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<b>Document title</b>	Joint HELCOM/OSPAR Guidelines on the granting of exemptions under the International Convention for the Control and Management of Ships' Ballast Water and Sediments, Regulation A-4
<b>Code</b>	3 - 9
<b>Category</b>	INF
<b>Agenda Item</b>	3 – Ballast water
<b>Submission date</b>	28.10.2014
<b>Submitted by</b>	Estonia
<b>Reference</b>	

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## Background

HELCOM ministerial meeting in 2013 adopted the *Joint HELCOM/OSPAR Guidelines on the granting of exemptions under the International Convention for the Control and Management of Ships' Ballast Water and Sediments, Regulation A-4*.

MEPC67 meeting considered documents MEPC 67/2/12 and MEPC 67/INF.23 (Denmark and INTERFERRY), addressing issues on regulations A-3 and A-4 of the Convention (exceptions and exemptions) and the associated *Guidelines for risk assessment under regulation A-4 of the BWM Convention (G7)*. In the following discussion, the Committee agreed to forward documents MEPC 67/2/12 and MEPC 67/INF.23 to PPR 2 for further consideration.

This document is to inform MARITIME 14 about planned submission to PPR2 on adopted HELCOM/ OSPAR *Guidelines on the granting of exemptions under the International Convention for the Control and Management of Ships' Ballast Water and Sediments, Regulation A-4*.

## Action required

Estonia invites all interested HELCOM member states to co-sponsor the submission to PPR2.

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SUB-COMMITTEE ON POLLUTION,  
PREVENTION AND RESPONSE  
2nd session  
Agenda item 5

PPR2/INF.X  
14 November 2014  
Original: ENGLISH

**HARMFUL AQUATIC ORGANISMS IN BALLAST WATER**

**Joint HELCOM/OSPAR Harmonized Procedure on exemptions under A-4 of the  
International Convention for the Control and Management of Ships' Ballast Water and  
Sediments**

**Submitted by Estonia [.....]**

**SUMMARY**

<i>Executive summary:</i>	HELCOM and OSPAR have jointly developed a 'Harmonized Procedure' to ensure that exemptions under A-4 of the Annex of the International Convention for the Control and Management of Ships' Ballast Water and Sediment are granted in a constant manner.
<i>Strategic direction:</i>	7.1
<i>High-level action:</i>	7.1.2
<i>Planned output:</i>	7.1.2.5
<i>Action to be taken:</i>	Paragraph 6
<i>Related documents:</i>	MEPC.162(56), MEPC 67/2/12, MEPC 67/INF.23

**Introduction**

1 The International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWMC) provides for Parties under the Annex of the Convention, Regulation A-4, the scope to issue exemptions from Regulation B-3 (Ballast Water Management for Ships) and Regulation C-1 (Additional Measures). Regulation A-4 states that a Party or Parties, in waters under their jurisdiction, may grant exemptions to any requirements to apply regulations B-3 or C-1, in addition to those exemptions contained elsewhere in this Convention.

2 To facilitate the process of granting exemptions under Regulation A-4 the HELCOM and OSPAR Contracting Parties agreed on a Harmonized Procedure under Article 13.3 of the Ballast Water Management Convention to ensure that exemptions are granted in a constant manner that prevents damage to the environment, human health, property or resources, once the BWMC enters into force. This Harmonized Procedure, agreed as

*“HELCOM/OSPAR Joint Guidelines 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”* is provided in the Annex of this document. This Harmonized Procedure will be under continuous review by the HELCOM and OSPAR Commissions, together with the consideration of introducing a transitional period and burden sharing mechanisms once the BWMC enters into force.

3 To avoid confusion with IMO Guidelines the Joint HELCOM/OSPAR TG BALLAST proposed at its 3rd meeting on 5 December 2012 in The Hague to rename by 2015 the Guidelines as follows (deletion by strike through, new text underlined): *“Joint HELCOM/OSPAR Harmonized 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”* during the next review to clarify the status of the document.

4 During the A-4 exemption process applicants must carry out the port surveys according to the methodology described in the Harmonized Procedure and attach the results to the exemption application. This information should cover each stopover port on the route for which the exemption is applied. A port survey is to be regarded valid for granting exemption for a maximum of 5 years, from the date of the first of the two sampling visits. The purpose of this additional process is to collect the data necessary to enable risk assessment as required by the BWMC according to its G7 Guidelines (Resolution MEPC 162(56)).

5 Exemptions under regulation A-4 of the BWMC may only be granted by Contracting Parties to the Convention after its entry into force. Parties are encouraged to use the applicable parts of this Harmonized Procedure in preparation for the entry into force.

#### **Action requested of the Sub-Committee**

6 The Committee is requested to note the information provided.

**ANNEX I**  
**HARMONIZED PROCEDURE**

HELCOM ministerial meeting in 2013 adopted the *Joint HELCOM/OSPAR Guidelines on the granting of exemptions under the International Convention for the Control and Management of Ships' Ballast Water and Sediments, Regulation A-4*.

The Guidelines can be found under:

[http://www.helcom.fi/Documents/Ministerial2013/Ministerial%20declaration/Adopted\\_endorsed%20documents/Joint%20HELCOM\\_OSPAR%20Guidelines.pdf](http://www.helcom.fi/Documents/Ministerial2013/Ministerial%20declaration/Adopted_endorsed%20documents/Joint%20HELCOM_OSPAR%20Guidelines.pdf)

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