 2014 and the forthcoming planning activities in Sweden
- Inform about the Polish process, its legal and time frameworks (including tentative timeframe of international consultation – formal and informal),
- Inform about first results of Inventory activity,
- Discuss common perspectives, interests and future uses of the sea
- Discuss the issues of Ecosystem Approach and Blue Growth in relation to MSP
- Look at actual data and planning information and discuss data sharing
- Discuss common issues related to the PartiSEApate project and what we learnt from the project and how we can take it further when the project is over.

The effects of the meeting consisted, inter alia, in:

- getting to know each other better (people and organisations responsible for MSP in Poland and Sweden),
- making a first attempt to position SE-PL bilateral relations related to MSP in the context of the PartiSEApate handbook on the multilevel consultations and the PartiSEApate governance model that was used as a starting points for shaping those relations.

Moreover during the meetings it was constituted that:

- Both the Swedish Status Report and the Polish Study on Conditions for Spatial Development of Polish Sea Areas are at a similar stage of development, and it has been decided that by February 2015 both countries will exchange English versions of the documents,
- Transboundary consultations should start earlier than is required by the Espoo



- process; Poland and Sweden will exchange preliminary maps by the end of 2014,
- Closer cooperation in relation to Blue Growth is needed,
 - Except for the Espoo process, which is environment oriented, there is no formal procedure for international harmonisation of maritime spatial plans. Therefore the meetings/agreements can be only of working character (therefore they are not formally binding). In this context trust building is of utmost importance for the success of final result. Including requirements for international consultation in national law on MSP may solve the problem,
 - For wide stakeholder involvement in transboundary consultation, language may be a significant problem. Ways/procedures to overcome it have to be discussed since they may influence the time and workload (and cost) required for planning.

Those observations in turn influenced fine tuning of the aforesaid Handbook.

It was also observed that meetings are an element for fulfilling the provisions of the proposed EU Framework Directive on MSP (EU MSP Directive), which require the Member States to develop international cooperation.

Representatives of SwAM, MOG, MIG, the Maritime Office in Szczecin (also a partner in the PartiSEApate project) and the Polish Ministry of Infrastructure, being responsible for maritime issues in Poland, attended the meeting.

The case study also developed a report about a possible approach to stakeholders involvement with focus on stakeholders in Sweden *Stakeholders in Sweden marine Planning- Who they are and how they can be involved*. The report was presented to the project partners as an inspiration for the different ongoing workshops. The approach on how to involve stakeholders was also discussed during the final conference of the project.

RESULTS

All meetings have been conducted in a very good and open atmosphere. And the overall feeling is that the meetings have been very valuable for both partners.

Understanding the governance system in the respective countries takes time, and to be able to achieve good understanding, enough time must be allocated for the meetings.

Achieving wide stakeholder involvement in transboundary issues during the drafting of plans could be difficult due to language problems. Ways to solve this problem at least at bilateral level should be considered.

The meetings gave the opportunity to learn more about the planning systems, how MSP is taken care of and under what circumstances the colleagues in respective neighbouring countries are working.

The meetings have also given the opportunity to a broader group of colleagues to be part of the bilateral work which is important for the understanding and continuity.

The meetings have allowed SwAM and the Polish maritime administration to present their views and intentions of MSP to all neighbours at an early stage of the planning process as well as having in depth discussions about which issues are important for the respective countries and how we can cooperate in the coming implementation of MSP around the Baltic.

The discussion about stakeholders has influenced the MSP discussion in the case study countries and hopefully of all partners in the project.



Obviously, there is a need for more internal coordination within countries and that the dialog perhaps should be broadened to include others ministries, institutions and organisations. Discussions about MFSD and Blue Growth perspectives are not always coordinated within countries’.

A topic which may require special attention

SwAM and the Polish maritime administration have deepened the good network and working relations and all meetings have resulted in agreements that we need to meet regularly throughout the MSP processes within the Baltic Sea Region. A conclusion is that there is a need for more exchange of information and planning data throughout the entire planning process. To achieve this in the process of development of plans, personal contacts and understanding of the various planning processes is important. The hitherto organised meetings have contributed to creating such an enabling environment.

SwAM and the Polish maritime administration have found the meetings very valuable and well used time and money, even though bilateral meetings can be time consuming and costly.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

At the moment - apart from the environmentally oriented Espoo process - there is no formal (legally binding) process for holistic international harmonised consultation process in MSP. Since this process involves neighbouring countries too late (when a draft plan has been prepared) and consults them only on significant environmental concerns based on national focus points, such type of consultation seems to be insufficient for MSP process.

One way of overcoming the above problem could be the introduction of requirements concerning international consultation into national law on MSP in each BSR country. The EU MSP Directive (adopted in July 2014) refers to transnational consultation, obliging neighbouring countries to *cooperate with the aim to ensure that maritime spatial plans are coherent and coordinated across the marine region concerned, especially considering issues of a transnational nature. Due to the Directive such cooperation shall be pursued through regional institutional cooperation structures such as Regional Seas Conventions and/or networks/structures of Member States’ competent authorities.*

A conclusion from the Middle Bank case is that there is need for more exchange of information and planning data throughout the entire planning process, ideally starting from the early planning steps, when the MSP process is initiated. To achieve this in process of development of MSP, personal contacts, trust and understanding of the various planning process are of utmost importance.

Bilateral, informal meetings proved to be a good tool to create possibilities for concrete discussions about planning processes, maps, planning tolls, timetable for implementing MSP etc. Such meetings contributed to creating a good platform for implementation of MSP around the Baltic Sea which in the future can be aligned to each other.

Bilateral, informal meetings should be seen as useful supplement to legal consultation process, not its substitution.



Recommendations

Based on our experience, we recommend the responsible Governments, ministries and planning institutions to make it possible to continue meetings and keeping up the contacts through regular meetings between countries. Depending on the stage of the MSP process in a given country it is recommended to adjust the meeting frequency accordingly: more intense contacts in the beginning (getting to know each other, building trust), less intense while actual plans are being developed and again more intense once the drafts need to be discussed.