Chapter 9

Marine Governance in the Baltic Sea: Current Trends of Europeanization and Regionalization

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Introduction

Just as the Baltic Sea region has gone through dramatic changes over the last 25 years, marine governance in the Baltic Sea has also changed substantially during this period. Not only have the political preconditions for collaboration on marine policy among the littoral states been fundamentally altered, but so have the perspectives on what to protect and how to protect it, from abatement of point sources and natural science perspectives to an emphasis on diffuse pollution sources, sustainability and ecosystem approaches to management. Historically, collaboration between people in the region has been prominent, in particular in the area of trade and commerce, but the region also has a long history of war, power struggles and problems caused by the iron curtain and the East-West divide (Karlsson 2004, Salines 2010). Thus, the sea itself has been a physical divide separating the north-western from the south-eastern part. There is still a rift in many areas between the Nordic countries and Germany on the one hand and the former socialist states on the other, both in terms of wealth but also social systems. In this region we find some of the richest as well as some of the poorest countries within the European Union (Vangas 2010).

However, the collapse of the Soviet Union in the late 1980s and the following re-establishment of four independent states – Estonia, Latvia, Lithuania and Poland – together with the re-unification of Germany sparked off a plethora of interactions between, in particular, the Nordic countries and the newly independent states. Since the mid-1990s two waves of EU enlargement have strengthened the integration of the whole region and created preconditions for developing an innovative approach to marine governance. Recently, the macro-regionalization of EU policy-making, which led to the development of the EU Strategy for the Baltic Sea Region (EUSBSR), has re-enforced the perceptions of the Baltic Sea region as a relevant arena for policy-making and has altered the framework for joint decision-making, monitoring and enforcement.

Traditionally, nation-states have been the dominant actors in marine governance in the Baltic Sea region. However, the historical, decisive events in
the late 1980s and early 1990s pushed marine governance in the region far beyond the boundaries of the nation-state. Although the Convention of the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention) had already been introduced in 1974, it gained even more importance in the region after the end of the Cold War, after which it was substantially revised in 1992. Likewise it can be argued that EU influence in the Baltic Sea area was very limited until the early 1990s in comparison to today's situation. In addition, new governance arrangements such as transnational networks have emerged and contributed to the dynamic development of marine governance in the region. Today, marine governance in the Baltic Sea region is a complex combination of national, international, European and transnational governance arrangements (Kern 2011).

Starting from the current state of the marine environment in the Baltic Sea region, this chapter describes and analyses the changing governance arrangements and their problem solving capacities. The article is based mainly on existing and ongoing research (including own research projects), a literature review and relevant policy documents such as EU publications. As an empirical basis for our analysis we have examined policy documents, EU directives as well as reviewed relevant research. This chapter concentrates on HELCOM, the governing body of the Helsinki Convention, and the European Union because these actors have been most important in this policy area. It is assumed that the success of multi-level governance arrangements depends on both horizontal and vertical interplay as well as the integration of non-member states, in particular Russia.

This chapter analyses the relationship between the Europeanization and regionalization of marine governance in the Baltic Sea by concentrating on three phases of development: (i) regionalization through the Helsinki Convention; (ii) Europeanization through EU legislation; and (iii) macro-regionalization through the EU Strategy for the Baltic Sea Region. Section 2 gives a brief overview of the various environmental problem areas in the Baltic Sea, followed by a description and analysis of the three above mentioned governance arrangements (section 3). Subsequently, some conclusions with respect to the success of these arrangements are drawn in the final section 4.

Main Problems in the Marine Environment

The Baltic Sea is a semi-enclosed inland sea in the north-eastern part of Europe bordered by Sweden, Finland, Russia, Estonia, Latvia, Lithuania, Poland, Germany and Denmark (see Figure 9.1). The water is brackish and the average depth rather shallow in comparison to the other European regional seas (with an average of 52 meters and a maximum of 459 meters). The size of the surface area of the Baltic Sea, the Belt Sea and the Kattegat is 415 000 km² with a total water volume of approximately 20 000 km³, making the sea one of the largest brackish water bodies worldwide. The Baltic Sea ecosystem contains comparably few species and since the sea is rather young in a geological perspective (approximately 13,000-13,500
years old, and where the current marine-brackish state occurred some 10,000-8,000 years ago) there are few endemic species.

Around 85 million people live in the drainage basin of the Baltic Sea which is four times the size of the Baltic Sea itself. Sweden (25.3%) and Russia (19%) are the countries with the largest shares of the catchment area, which, apart from the fringing states, also includes (parts) of Norway, Belarus, Ukraine, the Czech Republic and Slovakia. The saline water inflow to the Baltic Sea comes from the North Sea through the Danish straits in irregular intervals of five to ten years, and fresh water is flowing in continuously from several European rivers as well as via snow and rain. Since the water exchange is relatively slow, the Baltic Sea is rather vulnerable to pollution and different types of environmental degradation. Therefore, the region is, despite all efforts, still regarded as one of the most polluted marine areas in the world (Vlasov 2010).

Eutrophication, over-fishing, chemical pollution, invasive alien species, pollution from marine transportation and climate change are the most important threats to the integrity of the Baltic Sea ecosystems. First, eutrophication can be briefly summarized as nutrient enrichment and is regarded as one of the major threats to the marine environment. It is caused by human activities through which nutrients enter the water through the deposition from air emissions and discharges from both point sources and diffuse sources. Eutrophication contributes to detrimental effects such as hypoxia (‘dead sea-beds’) and excessive algae blooms (HELCOM 2009a, HELCOM 2013).

Second, the impact of over-fishing is another major threat to the entire Baltic Sea ecosystem (Linke et al. 2011). The pressure from fishing in the Baltic Sea affects different parts of the ecosystem, not only the targeted fish stocks. Bycatches and the removal of top-predators are pressing issues (HELCOM 2009b). Even though the fisheries sector is very science-dependent and efforts have been launched to achieve sustainable fisheries, most commercial fish stocks have declined due to over-fishing (Linke et al. 2011).

Third, there are numerous hazardous substances entering the Baltic Sea, from a wide variety of sources. The so-called cocktail effect (i.e. the combined toxicity of the large number of contaminating substances) is to a large extent unknown, and new chemicals are rapidly introduced. Although national, regional and international initiatives aim to reduce the toxic levels in the marine environment, the Baltic Sea must still be considered one of the most polluted areas worldwide with regard to toxic substances (HELCOM 2010).

Fourth, invasive alien species may alter marine ecosystems at local, regional or even higher scales. However, the impact varies and is often characterized by a lack of knowledge. New species may enter the Baltic Sea through natural migration in water corridors as well as through transportation via marine vessels’ ballast water. Experiments on purification of ballast water have been conducted, but so far no adequate method to solve this problem has been found. Although severe disturbances by invasive alien species have not yet taken place in the Baltic Sea, this may happen in the future (HELCOM 2009b).
Figure 9.1 The Baltic Sea region with drainage basin and political borders

Fifth, oil pollution from marine transportation emanates from two sources, accidental oil spills and intentional pollution, which lead to approximately the same magnitude of oil pollution in the Baltic Sea. Large oil spills cause negative effects on the ecosystems and harm economic interests. The intentional oil spills are harder to assess and their long-term consequences are largely unknown. These spills are typically caused by cleaning oil tanks at sea. Although this is not allowed, incentives to avoid costs by cleaning tanks *en voyage* rather than in ports are substantial drivers for this behaviour (Hassler 2011).

Sixth, climate mitigation and adaptation are overarching problems with severe repercussions on most of the above mentioned problem areas. Therefore, climate-related hazards need to be addressed in various ways. Apart from climate mitigation efforts at national and sub-national scales, in particular in the Nordic countries and Germany, climate adaptation has gained a prominent status in all the countries around the Baltic Sea. This is because the effects of climate change, such as heavy rains and flooding, have already started to cause severe problems in the region (HELCOM 2012).

Due to the complex structure of the main environmental threats to the ecological integrity of the Baltic Sea region, marine governance has become a real challenge. A better integrated and inclusive approach is currently under development, at least in some areas (cf. Gilek et al. in this volume). This development is driven by the two main actors for marine governance in the region, HELCOM and the European Union.

The Marine Governance Architecture in the Baltic Sea Region

Two parallel trends can be identified in the Baltic Sea region: (i) the emergence of a Baltic Sea region with its own institutions, such as HELCOM and the Council of Baltic Sea States (CBSS), and an (ii) increasing Europeanization of the region since the end of the Cold War. Despite all the differences among the political and social systems, the region has not only a common heritage and culture, dating back to the Middle Ages when it was dominated by the Hanseatic League, but was also the first region worldwide with a regional sea convention for the protection of the marine environment. Today, the region is characterized by multi-sector, multi-actor and multi-level governance arrangements. New forms of environmental governance are based on the ecosystem approach to management and involve a combination of public and private actors at different levels. Macro-regions extend the scope of national policy-making because they establish functional regions which serve as a basis for inter-governmental and trans-national cooperation. Macro-regional institutions may constitute a layer of governance between the European Union on the one hand and the member states and partner countries on the other (Salines 2010, Schymik 2011).

Three aspects are of particular importance for the multi-level governance arrangements in the Baltic Sea region (Kern and Gänzle 2013a). First, it can be
assumed that multi-level governance works best if horizontal interplay between institutions leads to synergies and avoids disruptions (see Oberthühr and Stokke 2011, Van Leeuwen and Kern 2013). In the Baltic Sea region, horizontal interplay exists between EU institutions and the Helsinki Convention with HELCOM as its secretariat.

Second, policy success also depends on vertical interplay, i.e. relationships between institutions at different levels. Apart from relationships between national, macro-regional and European institutions, vertical interplay also includes new institutional arrangements which provide new opportunities for sub-national governments and civil society organizations. Both types of organizations may start trans-national networks which can become constitutive elements of macro-regions. Such networks aim for (i) representation and lobbying in the macro-region but also in Brussels; (ii) funding of common activities, for example through membership fees or EU funding; and (iii) best/good practice transfer and learning among their members in the macro-region (Kern and Bulkeley 2009, Kern 2013).

Third, multi-level governance involves both EU member and non-member states because macro-regions extend the borders of the European Union and usually include (parts of) non-member states. The situation in the Baltic Sea region has been influenced by the role of the Soviet Union in the south-eastern part of the region during the Cold War period and the Russian Federation, in particular North-West Russia, since the end of the 1990s. Cooperation with non-member states is also supported by the Northern Dimension, a framework for cooperation of the EU with the Russian Federation, Norway and Iceland (European Commission 2013b: 31).

The three dimensions of multi-level governance in the Baltic Sea region will now be discussed for the different phases of marine governance in the region. Three phases of regionalization and Europeanization can be distinguished here: (i) the Helsinki Convention as a first step towards the regionalization of marine governance in the region; (ii) the Europeanization of marine governance in the region through EU directives such as the Water Framework Directive (WFD) and the Marine Strategy Framework Directive (MSFD); (iii) the macro-regionalization of the Baltic Sea region through the EU Strategy for the Baltic Sea Region (EUSBSR). The following section thus describes and analyses the changing governance arrangements in the area of marine governance that have emerged in the region since the 1970s.

**Regionalization of Marine Governance through the Helsinki Convention**

As early as 1974, the Helsinki Convention, which aimed for an improvement of environmental conditions throughout the region, was signed by all the states around the Baltic Sea at that time. The convention, which entered into force in 1980, was a forerunner for a more integrated perspective on the protection of the marine environment (Kern 2011). The Helsinki Convention was amended in 1992 and entered into force in 2000, after being ratified by all (new) signatories, including
the now nine Baltic Sea countries and the European Community. The revised convention also covers land-based sources of pollution and the inner waters of all member countries. Starting from a regional perspective, policies are shaped by the perspective that environmental degradation is a trans-boundary and cross-sectoral phenomenon. HELCOM, the governing body of the Helsinki Convention, was established in a world that was still divided by the Cold War. It facilitated regional cooperation in the area of environmental policy even during this period, and thus HELCOM is not only the oldest but also the most experienced institution in the area of marine governance in the Baltic Sea region (cf. Hjorth 1994).

The Baltic Sea Joint Comprehensive Environmental Action Programme (JCP) was an early regional attempt at developing environmental protection. This was established in 1992 as a regional cooperative initiative identifying and targeting sources of pollution in the Baltic Sea region (HELCOM 1999). After years of negotiations and stakeholder participation, the Baltic Sea Action Plan (BSAP) was finally adopted in November 2007. The BSAP represents a new approach in the history of HELCOM in the sense that it introduces ‘ecological objectives’ in order to reach improved environmental status. This innovative initiative pursues more holistic and cross-sectoral ends based on the ecosystem approach to management (Kern 2011, Hammer 2015 in this volume). The BSAP, which is funded through the signatories’ national budgets and EU funds (Backer et al. 2010), covers several target areas recognized as the main issues of importance, namely eutrophication, hazardous substances, biodiversity and marine activities. The overall goal is to reach a ‘good environmental status’ in the Baltic Sea by the year 2021. Signatories are obliged to provide national implementation plans and status reports that show how the reduction targets will be achieved and how the situation improves over time.

The development of HELCOM since the mid-1970s until today has been marked by an increase of horizontal and vertical interplay. Horizontal interplay was restricted to horizontal interaction among the nation-states in the region and the consolidation of HELCOM as the major institution of marine governance in the Baltic Sea region. The EU was not really present in the region before the late 1990s since Germany and Denmark were the only EU member states before Finland and Sweden joined the Union in 1995.

Vertical interplay has also increased over time. In the early phase of HELCOM, vertical interplay was restricted to the relationship between HELCOM and its signatories. Today, HELCOM not only interacts far more with the European Union (see next section), but also involves sub-national authorities and civil society organizations, at least as observers or organizers of stakeholder forums. The BSAP, for example, acknowledges the need to solve existing problems through a multi-level approach because it states that actions at various operating levels are necessary, i.e. it identifies measures that should be taken at the local, regional, EU or global levels.

Finally, interaction with Russia has changed considerably over time, and HELCOM (together with the Council of Baltic Sea States; CBSS) has certainly
contributed to this development. Thus, it can be argued that with respect to Russia the establishment and consolidation of the Baltic Sea region may have supported the Soviet Union’s and Russia’s socialization within the Baltic Sea region. In contrast, the situation in the Black Sea is characterized by rivalry between Russia and Turkey as the most important geopolitical powers in the region. The role of the European Union, however, is rather weak because Bulgaria and Romania are the only member states in the region. Russia has even prevented the EU becoming a party to the Bucharest Convention for the Protection of the Marine Environment in the Black Sea Region (see Knudsen 2015 in this volume).

Europeanization of Marine Governance through EU Legislation

Despite HELCOM’s long-standing authority, the European Union has become a very important actor in marine governance in the Baltic Sea region. The Europeanization of the Baltic Sea region started with German re-unification in 1990 and increased with the EU enlargements in 1995 (Sweden, Finland) and 2004 (Poland, Lithuania, Latvia, Estonia). Since then the Baltic Sea has become an almost internal sea of the European Union because all the border countries, except the Russian Federation, are EU member states. Even HELCOM has become ‘Europeanized’ because the European Union became a party to the Helsinki Convention after its revision in 1994.

Apart from the EU Common Fisheries Policy, which regulates fisheries in all EU waters in a quite centralized manner, two major Directives are most important for the regulation of the marine environment in the region: (i) the Water Framework Directive (WFD) and (ii) the Marine Strategy Framework Directive (MSFD). The WFD (Directive 2000/60/EC) was adopted in October 2000 and entered into force in December 2000. The main aim of this directive is to protect, sustain and enhance water quality in European waters, with a clear focus on reaching a ‘Good Ecological Status’. It was the result of several years of consultation which led to a growing insight that the traditional perspective on water issues was too narrowly focused and that there was an urgent need for a more comprehensive perspective. Thus, a new approach was launched, based on geographical boundaries instead of administrative borders (river-basin management). The European waters were divided into River Basin Districts (RBD), consisting of one larger river basin or a combination of several smaller basins with connecting ground and coastal waters. There are 14 larger international river basins in the Baltic Sea region, covering more than 50% of the Baltic Sea Drainage Basin itself. The member states are now obliged to produce river basin management plans (RBMP) for all these river basins (Nilsson and Langaaas 2006, Hedin et al. 2007). The WFD has enhanced river basin management in the region and helped with harmonization of classifications and monitoring methods. Since the adoption of the Directive the scientific knowledge on European waters has increased substantially (Hering et al. 2010).

Another EU Directive that affects the marine environment of the Baltic Sea directly is the Marine Strategy Framework Directive (MSFD) which was adopted
in 2008 after several years of negotiations. The MSFD divides the European waters into four European marine regions based on geographical and ecological criteria (the Baltic Sea, the North-East Atlantic Ocean, the Mediterranean Sea and the Black Sea). These areas are further divided into sub-regions. The overall aim of the MSFD (Directive 2008/56/EC, paragraph 5) is to achieve ‘Good Environmental Status’ in all marine areas, which entails

… environmental status of marine waters where these provide ecologically diverse and dynamic oceans and seas which are clean, healthy and productive within their intrinsic conditions, and the use of the marine environment is at a level that is sustainable, thus safeguarding the potential for uses and activities by current and future generations [ … ].

Similar to the approach chosen by the WFD the member countries need to assess the current situation, determine criteria for good environmental status and initiate monitoring schemes and measuring programmes. The MSFD is supposed to complement the WFD by connecting the inland water bodies with the open sea. The MSFD goal of ‘good environmental status’ draws upon eleven quality indicators, while the WFD’s aim of reaching a ‘good ecological status’ is based on five biological quality elements (Borja et al. 2010).

Since the WFD and the MSFD were developed to govern ecosystems (such as a specific river basin) that cross regional, national and EU borders, both directives require new modes of EU governance. They differ considerably from traditional nationally-oriented governance approaches. Starting from an ecosystem approach to management requires the development of multi-sectoral, multi-actor and multi-level arrangements which may need to cross national borders. Thus, these EU directives clearly aim to solve regional environmental problems through cross-border arrangements.

Horizontal interplay between EU and macro-regional institutions is most obvious with regard to the relationship between the BSAP and the Marine Strategy Framework Directive since they have been developed during the same time frame and by the same countries (with the exception of Russia). Since the MSFD was not yet finalized when the BSAP was adopted in 2007, there is evidence that the BSAP influenced the development of the MSFD with respect to the problem definition and objective (Good Environmental Status), the methods (ecosystem approach) and the scientific and technological knowledge basis (Wenzel 2011: 36); vice versa the MSFD requires the utilization of existing regional governance architectures, including regional sea conventions (MSFD, article 6). Therefore, in 2010 HELCOM was established as a platform for the MSFD implementation in the Baltic Sea, coordinating the national assessments and facilitating the exchange of information.

Vertical interplay involving sub-national authorities and civil society is supported by EU institutions, in particular the Committee of the Regions. This body has published a White Paper on Multi-level Governance, which calls
for ‘coordinated actions by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies’ (CdR 89/2009). The White Paper states that the EU should develop a governance approach which allows bottom-up processes. Apart from this White Paper, there is also a need to involve sub-national authorities and local stakeholders when it comes to the implementation of EU legislation such as the WFD which requires the active involvement of local and regional stakeholders, often organized around the authorities in charge of river basin management (Hedin et al. 2007: 33).

There are considerable differences among neighbouring non-EU countries, in particular between Norway on the one hand and Russia, Belarus and Ukraine on the other because Norway implements EU directives in the framework of its EEA agreement (Hedin et al. 2007: 116). In contrast, the regulations in Belarus and the Russian Federation differ considerably from EU Directives. There are nonetheless some impacts on these countries, for example with respect to agreements on transboundary waters between the Russian Federation and the EU member states Estonia and Finland. In addition, the main principles of the WFD were included in the Russian water management concept and some objectives and actions are consistent with the WFD (Tynkkynen 2007: 136). However, problems remain with respect to the governance of river basins which are shared between EU countries and non-EU countries. Although the directive encourages cooperation (i.e. signing treaties and starting joint efforts to create RBMPs), this approach seems to work well only if river basins are shared among EU member states, but its implementation can lead to considerable problems when river basins cross EU borders (Nilsson and Langaas 2006).

Macro-Regionalization of Marine Governance through the EU Strategy for the Baltic Sea Region (EUSBSR)

In addition to binding EU Directives, the EU may also influence marine governance in the Baltic Sea region through policy programmes which are not legally binding, in particular the EU Strategy for the Baltic Sea Region (EUSBSR). This strategy was initiated by the European Commission in 2009 as the EU’s first macro-regional strategy, based on the hope that it will be successful in the Baltic Sea region and can then serve as a model for other European macro-regions. According to Bengtsson (2009), the strategy displays a clear example of the regionalization of the EU because it led to the development of a macro-regional vision and regional targets for the Baltic Sea region. Although macro-regionalization requires the support of all EU member states, macro-regional strategies provide new options for more flexible approaches which allow adaptation to changing conditions (Bengtsson 2009).

Macro-regionalization is driven by the new objective of territorial cohesion, enshrined in the Treaty of Lisbon alongside social and economic cohesion; the need to increase the efficient use of financial resources as a result of the economic...
and financial crisis of the EU; and the growing heterogeneity of the member states due to EU enlargement. Moreover, the emergence of macro-regions throughout Europe\(^1\) is also supported by the characteristics of the regions, in particular their biophysical features (regional seas, river systems, mountain areas); increasing economic interdependencies between the territories within the macro-region; and a common historical and cultural heritage such as the Hanseatic tradition in the Baltic Sea region (Kern and Gänzle 2013a).

The strategy aims for enhanced cooperation among the countries (in particular the EU member states) in the region. The original version of the EUSBSR consisted of four pillars: (i) environment; (ii) economic development; (iii) accessibility and attractiveness; (iv) safety and security. These areas were broken down into so-called Priority Areas (PAs) and complemented by flagship projects. The Action Plan was revised in 2010 and 2013 in order to quickly absorb the ‘lessons learnt’ (European Commission 2013a). As a result the original four pillars were transformed into three objectives: (i) Save the Sea; (ii) Connect the Region; and (iii) Increase Prosperity. Although the strategy encompasses three objectives, it can be regarded as an important initiative for improving the marine environment of the Baltic Sea since environmental protection is a prominent issue of the strategy.

Among the 17 Priority Areas (PAs)\(^2\) and 5 Horizontal Action (HAs)\(^3\) (cross-cutting themes) 7 Priority Areas refer to the objective ‘Save the Sea’, and there are also two Horizontal Actions which directly affect environmental issues (cf. European Commission 2013b: 42f.).

The strategy treats the region as a coherent macro-region and aims to strengthen already existing cooperation schemes instead of developing new forms of cooperation (Bengtsson 2009). From the outset there has been an emphasis on the so-called three NOs, meaning that no new institutions should be created, no new legislation should be generated and no new funding schemes should be set up by the EUSBSR (see for example Stocchiero 2010). After four years of implementation, it can be argued that the EUSBSR has changed existing institutions such as HELCOM, affected the implementation of existing legislation such as the WFD and the MSFD and transformed existing funding schemes due to

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\(^1\) Apart from the EUSBSR the EU has already decided on two other macro-regional strategies, the EU Strategy for the Danube Region and the EU Strategy for the Adriatic and Ionian Region. Besides there are also plans to start an EU Strategy in the Alpine and North Sea Regions.

\(^2\) (1) PA Agri – Reinforcing sustainability of agriculture, forestry and fisheries; (2) PA Bio – Preserving natural zones, including fisheries; (3) PA Hazards – Reducing the use and impact of hazardous substances; (4) PA Nutri – Reducing nutrient input to the sea to acceptable levels; (5) PA Safe – to become a leading region in maritime safety and security; (6) PA Secure – Protection from emergencies and accidents on land; and (7) PA Ship – Becoming a model region for clean shipping.

\(^3\) (1) HA Spatial Planning – Encouraging the use of maritime and land-based spatial planning in all member states around the Baltic Sea and developing a common approach to cross-border cooperation; (2) HA Sustainable development and bio-energy.
the need to align already existing funds, for example projects funded under the EU Baltic Sea Region Programme (Kern and Gänzle 2013a).

After the enthusiasm of the initial phase of the strategy a more pragmatic perspective now prevails (Ozolina 2010). First, there seems to be different perspectives among the member states with respect to the overall aim of the strategy. While the Nordic countries and Germany put environmental issues high on the agenda, the Baltic States and Poland emphasize economic cohesion and competitiveness (Rostocks 2010, Salines 2010). Therefore, it has become a real challenge to keep all actors focused on a set of common goals (Reinholde 2010). Second, there is an ongoing debate on the added value of the strategy (European Commission 2013b). This has led to a refinement of the macro-regional concept, which is now based on five principles (integration, coordination, cooperation, multi-level governance and partnership), an assessment of the preliminary results and suggestions as to how the remaining challenges can be overcome. Overall, the European Commission concludes that ‘clear results are already evident in terms of projects and more integrated policy making, although further improvements are essential in implementation and planning’ (European Commission 2013c: 11). Third, there are still open questions because there is an evident lack of leadership (Ozolina 2010, European Commission 2013c) and challenges with respect to the implementation of the strategy (Laizāne-Jurkāne 2010). The EUSBSR was thus complemented by its own monitoring system with indicators and targets for individual Priority Areas (European Commission 2013c: 8-9). For the objective ‘Save the Sea’ the indicators and targets refer not only to EU legislation (in particular the MSFD) but also to HELCOM’s BSAP and targets to be set by HELCOM (European Commission 2012).

Although new institutions where not established within the framework of the EUSBSR, the strategy does affect existing institutions and stimulates new forms of institutional interplay (Kern and Gänzle 2013b). For the implementation of the Priority Area ‘Natural Zones and Biodiversity’, for example, HELCOM provides the technical and scientific framework (indicators and targets) for the implementation of EU Directives (EUSBSR News, May 2012: 5). This shows a new phase of horizontal interplay, linking (i) HELCOM; (ii) EU legislation; and (iii) the EUSBSR; in other words the EUSBSR utilizes HELCOM (and its BSAP) as an institutional basis for the implementation of EU legislation (such as the WFD and MSFD).

Vertical interplay has also increased because the European Commission sought legitimacy via a wide consultation process with a considerable number of stakeholders (Rostocks 2010). Macro-regionalization provides new political opportunities for subnational authorities and civil society actors in the region. The commitment of the stakeholders is essential because the strategy is built around soft values and voluntary cooperation (Reinholde 2010). The annual stakeholder meetings, which took place in Tallinn (2010), Gdansk (2011) and Copenhagen (2012), are seen as an opportunity for all actors to gather and express opinions. However, the involvement of stakeholders depends on their commitments and
capacities because not all affected groups have enough capacities to participate in such events (cf. Dreyer and Sellke 2015 in this volume).

It is a characteristic feature of macro-regional strategies that they aim for the cooperation of old member states, new member states, candidate countries and non-member states. Although the EUSBSR does not commit non-member states, the implementation of the EUSBSR requires close cooperation with the Russian Federation (European Commission 2013b: 31), such as joint maritime surveillance in the Gulf of Finland (European Commission 2012: 8). Though Russia’s involvement in the strategy is still limited, cooperation with Russia has not only a long history, it has also improved through the EUSBSR. Russia has launched a North-West Strategy which provides an interface with the EUSBSR. Moreover the so-called Turku Process, which was launched as part of the HA ‘Neighbours’ directly addresses practical cooperation with Russian partners at the subnational level (EUSBSR News, March 2013). Such projects are often based on long-standing twin city partnerships and include a variety of actors, ranging from cities and regional authorities to companies and their representative bodies as well as civil society actors and research organizations.

Discussion and Conclusions

The Baltic Sea region is a highly polluted and sensitive marine area with an intricate set of entangled environmental issues. Physical conditions increase the complexities of both the environmental problems and governance architecture. This chapter described the current situation regarding environmental governance in the Baltic Sea region, depicting a system with two strong institutions, HELCOM and the EU. It went on to examine three phases of regionalization and Europeanization of marine governance in the Baltic Sea region and their problem solving capacities: regionalization through the Helsinki Convention; Europeanization through EU legislation; and macro-regionalization through the EU Strategy of the Baltic Sea Region.

HELCOM is still the main actor in the area of marine governance. Through the work of HELCOM, the Baltic Sea countries have established directions for the protection of the marine environment, learnt to join forces and when a consensus is reached HELCOM is a strong regional actor in voicing demands within, for example, a UN setting. Despite the fact that the Baltic Sea has almost become an internal sea of the EU, HELCOM still plays an essential role for marine governance in the region. The interplay between HELCOM and the EU may even strengthen HELCOM’s position, especially since Russia is a party to the Helsinki Convention but stands outside the EU.

Traditionally, Europeanization of the Baltic Sea region has been limited to EU legislation which is implemented by the member states (cf. Bohman and Langlet 2015 in this volume). This type of Europeanization requires a certain degree of cross-boundary cooperation only, for example, in the case of trans-boundary river
basin management. The EUSBSR differs from this national paradigm because it contributes to the construction of the Baltic Sea as a macro-region. However, the regionalization of the area has been ongoing for a long time and a multitude of regional institutions, networks and partnerships have emerged, in particular since the end of the Cold War.

The institutional interplay between the EU and HELCOM has led to important synergies. Horizontal interplay between HELCOM and the BSAP on the one hand and the EU and the MSFD on the other has led to synergies which strengthen HELCOM and support the implementation of the MSFD. Since the MSFD has been built on the experience of HELCOM’s Baltic Sea Action Plan, HELCOM is in a position to influence decision-making in Brussels. The European Commission, in turn, utilizes HELCOM as a sort of regional environmental protection agency, which supports the implementation of EU legislation in the macro-region. Synergies have increased through the EUSBSR because it combines HELCOM, EU legislation and the EUSBSR. This may lead to more effective governance because HELCOM recommendations require a consensus among the cooperating countries and lack formal enforcement powers, while most EU directives are decided on the basis of a qualified majority, are binding after transposition into national law and are also subject to the infringement procedure for the EU member states (Wenzel 2011: 30ff., Van Leeuwen and Kern 2013). This creates new features of institutional interplay which facilitate and stabilize the development of a functional space and thus creates a new macro-regional level of governance which transcends both the borders of the nation-state and the external borders of the EU. In the Baltic Sea region we find a rather unique governance architecture combining existing regional institutions with trends towards Europeanization through EU legislation and macro-regionalization through the EUSBSR.

Vertical interplay has also increased over time. Today, HELCOM’s Baltic Sea Action Plan is based on a multi-level governance approach and the EUSBSR provides new political opportunities for sub-national authorities and civil society. The strategy differs from traditional forms of Europeanization because it pursues a macro-regional approach through the inclusion of a variety of national and trans-national actors and the organization of stakeholder meetings during the creation of the strategy and its implementation. However, it can be argued that there is still a lack of legitimacy because the process appears to be driven mainly by proactive actors with adequate capacities, even though the official channels are open to everyone.

The role of the Soviet Union and, since the end of the Cold War, the Russian Federation has always been decisive for the success of marine governance in the Baltic Sea region. Protecting and cleaning up the sea depends on cooperation with this important partner. Despite considerable shortcomings, the relationship with Russia has changed considerably over the last forty years, mainly due to collapse of the Soviet Union and the reestablishment of the Baltic States and Poland, but also based on various institutional arrangements and programmes such as the
Helsinki Convention, the Northern Dimension and the European Neighbourhood Policy. This has led to a certain degree of policy convergence between North-West Russia and the member states in the region. As the recent macro-regionalization transcends EU borders, multi-level governance is not restricted to member states; instead macro-regionalization is strongly intertwined with EU enlargement and the role of non-member states.

There are many challenges ahead, for example how to even better include non-EU countries in the EU-dominated setting in the Baltic Sea region, but the cross-sectoral approach, the improved participation at the macro-regional scale and the dynamic development of regional institutions and their interplay are novel. Although it is yet to be seen whether the new initiatives will be successful and sustainable in the long run, the emerging governance arrangements, which combine (i) HELCOM and its BSAP; (ii) EU legislation; and (iii) the EUSBSR in innovative ways, lead to synergies and seem to provide an adequate basis for marine governance in the Baltic Sea region. The new macro-regional approach in particular could be an option to overcome many shortcomings. It may, for instance, help to develop more democratic processes with high inclusiveness and legitimacy at the macro-regional level. However, constructing a coherent macro-region in the Baltic Sea area based on nation-states which show great differences in terms of wealth, culture and historical heritage might prove difficult. It will thus be necessary to reach compromises between countries with varying interests and preferences. Marine governance in the region will to a high degree depend on developing a coherent approach balancing national interests, Europeanization and macro-regionalization.

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