

ANNEX IV

TERMS OF REFERENCE FOR A REGIONAL TASK FORCE (RTF) ON SHIPS' BALLAST WATER CONTROL AND MANAGEMENT

The text of the Proposed Draft Terms of Reference for a Regional Task Force (RTF) on Ships' Ballast Water Control and Management (REMPEC/WG.29/8) was amended as follows by the First GloBallast Regional Task Force Meeting.

TERMS OF REFERENCE FOR A REGIONAL TASK FORCE (RTF) ON SHIPS' BALLAST WATER CONTROL AND MANAGEMENT

1. Purpose of the Regional Task Force

The Task Force should be considered as a supporting regional mechanism established within the framework of the United Nations Environment Plan's Mediterranean Action Plan (UNEP/MAP), in order to facilitate:

- i) bringing into effect the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention), adopted in 2004;
- ii) ensuring coherent compliance with and enforcement of the said Convention and of its associated guidelines, recommendations and practices in the Mediterranean region;
- iii) implementing the activities designed under the GloBallast Partnerships Project, as well as activities and measures decided upon under the Regional Strategy to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens in Ships' Ballast Water and Sediments (hereunder referred to as the Strategy) and its Action Plan; and;
- iv) sharing of experience and contribution to the work carried out at a global level in the field of ships' ballast water and invasive species.

2. Mandate of the Regional Task Force in the context of implementing the GEF / UNDP / IMO GloBallast Partnerships Project

In the context of implementing the GEF / UNDP / IMO GloBallast Partnerships Project, the Task Force should:

- i) develop and adopt a Strategy as well as an Action Plan for its implementation;
- ii) serve as a mechanism to expand interest and involvement in the GloBallast Partnerships Project of all Contracting Parties to the Barcelona Convention as well as other interested Parties and stakeholders;
- iii) provide overall strategic policy and management direction to the Project implementation in Mediterranean region;
- iv) provide recommendations to the Regional Coordination Organisation (RCO) in coordinating and managing the Project activities in the region;
- v) seek additional funding to support the outputs and activities of the Project;
- vi) raise issues and concerns, and generate regional status reports, for consideration at the GloBallast Global Project Task Force (GPTF) Meetings;

- vii) review and assess the progress of the Project and its components;
- viii) create mechanisms for interaction with the private sector (shipping, ports), NGOs and other stakeholders (e.g. public health) during the Project implementation; and
- ix) identify mechanisms for national and regional sustainability on ballast water management issues after the conclusion of GloBallast Partnerships.

3. **Mandate of the Regional Task Force in the context of implementing the Strategy and its relative Action Plan**

In the context of implementing the Strategy and its relative Action Plan, the Task Force should oversee, coordinate, and facilitate the work on:

- i) regular revision and updating of the Strategy and Action Plan in accordance with latest developments on ballast water control and management at the regional and global level, bearing in mind existing sub-regional cooperation;
- ii) promotion of harmonized approach when developing national legislation and procedures and promote regional cooperation when appropriate on ballast water control and management with the view to ensuring a harmonised approach consistent with the BWM Convention;
- iii) provision of a clearing house mechanism for information exchange on invasive aquatic species in ballast water in the region as well as on technical and administrative control measures taken nationally, regionally and worldwide;
- iv) development and delivery of a training programme for personnel involved in ships' ballast water control and management activities;
- v) promotion of measures designed to enhance the public awareness of ships' ballast water and invasive aquatic species issues;
- vi) coordination of national and regional surveys and monitoring activities of invasive aquatic species;
- vii) coordination of national and regional risk assessment activities including selection of the appropriate follow up measures and management responses;
- viii) promotion of research and development in the field of ballast water treatment techniques and technological methods of controlling the transfer of invasive aquatic species;
- ix) achieving a regional agreement on harmonized Compliance, Monitoring and Enforcement (CME) systems and providing guidance to countries for the adaptation and implementation of such systems at national level;
- x) identifying and securing adequate resources for implementing activities under the Strategy and its Action Plan from relevant Regional Organizations, Contracting Parties to the Barcelona Convention, regional and international

shipping and port industries, bilateral and multilateral donors and technical cooperation programmes;

- xi) ensuring the long-term sustainability and continuity of activities from self-financing sources within the region.

4. Establishment and functioning of the Regional Task Force

4.1 Establishment of the Task Force

- i) The Task Force is set up by the National Focal Points of the GloBallast Partnerships Project designated by the Contracting Parties to the Barcelona Convention.
- ii) The Task Force is established as a Working Group.
- iii) Working Group could decide to establish focus groups on specialized matters.

4.2 Composition of the Task Force

- i) The Task Force comprises the National Focal Points of GloBallast Partnerships Project or alternatively the designated representatives of a National Lead Agency identified by a Contracting Party.
- ii) The Task Force is also composed of and assisted by the relevant Organisations, namely the International Maritime Organisation (IMO), the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) and the Regional Activity Centre /Specially Protected Areas (RAC/SPA).
- iii) Representatives of major stakeholders (e.g. other interested regional agreements, industries, scientific communities, academia, NGOs, etc.) will be invited to attend the meetings of the Task Force as appropriate.

4.3 Chair and Secretary of the Task Force

- i) The representatives of countries members of the Task Force will chair the Task Force by rotation, starting with the GloBallast Lead Partnering Countries (LPCs) representatives during the first and second Chairmanship term.
- ii) The Regional Coordination Organization will serve as Secretary to the Task Force and to the Task Force meetings.

4.4 Modus operandi

- i) The Task Force and focus groups carries out its work by correspondence and by organizing technical subject meetings as appropriate.
- ii) The chair of the Task Force coordinates also the work done by correspondence and when the Task Force establishes focus groups, the Task Force will appoint the chair for the focus groups.

- iii) During the preparation and adoption of the Strategy and its Action Plan, the Task Force will meet three times (2008, 2010 and 2012) within the framework of GloBallast Partnerships Project.
- iv) In the longer term, meetings to evaluate the progress made in implementation of the Strategy and its Action Plan should be organized at least once a year,
- v) The Task Force should periodically examine and review as necessary the present Terms of Reference.

4.5 **Reporting**

- i) The Secretariat, on behalf of the Task Force, should report to the meetings of REMPEC Focal Points. The report should include appropriate recommendations and proposals on the progress of the project and on the implementation of the Strategy and its Action Plan.
- ii) The Secretariat, on behalf of the Task Force, should also report this progress at meetings of international bodies and fora.