

Joint HELCOM/OSPAR Task Group on Ballast Water Management Convention Exemptions

Eighth Meeting

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Document title	Proposal for a new introductory overview chapter to the JHP
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Agenda Item	3 - Updates to the Joint HELCOM/OSPAR Harmonised Procedure (JHP) on the Granting of BMW Convention Exemptions
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Submitted by	Co-Chairs
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Background

Based on the input received as part of the spring 2017 request for JHP revision and review (see separate document submitted to this Meeting), the Co-Chairs have prepared an introductory overview chapter to the JHP, attached to this document.

Action required

The Meeting is invited to:

- consider the attached proposal for an introductory overview chapter to be included as first chapter of the JHP

Proposal for a new introductory overview chapter to the JHP

The “Joint HELCOM/OSPAR Procedure for the Contracting Parties of OSPAR and HELCOM on the granting of exemptions under the International Convention for the Control and Management of Ship’s Ballast Water and Sediments, Regulation A-4”, agreed by HELCOM and OSPAR Contracting Parties, aims to ensure that exemptions are granted in a coherent manner that prevents damage to the environment, human health, property or resources. The Ballast Water Management Convention entered into force on 8 September 2017. The Procedure is based on the Guidelines for Risk Assessment under Regulation A-4 of the BWM Convention (G7). The background of the Procedure is further elaborated in the document (section 1, Introduction). Users of this procedure may be all stakeholders involved in the exemption process, such as administrations (decision makers), ship owners/operators (applicants) and biologists (port survey performers).

Exemptions from ballast water management requirements can be issued to a ship on voyages between specified ports or locations for a maximum of five years. A Port State may grant an exemption if the risk is acceptable low, based on results of a risk assessment (section 5, Risk Assessment). The information required for an application, and to undertake a risk assessment, includes data on environmental conditions and on non-indigenous species (section 2, Port Survey Protocol), species of concern (section 3, Target Species) and shipping information as set out in the appendix of G7 (section 7, Administrative Procedures). If sufficient data is not available for the ports of interest, the applicants are responsible for carrying out port surveys to collect data. Information on available data can be found in the Decision Support Tool (section 6, Decision Support Tool). It should be noted that the use of the risk assessment algorithm of the Decision Support Tool serves as a first step to aid regionally harmonised decision making. The administrations may also give consideration to the specific conditions in each case (e.g. additional information on non-indigenous species, species specifics (dispersal capacity, habitats), connectivity between ports (e.g. distance separated, currents), ships operation and mitigation measures (e.g. volume of ballast water, position of discharge and uptake).

It is the responsibility of the ship owner/operator to apply for exemptions to the Port State(s) directly. Contact information of the designated administration of the Contracting Parties is provided in Annex 6.

Exemptions become applicable when ships will be required to meet the D-2 standard of the Ballast Water Management Convention. Ship owners/operators that consider to apply are urged to contact the concerned Port State administrations well in advance (years) before the exemption is needed, for consultation and to make certain to get a decision in due time. If an exemption is not granted, the ship owner/operator must ensure to have enough time to secure that the ship is in compliance with the D-2 standard, e.g. by installation of a type approved ballast water management system.

In an initial transitional period (section 1.16 (i) and Annex 1) the Procedure is to be implemented in a flexible and practicable way in order to gain experience and to enable further development and improvements. The transitional period will end when the D-2 ballast water standard applies in full according to regulation B-3 of the BWMC. Exemptions issued before or during the transitional period shall be valid for the whole transitional period, but not longer than 5 years from when the exemption is issued, regardless of the date of application or port survey.