BALTIC SEA ENVIRONMENT PROCEEDINGS

No. 26

ACTIVITIES OF THE COMMISSION 1987

Report on the activities of the Baltic Marine Environment Protection Commission during 1987 including the Ninth Meeting of the Commission held in Helsinki 15— 19 February 1988

HELCOM Recommendations passed during 1988

BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION
— HELSINKI COMMISSION —

For bibliographic purposes this document should be cited as:
Baltic Marine Environment Protection Commission
— Helsinki Commission —
1988
Activities of the Commission 1987
Including the Ninth Meeting of the Commission
held in Helsinki 15-19 February 1988
Baltic Sea Environment Proceedings No. 26

ISSN 0357-2994

Helsinki 1988. Government Printing Centre

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1. ACTIVITIES OF THE COMMISSION DURING 1987

1.1 Eighth Meeting of the Commission

During the eighth year of operation of the Helsinki Commission (HELCOM) the elaboration of further measures against pollution was continued.

The outcome of the eighth meeting of the Commission held in Helsinki 24-27 February 1987 has been published in the Baltic Sea Environment Proceedings No. 23.

Detailed information on the progress made since the eighth meeting of the Commission in the different substantive activities within the framework of the Baltic Marine Environment Protection Commission is given in the subsequent paragraphs.

1.2 Scientific-Technological Committee (STC)

The 14th meeting of the Scientific-Technological Committee (STC) was held in Schleswig, the Federal Republic of Germany, 21-25 September 1987. Delegations from all the Contracting Parties and an Observer from the International Council for the Exploration of the Sea (ICES), as well as the Chairman of the Maritime Committee (MC), Mr. Seppo Hildén, attended the meeting. The Executive Secretary, Professor Harald Velner, and the Maritime Secretary, Commander Fleming Otzen, also attended the meeting.

Mr. Lars Thorell of Sweden, the Chairman of the STC, acted as Chairman of the meeting, and Mr. Piotr Krzyzanowski of the Polish People's Republic, the Vice-Chairman of the STC, acted as Vice-Chairman of the meeting. Ms. Terttu Melvasalo, Scientific Secretary of the Commission, acted as Secretary of the Meeting

The Contracting Parties reported to the meeting on their scientific and administrative activities. The ICES Observer informed the meeting on the activities of ICES and especially on the progress in activities requested by the Helsinki Commission. Special attention was given to the scientific evidence which was strong enough to call for urgent action to review the HELCOM Recommendation concerning protection of seals in the Baltic Sea Area.

Baltic Monitoring Programme (BMP), Data Processing and Assessments

The meeting endorsed the proposals by the ad hoc Group of Experts on Monitoring (GEM) which had prepared contents of the Guidelines for the Third Stage of the BMP, which will start in January 1989. The Committee adopted preliminarily the coordinated time-table for the BMP cruises in 1988.

The STC was also informed of the establishment of the HELCOM Data Base for the BMP data, and made its proposals for further development and the use of the Data Base.

The Committee was also informed of the printing of the scientific background papers of the First Periodic Assessment, 1980-1985 (Baltic Sea Environment Proceedings No. 17 B), as well as of the outcome of the first meeting of the new group established for the preparation of the second periodic assessment (GESPA). The Delegates also informed the meeting about the progress in their projects in relation to preparation of national coastal assessments.

Monitorina of Radioactive Substances

The Committee received information on the progress of the work within the Group of Experts on Monitoring of Radioactive Substances in the Baltic Sea (MORS) and the cooperation with the International Atomic Energy Agency (IAEA).

The STC endorsed the proposals by the MORS in relation to its activities including e.g. collecting, storing and evaluation of radioactive environmental data as well as release data.

Airborne Pollution

The Committee discussed the report of the fourth meeting of the Group of Experts on Airborne Pollution of the Baltic Sea Area (EGAP) noting also that the proceedings of the Seminar on Diffusivity, Transport and Deposition Processes of Atmospheric Pollutants to the Baltic Sea (1986) had been published in "preprint copies" by the Commission.

The STC was informed of the outcome of the first stage of the intercomparisons and intercalibrations, and appreciated the information that Sweden will continue as coordinator also during the second stage of the intercomparisons and intercalibrations to be conducted in winter 1987-1988 and in summer 1988.

The Committee also appreciated the evaluation of airborne data 1983-1985 intended to be published in the Baltic Sea Environment Proceedings, and endorsed the plans of the expert group EGAP in relation to storing and further evaluation of data as well as collecting of relevant information especially concerning the methodology used.

The Committee also stressed the importance of international cooperation with ECE and the Paris Commission in the future work of the expert group on airborne pollution.

Control and Limitation of Discharges

The STC considered the outcome of the 10th meeting of the ad hoc Working Group on Criteria and Standards for Discharges of Harmful Substances into the Baltic Sea Area (WGS).

The meeting was informed of action taken by the Contracting Parties as Lead Countries for harmful substances as well as for projects considering the reduction of discharges branchwise. The

meeting was also informed of the outcome of the Joint Seminar on Oil Pollution Questions, held in Sweden in November 1986, coordinated by Finland and Sweden, the proceedings of which have been published by the Commission as Baltic Sea Environment Proceedings No. 22.

The Committee decided to submit draft HELCOM Recommendations concerning measures aimed at the reduction of nutrient discharges from agriculture, concerning measures aimed at the reduction of discharges from urban areas by the treatment of stormwater, concerning measures aimed at the reduction of discharges from urban areas by the use of effective methods in wastewater treatment, concerning the reduction of emission of lead from combustion of leaded gasoline, concerning antifouling paints containing organotin compounds, concerning measures aimed at the reduction of discharges from industry, and concerning offshore activities. The STC further decided that a draft HELCOM Recommendation be submitted after revision, concerning restriction of discharges from the pulp and paper industry.

The Committee further decided to submit a draft HELCOM Recommendation concerning protection of seals in the Baltic Sea Area, on which, however, Finland reserved its position with regard to the adoption of the draft Recommendation.

The STC, noting the importance of starting the consideration of effective methods to reduce discharges from industry, established an ąd hoç working group, Finland as Lead Country, to identify the relative priorities of various industrial branches and to make proposals according to the tasks given by the STC. The Committee also established a project for the consideration of matters related to the pulp and paper industry, for which Sweden was asked to act as Lead Country.

The STC was informed of the printing of the First Pollution Load Compilation as the Baltic Sea Environment Proceedings No. 20. The Committee decided to establish a project for the preparation of guidelines for the second pollution load compilation to be coordinated by the USSR.

The Committee further noted the importance of the problems concerning load from fish farming, and expressed the wish that Denmark would study its possibilities to act as Lead Country for matters related to fish farming.

Other activities in the field of the STC

The Committee was informed of the outcome of three informal expert meetings convened early in 1987, one dealing with Baltic Marine Environment Bibliography, one with Data Banking and one with Microbiology.

The STC, having been informed of the progress in joining the HELCOM Bibliography in an on-line data base, as decided by the Commission, endorsed the proposal that the character of the bibliography should be changed to cover not only pollution related literature, but all relevant environmental literature dealing with the Baltic Sea.

The Committee also noted that there is a need for consideration of matters related to oil pollution from offshore exploration and production, and appreciated the offer of the Federal Republic of Germany to act as Lead Country for matters related to oil pollution from offshore activities.

The STC considered the implementation of HELCOM Recommendations, and felt that one of the most important tasks of the Committee in future will be the follow-up of the implementation of the Recommendations. Therefore, the Committee initiated a process to harmonize an effective follow-up of the implementation of the Recommendations by asking the responsible country of each Recommendation adopted to make a proposal for a format to be used for this purpose.

The STC elected new Chairman, Mr. Piotr Krzyzanowski of Poland and two Vice-Chairmen, Mr. Ain Lääne of the USSR and Mr. Mike Robson of Denmark, for the next two-year period.

1.3 Maritime Committee (MC)

The Maritime Committee held its 13th meeting in Schleswig, the Federal Republic of Germany, 14-18 September 1987. Delegations from all the Contracting Parties attended the meeting. The Chairman of the Scientific-Technological Committee (STC), Mr. Lars Thorell, the Executive Secretary of the Commission, Professor Harald Velner and the Scientific Secretary, Ms. Terttu Melvasalo also attended the meeting.

Mr. Seppo Hildén of Finland, Chairman of the MC, acted as Chairman of the meeting and Mr. Rudolf Lammel of the German Democratic Republic, Vice-Chairman of the MC, acted as Vice-Chairman of the meeting. Commander Fleming Otzen, the Maritime Secretary of the Commission, acted as Secretary of the meeting.

Reception Facilities

The Committee considered the results of the deliberations at the Informal Working Group Meeting on Reception Facilities and it was the opinion of the Committee that the future work on reception facilites would be facilitated by the establishment of a working group on this subject under the Maritime Committee.

The Committee consequently proposed the Commission to convene the envisaged Working Group in April-May 1988 to consider such topics related to reception facilities as identified by the Committee.

The Committee felt that the first edition of the booklet "Reception of Wastes from Ships in the Baltic Sea Area – a MARPOL 73/78 Special Area" would be of great use to the shipping industry and the Committee proposed the Commission that the booklet should be published in the Baltic Sea Environment Proceedings in the latter part of 1988.

The Committee also considered the draft general requirements for reception of wastes as prepared by the Informal Working Group

Meeting. The Committee requested the Secretariat to prepare a draft HELCOM Recommendation on those requirements for consideration at the first meeting of the working group on reception facilities.

When discussing discharges from reception facilities the Committee concluded that such discharges should be regulated in the same way as other comparable discharges from land-based sources which were under the auspices of the STC.

Matters Related to Oil

The Committee considered the questions raised by the ad hoc group meeting of the HELCOM seminar on oil pollution questions relating to the use of chemicals for cleaning cargo tanks on board tankers and to analytical methods relating to identification of ships offending against MARPOL 73/78 and the Helsinki Convention. The Committee concluded that matters relating to identification of offending ships were included in the Long-Term Work Plan for the MC. Regarding the use of chemicals for cleaning purposes the Committee decided as a first step to investigate the magnitude of the use of such chemicals in the merchant fleets of the Baltic Sea States at its next meeting.

The Committee further discussed and decided upon joint actions by the Baltic Sea States within IMO in relation to revision of the Oil Record Book and the IOPP Certificate as well as to oil sludge (sludge tanks, pumping, piping and discharge arrangement in machinery spaces and systems for incineration of sludge).

Measures to Abate Harmful Effects from Pleasure Craft Activities

The Committee updated the compilation of national information on the application of the Helsinki Convention's provisions to pleasure craft as well as the number of pleasure craft in the Baltic Sea Area. The Committee further agreed to a draft HELCOM Recommendation concerning guidelines for the establishment of

national counter pollution measures regarding pleasure craft for submission to the ninth meeting of the Commission.

Matters Related to Noxious Liquid Substances Carried in Bulk

The Committee discussed matters relating to a possible prohibition of transportation of non-categorized noxious liquid substances carried in bulk and the Committee held the opinion that the prohibition of such transportation should be initiated via an amendment to MARPOL 73/78 Annex II. However, it was felt that the adoption of such a prohibition would create great problems as international agreements had not yet been reached as to wether certain already transported chemicals should be handled under the provisions of Annex I or under the provisions of Annex II of MARPOL 73/78. The Committee felt that it would be premature to initiate such international action and the Committee decided to discuss the matter further at its next meeting.

The Committee exchanged national information on experience gained from surveying chemical tankers under Regulation 8 (l)(a) of Annex II of MARPOL 73/78 as well as the Committee elaborated a compilation of national authorities responsible for provisional classification of noxious liquid substances carried in bulk.

Traffic Under Winter Conditions

On the basis of a submission by Finland on the follow-up work on the grounding of the oil tanker ANTONIO GRAMSCI in February 1987 the Committee considered possible initiatives relating to maritime safety in connection with traffic under winter conditions.

These initiatives focused on the carriage of pilot cards and wheelhouse posters in existing tankers of 100 meters or above in length as well as of the desirability of Vessel Traffic Services (VTS) in those areas where risk for accidents were considered to be great.

The Committee could not support initiatives relating to pilot cards and wheelhouse posters in existing tankers only on a regional level and it was further envisaged that a proposal for international application would meet great difficulties within IMO.

Regarding regional VTS systems the Committee requested the Contracting Parties to investigate the need for such systems and submit information on the investigation to the next meeting of the Committee.

Baltic Maritime Co-ordinating Meeting (BMCM), MEPC

The first meeting of the BMCM was scheduled to take place in London on 29 November 1987 hosted by the USSR Delegation to MEPC 25 with the aim to discuss matters which would be subject to co-ordination between the Baltic Sea States in connection with MEPC 25. The Committee agreed to a list of such topics which should be included in the Agenda for BMCM, inter alia, discharge of clean ballast, oil soaked rags, oil sludge and the Emergency Cargo Transfer System (ETS).

The Committee further agreed to certain procedural matters relating to BMCM meetings e.g. chairmanship, secretarial functions and reporting procedures.

Action Programme/Long-Term Work Plan

The Committee adopted the Long-Term Plan for the Work of the Maritime Committee as revised by the informal working group meeting in Hamburg in May 1987 with minor amendments and the Committee proposed the ninth meeting of the Commission to approve the amended Long-Term Plan.

The Committee further approved the List of Activities and Target Dates and proposed the Commission to approve the list under the assumption that the list will be updated annually by the Maritime Committee while the Long-Term Plan for the Work of the MC would need no amending for a longer period of time.

Other Activities in the Field of the MC

The Committee also discussed matters relating to improvement of the quality of some heavy marine fuels through the establishment of environmentally based quality standards within competent international bodies.

The Committee further discussed matters relating to control measures and investigation of violation and the Contracting Parties were requested to submit information on the topics contained in the Long-Term Work Plan relating to this issue as well as to submit proposals for future work in relation to these topics.

The present Chairman of the MC, Mr. Seppo Hildén of Finland, informed the Committee that he would not be prepared for re-election for a new two-year period. The Committee expressed its gratitude to Mr. Seppo Hildén for having chaired the MC for five years in such a succesful way. It was further stated that in the maritime field the Committee had already reached a lot of its aims, which to a very high degree were the achievements of Mr. Hildén.

The Committee elected Dr. Peter Ehlers of the Federal Republic of Germany as Chairman of the MC for the next two-year period. The present Vice-Chairman of the MC, Mr. Rudolf Lammel of the German Democratic Republic, was re-elected for the next two-year period.

1.4 Combatting Committee (CC)

The Combatting Committee held its 11th meeting in Copenhagen, Denmark, 13-16 October 1987. Delegations from all the Contracting Parties attended the meeting. The Chairman of the Maritime Committee (MC), Mr. Seppo Hildén, the Executive Secretary of the Commission, Professor Harald Velner, and the Scientific Secretary, Ms. Terttu Melvasalo also attended the meeting.

Professor Jerzy W. Doerffer of Poland, Chairman of the CC, acted as Chairman of the meeting and Commander Preben Stamp of Denmark, Vice-Chairman of the CC, acted as Vice-Chairman of the meeting. Commander Fleming Otzen, the Maritime Secretary of the Commission, acted as Secretary of the meeting.

Matters related to the National Contingency Organizations

The Committee considered the national summaries of spillages for the calendar year 1986 and concluded that the decreasing trend in the number of reports and observations of oil spills as well as actual oil spills deducted from the national summaries for 1985 had continued during 1986.

The Committee held the opinion that the format presently used for reporting on national summaries of spillages did not fully present the expected information relating to remote sensing activities, the amount of spilled oil, offenders and prosecution of offenders as well as the kind of spillages. In order to investigate how these topics could be more clearly illustrated in the format the Federal Republic of Germany undertook to evaluate the information contained in the formats so far submitted to the CC and to make the necessary proposal for any amendments to the formats at the next meeting of the Committee.

The Committee discussed the two major oil pollution accidents which had occured since the last meeting of the Committee, the grounding of the Swedish oil tanker THUNTANK 5 in December 1986 in the Swedish archipelago and the grounding of the USSR tanker ANTONIO GRAMSCI in February 1987 in the Gulf of Finland. The actions taken by the Committee as a follow-up on these accidents are described under the following section relating to oil combatting operations.

Taking into consideration that the filled-in format for 1986 submitted by Denmark contained information on an emergency jet fuel dumping from a commercial airplane amounting to 120 m^3, the Committee requested the STC to take such emergency jet fuel

dumpings into consideration when considering matters relating to airborne pollution. No pollution on the sea had been observed following the accident.

Oil Combatting Operations, Operative and Technical Aspects

The Committee considered a compilation prepared by the Federal Republic of Germany of the comments received on the feasibility of the methods for ranking of dispersants for combatting of oil pollution elaborated by the Contracting Parties to the Bonn Agreement. The Committee felt that since the table of acceptable dispersants as established by the Bonn Agreement could not be made available to the CC the elaboration of a similar table for the Baltic Sea Area should be elaborated. The Federal Republic of Germany undertook to act as Lead Country for the further work on the application of dispersants in the Baltic Sea Area and the need of a special ranking scheme with an approved list of dispersants.

The Committee further discussed matters related to identification of oil spills and the Federal Republic of Germany undertook to prepare a consolidated paper on the Deutsches Hydrographisches Institut (DHI) method for identification of oil spills. The paper would also address more general aspects relating to oil identification and would be submitted to the Contracting Parties before the end of 1987.

The Committee was informed on the experiences gained from the joint Finnish/USSR combatting operation following the grounding of the oil tanker ANTONIO GRAMSCI. The clean-up operation had been hampered by the prevailing ice conditions and only approximately 125 tons had been recovered of the escaped 580 tons of oil.

From the experiences gained during the clean-up operation it was concluded that no effective methods for combatting oil under ice conditions were available for the time being, and that the data obtained regarding response operations proved to be insufficient

for performing a comprehensive analysis of the oil behaviour, the work of the task group vessels and the specific equipment.

The Committee decided to consider at its next meeting the results of the research concerning the development of oil combatting methods for ice conditions initiated by Finland following the ANTONIO GRAMSCI accident. The research would, inter alia, contain trials in a model tank where ice in oil could be introduced and the trials could take place under relevant temperature conditions.

The Committee was informed on the experiences gained by the Swedish Coast Guard when recovering oil from the sea-bed in connection with the grounding of the oil tanker THUNTANK 5. The Committee concluded that an investigation of the sea-bed should be made after each accident involving escape of oil, and Sweden undertook to prepare a document on such a procedure for consideration at the next meeting of the Committee.

The Committee also decided to consider at its next meeting the procedure for establishing predictions of such spill situations where oil can be expected to sink to the bottom. Such predictions should be based on a practical approach by investigations after spillages as well as a theoretical approach relating to the oil type and weather conditions.

The Committee received information on ongoing and planned exploration and expolitation activities in the Baltic Sea Area which indicated an increasing trend in these activities.

The Committee felt a need for a HELCOM Recommendation addressing contingency measures relating to off-shore installations and a draft recommendation prepared by Denmark was preliminary discussed during the meeting. The Committee decided to request the Contracting Parties to comment on the draft recommendation before 31 May 1988 and Denmark undertook to submit to CC 12 the draft recommendation as amended according to the comments received.

Combatting of Spillages of Harmful Substances Other than Oil

The Committee considered the report of the third meeting of the ad hoc Group on Combatting Spillages of Harmful Substances Other than Oil (CC CHEM) and endorsed the actions taken by the Working Group, inter alia, the elaboration of a revised inventory based on the data collected in 1987, the elaboration of a final classification scheme, the revision of the present risk analysis and the preparation of data sheets for transported chemicals.

The Committee decided to reconvene the Working Group for a fourth meeting in Copenhagen, 6-8 June 1987, according to the authorization given to the Committee by the Commission, and the Committee also agreed on a list of substantive items for that meeting.

The Committee further agreed that questions related to harmful substances in packaged forms should be addressed by the CC CHEM, and the Committee requested CC CHEM 5 to work out a time schedule for the future work in this field.

Exercises

The Committeee considered the results of the alarm exercise initiated by Denmark in April 1987 as Lead Country. The Committee concluded that although such exercises had been executed for a number of times the lessons learned concerning the use of right reporting systems, the updating of listed telex numbers and the instructions for national contact points still call for regular execution of these exercises with the appointment of a Lead Country and with the participation of all Contracting Parties.

The Committee decided that the alarm exercise in 1988 should take place in April preceding the bilateral joint Danish/Federal Republic of Germany exercise (DENGER) and the exercise should be initiated by the Federal Republic of Germany.

The Committee further decided that a joint Danish, Federal Republic of Germany and Swedish operational exercise should take place in conjunction with the above mentioned DENGER exercise. Finland and the USSR undertook to investigate the possibilities to initiate a joint exercise which should take place in conjunction with CC 12.

The Committee finally emphasized the importance of a more frequent initiation of joint exercises in the future.

Long-Term Plan for the Work of the CC

The Committee adopted the Long-Term Plan for the Work of the Combatting Committee as revised by the informal working group meeting in Hamburg in May 1987 with minor amendments, and the Committee proposed the ninth meeting of the Commission to approve the amended Long-Term Plan.

The Committee further approved the List of Activities and Target Dates and proposed the Commission to approve the list under the assumption that the list will be updated annually by the Combatting Committee while the Long-Term Plan for the Work of the CC would need no amending for a longer period of time.

War Gas Ammunition

For consideration by the eighth meeting of the Commission Denmark had submitted information on a project on the ways and means of separating and destroying war gas ammunition. The Commission requested the Combatting Committee to consider the information submitted by Denmark and advise the Commission on the future procedure for handling the war gas question within the Commission context.

The Committee had a thorough discussion of the technical and legal aspects emerging from the Danish project.

The Committee reached the conclusion that the pyrolysis process in the project description should be considered as an incineration at sea.

The Committee recognized that the Helsinki Convention does not explicitly deal with incineration at sea while the London Dumping Convention and the Oslo Convention had been amended to also cover this aspect. This could lead to the conclusion that also the Helsinki Convention should be amended to explicitly regulate incineration at sea, and the Committee proposed to the Commission to further pursue this matter.

The Committee held the view that in case it should be decided to procede with the Danish project, the adoption of a protocol of understanding of the acceptability of the proposed disposal method would be necessary.

The Committee finally concluded that there is no feasible solution for the final disposal of war gas ammunition available at present. In order to solve the present practical problems the Committee proposed the Commission to decide that war gas ammunition caught by fishermen's activities and possibly representing a risk to human health could be redisposed in the sea in accordance with the established procedures.

Cooperation with the Bonn and Copenhagen Agreements

The Committee received information on the activities within the Bonn and Copenhagen Agreements, and the Committee expressed its gratitude for the offer submitted by the Copenhagen Agreement to the Helsinki Convention to participate with observers and, if possible, combatting vessels in the joint operational exercise between Denmark, Norway and Sweden which was scheduled to take place in June 1988. The Committee further recommended the Contracting Parties to participate in the exercise to the extent possible.

Other Activities in the Field of the CC

The Committee was informed on the status of the national airborne surveillance activities as well as on the national plans for future such activities. An increase in the airborne surveillance activites with remote sensing equipment in the Baltic Sea Area could be expected in the coming years.

The Committee further recieved information on national training courses for combatting personnel and that some of these courses would be open for participation by combatting personnel from other Contracting Parties.

The present Chairman of the CC, Professor Jerzy W. Doerffer of Poland, informed the Committee that he would not be prepared for re-election for a new two-year period. The Committee expressed its gratitude to Professor Jerzy W. Doerffer for having chaired the CC for four years in such a succesfull way. As the first permanent Chairman of the CC Professor Doerffer had succeeded in expanding and intensifying the work within the combatting field, which had been acknowledged by the Commission by giving committee status to the former Expert Group on Co-operation in Combatting Matters.

The Committee elected Commodore Sven Uhler of Sweden as Chairman of the CC for the next two-year period. The present Vice-Chairman of the CC, Commander Preben Stamp of Denmark, was re-elected for the next two-year period.

2. ADMINISTRATION OF THE COMMISSION DURING 1987

Professor Harald Velner acted as Executive Secretary, Dr. Terttu Melvasalo and Commander Fleming Otzen correspondingly as Scientific and Maritime Secretaries of the Commission. The other members of the staff of the Commission were assistants Ritva Kostakow-Kämpe, Teija-Liisa Lehtinen, Marjaliisa Inha (until 12 January 1987), Marina Stangebye (from 14 January until 21 April 1987), Leena Heikkilä (as from 1 May 1987), Jukka Kosonen (until 30 September 1987), and Håkan Blomberg (as from 22 September 1987).

The contributions of the Contracting Parties to the costs of the Commission is based on equal shares of the seven Contracting Parties. In addition, the Government of Finland has paid an extra contribution to cover the rent of the office, communication and equipment expenses and a part of the salaries of the office staff.

The distribution of expenses of the Commission during the fiscal year from 1 July 1986 to 30 June 1987 was approximately as follows:

Meetings		310 000
Salaries		1 300 000
Other administration		1 210 000
Consultant Services		280 000
Publications		170 000
Total	FIM	3 270 000

The Executive Secretary was Secretary General of the Commission meetings and conducted the work of the Secretariat.

The meetings of the STC and the MC were held outside Finland, in Schleswig, the Federal Republic of Germany. The meeting of the CC was held in Copenhagen, Denmark. All the meetings were organized excellently and activated the efforts of the national authorities. Information about actual activities of the Commission have been launched by use of press, radio and TV.

The meeting of the Chairmen of the Commission and its subsidiary bodies and representatives of the Secretariat (CASH) was organized with the help of national authorities in Schleswig, the Federal Republic of Germany in conjunction with the MC meeting. During the CASH meeting the strategy of the future work of the Commission and the preparatory work for the Ninth Meeting of the Commission at Ministerial level a.o. were discussed.

The Scientific Secretary made the necessary preparations and acted as Secretary General of the following meetings:

- the Informal Expert Meeting on Microbiology, Helsinki, 28-30 January 1987
- the Informal Expert Meeting on Data Banking, Helsinki, 2-4 February 1987
- the Informal Expert Meeting on Baltic Marine Environment Bibliography, Helsinki, 4-6 February 1987
- the third meeting of the ad hoc Group of Experts on Monitoring (GEM), Copenhagen, Denmark, 6-9 April 1987

- the fourth meeting of the Group of Experts on Airborne Pollution of the Baltic Sea Area (EGAP), Helsinki, 27-30 April 1987
- the second meeting of the Group of Experts on Monitoring of Radioactive Substances in the Baltic Sea (MORS), Risø, Denmark, 5-8 May 1987
- the 10th meeting of the ad hoc Working Group on Criteria and Standards for Discharges of Harmful Substances into the Baltic Sea Area (WGS), Helsinki, 11-14 May 1987
- the first meeting of the ad hoc Group of Experts for the Preparation of the Second Periodic Assessment (GESPA), Kiel, the Federal Republic of Germany, 25-28 August 1987
- the 14th meeting of the Scientific-Technological Committee (STC), Schleswig, the Federal Republic of Germany, 21-25 September 1987

The Scientific Secretary has also carried out tasks related to the implementation and follow-up of the decisions concerning matters in the scientific-technological field.

The Maritime Secretary made the necessary preparations and acted as Secretary General of the following meetings:

- the informal meeting to consider the revision of the long-term strategy of the MC, Hamburg, the Federal Republic of Germany, 4-6 May 1987,
- the informal meeting to consider the revision of the long-term strategy of the CC, Hamburg, the Federal Republic of Germany, 7-8 May 1987,
- the 3rd meeting of the ad hoc Working Group on Combatting Spillages of Harmful Substances Other than Oil (CC CHEM), Turku, Finland, 4-5 June 1987,
- the Informal Working Group Meeting on Reception Facilities (IWGM RF), Helsinki, Finland, 17-20 August 1987,
- the 13th meeting of the Maritime Committee (MC), Schleswig, the Federal Republic of Germany, 14-18 September 1987,
- the 11th meeting of the Combatting Committee (CC), Copenhagen, Denmark, 13-16 October 1987, and
- the 1st meeting of the Baltic Maritime Co-ordinating Meeting (BMCM), MEPC, London, United Kingdom, 29 November 1987.

The Maritime Secretary has also carried out tasks related to the implementation and follow-up of the decisions concerning matters in the maritime and combatting fields.

Mr. Janusz Gasiorowski, Head of Maritime Law Department in Maritime Institute, Gdansk, Poland, made the necessary preparations and Mr. Jerzy Mloynarczyk, Director of the Marine Institute in Gdansk, Poland, acted as Chairman of the Fourth Informal Expert Workshop on Article 17 of the Helsinki Convention which was held in Gdansk, Poland, on 25 June 1987.

Publications and Data

In accordance with the decision of the Commission the following volumes of the Baltic Sea Environment Proceedings have been published:

No. 20 First Baltic Sea Pollution Load Compilation

No. 21 Seminar on Regulations contained in Annex II of MARPOL 73/78 and Regulation 5 of Annex IV of the Helsinki Convention; National Swedish Administration of Shipping and Navigation; 17-18 November 1986, Norrköping, Sweden

No. 22 Seminar on Oil Pollution Questions; 19-20 November 1986, Norrköping, Sweden

No. 23 Activities of the Commission 1986; Including the Eighth Meeting of the Commission held in Helsinki 24-27 February 1987

No. 17B First Periodic Assessment of the State of the Marine Environment of the Baltic Sea Area, 1980-1985; Background Document

No. 24 Progress Reports on Cadmium, Mercury, Copper and Zinc

No. 25 Seminar on Wastewater Treatment in Urban Areas; 7-9 September 1986, Visby, Sweden

The informative brochure "Clean Seas Guide - The Baltic Sea Area, a MARPOL 73/78 Special Area" was published in August 1987. The brochure addresses mariners trading in the Baltic Sea Area.

The Baltic Marine Environment Bibliography for 1980-1985 was distributed to the Baltic Sea States in microfiche form in March 1987.

The existing Baltic Monitoring Programme data was submitted to the Contracting Parties on magnetic tapes and microfiches in August 1987.

Amendments No. 6 to Volumes I and II of the Manual on Co-operation in Combatting Marine Pollution were published in December 1987.

Furthermore, data submitted by the Contracting Parties on airborne pollution and radioactive substances have been distributed during 1987.

The United Nations Statistical Commission and Economic Commission for Europe (ECE) in cooperation with the Helsinki Commission prepared and published in 1987 an experimental compendium on the Environment Statistics in Europe and North America, part two; Statistical Monograph of the Baltic Sea Environment.

Under preparation are the following publications: Fish assessment, Plankton sheets, Guidelines for the Third Stage of the BMP, Evaluation of airborne pollution data 1983-1985.

The booklet "Reception of Wastes from Ships in the Baltic Sea Area – a MARPOL 73/78 Special Area" is being finally edited and will be published in the latter part of 1988.

Cooperation with other International Organizations

The following organizations were observers of the Commission during 1987:

- United Nations Environment Programme (UNEP)
- United Nations Economic Commission for Europe (ECE)
- International Maritime Organization (IMO)
- World Health Organization, Regional Office for Europe (WHO/EURO)
- Oslo and Paris Commissions (OSCOM/PARCOM)
- International Baltic Sea Fishery Commission (IBSFC)

- International Council for the Exploration of the Sea (ICES)
- International Atomic Energy Agency (IAEA)
- World Meteorological Organization (WMO)

In addition to the representation of the observer organizations at the meetings of the Commission a representative of ICES attended the 14th meeting of the STC, the 1st meeting of GESPA, and the 3rd meeting of GEM, a representative of UNEP attended the Second Seminar on the Waste Water Treatment in Urban Area, Visby, Sweden, a representative of the Paris Commission attended the 4th meeting of EGAP and a representative of IAEA attended the second meeting of MORS. A representative of the Baltic Marine Biologists (BMB) attended the meetings of GESPA 1 and GEM 3.

The Commission was represented by Mr. Pekka Niskanen of Finland at the 13th session of the IBSFC in Warsaw, Poland, 21-26 September 1987, by Dr. Matti Perttilä of Finland at the Joint ICES/OSPARCOM/HELCOM Assessment Group on Monitoring (Study Group of ICES Baseline Study on Contaminants in Fish and Shellfish 1985), 9-13 February 1987 in Copenhagen, by Dr. Erik Nyström of Sweden at the meeting of the oil group of the Paris Commission, 3-5 February 1987 in the Hague, by Dr. Paavo Tulkki of Finland at the meeting of ICES Working Group on Baltic Marine Environment, 30 March - 3 April 1987 in Copenhagen, Denmark, by Dr. Juha-Markku Leppänen of Finland at the Workshop of ICES dealing with the results of the PEX-study, 18-23 May 1987 in Vilnius, USSR, by Dr. Björn Södermark of Sweden at the fifth meeting of the Paris Commission working group on Atmospheric Input of Pollutants to Convention Waters, 10-12 November 1987, Berlin, and by Mr. Mukul Ghildiyal of Sweden at the International Symposium on Reception Facilities for Noxious Liquid Substances in London, United Kingdom, 13-15 May 1987.

The Executive Secretary represented the Commission at the ninth meeting of the Paris Commission and at the ninth Joint Meeting of the Oslo and Paris Commissions in Cardiff, Great Britain, l-5 June 1987, at the 20th Conference on Water Pollution Problems in Aachen, the Federal Republic of Germany, 11-12 March 1987, at

the XVI Meeting of GESAMP, Rome, Italy, 31 March and 1 April 1987, at the IAWPRC Symposium on Forest Industry Wastewaters, Tampere, Finland, 9-10 June 1987, at the Second Seminar on Wastewater Treatment in Urban Areas, Visby, Sweden, 7 September 1987 and at the Second Meeting of the Working Group on Nutrients of the Paris Commission, Stockholm, Sweden, 27 October 1987.

The Executive Secretary visited Denmark, the German Democratic Republic, the Federal Republic of Germany, Poland, Sweden and USSR and discussed with the representatives of the national authorities the ways and strategy of further cooperation between the Baltic Sea States especially concerning the preparations of the Ninth Meeting of the HELCOM at Ministerial level.

The Scientific Secretary represented the Commission at the 12th JMG meeting of the Oslo and Paris Commissions in Berlin, the Federal Republic of Germany, 20-23 January 1987, in the Symposium on Evaluation of the Pollution Load in Tallinn, USSR, 10-13 August 1987, in the Symposium and Committee meeting of the Baltic Marine Biologists in Kiel, the Federal Republic of Germany, 29-30 September 1987 and ICES Statutory Meeting in Santander, Spain, l-6 October 1987.

The Maritime Secretary represented the Commission at the 24th and the 25th sessions of IMO's Marine Environment Protection Committee (MEPC) in London, United Kingdom, 16-20 February and 30 November - 4 December 1987 respectively as well as in the XVII meeting of the Contracting Parties to the Copenhagen Agreement in Sundsvall, Sweden, 25-27 August 1987 and at the joint Finnish/Swedish operational combatting exercise, Ålex 87, 2-3 June 1987.

3. NINTH MEETING OF THE COMMISSION, 15-19 FEBRUARY 1988

The Helsinki Commission held its ninth meeting in Helsinki at ministerial level from 15 to 19 February 1988. The meeting was attended by Delegations from all the seven Baltic Sea States as well as by Observers from the following international

organizations: International Baltic Sea Fishery Commission (IBSFC), International Council for the Exploration of the Sea (ICES), International Maritime Organization (IMO), the Oslo and Paris Commissions (OSCOM and PARCOM), the United Nations Environment Programme (UNEP), and the World Meteorological Organization (WMO), the Nordic Council and the Nordic Council of Ministers. The meeting was chaired by the Chairman of the Commission, Mr. Jerzy Vonau from Poland. Professor Harald Velner, the Executive Secretary of the Commission, acted as Secretary General of the Meeting.

During the Meeting a Declaration on the Protection of the Marine Environment of the Baltic Sea Area was signed by the Ministers responsible for the environmental protection in the Baltic Sea States. The Commission requested its three Committees to take all necessary follow-up actions on the items in the Declaration as matters of priority in the future work of the Committees. The Declaration is attached to this Report.

The Commission decided upon matters related to technological, scientific, maritime and legal problems on the protection of the Baltic Sea. The preparatory work had been done during the intersessional period by the three subsidiary bodies (STC, MC and CC), several working groups, symposiums and also informal expert meetings.

HELCOM Recommendations adopted by the ninth meeting of the Commission

The Commission adopted at ministerial level six HELCOM Recommendations concerning the protection of the Baltic Sea from land-based sources. These Recommendations aim at the following actions:

- further measures aiming at the protection of seals in the Baltic Sea Area (9/1);
- further measures aiming at the reduction of discharges from urban areas, especially nitrogen compounds by the use of effective methods in waste water treatment (9/2);
- measures aimed at the reduction of nutrient discharges from agriculture (9/3);

- reduction of emissions of lead from combustion of leaded gasoline (9/4);
- environmental protection measures relating to exploration and exploitation of the sea-bed and its subsoil (9/5);
- restriction of discharges from pulp and paper industry (9/6);

Furthermore, the Commission adopted five HELCOM Recommendations concerning

- guidelines for the Baltic Monitoring Programme for the next five-year period starting in 1989 (9/7). The use of satellite pictures in further monitoring was endorsed ;
- matters concerning principles for reduction of discharges from industry (9/8);
- measures aimed at the reduction of discharges from urban areas by the treatment of stormwater (9/9), which supersedes HELCOM Recommendation 7/5;
- the ban of antifouling paints that contain organotin compounds for pleasure craft and fish net cages (9/10);
- guidelines for the establishment of national counter pollution measures regarding pleasure craft (9/11).

All HELCOM Recommendations adopted by the ninth meeting of the Commission are attached to this report.

Matters related to the administration of the Commission

The Commission adopted the budget for the fiscal year 1988-89 of the order of FIM 3.7 million. The Commission was informed by Sweden that the Chairman of the Helsinki Commission during the next two-year period, starting in July 1988 will be Ambassador Göte Svenson, and the Vice-Chairman Ms. Eva Smith.

The Commission nominated a new Executive Secretary, the present Maritime Secretary, Commander Fleming Otzen from Denmark, to succeed Professor Harald Velner, whose term of office will expire 31 July 1988.

The new Maritime Secretary, Mr. Lars Thorell from Sweden, will also commence his duties on 1 August 1988. The term of office of the present Scientific Secretary, Ms. Terttu Melvasalo of Finland will expire on 30 June 1990.

The Commission also noted the great importance of further steps needed in order to reduce land-based pollution. A new post of Technological Secretary was established and Mr. Vassili Rodionov from the USSR was nominated to the post as from 1 August 1988.

The Commission noted that the workload on matters related to limitation and control of discharges from land-based sources into the Baltic Sea Area is growing in a highly specialized way (branchwise approach) and decided that the ąd hoç Group of Experts on Criteria and Standards (WGS) become Working Group of the STC.

The Commission noted that cooperation with other international organizations had been active, especially with the Oslo and Paris Commissions, the International Council for the Exploration of the Sea (ICES), the Bonn Agreement, the International Maritime Organization (IMO), the United Nations Environment Programme (UNEP), the World Meteorological Organization (WMO), the Economic Commission for Europe (ECE) and the International Atomic Energy Agency (IAEA).

The Commission took note, with appreciation of the results of the project carried out by the ECE in cooperation with the Helsinki Commission. The results were published in 1987 (ECE/UN Publication: Statistical Standards and Studies No. 39; Environment Statistics in Europe and North America; An experimental compendium; Part two: Statistical monograph of the Baltic Sea environment).

Matters related to the Scientific-Technological Committee (STC)

The Commission approved the report of the 14th meeting of the STC in general. The substantive items from the report are described in detail under Chapter 1.2 of this Report.

When considering the report, the Commission e.g. endorsed the proposal by the Committee with regard to collection, storing and evaluation of data, gathered on the basis of the Baltic Monitoring Programme and environmental data on radioactive substances. The action taken in the establishment of the data bank for the data of the Helsinki Commission was endorsed by the Commission. The Commission also endorsed action related to storing and evaluation of airborne pollution data.

The Commission considered questions related to the monitoring programme and adopted a Recommendation concerning Guidelines for the Third Stage of the Baltic Environmental Programme.

The Commission welcomed the action taken by the STC to start further work for the preparation of new pollution load compilations. The Commission also considered the state of preparations of the progres reports on harmful substances presented by Lead Countries and adopted Recommendations in addition to those adopted in conjunction with the Ministerial Declaration.

The Commission also took note of the decision of the STC on the new Chairman and Vice-Chairmen of the Committee.

Matters related to the Maritime Committee (MC)

The Commission approved the Report of the 13th Meeting of the Maritime Committee in general. The substantive items from the report are described in detail under chapter 1.3 of this publication.

when considering the substantive items emerging from the Report the Commission, inter alia, endorsed the opinion of the MC that the booklet on reception facilities would be of great use to the shipping industry and decided that the first edition of the booklet should be published in the Baltic Sea Environment Proceedings in the latter part of 1988. The Commission further took note of the establishment of an Informal Working Group on Reception Facilities under the auspices of the MC as well as the

tentative list of substantive items for the first meeting of the Informal Working Group.

The Commission concurred with the MC's proposal that a draft HELCOM Recommendation on general requirements for reception of wastes should be prepared by the Secretariat, and the Commission further endorsed the opinion of the MC that discharges from reception facilities should be regulated in the same way as other comparable discharges from land-based sources.

The Commission approved the Long-Term Plan for the Work of the MC and decided to make it public and have it published in the Baltic Sea Environment Proceedings. The Commission further approved in principle the List of Activities and Target Dates, which should be revised annually by the MC.

Matters related to the Combatting Committee (CC)

The Commission approved the Report of the Eleventh Meeting of the Combatting Committee in general. The substantive items from the Report are descibed in detail under chapter 1.4.

When considering the substantive items emerging from the Report the Commission, inter alia, endorsed the work plan for the CC's coming work on matters related to noxious liquid substances carried in bulk and further requested CC 13 to submit a proposal for the future work related to harmful substances in packaged forms for consideration by the Commission at its eleventh meeting.

The Commission approved the Long-Term Plan for the Work of the CC and decided to make it available to the public and have it published in the Baltic Sea Environment Proceedings. The Commission further approved in principle the List of Activities and Target Dates, which should be revised annually by the CC.

The Commission had a thorough consideration of a range of aspects related to the final disposal of war gas ammunition. The Commission concluded that no feasible solution for disposal was

available at present. Taking into consideration that the dumped war gas ammunition was not a serious threat to the marine environment the Commission decided that war gas ammunition caught by fishermen's activities and possibly representing risk to human health could be redisposed in the sea in accordance with established procedures and that the redisposal should be done with great caution following the instructions of the appropriate authorities.

The Commission further decided to invite the CC to keep the war gas problem under review as well as to establish a small working group under the CC to discuss new developments in this field.

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DECLARATION ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE BALTIC SEA AREA

adopted on 15 February 1988 in Helsinki
by the Ministers
responsible for the environmental protection in the
Baltic Sea States

The Ministers, responsible for the environmental protection of the Baltic Sea Area, of the Governments of

The Kingdom of Denmark
The Republic of Finland
The German Democratic Republic
The Federal Republic of Germany
The Polish People's Republic
The Kingdom of Sweden
The Union of Soviet Socialist Republics,

ASSEMBLED in Helsinki on the occasion of the ninth meeting of the Baltic Marine Environment Protection Commission in February 1988,

RECALLING the provisions of the Convention on the Protection of the Marine Environment of the Baltic Sea Area,

CONSCIOUS of the particular sensitivity of the marine environment of the Baltic Sea Area, and of the economic, social and cultural values the Baltic Sea Area and its living resources represent for the peoples of the Baltic Sea States,

AWARE of the need to protect and preserve for present and future generations this most important marine ecosystem as a source of wholesome food as well **as** for recreational purposes,

NOTING the valuable work done hitherto within the Helsinki Commission in adopting unanimous recommendations to the Governments of the Contracting Parties to the Convention as well as taking decisions on cooperative actions,

RECOGNIZING that certain discharged harmful substances are of a durable and persistent character alien to the marine environment,

EXPRESSING concern for the present state of the marine environment of the Baltic Sea Area,

BEING CONVINCED that damage to the marine environment can be irreversible or remediable only in a long term perspective and at considerable expense and that, therefore, Contracting Parties to the Convention must adopt a precautionary approach and not wait for full and undisputed scientific proof of harmful effects before taking action to prevent and abate pollution,

BEING ALSO CONVINCED of the urgency to expedite the work of the Contracting Parties to the Convention and the Commission in implementing the Convention,

DO HEREBY DECLARE THEIR FIRM DETERMINATION TO

MAKE further provisions for reducing discharges from point sources, such as industrial installations and urban wastewater treatment plants, of toxic or persistent substances, nutrients, heavy metals, and hydrocarbons by construction and operation of installations and equipment in conformity with the best available technology. In this context it is noted that actions concerning non-point sources will also be needed. In order to fulfill these objectives current and new efforts on reduction of the load of pollutants should aim at a substantive reduction of the substances most harmful to the ecosystem of the Baltic Sea, especially of

- heavy metals and toxic or persistent organic substances, and
- nutrients

for example in the order of 50 per cent of the total discharges of each of them, as soon as possible but not later than 1995,

Parties to the Convention will report on national plans and activities and results achieved to the tenth meeting of the Commission in 1989,

INTENSIFY research and development as well as exchange of information in order to improve knowledge relating to degree and character of the marine environment pollution, of methods for monitoring the state of the marine environment and the ecological system of the sea and methods for water quality improvement with the aim of applying low- and non-waste technologies,

TAKE APPROPRIATE ACTIONS, including further research, related to the assessments of the environmental status of the Baltic Sea Area,

DEVELOP methodologies and exchange data in order to further, as a matter of urgency, the reliable assessment of the pollution load of the Baltic Sea Area on a regular basis,

RESPECT the relevant recommendations of the competent international organizations, and to this end apply the best available technology to minimize or eliminate as soon as possible any pollution caused by radioactive discharge from all nuclear industries, including reprocessing plants, into the marine environment,

MINIMIZE deposition in the Baltic Sea Area of airborne pollutants emitted from land-based sources and in that respect closely cooperate with the World Meteorological Organization (WMO) and within the Convention on Long-Range Transboundary Air Pollution,

PROMOTE the exchange of environmental technologies, including preferential treatment,

INTENSIFY coordinated research and monitoring in coastal waters, including the estimate of the total charge of pollutants entering the Baltic Sea Area from the different sources,

DEVELOP, in cooperation with competent international organizations, further rules for the safe operation of tankers in the Baltic Sea Area, particularly in winter conditions,

WORK together to promote the use of shore reception facilities for residues and wastes from ships by making such facilities and services available at reasonable costs or without charging special fees to the individual ships,

COOPERATE within appropriate international bodies to promote the development of environmentally sound standards of marine fuels,

INTENSIFY research, development and cooperation in order to establish suitable and effective means and methods to combat spillaqes of oil and other harmful substances also under cold weather and ice conditions,

DEVELOP and establish airborne surveillance with adequate sensor systems for detection of violations of the discharge provisions, independent of visibility and for the improvement of response to marine spills,

ESTABLISH guidelines concerning measures to minimize and combat accidental spillaqes from offshore installations,

COOPERATE in developing models of the ecological system of the Baltic Sea in order to facilitate the choice of appropriate action to protect the marine environment.

The Ministers agree to hold the meeting of the Baltic Marine Environment Protection Commission in 1994 at ministerial level to review the implementation of decisions taken in the framework of the Convention and to consider the need for further concerted action in view of developments affecting the marine environment of the Baltic Sea Area.

Done in Helsinki
on February 15, 1988

For the
Kingdom of Denmark — Christian Christensen

For the
Republic of Finland — Kaj Bärlund

For the
German Democratic Republic — Hans Reichelt

For the
Federal Republic of Germany — Klaus Töpfer

For the
Polish People's Republic — Waldemar Michna

For the
Kingdom of Sweden — Birgitta Dahl

For the Union of
Soviet Socialist Republics — Boris G. Shtepa

LIST OF' HELCOM RECOMMENDATIONS PASSED DURING 1987*) AND 1988

Recommendation 8/1

Recommendation concerning environmental monitoring of radioactive substances
- adopted 25 February 1987, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 8/2

Recommendation concerning measures to reduce pollution by pesticides from agriculture
- adopted 25 February 1987, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 8/3

Recommendation concerning measures aimed at the reduction of discharges from urban areas by the use of effective methods in wastewater treatment
- adopted 25 February 1987, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 8/4

Recommendation concerning amendments to Regulations l-5 of Annex IV and Appendices I-IV to Annex IV of the Helsinki Convention
- adopted 25 February 1987, having regard to Article 24 of the Helsinki Convention

Recommendation 8/5

Recommendation concerning amendments to Regulation 5 of Annex VI and the Appendix to Annex VI of the Helsinki Convention
- adopted 25 February 1987, having regard to Article 24 of the Helsinki Convention

Recommendation 9/1

Recommendation concerning protection of seals in the Baltic Sea Area
- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/2

Recommendation concerning measures aimed at the reduction of discharges from urban areas by the use of effective methods in wastewater treatment
- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

*) Recommendations passed during 1987 are included in Baltic Sea Environment Proceedings No. 23

Recommendation 9/3

Recommendation concerning measures aimed at the reduction of nutrient discharges from agriculture

- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/4

Recommendation concerning reduction of emissions of lead from combustion of leaded gasoline

- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/5

Recommendation concerning exploration and exploitation of the sea-bed and its subsoil

- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/6

Recommendation concerning restriction of discharges from the pulp and paper industry

- adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/7

Recommendation concerning the guidelines for the Baltic Monitoring Programme

- adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/8

Recommendation concerning measures aimed at the reduction of discharges from industry

- adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/9

Recommendation concerning measures aimed at the reduction of discharges from urban areas by the treatment of stormwater

- adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/10

Recommendaton concerning antifouling paints containing orqanotin compounds

- adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

Recommendation 9/11

Recommendation concerning guidelines for the establishment of national counter pollution measures regarding pleasure craft

- adopted 16 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

HELCOM RECOMMENDATION **9/1** *

Adopted 15 February 1988, having regard
to Article 13, Paragraph b) of
the Helsinki Convention

RECOMMENDATION CONCERNING PROTECTION OF SEALS IN **THE** BALTIC SEA **AREA**

THE COMMISSION,

DEEPLY CONCERNED by the critical situation of the seals in the Baltic which has grown alarming, as pointed out by many expert meetings and organizations, e.g. the Seal Expert Symposium in Warsaw, 1980, the Nordic Council of Ministers, 1981, the Committee for the Gulf of Bothnia, Working Group on Baltic Seals (ICES), 1985 and 1986, IOC/ICES Review of Contaminants in Marine Mammals, 1987, Advisory Committee on Marine Pollution (ICES), 1986, 1987,

RECOGNIZING that according to the document "Assessment of the Effects of Pollution on the Natural Resources o'f the Baltic Sea, 1980" there are strong indications that organochlorine substances and among them especially PCB are primarily responsible for the serious decrease in the reproductive rate of ringed seals (Pusa hispida), harbour seals (Phoca vitulina) and grey seals (Halichoerus qrypus) of the Baltic Sea Area,

RECOGNIZING FURTHER the importance and urgency of implementing the Recommendation on the Limitation of the Use of **PCBs** (HELCOM Recommendation 3/1),

CONVINCED that marine mammals play an important role in indicating the effects of certain types of marine pollutants, particularly organohalogen compounds, and thus warn of their possible implications for human health,

* Supersedes the present HELCOM Recommendation 3/3

RECOGNIZING that the three seal species move freely within the Baltic Sea, without regard to national borders or jurisdictions, and thus are the responsibility of all Baltic nations,

AND SIMULTANEOUSLY RECOGNIZING that, owing particularly to the small size of the populations of seals remaining in the Baltic Sea and the fact that weather conditions may result in breeding areas being restricted to territories under the jurisdiction of only one or two countries, the protection of a seal population may fall on only one or two countries in any year,

CONVINCED, therefore, that the survival of these species can only be promoted by urgent measures taken by all Contracting Parties to the Helsinki Convention,

RECOMMENDS that the Governments of the Contracting Parties to the Helsinki Convention:

a) through their national instruments ban all hunting of grey seals, ringed seals and harbour seals in the Baltic area. In order to safeguard the survival of these species, the ban shall be maintained until a natural health condition and a normal reproductive rate can scientifically be shown:

b) make efforts to establish seal sanctuaries and, when appropriate, organize seal breeding in order to save the genetic individuality of the declining Baltic seal stocks,

INVITES the International Council for the Exploration of the Sea continuously to assess the condition of the seal populations of the Baltic Sea, on the basis of new evidence presented by the Contracting Parties and other relevant information.

HELCOM RECOIYMENDATION **9/2 ***

Adopted 15 February 1988, having regard
to Article 13, Paragraph b) of
the Helsinki Convention

RECOMMENDATION CONCERNING MEASURES AIMED AT THE REDUCTION OF **DISCHARGES FROM** URBAN AREAS BY **THE** USE OF EFFECTIVE METHODS IN WASTEWATER TREATMENT

THE COMMISSION,

RECALLING Paragraph 1 of Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), in which the Contracting Parties undertake to take all appropriate measures to control and minimize land-based pollution of the marine environment of the Baltic Sea Area,

RECALLING ALSO Paragraph 1 of Annex III of the Helsinki Convention, in which the Contracting Parties agree to treat municipal sewage in an appropriate way so that the amount of organic matter does not cause harmful changes in the oxygen content of the Baltic Sea Area and the amount of nutrients does not cause harmful eutrophication of the Baltic Sea Area,

RECALLING FURTHER Paragraph 3 of Annex III of the Helsinki Convention, in which the Contracting Parties agree to minimize the polluting load of industrial wastes in an appropriate way in order to reduce the amount of harmful substances, organic matter and nutrients,

RECALLING FURTHER HELCOM Recommendation 6/7 concerning the treatment of municipal sewage and industrial wastewater with special emphasis on the reduction of discharges of nutrients,

RECALLING ALSO HELCOM Recommendation 7/3 concerning the reduction of discharges from urban areas by the development of sewerage systems,

* Supersedes the present HELCOM Recommendation 8/3

RECALLING ALSO HELCOM Recommendation 7/5 concerning the reduction of discharges from urban areas by the treatment of stormwater,

RECOGNIZING the importance of municipal sewage as a source of pollution of the marine environment,

RECOGNIZING ALSO that in an urban area the sewerage system and the sewage treatment plant must be regarded as a unit when pollution load is dealt with. For practical reasons, however, this Recommendation covers only the treatment of the amounts of water entering the sewage treatment plant. Concerning pollution load due to sewer overflows this is regulated in a qualitative manner in Recommendation 7/5 e). Work is ongoing to strengthen this by stating specific numbers,

RECOGNIZING ALSO that some of the Contracting Parties are of the opinion that sufficient knowledge and experience of removing nitrogen from urban wastewater in sewage treatment plants is already available.

DESIRING to limit this pollution by effective treatment of municipal sewage,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

a) urban (municipal) wastewater deriving from households (domestic wastewater) or industrial enterprises should be collected and treated before being discharged into water bodies; by-passes may only be used in emergency cases;

b) domestic sewage or wastewater of similar type which is collected in a central sewerage system and treated in wastewater treatment plants, loaded with more than 10 000 person equivalents, should be treated as soon as possible and not later than 1998 by biological methods or other methods giving equivalent results, so that the treatment should result in (calculated as yearly average values with nitrification inhibitor, and calculated for total amount of influent sewage)

   (i) at least 90% reduction of BOD_5; and

   (ii) at most a concentration of BOD_5 in the effluent of the treatment plant of 15 mg/l;

c) treatment of domestic sewage or wastewater of similar type at plants serving more than 10 000 person equivalents should result as soon as possible and not later than 1998 in effluent yearly average values of total phosphorus below 1.5 mg P/l;

d) as a start, each Contracting Party should start research and evaluation projects as soon as possible with the purpose to give a basis for further recommendations for nitrogen removal within three years. The project should, inter alia, include studies of process technology and costs for nitrogen removal to reach the targets:

(i) 12 mg total nitrogen/l in the effluent water or 50% reduction of total incoming nitrogen;

(ii) 8 mg total nitrogen/l in the effluent water or 75 % reduction of total incoming nitrogen;

The results of the research and evaluation projects should be reported at annual seminars held within the auspices of the Helsinki Commission;

e) the values stated in b) and c) need not be applied plantwise if a similar reduction in the total discharge of BOD_5 and phosphorus as yearly average discharge values in domestic sewage or wastewater of similar type which is collected in central sewerage systems can be documented,

RECOMMENDS FURTHER that reports of actions taken by the Contracting Parties should be reported to the Commission one year after the adoption of this Recommendation according to the format accepted by STC 14 (1987) to the extent the Contracting Parties are able to submit the information requested, and thereafter every five years for b) and c) and within three years for d) according to the revised format to be adopted by the Helsinki Commission.

HELCOM RECOMMENDATION 9/3

Adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING MEASURES AIMED AT THE REDUCTION OF NUTRIENT DISCHARGES FROM AGRICULTURE

THE COMMISSION,

RECALLING that according to Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), the Contracting Parties undertake to take all appropriate measures to control and minimize land-based pollution of the marine environment of the Baltic Sea Area,

RECOGNIZING the importance of discharges from agriculture as sources of pollution of the marine environment by nutrients,

NOTING the increasing concentrations of nutrients in the marine environment causing negative effects on ecosystems including eutrophication and oxygen depletion,

DESIRING to achieve a significant reduction of this pollution by giving additional guidelines to HELCOM Recommendation 7/2 as a first step towards this reduction,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

a) farming practice should be managed so as to favour the efficient use of the nutrients that are available in the agricultural system:

b) farms with livestock production above a certain size should require approval with regard to environmental aspects;

c) farming practice with regard to manure should be in accordance with the following principles:

(i) the capacity of the storage facilities should be sufficiently large to ensure that manure need only be brought out when the plants can use the nutrients:

(ii) the ammonia evaporation from the storage and use of liquid manure (urine and slurry) should be reduced by incorporating the manure without delay into the soil when it is used on bare soil;

(iii) the application of manure on bare soil in the autumn should be restricted:

(iv) the application of manure on frozen soil should be restricted:

d) where it is possible a large part of the cultivated area should be covered by crops - for example winter seed, grass or catch crop - during the autumn and winter;

e) programmes should be developed to control and monitor the effect of these measures, or any other measures taken to reduce nutrient discharges from agriculture, on the pollution load on the surface waters,

RECOMMENDS FURTHER that the Contracting Parties should report on their national measures taken in accordance with this Recommendation and HELCOM Recommendation 7/2 by 1 March 1989 and at five-yearly intervals thereafter.

HELCOM RECOMMENDATION **9/4**

Adopted 15 February 1988, having regard
to Article 13, Paragraph b) of
the Helsinki Convention

RECOMMENDATION CONCERNING REDUCTION OF EMISSIONS OF LEAD **FROM** COMBUSTION OF LEADED GASOLINE

THE COMMISSION,

RECALLING that according to Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), the Contracting Parties shall take all appropriate measures to strictly limit and control pollution by noxious substances,

RECALLING ALSO that Annex II of the Helsinki Convention defines lead as a noxious substance for the purpose of Article 6 of the Convention,

RECOGNIZING that a considerable amount of lead enters the Baltic Sea via the atmosphere,

RECOGNIZING ALSO that the aeolian pathway is the most important route of entry of lead into the Baltic Sea,

RECOGNIZING FURTHER that the most important source of emission of lead to the atmosphere is automobile exhaust caused by combustion of leaded gasoline,

BEING MINDFUL of the risk of pollution caused by emission of lead,

NOTING that, although concentration of lead in Baltic offshore waters is comparatively low, substantial amounts of lead have accumulated in Baltic Sea sediments,

DESIRING to reduce the emission of lead to the Baltic Sea environment,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

lead content in gasoline as an automobile fuel should be reduced considerably step by step in an appropriate time-scale.
Lead-free gasoline should be offered as soon as possible as an alternative in parallel, in order to reduce additionally the quantity of lead in the environment and to facilitate international movement of vehicles,

RECOMMENDS FURTHER that actions taken by the Contracting Parties to replace leaded gasoline by lead free gasoline should be reported to the Commission one year after the adoption of the Recommendation and thereafter every five years.

HELCOM RECOMMENDATION **9/5**

Adopted 15 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING EXPLORATION AND EXPLOITATION OF THE SEA-BED AND ITS SUBSOIL

THE COMMISSION,

RECALLING that according to Article 10 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), each Contracting Party shall take all appropriate measures in order to prevent pollution of the marine environment of the Baltic Sea Area resulting from exploration or exploitation of its part of the sea-bed and its subsoil or from any associated activities thereon, and ensure that adequate equipment is at hand to start an immediate abatement of pollution in that area,

RECALLING ALSO that offshore exploration for mineral oil or natural gas, and offshore exploitation of fields of mineral oil or natural gas, are activities likely to result in the discharge of oil and noxious substances which cause pollution of the marine environment,

RECALLING ALSO that the regulations in Annex IV of the Helsinki Convention apply to fixed or floating platforms,

RECOGNIZING the increasing interest for offshore activities within the Baltic Sea Area,

DESIRING to prevent pollution from offshore activities by eliminating the associated discharges or reducing them by means of modern treatment technology,

DESIRING ALSO to have adequate information on the impact on the Baltic Sea Area of offshore activities,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

a) The area in which any offshore exploration or exploitation activity is proposed to begin, should be environmentally assessed before the activity is permitted to start. While offshore exploration or exploitation activities are in progress, the sea-bed, water column, and benthos around the site should be monitored as appropriate in view of the environmental conditions of the area concerned (see paragraph a) in the Annex to this Recommendation);

b) Oil-based drilling muds and cuttings arising from the use of oil-based drilling muds should not be discharged in the Baltic Sea Area but taken ashore for final treatment and/or disposal in an environmentally acceptable way:

c) The discharge of drilling cuttings arising from the use of water-based drilling muds is not permitted in specifically sensitive parts (*) of the Baltic Sea Area. Discharge of such cuttings in other parts of the Baltic Sea Area is permitted provided that:

   (i) the mud has been shown to be of low toxicity in accordance with paragraph b) of the Annex to this Recommendation;

   (ii) none of the substances listed in Annex II to the Convention are deliberately added as a constituent to the mud;

   (iii) the concentration of Hg and Cd does not exceed 1 mg/kg in the whole mud: and

   (iv) the mud residues on cuttings are reduced and recycled using the best available solids control technology;

d) The use of diesel oil-based muds should be prohibited.

   However, diesel oil may be added to drilling muds in the following exceptional circumstances and on condition that the mud used is disposed of ashore:

*. See definitions of terms in the Annex to this Recommendation.

(i) in work-over operations (*);

(ii) in well stimulation and completion techniques (*); and

(iii) in emergency drilling operations with water-based muds (*);

e) The discharge of produced water and displacement water should be prohibited unless the oil content is less than 15 ppm (*).

The BOD of the produced water should be monitored and the need for treatment to reduce BOD in specifically sensitive areas carefully assessed.

f) Discharges of all other chemicals or materials should be kept to a minimum. A license should be required for each specific discharge. Licenses should only be issued after an evaluation of the discharge type, the environment around the discharge area, and after toxicity testing where appropriate.

g) All ship and air traffic to offshore installations should be planned with due regard to animals sensitive to disturbance.

RECOMMENDS FURTHER that the Contracting Parties to the Convention should annually exchange information through the Secretariat of the Commission with regard to the location and nature of the offshore activities currently in progress, the nature and size of any discharge, and any toxicity testing that has been carried out and the results obtained.

*: See definitions of terms in the Annex to this Recommendation.

a) The environmental sensitivity of the area around a proposed installation should be assessed with respect to the following:

(i) the importance of the area for birds and marine mammals;

(ii) the importance of the area as fishing or spawning grounds for fish and shellfish, and for aquaculture;

(iii) the recreational importance of the area;

(iv) the composition of the sediment measured as: grain size distribution, dry matter, ignition loss, total hydrocarbon content, and Ba, Cr, Pb, Cu, Hg and Cd content;

(v) the abundance and diversity of benthic fauna and the content of selected aliphatic and aromatic hydrocarbons;

Existing data might be accepted, particularly for points i) - iii).

For points iv) and v) it is suggested that sampling is performed at distances of 100, 500 and 1000 m on both sides of the installation in the prevailing current direction and at right angles to this.

For exploration activities, point v) is not required, and point iv) should be carried out before and after the operation.

For exploitation activities, points iv) and v) should be carried out before the operation, at yearly intervals during operation, and after the operation.

These requirements should be regarded as a minimum, and may be enlarged if the nature of the area so requires.

b) The toxicity of water-based muds should be assessed by testing the effect of the water-soluble fraction of the whole mud prepared by stirring for 20 hours in a closed system, followed by 2 hours rest to allow separation and then sampling from the middle layer, on:

- photosynthesis in a marine algae (e.g. Skeletonema costatum),

- growth of the larvae of a marine bivalve (e.g. Mytilus edulis),

- reproduction of a marine crustacean (e.g. Acartia tonsa),

- egg-larvae test with a marine fish (e.g. Clupea harengus).

The EC_{50} 96 h for any of these tests should exceed 10 000 mg/kg.

The following supplementary tests are also recommended:

- Biodegradability test (according to OECD guidelines)

- Bioaccumulation test (detection of lipophilic substances with a chromatographic method)

c) (i) Work-over operations:
Producing wells sometimes require remedial measures, e.g. additional preparation of the casing or modifications to the lining or casing, for which oils are necessary. These operations do not involve drilling or the production of cuttings.

(ii) Well stimulation and completion techniques:
When a well has been drilled it is necessary to perforate the casing into the reservoir and sometimes to open up fissures within the reservoir. These operations are carried out at pressure and solid-free fuel oils are often necessary.

(iii) Emergency drilling operations:
If stuck pipe conditions occur with water-based muds then diesel oils may be used to free the drill string.

d) The oil content in discharges should be measured using the IR-technique at the two absorption maxima at approx. 2925 and 2960 cm^{-1}. Analyses should be made on the non-polar part of the extract.

e) Below are examples of areas which should be regarded as specifically sensitive parts of the Baltic Sea Area:

(i) Confined or shallow areas with limited water exchange;

(ii) Areas characterized by rare, valuable, or particularly fragile ecosystems.

HELCOM RECOMMENDATION **9/6**

Adopted 15 February 1988, having regard
to Article 13, Paragraph b) of
the Helsinki Convention

RECOMMENDATION CONCERNING RESTRICTION OF DISCHARGES **FROM THE PULP** AND PAPER INDUSTRY

THE COMMISSION,

RECALLING that according to Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), the Contracting Parties shall take all appropriate measures to control and strictly limit pollution by noxious substances,

RECALLING ALSO that Annex II of the Helsinki Convention defines lignin substances contained in industrial wastewaters as noxious substances for the purposes of Article 6 of the Convention, and that Annex III of the Convention defines organic substances and nutrients as substances to be controlled to minimize land-based pollution of the marine environment,

RECOGNIZING that the pulp and paper industry is a major source of water pollution,

RECOGNIZING FURTHER that the kraft pulp mills are responsible for an important part of the discharges from the pulp and paper industry into the Baltic Sea,

DESIRING to limit the discharges of this industry with best available technology, *)

DESIRING ALSO more information about the discharges from the pulp and paper industry,

*) The term "best available technology" is understood to take into consideration technical and economic feasibility.

RECOGNIZING the importance of reducing the discharges of the pulp and paper industry

a) to minimize the hazards to human health and to the environment from toxic, persistent and bioaccumulative substances;

b) to reduce oxygen-consuming discharges so as not to cause oxygen deficiency of any significance, nor to impair the habitat of the characteristic fish populations;

c) to reduce nutrient discharges so as not to cause eutrophication on any significance;

d) to avoid tainting, to the extent possible, of taste or smell of fish by wastewater, as well as changes in the organoleptic properties of water;

e) by developing industrial processes, in particular bleaching techniques for pulp, and treatment techniques for wastewater, and by preventing incidental effluent discharges so as to minimize the adverse effects of wastewater discharges;

f) by developing effluent treatment techniques that minimize the amount of sludge created. At the same time maximal utilization and further processing of the sludge shall be aimed at,

RECOMMENDS that the Governments of the Contracting Parties take measures to reduce the discharges from pulp and paper industry, namely

for bleached kraft pulp

g) that in the production of bleached kraft pulp within the catchment area of the Baltic Sea the load of TOCl (Total Organic Chlorinated substances measured as chlorine) should be reduced considerably compared with the situation today. The method to be recommended for the analysis of TOCl should be developed, intercalibrated and agreed upon within three years. The maximum average load of TOCl from the production of bleached kraft pulp by each Contracting Party should also be considered and agreed upon within three years. The feasibility of establishing a target maximum average load of 1 to 2 kg per metric ton air dry bleached kraft pulp and a proposed timetable for achieving this should be considered at the next meeting of the Commission in 1989;

h) that the specific loading from each Contracting Party's production of bleached kraft pulp shall not exceed the annual mean value of oxygen consumption of 65 kg per metric ton of air dry bleached kraft pulp. The oxygen consumption is determined as chemical oxygen demand using the dichromate method (COD_{cr});

i) that biochemical oxygen demand (BOD) shall be reduced in proportion to the reduction of chemical oxygen demand (COD_{cr}) recommended in item h);

for unbleached kraft pulp

j) in the production of unbleached kraft pulp the reduction of chemical oxygen demand (COD_{cr}) and biochemical oxygen demand (BOD) be respective to the level recommended in items h) and i) above for production of bleached kraft pulp;

for phosphorus in the production of kraft pulp in general

k) the specific loading of phosphorus from each Contracting Party's kraft pulp production shall not exceed the annual mean value of 60 g per ton of air dry kraft pulp;

for kraft pulp in general

l) the objectives under h) - k) shall be attained by the year 2000 at mills that have started to operate before 1 January 1989, and immediately at mills which will start to operate thereafter,

RECOMMENDS FURTHER, in order to attain the objectives that the Contracting Parties

- initiate projects and investigations and arrange seminars for the exchange of information and experience, and

- take efforts to harmonize the monitoring systems for discharges and recipient control, analysis methods, and techniques for determining the toxicity of the effluents. Harmonization of the methods of analysis of dioxines, suspended solids, biochemical oxygen demand (BOD), chemical oxygen demand (COD_{cr})m and concentration of total phosphorus (P_{tot}) shall be aimed at. The comparability of the results should be secured through intercalibration exercises,

RECOMMENDS AS FURTHER ACTION that the Contracting Parties prepare detailed recommendations within five years for the remaining sectors of pulp and paper industry, including also a recommendation giving numerical values for chlorinated organic compounds,

RECOMMENDS ALSO that the Contracting Parties report on the development in pulp and paper industry's effluent loading and on the implementation of related water pollution control measures to the Commission one year after the adoption of the recommendation and thereafter every five years. The first report should concern the year 1988.

HELCOM RECOMMENDATION 9/7

Adopted 17 February 1988, having regard
to Article 13, Paragraph b) of
the Helsinki Convention

RECOMMENDATION CONCERNING THE GUIDELINES FOR THE BALTIC MONITORING PROGRAMYE

THE COMMISSION,

BEARING IN MIND the provisions of Articles 4 and 16 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), concerning the application of the Convention and scientific and technological cooperation,

NOTING the concern on the state of the Baltic **Sea,** due to discharges of pollutants from various sources, especially from land-based sources, in spite of comprehensive measures taken by the Contracting Parties to reduce the discharges,

RECALLING the previous decisions to use a joint programme in monitoring,

BEARING IN MIND the provisions included in Article 4 of the Convention, in which the Contracting Parties undertake to ensure that the purposes of the Convention will be obtained also in internal waters,

BEING MINDFUL of the need of reliable physical, chemical and biological data,

RECALLING the decision made by the Commission on preparing of revised guidelines for the Baltic monitoring 1989-1993,

RECOMMENDS that the Governments of the Contracting Parties to the Helsinki Convention:

a) should apply the Guidelines for the Third Stage of the Baltic Monitoring Programme from 1989 to 1993 as adopted by the Ninth Meeting of the Commission and to be published as technically edited in 1988;

b) should apply the Guidelines, whenever possible, also for the monitoring of the internal waters; and

c) should submit their data, as specified in the Guidelines, for the data bases of the Commission.

HELCOM RECOMMENDATION 9/8

Adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING MEASURES AIMED AT THE REDUCTION OF DISCRARGES FROM INDUSTRY

THE COMMISSION,

RECALLING Paragraph 1 of Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), in which the Contracting Parties undertake to take all appropriate measures to control and minimize land-based pollution of the marine environment of the Baltic Sea Area,

RECALLING FURTHER Paragraph 3 of Annex III of the Helsinki Convention, in which the Contracting Parties agree to minimize the polluting load of industrial wastes in an appropriate way in order to reduce the amount of harmful substances, organic,matter and nutrients,

RECOGNIZING the importance of industrial discharges as sources of pollution of the marine environment,

DESIRING to limit this pollution by effective methods,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that industrial discharges where nutrients or organic material are the main pollution problem, should be carefully evaluated with a view to reduction using the best available technology *), internal and/or external, to reduce the discharge,

*) The term "best available technology" is understood to take into consideration technical and economic feasibility.

RECOMMENDS ALSO that industrial discharges containing persistent organic substances or toxic metals should be carefully evaluated with a view to reduction. Measures should be individually evaluated on the basis of a branchwise approach with the purpose of using the best available technology,

RECOMMENDS FURTHER that reports of action taken by the Contracting Parties should be submitted to the Commission one year after the adoption of this Recommendation and every five years thereafter.

HELCOM RECOMMENDATION **9/9** *

Adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING MEASURES AIMED AT **THE REDUCTION OF** DISCHARGES FROM URBAN AREAS BY **THE** TREATMENT OF STORMWATER

THE COMMISSION,

RECALLING Paragraph 1 of Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), in which the Contracting Parties undertake to take all appropriate measures to control and minimize land-based pollution of the marine environment of the Baltic Sea Area,

RECALLING ALSO HELCOM Recommendation 5/1 regarding limitation of oil in stormwater systems,

RECOGNIZING the need for limiting harms caused by the quality of stormwater discharged to the Baltic Sea Area,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention that:

a) measures should be taken already at the source to prevent the deterioration of the quality of stormwater (**e.g.** efficient dry street cleaning and reduction of lead in petrol);

b) where a stormwater in a separate system district is collected from areas with high traffic

   (i) flow equalization units should be provided whenever possible for the first flush of stormwater; and

   (ii) this water be conveyed to sewage treatment plant:

* supersedes the present HELCOM Recommendation 7/5

c) contaminated stormwater from heavily polluted industrial areas (loading, unloading, storing) should be treated as polluted wastewater;

d) all possible means should be taken to minimize the volume of stormwater entering combined sewer systems (minimization of the volume could be reached for instance by local infiltration);

e) in areas with combined sewer systems, overflow should not be allowed more than on the average during 10 days per year or be limited to 10 % of the total amount of pollutants conveyed in the sewer system. This aim may be reached by means of appropriate design of the sewerage system and by providing retention facilities. The time when this part of the recommendation should be implemented will be decided within one year after adoption. For the volumes overflowing it is recommended to try to catch the first (most polluted) volume and convey it to the treatment plant. It is further recommended to use for example swirl concentrators at the combined sewer overflows to decrease the amount of pollutants overflowing,

RECOMMENDS FURTHER that the action taken by the Contracting Parties should be reported to the Commission one year after the adoption of this Recommendation and thereafter every five years.

HELCOM Recommendation 9/10

Adopted 17 February 1988, having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING ANTIFOULING PAINTS CONTAINING ORGANOTIN COMPOUNDS

THE COMMISSION,

RECALLING Article 6 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974 (Helsinki Convention), in which the Contracting Parties undertake to control and minimize land-based pollution of the marine environment of the Baltic Sea Area, and in particular to control and strictly limit pollution by noxious substances and materials in accordance with Annex II of the Helsinki Convention,

RECALLING ALSO that Annex II of the Helsinki Convention defines organostannic pesticides as noxious substances for the purposes of Article 6 of the Convention,

RECALLING FURTHER Article 8 of the Helsinki Convention, in which the Contracting Parties undertake to abate harmful effects on the marine environment of the Baltic Sea Area arising from pleasure craft activities,

NOTING that the use of organotin compounds, and in particular tributyl tin compounds, as an anti-foulant in paints for use on boats, ships, underwater structures and fish net cages is causing pollution in some inshore areas of the Baltic Sea Area,

NOTING FURTHER the evidence that these compounds have harmful effects on fisheries and marine life,

DESIRING to reduce the amounts of toxic organotin compounds entering the marine environment of the Baltic Sea Area,

RECOMMENDS that the Governments of the Contracting Parties to the Helsinki Convention:

a) take, as soon as possible, but not later than 1991, effective measures to eliminate such pollution;

b) include in the measures taken, as a first step, a ban on the retail sale or use of organotin paints for pleasure boats or fish net cages;

c) consider the need for restrictions on other uses of organotin compounds in anti-fouling paints, for example on sea-going vessels and underwater structures;

RECOMMENDS FURTHER that the Contracting Parties report on measures taken in accordance with this Recommendation, and on organic tin concentrations in the marine environment in areas where organic tin compounds may still be entering the marine environment of the Baltic Sea Area, one year after the adoption of this Recommendation and thereafter every five years.

HELCOM RECOMMENDATION 9/11

Adopted 16 February 1988 having regard
to Article 13, Paragraph b)
of the Helsinki Convention

RECOMMENDATION CONCERNING GUIDELINES FOR THE ESTABLISHMENT OF NATIONAL COUNTER POLLUTION MEASURES REGARDING PLEASURE CRAFT

THE COMMISSION,

RECALLING Article 8 of the Convention on the Protection of the Marine Environment of the Baltic **Sea** Area, 1974, (Helsinki Convention), concerning national counter pollution measures regarding pleasure craft,

RECOGNIZING that an increasing number of pleasure craft operate in the Baltic Sea Area,

EXPRESSING ITS CONCERN of the environmental impact of pleasure craft activities,

BEING CONVINCED of the importance of the early initiation of **national** counter pollution measures regarding pleasure craft,

RECOMMMENDS that Governments of the Contracting Parties to the Helsinki Convention, when elaborating national counter pollution measures regarding pleasure craft, take into consideration such items **as** listed in the Annex to this Recommendation.

HELCOM Recommendation 9/11
Annex

ITEMS TO BE CONSIDERED FOR INCLUSION IN NATIONAL COUNTER POLLUTION MEASURES REGARDING PLEASURE CRAFT

General

When elaborating national counter pollution measures regarding pleasure craft the national regulations applicable to ships of less than 400 GRT (cf. MARPOL 73/78, Annex I) and to ships of less than 200 GRT or without a measured gross tonnage and certified to carry 10 persons or less (cf. Regulation 7 of Annex IV of the Helsinki Convention) should be taken into consideration.

It should be kept in mind that national regulations referred to above may contain limits for application leaving discharge of oil and sewage from certain pleasure craft unregulated and that in these cases there is a need to elaborate special measures for such craft.

MARPOL 73/78, Annex I

The following items could be considered for possible inclusion:

- measures to be taken on board to avoid discharges not in compliance with Regulations 10(2)(b) and 10(4)(a),
- equipment on board for collection of lubricating oil and fuel oil according to Regulation 10(4)(b),
- arrangements for discharge of oily residues to reception facilities if retained on board according to Regulation 10(4)(b),
- guidelines for the establishment of reception facilities according to Regulation 10(7)(a)(i).

Regulation 7 of Annex IV of the Helsinki Convention

The following items could be considered for possible inclusion:

- definitions on new and existing ships if other than in Regulation 7 B of Annex IV of the Helsinki Convention,
- application of the discharge provisions in Regulation 7 C to new and existing ships including any equipment requirements,
- arrangements for discharge of sewage to reception facilities,
- guidelines for the establishment of reception facilities according to Regulation 7 E of Annex IV of the Helsinki Convention.

Regulation 8 of Annex IV of the Helsinki Convention

The following items could be considered for possible inclusion:

- guidelines for the establishment of reception facilities according to Regulation 8 E of Annex IV of the Helsinki Convention including reception arrangements for other wastes, such as paints, detergents etc.

Other measures

It could be considered whether other measures to abate harmful effects from pleasure craft acitivities should be included, such as measures related to nature conservation aspects.

./. Attachment

The Attachment identifies those provisions of MARPOL 73/78, Annex I, which are applicable to pleasure craft as well as those provisions of MARPOL 73/78, Annexes IV and V, which would be applicable to pleasure craft if these Annexes were in force. It has been worked out under the assumption that pleasure craft has a tonnage of less than 400 GRT.

The Attachment is intended to serve only as a reminder when elaborating national counter pollution measures regarding pleasure craft.

	MARPOL 73/78, Annex I
Regulation 2(1)	Application - all ships unless expressly provided otherwise
Regulation 4(2)	Surveys and Inspections - the Administrations shall establish appropriate measures for ships which are not subject to Regulation 4(1) (i.e. oil tankers less than 150 GRT and other ships less than 400 GRT) in order to ensure that the applicable provisions of Annex I are complied with.
Regulation 10(2)(b)	Discharge provisions for ships of less than 400 GRT other than oil tankers - 15 ppm criterion or 100 ppm criterion with speed and distance from land requirements (obs no equipment requirements)
Regulation 10(4)(a)	Chemicals and other substances - discharges not to contain such substances in consentrations hazardous to the environment or if introduced in order to circumventing the discharge provisions
Regulation 10(4)(b)	Retention on board - residues to be retained on board and discharged to reception facilities if they cannot be discharged into the sea in compliance with Regulation 10(2)(b)
Regulation 10(7)(a)(i) 2nd sentence	Reception facilities - all ports to be provided with adequate reception facilities for other residues (i.e. residues other than dirty ballast and tank washing water from oil tankers) and oily mixtures from all ships
Regulation 11	Exeptions - force majeure provisions

Regulation 14(1) and (3)	Ballast in fuel oil tanks - prohibited for new ships of 4000 GRT and above other than oil tankers and in new oil tankers of 150 GRT and above. All other ships to apply these requirements as far as reasonable and practicable.
Regulation 19	Standard Discharge Connection - discharge from machinery bilges to reception facilities

Apart from application of Regulation 19 to smaller ships all the above listed provisions could appropriately be applied to pleasure craft and ports serving pleasure craft.

MARPOL 73/78, Annex IV

Regulation 2	Application - ships of 200 GRT and above, ships less than 200 GRT certified to carry more than 10 persons and ships without a measured gross tonnage and certified to carry more than 10 persons. Application dates for new and existing ships according to Paragraph B of Regulation 7 of Annex IV of the Helsinki Convention
Regulation 3(1)	Surveys - relating to ships under Regulation 2
Regulation 3(2)	Surveys - for other ships. The Administrations shall establish appropriate measures in order to ensure compliance with Annex IV
Regulation 4	Issue of Certificate - if surveyed according to Regulation 3 and the ship is engaged in voyages to ports under the jurisdiction of the Parties to MARPOL 73/78 an ISPPC (1973) should be issued
Regulation 6	Form of Certificate
Regulation 7	Duration of Certificate
Regulation 8	Discharge of Sewage - applicable to ships covered by Regulation 2
Regulation 9	Exeptions - force majeure provisions

Regulation 10	Reception facilities - reception facilities should be provided in ports and should be adequate to meet the needs of ships using them without causing undue delay
Regulation 11	Standard Discharge Connections - for discharge of sewage to a reception facility

Apart from application of Regulations 8 and 11 to small ships certified to carry more than 10 persons the above listed Regulations could appropriately be applied to pleasure craft if covered by Regulation 2, as well as to ports serving pleasure craft.

MARPOL 73/78, Annex V

Regulation 2	Application - all ships
Regulation 5(2)	Disposal of Garbage within Special Areas - disposal provisions applicable to all ships
Regulation 5(4)	Reception Facilities - all ports should be provided with reception facilities according to the needs of ships without causing undue delay
Regulation 6	Exeptions - force majeure provisions

All the above listed provisions could appropriately be applied to pleasure craft and to ports serving pleasure craft.

LONG-TERM PLAN FOR THE WORK OF THE MARITIME COMMITTEE OF TEE HELSINKI COMMISSION (MC)

LONG-TERM PLAN FOR THE WORK OF THE MARITIME COMMITEE OF THE HELSINKI COMMISSION (MC)

1. INTRODUCTION

The Helsinki Commission, at its 10-years jubilee meeting (March 1984), approved Resolution 5A - Medium Term Work Plan of the Commission.

This resolution by necessity remained rather general in its provisions. At that time it was clearly understood that more detailed plans would be needed to have a clear picture of the progress.

As the Helsinki Convention provisions differ in nature concerning land-based pollution, ship-based pollution and combatting matters, a separate work plan on each of these areas would be needed.

Since the Convention's provisions on land-based pollution are rather general, the first area where long-term planning was discussed, was naturally that of the Scientific-Technological Committee (STC), responsible for land-based pollution.

The Commission at its seventh meeting (February 1986) approved the Long-Term Work Plan of the STC. At the same time the Commission instructed its two other subordinate bodies, the MC (Maritime Committee) and the EGC (Expert Group on Co-operation in Combatting Matters, nowadays CC (Combatting Committee) to develop their long-term plans for the consideration of the Commission. The first draft of the MC Long-Term Plan was presented to MC 12 (November 1986) and the eighth meeting of the Commission (February 1987). Based on these discussions and the deliberations of an informal working group (May 1987), the present Long-Term Work Plan has been approved by MC 13 (September 1987).

The text of the Helsinki Convention as signed (1974) reflected the international regulations concerning the

Baltic Sea Area as a special area. These international regulations are nowadays referred to as MARPOL 73/78.

The main emphasis of the MC work has been the early and unified implementation of the provisions Of MARPOL 73/78. After the international entry into force (and ratification by all Baltic Sea States) of Annexes I and II of MARPOL 73/78, corresponding detailed provisions have been deleted from the Helsinki Convention. Likewise, main part of the detailed technical work is now been done on the international level, at IMO.

For these reasons, the primary tasks (since 1974) for the MC have largely been fulfilled and overtaken by international action. The Commission at its eighth meeting also realized this and stressed the importance of cooperation in the international forum. This cooperation shall in future naturally be co-ordinated by the MC and the BMCM (Baltic Maritime Co-ordinating Meeting, MEPC) as referred to in paragraph 2.1.1 of this Long-Term Work Plan.

The tasks envisaged in the Medium-Term Plan for the Work of the Commission have been taken into consideration in the elaboration of the future activities of the MC. The tasks reflected in the Medium-Term Plan relating to maritime matters have thus been superseded by the present Long-Term Plan for the work of the MC.

With the wide range of topics included in the future activities for the MC it is envisaged that a more frequent application than in the past of the Lead Country principle, seminars and sessional and inter-sessional ad hoc working groups might be necessary for the fulfillment of the tasks envisaged.

It is furthermore envisaged that for certain specific topics the use of consultant services might be necessary.

2. FUTURE ACTIVITIES

2.1 COOPERATION IN GENERAL

2.1.1 Cooperation within the International Maritime Organization (IMO) (Regulation 1, Sub-paragraph a) of Annex IV)

Shipping is international by nature. To eliminate the possibility of a myriad of possibly conflicting national regulations, shipping nations have for a long time sought internationally accepted rules concerning foreign ships. Matters related to the protection of the marine environment from pollution by ships must also be dealt with on a worldwide international level. That is also true with regard to protection measures for regional sea areas such as the Baltic Sea Area, as the relevant international regulations must be applied by all ships, i.e. also those ships not flying the flag of a state bordering that sea area. Therefore, the IMO is the most appropriate international forum to deal with these matters.

To reach decisions by IMO it has been proven to be very beneficial if interested states undertake to common actions.

This means that the Baltic Sea States must closely cooperate within the relevant IMO bodies, in particular within the Marine Environment Protection Committee (MEPC) but also within the Sub-Committee on Bulk Chemicals (BCH) and in certain cases within the Maritime Safety Committee (MSC) or its Sub-Committees.

The cooperation must aim either at taking common initiatives within IMO to promote the development of international rules beneficial for the protection of the Baltic Sea Area or at coordinating the position of the Baltic Sea States with regard to relevant matters dealt with by IMO. This work of cooperation must be done by MC, in particular as the

development of common initiatives is concerned. Furthermore, the MC should to the extent possible at each meeting identify such topics which should be subject to coordination by the Baltic Sea States within IMO and give guidance for such coordination. As MC only meets once a year while, in particular MEPC, meets three times biennial, situations may arise where timely activities by MC are impossible. This is taken into account by establishing BMCM, which insofar will act instead of the MC and will do the coordination by itself. The substantive items which require cooperation within IMO are dealt with under paragraphs 2.2. - 2.9.

2.1.2 Implementation of IMO rules (Regulation 1, Sub-paragraph b) of Annex IV)

The cooperation under this item aims at the effective and harmonized implementation by the Contracting Parties of rules adopted by IMO.

The first task for the MC is to identify such IMO decisions which are applicable for effective and harmonized implementation and when these decisions have been identified and when deemed necessary, then to consider the elaboration of measures to facilitate such implementation and to follow the implementation status.

The MC will exchange information on experience gained when implementing these IMO decisions and if necessary decide on possible further action.

2.1.3 Cooperation with other international bodies (Article 13, Paragraphs e) and f))

The Commission has stressed the importance of international cooperation as an essential tool in the work of the Commission (HELCOM 6/16, Paragraph 8.5).

In particular, the MC has identified the following international bodies with which cooperation could be beneficial to the MC work:

- Baltic Sea Hydrographic Commission (BSHC)
- Port State Control Committee under the Memorandum of Understanding of Port State Control (PSCC)
- Baltic Pilotage Authorities Commission (BPAC)
- Conference on Safety and Pollution Safeguards in the Development of the North West European Off-shore Mineral Resources

When identifying these international bodies the MC has taken into consideration such topics from the long-term plan for the work of the MC regarding which it is known that international work is institutionalized and that all or some of the Contracting Parties are participating in the work of these bodies.

The intention of the MC in initiating such cooperation is not aiming at coopertation in broad terms but to identify detailed topics which suitably could be subject to future cooperation. With the assistance of Lead Countries and the Secretariat the MC will establish the necessary contacts and persue further cooperation with these bodies.

2.2 REGULATION OF DISCHARGES FROM SHIPS

2.2.1 Oil (Regulation 4 of Annex IV)

With the present wording of Regulation 4 of Annex IV (reference method) no further alignments with MARPOL 73/78 Annex I and IMO decisions affiliated to MARPOL 73/78 Annex I are necessary. However, the MC will identify such IMO decisions affiliated to MARPOL 73/78 Annex I which are applicable for effective and harmonized implementation in the Baltic Sea Area.'

When these IMO decisions have been identified the MC will when deemed necessary, consider the elaboration of measures to facilitate such implementation as Well as follow the state of implementation by the Contracting Parties.

In addition to these actions the MC will evaluate the experiences gained by the Contracting Parties from the designation of the Baltic Sea Area a MARPOL 73/78 special area. The evaluation will initially focus on the magnitude of legal and illegal discharges from ships as well as on the application of 15 ppm equipment and the waiver clauses when retaining on board all oily mixtures for subsequent discharge to reception facilities.

The MC will evaluate the experience gained in the Baltic Sea Area since 1983 from the use of the present form of Oil Record Book by ships flying the flag of the Baltic Sea States and investigate the need for revision. If so justified the MC will propose the necessary common action by the Baltic Sea States within IMO.

The MC will further investigate problems related to storage and discharge of oily residues (sludges) such as those resulting from the purification of fuel and lubricating oils and oil leakages in the machinery spaces on board ships of 400 tons gross tonnage and above.

These investigations will primarily focus on discharge arrangements from sludge tanks as detailed provisions for such arrangements are not reflected in Annex I of MARPOL 73/78 as well as on the adequacy of the provisions of Annex I of MARPOL 73/78 relating to the capacity of sludge tanks.

The MC will further consider means to reduce the amount of sludge accumulated on board ships, inter alia, by endeavours

to improve the quality Of bunker C fuel oil and to obtain **agreement on** approved standards **for** the quality of bunker C fuel oil in relevant international organizations.

The MC will consider actions to be taken within IMO to establish standards for detergents used for cleaning purposes in engine rooms with a view to eliminate the adverse effects of detergents on oily waters separating equipment on board ships as well as on purification processes in shore reception facilities for oily wastes from ships.

2.2.2 Noxious liquid substances carried in bulk (Regulation 5 of Annex IV)

With the present wording of Regulation 5 of Annex IV (reference method) no further alignments with MARPOL 73/78 Annex II and IMO decisions affiliated to MARPOL 73/78 Annex II are necessary. However, the MC will identify such IMO decisions affiliated to MARPOL 73/78 Annex II which are applicable for effective and harmonized implementation in the Baltic Sea Area.

When these IMO decisions have been identified the MC will when deemed necessary , consider the elaboration of measures to facilitate such implementation as well **as** follow the state of implementation by the Contracting Parties.

In addition to those actions the MC will evaluate the experience gained by the Contracting Parties from the designation of the Baltic **Sea** Area a MARPOL 73/78 special area. The evaluation will initially focus on the experiences gained from the application of the provisions of Annex II of MARPOL 73/78 relating to discharge of Noxious Liquid Substances (Regulation 5), Pumping, Piping and Unloading Arrangements (Regulation 5A) and Measures of Control (Regulation 8).

The evaluation will also comprise an investigation on how and to what extent the exemption clauses relatig to pumping, piping and unloading arrangement are applied by the Baltic Sea States with a view to establish common guidelines for such application in the Baltic Sea Area, if deemed necessary.

The MC will further evaluate the experience gained in the Baltic Sea Area since 1986 from the use of the present form of Cargo Record Book by ships flying the flag of the Baltic Sea States and investigate the need for revision. If so justified the MC will propose the necessary common action by the Baltic Sea States within IMO.

The MC will collect information on the use of cargo tank cleaning agents in chemical tankers and consider the need for the elaboration of standards for such agents.

The MC will also consider the need for amending Annex II of MARPOL 73/78 to include an explicit prohibition of the transportation of non-categorized noxious liquid substances carrid in bulk and if so justified the MC will work out an amendment proposal to be submitted to IMO by the Baltic Sea States.

In close cooperation with the CC the MC will make periodic updatings of the chemical trade pattern in the Baltic Sea Area.

2.2.3 **Harmful substances in packaged form (Regulation 6 of Annex IV)**

At MEPC 22 an amended text of Annex III to MARPOL 73/78 was approved in principle and submitted for information to the Maritime Safety Committee (MSC) and the Sub-Committee on the Carriage of Dangerous Goods (CDG). It was the general feeling of MEPC that the amendments to Annex III could be implemented prior to their formal entry into force but

following the formal entry into force of the Annex. It should be noted that for the purposes of Annex III, "harmful substances" are those substances which are identified as "marine pollutants" in the International Maritime Dangerous Goods (IMDG) Code .

According to the decision taken by the 8th meeting of the Commission the text of Regulation 6 should be aligned with that of Regulations 4 and 5 once all the Contracting Parties to the Helsinki Convention have accepted Annex III of MARPOL 73/78 and the Annex is in force. It is expected that the acceptance of Annex III by all the Contracting Parties will take place well in advance of the formal entry into force of the Annex.

The MC will prepare the necessary amendments to Regulation 6 as well as a HELCOM Recommendation on the application of the amendments to MARPOL 73/78 Annex III in the interim period between the entry into force of Annex III and the entry into force of amendments to the Annex.

The MC will continue to coordinate the efforts of the Baltic Sea States within IMO to promote the entry into force of Annex III of MARPOL 73/78, inter alia, by contributing to the preparatory work in defining marine pollutants in the IMDG Code.

The MC will identify such IMO decisions affiliated to MARPOL 73/78 Annex III which are applicable for effective and harmonized implementation in the Baltic Sea Area.

When these IMO decisions have been identified the MC will, when deemed necessary, consider the elaboration of measures to facilitate such implementation as well as follow the state of implementation by the Contracting Parties.

The MC will evaluate the experience so far gained in the Baltic Sea Area from the application of Regulation 6 and

will further review the selection criteria for substances in packaged form.

2.2.4 Sewage (Regulation 7 of Annex IV)

Until the time when all Contracting Parties to the Helsinki Convention have ratified Annex IV to MARPOL 73/78 and the Annex is in force, the explicit method as presently used in Regulation 7, will have to be kept in the Helsinki Convention. The 8th meeting of the Commission decided that when these conditions have been reached the text of Regulation 7 should be aligned with the present text of Regulations 4 and 5. However, Annex IV to MARPOL 73/78 is not expected to enter into force in a foreseeable future.

Due to the distant entry into force of Annex IV to MARPOL 73/78 the MC will consider questions related to the implementation of Regulation 7 to existing ships (implementation date 3 May 1990) as well as guidelines for type approval of **sewage** treatment systems and certification and surveys of such systems.

Experiences gained when applying Regulation 7 to new ships will be collected and evaluated and the MC will further consider the application of Regulation 7 to foreign ships.

The MC will continue the efforts within IMO to bring Annex IV of **MARPOL** 73/78 into force, inter alia, by submission of information on the experiences gained in the Baltic Sea Area from the application of the provisions of this Annex.

2.2.5 Garbage (Regulation 8 of Annex IV)

Until the time when all Contracting Parties to the Helsinki Convention have ratified Annex V to MARPOL 73/78 and the Annex is in force, the explicit method as presently used in Regulation 8, will have to be kept in the Helsinki Convention. When these conditions have been reached the text

of Regulation 8 will be aligned with the present text of Regulations 4 and 5.

The MC will evaluate the experience gained from the application of the provisions of garbage in the Baltic Sea Area, inter alia, the experience gained when applying the IMO guidelines for the establishment of reception facilities for garbage.

The MC will continue its work to facilitate the global entry into force of the provisions on garbage by submission of information on the experience so far gained in the Baltic Sea Area from the application of the provisons on garbage.

The MC will further investigate whether problems exist in the Baltic Sea Area relating to the entanglement of sea birds and seals in lost fishing nets and the threats of plastic particles to fish, sea birds and seals.

2.2.6 Noxious solid substances

Discharge of washings from cargo spaces having contained solid cargoes in bulk is not regulated internationally or by the Helsinki Convention and the MC will investigate whether such washings create a pollution risk in the Baltic. Pending the results of the investigations MC will prepare the necessary regional and international actions to be taken by the Contracting Parties.

The work of the MC on these topics should be co-ordinated also with the IMO work on accidental discharges of solid bulk cargos.

2.2.7 Washings from gas tankers

Discharge of washings from cargo tanks in gas carriers are not regulated internationally or by the Helsinki Convention. However, tank washings could contain MARPOL 73/78 Annex II,

Appendix II substances and the MC will consider whether discharge regulations for such washings should be elaborated.

2.2.8 **Reception facilities**

The MC will revise HELCOM Recommendation 1/1 concerning measures to insure the use of reception facilities for wastes from ships. In revising this HELCOM Recommendation the MC will take into account that the main principles contained therein, i.e., that ships should have no economical advantages for not using the reception services available, and in conjunction with this revision the MC will consider the fee system applied by the Contracting Parties with a view of possible harmonization of the national systems.

The MC will evaluate the status of reception services in the Baltic **Sea** States with the aim to consider the possibility to develop common guidelines to ensure that reception services will be approximately on the same level in the entire Baltic Sea Area.

Taking into consideration the experiences so far gained from the establishment and operation of reception facilities in the Baltic Sea Area the MC will review HELCOM Recommendations related to reception facilities. In this review will be included considerations of the need to elaborate supplementary guidelines to the IMO guidelines for the establishment of reception facilities.

The MC will further evaluate the experience gained from the financing of reception facilities, the amounts of waste discharged to reception facilities and the application of the no-special-fee system. The final evaluation will be submitted to IMO, inter alia, to facilitate the entry into force of Annexes IV and V of MARPOL 73/78.

2.2.9 Pleasure craft

The compilations of national measures relating to pleasure craft and of the number and types of pleasure craft in the Convention Area will be updated annually.

The MC will elaborate guidelines which could be applied by the Contracting Parties when establishing national counter pollution measures relating to regulation of discharges from pleasure craft.

The MC will exchange information on the experience gained from the application of national counter pollution measures and decide on further measures to reduce harmful effects from pleasure craft.

2.3 AIR POLLUTION FROM SHIPS

The MC will compile national regulations relating to restriction of air pollution from ships, inter alia, from ventilation of tanks on chemical tankers and exhaust gases. The MC will further collect information on the extent of air pollution.

On the basis of this compilation and the extent of the pollution the MC will, if necessary, elaborate regional guidelines and initiate international action within IMO, inter alia, improvement of fuel oil quality, in order to minimize air pollution.

2.4 MARITIME SAFETY

Maritime safety, which also includes safety of navigation as mentioned in Conference Resolution 5, is of the utmost importance for the prevention of accidental pollution from ships. The list of topics contained in the succeeding sub-paragraphs should not be considered exhaustive as new aspects related to maritime safety could be introduced due

to developments in international and regional shipping matters.

2.4.1 Reporting systems

The MC will compile information on existing national and sub-regional reporting systems in the Baltic Sea Area with a view to have the compilation published as an information brochure to mariners and the MC will consider whether there is a need for coordination of such systems in the future.

The MC will further follow the developments in the shipping trade in the Baltic Sea Area and consider the establishment of additional regional reporting and information systems if so required by developments in the trade.

2.4.2 Deep draught routes and traffic separation schemes

The MC and BMCM will continue to act as the consultative body for the Contracting Parties before introducing in IMO adjustments to existing deep draught routes and traffic separation schemes or new such routes and schemes.

2.4.3 Pilotage and hydrographic services

The MC will continue to consider matters related to the use of pilotage services as a pollution prevention measure and the MC will continue the existing cooperation with the Baltic Pilotage Authorities Commission (BPAC). When considering pilotage matters the MC will also take into consideration any information received from the national pilotage services in the Baltic Sea Area.

The MC will take contact with the Baltic Sea Hydrographic Commission (BSHC) regarding the use of hydrographic services as a measure to prevent threats to the marine environment from ship accidents in particular by the issue of navigational warnings.

2.4.4 Fairway safety

The MC will compile information on national measures for increased safety of navigation, such as measures based on the inter-relation between fairways and ships in order to eliminate risks presented by the characteristics (size, type, speed, etc.) of ships, on the one hand, and fairways (dimensions, configuration, etc.), on the other.
Based on this compilation the MC will consider the possible need for establishing guidelines for such measures on a regional basis.

2.4.5 Trade patterns and risk analysis

The trade patterns and risk analysis for chemical tankers and oil tankers under elaboration by the CC will, when finalized, be studied by the MC from the maritime safety aspects and if necessary additional measures to further improve safety of this traffic will be introduced by the MC.

2.5 TRAFFIC UNDER WINTER CONDITIONS

The MC will scrutinize the whole problem area related to navigation under winter conditions with the view to propose international measures to reduce the risk of pollution accidents under such conditions.

The work of the MC will focus on safety of navigation aspects as well as measures relating to ship design and equipment and the MC will as a first step collect and evaluate national information on accidents under winter conditions.

The MC will furthermore investigate whether the ice class regulations could be used as a tool for the prevention of accidents under winter conditions.

2.6 OFF-SHORE ACTIVITIES

The MC will look into the safety aspects in relation to drilling rigs and production platforms taking into consideration the work of other international organizations e.g. IMO and the Conference on Safety and Pollution Safeguards in the Development of the North West European Off-Shore Mineral Resources.
The MC will further consider the need for elaborating provisions on discharges of sewage from off-shore installations similar to those relating to garbage as contained in Paragraph C of Regulation 8 of Annex IV of the Helsinki Convention.

2.7 PARTICULARLY SENSITIVE SEA AREAS

The MC will assist in the IMO work relating to compilation of information on particularly sensitive sea areas established within the territorial waters of the Contracting Parties as well as on national guidelines for the establishment of such areas and on the restrictions imposed on shipping.

The MC will further contribute to the future work of IMO in establishing criteria for the establishment of particularly sensitive sea areas and pending the outcome of this work the MC will consider the need for action to be taken with respect to the Baltic Sea Area.

2.8 CONTROL MEASURES AND INVESTIGATION OF VIOLATIONS

The cooperation between the national administrations cooperating in investigating violations or suspected violations of the Convention's discharge provisions is established through HELCOM Recommendation 6/13 and the MC will follow up on the experiences gained from the application of this Recommendation.

However, there is also a need for continuous exchange of information on the results Of port state control measures applied to ships which may have been allowed, despite of deficiencies, to procede to another port in the Baltic Sea Area in order to facilitate control measures to be taken by this port, if necessary.

Before the elaboration of such an information scheme the MC will, inter alia, consider the experience gained by the Contracting Parties whose administrations are parties to the Paris Memorandum on Port State Control.

The MC will further take measures with a view to intensifying the exchange of information between the Contracting Parties on observations of suspected violations of the discharge regulations made in the course of seaborne or airborne surveillance. Such information will facilitate actions to be taken by other port states in the Baltic Sea Area.

The MC will be the forum for the exchange of experiences from prosecuting of offenders.

As surveillance activities are also dealt with by the CC for the detection and combatting of spillages close cooperation between the two committees is necessary in respect of this topic.

In cooperation with the CC the MC will persue the aim to establish and apply common oil identification mesures to be used in the Baltic Sea Area to facilitate the prosecution of offenders and the MC will be the forum for the exchange of experiences from such prosecutions.

2.9 RESEARCH AND DEVELOP-

The efforts of the MC relating to research and development should focus on projects which are of special relevance to the protection of the Baltic Sea Area against pollution from ships.

It should be borne in mind that research and development are a dynamic area where initiatives are interrelated with the developments in shipping trade and technology. The MC will, for the time being, consider measures to be taken on board ships to minimize outflow of oil in case of tanker accidents as well as measures aiming at the minimization of the generation of harmful substances in the operation of ships.

2.10 LIST OF ACTIVITIES AND TARGET DATES

The list of activities and target dates has been prepared as a separate document listing the different topics in the long- term work plan indicating for each of the topics the foreseen activity, the forum for the activity and the target date when the aim for the activity has been accomplished.

It is foreseen that the list of activities and target dates will be revised annually while the long-term work plan needs no revision for several years.

3. STRATEGY

It is apparent from the future activities presented above that there is - and will be in the foreseeable future - a distinct need for the Commission to have the services of the Maritime Committee for the preparation of matters related to the protection of the marine environment against pollution from ships. With respect to the workload of the MC, which has been outlined in the long-term work plan, it is obvious that adequate personnnel resources must be available in the Secretariat to continue the Secretariat's functions for the MC.

Taking into consideration the range of topics contained in the long-term work plan it is, however, obvious that the Secretariat will not be in the position to carry out the basic work on these topics other than in very exeptional cases. The basic work on the topics contained in the plan will have to be shared by the Contracting Parties which means that the Lead Country system, whereby advantage can be taken of the special competence and experience represented in certain Baltic Sea States, should be used in the MC context to a larger extent than previously.

Partly as a consequence of the use of the Lead Country system it will be necessary for the MC to consider the use of ad hoc working groups in connection with its meetings for the consideration of items in respect of which the basic work has been done outside the MC itself, e.g. by a Lead Country, or where the subject matter under consideration is too complicated technically to be discussed at sessions of the plenary. Also intersessional meetings of ad hoc working groups might be necessary depending on the urgency of the matters to be dealt with.

Furthermore the Contracting Parties should be encouraged to arrange seminars, symposia, work shops and it should be secured that appropriate follow-up by the MC is facilitated by identifying in the proceedings from such arrangements topics in relation to which further action should be considered by the MC.

As regard the coordination of work of the Baltic Sea States within MEPC and other bodies of IMO it is evident that there is - and will be - an equally distinct need for the MC and the BMCM as fora for this coordination.

The BMCM will in its coordinating activities in connection with IMO meetings take over or supplement the corresponding functions of the MC, due to time constraints presented by the work in the IMO bodies in question. It seems therefore

appropriate that the task of the BMCM will be formally establsihed and reflected in the terms of reference of the MC.

Time constraints presented by international work necessitate not only a delegation of certain tasks of the MC to BMCM, as mentioned in the previous paragraph but also make it necessary to authorize the MC to take action in similar circumstances, i.e. time constraints presented by work within other international organizations, to act on behalf of the Commission without prior approval of the Commission in each case. An amendment to this effect to the terms of reference of the MC seems appropriate.

It should furthermore be reflected in the terms of reference that the convening of the BMCM in conjunction with meetings' of the MEPC should be initiated by the Chairman of the MC in close cooperation with the Secretariat. Convening of the BMCM in conjunction with other meetings within IMO should take place on the request of Contracting Parties, the Secretariat or the Chairman of the MC.

The need for coordination of work on certain topics between the MC and the CC has been outlined in the long-term work plan and it is envisaged that in the future a need may arise also for coordination between the MC and the STC on certain topics of common interest.

ANNEX

ACTIVITY STATUS IN THE FIELD OF THE MC

1. Prevention of pollution from ships, Article 7 and Annex IV

Source: Article 7 and Annex IV of the Convention

Article 7
Prevention of pollution from ships

1. In order to protect the Baltic Sea Area from pollution by deliberate, negligent or accidental release of oil, harmful substances other than oil, and by the discharge of sewage and garbage from ships, the Contracting Parties shall take measures as set out in Annex IV of the present Convention.

2. The Contracting Parties shall develop and apply uniform requirements for the capacity and location of facilities for the reception of residues of oil, harmful substances other than oil, including **sewage** and garbage, taking into account inter alia the special needs of passenger ships and combination carriers.

Note 1: The activity status is described under each of the Regulations in Annex IV, as amended 1980 (Regulation 4B), 1981 (Regulation 5, preambular part), 1986 (Regulation 5, preambular part), 1985 (Regulation 5G and Appendix V) and 1987 (Regulations l-5 and Appendicies I-IV).

Note 2: On proposal from MC 12, the eighth meeting of the Commission decided that the maritime HELCOM Recommendations should be classified in the following three categories for reporting of national implementation:

Category 1 - HELCOM Recommendations still valid
Category 2 - HELCOM Recommendations no longer necessary in the HELCOM context, but substance still valid
Category 3 - HELCOM Recommendations no longer valid or accomplished

In the listing of HELCOM Recommendations on the following pages the category is quoted in brackets after the number of the Recommendation.

Annex IV
Prevention of pollution from ships

Regulation 1

The Contracting Parties shall as appropriate cooperate and assist each other in initiating action by the Inter-Governmental Maritime Consultative Organization to develop:
a) international rules for navigation of deep draught ships in narrow and shallow waters in international waters of the Baltic Sea Area and in the entrances to the Baltic Sea for the prevention of collisions, strandings and groundings;
b) an international radio reporting system for large ships en route within the Baltic Sea Area as well as for ships carrying a significant amount of a harmful substance.

Activity Status

As a result of the work relating to sub-Paragraph a) of this Regulation IMO has adopted Resolution A.339(IX) on Navigation through the Entrances to the Baltic Sea and Resolution A.427(XI) on the Use of the Pilotage Services in the Sound, the latter superseded by Resolution A.579(14), on proposal by the Baltic Sea States.

At its first meeting in 1980 the Commission adopted HELCOM Recommendation 1/10 concerning a Position Reporting System for Ships in the Baltic Sea Area. The system has been in operation on a trial basis from 1st July 1981 until 30th June 1985 when it was abolished according to a decision by the sixth meeting of the Commission.

In the trial period the use of the system has been recommended by IMO according to Resolution MSC.XLIV/21, Annex 20.

The task related to the elaboration of the system, follow-up on the experience gained and the final proposal on the future system have been undertaken by the Group of Experts on a Traffic Information System (MC WGTI) during seven meetings held in the period 1979-1985.

The experiences gained and conclusions drawn from the system as elaborated by MC WGTI 7 has been submitted to the 53rd session of the MSC by the Secretariat.

MC 12 felt that the purpose of Regulation 1 had been fulfilled and it was proposed that a modified text of the Regulation should be made more general calling for cooperation between the Baltic Sea States within IMO in matters related to the protection of the Baltic Sea Area from pollution from ships. As a consequence the eighth meeting of the Commission adopted the following new wording of Regulation 1 as contained in HELCOM Recommendation 8/4:

Regulation 1

> The Contracting Parties shall, in matters concerning the protection of the Baltic Sea Area from pollution by ships, cooperate
> a) within the International Maritime Organization, in particular in promoting the development of international rules,
> b) in the effective and harmonized implementation of rules adopted by the International Maritime Organization.
>
> This amendment came into force on 6 April 1987.

The eighth meeting of the Commission recognized the importance of coordination between Baltic Sea States in connection with MEPC meetings and also decided to encourage continued such coordination with improved meeting facilities and under the name of Baltic Maritime Coordinating Meeting, MEPC (BMCM). The Commission requested the Baltic Sea States to convene the BMCM on the Sunday preceding future MEPC meetings.

The Commission further decided that the responsibility for arranging sessions of the BMCM should rotate between the Baltic **Sea** States.

Regulation 2

> The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, as appropriate assist each other in investigating violations of the existing legislation on antipollution measures, which have occurred or are suspected to have occurred within the Baltic Sea Area. This assistance may include but is not limited to inspection by the competent authorities of oil record books and engine log books and taking oil samples for analytical identification purposes and in respect of the system of tagging oil residues.

Activity Status

The sixth meeting of the Commission adopted HELCOM Recommendation 6/13 concerning Cooperation in Investigating Violations or Suspected Violations of Discharge and Related Regulations for Ships and Dumping Regulations.

This Recommendation is further included in Chapter 11 in Volume I of the Manual on Co-operation in Combatting Marine Pollution within the framework of the Helsinki Convention.

The second meeting ot the Interim Commission, December 1975, accepted an offer from Sweden to act as Lead Country for the preparation of a possible joint field experiment within the Baltic **Sea** Area in tagging of oil residues in tankers using different combinations of metal particles.

A special working group was established to prepare the experiment and the working group finalized its work at its sixth meeting in Stockholm 11-12 April 1978 by the adoption of "Technical Administrative Agreement Concerning a Joint Field Experiment within the Baltic Sea Area in Tagging of Oil Residues in Tankers" which became effective 12 October 1978.

A Steering Committee with representatives from all Contracting Parties was established to prepare the execution of the experiment, as well as to evaluate the results from the experiment.

The experiment started on 1 June 1979 and the tagging operations were carried out during June and July and September to December 1979.

The Steering Committee's report was finalized in June 1980 and presented to the second meeting of the Helsinki Commission in 1981.

The Steering Committee reached the conclusion that the tagging system from the operational and admistrative point of view could be applied on a full scale regional basis and that such a system would likely have a preventive effect on deliberate oil discharges from ships within the region. However, the Steering Committee suggested that certain additional technical investigations had to be carried out in order to verify the effectivness and reliablility of the measures, and that also cost benefit calculations should be initiated to enable the Commission to take a decision whether the system should be introduced to the Baltic Sea Area for regional use.

The Commission agreed that such additional technical investigations and cost benefit calculations should be carried out and Sweden undertook to act as Lead Contry for these investigations.

At MC 8, November 1982, the results of the investigations were presented to the Committee and the results confirmed that the methods of tagging of oil residues with metal particles is feesable at a laboratory scale but the application of the method for a full scale use would require additional investigations.

At MC 9, November 1983, agreement could not be reached to continue these investigations and no further attempts have been made within the MC to initiate such investigations.

MC 12 consequently proposed the Commission that the references to the tagging system and Regulation 2 should be deleted.

According to HELCOM Recommendation 8/4 the reference to the tagging system in Regulation 2 has been deleted and the following text entered into force on 6 April 1987:

Regulation 2

The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, as appropriate assist each other in investigating violations of the existing legislation on anti-pollution measures, which have occured or are suspectid to have occured within the Baltic Sea Area. This assistance may include but is not limited to inspection by the competent authorities of oil record books, cargo record books, log books and engine log books and taking oil samples for analytical identification purposes.

Regulation 3
DEFINITIONS

For the purposes of this Annex:

1. "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed of floating platforms.
2. Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed of floating platforms engaged in ecploration and exploitation of the sea-bed and subsoil therof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration if the Government of the coastal State concerned.
3. a) "Discharge", in relation to harmful substances or effluents containing such substances, means any

release howsoever caused from a ship and includes any **escape, disposal,** spilling, leaking, pumping, emitting or emptying:

b) "Discharge" does not include:

(i) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 December 1972; or

(ii) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or

(iii) release of harmful substances for purposes of legitimate scientific research into pollution abatement control.

4. "Nearest land". The term "from the nearest land" means from the baseline from which the territorial **sea** of the territory in question is established in **accorcance** with international law.

5. The term "jurisdiction" shall be interpreted in accordance with international law in force at the time of application or interpretation of this Annex.

The wording of Regulation 3 is in conformity with MARPOL 73/78. However, due to the amendments to Regulations 4 and 5 the following new definition has been added according to HELCOM Recommendation 8/4:

6. The term "MARPOL 73/78" means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.

Regulation 4
OIL

The Contracting Parties shall as soon as possible but not later than 1 January 1977 or on the drte of entry into force of the present Convention, whichever occurs later, apply the provisions of Paragraphs A to D of this Regulation oo methods for the prevention of pollution by oil from ships while operating in the Baltic Sa Area.

A Definitions

For the purposes of this Regulation:

1. "Oil" means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products (other than petrochemicals which are subject to the provisions of Regulation 5 of thir Annex) md, without limiting the generality of the foregoing, includes the substances listed in Appendix I to this Annex.

2. "Oily mixture" means a mixture with any oil content.

3. "Oil fuel" means any oil used as fuel in connection with the propulsion and auxiliary machinery of the ship in which such oil is carried.

4. "Oil maw' means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers and any "chemical tanker" as defined in Regulation 5 of this Annex when it is carrying a cargo or part cargo of oil in bulk.

5. "Combination carrier" means a ship designed to carry either oil or solid cargoes in bulk.

6. "Clean ballast" means the ballast in a tank which since oil was last carried therein has been so cleaned that effluent therefrom if it were discharged from a- ship which is stationary iato clean calm water on a clear day would not produce visible traces of oil on the surface of the water or on adjoining shore lines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines. If the ballast is discharged through an oil discharge monitoring and control system approved by the Administration, evidence based on such a system to the effect that the oil content of the effluent did not exceed 15 parts per million shall be determinative that the ballast was clean, notwithstanding the presence of visible traces.

7. "Segregated ballast" means the ballast water introduced into a tank which is completely separated from the cargo oil and oil fuel system and which is permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious substances as variously defined in the Regulations of this Annex.

B Control of Discharge of Oil

1. a) Subject to the provisions of Paragraph C of this Regulation, any discharge into the sea of oil or oily mixtures from my oil tanker and any ship of 400 tons gross tonnage and above other than an oil tanker shall be prohibited, while in the Baltic Se8 Area;

b) such ships while in the Baltic Sea Area shall retain on board all oil drainage and sludge, dirty ballast and tank washing waters and discharge them only to reception facilitia.

2. Subject to the provisions of Paragraph C Of this Regulation, any discharge into the sea of oil or oily mixtures from a ship of less than 400 tons gross tonnage, other than an oil tanker, shall be prohibited while in the Baltic Sea Area, except when the oil content of the effluent without dilution does not exceed 15 parts per million or alternatively when all of the following conditions are sat isf icd:

(i) the ship is proceeding en route;

(ii) the oil content of the effluent is less than 100 parts per million ; and

(iii) the discharge is made as far as practicable from the land, but in no case less than 12 nautical miles from the nearest land.

3. a) The provisions of Sub-Paragraphs 1 and 2 of this Paragraph shall not apply to the discharge of clean or segregated ballast.

b) The provisions of Sub-Paragraph 1 of this Paragraph shall not apply to the discharge of processed bilge water from machinery spaces, provided that all of the following conditions are satisfied:

(i) the bilge water does not originate from cargo pump room bilges;

(ii) the bilge water is not mixed with oil cargo residues;

(iii) the ship Is proceeding en route ;

(iv) the oil content of the effluent without dilution does not exceed 15 parts per million;

(v) the ship has in operation an oily-water separating system and an effective filtering system, or an equivalent equipment, approved by the Administration; and

(vi) the system or equipment is such that it will produce an effluent the oil content of which does not exceed 15 parts per million, and is provided with alarm arrangements to indicate when this level cannot be maintained, as well as a stopping device which will ensure that the discharge is automatically stopped when the oil content of the effluent exceeds 15 parts per million.

4. a) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this Regulation.

b) The oil residues which cannot be discharged into the sea in compliance with Sub-Paragraphs 2 or 3b) of this Paragraph shall be retained on board or discharged to reception facilities.

5. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, the Contracting Parties should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this Regulation. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.

C Exceptions

Paragraph B of this Regulation shall not apply to:

a) the discharge into the sea of oil or oily mixtures necessary for the purpose of securing the safety of a ship or saving life at sea; or

b) the discharge into the sea of oil or oily mixtures resulting from damage to a ship or its equipment:

(i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and

(ii) except if the owner or the Master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or

c) the discharge into the sea of substances containing oil, approved by the Administration, when being used for the purpose of combatting specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Contracting Party in whose jurisdiction it is contemplated the discharge will occur.

D Special Requirements for Drilling Rip and other Platforms

Fixed and floating drilling rigs when engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources and other platforms shall comply with the requirements of this Regulation applicable to ships of 400 tons gross tonnage and above other than oil tankers, except that:

a) they shall keep a record of all operations involving oil or oily mixture discharges, in a form approved by the Administration; and

b) subject to the provisions of Paragraph C of this Regulation, the discharge into the sea of oil or oily mixtures shall be prohibited except when the oil content of the discharge without dilution does not exceed 15 puts per million.

E **Reception Facilities of the Baltic Sea Area**

The Contracting Parties undertake to ensure that not later than 1 January 1977 all oil loading terminals and repair ports of the Baltic Sea Area are provided with facilities adequate for the reception and treatment of all the dirty ballast and tank washing waters from oil tankers. In addition all ports of the area shall be provided with adequate reception facilities for other residues and oily mixtures from all ships. Such facilities shall have adequate capacity to meet the needs of the ships using them without causing undue delay.

Activitv Status

The main activities in relation to this Regulation have been aimed at the facilitation of an as early entry into force as possible taking into consideration that such entry would take place well in advance of the entry into force of Annex I to MARPOL 73/78.

The entry into force of Regulation 4 took place on 3 May 1980 for two Contracting Parties and one year later for the remaining five. The entry into force of Annex I to MARPOL 73/78 took place on 2nd October 1983.

Furthermore the activities catered for the implementation of the amendments to the Annex to the 1978 Protocol which entered into force 7 January 1986, but which were recommended by IMO to be applied already from the entry into force of Annex I to MARPOL 73/78.

The results of the activities are reflected in several HELCOM Recommendations as amended or kept in its original form.

The Recommendations are the following:

Recommendation l/l (1)

Recommendation concerning Measures to Ensure the Use of Reception Facilities for Wastes from Ships

Recommendation 1/2 (2)

Recommendation concerning the Application by the Baltic Sea States of IMCO Resolution A.393(X) - Recommendation on International Performance and Test Specifications for Oily-Water Separating Equipment and Oil Content Meters

Recommendation 1/11 (1)

Recommendation concerning the Application by the Baltic Sea States of the MEPC Guidelines on the Provision of Adequate Reception Facilities in Ports

Recommendation 1/12 (1)

Recommendation concerning Standard Discharge Connections

Recommendation 1/14 (3)

Recommendation concerning Amendments to Regulation 4B of Annex IV of the Helsinki Convention

Recommendation 2/3 (2)

Recommendation concerning the Application by the Baltic Sea States of Specifications for Process Units Intended for Attachment to Existing Oily-Water Separating Equipment

Recommendation 3/4 (3)

Recommendation concerning the Application by the Baltic Sea States of the IMCO Format for Reporting Alleged Inadequacy of Reception Facilities for Oily Waste (MEPC/Circ.60) and the Application of a Helsinki Convention Format for Reporting Alleged Inadequacy of Reception Facilities for Sewage and Garbage

Recommendation 4/2 (2)

Recommendation on the Use and Recognition of the Revised Forms of International Oil Pollution Prevention (IOPP) Certificate and Oil Record Book agreed by the International Maritime Organization (IMO)(MEPC/Circ.99)

Recommendation 7/7 (2)

Recommendation concerning Recording of Fuel Oil Bunkering Operations in the Oil Record Book and Documentation for the Use of Reception Facilities

Recommendation 7/8 (2)

Recommendation concerning the Application by the Baltic Sea States of IMO Resolution A.586(14) - Revised Guidelines and Specifications for Oil Discharge Monitoring and Control Systems for Oil Tankers as

Amended by IMO Resolution MEPC:24(22) and Amendments to IMO Resolution A.393(X) on International Performance and Test Specifications for Oily-Water Separating Equipment and Oil Content Meters as Contained in IMO Resolution MEPC.24(22)

Recommendation 7/9 (1)

Recommendation concerning the Application by the Baltic Sea States of the IMO Format for Reporting Alleged Inadequacy of Oily Waste Reception Facilities (MEPC/Circ.160) and the Application of a Helsinki Convention Format for Reporting Alleged Inadequacy of Reception Facilities for Sewage and Garbage

Based on the fact that by 1 July 1986 all Contracting Parties to the Helsinki Convention had become parties to MARPOL 73/78 the eighth meeting of the Commission adopted the following new wording of Regulation 4 as proposed by MC 12 and contained in HELCOM Recommendation 8/4:

Regulation 4
OIL

The Contracting Parties, also being parties to MARPOL 73/78, apply in conformity with that agreement the provisions of Annex I to MARPOL 73/78 for the prevention of pollution by oil.

Regulation 5
NOXIOUS LIQUID SUBSTANCES IN BULK

The provisions of this Regulation shall apply from 1 January 1986

A Definitions

For the purposes of this Regulation:

1. "Chemical tanker" means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an "oil tanker" as defined in Regulation 4 of this Annex when carrying a cargo or pan cargo of noxious liquid substances in bulk.

2. "Clean ballast" means ballast carried in a tank which, since it was last used to carry a cargo containing a substance in Category A, B, C, or D has been thoroughly cleaned and the residues resulting therefrom have been discharged and the tank emptied in accordance with the appropriate requirements of this Regulation.

3. "Segregated ballast" means ballast water introduced into a tank permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious Liquid substances as variously defined in the Regulations of this Annex, and which is completely separated from the cargo and oil fuel system.

4. "Liquid substances" are those having a vapour pressure not exceeding 2.8 kp/cm² at a temperature of 37.8' C.

5. "Noxious liquid substance" means any substance designated in Appendix III to this Anna or provisionally assessed under the provisions of Sub-Paragraph 4 of Paragraph B of this Regulation as falling into Category A, B, C, or D.

B Categorization and Listing of Noxious Liquid Subetances

1. For the purposes of this Regulation noxious liquid substances shall be divided into four categories as follows:

a) Category A — noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate uses of the sea and therefore justify the application of stringent anti-pollution measures;

b) Category B — noxious liquid substances which if discharged into the sea from tank cleaning or deballuting operations would present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify the application of special anti-pollution measures;

c) Category C — noxious liquid substances which if discharged into the se , from tank cleaning or deballasting operations would present a minor hazard to either marine resources or human health or cause minor harm to amenities or ocher legitimate uses of the sea and therefore require special operational conditions;

d) Category D — noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would pment a recognizable hazard to either marine resources or human health or cause minimal harm to amenities or ocher legitimate uses of the sea and therefore require some attention in operational conditions,

2. Guidelines for use in the categorization of noxious liquid substances are given in Appendix II to this Annex.

3. The list of noxious liquid substances carried in bulk and presently categorized which are subject to the provisions of this Regulation is set out in Appendix III to this Anna.

4. Where it is proposed to carry a liquid substance in bulk which has not been categorized under Subparagraph 1 of this Paragraph or evaluated as referred to in Sub Paragraph 1 of Paragraph C of this Regulation the Contracting Parties involved in the proposed operation shall establish and agree on a provisional assessment for the proposed operation on the basis of the guidelines referred to in Sub-Paragraph 2 of this Paragraph. Until full agreement between the Governments involved has been reached, the substance shall be carried under rhe most severe conditions proposed.

C Other Liquid Substances

1. The substances listed in Appendix IV to this Annex have been evaluated and found to fall outside the Categories A, B, C, and D, as defined in Sub-Paragraph 1 of Paragraph B of this Regulation because they are presently considered to present no harm to human health, marine resources, amenities or other legitimate uses of the sea, when discharged into the sea from tank cleaning or deballasting operations.

2. The discharge of bilge or ballast water or other residues or mixtures containing only substances listed in Appendix IV to this Annex shall not be subject to any requirement of this Regulation.

3. The discharge into the sea of clean ballast or segregated ballast shall not be subject to any requirement of this Regulation.

D Discharge of **Noxious** Liquid **Substances**

Subject to the provisions of Paragraph E of this Regulation:

1. **The discharge into the sea** of substances in Category A as defined in Sub Paragraph 1 a) of Paragraph B of this **Regulation**, or of those provisionally assessed **as such** or **ballast** water, tank **washings**, **or other** residues or mixtures containing such **substances shall be** prohibited. If tanks containing such substances or **mixtures** are to **be washed,** the **resulting** residues shall be discharged to a **reception** facility which the **Contracting** Parties shall provide in accordance with Paragraph H of this Regulation, **until the concentration** of the substance **in the effluent to such** facility is at **or below the residual** concentration **prescribed** for that substance in **column** IV **of** Appendix III to this **Annex** and until the tank is empty. Provided that the residue then **remaining** in the tank is subsequently diluted by the addition of a volume of water of not less than **5** per cent of the total volume **of the** tank, it may he discharged into the sea when all the following conditions are also satisfied:

a) the ship is proceeding en **route at a speed of at least 7 knots in the case** of **self-propelled** ships or **at least** 4 knots in **the** case of ships which are not **self-propelled;**

b) the **discharge** is made below the waterline, **taking** into account tk location of the seawater **intakes**; and

c) the discharge is made **at a** distance of not less than **12** nautical miles **from the** nearest **land** and in a depth of water of not **less** than 25 **metres.**

2. **The discharge** into **the sea** of **substances** in **Category** B **as defined in** Sub **Paragraph 1 b) of Paragraph B** of **this Regulation** or of those **provisionally** assessed **as such or ballast water, tank washings, or other residues or mixtures containing such substances shall** be prohibited **except when** all the **following** conditions are satisfied:

a) the **tank has been washed after unloading** with **a** volume of water of not **less than** 0.5 per cent of the **total volume** of the tank, and the **resulting residues** have **been discharged** to a reception facility until the tank is **empty**;

b) **the ship is** proceeding **en** route at a speed of **at least** 7 **knots in the case of self-propelled** ships **or at least** 4 **knots in the case of ships which are not self-propelled;**

c) the procedures and arrangements for discharge and washings **are approved** by **the Administration** and **shall ensure** that the **concentration** and **rate** of discharge of **the effluent is** such **that** the **concentration** of the substance in the wake astern of tk ship **does not exceed** 1 part per **million;**

d) the discharge is made below tk waterline, taking into account the **location** of **the seawater intakes; and**

e) **the discharge is** made at **a distance of not less than** 12 **nautical miles from** the **nearest land** and in a depth of water **of** not **less** than 25 **metres.**

3. The discharge into the sea **of** substances in Category C **as defined** in **Sub Paragraph** lc) of Paragraph B of this Regulation **or** of those **provisionally assessed as such** or **ballast** water, **tank washings,** or other residues or mixtures **containing such** substances **shall** be prohibited except when all the following conditions are **satisfied:**

a) **the** ship is **proceeding** en route **at** a **speed of at least 7 knots in the case of self-propelled** ships or at **last** 4 **knots** in the case **of ships which are not self-propelled;**

b) the procedures and arrangements for discharge are approved **by** the **Administration** and shall ensure chat the concentration and rate of **discharge of the effluent is such that the** concentration of the substance in the **wake astern of the ship does not exceed** 1 part **per** million;

c) the maximum quantity of cargo discharged from **each** tank and its **associated** piping system **dots** nor exceed the maximum quantity approved in **accordance** with the **procedures** referred to in Subparagraph 3 b) of this Paragraph which **shall** in no case **exceed** the **greater** of 1 cubic **metre or** 1/3.000 of the tank capacity in **cubic metres;**

d) the discharge is made below tk waterline, taking into account the location of the seawater intakes; snd

e) the discharge is made at a distance Of not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

4. The discharge into the sea of substances in Category D as defined in Sub Paragraph 1 d) of Paragraph B of this Regulation, or of those provisionally assessed as such or ballast water, tank washings, or Other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied:

a) the ship is proceeding en route at a speed of at least 7 knots in the case *of* self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

b) such mixtures are of a concentration not greater than one part of the substance in ten parts of water: and

c) the discharge is made at a distance of not less than 12 nautical miles from the nearest land.

5. Ventilation procedures approved by the Administration may be used to remove cargo residues from a tank. If subsequent washing of the tank is necessary, the discharge into the sea of the resulting tank washings shall be made in accordance with Sub-Paragraphs 1, 2, 3, or 4 of this Paragraph, whichever is applicable.

6. The discharge into the sea of substances which have not been categorized, provisionally assessed, or evaluated as referred to in Sub-Paragraph I of Paragraph C of this Regulation, or of ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited.

E Exceptions

Paragraph D of this Regulation shall not apply to:

II) the discharge into the sea of noxious liquid substances or mixtures containing such substances necessary for the purpose of securing the safety of a ship or saving life at sea; or

b) the discharge into the sea of noxious liquid substances or mixtures containing such substances resulting from damage to a ship or its equipment:

(i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and

(ii) except if the owner or the Master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or

c) the discharge into the sea of noxious liquid substances or mixtures containing such substances, approved by the Administration, when being used for the purpose of combatting specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Contracting Party in whose jurisdiction it is contemplated the discharge will occur.

F Measures of Control

1. The Contracting Parties shall appoint or authorize surveyors for the purpose of implementing this Paragraph.

Category A ***Substances***

2. a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Rook;

b) until that tank is cleaned every subsequent pumping or transfer operation carried out in connection with that tank shall also be entered in the Cargo Record Book.

3. If the tank is to be wuhed:

a) the effluent from the tank washing operation shall be discharged from the ship to a reception facility at least until the concentration of the substance in the discharge, as indicated by analyses of samples of the effluent taken by the surveyor, has fallen to the residual concentration specified for that substance in Appendix III to this Annex. When the required residual concentration has been achieved, remaining tank washings shall continue to be discharged to the reception facility until the tank is empty. Appropriate entries of these operations shall be made in the Cargo Record Rook and certified by the surveyor; and

b) after diluting the residue then remaining in the tank with at least 5 per cent of the tank capacity of water, this muxture may be discharged into the sea in accordance with the provisions of Sub-Paragraphs 1 a), b), and c) of Paragraph D of this Regulation. Appropriate entries of these operations shall be made in the Cargo Record Book.

4. Where the Government of the receiving Party is satisfied that it is impracticable to measure the concentration of the substance in the effluent without causing undue delay to the ship, that Party may accept an alternative procedure as being equivalent to Subparagraph 3 a) of this Paragraph provided that:

a) a precleaning procedure for chat tank and that substance is approved by the Administration and chat Party is satisfied that such procedure will fulfil the requirements of Subparagraph 1 of Paragraph D of this Regulation with respect to the attainment of the prescribed residual concentrations;

b) a surveyor duly authorized by that Party shall certify in tk Cargo Record Book that:

(i) the tank, its pump and piping system have been emptied, and that the quantity of cargo remaining in the tank is at or below the quantity on which the approved precleaning procedure referred to in Sub-Paragraph (ii) of this Sub-Paragraph has been bad;

(ii) precleaning has been carried out in accordance With the precleaning procedure approved by the Administration for that tank and that substance; and

(iii) the tank washings resulting from such precleaning have been discharged to a reception facility and the tank is empty;

c) the discharge into the sea of any remaning residues shall be in accordance with the provisions of Sub-Paragraph 3 b) of this Paragraph and an appropriate entry is made in the Cargo Record Book.

Category B Substances

5. Subject to such surveillance and approval by tbe authorized or appointed surveyor as may be deemed necessary by the Contracting Party, the Master of a ship shall, with respect to a Category B substance, ensure compliance with the following:

a) if a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;

b) until chat tank is cleaned every subsequent pumping or transfer operation carried out in connection with chat tank shall also be entered in the Cargo Record Book;

c) if the tank is to be washed, the effluent from the rank washing operation, which shall contain a volume of *water* not less than 0.5 per cent of the total volume of the tank, shall be discharged from the ship to a reception facility until the tank, its pump and piping system are empty. An appropriate entry shall be made in the Cargo Record Book;

d) if the tank is co he further cleaned and emptied *at* sea, the Master shall:

. (i) ensure that the approved procedures referred to in Sub-Paragraph 2 c) of Paragraph D of this Regulation are complied with and that the appropriate entries are made in the Cargo Record Book; and

(ii) ensure chat any discharge into the sea is made in accordance with the requirements of Sub-Paragraph 2 of Paragraph D of this Regulation and an appropriate entry is made in the Cargo Record Book;

e) if after unloading a Category B substance, any residues of tank washings are to be retained on board until the ship is outside the Baltic Sea Area, the Master shall so indicate by an appropriate entry in the Cargo Record Book.

Category C Substances

6. Subject to such surveillance and approval by the authorized or appointed surveyor as may be deemed necessary by the Contract@ Party, the Master of a ship shall, with respect to a Category C substance, ensure compliance with the following:

a) if a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;

b) if the tank is to be cleaned at sea:

(i) the cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;

(ii) the quantity of substance remaining in the tank shall not exceed the maximum quantity which may be discharged into the sea for that substance under Sub-Paragraph 3 c) of Paragraph D of this Regulation. An appropriate entry shall be made in the Cargo Record Book;

(iii) where it is intended to discharge the quantity of substance remaining into tk sea tk approved procedures shall be complied with, and the necessary dilution of the substance satisfactory for such a discharge shall be achieved. An appropriate entry shall be made in the Cargo Record Book; or

(iv) where the tank washings are nor discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in the Cargo Record Book; and

(v) any subsequent discharge into the sea of such tank washings shall be made in accordance with the requirements *of* Sub-Paragraph 3 of Paragraph D of this Regulation;

c) if the tank is to be cleaned in port:

(i) the tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or

(ii) the tank washings shall be retained on hoard the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings;

d) if *after* unloading a Category C substance within the Baltic Sea Area, any reridua or tank washings are to be retained on board until the ship is outside the am, the Master *shall* so indicate by an appropriate entry in the Cargo Record Book.

Category D Substances

7. The Muter of a ship shall, with respect to a *Category* D substance, ensure compliance with the following:

a) if a tank is partially unloaded *or* unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;

b) if the tank is co be cleaned at sea:

(i) the cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;

(ii) where it is intended to discharge the quantity of substance remaining into the sea, the necessary dilution of the substance satisfactory for such a discharge shall he achieved. An appropriate entry shall be made in the Cargo Record Book;

(iii) where the tank washings are not discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in tk Cargo Record Book; and

(iv) any subsequent discharge into the sea Of such tank washings shall be made in accordance with the requirements of Subparagraph 4 of Paragraph D of this Regulation;

c) if the tank is to be cleaned in port:

(i) the tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or

(ii) the tank washings shall be retained on board the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings.

Discharge from a Slop Tank

8. Any residues retained oa board in a slop tank, including those from pump room bilges, which contain a Category A or a Category B substance, shall be discharged to a reception facility in accordance with the provisiona of Sub-Paragraph 1 or 2 of Paragraph D of this Regulation, whichever is applicable. An appropriate entry shall be made in the Cargo Record Book.

9. Any residues retained on board in a slop tank, including those from pump room bilges, which contain a Category C substance in excess of the aggregate of the maximum quantities specified in Sub-Paragraph 3 c) of Paragraph D of this Regulation shall be discharged to a reception facility. An appropriate entry shall be made in the Cargo Record Book.

G Cargo Record Book

1. Every ship to which this Regulation applies shall be provided with a Cargo Record Book, whether as part of the ship's offical log book or otherwise, in the form recommended by the Commission.

2. The Cargo Record Book shall be completed, on a tank-to-uak basis, whenever any of the following operations with respect to a noxious liquid substance takes place in the ship:

(i) loading of cargo (substances of Category A, B, Cand D);
(ii) internal transfer of cargo;
(iii) unloading of cargo;
(iv) cleaning of cargo tanks;
(v) ballasting of cargo tanks;
(vi) discharge of ballast from cargo tanks;
(vii) disposal of residues;
(viii) discharge lnto the sea in accordance with Paragraph D of this Regulation.

H **Reception Facilities**

1. The Contracting Parties undertake to ensure *the* provision of reception facilities according to the needs of ships using their ports, terminals or repair ports of the Baltic Sea Am as follows:

a) cargo loading and unloading ports and terminals shall have facilities adequate for reception without undue delay to ships of such residues and mixtures containing noxious liquid substances as would remain for disposal from ships carrying them as a consequence of the application *of* this Regulation; and

b) ship repair ports undertaking repairs to chemical tankers shall have facilities adequate for the reception of midua and mixtures containing noxious liquid sub stances.

2. Each Contracting Party shall determine the types of facilities provided for the purpose of Subparagraph 1 of this Paragraph at its cargo loading and unloading ports, terminals and ship repair ports of the Baltic Sea Am.

3. In the event of any discharge of the kind referred to in Annex VI of the present Convention and Paragraph E of this Regulation of any noxious liquid substance or mixture containing such substance, whether intentional or accidental, an entry dull be made in the Cargo Record Book stating the circumstances of, and the reason for, the discharge.

4. When a surveyor appointed or authorized by a Contracting Party to supervise any operations under this Regulation has inspected a ship, then that surveyor shall make an appropriate entry in the Cargo Record Book.

5. Each operation referred to in Sub-Paragraphs 2 and 3 of this Paragraph shall be fully recorded without delay in the Cargo Record Book so that all the entries in the Book appropriate to that operation are completed. Each entry shall be signed by the officer or officers in charge of the operation concerned and, when the ship is manned, cub page shall be signed by the Master of the ship. The entries in the Cargo Record Book shall be in an official language of the State whose flag the ship is entitled to fly, and, except when the ship is engaged in domestic voyages, in English or French. The entries in an official national language of the State whose flag the ship is entitled to fly shall prevail in case of a dispute or discrepancy.

6. The Cargo Record Book shall be kept in such a place as to be readily available *for* inspection and, except in the case of unmanned ships under tow, shall be kept on board the ship. It shall be retained for a period of three years after the last entry has been made.

7. The competent authority of a Contracting Party may inspect the Cargo Record Book on board any ship to which this Regulation applies while the ship is in its port, and may make a copy of any entry in that Book and may require the Master of the ship to certify that the copy is a true copy of such entry. Any copy so made which has been certified by the Master of the ship as a true copy of an entry in the ship's Cargo Record Book shall be made admissible in any judicial proceedings as evidence of the facts stated in the entry. The inspection of a Cargo Record Book and the taking of a certified copy by the competent authority under this Paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

Activity Status

According to the original text of the preambular part of Regulation 5 the Contracting Parties should, not later than one year after the date of entry into force of the Convention, decide on a date from which the provisions of Regulation 5 should take effect.

This decision was taken by the Commission at its second meeting by amending the preambular part to reflect the agreed entry into force date, 1 July 1984.

However, due to practical problems in relation to an effective implementation by the Baltic Sea States of Regulation 5, inter alia, due to the introduction by IMO of the efficient stripping concept, the Commission decided at its fifth meeting to postpone the entry into force of Regulation 5 to 1 January 1986 by amending the preambular part.

The entry into force of Regulation 5 took place on the date so decided while Annex II to MARPOL 73/78, as amended, has been applied from 6 April 1987.

Upon request from the Baltic Sea States MEPC 22 adopted Regulation MEPC 23(22) in which it was recommended that ships not flying the flag of a Baltic Sea State should apply the provisions of Annex II of MARPOL 73/78 in the Baltic Sea Area from 1 January 1986.

Upon the request from the seventh meeting of the Commission the Government of Finland notified IMO according to Regulation 5(13) of Annex II of MARPOL 73/778 that the special area requirements should take effect in the Baltic Sea Area as from the application of Annex II of MARPOL 73/78. i.e. 6 April 1987.

The main activities of the MC and the Group of Experts on the Application of Regulation 5 Of Annex IV (MC EM CHEM) in relation to this Regulation have been aimed at the facilitation of the entry into force of the Regulation as of 1 July 1984, as later postponed until 1 January 1986.

The postponement of the application of Annex II to MARPOL 73/78 and the introduction of amendments to the Annex containing fundamentally new ideas have created great difficulties in these activities as well as the work on Regulation 5 matters has been under constant time constraint.

The result of the above described activities are reflected in several HELCOM Recommendations.

These Recommendations are the following:

Recommendation l/l (1)

Recommendation concerning Measures to Ensure the Use of Reception Facilities for Wastes from Ships

Recommendation 1/11 (1)

Recommendation concerning the Application by the Baltic Sea States of the MEPC Guidelines on the Provision of Adequate Reception Facilities in Ports

Recommendation 2/1 (3)

Recommendation concerning Amendment of Regulation 5 of Annex IV of the Helsinki Convention

Recommendation 5/4 (3)

Recommendation concerning Amendment of Regulation 5 of Annex IV of the Helsinki Convention

Recommendation 6/8 (1)

Recommendation concerning the Implementation of Regulation 5 of Annex IV to the Helsinki Convention

Recommendation 6/9 (3)

Recommendation concerning Amendments to Regulation 5 of Annex IV and Appendix V of Annex IV of the Helsinki Convention

Recommendation 6/10 (2)

Recommendation concerning the Application by the Baltic Sea States of IMO Resolution A.544(13) on Standards for Procedures and Arrangements Called for by Annex II of MARPOL 73/78

Recommendation 6/11 (1)

Recommendation concerning the Application by the Baltic Sea States of a Format for Reporting Difficulties Encountered in the Disposing of Residues and Mixtures containing Noxious Liquid Substances

Recommendation 6/12 (2)

Recommendation concerning the Application of IMO's International Bulk Chemical Code (IBC Code) and IMO's Bulk Chemical Code (IMO Assembly Resolution A.212(VII) inlcuding ten sets of amendments) (BCH Code)

Recommendation 7/6 (3)

Recommendation concerning the Implementation of Regulation 5 of Annex IV to the Helsinki Convention, supplementing Recommendations 6/8, 6/9 and 6/10

Recommendation 7/10 (2)

Recommendation concerning the Application by the Baltic Sea States of the Revised Part II - residues and mixtures containing noxious liquid substances - of the MEPC Guidelines on the Provision of Adequate Reception Facilities in Ports

Based on the fact that by 1 July 1986 all Contracting Parties to the Helsinki Convention had become parties to MARPOL 73/78 the eighth meeting of the Commission adopted the following new wording of Regulation 5 as proposed by MC 12 and contained in HELCOM Recommendation 8/4:

Regulation 5
NOXIOUS LIQUID SUBSTANCES

> The Contracting Parties, also being parties to MARPOL 73/78, apply in conformity with that agreement the provisions of Annex II to MARPOL 73/78 for the prevention of pollution by noxious liquid substances carried in bulk.

According to the above mentioned HELCOM Recommendation Appendices I to IV of Annex IV were deleted.

Regulation 6
HARMFUL SUBSTANCES IN PACKAGED FORMS

> A. The Contracting Parties shall as soon as possible apply suitable uniform rules for the carriage of harmful substances in packaged forms or in freight containers, portable tanks or road and rail tank wagons.
> B. With respect to certain harmful substances, as may be designated by the Commission, the Master or owner of the ship or his representative shall notify the appropriate port authority of the intent to load or unload such substances at least 24 hours prior to such action.
> C. A report of an incident involving harmful substances shall be made in accordance with the provisions of Annex VI of the present Convention.

Activity Status

Regulation 6 has been in force since 3 May 1980 for two Contracting Parties and since 3 May 1981 for the remaining five. The corresponding MARPOL 73/78 provisions contained in Annex III are still not in force.

It should also be noted that even if all Contracting Parties to the Helsinki Convention are parties to MARPOL 73/78 as from 1 July 1986, one Contracting Party has not yet accepted the optional Annexes to MARPOL 73/78.

At MEPC 22 an amended text of Annex III to MARPOL 73/78 was approved in principle and submitted for information to MSC

and CDG. It was the general feeling of MEPC that the amendments to Annex III could be implemented prior to their formal entry into force.

It should further be noted that for the purposes of Annex III, "harmful substances", are those substances which are identified as "marine pollutants" in the International Maritime Dangerous Goods (IMDG) Code.

Until the time when all Contracting Parties to the Helsinki Convention have ratified Annex III to MARPOL 73/78 and the Annex is in force, the explicit method presently used in Regulation 6 will have to be kept in the Helsinki Convention and the MC will work out any necessary amendments to Regulation 6. The eighth meeting of the Commission decided that when these conditions have been reached the text of Regulation 6 should be aligned with the amended text of Regulations 4 and 5 and the MC will elaborate consquential amendments to the regulation.

The HELCOM Recommendations relating to Regulation 6 are the following:

Recommendation 1/3 (1)

Recommendation concerning the Adoption by the Baltic Sea States of the International Maritime Dangerous Goods Code

Recommendation 1/13 (1)

Recommendation on Requirements in Respect of Loading and Unloading of Harmful Substances in Packaged forms

Regulation 7
SEWAGE

The Contracting Parties shall apply the provisions of Paragraphs A to D of this Regulation on discharge of sewage from ship while operating in the Baltic Sea Area.

A Definitions

For the purposes of this Regulation:

1. "New ship" means a ship:

a) for which the building contract is placed, or in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, on or after the date of entry into force of the present Convention; or

b) the delivery of which is three years or more after the date of entry into force of the present Convention.

2. "Existing ship" means a ship which is not a new ship.

3. "Sewage" means:

a) drainage and other wastes from any form of toilets, urinals, and WC scuppers;

b) drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;

c) drainage from spaces containing living animals; or

d) other waste waters when mixed with the drainages defined above.

4. "Holding tank" means a tank used for the collection and storage of sewage.

B Application

1. The provisions of this Regulation shall apply to:

a) new ships certified to carry more than 100 persons from a date not later than 1 January 1977;

b) existing ships certified to carry more than 400 persons from a date not later than 1 January 1978; and

c) other ships, as specified in Sub-Paragraphs (i), (ii), and (iii), from dates decided by the Contracting Parties on recommendation by the Commission:

(i) ships of 200 tons gross tonnage and above;

(ii) ships of less than 200 tons gross tonnage which are certified to carry more than 10 persons;

(iii) ships which do not have a measured gross tonnage and are certified to carry more than 10 persons.

In the case of new such ships the date shall be not later than 1 January 1979. In the case of existing such ships the date shall be not later than ten years after the date decided for new ships.

2. A Contracting Parry may, if it is satisfied that the application of the provisions of Sub-Paragraph 1 b) of this Paragraph with respect to a certain ship would necessitate constructional alterations which would be unreasonable, exempt the ship from the application until a date not later than ten years after the date of entry into force of the present Convention.

C Discharge of Sewage

1. Subject to the provisions of Paragraph D of this Regulation, the discharge of sewage into the sea is prohibited, except when:

a) the ship is discharging comminuted and disinfected sewage using a system approved by the Administration at a distance of more than 4 nautical miles from the nearest land, or sewage which is not comminuted or disinfected at a distance of more than 12 nautical miles from the nearest land, provided that in any case the sewage that has been stored in holding tanks shall not be discharged instantaneously but at a moderate rate when the ship is en route and proceeding at not less than 4 knots; or

b) the ship has in operation a sewage treatment plant which has been approved by the Administration, and

(i) the test results of the plant are laid down in a document carried by the ship:

(ii) additionally, the effluent shall not produce visible floating solids in, nor cause discolouration of the surrounding water; or

c) the ship is situated in the waters under the jurisdiction of a State and is discharging sewage in accordance with such less stringent requirements as may be imposed by such State.

2. When the sewage is mixed with wastes or waste water having different discharge requirements, the more stringent requirements shall apply.

D Exceptions

Paragraph C of **this Regulation shall not apply to:**

a) **the discharge of sewage from a ship necessary for the purpose of securing the** safety **of a** ship and those on **board or saving** life **at sea;** or

b) the discharge of sewage **resulting** from **damage** to a **ship or its equipment if all** reasonable precautions have **been** taken before and **after** the **occurrence of the damage** for **the purpose** of preventing or **minimizing the discharge.**

E Reception Facilities

1. **Each Contracting** Party undertakes to ensure the provision of **facilities** at its ports and **terminals of** the Baltic **Sea** Area for the reception **of sewage,** without **causing undue** d&y to **ships,** adequate to meet the needs **of the** ships using **them.**

2. To **enable pipes** of reception **facilities to be connected** with the **ship's discharge pipeline,** both **lines** shall be fitted with *a* standard discharge **connection** in accordance with the following table:

Standard Dimensions of Flanges for Discharge Connections

Description	Dimension
Outside diameter	210 mm
Inner diameter	According to pipe outside **diameter**
Bolt circle diameter	170 mm
Slots in **flange**	4 holes 18 mm in diameter equidistantly placed on a bolt **circle** of the above **diameter, slotted** to tk **flange periphery.** The slot **width** to **be** 18 mm
Flange thickness	16 mm
Bolts and nuts: quantity and diameter	4, each of 16 **mm** in **diameter** and of suitable length
The flange is **designed** to **accept pipes** up to a **maximum** internal **diameter of** 100 mm **and** shall be of **steel** or other **equivalent material** having **a** flat face. **This flange,** together with **a** suitable gasket. **shall be** suitable for **a** service **pressure** of 6 **kg/cm²**.	

For **ships having** a moulded depth of **5 metres** and **less,** the inner diameter **of the discharge connection** may be 38 **millimetres.**

Activity Status

The main activities in relation to this Regulation have been aimed at the facilitation of an as early entry into force as possible taking into consideration that such entry into force would take place well in advance of the entry into force of Annex IV to MARPOL 73/78.

The entry into force of Regulation 7 took place on 3 May 1980 for two Contracting Parties and on 3 May 1981 for the remaining five Contracting Parties. Annex IV to MARPOL 73/78 is not yet in force.

It should be noted that the application dates for new and existing ships according to Regulation 7 are different from those which will be applicable according to Regulation 5 of Annex IV to MARPOL 73/78 when that Annex enters into force.

Until the time when all Contracting Parties to the Helsinki Convention have ratified Annex IV to MARPOL 73/78 and the Annex is in force, the explicit method as presently used in Regulation 7, will have to be kept in the Helsinki Convention. The eighth meeting of the Commission decided that when these conditions have been reached the text of Regulation 7 should be aligned with the present text of Regulations 4 and 5.However, Annex IV to MARPOL 73/78 is not expected to enter into force in a foreseeable future.

The HELCOM Recommendations relating to Regulation 7 are the following:

Recommendation l/l (1)

Recommendation concerning Measures to Ensure the Use of Reception Facilities for Wastes from Ships

Recommendation 1/4 (1)

Recommendation concerning the Application by the Baltic Sea States of Resolution MEPC.2(VI) - Recommendation on International Effluent Standards and Guidelines for Performance Tests for Sewage Treatment Plants

Recommendation 1/5 (1)

Recommendation concerning the Application by the Baltic Sea States of Guidelines for Type Testing and Approval of Sewage Treatment Systems

Recommendation 1/11 (1)

Recommendation concerning the Application by the Baltic Sea States of the MEPC Guidelines on the Provision of Adequate Reception Facilities in Ports

Recommendation 1/15 (1)

Recommendation on the Application of Certain Provisions on Sewage

Recommendation 3/4 (3)

Recommendation concerning the Application by the Baltic Sea States of the IMCO Format for Reporting Alleged Inadequacy of Reception Facilities for Oily Waste (MEPC/Circ.60) and the Application of a Helsinki Convention Format for Reporting Alleged Inadequacy of Reception Facilities for Sewage and Garbage

Recommendation 7/9 (1)

Recommendation concerning the application by the Baltic Sea States of the IMO format for reporting alleged inadequacy of oily waste reception facilities (MEPC/Circ.160) and the application of a Helsinki Convention format for reporting alleged inadequacy of reception facilities for sewage and garbage

Regulation 8
GARBAGE

The Contracting Parties shall as soon as possible but not later than 1 January 1976 or on the **date** of entry into force of the present **Convention**, whichever **occurs later**, apply **the provisions** of **Paragraphs** A to D of this Regulation on the disposal of **garbage** from ship while **operating** in the Baltic Sea **Area.**

A

For the purposes of this Regulation:

'Garbage" means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Regulations of this Annex.

B Disposal of Garbage

1. Subject to the provisions of **Paragraphs** C and D of this **Regulation**:

a) disposal into the sea of the following is **prohibited**:

(i) **all plastics, including but not limited to synthetic ropes, synthetic fishing** nets and plastic garbage bags; and

(ii) **all other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;**

b) disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land.

2. When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

C Special Requirements for Fixed and Floating Platforms

1. Subject to the provisions of Sub-Paragraph 2 of this Paragraph, the disposal of any materials regulated by this Regulation is prohibited from fixed *or* floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources, and all other ships when alongside or within 500 metres of such platforms.

2. The disposal into the sea of food wastes may be permitted when they have passed through a comminuter or grinder from such fixed or floating platforms located more than 12 nautical miles from land and all ocher ships when alongside or within 500 metres of such platforms. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

D Exceptions

Paragraphs B and C of this Regulation shall not apply to:

a) the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on boud or saving life at sea; or

b) the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after tk occurrence of the damage, for the purpose of preventing or minimizing the escape; or

c) the accidental loss of synthetic fishing nets or synthetic material incidental to the repair of such nets, provided that all reasonable precautions have been taken to prevent such loss.

E Reception Facilities

Each Contracting Party undertakes to ensure the provision of facilities at its ports and terminals of the Baltic Sea Area for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.

Activity Status

Regulation 8 has been in force for two Contracting Parties since 3 May 1980 and since 3 May 1981 for the remaining five Contracting Parties. The similar provisions contained in Annex V to MARPOL 73/78 are still not in force.

The text of Regulation 8 of Annex IV is in line with that of Annex V to MARPOL 73/78 relating to special areas and no amendments to Annex V are tabled at MEPC.

Until such time when all Contracting Parties to the Helsinki Convention have ratified Annex IV to MARPOL 73/78 and the Annex is in force, the explicit method presently used in Regulation 8 will have to be kept in the Helsinki Convention. The eighth meeting of the Commission decided that when these conditions have been reached the text of Regulation 8 should be aligned with the present text of Regulations 4 and 5.

The work of the MC in relation to Regulation 8 is reflected in the following HELCOM Recommendations:

Recommendation 1/1 (1)

Recommendation concerning Measures to Ensure the Use of Reception Facilities for Wastes from Ships

Recommendation 1/11 (1)

Recommendation concerning the Application by the Baltic Sea States of the MEPC Guidelines on the Provision of Adequate Reception Facilities in Ports

Recommendation 3/4 (3)

Recommendation concerning the Application by the Baltic Sea States of the IMCO Format for Reporting Alleged Inadequacy of Reception Facilities for Oily Waste (MEPC/Circ.60) and the Application of a Helsinki Convention Format for Reporting Alleged Inadequacy of Reception Facilities for Sewage and Garbage

Recommendation 7/9 (1)

Recommendation concerning the application by the Baltic Sea States of the IMO format for reporting alleged inadequacy of oily waste reception facilities (MEPC/Circ.160) and the application of a Helsinki Convention format for reporting alleged inadequacy of reception facilities for sewage and garbage

2. Pleasure craft, Article 8

Source: Article 8 of the Convention

Article 8
Pleasure craft

The Contracting Parties shall, in addition to implementing those provisions of the present Convention which can appropriately be applied to pleasure craft, take special measures in order to abate harmful effects on the marine environment of the Baltic Sea Area of pleasure craft activities. The measures shall inter alia deal with adequate reception facilities for wastes from pleasure craft.

Activity Status

An inventory of the number, type and sizes of pleasure craft have been elaborated.

Work has been initiated to work out guidelines which could be applied by the Contracting Parties when establishing national counter pollution measures which can appropriately be applied to pleasure craft.

Work has also been started to identify such provisions of MARPOL 73/78 Annex I, IV and V which can appropriately be applied to pleasure craft.

3. 1974 Conferense resolutions 1, 2, 3, 4 and 5

Resolution 1
Application by Other States of Special Rules for Ships Operating in the Baltic Sea Area

The Conference,
(Operational paragraphs)

REQUESTS the Participating States to act in order to prevail upon other states and ships flying the flag of other States to act in accordance with the above mentioned provisions for the protection of the Baltic Sea Area,

REQUESTS FURTHER the participating States to encourage characters of their nationality to insert in charterparties a clause to the effect that the ship in question destined to a Baltic Sea Area port shall observe the same provisions for the protection of the Baltic Sea Area as a ship flying the flag of a Contracting Party,

INVITES the Inter-Governmental Maritime Consultative Organization to adopt a recommendation on the application by states other than the Contracting Parties of special rules for ships operating in the Baltic Sea Area.

Activity Status

As the two first operative paragraphs of this Resolution relate to national measures regarding ships not flying the flag of a Baltic Sea State, the work of the MC has been focused on the third and the last operative paragraph which invites IMO to adopt Recommendation on the application by states other than the Contracting Parties of special rules for ships operating in the Baltic Sea Area.

As a result of the work undertaken by the MC in relation to this Resolution, IMO has adopted the following Resolutions, proposed by the Baltic Sea States on the application of MARPOL provisions in the Baltic:

Resolution MEPC.6(XIV)

Application of the Provisions of Annex I of MARPOL 73/78 on the Discharge of Oil in the Baltic Sea Area

Resolution MEPC.9(17)

Application of the Provisions of Annex V of MARPOL 73/78 on the Discharge of Garbage in the Baltic Sea Area

Resolution MEPC.23(22)

Application of Annex II of MARPOL 73/78 on the Discharge of Noxious Liquid Substances in the Baltic Sea Area

Resolution 2
Facilities for the Reception Of Residues of Oil and Other Noxious Substances, Sewage and Garbage

The Conference,
(Operational paragraphs)

ADVISES the Contracting Parties to consider the following recommendations when uniform requirements for the capacity and location of facilities according to Paragraph 2 of Article 7 of the Convention will be developed:

1. Facilities for reception of oil residues and oily mixtures

a) Ballast water and tank washings from tankers

Facilities shall be provided at all terminals and anchorages where oil in bulk is normally loaded in ships or transferred from one ship to another as well as at repair yards where tankers are repaired and at tank cleaning facilities.

The Capacity shall be decided by the competent national authorities after consultation with representatives inter alia of oil companies and shipowners, taking into consideration the amount of ballast water normally carried by visiting ships.

Pipeline connections to the storage tanks at oil loading terminals shall be fitted at all quays where oil is loaded. The dimensions of such pipelines shall be adapted to the largest pump capacity of tankers normally calling at the terminal.

b) Ballast water and tank washings from ships other than tankers

Facilities shall be provided at bunker stations at which normally ships with combined fuel/ballast tanks are calling for bunker and at repair yards. The capacity shall be decided by the competent national authorities after consultation with representatives inter alia of oil companies and shipowners.

c) Bilge water, sludge, spent lubricating oil and similar oil residues from ships

Facilities shall be provided at all ports at which seagoing ships are normally calling and at repair yards and at tank cleaning facilities.

The facilities shall be either pipeline connections to storage tanks, barges or tank lorries sufficient in number and capacity.

The total capacity of the facilities shall cover the needs of all ships normally calling at the port taking into account especially ships which at their arrival have completed a long voyage.

2. Facilities for residues of noxious liquid substances in bulk other than oil

Facilities shall be provided in all terminals for substances loaded or unloaded in there.

For substances categorized as Category A for the Baltic Sea Area the facilities shall have a minimum capacity equal to the total amount of tank washings necessary for complete cleaning of the tanks of all ships to be washed during a minimum time necessary for destruction, separation and/or disposal of the said amount of effluent in the storage tanks of the facility.

For substances categorized as Category B and C for the Baltic Sea Area the facilities shall have a minimun capacity equal to the total amount of tank washings for adequate cleaning of the tanks of all ships to be washed during a minimum time necessary for destruction, separation and/or disposal of the said amount of effluent in the storage tanks of the facility.

Minimum capacities shall be decided by the competent national authorities after consultation with representatives of inter alia shipowners, terminals and industries.

3. Facilities for harmful substances in packaged form or in freight containers or in portable tanks

Facilities shall be provided in major ports.

4. Facilities for sewage

Facilities shall be provided in all ports.

Such facilities shall be either pipeline connections to the sewage system of the community or to the storage tank, barge or tank lorries sufficient in number and capacity.

Minimum capacities shall be decided by the competent national authorities after consultation with inter alia harbour authorities and representatives of shipowners taking into account especially ships in regular traffic, such as passenger ships.

5. Facilities for garbage

Facilities shall be provided in all ports.

Such facilities shall be for instance containers on the quay or lorries collecting garbage from the quay and barges.

Activitv Status

The work relating to this Resolution is described under Article 7 and Annex IV, Regulations 4, 5, 6, 7 and 8.

Resolution 3
Navigation of Commercial Ships Through the Entrances to the Baltic Sea

The Conference,
(Opeational paragraphs)

INVITES the Inter-Governmental Maritime Consultative Organization to adopt a recommendation concerning rules for navigation of deep draught ships in the transit route between the Skaw and Gedser,

RECOMMENDS that such rules might include the following:

a) ships over [40.000] tons deadweight when passing through the transit route should
(i) not pass the area unless they have an underkeel clearance of at least [ ] metres,
(ii) participate in the radio position reporting system operated by the Government of Denmark,
(iii) in certain areas in Storebaelt, (Hatterrev, Vengeancegrund and in the narrow route east of Langeland) show the signal prescribed in Rule 28 in the International Regulations for Preventing Collisions at Sea, 1972, for ships constrained by the draught.
b) ships with a draught of [ ] metres or more should furthermore
(i) be equipped with a VHF installation,
(ii) have on board a DECCA navigator capable of using the DECCA chain in the area or other electronic posiotion fixing equipment with **a** similar accuracy when in use in the area,
(iii) use **a** pilot during the passage,
(iv) pay special attention to the pilot's recommendations when he regards anchoring necessary owing to the weather and sea conditions in relation to the construction and draught of the ship and the water-level.

REQUESTS all Participating States to support activities in this respect within the Inter-Governmental Maritime Consultative Organization.

Activity Status

Is dealt with dealt with under Article 7 and Annex Iv, Regulation 1.

Resolution 4
Development of a Uniform Position Reporting System for Commercial Ships within the Baltic Sea Area

The Conference,
(Operational paragraphs)

REQUESTS the Participating States to develop and apply a uniform radio position reporting system for larger oil tankers en route within the Baltic **Sea** Area as well **as** for ships carrying a significant amount of certain harmful substances, which system should be co-ordinated with the radio position reporting system at present operated by the Government of Denmark in the transit route from the Skaw to Gedser via Storebaelt,

REQUESTS FURTHER the Participating States to assist each other in initiating action as *soon* as possible by the Inter-Governmental Maritime Consultative Organization to recommend general submission to the above mentioned radio reporting system.

Activity Status

Is dealt with under Article 7 and Annex IV, Regulation 1.

Resolution 5
Safety of Navigation

The Conference,
(Operational paragraph)

REQUESTS the Participating States to investigate the need for improved information on established traffic separation schemes and deep draught routes in the area, the need for new such separations and routes as well as the need for long distance pilotage and other measures for increased safety of navigation. The investigations should include navigation of ships carrying a significant amount of harmful substance.

Activity Status

Cooperation has been established-with the Baltic Pilotage Authorities Commission (BPAC) and the MC has been a forum for the discussion of the topics in the Resolution with a view to reach an agreement on national proposals to IMO on these matters.

The new brochure "Clean Seas Guide, The Baltic Sea Area - A MARPOL 73/78 Special Area" will contain, inter alia, general information on traffic separation schemes, deep draught routes and pilotage.

4. Additional measures to protect the marine environment, Article 13, Paragraph e) (i) and (ii)

Activity Status

The compilation of statistical data and the evaluation of the pollution load from maritime activities are inter-related and of great importance to the initiating of measures to the introduction of harmful substances caused by ships ships into the marine environment.

An evaluation of the oil input from the normal operation of ships using very rough statistical data on ship sizes and total amount of oil transported have been made . The result of the evaluation has established the upper and lower limits for the pollution load.

Furthermore, one Contracting Party has presented the results of an investigation on the oil transport in transit through its waters and on the oil transport to and from its ports. Other Contracting Parties have been encouraged to submit similar information to the Secretariat.

The CC has started work on the elaboration of risk analysis for oil spillages and from this analysis it will be possible

to deduct statistical data on the oil transport in the Convention area as well as to evaluate from the risk analysis whether preventive measures should be initiated.

As regards statistical data On the chemical shipping trade the CC is in the process of finalizing an inventory and classification of transported bulk chemicals as well as a risk assessment method for the release of such chemicals and the MC will act on this investigation in a similar way as stated in the above section regarding oil.

The Activity Status of the MC related to measures to eliminate the use of substandard ships in the Baltic Sea Area has been aimed at the application by the Contracting Parties of relevant IMO Conventions and Codes also to foreign ships and to take the conclusions drawn from the Kostilainen study into consideration when carrying out surveys under SOLAS and MARPOL.

LONG-TERM PLAN FOR TEE WORK OF THE COMBATTING COMMITTEE OF THE HELSINKI COMMISSION (CC)

LONG-TERM PLAN FOR THE WORK OF THE COMBATTING COMMITTEE (CC) OF THE HELSNKI COMMISSION

1. INTRODUCTION

The Helsinki Commission, at its 10-years jubilee Meeting (March 1984), approved Resolution 5/A Medium-Term Plan for the Activities of the Helsinki Commission.

This resolution by necessity remained rather general in its provisions. At that time it was clearly understood that more detailed plans would be needed to have a clear picture of the progress.

As the Helsinki Convention provisions differ in nature concerning land-based pollution, ship-based pollution and combatting matters, a separate work plan for each of these areas would be needed.

Since the Convention provisions on land-based pollution are rather general, the first area where long-term planning was discussed, was naturally that of the Scientific-Technological Committee (STC), responsible for Convention matters relating to land-based pollution.

The Commission at its seventh meeting (February 1986) approved the Long-Term Work Plan of the STC. At the same time the Commission instructed its two other subordinate bodies, the MC (Maritime Committee) and EGC (Expert Group on the Co-operation in Combatting Matters, nowadays CC (Combatting Committee), to develop their long-term plans for the consideration of the Commission. The first draft of the CC long-term plan was presented to EGC 10 (October 1986) and to the eighth meeting of the Commission (February 1987). Based on these discussions and the deliberations of an informal working group (May 1987), the present long-term work plan has been approved by CC 11 (October 1987).

The outline for the co-operation between the Contracting Parties in combatting matters is given in Article 11 and Annex IV of the Helsinki Convention and the main task for the CC (since 1977) has been to elaborate the necessary operational procedures, guidelines etc. to make the foreseen co-operation operational in praxis.

The work of the CC has mainly been focused on oil spill situations and the established operational procedures and guidelines as well as the agreed policy for response capability and methods mainly caters for such spill situations.

Similar work relating to response to spillages of bulk chemicals has recently been initiated and the scope of the work should to be broadened in order to incorporate also matters relating to loss of harmful substances in packaged forms.

Taking into consideration the increasing trend in off-shore exploration and exploitation activities, procedures for response to spills from such installations will have to be elaborated.

The Convention requirements for surveillance activities of the Convention Area will have to be further pursued taking into consideration the regional development in remote sensing techniques and drift models.

Recent experiences from spill situation in the Convention Area makes it evident that work on response to oil spills in cold weather conditions as well as to pollution from oil and other harmful substances in the water column must be initiated.

The intensification of the CC work on the above mentioned subject areas as well as on other new topics as described under chapter 2. Future Activities cannot be undertaken by the CC plenary as such due to the long range of specific topics where special expertise should be available.

The coming preparatory work on these specific items will therefore have to be done outside the CC, for some topics by the use of the Lead Country principle and for other subjects preparatory work will have to be done in ad hoc working groups.

For certain other topics, e.g review of the use of dispersants in the Baltic Sea Area including test procedures and ranking, it could be beneficial to establish joint ad hoc working groups between the CC and the two other Committees pending the topic in question.

The use of seminars or symposia to facilitate the work of the CC on specific topics is also envisaged that for certain topics joint seminars with the other Committees would be beneficial. The possibility to arrange joint seminars with the Bonn Agreement and the Copenhagen Agreement on topics of common interest must be further investigated.

The tasks envisaged in the Medium-Term Plan for the Work of the Commission have been taken into consideration in the elaboration of the future activities of the CC. The tasks reflected in the Medium-Term Plan relating to combatting matters have thus been superceeded by the present Long-Term Plan for the Work of the CC.

2. FUTURE ACTIVITIES

2.1 CO-OPERATION IN GENERAL

2.1.1 Co-operation within the framework of the Convention

Especially in the field of the CC there are many subject areas which need close coordination with the Commission's two other subsidiary bodies, the MC and the STC.

In relation to the MC the work of the CC relating to the elaboration of trade patterns and risk analyses should be coordinated with the similar MC work related to the initiation of preventive measures for shipping.

Furthermore matters related to identification of spillages are of common interest to the CC and the MC as the effective identification serves the CC in the detection and combatting of spillages and serves the MC in the successful prosecution of offenders.

In relation to STC it is essential that close co-operation with the CC should be established for the elaboration of future policy for the use of dispersants and other combatting agents. The establishment of such a policy is essential for the future work on the revision of the national ability to combat spillages of oil as well as for the coming work on the establishment of guidelines for the national ability to combat spillages of harmful substances other than oil.

Co-operation with the STC is also necessary for the establishing of special sensitive areas and guidelines for recommended combatting techniques in such areas as well as for facilitation of the scientific follow-up on the consequences for the marine environment as result of major spillages.

The future work on the above mentioned topics could be facilitated by establishing joint ad hoc working groups between the MC and the CC and between the CC and the STC.

2.1.2 Co-operation with other international bodies and agreements

The CC will continue the co-operation with the Bonn and the Copenhagen Agreements in order primarily to secure that operative procedures, e.g. communication scheme, command structure, reporting etc. are harmonized to the fullest extent between the three Agreements/Convention in question.

The CC will further investigate the possibilities for future initiation of joint operational exercises between the Copenhagen Agreement/Bonn Agreement and the Helsinki Convention in the Baltic Sea Area.

The possibilities for arranging joint seminars/symposia between the Helsinki Convention and especially the Bonn Agreement on topics of common interest will be further persued by the CC.

Through Contracting Parties also members of the European Communities the CC will take into consideration the work of the EEC relating to combatting matters in order to avoid duplication of such work within the work of the CC.

The CC will closely follow the work of IMO relating to the finalization and updating of the IMO Combatting Manual as well as on other combatting topics related to the CC work.

2.2 SURVEILLANCE

2.2.1 Development of airborne surveillance activities in the Baltic Sea Area

The CC will collect national information on airborne surveillance and remote sensing in order to elaborate an activity status for the national surveillance capabilities. The CC will further follow the development in these capabilities and make the necessary updatings of the activity status.

The CC will aim at increased national surveillance activities and the CC will facilitate the national measures to increase such activities by the exchange of information on surveillance techniques and equipment.

The CC will especially aim at the development and application of airborne surveillance with remote sensing capabilities by all Contracting Parties.

The CC will further initiate work on the use of remote sensing equipment for the purposes of detecting spillages of harmful substances other than oil.

2.2.2 Coordination of airborne surveillance

On the basis of the information contained in the activity status for the national surveillance the CC will assess the present and future possibilities for a coordination of the national surveillance activities in areas outside national jurisdiction.

2.2.3 Remote spill identification

The CC will investigate whether spill identification capabilities of available remote sensing equipment is sufficient for combatting purposes.

In corporation with the MC the CC will also investigate whether additional requirements should be established for remote sensing equipment when used for providing evidence for the purposes of prosecution of offenders. The CC will further investigate the possibilities for future application of more sophisticated equipment for oil identification purposes such as equipment using laser techniques as well as the future application of satellites.

2.2.4 Other Surveillance

The CC will investigate the possibilities to integrate ship-borne and land-based surveillance with the airborne surveillance giving special emphasis to topics relating to transfer of surveillance information.

2.3 REPORTING SYSTEMS

The CC will keep the established spillage reporting schemes under review and amend them, if need arise, taking into consideration any technical improvements in communication systems. It will be borne in mind that the harmonization of reporting systems with similar systems in other regional agreements is vitally important.

The CC will follow the work of the MC relating to reporting systems and inform the MC if needs may arise to establish additional regional reporting and information systems for combatting purposes.

The CC will consider the possible need for the elaboration of more detailed guidelines to be used in the Baltic Sea Area as supplement to the general IMO guidelines for reporting incidents involving harmful substances as well as to consider whether other international and regional incident reporting systems should be included in such supplementary guidelines.

2.4 OPERATIONAL CO-OPERATION IN SPILLAGE COMBATTING

2.4.1 Bilateral agreements including responsibility zones

Taking into consideration that some time will still elapse before response regions or bilateral arrangements have been established in the entire Convention Area the CC will as an interim measure elaborate a regime or policy for the response procedure in regions where no response regions or other arrangements have been established.

In those areas in the Baltic Sea Area where response regions or similar arrangements have been established there is a need to further elaborate bilateral agreements with the aim to facilitate spontaneous and continued combatting actions and the CC will work out guidelines to be used by the Contracting Parties when establishing such bilateral agreements.

When elaborating the above mentioned regimes, policies, and guidelines the CC will take into consideration experiences gained from the existing bilateral agreements established in the Convention Area.

2.4.2 Computerized command support systems

The combatting organizations should be prepared to cope with spillages of a large range of substances transported by ships. The chemical and physical properties of these substances vary and their hazard to human life varies over the full toxicity scale.

The complexity in the response to spillages as well as the limited time available for decision making make it evident that computer techniques should be introduced to support supreme on-scene commanders and on-scene commanders in their decision making.

The CC will establish specifications for such a system and will further evaluate whether any existing system fulfills these specifications or whether there will be a need to establish a separate computerized decision aid system for the Baltic Sea Area.

2.5 COMBATTING OF OIL SPILLAGES

2.5.1 National ablility to combat spillages of oil

The CC will consider any necessary revision of HELCOM Recommendation 1/7 conserning the development of national ability to combat spillages of oil on the basis of the risk analysis now being prepared as well as the developments in combatting techniques since the adoption of the Recommendation.

The CC will continue the exchange of information on the national investment plans as well as on the developments within the national combatting organizations.

Based on the exchange of information on national specifications for combatting equipment the CC will consider whether there is a need to establish regional standards for such equipment.

2.5.2 Common policy for response to spillages

The special character and the vulnerability of the Baltic Sea Area require a common policy for national and joint response to spillages. The CC will keep this policy under constant review and propose any necessary adjustments which should be taken into account when developing the national ability to combat spillages.

2.5.3 Elaboration of trade patterns and risk analyses

The CC will continue work on the elabotation of the oil trade pattern in the Baltic Sea Area which will be the basis for the establishment of national risk analyses and a risk analysis for the Baltic Sea Area as such.

The results of the CC's work on trade patterns and risk analyses will be submitted to the MC for its further considerations on the initiation of additional measures to enhance maritime safety.

2.5.4 Evaluation of experiences from combatting operations

The CC will continue the exchange of experiences from combatting operations.

The experiences gained will be evaluated by the CC and the CC will make any necessary follow-up on the lessons learned in relation to organizational matters and to combatting policies and techniques.

2.5.5 Spreading and drift models

The prediction of the spreading and drift of an oil spill is of utmost importance for a successful combatting operation as it facilitates the on-scene commander to deploy vessels and equipment at the correct combatting positions.

It is also of great importance that such predictions can be made as soon **as** possible after **a** spill. Manual predictions of drift and spreading cannot be carried out with the necessary speed and accuracy and to overcome these shortcomings computerized spreading and drift models must be introduced.

The CC will look into the possibilities for the establishment of a regional computerized spreading and drift modeling system in the Baltic Sea Area which could be developed by using the Lead Country principle as well as by the use of consultance services.

2.5.6 Management of recovered waste

On the basis of national information as well as on information received from other sources the CC will work out guidelines for the national combatting organizations in their management of waste collected from oil spillages.

When considering waste management ashore, due regard will have to be taken to the environment and such considerations will have to be made in close co-operation with the STC.

2.5.7 Research and development

The CC will continue its exchange of information on national research and development projects and the CC will further identify areas where research and development is necessary taking into consideration the ongoing work within other international bodies.

Such areas should be further explored by the use of the Lead Country system or by the allocation by the Commission of funds for consultant services.

For the time being the CC will consider how to deal with the problem relating to recovery of submerged oil and oil on the sea-beds and the CC will make the necessary proposals to the Commission for the work on these topics.

2.6 COMBATTING OF HARMFUL SUBSTANCES OTHER TBAN OIL

2.6.1 National ability to combat spillages of harmful substances other than oil

When the results of the CC CHEM work on trade patterns and risk analyses relating to noxious liquid substances carried in bulk have been finalized the CC will start the preparations of a draft HELCOM Recommendation similar to HELCOM Recommendation 1/7 regarding oil.

When the work on the combatting aspects related to harmful substances in packaged forms has further progressed the CC will consider whether a similar recommendation for such substances should be worked out.

2.6.2 Common policy for response to spillages

The special character and the vulnerability of the Baltic Sea Area require a common policy for national and joint response to spillages. The CC will keep this policy under constant review and propose any necessary adjustments which should be taken into account when developing the national ability to combat spillages.

2.6.3 Elaboration of trade patterns and risk analyses

The work on trade patterns and risk analyses related to noxious liquid substances carried in bulk is well under way within the CC CHEM and when finalized the risk analyses and trade patterns will be submitted to the MC for its consideration of measures to be taken relating to prevention of accidental pollution from ships.

The CC will further establish guidelines for the future work of the CC CHEM relating to harmful substances in packaged form.

2.6.4 Elaboration of guidelines for combatting spillages of harmful substances other than oil

The elaboration of guidelines for combatting spillages of noxious liquid substances carried in bulk is in progress within the CC CHEM and the CC will consider the guidelines for adoption when finalized.

The CC will establish guidelines for the future work of the CC CHEM on the combatting aspects relating to harmful substances in packaged forms.

2.6.5 Spreading and drift models

The considerations given under section 2.5.4 above are also relevant relating to spills of such noxious liquid substances carried in bulk which are categorised as floaters.

The CC will consider the need to elaborate spreading and drift models for substances other than floaters especially those substances which evaporate and the chemical properties of which will create hazards to human life when released.

2.6.6 Management of recovered waste

The same considerations as stated in section 2.5.5 are also relevant regarding harmful substances other than oil. However, such substances will in addition to the environmental hazards also create safety hazards to human beings and such aspects will have to be taken into consideration when establishing guidelines for management of recovered waste caused by chemical spillages.

2.6.7 Research and development

The CC will continue its exchange of information on national research and development projects and the CC will further identify areas where research and development is necessary either by the application of the Lead Country principle or by the allocation of funds from the Commission for consultant services.

For the time being the CC will initiate research relating to the recovery of packaged goods and will further initiate work on the safety aspects relating to personnel involved in the combatting of spillages from harmful substances other than oil.

2.7 DISPERSANTS AND OTHER COMBATTING AGENTS

The CC will continue its work to finalize ranking lists of dispersants relating to their toxicity and efficiency. The final ranking lists will be elaborated in consultation with the STC.

The CC will initiate a review of the use of dispersants and pending the outcome of this review the CC will elaborate guidelines for the use of such agents.

The work relating to dispersants will have to be carried out in coordination with the STC possibly by the establishment of a joint working group between the CC and the STC to deal with such topics.

The work on dispersants should be continued by investigations into the possible use of other combatting agents for combatting purposes.

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2.8 OFF-SHORE ACTIVITIES

2.8.1 Exchange of information

The CC will continue the exchange of national information on off-shore activities as well as information on such planned activities.

2.8.2 Off-shore contingency plans

According to Article 10 of the Convention dealing with exploration and exploitation of the sea-bed and its subsoil each Contracting Party shall ensure that adequate equipment is at hand to start an immediate abatement of pollution from such activities.

The CC will investigate whether there is a need to establish regional guidelines for the requirements for pollution combatting equipment which should be established by coastal states in relation to the operators of off-shore platforms.

The CC will, if such a need exists, initiate work on such guidelines taking into consideration guidelines established in other geographical areas where off-shore activities are taking place.

2.9 COMBATTING UNDER WINTER CONDITIONS

At the eighth meeting of the Commission the Commission encouraged the CC to continue, as a matter of urgency, the ongoing work with respect to movements of oil spills and combatting of oil in ice. The Commission further appealed to the Contracting Parties to initiate studies in the development of technologies and equipment to combat pollution under cold weather conditions.

The CC will as a first step collect information on experiences gained from combatting operation during cold weather conditions available within the Baltic Sea Area as well as relevant information from other areas where cold weather conditions are prevailing.

This evaluation will identify areas where further work is needed either by Lead Countries or by the allocation of funds from the Commission for consultant services.

A need may also arise for the establishment of an **ad** hoc working group to deal with these topics, inter alia, to establish a combatting policy for such weather condiotions.

2.10 EXERCISES AND TRAINING

The CC will strive at the initiation of operational combatting exercises at the earliest possible time. In this connection the CC will consider the possiblity of combining such exercises with exercises within the Copenhagen and Bonn Agreements. Execution of such exercises in conjunction with search and rescue exercises will also be considered.

In the facing-in period for the operational exercises it can be expected that a need will arise to establish ąd hoç expert groups for planning purposes in the regions of the Convention Area where such exercises will take place.

The CC will further collect information on national training programmes for combatting personnel and investigate whether there is **a** need to establish regional training programmes for certain categories of combatting personnel taking into consideration that such training programmes are carried out within other regional combatting agreements.

3. STRATEGY

The fundament for the co-operation between the Contracting Parties in combatting marine pollution as envisaged in Article 11 and Annex VI of the Helsinki Convention has been established as described in the Annex and the operational procedures, guidelines, etc. contained therein will currently have to be adjusted according to national, regional and international developments. The CC should, however, not only be a policy proposing body, but it should also be the body where the operative people discuss all the different aspects in actual combatting situations in order to improve the combatting ability and co-operation in combatting marine pollution in the Baltic Sea Area.

Furthermore, the CC will have to pursue the work on the combatting of spillages of harmful substances other than oil and on the harmonization and the approvement of the methods for oil identification.

The CC will also have to find ways to improve the co-operation with other regional agreements and find ways to avoid duplication of work between the Bonn Agreement, the Copenhagen Agreement and the Helsinki Convention.
The CC will further have to continue its work on classification of dispersants and the application of such chemicals which should be done in co-operation with the STC.

Also work in relation to airborne surveillance/remote sensing, oil drift prognosis, combatting of oil in ice and combatting of pollution from oil and other harmful substances in the water column should be intensified.

Matters relating to combatting and contingency topics in relation to off-shore activities should be fully investigated.

These increased activities of the CC as described in detail under section 2 Future Activities will necessitate additional ad hoc working groups to prepare such subject matters for the consideration of the CC as well as an increased use of consultant services. A more frequent use of the Lead Country principle is also quite evident.

Special items to be dealt within the CC in this manner are listed below:

- combatting of harmful substances other than oil
- airborne surveillance/remote sensing
- spillage drift prognosis
- combatting of oil under ice conditions
- detection and combatting spillages in the water column
- oil identification
- risk analysis for oil counter pollution activities
- operational application of dispersants and other combatting agents

In addition to these items the following topic requires consideration by the STC:

- review of the use of dispersants and other combatting agents in the Baltic Sea Area including test procedures and ranking.

4. LIST OF ACTIVITIES AND TARGET DATES

The list of activities and target dates has been prepared as a separate document listing the different topics in the longterm work plan indicating for each of the topics the foreseen activity, the forum for the activity and the target date when the aim for the activity has been accomplished.

It is foreseen that the list of activities and target dates will be revised annually while the long-term work plan needs no revision for several years.

ANNEX

ACTIVITY STATUS IN THE FIELD OF THE CC

1. Prevention of dumping

Source: Paragraphs 4-6 of Article 9 of the Helsinki Convention

Article 9
Prevention of dumping

4. The provisions of this Article shall not apply when the safety of human life or of a vessel or aircraft at sea is threatened by the complete destruction or total loss of the vessel or aircraft, or in any case which constitutes a danger to human life, if dumping appears to be the only way of averting the threat and if there is every probability that the damage consequent upon such dumping will be less than would otherwise occur. Such dumping shall be conducted as to minimize the likelihood of damage to human or marine life.

5. Dumping made under the provisions of Paragraph 4 of this Article shall be reported and dealt with in accordance with Annex VI of the present Convention and shall also be reported forthwith to the Commission referred to in Article 12 of the present Convention in accordance with the provisions of Regulation 4 of Annex V of the present Convention.

6. In case of dumping suspected to be in contravention of the provisions of the Article the Contracting Parties shall co-operate in investigating the matter in accordance with Regulation 2 of Annex IV of the present Convention.

Regulation 4 of Annex V

Reports made in accordance with Paragraph 5 of Article 9 of the present Convention shall include the following information:

1. Location of dumping, characteristics of dumped material, and counter measures taken:
   a) Location (e.g. co-ordinates of the accidental dumping site, depth and distance from the coast);
   b) method of deposit;

c) quantity and composition of dumped matter as well as its physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients), and biological properties (e.g. presence of viruses, yeasts, parasites);

d) toxicity;

e) content of the substances referred to in Annexes I and II of the present Convention;

f) dispersal characteristics (e.g. effects of currents and wind, and horizontal transport and vertical mixing);

g) water characteristics (e.g. temperature, pH, redox conditions, salinity and stratification);

h) bottom characteristics (e.g. topography, geological characteristics and redox conditions);

i) counter measures taken and follow-up operations carried out or planned.

2. General considerations and conditions:

a) possible effects on amenties (e.g. floating or stranded material, turbidity, objectionable odour, discolouration and foaming);

b) possible effect on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and cultures: and

c) possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of sturctures, interference with ship operations from floating materials, interference with fishing or navigation and protection of areas of special importance for scientific or conservation purposes).

Activity Status

The Committee has established a communication scheme relating to Paragraph 4 of Article 9 and this scheme is contained in Chapter 5.3 in Volume I of the Manual on Co-operation in Combatting Marine Pollution.

The co-operation between the Contracting Parties as envisaged in Paragraph 6 of Article 9 concerning the investigation of contraventions of the provision of Article 9 has been established in HELCOM Recommendation 6/13 concerning co-operation in Investigating Violations or Suspected Violations of Discharge and Related Regulations for Ships and Dumping Regulations.

2. Exploration and exploitation of the sea-bed and its subsoil

Source: Article 10 of the Convention

Article 10
Exploration and exploitation of the sea-bed and its subsoil

Each Contracting Party shall take all appropriate measures in order to prevent pollution of the marine environment of the Baltic Sea Area resulting from exploration and exploitation of its part of the sea-bed and its subsoil or from any associated activities thereon. It shall also ensure that adequate equipment is at hand to start an immediate abatement of pollution in that area.

Acivitity Status

At EGC 9 current exploration and exploitation activities were preliminarily discussed and it was decided to treat off-shore activities as a separate item on the Agenda. Delegations were requested to submit information on these activities to EGC 10.

EGC 10 reguested Delegations to report on off-shore activities to the Secretariat as well as to inform on positions of drilling rigs and the physical properties of the oil in question. The Secretariat was requested to circulate such information to all Contracting Parties.

3. Co-operation in combatting marine pollution

Source: Article 11 and Annex VI of the Convention

Article 11
Co-operation in combatting marine pollution

The Contracting Parties shall take measures and co-operate as set out in Annex VI of the present Convention in order to eliminate or minimize pollution of the Baltic Sea Area by oil or other harmful substances.

Note: The Activity Status is described under each of the Regulations in Annex VI.

Annex VI
Co-operation in Combatting Marine Pollution

Regulation 1

For the purposes of this Annex:

1. "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed floating platforms.

2. "Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoi thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration if the Government of the coastal State concerned.

3. a) "Discharge", in relation to harmful substances or effluents containing such substances, means any release howsoever caused from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying.

b) "Discharge" does not include:

(i) dumping within he meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 December 1972; or

(ii) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or

(iii) release of harmful substances for purposes of legitimate scientific research into pollution abatement or control.

Activitv Status

The wording of Regulation 1 is in conformity with MARPOL 73/78.

Regulation 2

The Contracting Parties undertake to maintain ability to combat spillages of oil and other harmful substances on the **sea.** This ability shall include adequate equipment, ships and manpower prepared for operations in coastal waters as well as on the high sea.

Activitv Status

The general guidelines for the national ability to combat spillages of oil are laid down in HELCOM Recommendation 1/7 concerning the Development of National Ability to Combat Spillages of Oil.

This Recommendation is presently under review.

Preliminary guidelines for the development of national ability to deal with spillages of harmful substances other than oil are contained in HELCOM Recommendation 4/3.

New developments in relation to this Recommendation are very much related to the work of the ad hoc Working Group on Combatting Spillages of Harmful Substances Other than Oil.

Regulation 3

The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, develop and apply, individually or in co-operation, surveillance activities covering the Baltic Sea Area, in order to spot and monitor oil and other harmful substances released into the sea.

Activity Status

Surveillance activities are presently undertaken by all Contracting Parties and a HELCOM Recommendation concerning Airborne Surveillance/Remote Sensing Activities in the Baltic Sea Area has been adopted.

The development in and the results from the national surveillance activities is reported to the CC, and the CC has been following the technical developments of airborne surveillance and remote sensing as well as the national surveillance capabilities with the aim to assess the future possibilities for a coordination of and co-operation in such activities.

Regulation 4

In the case of loss overboard of harmful substances in packages, freight containers, portable tanks, or road and rail tank wagons, the Contracting Parties shall co-operate in the salvage and recovery of such packages, containers or tanks so as to minimize the danger to the environment.

Activity Status

No separate work has yet been done relating to this Regulation, but general guidelines for co-operation between the Contracting Parties, are given in Volume I of the Combatting Manual.

Regulation 5

1. The Contracting Parties shall develop and apply a system for receiving, channelling and dispatching reports on significant spillages of oil or other harmful substances observed at sea, as well as any incident causing or likely to cause any kind of significant pollution.

2. The Contracting Parties shall request masters of ships and pilots of aircraft to report without delay in accordance with this system on significant spillages of oil or other harmful substances observed at sea. Such reports should as far as possible contain the following data: time, position, wind and sea conditions, and kind, extent and probable source of the spill observed.

3. The master of a ship involved in an incident referred to in Paragraph 1 of this Regulation, or other person having charge of the ship, shall without delay and to the fullest extent possible report in accordance with this system and with the provisions of the Appendix to the present Annex.

4. Each Contracting Party undertakes to issue instructions to its maritime inspection vessels and aircraft and to other appropriate services, to report to its authorities any observation or incident referred to in Paragraph i of this Regulation. Such reports shall as far as possible contain the data referred to in Paragraph 2 or 3 of this Regulation respectively, as well as possible indications on the spreading or drifting tendencies of the spill in question.

5. Whenever a Contracting Party is aware of a casualty or the presence of spillages of oil or other harmful substances in the Baltic Sea Area likely to constitute a serious threat to the marine environment of the Baltic Sea Area or the coast or related interests of any other Contracting Party, it shall without delay transmit all relevant information thereon to the Contracting Party which may be affected by the pollutant and, as regards ship casualty incidents, to the Administration of the ship involved.

Activity Status

The spirit of Paragraph 1 of Regulation 5 has been fulfilled by the establishment of the communication scheme (Volume I, Chapter 5.31, the POLREP Baltic scheme (Volume I, Chapters 5.4 and 5.6) and in the national information contained in Appendix 1 to Volume II.

The tasks contained in Paragraphs 2 to 5 of Regulation 5 are national undertakings related to Paragraph 1.

Based on the fact that by 1 July 1986 all Contracting Parties to the Helsinki Convention had become parties to MARPOL 73/78 the eighth meeting of the Commission adopted the following new wording of Regulation 5 as proposed by EGC 10 and amended by MC 12 and contained in HELCOM Recommendation 8/5:

Regulation 5

1. The Contracting Parties, also being parties to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), apply in conformity with that agreement the provisions of Article 8 and Protocol I to MARPOL 73/78 on reports on incidents involving harmful substances. These provisions shall also be applied with regard to significant spillages of oil or other harmful substances in cases not covered by Article 8 of MARPOL 73/78.

2. The Contracting Parties shall request masters of ships and pilots of aircraft to report without delay in accordance with this system on significant spillages of oil of other harmful substances observed at sea. Such reports should as far as possible contain the following data: time, position, wind and sea conditions, and kind, extent and probable source of the spill observed.

Regulation 6

Each Contracting party shall request masters of ships flying its flag to provide, in case of an accident, on request, such detailed information about the ship and its cargo which is relevant, to actions for preventing or combatting pollution of the **sea,** and to co-operate with these authorities.

Activity Status

This Regulation states a national action towards own ships relating to co-operation with proper authorities in case of an incident.

Regulation 7

1. a) The Contracting Parties shall as soon as possible agree bilaterally or multilaterally on those regions of the Baltic Sea Area in which they will take action for combatting or salvage activities whenever a significant spillage of oil or other harmful substances or any incidents causing or likely to cause pollution within the Baltic Sea Area have occurred or are likely to occur. Such agreements shall not prejudice any other agreements concluded between Contracting Parties concerning the same subject. The neighbouring States shall ensure the harmonization of the different agreements. The Contracting Parties shall inform each other about such agreements.

The Contracting Parties may ask the Commission for assistance to reach agreement, if needed.

b) The Contracting Party within whose region a situation as described in Regulation 1 of this Annex occurs shall make the necessary assessments of the situation and take adequate action in order to avoid or minimize subsequent pollution effects and shall keep drifting parts of the spillage under observation until no further action is called for.

2. In the case that such a spillage is drifting or is likely to drift into a region, where another Contracting Party should take action for purposes as defined in Sub-Paragraph la) of this Regulation, that Party shall without delay be informed of the situation and the actions that have been taken.

Activity Status

For the time being response regions according to Sub-Paragraphs 1 a) and b) have been established between Finland and the USSR, between Finland and Sweden and between Denmark and Sweden. Furthermore response regions between Denmark and the German Democratic Republic are being negotiated.

The joint contingency plan between Denmark and the Federal Republic of Germany - DENGER-Plan - serves the same purpose as response regions.

Information on response regions and bilateral agreements is contained in Chapter 4 of Volume I of the Combatting Manual.

In HELCOM Recommendation 2/7 the Commission has recommended that the Contracting Parties should, as soon as possible, initiate bilateral or multilateral negotiations with a view to defining response regions for combatting marine pollution in the Baltic Sea Area.

Paragraph 2 of Regulation 7 concerns the mutual information between Contracting Parties in case of spillages and the pollution reporting system, as contained in Chapters 5.4 and 5.5 in Volume I of the Combatting Manual, has been established for this purpose.

Regulation 8

> A Contracting Party requiring assistance for combatting spillages of oil or other harmful substance at sea is entitled to call for assistance by other Contracting Parties, starting with those who seem likely also to be affected by the spillage. Contracting Parties called upon for assistance in accordance with this Regulation shall use their best endeavours to bring such assistance.

Activity Status

The information scheme, as contained in Chapter 5.2 of Volume I of the Manual, and the Pollution Reporting System, as contained in Chapters 5.4 and 5.5 of Volume I of the Combatting Manual have been established for the purposes of this Regulation.

Regulation 9

> 1. The Contracting Parties shall provide information to the other Contracting Parties and the Commission about:
>
> a) their national organization for dealing with spillages at sea of oil and other harmful substances;
> b) national regulations and other matters which have a direct bearing on combatting pollution at sea by oil and other harmful substances;
> c) the competent authority responsible for receiving and dispatching reports of pollution at sea by oil and other harmful substances;

d) the competent authorities for dealing with questions concerning measures of mutual assistance, information and co-operation between the Contracting Parties according to this Annex;

e) actions taken in accordance with Regulation 8 of this Annex.

2. The Contracting Parties shall exchange information of research and development programs and results concerning ways in which pollution by oil and other harmful substances at sea may be dealt with and experiences in combatting such pollution.

Activitiy Status

The information which should be provided by the Contracting Parties according to Paragraph 1 of Regulation 9 is contained in the national Chapters of Volume II of the Combatting Manual and in Chapters 5.2, 5.4 and 5.5 in Volume I of the Combatting Manual.

The exchange of information referred to in Paragraph 2 of Regulation 9 takes place at the CC meetings under the different items of the Agenda.

Regulation 10

The authorities referred to in Sub-Paragraph 1 d) of Regulation 9 of this Annex shall establish direct contact and co-operate in operational matters.

Activity Status

The authorities referred to in Regulation 5 are those listed in the information scheme, as contained in Chapter 5.2 of Volume I of the Combatting Manual.

Apart from the direct contact between these authorities in actual spill situations or during exercises representatives from these authorities participate in the CC meetings.

Annex VI - Appendix
Provisions concerning Reports on Incidents Involving Harmful Substances

Activitv Status

As a consequence of the amendments to Regulation 5 **as** contained in HELCOM Recommendation 8/5 the Appendix has been deleted according to the the Recommendation.

The IMO guidelines for reporting incidents involving harmful substances, as adopted by MEPC 22 in December 1985, have been adopted within the Helsinki Convention context in HELCOM Recommendation 7/12.

4. HELCOM RESOLUTION 5/A - Medium-Term Plan for the Activities of the Helsinki Commission

Operative Paragraph, Sub-Paragraph 4

The national and joint combatting potential in the Baltic Sea Area will be strengthened by the following measures:

- elaboration of methods to combat oil spills under ice conditions and of drift models for spills of oil and other harmful substances:

- implementation of joint realistic combatting traning schemes; and

elaboration of guidelines for co-operation in combatting marine pollution also by other harmful substances than oil.

Activity Status

Work on the elaboration of measures to combat oil spills under ice conditions and of drift models for spills of oil and other harmful substances has initially been discussed at EGC 10. The eighth meeting of the Commission requested the CC to deal with matters related to combatting of oil under ice conditions with high priority.

Regarding the implementation of joint realistic combatting training schemes EGC 9 proposed a joint bilateraltrilateral material exercise between Finland, Sweden and the USSR in connection with EGC 10, but it was, however, not possible to arrange such an exercise at this stage.

The elaboration of guidelines for co-operation in combatting marine pollution also by other harmful substances than oil has started and the report from the two first meetings of EGC CHEM have been considered at EGC 10.

Operative Paragraph, Sub-Paragraph 5

In respect of the prevention of marine pollution from ships, safety of navigation and combatting of marine pollution the Commission will continue to assist in:

- the coordinating of the efforts of the Contracting Parties in the work of other international organizations, e.g. the International Maritime Organization (IMO); and

- the harmonized implementation by the Contracting Parties of measures adopted by such organizations.

Activity Status

This Sub-Paragraph is mainly of relevance to the Maritime Committee. However, a coordination between the Copenhagen Agreement, the Bonn Agreement and the Helsinki Convention in areas where a mutual approach will be necessary, e.g. POLREP format and the presentation of oil spill statistics must be undertaken.

MEETINGS OF THE HELSINKI COMMISSION IN 1989 AND 1990 AND OF THE SUBSIDIARY BODIES IN THE INTERSESSIONAL PERIOD BETWEEN THE 9th AND 10th MEETINGS OF THE COMMISSION (INCLUDING SEMINARS AND SYMPOSIA TO BE ORGANIZED BY THE CONTRACTING PARTIES WITHIN THE FRAMEWORK OF THE COMMISSION)

Intercalibration exercise on microbiology	21-25 March 1988 Kiel, Federal Republic of Germany
Pollution Load Monitoring Symposium	5-9 April 1988 Tallinn, USSR
Fifth Meeting of the Group of Experts on Airborne Pollution (EGAP 5)	25-29 April 1988 Gdynia, Poland
First Meeting of the Informal Working Group on Reception Facilities (MC REFAC)	3-6 May 1988 HELCOM Secretariat, Helsinki, Finland
Eleventh Meeting of the Working Group on Criteria and Standards for Discharges of Harmful Substances (WGS 11)	9-13 May 1988 Hamburg, Federal Republic of Germany
Third Meeting of the Group of Experts on Monitoring of Radioactive Substances (MORS 3)	17-20 May 1988 Hamburg, Federal Republic of Germany
Fourth Meeting of the ad hoc Working Group on Combatting Spillages of Harmful Substances Other than Oil (CC CHEM 4)	6-8 June 1988 Copenhagen, Denmark
Fourth Conference in Karlskrona on the Health of the Seas	7-9 June 1988 Karlskrona, Sweden
Meeting of GESPA Chairman and Conveners	13-14 June 1988 Helsinki and on board MS GEORG OTZ
Fifth Meeting of the Informal Expert Workshop on Article 17 of the Convention	30 June - 1 July 1988 Sopot, Poland
Joint multinational cruise for microbiologists	9 July 1988 - 2 weeks starting from Kiel, Federal Republic of Germany

Second Meeting of the ad hoc Group of Experts for the Preparation of the Second Periodic Assessment (GESPA 2)	6-9 September 1988 Kiel, Federal Republic of Germany
Fifteenth Meeting of the Scientific-Technological Committee (STC 15)	12-16 September 1988 Sweden
14th Meeting of the Maritime Committee (MC)	10-14 October 1988 Ålborg, Denmark
12th Meeting of the Combatting Committee (CC)	24-28 October 1988 Turku, Finland
Tenth Meeting of the Baltic Marine Environment Protection Commission	14-17 February 1989 Helsinki, Finland
Eleventh Meeting of the Baltic Marine Environment Protection Commission	13-16 February 1990 Helsinki, Finland

BALTIC SEA ENVIRONMENT PROCEEDINGS

No. 1 JOINT ACTIVITIES OF THE BALTIC SEA STATES WITHIN THE FRAMEWORK OF THE CONVENTION ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE BALTIC SEA AREA 1974-1978 (1979)*

No. 2 REPORT OF THE INTERIM COMMISSION (IC) TO THE BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION (1981)

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PART A-l: OVERALL CONCLUSIONS
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* out of print

Baltic Marine Environment Protection Commission
— Helsinki Commission —
Mannerheimintie 12 A
SF-00100 Helsinki

ISSN 0357-2994