

COMPLIANCE WITH THE REQUIREMENTS OF THE CONVENTION AND HELCOM RECOMMENDATIONS

Introduction

One important duty of the Helsinki Commission is to follow up the implementation of the Convention and HELCOM Recommendations. The reporting facilitates the assessment of the status of implementation of required measures in the Contracting Parties providing information also on the effectiveness and gaps of the requirements.

The request for the Contracting Parties to report on their implementation of HELCOM Recommendations was initially made at the Seventh Meeting of the Commission in 1986 (cf. HELCOM 7/14, Paragraph 3.3). Since 1986 the reporting procedures on how the Contracting States should submit information on their implementation of HELCOM Recommendations have been revised within the subsidiary bodies.

The Eighth Meeting of the Heads of Delegation to HELCOM discussed the priority areas within the work of HELCOM and included among these to: "Enhance the implementation of the Convention and Recommendations" by "a) Reporting on and assessing the status of implementation of the Convention and Recommendations" (cf. Annex 3 to the Minutes of HELCOM HOD 8/2002).

This is a continuation of the decision by HELCOM EXTRA 1999 also pointing to the area of implementation as one of the priorities within the work of HELCOM (cf. Attachment 3 of the Minutes of HELCOM EXTRA 1999).

According to Article 16, Paragraph 1 of the 1992 Helsinki Convention the Contracting Parties shall report to the Commission at regular intervals on:

- a) The legal, regulatory, or other measures taken for the implementation of the provisions of this Convention, of its Annexes and of recommendations adopted there under;
- b) The effectiveness of the measures taken to implement the provisions referred to in sub-paragraph a) of this paragraph; and
- c) Problems encountered in the implementation of the provisions referred to in sub-paragraph a) of this paragraph.

The present Summary Report provides a survey and an overview on implementation of all HELCOM Recommendations of the various working groups and serve as:

- means of detecting gaps in HELCOM Recommendations, and in the implementation of HELCOM Recommendations.
- means to improve effectiveness of HELCOM Recommendations;
- an information source for decision makers and authorities.

To make the report more reader friendly it includes, when possible, the evaluation of the implementation presented in tables as symbols or figures.

General conclusions

The general status of the implementation of HELCOM Recommendations has been improved since the reporting round of 1998. However, there are only few Recommendations which have been fully implemented by all Contracting Parties. There is still a difference between the current EU member states and the EU accession countries and Russia concerning the

implementation of HELCOM Recommendations. As a rule, requirements are better implemented by the present EU member states.

Taking into account that HELCOM Recommendations are not fully implemented by the Contracting Parties, there is a need to elaborate proposals for strengthening and enforcement of the implementation of HELCOM Recommendations. Further reasoning upon gaps or delays in implementation should be reported in the future as well as the proposed way forward to get the implementation at place and effectively working.

The contents and exactness of HELCOM Recommendations, and thereby the measures that the Contracting Parties should report on their implementation of, differ to a great extent. While some HELCOM Recommendations are very precise as to the request to the Contracting States, others are “vaguer”. This also has consequences for the assessment of the status of implementation.

While the information provided on legal, administrative or other measures taken by the Contracting States to implement the HELCOM Recommendations provides a basis for assessing the status of implementation, i.e. the means used by the Contracting States when nationally putting into force HELCOM Recommendations, the same is not always true as regards the practical implementation of the HELCOM Recommendations, i.e. whether administrations and other stakeholders actually apply the provisions and required measures of HELCOM Recommendations.

The information submitted by the Contracting States on measures taken to implement the HELCOM Recommendations is varying from mere statements whereby a Contracting Party informs that the principles of the HELCOM Recommendation are implemented in national laws to detailed information as to specific measures taken on each of the items included in the HELCOM Recommendation. Therefore it is impossible to make a thorough analysis of the status of implementation and this may also lead to wrong conclusions as to the status of implementation.

Delays in submissions of data and in the elaboration of the reports have also occurred. However, compared with previous reporting rounds the Contracting Parties improved their reporting to some extent when answering to the Lead Countries on the basis of reporting formats.

There is a clear need to revise the reporting and the reporting forms in order to get a comparable picture of the real implementation of all HELCOM Recommendations.

Reporting of data for statistics (e.g. reporting of amount of gravel extraction) and reporting of the implementation status of the HELCOM Recommendation should be separated.

The revision should be done in connection with the review of the future role of HELCOM.

The status report of the HELCOM subsidiary bodies are contained as attachments to this document as follows:

- HELCOM MONAS, Attachment 1.
- HELCOM LAND, Attachment 2
- HELCOM MARITIME, Attachment 3
- HELCOM RESPONSE, Attachment 4
- HELCOM HABITAT, Attachment 5.

Symbols used for Implementation status

- ☺ Fully implemented
- (☺) Largely implemented/fully implemented, but complete information not available
- ☹ Partly implemented
- ☹ Not implemented
- * Not relevant (e.g. no plants in the catchment area)
- n.i. No information/Incomplete data submitted for evaluation

Abbreviations used for the Contracting Parties:

- DK = Denmark
- EE = Estonia
- FI = Finland
- DE = Germany
- LV = Latvia
- LT = Lithuania
- PL = Poland
- RU = Russia
- SE = Sweden

STATUS REPORT ON THE IMPLEMENTATION OF HELCOM RECOMMENDATIONS IN THE FIELD OF MONITORING AND ASSESSMENT

Introduction

This summary is compiled based on the Lead Country reports and data submissions into the HELCOM databases of airborne and waterborne Pollution Load Compilation (PLC), Cooperative Monitoring in the Baltic Sea Environment (COMBINE) and of Radioactive Substances (MORS) programmes. Not all Contracting Parties have submitted their implementation reports to the Lead Countries.

According to the information received by 15 February 2003, none of the Contracting Parties have fully implemented all HELCOM Recommendations in the field of HELCOM MONAS (Table 1).

HELCOM Recommendations 10/1 on reporting of abnormal situations, 12/9 on follow-up studies of oil spills and 13/1 on disposal of dredged spoils are best implemented during the period 1999-2001. None of the Contracting Parties submitted data for the Fourth Pollution Load Compilation (HELCOM Recommendation 19/4) according to agreed deadlines. Data submission into the COMBINE data base has been delayed by most of the Contracting Parties.

Table 1. General implementation status of HELCOM Recommendation in the field of HELCOM MONAS in 1999-2001.

Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
10/1 abnormal situations in the marine environment	☺	☺	☺	☺	☺	☺	☺	☺	☺
12/1 granting permits for monitoring and research activities in the territorial waters and exclusive economic zones, fishing zones or continental shelves	n.i.	☺	☺	☺	☺	n.i.	☺	n.i.	☺
12/9 follow-up studies of oil spills	n.i.	☺	☺	☺	☺	n.i.	☺	n.i.	☺
13/1 disposal of dredged spoils	n.i.	☺	☺	☺	☺	☺	☺	n.i.	☺
14/1 monitoring of airborne pollution load	☺	☺	☺	☺	☺	☺	☺	☹	☺
18/1 monitoring of radioactive substances, biota	☺	☺	☺	☺	☺	☺	☹	☹	☺
18/1 monitoring of radioactive substances, seawater	☺	☺	☺	☺	☺	☺	☺	☺	☹
18/1 monitoring of radioactive substances, sediment	☹	☺	☺	☺	☺	☹	☺	☺	☺
18/1 monitoring of radioactive substances, discharges	☺	*	☺	☺	*	☺	*	☺	☺
19/3 COMBINE, Hydrography	☺	☹	☺	☺	☺	☺	☺	☺	☺
19/3 COMBINE, Nutrients	☺	☹	☺	☺	☺	☺	☺	☹	☺
19/3 COMBINE, Contaminants in biota	☺	☹	☺	☺	☹	☹	☺	☹	☺
19/3 COMBINE, phytoplankton	☹	☹	☺	☹	☹	☺	☹	☹	☺
19/3 COMBINE, zooplankton	☹	☹	☺	☹	☹	☺	☹	☹	☺
19/3 COMBINE, zoobenthos	☹	☹	☺	☹	☹	☺	☹	☹	☺
19/3 COMBINE, phytobenthos	☹	☹	☹	☹	☹	☹	☹	☹	☹
19/4 PLC-4	☺	☺	☺	☺	☺	☺	☺	☺	☺

Reporting of exceptional events

All Contracting Parties are monitoring algal blooms according to HELCOM Recommendation 10/1 but the reporting by the Contracting Parties varies from only national to international reporting. It might also be unclear when the event is abnormal enough for international reporting. The Recommendation is not fully relevant today and there is a need for revision of this HELCOM Recommendation. At the moment the HELCOM Project BEWERS, Sweden as the Lead Country, is finalizing the development of a new reporting system.

Granting permits to research and monitoring activities

The implementation status of HELCOM Recommendation 12/1 on granting one year permits to planned research and monitoring activities in the EEZ, fishing zones or continental shelves is difficult to assess. Some Contracting Parties have faced difficulties in getting research permits but in general, the rejections of permits for single expeditions have been rather few. One year permits have seldom been applied by the Contracting Parties.

Follow-up studies of oil spills

Denmark, Lithuania and Russia have not provided information on the implementation of HELCOM Recommendation 12/9 on follow-up studies in connection with oil spills. All the other Contracting Parties have fully implemented the Recommendation.

Disposal of dredged spoils

Denmark and Russia have not provided information on the implementation of HELCOM Recommendation 13/1 concerning disposal of dredged spoils.: In Poland, the Guidelines have not been implemented, however, the ordinance of the Minister of Transport and Maritime Economy on conditions for issuing permits for disposal of dredged spoils into the sea and for dumping of waste and other materials is in force. All the other Contracting Parties have fully implemented the Recommendation. With respect to the structure of material and the pollution caused by dredging and dumping, the data submitted are incomplete to describe the overall situation in the Baltic Sea in 1999-2001.

Monitoring of airborne pollution

HELCOM Recommendation 14/1 concerning monitoring of airborne pollution load is implemented by all Contracting Parties, except Russia since neither Russian measuring stations nor data is included in HELCOM datasets. Data submissions by some Contracting Parties have not been carried out according to deadline in the Recommendation which is indicated as partly implementation of the Recommendation.

Monitoring of radioactive substances

All Contracting Parties who have nuclear installations have submitted data on radioactive substances in discharges. Russia is the only Contracting Party who has not submitted data on radioactive substances in seawater. Finland, Germany and Latvia have submitted all obligatory monitoring data according to the recommended deadlines.

Reporting of environmental monitoring to HELCOM databases

The reporting of environmental monitoring data according to the deadlines of COMBINE Programme has been incomplete or delayed (implementation of HELCOM Recommendation

19/3). For hydrography and nutrients in the period 1999-2001, all Contracting Parties have submitted mandatory data into the ICES oceanographic database. Due to e.g. severe delays and missing quality assurance information, the data consultant ICES has not been able to insert all data into the HELCOM COMBINE database.

For biological data, only Finland, Lithuania and Sweden have submitted phytoplankton, zooplankton and zoobenthos data to the database, Finland for the whole period of 1999-2001. The delayed construction of the operational biological database by the data consultant ICES and difficulties in the data submission formats are the main reasons behind the low amount of data submitted to HELCOM database.

For contaminants in biota, no data have been submitted by Estonia, Latvia, Lithuania and Russia for the period 1999-2001.

Phytobenthos monitoring is starting and no data have been submitted into the COMBINE database yet.

Data submission on waterborne pollution load

Data submissions for the Fourth Pollution Load Compilation (PLC-4) according to HELCOM Recommendation 19/4 have been delayed and no Contracting Party has submitted the required data according to agreed deadlines.

Conclusions

HELCOM Recommendation 10/1 concerning reporting of abnormal situation in the marine environment is not fully relevant today. A HELCOM Programme "Harmonized International Early-Warning Reporting System on Abnormal Events in the Baltic Sea and its Drainage Area, BEWERS", Sweden as Lead Country, is revising the whole reporting procedure and should finalize its work in 2003.

Granting permits to planned research and monitoring activities in the EEZ, fishing zones or continental shelves is the basis for most of the joint monitoring activities in Baltic Sea area. Some Contracting Parties have faced difficulties in getting research permits. Despite of rather few rejections of applied permits for single expeditions, the Contracting Parties should fully guarantee the possibilities to carry out planned monitoring and research cruises. One year permits have been applied only seldom. Since the one-year permit would facilitate administration, therefore the wider use of this possibility is encouraged.

Concerning the HELCOM Recommendation 13/1 on disposal of dredged spoils, there are different sediment quality criteria for dredged material in each Contracting Party. Therefore reported data on the structure and the pollution caused by dredging and dumping is incomplete and not adequate to assess the overall situation in the Baltic Sea in 1999-2001. There is a clear need to further develop the HELCOM Guideline on disposal of dredged spoils.

Full implementation of especially HELCOM Recommendation 14/1, 19/3 and 19/4 is prerequisite for reliable and timely assessment of the state of the marine environment of the Baltic Sea. Field sampling and analysis form the most costly phase of the implementation of these recommendations. However, technical problems in reporting, delayed reporting and missing quality assurance information seems to be the main problems which have to be solved.

HELCOM Recommendation 14/1 on monitoring of airborne pollution load will be revised at HELCOM 24/2003. The revision does not solve the main problem: Russian stations should be included into the HELCOM monitoring programme, especially since active Russian EMEP stations exist in the Baltic Sea area. Secondly, the present data do not allow quantitative assessment of airborne inputs of hazardous substances reliably and more effort is needed to cover several heavy metals and POPs appropriately.

The Fourth Pollution Load Compilation has faced serious problems with delayed and incomplete data submission which has postponed the finalizing of the PLC-4 assessment report (implementation of HELCOM Recommendation 19/4).

Delayed reporting and incomplete QA information are the main problems with the implementation of the hydrographic and hydrochemistry part of HELCOM Recommendation 19/3. Problems with data base and reporting formats seem to be the main obstacles with scarce reporting of biological data. To solve the problems, the Contracting Parties should fulfil their jointly agreed commitments and means to facilitate the reporting from the Contracting Parties to the databases should be further developed.

SUMMARY REPORT ON IMPLEMENTATION OF HELCOM RECOMMENDATIONS UNDER THE LAND-BASED POLLUTION GROUP

Introduction

This summary is compiled based on the Lead Country progress reports on the implementation of HELCOM LAND Recommendations. There are more than forty valid Recommendations under HELCOM LAND which pose requirements on measures to limit pollution from point sources such as industries and municipalities as well as diffuse sources from agriculture and transport. HELCOM has also adopted several Recommendations for product controls.

The follow up of the implementation of Recommendations is also one important task of HELCOM LAND. According to the decision of the tenth Meeting of the Commission (HELCOM 10/14, Paragraph 3.7) the HELCOM groups should report to the Commission every third year on the implementation of HELCOM Recommendations. The present Summary Report is the fourth one.

Since the previous reporting round several HELCOM LAND Recommendations have undergone substantial changes due to the process of harmonization of HELCOM Recommendations with EU and OSPAR requirements. One aim with the harmonization process has been to revise the reporting in order to focus on the collection of relevant information to reduce the workload and to avoid overlaps with e.g. EU reporting. Another aim has been to have a better overview of the factual implementation of the Recommendations.

Compared with previous reporting rounds the Contracting Parties improved their reporting to some extent when answering to the Lead Countries on the basis of reporting formats. However, it has been noted that there is a need to further revise reporting in order to get a better and comparable picture of the implementation of HELCOM LAND Recommendations in the Contracting Parties.

Conclusions

General conclusions

1. The quality of the information from the reporting round of 2001 has, compared with the one reported in 1998 improved as a consequence of i.a. the outcome of the harmonization work, which has also included the revision of reporting procedures. However, delays in submissions of data and in the elaboration of the reports have occurred and it is often still difficult to assess real implementation of the requirements.
2. The general status of the implementation of HELCOM Recommendations has also been improved since the reporting round of 1998. However, there is still a difference between the current EU member states and the EU accession countries and Russia concerning the implementation of HELCOM Recommendations. As a rule, HELCOM Recommendations are better implemented by the EU member states.
3. Taking into account that HELCOM Recommendations are not fully implemented by the Contracting Parties, there is a need to elaborate proposals for strengthening and enforcement of the implementation of HELCOM Recommendations. Further reasoning upon gaps or delays in implementation should be reported in the future as

well as the proposed way forward to get the implementation at place and effectively working.

4. Regardless of the revised simplified reporting the reporting round has indicated that the formats often still require unnecessary information and thus, the Contracting Parties have not been motivated to fill in the formats. Also, the Lead Countries have difficulties to use and to compare all the information submitted by the Contracting Parties and therefore, further simplifying and harmonizing of the reporting formats is of great importance.

Conclusions on different sectors

Recommendations on Industrial Point Sources

(17 Recommendations in 12 sectors)

17 HELCOM Recommendations have been elaborated to reduce discharges from industrial plants. The Recommendations concerning new or reconstructed industrial plants are implemented by all the Contracting Parties. In general the Recommendations limiting discharges from the existing industrial plants are better implemented by the EU countries while in the EU accession countries and Russia the Recommendations are implemented partly. However, for most of the sectors it is difficult to assess the extent of actual implementation as the Recommendations tend to include requirements on several parameters in both waste waters and air emissions as well general technical requirements, whereas the monitoring at the plants only include some parameters usually.

Recommendations on Municipal Waste Water Treatment and Collection of Stormwaters

(5 Recommendations)

A lot of activity in construction and modernization of municipal waste water treatment plants in EU accession countries has improved the implementation situation in this field. Especially the performance of WWTPs in bigger cities in EU accession countries show good progress. The Recommendations limiting discharges from municipal waste water treatment plants as well as from storm water systems are implemented mainly by the EU countries. There are problems to comply with the nitrogen limit values in some Contracting Parties. It has to be remembered though that some requirements concerning nitrogen removal for municipal wastewater treatment plants in countries in transition do not have to be implemented before 2010/2020.

Recommendations on agriculture and forestry

(6+2 Recommendations)

The evaluation of the implementation of HELCOM Recommendations as well as Annex III of the convention regarding agriculture has been conducted in a Danish project, which results were utilized for this report. According to the report most Recommendations are fully (or almost fully) implemented by the EU countries and some of the Recommendations are implemented by countries in transition, as well what comes to the legislation. However, the practical implementation of the required measures at farm level is very difficult to assess. In almost all cases measures aimed at implementation have been taken, at least pilot projects, programs and researches. In many countries, they are incorporated into national Recommendations (e.g. GAP codes), and it should be presumed, that evaluation of other, legally binding regulations, will improve the rate of implementation. Unfortunately, difficulties with wide-scale implementation in countries in transition are connected with the limited availability of financial and technical resources.

However, the implementation of environmental measures has not yet resulted in significant reductions of nutrients in present EU countries, especially regarding phosphorus. One reason is the surplus of phosphorus in the soil due to high use of fertilizers in the past. There is a time lag before changes can be seen in losses. The reductions in transition countries has generally been better, due to drastic reduction of use of fertilizers and decrease in agricultural production in the beginning of 1990's.

Production control measures

(5 Recommendations)

Since the last reporting round some Recommendations are not valid since they have been fully implemented already in 1998 (HELCOM Recommendation 3/2 concerning discharges of DDT) or the provisions are covered by the 1992 Convention or other revised Recommendations (e.g. HELCOM Recommendation 6/6 on Cadmium discharges)

In general progress in the implementation of product control Recommendations can be seen. Especially the EU accession countries have improved implementation of legislation concerning authorization and permitting of e.g. pesticides.

The Recommendation concerning mercury from dentistry is fully implemented by all the Contracting Parties.

The Recommendations regarding elimination of the use of PCBs and PCTs, use of antifouling paints and approval of pesticides, use of batteries are fully implemented by the EU countries.

The Recommendation concerning measures aiming at the reduction of mercury pollution from light sources and electrical equipment is partly implemented by the Contracting Parties as well as the Recommendation concerning used batteries.

Transport

(2 Recommendations)

The prohibition of production and distribution of leaded gasoline will come into force on 1 July 2003 in Russia and after that the Recommendation is fully implemented by all Contracting Parties.

The Recommendation on reduction of emissions of transport sector affecting the Baltic Sea is fully implemented in most Contracting Parties. Sweden has the best implementation status with a modal integration of environmental protection in the transportation planning and policy. Estonia and Russia have to make up for a number of parts of the Recommendation.

Other Recommendations

(3 Recommendations)

The Recommendations on marine and freshwater fish farming have been implemented concerning discharges of nutrients by all Contracting Parties, but there are still some deficiencies concerning sludge removal.

The Recommendation concerning incineration of household waste concerns altogether 2 new plants in Sweden and 1 plant in Poland. The new plants comply mostly with the requirements on air emissions, but there was no data available concerning waste water emissions

Summary information on implementation of HELCOM LAND Recommendations

Table containing summarized information on implementation status of HELCOM LAND Recommendations. Recommendations for which an evaluation presented as symbols was not possible are not included in the table (pulp industry and forestry).

Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
11/7, 13/4 and 17/5 – Iron and steel	*	*	☹	☺	☹	*	☹	☹	☹
23/9 – Hard coal cokeries	*	*	☹	*	*	*	☹	*	☹
23/7 – Metal surface treatment	☹	☹	☹	☺	☹	n.i.	☹	☹	☺
23/8 – Oil refineries	n.i.	*	☹	☺	*	☺	☺	☺	☺
23/10 – Pesticide production	*	*	☹	*	*	*	☹	*	*
23/11 – Chemical industry	*	☹	☹	*	☹	☹	☹	☹	☹
16/7 – Leather industry	☺	☺	☹	*	n.i.	☺	☺	☹	☺
16/10 – Textile industry	☺	☹	☹	☺	☹	n.i.	☹	☹	☺
17/6 – Fertilizer industry	n.i.	*	☹	(☺)	*	n.i.	☹	☹	(☺)
6/3 – Chlor-alkali industry	*	*	☹	*	*	n.i.	☹	*	☹
5/1 – Limitation of stormwater systems (superseded by 23/5)	☺	☹	☺	(☺)	☹	☺	☺	n.i.	☺
17/7 – Urban areas by proper management of stormwater (superseded by 23/5)	☹	☹	☹	☹	☹	☹	☹	☹	☹
7/3 – Urban areas by development of sewerage systems	(☺)	(☺)	(☺)	☹	☹	(☺)	(☺)	☹	☺
9/2 – Effective methods in waste-water treatment	(☺)	☹	☹	☹	☹	☹	n.i.	n.i.	(☺)
16/9 – Nitrogen removal at municipal sewage treatment plants ¹⁾	(☺)	☹	(☺)	☹	☹	☹	☹	*	☹
18/4 – Wetlands and freshwater ecosystems for retention of nutrients	☹	☹	☹	☹	☹	n.i.	☹	n.i.	☹
6/1 – PCBs and PCTs	☺	☺	☺	☺	☺	n.i.	☺	☹	☺
20/4 – Antifouling paints	☺	☹	☺	☺	☹	n.i.	n.i.	☹	☺

20/2 – Approval of pesticides	☺	☺	☺	☺	☺	n.i.	☺	☹	☺
14/5 – Used batteries	☺	☹	☹	☹	☹	n.i.	☺	☹	☺
6/4 – Mercury in dentistry	☺	☺	☺	☺	☺	n.i.	☺	☺	☺
9/4 – Leaded gasoline	☺	☺	☺	☺	☺	☺	☺	☺	☺
17/1- Reduction of emissions of transport sector affecting the Baltic Sea	☺	☹	☺	☺	(☺)	☺	☹	☹	☺
18/3 and 20/1 – Fish farming	(☺)	(☺)	(☺)	(☺)	(☺)	(☺)	(☺)	(☺)	(☺)
16/8 – Incineration of household waste ^{**)}	*	*	(☺)	*	*	*	(☺)	*	*

^{*)} The requirements concerning nitrogen removal for municipal wastewater treatment plants in countries in transition do not have to be implemented before 2010/2020

^{**)} There are new incineration plants only in Poland and Sweden

Implementation status of requirements regarding nutrient pollution from agriculture

Subject	DK	EE	FI	DE	LV	LT	PL	RU	SE
Animal density	☺	(☺)	☺	☺	☺	☺	☹	☹	☺
Manure storage	☺	☹	☺	(☺)	☹	(☺)	☹	☹	☺
Waste water	☺	☹	☺	(☺)	(☺)	(☺)	(☺)	☹	(☺)
Applied manure	☺	(☺)	☺	(☺)	(☺)	(☺)	☹	(☺)	(☺)
Applied nutrients	☺	☹	(☺)	(☺)	☹	☹	☹	(☺)	☺
Winter crops	☺	(☺)	☹	☹	☹	(☺)	☹	☹	☺
Soil erosion	☹	☹	☹	☹	☹	(☺)	☹	☹	(☺)
Water protection areas	☹	(☺)	☹	(☺)	(☺)	(☺)	☹	☹	☺
Ammonia volatilisation	☹	☹	☹	☹	☹	☹	☹	☹	(☺)
Restoration	☹	☹	☹	☹	☹	☹	☹	☹	(☺)

Implementation status of requirements regarding pesticides used in agriculture

Subject	DK	EE	FI	DE	LV	LT	PL	RU	SE
Registration and approval	☺	☺	☺	☺	☺	☺	☺	(☺)	☺
Storage and handling	☺	(☺)	☺	☺	☺	☺	(☺)	(☺)	☺
Licence	☺	(☺)	☺	☺	☺	☺	☺	☹	☺
Application technology	☺	(☺)	☺	☺	(☺)	(☺)	(☺)	☹	☺
Testing of spraying equipment	(☺)	(☺)	☺	☺	☹	☺	(☺)	☹	(☺)
Alternative methods of control	☺	☹	☺	☺	☹	☹	☹	☹	☺
Banned substances	☺	☺	☺	☺	☺	☺	☺	☺	☺
GAP	☺	☺	☺	☺	☺	☺	☺	☹	☺
GEP	☺	☺	☺	(☺)	☺	☺	☺	☹	☺
Uniform principles	☺	☺	☺	☺	☺	☺	☺	☹	☺
Environ. monitor.	☺	(☺)	(☺)	(☺)	(☺)	(☺)	(☺)	☹	☺

indicators									
Education inform. ext. service	☺	(☺)	☺	☺	(☺)	(☺)	(☺)	(☺)	☺

Attachment 3

STATUS REPORT ON THE IMPLEMENTATION OF HELCOM RECOMMENDATIONS IN THE MARITIME FIELD

Introduction

In 1995 the Maritime Committee adopted a new reporting procedure to enable the evaluation of the status of implementation by the Contracting States of HELCOM Recommendations in the maritime field (cf. MC 21/15, Paragraphs 11.1-11.3). In accordance herewith national reports on the implementation of HELCOM Recommendations in the maritime field shall comply with the requirements of sub-paragraphs a)-c) of Article 16(1) of the 1992 Helsinki Convention.

Additionally, the Maritime Committee in 1998 specified the reporting procedures by requesting the Contracting States to judge in their implementation reports whether HELCOM Recommendations have been implemented in whole, partly or not at all. Furthermore, it was decided that specific remarks about the reasons for non-compliance and plans for future improvements (how, when) should be indicated in case of non-compliance (cf. MC 24/98, 11/1, Paragraph 7.4).

All Contracting States were requested to submit to the 23rd Meeting of the Maritime Committee, 1997 (cf. MC 21/15, Paragraphs 11.1-11.3) a comprehensive overview on the implementation of HELCOM Recommendations in the maritime field in accordance with the new reporting procedure.

The 23rd, 24th and 25th Meetings of the Maritime Committee and the First Meeting of the Sea-based Pollution Group requested the Contracting States to submit missing information on the national implementation of HELCOM Recommendations in the maritime field (cf. MC 23/97, 12/1, Paragraph 7.2; MC 24/98, 11/1, Paragraph 7.5; MC 25/99, 11/1, Paragraph 7.5 and HELCOM SEA 1/2000, 5/3, Paragraph 2.68).

Based on the information received from the Contracting States, HELCOM 22/2001 endorsed a status report on the implementation of HELCOM Recommendations in the maritime field (cf. Paragraph 7.4 (LD 17) of the Minutes of HELCOM 22/2001 and document HELCOM 22/2001, 7b/1).

HELCOM 22/2001 expressed its concern as to the unsatisfactory status of implementation of HELCOM Recommendations in the maritime field. To remedy this situation HELCOM 22/2001 decided:

- To urge all Contracting States to submit information on measures taken to implement HELCOM Recommendations in the maritime field;
- To include in this information both legal, administrative or other means taken for the implementation and the status of the extent to which the Administrations in practise have implemented the measures in question;
- To ask HELCOM SEA to appoint Lead Countries for making a first assessment of the status of implementation before submission to the meetings of HELCOM SEA and eventually to the Commission for endorsement; and
- To ask HELCOM SEA to make overall assessments of the status of implementation with three years intervals, starting from 2001.

Assessment of the Status of Implementation

Categorization of maritime HELCOM Recommendations

HELCOM Recommendations within the maritime field can roughly be divided into six categories. The first category is dealing with technical standards for the functioning of equipment on board ships as well as discharge standards for various sources of ship-generated wastes and cargo-residues, the second category is dealing with the adequacy of port reception facilities and the efficient operation of such, the third category is dealing with co-operation in investigation and enforcement of violations of discharge standards, the fourth category is dealing with measures to enhance maritime safety, the fifth category is dealing with the enhancement of maritime safety and pollution prevention through the ratification of international maritime and environmental conventions and the sixth category is dealing with measures to prevent pollution from offshore activities.

General remarks

Inconsistency of submitted information

There is a considerable variety in the information submitted by the Contracting States on measures taken to implement the HELCOM Recommendations. This information varies from mere statements whereby a Contracting State informs that the principles of the HELCOM Recommendation are implemented in national laws to detailed information as to specific measures taken on each of the items included in the HELCOM Recommendation. This makes it hard to make a thorough analysis of the status of implementation and may also lead to wrong conclusions as to the status of implementation.

The contents of HELCOM Recommendations

The contents and exactness of the HELCOM Recommendations, and thereby the measures that the Contracting States should report on their implementation of, differentiates to a great extent. While some HELCOM Recommendations are very precise as to the request to the Contracting States, others are "vaguer". This also has consequences for the later assessment of the status of implementation.

Legal, administrative or other measures taken versus practical implementation

While the information provided on legal, administrative or other measures taken by the Contracting States to implement the HELCOM Recommendations provides a basis for assessing the status of implementation, i.e. the means used by the Contracting States when nationally putting into force HELCOM Recommendations, the same is not always true as regards the practical implementation of the HELCOM Recommendations, i.e. whether Administrations actually apply the HELCOM Recommendations.

General assessment of the status of implementation

The assessment is based on national implementation reports by the Contracting States. An overview of the extent to which Contracting States have implemented the HELCOM Recommendations in the maritime field is provided in **Table 1**.

All Contracting States have submitted information using the general reporting format. Some Contracting States have not submitted any information regarding the implementation of specific HELCOM Recommendations.

Of the 33 HELCOM Recommendations only three (3) have been implemented by all Contracting States. This low figure is partly due to the lack of information from one or a few Contracting States regarding their implementation of specific HELCOM Recommendations. In case information would be submitted by all Contracting States and in case this information would state that the HELCOM Recommendations have been implemented, this would still only lead to a full implementation of ten out of 33 HELCOM Recommendations, i.e. a full implementation of 30% of the HELCOM Recommendations in the maritime field.

The status of implementation of HELCOM Recommendations adopted before 1998/99 looks fairly good for a number of Contracting States, whereas quite a number of HELCOM Recommendations adopted after this time period have not been implemented or only partly implemented by several Contracting States.

Assessment as regards the status of implementation of the Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues (the Baltic Strategy)

On 1 July 2000 the amendments to Annex IV to the Helsinki Convention entered into force (cf. HELCOM Recommendation 19/7 superseded by HELCOM Recommendation 21/2 on 31 December 2000) whereby discharge regulations for sewage are made applicable to all ships (i.e. including pleasure craft, working vessels and fishing vessels) and whereby all ships are obliged to deliver to a port reception facility, before they leave the port, all wastes that cannot legally be discharged into the Baltic Sea area in accordance with MARPOL 73/78 and/or the Helsinki Convention (mandatory delivery of wastes).

The mandatory delivery of wastes is supported by several other measures contained in HELCOM Recommendations 19/8-19/10, 19/12-19/14, 19/16, 22/3 and 23/1. These HELCOM Recommendations can contents-wise be divided into the following five categories;

- Operation of port reception facilities, including the application of the “no-special-fee” system, notification before the use of a port reception facility, statement of amounts of wastes delivered to port reception facilities and port waste management plans to be developed;
- Prosecution of offenders, including minimum level of administrative fines and co-operation in investigating suspected violations;
- Environmentally sound waste management, including guidelines for treatment of wastes after delivery to a port reception facility;
- Regulations for ships not covered by the existing anti-pollution regulations: and
- Unified interpretations for the practical implementation of the HELCOM Recommendations related to the Baltic Strategy.

Due to disagreements on how to practically apply some of the above-mentioned HELCOM Recommendations it has not been possible to obtain a unified and harmonised implementation. Among the outstanding issues are:

- how to obtain an even distribution of wastes between the ports, including a reception of volumes without any extra fees;
- how to ensure a restriction on the number of ships that are exempted from the mandatory delivery and the payment of the “no-special-fee” – to ensure that as many ships as possible contribute to the operation of the port reception facilities by paying the general environmental fee;
- how to ensure an effective enforcement of the rules.

An indicator report on the implementation of the Baltic Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues and on the performance of aerial surveillance, approved by HELCOM RESPONSE and HELCOM MARITIME, concludes that:

“Although the number of observations of illegal oil discharges has decreased slightly as regards the absolute number, it is not possible to state an overall decrease. For some areas aerial surveillance is not evenly and regularly carried out and therefore there are no reliable figures for these areas. In other areas aerial surveillance has increased, including the use of remote sensing equipment, and therefore the absolute numbers of the observations of illegal oil discharges have increased in these areas.”

Assessment as regards the status of implementation of the HELCOM Copenhagen Declaration

A status report on the implementation of the “Declaration on the Safety of Navigation and Emergency Capacity in the Baltic Sea area” (HELCOM Copenhagen Declaration) and HELCOM Recommendation 22E/5 “Amendments to Annex IV “Prevention of pollution from ships” to the Helsinki Convention” is contained in a separate document.

Proposals for improving the reporting and assessment procedure

The current status of implementation of HELCOM Recommendations in the maritime field is still unsatisfactory. To remedy this situation it is proposed:

- To repeat to urge all Contracting States to submit information on measures taken to implement HELCOM Recommendations in the maritime field;
- To repeat the request that all Contracting States include information about both legal, administrative or other means taken for the implementation as well as the status of the extent to which the Administrations in practise have implemented the measures in question;
- To continue to make overall assessments of the status of implementation with three years’ intervals, starting from 2003.

Furthermore, it is proposed to make a review of the HELCOM Recommendations in the maritime field. This should be done in connection with the review of the future role of HELCOM, in the light of the enlargement of the EU in May 2004. As an outcome of the review, it should be identified for which HELCOM Recommendations in the maritime field there is an added value of HELCOM actions, in addition to the EU initiatives within the maritime field.

Table 1. National implementation of HELCOM Recommendations in the maritime field

Rec. No.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
1/5	Application by the Baltic Sea States of Guidelines for Type Testing and Approval of Sewage Treatment Systems	☺	☺	☺	☺	☺	☺	☺	☺	☺
2/2	Acceptance by the Baltic Sea States of International Instruments on Maritime Safety, Pollution Prevention and Related Matters	☺	☺	☺	☺	☺	☺	☺	☺	☺
7/7	Recording of fuel oil bunkering operations in the Oil Record Book	☺	☺	☺	☺	☺	☺	☺	☺	☺

Rec. No.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
	and documentation for the use of reception facilities									

Rec. No.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
9/11	Guidelines for the establishment of national counter pollution measures regarding pleasure craft	☺	☹ *)	☹ *)	☺	☺	☺	n.i.	☹**)	☹***)
10/5	Guidelines for the establishment of adequate reception facilities in ports	☺	☹	☹	☺	☺	☺	n.i.	☺	☺
10/6	Application by the Baltic Sea States of a Helsinki Convention form for reporting alleged inadequacy of reception facilities for sewage	☺	☺	☺	☺	☺	☺	n.i.	☺	☺
10/7	General requirements for reception of wastes	☺	☺	☺	☺	☺	☺	n.i.	☺	☺
10/11	International co-operation on liability for damage resulting from vessel-based pollution	n.i.	☺	n.i.	☺	☺	☺	n.i.	☺	☺
11/9	National regulations on the discharge of sewage in national waters	☺	☺	☺	☺	☺	☺	n.i.	☺	☹ *)
11/10	Guidelines for capacity calculation of sewage systems on board passenger ships	☺	☺	☺	☺	*	*	☺	☺	☺
11/11	Measures to reduce the emissions of harmful chlorofluorocarbons from ships	☺	☺	☺	☺	*	☺	☺	☺	☺
11/12	Reduction of air pollution from ships	☹	☹	☹	☹	☹	☹	☹	☹	☺
12/5	Promotion of the use of safer tankers while carrying oil	☺	*	☺	☺	☺	☺	☹	☺	☺
13/15	Early measures to reduce sulphur in marine fuel oils in the Baltic Sea Area	☺	☺	☺	☹	☹	☹	n.i.	☹	☺
14/6	Guidelines for the minimum throughput of oily-water separating equipment on board ships	☺	☺	☺	☺	☺	☹	n.i.	☺	☺

Rec. No.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
14/7	Guidelines for provisions of facilities for the handling, storage and processing of shipboard garbage	☺	☺	☺	☺	☺	☺	☺	☺	☺
15/4	Additional maritime safety and pollution prevention measures in the Baltic Sea Area	☺	☺	☺	☺	☺	☺	n.i.	☺	☺
17/12	Measures to abate pollution by oil and other harmful substances in cases of grounding, collision, sinking of a ship or other maritime casualty	☺	☺	☺	☺	☺	☺	n.i.	☺	☺
18/2	Offshore activities	☺	☹	☹	☹	☺	☺	☺	☺	n.i.
19/8	Application of the "no-special-fee" system in the Baltic Sea Area	☺	☺	☺	☹	☺	☺	☹	☺	☺
19/9	Installation of garbage retention appliances and toilet retention systems and standard connections for sewage on board fishing vessels, working vessels and pleasure craft	☺	☺	☺	☺	☺	n.i.	☺	☺	☺
19/10	Application by the Baltic Sea States of guidelines for holding tanks/oily water separating or filtering equipment for ships of less than 400 tons gross tonnage	☺	☺	☺	☺	☹	n.i.	☺	☺	☺
19/12	Waste management plans for ports	(☺)*	☺	(☺)*	☹**)	☹	☹	☹	☹	☺
19/13	Basic principles of ashore handling of ship-generated wastes	☺	☺	☺	☺	☺	☺	☺	☺	☺
19/14	A harmonized system of fines in case a ship violates anti-pollution regulations	☺	☺	☹	☺	☹	☺	☺	☹	☹

Rec. No.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
19/15	Minimum requirements for vessels bound for or leaving ports of the Baltic Sea States and carrying dangerous or polluting goods	☺	☺	☺	☺	☺	☺	n.i.	☺	☺
19/16	Co-operation in investigating violations or suspected violations of discharge and related regulations for ships, dumping and incineration regulations	☺	☺	☺	☺	☺	☺	☺	☺	☺
20/4 from 9/10	Antifouling paints containing organotin compounds	☺	☹	☺	☺	☹	☹	☹	☹	☺
21/2 from 14/8 and 19/7	Amendments to Annex IV ■Prevention of pollution from ships of the 1992 Helsinki Convention	☹	☹	☺	☹	☹	☹	☹	☺	☹
22/1	Installation of toilet retention systems and standard connections for sewage on board existing fishing vessels, working vessels and pleasure craft	☺	☹	☺	☺	☹	n.i.	☹	☹	n.i.
22E/5	Amendments to Annex IV "Prevention of pollution from ships" to the Helsinki Convention	☺	☹	☹	☹	☹	☹	☹	☹	☹
23/1	Notification of ships wastes	☹	☹	☹	☹*)	☺	☹	☹	☹	☺
23/3	Enhancing the use of pilots in Route T and the Sound by notification to departing ships and establishment of an early warning system	☺	☹	☹	☹	☺	☹	☹	☹	☹

NOTES:

Rec. 9/11

EE, FI *) Lack of adequate reception facilities in some ports

RU **) No special requirements for pleasure craft yet

SE ***) In a process of issuing new legislation

Rec. 11/9

SE *) Information needed about the revised decree

Rec. 19/12

DK, FI *) To be implemented in accordance with and when EC Directive 2000/59/EC of the European Parliament and the Council of 27 November 2000 on port reception facilities for ship-generated wastes and cargo residues enters into force (28.12.2002)

DE**) To be fully implemented during 2003

Rec. 23/1

DE*) To be fully implemented during 2003

STATUS REPORT ON THE IMPLEMENTATION OF HELCOM RECOMMENDATIONS IN THE RESPONSE FIELD

Introduction

In 1996 the Combatting Committee adopted a new reporting procedure to enable the evaluation of the status of implementation by the Contracting States of HELCOM Recommendations (cf. CC 20/96, 12/1, Paragraph 8.1).

In 1997 the Combatting Committee specified the reporting procedure by requesting the Contracting States to judge in their implementation reports whether HELCOM Recommendations have been implemented in whole, partly or not at all. Additionally, it was decided that specific remarks about the reasons for non-compliance and plans for future improvements (how, when) should be indicated in case of non-compliance (cf. CC 21/97, 12/1, Paragraph 7.5).

As regards the implementation of HELCOM Recommendations in the response field it has been decided that detailed reports on matters related to:

- National ability to respond to spillages of oil and other harmful substances (HELCOM Recommendation 11/13 and related Guidelines);
- Development and use of oil drift forecasting (HELCOM Recommendation 12/6, to be superseded by HELCOM Recommendation 24/x "Further development and use of drift forecasting for oils and other harmful substances in the Baltic");
- Airborne surveillance with remote sensing equipment in the Baltic Sea area (HELCOM Recommendation 12/8 and related Guidelines);
- Measures in order to combat pollution from offshore units (HELCOM Recommendation 19/17);
- Minimum ability to respond to oil spillages in oil terminals (HELCOM Recommendation 20/5 and related Guidelines); and
- Restricted use of chemical agents and other non-mechanical means in oil combatting operations in the Baltic Sea area (HELCOM Recommendation 22/2)

should be submitted to each annual meeting of the Response Group by two Contracting States in turn of their alphabetical order, starting from Denmark and Estonia in 1997 (cf. Annex 7 of CC 20/96, 12/1). Thus, the reporting round will be repeated every fifth year to ensure that an up-dated picture is given of the response abilities and means of the Contracting States.

As for the remaining HELCOM Recommendations within the response field reporting is either considered to be done through submissions by the Contracting States of amendments to the Response Manual, through the inclusion of a specific item in the annual meetings of the Response Group or through the requirement that, if carrying out a specific operation, a report thereon should be submitted to the meetings of the Response Group.

As of January 2001 all Contracting States had reported for the first time on their implementation of HELCOM Recommendations in the response field using the new reporting procedure. This is the second reporting round, making use of the new reporting procedure.

Assessment of status of implementation

Categorization of response HELCOM Recommendations

HELCOM Recommendations within the response field can roughly be divided into three categories. The first category is dealing with administrative matters related to response co-operation, including administrative and financial aspects arising from transboundary co-operation, such as border passage, delimitation of response regions and calculation of cost in connection with assistance received. Those HELCOM Recommendations are incorporated to Volume I of the HELCOM Response Manual. The second category is dealing with operational matters, including contingency planning and obtaining of response/aerial surveillance equipment by each Contracting State. The third category is dealing with miscellaneous issues, such as reporting on growth of algae and follow-up studies on environmental impacts in connection with major oil spills.

General assessment of the status of implementation

This assessment is based on national implementation reports by the Contracting States as well as on the outcomes of the considerations of these national implementation reports by the Response Group. An overview of the status of the implementation of HELCOM Recommendations in the response field is also provided in **Table 1**.

Three HELCOM Recommendations are fully implemented; two by all Contracting States (HELCOM Recommendation 12/6 concerning development and use of oil drift forecasting (to be superseded by HELCOM Recommendation 24/x "Further development and use of drift forecasting for oils and other harmful substances in the Baltic") and 22/2 concerning restricted use of chemical agents and other non-mechanical means in oil combatting operations in the Baltic Sea area) and one by the Contracting States carrying out/planning to carry out activities for which recommended measures apply (HELCOM Recommendation 19/17 concerning measures in order to combat pollution from offshore units).

As for the remaining three HELCOM Recommendations none of these are fully implemented by all Contracting States.

For one HELCOM Recommendation, i.e. 20/5 concerning minimum ability to respond to oil spillages in oil terminals, the lack of implementation stems from one Contracting State having only partly fulfilled the recommendation.

For the remaining two HELCOM Recommendations (11/13 and 12/8) the lack of implementation derives from:

- Lack of contingency plans for response to harmful substances other than oil;
- Lack of equipment both as regards response to oil and as regards response to other harmful substances; and
- Lack of regular aerial surveillance activities and/or lack of remote sensing equipment onboard aerial surveillance craft.

Some Contracting States have in their national implementation reports stated that lack of implementation is due to lack of financial resources and have, in some instances, indicated ways for obtaining the necessary funding.

Some experience with financial assistance in the field of response to marine pollution has been gained through the implementation of HELCOM Recommendation 23/2 "Co-operation and Assistance to Estonia, Latvia, Lithuania and Russia in the Field of Combatting Marine

Pollution Incidents”. Several Contracting States have assisted Estonia, Latvia, Lithuania and Russia, *inter alia*, through financial means to obtain adequate response and aerial surveillance ability, including training.

How to improve the assessment of whether a Contracting State has implemented in full, partly or not at all a HELCOM Recommendation?

HELCOM RESPONSE 1/2002 approved, in order both to assist the Contracting Parties when drawing up national implementation reports and for assistance in the assessment of the status of implementation, Guidelines on operational and technical requirements to be fulfilled for:

- HELCOM Recommendation 12/6 concerning development and use of oil drift forecasting (current Guidelines updated and further specified) (to be superseded by HELCOM Recommendation 24/x “Further development and use of drift forecasting for oils and other harmful substances in the Baltic”); and
- HELCOM Recommendation 12/8 concerning airborne surveillance with remote sensing equipment in the Baltic Sea area.

Furthermore, Poland will, based on comments received from the Contracting States, elaborate Guidelines for HELCOM Recommendation 19/17 concerning measures in order to combat pollution from offshore units, to the HELCOM RESPONSE 3/2003 meeting.

Such Guidelines have already been elaborated for:

- HELCOM Recommendation 11/13 concerning development of national ability to respond to spillages of oil and other harmful substances; and
- HELCOM Recommendation 20/5 concerning minimum ability to respond to oil spillages in oil terminals.

The use of the Guidelines, when reporting on the national measures taken to implement the HELCOM Recommendations, is necessary to get the appropriate information for making a proper assessment of the status of implementation.

Table 1. National implementation of HELCOM Recommendations in the response field

Rec.	Title of Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
11/13	Development of national ability to respond to spillages of oil and other harmful substances	☺	☺	☺	☺	☺	☺	☺	☺	☺
12/6	Development and use of oil drift forecasting	☺	☺	☺	☺	☺	☺	☺	☺	☺
12/8	Airborne surveillance with remote sensing equipment in the Baltic Sea Area	☺*)	☺	☺	☺	(☺)	☺	☺	☹	☺
19/17	Measures in order to combat pollution from offshore units	*	*	*	*	*/(☺)	*	☺	n.i.	*
20/5	Minimum ability to respond to oil spillages in oil terminals	☺	☺	☺	☺	☺	☺	☺	☺	☺
22/2	Restricted use of chemical agents and other non-mechanical means in oil combatting operations in the Baltic Sea Area	☺	☺	☺	☺	☺	☺	☺	☺	☺

*) techn; partly – expected to be fulfilled 2003

ANNEX 4 SUMMARY OF THE IMPLEMENTATION STATUS OF THE HELCOM RECOMMENDATION IN THE FIELD OF NATURE CONSERVATION AND COASTAL ZONE MANAGEMENT IN 1999-2001

HELCOM has ten Recommendations in the field of nature conservation and integrated coastal zone management as shown in Table 1.

Number and Title	Lead Country
HELCOM Recommendation 9/1 Recommendation concerning protection of seals in the Baltic Sea Area - adopted 15 February 1988	Finland
HELCOM Recommendation 15/1 Recommendation concerning protection of the coastal strip - adopted 8 March 1994	Finland
HELCOM Recommendation 15/5 (guidelines) Recommendation concerning system of coastal and marine Baltic Sea Protected Areas (BSPA) - adopted 10 March 1994	Sweden
HELCOM Recommendation 16/3 Recommendation concerning preservation of natural coastal dynamics - adopted 15 March 1995	Denmark
HELCOM Recommendation 17/2 Recommendation concerning protection of harbour porpoise in the Baltic Sea Area - adopted 12 March 1996	Poland
HELCOM Recommendation 17/3 Recommendation concerning information and consultation with regard to construction of new installations affecting the Baltic Sea - adopted 12 March 1996	Poland
HELCOM Recommendation 19/1 Recommendation concerning marine sediment extraction in the Baltic Sea Area - adopted 23 March 1998	Germany
HELCOM Recommendation 19/2 Recommendation concerning protection and improvement of the wild salmon (<i>Salmo salar</i> L.) populations in the Baltic Sea Area - adopted 26 March 1998	Sweden and Latvia
HELCOM Recommendation 21/3 Recommendation concerning sustainable and environmentally friendly tourism in the coastal zones of the Baltic Sea - adopted 20 March 2000	Latvia
HELCOM Recommendation 21/4 Recommendation concerning protection of heavily endangered or immediately threatened marine and coastal biotopes in the Baltic Sea Area - adopted 20 March 2000	Germany

None of the HELCOM Recommendations in the field of nature conservation and coastal zone management have been fully implemented (Table 2).

Table 2. Summary of implementation of HELCOM Recommendations in the field of nature conservation and coastal zone management in 1999-2001.

HELCOM Recommendation	DK	EE	FI	DE	LV	LT	PL	RU	SE
9/1, protection of seals	☺	☺	☺	☺	☺	☺	☺	☺	☺
15/1, protection of the coastal strip	☺	☺	☺	☺	☺	☺	☺	☺	☺
15/5, Baltic Sea Protected Areas	☺	☺	☺	☺	☺	☺	☺	☺	☺
16/3, preservation of natural coastal dynamics	☺	☺	*	☺	☺	☹	☺	n.i.	☺
17/2, protection of harbour porpoise	n.i.	☺	☺	☺	☺	☺	☺	☺	☺
17/3, construction of new installations	☺	☺	☺	☺	☺	☺	☺	n.i.	☺
19/1, marine sediment extraction	☺	n.i.	☺	☺	☺	☺	☺	n.i.	☺
19/2, protection of the wild salmon	*	☺	☺	*	☺	☺	☺	n.i.	☺
21/3, sustainable and environmentally friendly tourism	☺	☺	☺	☺	☺	☺	☺	n.i.	☺
21/4, protection of biotopes	☺	☺	☺	☺	☺	☺	☺	n.i.	☺

Protection of seals (HELCOM Recommendation 9/1)

In principal, concerning the ban of hunting, all the Contracting Parties have from the legal point largely implemented the Recommendation. In practice exceptions are permitted. However, there are conflicting interpretations in relation to concepts of a natural health conditions and a normal reproduction rate of seals and the following/subsequent applicability of hunting.

Not all Contracting Parties have implemented the Recommendation in relation to the obligation of establishing of seal sanctuaries. The establishment of seal sanctuaries should still be encouraged for all three seal species when appropriate, based on the biological requirements.

It is considered that all the Contracting Parties have largely implemented the Recommendation.

In the northern part of the Baltic, where the grey seal population is increasing, hunting is allowed by Finland and Sweden. However, both of these Contracting Parties control the hunting through various regulations and restrictions.

In Denmark, approximate 10 common seals have been hunted annually with special permit due to seal-fisheries conflicts. After the outbreak of the Phocine Distemper virus (PDV), no permit has been issued after May 2002.

Since 1970s hunting on seals in the Russian part of the Baltic Sea is fully prohibited; Baltic forms of Grey seal and Ringed seal are included into the Red Data Book of the Russian Federation.

Many of the Contracting Parties have carried out some kind of research on the health status of seals, mainly through post mortem examinations of stranded or by-caught seals. Only Finland and Sweden has used deliberate killing to get information on seal health.

Twelve seal sanctuaries with total area of ca. 21,000 hectares have been established since 1995. Most of the sanctuaries were established in the northern part of the Baltic, and mainly for the protection of grey seals.

In 1996 the Nature Reserve “Beriozovije Ostrova” (Ramsar area) enlarged by addition of water area of 17 000 ha, the mentioned water area is of high importance as a molting and breeding area for the Baltic Ringed seal.

In order to estimate the overall status of the seal population in the Baltic Sea area, more accurate information is needed on:

- seal numbers in different regions of the Baltic;
- reasons for epidemics in seal populations, as well as other problems that are affecting the number of seals;
- number of seals accidentally caught per year in the whole Baltic area (many Contracting Parties have no systematic methods to collect information);
- conflicts between fishery and seals (this might help explain why some Contracting Parties are hunting seals).

Protection of the coastal strip (HELCOM Recommendation 15/1)

All the Contracting Parties have included protection of coastal strip in the national legislation or accepted similar administrative protecting measures.

The implementation of this Recommendation seems to have got weaker in some Contracting Parties, and in particular in Finland and in Latvia. However, the present reporting form does not provide a full picture for the analysis on how the Recommendation is implemented.

Baltic Sea Protected Areas (HELCOM Recommendation 15/5)

Reports on 64 BSPAs were submitted by the Contracting Parties. Many of the legally protected areas have not yet a monitoring programme or a management plan.

Some changes of the original list of BSPAs are proposed: In some cases new BSPA areas are proposed as Natura 2000 sites or they consist of new off-shore banks. In other cases new inventory work has shown that the boundaries of some areas must be changed, e.g. when an area has become too small (< 10 km²) it should be possible to exclude it from the list of BSPAs.

Possible ways to speed up the process of BSPA implementation

A two-step reporting procedure should be established for HELCOM Recommendation 15/5. In Phase 1 only the legal decision, including the geographical boundaries and the IUCN category of a BSPA should be reported. In Phase 2, a short progress report about the status on the development of the management plans (including a summary of monitoring plan) should be reported within 2 years; complete management plan should be finalized soon afterwards and a summary submitted to HELCOM.

Joint activities for and organized training seminars/courses on management of marine protected areas, BSPAs should be develop.

The cooperation on protection of BSPAs should be encouraged between those countries that share the same area of a newly proposed BSPA (offshore area).

The reporting format for the national reporting of BSPA should be revised, e.g. by having categories such as fully, largely, partly or not implemented/protected and by taking into account reporting to EU.

The Joint Work Programme on Marine Protected Areas with OSPAR should be taken into account.

Preservation of natural coastal dynamics (HELCOM Recommendation 16/3)

Contracting Parties having reported on the implementation of this HELCOM Recommendation, except for Finland, have included preservation of natural coastal dynamics in the national legislation. Finland, due to the geology and morphology of the coast has no national legislation dealing with preservation of natural coastal dynamics. Consequently, no projects or master plans for coastal defence measures have been prepared.

The national reports are assessed “fully implemented” when national legal basis for implementation of the recommendation does exist. This is the case in almost all of the Contracting Parties where specific projects have taken place in the period 1999-2000. An EIA is carried through in the same countries for recent and greater projects. Only for Lithuania the legal basis and the question concerning EIA are unanswered, although a concrete project exists.

Protection of harbour porpoise (HELCOM Recommendation 17/2)

No special fishing methods have been implemented to reduce bycatches of harbour porpoises and no dedicated areas to protect the species have been established.

The estimates on the total amount of harbour porpoises and the number of bycatches in the Baltic Sea area are uncertain.

In order to avoid the duplication of work in the field of harbour porpoise protection, HELCOM will reconsider appropriate actions in consultation with ASCOBANS as soon as the Recovery Plan for Baltic Harbour Porpoise (Jastarnia Plan) has been adopted.

Construction of new installations (HELCOM Recommendation 17/3)

Two countries reported on no new installations at sea. The finalized construction of an oil terminal in one country, high voltage cable connecting two countries, a fixed link across the strait connecting two countries, and the wind-powered turbines which have come into operation during 1999-2001 in two countries were reported. Planned construction of wind-powered turbines at ten sites, all in the EIA phase, were reported by two of the Contracting Parties. Potential construction of wind-powered turbines was reported by one of the Contracting Parties.

Marine sediment extraction (HELCOM Recommendation 19/1)

Estonia and Russia provided no national reports. Finland, Germany Latvia, Lithuania, Poland and Sweden reported on sediment extraction activities in 1999 to 2001. The late Danish national report has been included in the Lead Country report as well as in this compilation.

Finland, Latvia and Sweden reported that no sediment extraction has been carried out. Finland informed that Helsinki harbour has permission to extract 8 Mio m³, but extraction has not yet started.

An overall judgement cannot be given because not all Contracting Parties reported on the Recommendation. On the other hand, it seems clear that exploitation of marine sediments in the Baltic Sea region has increased in the recent years of concern (1999 – 2001).

The Lead Country recommends that in the future reports the focus should be set only on dredging activities for commercial purposes and coastal defence measures, taking into consideration that maintenance dredging in many countries calls for other legislation and that mixed reporting of sediment exploitation and maintenance dredging is in dissent to international standards.

Protection of the wild salmon (HELCOM Recommendation 19/2)

The implementation has been very successful and the status of the wild Baltic salmon has improved significantly in most of the Baltic rivers. However, there is still a lot of restoration work to be carried out in some of the rivers and especially in potential salmon rivers. There is also a need for more coordinated monitoring in the established index rivers and to develop terminal fishing on the cultured salmon.

This HELCOM Recommendation is not valid for Denmark and Germany since there are no natural salmon rivers in these countries.

In general the status of the remaining wild Salmon populations has increased significantly during the last years. The total production of wild Salmon smolts has now reached some 1.36 million in comparison with the estimated total potential production of 1.9 million. The stock situation varies between the different regions of the Baltic Sea and the situation is most alarming for the small populations in the Gulf of Finland. The Salmon populations in the southern part of the Baltic seem to be in a better condition while the populations in the Bothnian Bay in most cases are in a promising status.

All seven Contracting Parties having submitted reports have also participated in the implementation of the IBSFC Salmon Action Plan. The implemented measures have mainly been focused on rehabilitation of spawning and reproduction areas and regulation of the salmon fishery.

No permanent or temporary mechanical obstacles have been built during the reporting period. Lithuania informs that several temporary constructed dams and dikes prevent salmon migration in several of the salmon rivers and that in most of the cases special passing traces are being designed and built.

Time and area closures, including a moratorium in some areas with very low salmon populations, have in general been established in all relevant places. Finland and Sweden have implemented the most comprehensive regulatory system north of the latitude 62 30 N.

Sustainable and environmentally friendly tourism (HELCOM Recommendation 21/3)

Only half of the Contracting Parties having reported on the Recommendation has included in their national legislation documents that provide a legal basis for the creation and development of the sustainable and environmentally friendly tourism in the coastal zones of the Baltic Sea Area. More than a half of the Guidelines of the Recommendation has been integrated generally in these documents.

Less than a half of Contracting Parties uses EIA or similar procedures concerning the tourism infrastructure and activities that is insufficient for the proper further activities.

In the Contracting Parties that have reported on the implementation of this Recommendation, the overall implementation process for this Recommendation has been initiated, but further development is needed especially as far as the national legislation is concerned.

Protection of endangered biotopes (HELCOM Recommendation 21/4)

Contracting Parties having reported, have a legal basis for biotope protection in their countries, but in most cases it remains unclear which legal instrument provides the protection of biotopes directly.

In most of the Contracting Parties the loss of quality in specific biotopes or protected areas seem to be the major problem and is, therefore, often considered in management plans.