

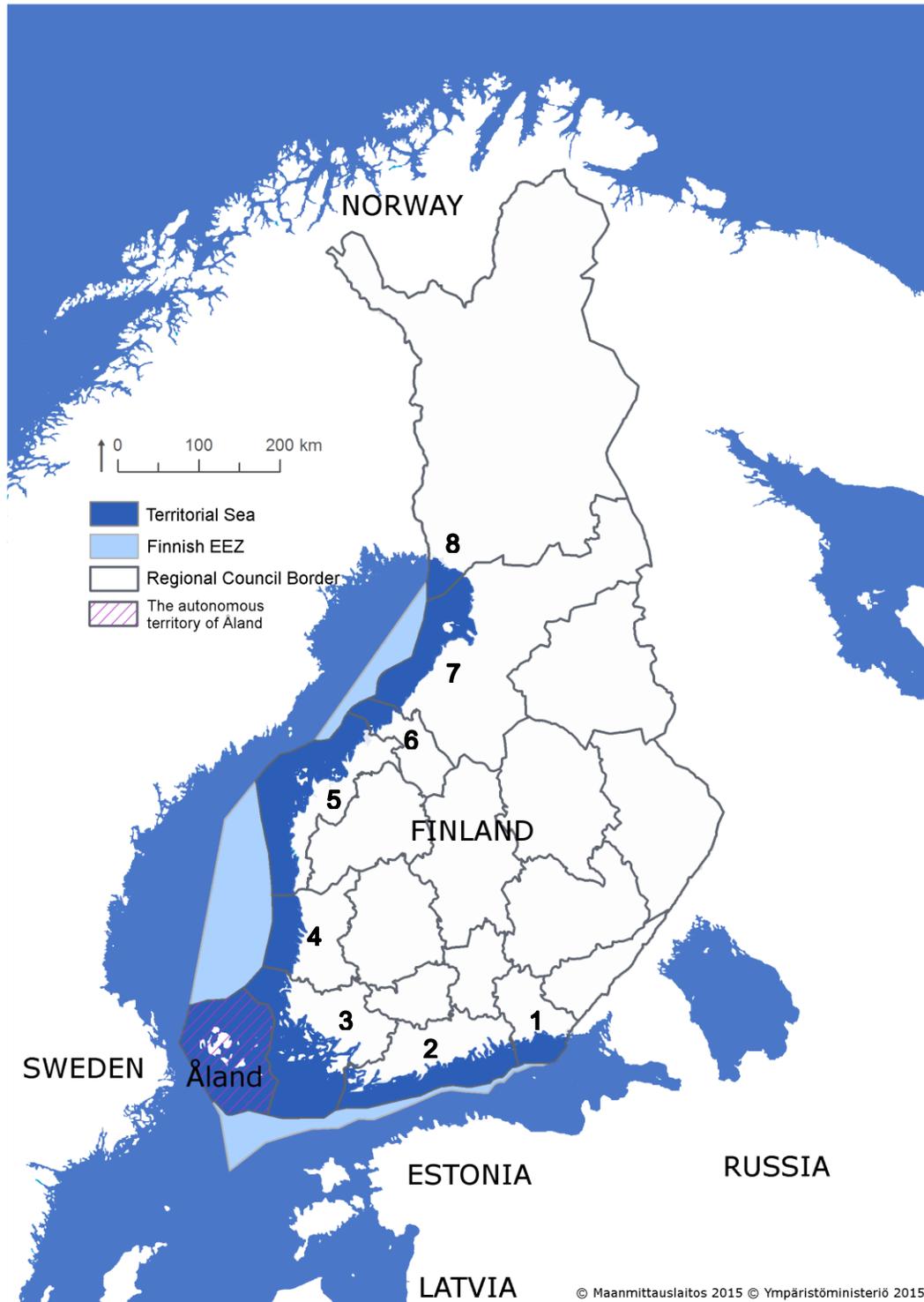


Country Fiche

Finland and Åland

Finland

1. General information



Map: Regional Councils, EEZ and Territorial Sea, source: MoE Finland

- Territorial Sea 12 nm zone: 52 581 km² including coastal waters around Åland 11 764 km² (the area of islands including Åland Islands is 5 716 km² are not included in the water area)
- Exclusive Economic Zone (EEZ): 29 078 km²
- Territorial Sea and Exclusive Economic Zone are limited to the adjacent states.

1.1. Governance

The Territorial Sea is a part of local municipalities. Local municipal authorities have strong self-government based on local democracy and decision making, the right to levy taxes, and the mandate for land use planning.

Finland is divided into 18 regions. Regional Councils are municipal organizations as well, and members of the council are representatives from the municipalities. The Exclusive economic zone is governed by the Finnish Government.

Åland is an autonomous region of Finland and governed according to the Act on the Autonomy of Åland and international treaties. It has an own government and parliament, as well as own legislation. Åland also has responsibility for the functions undertaken by Finland's regional councils. The Finnish territorial sea around Åland is part of local municipalities of Åland.

1.2. Contacts

Regional Councils with regional land use planning responsibilities on Territorial Sea:

1. **The Regional Council of Kymenlaakso**
2. **The Regional Council of Uusimaa**
3. **The Regional Council of Varsinais-Suomi**
4. **The Regional Council of Satakunta**
5. **The Regional Council of Pohjanmaa**
6. **The Regional Council of Keski-Pohjanmaa**
7. **The Regional Council of Pohjois-Pohjanmaa**
8. **The Regional Council of Lappi**

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2. General information on legislation

Maritime spatial planning legislation

The maritime spatial planning directive is transposed in to Finnish law in 2016. MSP regulations are given as a part of the Land Use and Building Act, which is the most important act to steer land use, spatial planning and construction. Nonetheless, maritime spatial planning is not part of the land use planning system of Finland. Maritime spatial plans are general, non-binding plans drafted and approved by the Regional Councils.

Eight Coastal Regional Councils are in charge of drafting maritime spatial plans on Territorial waters and on EEZ by March 2021. There will be three plans; one for the northern Bothnian Sea, Quark and Bothnian

Bay by Regional Councils of Lappi, Pohjois-Pohjanmaa, Keski - Pohjanmaa and Pohjanmaa, one for the Archipelago Sea and southern Bothnian Sea by Regional Councils of Satakunta and Varsinais-Suomi and the third for the Gulf of Finland by the Regional Councils of Uusimaa and Kymenlaakso.



The plans should promote sustainable development of marine areas and the sustainable use of marine resources. Energy sectors at sea, maritime transport, the fisheries and aquaculture sectors, conservation, protection and improvement of the environment and nature, tourism and recreational use of maritime areas should be especially viewed and reconciled among other activities.

When drafting a plan special attention should be paid to the characteristics of the sea area and to the land–sea interaction. Communication and participation is highlighted throughout the planning process, and Regional Councils are expected to engage stakeholders and work together between each other in drafting the plans.

Ministry of the Environment will develop and guide maritime spatial planning and be in charge for of cooperation with neighboring countries.

A national maritime spatial planning coordination group has been established for developing maritime spatial plans and also for developing the planning process. Group members are representatives of coastal Regional Councils, Åland Island and the Ministry of the Environment. The aim of the group is to facilitate coherence of the Finnish maritime spatial plans and to take care of participation and cooperation needed in drafting the plans.

The maritime spatial planning process has been developed in cooperation with different stakeholders by the coordination group. The process is roughly divided into five phases:



Source: www.merialuesuunnittelu.fi

Stocktaking, data and other planning materials were finalized in the spring 2019, and a public consultation of the planning evidence was organized. Future scenarios were finalized in October 2019 and defining of the planning targets for the Finnish maritime area has started. Planning phase will be carried out in 2020, and plans are expected to be approved by regional councils by the end of 2020.

Regional land use plans on Territorial Sea

According to the Land Use and Building Act, land use planning is implemented on Territorial Sea as well as on land. Regional Councils are in charge of drafting and approving regional land use plans which may cover Territorial waters as well.

At present Territorial Sea is included in the regional land use plans drafted by eight coastal regional councils. These general plans set out medium-term and long-term objectives for regional land use strategies that guide regional development and steer decisions on issues that are of a trans-municipal or regional nature. Regional land use plans are legally binding.

In drawing up a regional land use plan, special attention is given to the following: appropriate regional and community structure of the region, ecological sustainability of land use, environmentally and economically sustainable arrangement of transport and technical services, sustainable use of water and extractable land resources, operating conditions for the region's businesses, protection of landscape, natural values, and cultural heritage, and sufficient availability of areas suitable for recreation.

In addition, the Government defines national Land Use Guidelines, which should be taken into account throughout the country in all land use decisions and land use planning.

[Land Use and Building Act \(132/1999\)](#) - Unofficial translation of the original Act, PDF format in Finlex, the Data Bank of Finnish Legislation.

[Regional Land Use Planning in Finland](#) - Brochure

3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

The maritime spatial planning regulations are implemented on Territorial Sea and on Finnish Exclusive Economic Zone.

The Land Use and Building Act is implemented on Territorial Sea.

The UNCLOS Law of the Seas is implemented in national legislation on Exclusive Economic Zone 2004. It specifies sectoral laws, which are implemented on EEZ.

4. Spatial Plans

Recently a first regional land use plan for the Territorial Sea of Kymenlaakso Region was drafted and approved by the Regional Council of Kymenlaakso and ratified by the Ministry of the Environment. The Kymenlaakso regional plan does not fully incorporate the MSP directive's goals, it does not for example cover EEZ, but is a first attempt at integrated spatial planning of the sea area.

4.1. Regional land use plan for the Sea, Kymenlaakso Region

4.1.1. Legal basis

The legal basis for regional land use plans are in the Land Use and Building Act. The legislation is applicable to Territorial Sea as well as to land areas. The binding regional land use plans must take in to account the National Land Use Objectives in a way that promotes their implementation.

The regional plans set out the principles of land use and community structure, and designates areas as necessary for regional development. Areas are designated as reserved only to the extent and accuracy required by national or regional land use goals or by harmonizing the use of land in more than one municipality.

4.1.2. Legal impact

The plan sets binding guidelines for municipal land use plans and other authorities' land use related planning.

4.1.3. Area covered

The plan area covers the Kymenlaakso Region. A total area of 1822 sq km of Territorial Sea was planned. This contributes to ca. 25 % of the total surface area of the region. The plan does not cover the EEZ as the Land Use and Building Act is not currently applicable to the EEZ.

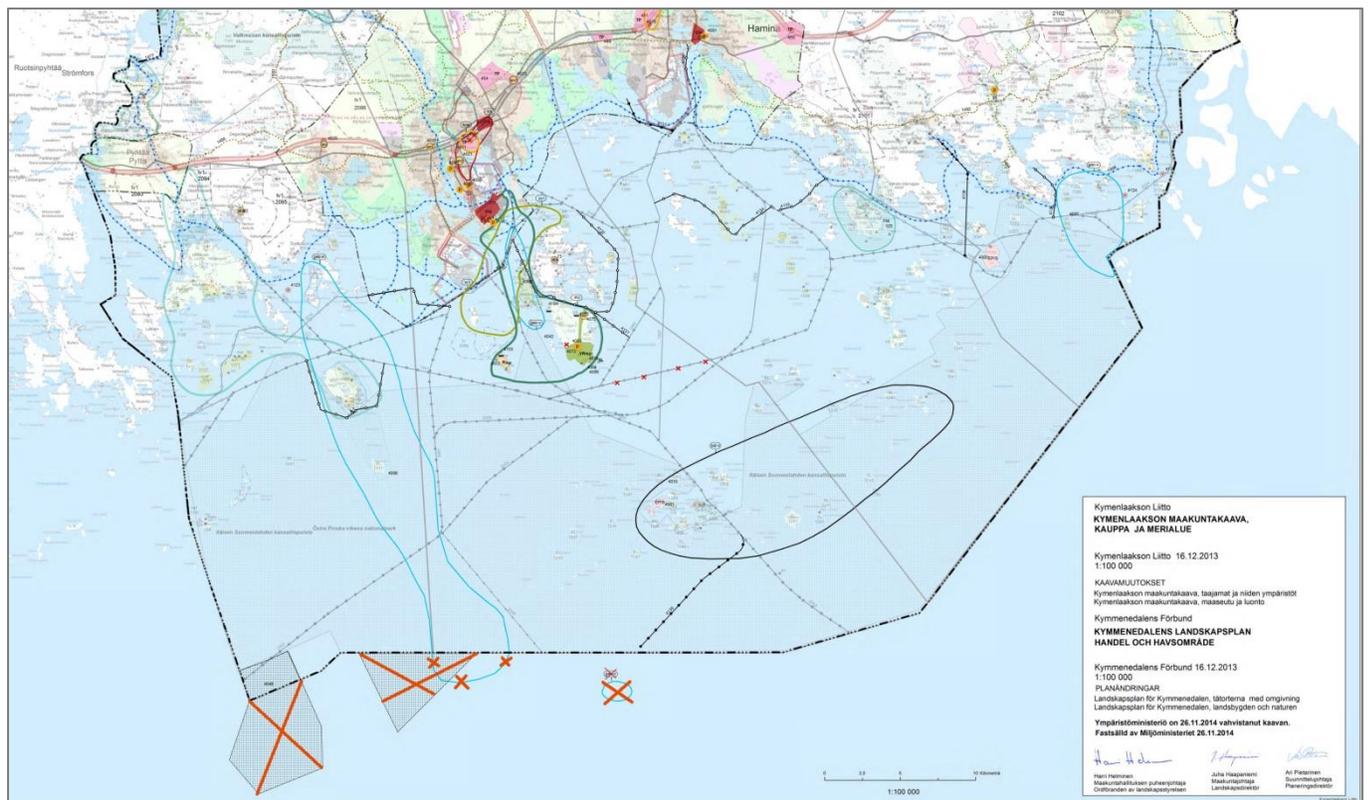
4.1.4. Historic development

The planning process took place from May 2012 to November 2014.

4.1.5. Objectives of the plan

The plan aims to strengthen the region's marine area's nature, cultural heritage, natural and ecosystem resources use as well as the shipping, military and tourism sectors. Known environmental risks such as eutrophication, seafaring accidents and sedimentary pollution have been recognized. The plan also aims to address issues concerning the marine strategy and water framework directives, maritime spatial planning directive and ecosystem based planning goals of the European Union.

4.1.6. Map



Map: Part of the ratified regional land use plan of Kymenlaakso Region (Ministry of the Environment 2014)

4.1.7. Designation

Binding land use areas have been designated according to relevant studies of the current environment and future needs. Studies used and conducted in planning include studies of the seabed's geology, sea's environmental status and ecology, seafaring safety and noise pollution as well as particularities of the sea. Designations are planned to enhance the coexistence and synergies of different functions.

Cultural heritage, nature conservation and natural resources

Known cultural heritage loci at sea were categorized, generalized and designated in to regional zones of cultural heritage importance.

Valuable geological seabed formations have been categorized, generalized and designated.

The military has closed some island military facilities, which have been designated to new land uses in nature conservation, tourism and recreation.

Biodiverse seabed and island areas have been categorized and designated so as to create functioning ecosystems. Ecosystem areas that are able to better withstand use of natural resources (incl. dredging and depositing) have been identified. Previous deposit areas were shrunk in order to better protect the functioning of ecosystems. A balance between natural habitat preservation and natural resource exploitation has been achieved.

Fishing and Aquaculture

Primary fishing and aquaculture areas have been designated according to national strategies.

Shipping

Main shipping routes and harbors were designated. Regional recreational boating routes and harbors were designated.

Military

Functioning military areas on islands and inland have been designated. Important nature conservation areas within the military areas have been designated as secondary functions.

Tourism and Recreation

Main tourism and recreation possibilities have been designated especially to rich nature areas that withstand tourism, islands that facilitate cottages and closed military facilities.

4.1.8. Regulations

Regulations of designations are binding and detail what land uses are allowed, what is to be taken in to account in their use and what administrative procedures are required in more detailed planning.

Single use and combined use functions are designated as either primary or secondary functions. Some land uses are explicitly restricted in certain areas (such as dredging or depositing in biodiverse areas).

Detailed planning or project planning in certain designated areas requires detailed surveys, studies and hearings before project approval.

4.1.9. Adoption

The plan was approved by the Regional Council's highest decision-making body on the 16th of March 2013.

The plan was ratified with some changes by the Ministry of the Environment on the 26th of November 2014. Most notably the land use reservations within the EEZ were crossed out, as the Land Use and Building Act is not applicable to the EEZ.

4.1.10. SEA

The Land Use and Building Act regulates that an environmental impact assessment (EIA) of the land use plan must be carried out before plan approval. The EIA recognized that certain land use restrictions and planning guidelines will preserve and enhance cultural heritage and nature values as well as ecosystem services. The development of tourism, fishing and aquaculture will strengthen the regional economy. However, tourism development will increase the load of human activity to the environment.

4.1.11. Public participation

Broad public participation was held throughout the planning process. Several workshops were held with relevant national and local stakeholders. A total of twelve public hearings were held in the six municipalities of the region.

4.1.12. Transboundary consultation

N/A

4.1.13. Harmonisation with other plans

The Land Use and Building Act requires the harmonization of regional land use plans with neighboring regional plans whenever possible.

4.1.14. Monitoring

The Regional Council will monitor the progress of the plan and commence new planning when deemed necessary.

4.1.15. Electronic resources

Kymenlaakso Regional Council maintains a map service for it's regional plans:

http://www.kymenlaakso.fi/suunnittelu_ja_kehittaminen/Kartat/

5. What countries want to share

N/A

6. New developments / current status

Draft maritime spatial plans will be ready in April and available for consultation in May – June 2020.

7. How coastal and marine Baltic Sea protected areas (HELCOM MPAs) are taken into account in MSP

Maritime spatial planning is still going on and evaluation is not yet possible. The aim of the regulation of MSP is to promote sustainable development. More precise, the future needs of conservation, protection and improvement of environment and nature should be viewed and reconciled with other activities.

Åland

1. General

Territorial Sea 12 nm zone: 11 764 km²

1.1. Governance

The Territorial Sea is a part of local municipalities. Local municipal authorities have strong self-government based on local democracy and decision making, the right to levy taxes, and the mandate for land use planning. The Government of Åland has the planning mandate of the sea areas, more specifically the areas that the Government owns privately (can be binding) and the common-water areas (planning sea-use recommendation). There are privately owned water areas on Åland, and in these areas, the owner(s) can plan the sea-uses of the area as long as they are abiding other current legislations. Nevertheless, the Maritime Spatial Plan for the Åland Islands covers all sea areas, as a guiding document, including the privately-owned waters as well as the common-water areas.

1.2. Contacts

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MSP Data Focal point: NA

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2. General information on legislation

Maritime spatial planning legislation

The maritime spatial planning directive was transposed into Åland's legislation in 2018. MSP regulations are given as a part of the Water Act, which is the most crucial legislation to steer water usage and development of the freshwater and sea area. Maritime spatial plans are general, non-binding plans drafted and approved by the Government of Åland (Ålands landskapsregering). The Government of Åland oversees the development of a maritime spatial plan on Territorial waters by March 2021.

The plans should promote the sustainable development of marine areas and the sustainable use of marine resources, as well as promote the good environmental status of the sea areas. Energy sectors at sea, maritime transport, the fisheries and aquaculture sectors, conservation, protection, and improvement of the environment and nature, tourism, and recreational use of maritime areas should be especially viewed among other activities and reconciled.

When drafting a plan, special attention should be paid to the characteristics of the sea area and the land-sea interaction. Communication and participation are highlighted throughout the planning process, and the Government of Åland is expected to engage stakeholders and work together with them in drafting the plans.

Åland takes part in the Finnish national maritime spatial planning coordination group for developing maritime spatial plans and the planning process, and to facilitate coherence of the Åland and the Finnish maritime spatial plans as well as the MSP's of Sweden, Estonia, and other BSR countries.

Land-use plans and the Territorial Sea

According to the Land Use and Building Act, land use planning is implemented on land, and the territorial sea is planned according to the Water Act.

At present, the territorial sea is not included in the general land use plans of the municipalities. These general land-use plans set out medium-term and long-term objectives for regional land-use strategies that guide regional development and steer decisions on issues that are of a trans-municipal or regional nature. The general land use plans are legally binding. Hence, it is essential for the MSP, designated by the Government of Åland, to collaborate with the municipalities to implement the Land-Sea Interaction aspect in the MSP process fully.

3. General applicability

The maritime spatial planning regulations are implemented on the Territorial Sea.

4. Spatial Plans

4.1 Designation categories

NA

4.2 Planned Sea-uses

NA

4.3 Access to MSP data (Electronic resources)

<https://www.regeringen.ax/demokrati-hallbarhet/hallbar-utveckling/marin-kustomradesplanering-havsplanering>

5. What countries want to share

NA

6. New developments / current status

The Government of Åland has drafted its first proposal for an MSP, and the plan is under its first hearing until the 31st of March 2020. A revised proposal will be presented for a second and final public consultation during the summer-early fall of 2020. The first MSP proposal will be accepted at the latest on the 31st of March 2021 by the Government of Åland.

7. How coastal and marine Baltic Sea protected areas (HELCOM MPAs) are taken into account in MSP

Maritime spatial planning is still in the development phase, and evaluation is therefore not yet possible. The regulation aims to promote sustainable development. More precisely, the future needs of conservation, protection, and improvement of environment and nature should be viewed and reconciled with other activities.