Joan Walley MP,
Chair,
Environmental Audit Committee.

19th September 2014

Dear Joan,

Re: Government Delay to Water Ballast Convention Ratification

The All Party Parliamentary Group on Biodiversity fully supports the statement by the Environmental Audit Committee in its report of 14th April 2014 on invasive non-native species (INNS) regarding the need to “follow a precautionary principle approach” and urging the Government to move immediately to ratify the Ballast Water Management Convention (BWMC).

The government’s response to your report, published 25th June 2014, made it clear that ratification, which is in our opinion necessary and achievable, is not going to be undertaken by the current Government.

We urge the Environment Audit Committee to seek opportunities to put renewed pressure on the Government to sign the BWMC. We believe that the Government’s position does not adequately take into account the importance of ratification as a risk reduction measure, and has also the potential to cause greater longer-term economic and environmental damage. Our reasons are outlined below.

The potential damage caused by INNS arriving in Great Britain through ballast water will only increase. Shipping patterns are undergoing changes, and are expanding in volume, frequency and coverage. Specifically, the opening of new, northern shipping routes with the reduction of Arctic ice cover will raise the threat of ballast water introductions from previously blocked geographical areas, augmenting the continuing arrival of species along established commercial shipping routes.

The significance of ballast water as a pathway for invasive species is beginning to be recognized: A recent horizon scanning exercise to consider the most likely invasive non-native species to impact on native biodiversity identified the quagga mussel (Dreissena rostriformis bugensis) as the number one risk species, and a species that may arrive through ballast water¹. Of the 54 invasive alien invertebrate species identified by Buglife

as currently posing the greatest threat to biodiversity in Britain, 23 (43%) may have been or could in future be introduced via ballast water.

The UK Government’s disinclination to ratify the convention seems mainly to be based upon a perceived lack of certainty around ballast water sampling, the ability to provide a representative and accurate picture of the organisms present in a ship’s ballast, all within a reasonable budget and limited time-frame, and awaiting Defra’s ongoing pathway research.

This focus on certainty of outcome fails to consider sufficiently that ballast water sampling is a risk reduction measure. We agree that there remain a “number of complications and uncertainties surrounding the sampling and analysis of ballast water”, as cited in the 25th June Government Response to the EAC’s report, but this does not provide sufficient reason to invalidate the whole ballast water management process and to preclude immediate ratification. The IMO’s Marine Environment Protection Committee published clear guidelines for ballast water sampling in February 2013 and a tiered approach to Port State Control is proposed in the BWMC that aims to lead an inspector through a number of steps. If, after these have been undertaken, it is established that discharge is not allowed, then sampling is undertaken as a last resort.

There are a number of policy requirements (including the Marine Strategy Framework Directive and the new European Union Invasive Alien Species (EU IAS) Regulation) for the U.K. to undertake control of INNS through pathway analysis. Delaying ratification because of ongoing pathway research seems to be unjustified. The EU IAS Regulation will enter into force on 1st January 2015. Within 18 months, Member States must establish a surveillance system to detect the arrival of ‘species of Union concern’ [Article 14], and within three years must adopt priority pathway action plans to minimize new introductions [Art. 13]. Since the list of species of Union concern (to be drawn up during the first 12 months) is almost certain to include species capable of being transported by ballast water (and we will be even more concerned if this conclusion is not reached), measures resulting from adoption of the BWMC could contribute to meeting these requirements of the EU Regulation, which would otherwise still need to be addressed.

**It is practically impossible to eradicate marine invasive non-native species once they have established.** It is thus imperative that we do our utmost to prevent their arrival and export in the first place to avoid their potential large scale negative impact on native biodiversity and the economy. Many of Europe’s large maritime economies have ratified this convention, including Holland, Germany, France and Denmark. The U.K. should follow suit.

The APPG welcomes any opportunity to provide support to the committee to help facilitate a further examination of the need for urgent ratification.

Yours sincerely

Katy Clark MP
Chair of the All Party Parliamentary Group on Biodiversity