



# Imbalances in interaction for transboundary marine spatial planning: Insights from the Baltic Sea Region

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## ABSTRACT

Marine Spatial Planning (MSP) has evolved over many years and since its early beginnings there has been a growing urgency to develop transboundary planning. This is because the borders of marine ecosystems and the dynamics of some maritime activities, such as navigation, are not restricted to or bound by specific political and administrative borders. Cooperation across borders has been promoted by higher political levels for decades, and the implementation of cross-border consultation procedures is regulated by law. However, literature suggests that transboundary interaction is not an obvious step in the process of MSP and that today's practices have various weaknesses. This paper examines current practices and procedures of transboundary MSP interactions in the Baltic Sea Region to date. It brings together results from MSP process observations and interviews with marine planners in two recent research projects (Baltic SCOPE and BONUS BALTSPEACE). Our results confirm the need for transboundary interaction and integration. The research also shows that there are differences in how MSP agencies interact with domestic and foreign stakeholders. Furthermore, formal transboundary consultations often seem to be limited to topics of the environment and health, and to the stakeholders responsible in these realms. The results include a variety of ways to overcome these challenges.

## 1. Introduction

The past two decades have seen an increase in the development of marine spatial planning (MSP) in various parts of the world, e.g. Australia, Canada, China, Mexico, USA (Beck and Odaya, 2001; Foster et al., 2005; Ardrone et al., 2008; Douvrou and Ehler, 2009; Fang et al., 2011; Kenchington and Day, 2011; Nutters & Pinto da Silva, 2012). Mostly due to the 2014 enactment of the European MSP Directive (2014/89/EU), MSP is also gaining traction in Europe. Since the early beginnings of MSP there has been a growing urgency to develop transboundary planning (Jay et al., 2016a), as the borders of marine ecosystems and the dynamics of some maritime activities, such as navigation, are not restricted to or bound by specific political and administrative borders (van Tatenhove, 2017). This is evident in the evolving forms of marine regionalization (e.g. macro-regional networks of marine protected areas, interregional patterns of human use) and in international knowledge production and sharing of information (ibid.; Janßen et al., 2013; Jay et al., 2016b). It is also apparent in the recently

established guidelines on transboundary consultation, public participation and cooperation from the HELCOM-VASAB Maritime Spatial Planning Working Group (HELCOM & VASAB, 2016). The European Union has been promoting cooperation across borders for decades (Scott, 1997; Perkmann, 2003; Dühr et al., 2007, 2010; Flannery & Ó Cinnéide, 2012). Schaefer and Barale (2011) even see the need for enhanced cross-border cooperation as a main reason for the European Commission to become highly active in supporting the development of MSP in European seas. Within Europe, transboundary coordination is an issue of prominent importance, given the relatively small seas shared by numerous countries (ibid.). Typically the formal and legally guaranteed forms of transboundary planning take place as cross-border consultations. According to Drankier (2012), from a legal perspective, cross-border consultation is not an obvious step in the process of national (domestic) MSP. The present requirements for cross-border consultation in Strategic Environmental Assessment (SEA) procedures seem to be the main incentive for coastal states to consult each other (ibid.). However, these might not be sufficient and they do not seem to

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be reaching their full potential (Bonvoisin, 2012).

Transboundary interaction is a term covering various forms and intensities of interaction in a transnational setting on the path to a stage of transboundary integration (Scott et al., 1997). Such interactions may include activities such as communication, consultation, collaboration, cooperation, or coordination. Transboundary interaction is seen by researches as a key dimension of MSP-related integration (Cicin-Sain and Knecht, 1998; Healey, 2006a; Kidd, 2007, 2013; Portman, 2011; van Straalen, 2012; Støttrup et al., 2017). Several authors have suggested that transboundary approaches to marine management are self-evident, both from an ecosystem perspective and from a user point of view. While Wang (2004) explores the extensive interconnectivity of marine natural systems, Backer (2011) and Schaefer and Barale (2011) point out the intrinsic international nature of human activities linked to seas. Moreover, Kidd (2013) mentions the importance of bringing land and sea-based interests together. However, there are also a number of challenges and transaction costs to transboundary interaction in MSP. Van Straalen (2012) highlighted that its meaning in relation to different planning processes and in the views of different stakeholders is still vague. Different stakeholders, e.g. in the Netherlands, have questioned the role and necessity of integration in planning processes, pointing out the complex and time-consuming character of integrative planning processes (ibid.). In terms of MSP as a facilitator for transboundary integration, Kidd (2013) as well as Janßen et al. (2018) note that formal MSP processes cannot be expected to deliver integrated planning and management of the sea on their own, but instead require a broader supportive and interactive environment.

A large part of the current literature deals with the theoretical and conceptual needs for and aspects of transboundary interaction in MSP (cf. van Tatenhove, 2017). To enrich this discussion with a practitioners' perspective, this paper examines today's actual practice and procedures of transboundary MSP interactions in the Baltic Sea Region (BSR) up to the present, combining results from two recent research projects (Baltic SCOPE and BONUS BALTSAPACE). Both projects observed the interaction between Baltic Sea countries and their MSP and sector experts, including marine stakeholders as best possible. The aim of this paper is to show how transboundary interaction as a pathway to integration is organised at present and what is required by the practitioners for further development.

The paper starts with a short sketch of the history and current status of MSP related activities in the region. It continues with an explanation of the methodology used in the typology development and an account of the findings, such as basic challenges, today's practice of a) formal consultation, b) wider forms of formal and semi-formal interaction, and c) informal interaction. The paper concludes with a discussion of key issues raised by the exercise and implications for future development to promote more sophisticated and integrated forms of transboundary interaction.

## 2. The study area and its history of MSP development

Integrative marine management and MSP in the BSR have evolved over many years, going through various stages, which makes the BSR a highly suitable focus of study. The first document indicating that there was a political will to implement actual MSP was the *Wismar Declaration on Transnational Spatial Planning and Development Policies* of 2001 (VASAB, 2001), set out by the ministers responsible for spatial planning and development in the framework of VASAB (Vision and Strategies around the Baltic Sea), an intergovernmental co-operation of eleven Baltic Sea Region countries on spatial planning (Zauch, 2014). Further concrete steps towards MSP were taken around 2003 as part of the BaltCoast Interreg III B project, which was the first to formulate the concept of MSP and propose basic MSP principles.

MSP in the BSR has been a transnational process from the very beginning. In the *Vilnius Declaration Towards Better Territorial Integration of the Baltic Sea Region* of 2009, the VASAB ministers stressed the need

**Table 1**

Overview of relevant transboundary conventions, protocols, and directives.

CONVENTIONS
<i>Helsinki Convention – Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974</i>
<ul style="list-style-type: none"> <li>• original convention primarily concerned with issues of technical pollution control; renewed convention (1992) holistically addresses the entire marine environment of the Baltic Sea area</li> <li>• aim: Prevent and eliminate pollution in order to promote the ecological restoration of the Baltic Sea area and the preservation of its ecological balance</li> <li>• covers the entire Baltic Sea including the seafloor and coastal zones, as well as its drainage area (reduction of land-based pollution)</li> </ul>
<i>Espoo Convention – Convention on Environmental Impact Assessment in a Transboundary Context, 1991</i>
<ul style="list-style-type: none"> <li>• sets out obligation to assess the environmental impact of certain activities at an early stage of planning (environmental impact assessment – EIA)</li> <li>• States have to notify and consult each other on projects with likely significant adverse environmental impact across boundaries</li> </ul>
PROTOCOLS
<i>Wismar Declaration on Transnational Spatial Planning and Development Policies, 2001</i>
<ul style="list-style-type: none"> <li>• adopted by the ministers responsible for spatial planning and development in the framework of VASAB (Vision and Strategies around the Baltic Sea)</li> <li>• emphasis on projects in need of transnational cooperation, such as „enhancing integrated development of coastal zones and islands, extending spatial planning [...] to offshore“ (VASAB, 2001)</li> </ul>
<i>Kyiv Protocol – Protocol on Strategic Environmental Assessment, 2003</i>
<ul style="list-style-type: none"> <li>• adopted by the Parties to the Espoo Convention</li> <li>• sets out an obligation to assess the potential environmental impacts of plans and programs (Strategic Environmental Assessment – SEA, to be undertaken much earlier in the decision-making process than project related EIA, see above)</li> </ul>
<i>Vilnius Declaration Towards Better Territorial Integration of the Baltic Sea Region, 2009</i>
<ul style="list-style-type: none"> <li>• VASAB ministers stressed the need of a common Baltic MSP approach and of a close co-operation with HELCOM (organisation governing the Helsinki Convention, see above) and with other relevant actors</li> </ul>
EC/EU DIRECTIVES
<i>Water Framework Directive (2000/60/EC) – Directive establishing a framework for the Community action in the field of water policy</i>
<ul style="list-style-type: none"> <li>• establishment of a new system of river basin-based water management</li> <li>• requires that rivers, lakes, transitional and coastal waters, and groundwater achieve a 'good status' by the year 2027 at the latest</li> </ul>
<i>SEA Directive (2001/42/EC) – Directive on the assessment of the effects of certain plans and programmes on the environment</i>
<ul style="list-style-type: none"> <li>• obliges EU Member States to carry out a Strategic Environmental Assessment (SEA) for official plans/programs that are likely to have significant environmental effects</li> </ul>
<i>Marine Strategy Framework Directive (2008/56/EC) – Directive establishing a framework for community action in the field of marine environmental policy</i>
<ul style="list-style-type: none"> <li>• aims to achieve a Good Environmental Status of marine waters by 2020</li> <li>• Member States are required to develop marine strategies (to be updated in a six years cycle)</li> </ul>
<i>MSP Directive (2014/89/EU) – Directive establishing a framework for maritime spatial planning</i>
<ul style="list-style-type: none"> <li>• sets up minimum requirements for the drawing up of national maritime spatial plans by 2021</li> <li>• helps EU Member States to reach GES, obliges Member States to establish coherent maritime spatial plans</li> <li>• supports cooperation and planning across borders and stakeholder participation in planning</li> </ul>

for a common Baltic MSP approach. Furthermore, the ministers stated, “... a close co-operation with HELCOM with regard to environmental aspects and with other relevant actors is essential,” (VASAB, 2009). HELCOM (Helsinki Commission, governing body of the Helsinki Convention, cf. Table 1), the intergovernmental organisation governing the *Convention on the Protection of the Marine Environment of the Baltic Sea Area*, is a crucial agent for integration from an environmental perspective (Backer and Leppänen, 2008). Based on these ministerial decisions, a joint co-chaired Working Group on Maritime Spatial Planning was launched by HELCOM and VASAB in 2010 to ensure cooperation among the BSR countries towards coherent regional MSP processes in the Baltic Sea. To promote this, the working group acts as a forum for regional, transboundary, and cross-sector dialogue.

Since the early 2000s, practical MSP experience has been developing through a series of cross-border pilot projects, such as BaltCoast, PlanCoast, BALANCE, BaltSeaPlan, PlanBothnia, PartiSEApate, SeaGIS

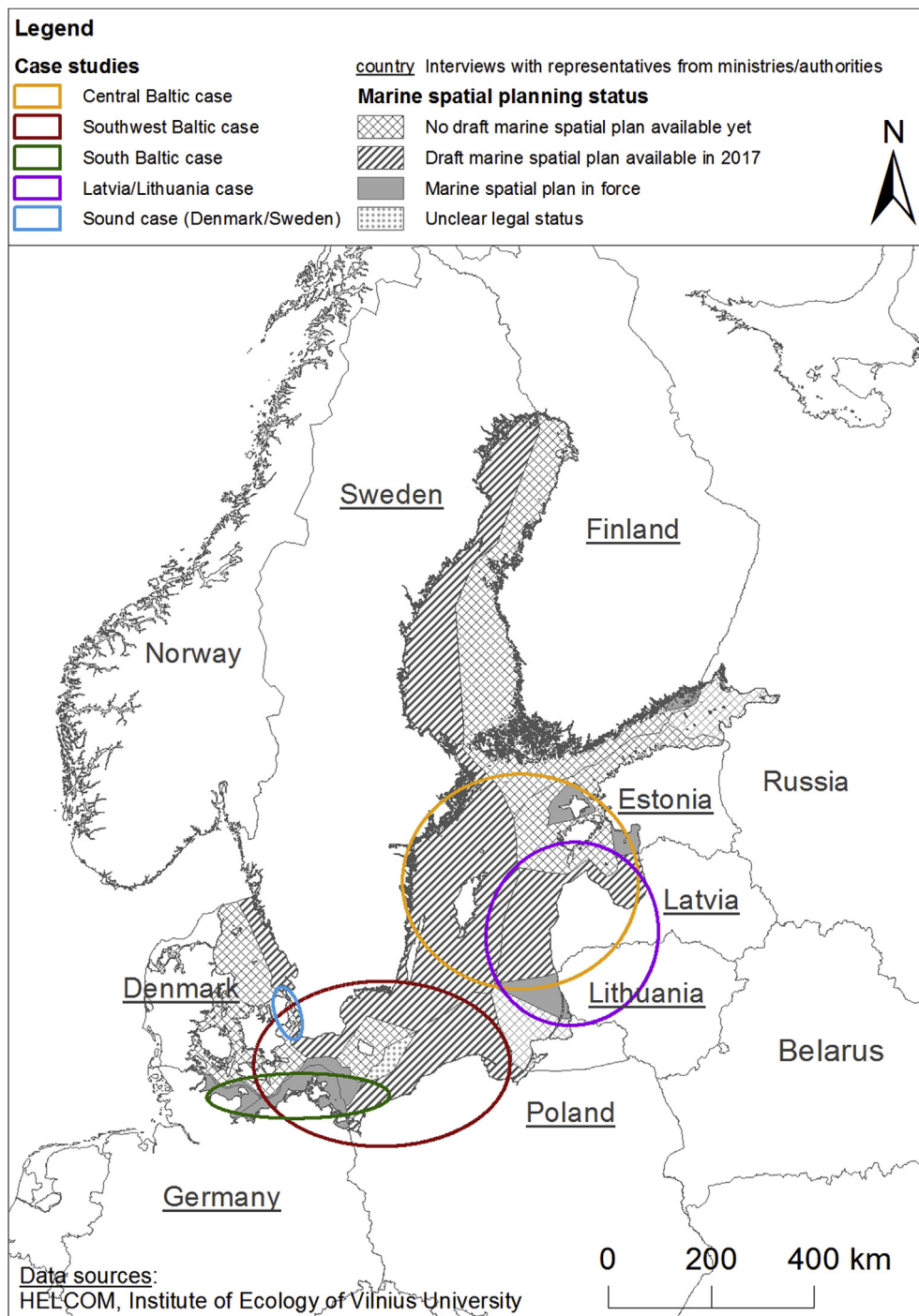


Fig. 1. Overview of a) statuses of national MSP, b) case studies, and c) interviewees countries of origin (authors' illustration).

and SeaGIS.2 and Baltic SCOPE, most of which are funded by the European Commission. The first legally binding marine spatial plan came into force in parts of the German territorial sea in 2005 (UNESCO, 2017). Since then further statutory plans have been developed in Germany (exclusive economic zone Baltic Sea: 2009, territorial sea of Schleswig-Holstein: 2010, updated MSP plan for the territorial sea of Mecklenburg-Vorpommern: 2016), in Finland (regional MSP in Kymenlaakso in 2014), and in Lithuania (2015). Poland, Latvia, and Estonia have developed pilot MSP plans. Sweden has just presented the first set of three draft plans. As a result of the EU Directive on MSP (2014/89/EU), calling for cross-border cooperation and transnationally coordinated marine plans, all EU member states in the BSR are

currently either preparing, establishing, or evaluating marine spatial plans and programs (Fig. 1).

All empirical data used here are based on research performed in two projects: a) the EU DG MARE financed *Baltic SCOPE* initiative, and b) the BONUS financed research project *BALTSPACE*. Both projects made use of case studies, some of which overlap (Fig. 1). In Baltic SCOPE, an actual transboundary collaboration project of several MSP agencies, practical MSP work was divided into two case study areas, the Southwest Baltic and Central Baltic cases.

- The Southwest Baltic case focused on specific bi- and trilateral areas and sub-areas with integration challenges, including the Southern

**Table 2**  
Professional background of interviewees.

Sound case (SE/DK) 26 interviews (SE 15/DK 11)	South Baltic case (internal, DE/PL) 15 interviews	Latvian-Lithuanian case (LV/LT) 27 interviews (LV 8/LT 19)
<ul style="list-style-type: none"> <li>• 8 planning experts at national level (including 4 MSP process leaders)</li> <li>• 10 regional and local experts (including 1 planner and 9 environmental strategists)</li> <li>• 2 local politicians</li> <li>• 6 representatives of relevant stakeholder groups (2 wind energy, 2 fisheries, 1 sand and gravel, 1 conservation)</li> </ul>	<ul style="list-style-type: none"> <li>• 6 from planning authorities</li> <li>• 3 from sector authorities</li> <li>• 1 from an environmental NGO</li> <li>• 5 sector representatives (2 wind energy, 1 tourism, 2 fisheries)</li> </ul>	<ul style="list-style-type: none"> <li>• 6 from national planning authorities</li> <li>• 11 from national sector authorities</li> <li>• 3 from local authority,</li> <li>• 5 from NGOs (environmental, tourism, fisheries, wind energy)</li> <li>• 2 from research institutes</li> </ul>

Middle Bank, Krieger's Flak, Adlergrund, the Sound and Pomeranian Bay taking the different starting points of countries into account.

- The Central Baltic case study followed a larger pan-Baltic and Central Baltic perspective and started a process in which common challenges in terms of demographic development, economic growth, unemployment, sustainable regional development, and environmental degradation were addressed.

The BONUS BALTSPACE project data stem from three transboundary case studies, in which several dimensions of integration, including transboundary, were analysed retrospectively. As in Baltic SCOPE, these cases cover various institutional systems at varying stages of an MSP process.

- The Sound case (Denmark/Sweden) features upstarting national and local MSP processes involving different governance levels in an area with experience in regional and local cross-border collaboration and municipal marine planning (Sweden only);
- The South Baltic case (internal borders, Germany/Poland) implies different challenges of transboundary consultation between federal and federal states level on the one hand and between German and Polish national MSP on the other;
- The Latvian-Lithuanian case implies cross-border MSP with different timing of processes and experiences and learning when different systems and different types of stakeholders meet across national borders.

### 3. Methodology/approach

In searching for insights through practitioners' perspectives, we assumed that the individuals' understanding is constructed by their engagement with social processes such as transboundary MSP (Creswell, 2003). This postulates that several meanings will come to light. Our introductory review of existing work and literature suggests that there is much to be gained by interpreting and disentangling the potentially differing meanings as expressed by respondents (Matthews and Ross, 2010). This may contribute to a collective dialogue and to mutual learning and progress within policy processes such as transboundary interaction in MSP (Healey, 2006b).

The empirical basis for the present work comprises data from semi-structured expert interviews, observations, focus group sessions at project meetings (Baltic SCOPE only), and archival analysis. The main sources of data that were collected in the BALTSPACE project were semi-structured interviews, primarily with MSP practitioners in relevant ministries and agencies, performed between October 2015 and November 2016. Overall, 93 sets of responses were gathered, spread fairly evenly across the participating countries (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, and Sweden). Most interviews were conducted in English; some responses were given in other languages and then translated into English.

Evidence from the Baltic SCOPE project consists of observations, interviews and results of group works; all these focused on factors which influence the success of transboundary collaboration in order to develop an evaluation framework for MSP. The observations were

conducted during six meetings of the MSP authorities in two case areas. The interviews consisted of both group and individual interviews. There were three group interviews, two with eight participants and one with seven. Group interviews were conducted at the end of the observed meetings, while the two individual interviews took place soon after meetings of MSP authorities. All interviews were recorded and transcribed. Furthermore, two group work sessions were organised during the Baltic SCOPE project for the spatial planners who participated in the project to collect ideas and feedback. During the first session comments on evaluation criteria and indicators for a draft evaluation framework were collected. In the second session the planners identified the most important outcomes for transboundary MSP collaboration and discussed how these can be implemented. The qualitative material that was collected in the observations and interviews was analysed using NVivo software.

Complementary data was gained from archival analysis, e.g. from plans, governmental reports, legislation, pre-planning and MSP related documents, strategies, reports, etc. Furthermore, interviews were also conducted with non-governmental stakeholders, e.g. representatives of use-sectors, NGOs, and the sciences (Table 2).

Interviewees' responses as well as observations and data from archival analysis were analysed by inductive reasoning (cf. Ormston et al., 2014). Data was elicited and structured using a topic list which focused on the issues of inquiry shown in Table 3. Results from the various sources were entered into a database reflecting this framework, allowing consistent and comprehensive analysis of responses to detect patterns and regularities. Individuals are not identified in the following description of results, in order to protect their identities.

**Table 3**  
Topics and issues of inquiry.

Topic area	Issues explored with respondents
Need for cross-border cooperation in MSP	Relevant transboundary issues in MSP What kind of cross-border cooperation is necessary? Benefits of cross-border collaboration
Current practice	Current forums and networks of collaboration Formats, channels and legal forms
Differences of national and transboundary processes	Responsible authorities and contact points Consequences of the differences to cross-border collaboration How could one address the differences in collaboration?
Ideas for improvement	How should transboundary issues be addressed in MSP? How should transboundary communication be organized? Formal and informal arrangements Roles of existing institutions and networks



## 4. Results

### 4.1. On the overall need for and basic challenges in transboundary interaction in MSP in the Baltic Sea Region

None of the respondents questioned a high need for transboundary approaches to integration in MSP in the BSR, where nine nations with different languages, administrative traditions, and planning systems share an enclosed marine basin which is highly geographically structured and is being used increasingly intensively. This area is highly sensitive ecologically and thus requires an integrative perspective both from an ecological and a marine use perspective. This means there are a number of common problems to address across borders, both in relation to environmental and use management and to development of knowledge and planning methodology. Despite a long-standing cooperation history in the BSR, transboundary interaction does not always seem to succeed.

A general challenge of cross-border integration and communication in the BSR, as stated by the respondents, is that countries are proceeding with MSP processes at very different paces. It was noted that it is difficult to communicate with a neighbouring country which is either much more advanced in the MSP process – e.g. with adopted plans – or which has not yet proceeded as far as one's own country. In such unsynchronised situations one country may require input from a neighbour on issues the other country is not (yet) prepared to provide. Similarly, it may be difficult to harmonise a spatial plan across borders if the other country already has a finalised plan. Latvia found itself in this situation: Lithuania had already finalised its plan, while Estonia was only just preparing its MSP process, and Latvia would have needed input for its own MSP.

Moreover, various differences in how countries conduct MSP complicate collaboration across national borders. First, MSP has a different legal status in different countries (binding/non-binding) and plans are of different types (directional, visionary, zoning, management). Second, it can have different objectives (blue growth vs. environmental protection). One respondent stated that “the biggest challenge in MSP in the BSR is that there are different ministries which are in charge for MSP, which means that in different countries they put different emphasis on different issues”. Third, there are various practical differences: countries prepare and implement MSP with different timing and they also have different planning practices (e.g. terminology, mapping conventions, data, and spatial analyses).

These difficulties in transboundary integration emphasize the explicit need to work for enhanced collaboration, but also the costs and complications thereof. Spatial planners who were interviewed suggested that countries should develop more compatible planning approaches in relation to data collection, analyses, and mapping practices to overcome some of the practical problems. Achieving this would require continued collaboration and discussions across borders. According to the respondents, this would result in a shared understanding of cross-border topics and the differences across the borders.

### 4.2. Formal and semiformal interaction for transboundary MSP

Interview respondents stated that there is already a great deal of bi- and multilateral communication and collaboration on MSP in the BSR. There are two types of formal communication: specific plan-related formal procedures of consultation and more permanent arrangements for transboundary communication.

When it comes to formal MSP processes, transboundary interaction is generally limited to the transboundary consultation procedure, as outlined in the *Convention on Environmental Impact Assessment in a Transboundary Context* (Espoo Convention) together with the *Protocol on Strategic Environmental Assessment* (Kyiv Protocol). For member states of the European Union these agreements are complemented by the *Directive 2001/42/EC on the assessment of the effects of certain plans and*

*programmes on the environment* (SEA Directive) and its respective transposition in national law. Some countries in the BSR specified details of cross-border consultations by concluding bilateral agreements on Environmental Impact Assessments (EIA) in transboundary contexts: Estonia and Latvia, Estonia and Finland, Germany and Poland, as well as Poland and Lithuania. More details on the format of these consultation procedures are given in sections 4.2.1 to 4.2.3 below.

In addition to formal standard procedures for transboundary consultations, respondents also mentioned two more continuous, semi-formal fora for transboundary MSP interaction. One such forum is the *Maritime Spatial Planning Member State Experts Group for Integrated Maritime Policy*, a subgroup of the *Maritime Policy Member State Experts Group (MSEG/IMP)*. According to the EU nomenclature, the MSEG/IMP is an informal expert group in which high level member state authorities (ministries, state agencies) and the European Commission take part and discuss work in progress in MSP implementation. This includes mutual exchange on general advancements in MSP but it usually does not cover in-depth exchange on the content and provisions of a specific draft plan.

A second, more BSR specific regional semi-formal forum is the *Joint Maritime Spatial Planning Working Group* of HELCOM and VASAB (HELCOM-VASAB MSP WG). The working group is open to representatives from relevant ministries or government agencies in all VASAB and HELCOM member countries/contracting parties as well as to delegated experts and registered observers. Like the MSEG/IMP, participating countries keep each other informed on advancements in preparing or revising marine spatial plans without discussing details of specific documents. Both, the HELCOM-VASAB MSP WG and the MSEG/IMP work with country fiches in which objectives and designations of a (draft) MSP plan as well as procedural information are summarized. Structure and functioning of both fora, the HELCOM-VASAB MSP WG and the MSEG/IMP, are considered suitable to inform higher-level authorities of neighbouring countries about the fact that planning processes are foreseen or are already underway. They were, however, not seen as adequate for detailed exchange on common or conflicting issues in MSP (and thus for concrete problem analysis and resolution). One member of the HELCOM-VASAB MSP WG expressed it the following way: “Each country has its own preferences. We have to live and work with these differences”. Another respondent said that “the working group is more successful in being a platform than in actually producing output”.

#### 4.2.1. How is information exchanged in transboundary MSP?

In all countries studied, formal transboundary communication is organized on the basis of the Espoo Convention together with the Kyiv Protocol and its transposition into EU legislation, the SEA Directive. In some countries spatial planning law requires cross-border consultations, even if a marine spatial plan might not have any environmental but instead significant economic impact on a neighbouring country (e.g. Germany). The communication channel usually implies consultation via official contact points. These are responsible for coordinating communication within the potentially affected foreign party, e.g. in the central government, between different levels of administration, and between administration and stakeholders as well as the wider public concerned. Documents provided to the contact point of the potentially affected party are usually translated into the language of the potentially affected party, unless the majority of the neighbouring citizens are able to speak/read the other language (equivalency according to Espoo procedures). An advantage of this contact point approach, according to the planning experts interviewed, is the existence of a national body responsible for ensuring effective transboundary communication. But respondents expressed also a need for further improvement, reflecting a need for transboundary approaches as outlined in section 4.1. Presently, the approach implies that there is often no direct contact between a responsible MSP agency of the party of origin (country A) and stakeholders of the potentially affected party (country B).

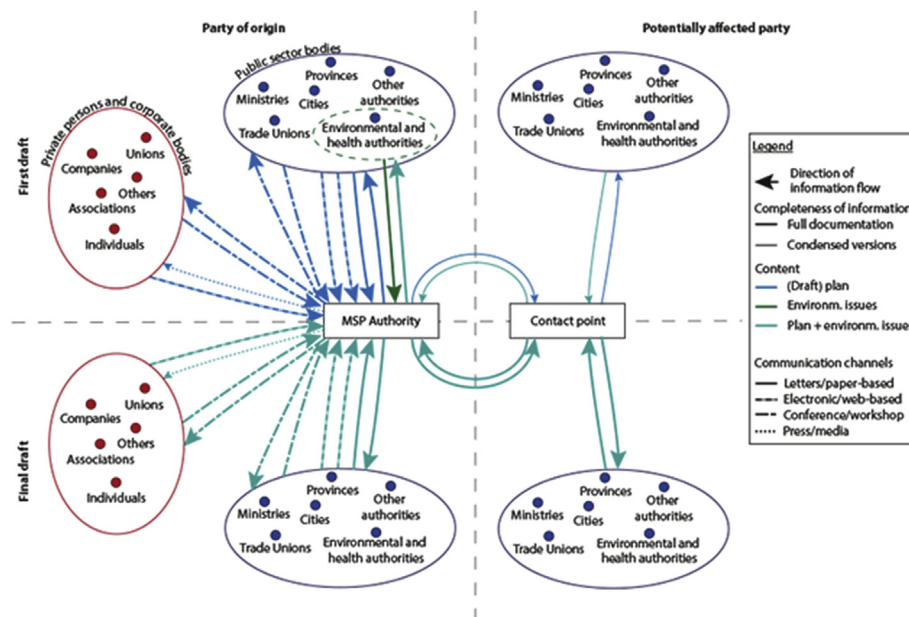


Fig. 2. Comparison of common ways, format, content, and completeness of information and interaction in transboundary MSP consultation on the basis of the Espoo Convention (authors' illustration).

Communication is narrowed further if contact points forward the information provided to registered parts (stakeholders) only. In the case of Latvia and Lithuania, MSP agencies undertook the first initiatives for direct exchange between a MSP agency and potentially affected stakeholders in the neighbouring country. Similarly, interviewees in Germany reported that, outside the BSR, the German federal state of Lower Saxony frequently receives and accepts direct (formal) statements from Dutch stakeholders, even if these are not submitted via the official Dutch contact point.

In addition to the consultation procedure as outlined in the Espoo Convention and the Kyiv Protocol, transboundary cooperation has some additional challenges and may also have to take place in other formats, especially if territorial seas are involved. With regard to problems of transboundary communication channels, the case studies provide the following illustrations:

- In the Sound between Denmark and Sweden covering predominantly territorial sea, transboundary integration needs to be sought across levels by direct contacts between national level and local planning authorities in Sweden towards one national authority in Denmark. On the Swedish side, two governance levels have partly overlapping responsibilities for MSP. The framework and channels for transboundary interaction still need to be developed. Cross-border communication has been more ad-hoc so far, through the local level and their collaboration organs. Important challenges here are the synchronisation of processes and stakeholder mobilisation across borders and the respective mandates to do so.
- Participants of the Latvian/Lithuanian cross-border case raised concerns that regulatory arrangements might be used to downplay transboundary integration. During a first official bilateral MSP meeting, local authorities from Latvia were interested in learning how Lithuanian MSP will consider local development plans of municipalities in both countries, Lithuania and in Latvia. This issue was of interest as the Lithuanian MSP had drafted intensive economic development in areas close to the border, while the neighbouring Latvian municipalities sought to develop the local economy by focussing on sectors such as recreation, environmental protection, and tourism. According to the existing spatial planning legislation in Lithuania, the government is not obliged to consult with local municipalities on issues related to marine spatial planning. Spatial

planning processes in Lithuania were said to be more hierarchical than in the Latvia system, whereby the Latvian municipalities were concerned that their suggestions might not be considered by the national marine spatial planning in Lithuania to a degree that would be similar to a national MSP process. From a Lithuanian perspective their marine spatial plan was seen as a strategic document, not as a premature fixation on details of future developments. Leaving the formal part of the Espoo procedure by having direct discussions between Latvian and Lithuanian planners and stakeholders helped to understand what MSP is in different countries and to solve the conflict.

- Respondents in the southern Baltic case pointed to knowledge deficits, e.g. on planning instruments applied in the neighbouring country or on legal implications of decisions. Misunderstandings and problems with terminology in an intercultural setting with different languages were also reported (e.g. coastal sea vs. territorial sea, interpretation of terms such as “approval”, “reservation areas” and “potential areas”). These occurred despite the existence of an inter-ministerial German-Polish/Polish-German Committee for Spatial Planning. Similar observations of the misunderstanding of planning terminology of other countries were made in the Baltic SCOPE project.

#### 4.2.2. Content and timing of transboundary interaction

As outlined above, formal transboundary interaction takes place mainly on the basis of the Espoo Convention. Here content and timing of transboundary consultations follow the provisions of the Kyiv Protocol, including its European, national and bilateral transpositions. In practice this means that the party of origin notifies neighbouring countries in a first step about a) the draft plan as well as about the structure and level of detail of the foreseen environmental report, including information on its possible transboundary environmental, including health, effects; and b) about the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments. At this stage of a first draft plan, respondents from most countries reported that there are differences in the scope of documents which are given to domestic and foreign stakeholders. Often, only a summary of the first MSP draft plan is transmitted with a complete translation of the SEA documents to contact points in neighbouring countries. In contrast, domestic stakeholders are provided with

full documents. However, this unequal treatment ends as soon as a second or final draft plan is available. From this MSP stage onwards, both domestic and foreign stakeholders receive the complete formal documents (see Fig. 2 in section 4.2.3 below).

Respondents indicated that the current consultation system seems to be changing slightly. Recently individual BSR countries have started initiatives for more equal conditions in transboundary MSP. Latvia discussed four alternative draft MSP scenarios with its neighbours before a decision on a draft plan was made. Poland presented its overall ideas and MSP concept to selected representatives from neighbouring countries even before the creation of a first draft plan. Sweden also involved contact points and, via these, stakeholders in neighbouring countries during preparatory MSP work and provided them with the same information on survey data and envisaged goals as domestic stakeholders. This corresponds with the authors' observations in the Baltic SCOPE project, in which participants repeatedly expressed a need for early interaction.

#### 4.2.3. Comparison of MSP-related interaction in domestic/cross-border conditions

Respondents reported that there are differences in the nature, form, and intensity of interaction within a country and of a country with its neighbours (Fig. 2). As mentioned above, there can be differences in the completeness of the information provided, especially at the beginning of a MSP process. Another difference already identified consists in the access of potentially affected stakeholders to the managing authority. Foreign stakeholders are often limited to a contact with their national contact point, whereas domestic stakeholders have the possibility of interacting directly with the responsible MSP agency. All respondents were in favour of this approach as a pragmatic, feasible, and legally protected way to ensure the involvement of potentially affected foreign stakeholders. Nonetheless, there seems to be a need and a potential for more direct transboundary interaction as seen in the cases of Latvia/Lithuania, Denmark/Sweden, and – outside the BSR – of Germany/Netherlands (see section 4.2.1).

Disparities exist also regarding the communication channels used for stakeholder interaction and, consequently, also regarding the reach, i.e. the number and type of stakeholders informed about the MSP intentions, etc. In a domestic environment, MSP agencies generally make use of different media and communication channels. In addition to the provision of official planning documents in printed or electronic formats (e.g. draft plan and environmental assessment), further and explanatory information is distributed and partly also received, e.g., via internet portals, conferences, workshops, or press releases. This, together with the fact that in practice contact points seem to forward information primarily to public agencies and other key stakeholders, causes recurring situations in which foreign private persons and corporate bodies are either not involved in transboundary interaction or are only involved in small numbers. In the logic of the Espoo Convention this is not a failure, as the convention has the purpose of preventing undesirable cross-border environmental and health impacts. This mainly affects the competence of the public bodies and not so much the private ones.

#### 4.3. Informal interaction and communication

Whereas the previous section focused on the forms and challenges of formal interaction between states, authorities, and stakeholders in relation to transboundary MSP, there are numerous forums and forms for more informal interaction (communication and collaboration) in the BSR. There are also examples where formal and informal are mixed, which is, in fact, a relatively normal condition in policy making (Hajer et al., 2006). One respondent stated, for instance, when speaking about the HELCOM-VASAB MSP WG, that “this group made [it] possible to know what is going on in each country and to have, I would say, interaction of the informal nature. This was a great job. It pushed forward

MSP as such.” The following describes the perspective of a planner, as these comprised the majority of the persons interviewed and observed.

##### 4.3.1. Benefits of informal interaction as observed in the BSR

One of the key challenges identified in MSP cross-border collaboration is that countries have different planning systems and different practices of conducting marine planning. Against this background, the role of informal communication and face-to-face discussion between the persons working in planning authorities – between the peers – was starkly emphasised by respondents.

A major challenge they identified is to try to understand neighbouring countries' MSP systems: What are the objectives? What topics are addressed? Who are the official MSP actors? et cetera. Our observations provide plenty of evidence of initial misunderstandings between planners from different countries, as e.g. already mentioned in chapter 4.2.1 regarding German and Polish planners. These kinds of problems, so the interviewees, can only be solved by talking to your neighbours in informal contexts.

It was brought up in the interviews that projects such as Baltic SCOPE, in which the planners identify joint cross-border problems and try to develop actual planning solutions to the problems identified, create informal fora for practical face-to-face discussions between the planners. This was seen as an effective way of understanding the differences in a concrete way and as groundwork for formal MSP procedures that might follow later on. The same information cannot be extracted, for instance, from documentation that is prepared for official hearings.

Another benefit of face-to-face communication is that it provides an opportunity for developing common methodologies and common understanding together with peers. These learnings can then be applied in national processes. This will greatly enhance cross-border collaboration as it solves some of the problems caused by differences in planning systems and practices. In that respect, international projects were seen by the respondents as temporary platforms, starting a process that leads to closer alignment of national marine spatial plans.

The Baltic SCOPE experiences also highlight the need for continuous interaction as the countries' priorities regarding MSP as well as practices of making the plans evolve over time. In other words, differences between countries can evolve as national processes progress. Continuous or regular meetings of the planners from different countries help keep participants updated on developments in different national settings.

A third benefit of informal meetings between practitioners and the planning authorities as indicated by the respondents is that it creates a further level to already existing cross-border fora. There is (semi-formal) interaction taking place within the HELCOM-VASAB MSP WG, but from the interviewed practitioners' perspective this is operating on too high a level to address practical planning issues.

##### 4.3.2. Challenges and pitfalls of informal interaction/communication

A key challenge for informal cross-border communication proved paradoxically to be the most common way of organising cross-border communication, namely temporary projects. The benefit of projects is that they provide extra funding for making meetings and joint work possible, but their greatest weakness is that they last only a limited time.

There is a continuum of large MSP related projects in the BSR, starting with the three INTERREG projects BaltCoast (2002–2006), BaltSeaPlan (2009–2012), PartiSeaPate (2012–2014), followed by DG MARE financed Baltic SCOPE (2015–2017) and Baltic LINes (2016–2019), which have brought together various agents from the region. However, the consortia have never consisted of all relevant MSP authorities (let alone other actors such as sector representatives), and each project has had a slightly different composition of project partners.

These projects have reported their progress to the HELCOM-VASAB MSP WG and thus made their results known to representatives of MSP

authorities in the BSR. However, interview results indicate that the spatial planning practitioners in different countries would need a permanent platform for collaboration and communication focused on practical spatial planning progress and methods.

Another challenge for informal communication is the difficulty to convince different sector representatives to take part in informal communication activities. For instance, in the Southwest Baltic Sea case of Baltic SCOPE, a cross-border stakeholder event was organized in Malmö, Sweden in the winter of 2016. The organising MSP authorities made a great effort to get key sectors represented, but their own evaluation of the event was that they did not completely succeed in this. Their explanations were that perhaps some sector authorities and organizations are not aware enough of MSP in general (even at the national level) and do not see the importance of cross-border collaboration in MSP in particular.

#### 4.3.3. The interplay between informal and formal interaction in transboundary MSP

The interviewed planners maintained that informal projects provide very good input to formal MSP collaboration, “when we have agreed upon some things [in project collaboration], when we start our own official process, we don't have to start all over again, explaining things, maybe we have already figured them out”.

A concrete example of how informal communication can not only support formal collaboration, but can actually lead to a formal process is the case of an unresolved maritime border between Denmark and Poland southeast of Denmark's island of Bornholm in the southern Baltic Sea. In the beginning of the Baltic SCOPE project it seemed that the border issue could not be addressed at all during the project. It was a matter that needs to be solved through an official procedure run by foreign affairs administrations, not by spatial planning authorities. The project activities showed the necessity of advancing marine spatial planning in this sea area, which made the spatial planning authorities of Denmark and Poland take the issue to respective foreign affairs administrations, who then started discussions to address the issue. Even though the matter was not solved during the project itself, the project enacted an official process for solving the border issue. Obviously, it will be a long process, the result of which is uncertain and dependent on various factors of political nature.

## 5. Synthesis and discussion

Transboundary cooperation is seen as a necessary component of MSP in various parts of the world for the effective and sustainable management of shared marine spaces (e.g. Backer, 2011; Flannery et al., 2015; Jay et al., 2016a,b; Kidd and McGowan, 2013). The material presented above suggests that the existing structures may not always be sufficient for MSP in transboundary situations where both domestic and foreign stakeholders are affected in comparable ways. Wider forms of transboundary interaction are necessary to ensure equal conditions (van Tatenhove, 2017).

The need for transboundary integration in MSP is clear and the ongoing institutional development process is timely, yet there might be differences in what kinds of transboundary integration activities different actors perceive to be necessary and when during the MSP process. Below, we take three perspectives to summarise our findings and to discuss them in relation to recent research conducted elsewhere: first, that of planners and authorities, second, that of marine users, and the third perspective focuses on communication that supports integration of authorities as well as stakeholders. The perspectives and points below are based on our own observations and analysis and on the experiences documented from the chain of MSP projects in the BSR and the two latest projects reported here. We relate findings also to the recent literature on the topic of transboundary integration in MSP (e.g. Backer, 2011; Flannery et al., 2015; Jay et al., 2016a,b; Jay et al., 2013; Kidd and McGowan, 2013; van Tatenhove, 2017).

First, from the perspective of authorities and planners, there are a number of practical planning related but also more political needs for and potential purposes of cross-border interaction and integration. The fact that countries have organised MSP in different ways and also conceive the nature and purposes of MSP differently has been raised as a key challenge for transboundary integration in MSP (Backer, 2011; Flannery et al., 2015; Jay et al., 2016a,b; Kidd and McGowan, 2013). Jan van Tatenhove (2017), for instance, calls different ways of organising and conceiving MSP as institutional fragmentation and conceptual fragmentation, respectively. Findings from the material collected in BONUS BALTSPEACE and Baltic SCOPE projects support these views and offer several suggestions on how to facilitate further institutional integration.

The importance of contact points and lasting, organised exchange between countries were raised several times in the material collected. This relates to the need of institutionalisation of transboundary collaboration, as mentioned in literature as key for successful collaboration (Flannery et al., 2015; Jay et al., 2016a,b; van Tatenhove, 2017). One way of institutionalising transboundary integration is to use existing transboundary networks (Backer, 2011; Flannery et al., 2015; van Tatenhove, 2017), which is already well organised in the Baltic Sea region through the HELCOM-VASAB MSP Working Group. An interesting observation from our study is a frequent mention of a lack of direct contacts between planners considering that contact persons already have been named and their addresses published within the frameworks of the HELCOM-VASAB MSP WG and the MSEG/IMP. It seems that in this case, already available information was not dispersed widely enough.

We identified frequent contacts, informal meetings and collaboration in projects as important for reducing the conceptual fragmentation (van Tatenhove, 2017), which is essential for cross-border integration as identified also by Flannery et al. (2015). Our collected evidence shows that in order to collaborate, the planners need to know how to interpret plans, programs, and legislation of foreign countries. Knowing the different planning systems allows not the least finding joint, cross-border principles and objectives that can be then promoted in national planning processes (Jay et al., 2016a,b). Our findings would further emphasise the need of enhancing integration between different planning and sector authorities from different levels of administration: e.g. the Sound case illustrates how neighbouring state authorities at different levels can have interests requiring a cross-border perspective. In other words, a successful cross-border integration cannot build on integration of only one level of MSP-related authorities. One respondent suggested fora for specific marine basis, straits, archipelagos, estuaries, lagoons etc. as a potential solution. Such fora could continuously serve the needs of informal transboundary coordination, which was found to be very important to facilitate more practical discussions on MSP implementation in different countries in the BSR. Furthermore, such fora could add a new, more practical layer to the existing, high-level cross-border forum HELCOM-VASAB MSP Working Group. Poland and Germany, for example, already have a bilateral MSP working group under the umbrella of the German-Polish Government Commission for Regional and Transboundary Cooperation. This group provides a platform for the direct exchange between planners, as requested by our interviewees. It is, however, not an open forum as only delegates are invited to its meetings.

Exchange of data and information (knowledge integration) is essential for successful cross-border integration in MSP (Backer, 2011; Jay et al., 2016a,b; van Tatenhove, 2017). Our results support those views strongly, but further specify that the data needs to fit the scale and objectives of integration. There is a need to collect data from national but also other levels, especially if territorial seas are included, such as in marine straits and coastal zones. Experiences from the Baltic Sea show that presently methods of data collection and resolution are often not harmonized and difficult to combine on maps (cf. Urtāne et al., 2017; Giacometti et al., 2017). Based on this work, there is also a



lack of data on human uses and of data on sea-land interactions across borders. As MSP processes are always iterative and the plans will eventually be reviewed, also the knowledge integration should follow a similar approach: start with existing data and data management systems and then gradually proceed towards harmonization of those aspects that need to be standardized.

These needs for cross-border interaction and integration among authorities are likely to change over time, at first depending on the degree of institutionalisation of MSP and the related individual and institutional learning process and late on with the stage of the planning cycle. Some channels and forums for practical exchange and collaboration have already been established, as well as procedures for formal cross-border coordination (e.g. Espoo Convention). However, we also observed that the interaction of the political and administrative system is not always fully clarified.

Secondly, the necessity to engage stakeholders into MSP processes is widely acknowledged (e.g. Alexander et al., 2012; Backer, 2011; Boucquey et al., 2016; De Santo, 2011; Ellis and Flannery, 2016; Gopnik et al., 2012; Jentoft and Knol, 2014; Kidd and Shaw, 2014; Klain and Chan, 2012; Mayer et al., 2013; Pomeroy and Douvère, 2008; Ritchie and Ellis, 2010; Trouillet et al., 2011; Tuda et al., 2014; van Tatenhove, 2017). The analysis by Baltic SCOPE and BONUS BALTS-ACE projects identified that there is a number of marine users that are active across borders and that consequently have interests which extend across administrative boundaries, e.g. renewable and fossil energy, fisheries, shipping and transport infrastructure, materials extraction, but also smaller scale uses such as recreation in territorial seas. For these users, purely national MSP approaches are unsatisfactory. As a Danish stakeholder put it “[...] in a narrow water such as the Sound [...], I think it is hard to have different rules just because you are crossing an invisible border in the middle of the Sound. So it is of course better to have the same management on both sides. Otherwise it is very hard to carry out activities in the area.” Especially for maritime enterprises it is important to know what is going on and planned on the other side in order for them to design their own strategies.

An important observation in the material is that some sectors are already collaborating across borders within their sector organisations, but not always in connection with MSP processes. The shipping sector is especially well organized with its Baltic Sea networks and through the International Maritime Organisation (IMO). Collaboration on stakeholder mobilization and involvement could profit from cross-border interaction and here utilisation of existing networks can be an important starting point as has been suggested also by Backer (2011), Flannery et al. (2015) and van Tatenhove (2017). Presently, there is a need to identify and activate MSP stakeholders across borders. Here, the Sound case indicates challenges with both identification and mandates to contact stakeholders in foreign countries.

The HELCOM-VASAB MSP Working Group has recently adopted *Guidelines on transboundary consultations, public participation and co-operation* (HELCOM & VASAB, 2016) in which the further use of national contact points is recommended as the format for transboundary participation (cf. Fig. 2). According to the results of the present study, this seems to be a valid recommendation for offshore MSP, e.g. for exclusive economic zones (EEZ), but it is very likely that these will need to be complemented by wider and more deliberative forms of interaction in cases where MSP is conducted in territorial waters, for instance in narrow, intensively used sea basins with many actors involved.

Furthermore, our findings show that there are differences in how MSP agencies interact in different countries with domestic and foreign stakeholders. Stakeholders in neighbouring countries do not always get the same amount of information, often have no direct access to the managing MSP agency, communication is limited to specific formats, and the range of involved stakeholders is smaller than in the domestic environment. The differences in the involvement of domestic and foreign stakeholders are mainly due to the fact that there is no separate legal framework for participation in transboundary MSP. The existing

Espoo Convention together with the Kyiv Protocol and the respective transpositions in European and national law focus on environmental and health issues. As a consequence, transboundary consultations seem to be often limited to these subjects and to those stakeholders who are responsible for these topics.

Nonetheless, our results indicate that many authorities are satisfied with the existing consultation procedures, at least from a technical perspective, as these seem to be efficient, have a clear legal framework, and come with manageable costs. Moreover, MSP processes are already resource-intensive and time-consuming. There is a value in keeping them lean, as stakeholders may lose interest in long-lasting processes and drop out (cf. Støttrup et al., 2017). Like anywhere else, the transaction costs (time, resources) and gains (transparency, legitimacy, informed decisions etc.) need to be considered, in this case when designing cross-border participation processes.

Cross-border integration of stakeholders is important for the success of MSP in sea areas where activities and their environmental, social and economic impacts cross borders. Planners need to understand the drivers behind marine uses in other countries in order to be able to manage these uses effectively and with a future perspective (maritime policies, sector needs and trends). This may require further attention to cross-sector conflict management and promotion of synergies: e.g. shipping in relation to fixed installations (avoiding or moving shipping lanes, enlarging safety zones), extraction or dumping in relation to fisheries and nature protection, including cumulative effects and large-scale impacts, and ways how to deal with these.

The third perspective is on the means and forms of communication. The use of various formats, media, and communication channels to communicate with stakeholders, according to their specific needs and possibilities to get involved, contributes to awareness rising and discussion. This is of relevance for stakeholder interaction, as stakeholders often do not seem to recognise that they are affected (cf. Janßen and Hiller, 2014). If foreign stakeholders are excluded from wider and informal forms of stakeholder interaction, this may further intensify the current situation in which MSP is often criticised as a narrow and rather instrumental process of expert planning where participation is executed in a perfunctory, top-down manner with little benefits accruing to less powerful stakeholders (Ellis and Flannery, 2016). In that respect, more open and easily accessible information, including stakeholder specific advertisement for relevant on-going processes, seems to be necessary. A stronger focus on deliberative interaction may contribute to the emancipation of specific user groups, interaction with stakeholders, solution finding, acceptance of MSP outcomes, and prosperous development of border regions. Transboundary communication, especially in intensively used areas such as the Sound (Denmark/Sweden), requires building contacts and an institutional capacity to communicate across borders regularly.

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## Appendix A. Supplementary data

Supplementary data related to this article can be found at <http://dx.doi.org/10.1016/j.ocecoaman.2018.05.008>.

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