



REGIONAL ACTIVITY CENTRE / REGIONAL MARINE POLLUTION EMERGENCY,
INFORMATION AND TRAINING CENTRE - WIDER CARIBBEAN REGION

NINTH ORDINARY MEETING OF THE
RAC/REMPEITC-Caribe STEERING COMMITTEE
Agenda item 8

OSC 9/8/1
30 May 2018
Original: English

BWM Convention Recommendations for the 2018-2020 Work Plan Submitted by RAC/REMPEITC-Caribe

SUMMARY

Executive Summary: This document provides important recommendation generated over the 2016-2017 Work Plan regarding implementation of the OPRC Convention in the Wider Caribbean Region.

Action to be Taken: Paragraph 6

Related documents: RAC/REMPEITC-Caribe OSC 9-1-1

General

1. The following Outcomes, Decisions and Future Action found in Annex A were generated during the following workshop conducted by RAC/REMPEITC-Caribe as Secretariat to the *Regional Task Force on the Ratification and Implementation of the IMO Convention on Ballast Water Management in the Wide Caribbean Region (RTF-WCR)*:

1.1. IMO Regional Ballast Water Management Workshop: Third Regional Task Force Meeting on the Ratification and Implementation of the IMO Convention on Ballast Water Management, conducted in Panama City, Panama, on June 5-9, 2017.

2. The Regional Task Force meeting was attended by representatives of the following Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention): Antigua and Barbuda, Belize, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago. The full meeting report is available at: <http://www.racrempeitc.org/activities-archive?year=2017>.

Guidelines for Ballast Water Exchange and Sediment Management in Wider Caribbean Region Areas

3. Subsequent to the 5-9 June 2017 Regional Task Force Meeting, the Guidelines contained in Annex B were circulated for review, comment and final approval by the Administrations of the abovementioned Contracting Parties, and are hereby submitted to the Committee upon their request.
4. As requested by the *Task Force* and as approved by the Administrators of the following Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention): Antigua and Barbuda, Belize, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago, the guidelines were then submitted to IMO in May 2018 to be Issued as a BWM Circular and incorporated as a Information Document at MEPC73.
5. The finalized *Guidelines for Ballast Water Exchange and Sediment Management in Wider Caribbean Region Areas* (in English) now forms part of a regional strategy on ships ballast water management and invasive species, developed within the Wider Caribbean Region Strategic Action Plan (SAP) and adopted by the abovementioned Contracting Parties. The Guidelines provide guidance on ballast water exchange and management for Ships entering or operating in the *Wider Caribbean Region area* as defined by the Cartagena Convention.

Recommendations

6. The Steering Committee is invited to review the information presented in this document and its Annexes, and further considering the presentation provided by Mr. Keith Donohue, incorporate the Outcomes, Decisions and Future Action into the final meeting report and future actions conducted during the 2018-2020 Work Plan.

- ANNEX A -

7. Outcome, Decisions and Future Actions:

7.1 **Strategic Action Plan (SAP):** The SAP for the RTF-WCR was reviewed, amended, and updated by the workgroup participants. The RTF-WCR member delegates agreed upon changes made to be incorporated into the revised SAP.

7.2 **Rules of Procedures:** Rules of Procedure were reviewed and revised by the workgroup participants.

7.2.1 The RTF-WCR member delegates agreed to make the following changes to the Rules of Procedures:

7.2.1.1 Change Rule 41 to English and Spanish;

7.2.1.2 Rule 12: First and Second Vice-Chairman should be from different countries;

7.2.1.3 Throughout the document, reference should be made to the Chair and not Chairman;

7.2.1.4 Rule 11-13: Election of Chair, First and Second Vice-Chair should reflect representation from different language groups

7.2.1.5 Rule 2: Virtual meetings should be accommodated. Following these changes, the Rules of Procedure were adopted.

7.2.2 The RTF-WCR member delegates agreed to incorporate the revised Rules of Procedures into the SAP.

7.3 **Clearinghouse Mechanism:** A proposed framework for the development of a Clearinghouse Mechanisms was presented and discussed by the participants:

7.3.1 The RTF-WCR member delegates supported the need to assign particular responsibilities to the Work Plan, in particular to ensure the development of a Caribbean Marine Invasive Species Clearinghouse Mechanism (CMISC) and agreed to assign action items to sub-workgroups.

7.3.2 To implement the plan for developing the Clearinghouse Mechanism, sub-workgroups were established with concurrence from the RTF-WCR member delegates. Delegates volunteered for participation in various sub-workgroups as follows:

7.3.2.1 WCR Invasive Species Portal (ISP) Sub-workgroup: RTF-WCR member delegates from Panama, and Trinidad and Tobago.

7.3.2.2 WCR Port Biological Monitoring (PBM) Portal Sub-workgroup: RTF-WCR member delegates from Jamaica, Trinidad and Tobago, and Dominican Republic.

7.3.2.3 Ballast Water and Sediments Scientific Committee (SC) Portal Sub-workgroup: RTF-WCR member delegates from Colombia, Jamaica, and Trinidad and Tobago.

7.3.2.4 Open-Ended Compliance Monitoring and Enforcement (CME) Portal Sub-Workgroup: RTF-WCR member delegates from Dominican Republic.

7.3.2.5 Closed-Ended (for RTF-WCR members official use only) Compliance Monitoring and Enforcement (CME) Portal Sub-workgroup: RTF-WCR member delegates from Colombia and Jamaica.

7.3.2.6 Outreach Portal Sub-workgroup: RTF-WCR member delegates from Belize.

7.3.3 RTF-WCR member delegates supported the agreement moving forward to get the Clearinghouse Mechanism structure in place within 1 year of this workshop.

7.4 **Guidelines:** *Guidelines for Ballast Water Exchange and Sediment Management in the Wider Caribbean Region areas* were reviewed, revised and amended,

7.4.1 Delegates agreed with updating the previous SAP Annex II Harmonized Voluntary Arrangements for Ballast Water Management in The Wider Caribbean Region into a revised Guidelines for Ballast Water Exchange and Sediment Management in the Wider Caribbean Region areas to be incorporated into Annex III of the revised SAP.

7.4.2 The participants discussed different approaches to formally adopting and incorporating the Guidelines, and the RTF-WCR member delegates agreed that the Guidelines should be prepared and distributed as an IMO Circular for MEPC 72 in April 2018.

7.4.3 RTF-WCR member delegates agreed:

7.4.3.1 That the Guidelines should be circulated for approval by contracting Parties to the Cartagena Convention prior to submission to IMO MEPC.

7.4.3.2 Following circulation, if concurrence is received, RAC/REMPEITC-Caribe will submit the Guidelines to MEPC as an IMO Circular for the information and awareness of all IMO Party States.

7.5 **Hull Fouling:** The participants concurred that consideration should be given towards incorporating hull fouling into the SAP at the next RTF-WCR meeting.

7.6 **Election of Officers:** The RTF-WCR member delegates voted to elect the following Officers for the RTF . WCR:

7.6.1 Colombia, as Chair

7.6.2 Jamaica, as First Vice-Chair

7.6.3 Panama, as Second Vice-Chair

7.7 **Incorporation of the SAP:** RTF-WCR member delegates agreed that the report of this meeting, with the revised SAP Annexes, should be presented for endorsement by the contracting parties of the Cartagena Convention, and El Salvador, at

7.7.1 The next steering committee meeting of RAC/REMPEITC-Caribe; and

7.7.2 The Eighteenth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fifteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region.

- ANNEX B -

Guidelines for Ballast Water Exchange and Sediment Management in Wider Caribbean Region Areas

Introduction

These guidelines are being submitted under paragraph 3 of Article 13 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (Ballast Water Management Convention) whereby:

In order to further the objectives of this Convention, Parties with common interests to protect the environment, human health, property and resources in a given geographical area, in particular, those Parties bordering enclosed and semi-enclosed seas, shall endeavor, taking into account characteristic regional features, to enhance regional co-operation, including through the conclusion of regional agreements consistent with this Convention. Parties shall seek to co-operate with the Parties to regional agreements to develop harmonized procedures.

The arrangements take into account the Ballast Water Management Convention as well as other adopted regional policies on ships' ballast water exchange and sediment management. In particular, Regulation B-4.1.2 of the Ballast Water Management Convention established that BWE should occur at least 50 nautical miles from the nearest land in waters of at least 200 meters depth. Additionally, there are currently three Particularly Sensitive Sea Areas (PSSAs), and over 300 Marine Protected Areas (MPAs), designated in the Wider Caribbean, some of which are also listed under the Protocol concerning Specially Protected Areas and Wildlife (SPA) of the Cartagena Convention. These and all future PSSA and MPAs should also be excluded from BWE areas.^{1,2} Further, the International Union for Conservation of Nature and Natural Resources (IUCN) has identified six (6) distinct bio-regions within the WCR that should also be considered when conducting BWE in order to prevent the movement of invasive species throughout the Region.^{3,4}

These guidelines form part of a regional strategy on ships' ballast water management and invasive species, developed within the Wider Caribbean Region Strategic Action Plan (SAP). The SAP covers the *Wider Caribbean Region area*, defined by the Cartagena Convention as the marine environment of the Gulf of Mexico, the Caribbean Sea and the areas of the Atlantic Ocean adjacent thereto, south of 30 deg north latitude and within 200 nautical miles of the Atlantic coasts of the Territories and States pertaining to the following Countries: Antigua & Barbuda, the Bahamas, Barbados, Belize, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, France, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, the Kingdom of the Netherlands, Nicaragua, Panama, Saint Kitts & Nevis, Saint

¹ Listing of Particularly Sensitive Sea Areas designated by IMO can be found at: <http://www.imo.org/en/OurWork/Environment/PSSAs/Pages/Default.aspx>

² The locations of Areas listed under the Protocol concerning Specially Protected Areas and Wildlife (SPA) of the Cartagena Convention appear in Figure 2, and a full list of all current Caribbean Marine Protected Areas can be found at: <http://campam.gcfi.org/CaribbeanMPA/CaribbeanMPA.php>

³ The International Union for Conservation of Nature and Natural Resources (IUCN); <https://www.iucn.org/about/>

⁴ *Greater Caribbean IUCN Bioregions*; <http://caribbean-rris.biopama.org/>

Lucia, Saint Vincent & the Grenadines, Suriname, Trinidad & Tobago, United Kingdom, United States of America and Venezuela. In addition, the SAP also covers El Salvador.

The application of these Guidelines should apply to those vessels covered by Article 3 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (the Ballast Water Management Convention), taking into account the exceptions in regulation A-3 of the Convention. These Guidelines do not replace the requirements of the Ballast Water Management Convention, but provide an interim Ballast Water Regional Management Plan for Wider Caribbean Region areas until all RTF-WCR member states have ratified, and all applicable ships implemented, the BWM Convention. Additionally, these guidelines do not apply to vessels that operate in the waters of the United States or other States, either signatory or non-signatory to the Ballast Water Management Convention, that may implement individually or jointly more stringent measures with respect to the prevention, reduction or elimination of the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' ballast water and sediments, consistent with international law.

This regime will not apply to ships that meet the ballast water performance standard contained in regulation D-2 of the Convention, or for ships that have to apply the D-2 standard in accordance with the application dates set out in regulation B-3 of the Convention.

Ships entering or operating in the *Wider Caribbean Region area* are encouraged to apply these guidelines.

Definitions

Convention means the International Convention for the Control and Management of Ships' Ballast Water and Sediments; and is hereunder referred to as the Ballast Water Management Convention;

Wider Caribbean Region areas means the marine environment of the Gulf of Mexico, the Caribbean Sea and the areas of the Atlantic Ocean adjacent thereto, south of 30 degrees north latitude and within 200 nautical miles of the Atlantic coasts of the States referred to in article 25 of the Cartagena Convention.

Guidelines

1. BWM Upon entering WCR areas: Ships not meeting the ballast water performance standard contained in regulation D-2 of the Convention, or that do not have to apply the D-2 standard in accordance with the application dates set out in Rule B-3 (as amended) in the Convention, when entering the waters of the *Wider Caribbean Region area*, from the Atlantic Ocean or from the Pacific Ocean through the Panama Canal, should:
 - a. undertake ballast water exchange before entering the Wider Caribbean Region, and according to the standard set out in the D-1 Standard of the Ballast Water Management Convention, at least 200 nautical miles from the nearest land and in waters at least 200 meters in depth;⁵

⁵ These geographical parameters are those set by Regulation B-4.1.1 of the Ballast Water Management Convention.

- b. in situations where this is not possible, either due to deviating the ship from its intended voyage or delaying the ship, or for safety reasons, such exchange should be undertaken before entering the Wider Caribbean Region area according to the standard set out in the D-1 Standard of the Ballast Water Management Convention, as far from the nearest land as possible, and in all cases in waters at least 50 nautical miles from the nearest land and in waters of at least 200 meters depth, unless other areas are designated by port States following an assessment in accordance with the Guidelines on Designation of Ballast Water Areas for Ballast Water Exchange, developed by the International Maritime Organization, and in consultation with adjacent States and all interested States as appropriate.
2. BWM for ships operating within the WCR Areas: Ships not meeting the ballast water performance standard contained in regulation D-2 of the Convention, or that do not have to apply the D-2 standard in accordance with the application dates set out in Rule B-3 (as amended) in the Convention, when engaged in traffic between ports located within the Wider Caribbean Region area;
 - a. should undertake ballast water exchange, according to the standard set out in the D-1 Standard of the Ballast Water Management Convention, as far from the nearest land as possible, and in all cases in waters at least 50 nautical miles from the nearest land and in waters of at least 200 meters depth, taking into account any Particularly Sensitive Sea Areas or Marine Protected Areas designated in the region; or
 - b. if a port State decides to designate ballast water exchange areas, undertake ballast water exchange in areas designated by the port State for that purpose.
 - i. such areas shall be assessed in accordance with the Guidelines on Designation of Ballast Water Areas for Ballast Water Exchange developed by the International Maritime Organization, and in consultation with adjacent States, and all interested States.
 - c. Ships moving between the IUCN Biographic Regions of the Wider Caribbean, that have taken on ballast water within the Wider Caribbean Region area, are encouraged to conduct BWE within the same IUCN Biographic Region where the ballast water was taken on, prior to entering and discharging ballast water in another biographic region.
3. BWM outside the WCR areas: If a vessel has taken on ballast water while in the *Wider Caribbean Region area* and is intending to discharge ballast water outside the Wider Caribbean Region area, that ballast water should be exchanged outside the Wider Caribbean Region area, and at least 200 nautical miles from the nearest land in water at least 200 meters deep. If this is not possible for operational reasons, then such exchange should be undertaken outside the Wider Caribbean Region area in waters at least 50 nautical miles from the nearest land, in waters of at least 200 meters depth.
4. Tanks to be exchanged: While only those tanks that will be discharged in Wider Caribbean Region areas would need to undergo ballast water exchange following the procedure in paragraphs 1, 2 and 3, ballast water exchange of all tanks is encouraged for all vessels that have the potential/capacity to load cargo in the Wider Caribbean Region, as changes in routes and planned activities may occur.

5. Sediment Management:

- a. Release of sediments during the cleaning of ballast tanks should be avoided in Wider Caribbean Region areas.
 - b. Sediments collected during the cleaning or repairing operations of ballast tanks should be delivered in sediment reception facilities in ports and terminals, according to Article 5 of the Ballast Water Management Convention, or be discharged beyond 200 nautical miles from the nearest land of the coastline when the ship is sailing in the Wider Caribbean area.
 - c. For vessels that have spent significant time outside the Wider Caribbean Region, ballast water sediment should preferably be discharged and tanks cleaned before entering Wider Caribbean Region areas.
6. Exemptions: Exemptions may be granted to a ship on a voyage between specified ports or locations within the Wider Caribbean Region area, or to a ship operating exclusively between specified ports or locations within the Wider Caribbean area. These exemptions are to be granted according to Regulation A-4 1 of the Ballast Water Management Convention, and based on the Guidelines for risk assessment under regulation A-4 of the BWM Convention developed by the International Maritime Organization.
6. Safety and Stability: If the safety of the ship is in any way jeopardized by a ballast exchange, it should not take place. Additionally, these guidelines do not apply to the uptake or discharge of ballast water and sediments for ensuring the safety of the ship in emergency situations or saving life in the Wider Caribbean Region areas. As per Regulation B-4 of the Ballast Water Management Convention, if the safety or stability of the ship is threatened by a ballast water exchange operation, this operation should not be undertaken. The reasons should be entered in the ballast water record book and a Report should be submitted to the maritime authorities of the Port of destination.
7. BWM Plans: Each vessel calling at a port within the Wider Caribbean Region area should have on board a Ballast Water Management Plan complying with Guidelines for Ballast Water Management and Development of Ballast Water Management Plans developed by the International Maritime Organization, and should keep a record of all ballast water operations carried out.
8. BWM Reports: Ships not meeting the ballast water performance standard contained in regulation D-2 of the Convention, or that do not have to apply the D-2 standard in accordance with the application dates set out in regulation B-3 of the Convention (as amended), and do not conduct ballast water exchange prior to entering the waters of the Wider Caribbean Region area from the Atlantic Ocean or via the Panama Canal from the Pacific Ocean, should enter the reasons in the ballast water record book and a Report should be submitted to the maritime authorities of the Port of destination.
9. Governments are encouraged to exchange information on invasive marine species or anything that will help change the perceived risk associated with ballast water and sediment.
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Figures



Figure1: Wider Caribbean Region Areas of the Cartagena Convention

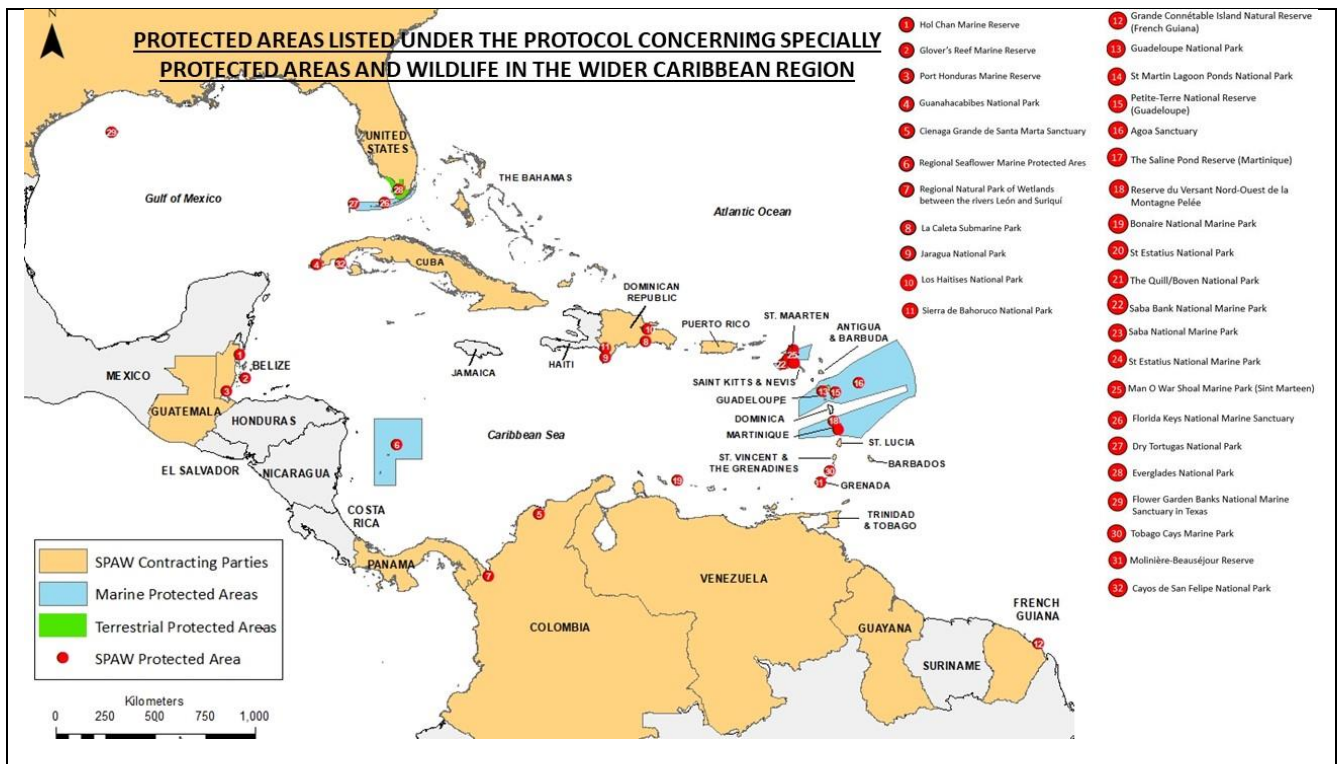


Figure 2: Protected Areas listed under the Protocol Concerning Specially Protected Areas and Wildlife in the WCR. A full list of all current Marine Protected Areas can be found at: <http://campam.gcfi.org/CaribbeanMPA/CaribbeanMPA.php>

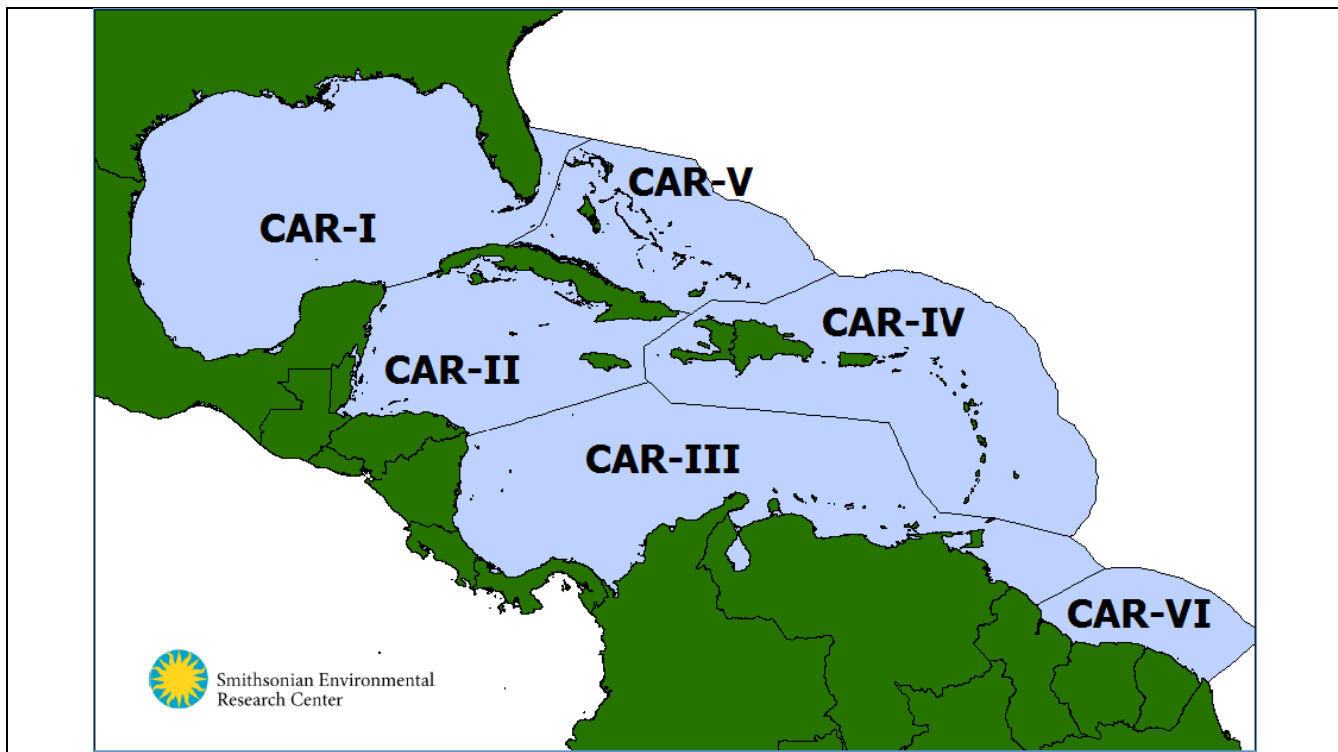


Figure 3: IUCN Bioregions of the WCR. Ships moving between IUCN biogeographic regions are encouraged to conduct BWE prior to entering and discharging BW.

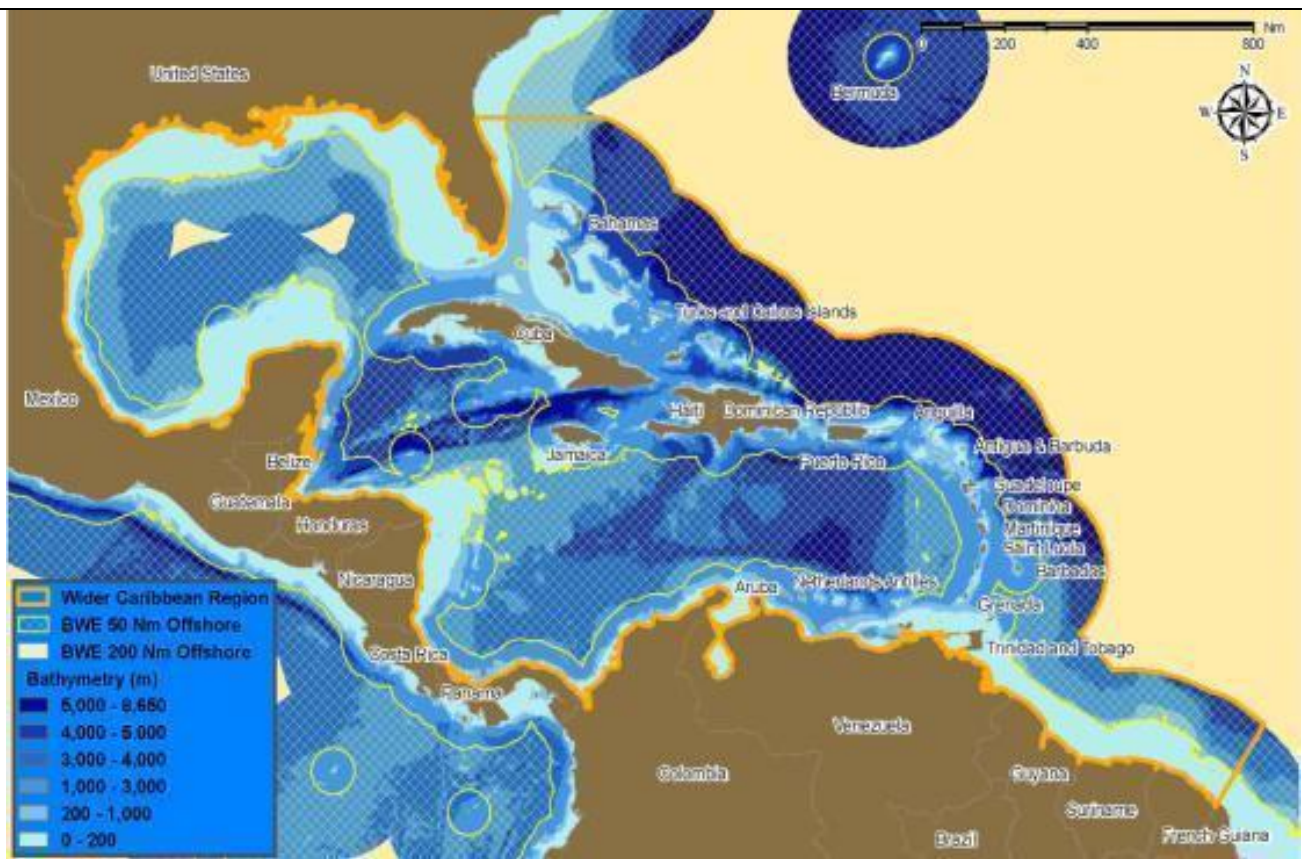


Figure 4: Areas in the WCR meeting the requirements set out in Regulation B-4.1.2 of the Ballast Water Management Convention (at least 50 nautical miles from the nearest land in waters of at least 200 meters depth).