

MEMORANDUM OF UNDERSTANDING
ON THE PROTECTION OF CRITICAL UNDERSEA INFRASTRUCTURE IN THE
BALTIC SEA

BETWEEN

THE GOVERNMENT OF DENMARK

AND

THE GOVERNMENT OF THE REPUBLIC OF ESTONIA

AND

THE GOVERNMENT OF THE REPUBLIC OF FINLAND

AND

THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY

AND

THE GOVERNMENT OF ICELAND

AND

THE GOVERNMENT OF THE REPUBLIC OF LATVIA

AND

THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

AND

THE GOVERNMENT OF THE KINGDOM OF NORWAY

AND

THE GOVERNMENT OF THE REPUBLIC OF POLAND

AND

THE GOVERNMENT OF SWEDEN

AND

THE EUROPEAN UNION

INTRODUCTION

The Government of Denmark, the Government of the Republic of Estonia, the Government of the Republic of Finland, the Government of the Federal Republic of Germany, the Government of Iceland, the Government of the Republic of Latvia, the Government of the Republic of Lithuania, the Government of the Kingdom of Norway, the Government of Republic of Poland,

the Government of Sweden and the European Union (EU), hereinafter referred to as “the Participants”,

consider the recent very serious incidents damaging critical undersea infrastructure in the Baltic Sea, in particular energy connections and communications cables, and the significance of political cooperation between the Baltic Sea countries in times when threat levels have increased due to Russia’s war of aggression against Ukraine, and the long-term threat posed by Russia to Euro-Atlantic security.

They acknowledge the importance of undersea energy and communication infrastructure for regional security, energy security, economic security and cooperation, and the role of industry and competent national authorities in prevention, detection and as first responders to incidents damaging critical undersea infrastructure.

They emphasise the vast potential of the Baltic Sea for sustainable energy production, including offshore wind and hydrogen production, as vital for competitive economies and affordable energy prices, as well as contributing to fulfilling the climate and energy targets of the EU, and ensuring the region’s energy independence and resilience.

They recognise the vulnerabilities related to critical undersea infrastructure through hostile actions, as well as negligent maritime behaviour, and the risks posed by Russia’s use of the so-called shadow fleet to the environment, maritime safety and energy security, telecommunications and access to digital services, international trade, established international maritime rules and standards, as well as the circumvention of sanctions, and they highlight, in this regard, the joint efforts and on-going work by the countries participating in the Shadow Fleet Expert Group to tackle the challenges posed by the so-called shadow fleet.

The Participants welcome the:

- concerted efforts through the EU Maritime Security Strategy established in 2023 to mitigate threats to critical undersea infrastructure and in line with its goals to enhance information exchange, share best practices and organize joint operations and exercises;
- Declaration of Energy Ministers signed at the High-Level Energy Security Meeting in Vilnius on 10 April 2024 where signatories committed to ensure the protection and resilience of energy infrastructure in the Baltic Sea in order to protect common interests, uphold international law, and react effectively to growing threats, including attempts at hybrid and cyber interference;
- Joint Declaration on Cooperation Regarding Protection of Infrastructure in The North Sea announced in April 2024 with the aim to facilitate and encourage collaboration between the Participants in protecting all common infrastructure in the North Sea;
- the Memorandum of Understanding on the Protection and Repair of underwater energy infrastructure between Finland and Estonia of September 2024;
- the Joint Statement of the Baltic Sea NATO Allies Summit of 14 January 2025, which provided the political guidance by Heads of State and Government to work towards a Memorandum of Understanding on Critical Infrastructure Protection in the region;

- and the Joint Communication from the High Representative and the European Commission on the Action Plan on Cable Security of 21 February 2025, which proposes among other measures for the protection of submarine critical infrastructure, the establishment of a dedicated regional integrated surveillance mechanism focusing on the Baltic Sea as the first regional surveillance hub for integrating all the relevant data, services, networks and entities.

The countries in the Baltic Sea Region share the determination to cooperate in protecting and ensuring the resilience of critical undersea infrastructure in order to better monitor, prevent incidents and sabotage, and recover damages against the infrastructure, and demonstrate political unity and joint actions in the area of vital importance to all Baltic Sea countries.

The Participants have reached the following understanding:

SECTION 1

Purpose and scope of the Memorandum of Understanding

1. The objective of this Memorandum of Understanding (hereinafter “MoU”) is to set out a legally non-binding framework on cooperation between the Participants on the protection and enhanced resilience of critical undersea infrastructure in the Baltic Sea, including both undersea energy and communications infrastructure. All measures taken by the Participants will be aligned with the existing efforts of the EU, NATO and other regional or international organizations to avoid any potential duplication.

2. The Participants may take appropriate measures, in accordance with Sections 2-4 of this MoU, to individually and collectively protect and increase the resilience of critical undersea infrastructure in the Baltic Sea, notably submarine cables and pipelines, strengthening supply chain security, enhancing physical and cybersecurity measures, developing the undersea monitoring capabilities and swift repair capacity of EU countries, and engaging with the private sector, based on review of existing measures and opportunities identified through further cooperation and in accordance with international law.

SECTION 2

Areas of Cooperation

The Participants will cooperate to:

1. exchange relevant information on a regular basis to provide and ensure situational awareness;
2. share best practices and measures for the protection of critical undersea infrastructure;
3. collaborate and coordinate with the EU institutions, NATO and other regional and international organizations and formats to advance the goals of this MoU, such as, but not limited to, advancing cooperation in the context of possible EU and other funding for cross-border projects involving the protection of critical undersea infrastructure in the Baltic Sea.

SECTION 3

Cooperation framework and forms of co-operation

The Participants will:

1. Establish a joint Baltic Sea Expert Group (hereinafter: the Group) for discussions between relevant authorities and organisations;
 - 1.1. the Group will meet for coordination as necessary, and the Participants will nominate representatives on a voluntary basis;
 - 1.2. the Group will establish a network of contact points among its members to support its work;
 - 1.3. transmission system operators and energy and telecom service providers may be invited to attend through the competent national authorities, when appropriate;
2. Share relevant information for the purpose of critical undersea infrastructure protection between Participants;
3. Organize the exchange of knowledge between experts, technicians, scientists and infrastructure operators as well as share other relevant experience, information, and best practices, including on incident-related notification, reporting and communication;
4. Compare and review existing measures for the protection of critical undersea infrastructure in the Baltic Sea;
5. Facilitate technological know-how and innovative solutions, including involving industry and private companies, on monitoring, protection, and repair capabilities of submarine energy and communications infrastructure, and tracking of vessels;
6. Examine possibilities to carry out new joint projects, involving potential EU and other funding where possible, to commonly strengthen the monitoring and protection of existing and planned critical undersea infrastructure, and reduce vulnerabilities by avoiding dependence on third countries;
7. Develop a work plan to achieve the goals of the cooperation set out in Sections 2 and 3 of this MoU;
8. Pursue additional areas of cooperation as deemed appropriate and jointly decided upon;
9. If deemed necessary by the Participants, convene meetings on a senior official level to provide strategic direction and oversight of progress in the cooperation areas listed below.

SECTION 4

Commitments and financial contributions

The MoU is based on a political intent alone. The MoU should not be construed as conferring any new powers or creating any financial obligations. Instead, all commitments will be satisfied from existing resources and each Participant will bear its own expenses in connection with the abovementioned cooperation, unless determined otherwise by the Participants.

SECTION 5

Disputes

Any dispute about the interpretation or application of this legally non-binding MoU will be resolved by consultations between the Participants, and will not be referred to any national or international tribunal or third party for settlement.

SECTION 6

Amendments

This MoU may be amended at any time by the written consent of the Participants.

SECTION 7

Termination

Any Participant may end cooperation under this MoU at any time by providing two months' written notice to the other Participants. The Participants will consult to determine how any outstanding matters should be dealt with. Termination will not affect the validity of any contract and agreement made in the course of cooperation under this MoU.

SECTION 8

Duration and effective date

This MoU shall remain in effect until terminated. This MoU will come into effect on the date of signature by all Participants.

SECTION 9

Relationship with national and international law

1. This MoU is not legally binding and is not intended to conflict with national law or international obligations by which the Participants are bound. The Participants will notify each other in case of any conflict arising from this MoU.
2. This MoU is not considered an international treaty and is not eligible for registration under Article 102 of the Charter of the United Nations.

SECTION 10

Exchange of information and confidentiality

1. All information provided or generated pursuant to this MoU will be safeguarded, used, transmitted, stored, and handled in accordance with the Participants' national laws and regulations, and international agreements in force between them.
2. The Participants will take all lawful steps available to them to ensure that all classified information provided or generated pursuant to this MoU is used only for the purposes it was provided for. All classified information exchanged or generated in connection with this MoU will be used, transmitted, stored, handled, and safeguarded in accordance with the applicable bilateral security agreements in force between the Participants. In the absence of such agreements, the national laws and regulations of the Participants will apply.

The foregoing represents the understanding reached between the Participants on the matters referred to in this MoU.

Signed in Vihula at the Ministerial Session of the Council of the Baltic Sea States on 16 May 2025 in the English language.

For The Government of Denmark

Name:

Function:

For The Government of the Republic of Estonia

Name:

Function:

For The Government of the Republic of Finland

Name:

Function:

For The Government of the Federal Republic of Germany

Name:

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For The Government of Iceland

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For The Government of the Republic of Latvia

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For The Government of the Republic of Lithuania

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For The Government of the Kingdom of Norway

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For The Government of the Republic of Poland

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For The Government of Sweden

Name:

Function:

For The European Union

Name:

Function: