

Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of the Environment, Finland

**Government Decree on the Organisation of the Development and Implementation of the Marine Strategy
(980/2011, amendments up to 925/2014 included)**

**Chapter 1
General provisions**

Section 1

Marine strategy development and implementation period

- (1) The marine strategy document referred to in section 26a and 26b of the Act on the Organisation of River Basin Management and the Marine Strategy (1299/2004) is drawn up for a period of six years at a time.
- (2) The first marine strategy document shall be prepared in a way that it is approved no later than 15 July 2015.

Section 2

Definitions

In this decree,

- 1) *qualitative descriptor* means a factor which must be taken into account when determining good environmental status,
- 2) *indicator* means a qualitative or quantitative index or expression describing the environmental status or a change in it, and
- 3) *marine environment* means the physiographic, geographic, chemical, geological, biological and climatic factors of marine waters which together with the physical, acoustic and chemical conditions, including those resulting from human activity, determine the status, quality and productivity of marine ecosystems.

Section 3

*Authorities and institutes in the development and implementation of the marine strategy
(2014/925)*

- (1) For drawing up the marine strategy document, the Ministry of the Environment, in cooperation with the Finnish Environment Institute and centres for economic development, transport and the environment, is responsible for:
 - 1) compilation of the initial assessment of the status of the marine environment;
 - 2) determination of the characteristics of good environmental status of the marine environment and establishment of the environmental targets;
 - 3) drawing up of the monitoring programme and the necessary monitoring activities;
 - 4) compilation of the programmes of measures; and
 - 5) necessary reporting.
- (2) The Finnish Environment Institute is responsible for the development and maintenance of the information systems needed for the development and implementation of the marine strategy document and the necessary reporting.

- (3) For drawing up and implementation of the marine strategy document, the centre for economic development, transport and the environment is responsible, in its own area of operation, for:
- 1) producing, compiling and supplying the necessary information;
 - 2) drawing up the programme of measures in its area;
 - 3) preparing the monitoring programme and organisation of the monitoring for coastal waters under section 2(1)(3) of the Act on the Organisation of River Basin Management and the Marine Strategy; and
 - 4) organising participation and provision of information.
- (4) The Centre for Economic Development, Transport and the Environment for Southwest Finland functions as the centre for economic development, transport and the environment coordinating the development and implementation of the marine strategy document referred to in subsection 3 above among the centres for economic development, transport and the environment and with the Ministry of the Environment and, where necessary, other authorities and institutes.
- (5) The authorities, institutes and units under or directed by the ministries referred to in section 26a(1) of the Act on the Organisation of River Basin Management and the Marine Strategy are responsible for producing, compiling and providing the information needed for the development and implementation of the marine strategy document within their respective spheres of operation. These include Metsähallitus, the Natural Resources Institute Finland, the Finnish Wildlife Agency, the Finnish Food Safety Authority Evira, the Finnish Meteorological Institute, the Finnish Transport Agency and the Finnish Transport Safety Agency Trafi. In addition, the Geological Survey of Finland, the Finnish Defence Forces and other authorities and institutes participating in river basin management planning and the development and implementation of the marine strategy are responsible for producing, compiling and providing the information needed for the marine strategy document in their respective spheres of operation.

Section 4

Compilation of information and entities to be considered

- (1) Provisions of the Act on the Openness of Government Activities (621/1999), the Territorial Surveillance Act (755/2000) and the Act on Spatial Data Infrastructure (421/2009) shall be taken into account, as appropriate in compiling, supplying and using information.
- (2) The entities to be considered in the preparation and drawing up and implementation of the marine strategy document may cross the boundaries of the administrative spheres of operation.

Chapter 2

Analyses needed for the initial assessment of the status of the marine environment

Section 5

Analysis of the relevant features and characteristics of marine waters

The Ministry of the Environment is responsible for analysing the relevant features and characteristics of marine waters, in cooperation with the centres for economic development, transport and the environment and the Finnish Environment Institute. The other authorities and institutes provide the necessary information concerning the

relevant features and characteristics of marine waters to the Ministry of the Environment and to the relevant centre for economic development, transport and the environment upon request. When analysing the relevant features and characteristics of marine waters the characteristics of marine waters presented in Annex 1 to this decree and in Table 1 of Annex III to Directive 2008/56/EC of the European Parliament and of the Council, hereinafter referred to as the *Marine Strategy Framework Directive*, shall be taken into account, as appropriate.

Section 6

Analysis of activities which impact on the marine environment

- (1) The centre for economic development, transport and the environment within its area of operation and the Finnish Environment Institute, for marine waters outside the coastal waters defined in section 2(1)(3) of the Act on the Organisation of River Basin Management and the Marine Strategy, compile the information on activities which have an impact on the status of the marine environment and their manifestation in the marine environment. In addition, the centres for economic development, transport and the environment and the Finnish Environment Institute compile the information needed for the economic and social analysis concerning the use of marine waters and the costs of degradation of the status of the marine environment.
- (2) Other authorities and institutes within their spheres of operation provide the information, plans, analyses and assessments on activities which impact on the marine environment to the relevant centre for economic development, transport and the environment and the Ministry of the Environment. When compiling information referred to in subsection 1 above the factors listed in Annex 2 to this decree and in Table 2 of Annex III to the Marine Strategy Framework Directive shall be taken into account, as appropriate.
- (3) Where necessary, the centre for economic development, transport and the environment and the Finnish Environment Institute within their areas of operation shall assess and specify the exceptional circumstances or action or inaction referred to in section 26e of the Act on the Organisation of River Basin Management and the Marine Strategy.

Section 7

Assessment of the current status of the marine environment

- (1) The Ministry of the Environment and the centres for economic development, transport and the environment and the Finnish Environment Institute within their areas of operation shall assess and determine the current status of the marine environment for the marine strategy document based on the characteristics referred to in section 5 above, using the factors in Annex 1, as appropriate, and in cooperation with the coordinating centre for economic development, transport and the environment and other authorities and institutes. Analyses made in the context of international cooperation shall be taken into account, as appropriate, when assessing the current status of the marine environment.
- (2) For development and implementation of the marine strategy, the centres for economic development, transport and the environment, in cooperation with other authorities and institutes, shall compile the information relating to the assessment of the status of the marine environment concerning river basin management planning and implementation of other legislation.

Chapter 3

Determination of good environmental status of the marine environment and environmental targets in the development and implementation of the marine strategy

Section 8

Good environmental status of the marine environment and its characteristics

- (1) The Ministry of the Environment, in cooperation with the centres for economic development, transport and the environment, the Finnish Environment Institute and other authorities and institutes, determines the characteristics of good environmental status of the marine environment on the basis of information analysed by virtue of sections 5–7 and Annex 3 and using the qualitative descriptors presented in Annex I to the Marine Strategy Framework Directive. In addition, the centres for economic development, transport and the environment and other authorities and institutes within their areas of operation shall provide the information necessary for determination of good environmental status to the Ministry of the Environment.
- (2) When determining good environmental status of the marine environment the application of other legislation and, in particular, river basin management plans and analyses made, as well as analyses made and commitments given in the context of other international cooperation, shall be taken into account.
- (3) The status of marine water cannot be classified as good in coastal waters referred to in section 2(1)(3) if the environmental quality standard of a substance referred to in Annex 1 D to the Government Decree on Substances Dangerous and Harmful to the Aquatic Environment (1022/2006) has been exceeded.

Section 9

Establishment of the environmental targets

- (1) On the basis of the initial assessment the Ministry of the Environment, in cooperation with the centres for economic development, transport and the environment and other authorities and institutes, prepares the comprehensive environmental targets referred to in Annex IV to the Marine Strategy Framework Directive for achieving or maintaining good environmental status of the marine environment, including:
 - 1) general targets indicating good environmental status of the marine environment;
 - 2) measurable targets and associated indicators necessary for the implementation of the monitoring and assessment of the achievement of good environmental status of the marine environment; and
 - 3) operational targets for the implementation of the marine strategy.
- (2) When establishing the environmental targets, the social and economic aspects shall be duly considered and a timetable shall be established for the achievement of the targets. Where necessary, reference or limit points may be specified for the targets or the indicators associated with them. Any significant transboundary impacts and other environmental objectives set nationally or internationally shall also be taken into account when establishing the environmental targets.

- (3) The Ministry of the Environment, in cooperation with the centres for economic development, transport and the environment, shall determine, on the basis of information compiled under sections 5–7 and the characteristics of good environmental status of the marine environment referred to in section 8, the subareas of marine waters where good environmental status of the marine environment cannot be achieved in the desired timetable.

Section 10

Assessment of exceptional circumstances

Where necessary, the Ministry of the Environment, in cooperation with other authorities and institutes involved in the development and implementation of the marine strategy, shall assess the significance of temporary deterioration in the status of marine waters with regard to the environmental targets due to an instance or circumstance referred to in section 26e of the Act on the Organisation of River Basin Management and the Marine Strategy.

Chapter 4

Programme of measures of the marine strategy document

Section 11

Programme of measures

- (1) A programme of measures may be drawn up to concern marine waters as a whole or on the basis of regional entities to be determined on the grounds of their characteristics or activities impacting on them.
- (2) The centre for economic development, transport and the environment prepares the programme of measures in its area of operation. The coordinating centre for economic development, transport and the environment compiles and coordinates the programmes of measures to be integrated into the marine strategy document. Other authorities and institutes provide the information necessary for the programme of measures concerning their respective spheres of operation to the centres for economic development, transport and the environment and participate in the drawing up and implementation of the programme of measures in their respective spheres of operation.
- (3) The Ministry of the Environment determines and, in cooperation with the centres for economic development, transport and the environment and other authorities and institutes, prepares the measures concerning marine waters as a whole and is responsible for international cooperation relating to these.
- (4) The programme of measures presents the measures necessary for achieving or maintaining good environmental status of the marine environment and the implementation of such necessary measures, taking into account the economic and social impacts and requirements of sustainable development and measures presented in river basin management plans. It is also presented how the measures promote the achievement of the set targets.

Section 12

Measures

In accordance with Annex VI to the Marine Strategy Framework Directive, the programme of measures shall present measures that improve the status of the marine environment or, where the status is good, maintain the status, in the selection of which the following shall be taken into account as appropriate:

- 1) amount of activity impacting on the marine environment that is permitted;
- 2) degree of a harmful impact caused by perturbation of the marine environment that is permitted;
- 3) spatial and temporal control of activities concerning the marine environment;
- 4) ensuring the coordination of management;
- 5) improving the traceability of the pollution of the marine environment;
- 6) economic incentives for the protection and sustainable use of the marine environment;
- 7) management tools which guide activities that impact on the marine environment to restore damaged components of marine ecosystems; and
- 8) stakeholder participation and raising public awareness.

Section 13

Spatial protection measures

- (1) The programme of measures presents spatial protection measures that promote coherent and representative networks of marine protected areas established under other legislation and which take into account the diversity of ecosystems in these areas.
- (2) If the management of an activity that impacts on the marine environment in the European Union or internationally may have a significant impact on marine protected areas, these areas shall be specified in the programme of measures.

Chapter 5

Monitoring programme of the marine strategy document

Section 14

Monitoring programme

- (1) The Ministry of the Environment and the centre for economic development, transport and the environment, in cooperation with the Finnish Environment Institute and other authorities and institutes, determine the need for monitoring of the marine environment in their respective spheres and areas of operation and of activities which impact on marine regions, taking into account the provisions laid down in section 26h of the Act on the Organisation of River Basin Management and the Marine Strategy. The requirements in Annex V of the Marine Strategy Framework Directive shall also be taken into account.
- (2) The Ministry of the Environment, in cooperation with the coordinating centre for economic development, transport and the environment and other authorities and institutes, shall compile, coordinate and draw up a monitoring programme for ongoing assessment of the status of the marine environment in marine waters. The monitoring programme integrates, as appropriate, the monitoring organised by different authorities and institutes and surveillance carried out by an operator under other law and takes into account the monitoring programme concerning coastal waters of a river basin

management plan. When drawing up the monitoring programme the factors presented in Annexes 1 and 2 and general requirements presented in Annex 4 shall be taken into account.

- (3) The monitoring programme presents the factors to be monitored that are necessary for monitoring the achievement of the environmental targets, the areas to be monitored and the monitoring frequency. The monitoring frequency and timing are selected in a way that an acceptable level of confidence and accuracy is achieved. An adequate number of factors and sites or areas to be monitored shall be included in the monitoring programme in order to enable comprehensive assessment of the status of the marine environment.
- (4) Where possible, monitoring guidelines of programmes based on international agreements are used in the monitoring programmes to ensure consistency with these. The comparability of the analytical practices and methods of the monitoring programme with the other Member States of the European Union in the Baltic Sea region shall be ensured and the information in the monitoring programme shall be combined and coordinated to the extent possible.

Section 15

Organising the monitoring (2014/925)

- (1) The Ministry of the Environment, the Finnish Environment Institute, centres for economic development, transport and the environment and other authorities and institutes are responsible for the implementation of the monitoring programme of the marine strategy document in their respective spheres of operation.
- (2) Organising the monitoring concerning marine waters outside the coastal waters is the responsibility of the Finnish Environment Institute, in cooperation with the Finnish Meteorological Institute, the Natural Resources Institute Finland, the Finnish Food Safety Authority Evira, Metsähallitus and the Finnish Defence Forces.
- (3) Centres for economic development, transport and the environment organise the monitoring in the coastal waters of their respective areas of operation, together with other authorities and institutes.

Chapter 6

Drawing up and reviewing the marine strategy document

Section 16

Timetable for drawing up the marine strategy document

- (1) The Ministry of the Environment, centres for economic development, transport and the environment, the Finnish Environment Institute and other authorities and institutes in their respective spheres of operation shall see that the necessary analyses are conducted for the marine strategy document.
- (2) The first marine strategy document shall be prepared in a way that
 - 1) an initial assessment in accordance with Chapter 2 shall be made by 15 July 2012;
 - 2) good status of the marine environment shall be determined and environmental targets necessary to achieve or maintain good environmental status shall be set by 15 July 2012;

- 3) information referred to in section 13 concerning marine protected areas shall be published by 2013;
- 4) a monitoring programme of the marine strategy document shall be drawn up by 15 July 2014;
- 5) a programme or programmes of measures of the marine strategy document shall be drawn up by 2015 and implementation started during 2016.

Section 17

Reviewing the marine strategy document

- (1) The marine strategy document shall be reviewed every six years after it has been drawn up. A review shall be conducted concerning:
 - 1) the initial assessment of the status of the marine environment;
 - 2) the determination of good environmental status of the marine environment;
 - 3) the environmental targets of the marine strategy document;
 - 4) the monitoring programme; and
 - 5) the programme of measures.
- (2) The review of the marine strategy document shall be coordinated with the Member States of the European Union sharing the Baltic Sea and conducted in cooperation with coastal states not belonging to the European Union and, where necessary, with inland states located in the catchment area of the Baltic Sea.

Chapter 7 Special provisions

Section 18

Participation and information provision

- (1) Stakeholder involvement and providing information referred to in section 26j of the Act on the Organisation of River Basin Management and the Marine Strategy relating to the preparation of the marine strategy document shall be organised, as far as possible, in the context of the cooperation on river basin management. Cooperation shall be done taking into account, to the extent necessary, the cooperation referred to in sections 3–6 of the Government Decree on River Basin Districts (1303/2004) and other cooperation relating to development and implementation of the marine strategy. Participation and information provision relating to the development and implementation of the marine strategy should, as far as possible, be conducted at the same time with the consultations of river basin management, taking into account the timetable for the marine strategy document presented in section 16 above.
- (2) The coordinating centre for economic development, transport and the environment prepares the material relating to participation and providing information for use by the other centres for economic development, transport and the environment and sees to the regional coordination of participation and information provision. The Ministry of the Environment and the coordinating centre for economic development, transport and the environment, in cooperation with the other authorities and institutes, consider the material obtained as a result of participation and information provision and see that it is taken into account, to the extent necessary, in the marine strategy document.

Section 19

Entry into force

- (1) This decree enters into force on 1 September 2011.
- (2) Measures necessary for the implementation of this decree may be undertaken before its entry into force.

Indicative list of elements to be taken into account in determining the essential features and characteristics of marine waters

Physical and chemical features	<p>Topography and bathymetry of the seabed and land uplift.</p> <p>Annual and seasonal temperature regime and ice cover, current velocity, upwelling, wave exposure, mixing characteristics, turbidity, residence time.</p> <p>Spatial and temporal distribution of salinity.</p> <p>Spatial and temporal distribution of nutrients (DIN, TN, DIP, TP, TOC) and oxygen.</p> <p>pH, pCO₂ profiles or equivalent information used to measure marine acidification.</p>
Habitat types	<p>The predominant seabed and water column habitat type(s) with a description of the characteristic physical and chemical features, such as depth, water temperature regime, currents and other water movements, salinity, structure and substrata composition of the seabed.</p> <p>Identification and mapping of special habitat types, especially those recognised or identified under the Nature Protection Act (1096/1996) or international conventions as being of special scientific or biodiversity interest. Habitats in areas which by virtue of their characteristics, location or strategic importance merit a particular reference. This may include areas subject to intense or specific pressures or areas which merit a specific protection regime.</p>
Biological features	<p>A description of the biological communities associated with the predominant seabed and water column habitats. This would include information on the phytoplankton and zooplankton communities, including the species and seasonal and geographical variability, Information on angiosperms, macro-algae and invertebrate bottom fauna, including species composition, biomass and annual/seasonal variability.</p> <p>Information on the structure of fish populations, including the abundance, distribution and age/size structure of the populations.</p> <p>Description of the population dynamics, natural and actual range and status of species of seabirds occurring in the marine waters</p> <p>Description of the population dynamics, natural and actual range and status of other species occurring in the marine waters.</p> <p>An inventory of the temporal occurrence, abundance and spatial distribution of non-indigenous, exotic species or, where relevant, genetically distinct forms of native species, which are present in the marine waters.</p>

Indicative list to be taken into account in assessing activities that have an impact on the marine environment

Physical loss	Smothering (e.g. by man-made structures, disposal of dredge spoil). Sealing (e.g. by permanent constructions).
Physical damage	Changes in siltation (e.g. by outfalls, increased run-off, dredging/disposal of dredge spoil). Abrasion (e.g. impact on the seabed of commercial fishing, boating, anchoring). Selective extraction (e.g. exploration and exploitation of living and non-living resources on seabed and subsoil).
Other physical disturbance	Underwater noise (e.g. from shipping, underwater acoustic equipment) Marine litter.
Interference with hydrological processes	Significant changes in thermal regime (e.g. by outfalls from power stations) or currents. Significant changes in salinity regime (e.g. by constructions impeding water movements, water abstraction).
Contamination by hazardous substances	Introduction of synthetic compounds (e.g. dangerous and harmful substances under Government Decree on Substances Dangerous and Harmful to the Aquatic Environment 1022/2006 which are relevant for the marine environment such as pesticides, antifoulants, pharmaceuticals, resulting, for example, from losses from diffuse sources, pollution by ships, atmospheric deposition and biologically active substances). Introduction of non-synthetic substances and compounds (e.g. heavy metals, hydrocarbons, resulting, for example, from pollution by ships and oil, gas and mineral exploration and exploitation, atmospheric deposition, riverine inputs). Introduction of radio-nuclides.
Systematic and/or intentional release of substances	Introduction of other substances, whether solid, liquid or gas, in marine waters, resulting from their systematic and/or intentional release into the marine environment, as permitted in accordance with other Community legislation and/or international conventions.
Nutrient and organic matter enrichment	Inputs of fertilisers and other nitrogen- and phosphorus-rich substances (e.g. from point and diffuse sources, including agriculture, aquaculture, atmospheric deposition). Inputs of organic matter (e.g. sewers, mariculture, riverine inputs).
Biological disturbance	Introduction of microbial pathogens. Introduction of non-indigenous species and translocations. Selective extraction of species, including incidental non-target catches (e.g. by commercial and recreational fishing).

Qualitative descriptors for determining good environmental status of the marine environment

- 1) Biological diversity is maintained. The quality and occurrence of habitats and the distribution and abundance of species are in line with prevailing physiographic, geographic and climatic conditions;
- 2) Non-indigenous species introduced by human activities are at levels that do not adversely alter the ecosystems;
- 3) Populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock;
- 4) All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity;
- 5) Human-induced eutrophication is minimised, especially adverse effects thereof, such as losses in biodiversity, ecosystem degradation, harmful algae blooms and oxygen deficiency in bottom waters;
- 6) Sea-floor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected;
- 7) Permanent alteration of hydrographical conditions does not adversely affect marine ecosystems;
- 8) Concentrations of contaminants are at levels not giving rise to pollution effects;
- 9) Contaminants in fish and other seafood for human consumption do not exceed levels established by Community legislation or other relevant standards;
- 10) Properties and quantities of marine litter do not cause harm to the coastal and marine environment; and
- 11) Introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment.

Requirements to be taken into account in the monitoring programme

The monitoring programme:

- 1) provides information for an assessment of the current environmental status of marine environment and its distance from and progress towards good environmental status taking account of the elements indicated in Annexes 1 and 2 including their natural variability;
- 2) ensures the generation of information needed for the identification of indicators for the environmental targets;
- 3) ensures the generation of information needed for the assessment of the impact of the measures of the programme of measures;
- 4) includes activities to identify the cause of the change and the possible corrective measures that would need to be taken to restore the good environmental status;
- 5) compiles information on chemical contaminants in species for human consumption from commercial fishing areas;
- 6) includes activities to confirm that the selected measures deliver the desired changes and not any unwanted side effects; and
- 7) includes as part of the initial assessment of the status of the marine environment an assessment of major changes in the environmental conditions.