

---

**MEDITERRANEAN ACTION PLAN (MAP)  
REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE  
MEDITERRANEAN SEA (REMPEC)**

---

Regional Expert Meeting on the harmonisation of procedures in the Mediterranean pursuant to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004

REMPEC/WG.54/4  
17 April 2023  
Original: English

Kappara, Malta, 22-23 March 2023

**REPORT**

**REGIONAL EXPERT MEETING ON THE HARMONISATION OF PROCEDURES  
IN THE MEDITERRANEAN PURSUANT TO THE INTERNATIONAL CONVENTION FOR  
THE CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

**Kappara, Malta, 22-23 March 2023**

For environmental and cost-saving reasons, this document will not be printed and is made available in electronic format only. Delegates are encouraged to consult the document in its electronic format and limit printing.



## **INTRODUCTION**

1 The Regional Expert Meeting on the harmonisation of procedures in the Mediterranean pursuant to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention), hereinafter referred to as the Meeting, was convened in Kappara, Malta from 22 to 23 March 2023, pursuant to the Programme of Work and Budget for 2022-2023 of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UNEP), also referred to as UNEP/MAP, adopted by the Twenty-second Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean ("the Barcelona Convention") and its Protocols (Antalya, Türkiye, 7-10 December 2021) (UNEP/MED IG.25/27).

2 The principal objective of the Meeting, which was organised by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), in close cooperation with the International Maritime Organization (IMO), was to discuss the revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean.

3 Considering the scope of the Meeting, all REMPEC Prevention Focal Points were invited to nominate jointly and, in consultation with the REMPEC Governmental Focal Points, their representatives in the Meeting. Some participants represented authorities/organisations responsible for the regulation of shipping, and others represented authorities/organisations in charge of issues related to the marine environment.

4 The Meeting was attended by delegations from the following Contracting Parties to the Barcelona Convention:

ALBANIA	LIBYA
CROATIA	MALTA
EGYPT	MONTENEGRO
FRANCE	MOROCCO
GREECE	SLOVENIA
ISRAEL	SPAIN
ITALY	TUNISIA
LEBANON	TÜRKIYE

and by representatives from the following organisation of the United Nations:

- INTERNATIONAL MARITIME ORGANIZATION (IMO)

5 A complete list of participants is set out in **Annex I** to the present report.

## **OPENING OF THE MEETING**

6 The Meeting was opened by the Interim Head of Office of REMPEC, Capt. Joseph Zerafa, on Wednesday, 22 March 2023 at 0900 hours. He welcomed the participants to the Meeting and explained the objectives of the Meeting. He also thanked Dr Theofanis Karayannis, Head, Marine Biosafety and Dr Megan Jansen, Technical Officer, from the Subdivision for Protective Measures at the Marine Environment Division of IMO for attending the Meeting, as well as the REMPEC consultants, Ms Ernesta Swanepoel and Dr Guillaume Drillet, who contributed to the preparations of the Meeting. Finally, he expressed appreciation for the financial support provided by the IMO's Integrated Technical Cooperation Programme (ITCP) and the Mediterranean Trust Fund (MTF).

## **ORGANISATION OF THE MEETING**

### Rules of Procedure

7 The Meeting agreed to apply, *mutatis mutandis*, the Rules of procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols (UNEP/IG.43/6, Annex XI) to its deliberations.

### Election of Officers

8 Following informal consultations held with the Contracting Parties to the Barcelona Convention, the Interim Head of Office of REMPEC proposed Croatia as Chair, Morocco as Vice-Chair and Italy as Rapporteur. The Meeting unanimously agreed to elect the following officers of the Meeting:

Ms Ivana MAROVIĆ GUGIĆ (Croatia)	Chairperson
Mme Naoual ZOUBAIR (Morocco)	Vice-Chairperson
CDR(ItCG) Vittorio VANACORE (Italy)	Rapporteur

### Working Languages

9 The working languages of the Meeting were English and French. Simultaneous English/French/English interpretation services were provided during the Meeting. All working documents were available in both official languages of the Centre, i.e. in English and in French. Information documents were available in their original language unless a translation was provided in the second working language.

## **AGENDA ITEM 1: ADOPTION OF THE AGENDA**

10 The Chairperson thanked the Meeting for supporting her election and proposed that the Provisional Agenda, as set out in document REMPEC/WG.54/1/Rev.1 and annotated in document REMPEC/WG.54/1/1/Rev.1, be adopted.

11 The Meeting adopted the Agenda reproduced in **Annex II** to the present report. The list of documents is set out in **Annex III** thereto.

## **AGENDA ITEM 2: HARMONISATION OF PROCEDURES IN THE MEDITERRANEAN PURSUANT TO THE BWM CONVENTION**

12 The Chairperson invited the Secretariat to provide information on the revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean, as set out in the Annex to document REMPEC/WG.54/2/Rev.1, hereinafter referred to as the revised draft regional harmonised procedures.

13 The Programme Officer (Prevention), Mr Franck Lauwers, introduced the revised draft regional harmonised procedures and referred to:

- .1 the compilation of the feedback and comments received on the revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean, as presented in document REMPEC/WG.54/INF.3/Corr.1;
- .2 the Ballast Water Management Strategy for the Mediterranean Sea (2022-2027), as presented in the Annex to document REMPEC/WG.54/INF.4;

- .3 the communication received from the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC): Harmonized voluntary arrangements for ballast water management in the Mediterranean Region (BWM.2/Circ.35), as presented in the Annex to document REMPEC/WG.54/INF.5; and
- .4 the communication received from the Administration of Croatia: 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 (BWM.2/Circ.39), as presented in the Annex to document REMPEC/WG.54/INF.6.

14 Dr Guillaume Drillet, REMPEC consultant, presented the draft regional harmonised procedures that consisted of eight parts:

- .1 Introduction (Section 1);
- .2 Harmonised Procedure: Ballast Water Exchange Areas (Section 2);
- .3 Harmonised Procedure: Regulation A-4 Exemptions (Section 3);
- .4 Harmonised Procedure: Sediment Reception Facilities (Section 4);
- .5 Harmonised Procedure: Ballast Water Reporting (Section 5);
- .6 Harmonised Procedure: Contingency Measures (Section 6);
- .7 Harmonised Procedure: Additional Measures (Section 7); and
- .8 Harmonised Procedure: Warnings (Section 8).

15 Participants held a general discussion on the revised draft regional harmonised procedures, as well as detailed discussions on the specific harmonised procedures referred to in paragraphs 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, and 14.8 and were encouraged to briefly present their views.

16 As requested, the full statement made by the delegation of Egypt is set out in **Annex IV** to the present report.

### **AGENDA ITEM 3: OTHER BUSINESS**

17 No other matter was raised under this agenda item.

### **AGENDA ITEM 4: CONCLUSIONS AND RECOMMENDATIONS**

18 The Chairperson invited the Rapporteur to read through the draft conclusions and recommendations of the Meeting, which had been prepared by the Secretariat with the support of Ms Ernesta Swanepoel, REMPEC consultant, and circulated to all participants, as document REMPEC/WG.54/WP.1, for their consideration, review, amendment, and adoption.

19 Following interventions by some delegations to express their views on the draft conclusions and recommendations of the Meeting, and after having entrusted the Secretariat to carry out final editing and any editorial corrections that might be identified, as appropriate, **the Meeting adopted** the Conclusions and Recommendations of the Meeting, as detailed in **Annex V** to the present report, and **requested** the Secretariat to report to the Fifteenth Meeting of the Focal Points of REMPEC to be held tentatively on 13-15 June 2023 on the outcome of the Meeting, noting that the delegation of France had a reservation on the technical contents of the draft conclusions and recommendations of the Meeting due to the inability to carry out an internal expertise by its administration, due to the late transmission of the French version of the revised draft regional harmonised procedures.

### **CLOSURE OF THE MEETING**

20 Before closing the Meeting, the Chairperson thanked all delegations for their active participation, REMPEC, as Secretariat, and its consultants, for the collaborative efforts and the work they carried out, in close cooperation with the IMO, as well as for their respective contributions to the preparation and successful organisation of the Meeting. She also thanked the interpreters and the technicians for their support.

21 The Interim Head of Office of REMPEC expressed his appreciation to the Chairperson, Ms Marović Gugić for the smooth running of the proceedings.

22 The Chairperson closed the Meeting at 1800 hours on Thursday, 23 March 2023.

**ANNEX(E) I****LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS****CONTRACTING PARTIES / PARTIES CONTRACTANTES****ALBANIA / ALBANIE****Mr Admir KOVAČI**

Head Surveyor  
Albanian Register of Shipping

**Mr Ermal TUSHAJ**

Head of Flag State Control, General Maritime Directorate  
Ministry of Infrastructure and Energy

**CROATIA / CROATIE****Ms Ivana MAROVIĆ GUGIĆ**

Senior Port State Control Officer, Maritime Safety Directorate  
Ministry of the Sea, Transport and Infrastructure

**Mrs Zana BJELKANOVIĆ**

Senior Controller, Maritime Safety Directorate  
Ministry of the Sea, Transport and Infrastructure

**EGYPT / ÉGYPTE****Mr Mohamed Mohamed Said HANAFY**

General Manager of International Conventions and Treaties Department  
Maritime Transport Sector, Ministry of Transportation

**Mr Waleed Mohamed HANAFY**

First Researcher, Marine Environment Affairs in Charge  
Maritime Transport Sector, Ministry of Transportation

**FRANCE / FRANCE****Mme Margot PARCAROLI-RUIZ**

Chargée de Mission Environnement  
Secrétariat d'État chargé de la Mer

**GREECE / GRÈCE****Ms Sofia ANGELOU**

Rapporteur, Pollution Prevention and Cargoes Department, Ships' Design and Construction  
Directorate  
Ministry of Shipping and Insular Policy

**Mr Dimitrios PETRAKIS**

Desk Officer, International Cooperation Unit, Marine Environment Protection Directorate  
Hellenic Coast Guard, Ministry of Shipping and Insular Policy

**ISRAEL / ISRAËL**

**Mrs Merav GONEN**

International Maritime Coordinator

Administration of Shipping and Ports, Ministry of Transport

**Mr Nir LEVINSKI**

North Regional Station Manager, Marine Environment Protection Division

Ministry of Environmental Protection

**ITALY / ITALIE**

**Dott. Roberto GIANGRECO**

Officer

Ministry of Environment and Energy Security

**CDR(ItCG) Vittorio VANACORE**

Staff Officer, Marine Environmental Department, Italian Coast Guard

Ministry of Environment and Energy Security

**LEBANON / LIBAN**

**Ms Ilham MANSOUR MANSOUR EL KHABBAZ**

Chief of Maritime Transport Division, Directorate General of Land and Maritime Transport

Ministry of Public Works and Transport

**Mr Tony ASSAF**

Chief of Legal Department, Directorate General of Land and Maritime Transport

Ministry of Public Works and Transport

**LIBYA / LIBYE**

**Mr A. Abdusamad TANTOSH**

Assistant Manager

Ministry of Environment

**MALTA / MALTE**

**Mr Mevric ZAMMIT**

Head Marine Operations and Incident Response, Ports and Yachting Directorate

Authority for Transport in Malta

**Dr Robert VASSALLO**

Senior Manager Legal, EU and International Affairs, Ports and Yachting Directorate

Authority for Transport in Malta

**Ms Kristina DARMANIN**

Manager Port Environment, Ports and Yachting Directorate

Authority for Transport in Malta

**Dr Angela BARTOLO**

Senior Environment Protection Officer

Environment and Resources Authority

**MONTENEGRO / MONTÉNĚGRO****Ms Snežana ĐURKOVIĆ**

Head of the Division, Maritime Safety and Protection from Marine Pollution, Directorate for Maritime Transport, Navigation Safety, Protection from Marine Pollution and Maritime Economy  
Ministry of Capital Investments

**Ms Ana KUSOVAC**

Senior Adviser I, Maritime Safety and Protection from Marine Pollution, Directorate for Maritime Transport, Navigation Safety, Protection from Marine Pollution and Maritime Economy  
Ministry of Capital Investments

**MOROCCO / MAROC****M. Abderrazak ATIDE**

Chef de Division de la Sécurité Maritime, Direction de la Marine Marchande  
Ministère de l'Équipement et de l'Eau

**Mme Naoual ZOUBAIR**

Chef du Service Littoral  
Ministère de la Transition Énergétique et du Développement Durable

**SLOVENIA / SLOVĚNIE****Mr Jadran KLINEC**

Director  
Slovenian Maritime Administration

**SPAIN / ESPAGNE****Mr Julio DE LA CUEVA ALEU**

Head of Port Operations  
Spanish National Ports Agency

**Mr Federico NAVARRO CABRERA**

Maritime Pollution Prevention and Response, Directorate General Maritime Affairs  
Ministry of Transport, Mobility and Urban Agenda

**TUNISIA / TUNISIE****M. Larbi BOUGUERRA**

Chef du Département  
Agence Nationale de Protection de l'Environnement

**TÜRKIYE / TÜRKIYE****Mr Osman ERENER**

Engineer, Directorate General of Maritime Affairs  
Ministry of Transport and Infrastructure

**ORGANISATIONS OF THE UNITED NATIONS / ORGANISATIONS DES NATIONS**  
**UNIES**

**INTERNATIONAL MARITIME ORGANIZATION (IMO) / ORGANISATION MARITIME  
INTERNATIONALE (OMI)**

**Dr Theofanis KARAYANNIS**

Head, Marine Biosafety, Subdivision for Protective Measures  
Marine Environment Division

**Dr Megan JENSEN**

Technical Officer, Subdivision for Protective Measures  
Marine Environment Division

**CONFERENCE INTERPRETERS / INTERPRÈTES DE LA CONFÉRENCE**

**ESTA LINGUA LTD.**

**Ms Christa FOLLMANN** – Director

**Ms Victoria DIMECH**

**Ms Marie Paule WAGNER**

**SECRETARIAT / SECRÉTARIAT**

**REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE  
MEDITERRANEAN SEA (REMPEC) / CENTRE RÉGIONAL MÉDITERRANÉEN POUR  
L'INTERVENTION D'URGENCE CONTRE LA POLLUTION MARINE ACCIDENTELLE  
(REMPEC)**

**Capt. Joseph ZERFA**

Interim Head of Office

**Mr Franck LAUWERS**

Programme Officer (Prevention)

**Mr Malek SMAOUI**

Programme Officer (OPRC)

**Ms Marie HELDERLÉ**

Junior Programme Officer (VIS)

**Mr Johannes ECHEVERRI**

Head of Office Assistant

**Mr Christopher SACCO**

Finance / Administrative Assistant

**Mr Pierre MAZZACANO D'AMATO**

Secretary / Administrative Assistant

**Ms Amanda INGLIS**

Secretary / Administrative Assistant

**Mr Gérard BONA-FONOLL**

Project Assistant

**CONSULTANTS / CONSULTANTS**

**Ms Ernesta SWANEPOEL**

REMPEC Lead Consultant

**Dr Guillaume DRILLET**

REMPEC Associate Consultant



**ANNEX II**

**AGENDA**

Opening of the Meeting

1. Adoption of the Agenda
2. Harmonisation of procedures in the Mediterranean pursuant to the BWM Convention
3. Other business
4. Conclusions and recommendations

Closure of the Meeting



**ANNEX III**

**LIST OF DOCUMENTS**

**WORKING DOCUMENTS**

REMPEC/WG.54/1/Rev.1	Provisional agenda
REMPEC/WG.54/1/1/Rev.1	Annotated provisional agenda and draft timetable
REMPEC/WG.54/2/Rev.1	Revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean
REMPEC/WG.54/WP.1	Draft conclusions and recommendations
REMPEC/WG.54/4	Report of the Meeting

**INFORMATION DOCUMENTS**

REMPEC/WG.54/INF.1/Rev.1	List of documents
REMPEC/WG.54/J/1	Provisional list of participants
REMPEC/WG.54/INF.2	List of participants
REMPEC/WG.54/INF.3/Corr.1	Compilation of the feedback and comments received on the revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean (English only)
REMPEC/WG.54/INF.4	Ballast Water Management Strategy for the Mediterranean Sea (2022-2027)
REMPEC/WG.54/INF.5	BWM.2/Circ.35. Communication received from the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC): Harmonized voluntary arrangements for ballast water management in the Mediterranean Region
REMPEC/WG.54/INF.6	BWM.2/Circ.39. Communication received from the Administration of Croatia: 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



**ANNEX IV**

**STATEMENT BY THE DELEGATION OF EGYPT**

**Ms. Chairman and Distinguished Delegates,**

**Good morning,**

Please allow me to express our appreciation to IMO and REMPEC for their efforts for the protection of Marine Environment in the Mediterranean Sea.

The Egyptian Government agrees in principle on the majority of the objectives of the draft the harmonization of procedures in the Mediterranean pursuant to the BWM convention.

- The maritime environment constitutes one of Egypt's great interests and she cooperates effectively with Mediterranean States to comply with the provisions of the international conventions related to the protection of maritime environment. Egypt has also acceded to most of international conventions and seeks, as a developing country, to efficiently apply the provisions of international conventions and in response to this Egypt was among the pioneer nations that ratified BWM Convention, in 4/4/2007.
- The core concept of the BWM convention is minimizing and eliminating the threat to the environment, human health, property and resources associated with the transfer of harmful aquatic organisms and pathogens through the control of ship's ballast water and sediments of ballast tanks, through two main measures D1 (exchange of ballast water in assigned area and / or D2 (treatment of ballast water)
- At present Egypt sees D1 measure as a provisional one but measure D2 as a base for applying the BWM convention in both present and future

Egypt would like to add a necessary preamble to be inserted at the beginning of this draft stating that:

- "Nothing in these procedures shall prejudice the principles of Sovereignty of the States, principles of Freedom, rights of Navigation, and principles of the Innocent Passage in the Territorial Sea.

In case of any contradiction between the Procedures and the United Nations Convention on the Law of the Sea (UNCLOS), the latter shall prevail in addition to in case of any contradictions between these procedures and the terms of the Constantinople convention for the year 1888 concerning the Suez Canal, the latter shall prevail.

- Any reports concerning findings of the strategy implementation in a certain Contracting Party shall be strictly confidential and shall be submitted to the concerned party for revision and comments prior to issue.
- The release of the above-mentioned reports to the public or the Contracting Parties shall be subject to authorization of the State concerned.

Finally, we hope these comments will be taken into consideration in the draft procedures and we would like to incorporate this statement in the report of this meeting.

**Thank you, Ms. Chairman,**



## ANNEX V

### CONCLUSIONS AND RECOMMENDATIONS

The Regional Expert Meeting on the harmonisation of procedures in the Mediterranean pursuant to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention), hereinafter referred to as the Meeting, which was held in Kappara, Malta, from 22 to 23 March 2023:

1 **expressed** appreciation for the financial support provided by the International Maritime Organization (IMO)'s Integrated Technical Cooperation Programme (ITCP) and the Mediterranean Trust Fund (MTF);

2 **thanked** the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), as Secretariat, and its consultants, for the work they carried out, in close cooperation with the IMO, and for their respective contributions to the preparation and successful organisation of the Meeting;

3 **recalled** that the Twenty-second Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols (COP 22) (Antalya, Türkiye, 7-10 December 2021) adopted Decision IG.25/17 related to the Ballast Water Management Strategy for the Mediterranean Sea (2022-2027), hereinafter referred to as the Mediterranean BWM Strategy (2022-2027), the overall objective of which was, amongst others, to establish a framework for a regional harmonised approach in the Mediterranean on ships' ballast water control and management that was consistent with the requirements and standards of the BWM Convention, as outlined in its Article 13(3);

4 **encouraged** the Contracting Parties to the Barcelona Convention (CPs), which had not yet done so, to ratify and effectively implement the BWM Convention, as soon as possible;

5 **appreciated** the efforts made by the Secretariat to facilitate the further process towards enhancing regional cooperation, including through the conclusion of regional agreements consistent with the BWM Convention pursuant to Article 13(3) thereof, notably concerning the harmonisation of procedures in the Mediterranean pursuant to the BWM Convention;

6 **recalled** that, in line with the Mediterranean BWM Strategy (2022-2027), CPs agreed to establish a regional online BWM Working Group to drive the process towards harmonisation of BWM measures in the region coordinated by REMPEC in cooperation with the Specially Protected Areas Regional Activity Centre (SPA/RAC);

7 **welcomed** the revised draft regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean, as set out in the Annex to document REMPEC/WG.54/2/Rev.1, hereinafter referred to as the revised draft regional harmonised procedures, and **agreed** to take these as a basis for the further development of such procedures within the framework of the Barcelona Convention;

8 **noted** that the revised draft regional harmonised procedures consisted of eight (8) parts:

- .1 Introduction (Section 1);
- .2 Harmonised Procedure: Ballast Water Exchange Areas (Section 2);
- .3 Harmonised Procedure: Regulation A-4 Exemptions (Section 3);

- .4 Harmonised Procedure: Sediment Reception Facilities (Section 4);
- .5 Harmonised Procedure: Ballast Water Reporting (Section 5);
- .6 Harmonised Procedure: Contingency Measures (Section 6);
- .7 Harmonised Procedure: Additional Measures (Section 7); and
- .8 Harmonised Procedure: Warnings (Section 8).

9 **acknowledged** that it was necessary to hold a general discussion on the revised draft regional harmonised procedures, as well as detailed discussions on the specific harmonised procedures referred to in paragraphs 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, and 8.8 above;

10 **recognised** that the revised draft regional harmonised procedures provided for a comprehensive list of such procedures and that there was a common understanding on the need for harmonisation of BWM measures in the region, especially given the international nature of shipping, the fact that an estimated 58% of the commercial maritime traffic in the Mediterranean Sea was internal, and the semi-enclosed nature of the Mediterranean;

11 **agreed** that the background sections of the revised draft regional harmonised procedures should be removed and that these should be compiled in a separate document for information purposes;

12 **noted** the need to include a similar preamble in the revised draft regional harmonised procedures to that set out in the Mediterranean Strategy for the Prevention of, Preparedness, and Response to Marine Pollution from Ships (2022-2031) adopted by COP 22;

13 **took note** that the revised draft regional harmonised procedures made reference to “port State administration” throughout the text, which created confusion, and **requested** the Secretariat to replace this to a reference to “port State Authorities”;

14 **reviewed** the specific harmonised procedures referred to in paragraphs 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, and 8.8. above and:

#### **Harmonised Procedure: Ballast Water Exchange Areas (Section 2)**

- .1 **agreed** to explore the possibility of designating the areas in the Mediterranean Sea meeting the requirements set out in Regulation B-4.1.2 of the BWM Convention (at least 50 nautical miles from the nearest land in waters of at least 200 meters depth) referred to in BWM.2/Circ.35<sup>1</sup> and BWM.2/Circ.39<sup>2</sup> as areas to be used when the D-2 standard could not be met as part of contingency measure;
- .2 **requested** the Secretariat to liaise with the IMO Secretariat, the OSPAR Commission<sup>3</sup>/Bonn Agreement<sup>4</sup> Secretariat and the HELCOM<sup>5</sup> Secretariat with a view to exploring how BWM.2/Circ.35 and BWM.2/Circ.39 might be adjusted, if any, and submit a proposal to that end to the Fifteenth Meeting of the Focal Points of REMPEC to be held tentatively on 13-15 June 2023, for consideration;

---

<sup>1</sup> Communication received from the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC): Harmonized voluntary arrangements for ballast water management in the Mediterranean Region.

<sup>2</sup> Communication received from the Administration of Croatia: 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.

<sup>3</sup> the OSPAR Commission was established by the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention).

<sup>4</sup> Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances, 1983.

<sup>5</sup> the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM) is the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention).

- .3 also **agreed** that this harmonised procedure needed further work, notably to address the issue regarding the incorporation of designated ballast water exchange areas into national law or relevant administrative procedures under Regulation B-4.2 of the BWM Convention, acknowledging that certain areas could be outside national jurisdiction;
- .4 **took note** of the placeholder in Section 2.3.2.2 thereof concerning the description of further important resources and protected areas, and **requested** the Secretariat to liaise with SPA/RAC to further develop this section;

### **Harmonised Procedure: Regulation A-4 Exemptions (Section 3)**

- .5 **clarified** that A-4 Exemptions were granted by the involved port States (where the ship was operating) and that the flag State should be included in the consultations but did not take the ultimate decision that was taken by the port States, which had the right to protect their environment from ships operating in their territory, and **recalled** that that such exemptions were done jointly by port States;
- .6 **agreed** to remove the reference in paragraph 3.2.5 on the need to communicate A-4 Exemptions to CPs, to avoid further additional administrative burden, and **proposed** that such exemptions should be communicated to the IMO through the Global Integrated Shipping Information System (GISIS), as per normal practice;
- .7 **took note** that SPA/RAC developed the Marine Mediterranean Invasive Alien Species Database (MAMIAS)<sup>6</sup> and that biological information needed for A-4 Exemptions should take this database into account, possibly as a baseline;

### **Harmonised Procedure: Sediment Reception Facilities (Section 4)**

- .8 **considered** that this harmonised procedure reflected common understanding;

### **Harmonised Procedure: Ballast Water Reporting (Section 5)**

- .9 **agreed** that Ballast Water Reporting was important and useful, in particular as part of the contingency measures and that, for such events, there could be agreement that reporting would be mandatory;
- .10 also **agreed** that this harmonised procedure was removed from the revised draft regional harmonised procedures and that it needed further work that would depend on the outcome of the ongoing discussions within the framework of the IMO, notably those expected at the 80<sup>th</sup> session of the Marine Environment Protection Committee (MEPC) to be held in July 2023;
- .11 **requested** the Secretariat to liaise with other Regional Cooperation Organisations (RCOs), the Mediterranean Memorandum of Understanding (MoU) on port State Control (PSC) and the Paris MoU on PSC with the view to facilitating the further work on Ballast Water Reporting;

### **Harmonised Procedure: Contingency Measures (Section 6)**

- .12 **agreed** that this harmonised procedure needed further work, notably to address the issue of using Ballast Water Exchange Areas when the D-2 standard cannot be met as part of contingency measure, and linking it to the Harmonised Procedure: Ballast Water Exchange Areas;

---

<sup>6</sup> Available at: <http://dev.mamias.org/services/dash/med>.

### **Harmonised Procedure: Additional Measures (Section 7)**

.13 **considered** that this harmonised procedure reflected common understanding; and

### **Harmonised Procedure: Warnings (Section 8)**

.14 **considered** that this harmonised procedure reflected common understanding.

15 **requested** the Secretariat to adjust the revised draft regional harmonised procedures to reflect the outcome of the discussions, as mentioned above;

16 also **requested** the Secretariat to carry out final editing and any editorial corrections, which might be identified, as appropriate, in the revised draft regional harmonised procedures;

17 further **requested** the Secretariat to submit the adjusted draft regional harmonised procedures to the REMPEC Governmental Focal Points and the REMPEC Prevention Focal Points prior to the Fifteenth Meeting of the Focal Points of REMPEC, with a view to having the opportunity to check what adjustments were made and whether these indeed reflected the outcome of the discussions;

18 **agreed** that comments on the adjustments made should be taken into account by the Secretariat in the final draft regional harmonised procedures to be submitted to the Fifteenth Meeting of the Focal Points of REMPEC, for endorsement, as appropriate;

19 **took note** that the French translation of the revised draft regional harmonised procedures were submitted late by the Secretariat;

20 also **agreed** that any further comments, following the necessary internal consultations that might need to be carried out with relevant authorities or stakeholders, as appropriate, which would be made on other issues or parts of the adjusted draft regional harmonised procedures that were not previously discussed, would be submitted, as an information document, by the Secretariat in a compilation of feedback for consideration by the Fifteenth Meeting of the Focal Points of REMPEC;

21 further **agreed** that, once the regional harmonised procedures for the uniform implementation of the BWM Convention in the Mediterranean were eventually adopted within the framework of the Barcelona Convention, if any, these should be communicated to the IMO so that they might subsequently be circulated to IMO Member States for their information and action as appropriate; and

22 **requested** the Secretariat to report to the Fifteenth Meeting of the Focal Points of REMPEC on the outcome of the Meeting.