

## SOUTH ASIAN SEAS PROGRAMME

### Agenda Item 5 (g)

#### PROGRAMME AREA: Areas of Co-operation with International Maritime Organization (IMO)

#### BACKGROUND

##### Introduction

The International Maritime Organization (IMO) has been associated with the South Asian Seas Programme since its formative stages. In addition to assisting SAS in the development of the Regional Oil Spill Contingency Plan they have assisted the SAS Secretariat in many other programmes.

##### a) Letter of Agreement with IMO

Following long negotiations with IMO, and following a recommendation at the 3<sup>rd</sup> IMM, in Thimphu in August 2005, SACEP/SAS signed a Letter of Agreement with IMO in December 2005. This agreement came into force in December 2005 following the formal approval by the IMO General Assembly

Terms of Agreement of Co-operation between The International Maritime Organization (IMO) and South Asia Co-Operative Environment Programme (SACEP) entailed the following main clauses

- 1 The 2 organisations will consult each other on matters of common interest to the two Organizations with a view to ensuring maximum co-ordination of the work and activities of the respective Organizations in respect of such matters.
- 2 Subject to such arrangements as may be necessary for safeguarding confidential information, the **Secretary-General of IMO** and the **Director General of SACEP** will exchange information and keep each other fully informed of projected activities and programmes of work in fields of common interest. Accordingly, when either Organization proposes to initiate a programme or activity on a subject in which the other has or may have a substantial interest, consultation will be initiated between the Organizations with a view to harmonizing their efforts as far as possible, taking into account their respective responsibilities and any decisions or wishes of the appropriate governing bodies of the respective Organizations.
- 3 The **Secretary-General of IMO** will invite the **Director General of SACEP** to send representatives to observe meetings or conferences convened by or under the auspices of **IMO** to consider matters in which **SACEP** has an interest, in accordance with procedures applicable to each meeting or conference. The **Director General of SACEP** will invite the **Secretary-General of IMO** to send observer to meetings or conferences convened by or under the auspices of **SACEP** to consider matters in which **IMO** has an interest, in accordance with the procedures applicable to each meeting or conference.
- 4 The **Secretary-General of IMO** and the **Director General of SACEP** may consult, where appropriate, on the use of personnel, material, services, equipment and facilities for joint undertakings which may be agreed between them in fields of common interest to **IMO** and **SACEP**
- 5 **IMO** will, at the request of **SACEP**, render assistance to **SACEP** with respect to matters within the scope of activities of **SACEP**; and **SACEP** will, at the request of **IMO**, render assistance to **IMO** in

matters falling within the scope of IMO's activities. Where assistance which is required by either party under the terms of this Agreement involves substantial expenditure, consultation will take place with a view to determining the most equitable manner for meeting such expenditure.

### MAJOR JOINT COLLABORATIVE ACTIVITIES SINCE 3<sup>RD</sup> IMM, August 2005

- A) Regional Seminar / Workshop on Ratification and Implementation of the OPRC-HNS Protocol, the AFS Convention and Identification and Establishment of PSSA's. Chennai, India – October 2005
- B) National OPRC Level 3 for Bangladesh (MED/SACEP), December 2005, Dhaka, Bangladesh
- C) Regional Workshop on The OPRC, OPRC/HNS Protocol, The BWM, AFS Conventions and PSSA's, Colombo, Sri Lanka, January 2006
- D) National OPRC Level 3 for Maldives (MED/SACEP), January 2006, Male. Maldives

Some of recommendations that have emerged from these activities are as follows:

#### 1. Participants to inform administrations of outcomes of workshops

- A. take action to inform of need to finalise preparation / consideration of acceptance of conventions addressed at this workshop, as appropriate
- B. consider needs to protect certain sensitive areas in relation to threats from international shipping
- C. need to finalise development and approval of NCPs, find resources to equip and resource NCP, as appropriate, commensurate to risk
- D. test and revise NCP (desktop and / or on-site) as needed
- E. update NCP as per Regional Contingency Plan

#### 2. South Asia Regional Contingency Plan

- A. MOU – Pakistan and Maldives to take appropriate action to obtain necessary approval / signatures (before June '06)
- B. Prepare position paper regarding establishment and resourcing of regional emergency Centre (SACEP)
- C. Pre-positioning of regional equipment-proposal
- D. Need to analyse regional legislation to check if updating is necessary (broader than oil/chemical spill)
- E. Preparatory Meeting of Senior Officials for review of RCP (July 2006)
- F. Meeting of Plenipotentiaries for signing of MOU back to back with first meeting of national focal points under Regional Plan (date TBD) for reviewing and updating RCP

#### 3. Other

- A. Possible National OPRC Level 2 and Level 3 Courses in India and Sri Lanka
- B. Possible Regional Workshop on London Convention/protocol (in conjunction with Scientific Group Meeting) and include GPA – LBAs

**E) Globallast Programme – Development of a South Asian Seas Plan**

SAS has been selected by IMO as a special area for the development of a South Asian Seas Plan for the promotion and implementation of the Globallast Programme of IMO

At the 1<sup>st</sup> South Asia Regional Meeting on Ballast Water Control and Management the Development of South Asian Seas Plan was discussed.

The meeting welcomed the ongoing activities of the GEF/UNDP/IMO Global Ballast Water Management Programme (GloBallast) and in particular its regional component

It recalled the 1992 United Nations Conference on Environment and Development (UNCED), in its Agenda 21, requested countries to consider the adoption of appropriate measures to prevent the spread of non-indigenous organisms, and further to the appeal, in its Declaration on Environment and Development, that States apply the precautionary approach according to their capabilities;

It noted that the Adoption of the International Convention on the Control and Management of Ships' Ballast Water and Sediments by IMO member States on 13 February 2004;

It also recognised the recent and ongoing significant increase in shipping activity in the seas of South Asia and the associated risks of new invasions of harmful species and pathogens;

The meeting agreed to the following

1. To adopt the Regional Strategy and Action Plan (SAP) for Ballast Water Management and Control in the South Asian Seas Region;
2. to designate National Lead Agencies and form inter-ministerial/cross-sectoral National Task Forces for ballast water control and management issues form a Regional Task Force (RTF) and adopt the Terms of Reference (ToR) for the RTF
3. To support the rapid entry into force and implementation of the International Convention on the Control and Management of Ships' Ballast Water and Sediments
4. recommended that the issue of invasive aquatic species and ballast water transfers be recognized and given priority by existing regional programmes such as SACEP, BOB LME and others and that related activities under these programmes be coordinated with the Regional SAP to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens in Ships' Ballast Water
5. It also recommended that participating countries, relevant regional programmes including SACEP, the GEF Bay of Bengal LME project and GloBallast, and multilateral donors such as World Bank, GEF, ADB, UNEP, UNDP, IMO and others consider funding and/or otherwise supporting the implementation of technical cooperation projects on ballast water control and management under the framework of the Regional Action Plan; &
6. That GEF, UNDP and IMO secure continuation and replication of the GloBallast Programme within the timeframe needed to ensure a seamless implementation of the International Convention on the Control and Management of Ships' Ballast Water and Sediments in the South Asian Region.

❖ **Follow up on Globallast Programme**

There have been recent discussions with Dr. Jose Matheickal, Project Co-ordinator in IMO

As a follow up to the initial Phase of this programme, IMO is currently developing a stakeholder consultation plan for the GloBallast Partnerships PDF-B process.

There is a possibility that some funds will be available for implementing some areas identified in the Regional Action Plan which was finalised at the Singapore Regional Meeting.

They will keep us posted of the developments.