



**EMSA WORKSHOP**

**EMSA Workshop on Ballast Water  
Issues**

**Report of the Workshop**

**13<sup>th</sup> and 14<sup>th</sup> November 2013**

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## I. Introduction

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On the 10<sup>th</sup> and 11<sup>th</sup> November 2008, EMSA organised a workshop entitled: “*Implementing the Ballast Water Management Convention (BWM) – the EU dimension*”. At this workshop the Member States suggested a list of activities that could be undertaken by EMSA to help them ratify the International Maritime Organization’s (IMO) Ballast Water Management Convention (the BWM Convention), and contribute to the interim ballast water management strategies being developed by the four Regional Sea Conventions surrounding Europe.

The workshop identified over 40 proposals where EMSA could help the Member States. The feasibility of these proposals were assessed and analysed by EMSA in order to propose a list of actions that could be undertaken at the European level. The results of this analysis were then submitted to DG Tren (now DG Move) and DG Environment in April 2009.

Following the advice given by the European Commission in their response in July 2009, EMSA revised the original proposals and formulated an Action Programme, which has focussed its ballast water work over the last five years. This work programme consisted of 9 Actions as highlighted in Annex 1.

This Workshop was convened to outline the results of EMSA’s Action Programme and discuss with the Member States what actions may be taken in the future to “*create substantiated added value*” to their ratification and implementation of the BWM Convention.

The Workshop was chaired by Georgios Christofi, Head of EMSA’s Marine Environment and Port State Control Unit (B.3). It was attended by national experts from twenty EU Member States and three of them gave presentations – Cyprus and Sweden on their experiences of implementing and ratifying the BWM Convention, and Ireland on recent developments at IMO. In addition a representative from the Royal Belgian Shipowner’s Association was invited to provide the shipping industry’s view and EMSA’s Port State Control (PSC) Sector gave a presentation on the latest PSC Guidelines for enforcing the BWM Convention. All the presentations from the day can now be found at:

<http://emsa.europa.eu/implementation-tasks/environment/ballast-water/items/id/1897.html?cid=151>

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## II. Objectives of the Workshop

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The overall objectives of this workshop were to:

- update the EU Member States on developments in Ballast Water at the International and European level;
- review the work of EMSA’s Ballast Water Action Programme, which was set up in 2008 to help the EU Member States ratify and implement the International Convention for the Control and Management of Ships’ Ballast Water and Sediments (the BWM Convention) and contribute to the Regional Interim Guidelines being developed around Europe by the Regional Sea initiatives;
- identify what specific problems are facing the EU Member States in ratifying and implementing the BWM Convention; and,
- identify if, and how, these issues can be mitigated.

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### III. Day One of the Workshop

The day began with Georgios Christofi welcoming the delegates to Lisbon and outlining the objectives of the Workshop. He then introduced Michael Kennedy from the Irish Administration who gave a presentation on the latest developments at IMO. During this presentation the following was discussed:

- the latest ratification level;
- recent developments at the following IMO meetings, BLG 16, BLG 17, MEPC 64 and MEPC 65, including the discussions on:
  - the development of Guidelines on Sampling (based on the work of the EC co-ordinated Correspondence Group);
  - sampling for ballast water compliance in comparison to sampling for type approval;
  - drinking water as ballast water;
  - developments in the guidance for type approval and the data for inclusion in the type approval certificate;
  - electronic self-monitoring by ballast water management systems (BWMS);
  - the Assembly Resolution;
  - the BLG 17 “package” - Sampling Guidance/Trial Period/Additional Guidance on Type Approval (MEPC 175(58) and BWM.2/Cir.28); and,
  - ballast water management for dredgers and offshore support vessels.

The discussions at FSI 21, with respect to the development of PSC Guidelines, were also outlined.

After the presentation various issues were discussed. The debate focussed mainly on the availability of information on type approved BWMS, especially on the methodology of how they are approved. A number of Member States commented on the lack of information on which systems have been approved, or whose type approval has been accepted by other countries, especially those that only have to be approved through the methodology in the G8 Guidelines. This led to a suggestion that EMSA may be able to compile and regularly update and distribute such a list.

Discussion also centred on the:

- “trial period” for sampling protocols and how the Member States were considering addressing this development;
- longevity of BWMS, how long they will last and perform appropriately;
- difficulties in type approval and merging the requirements of Guidelines G8 and G9; and,
- equivalency issue between enforcement sampling and type approval sampling. During this discussion EMSA outlined how this had been addressed during the work of the Correspondence Group.

Brian Elliott of EMSA then gave a presentation on the current status of EMSA’s Ballast Water Action Programme. A full review of this presentation can be found in Annex 2. The presentation gave rise to discussion over many different issues, including the:

- methodology behind the development of the EMSA Sampling Protocol, which has developed the concept of “Gross Non-Compliance”. As there was

little time to explain the rather complex statistics involved in this concept, then EMSA offered to provide a short paper on this issue after the Workshop. This will be circulated in due course;

- increased need to use risk assessment in many of the management measures needed to implement the BWM Convention;
- new Biocides Regulation and how it will work in conjunction with the approval process of BWMS that use active substances at the IMO and with type approval by the Member States; and,
- further proposals to develop EMSA's Ballast Water Sampling Protocol.

Many of these issues were taken up in discussions later in the Workshop.

Brian Elliott then gave a presentation outlining the current legislation within the European Union that may impact on ballast water discharges. This included:

- recent developments within the Marine Equipment Directive (MED). EMSA reported that a clause on ballast water was proposed in the latest revision of the MED, so that when the BWM Convention entered into force it would automatically be included in this Directive. However, this was removed after significant objection from the EU Member States. In reality this means that there will be a significant delay in cross approval of BWMS in the EU, as it will take time for the European legislation to catch up after ratification. This has significant implications for the Member States as each BWMS will have to be approved, or another country's approval accepted, by each Member State before it can be placed on ships flying their flag;
- the implications of the new proposed Regulation on Invasive Alien Species. In essence, under this new Regulation, each Member State will have to identify the alien invasive species they are concerned about and manage them accordingly. With respect to those in ballast water this would be through the requirements of the BWM Convention;
- the reduction in administrative burden caused by the new Biocide Regulation, which now recognises IMO Final Approval instead of running a parallel approval system; and,
- the new EMSA Founding Regulations.

The main discussion after this presentation centred on the new proposed Regulation on Invasive Alien Species as many of the delegates were not familiar with the provisions of this proposal. There was a significant debate over the status of the BWM Convention in the EU under this new piece of legislation. Although it was recognised that the best way to deal with the invasion of alien invasive species through ballast water was within the auspices of the IMO and the BWM Convention, there was significant concern that the direct reference to the BWM Convention in the text would inherently change the status of the Convention under EU Law. EMSA stated that the new regulation did not change or affect the BWM Convention in anyway and actually safeguarded it as the new proposed regulation recognised the Convention in its entirety and did not add additional regulations. However, there was serious concern that this development would generate EU competency over the ballast water issue at IMO. As this is a specific issue between the European Commission and the Member States there was no further discussion, and certain Member States stated that they would be investigating further and raising the issue with their Perm. Reps. in Brussels. EMSA was asked to circulate the text of the new proposed Regulation and have already provided the link to DG Environment's internet page on this issue to the attendees.

The lack of a reference to ballast water in the MED was also discussed. Information on how Member States were type approving and accepting other type approvals was provided to the meeting, but it became apparent that some Member States have invested significantly in this issue, whereas others have not even begun to think about how to approach the subject. Therefore, the workshop agreed that one way in which EMSA can add value is to provide a review on how the Type Approval of BWMS is happening in the EU. This work could focus on identifying and providing guidance/information on which country has approved which BWMS in the EU, best practice in type approval/approval acceptance and how BWMS are subsequently being accepted by a second Member State.

Henrik Ramstedt of Sweden then gave a presentation on the issues facing an EU Member State that has ratified the BWM Convention. Sweden has managed to overcome some of the geographical and technical issues it came across when applying the BWM Convention using cost/benefit analysis and risk assessment. However with no possibility for ballast water exchange in the Baltic Sea, the large cost of getting the data for exemptions and no realistic option for reception facilities, facilitating the application of the BWM Convention to short sea shipping is becoming difficult. Additional issues are also arising from sampling for enforcement and the implementation of the BWM Convention to Flag State vessels. The speaker also gave a quick update on what was happening under the auspices of HELCOM.

The representative from Cyprus, Mr Ioannis Efstatiou, then gave a presentation on the issues that an EU Member State that has not ratified the BWM Convention is facing at the present time. These included:

- concerns over fixed dates for compliance that have already expired;
- uncertainty as to when the BWM Convention will come into force;
- are there sufficient and efficient number of BWMS ready to be installed and functioning to the D2 Standard? Have they been verified properly?
- declarations, reservations and statements to ratification;
- how to sample?;
- legal issues over amending a convention which has never entered into force?;
- administrative burden: both internal and external;
- the legal status of guidelines and how to incorporate them into legislation; and,
- ballast water exchange in the Mediterranean Sea.

Both these presentations and the following round table discussion raised a whole set of issues that were debated at length. Some solutions were discussed and suggestions of how EMSA can add value to the Member States work were put forward. These included work in the following areas:

- what a ship, port and administration should do when a ship cannot legally discharge in a port;
- what can short sea shipping do when there is no exchange areas?;
- the role of ballast water reporting (presently undertaken by Poland, Bulgaria and Croatia) and baseline surveys in ballast water management;
- the need to extensively use risk assessment and the potential for a common risk assessment procedure for certain aspects of ballast water management by EU Member States;
- definition and application of the phrase "same location" and whether a European-wide definition and application would help short sea shipping;

- the problems with exemptions and the need for harmonisation across Europe;
- the importance of pursuing the “Gross Non-compliance” concept being developed in the EMSA sampling strategy;
- the need for further training for both the environmental and maritime authorities in the Member States;
- the need for further research and guidance on sampling;
- the need for specialist training on the G7, G8 and G9 Guidelines of IMO for the maritime and environmental authorities of each Member State;
- how to combat secondary spread by short sea shipping;
- use of land-sourced drinking water as ballast water in the EU;
- harmonised use of additional measures in the EU to protect certain areas, or possibly (depending on whether it can be legally justified) relax the BWM Convention’s requirements;
- the need to boost the capacity of laboratories in the EU to be able to handle ballast water samples and be accredited; and,
- the need to incorporate and boost the capability of the Member State’s Environmental Departments to respond to the management measures included in the BWM Convention.

Other issues such as EU funding to help ships under the flag of an EU Member State to apply the BWM Convention, and for the EU Member States to enforce it, were outside the scope of EMSA’s remit, so were not discussed further. One interesting point that came out of the round table discussion was that ballast water was not a major priority at the present time as a significant amount of work was being focussed on implementing the new SO<sub>2</sub> Regulations.

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#### IV. Day Two of the Workshop

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Day two of the workshop began with a presentation by Holger Meyer of EMSA’s PSC Sector. He outlined the problems of enforcing the BWM Convention and the difficulties in sampling from the PSC perspective. He then went on to describe the formation of Guidelines for PSC on this issue in the IMO and the Paris MoU. Certain issues arose again in the discussion such as:

- what to do with a ship that cannot discharge;
- the need for a workshop on ballast water sampling covering both environmental and transport representatives;
- the need for more seminars on BWMS and sampling;
- the need to complete and finish the development of the “Gross Non-compliance concept” through scientifically validating and standardising EMSA’s ballast water sampling protocol;
- the effective use of exchange areas and additional measures; and
- Flag State application of the BWM Convention.

One big issue that came out of the discussion was how Member States would be addressing the trial period for testing sampling protocols in Europe after the BWM Convention comes into force. Many Member States stated that they would be unlikely to be sampling during this period because the cost was high and they would not have any immediate benefit, as the results could not be used in an enforcement action. After some discussion, the Member States suggested that a joint research proposal could be developed between EMSA and the Member

States to develop a EU wide trial of the sampling Protocol, instead of each Member States doing it individually.

Ludovic Laffineur of the Royal Belgium Shipowner's Association then provided the Workshop with an in depth view of the ballast water issue from the industry perspective. He highlighted the problems being faced by short sea shipping and deep sea shipping and outlined what the industry is actively doing to locate, buy and install appropriate BWMS. He then highlighted the big issues for shipping that included sourcing trustworthy type approved equipment, ensuring adequate time for installation on existing ships, the need for exemptions and a fair sampling for enforcement procedure. He also highlighted the problems of the more stringent US Regulations and how the industry is addressing them. On the work EMSA could be doing, he suggested that EMSA should:

- complete their project on developing a sampling protocol;
- provide help for existing ships to install BWMS; and,
- strengthen the G8 Guidelines across Europe.

The Workshop then went on to review the discussions that had taken place and develop a list of issues that EMSA could become involved in to add value to the Member States during ratification and implementation. These can be found in the Conclusions below.

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## V. Conclusions

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The workshop concluded that the following issues are potential actions that could be undertaken by EMSA to help the Member States in the ratification and implementation of the BWM Convention:

- Development of technical guidance on the implementation of the BWM Convention by Short Sea Shipping in the waters of the European Member States, taking into account the following concepts :
  - The use of "Same Location" in Ballast Water Exchange and Risk Assessment;
  - Exemptions;
  - BW Exchange Areas;
  - Alternative measures; and,
  - Additional Measures
- Review how the Type Approval of BWMS is happening in the EU to identify and provide guidance on:
  - Who has approved which BWMS in the EU;
  - Best practice; and,
  - How BWMS are subsequently accepted by a second Member State.
- Provide information to the Member States, from best practise, on how laboratories have been accredited for ballast water sample analysis.
- Develop European guidance on what to do with ships that cannot treat BW in ports to harmonise the response to this problem in the EU Ports.
- Develop a wider training course/courses for both Maritime and Environmental Administrations covering the following issues:

- Sampling (Detailed Sampling);
  - IMO Guidelines;
  - Analysis;
  - Risk Assessment; and
  - Type Approval.
- Develop guidelines on the use of freshwater as ballast water in Europe.
  - Develop a Workshop on the Implementation of the BWM Convention (for both the environmental and maritime authority).
  - Finalise the "EMSA Sampling Protocol" to the stage where it can be used in the trial period being organised by IMO.
  - Develop a joint sampling programme covering the sampling protocol trial period for all Member States.
  - Provide details on how emergency measures regarding invasive species will apply to ballast water management by ships.

The next stage is to develop a proposal based on this list, circulate it for comment to the Member States and then send it to the European Commission as a formal proposal. This would also have to be passed by the EMSA Executive Board before any of the projects could be undertaken.

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**Annex 1: the Existing EMSA Ballast Water Action Programme**

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The existing EMSA Ballast Water Action Programme, agreed by the Commission, is as follows

EMSA will

1. *Prepare a review of the ballast water risk assessment methodologies and the different ballast water management measures available to the Member States and the Regional Seas Conventions;*
2. *Review the need for further guidance on: data collection on ship's ballast water exchange and on invasive species in ports; the granting of exemptions; and, the identification and implementation of additional measures, following the completion of Action 1;*
3. *Produce a joint briefing note (EMSA/DG Environment/DG TREN) on the relationship between approval for ballast water technologies that use active substances under the existing Biocides Directive, the proposed Biocides Regulation and the IMO Ballast Water Management Convention's Guidelines;*
4. *Host a workshop to identify how a joint EU ballast water sampling strategy can be developed;*
5. *Investigate how funding can be obtained to "Develop a technical co-operation and short term secondment programme to enhance cohesion and parity on ballast water sampling and analysis within the Member States";*
6. *Investigate how ballast water management information and best practice can be shared electronically between all Member States;*
7. *Actively participate in the North Sea Ballast Water Opportunity project;*
8. *Maintain liaison with DG Environment and the European Environment Agency over the introduction of non-indigenous species through ballast water discharge, to ensure that there is continuity between this Action Programme and the European Communities work on invasive species. EMSA will also react to requests for input into these programmes when necessary; and,*
9. *Maintain a watching brief on developments at the IMO and within the Member States, and contribute to the important work of the Regional Seas Conventions. EMSA, through the European Commission, will also react to requests for input into these programmes when necessary.*

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**Annex 2: A Review of EMSA's Ballast Water Action Programme**

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1. *Prepare a review of the ballast water risk assessment methodologies and the different ballast water management measures available to the Member States and the Regional Seas Conventions;*

A report has been developed to firstly identify where Risk Assessment is needed within the BWM Convention and what assessment methods and principles are needed to facilitate this process. The report then identifies the different risk assessment methods that have been developed and are being used around the world and compares them to these identified needs, taking into account European contexts and perspectives. The conclusions of this report will be outlined at the workshop and the final report will be available before the end of 2013.

2. *Review the need for further guidance on: data collection on ship's ballast water exchange and on invasive species in ports; the granting of exemptions; and, the identification and implementation of additional measures, following the completion of Action 1;*

During the period of this Action Programme the first three of these issues have been dealt with at a regional or national level. As the individual countries undertaking this work have the expertise to do this in house, then EMSA has not become involved. For the fourth issue, no EU Member State has raised the issue of additional measures, either individually or regionally, so this issue has not been pursued.

3. *Produce a joint briefing note (EMSA/DG Environment/DG TREN) on the relationship between approval for ballast water technologies that use active substances under the existing Biocides Directive, the proposed Biocides Regulation and the IMO Ballast Water Management Convention's Guidelines;*

After much discussion over the role of the GESAMP Ballast Water Working Group at IMO in the type approval process for Ballast Water Management Systems (BWMS) using active substances, and the replicate procedure to obtain approval to place such systems on the market in the EU, the new Biocidal Products Regulation (EU) No 528/2012, now simplifies this process. The parallel process has now been replaced with a system where once final approval has been given by the IMO (based on the recommendation by the GESAMP BWWG) then the vendor only has to report this approval to the European Commission in order to gain approval to place such systems on the market in the EU. This reduces bureaucracy, time and cost to the BWMS industry.

A note has been prepared by EMSA in conjunction with DG Move and DG Environment and will be circulated to the EU Member States and submitted to IMO after discussion at a forthcoming Shipping Working Party. This work was held up due to the recent discussion over whether the BWM Convention should be placed in the new Marine Equipment Directive with a caveat saying it only applies once the BWM Convention enters into force. Unfortunately this proposal was not accepted.

4. *Host a workshop to identify how a joint EU ballast water sampling strategy can be developed;*

EMSA's first Sampling Workshop was held in January 2010. The workshop concluded that an EU Ballast Water Sampling Strategy is valuable, but needs to focus on the following issues:

- a. Pre PSC – Guidance for port States on what to do when a vessel indicates that they have a problem with their BWMS prior to entering a port;
- b. PSC -
  - i. bringing the specific ballast water issues that were raised in the workshop to the attention of the FSI Correspondence Group;
  - ii. providing guidance on how “clear grounds” can be identified in the normal PSC inspection
  - iii. providing guidance on, or procedures for, when a PSC Officer suspects there is something amiss, but needs some form of analysis/sampling to prove “clear grounds”;
  - iv. providing guidance for the port State on management options for the vessel once a discharge has been stopped; and,
  - v. providing training to PSC officers.
- c. Indicative analysis/sampling
  - i. Guidance on how to undertake indicative analysis/sampling within PSC inspections and/or supplementary to PSC inspections, the difference between indicative analysis and indicative sampling and how to interpret the results from these tests;
- d. Full scale (now termed Detailed) testing/analysis –
  - i. Guidance on:
    - 1. the relationship between indicative analysis, indicative sampling and full scale sampling;
    - 2. preparations needed before sampling, including the use of Health and Safety Risk Assessments;
    - 3. going on board to sample;
    - 4. the sampling procedures (an EU, IMO or ISO Standard);
    - 5. Sample handling, transport and chain of custody procedures; and,
    - 6. the analysis procedure (an EU, IMO or ISO Standard);
  - ii. Research and the development of standards to ensure representativeness:
    - a. In situations where discharge takes place after treatment; and,
    - b. situations where the discharge takes place after a holding period in the ballast water tank;
  - iii. Providing training to samplers and analysts
- e. Research into;
  - i. How to obtain a representative sample from a BWTS that is directly discharging into the sea;
  - ii. How to undertake indicative analysis/sampling to provide “clear grounds” for stopping a discharge and/or enforcement; and,
  - iii. The development of guidance on how to analyse a ballast water sample.

In order to develop this strategy, two research projects were commissioned in 2010 by EMSA covering the following issues:

- How to undertake indicative analysis/sampling to provide “clear grounds” for stopping a discharge and/or enforcement;

- How to test a discharge from a BWTS and a ballast water tank to ensure that the results are representative of the entire discharge; and,
- The development of guidance for how to analyse a sample.

The reports of these research projects were the focus of an EMSA Workshop in early 2011 and can be found on the EMSA website (<http://emsa.europa.eu/main/ballast-water/involvement.html>).

In parallel IMO was discussing the development of a "*BWM Circular on Guidance on ballast water sampling and analysis in accordance with the BWM Convention and Guidelines (G2)*" to enhance the guidance in Guideline G-2. Member States were asked to provide papers on this issue and the European Commission and 26 Member States, after agreement in the Shipping Working Party, submitted the results of this research in the following papers - BLG 15/5/1, BLG 15/5/4, BLG 15/5/5 and BLG 15/5/6.

After some discussion a Correspondence Group (CG) was set up to develop these guidelines to provide more detailed sampling guidance, and to respond to certain concerns from the industry. The CG used the papers submitted to IMO by the EC as base documents. This group was also co-ordinated by EMSA on behalf of the European Commission. This was the first time the European Commission has chaired a CG at IMO.

The report of this CG was then submitted to BLG 16. This document introduces the concept of indicative analysis and detailed analysis, provides a review of all the technologies available for sampling and provides a suite of sampling protocols (including the EMSA Sampling Protocol) that can be used for sampling for compliance.

However, there were still a number of big issues and concerns to be debated and concluded at the IMO, which resulted in the BLG Sub-Committee not recommending that the report of the CG become a circular at the next MEPC. Significant discussion continued and eventually this document was accepted this year, at BLG 17 and MEPC 65, as a part of a bigger package. This included:

- Additional guidance for vessels, IMO Member States and testing facilities on the G8 guidelines;
- Expansion of the Type Approval certificate to include the physical conditions that the ballast water treatment system is approved for;
- Acceptance of the fact that the new guidance - entitled "*Guidance on ballast water sampling and analysis for trial use*" is a living document and was the current state-of-the-art science with respect to sampling and analysis of ballast water; and
- The inclusion of a trial period for standardised and scientifically validated sampling protocols. This would be linked to a period where "criminal sanctions based on sampling alone" would not occur, based on an arrangement between the IMO MS. However enforcement options based on document/certificate/equipment checks and stopping the discharge because of a problem with the quality of the discharge would still be tools that still could be used within PSC in this trial period (2 to 3 years).

As these Guidelines were being developed it became apparent that the error encountered by representative sampling, and the subsequent analysis of the samples, could cause considerable problems with progressing an enforcement procedure using these results. This also developed when EMSA examined how to progress the "EMSA Sampling Protocol" devised in the previous research further to provide a sampling standard for this methodology and obtain scientific validation. A further research project was therefore commissioned in 2012 entitled "*The development of a full standard methodology for testing ballast water discharges for gross non-compliance of the IMO's BWM Convention*".

As part of this research the concept of Gross Non-Compliance was examined further and a mechanism was set up, using EMSA's Sampling Protocol. Instead of working out the errors from the results of monitoring or assessment and then seeing if a ship has passed or failed, the research took a step back and looked at the issue differently. The consultant analysed the distribution of the results from the previous results and worked out what the error range would be to ensure that a Member State could be 99.9% confident that a result higher than this range would prove that a ship would be in non-compliance with the BWM Convention. This range was then used to calculate a threshold for the number of viable organisms in the sample (provided that the EMSA sampling protocol was used) which could then be used for enforcement. The results of this research will be discussed in the Workshop.

Additionally the original research work looked at sampling for enforcement and has resulted in the development of the Paris MoU Guidelines for Ballast Water Sampling. These are now the subject of an FSI CG at the IMO to develop similar global guidance.

In September 2011 EMSA was asked by the EU Member States to provide training on sampling for compliance. This training outlined the guidance available for Member States, discussed the problems encountered in sampling, outlined some solutions and demonstrated the latest techniques in sampling. EMSA was asked to repeat this training, as the issue has moved on considerably, both technically and politically. Therefore, an updated, more "hands on" training session was held in September 2013. Member States, through EMSA's Consultative Network for Technical Assistance, have also asked EMSA to repeat this training in late 2014.

5. *Investigate how funding can be obtained to "Develop a technical co-operation and short term secondment programme to enhance cohesion and parity on ballast water sampling and analysis within the Member States";*

EMSA has investigated all the avenues available to undertake this work and will report back to the MS at the Workshop.

6. *Investigate how ballast water management information and best practice can be shared electronically between all Member States;*

EMSA originally had a plan to develop its own electronic database to facilitate information sharing. However under the INTERREG North Sea Ballast Water Opportunity Project a similar technical database was being set up. Therefore so not to duplicate, EMSA looked into the possibility of taking over this database at the end of the INTERREG funded project, which finishes next year. A feasibility project was undertaken and the results will be outlined at the Workshop.

*7. Actively participate in the North Sea Ballast Water Opportunity project;*

EMSA has actively been involved in this project, ensuring that the two projects are compatible and have been working together with the project where appropriate. This has included sharing information on EMSA's sampling research.

*8. Maintain liaison with DG Environment and the European Environment Agency over the introduction of non-indigenous species through ballast water discharge, to ensure that there is continuity between this Action Programme and the European Communities work on invasive species. EMSA will also react to requests for input into these programmes when necessary;*

EMSA contributed to, and represented DG Move, during the inter-service consultations and discussion on the new "*Regulation on the prevention and management of the introduction and spread of invasive alien species*". After significant discussion, the BWM Convention is referred to in the new legislation as the methodology for controlling the pathway for invasive alien species in ballast water. The legislation does not include any requirements that go beyond the BWM Convention. This new legislation will be discussed at the Workshop.

*9. Maintain a watching brief on developments at the IMO and within the Member States, and contribute to the important work of the Regional Seas Conventions. EMSA, through the European Commission, will also react to requests for input into these programmes when necessary.*

A full breakdown of EMSA's involvement in these developments will be provided at the workshop. However they include:

- Attending and providing technical advice at all the IMO meetings on Ballast Water;
- Commenting on Member States submissions to IMO;
- Providing technical advice on projects being considered and commissioned by different Member States;
- Helping develop the Mediterranean Ballast Water Action Programme and Guidelines;
- Helping develop the OSPAR and HELCOM Guidance on Ballast Water Exchange;
- Training throughout Europe;
- Liaison with the shipping, BWMS and ports industry and their representatives
- Providing the European perspective on ballast water issues at international and regional conferences; and,
- Providing specific technical advice to Member States on ratification, implementation and Type Approval.

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**Annex 3: Agenda**

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**Agenda****EMSA Workshop on Ballast Water Issues**

at  
EMSA, Lisbon

**Date: 13<sup>th</sup> and 14<sup>th</sup> November 2013**

***Day 1: 13<sup>th</sup> November 2013:***

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|---------------|--|
| 8.30 – 9.00   | Registration   |
| 9.00 – 09.15  | <b>Welcome</b> and <b>Setting the Scene</b> for the Workshop .<br><i>Georgios Christofi ,<br/>Head of Marine Environment and Port State Control, EMSA.</i>               |
| 9.15 – 10.00  | <b>Latest update on the International BWM Convention</b><br><i>Michael Kennedy,<br/>Engineer &amp; Ship Surveyor, Irish Maritime Administration.</i>                     |
| 10.00 – 10.45 | <b>EMSA's Ballast Water Action Programme – Update, results and added value.</b><br><i>Brian Elliott,<br/>Senior Project Officer for Environmental Protection, EMSA.</i>  |
| 10.45 - 11.00 | <b>Discussion on the existing EMSA Ballast Water Action Programme</b>  |
| 11.00 – 11.20 | Tea/Coffee   |
| 11.20 – 11.40 | <b>(cont....) Discussion on the existing EMSA Ballast Water Action Programme</b>   |
| 11.40 – 12.30 | <b>Ballast Water Issues– update on Legislation in the European Union</b><br><i>Brian Elliott,<br/>Senior Project Officer for Environmental Protection, EMSA.</i>         |
| 12.30 – 13.00 | <i>Questions and Discussion</i>  |
| 13.00 – 14.00 | Lunch  |
| 14.00 - 14.30 | <b>Ballast Water Issues– experience of a Member State that has ratified the Convention</b><br><i>Henrik Ramstedt,<br/>Maritime Department, Swedish Transport Agency.</i> |
| 15.00 -15.30  | <b>Ballast Water Issues– perspective from a Member State that has not ratified the Convention</b>  |

*Ioannis Efstratiou*  
*Senior Marine Surveyor, Department of Merchant Shipping, Cyprus*

15.30 – 16.00      Tea/Coffee

16.00 – 17.00      **Round table discussion – What is the current status of Ratification/Implementation in each Member State? and what are the specific problems they are facing?**

**Day 2 - 14<sup>th</sup> November 2013:**

8.30 – 9.00            *Registration*

9.00 - 9.40            **Ballast Water– PSC aspects**  
*Holger Meyer,*  
*Senior Project Officer for Port State Control, EMSA.*

9.40 – 10.00        *Questions and Discussion*

9.40 – 10.20        **Ballast Water– the view of Industry**  
*Ludovic Laffineur,*  
*Royal Belgian Shipowners'Association.*

10.20 - 10.45        *Question and Discussion*

10.45 – 11.15        Tea/Coffee

11.15 – 13.00        **Workshop Conclusions - EMSA's Ballast Water Action Programme**  
*Brian Elliott, Senior Project Officer for Environmental Protection,*  
*EMSA*

13.00                  **Close.**