



Terms of Reference for the HELCOM Response Working Group (HELCOM WG Response)

Approved via correspondence in February 2023 by the Heads of Delegations of the EU and the Contracting Parties to HELCOM that are also Member States of the EU.

Purpose

The Response Working Group of the Baltic Marine Environment Protection Commission (HELCOM WG Response) works to ensure swift national and international response to marine pollution incidents, ensure that in case of an accident the right equipment is available and routines are in place to respond immediately in co-operation with neighbouring states, analyse developments in maritime transportation around the Baltic Sea and investigate possible impacts on international cooperation with regard to pollution response and to coordinate the aerial surveillance of maritime shipping routes to provide a complete picture of sea-based pollution around the Baltic Sea, and to help identify suspected polluters.

Duties

The duties of the Response Working Group are:

To advise the Commission in discharging its duties under Article 20 of the Helsinki Convention adopted at the Diplomatic Conference on the Protection of the Marine Environment of the Baltic Sea Area, Helsinki 9 April 1992, especially in respect of matters related to Articles 3 “Fundamental principles and obligations”, 12 “Exploration and exploitation of the seabed and its subsoil”, 13 “Notification and consultation on pollution incidents”, 14 “Co-operation in combating marine pollution”, 16 “Reporting and exchange of information” and 24 “Scientific and technological co-operation” as well as Annexes VI “Prevention of pollution from offshore activities” and VII “Response to pollution incidents” of the Convention, in relation to:

- I) Ensuring a swift national and trans-national response to marine pollution incidents, and in particular:
 - i) to promote adequate national emergency capacity (for instance fire-fighting, emergency lightering, emergency towing capacities and places of refuge) to enable quick responses to maritime incidents, including ascertaining the adequacy and readiness of existing capacity, making it part of national capacity building and developing plans for sub-regional co-operation;
 - ii) to promote adequate national ability to respond to pollution incidents at sea and on the shoreline, including response methods for various oil types, hazardous and noxious substances (HNS), also in icy conditions;
 - iii) to maintain and further develop the standing operational network for trans-national co-operation in pollution incidents at sea, on the shoreline, wildlife response, and aerial surveillance, including facilitation of direct contact and co-operation between the competent authorities dealing with pollution response matters in the Baltic Sea area, inter alia, through meetings, workshops and exercises;
 - iv) to update and keep under review the HELCOM Response Manual and the Multi-regional Marine HNS Response Manual;

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- II) Co-operating with other international organizations:
 - i) to develop suitable routines for co-operation in operational matters with the competent authorities acting under other international agreements and of relevance to response operations in the Baltic Sea area;
 - III) Facilitating effective prosecution of offenders of anti-pollution regulations:
 - i) to develop annual maps and statistics of observations of deliberate, illegal oil discharges;
 - ii) to further develop procedures for the collection of evidence to be used for the prosecution of offenders of deliberate illegal discharges;
 - iii) to promote national and trans-national co-operation between competent authorities engaged in the collection of evidence and in the investigation/prosecution of offenders of deliberate, illegal discharges;
 - IV) Responding to pollution from offshore activities, and in particular:
 - i) to promote adequate pollution emergency plans for immediate response actions in case of pollution incidents;
 - V) Coordinate and plan the organization of joint exercises at sea and on shore.
 - VI) Assessing and following up the implementation by the Contracting Parties of the Helsinki Convention, the 2021 Baltic Sea Action Plan (BSAP) and the HELCOM Recommendations in the response field, and in particular:
 - i) to co-ordinate the reporting.

Expected outcomes

Expected outcomes of the work conducted in the frame of the Response Working Group are detailed in the 2-years workplan of the Working Group, regularly updated by the Working Group and approved by the HELCOM Heads of Delegation.

Organization of work

The Response Working Group consists of experts from Contracting Parties and is open to Observers according to HELCOM procedures. Delegations from Contracting Parties as well as Observers will identify a lead of delegation who will approve the nominations of the delegation they belong to. Leads of delegations will also approve meeting participants from their delegation. Additional experts and representatives of organizations can be invited to the meetings by the HELCOM Secretariat in consultation with the Chair.

The Response Working Group will hold three physical meetings in two years. Extraordinary intersessional online meetings should only take place if an urgent need arises. In the physical meetings, the Contracting Parties shall ensure that at least the lead of a delegation or another delegate with the mandate to negotiate attends the meetings physically.

The Response Working Group will elect a Chair and Vice-Chair for a 2-year period. The maximum mandate period for a Working Group Chair should be three consecutive mandate periods, consisting of 2 years per period, resulting in a maximum consecutive mandate period of 6 years.

The current Terms of Reference are to be reviewed periodically, every four years, or as the need arises.

The HELCOM Secretariat will provide administrative support to the Working Group.

The Response Working Group reports to the HELCOM Heads of Delegation.

The updated (2023) HELCOM organigram is available [here](#) on the HELCOM website.