

## **The Sixteenth ROPME Council Decisions related to OSRO**

### **Jeddah – K. Saudi Arabia 28<sup>th</sup> November 2013**

#### **CM16/15 Regional Contingency Planning**

Having reviewed the progress achieved under this activity and recognising the importance of institutional mechanisms and capacity building for National and Regional contingency planning, **the Council decided:**

##### **1. Technical Assistance**

i) Providing technical assistance to the Contracting States in National Contingency Plans, including support and participation in observing oil spill exercises, conferences, etc, carried out by the Member States.

ii) MEMAC to upload all of the Committee Meetings Reports and Activities within its website.

##### **iii) The Oil Pollution Combating Auditing Programme Survey**

The Auditing Programme is always available for the Member States whenever requested under MEMAC's Technical Assistance Programme.

2. Organizing the Annual Response Officers' Meeting to review different elements of Regional and National Contingency Plan. (Priority A/B)

3. The Member States to accelerate the ratification process of the HNS Protocol (2000) of the OPRC Convention 1999, where the OPRC Convention has already been ratified by the majority of the Member States, and to urge Member States

- that are not party to OPRC 1990 to accelerate the ratification process as early as possible. (Priority A)
4. Member States to develop the HNS Contingency Plan in order to integrate it within their Oil Spill National Contingency Plans and to provide it to MEMAC. (Priority A/B)
  5. Acknowledge the effort of preparing the Draft Regional HNS Plan where the Member States were requested to provide their comments as an urgent need in order to finalize the draft for the adoption and commence its implementation. (Priority A)
  6. MEMAC to develop and prepare the ROPME Sea Area Regional HNS Manual as soon as the Regional HNS Plan is adopted. (Priority A/B)
  7. Member States to compile classify and build their own Data Banks for Chemicals and hazardous substances, utilizing the experience of the State of Kuwait. (Priority A/B)
  8. The Regional Marine Oil Pollution Contingency Plan Manual to be frequently updated, republished and disseminated to all NFPs. (Priority C)
  9. **The Region's Place of Refuge**
    - i. MEMAC in cooperation with the IMO to carry out an experts' mission to Member States in order to study the possibilities of identifying the Place/s of Refuge and the challenges Member States are facing for the implementation of the IMO resolution and to recommend modification of the IMO Resolution A. 949 (23) if it deems appropriate. (Priority A)
    - ii. To convene a Regional Experts Workshop following the IMO experts

mission to study the results of identifying the Place/s of Refuge as a highly important matter and urgent need in the respected States. (Priority A/B)

#### **10. Iraq Ports and Oil Terminals**

- i. Iraq to expedite the development of the National Oil Spill Contingency Plan as an urgent matter. (Priority A)
- ii. MEMAC to support Iraq's efforts in establishing the National Oil Spill Contingency Plan and initiate the capacity building process in this respect. (Priority A/B)

#### **11. Organizing Training Workshops as follows (Priority A/B):**

- i. The Marine Oil and HNS Pollution Combating Procedures Training Course to be convened in the I.R. Iran. (Priority A/B)
- ii. To convene a Training Workshop on Oil and OPRC-HNS in cooperation with IMO and IOPC Fund.
- iii. To convene a Training Workshop on the protection of the Desalination and Power Plants, Fish farms, Mangroves and other coastal installations from Oil and other Harmful Substances.
- iv. MEMAC to communicate with NFP of State of Qatar in order to conduct an oil spill emergency drill, exercising the National Contingency Plan and the Regional Arrangements. (Priority A/B)

## 12. Trajectory Model

- i. MEMAC to continue the preparation updating and distribution of the Trajectory Model. (Priority B/C)
- ii. To convene a training Workshop on the new version of the Trajectory Model.

### **CM16/16 Implementation of Regional Guidelines for Pollution Damage Assessment and Regional Manual for Compensation Claims**

Emphasizing the importance of the Damage Assessment and the Compensation procedures as well as evidence and samples collection and the investigations following the incidents, **the Council decided:**

- i. Member States to nominate States' qualified representatives to supervise any incident occurs within their jurisdictions. (Priority A/B)
- ii. Member States to endorse that, in the event of any incident, a risk and damage assessment study should be carried out immediately as a regulation within the National Environment law. (Priority A/B)
- iii. MEMAC to convene a Training Workshop on the Damage Assessment, evidence and sample collection and the Claims procedures in cooperation with the IMO, IOPC Fund, ITOPF and the P and I Club Members (GARD). (Priority A/B)
- iv. In cooperation with the INTERPOL, MEMAC to convene a 5 day Training Course on investigation of ship pollution violations. (Priority A/B)
- v. MEMAC to update the Regional Compensation Claims Manual. (Priority A/B)

## **CM16/17 Establishment of the Marine Emergency Response and Salvage Co-ordination Unit System (MERCU)**

Recognizing the need for an effective system for raising the marine emergency preparedness and response level to efficiently response to marine emergencies, and considering as a normal accepted practise of the “Polluter pays” principle, **the Council decided:**

- i. The adoption of the MERCU project. (Priority A)
- ii. The adoption of the establishment of the Maritime Emergency Response Centres (MERC), in Kuwait, Bahrain, Bandar Abbas, Fujairah and the Sultanate of Oman. (Priority A)
- iii. The MERC host Member States to nominate the Authority responsible for Implementing MERCU Project and to provide all the necessary arrangements and facilities (i.e. lands, offices, storages ...etc., what so ever can be provided in order to reduce the project costs), permissions and information prior to project commence in each state. (Priority A)
- iv. By the month of January 2014, Member States to announce to the shipping industry as well as the shipping agencies the service charges which are to be paid to the Regional Fund located at MEMAC not later than the end of 2014. (Priority A).
- v. Member States to announce to the shipping industry as well as the shipping agencies the service charges which are to be paid to the Regional Fund located at MEMAC. (Priority A)

- vi. Member States to address the Marine Emergency Response and Salvage Coordination Unit (MERCU) System within the National Legislation. (Priority A/B)
- vii. MEMAC to submit documents in this regard to the International Maritime Organization, Marine Environment Protection Committee (IMO/ MEPC) as a follow-up, announcing the implementation stage of MERCU. (Priority A/B)
- viii. The Regional Oil Spill Response Officers (OSRO) and MEMAC to commence developing the Terms of Reference (ToR) for the Companies' prequalification in order to undertake all the aspects of the establishment of the Maritime Emergency Response Centres (MERC) Project. (Priority A/B)
- ix. MEMAC to announce the advertisement for the Companies' prequalification process at the International and Regional levels. (Priority A/B)
- x. MEMAC to arrange for the Region experts' visit to the MERC host states to finalized all the necessary arrangements for the establishment stage. (Priority A/B)
- xi. The Regional Oil Spill Response Officers (OSRO) to follow up the full process of the establishment of MERCU. (Priority A/B)
  - a. MEMAC and the Regional Oil Spill Response Officers (OSRO) to invite the concerned official parties to their Regional Meeting in each of the MERC host state in the implementation phase.
  - b. MEMAC to convene Two Regional Meetings for the implementation of the MERCU. (Priority A/B)

## **CM16/18 Port State Control**

Noting the importance of the Port State Control System as an effective tool for compliance and monitoring in the Region and to enforce necessary measures to provide the sanction in case of non-compliance for the protection of the marine environment, **the Council decided:**

- i. MEMAC to follow up the organization's request for obtaining an observer status within Riyadh MOU. (Priority A/B).
- ii. MEMAC to convene a Legal/Technical Expert Meeting consisting of the Regional Oil Spill Response Officers (OSRO), the Region PSC members, including I.R. Iran and Iraq in cooperation with the GCC and IMO Secretariats. (Priority A/B)
- iii. Member States to emphasize the implementation of the Port State Control System by all necessary means, including but not limited to, close liaison, supporting and strengthening the cooperation with the Regional PSC System in order to strength the Regional Compliance, Monitoring and Enforcement system.

## **CM16/19 Periodical Reports on Marine Emergency**

Recognizing the importance of the Periodical Reports and the Incident analysis as lessons learned, **the Council decided:**

- i. MEMAC to continue its efforts in preparing the periodical reports on oil and HNS spill marine incidents and emergencies, studying each case in order to learn the lessons and to prevent future similar incidents. (Priority A/B)

- ii. Member States are requested to provide MEMAC with full incident details.
- iii. Recognizing the role of Automatic Identification System (AIS) in improving the National and the Regional Surveillance Capabilities, request the IR. Iran and the S. Oman to install and activate the AIS Systems which have already been provided by MEMAC as early as possible.
- iv. MEMAC to maintain the Regional Maritime Casualty Database. (Priority A/B)
- v. MEMBER States to nominate a Senior State Incident Representative, to control any incident occur within the states' territory, where term of reference for such post could be sourced from MEMAC. (Priority A)
- vi. Member States to avoid utilizing the SMIT International Services at all ports in RSA and to disseminate a circular to all concerned ports in this regard. (Priority A)
- vii. Member States to study different chemicals in use, particularly the MTBE and the similar product, rules and regulations for proper handling and storage. (Priority A/B)
- viii. Member States to ensure issuing new regulations or instructions or a directive addressing the need of carrying out an Impact Assessment Study following any incident immediately and promptly and in accordance with "Polluter Pays" principle. (Priority A/B)
- ix. Member States to ensure the issuance of regulations addressing detention of the ships which have caused damage to the marine environment till receiving full amounts to cover the costs of clean-up operations, damage to the environment, rehabilitation and carrying out the necessary study of the Impact Assessment. (Priority A/B)



- x. MEMAC to charge a percentage amount of the total amount of the compensation against its follow-up of any incident and in accordance with the proposed formula set up.

## **CM16/22 The Marine Search and Rescue**

Recognizing the importance of the Search and Rescue Mission to save human life and cater to its requirements whenever a marine incident occurs, while noting that the Search and Rescue is not under the normal operations of MEMAC, **the Council decided:**

- i. Express appreciation to NFPs IR. Iran and Qatar for their valuable efforts in the marine search and rescue operations
- ii. MEMAC continues its efforts in receiving the distress messages and liaises them to the relevant Member States
- iii. In view of the deep humanitarian concerns on the issue, request IR. Iran and Qatar to expedite establishment of the Regional SAR coordination centres (RMRCC) in order to provide the necessary SAR services in the inner and outer ROPME Sea Areas.
- iv. Member States to review and consider the Regional SAR MOU as a guideline which has been prepared earlier and to advice the Regional Oil Spill Officers through MEMAC with their comments
- v. MEMAC to invite the Maritime SAR experts in the Region provided that the necessary feedback is received by MEMAC from the Member States to the Regional Oil Spill Annual Meeting. (Priority A/B)

## CM16/23 The Regional Maritime Master Plan

Emphasizing the importance of the future strategy planning and recognizing different environmental challenges and the rapid increase on the shipping traffic and the need to raise the preparedness level to cater all the threats and protect and safeguard the marine environment, **the Council decided:**

- i. The adoption of the Master Plan and its full implementation
- ii. Member States to establish a close liaison among different governmental agencies and parties with the responsibilities for marine environment protection and maritime safety in order to be able to meet the requirements of different obligations set out in Master Plan. (Priority A/B)
- iii. To urge the Member States to clearly nominate party/parties (Authorities/Agencies) responsible for the effective execution of the Master Plan (Lead Agency) in their respective countries. (Priority A/B)
- iv. MEMAC to convene a Regional Technical and Legal Meeting in cooperation with the IMO and the GCC in order to study the development of the detailed implementation, drafting of operational and legislative guidelines and the development of practical steps for the implementation, enforcement and control of the Master Plan's Risk Reduction Package. (Priority A/B)
- v. MEMAC to commence the development of the detail Action Plan for the Master Plan, following the Regional Committee recommendations. (Priority A/B)
- vi. Member States to develop the National Master Plan in line with the provisions of the Regional Master Plan. (Priority A/B)

- vii. MEMAC to continue its efforts towards the execution of the study for the review and adjust the Traffic Separation Scheme and the establishment of mandatory ships reporting system of the Strait of Hormuz in order to minimize the risk of shipping collisions. (Priority A/B)
- viii. MEMAC to carry out the drafting of procedures for the establishment of the "VTMIS Strait of Hormuz" in collaboration with the Member States I.R. Iran and Sultanate of Oman and in accordance with the results of the above activities. (Priority A/B)
- ix. MEMAC to continue its efforts in carrying out the drafting of the regionally harmonized guidelines on sanctions to offenders as to safety and marine pollution (catalogue of infringement penalties). (Priority A/B)
- x. Member States to study the drafting of the guidelines for the establishment of the Regional Maritime Casualty Investigation Board and to provide their feedback to MEMAC and its Regional Oil Spill Committee within a six-month period. (Priority A)
- xi. Member States to nominate maritime casualty investigation board members or to mandate the Oil Spill Response Officers (OSRO) as the board members. (Priority A)
- xii. To initiate an awareness campaign and mechanism to address the decision makers, the stakeholders and the public on the compelling need to raise pollution prevention and maritime safety by means of the Master Plan's Risk Reduction Package. (Priority A/B)
- xiii. MEMAC to convene a Regional Meeting to study all of the above Master Plan activities and the implementation of the Master Plan. (Priority A/B)

- xiv. To encourage Member States to establish National Environment Committee to follow-up the implementations of the decisions made by the Council and to establish a Regional Committee comprising of the heads of the National Committees

### **CM16/24 Marine Environmental High Risk Areas (MEHRAs)**

Noting the importance of identifying the high risk areas and the coastal and marine sensitive areas, and taking into consideration the importance of the AIS tracking information needed during the incident as evidence, **the Council decided:**

- i. Member States to provide MEMAC with updated information with regard to the sensitive coastal and sea areas in order to incorporate them with the possessed information data within MEHRAs.
- ii. To update and extend the existing Regional AIS system by fitting a total of 12 stations including the software in order to possess a wider and comprehensive coverage. (Priority A)
- iii. Member States to facilitate the installation and to maintain the flow of data of the AIS tools.
- iv. Member States to utilize the MEHRAs Data in forming a template for assessing coastal sensitivities and incorporate the information within the National Contingency Plans.
- v. Member States to nominate a liaison officer for maintaining continuous communication on MEHRAs issues and to follow up and update on an annual basis.

- vi. Member States to utilise the MEHRAs data to identify Places of Refuge within their own jurisdiction.
- vii. MEMAC to update and incorporate the MEHRAs data and information within the Regional Contingency Plan; also, to utilize the Regional Air Emission Assessment in accordance with the MARPOL 73/78 Convention, Annex VI.(Priority A/B)
- viii. MEMAC to carry out a Collision Risk Assessment for the Oil Platforms in the Region as a priority need. (Priority A/B)
- ix. MEMAC to convene a Regional Meeting on updating the MEHRAs information and data.

### **CM16/27 International Maritime Conventions**

Noting different incidents that might occur within the RSA and recognizing the importance of different International Conventions in term of the marine environment protection and in order to provide the necessary support to the Member States during the emergencies, **the Council decided:**

- i. Member States to consider the ratification of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001
  - ii. Member States to consider the ratification of the International Convention on the Removal of Wrecks, 2007.
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