

ANNEX 4

RESOLUTION MEPC.163(56)

Adopted on 13 July 2007

**GUIDELINES FOR BALLAST WATER EXCHANGE IN THE
ANTARCTIC TREATY AREA**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by the international conventions for the prevention and control of marine pollution,

RECALLING ALSO that the International Conference on Ballast Water Management for Ships held in February 2004 adopted the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (Ballast Water Management Convention),

MINDFUL of Article 13 of the Ballast Water Management Convention which provides that in order to further the objectives of the 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 the Ballast Water Management Convention,

BEING AWARE of the designation of Antarctica as a Special Conservation Area and of the measures adopted under the Antarctic Treaty to protect the Antarctic environment and dependent and associated ecosystems,

BEING AWARE ALSO of the requirements of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty regarding conservation of Antarctic fauna and flora and in particular of the precautions taken to prevent the introduction of non-native species to the Antarctic Treaty area,

NOTING that Article 18 of the Ballast Water Management Convention provides that it shall enter into force twelve months after the date on which not less than thirty States, the combined merchant fleets of which constitute not less than thirty-five percent of the gross tonnage of the world's merchant shipping, have become Parties to it in accordance with Article 17 of the Convention and noting further that the Ballast Water Management Convention is yet to enter into force,

CONSCIOUS of the potential for invasive marine organisms to be transported into, or moved between biologically distinct regions within the Antarctic Treaty area by ships in their ballast water,

HAVING CONSIDERED the draft Guidelines for ballast water exchange in the Antarctic Treaty area and the recommendation made by the Sub-Committee on Bulk Liquids and Gases at its eleventh session,

1. ADOPTS the Guidelines for ballast water exchange in the Antarctic Treaty area as set out in the annex to this resolution;
2. INVITES Governments to apply the Guidelines as soon as possible, as an interim measure for all ships entering Antarctic Treaty area before the Ballast Water Management Convention comes into force; and
3. AGREES to keep the Guidelines under review.

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- 1 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 Antarctica under Article 13(3).
- 2 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 at sea in Antarctic waters.
- 3 A Ballast Water Management Plan should be prepared for each vessel with ballast tanks entering Antarctic waters, specifically taking into account the problems of ballast water exchange in cold environments and in Antarctic conditions.
- 4 Each vessel entering Antarctic waters should keep a record of ballast water operations.
- 5 For vessels needing to discharge ballast water within the Antarctic Treaty area, ballast water should first be exchanged before arrival in Antarctic waters (preferably north of either the Antarctic Polar Frontal Zone or 60°S, whichever is the furthest north) and at least 200 nautical miles from the nearest land in water at least 200 metres deep. (If this is not possible for operational reasons then such exchange should be undertaken in waters at least 50 nautical miles from the nearest land in waters of at least 200 metres depth).
- 6 Only those tanks that will be discharged in Antarctic waters would need to undergo ballast water exchange following the procedure in paragraph 5. Ballast water exchange of all tanks is encouraged for all vessels that have the potential/capacity to load cargo in Antarctica, as changes in routes and planned activities are frequent during Antarctic voyages due to changing meteorological and sea conditions.
- 7 If a vessel has taken on ballast water in Antarctic waters and is intending to discharge ballast water in Arctic, sub-Arctic, or sub-Antarctic waters, it is recommended that ballast water should be exchanged north of the Antarctic Polar Frontal Zone, and at least 200 nautical miles from the nearest land in water at least 200 metres deep. (If this is not possible for operational reasons then such exchange should be undertaken in waters at least 50 nautical miles from the nearest land in waters of at least 200 metres depth.)
- 8 Release of sediments during the cleaning of ballast tanks should not take place in Antarctic waters.

9 For vessels that have spent significant time in the Arctic, ballast water sediment should preferably be discharged and tanks cleaned before entering Antarctic waters (south of 60°S). If this cannot be done then sediment accumulation in ballast tanks should be monitored and sediment should be disposed of in accordance with the ship's Ballast Water Management Plan. If sediments are disposed of at sea, then they should be disposed of in waters at least 200 nautical miles from the shoreline in waters at least 200 metres deep.

10 Governments are invited to exchange information on invasive marine species or anything that will change the perceived risk associated with ballast water.
