

# Memo of the Third Informal Consultation Session of the Heads of Delegation (IC HOD 3-2023)

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## Memo of the Third Informal Consultation Session of the Heads of Delegation (IC HOD 3-2023)

### Introduction

0.1 The Third Informal Consultation Session of the HELCOM Heads of Delegation (IC HOD 3-2023) was hosted by the Latvian Chairmanship of HELCOM and was held online from 14 -15 June 2023.

0.2 The Session was attended by participants from all Contracting Parties except for Russia and by Observers from the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), Baltic Farmers' Forum on the Environment (BFFE), Coalition Clean Baltic (CCB), and the World Wide Fund for Nature (WWF). The list of participants is contained in **Annex 1** to this Memo.

0.3 The Meeting was chaired by the Chair of the Helsinki Commission, Ms. Evija Šmite, Latvia.

### Agenda Item 1 Adoption of the Agenda

1.1 The Meeting adopted the Agenda (document 1-1) with the additions under AOB (Agenda item 8) by WWF on the status of the Oder River, by the EU on an update of the “Our Baltic 2.0 Conference” in September 2024 and by Estonia on organizational matters in the Ministry of Environment in Estonia.

### Agenda Item 2 Situation update and way forward as of 1 July 2023

2.1 *Closed session for HELCOM Heads of Delegation of EU and EU Member States.*

### Agenda Item 3 Budget for 2023-2024

3.1 *Closed session for HELCOM Heads of Delegation of EU and EU Member States.*

### Agenda Item 4 HOLAS 3 – approval of products

4.1 The Session took note of the HOLAS 3 products for approval (document 4-1, **Presentation 1**) and took note of the following comments provided by Contracting Parties for the various products:

- Summary report of the HOLAS 3 assessment: clarification as to how the comment the Secretariat has received from Germany for page 47 on the decline of cod and herring and its link to harbour porpoises has been implemented, as well as the need to include figure 49 on page 69.
- Thematic Assessment on Eutrophication: as part of the layout and proofreading double-check the colouring of the EQRS table (table 6) on page 23 and the corresponding tables in Annex 2 for the coastal waters. A few issues seem to persist regarding the values that fall exactly on the class boundaries (0.2, 0.4, 0.6 and 0.8). An example of this is the DIN values for Bothnian Sea and The Quark, which both land at 0.4, but are coloured differently.

4.2 The Session recommended the approval of the Cuml indicator result and report, the updated Chapter 4 of the Thematic Assessment of Biodiversity report, the Thematic Assessment of Eutrophication report and the HOLAS 3 Summary report and the publication of the latter three reports as Baltic Sea Environment Proceedings (BSEPs).

4.3 The Session took note of the next steps in the HOLAS 3 process and the planning of the development phase of HOLAS 4 and invited the Secretariat to include any remaining editorial changes as part of the finalisation and publication process.

4.4 The Session took note of the HOLAS 3 Communications Strategy (document 4-2).

4.5 The Session took note of the question by the WWF about the intended target audience of the planned joint op-ed. The Secretariat has engaged in discussions with John Nurminen Foundation, but plans are still to be finalised.

4.6 The Session took note of the suggestion by Denmark to consider organizing a photo contest in order to engage the public as part of the HOLAS 3 communication strategy.

4.7 The Session took note of the comment by the EU encouraging HELCOM to use the upcoming “Our Baltic 2.0 Conference” to present and disseminate HOLAS 3 products.

4.8 The Session invited the Secretariat to provide clarification on the additional budget request. Some of the activities in the communications strategy, such as a very basic website without ongoing maintenance/support assistance, can be carried out without any additional budget, but for anything else, such as the preparation of the policy briefs which were identified as priority items by WG GEAR, additional funding would be needed.

4.9 The Session acknowledged the urgency of commencing work on the State of the Baltic Sea website to enable its publication together with the State of the Baltic Sea report in October 2023.

4.10 The Session emphasized that the priorities identified by WG GEAR should primarily be addressed, and recommended approval of the implementation of the HOLAS 3 Communications Strategy, subject to available funding.

4.11 The Session invited the Contracting Parties to consider allocating additional resources to the implementation of the prioritized HOLAS 3 communication activities, namely the website and the policy briefs and be in contact with the Secretariat as soon as possible to enable the work to start.

4.12 The Session expressed appreciation for the excellent work, professionalism and dedication of the Secretariat throughout the HOLAS 3 process.

## **Agenda Item 5      Matters arising from the HELCOM Groups**

### *WG Response*

5.1 The Session took note of the Memo of the Third Informal Consultation Session of the HELCOM Response Working Group (IC RESPONSE 3-2023), which was hosted by The European Union in Brussels, Belgium, from 21-23 March 2023 (document 5-9). The next session of the Response Working Group will be held from 4-6 October 2023 in Malmö, Sweden.

5.2 The Session took note of a comment by Sweden regarding the importance of securing funding to implement BSAP action S31 on a long-term risk analysis for oil and HNS pollution in the Baltic Sea, e.g. through DG ECHO. The Session also recognized the need for Contracting Parties to support the work and allocate sufficient personnel resources for the work.

5.3 The Session took note of the fact that WG Response approved the Terms of Reference and workplan (2023-2024) of the HELCOM Expert Group on Response on the Shore (EG Shore) by correspondence in April 2023.

5.4 The Session took note of the fact that WG Response approved the report on wildlife response activities and preparedness by the HELCOM Expert Group on Wildlife Response (EG Wildlife) in 2021-2022 by correspondence in April 2023.

### *WG Sea-based pressures*

5.5 The Session took note of the Memo of the Informal Consultation Session of the HELCOM Working Group on Reduction of Pressures from Sea-based Sources (IC WG SEA-BASED PRESSURES 1-2023), which was hosted by Finland in Helsinki from 18-20 April 2023 (document 5-16). The next session of the Sea-based Pressures Working Group will be held from 21-23 November 2023, tentatively in Gothenburg, Sweden.

5.6 The Session took note of the fact that Liis Kikas, Estonia, was elected as Chair of the Working Group for the period 2023-2025 and that a Vice-Chair for the Working Group is to be elected at IC WG SEA-BASED PRESSURES 2-2023.

5.7 The Session took note of the lack of leads for implementing actions in the Regional Action Plan on Marine Litter (RAP ML), taking into account that without leads little progress on the implementation of these actions is to be expected.

5.8 The Session took note of the fact that the draft final report of the findings of the BALLOONS project together with two packages of communication material to raise awareness on inflated balloons and confetti were recommended for publication on the HELCOM website once finalized by KIMO International.

5.9 The Session took note of the fact that an online workshop is to be organized in autumn 2023 to consider the way forward in implementing actions in the RAP ML related to fishing gear.

5.10 The Session took note of the fact that a joint meeting of the HELCOM/OSPAR noise expert groups is to be held from 4-5 October 2023 at the ICES headquarters in Denmark and that an additional targeted workshop is to be held back-to-back (3-4 October 2023) to discuss pending issues on both the continuous noise database and the impulsive noise register hosted by ICES.

5.11 The Session took note of the fact that the final draft assessment report for depositing of dredged Material in the Baltic Sea for 2021 was recommended for approval by correspondence after a commenting round, with a view to its publication as a Baltic Sea Environmental Fact Sheet (BSEFS).

5.12 The Session took note of the fact that the consolidated report to the London Convention and its 1996 Protocol (LC/LP) on depositing dredged material at sea in 2021 was recommended for submission to the LC/LP Secretariat.

#### *WG Source to sea*

5.13 The Session took note of the Memo of the Informal Consultation Session of the HELCOM Working Group on Source to Sea Management of Nutrients and Hazardous Substances and Sustainable Agricultural Practices (IC WG SOURCE TO SEA 1-2023), which was hosted by Finland in Helsinki and online from 25-28 April 2023 (document 5-16). The next session of the Source to Sea Working Group will be held online from 10-13 October 2023. The third session will tentatively be organized from 13-16 May 2024 as an in-person session and the session invited Contracting Parties to consider hosting the session.

5.14 The Session took note of the fact that Lars Sonesten, Sweden, was elected as the Chair of the group for 2023-24 and that Sari Luostarinen, Finland, was elected as the Vice Chair for 2023.

5.15 The Session took note of the fact that IC WG SOURCE TO SEA 1-2023 thoroughly discussed the working mode of the new Group, proposed to organize the session for sustainable agricultural practices between eutrophication and hazardous substances sessions and to maintain the best practices from the former Pressure and Agri groups, e.g. organizing workshops or drafting sessions before the WG session/meeting if needed and having a flexible approach to organizing the work during the first years.

5.16 The Session noted that IC WG SOURCE TO SEA 1-2023 welcomed presenting the Source to Sea approach that emphasizes cross-sectoral and socio-economic matters considered from upper reaches of a water system to the lower parts and estuaries to the sea, pointing out that for eutrophication and hazardous substances HELCOM is already implementing the approach to some extent and that, despite some overlap with EU WFD river basin management work, the fresh water and marine communities are still quite separate in the region. The session invited the CPs to familiarize themselves with the background documents on the matter and Estonia to propose concrete next steps to be discussed in the autumn session of the group on how to develop the Source to Sea approach in HELCOM work.

5.17 The Session noted that the work for e.g. the PLC-8 project, specifying new hot spots criteria (BSAP action HT24) and building a strategic framework to address hazardous substances (HL1 and HAPhazard project), is progressing well.

5.18 The Session took note of the fact that there will be several hazardous substances data calls organized in 2023 to support the work of EG Haz and relevant projects (EMPEREST, H-BEC) on pharmaceuticals, PFAS and biological effects.

5.19 The Session considered possible tasks and timelines for preparing a PLC-9 project proposal, aiming to plan and organize the next MAI and NIC assessments, annual BSEFSs and the periodic assessments after the PLC-8 project, taking into account possible streamlining with WFD, MSFD and HOLAS processes and the proposals by WG Source to sea (document 5-10 and **Presentation 2**).

5.20 The Session recalled the obligations of the Convention with regard to measurements and calculations of emissions, on exchanging information on emissions as well as the specific monitoring and reporting requirements of the Recommendations 37-38/1-Rev.1 and 37-38/2-Rev.1 and the related 2021 BSAP actions, especially E2 and E3 and acknowledged the need for a further PLC project.

5.21 The Session pointed out that the current PLC-8 project has been slightly underfinanced because of the additional tasks requested besides the original project plan and tasks and recommended to be cautious about adding new assignments when budgeting the new project.

5.22 The Session recommended as next steps to proceed with the proposed approach and to include regular and thematic parts in the new project, to consider resource efficiency and whether some tasks of the future PLC-9 project could be either changed or removed compared to the current PLC-8 project and to include positive and negative aspects on the different scenarios to the proposal.

5.23 The Session proposed to organize the periodic reporting year of PLC-9 in 2025 so that it would be possible to use the results in the expected HOLAS 4 assessment work in 2028.

5.24 The Session considered and recommended for conditional approval the project proposal on quantification of regional deposition of nitrogen from ammonia-fueled ships (document 5-12), contingent on the availability of resources to implement it.

5.25 The Session recommended approval of the use of HELCOM funds to finance the planned work, should these be available, taking into account that the project implementation could possibly be postponed to the financial year 2024-25.

5.26 The Session took note of the view that the narrower scope presented in the proposal without the additional scenarios (option 1) would be the preferred option.

5.27 The Session invited the Secretariat to seek external funding for the project and to present it to IC MARITIME 2-2023 (24-26 October 2023) for further discussions before commencing work. The Session further invited the Contracting Parties to consider providing funding for the project, as indicated in the document, to ensure that the planned work can take place.

#### *WG BioDiv*

5.28 The Session took note of the Memo of the Informal Consultation Session of the HELCOM Working Group on Biodiversity, Protection and Restoration (IC WG BIODIV 1-2023), which was hosted by Finland in Helsinki and online from 9-12 May 2023 (document 5-13). The next session of the Biodiversity, Protection and Restoration Working Group will be held online from 4-6 October 2023.

5.29 The Session acknowledged the urgent need for funding to revitalize HELCOM work on the critically endangered Baltic Sea harbour porpoise and the work planned under the SAMBAH II project, including the link to several BSAP actions and welcomed the information that Finland and Sweden have already secured resources for the work planned for 2024-2025 and that Denmark and Estonia are in the process of securing funding to enable the work to take place.

5.30 The Session considered the proposal to formalize the work of FISH-PRO by establishing an Expert Group on Coastal Fish (EG Coastal Fish) and took note of the study reservation entered by Denmark on the proposal in relation to questions of explicit funding requirements. The Session noted the view by Estonia that

rather than formalizing FISH-PRO as an Expert Group, consideration should be given to including its tasks in the workplan of WG Fish.

5.31 The Session took note of the information that the FISH-PRO project has received funding from the HELCOM budget amounting to 5.500 euro/year, paid to the SLU which leads the project. Of this approximately 3.000 euro is annually used to support travel of national experts (primarily for the experts from Latvia, Lithuania, Denmark and Sweden) to the sessions and 2.500 euro to resource the planning, preparation and execution of the annual sessions by the project lead.

5.32 The Session invited Denmark to clarify their position as soon as possible and invited the Secretariat and the Expert Group to prepare draft Terms of Reference and a workplan for review and approval.

5.33 The Session considered the proposal to review and possibly revise Recommendation 35/1 (document 5-11) to ensure the Recommendation is up-to-date and in line with the 2021 BSAP as well as other international and global policy and to account for the information prepared by the PROTECT BALTIC project.

5.34 The Session took note of the comment that Sweden supports the review and revision of Recommendation 35/1 and that the update should focus on improved efficiency. Recommendations should not automatically be revised on the basis of messages from the EU Commission, as the legislators European Parliament or the Council may have different views, and thus do not automatically imply new policy.

5.35 The Session took note of the comment by Estonia that, in general, in the future decisions on the review and revision of Recommendations should be taken at the Working Group level.

5.36 The Session took note of the comment by WWF that, when revising the Recommendation, the CBD Global Biodiversity Targets should also be taken into account.

5.37 The Session recommended initiating the review and update of HELCOM Recommendation 35/1 by 2024).

5.38 The Session took note of the draft review of the current state of knowledge on the impact of threats to the Baltic Proper harbour porpoise (document 5-15 and 5-15-Add.1), which presents the first step in implementing Action B8 of the 2021 HELCOM Baltic Sea Action Plan and recognized the importance of the SAMBAH project in implementing that Action.

5.39 The Session considered the Terms of Reference (document 5-19) and workplan (document 5-20) of the HELCOM Expert Group on Foodwebs (EG Foodweb). The Session took note of the comment by Estonia that the workplan will need to still be aligned with the new workplan template and that the four activities which are listed as being continuous should be moved to the ToR.

5.40 The Session recommended for approval the Terms of Reference and workplan of the HELCOM Expert Group on Foodwebs (EG Foodweb), taking the comments by Estonia into account.

#### WG GEAR

5.41 The Session took note of the Memo of the Fourth Informal Consultation Session of the Working Group for the Implementation of the Ecosystem Approach (IC WG GEAR 4-2023), which was hosted by Denmark in Helsinki, Finland from 24-26 May 2023 (document 5-14). The next session of the GEAR working Group will be held online from 7-9 November 2023.

5.42 The Session took note of the fact that WG GEAR has commenced work on the review and revision of the HELCOM Monitoring and Assessment Strategy, in line with BSAP Action HT7.

5.43 The Session took note of the fact that WG GEAR has commenced work on establishing a process to climate proof HELCOM policies, in line with BSAP Action HT2.

5.44 The Session took note of the fact that WG GEAR has commenced work on identifying gaps in resources for implementing BSAP Actions, jointly with the other Working Groups, in an effort to support overcoming resource-related gaps and barriers.

5.45 The Session took note of the fact that WG GEAR has approved the template for horizontal tracking of progress of implementation of BSAP actions, to be used as part of the next review and update of the Working Group workplans.

5.46 The Session took note of the fact that WG GEAR arranged the first joint session with WG Chairs to discuss horizontal topics and progress in BSAP implementation, in line with the WG GEAR ToR, and that a second joint session is planned for the autumn session of WG GEAR, focusing on collecting initial impressions on the updated working structure, as requested by HODs.

5.47 The Session considered the proposal for a targeted update of the HELCOM Science Agenda based on the input provided through the post-HOLAS 3 review process.

5.48 The Session took note of the information provided by Estonia regarding the Sustainable Blue Economy Partnership under Horizon, the resources set aside under this instrument for research and development related to seas and oceans, and the possible synergies with an updated version of the Science Agenda.

5.49 The Session recommended a targeted update of the HELCOM Science Agenda based on the input provided through the post-HOLAS 3 review process and invited the Secretariat to include the update in the planning for the post-HOLAS 3 review process (document 5-21).

#### *Other*

5.50 The Session recalled that the Terms of Reference for the existing and new HELCOM Working Groups in the updated HELCOM working structure were approved by correspondence in February/March 2023.

5.51 The Session also recalled that the draft workplans of the HELCOM Working Groups were initially considered by IC HOD 2-2022. The Secretariat has since updated the workplans, taking into account proposals made by Estonia at the HOD level regarding the need to have concrete outputs for all tasks and to avoid duplicating tasks of Expert Groups in the workplans of the Working Groups.

5.52 The Session noted that the Secretariat has also converted the workplans into Excel format to improve legibility. This also enables having simplified versions of the workplans for approval by HODs and publication on the HELCOM website, and more detailed versions including next steps and comments to be utilized by the Working Groups and the Secretariat to facilitate planning the work of the Working Groups.

5.53 The Session considered the draft workplans of WG BioDiv (document 5-2), WG Fish (document 5-3), WG Maritime (5-4), WG Response (document 5-5), WG Sea-based pressures (document 5-6), WG Source to sea (document 5-7) and WG GEAR (document 5-8), recommended their approval by correspondence pending the reflection of the comments in paragraphs 5.54 to 5.56 below.

5.54 The Session noted that in some of the workplans, the column “Responsible body” contains also other groups which should be moved to the column “Contributing”. The Session noted, however, that for some tasks there are shared responsibilities between Working Groups and that it is therefore in some cases correct to indicate more than one Group in the column “Responsible body”. The Session welcomed the offer by Estonia to send their detailed comments regarding this matter to the Secretariat, in writing.

5.55 The Session agreed that in the draft workplan of WG Maritime (document 5-4), a new task on coordination of monitoring and assessing implementation (c.f. paragraph V of the [ToR of WG Maritime](#)) should be included for the 2-year duration of the workplan. In addition, tasks 17 and 18 in the comments column of the more detailed version of the workplan should specify who is responsible for providing the data.

5.56 The Session agreed that for task 11 of the workplan of WG Sea-based pressures (document 5-6), the intervals of the reporting for dredging and depositing should be specified to be in accordance with the Guidelines for Management of Dredged Material at Sea rather than mentioning that the reports are annual.

5.57 The Session invited the Secretariat to implement the above changes, taking into account the above as well as the detailed editorial comments to be provided by Estonia, and to undertake an editorial review of the workplans before circulation for approval by HODs correspondence.

5.58 The Session recalled that the workplan of HELCOM-VASAB MSP WG for 2022-2024 was approved by correspondence in February 2023.

5.59 The Session recalled that IC HELCOM 1-2023 recommended a review process within one year of the approval of the updated HELCOM working structure using the practical experience gained during the first year of implementation, with the aim of ensuring that any needs for further improvements in the updated structure be identified and addressed.

5.60 The Session considered the draft outline for guidelines for the review process (document 5-1) and noted the following comments:

- the second point of the criteria for evaluation should be amended to reflect also whether there is a clear division of work between Working Groups;
- the new Working Groups may need time to find their bearings and a review after only one or two meetings may not provide sufficient information and practical experiences to determine needs for further improvements of the working structure;
- the criteria for evaluation should not only be yes/no but should allow the possibility for substantiation;
- the proposed review is developed as a self-evaluation by the Working Groups, while it may be advisable to consider possibilities of making the review more objective; and
- the new working structure should support the ecosystem-based approach. Therefore, the evaluation should attempt to also answer how well this objective is met.

5.61 The Session invited the Secretariat to take the comments into account in developing revised draft guidelines for the review process. The Session noted, however, that developing revised guidelines will not be possible before the summer break and that time will also be needed for HOD approval by correspondence. The Session recognized that the timeline for the review process, as described in the draft guidelines, will therefore need to be adjusted.

5.62 The Session welcomed the new organigramme as included in Annex 1 of document 5-1 and noted that organigrammes are also available in the HELCOM website on the [About us – Organization page](#) under the heading “The Helsinki Commission - HELCOM”.

## **Agenda Item 6 HELCOM institutional and organizational matters**

6.1 The Session considered the budget for the financial year 1 July 2023 – 30 June 2024 as presented in document 6-5-Rev.1 and recommended it for adoption. Further, the Session endorsed the draft budget estimate for the financial year 2024-2025 as contained in the document.

6.2 Further, the Session recommended for approval a budget transfer from the financial year 2022-2023 to allow travel related savings to be used for the financial year 2023-2024.

6.3 The Session agreed that the budget for the financial year 2023-2024 as contained in document 6-5-Rev.1 be sent to all Contracting Parties for adoption.

6.4 For the eventuality that not all Contracting Parties adopt the budget as per document 6-5-Rev.1, the Session further considered and conditionally adopted the budget for the financial period 2023-2024 as presented in the document 6-2-Rev.1. Furthermore, the Session endorsed the draft budget estimate for the financial period 2024–2025 as contained in that document. The Session noted the information by the Secretariat that in case the budget is not approved as presented in the document 6-5-Rev.1, the budget as



presented in the document 6-2-Rev.1 will be circulated to the EU and HELCOM Contracting Parties that are also EU Member States without a delay for confirmation of adoption.

6.5 The Session took note of the view by Estonia that in the future the inflation should be presented in the expenditure budget, in addition to the income budget. Further, the Session took note of the information by the Secretariat that the current way of presenting the inflation was previously agreed by the Heads of Delegation, but the presentation of the inflation increase could be reviewed in the context of the next budget discussions.

6.6 The Session considered and recommended the future mode of HELCOM meetings as presented in document 6-6.

6.7 The Session took note of the comment by Estonia that one-day physical meetings should be avoided and agendas of physical meetings should be planned so that it is relevant for experts to physically attend.

6.8 The Session was of the opinion that hybrid meetings are the least optimal meeting type, but unavoidable, and recommended to provide for online participation in physical meetings, if possible.

6.9 The Session encouraged Contracting Parties to attend meetings physically, when possible, and recalled that the Terms of Reference of the HELCOM Working Groups contain the following sentence “the Contracting Parties shall ensure that at least the Lead of a Delegation or another delegate with the mandate to negotiate attends the meetings physically”, which has also been included in meeting/session invitations.

6.10 The Session recommended that the hosts of the physical meetings ensure the technical meeting facilities also support hybrid meetings, to allow smooth running of the meetings.

6.11 The Session recommended for approval the post description, vacancy announcement and the timetable for recruitment of a professional Secretary for WG GEAR, WG BioDiv and WG Fish (document 6-3).

6.12 The Session noted that Estonia, Latvia and Sweden would nominate members for the Recruitment Panel to conduct the selection procedure of the Professional Secretary for WG Gear, BioDiv and Fish, in addition to the *ex officio* members, i.e., the Chair and the Executive Secretary of the Commission.

6.13 The Session took note of the HELCOM observer review (document 6-1), recommended maintaining the observer status of all NGO observers, recommended discontinuing the observer status of BONUS EEIG as it has closed and took note of the decision by the European Chemical Industry Council (Euro Chlor) to renounce its observer status.

6.14 The Session took note of the clarification by the Secretariat that nominating Leads of Delegations (LoD) (called Group Leads in the new HELCOM Meeting Portal) for the HELCOM Working Groups is primarily a practical issue related to the rights to manage national contacts of the HELCOM groups. LoD rights can only be granted by the Secretariat and thus Contracting Parties have been invited to inform the Secretariat of the LoDs.

6.15 The Session recalled that HOD 60-2021 agreed to take into use a self-managed contact list of HELCOM groups and also agreed that HODs will be responsible for the nominations to the Working Groups, and that the LoDs will be responsible for nominations to expert groups under the respective Working Groups.

6.16 The Session noted, however, that it is up to the Contracting Parties to decide who will manage the national contacts (HODs, LoDs or additional persons) but for the persons to have relevant rights in the new Portal, the Secretariat needs to be informed.

6.17 The Session took note of the fact that LoDs, according to the Terms of Reference of the HELCOM Working Groups, also have an administrative task to lead and manage the meeting delegation.

**Agenda Item 7      Next HELCOM Ministerial Meeting***General*

7.1            The Session recalled that IC HELCOM 1-2023 welcomed the offer by Latvia to host the next HELCOM Ministerial Meeting, culminating in the event to mark the 50<sup>th</sup> anniversary of the signing of the Helsinki Convention, as well as the annual meeting of the Helsinki Commission in 2024, during the period from 23-26 April 2024, tentatively in Riga, Latvia.

7.2            The Session confirmed that the Ministerial Meeting will be held on the morning of 25 April 2024 followed by the 50<sup>th</sup> anniversary celebrations in the afternoon of the same day. The Session further confirmed that the annual informal consultation session of the Helsinki Commission in 2024 will be held on 23-24 April.

7.3            The Session took note of the additional information and preliminary programme and agenda for the Ministerial Meeting and 50<sup>th</sup> anniversary (document 7-1 and **Presentation 3**).

7.4            The Session took note that the venue for all three events will be in Jūrmala or Riga and will be confirmed as soon as possible.

7.5            The Session took note that in addition to the invitees listed in document 7-1, Latvia is also planning to invite representatives of the diplomatic corps in Latvia.

*Branding and format*

7.6            The Session took note of the proposed theme “Proud of the past achievements – Bold to meet tomorrow’s challenges” and the slogan “Proud past, promising future”.

7.7            In this respect the Session took note of the proposal by Germany to bring in people who have witnessed the developments around the Baltic Sea in the past as well as those who will be affected by the developments in the future (i.e. youth ambassadors).

7.8            The Session was of the opinion that “HELCOM” should not be used in the branding of the Ministerial Meeting, and the anniversary event could be called “50 years of the Helsinki Convention”.

7.9            The Session discussed the two proposals for naming the Ministerial Meeting: “2024 Meeting of Baltic Sea Environment Ministers” and “2024 Ministerial Meeting for the Baltic Sea (Marine) Environment” and in this context noted that not all Contracting Parties have environment ministers.

7.10           The Session recalled that the EU “Our Baltic 2.0 Conference” will be held on 29 September 2023 in Lithuania and that confusion with this meeting should be avoided when considering branding of the HELCOM Ministerial Meeting.

7.11           The Session took note of the proposal by WWF to center the anniversary around the global role of the Regional Seas Conventions to avoid using HELCOM and to emphasize the Baltic Sea as part of the world oceans.

7.12           The Session noted the need to make a clear distinction between the Ministerial Meeting and the anniversary and the view by Finland that the Ministerial Meeting could have a traditional format with traditional interventions by the ministers and Commissioner, while the anniversary celebrations could have a different format.

7.13           The Session noted that an agreement on the branding is required shortly as the website needs to be set up, logos designed and invitations are to be sent out six months prior to the Ministerial Meeting.

7.14           The Session invited the Secretariat to further consider the branding and to make a proposal for agreement by the HODs via correspondence.

*Topics and programme*

7.15           The Session recalled that HOD 61-2021 agreed that the focus of the Ministerial Meeting will be on the results HOLAS 3 of the Baltic Sea and how these can be used to strengthen implementation to reach

the objectives and goals of the Baltic Sea Action Plan (BSAP) and also reflect on the 50<sup>th</sup> anniversary of the signing of the original Helsinki Convention.

7.16 The Session took note of the proposal by Denmark that speeding up the implementation of the BSAP and the continued need for HOLAS assessments could be the concrete aspects of the above topics for the Ministerial Meeting.

7.17 The Session supported having global cooperation as a topic for the Ministerial Meeting, highlighting the Baltic Sea as part of the world oceans, which could also attract participants/inspirational speakers from outside the Baltic Sea.

7.18 The Session took note of the view by Finland that the anniversary would be a good opportunity to hear from regional and international organizations from outside the Baltic Sea region and share experiences, while showcasing HELCOM's leadership in regional sea cooperation.

7.19 The Session took note of the proposal by WWF to consider the connection to the Convention on Biological Diversity and to invite an inspirational speaker related to CBD to highlight the role of Regional Seas Conventions in implementing the Convention.

7.20 The Session in general highlighted the need for attractive inspirational speakers and invited the Contracting Parties and Observers to send proposals to the Secretariat ([laura.meski@helcom.fi](mailto:laura.meski@helcom.fi)) as soon as possible, however noting the costs of inviting such speakers. The Session acknowledged that additional resources will need to be provided to secure speakers and invited the Contracting Parties to consider providing such resources.

7.21 The Session discussed the possibility of including security-related issues as a topic for the Ministerial Meeting and was of the opinion that the geopolitical situation will need to be addressed but should be kept concise. The main focus should be kept on environmental topics as that is the HELCOM mandate.

7.22 The Session underlined that the anniversary should only focus on the celebration of the 50<sup>th</sup> anniversary.

7.23 The Session welcomed the proposal by Finland to have an inspirational speaker at the dinner on 24 April 2024 to attract the ministers and Commissioner.

7.24 The Session stressed the need to actively engage the ministers and Commissioner to ensure participation in the Ministerial Meeting and anniversary, and to plan for a clear role for each of them in the Ministerial Meeting.

7.25 The Session noted that the time available for the anniversary celebrations is limited, and supported the proposal that the programme should not include too many speeches. Instead, the programme should be as varied and attractive as possible.

7.26 The Session supported the proposal to avoid having the same people speaking in both the ministerial Meeting and the anniversary, and the floor at the anniversary should be given to other speakers, such as the NGO community, who could maybe moderate one of the panels, as well as UN representatives.

7.27 The Session took note that producing a video on HOLAS 3 results is under discussion with the John Nurminen Foundation and it could be presented at the Ministerial Meeting. Producing a video on the 50 years of the Helsinki Convention would require funding from a different source.

7.28 The Session welcomed the offer by WWF to share previous work on different scenarios for the Baltic Sea and noted that work on the scenarios could potentially be updated. The Session took note that WWF has video material on the Baltic Sea and would be happy to explore the potential to share it if found of use.

*Output*

7.29 The Session took note of the memo of the first meeting of the Informal Group for the preparation of the 2024 HELCOM Ministerial Meeting (IGMM24), which was held online on 23 May 2023. The next meeting of IGMM is planned for 24 August 2023.

7.30 The Session considered the different options for the ministerial outcome, and whether the current geopolitical situation and the related security aspects should be reflected in the outcome.

7.31 The Session took note of concerns that bringing the security aspect into the declaration might complicate the drafting and approval process, and also dilute the main message of celebrating HELCOM's achievements.

7.32 The Session supported the proposal that the declaration should focus HELCOM's role as a coordinating body for protecting the Baltic Sea marine environment rather than an actor in providing security, which it is not.

7.33 The Session supported the proposal by the Secretariat that the outcome would be two separate documents: A statement related to the geopolitical situation and a ministerial declaration focusing on the achievements of HELCOM and celebrating 50 years of cooperation, as well as on looking toward the future of HELCOM, both issued by the ministerial meeting.

7.34 The Session recommended that the drafting of the two documents should begin as soon as possible.

*Other*

7.35 The Session noted that additional HOD meetings might be needed closer to the events and will be decided on at a later stage. The Session further noted that IC HELCOM 4-2024 will be used to finalize any remaining issues.

7.36 The Session invited the Contracting Parties to consider contributing financially to organizing the 50<sup>th</sup> anniversary and to inform the Secretariat accordingly as soon as possible.

**Agenda Item 8      Any other business**

8.1 The Session took note of document 8-1 and 8-1-Add.1 by CCB on the call for action on potential transboundary environmental impacts of Lynetteholm project.

8.2 The Session considered the proposal to task relevant HELCOM groups, e.g. WG BioDiv and WG Sea-based to review the EIA of the Lynetteholm project and to report on their conclusions to the Heads of Delegation. The Session noted that reviewing the EIA would be time consuming and not within the mandate or expertise of HELCOM Working Groups.

8.3 The Session invited CCB to submit relevant parts of the EIA translated into English to relevant working group sessions, and recommended that the groups consider them as appropriate and inform Heads of Delegation of the discussions.

8.4 The Session took note of the information provided by Denmark on the outcome of the Espoo Convention consultations related to the Lynetteholm project, including that bilateral consultations have been undertaken on the matter with Sweden and the finding that the effects of the project on the inflow of water into the Baltic Sea are expected to be insignificant.

8.5 The Session recalled that there is an ongoing process to improve cooperation between the Espoo Convention and Regional Seas Conventions. The Session also recalled that IC HELCOM 1-2023 recommended to review the HELCOM Recommendation 17/3 in order to clarify procedures related to informing about large infrastructure projects in the Baltic Sea area that have transboundary effects.

8.6 The Session considered the question raised by Denmark on the scope of the Helsinki Convention related to carbon storage under the seabed (document 8-2). In this context, the Session noted that Denmark at present assumes that the prohibition on dumping in HELCOM also entails a prohibition on CO<sub>2</sub> storage.

8.7 The Session noted that most Contracting Parties share the understanding of Denmark that the Helsinki Convention prohibits CO<sub>2</sub> storage and that it should be understood in the context of the Convention that the seabed includes the subsoil thereof. The Session noted, however, that given the terminological difference between “seabed” and “its subsoil” Poland interprets the Helsinki Convention not to prohibit the storage of CO<sub>2</sub> in the subsoil.

8.8 The Session noted that OSPAR has adopted a decision and [recommendation](#) on carbon storage in the seabed, which could be useful in considering the matter in the framework of HELCOM.

8.9 The Session noted that the HELCOM Expert Groups do not have the expertise to consider the matter but that it may be appropriate to do so, involving appropriate legal expertise, and to conduct risk assessments in case concrete plans for CO<sub>2</sub> storage are being made in the Baltic Sea region.

8.10 The Session recognized that the Baltic Sea seabed is generally considered not to be suitable for storing CO<sub>2</sub> or other substances, but that Denmark has identified areas within the Baltic Sea which could theoretically be suitable for such activities. In this context, the Session also noted a [Swedish study](#) regarding carbon storage in Sweden and neighboring countries

8.11 The Session took note of the fact that no knowledge on national plans relating to CO<sub>2</sub> storage in the Baltic Sea were reported by the Contracting Parties who participated in the Session.

8.12 The Session recalled the objective of the 2021 BSAP to minimize loss and disturbance to seabed habitats and noted its relevance in relation to CO<sub>2</sub> storage activities.

8.13 The Session recommended that an external legal expert be commissioned to provide a view of how CO<sub>2</sub> storage relates to the provisions of the Helsinki Convention, taking also into account the interpretations of the Contracting Parties and the OSPAR decision and recommendation (c.f. paragraph 8.7 above). The Session invited Contracting Parties to consider funding such legal input, noting that the Secretariat does not have the budget for it.

8.14 The Session took note of recent developments regarding tentative proposals to extract minerals from the seabed on the east coast of Sweden (document 8-3 presented by WWF).

8.15 The Session recalled action S65 of the 2021 BSAP to task relevant HELCOM bodies to initiate work on a common approach, including loss and disturbance of the seafloor from seabed mining. The Session noted that this task is part of the workplan of WG Sea-based pressures, that the target year for the action is 2026 and that it does not yet have a lead. The Session encouraged Contracting Parties to consider taking the lead on this action in order to expediate the development of a common approach and the implementation of the action.

8.16 In this context, the Session also recalled the 2021 BSAP objective to minimize loss and disturbance to seabed habitats.

8.17 The Session noted that Sweden does not currently have further information on related activities, but welcomed the offer by Sweden to provide any available information to IC WG SEA-BASED PRESSURES 2-2023.

8.18 The Session took note of information provided by WWF regarding the situation in the Odra river and the concerns regarding continued environmental problems in the river and the planned regulation of the waterflow, in particular if the weather during summer 2023 is warm.

8.19 The Session took note of information provided by Poland in this regard, including that a legal act has been published in February 2023 on the water management plan for the Odra river basin, concerning remedial actions aimed at improving e.g. hydromorphological conditions and ensuring biological and morphological continuity of rivers and streams.. The Session further noted that a bill has been submitted to

the Polish Parliament to facilitate restoration projects, funding for new sewage treatment facilities, as well as other mechanisms concerning fees, penalties and water inspection. Poland also informed the Session that monitoring is ongoing and data are publicly available with some golden algae blooms already having occurred during spring. A dedicated Odra task force has completed its work and the summary of its outcome is available in English and there have been events between Poland and Germany to share information.

8.20 The Session welcomed the offer by Germany to provide further information on the situation and future plans to the next session, if necessary.

8.21 The Session noted that WWF invited Germany and Poland to undertake sufficient risk assessments before taking measures e.g. related to regulating the waterflow in the river, as this may have impacts e.g. on sturgeon spawning areas, and to inform HELCOM of developments as appropriate. WWF further stressed that emphasis should be on nature based solutions and restoration, to restore the health of the Odra river.

8.22 The Session took note of information provided by the EU regarding the “Our Baltic 2.0 Conference” to be organized by the EU Commission (DG MARE and DG ENV) in Lithuania in the end of September 2023, and that the invitation will be circulated soon. The conference is envisaged *inter alia* to consider the protection of the environment in the context of blue economy and to take stock of progress made in the implementation of the original 45 Our Baltic commitments of 2020. The Session noted that there will be a particular focus on submerged munitions and that HELCOM Contracting Parties have been active in providing comments on a draft commitment related to this matter, and to monitor progress made in implementing the Our Baltic declaration.

8.23 The Session took note of information regarding organizational changes at the Ministry of the Environment of Estonia. From 1 July the Ministry of Environment will cease to exist and replaced by the Ministry of Climate, which, in addition to environmental matters will work with transport and energy.

8.24 The Session took note of the statement by the European Union on financing and legislation as included in **Annex 2** to this Memo.

#### **Agenda Item 9      Next meeting(s)**

9.1 The Session recommended that IC HOD 4-2023 will be held on 13-14 December 2023 in Helsinki, Finland, as recommended by IC HOD 2-2022.

9.2 The Session recommended that IC HOD 5-2024 will be held tentatively on 3-4 June 2024 online.

#### **Agenda Item 10      Memo of the Session**

10.1 The Meeting approved the draft Memo of the Session of IC HOD 3-2023.

10.2 The Memo of the Session was finalized by the Secretariat and shared with the participants.

## Annex 1 List of participants

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## Annex 2 Statements by the European Commission

### **Statement by the European Commission Regarding Financing and the Implementation of EU Legislation**

The EU is an important financing body for potential projects being considered within the context of HELCOM. In order to avoid any interference with the independent decision-making procedures established under the various financing instruments, the EU does, as a matter of principle, not take any position as regards any project proposal intended for submission to EU financing bodies. This should not be interpreted in any way as prejudging the position of the EU when taking financing decisions.

The responsibility for implementing EU legislation is solely with the EU Member States. The role of the European Commission in accordance with EU Treaties is, inter alia, to assess compliance with EU legislation, for instance once a Member State has submitted its report under the Marine Strategy Framework Directive. Hence, any statement or position taken by the EU within the context of HELCOM should not be construed to give any assessment of whether the work done by HELCOM or by its contracting parties that are EU Member States is compliant with Union legislation.