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## Convention text

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#### Preamble

*THE PARTIES TO THIS CONVENTION,*

*RECALLING* Article 196(1) of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which provides that “States shall take all measures necessary to prevent, reduce and control pollution of the marine environment resulting from the use of technologies under their jurisdiction or control, or the intentional or accidental introduction of species, alien or new, to a particular part of the marine environment, which may cause significant and harmful changes thereto,”

*NOTING* the objectives of the 1992 Convention on Biological Diversity (CBD) and that the transfer and introduction of Harmful Aquatic Organisms and Pathogens via ships' ballast water threatens the conservation and sustainable use of biological diversity as well as decision IV/5 of the 1998 Conference of the Parties (COP 4) to the CBD concerning the conservation and sustainable use of marine and coastal ecosystems, as well as decision VI/23 of the 2002 Conference of the Parties (COP 6) to the CBD on alien species that threaten ecosystems, habitats or species, including guiding principles on invasive species,

*NOTING FURTHER* that the 1992 United Nations Conference on Environment and Development (UNCED) requested the International Maritime Organization (the Organization) to consider the adoption of appropriate rules on ballast water discharge,

*MINDFUL* of the precautionary approach set out in Principle 15 of the Rio Declaration on Environment and Development and referred to in resolution MEPC.67(37), adopted

by the Organization's Marine Environment Protection Committee on 15 September 1995,

*ALSO MINDFUL* that the 2002 World Summit on Sustainable Development, in paragraph 34(b) of its Plan of Implementation, calls for action at all levels to accelerate the development of measures to address invasive alien species in ballast water,

*CONSCIOUS* that the uncontrolled discharge of Ballast Water and Sediments from ships has led to the transfer of Harmful Aquatic Organisms and Pathogens, causing injury or damage to the environment, human health, property and resources,

*RECOGNIZING* the importance placed on this issue by the Organization through Assembly resolutions A.774(18) in 1993 and A.868(20) in 1997, adopted for the purpose of addressing the transfer of Harmful Aquatic Organisms and Pathogens,

*RECOGNIZING FURTHER* that several States have taken individual action with a view to prevent, minimize and ultimately eliminate the risks of introduction of Harmful Aquatic Organisms and Pathogens through ships entering their ports, and also that this issue, being of worldwide concern, demands action based on globally applicable regulations together with guidelines for their effective implementation and uniform interpretation,

*DESIRING* to continue the development of safer and more effective Ballast Water Management options that will result in continued prevention, minimization and ultimate elimination of the transfer of Harmful Aquatic Organisms and Pathogens,

*RESOLVED* to prevent, minimize and ultimately eliminate the risks to the environment, human health, property and resources arising from the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' Ballast Water and Sediments, as well as to avoid unwanted side-effects from that control and to encourage developments in related knowledge and technology,

*CONSIDERING* that these objectives may best be achieved by the conclusion of an International Convention for the Control and Management of Ships' Ballast Water and Sediments,

*HAVE AGREED* as follows:

- ▣ [Article 1 - Definitions](#)
- ▣ [Article 2 - General Obligations](#)
- ▣ [Article 3 - Application](#)
- ▣ [Article 4 - Control of the Transfer of Harmful Aquatic Organisms and Pathogens Through Ships' Ballast Water and Sediments](#)
- ▣ [Article 5 - Sediment Reception Facilities](#)
- ▣ [Article 6 - Scientific and Technical Research and Monitoring](#)
- ▣ [Article 7 - Survey and Certification](#)
- ▣ [Article 8 - Violations](#)
- ▣ [Article 9 - Inspection of Ships](#)

- ▣ Article 10 - Detection of Violations and Control of Ships
- ▣ Article 11 - Notification of Control Actions
- ▣ Article 12 - Undue Delay to Ships
- ▣ Article 13 - Technical Assistance, Co-operation and Regional Co-operation
- ▣ Article 14 - Communication of Information
- ▣ Article 15 - Dispute Settlement
- ▣ Article 16 - Relationship to International Law and Other Agreements
- ▣ Article 17 - Signature, Ratification, Acceptance, Approval and Accession
- ▣ Article 18 - Entry into Force
- ▣ Article 19 - Amendments
- ▣ Article 20 - Denunciation
- ▣ Article 21 - Depositary
- ▣ Article 22 - Languages
- ▣ Annex - Regulations for the Control and Management of Ships' Ballast Water and Sediments

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