



Introduction: Examples of Administrative Complexities in Finland Wrecks as Environmental Risks: The Legal Framework

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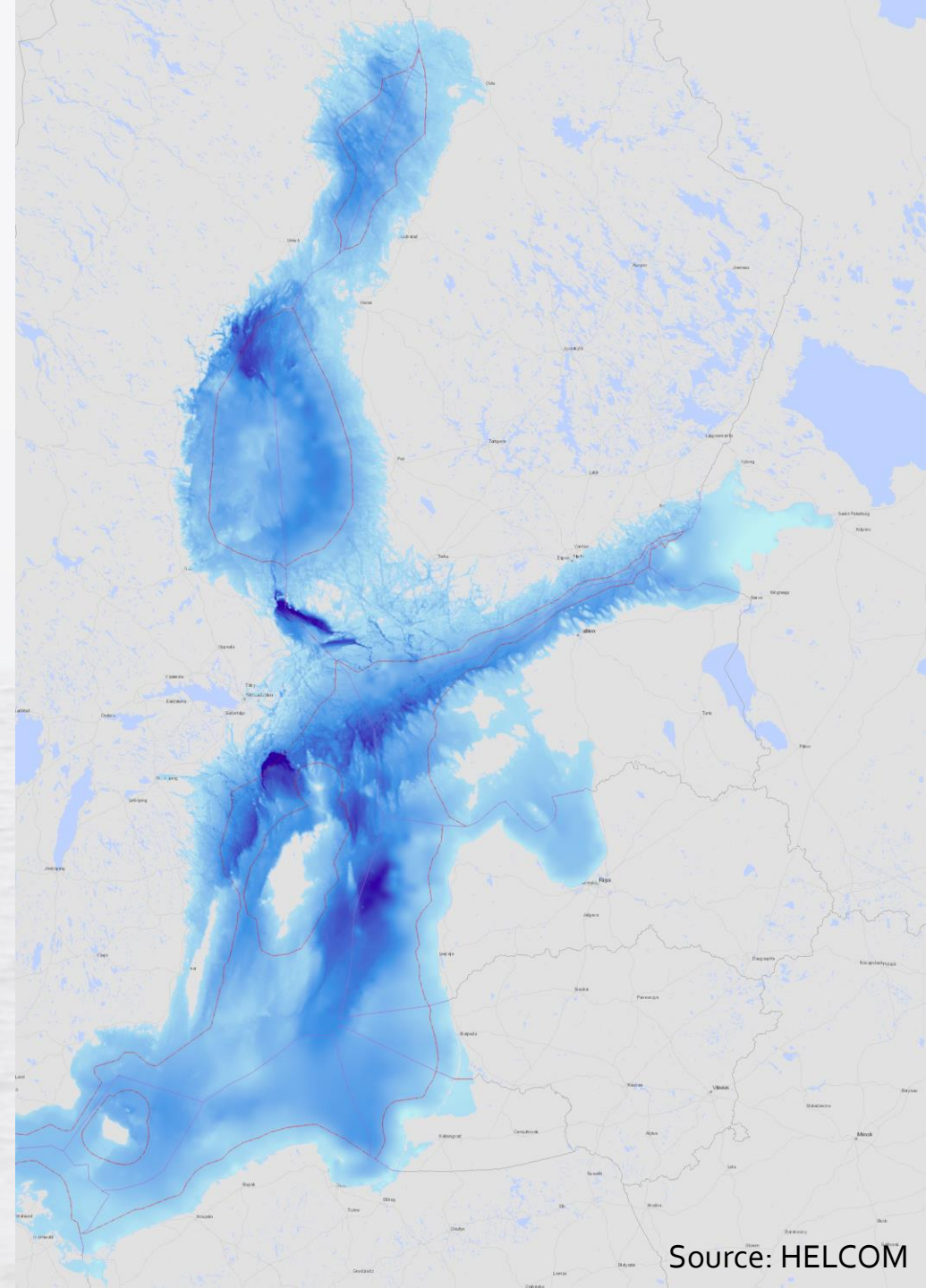
Ville Peltokorpi

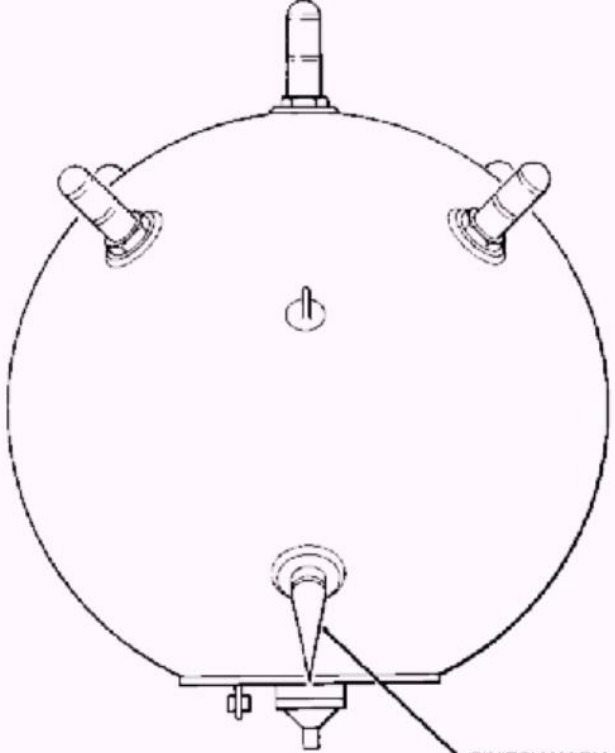
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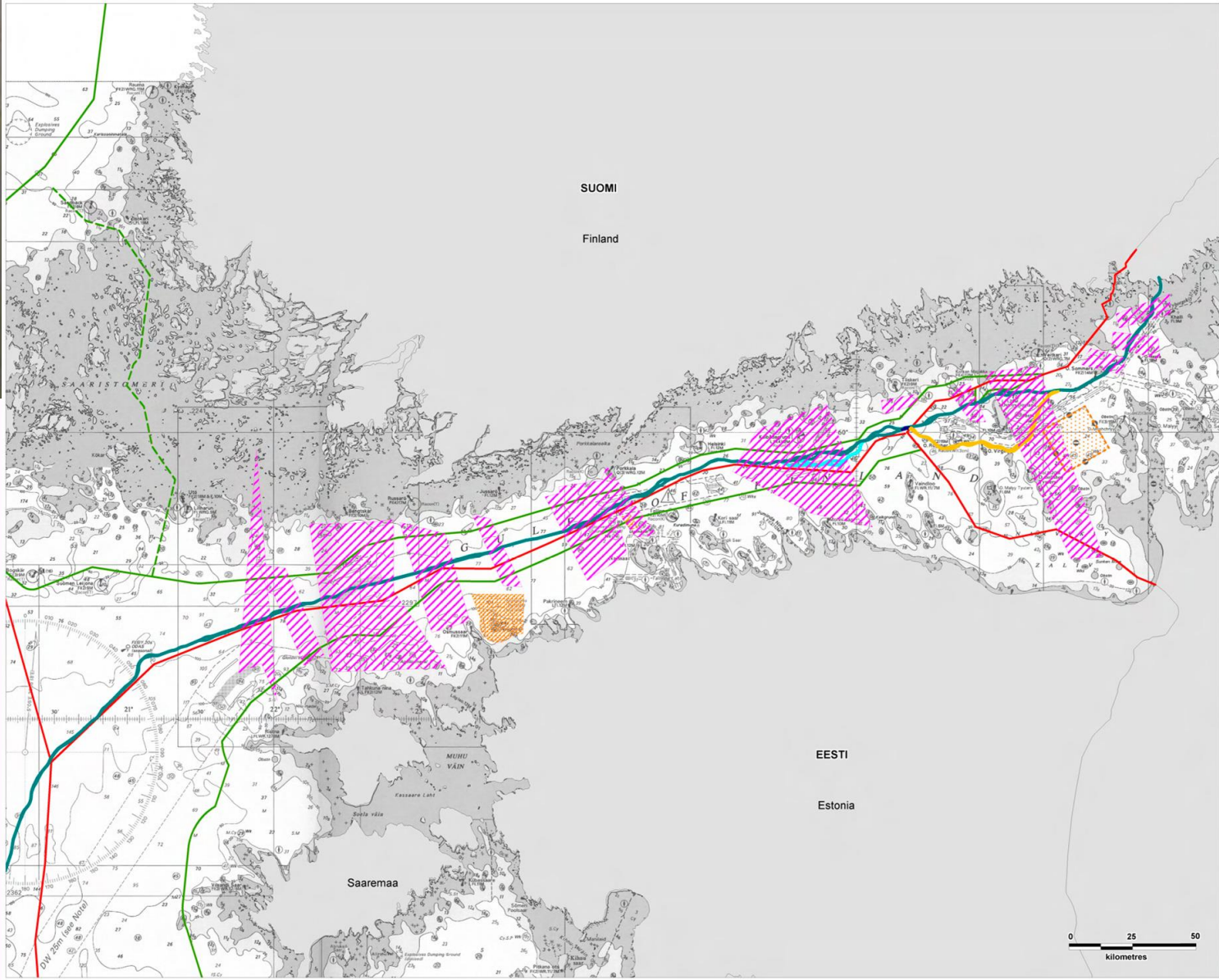
The Baltic Sea

- The mean depth of the Baltic Sea is only 54 metres
- In the EEZ in the Gulf of Finland the depth varies roughly between 50 and 100 metres
- A very sensitive ecosystem
- Actively used through out the history
- Lots of shipwrecks for various reasons:
 - Long tradition of trade
 - Rocky waters near the coastline
 - Plenty of wars (WWI & WW II especially)
 - Mines
 - Storms
 - Etc.





DIAMETER 32 in (813 mm)
 SHAPE SPHERICAL
 NOTE. THIS MINE MAY BE FOUND WITH STEEL SWITCH HORNS
 REMOVED AND BOSSES BLANKED OFF



- Legend :**
- Alternative 1 (C14)
 - Alternative 2 (C16)
 - Sub-alternative 1a/2a (South of Gogland in Finnish section)
 - South of Gogland in Russian section
 - Territorial border
 - - - Åland border
 - EEZ border

- Mine threat area
- Risk zone 3 - Risk area with required first aid gas equipment onboard fishing vessels
- Risk zone 2 - Area in which fishing with bottom trawling equipment is discouraged

General references:
 - Pipeline rev. C14.0 (May 2008) and C16.0 (Aug. 2008)
 - Limits of Exclusive Economic Zones and Territorial Waters: IBRU May 2007
 - Background sea charts are "Not to be used for navigation"
 - Background sea chart: © Crown Copyright. Reproduced by permission of the Controller of Her Majesty's Stationery Office and the UK Hydrographic Office (www.ukho.gov.uk).

Edition: A
 Date: 2008-11-24
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 Control: AON
 Case no.: 7774001

Map MU-1-F

Areas with chemical and conventional munitions



The general locations of naval mines (shown in pink), and the threat they pose, is illustrated in the 2008 survey conducted by Nord Stream for the natural gas pipeline system through the Baltic Sea

Shipwrecks can be (among many other things)

- A source of pollution (bunker oil, harmful substances, cargo)
 - A Hazard:
 - For navigation
 - For the environment
 - An expense
 - A source of:
 - scrap metal
 - valuable objects (cargo, personal belonging) => antiques market
 - income (Vasa Museum, Mary Rose)
 - information (archaeological, historical)
 - A business (salvage, survey)
 - Of Historical and national importance:
 - Ilmarinen, Louhi, M/S Estonia, Mary Rose, Vasa, USS Arizona etc.
 - (War) Graves
 - Tourist attractions, memorials
 - Politically sensitive, legally ambiguous
 - Someone's property
 - Etc.
- 
- A large cargo ship is visible in the background, partially obscured by a semi-transparent text box. The ship is on the water, and the background is a bright, hazy sky.

Shipwrecks have many interest groups

- (Flag) States
- Private owners
- Marine underwriters
- International organizations and NGOs (UN, IMO, UNESCO, BIMCO, etc.)
- Scientific institutions
- Governmental authorities
- Private companies and actors (i.e. survey, salvage)
- Archaeologists & Historians
- Researchers
- Divers, tourists
- The public at large, relatives of the victims & crew
 - The media
- Etc.

Authorities in Finland who deal with wrecks

- Ministry of Transport and Communication
 - Finnish Transport Agency
 - Finnish Transport Safety Agency
 - Finnish Institute of Marine Research (until 2008)
- Ministry of the Interior
 - The Finnish Border Guard
- Ministry of the Environment
 - Metsähallitus ("Administration of Forests")
 - Finnish Environment Institute SYKE
- Ministry of Culture and Education
 - Finnish Heritage Agency (aka National Board of Antiquities)
- Ministry of Defence
 - Finnish Defence Forces (Navy)
 - Military Museum
- Ministry of Foreign Affairs
- Centres for Economic Development, Transport and the Environment (ELY-keskukset)
- Municipal environment committees

Who is drafting the legislation?

- Who are the negotiators, policy makers and representatives?
- What is their background and mandate?
- What are their goals?
- Example
 - UNCLOS: The Ministry of Foreign Affairs
 - UNESCO 2001: The National Bureau of Antiquities
 - WRC 2007: The Finnish Transport Agency
- Wrecks mean different thing to different authorities
- Are all necessary opinions heard?
 - Drafting process of new legislation includes the consultation of experts and interest parties

The role of different authorities

- In general wrecks are not the first priority for any authority.
- All authorities have their own primary tasks that depend on the agenda, focus and budget.
 - Official duties vary between authorities
- Finland has no “central authority” who governs wrecks.
 - No receiver of wreck such as in the UK or Canada
 - main task is to administer the law in relation to Wreck and Salvage
 - Nobody is in charge of situational picture (except SYKE indirectly under the Finnish OPR Act in case of oils spills or leakage)
- Information does not always travel between authorities.
 - Who knows what information is available, and who could benefit from this information? Who needs to know what is happening?

The role of different authorities

- Information on shipwrecks is split between different authorities and private actors.
- Too often we take for granted the what we know.
- Multiple wreck registers (public, private and “unavailable” registers)
 - National Board of Antiquities
 - Finnish Environment Institute, SYKE
 - War Museum / Navy
 - Hylyt.net (“wrecks.net”)
 - Private registers?
 - Surveys & reports that have information on wrecks (i.e. Meritaito, MMT, FTA etc.)
- Is there a clear need for a better information sharing scheme between authorities?

Some Examples

- How the actions of one authority affect the life of others?
- Wreck register, co-operation between authorities
 - National Board of Antiquities & War Museum
- Information does not travel
 - Authority A receives information on wrecks that would be valuable for authority B. A doesn't know what information B needs.
- Who needs to know, who has the information?
 - "wreck specialists" are not known, who to contact, is our information valuable to someone else?
- How our actions affect the work of other authorities
 - Does our "project" have an effect on the work of other authorities

A need for better legislation and agreements?

- Is the domestic legislation up to date?
- Is there a wider need for bilateral and multilateral treaties?
- Is there a need for co-operation agreements between authorities
 - Such as the agreement between the National Board of Antiquities, Finnish Defence Forces and Boarder Guard 2015
- Is there a need for a panel of “wreck experts” who could share information between authorities and Baltic States?
 - HELCOM?



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Thank you: communication is the key!