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BWM.2/Circ.39
20 August 2012

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

Communication received from the Administration of Croatia

1 A communication has been received from the Administration of Croatia on behalf of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) and the Convention for the Protection of the Marine Environment of the Baltic Sea (HELCOM Convention). The Contracting Parties to the Barcelona, OSPAR and HELCOM Conventions that are also Member States of the IMO are Albania, Algeria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Morocco, the Netherlands, Norway, Poland, Portugal, the Russian Federation, Slovenia, Spain, Sweden, Switzerland, the Syrian Arab Republic, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland.

2 The communication contains general guidance on the voluntary interim application of the Ballast Water Exchange Standard contained in regulation D-1 of the BWM Convention by vessels operating between the Mediterranean Sea and the North-East Atlantic and/or the Baltic Sea. The guidance is of voluntary interim nature and will be applicable from 1 October 2012.

3 At the request of the Administration of Croatia, the communication annexed hereto is circulated to Member States for their information and future action as appropriate.

ANNEX



REPUBLIKA HRVATSKA
Ministarstvo pomorstva, prometa
i infrastrukture

REPUBLIC OF CROATIA
Ministry of Maritime Affairs,
Transport and Infrastructure

CLASS: 342-01/12-06/02
FILE: 530-04-12-1
Zagreb, 26 July 2012



**International Maritime Organization
Marine Environment Division
Att. Mr. Stefan Micallef, Director**

**4 Albert Embankment
London SE1 7SR United Kingdom**

Re: General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard by Vessels Operating between the Mediterranean Sea and the North-East Atlantic and /or the Baltic Sea.

Dear Mr. Micallef,

On behalf of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) and the Convention on the Protection of the Marine Environment of the Baltic Sea (Helsinki Convention) who are also Member States of the International Maritime Organization (IMO), Croatia would like to inform the IMO of the development of the attached General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard by Vessels Operating between the Mediterranean Sea and the North-East Atlantic and/or the Baltic Sea. Based on a proposal by the Barcelona Convention's Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) on a common approach to the issue of ballast water exchange for ships sailing between the Mediterranean Sea and the North-East Atlantic/Baltic Sea, the General Guidance was developed and adopted by the Barcelona, OSPAR and Helsinki Conventions. The Contracting Parties to the Barcelona, OSPAR and Helsinki Conventions who are also Member States of the IMO are Albania, Algeria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Morocco, The Netherlands, Norway, Poland, Portugal, The Russian Federation, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland. Please note this Guidance is also supported by the European Commission.

The issue of Non-indigenous Species Invasion through Ballast Water in the Mediterranean, North-East Atlantic and the Baltic Sea areas is of great concern to the Contracting Parties to the Barcelona, OSPAR and Helsinki Conventions. To address these risks, the three regional Conventions have been developing Ballast Water Management Strategies for their respective areas. However, it was realized that there were key management options common to these Strategies. This has resulted in the development of the General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard by Vessels Operating between the Mediterranean Sea and the North-East Atlantic and /or the Baltic Sea.

This Guidance is based on the ballast water exchange requirements of IMO's International Convention for the Control and Management of Ships' Ballast Water and Sediments (2004). It will therefore no longer apply when a ship is in a position to apply the D-2 Standard of the Convention, or the Convention comes into force and a ship has to apply the D-2 Standard.

This Guidance was made under Article 13 (3) of the abovementioned Ballast Water Management Convention. Vessels leaving the Mediterranean Sea and proceeding to destinations in the North-East Atlantic and/or the Baltic Sea (as defined hereunder) and vice versa, are requested to apply this Guidance on a voluntary basis as from 1 October 2012 to reduce the risk of non-indigenous species invasion through ballast water. Information on this Guidance is being provided directly to the vessels flagged to each of these Contracting Parties, by the countries concerned.

The North-East Atlantic, Baltic and Mediterranean marine areas are defined as follows:

- **North-East Atlantic:**

- those parts of the Atlantic and Arctic Oceans and their dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude (but excluding the Baltic Sea and the Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to Kullen, and the Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5° 36' west longitude);
- that part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude.

- **The Baltic Sea:**

- the Baltic Sea and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57 44.43'N; and,

- **The Mediterranean Sea:**

- the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the west by the meridian passing through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between the Mehmetcik and Kumkale lighthouses.

Two sets of voluntary Guidance are already applied by the Contracting Parties to the OSPAR and Helsinki Conventions of which IMO has been informed and which have been communicated to the IMO Member States:

- General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard in the North-East Atlantic and the Baltic Sea (applicable from 1 April 2008, IMO circular BWM.2/Circ.14)
- General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard by vessels leaving the Baltic Sea and transiting through the North-East Atlantic to other destinations (applicable from 1 January 2010, IMO circular BWM 2./Circ.22)

It would be appreciated if this communication and the attached Guidance document are circulated to all IMO Member States for their information and necessary action.

I thank you in advance for your assistance and co-operation.

Yours sincerely,

Attachment

MINISTER
Šiniša Hajdaš Dončić, Ph.D.


“General Guidance on the Voluntary Interim Application of the D1 Ballast Water Exchange Standard by vessels operating between the Mediterranean Sea and the North-East Atlantic and/or the Baltic Sea”

1. In anticipation of the coming into force of the International Maritime Organization's International Convention for the Control and Management of Ships' Ballast Water and Sediments (the BWM Convention), vessels operating between the marine areas as defined further in point 3, would be expected to apply on a voluntary basis, as from 1 October 2012 the following guidelines to reduce the risk of non-indigenous species invasion through ballast water. The guidelines are addressed to the vessels covered by Article 3 of the BWM, taking into account the exceptions in Regulation A-3 of that Convention. This Guidance does not replace the requirements of the BWM Convention, but provide the part of interim Ballast Water Regional Management Strategies for the Baltic Sea, the Mediterranean Sea and the North-East Atlantic being developed under Article 13 (3) of the BWM Convention by the contracting parties to either the OSPAR Convention, the Helsinki Convention or the Barcelona Convention*. This Guidance will no longer apply when a ship is in a position to apply the D-2 Standard of this Convention, or the Ballast Water Management Convention comes into force and a ship has to apply the D-2 Standard.
2. If the safety of the vessel is in any way jeopardised by a ballast water 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 vessel in emergency situations or saving life at sea in the waters of the Baltic Sea and the North East Atlantic.
3. Definitions:
 - **North-East Atlantic:**
 - those parts of the Atlantic and Arctic Oceans and their dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude (but excluding the Baltic Sea and the Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to Kullen, and the Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5° 36' west longitude);
 - that part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude.
 - **The Baltic Sea:**
 - the Baltic Sea and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57 44.43'N; and,
 - **The Mediterranean Sea:**
 - the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the west by the meridian passing through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between the Mehmetcik and Kumkale lighthouses.

4. Each vessel operating in these waters should:
 - have a Ballast Water Management Plan which complies with the Guidelines for ballast water management and development of ballast water management plans (G4) (IMO resolution MEPC.127(53)); and,
 - record all ballast water operations in a ballast water record book.
5. Vessels leaving the Mediterranean Sea and proceeding to destinations in the North-East Atlantic or the Baltic Sea should exchange all their ballast tanks to the standards set out by the D-1 Standard of the Ballast Water Management Convention, at least 200 nautical miles from the nearest land in water at least 200 metres deep, as soon as they enter the North-East Atlantic. It should be noted that the best place to do this is in waters that meet these criteria to the west of Portugal, Spain and France, as most of the waters of the English Channel and its approaches, the North Sea and the Baltic Sea are less than 200m deep. A map identifying these areas can be found in Figure 1¹.
6. Vessels entering the Mediterranean Sea from the North-East Atlantic or the Baltic Sea and proceeding to destinations in the Mediterranean Sea, the Black Sea or elsewhere should exchange all their ballast tanks to the standards set out by the D-1 Standard of the Ballast Water Management Convention, at least 200 nautical miles from the nearest land in water at least 200 metres deep, before they leave the North-East Atlantic. A map identifying these areas can be found in Figure 1.
7. If, for operational reasons, exchange is not possible at least 200 nautical miles from the nearest land in water at least 200 metres depth, then such exchange should be undertaken as far from the nearest land as possible outside the Mediterranean Sea, and in all cases in waters at least 50 nautical miles from the nearest land in waters of at least 200 metres depth. It should be noted that nowhere in the Baltic Sea fulfils these criteria (Figure 2).
8. The release of sediments during the cleaning of ballast tanks should not take place within the Baltic Sea, or within 200 nautical miles of the coastline of the North-East Atlantic or the Mediterranean Sea.

* Albania, Algeria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Egypt, Estonia, The European Union, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Morocco, The Netherlands, Norway, Poland, Portugal, The Russian Federation, Slovenia, Spain, Sweden, Switzerland, Syria, Tunisia, Turkey, and the United Kingdom of Great Britain and Northern Ireland.

¹ For vessels leaving the Mediterranean or the North East Atlantic proceeding to destinations near Tarrifa Cape a different regime for ballast water exchange could be considered.

Figure 1: Map of North West Europe showing the 200 nautical miles and 50 nautical miles contours and the 200m depth contour.

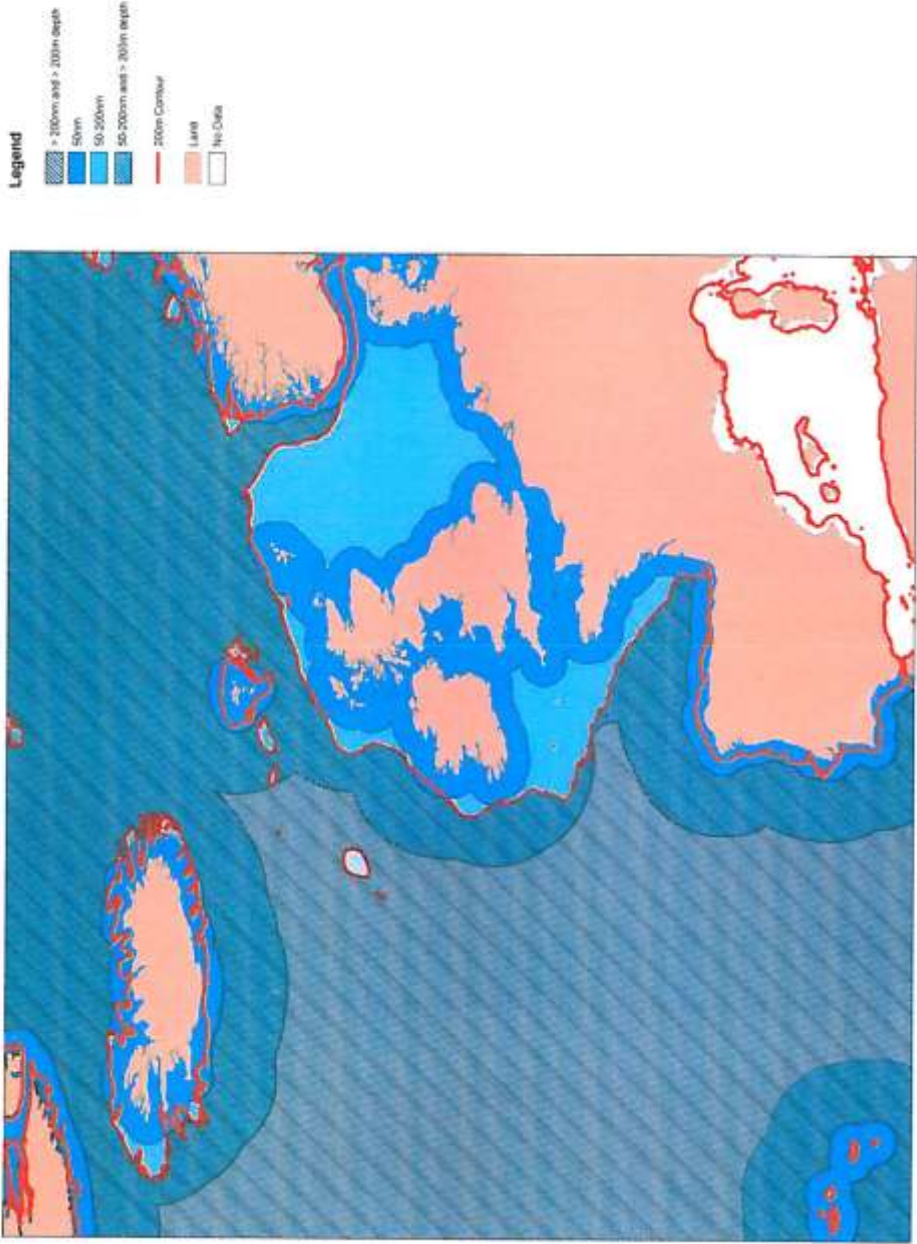


Figure 2: Map of the Baltic Sea showing areas of more than 50 nautical miles from the nearest land and areas of 200 meters depth.

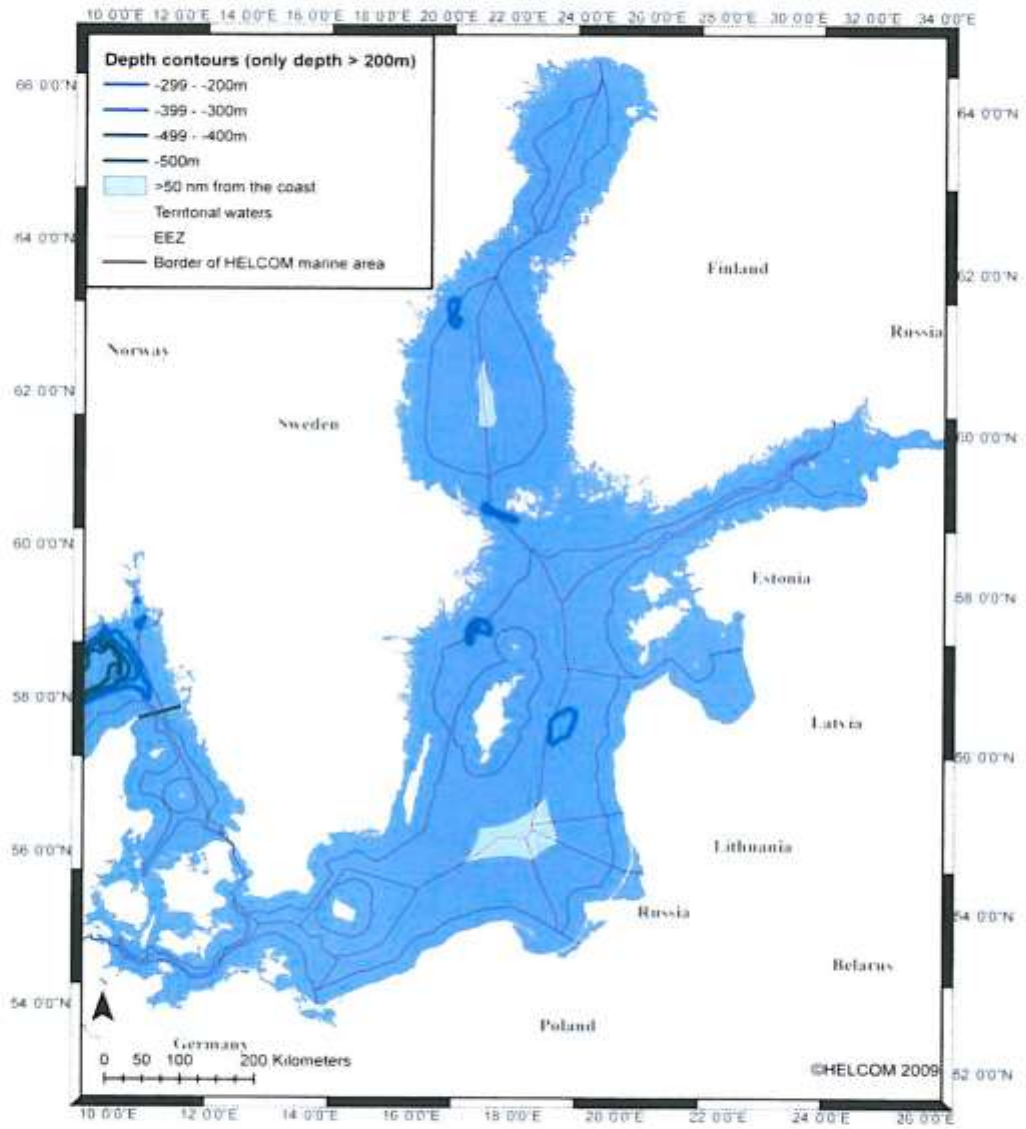


Figure 3: Map showing the areas in the Mediterranean Sea of at least 50 nautical miles from the nearest land in waters of at least 200 meters depth.

