

HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

Possible consequences of the MEPC 55 Convention regulation D-5 review

Submitted by the International Chamber of Shipping (ICS)

SUMMARY

- Executive summary:** This document provides a suggestion for possible action should the Convention D-5 review scheduled for MEPC 55 find that suitable treatment technology is not available.
- Action to be taken:** Paragraph 6.
- Related documents:** MEPC 53/23, paragraph 2.51.

1. At MEPC 53, in view of remaining uncertainty and having evaluated the timeline for the approval process, the Committee agreed to re-establish the Review Group to conduct a further review of technologies in accordance with regulation D-5 during MEPC 55, and invited submissions for consideration at MEPC 54 should the review at MEPC 55 indicate that the anticipated progress had not been achieved.
2. During MEPC 53 a number of delegates referred to the lengthy timeline for approval for Ballast Water Management Systems and expressed the view that the effective dates for the D-2 standard (January 2009) may not be met.
3. ICS agrees that a variety of ballast water treatment systems currently being tested have the potential to meet the required criteria, but also recognises that the timeline required for the thorough testing and approval regime may necessitate the MEPC 55 review reaching a conclusion that suitable and approved equipment is not yet available in sufficient quantities to meet the first regulation D-2 application date.
4. ICS has concern that any change in the first effective date of the Ballast Water Management Convention (BWMC) of 1 January 2009 would lead to uncertainty, and could possibly initiate unilateral action by coastal states. ICS also recognises that any reduction in the agreed D-2 standard would be environmentally unacceptable, as the standard agreed has been determined necessary to attain the required protection.
5. ICS therefore suggests that should the outcome of the MEPC 55 review indicate sufficient progress in the development and approval of technology had not been achieved for the timely installation of regulation D-2 compliant equipment to meet the Convention requirements, then the BWMC entry into force date should be maintained, and the first D-2 application date put back by one year. This course of action would then allow for a certainty of requirements for industry with the mandating of ballast water exchange providing an interim risk control action covering the first tranche of ships required to meet the regulation D-2 standard. Further regulation D-5 reviews could then be arranged at alternate sessions to provide the necessary confirmation of equipment availability prior to confirming a revised D-2 application date at the earliest practicable time. ICS believes that this course of action would provide the most pragmatic way

forward, and furthermore, not delay concerted and effective international measures to address the environmental concerns that have been identified.

Action requested by the Committee

6. The Committee is invited to consider the information provided when considering possible options should the Convention D-5 review scheduled for MEPC 55 indicate that the anticipated progress had not been achieved, and to take action as appropriate.