

OPRC-HNS PROTOCOL

Protocol on Preparedness,
Pollution Incidents by Hazardous and



OPRC-HNS

OPRC-HNS

IMO



AV INTERNATIONAL'S
MARITIME
ORGANIZATION
Learning Hub

Provided by IHS
No reproduction or networking permitted without license from IHS

Licensee=SONGA OFFSHORE PTY LTD /5975059001, User=sam, albert
Not for Resale, 07/15/2014 12:36:00 MDT

Full document details: IMO I556E 2002

OPRC-HNS PROTOCOL

**Protocol on Preparedness, Response and Co-operation to
Pollution Incidents by Hazardous and Noxious Substances, 2000**

*Including the
Final Act of the OPRC-HNS Conference, 2000,
and resolutions of the Conference*



INTERNATIONAL
MARITIME
ORGANIZATION
London, 2002

First published in 2002 by the
INTERNATIONAL MARITIME ORGANIZATION
4 Albert Embankment, London SE1 7SR

Printed by the International Maritime Organization, London

2 4 6 8 10 9 7 5 3 1

ISBN 92-801-5136-3

IMO PUBLICATION
Sales number: I556E

Copyright © IMO 2002

All rights reserved.
No part of this publication may, for sales purposes,
be produced, stored in a retrieval system or transmitted
in any form or by any means, electronic, electrostatic,
magnetic tape, mechanical, photocopying or otherwise,
without prior permission in writing from the
International Maritime Organization.

Foreword

By resolution 10, the 1990 Conference on International Co-operation on Oil Pollution Preparedness and Response invited the International Maritime Organization to initiate work to develop an appropriate instrument to expand the scope of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, to apply, in whole or in part, to pollution incidents by hazardous substances other than oil and prepare a proposal to this end.

Pursuant to this resolution, the Marine Environment Protection Committee prepared and, at its forty-second session in November 1998, adopted in principle a draft protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances. Together with the OPRC Convention, the OPRC-HNS Protocol will provide a framework for international co-operation in establishing systems for preparedness and response at the national, regional and global levels; in improving scientific and technological understanding and knowledge in this field; in promoting technical co-operation in response techniques; and, in developing specialized training programmes.

In accordance with Article 2(b) of the Convention on the International Maritime Organization and in conformity with resolution 10 of the above-mentioned Conference, the Marine Environment Protection Committee of the Organization at its forty-second session recommended, and the Council, at its eighty-second session decided, to convene a diplomatic conference to consider the adoption of a protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances.

In accordance with the decision of the Council, the diplomatic conference was convened by IMO and held in London at its Headquarters from 9 to 15 March 2000. In addition to the Final Act, the Conference adopted the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000. The Conference also adopted six resolutions, which are contained in the Attachment to the Final Act.

This publication reproduces the texts of the Final Act of the Conference, including its Attachments, and the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000.

Contents

Final Act of the Conference on International Co-operation on Preparedness and Response to Pollution Incidents by Hazardous and Noxious Substances.....	1
<i>Attachment 1 to the Final Act: Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000.....</i>	<i>5</i>
<i>Attachment 2 to the Final Act: Conference resolutions</i>	<i>16</i>
Resolution 1 – Accession to the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC Convention) and ratification and early implementation of the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)	16
Resolution 2 – Early entry into force of the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (1996 HNS Convention)	17
Resolution 3 – Promotion of technical assistance.....	18
Resolution 4 – Development and implementation of a training programme for preparedness and response to pollution incidents by hazardous and noxious substances.....	20
Resolution 5 – Technical co-operation.....	22
Resolution 6 – Early implementation of the provisions of article 10 of the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)	23

FINAL ACT OF THE CONFERENCE ON INTERNATIONAL CO-OPERATION ON PREPAREDNESS AND RESPONSE TO POLLUTION INCIDENTS BY HAZARDOUS AND NOXIOUS SUBSTANCES

1 Resolution 10 of the 1990 Conference on International Co-operation on Oil Pollution Preparedness and Response (OPRC Conference), invited the International Maritime Organization (Organization) to initiate work to develop an appropriate instrument to expand the scope of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, to apply, in whole or in part, to pollution incidents by hazardous substances other than oil and prepare a proposal to this end.

2 In accordance with Article 2(b) of the Convention on the International Maritime Organization and in conformity with resolution 10 of the OPRC Conference, the Marine Environment Protection Committee of the Organization at its forty-second session recommended, and the Council, at its eighty-second session, decided to convene a diplomatic conference to consider the adoption of a protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances.

3 The Conference was held at the Headquarters of the Organization in London from 9 to 15 March 2000.

4 Representatives of 79 States participated in the Conference, namely the representatives of:

Algeria	Denmark
Angola	Dominica
Antigua and Barbuda	Ecuador
Argentina	Egypt
Australia	El Salvador
Austria	Estonia
Bahamas	Finland
Bangladesh	France
Barbados	Gabon
Belgium	Germany
Brazil	Greece
Canada	India
Chile	Indonesia
China	Iran, Islamic Republic of
Colombia	Ireland
Congo	Israel
Côte d'Ivoire	Italy
Cuba	Jamaica
Cyprus	Japan
Democratic People's	Kenya
Republic of Korea	Latvia

Liberia	Saudi Arabia
Malaysia	Singapore
Malta	Slovenia
Marshall Islands	South Africa
Mexico	Spain
Morocco	Sweden
Namibia	Syrian Arab Republic
Netherlands	Thailand
New Zealand	Trinidad and Tobago
Nigeria	Tunisia
Norway	Turkey
Oman	Ukraine
Panama	United Kingdom
Peru	United States
Philippines	Uruguay
Poland	Vanuatu
Portugal	Venezuela
Republic of Korea	Yemen
Russian Federation	
Saint Vincent and the Grenadines	

5 The following Associate Member of the Organization was represented at the Conference:

Hong Kong, China

6 The following organization of the United Nations system was represented at the Conference:

United Nations Environment Programme (UNEP)

7 Observers from the following intergovernmental organizations attended the Conference:

Commission of the European Communities (EC)
International Mobile Satellite Organization (IMSO)

8 Observers from the following non-governmental international organizations also attended the Conference:

International Chamber of Shipping (ICS)
International Union of Marine Insurance (IUMI)
International Confederation of Free Trade Unions (ICFTU)
Baltic and International Maritime Council (BIMCO)
International Association of Classification Societies (IACS)
Oil Companies International Marine Forum (OCIMF)
International Federation of Shipmasters' Associations (IFSMA)
Association of European Shipbuilders and Shiprepairers (AWES)
Society of International Gas Tanker and Terminal Operators
Limited (SIGTTO)
International Road Transport Union (IRU)
Greenpeace International
international Association of Dry Cargo Shipowners (INTERCARGO)
Institute of Marine Engineers (IME)

International Tanker Owners Pollution Federation Limited (ITOPF)
 International Union for Conservation of Nature and Natural
 Resources (IUCN)
 International Association of Oil & Gas Producers (OGP)
 World Nuclear Transport Institute (WNTI)

9 The Conference was opened by Mr. W.A. O'Neil, Secretary-General of the International Maritime Organization.

10 The Conference elected Mr. R. Stamm (Germany), as President of the Conference.

11 The Vice-Presidents elected by the Conference were:

Capt. L. Diaz-Monclus (Venezuela)
 Mr. G. Eneh (Nigeria)
 Capt. A. Othman (Malaysia)

12 The Secretariat of the Conference consisted of the following officers:

Secretary-General:	Mr. W.A. O'Neil, Secretary-General of the International Maritime Organization
Executive Secretary:	Mr. O. Khalimonov Director of the Marine Environment Division
Deputy Executive Secretaries:	Mr. K. Sekimizu Senior Deputy-Director of the Marine Environment Division Mr. J.-C. Sainlos Senior Deputy-Director of the Marine Environment Division

13 The Conference established a Conference Working Group with the mandate to consider the draft text of a protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances and of related resolutions.

14 The officers elected for the Conference Working Group were as follows:

Chairman: Mr. T. Melhuish (Canada)
 Vice-Chairmen: Mr. Jin-Ho Park (Republic of Korea)
 Mr. Mohamed Ibrahim El Shinawy (Egypt)

15 The Conference used as the basis of its work the following documents proposed by the Marine Environment Protection Committee:

- draft text of a protocol on preparedness, response and co-operation to pollution incidents by hazardous and noxious substances prepared by the Marine Environment Protection Committee; and
- draft conference resolutions prepared by the Marine Environment Protection Committee