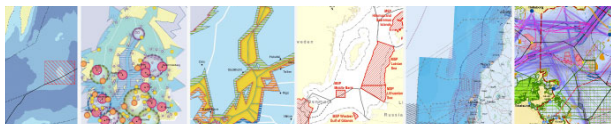
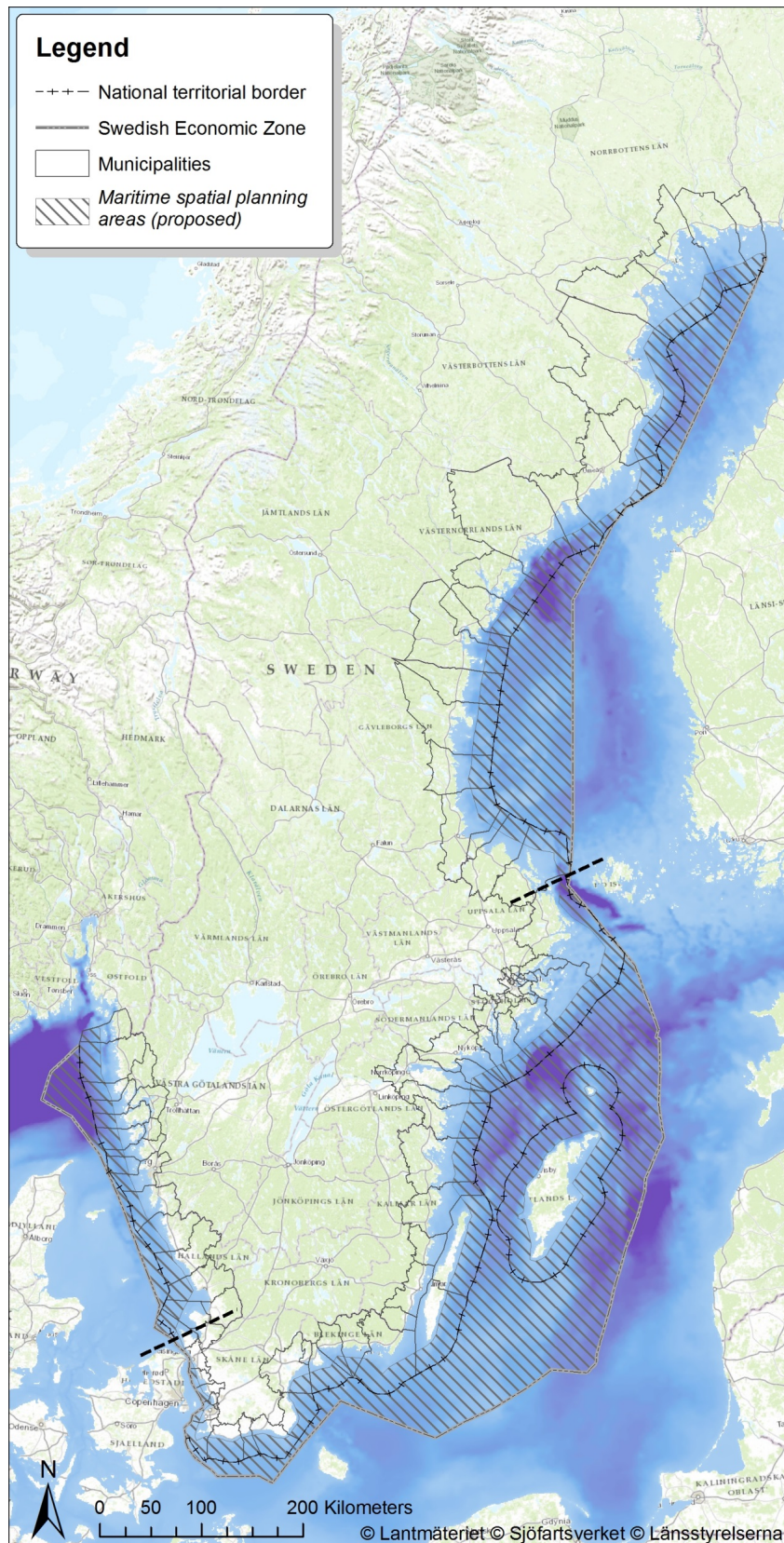




# Country Fiche Sweden



## 1. General information





- the territorial sea (12-nm zone) – 70,000 km<sup>2</sup>
- the Exclusive Economic Zone – 60,000 km<sup>2</sup>
- the EEZ is limited to the central line between adjacent states because the width of the sea is shorter than 400 nautical miles.
- in Öresund and the Åland Sea, the territorial seas meet at the central line by a special agreement with Denmark and Finland respectively, and at the Norwegian border in the Skagerrak and the Finnish border in the Bothnian Bay.
- the Swedish territorial water is divided into two zones, Public Waters and Private Water.

### 1.1. Governance

The Swedish territorial water is divided into two zones, Public Waters and Private Water. The Private Water zones, both water and sea bottom is parcelled property governed by the Real Property Formation Act and comprises the water area 300 m from the shore line and further to the contour line of 3 m depth if it is situated outside the area of 300 m. In sounds, bays, fjords and areas with islands and archipelagos special rules regulate the boundary between Private and Public water.

The Public Water belongs to the public and is represented by the Legal, financial and Administrative Service Agency. Private water can be owned by a person, a juridical person, a municipality and the state. Several properties in the Private Water are jointly owned.

Municipalities have obligations to do Comprehensive spatial plan for land area and water, 12 nautical miles from base line.

The Government has the responsibility for management of the Swedish EEZ.

### 1.2. Contacts

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Regarding MSP:

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## 2. General information on legislation

At present the Swedish planning system for land and water are based on local planning (municipalities) and the legal base for MSP is the Plan and Building Act (PBL) together with the Environmental Code.

2.1) The Swedish legal base for MSP is the Plan and Building Act (PBL), (2010:900) in force since May 2011. The PBL regulates the responsibilities and mandates for the municipalities to plan land and water including the territorial water. The PBL Act is closely linked to the Environmental Code. The Environmental Code regulates among other things the relation between planning and environment and the need for EEA and SEA

Basic principles and objectives guiding the spatial planning of the territorial sea and coastal areas can be found in PBL Chapter 1 and 2, which also refer to the application of the Environmental Code (EC) chapters 3 and 4 referring to basic and spatial Provisions concerning land and water management and chapter 5 concerning Environmental Quality Standard and Environmental Quality Administration.

PBL stipulates that the Municipalities shall have a valid Comprehensive plan, adopted by the Local parliament. The plan should be revisited every 4th year, related to the election period. The plan is not legally binding. It should indicate the municipalities' intentions about the future development and has a function as a guiding document. It should consider issues of national interests. The PBL is a framework law emphasizing the need for Stakeholder involvement but not stipulating what the plan should contain or how it should be developed.

2.2) Identification of Areas of National interest, for a number of sectors, is part of the Swedish planning system, these identified areas have to be considered in all planning and when authorities are granting permission for activities within different sectors. (Areas of national interest can be e.g. cultural heritage management, nature protection, outdoor recreation,





shipping, energy production, mineral extraction, commercial fisheries). Areas of national interest can be pointed out in the EEZ.

2.3) Several international conventions and binding legal acts such as UNCLOS, Espoo Convention + Kiev Protocol, Bonn Convention (including EUROBAT, ASCOBANS), CBD, La Valetta Convention, IMO Resolutions and conventions (E.G. MARPOL, COLREGS, INTERVENTION), HELCOM recommendations, EU directives (MSFD, HABITAT, BIRD, SEA, EIA) and many others are transposed to Swedish internal law.

### 3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

The legal acts listed above cover in the same way territorial sea, internal sea and land (with exception of some EU Directives on Fishery not applicable to internal waters). The PBL Act and EC also regulate planning of the coastal belt and the terrestrial spatial planning.

### 4. Spatial Plans

There has been no national maritime spatial plans covering the territorial sea and the EEZ developed in Sweden. Only a few non-binding (but politically adopted locally) comprehensive municipality plans have in one way or the other included the 12 nm in their comprehensive plans. However, they will not be addressed below since they are not devolved on the basis of MSP perspective. They are focused on urban planning and land use. On the web site of Swedish National Board of Housing, Building and Planning <http://www.boverket.se/Vagledning/PBL-kunskapsbanken/Oversiktsplanering/Arkiv-for-oversiktsplaner/> it's possible to find links to all Municipalities Comprehensive plans, unfortunately they are in Swedish, but some of the municipalities have done a summary in English.

### 5. What countries want to share

N/A

### 6. New developments / current status

6.1 In March 2014 the Swedish Government sent a Bill to the Parliament with legislative proposals on the introduction of national marine spatial planning. It is expected that voting on the Bill will take place in June 2014.

It is proposed that three marine spatial plans shall be developed: Bothnian Bay, Baltic Sea, Western Waters (Skagerrak/Kattegatt) covering the area one nautical mile from the baseline seawards (incl EEZ). The plans, which shall be adopted by the Government, shall contribute to sustainable development. The Government may according to the Bill adopt regulations prohibiting or limiting activities in destined geographical areas. The legislation is to enter into force by 1 September 2014.



Detailed rules related to the implementation are to be regulated in a separate MSP Government Ordinance. It is proposed that the Swedish Agency for Marine and Water Management (SwAM) shall be the responsible body for developing plan proposals. SwAM shall in its work be assisted by County Administrative Boards (regional government authority). The planning process is foreseen to be broad including the municipalities and a wide range of stakeholders.

6.2 To prepare for the introduction of national MSP, the Government assigned the Swedish Agency for Marine and Water Management (SwAM) in 2014 (as in 2012 and 2013) to develop necessary competence in MSP and to collect information that may constitute planning evidence for MSP from the County Administrative Boards (CABs), national agencies and other bodies. As part of the assignment, SwAM shall also develop cooperation with authorities in neighboring countries responsible for MSP or marine management. The CABs have a similar assignment to assist SwAM with regional evidence and coordinate the municipality planning work. In 2014 an evidence and assessment report for the three proposed plan areas will be finalized. A preliminary version of the assessment report was published in March 2014 and a broad dialogue process was initiated. The final report will be published in the autumn 2014.

6.3 In March 2014 the Government sent a Bill to the Parliament on Biodiversity and Ecosystem Services. The Bill includes measures to promote the integration of ecosystem services in planning by ecosystem services assessment. Also the Bill confirms the Government decision that another 5700 km<sup>2</sup> of coastal and marine areas need to be protected in order to reach the 10 per cent protection target by 2020 according to the Convention on Biological Diversity.