

The Global Initiative for West, Central and Southern Africa

Oil Spill Preparedness and Response webinars



GI WACAF webinar series
Webinar #2 - Preparedness and response to oil spills: focus on the international legal framework

Date: 15th July 2020
Time: 2:00 pm (BST)

[REGISTER NOW](#)


GIWACAF

Also available in French, same date, 11:00 am (BST)

Speakers:
Aicha Cherif, Legal division, IMO
Mark Homan, Claims Manager, IOPC Funds
Colleen O'Hagan, Marine Environment Division, IMO

Facilitation by:
Emilie Canova, GI WACAF Project Coordinator

Colleen O'Hagan, Clément Chazot
IMO

15 July 2020

International Maritime Organization



Established in 1948



Specialized Agency of the United Nations



174 Member States & 3 Associate Members



IMO is the global standard-setting authority for the safety, security and environmental performance of international shipping.

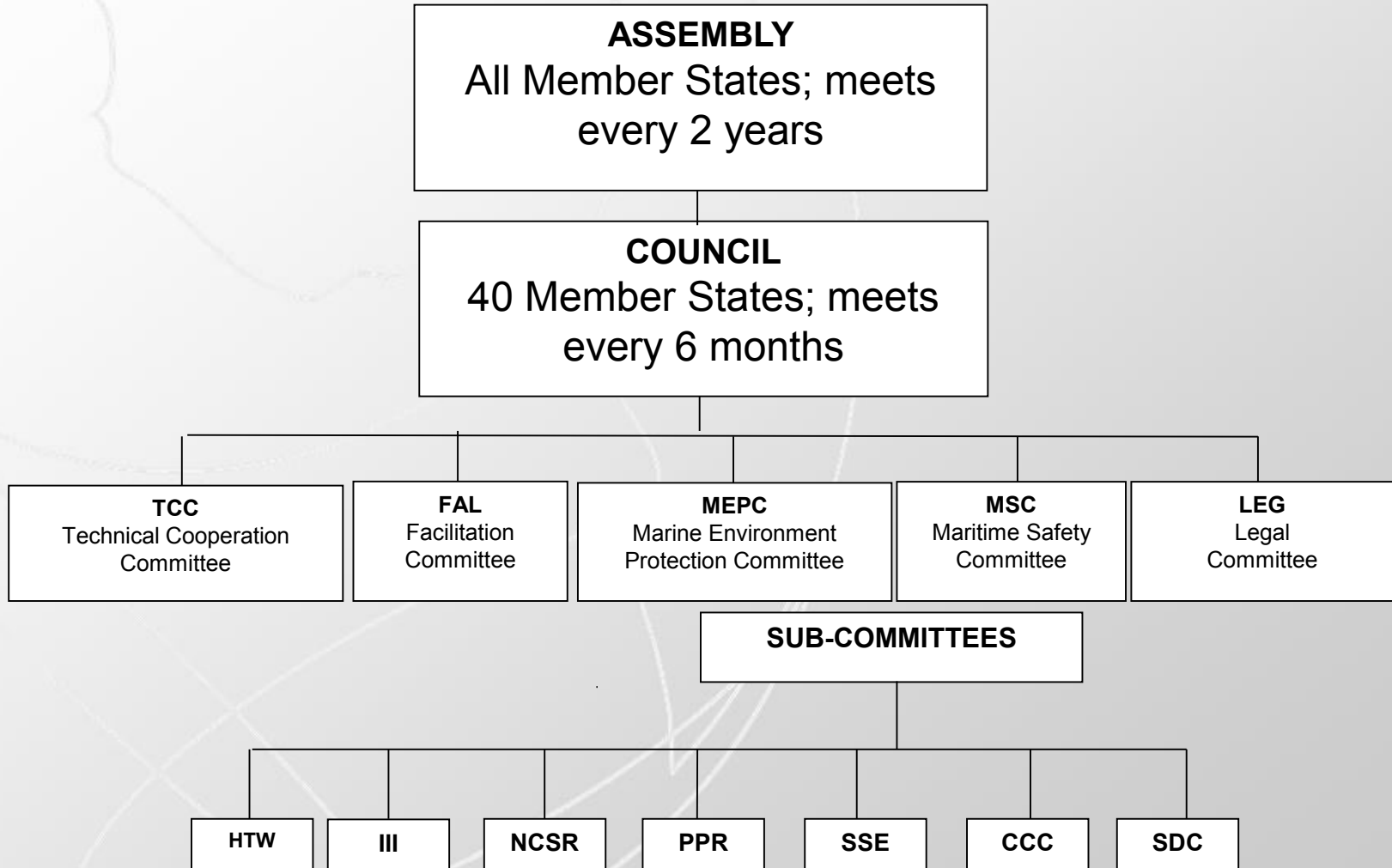


Its main role is to create a regulatory framework for the shipping industry that is fair and effective, universally adopted and universally implemented.



INTERNATIONAL
MARITIME
ORGANIZATION

IMO Structure



How it works



- Development of idea
- Proposal to IMO Committee
- Discussion, refer to Sub-Committee, working group
- Development of draft Regulation, circular, Code or resolution
- Adoption of new regulation

Timeline of key events



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

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Legal Committee (LEG)

- Established in 1967 to deal with legal questions which arose in the aftermath of the **Torrey Canyon** disaster, notably on liability and compensation issues related to the operation of ships, including damage, pollution, passenger claims, and wreck removal.
- Meets twice a year to deal with **any legal issues**
- The Committee also addresses seafarer matters, including the fair treatment of seafarers, and issues concerning unlawful activities at sea which affect the safety of navigation.



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EXXON VALDEZ - 1989

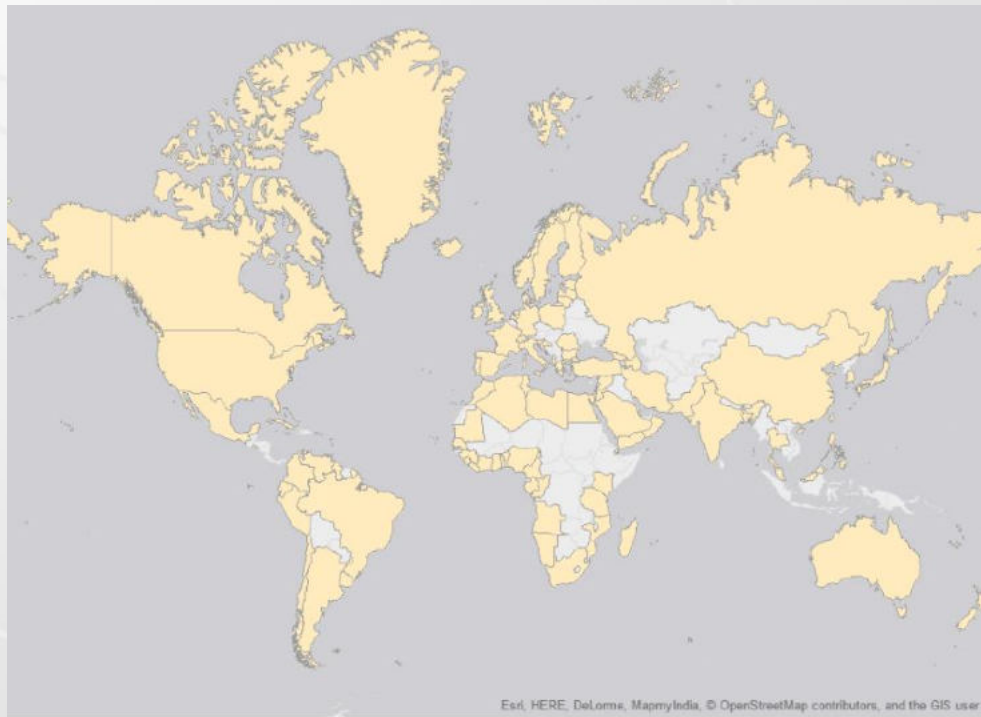


- Prince William Sound, Alaska on 24th March 1989
- Approximately 37,000 tonnes of crude oil spilled and spread widely
- Response included the application of dispersants, but focused on containment and recovery
- Despite significant resources deployed, less than 10% of oil was recovered
- Estimated 1,800km of coastline affected

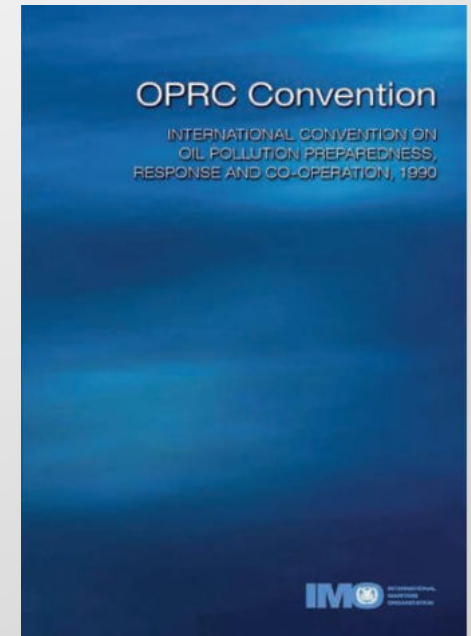
OPRC Convention

→ Global framework for international co-operation in combating major oil pollution incidents or the threat of major oil pollution

- Entered into force on 13th May 1995
- 113 Contracting States, as of June 2020



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Oil is defined as petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products

Art. 3 - Pollution Emergency Plans

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

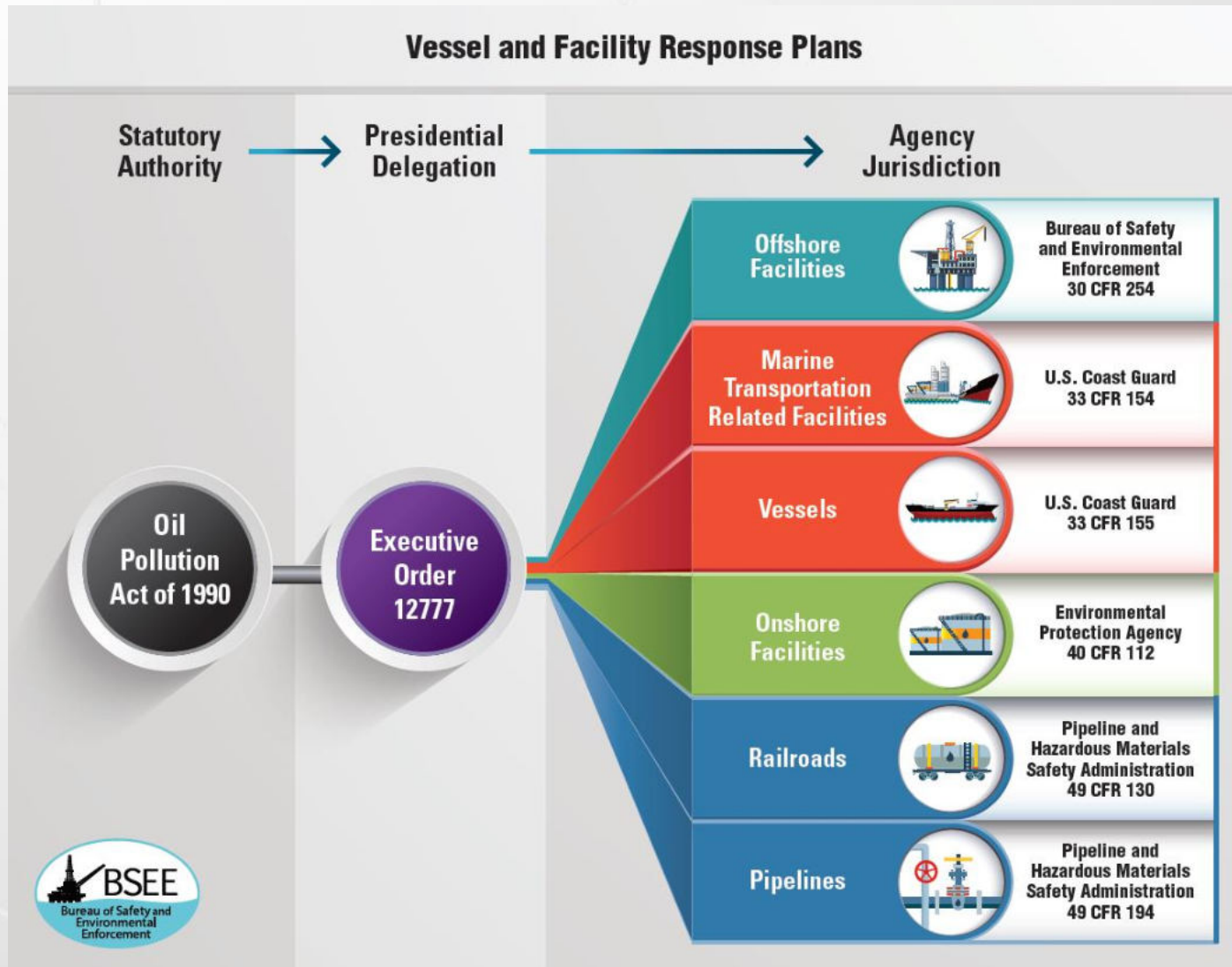
- offshore units
- sea ports
- oil handling facilities
- flag ships of a Contracting Party
(also MARPOL requirement)



Source: Port of Rotterdam

Art. 3 - Pollution Emergency Plans

Example of contingency planning requirements in the USA:



Source: BSEE

Art. 4 - Reporting requirements

Establish pollution reporting procedures for:

- flag ships;
- offshore units; and
- sea ports and oil handling facilities.

Regarding:

- 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)



Art. 5 - 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 the oil pollution incident, together with:

- details of assessments undertaken and any action undertaken, or planned, to deal with the incident.
- further relevant information, as appropriate.

INTRODUCTORY PART	Address from to	
	Date	Time Group Identification Serial number
PART I (POLWARN)	1	Date and time
	2	Position
	3	Incident
	4	Outflow
	5	Acknowledge
PART II (POLINF)	40	Date and time
	41	Position
	42	Characteristics of pollution
	43	Source and cause of pollution
	44	Wind direction and speed
	45	Current or tide
	46	Sea state and visibility
	47	Drift of pollution
	48	Forecast
	49	Identity of observer and ships on scene
	50	Action taken
	51	Photographs or samples
PART III (POLFAC)	52	Names of other States informed
	53-59	Spare
	60	Acknowledge
	80	Date and time
	81	Request for assistance
	82	Cost
	83	Pre-arrangements for the delivery
PART III (POLFAC)	84	Assistance to where and how
	85	Other States requested
	86	Change of command
	87	Exchange of information
	88-98	Spare
	99	Acknowledge

POLREP system

Art. 6 - National and Regional Systems

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

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

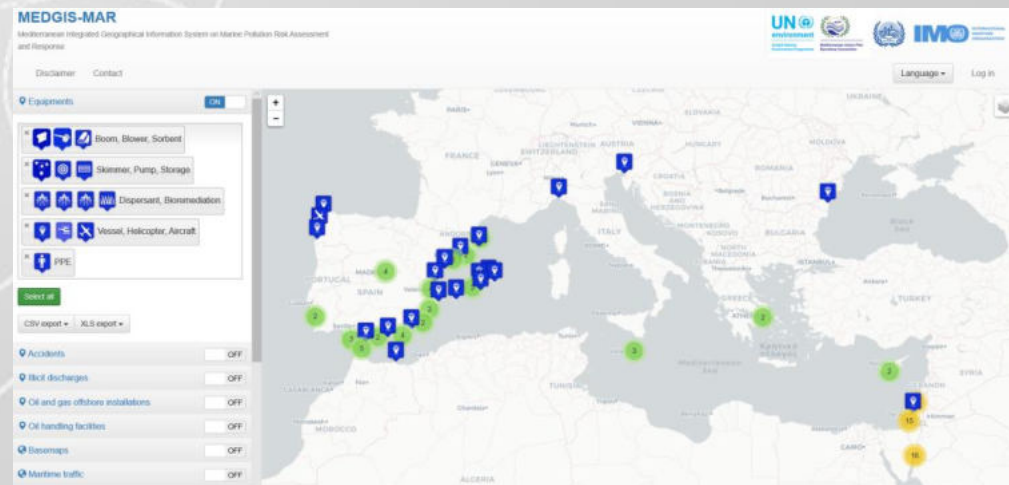
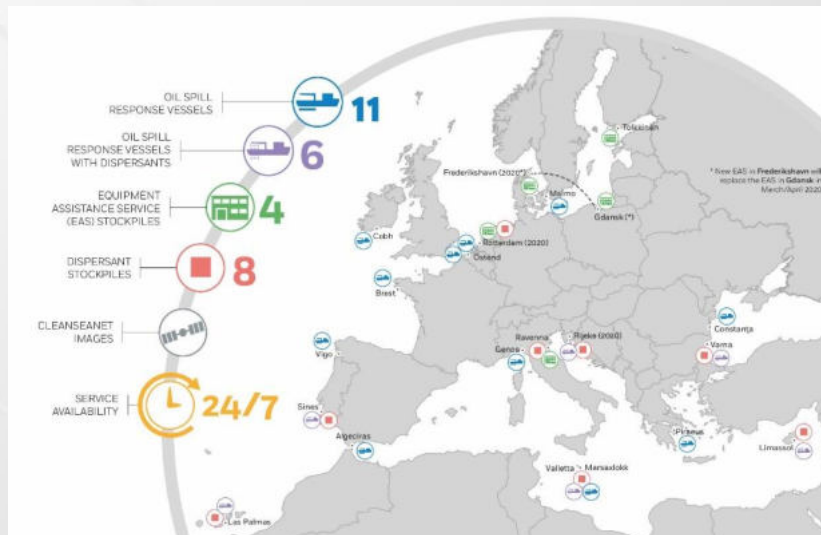


Source: NCA

Art. 6 - National and Regional Systems (2)

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



EMSA and REMPEC tools

Art. 7 - International Cooperation

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

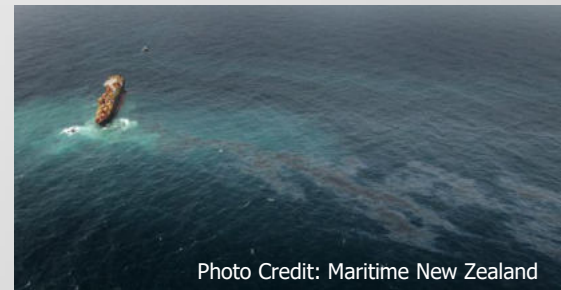
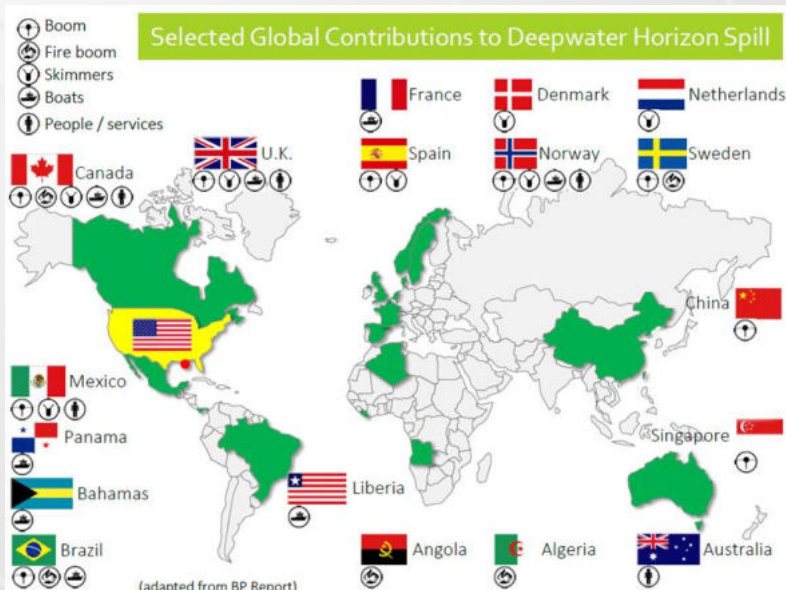


Photo Credit: Maritime New Zealand



Art. 8 - Research and Development

Promote and exchange results on R&D relating to the enhancement of spill preparedness and response

Promote the holding of symposia

International Oil Spill Conference

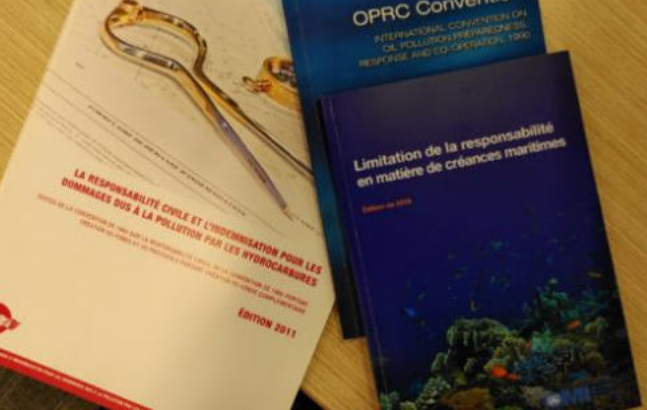


INTER
SPILL



SPILLCON





Art. 9 – Technical cooperation

Support Parties which request technical assistance:

- in training personnel
- in ensuring availability of relevant technology, equipment and facilities
- in facilitating other measures and arrangements to prepare for and respond to oil pollution incidents
- in initiating joint research and development programmes



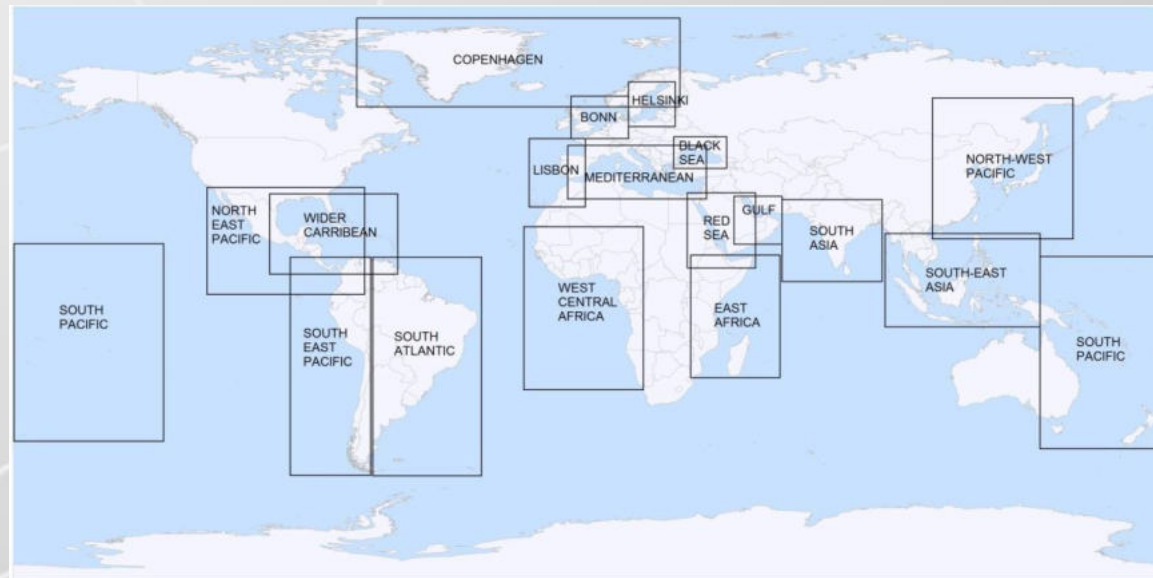
Art. 10 – Bilateral and multilateral agreements

There are a number of regional government-to-government agreements both bilateral and multilateral.

These agreements assist in both the preparedness for, and response to oil spill incidents within their sea areas.

They provide a forum for States to exchange concepts, research and information.

They facilitate the development of regional plans on cooperation and response



Art. 12 – Institutional arrangements

1 - Information Services during an incident response

- Receive, collate and disseminate information
- Assist in identifying sources of financing

2 - Education & Training

- Promote training and international symposia

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 PPR systems
- Facilitate provision of technical assistance, when requested, to States facing major pollution incident

IMO's support

Information system



Assistance during spills



- Remote advice
- Onsite advice

International Conferences



Capacity building



Notably under the ITCP 23

Recent developments

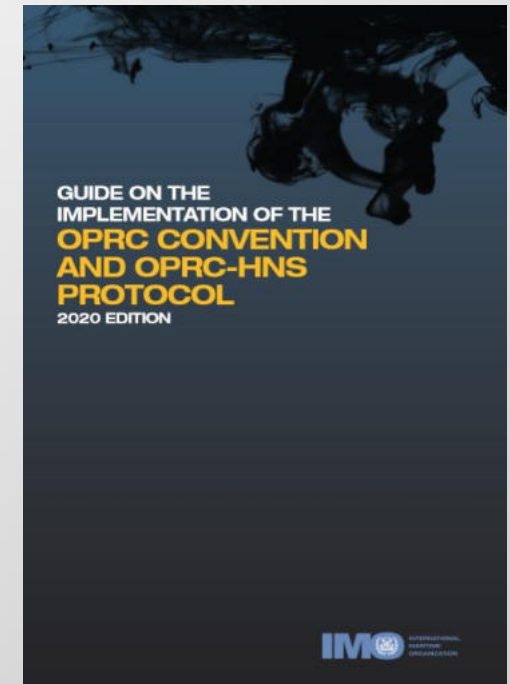
OPRC and OPRC HNS Guide

Practical guide on the implementation of the OPRC Convention and OPRC-HNS Protocol

Lead by Norway

Approved by MEPC 74

Review and comments on the draft based on national experience



OPRC Model Courses

Introductory level (1 day course)

Operational Level for response personnel in field (4 day course)

Tactical Level for spill managers and incident commanders (4 day course)

Strategic Level for Senior management and Administrators (4 day course)

Implementation of the OPRC Convention

1. Establish the legislative basis
2. Coordinate within Government and with the private sector
3. Clarify roles and responsibilities
4. Develop capacity
5. Develop national preparedness
6. Enhance regional and international cooperation
7. Implement training and exercising
8. Sustain preparedness
9. Address liability and compensation matters





Thank you for your attention