

Zanzibar, Tanzania

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**Regional workshop on cooperation in preparedness and
response to marine spills**



**International Framework for oil spill preparedness and
response**

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IMO

Established in 1948

Specialized Agency of the United Nations with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution by ships.

Main role is the creation of a regulatory framework for the shipping industry, that is fair and effective, universally adopted and implemented.

174 Member States & 3 Associate Members

Provides a forum and mechanism for Governments to coordinate and decide on regulations applicable to shipping

IMO does not impose or enforce rules

Role to encourage ratification and implementation of international standards and to provide assistance



Three-tiered approach to maritime conventions

Preventive Legislation

- Deals with safety, seafarers' training, operational pollution
- SOLAS, COLREGS, MARPOL, BWM, STCW

Mitigating Legislation

- Deals with accidental pollution
- OPRC, SALVAGE, INTERVENTION, OPRC-HNS

Compensatory Legislation

- Deals with compensation to those affected by the pollution
- CLC/FUND, BUNKER, LLMC, ATHENS, HNS

Implementing the legal Framework on Oil/HNS Pollution

Prevention

- MARPOL

Preparedness and Response

- OPRC 1990
- OPRC/HNS Protocol 2000

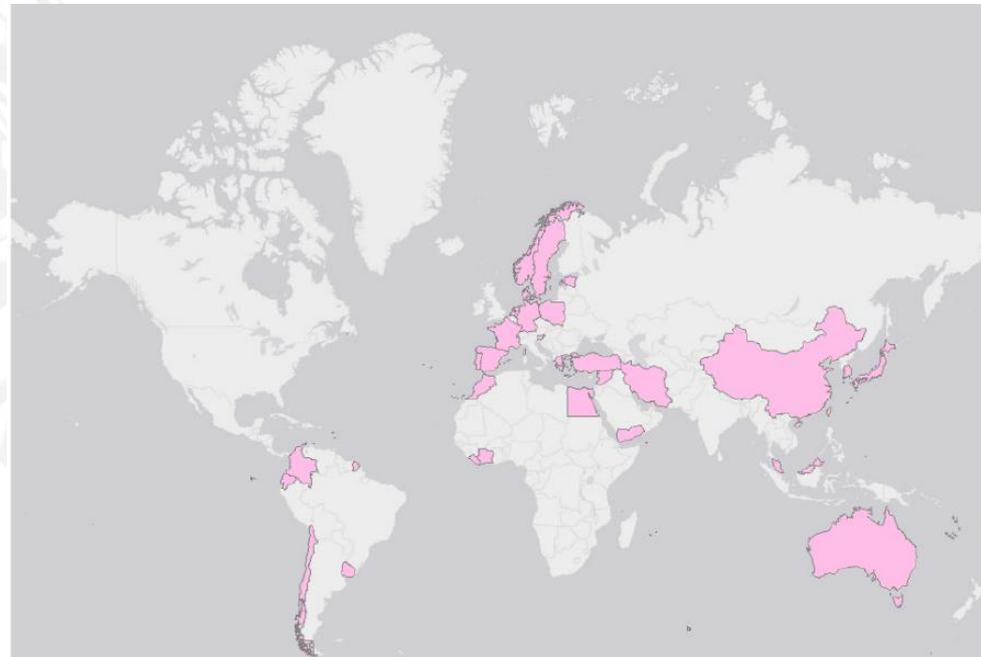
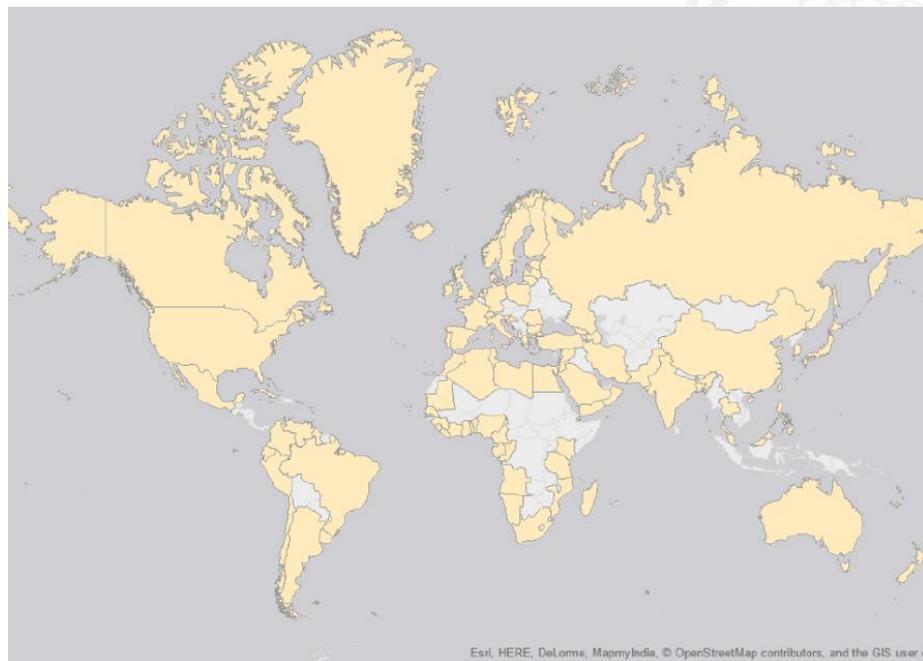
Compensation and Liability

- CLC 1992
- Fund 1992
- LLMC
- Bunkers

OPRC Convention

International convention on oil pollution preparedness, response and co-operation, 1990

Protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances, 2000



- A framework for the development of a national response system.
- Facilitation of international cooperation and mutual assistance.

International Convention on oil pollution preparedness, response and cooperation (OPRC) – Key Articles



Article	Description
3	Oil pollution emergency plans
4	Oil pollution reporting procedures
5	Action on receiving an oil pollution report
6	National and Regional systems for preparedness and response
7	International co-operation in pollution response

OPRC: Pollution Emergency Plans

Oil pollution emergency plans to be co-ordinated with national system for:

- operators of offshore units
- appropriate sea ports
- appropriate oil handling facilities
- flag ships of the Contracting Party (also MARPOL requirement)

OPRC: Reporting Requirements

To establish pollution reporting procedures for:
flag ships, offshore units, sea ports and oil
handling facilities, for;

- discharges from their **own** activities
- **any** observed event at sea involving the discharge of pollution (including from maritime inspection vessels or aircraft and civil aircraft)

OPRC: Action on receiving an oil pollution report

- Assess the nature, extent and possible consequences of the oil pollution incident;
- Inform all States whose interests are affected or likely to be affected by such oil pollution incident, together with:
 - details of its assessments and any action it has taken, or intends to take, to deal with the incident, and
 - further information, as appropriate.

OPRC: National System

National system for responding **promptly** and **effectively** to oil pollution incidents:

- A national contingency plan
- Designated national authorities:
 - Responsible for preparedness & response
 - Operational contact point(s)
 - Requesting & rendering assistance

OPRC: National/Regional System

Establish individually or through bilateral or multilateral co-operation:

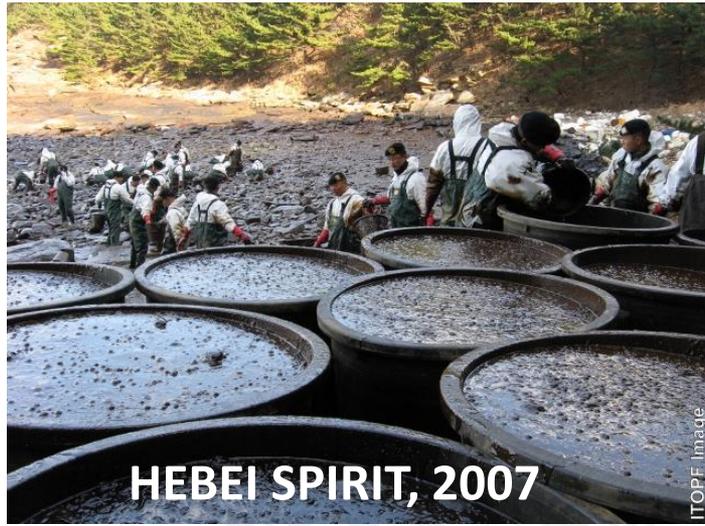
- minimum level of pre-positioned equipment commensurate with risk
- programme of exercises & training
- plans & communications capabilities
- mechanism for co-ordinating response

OPRC: International Obligations

Obligation of Contracting Parties to:

- Provide assistance if requested by another Party subject to capabilities and availability of relevant resources
- Facilitate the arrival, deployment and departure of resources and equipment needed for the response operation

Incidents still happen and still challenge



HEBEI SPIRIT, 2007



MSC NAPOLI, 2007

Incidents still happen and still challenge

Photo Credit: AFP/Getty



DEEP WATER HORIZON, 2010



GODAFOSS, 2011

ITOPF Image



RENA, 2011

Photo Credit: Maritime New Zealand



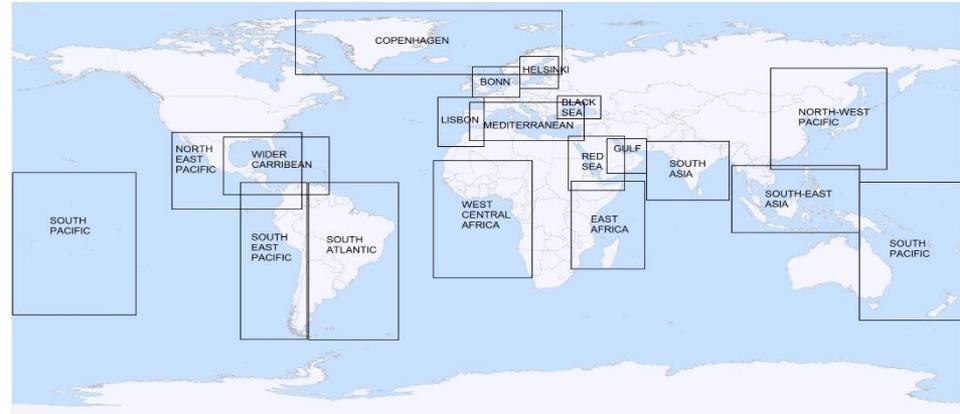
STOLT VALOR, 2012

Photo Credit: MEMAC

Incidents still happen and still challenge



OPRC Convention – Key Articles



Article	Description
8	Research and Development
9	Technical Cooperation
10	Promotion of bilateral and multilateral co-operation in preparedness and response
12	Institutional Arrangements

OPRC: Research and Development

Obligation of Contracting Parties to:

- Promote and exchange results on R&D relating to enhancement of spill preparedness and response;
- Promote the holding of symposia; and
- Develop standards for compatible oil spill response techniques and equipment.

OPRC: Technical Cooperation

Obligation of Contracting Parties to:

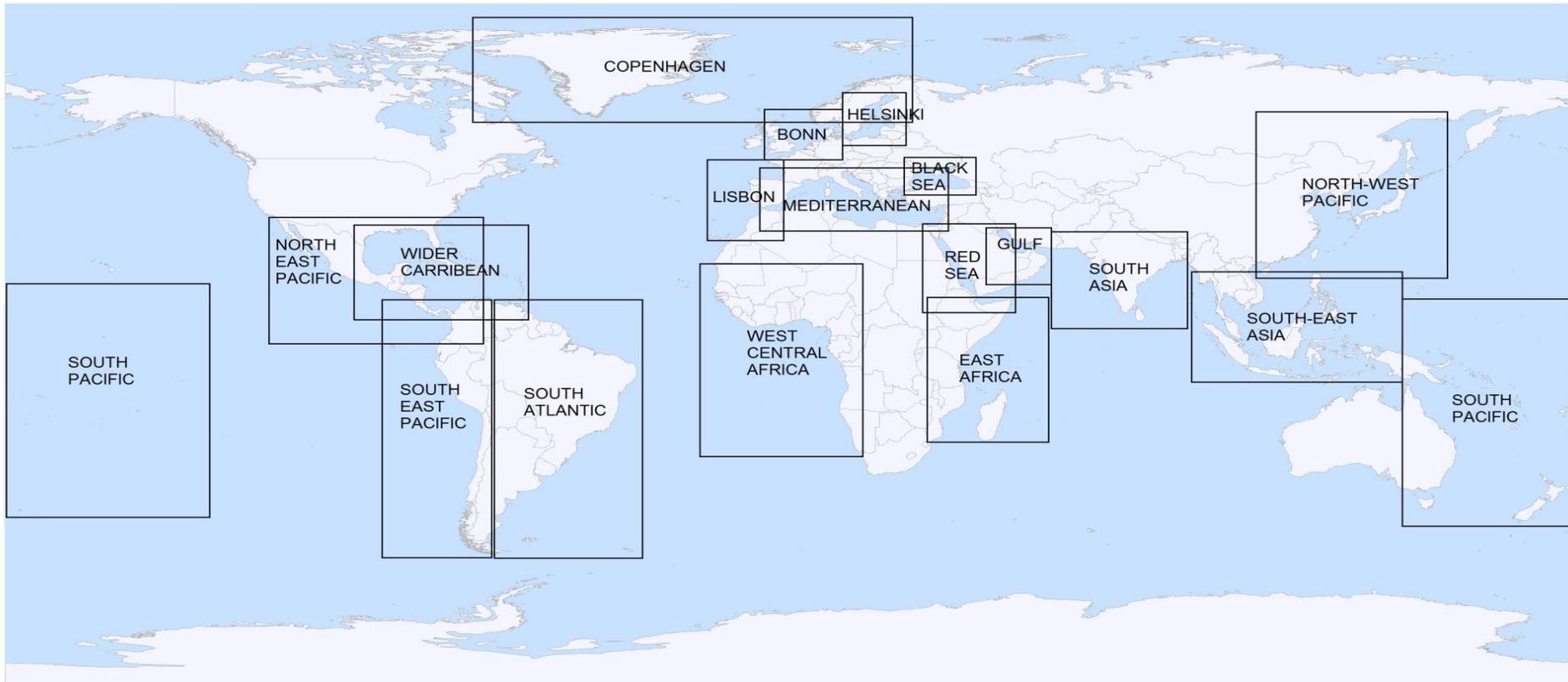
- Support Parties which request technical assistance:
 - To train personnel;
 - To ensure availability of relevant technology, equipment and facilities;
 - To facilitate other measures and arrangements to prepare for and respond to oil pollution incidents; and
 - To initiate joint research and development programmes.

Cooperation: A regional approach

Article 10

Promotion of bilateral and multilateral co-operation in preparedness and response.

Highlighting the importance of regional agreements for implementing the Convention



Regional Centres/Organizations

Regional centres with a focus on spill preparedness and response coordination:

- REMPEC: Barcelona Convention – Mediterranean
- NOWPAP MERRAC – Northwest Pacific
- REMPEITC – Caribe: Cartagena Convention – Wider Caribbean
- ROPME MEMAC – Kuwait Convention - Gulf area

Regional organizations/secretariats with a remit on spill preparedness and response:

- Nairobi Convention – West Indian Ocean
- Abidjan Convention – West Africa
- SACEP – South Asia Seas
- ASEAN – South East Asia
- SPREP – Pacific Islands
- PERSGA – Red Sea

Institutional Arrangements: Role of IMO

1. Information Services

- Receive, collate and disseminate information, as needed/requested
- Assist in identifying sources of financing

2. Education & Training

- Promote training and international symposia
- Integrated Technical Cooperation Programme: training and support for developing the essential preparedness and response structures and legislation, at national and regional levels

Institutional Arrangements: Role of IMO

3. Technical services

- Facilitate cooperation in R&D
- Provide advice to States in establishing response capability
- Provide technical advice, as required

4. Technical assistance

- Facilitate provision of assistance in developing emergency preparedness and response systems
- Facilitate provision of technical assistance, when requested, to States facing major pollution incidents

OPRC: Implementation in practice

- Establish the legislative basis
- Coordinate within government
 - requires a multi-disciplinary approach
- Clarify roles and responsibilities
- Develop capacity
- Review and assess the status of national preparedness
- Develop national preparedness
- Develop regional and international cooperation
- Instigate training and exercising
- Sustain preparedness

OPRC: Example of national obligations

OPRC implementation requirements:

- A national system for responding to oil pollution incidents
- Preparedness and response capacity commensurate with risk
- Arrangements for international assistance, bilateral, regional and multilateral cooperation.

Legal requirements:

- Laws and regulations to determine and designate national competent authorities responsible for notification, preparedness, response and coordination
- Regulatory provisions to ensure cooperation and coordination of all public and private bodies that must contribute to developing and maintaining the preparedness and response mechanism i.e. NOSCP, local contingency plans, emergency plans for oil handling facilities, offshore units
- Establish means of communication and access to response resources, expertise as and when required, in addition to development and maintenance of training and exercise programmes