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<b>Document title</b>	A Summary of the Answers to the Short Questionnaire on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (2004) among the HELCOM Member States
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<b>Reference</b>	

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## Background

HELCOM MARITIME 14 established an ad Hoc Correspondence Group on Ballast Water Management to among other tasks to

4) Elaborate:

- a) an overview of the situation on preparedness of the HELCOM Contracting Parties for the implementation of the BWMC; and
- b) a proposal for a regional Baltic Sea implementation plan for BWMC;

The final report of the ad Hoc Correspondence Group on Ballast Water Management on tasks 1 and 2 has been submitted as a separate document 3-2. The task number 4 is also initially discussed in the document 3-3.

This document, A Summary of the Answers to the Short Questionnaire on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (2004) among the HELCOM Member States is contributing to further discussions to elaborate an overview of the situation on preparedness of the HELCOM Contracting Parties for the implementation of the BWMC; and a proposal for a regional Baltic Sea implementation plan for BWMC (task number 4).

Annex 1 includes a Compilation of the Answers to the Short Questionnaire among the HELCOM member countries on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (2004).

The questionnaire was developed to collect data on preparedness of the HELCOM member countries for the harmonized implementation of the BWMC. The questionnaire was distributed in October among the members of the ad Hoc Correspondence Group on Ballast Water Management. The eight HELCOM Member States of nine succeeded to meet the dead line for answering.

The initial list of completed actions of the 2007 Road map and the initial list of the remaining actions needed for a Regional Baltic Sea plan for harmonized implementation and ratification for the 2004 BWMC are given in the attachment 2 to the document 3-3.

The Regional Baltic Sea plan for harmonized implementation and ratification for the 2004 BWMC will be amended taking into account e.g. the outcome from this questionnaire.

### Action required

The HELCOM MARITIME 15 meeting is invited to take note of this Summary of the Answers to the Short Questionnaire on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (2004) among the HELCOM Member States and the initial list of the remaining actions needed given in the document 3-3 for a Regional Baltic Sea plan for harmonized implementation and ratification for the 2004 BWMC and to discuss it further.

**Annex 1.** Compilation of the Answers to the Short Questionnaire on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (BWMC) among HELCOM Member States.

## Annex 1

Compilation of the Answers to the Short Questionnaire on the Ratification and Implementation Status of the IMO Ballast Water Management Convention (2004) – BWMC	
Country	Questions and Answers
	National focal point/Contact person (and e-mail-address)
Denmark	Ulrik Chr. Berggreen ( <a href="mailto:ucb@nst.dk">ucb@nst.dk</a> ) and Sille Juhl Prang ( <a href="mailto:sipra@nst.dk">sipra@nst.dk</a> )
Estonia	Kaspar Anderson: <a href="mailto:kaspar.anderson@envir.ee">kaspar.anderson@envir.ee</a> , Triin Vokk: <a href="mailto:triin.vokk@envir.ee">triin.vokk@envir.ee</a>
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Germany	Carolin Abromeit ( <a href="mailto:carolin.abromeit@bsh.de">carolin.abromeit@bsh.de</a> ) / Susanne Heitmüller ( <a href="mailto:Susanne.heitmueller@bsh.de">Susanne.heitmueller@bsh.de</a> ) / Sabine Reuland ( <a href="mailto:sabine.reuland@bsh.de">sabine.reuland@bsh.de</a> )
Latvia	Laura Mazmaca <a href="mailto:laura.mazmaca@vvd.gov.lv">laura.mazmaca@vvd.gov.lv</a>
Lithuania	Mindaugas Česnauskis/ Head of Shipping Standards Division/ Lithuanian Maritime Safety Administration <a href="mailto:info@msa.lt">info@msa.lt</a>
Poland	Joanna Ignasiak, Department for Maritime Transport and Shipping Safety Ministry of Infrastructure and Development, <a href="mailto:Joanna.Ignasiak@mir.gov.pl">Joanna.Ignasiak@mir.gov.pl</a>
Sweden	Henrik Ramstedt <a href="mailto:Henrik.ramstedt@transportstyrelsen.se">Henrik.ramstedt@transportstyrelsen.se</a>
	<b>Section I – Signature and Ratification</b>
	<b>1. Has your country ratified the IMO Ballast Water Management Convention? If so, when has your country ratified the Convention?</b>
Denmark	Yes, the BWMC was ratified in September 2012.
Estonia	Estonia is in the ratification process, the most probably will finish the ratification the end of next year.
Finland	Finland is in the ratification process, and the draft legislation will be presented to the Parliament in November 2015.
Germany	Germany ratified the BWMC in 2013 through the Ballast Water Act on February 5, 2013 and deposited its ratification instrument on June 20, 2013 as the 37 <sup>th</sup> flag state, representing 1.26 % of the world tonnage at that time.
Latvia	No.
Lithuania	Lithuania has not ratified the BWMC. It is scheduled to ratify the BWMC following the completion of study “Ships' ballast water and sediment management and control system development services in Lithuania”.
Poland	We are in the process of preparing for ratification of the BWM Convention, and most probably we will ratify it in 2016.
Sweden	Sweden ratified the BWMC 2009.

	<b>2. Have you encountered legal or other obstacles to ratification of the IMO Ballast Water Management Convention? If so, please describe these obstacles below.</b>
<b>Denmark</b>	Yes, due to constitutional issues DK had a reservation until 1. July 2015 – And therefore no longer relevant.
<b>Estonia</b>	No.
<b>Finland</b>	One of the obstacles is that there is still uncertainty among the shipowners if the present G8 type approved ballast water treatment systems can operate in the northern Baltic Sea conditions where sea water temperature can exceptionally, compared to other sea areas, decrease under 0 degree of Celsius, water turbidity is high and sea water in some ports is almost fresh water.
<b>Germany</b>	No specific ones.
<b>Latvia</b>	Principally there are no legal obstacles to ratification.  <u>Other obstacles:</u> Shipping companies operating from ports of Latvia and ship-owners expressed their unwillingness to ratify BWMC because there are still many uncertainties in implementation and application of this convention. Equipment (ballast water treatment systems) to be fitted onboard will require large investments. Those who operate only in Baltic Sea area, would be interested in obtaining exemptions, but unfortunately this is very expensive and time-consuming process and applicable for specific voyages between specific ports. They are interested that all ships sailing in Baltic Sea will be exempted from the requirements of Regulation B-3 of Annex to the BWMC or that the Exception clause of Regulation A-3 paragraph 2.5 relating discharges of BW at the “same location” will be applied in whole Baltic Sea area. Industry at this stage is informed about ongoing work at IMO and consequently is waiting for outcome of MEPC 69.
<b>Lithuania</b>	The main challenges occur solving the problems of allocation of the respective functions between state institutions and ballast water sampling and analysis.
<b>Poland</b>	Right now we are examining the issues related to implementation of the requirements of the BWMC. For that purpose we are conducting a study in order to identify appropriate technical, operational, and administrative procedures for ballast water management that will allow to adopt an appropriate legal framework for effective implementation of the Convention in Poland with respect to shipping safety issues, human health and environmental standards. The study will be finalized by the end of November this year.
<b>Sweden</b>	Sweden’s ratification contained a reservation. Due to geographical, hydrographical and hydrological conditions, it was not possible for Sweden to fully comply with the requirements regarding Ballast Water exchange. However this has been resolved through Resolution A.1088(28) along with clarifications at MEPC 68.

	<b>Section II – Legislative measures</b>
	<b>3. Have you adopted national rules to implement the provisions of the IMO Ballast Water Management Convention? If so, have these rules entered into force yet or will they enter into force in the future (e.g. upon entry into force of the BWMC)?</b>
<b>Denmark</b>	Yes, the legislation is in force (national order), except the regulation of ships discharge (D1 & D2), which will not enter into force before the convention (12 months after).
<b>Estonia</b>	We don't have any national legislation.
<b>Finland</b>	In Finland, we don't have any additional national legislation.
<b>Germany</b>	<p>The following laws and regulations have been adopted or amended to implement the Ballast Water Convention in Germany:</p> <p>1) Gesetz zu dem Internationalen Übereinkommen von 2004 zur Kontrolle und Behandlung von Ballastwasser und Sedimenten von Schiffen (Ballastwasser-Gesetz)(Ballastwater Act): This is the law to ratify the BWMC and gives the Federal Ministry of Transport and Digital Infrastructure (BMVI) the competence to adopt regulations to further implement the BWMC. See <a href="http://www.bsh.de/de/Meeresdaten/Umweltschutz/Ballastwasser/Ballastwasser-Gesetz.pdf">http://www.bsh.de/de/Meeresdaten/Umweltschutz/Ballastwasser/Ballastwasser-Gesetz.pdf</a></p> <p>2) Seeaufgabengesetz (Federal Maritime Responsibilities Act): According to its Arts. 5, para. 1, no. 4c, 1 no. 16, the BSH is the authority responsible for measures to prevent the introduction of alien species via ships, and thus also for the approval of ballast water management systems.</p> <p>3) See-Umweltverhaltensverordnung (Regulations on Environmentally Sustainable Behaviour in Maritime Shipping (Maritime Environmental Behaviour Regulations)): These regulations govern the requirements for environmentally sustainable behaviour in shipping, as well as the imposition of penalties in the event of violations of provisions of e.g. the Ballast Water Management Convention (see part 4 and 5). Most of the provisions only become applicable upon the entry into force of the Convention. For the full text in English, please refer to the separately attached document in our email.</p>
<b>Latvia</b>	<p>No</p> <p>Non-indigenous species monitoring in the ports included as part of marine monitoring in National Environmental Monitoring program 2015-2020. Non-indigenous species monitoring methods based on HELCOM-OSPAR protocol and adapted to local ports condition.</p> <p>Non-indigenous species monitoring includes sampling in the different port habitats: water column and sediments as well as flora and fauna sampling from hard substrate .</p> <p>Main aim of the monitoring is observation, measurement and analysis of trends in specimens, occurrence and biomass of non-indigenous species.</p>
<b>Lithuania</b>	Ship's ballast water and sediment management and control measures to avoid harmful aquatic organisms and pathogens enacted by Order No. 3-577/D1-841/V-

	<p>1038 adopted on 14 November 2013 by the Minister of Transport and Communications, Minister of Environment and Minister of Health of the Republic of Lithuania. The measures entered into force on 1 May 2014 with an exception of certain provisions entering into force on 1 November 2014.</p> <p>Certain provisions of the BWMC are incorporated in Klaipėda State Seaport Shipping Rules.</p>
<b>Poland</b>	We did not adopt national rules for implementation of the BWM Convention yet.
<b>Sweden</b>	Sweden has adopted a ballast water act (Barlastvattenlagen 2009:1165) that will enter into force at the same time as the BWMC enters into force. The requirements of the Swedish legislation are aligned with the BWMC.
	<b>Please provide the text of the relevant national legislation (in English) or, if not available, an English summary of the requirements.</b>
<b>Denmark</b>	<p>National order on the management of ballast water and sediments from ships' ballast water tanks:</p> <p>Objective, definitions and scope</p> <p>Chapter 2 Handling of ballast water</p> <p>Chapter 3 Handling sediments</p> <p>Chapter 4 Exemptions</p> <p>Chapter 5 Approval of ballast water treatment systems</p> <p>Chapter 6 Monitoring, sampling and interventions</p> <p>Chapter 7 Penalties and entry into force</p> <p>Appendix 1-6 (most important guidelines)</p> <p>Link to the national order (in Danish):  <a href="https://www.retsinformation.dk/forms/R0710.aspx?id=142222">https://www.retsinformation.dk/forms/R0710.aspx?id=142222</a></p>
<b>Estonia</b>	-
<b>Finland</b>	-
<b>Germany</b>	See above.
<b>Latvia</b>	-
<b>Lithuania</b>	<p>Short summary of National Legislation was communicated to IMO after it's adoption and circulated by IMO to Member States (BWM.2/Circ.51). The said document can be found at IMODOCS website or following the link below:  <a href="http://www.msa.lt/lt/papildomas-meniu/tjo-dokumentai/kiti-aplinkrasciai/saugi-laivyba-sn/saugi-laivyba-sn_168/2230/p100.html">http://www.msa.lt/lt/papildomas-meniu/tjo-dokumentai/kiti-aplinkrasciai/saugi-laivyba-sn/saugi-laivyba-sn_168/2230/p100.html</a></p>
<b>Poland</b>	-
<b>Sweden</b>	
	<b>Section III – Ballast Water Management Systems (BWMS)</b>
	<b>4. Does your country issue type approval certificates for BWMS? If, so, which institution/agency is the competent authority?</b>
<b>Denmark</b>	Yes, the Danish Maritime Authority and the Danish Nature Agency is “the competent authority” in Denmark.
<b>Estonia</b>	No.
<b>Finland</b>	No, Finland does not issue type approval certificates for BWMS.
<b>Germany</b>	The Federal Maritime and Hydrographic Agency (BSH) is the competent authority to approve BWMS and issue type approval certificates in Germany. BSH issues

	<p>type approvals according to IMO requirements, i.e. the IMO Guidelines G8 and G9, as well as other relevant IMO Guidelines and Circulars (including the Methodology of the GESAMP-BWWG) are the basis for our type approval process.</p> <p>Please take note that also other German authorities are involved within the framework of the approval process: The Federal Environment Agency (UBA) for matters concerning eco-toxicology, the Federal Institute for Risk Assessment (BfR) for the toxicological examination of the applications, the Transport and Traffic Insurance Association (BG Verkehr) for aspects concerning ship and crew safety. Finally, in special cases and with reference to the EU biocide directive, the Federal Institute for Occupational Safety and Health (BauA) is involved for checking the marketability of the substances that are used for disinfection, if applicable.</p> <p>For further information, please also consult our website, which has been updated recently. Unfortunately, the English translation has not been completely yet finalized, so that only the German pages include the newest information.</p> <p>German website:  <a href="http://www.bsh.de/de/Meeresdaten/Umweltschutz/Ballastwasser/Baumusterzulassung_%28Type_Approval%29.jsp">http://www.bsh.de/de/Meeresdaten/Umweltschutz/Ballastwasser/Baumusterzulassung_%28Type_Approval%29.jsp</a></p> <p>English website:  <a href="http://www.bsh.de/en/Marine_data/Environmental_protection/Ballastwater/Type_Approval.jsp">http://www.bsh.de/en/Marine_data/Environmental_protection/Ballastwater/Type_Approval.jsp</a></p>
<b>Latvia</b>	No. Latvia is not a Party to BWMC.
<b>Lithuania</b>	No. Function of type approval of BWMS is delegated to RO's.
<b>Poland</b>	<p>Poland has not ratified the Convention yet, and we do not issue type approval certificates for BWMS for ships.</p> <p>However Polish Register of Shipping (an organization recognized in accordance with Regulation (EC) No 391/2009, and member of the International Association of Classification Societies (IACS)) offers consultancy in BWM engineering, approval of technical documentation and certification of the ballast water management systems in respect of modification of the systems on existing ships as well as installation of such systems on new ships, in order to adjust ships to the BWMC requirements as well as local provisions.</p>
<b>Sweden</b>	No, currently there is no legal support for issuance of TA of BWMS by Swedish authorities. The legal grounds of TA will be implemented by the ballast water act and the authority that will be appointed is the Swedish Transport Agency.
	<b>5. Please describe the survey and certification procedure for ships flying your country's flag.</b>
<b>Denmark</b>	<ul style="list-style-type: none"> <li>- A type approval can only be dealt with if a classification company has been granted to operate in the Kingdom of Denmark and</li> <li>- TA's can only be granted if the concerned classification company can demonstrate that the applicant have passed all the G8 (and G9 including Basic- and Final approvals from MEPC) requirements and that the quality requirements from the e.g. the Danish Test Center for Ballast Water have been met.</li> <li>- Before a TA can be issued the Danish Authorities have a final meeting with</li> </ul>

	<p>the classification company and the producer of the BWMS, to assure the quality of the BWMS and the content of the TA-certificate.</p> <ul style="list-style-type: none"> <li>- The Danish Authorities notify IMO on the TA of the BWMS.</li> </ul>
<b>Estonia</b>	Survey and certification procedures will follow the BWMC regulation.
<b>Finland</b>	Survey and certification procedures will follow the BWMC regulations. Most probably, conducting surveys and issuing of the certificates will be delegated to ROs (Recognized Organizations).
<b>Germany</b>	The survey and certification for ships under German Flag is carried out by Classifications Societies (ROs) which are authorized by the Ship Safety Division of the BG Verkehr as the competent German Flag State Administration. For ships without class the survey and certification is done by the Surveyors of Ship Safety Division. The ROs are also authorized to issue interim or short term International Ballast Water Management (IBWM) Certificates. The issue of the full term IBWM Certificates is done by the Ship Safety Division only for all ships under German Flag. Furthermore the Ship Safety Division finally approves the Ballast Water Management Plans submitted by the ship owner after pre approval by the RO.
<b>Latvia</b>	According to Cabinet Regulation No.439 of 7th June 2011 Regulations Regarding the Implementation of Flag State Supervision of Ships for ships flying Latvian flag engaged on international voyages and with gross tonnage 500 and above, the Maritime Administration of Latvia shall authorize a Recognized Organization for the carrying out of surveys and certification.
<b>Lithuania</b>	Survey and certification is delegated to RO's, thus it will be performed by respective RO under its rules and procedures.
<b>Poland</b>	-
<b>Sweden</b>	Swedish Transport Agency will be responsible for survey and certification but it can be performed by a Recognized Organization. Ballast Water Management Plans (BWMP) must be approved by Swedish Transport Agency.
	<b>6. Does your country/administration recognize type approval certificates issued by other national administrations, and if yes, what are the requirements?</b>
<b>Denmark</b>	Yes -Type approval applications from ship-owners / ship yards for BWMS already type approved by other IMO member states shall provide documentation from an approved classification company and document a valid and understandable TA-certificate for the purchased BWMS.
<b>Estonia</b>	We have not decided it yet.
<b>Finland</b>	We have not decided yet if this will be the case. It is an option that type approvals notified to IMO will be automatically approved also in Finland. In Finland, our goal is to include ballast water treatment systems to the Marine equipment directive in the future.
<b>Germany</b>	If a ship flying the German flag wants to install a BWMS that has not a German type approval, the type approval of the BWMS to be installed needs to be recognized by the German administration. For this the BSH needs to be convinced that the said BWMS fulfills all IMO requirements and has been gone through a robust testing regime satisfying all requirements. In practice, this means that the BSH will carefully examine test protocols and results of foreign administrations, as appropriate.
<b>Latvia</b>	No. Latvia is not a Party to BWMC.
<b>Lithuania</b>	Lithuania will accept type approvals issued by EU/EEA Member States competent

	authorities or on their behalf.
<b>Poland</b>	The administrative issues related to implementation of the BWMC will be decided during 2016, however we expect that BWMSs that are approved by other national Administrations will be accepted. We also believe that the issue of BWMS should be eventually included in the Marine Equipment Directive.
<b>Sweden</b>	Yes, TA according to the BWMC will be accepted.
	<b>7. Does your country collect data on the performance of ballast water treatment plants in operation, i.e. whether they function or not? How?</b>
<b>Denmark</b>	The Danish Competent Authorities are in contact with the Danish Test Center for Ballast Water- Furthermore the Danish Test Center for Ballast Water is certified by DNV-GL and US-coastguard. Danish Authorities do not collect test-data (or other data e.g. from ships in operation. Certain Danish ship-owners have participated in the IMO/ WMU-project for BWMS in operation).
<b>Estonia</b>	We have not decided yet how and if we collect this data.
<b>Finland</b>	In Finland, we have not decided yet, if we will collect this sort of data and how it will be collected. In case, we will collect data that will happen most probably during the Port State Control Trial period.
<b>Germany</b>	The type approval certificate is handed out with an administrative act, which comes with some ancillary clauses, including the following:  “The approval holder will immediately inform the Administration if he has indications that the ballast water management system does not comply with the requirements of the Ballast Water Management Convention or if any unknown harmful consequences for human health, marine environment or ship safety have to be expected by operating the ballast water management system.”  Otherwise, there is no other systematic data collection.
<b>Latvia</b>	No.
<b>Lithuania</b>	Operational tests are not being performed at present time.
<b>Poland</b>	We don't collect this data. However, some information in this regard may possibly emerge from the above mentioned study to be finalized by the end of November this year.
<b>Sweden</b>	No.
	<b>Section IV – Reception Facilities</b>
	<b>8. Do you have national legislation regulating matters related to ballast water reception facilities and ballast water sediments reception facilities?</b>
<b>Denmark</b>	Legislation for the discard of sediments from ballast water tanks falls under the regulation from the Danish EPA - it is relevant e.g. in repair ship-yards. There are no legal requirements to harbors as yet to operate reception facilities.
<b>Estonia</b>	No, we don't have.
<b>Finland</b>	No, we don't have.
<b>Germany</b>	No.
<b>Latvia</b>	No.

<b>Lithuania</b>	<p>There is no legislation with regard to ballast water reception facilities in place.</p> <p>Ship's ballast water sediment management and control measures to avoid harmful aquatic organisms and pathogens are enacted by Order No. 3-577/D1-841/V-1038, adopted on 14 November 2013 by the Minister of Transport and Communications, Minister of Environment and Minister of Health of the Republic of Lithuania. According to the said legislation there has to be adequate reception facilities for ballast water sediment in terminals where ballast tanks are cleaned and repaired. Legislation also provides, that sediments have to be handled according to Guidelines for Sediment Reception Facilities (G1) adopted by Resolution MEPC.152(55).</p>
<b>Poland</b>	So far we do not have legislation regulating matters related to PRF for ballast water and ballast water sediments. This issue will also be arranged in the coming year.
<b>Sweden</b>	Operators that do maintenance to ballast water tanks, e.g. shipyards, must have reception facilities for sediments. There will be no requirements for ports to have reception facilities for ballast water (this is to be handled as business agreements between ports and ship operators if they consider this as a way to comply with the BWMC).
	<b>9. Are in any ports of your country reception facilities for ballast water and/or sediments available or in planning?</b>
<b>Denmark</b>	The Danish government support the development of a container based system for harbors and others, but otherwise we have no knowledge about reception facilities or plans for reception facilities.
<b>Estonia</b>	It could probably be available at ports where cleaning or repairing ballast tanks. In Estonia, The Vene-Balti Port have some practice with ballast water sediments.
<b>Finland</b>	Sediment reception facilities will probably be available at shipyards and ports where cleaning or repair of ballast tanks occurs.
<b>Germany</b>	No, there are none so far and no decision has been taken yet for future reception facilities. Also, this falls generally in the jurisdiction of the German Länder (federal system of Germany).
<b>Latvia</b>	It is possible to deliver sediments from ballast water tanks at shipyards where repair of ballast tanks occurs.
<b>Lithuania</b>	<p>There are no ballast water reception facilities in Lithuanian ports.</p> <p>There are two terminals in Klaipėda Seaport where ballast tanks are cleaned and repaired. National legislation with regards to sediment reception facilities (as described in answer to Q8) is applicable to these terminals.</p>
<b>Poland</b>	At the ports/terminals (shipyards) where cleaning or repair of ballast tanks occurs facilities are provided for the reception of sediments. Right now we are assessing if the current facilities are adequate for fulfilling the BWMC requirements when it enters into force.
<b>Sweden</b>	No (not for the purpose of BWMC).

	<b>Section V – Compliance Control</b>
	<b>10. How does your country intend to organize compliance control with respect to the BWMC (e.g. which authority will be responsible for Port State Control/sampling of ballast water? Which methods for sampling and analysis do you consider?)</b>
<b>Denmark</b>	The PSC in DK will cover the control of the relevant issues on board ships concerning the management of BW and the BWMS systems. When it comes to sampling the government supports systems for Ship-owners control and PSC, but otherwise awaits the IMO decisions on sampling methods. The sampling of BW falls under the responsibilities of the Danish Nature Agency.
<b>Estonia</b>	Responsible authority for the Port State Control will be the Republic of Estonia Maritime Administration. The Environmental Inspectorate will take the samples and cover the analysis issues.  The indicative sampling method(s) are not decided.
<b>Finland</b>	In Finland, the Responsible authority for the Port State Control will be the Finnish Transport Safety Agency. The Finnish Environment Institute will be consulted when sampling and analysis are carried out.  We have not yet decided which will be the indicative sampling method(s). The ideal situation would be to agree on the indicative sampling method either on Helcom or EU level.
<b>Germany</b>	The check of certification, ballast water record books and management plans, as well as sampling will be carried out by the BG Verkehr as Port State Control and possibly by the waterways police within their respective competences.
<b>Latvia</b>	Inspections of ships required by the Article 9 will be carried out by the Maritime Safety Inspectorate of the Maritime Administration of Latvia. In respect of sampling of BW according to Res.MEPC.252 (67) Guidelines for Port State Control the responsibility of following authorities is reconsidered: <ul style="list-style-type: none"> <li>✓ Indicative analysis (where appropriate) of BW will be carried out by port state inspectors or <u>possibly</u> authorized inspectors (not yet decided);</li> <li>✓ Detailed analysis (where appropriate) of BW will be carried out only by authorized inspectors or authorized institution.</li> </ul> Methods for sampling and analysis are not considered yet.
<b>Lithuania</b>	Currently organizational scheme to organize compliance control with respect to the BWMC is not completely clear.
<b>Poland</b>	Issues related to compliance control will also be arranged in detail next year, however we expect that compliance control with respect to the BWMC will most probably be conducted by Port State Control officers/Environmental Inspectors. Regarding methods for sampling and analysis we don't intend to go beyond what is foreseen by the Convention.
<b>Sweden</b>	Swedish Transport Agency will be responsible for PSC and sampling. No methods for sampling have been considered so far, Sweden follows the developments at IMO regarding methods for sampling and analysis. Efficient PSC can be performed to a great extent without sampling, following the tiered approach of IMO and PMoU PSC guidelines.

	<b>Section VI – Exemptions (A-4)/Joint Harmonized Procedure</b>
	<b>11. Have you already received applications for exemptions according to A-4? Are port surveys being carried out or in planning? How? Where?</b>
<b>Denmark</b>	<p>Some years ago DK received an application, but due to the lag of legislation in most other countries the application is put on hold.</p> <p>Survey in harbors has not been conducted, but application for survey in 2016-2017 is being planned and a tender will be send out, for some relevant harbors, if the resources will be available.</p>
<b>Estonia</b>	No, we haven't any applications so far. National an alien species monitoring are carried out in Muuga and Tallinn bay.
<b>Finland</b>	<p>No, we have not received any applications so far. .</p> <p>Six (6) Finnish ports have been surveyed (Hamina, Kotka, Sköldvik, Turku, Naantali and Kokkola) according to the HELCOM-OSPAR port survey protocol. We don't have any plans for future surveys at the moment. The latest survey was done in 2013.</p>
<b>Germany</b>	<p>So far, no applications for exemptions according A-4 have been received. Therefore, also no port surveys for the purpose of supporting specific applications for exemptions have been carried out by applicants so far.</p> <p>However, in the context of an alien species baseline inventory for national monitoring of NIS carried out by the German Länder, the HELCOM/OSPAR Protocol of the JHP was applied in some selected German ports in 2014 and earlier. The aim was to compare the the HELCOM/OSPAR Protocol with the method of the 'Rapid Assessment'.</p> <p>In 2014, in the Wadden Sea of Lower Saxony, the harbours of Emden, JadeWeserPort, Wilhelmshaven inner and navy harbour, and Bremerhaven were surveyed, as well as the port of Rostock in the Baltic Sea.</p> <p>Furthermore, in the past, the HELCOM/OSPAR Protocol had been applied in other locations, such as Büsum, Husum, Brunsbüttel, Flensburg, Kiel, Neustadt and Lübeck (Travemünde).</p>
<b>Latvia</b>	<p>No applications for exemptions have received. Latvia is not a Party to BWMC.</p> <p>The port surveys conducted in various research projects. Within "Baltic Sea Pilot Project: Testing new concepts for integrated environmental monitoring of the Baltic Sea project (BALSAM)" (2013-2015) project lead by HELCOM environmental and species data were obtained from Port of Liepaja and Port of Riga.</p> <p>Further surveys in all major Latvian ports (Riga, Ventspils, Liepaja) are planned within National Research Programme (2014-2017) lead by Latvian Institute of Aquatic Ecology.</p>
<b>Lithuania</b>	<p>There has not been received any applications so far according to A-4.</p> <p>Port surveys started to take place recently (in 2015) in Klaipeda seaport area within the framework of the project, mentioned in the answer to Q1. The methodology, described in 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 is used for port surveys. Final results of port surveys are not produced yet.</p>
<b>Poland</b>	Until now we did not receive any applications for exemptions.

	<p>Port survey according to HELCOM-OSPAR port survey protocol was conducted in Port of Gdynia (in autumn 2013, as well as in spring and summer 2014) within the Baltic Sea Pilot Project: Testing new concepts for integrated environmental monitoring of the Baltic Sea (BALSAM).</p> <p>The ideal solution for regular port sampling will be to conduct monitoring for alien species in ports within the scope of monitoring related to the Marine Strategy Framework Directive. This will allow to feed in the data into the HELCOM/OSPAR decision support tool.</p>
<b>Sweden</b>	No applications have been received. A port survey has been conducted in port of Gothenburg. There are plans to conduct sampling in some (not yet selected) ports for the purpose of the Marine Strategic Frame Work that follows the methodologies of The Joint HELCOM/OSPAR Harmonised Procedure for A-4 exemptions, most likely during 2016.
	<b>Section VII – Further Implementation Challenges</b>
	<b>12. Please specify other major challenges related to the implementation of the BWMC in your specific national context.</b>
<b>Denmark</b>	We hope countries will help to develop a Same Risk Area concept to make exemptions simpler for ship-owners and authorities and with the same protection as yet in the G7 procedure.
<b>Estonia</b>	-
<b>Finland</b>	<p>Sampling under the PSC is one of the most challenging issues in the BWMC regulations. Especially, when conducting the full analyze. Taking of the representative sample is time consuming and we have only few accredited laboratories in Finland. Risk for causing the unnecessary delay to ship is high.</p> <p>The greatest challenge for maritime transport is the situation where it is practically impossible for small bulk carriers to adapt to BWMC. They have very little space on board for installation of Ballast Water Treatment Equipment (BWTE) and no extra auxiliary power installed. Many of these ships are 25 years or older, which makes them a high risk from a financial point of view, and they will have a hard time to find financing for BWTE, should they decide to install.</p> <p>Exemptions are not an option as these ships are mainly in trade between many different ports. The entering into force of the convention could force many of these ships out of business and land/road transport will take over as transport needs remains.</p>
<b>Germany</b>	<ol style="list-style-type: none"> <li>1) Practical implementation of JHP (A-4), including <ol style="list-style-type: none"> <li>a. “Target species list” as living document. Definition of rules for the update routine of the list. Definition of contingency plans for immediate response in case a new species has been identified.</li> <li>b. “Issue of burden-sharing”</li> <li>c. “Data on NIS”: Collecting and linking data from different sources and directives/conventions to improve the data situation in the Baltic. It should be proved if other data sources can be used (WFD (benthos), MSFD (benthos, plankton, fish, NIS).</li> </ol> </li> <li>2) “Same risk areas”- Which types of risk assessments are appropriate to</li> </ol>

	<p>define “same risk areas” without increasing the risk of introduction and especially secondary spread of (target) species.</p> <p>3) Monitoring according to Art.6 BWMC Scientific and Technical Research and Monitoring (possible synergies)</p> <p>4) Methods for sampling trial period and compliance testing (see IMO discussions)</p> <p>5) Contingency measures (stop of ballast water discharge, mobile BWMS (e.g. barge), port reception facilities etc.)</p> <p>6) QM/QA requirements for test facilities involved in BWMS type approval procedure</p> <p>7) Relationship of the Water Framework Directive vs. BWMC (in particular with respect to the rule of no-deterioration)</p>
<b>Latvia</b>	Follow up actions are unclear in case of inadequacies (Article 8 <i>Violations</i> and Article 10 <i>Detection of violations and control of ships</i> ).
<b>Lithuania</b>	Challenges related to the implementation of the BWMC will be: 1) sampling issue (which authority? How to avoid unnecessary delay to ships?), and 2) additional financial burden for Lithuanian ship owners.
<b>Poland</b>	<p>As mentioned above, we did not conclude our analysis regarding effective implementation of BWMC requirements, but we already foresee that the following issues might be challenging:</p> <ul style="list-style-type: none"> <li>• Sampling for compliance and analysis of ballast water samples (safe and efficient procedures for sampling, availability of accredited laboratories to conduct ballast water sampling for D-2 compliance, efficiency of sampling not to cause undue delay to ships);</li> <li>• Arranging procedures for ballast water management in ports in case of emergency situations (e.g. failure of ship’s BWMS or emergency deballasting of water from ships taken up in the high risk areas due to shipping safety reasons),</li> <li>• Cost-effectiveness of fitting in the BWMS for old/small vessels;</li> <li>• Exemptions uncertainty in the Baltic Sea.</li> </ul>
<b>Sweden</b>	Contingency measures. The development of Guidance on contingency measures is included in the Roadmap for the implementation of BWM Convention, decided at IMO MEPC 68th meeting (annex 2 of MEPC 68/WP.8). Sweden will follow the work of IMO on this issue