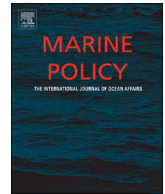




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Engagement of stakeholders in the marine/maritime spatial planning process

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A B S T R A C T

The paper is built around a comparison of the engagement of stakeholders in the maritime/marine spatial planning (MSP) process in Namibia – a country just starting the process in the African continent - and EU Baltic Sea region countries, most of which are very advanced with regard to MSP and well-known due to the progress achieved. The paper briefly clarifies various nuances related to stakeholder engagement and related key terms and provides a broad picture of reasons for stakeholder engagement, related costs and benefits and various institutional or administrative frameworks frequently used to this end. The overall conclusion is that stakeholder engagement is among the key factors of MSP success regardless of the level of prosperity of the country or advancement of the MSP process. It requires a conscious approach, preferably including the preparation of a stakeholder engagement strategy, or a continuous process of capacity building of MSP stakeholders, even done outside the formal MSP process (i.e. decoupled from a formal MSP effort). Practice is more important than formal declaration of intentions or rules prescribed by law. However, having said that one should keep in mind that such engagement should be designed and programmed in line with a planning culture, the existing experience and understand government proceeded and the key values of a given society.

1. Introduction

This paper presents concrete examples of the engagement of stakeholders in maritime spatial planning (MSP)[1,2] in the sharply unique cultural, institutional and administrative context of the Baltic Sea region (BSR) considered a pioneering region for MSP development [39] and Namibia, in which the MSP process has only started recently. It aims at the identification of several practical factors or enablers facilitating stakeholder engagement in MSP, an engagement that might inform and facilitate real MSP processes in various countries regardless of the legal or administrative specificity of their MSP. Those factors must be translated into the local or regional context, but they can serve as a starting point for designing MSP processes. Thus, the paper is applied, written, and oriented toward using the method of the informed insider view or participation approach. The authors have been engaged in MSP in the Baltic Sea region and in Namibia. The added value of this approach is twofold. Firstly that the paper is not written from an academic perspective – a great number of these type of articles have already been published e.g. [3–6,27–36] – but drawn from practical, real-world experiences. Secondly two MSP cases to be analysed are very different in their nature and therefore provide interesting comparative material on the MSP nature in the EU and outside the EU realm. Namibian MSP is rather new (MSP has only started in 2016). MSP is not required by law but is based on actual needs, i.e., conscious governmental strategic

decisions. MSP is conducted in line with national laws and regional strategies. On the other hand MSP in the BSR has a relatively long tradition (the first maritime spatial plan was completed in 2005, and over a 10-year record of international co-operation on MSP). Current MSP efforts are based on the EU MSP Directive and have to follow many other EU regulations, e.g., in the field of nature protection, fisheries, water policy and flood prevention. Moreover, motivation of BSR countries behind MSP differs. Some of them, e.g., Germany or Poland, started MSP due to perceived benefits of more accurate spatial management, some others, e.g., Denmark, were prompted by the requirements of the EU Directive. The biggest difference is in unilateral versus joint planning of a relatively large sea area (marine ecosystem). A detailed comparison between the Namibian and the BSR regional MSP processes is provided in Table 1.

2. Stakeholder engagement

The engagement of stakeholders in MSP is important for different reasons. These can be generalized as relating to the efficiency of the MSP process and normative concerns. Efficiency in usual economic terms means the comparison of costs and benefits. There are numerous benefits resulting from stakeholder engagement. From practical BSR and Namibian perspectives one can identify the following:

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Table 1

Comparison of key characteristics of MSP in Namibia and the Baltic Sea Region.

Source: Authors elaboration

Issue	Namibia	Baltic Sea region
The planning area	Part of the Atlantic Ocean from the high water mark to the Namibian EEZ covering about 540,000 km ² . The ocean is an important part of the national economy of this developing country with mixed intensity of uses, that are diminishing with distance from the coast	Closed, relatively shallow sea covering 377,000 km ² and connected to other sea systems with narrow straits, surrounded by relatively developed countries belonging to the EU (with the exception of Russia) planned jointly by all these countries; very different situation on intensity of sea uses among countries (intensive use patterns in the South-West and much less intensive in the North-East).
Motivation behind MSP	Identified as a key performance indicator in Namibia's Second National Biodiversity Strategy and Action Plan 2013 – 2022 to achieve strategic goal 2 (Reduce the direct pressures on biodiversity and promote the sustainable use of biological resources).	Mixed motives but important role of EU Directive requiring preparation of MSP plans.
Key MSP concerns	A growing range of industries in the ocean space leading to conflicts of use and growing pressure on the natural environment.	Unsatisfactory state of the marine environment and need to accommodate some key sea uses, e.g., dense shipping, offshore energy, underwater cultural heritage,
Nature of MSP	Currently not binding but legislation will be developed.	From non-binding (Sweden, Finland) to binding (Germany, Poland, Lithuania, Denmark), from only national (e.g. one national plan in Latvia, Lithuania, and several national plans in Poland) to national and regional (Estonia, Germany, Finland) and even national plans accompanied by local plans (e.g., Sweden)
International law applied	UNCLOS, and other international conventions	UNCLOS, other international conventions, and several EU regulations and non-binding strategic documents agreed at EU level
Sea basin law applied	2050 Africa's Integrated Maritime (AIM) Strategy MSP strategy of the Benguela Current Convention	Several non-binding guiding documents agreed by BSR countries including MSP principles and MSP vision [37]
Obligation to engage stakeholders	No formal requirement, but Namibia opted to follow international best practice	Required by EU Directive and by sea-basin pieces of soft law (agreed recommendations), actively promoted by sea basin co-operation,
Experience to engage stakeholders	The Environmental Management Act (2007) with its regulations (2012) prescribes stakeholder engagement for Environmental Impact Assessments. However, the culture of stakeholder engagement is rather new in Namibia.	Long-lasting tradition and well-established experience gained under EU programming but sometimes limited to formal inclusion [25], relatively high level of stakeholders' awareness, e.g. in Nordic countries [24]), dense network of Baltic NGOs, existence of numerous good practices on stakeholder engagement applied in neighbouring countries and promoted at sea basin level, but still dissatisfaction on the real achievement at least in the research side [9,20]

- the “snowball effect”, i.e., a much easier self-engagement of stakeholders in the MSP process if the critical participation mass has been achieved;
- access to the tacit knowledge of stakeholders allowing for a better understanding of the marine space to be planned and prompting alternative solutions to the conflicts and synergies that have been identified;
- reduction of transaction costs, i.e., costs of agreeing on practical solutions of addressing inevitable trade-offs since MSP cannot be limited solely to win-win situations; the participation of stakeholders in the MSP process builds trust and understanding; it positively affects the ideological attitudes and perceptions of the stakeholders in MSP that, in turn, influences their interpretation of the outcomes; and
- as a result, one can expect that broader ownership of the planning process facilitates the adoption of the plan, diminishes any social resistance against planning solutions, and facilitates monitoring of the implementation and evaluation of the plan.

However, there are also important costs related to stakeholder participation. The main ones being:

- the need for larger financial and human resource capacities (people with mediating skills are really important in this case) in terms of the planning aspect in order to cope with increased number of interactions;
- a longer preparation time for planning solutions that have to be broadly negotiated; and this action might take place in opposition to the tough administrative deadlines that might favour fast expert solutions and imposing the plan on the stakeholders;
- the risk of the process being dominated by government or well-established private vested interests that are well-equipped and experienced in various forms of public negotiations; and

- the risk of the responsible authorities losing control over the MSP process.

For efficiency, costs should be compared with benefits. A poorly-designed stakeholder engagement process can stop the planning effort and result in chaos and sectoral, non-integrated marine governance. Therefore, one should keep in mind that greater stakeholder involvement is not always better. Costs and benefits depend on the local context and prevailing planning culture, e.g., a culture of negotiations and consensus building versus a culture of confrontation. However, the prevailing opinion is, as expressed by experienced maritime planner Leo de Vrees,¹ quoting an old African proverb: “if you want to go fast, go alone, if you want to go far, go together”.

Stakeholders should participate in the planning process since it is fair, in line with the essence of democracy, and the equal treatment of all people affected by planning solutions. From this perspective, MSP is considered a governance process established as a remedy for market failure (the market is unable to allocate marine space to the most important uses from a societal point of view) [21]. To properly fulfill these expectations so as to prevent undesirable solutions, the MSP process should, be based on democratic rule and pay attention to preferences of the broad spectrum of stakeholders regarding the ways in which marine space is developed [20]. The MSP should uncover the preferences of all stakeholders and rank them on the basis of an existing hierarchy of values in a given society and key societal goals. Therefore, limited stakeholder engagement can also lead to governance failure, i.e., the development of marine space running counter to the prevailing societal preferences. This, in turn, will diminish societal well-being and will act against key societal values agreed on in a general public choice process (e.g. social justice, protection of the most valuable assets of the

¹ At the Conference Maritime Spatial Planning for Blue Growth How to plan for a Sustainable Blue Economy? (Brussels 11–12 October 2017).

environment, and equal access to nature).

There is no one jointly accepted meaning of stakeholder engagement. At least, the Namibian and BSR experience does not provide evidence of one single definition. Stakeholder engagement can assume various forms. Frequently quoted in this context is Arnstein's [7] ladder of public engagement that describes different levels for stakeholder engagement (drawing on [8]):

- **Information** - Providing information, e.g., about the results of a decision. This tends to be one-way communication—from the MSP practitioners to the stakeholders.
- **Education** - Explaining or raising awareness of something - often in order to change attitudes or actions. This also tends to be one-way communication—from the MSP practitioners to the stakeholders.
- **Consultation** - Asking for the opinions of stakeholders or reactions to the decisions of a particular draft. It can take the form of telephonic inquiries, focus groups and debates. Consultation can be a two-way communication, e.g., if the participants are informed of the results, but final decisions are made by those who are consulting.
- **Involvement** - Here, more than simply opinions are expected—participants may be part of the solution through taking action or endorsing something, e.g., communication must be two-way and responsibilities are not necessarily formally set out. The relationships between the participants may often remain unclear.
- **Partnership** - Direct involvement in decision making and action is necessary here, with all parties having clear roles, responsibilities, and powers—usually striving towards a defined purpose/shared common goal. Two-way communication is essential.
- **Devolved Power** - Relinquishing decision-making powers, resources and control. Here, clear lines of accountability are essential and two-way communication is necessary with those relinquishing the power.

The Baltic and Namibian experiences show that these forms of stakeholder engagement should not be treated as hierarchical options. They can and should complement each other. Education can go hand in hand with consultations, involvement and partnership. Providing information and consultations are imminent parts of both partnership and devolved power. However, one of the key conclusions is the need to prepare stakeholders to use the various forms of engagement. For instance, partnership requires trust while devolved power demands not only trust but also additional human and financial resources. Aiming at forms of engagement in the absence of important preconditions for their introduction can be premature and may even halt the MSP process. Consultation and involvement prevail in the BSR and Namibian cases; however, one can also detect several signs of permanent partnership building, e.g., the exchange of data and information needed for the MSP process.

A summary of the various perspectives of stakeholder engagement should be compiled. A normative perspective should be examined against one of efficiency. Concrete forms of engagement should be adjusted to the outcomes of these examinations. For instance, in the case of a risk of domination of private-vested interests in the MSP, the focus should be on education and partnership building among potentially disadvantaged stakeholders, rather than being on information sharing.

3. MSP stakeholders

Overviews of stakeholder definition in relation to MSP are widely available in the literature [27]. Therefore, in this paper the focus will be on comparison of the BSR and Namibian approaches to this issue. In Namibia MSP stakeholders are defined as all individuals, groups, institutions and organisation (government and private) that have an interest in the marine space. Baltic scholars and practitioners define a stakeholder similarly as a: “group, person, organisation, enterprise or

administrative unit with a stake in MSP - those affecting and affected by acts of MSP (recognised as such or not). This can include society at large/general public” [9]. Both the Namibian and BSR experiences show that the problem lies with stakeholders not being aware of this latter aspect, i.e., being affected. MSP is a new governance process and stakeholders can easily misrepresent it [22]. Currently, one can witness dynamic changes in the marine stakeholder composition. New and emerging sea uses have started to change the traditional stakeholder landscape that used to be dominated by navigation, tourism, fisheries, and environmental protection. All these radical shifts change the consciousness of stakeholders. New types of conflicts but also new types of synergies have emerged. For instance, a windfarm can serve as electricity-feeding stations for new types of ships powered by electric engines. However, at the same time, the traditional stakeholders might get the feeling of being cut off from access to their traditional marine resources. The problem is that different types of stakeholder groups have different approaches and capacity to react to these dynamic changes. This difference results from varying educational levels, varying degrees of openness to the new challenges, and specific past experiences.

Stakeholders are differently organised and are active at different geographical scales. Some have a local perspective while the others work with the sea basin as their reference point. The latter can be organised in the sea-basin or EU-wide umbrella organisations like the Helsinki Commission (environmental protection) or a non-profit association, WindEurope (offshore renewable energy) at the EU level. Also transnational projects influence the way in which stakeholders are organised. Such projects can provide starting points for more permanent cross-border or transnational collaborations. These positively affect the engagement of stakeholders in the MSP process.

Different stakeholders might prefer different levels of involvement in the MSP process [10]. The key factors influencing the level of engagement seem related to the scope of interest, e.g., offshore energy needs conscious development at the sea basin level, while mariculture seems to have a more regional character, and the way in which stakeholders are organised, e.g., environmental protection has its own sea basin conventions, e.g. HELCOM, OSPAR while fisherman act mainly in regional or local organisations. Some differences can be seen even within the individual sectors. For instance, usually, artisanal boat fisheries are poorly organised in comparison to the fisheries using larger trawlers. Therefore, when asked about their preferred level of involvement in MSP the representatives of different sectors, reveal different preferences (see Fig. 1).

One can see a similar pattern in Namibia. Large stakeholders like the fishing, mining and transport industries have interest in the entire planning area, as well as the more local areas where the fishing factories and harbour facilities are located. The mariculture sector is only interested in small areas in the Bay of Walvis Bay, while the marine tourism sector is confined to the near coast regions along the planning area. The implications of these different preferences are that the engagement of stakeholders requires approaching them at the appropriate geographical level. An invitation to national or sea-basin events will be counterproductive for small, poorly-organised stakeholders, while a number of large stakeholders are reluctant to participate in regional and national debates, as they see no benefit in joining such discussions because of what they perceive as their limited focus and small chance to discuss their specific concerns.

It is therefore important to engage stakeholders in the discussions focussing on the geographical areas they are interested in, rather than diluting the local interests in discussion of the offshore areas.

4. Planning cycle and stakeholder engagement

The prevailing opinion of MSP practitioners is that stakeholders should be engaged as early as possible in the process [18]. This will help towards reaping the previously-mentioned benefits of stakeholder engagement. This means that stakeholder engagement is necessary at

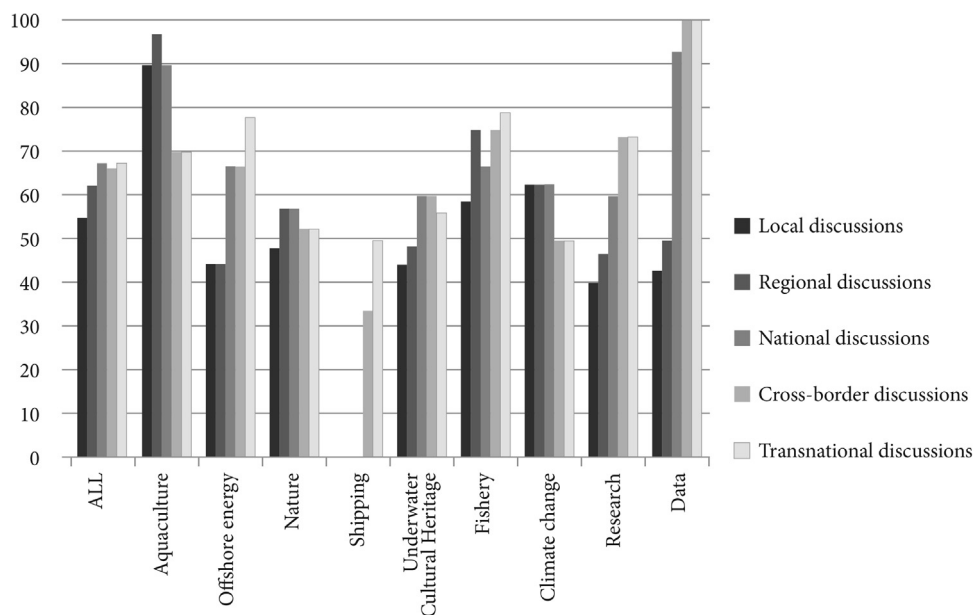


Fig. 1. Preferential level of engagement in MSP of various BSR sectors in %. Source [11]

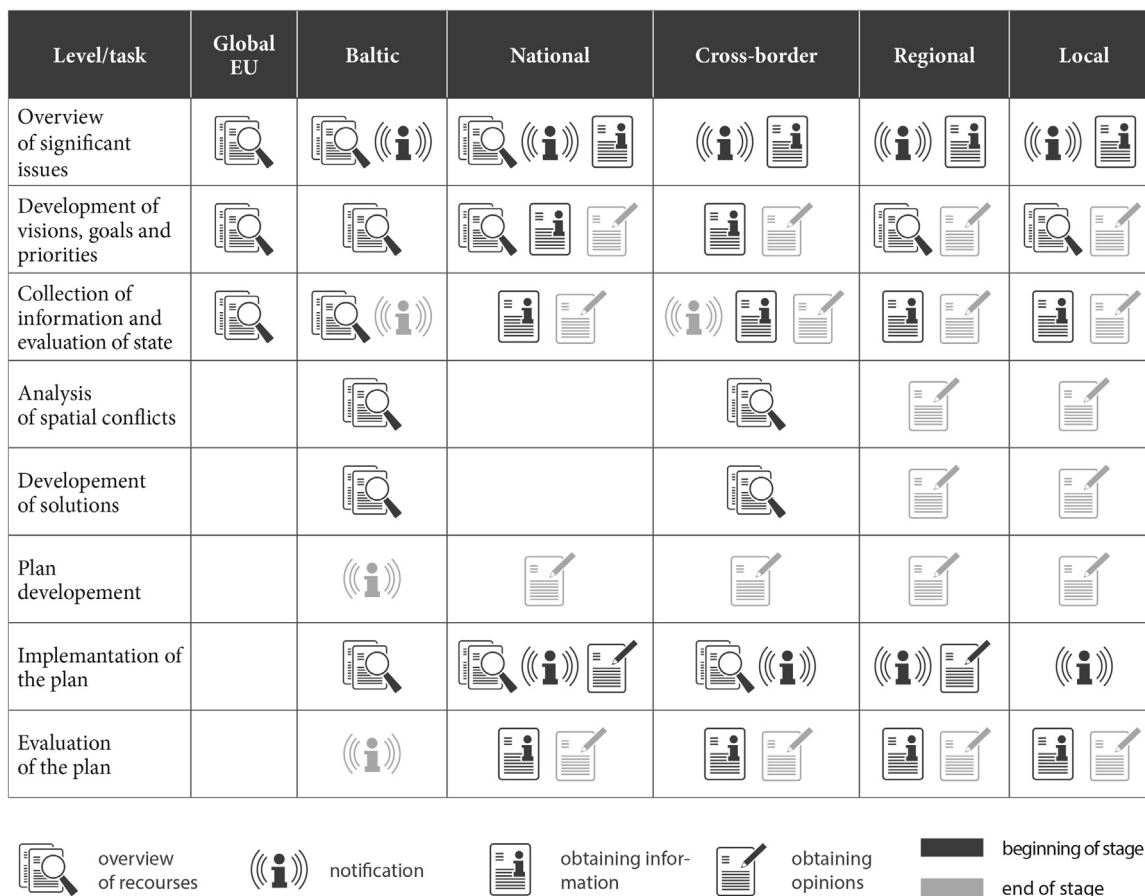


Fig. 2. Stakeholder engagement at various stages of MSP- the BSR proposal Source [8]

all stages of MSP and should not only be limited to the one stage of preparation for the planning solutions. However, each stage and each geographical scope requires a combination of engagement methods. This is illustrated in Fig. 2, where the various forms of stakeholder

consultations are proposed.

This proposal, developed by MSP practitioners within the PartiSEApate project, has been adjusted to the BSR MSP circumstances of 2014, at a time that the real MSP process had not started in the

majority of the BSR countries. Currently, MSP in the BSR has most probably managed to accumulate the necessary trust and to create a firm institutional network. As such, the proposal presented below should be extended to allow not only consultation but involvement, as well, such as new icons for the endorsement and initiation of stakeholder actions. However, the key message remains valid: stakeholder engagement requires different methods at different MSP stages.

The general rule is to broaden stakeholder outreach before the start of the MSP process. This is important in particular in the countries where MSP is a new governance regime. Early in the MSP process stakeholders need to be informed and educated on the process of MSP and their role in the process. Initial information events like public presentations, radio and TV interviews, and the development and distribution of information materials like brochures and flyers can be important tools to raise awareness about the MSP process at all levels.

To ensure continuous fruitful engagement with stakeholders a stakeholder engagement strategy, that specifies who, how, where and when will be engaged, should be developed and shared with stakeholders. Details on what this might look like are available in the literature, e.g., in the seminal UNESCO Guide to MSP [18].

5. MSP in Namibia and the BSR

Namibia and BSR countries are at different stages of the planning cycle (Fig. 3).

Namibia is a maritime nation with a rich ocean wealth and an ocean area that is about 540,000 km², approximately two-thirds the size of its terrestrial area. Main users of the Namibia marine space are fishing, diamond mining and transport, with conservation and tourism increasing in importance during more recent times. Applications for

mining of industrial minerals, especially phosphates, have sparked conflicts between fisheries and conservation and the mining industry in recent years. Some of these conflicts are currently dealt with in Namibian courts.

Namibia is implementing MSP to facilitate integrated planning and management of human uses in the ocean. The expected outcomes of a successful MSP process are to unlock and optimize economic opportunities. The MSP process further aims to resolve conflicts and provide solutions where possible and provide security for public and private sector investments. MSP is also expected to lead transparent decision making and enhanced accountability, promote the efficient use of ocean space, and ensure long-term ecosystem health.

In 2012 Namibia officially recognised the need for introducing MSP as part of the 2nd National Biodiversity Strategy and Action Plan (NBSAP II) and the 2050 Integrated Maritime Strategy of the African Union. In 2014, Namibia prioritized MSP within the framework of the Benguela Current Convention (BCC). In 2017 Namibia prioritized MSP through its Fifth National Development Plan (NDP 5) as a strategy to implement “a Blue Economy governance and management system that sustainably maximizes economic benefits from marine resources and ensures equitable marine wealth distribution to all Namibians”.

The Namibian cabinet, through NBSAP II and NDP 5, has designated the Ministry of Fisheries and Marine Resources (MFMR) to implement MSP. In August 2016 the Namibian MSP – National Working Group (MSP – NWG), consisting of members of ten ministries held its inception meeting. The working group reports to the steering committee of NBSAP II.

The Benguela Current Marine Spatial Management and Governance (MARISMA) Project is providing the MSP process with technical and financial support. The MARISMA project agreement was signed by the

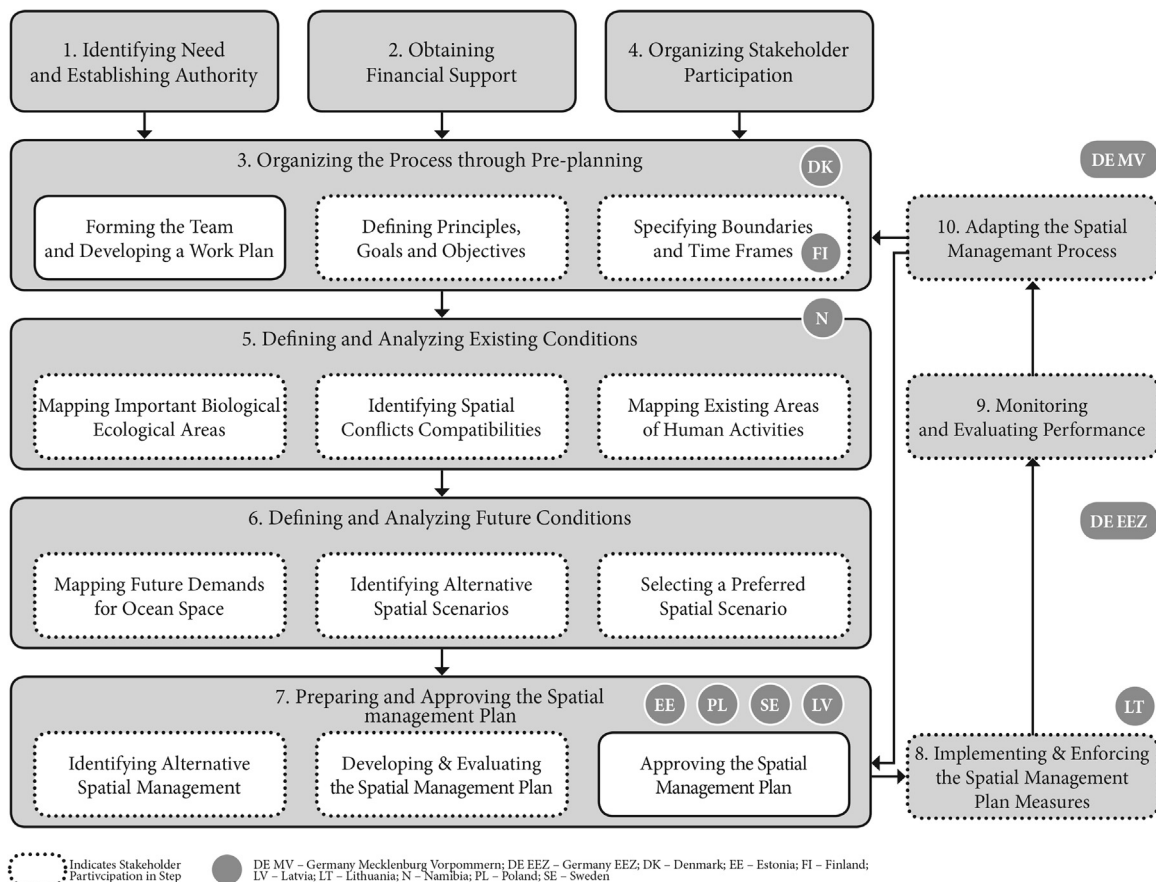


Fig. 3. Namibia compared to BSR countries in the MSP implementation at the end of 2017. Source: Authors elaboration of figure drawing on [18]

Namibian and German governments in August 2014 and is implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) on behalf of the German Federal Ministry of the Environment, Nature Conservation and Nuclear Safety funded through its International Climate Initiative (ICI). The BCC Secretariat is the implementing partner of the MARISMA project at the regional level. On both the regional and the national level MARISMA is working through established structures, e.g. MSP working groups. The BCC developed a regional MSP strategy that sets out the principles that guide the planning process across the three member countries (Angola, South Africa and Namibia). The strategy further describes trans-boundary coordination and cooperation such that marine spatial plans are coherent and coordinated. MARISMA facilitates MSP working group members (regional and national) to interact with experienced MSP practitioners in Europe and elsewhere

The Namibian MSP-NWG has identified the core planning area along the central Namibian coast out to the EEZ for which first the Namibian marine spatial plan will be developed. This area covers the busiest part of Namibia's ocean, the Walvis Bay/Swakopmund area, that includes Namibia's largest harbour, several conservation areas (the Walvis Bay lagoon RAMSAR site, an important bird area along the coast between Walvis Bay and Swakopmund and the Namib flyway EBSA), mariculture activities, as well as marine and coastal tourism operators. Fig. 4 presents the results of the stock-taking in so called core MSP area. This area will not be totally covered by the plan as it has not been decided on the fixed borders of the first Namibian Marine Spatial Plan yet, but the map approximates the area under MSP examinations.

Two task teams, one for EBSAs (Ecologically and Biologically Significant Areas) and for Data and Information have been established under the MSP-NWG. The EBSA task team identifies and refines EBSA to feed into the MSP process. The Data and Information task team is responsible for setting data standards, collating relevant data from the different institutions, quality control of the data and the preparation of maps.

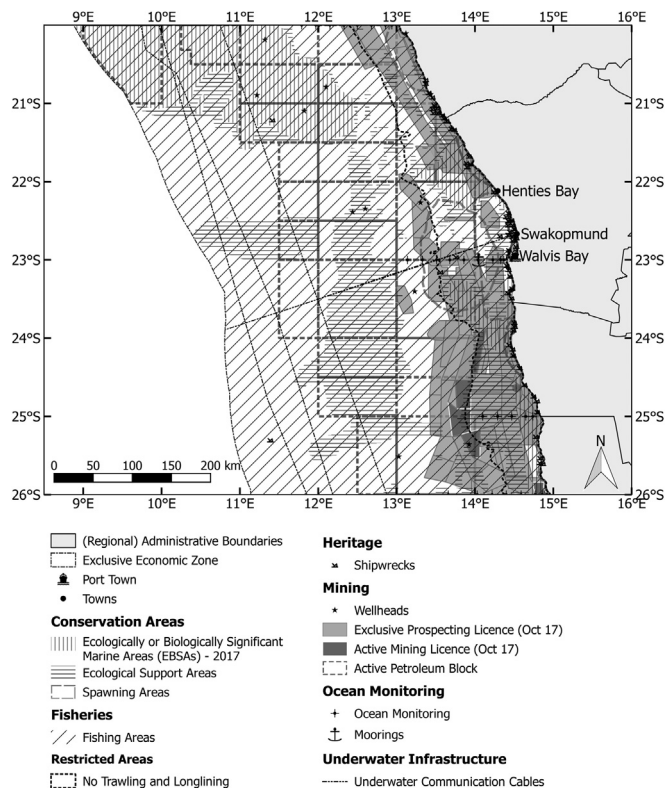


Fig. 4. Namibian MSP core area at the end of 2017.

Source: Authors elaboration.

As shown in Fig. 3 Namibia is between stages 4 and 5 of the planning process whereas the majority of the BSR countries are at stage 7 and some at stage 8 and 10 (Russian MSP is in pilot stage [12] but it has not been included under the BSR analysis). Detailed information on the progress of MSP in the BSR EU countries can be easily obtained from the EU MSP Platform.² It should be noted that Germany has reached the stage of preparing the second generation of plans. The German federal state of Mecklenburg-Vorpommern has recently adopted the new plan for its territorial sea (replacing the first one of 2005), while evaluation of the existing plan for the German EEZ has begun as an initial stage for its amendment. Thus the BSR is considered an EU MSP leader.

Planning concerns, ambitions, and goals vary among BSR countries. For instance MSP in Sweden emphasises ecological issues whereas MSP in its neighbour Denmark is growth driven. In Germany MSP was started to ensure sufficient marine space for off-shore energy, whereas in neighbouring Poland to cope with increased intensity of space uses. Therefore there is a huge difference among the number of sea sectors covered in both plans. For that reason the coherence of the BSR MSP is one of the most important planning objective at the Baltic Sea level. A key prerequisite for that is close sea basin co-operation [13]. Two leading Baltic organisations in the field of MSP, the VASAB (co-operation of BSR ministers for spatial planning and development) and Helsinki Commission (intergovernmental organisation governing the Convention on the Protection of the Marine Environment of the Baltic Sea Area) joined forces in 2009, establishing a joint Working Group on MSP. This group was formed inter alia by all relevant authorities responsible for MSP in the BSR countries. The group has no administrative power and acts through voluntary compliance while its key documents are formally adopted by VASAB and HELCOM.

As shown above an important feature differentiating BSR and Namibian MSP efforts is the importance of international soft and hard law. In both cases some important international conventions like the United Nations Convention on the Law of the Sea (UNCLOS) or the Convention on Biological Diversity, as well as conventions of the International Maritime Organisation are effective. But in addition to that sea-basin and EU guidelines, strategies and regulations play an important role in the BSR case. A key EU document on MSP is the EU Directive 2014/89/EU establishing a framework for MSP. The directive stipulates that maritime spatial plans should be established by Member States by March 2001 according to some minimum requirements and in line with the objectives named in this regulation. It has prompted some countries in the BSR, e.g., Denmark, to start MSP or to extend MSP to the EEZ, e.g., Finland. The Directive facilitates coherence of MSP across the BSR.

However, the EU has authority over some important policies affecting the use of sea space, i.e., fishery policy, whereas some others are shared with the Member States, e.g., environmental conservation. This has had concrete implications for MSP in the BSR. For instance in the first round of German MSP, commercial fishing was not considered since it was not nationally regulated. In the course of gaining MSP experience this approach has been changed and in recently plans, e.g., Sweden or Poland, important sea areas for fishing, e.g., for fish migration, access to fishing grounds, or for spawning areas, are addressed as those issues are not regulated by the Common Fishery Policy of the EU. In all EU BSR countries the Natura 2000 sites must be acknowledged in maritime spatial plans that should achieve synergy with Natura 2000 management plans. However Natura 2000 sites have not been concerted at the sea basin level. The result is that similar types of areas divided by national borders are considered as Natura 2000 by one country only. All these create a challenge for coherence of BSR MSP efforts. In Namibia such issues are under national jurisdiction and are less prominent among the planning challenges. From the point of view of stakeholder engagement the EU regulations provide limited added

² www.msp-platform.eu.

value (see next section) except for strategic environmental assessment of the maritime spatial plans regulated by the EU Directive in detail. Also the existence of various EU processes makes identification of relevant stakeholders easier (since they are active in other EU processes), however it might also lead to rent-seeking behaviour of some stakeholders, e.g., fishing for EU subsidies.

6. Obligation and willingness to engage stakeholders

Engagement of stakeholders in BSR EU countries is mandatory. Involvement of stakeholders is among the minimum requirements for MSP formulated in the Directive (article 6) that is understood (article 9) as informing and consulting stakeholders and public at early stage of maritime spatial plans development, and providing access to the completed plans. This has been transposed to national law of BSR countries. As mentioned in the introductory section stakeholder engagement was a genuine concern of BSR planning authorities that tried to gain experience on that issue in the pre-planning stage, e.g., testing of MSP through pilot plans in 2010–14 [10,23,39]. In actual MSP ambitions related to stakeholder engagement differs. As summarised by Hassler et al. [24] in Lithuanian MSP this was limited to providing information on pre-decided solutions [25] whereas in neighbouring Latvia it was deeper, less centralised and more interactive with bigger influence on the MSP outcomes. Thus, despite the legal basis provided by the Directive, actual engagement might vary. Moreover in some BSR countries like Denmark the procedures are still under development [24]. An interesting story provides an evolution of stakeholder engagement in Germany—the country that is among EU MSP pioneers. In Germany (in the course of gaining experience on MSP) statutory procedures and methods for stakeholder involvement were extended beyond minimum requirements “enabling more informal stakeholder involvement before the official planning process begins” [9]. The case of Latvia serves as the best example of stakeholder involvement in BSR. Under the BaltSeaPlan project a Latvian NGO launched a pilot plan that served as a pretext for engaging stakeholders. The different roles of stakeholders under MSP have been examined, shortcomings identified and solutions to overcome them been proposed [39]. The building of trust is considered a key factor for the success of MSP. The Latvian experiences have influenced MSP processes in some other Baltic countries, e.g., Poland.

Summing up in the BSR EU countries one can see a clear move from informing towards involving all interested parties affected by various public-choice processes, and Germany can serve as an example [26]. This is associated with development of the civil society rather than with changes in MSP law. However, stakeholder involvement has not been included yet either among MSP objectives of the adopted BSR maritime spatial plans or among the quantified targets of the MSP process.

In Namibia there is no legal obligation to engage stakeholders. However, the MSP process is committed to international best practice and guidelines regarding stakeholder engagement. Stakeholder engagement is, where possible, done in line with stakeholder engagement processes prescribed by the Environmental Management Act (2007) and its Regulations (2012) for Environmental Impact Assessments. The stakeholder strategy developed by the Namibian MSP-NWG sets out the objectives and principles of stakeholder engagement to be followed. It furthermore describes the interests and uses in the Namibian ocean space, identifies relevant stakeholders, and describes how and when stakeholders will be engaged.

7. Engaging stakeholders in Namibia and BSR

The engagement of stakeholder engagement in Namibia and BSR is adjusted to the planning stage achieved. The first major task for the MSP-NWG was the drafting of a Current Status Report (CSR), that describes the status quo of the marine industries and analyses synergies and conflicts between the industries. Stakeholder participation for the CSR is important to ensure that the information to all sectors reflects

the actual situation and future trends are captured.

In Namibia most industries are organised in some or other form under an umbrella organisation, e.g., the Confederation of Namibian Fishing Associations, Chamber of Mines, and the Chamber of Environment. It was, therefore, decided to liaise and engage with these organisations very closely as they play an important role in getting the different industry players on board. These umbrella organisations are identified by the MSP-NWG as “champion stakeholders” and are regularly informed and engaged in order to build a close relationship and trust between the stakeholders and the respective ministry.

The MSP-NWG members of the respective ministries, started with initial information sessions with the key stakeholders, informing them about the MSP process and about the importance and benefits of their participation in the process. The proposed content of the CSR was introduced to the key stakeholders before the chapters were drafted by the ministries. An interactive workshop with champion stakeholders was held to discuss the chapter, quality check the data and information and identify missing data and information. Information on future trends of the industries was obtained in order to analyse these in the bigger context and identify possible synergies and conflicts with other marine users.

Sector-specific stakeholder meetings were generally well attended and received and broad support for the MSP process was received from all sectors. The first (and to date only) multi-sector stakeholder meeting was attended by participants from civil society groups and non-governmental organisations (NGOs), industry (companies and associations) as well as government/statutory agencies (local authorities, regional councils, state-owned enterprises, and ministries). The majority of participants (over 50%) were from different government/statutory agencies, while industry (28%) and NGOs (18%) were represented to a lesser extent. The three stakeholder groups were representing the ten different sectors. Despite the efforts by the organisers, there was not a balanced representation of all sectors. Environmental protection and fisheries were well represented while the mining sector was only poorly represented. The real problems have not been experienced yet since engagement to date was focused on informing stakeholders and receiving or verifying information rather than negotiations. Challenges in negotiating and agreeing to planning options as well as negotiating trade-offs are only envisaged in the future.

Despite efforts to engage with a wide range of stakeholders, challenges are experienced and these can be summarised as follows:

- Not all industry members belong to umbrella organisation that is engaged as “champion stakeholders” and thus some stakeholders are difficult to reach;
- Some key sectors respond poorly to invitations and do not attend meetings;
- The majority of stakeholders participating in meetings come from the public sector, while industry and NGO stakeholders often lack time and funds to attend meetings; and
- While stakeholders participate actively in meetings, feedback to written communication is rather poor.

The BSR scores high at the collaboration ladder by Kidd & McGowan [30]. Coherence as a key concern of MSP efforts in the BSR requires some common MSP denominator in all coastal countries. Part of this should be symmetry in stakeholder engagement. Therefore the HELCOM-VASAB Working Group on MSP has produced the first broad-scale MSP principles [39] encompassing the entire sea basin. According to these principles, “all relevant authorities and stakeholders in the Baltic Sea region, including coastal municipalities as well as national and regional bodies should be involved in MSP initiatives at the earliest possible stage and public participation should be secured.” In the subsequent years, the guidelines on trans-boundary consultations, public participation and cooperation were prepared and adopted. This added value of the document rests in its ambition that “stakeholder voices are

heard, not only from within the country developing the plan but also across the borders and on a pan-Baltic scale”. The most significant solutions proposed here relate to starting the cross-border stakeholder engagement at the early MSP stage, i.e., much earlier than it is required by the Kyiv Protocol referring to the Espoo Convention.³ Such engagement calls for a broader scope and wider focus that includes more than merely environmental issues. The guidelines also offer a step-by-step description on how to ensure the engagement of international stakeholders in practical terms. Moreover, they propose that informal processes of cooperation, such as the exchange of information and experience, should be launched simultaneously or even before the formal stakeholder engagement takes place. Those informal arrangements were adopted to the national circumstances and used in the formal MSP. But this exercise has shown that such categories like ‘stakeholder’ or ‘participation’ are differently understood among BSR countries [28]. Also the consciousness of related problems may be different among countries, sectors and governance levels [28].

Thus despite being proactive in MSP stakeholder engagement, the BSR countries still encounter several problems in this field [9]. The most important ones are:

- ad-hoc, project-driven and sector-based stakeholder involvement that differs among the countries as it relates to the specific resources devoted to the MSP process as well as to planning ambitions. These range from the fulfilment of requirements from the MSP EU Directive in Lithuania to the establishment of long-term integrative planning solutions in Poland;
- time and resource constraints, e.g., for Lithuania cross-border stakeholder engagement was only possible thanks to external project resources, domination of the stakeholder dialogue by various types of public authorities that have the necessary human and financial resources to achieve this purpose (this is the case for almost all cross-border consultations, e.g., related to German, Swedish or Polish MSP since the previously mentioned guidelines stipulate that; but this is also the case in national dialogue e.g. in the Polish consultation meeting held in autumn 2017 out of 156 participants 61% represented public authorities, 27% private sector, 6.5% research and consulting, 5.5% genuine NGO and general public);
- focusing the engagement of stakeholders on concerns of efficiency (instrumental) with little concern for normative issues such as the ideals of democratic participation, e.g., absence of some key foreign stakeholders in the public consultations of the second generation maritime spatial plan of Mecklenburg Vorpommern;
- limiting engagement to overly simplistic forms such as exhibitions, public meetings, and the exchange of writings and reports while barely attempting to foster more permanent partnerships, e.g., first-generation German planning of its EEZ;
- not paying sufficient attention to the inclusion of the marginalised kind of stakeholders who do not have sufficient resources to participate in the MSP process; this undermines the legitimacy of MSP and its ability to counteract market failures;
- lack of trust, e.g., the case of Polish fisherman distrusting the MSP process;
- limiting stakeholder participation to the formal MSP process and restricting access to new stakeholders [31], something that creates the impression that such engagement is required only as a formality, making its practical meaning and significance seem dubious; and
- missing mechanisms for engagement of non-institutional stakeholders from neighbouring countries [28].

³ Kyiv Protocol is a P/protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, https://www.unep.org/env/eia/sea_protocol.html (accessed 20th February 2018).

As a result, MSP in the BSR countries still suffers from problems related to inequalities of power, (e.g., the dominant position of wind power in the first round of German MSP of its EEZ [9]) and the dominance of short-term over-long term interests.

To cope with the abovementioned problems, several solutions have been applied in the BSR countries. The first one relates to the decoupling of the MSP and stakeholder processes. In many countries, stakeholder engagement to the MSP has started before the official opening the planning process. For instance, in Lithuania, Latvia, Estonia and Poland, pilot projects (eBaltSeaPlan,⁴ PartiSEAPate⁵) were used. In their framework, various pilot maritime spatial plans were prepared and stakeholders were engaged. The Strategic Environmental Assessment (SEA) process was tested for the pilot maritime spatial plans, as well. This was not merely an academic exercise as, in some countries, e.g., in Poland, but pilot plans were used by the Maritime Administration as the best source of information when issuing administrative decisions on sea use. In Latvia, pilot planning was entirely focused on stakeholder capacity building. Disadvantaged stakeholders communicated and were engaged directly [39]. Another way of decoupling the formal MSP and stakeholder processes is in the form of a longer pre-planning period, that is traditionally devoted to the elaboration of the stock-taking, non-binding reports. There was a good participation of stakeholders in this effort in Poland and Sweden. Thanks to this, stakeholders have been educated on the essence of MSP, encouraged to define their interests, as well as from various partnerships. However, some stakeholders did use this opportunity to pursue their own interests, e.g., speed up the application process for sea use licences before the official planning was announced.

The second solution is related to a better understanding in the minds of the most disadvantaged stakeholders. For instance, in Poland, in the framework of the BONUS BaltSpace project, the planners conducted in-depth interviews with many kinds of fishermen, a process wherein the fishing sector was defined according to the type of fishing vessel, gear used, location of homeports for vessels, as well as intensity of participation in the various organisations of fishermen [22]. The results revealed that despite a certain level of familiarity with MSP, the fishermen did not see many potential benefits in being engaged in the MSP process as they perceived more threats than opportunities. This new-found knowledge of the opinions of fishermen influenced the way in which formal MSP processes have been designed. Here, an important role was played by the “knowledge brokers”, i.e., the scientific institutions that surveyed the stakeholders, interpreted the findings, and shared this information with the Maritime Administration in Poland.

The third solution related to the above is adjusting the MSP process to the needs of various stakeholders, as has already been accomplished in several Baltic countries. For instance, in Latvia and Poland, specific meetings dedicated to the various types of stakeholders were organised. They served as a vehicle for building trust and creating mutual understanding that also resulted in concrete solutions. Several of these meetings led to the creation of a more permanent and smaller task force assigned to a specific, concrete task in order to solve the most acute problems. In both Poland and Latvia, some of these meetings were located nearby the work environment of the most disadvantaged stakeholders to facilitate their participation.

The fourth solution is building potential boundary objects to facilitate stakeholder engagement [14–16]. Boundary objects are defined as “tangible artefacts or object-like forms of communication that inhabit several intersecting social worlds and satisfy the information requirements of each of them” [17]. Boundary objects help establish a shared context. They usually provoke discussion and prompt reactions of

⁴ The pilot projects are described at the project website <http://www.baltseaplan.eu> (accessed 19th February 2018).

⁵ The attempts of testing stakeholder engagement are described at the project website <http://www.partiseapate.eu> (accessed 19th February 2018).

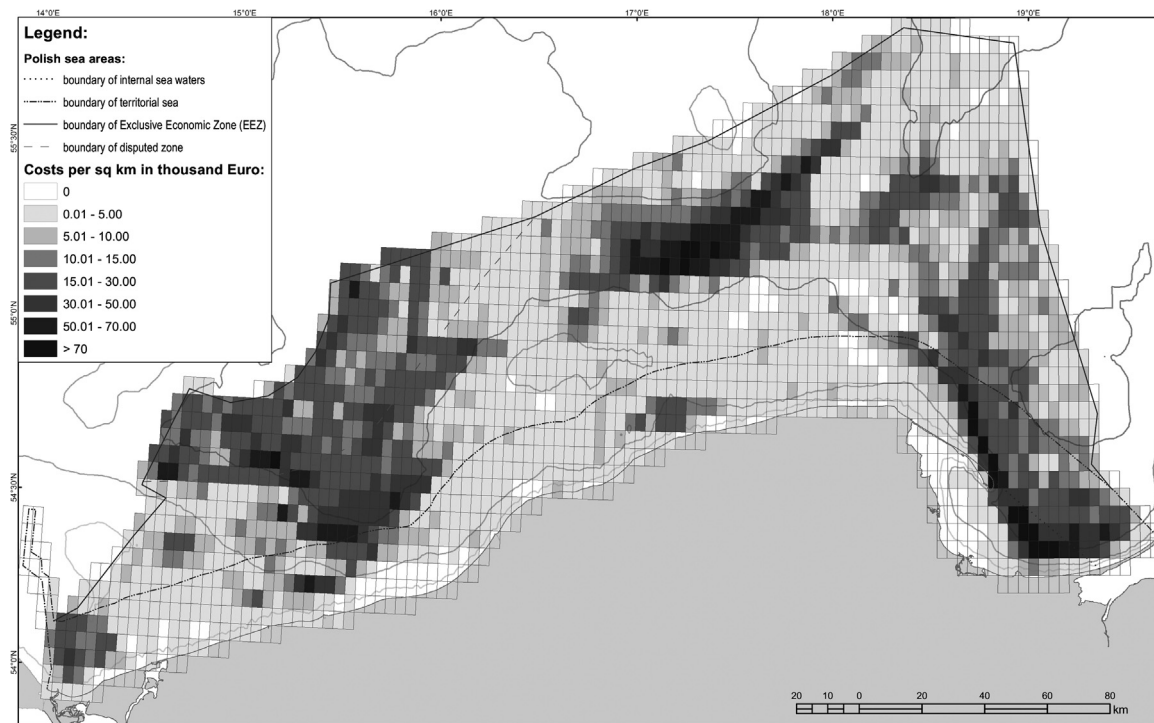


Fig. 5. Variable costs of Polish fisheries with vessels over 12 m long in thousand Euro per sq. km in 2014
Source: [19].

stakeholders. In the Polish MSP, for instance, the maps display the costs and productivity of fishermen in very high territorial resolutions (VMS squares of a space of ca. 18 km²) have been produced (Fig. 5). This was an appropriate way of engaging the fishing industry in the discussions concerning the type of marine space that is the most important for this sector. In fact, other maps and sketches may be considered valuable boundary objects for starting such discussions, as well. For instance, in Sweden, the first map of potential planning solutions that was presented included several options in order to engage both national and international stakeholders.

The fifth solution lies in the different stages of the MSP process. The benefits of the pre-planning stage have been already discussed. However, the formal planning process can also be divided into different stages to avoid a situation where the stakeholders are deprived of their right to influence the plan because of excessively high sunk costs of the plan preparation. This prevents a sunk cost fallacy, i.e., a situation where the planning side aggressively defends the proposed planning solutions in fear that the currently-invested resources will otherwise be lost. In the case of Poland, the initial draft of the maritime spatial plan has been produced. In it, the key marine areas were identified along with their basic and allowable functions including their conflict and synergies. The draft was discussed with stakeholders. A similar solution wherein different planning options were revealed before they were fixed was applied by Sweden.

The sixth solution is to simplify the planning language. For instance, in the Polish maritime spatial plan draft, a glossary of key terms has been added. These were deemed so helpful that the planners were even criticised for its too narrow scope. For the next draft, the stakeholders requested a background document to help them interpret the planning solutions (that are written in a formal legal language as required by law), and understand their reasoning.

The seventh solution relates to the stakes of the future generation. In Poland or in Lithuania, some marine areas were consciously left unplanned so as to allow future stakeholders some influence on the development of Polish marine space.

However, many problems still wait to be solved. In particular,

involvement of subnational stakeholders in transnational strategic discussions on regional coordination of MSP and similar arrangement in smaller geographical areas is strongly advised by the MSP researchers [24].

8. Conclusions

The general conclusion is that stakeholder engagement requires a conscious approach regardless of the level of prosperity of a country or a given marine region. The comparative analysis suggests a step-by-step approach in terms of building and deepening stakeholder engagement following the planning cycle [18]. Before starting real planning there is a need for stakeholder identification and understanding their needs and interests. It should be followed by broadly defined stakeholder outreach, i.e., informing stakeholders about MSP, and informing and preparing them for active engagement in the MSP process. Then stakeholder knowledge should be used to design the MSP process, e.g., deciding on the geographical extent of the plan, its content aims and ambitions. All these have been done in Namibia before starting the actual planning process. When MSP is launched it should be accompanied by a stakeholder strategy specifying how to engage stakeholders, when to engage, which stakeholders need special attention, and how to balance the costs and benefits of the stakeholder engagement. Experience from Namibia and the Baltic shows that there is no “one size fits all” solution. Stakeholder engagement depends on the local and national context, in particular the existing planning culture, specificity of the planned sea area, and planning objectives. This is the main reason why stakeholder engagement differs between Namibia and BSR. However, transnational co-operation such as in the BSR can help to find a common standard among various countries and share solutions for stakeholder engagement. Baltic experience shows that this is a delicate task. Many Baltic countries opt to limit this process to the public authorities and broaden it only when required by the ESPOO Convention.

Stakeholder engagement during MSP needs monitoring. The ideal situation would be to have quantitative or qualitative targets to

monitor. However, this option has not been discussed yet by the Baltic countries nor in Namibia and has been only recently brought to the attention of maritime spatial planners at the EU level (Member States *Expert Group* on Maritime Spatial Planning). The next step is devoted to stakeholder engagement in the maritime spatial plan evaluation and amendment. Here experience is missing even in the Baltic Sea.

Another observation is related to the very weak relation of stakeholder engagement sequences and the level of development of the countries under examination. Baltic countries at the beginning did the same steps as in Namibia. Those steps are similar regardless of the level of prosperity of the country or a given marine region. The big difference was in availability of the EU funds that fuelled some transnational projects and opened room for testing and more thorough experiments and considerations with engaging stakeholders. But despite all those resources key challenge in BSR remains in actual involvement of non-authority stakeholders from adjoining countries, that is in the BSR circumstances a key prerequisite for the coherence of the planning efforts. Also in Namibia involvement of non-authority stakeholders remains as a challenge.

Experience has shown that practice is more important than a formal declaration of intentions. Time and patience are necessary since the improvements achieved are usually incremental. The key factor is the building of trust and that can be treated as the key indicator of success in stakeholder engagement efforts and should always be treated as a priority. The comparative analysis has shown that it would be dangerous to bypass some of the previous steps when deepening stakeholder engagement. More advanced forms of stakeholder engagement would not work without prior stakeholder identification, information and education at the national level. The MSP impetus can come from above, e.g., the EU MSP Directive, but stakeholder engagement always needs solid grass-root foundations. The main risk is limiting stakeholder engagement to the formal process prescribed by law, neglecting the real situation, e.g., power relationships, and the maturity of stakeholders in a given country or marine region.

The majority of these conclusions echo what has been already envisaged in the MSP literature. The cornerstones of stakeholder engagement identified by various researchers encompass similarly to the case of Namibia and BSR: importance of trust building and transparency [4,27,28,30], understanding and making use of stakeholder knowledge [3,4], stakeholder empowerment and inclusion of non-institutional stakeholders [5,9,27,36], context dependence of participation [5,28,30], importance of merging top-down and bottom-up processes [5,28] and adjustment of forms of participation to the needs of different planning stages [28]. The research also points out discrepancies between declared ambitions and the reality of stakeholder involvement [27,29] that can support our findings that practice is more important than a formal declaration of intentions. Moreover research [30] also suggests that multiple levels of partnership activity can run alongside each other. This can be interpreted as support to our plea to avoid bypassing of less sophisticated steps when striving towards more inclusive forms of stakeholder engagement. Another key literature finding is an importance to mitigate differences between stakeholders in terms of power and influence [5,9,32]. New points brought by EU-African comparison are mainly related to the existence of the universal common denominator of stakeholder engagement in MSP regardless of the level of prosperity of the engaged countries and the incremental nature of the progress achieved in this field. Key differences in design of stakeholder engagement should not be conditioned by the availability of funds for MSP but rather by the specificity of the planned sea space, prevailing planning cultures, key planning tasks and MSP objectives. However, both Namibian and BSR experience have proved that stakeholder engagement is a dynamic process whose architecture requires constant re-design. This speaks for its permanent monitoring and evaluation as a part of MSP broader effort [38]. This point has been somehow less emphasised in the MSP literature so far and becomes obvious only when comparing freshly started and long lasting MSP.

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