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BWM.3/Circ.2
5 June 2018

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

**Communication received from the Regional Activity Centre/Regional Marine Pollution
Emergency, Information and Training Centre – Wider Caribbean Region
(RAC/REMPEITC-Caribe)**

1 A communication has been received from the Regional Activity Centre/Regional Marine Pollution Emergency, Information and Training Centre – Wider Caribbean Region (RAC/REMPEITC-Caribe) on behalf of the Regional Task Force on the Ratification and Implementation of the IMO Convention on Ballast Water Management in the Wide Caribbean Region (RTF-WCR) and 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.

2 The communication contains the Guidelines for Ballast Water Exchange and Sediment Management in Wider Caribbean Region Areas (in English), which 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 above-mentioned 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.

3 At the request of the Administrations of the above-mentioned Contracting Parties, the communication annexed hereto is circulated to Member States for their information and action as appropriate.

ANNEX

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

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/>.

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 "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
 - 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

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

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.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.

Figures



Figure1: Wider Caribbean Region Areas of the Cartagena Convention

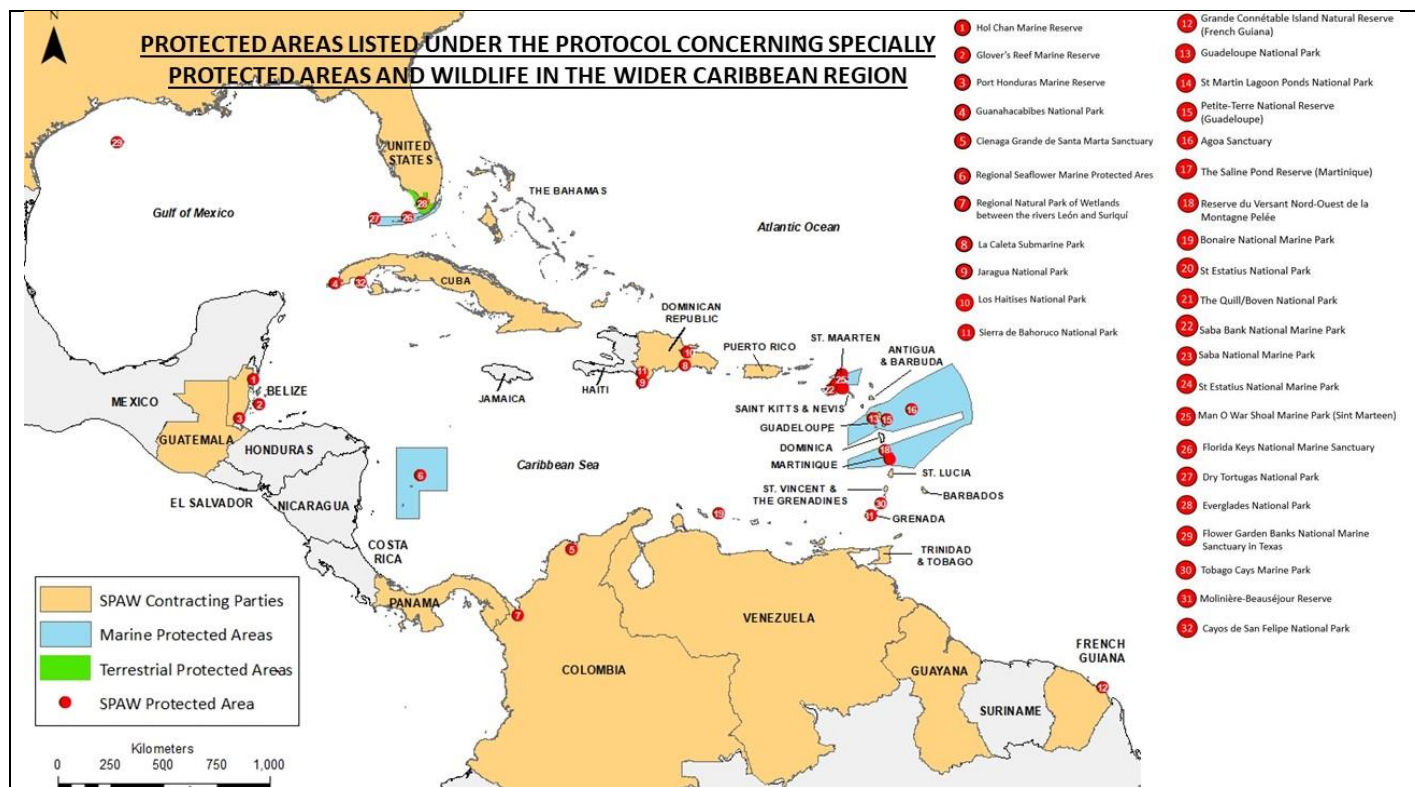


Figure 2: Protected Areas listed under the Protocol Concerning Specially Protected Areas and Wildlife in the WCR. A full list of all current Marine Protected Areas can be found at:

<http://campam.gcfi.org/CaribbeanMPA/CaribbeanMPA.php>

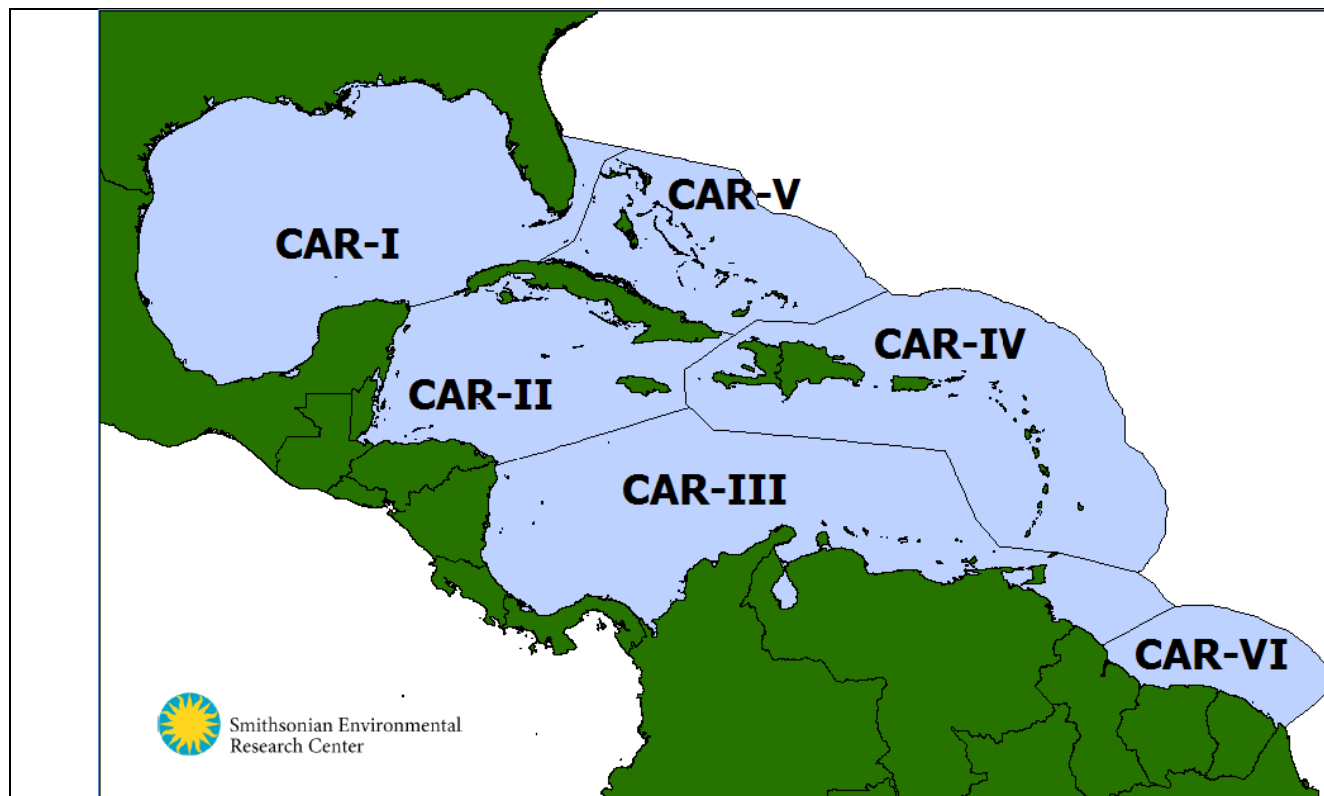


Figure3: IUCN Bioregions of the WCR. Ships moving between IUCN biogeographic regions are encouraged to conduct BWE prior to entering and discharging BW.

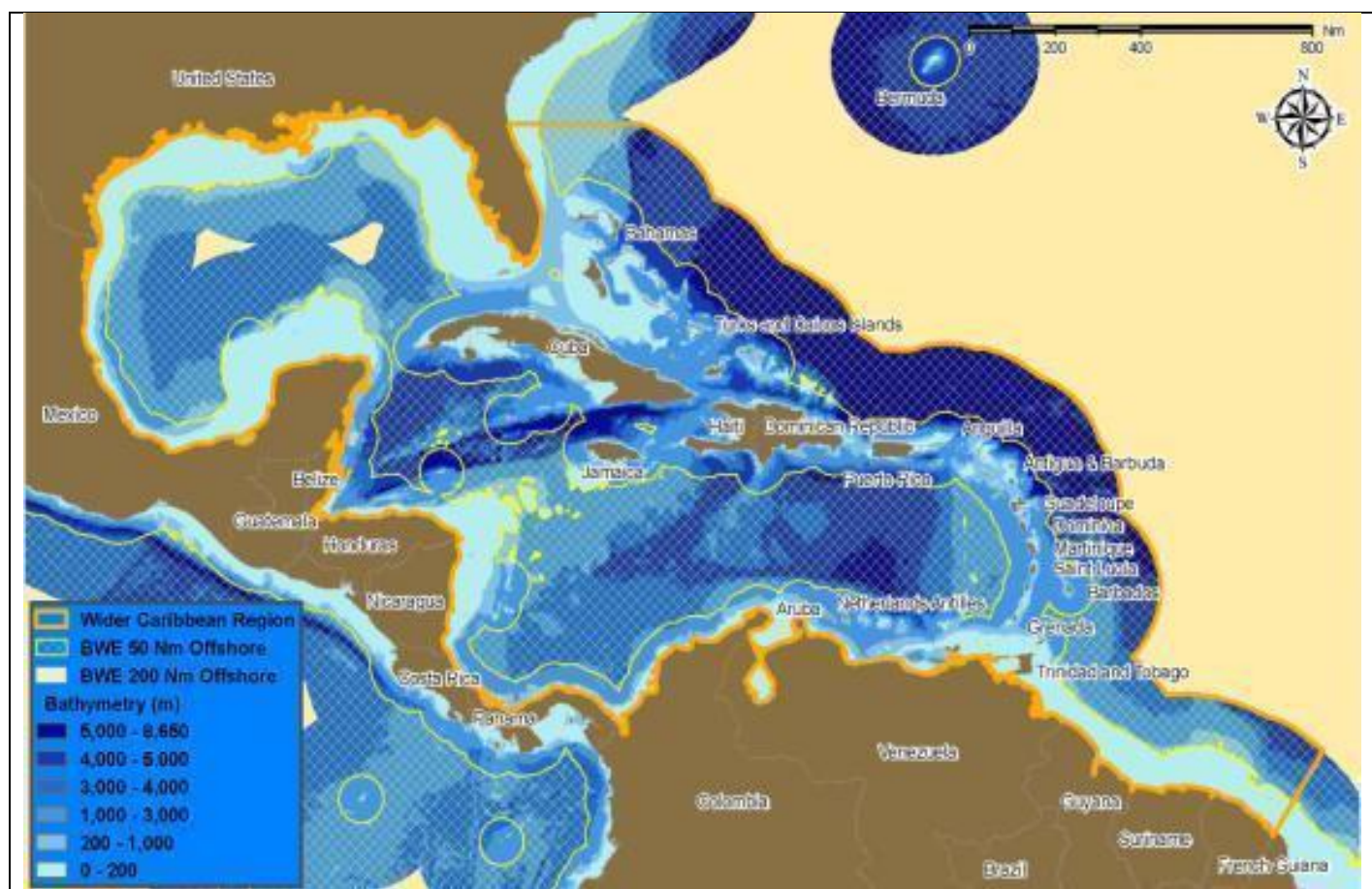


Figure 4: Areas in the WCR meeting the requirements set out in Regulation B-4.1.2 of the Ballast Water Management Convention (at least 50 nautical miles from the nearest land in waters of at least 200 meters depth).