
Document title	Update on establishment of Bogskar MPA
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Agenda Item	2 Matters arising from the subsidiary bodies
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Submitted by	WWF and CCB
Reference	Memo of IC HOD 5-2024 (para 4.27-4.28), Memo of IC WG BIODIV 3-2024 (para 6.11), Memo of IC HELCOM-VASAB MSP WG 5-2024 (para 7.1-7.5)

Background

Following the considerations at IC WG BIODIV 3-2024 and IC HOD 5-2024, the Ministry for the Environment in Finland invited the stakeholders, Provincial Government of Åland, Finnish authorities and NGOs (Ålands Natur och Miljö, WWF and CCB), to a dialogue to further discuss the process for establishing the Bogskar Natura 2000 area. It consisted of series of meetings, including offline in Helsinki on 3 September 2024.

Since then the Supreme Administrative Court of Finland [has dismissed the appeal](#) to overturn the decision by the Provincial Government of Åland of 7 December 2023 to establish a nature reserve in a public water area (Bogskar Natura 2000 area). However, the Court found that the grounds for the decision of the Provincial Government of Åland to revoke the establishment of the MPA were based on factual errors in the procedure for establishment of a nature reserve. The procedure *i.a.* did not take into account [Åland's MSP](#), stakeholders concerned have not been properly consulted (e.g. neither companies with exploration rights in large parts of the area nor Åland Fishermen's Association), as well as certain statutory rights and rights based on international agreements should be taken into account. The Court also confirmed that a new decision in the case will be issued by the Provincial Government of Åland after further preparation for establishment of the MPA has been completed and errors above rectified.

WWF and CCB thank Finland for the efforts undertaken, welcome the willingness of all the parties involved in further driving the case towards establishment of the Bogskar MPA as a valuable nature reserve of the Baltic-wide importance and invite the stakeholders for a series of consultation workshops. Given the complexity and sensitivity of the issue, WWF and CCB suggest that moderation of the stakeholder workshops should be carried out by a neutral party. HELCOM's role in it could be considered, taking into account the current [HELCOM's Chair priorities](#) in seeking balance between the Blue Economy and environmental protection, as well as in strengthening dialogue and engaging the public in decision-making, as well as vast expertise and knowledge on Baltic MPAs and coherent management of those. Also taking into account the connection of the case to practical [implementation of ecosystem-based approach in MSP](#), the role of IC HELCOM-VASAB MSP WG in moderation of the stakeholder dialogue could be as well considered.

Action requested

The Session is invited to

- take note of the updated information regarding Bogskar MPA;
- encourage Finnish authorities to facilitate necessary stakeholder consultations for the preparation of the new application of the Bogskar Marine Natura 2000 area establishment;
- consider and decide on the role of HELCOM and its bodies in moderation of the stakeholder dialogue.