Terms of Reference for the Joint HELCOM/OSPAR Task Group on Ballast Water Management Convention (BWMC) and Biofouling, 2025-2029

Background and purpose

1. The transfer of harmful aquatic organisms with ships and recreational craft poses a threat to the North-East Atlantic as well as to the Baltic Sea. OSPAR and HELCOM have co-operated successfully in the past to address this threat, e.g. by issuing the General Guidance on the voluntary interim application of the D-1 ballast water exchange standard in the North-East Atlantic and the Baltic Sea and the Joint Harmonised Procedure for the OSPAR and HELCOM regions on the issue of exemptions in accordance with Regulation A-4 1.4 BWMC.

2. At the same time, the North-East Atlantic and the Baltic Sea are connected with a network of shipping lanes that are vital for the economic welfare of neighboring states. Ballast water management in accordance with the IMO´s BWMC will result in financial impacts on the shipping industry.

3. The BWMC aims to reduce the risk of transfer of harmful aquatic organisms and pathogens. If careful evaluation shows that a specific voyage poses only a low risk of transfer of harmful aquatic organisms and pathogens, an exemption may be granted so that a ship does not have to treat or exchange ballast water. The Joint Harmonised Procedure for the OSPAR and HELCOM regions on the issue of exemptions in accordance with Regulation A-4 1.4 BWMC is an important common framework for the regional cooperation on this issue in the North-East Atlantic and the Baltic Sea.

4. HELCOM Contracting Parties agreed the Regional Baltic Sea plan for harmonized ratification and implementation for the 2004 IMO Ballast Water Management Convention (BWMC) (i.e. HELCOM Ballast Water Road Map[1]) in 2016. This Road Map includes, inter alia, supporting and exchanging of experiences on compliance control and enforcement of the BWMC and work towards further harmonization of implementing regulations of the BWMC.

5. OSPAR Environmental Impact of Human Activities Committee (EIHA 2018) and HELCOM MARITIME 18-2018 recognized the importance of minimizing the transfer of invasive aquatic species as ship's biofouling and application of the IMO biofouling guidelines in the North Sea and the Baltic Sea regions.

6. According to the *2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species* (MEPC.207(62)) revised in 2023 (MEPC.378(80), studies have shown that in addition to ship ballast water, biofouling can be a significant vector for the transfer of invasive aquatic species. Biofouling on ships entering the waters of the States may result in the establishment of invasive aquatic species, which in turn, may pose threats to human, animal and plant life, economic and cultural activities and the aquatic environment.

Participants

7. The group shall be open to Contracting Parties and Observers of both OSPAR and HELCOM. Contracting Parties'. Members will be nominated to the group by Contracting Parties through OSPAR EIHA and HELCOM Maritime Working Group Leads of Delegation.

Scope of Work

8. The group will oversee practical implementation of the Joint Harmonised Procedure for the OSPAR and HELCOM regions on the issue of exemptions in accordance with Regulation A-4 1.4 BWMC. The group will also consider the issues related to compliance control and enforcement of the BWMC and work toward further harmonization of implementing the BWMC. Finally, the group will consider the ships' and recreational crafts' biofouling issues at regional level. The group will take forward the work, using and building on current efforts at OSPAR and HELCOM in the following areas:

[1] Annex 6 of the Outcome of HOD 51-2016

a. update of the Joint Harmonised Procedure if necessary;

b. update of the port survey protocol if necessary,

c. explore further synergies with other relevant monitoring, including especially EU MSFD monitoring for those countries which are also Members of the EU;

d. consider issues related to the HELCOM and OSPAR target species lists;

e. consider the issues related to early warning system;

f. further development of the decision support tool including data management;

g. consider the issues related to list of surveyed ports;

h. consider issues related to Same Risk Area;

i. support and exchange experiences on compliance control and enforcement of the BWMC;

j. work towards further harmonization of implementing regulations of the BWMC;

k. develop a common OSPAR/HELCOM biofouling management strategy for the implementation of the IMO Biofouling Guidelines;

l. collection and sharing of relevant data and information about:

i Best practices: cleaning methods, cleaning opportunities and waste management
ii Research
iii Regulations, legal aspects
iv Risk assessment
v Awareness and training;
vi Antifouling systems

m. identify the knowledge gaps related to biofouling;

n. identify the needed expertise and knowledge exchanges on biofouling; and

o. facilitate the involvement of stakeholders in the biofouling management process as well as on the release of hazardous substances and microplastics from anti-fouling systems, as well as enhancing energy efficiency.

9. Based on the issues above, the group will provide advice to OSPAR EIHA and HELCOM Maritime Working Group on the further implementation of the joint harmonised procedure, BWMC and IMO biofouling guidelines.

Working procedures

10. The mandate work of the group should be for the 2025-2029 intersessional period and the group should select Co-Chair for the period.

11. The HELCOM and OSPAR Secretariats will jointly work as Secretariat to the group.

12. The group will work by correspondence and through meetings and will develop a more detailed work plan for itself.

13. Meetings will include dedicated time frame for both ballast water and biofouling issues as appropriate.

14. The group will report to OSPAR EIHA and HELCOM Maritime Working Group.

15. Any recommendations proposed by the group, or continuation of the mandate, will be decided upon by HELCOM Maritime Working Group and OSPAR Commission Meetings, as appropriate.

Document title	Draft workplan for the Joint Task Group for 2025-2026
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This document has been revised to reflect the input provided by the Session.

Background

The current workplan for the Joint HELCOM/OSPAR Task Group on Ballast Water Management Convention (BWMC) and Biofouling (JTG Ballast & Biofouling) for 2023-2024 was approved by HELCOM Maritime Working Group on 9 December 2022 through correspondence procedure and by OSPAR EIHA in March 2023.

This document presents the draft updated workplan for the Joint Task Group for 2025-2026. For an easier follow up, suggested amendments are marked with track changes.

Action requested

The Session is invited to recommend the draft updated workplan for the Joint Task Group for 2025-2026 for approval by HELCOM Maritime Working Group and OSPAR EIHA.

Draft Workplan for JTG BALLAST & BIOFOULING 2025-2026

Topic	Task	Activity	Timing	Task leader
Meetings organisation	1	Arrange meetings and documentation	JTG BALLAST & BIOFOULING 2023 and 2024	HELCOM/OSPAR Secretariats
	2	HELCOM/OSPAR cooperation on ballast water and biofouling matters in accordance with the HELCOM 2021 Baltic Sea Action Plan and the North-East Atlantic Environment Strategy 2030	Continuous	Contracting Parties & HELCOM/OSPAR Secretariats JTG Ballast & Biofouling
Updates of the JHP	3	Carry out updates of the JHP based on lessons learnt	Continuous	Contracting Parties, Informal Correspondence Group on the JHP
Port surveys	4	Port Surveys in the Baltic Sea	Continuous	National initiatives
	5	Port Surveys in the North-East Atlantic	Continuous	National initiatives
	6	Sharing information about the application of the port survey protocol in the JHP and review it, as appropriate	Continuous	Contracting Parties JTG Ballast & Biofouling
	7	Consider potential synergies with additional strategies, developments and commitments relevant for NIS monitoring	Continuous	JTG Ballast & Biofouling and other HELCOM/OSPAR groups
	8	Annually update a list of surveyed ports according to the JHP protocol	Information to be submitted to JTG Ballast & Biofouling meetings	Contracting Parties & HELCOM/OSPAR Secretariats
	9	Generate a list of ports surveyed under other methods	Information to be submitted to JTG Ballast & Biofouling meetings	Contracting Parties & HELCOM/OSPAR Secretariats
Target Species	10	Review of HELCOM and OSPAR Target Species Lists	Annually	Informal Correspondence Group on Target Species

Data storage and decision support tool	11	Update online decision support tool	Continuous	HELCOM/OSPAR Secretariats
	12	Early Warning System	Continuous	Contracting Parties, in particular those involved in the pilot implementation of the Early Warning System (Denmark, Finland, Germany, Latvia and Lithuania)
Same Risk Area	13	Consider issues related to the Same Risk Area concept	Continuous	Contracting Parties
Compliance control and enforcement of the BWMC	14	Support and exchange experiences on the matter	Continuous	Contracting Parties
Biofouling	15	Upon adoption, share experiences on the implementation of the OSPAR/HELCOM biofouling draft guidance for recreational boating	By JTG BALLAST & BIOFOULING 2025	Contracting Parties
	16	Develop a common OSPAR/HELCOM biofouling management strategy for the implementation of the IMO Biofouling Guidelines	By JTG BALLAST & BIOFOULING 2025	Finland and Germany to lead with the support of the rest of the Contracting Parties & HELCOM/OSPAR Secretariats
	17	Collection and sharing of relevant data and information about best practices (in-water cleaning, cleaning methods, anti-fouling systems and waste management), research, regulations, legal aspects, risk assessment, awareness and training	Continuous	Contracting Parties, HELCOM Secretariat to collect data intersessionally and publish e.g. in the HELCOM Map and Data Service
	18	Identify knowledge gaps, needed expertise and knowledge exchanges on biofouling and antifouling systems	Continuous	Contracting Parties
	19	Contribute to promoting the development and use of effective, environmentally sustainable biofouling management techniques and antifouling systems on ships and recreational craft, including biocide-free alternatives to prevent biofouling by supporting related research and development activities	Continuous	Contracting Parties
	20	Contribute to minimizing the release of biocides from antifouling products to the marine environment, and preferably by 2027 replace use of biocidal antifouling products with biocide-free alternatives on structures, equipment and recreational craft in cases not already subject to the International Convention on the Control of Harmful Anti-	2026	Contracting Parties

		fouling Systems on Ships when available and environmentally and technically feasible		
	21	Contribute to strengthening cooperation with stakeholders in the development and implementation of sustainable biofouling management options to minimize the introduction of invasive aquatic species, the release of hazardous substances and microplastics from antifouling systems, as well as enhancing energy efficiency	By 2026	Contracting Parties