

**INTERNATIONAL MARITIME  
ORGANIZATION  
(IMO)**



**INTERNATIONAL PETROLEUM INDUSTRY  
ENVIRONMENTAL CONSERVATION  
ASSOCIATION  
(IPIECA)**



## **REPORT**

**ON**

**1) REGIONAL MEETING FOR THE DEVELOPMENT  
OF AN ACTION PLAN FOR THE GI WACAF PROJECT**

**2) REGIONAL WORKSHOP ON THE OPRC-HNS  
PROTOCOL AND ON THE IOPC FUNDS MECHANISMS**

**Pointe Noire, Republic of Congo**

**10-15 December 2007**

**ORGANIZED BY THE GOVERNMENT OF THE REPUBLIC OF  
CONGO WITH SUPPORT FROM IMO, IPIECA AND IOPC FUNDS**

**Under the IMO Integrated Technical Co-operation Programme and  
the GI WACAF Project**

**GLOBAL INITIATIVE FOR WEST AND CENTRAL AFRICA**





## **Executive summary**

The International Maritime Organisation (IMO) and the International Petroleum Industry Environmental Conservation Association (IPIECA) launched in 2006 the Global Initiative for West and Central Africa (GI WACAF) project to enhance oil spill response capability in West and Central Africa. In this framework three regional events were organized in Pointe Noire, Republic of Congo on the 10-15 December 2007 by the government of the Republic of Congo hosted by the Company ENI Congo and supported by IMO, IPIECA and IOPC Funds.

These events brought together more than 80 government and industry delegates charged with managing oil spill response in West and Central Africa to participate in the meeting and workshops with results:

During the week delegates gained good understanding of the GI WACAF project, its scope and objectives. The awareness and commitment of key stakeholders in the region were raised. Fruitful exchanges encouraged the diffusion of good initiatives and good practice in terms of oil spill preparedness and in terms of the partnership between the governments and oil industry. .

Technical sessions detailed the scope and the role of sensitivity mapping and the way to develop national policies for the use of dispersants and highlighted the need for support for the provision of sensitivity maps and the development of national policies for the use of dispersants identified as a gap in the level of preparedness in the region.

Sessions on Action planning for the GI WACAF project resulted in the identification of priorities for 2008-2009 using a matrix of preparedness. Regional working groups identified key actions which need to be implemented in order to resolve common challenges of each six elements of preparedness.

Finally the events reminded participants of the need to ratify and effectively implement relevant International Conventions for oil spill preparedness and response, such as OPRC 90, CLC 92 and IOPC Fund 92 and to raise awareness of participants on the OPRC-HNS Protocol. These instruments are essential tools for countries to improve their preparedness and response capabilities in cases of accidental marine pollution.

The report was put together by the facilitators as indicated at **Annex 1**

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## **1. INTRODUCTION**

1.1. The Global Initiative aims at enhancing the capacity of countries to prepare for and respond to marine oil spills, improving and sustaining the capacity of developing countries to protect their marine and coastal resources at risk from an oil pollution incident through the full implementation of the OPRC 90 Convention. The Global Initiative Project for West and Central Africa (GI WACAF) was launched in April 2006 in Libreville, Gabon. It is a 4 years project and covers 21 West and Central African countries plus South Africa and is funded by the International Maritime Organization (IMO) and 8 oil company members through the International Petroleum Environment Conservation Association (IPIECA). During the first biennium 2006-2007 twelve national and 4 regional workshops have been delivered. The three most recent regional activities were organized back - to - back in Pointe Noire in co-operation with the Congolese Ministry of Maritime Transport and Merchant Marine. They were hosted by ENI Congo from 10 to 15 December 2007 and launched the GI WACAF project for the biennium 2008-2009.

## **2. OBJECTIVES OF THE EVENTS**

2.1. These events brought together more than 80 government and industry delegates charged with managing oil spill response in West and Central Africa to participate in the meeting and workshops with a view to:

- Overviewing of the activities delivered and results achieved in the region since the launch of the GI WACAF Project in April 2006.
- Gaining a clear understanding of the OPRC-HNS Protocol and of the claims and compensation process
- Enhancing participants' technical knowledge in oil spill response technology and oil spill preparedness and co-operation.
- Establishing priorities under the GI project for the next biennium and participating in the elaboration of the national and regional action plans through face to face meetings and working group sessions.

2.2. Through the week, delegates were invited to share their experiences and expertise to strengthen the establishment of local partnerships to increase results and sustainability of the project. The work conducted during the week and the presentations delivered have paved the way toward the enhancement of the capacity of countries to prepare for and respond to marine pollution.

2.3. All national competent authorities in charge of oil spill preparedness and response of the West and Central African countries and South Africa had been invited to nominate participants to the Meeting, taking into consideration the objectives of the Meeting. Relevant international organizations had also been invited to take part in the Meeting.

## **3. PARTICIPANTS**

3.1. The Meeting was attended by participants nominated by the following countries:

Angola	Guinea
Benin	Guinea Bissau
Cameroon	Liberia
Cape Verde	Mauritania
Congo (Dem. Rep)	Namibia
Congo (Rep.)	Nigeria
Côte d'Ivoire	Sao Tome & Principe
Equatorial Guinea	Senegal
Gabon	Sierra Leone
Gambia	South Africa
Ghana	Togo

3.2. Representatives of the following UN organizations and programmes also participated in the Meeting:

- International Maritime Organization (IMO)
- International Oil Pollution Compensation Funds (IOPC Funds)
- United Nations Industrial Development Organisation (UNIDO)
- United Nations Environment Programme (UNEP)

3.3. The Meeting was also attended by representatives of the following Non Governmental Organization:

- International Petroleum Industry Environmental Conservation Association (IPIECA)

3.4. The complete list of participants and facilitators is given in **Annex 1** to this report.

#### **4. OPENING OF THE MEETING**

4.1. The events were opened by His Excellency Mr. Louis Marie Nombo Mavougou, Minister of Maritime Transport and Merchant Marine under the patronage of His Excellency Mr. Jean - Baptiste Tati - Loutard, State Minister for Petroleum. Following is a brief summary of opening statements given by Officials representing the relevant stakeholders.

4.2. Mr. Jean-Felix Mouthoud Tchikaya General Director of Merchant Marine reminded participants of the objectives of this regional GI WACAF meeting. He mentioned that the main objectives were to share experiences and to encourage the implementation of local partnership in order to reinforce the capacities of the States to improve preparedness and response to accidental marine pollution. He also hoped that this meeting would increase the capacities of national maritime administrations of West and Central African countries. The General Director also welcomed all participants to the Republic of Congo.

4.3. Mr. Andy Nicoll thanked the meeting hosts and conveyed the apologies and best wishes of Mr. Dirk Martens, chairman of the IPIECA GI-WACAF Oil-Industry Steering Group who had prepared an address and would have delivered it, but unfortunately was too ill to attend. Mr. Nicoll reflected that the international oil

industry shared the concerns of the delegates and the IMO in preventing and being adequately prepared to respond to spill incidents and was delighted to play its part in these important collaborative discussions on building preparedness. He further recalled the six elements of preparedness enshrined in the OPRC convention and noted that they are also the same key metrics which are central to the GI-WACAF project. “This meeting is a key half-way milestone in the project allowing us to reflect on the achievements and learning points on the journey so far and, in so doing, enabling us to refine our action plan for the next biennium”, he said. He recalled the recent major maritime spill incidents in Russia and now in South Korea which reminded of the importance of the activities aimed at enhancing preparedness in the region. He finally reflected on the collective experience of the panel of experts assembled for the meeting and urged delegates to draw upon this valuable resource. He wished everyone well for a productive, informative and enjoyable week of deliberations. The full text of his address is attached as **Annex 2**.

4.4. Mr. Malamine Thiam, Head Technical Co-operation and Major Projects, Marine Environment Division of the International Maritime Organization (IMO), speaking on behalf of Mr. Efthimios Mitropoulos, Secretary-General of IMO, welcomed the participants to the meeting and thanked the Authorities and the local Industry for all their efforts in organizing the event. In his address, he recalled the mandate of the Organization and gave a brief overview of the relevant marine environment protection-related international conventions. He further recalled the important achievements of the Global Initiative Project for West and Central Africa (GI-WACAF Project) during its first two years of existence and the objectives of the regional meeting and workshops. The full text of his address is attached as **Annex 3**.

4.5. In his opening speech, Mr. Louis Marie Nombo Mavoungou, Minister of Maritime Transport and Merchant Marine reminded participants of the importance of sharing experiences particularly between National Authorities and the Industry at the international level. He also mentioned the importance of protecting the sea as it is an important source of life and because of its significant contribution to the Congolese and regional economies. He emphasized that the risk of a significant oil spill along the coast of Congo is real and that the training of National authorities is essential in this regard. It is why the Minister praised the efforts of IMO and of IPIECA in the region. He also mentioned the importance of the IMO/IPIECA GI WACAF Project and its contribution towards the improvement of preparedness and response mechanisms in the region. This is why he wishes to see the continuation of the GI WACAF Project in the coming years. The full text of his address is attached as **Annex 4**.

4.6. The Honourable Minister of State, after reminding participants of the riches of the sea, officially opened the Regional Meeting for the development of an action plan for the GI WACAF project, the Regional Workshop on the OPRC-HNS Protocol and the Workshop on the IOPC Funds Claims Procedures.

## **5. ADOPTION OF THE AGENDA**

5.1 The meeting adopted the Agenda presented in **Annex 5** of this Report.



## **6. SESSION 1      PRESENTATION OF THE GI WACAF ACTIVITIES**

6.1. In his introduction, Mr. M. Thiam, IMO representative, gave an overview of the programme and of the expectations for each session. Following discussions with the participants, the importance for States to become Parties to the relevant IMO Conventions and the need for their effective implementation were recognized. It was also suggested that IMO and IPIECA support countries of the GI WACAF region in domesticating the provisions of such instruments in their national legislation.

### **6.2. Presentation of the GI WACAF Project Activities**

Mr. Philippe de Susanne, GI WACAF Project manager, presented the six objectives of the project based on the six elements of preparedness. The role of the focal points and the results achieved in 2006-2007 were also detailed. Eight National Workshops and four regional events were organized. Various maps of the region were presented to illustrate the progress achieved by the countries in building national preparedness and response capabilities. Finally he provided an overview of the ongoing process of development of the Action Plan for 2008-2009 and reminded the delegates of the challenges to be faced in 2008/2009.

6.3. Delegates have been provided with an update on the GI WACAF website [www.giwacaf.org](http://www.giwacaf.org) and on the country profiles accessible from the web site. This should result in the wider use of the website in the region and the facilitation of information exchange between countries.

## **7. SESSION 2: CASE STUDY AND SUCCESS STORY OF THE GI WACAF**

7.1. During this session delegates were invited to present their initiatives at national level in terms of oil spill preparedness and in terms of the partnership between the oil industry and the government. Presentations on Regional initiatives like the Guinea Current Large Marine Ecosystems (GCLME) project and UNEP Regional Seas were made. The presentations delivered facilitated the identification of partnership possibilities and reinforced the link between the regional initiatives involved in oil spill preparedness and response. These exchanges were fruitful and encouraged the diffusion of good initiatives and good practice as examples in the region.

### *National Initiatives*

#### 7.2. Presentation of the Nigerian National Oil Spill Detection and Response Agency (NOSDRA)

Mr. Idriss Musa, Deputy Director of NOSDRA introduced his presentation with a brief history of NOSDRA establishment and its initiating act N.15 of 2006. NOSDRA was established in 2007 with a board of director including representatives of several Ministers and representatives of the Oil Producer Trader Association (OPTS). Mr. Musa described the objectives and functions of NOSDRA as the National oil spill response coordinator and explained that its strategy is aligned with the tiered response system. Examples of oil spill response and mobilization exercises were also discussed and NOSDRA's main achievements in 2007 detailed.

#### 7.3. Support to the GI WACAF Project

Mr. Ben Hassan Ouattara, Regional Technical Adviser of Shell Product West and Central Africa, member of the GI WACAF Steering Committee, began his presentation by outlining the Shell Corporate philosophy for oil spill response. He emphasized the need to establish good relationships with all stakeholders concerned with oil spill response to encourage effective preparedness. He explained the importance of the GI WACAF project to facilitate such contact. He highlighted the workshops and deployment exercises organized by Shell with the involvement of Government. He also detailed the support of Shell in the implementation of the GI WACAF project in Togo and Cape Verde missions in 2007 and their support for the forthcoming mission in Cote d'Ivoire (Jan 2008). In this instance, the nature of this support is through the deployment of oil spill response equipment or provision of the conference room and facilities for the meeting.

#### 7.4. The National Oil Spill Contingency Plan "POLLUMAR" Côte d'Ivoire,

Mr. Alexandre Bohoussou, Administrator of Port and Maritime Affairs presented a brief history of the Ivorian Oil Spill Response Centre (CIAPOL). He introduced the decree number 85 949 which officialized the NOSCP in 1985 and the creation of the CIAPOL in 1992 (Decree 92-662) under the authority of the Ministry of Environment, the department in charge of oil spill response in Cote d'Ivoire. Lt Col Bohoussou emphasized the structure of the NOSCP and the response delivered for the 2006 oil spill. He also detailed the oil spill response operation and financial arrangements in place to ensure good response and compensation for those affected.

#### 7.5. Republic of Namibia National Oil Spill Contingency Plan

Mr. Iitenge of the Namibian Ministry of Transport gave an overview on the progress achieved in Namibia in 2007 and more generally on the progress achieved in terms of oil spill preparedness. He started his presentation by reminding delegates on the role of the NOSCP in four specific areas:

- protection of the marine environment,
- effective reporting and speedy response,
- availability of resources and mechanisms
- good record keeping

Mr litenge also pointed out that the NOSCP has been officially approved in Feb 2007 and launched on 27 September 2007 during a GI WACAF workshop. The next challenges identified during the workshop are to develop a policy for the use of dispersants and a sensitivity map. He also mentioned the need to strengthen the cooperation with the GI WACAF and the Benguela Current Large Marine Ecosystem (BCLME) projects and stressed the need to raise awareness internally.

#### 7.6. Work achieved by the Democratic Republic of Congo (DRC).

Messrs. Jean Paul Nyembo (Ministry of Environment) and Jean-Pierre Elduayen (PERENCO) both made presentations on the major progress achieved in DRC in the field of oil spill preparedness. They presented the 2007 activities and the results of an IMO/IPIECA National workshop organized in July 2007. Both events illustrated the fruitful partnership between the Ministry of Environment and the oil industry which facilitated the development of an efficient national strategy for oil spill response and the establishment of the NOSCP.

#### 7.7. The National Oil Spill Contingency Plan and its coordination at national level

Mr. Marius Issanga Ngamissimi shared the Congolese experience on the development and the implementation of NOSCPs after an introduction on the Abidjan Convention UNEP Regional Seas, (also named WACAF Convention). He emphasized the legal framework and the partnership with the oil industry for the development of the plan, the sensitivity maps and risk assessment. He then detailed the ISC system and the equipment available for oil spill response. He concluded his presentation highlighting the need to update the NOSCP and the legal framework. He also mentioned the importance of the political will and support to achieve these oil spill preparedness activities.

### **Regional initiatives**

#### 7.8. Achievements under the Five Broad Modules of the GCLME Project

In introducing this presentation, the IMO Representative, stressed the excellent collaboration between IMO and the Executive Secretariat of the GCLME project and expressed the need for similar collaboration with the Benguela and Canary Current Large Marine Ecosystem projects. He reminded participants of some activities from the project which were implemented by IMO that lead to the development of a sub regional contingency plan and of the initiation of a revision process of the Emergency Protocol to the Abidjan Convention.

Mr. Jacques Abe Environment Expert, GCLME drew attention to the full title of the GCLME Project: “Combating Living Resource Depletion and Coastal Area Degradation in the Guinea Current LME Through Ecosystem-Based Regional Actions”. He detailed the results achieved under the 5 modules of the GCLME project which are: I Productivity of the Ecosystem; II Fish and Fisheries; III Pollution and Ecosystem Health; IV Socio-economic conditions; V Governance.

Dr Abe highlighted the establishment of regional Activity Centers: in Angola (Fisheries), Gabon (Risk Prevention and Management), Ghana (Marine Productivity and Biodiversity) and Nigeria (Environmental Pollution Management and Environmental Information Management and Decision Support System Center) established for generating systematic integrated ecosystem assessments.

He also described the ten successful demonstration projects which could serve as a basis for replication both within and beyond the region. He concluded his presentation by referring to the administrative and legal structures of the full Guinea Current Commission which are being defined and also sustainable financing mechanisms which are under negotiations between the 16 GCLME countries.

#### 7.9. Abidjan Convention

Mr. Martin Dibi Ministry of Environment, Cote d'Ivoire introduced the United Nations Environment Programme (UNEP) Regional Seas Concept and the various programmes in place in the world. He then detailed the history of the Abidjan Convention. He emphasized the recent revision process of the Emergency Protocol to the Abidjan Convention initiated during the First Meeting in August 2007 organized by the IGCC under the GCLME Project and with support from the GI WACAF project. He then detailed the status of ratification of the Convention, the financial agreement in place and the activities implemented so far. He concluded by describing the action plan 2008-2011 under the Convention.

### **8. SESSION 3: TECHNICAL SESSION TO STRENGTHEN OIL SPILL RESPONSE CAPABILITY IN THE REGION**

#### 8.1. Oil Spill Sensitivity Mapping

8.1.1. Mr. Lindsay Page Jones, IPIECA Consultant, provided a series of presentations on oil spill sensitivity mapping. He introduced the status of development of sensitivity maps in the GI WACAF area and presented the results of the related regional workshop held in April 2007 and the resulting "Guide for the development and regional integration of the mapping of the coastal sensitivity to accidental oil spill of Western and Central Africa". He emphasized the role of sensitivity mapping for the elaboration of an oil spill response strategy and for the identification of priorities for oil spill response. The differing needs for sensitivity maps during oil spill response was discussed in respect of decision makers, oil spill responders and on scene commanders. He further detailed the Environmental Sensitivity Index (ESI) mapping methodology and provided guidelines for the development of a project on sensitivity mapping development and the use of Geographic Information Systems (GIS) for sensitivity mapping.

8.1.2. This technical session served as a reminder of the regional status of the development of these maps in West and Central Africa and presented technical guidelines on ways to manage a development project on coastal environmental sensitivity maps at national level. As a result delegates gained a better understanding of the scope and the role of sensitivity mapping. This will, no doubt, support the provision of sensitivity maps in the region which had been identified as a gap.

8.1.3. The participants were recommended:

- to integrate the development of oil spill coastal sensitivity maps in the national oil spill contingency plan, particularly for the development of the national oil spill response strategy;

- to refer to the regional guide « Mapping of coastal sensitivity to accidental marine pollution and its integration into national oil spill preparedness and response systems for Western and Central Africa » and to keep the oil spill sensitivity atlas simple, focused on the needs of the different users and operational in crisis time; and
- to encourage and enforce the partnership between authorities, national departments, industries, universities, NGO's etc.

## 8.2. The Congolese Association of Oil Operators (AOPC) Action Plan

8.2.1. Mr. Jules Mynyngou Head of Environment, TOTAL E&P Congo, representing the AOPC, presented the Congolese Oil Industry action plan and their level of preparedness for marine pollution. One of the priorities identified during the presentation was the harmonization between the oil industry and the National emergency plans. He highlighted the difficulties for industry to fit properly into the national incident management structure and to identify mechanisms to facilitate the arrival of international assistance into the country.

8.2.2. Some delegations requested further details on the structure of AOPC and specifically if this Association was working as a cooperative or if response costs had to be paid by the individual companies. Mr. Mynyngou mentioned that costs are paid by the individual companies up to a certain limit after which costs are shared amongst members of the association.

## 8.3. The Use of dispersant products and national policy on the use of dispersants

8.3.1. Mr Jean Yves Huet made a presentation on the use of dispersants, following which, various technical and legal issues were raised by the participants. Regarding the legal issues, some countries have developed a national policy on the use of dispersants. It was noted that only a limited number of countries have an operational policy while the remainders do not have any in place. The case of Nigeria is a good example: although the national policy is not yet finalized, the national environmental legislation addresses some issues related to the use of dispersants.

8.3.2. Regarding the technical issues, various questions addressed the efficiency of dispersants, the criteria of selection, the different types of dispersants, the ones which should be stored for possible use, and the impacts of dispersants particularly close to shallow water areas.

8.3.3. It was recommended:

- to develop a national policy in each of the 13 countries of the region which do not yet have national guidelines or a national policy for the use of dispersants in their waters;
- to ensure that geographical limits for the use of dispersants are well defined particularly for deeper waters and for shallow waters; and
- to develop lists of approved dispersant products.

## **9. SESSION 4 -PART 1: ACTIONS AND PRIORITIES FOR THE GI WACAF PROJECT**

9.1. The national working groups were given the task of developing a National Action Plan for each country for the 2008 / 2009 period. Work was carried out on the basis of questionnaires related to the main components of the GI WACAF project.

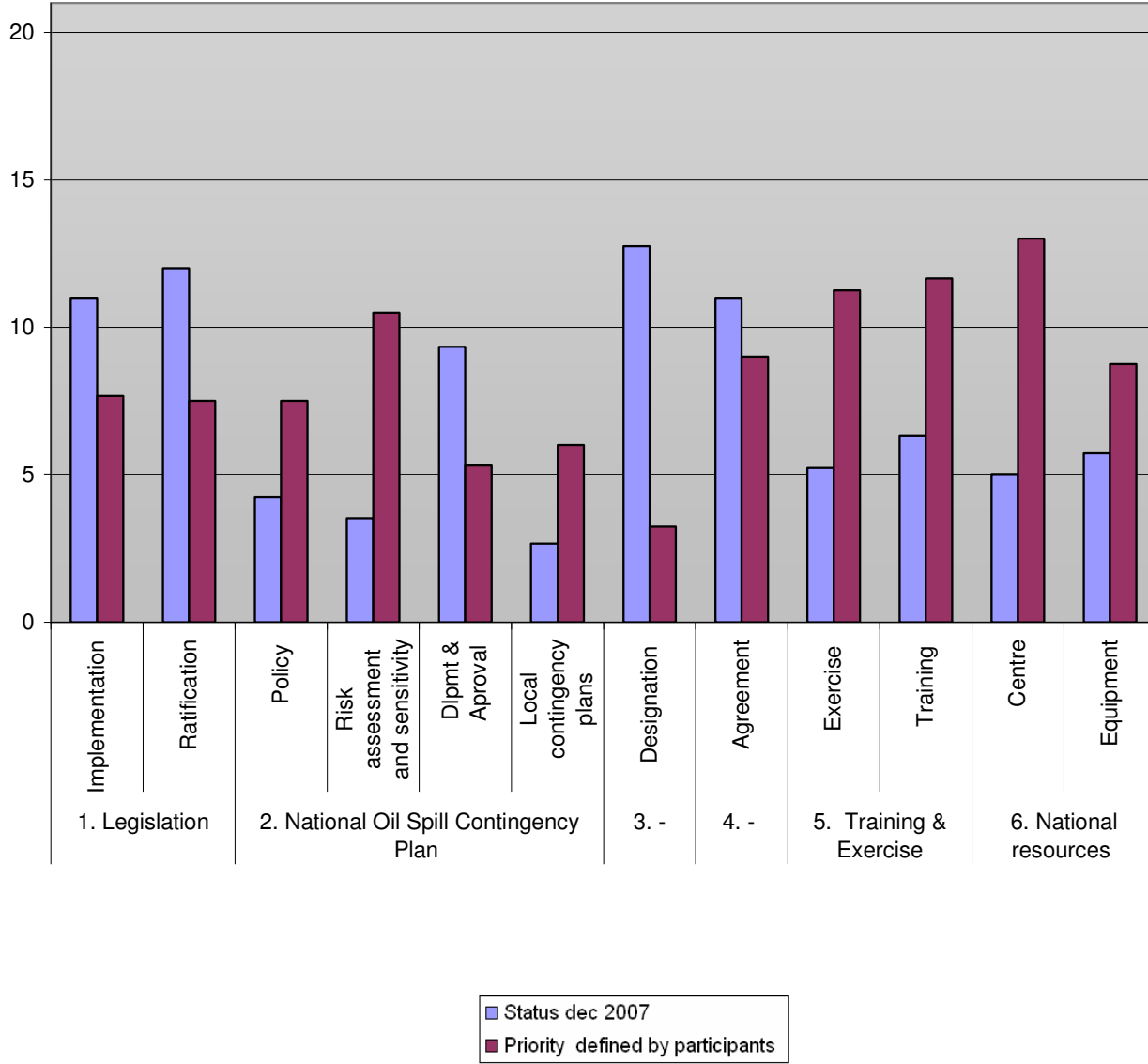
### 9.2. Key findings

The participants defined a priority ranking as well as a difficulty ranking for each element of the matrix of preparedness. The chart below presents the results obtained after analysis of the questionnaires from the various countries.

9.3. Results of the consultation (see also Annex 6 to this report):

Elements of preparedness	General Actions	Number of countries having assessed this element as done in December 2007	Number of countries having identified this element as first priority
1. Legislation	Implementation	11	8
	Ratification	12	8
2. National Oil Spill Contingency Plan	Policy	4	8
	Risk assessment and sensitivity mapping	4	11
	Development & Approval	9	5
	Local contingency plans	3	6
3. –National Competent Authority (NCA)	Designation	13	3
4. – Transboundary and mutual assistance agreement	Development	11	9
5. Training & Exercise	Exercise	5	11
	Training	6	12
6. National resources	Centre	5	13
	Equipment	6	9

9.4. Results of the National working groups for the prioritization of matrix elements





9.5. Training and mobilization exercise was ranked as highest priority. The level of difficulty identified for the elements reflects the need for technical support expressed by countries. The GI WACAF Project will therefore continue to provide technical support to the West and Central African countries.

9.6. The National Resources elements which include oil spill response capability and oil spill response resources availability have been ranked as the second highest priority by the countries.

9.7. Mutual assistance agreement elements have been identified as high priority by nine (9) countries. Mutual assistance agreement has a broad interpretation, including agreement at bilateral, sub-regional and regional levels and agreement between the oil industries and the national competent authority in charge of oil spill response.

9.8. Legislation, which includes the ratification and implementation the OPRC 90, CLC 92 and Fund 92 conventions, has been ranked fourth, at similar level as national oil spill contingency plan. Finally the designation of authorities was ranked as the lowest priority by the attending country representatives.

## **10. SESSION 4- PART 2: REGIONAL WORKING GROUPS: HOW BEST TO ENHANCE OIL SPILL RESPONSE CAPABILITIES IN THE REGION**

10.1. The objective of the regional working groups was for the countries of the region to share their experience and identify actions which need to be implemented in order to resolve problems common to several countries and specific regional issues.

- Legislation, Coordinator- Malamine Thiam.
- Contingency planning, Coordinator-Jean -Yves Huet
- National authorities, Coordinator-Ben Hassan Ouattara
- Regional agreement, Coordinator- Jacques Abe
- Training and exercises, Coordinator-Stéphane Grenon
- Equipments and other resources, Coordinator-Andy Nicoll

10.2. The degree of development and implementation of national oil spill response plans is extremely variable among the countries of the region. There is an important need to define national oil spill response strategies, in particular regarding the use of dispersants, the management of wastes generated by oil spills and tools, such as coastal oil spill sensitivity maps in order to assist the decision making and the management for oil spill response operations.

10.3. The need for technical assistance in the development of national policies for the use of dispersants, waste management and coastal sensitivity mapping have also been emphasized by delegates during discussions. They also recognized the need for transparent visibility of the national authority in charge of oil spill preparedness and the lack of awareness at the highest political level. Raising awareness must remain a priority for the GI WACAF project.

10.4. Delegate discussions also emphasized the lack of actual cooperation between the national authorities and representatives of the oil industry, and proposed a better integration of industry and local oil spill contingency plans within the national oil

spill contingency plans, especially regarding procedures for notification, mobilization of resources and assistance.

10.5. The need to develop exchanges between the countries of the region was underlined in order to facilitate the process of cooperation and mutual assistance at regional level.

### **Key recommendations**

#### 10.6. Group on legislation

Emphasis on the need:

- to continue the assistance and support from IMO and IPIECA is essential for an effective implementation of the Conventions and
- to train and make aware higher management in the Administrations in order to facilitate effective implementation of the Conventions.

#### 10.7. Group on emergency plans

delegates emphasized the need:

- to clarify and have an institutional recognition of the Authorities
- to develop policies on waste management
- for assistance in the development of geographical information systems (GIS) within the countries

#### 10.8. Group on National Authorities

need:

- to continue to organize training workshops in order to improve technical knowledge and to share experiences between national authorities of the region.
- to have a constant dialogue between the national authorities and organizations in charge of oil industry facilities in the countries to increase knowledge and integration of respective emergency plans, to improve and clarify the emergency response procedures
- to designate GI WACAF project national coordinators to strengthen follow-up of the project. A network of experts in the field of marine spills should also be developed and posted on the GI WACAF web site.

#### 10.9. Group on regional agreements

need:

- for IMO and IPIECA to work with organizations/programmes such as ECOWAS and GCLME for the training of regulators in the field of marine spills.
- for Governments to establish better cooperation agreements with organizations/programmes such as UNEP and IPIECA, GCLME, NEPAD.
- to formalize cooperation and mutual assistance mechanisms

#### 10.10. Group on training and exercises

Need for Governments to:

- develop large scale exercises jointly with the oil industry to test the emergency plan
- benefit from the experience of the oil industry and participate in joint training sessions.
- establish a training and exercise programmes with emphasis on the development of competencies in crisis management and in technical aspects of oil spill response

#### 10.11. Group on equipment

Need for countries to:

- Establish national or regional or national training centres to strengthen competent manpower availability.
- Have minimum equipment for a Tier 1 spill and develop agreements with the oil industry to facilitate access to Tier II equipment if needed.
- Develop mutual aid agreements to pool the resources available in case of an oil spill.

### **11. SESSION 5: INTRODUCTION TO OPRC 90 CONVENTIONS AND HNS PROTOCOL 2000**

11.1. The topics covered provided a very good overview of the different considerations and steps involved in preparing for and responding to HNS incidents. The programme was delivered using power point slides and videos, organizing group discussions and was aimed at promoting discussions and sharing of information between the facilitators and the participants. Below is a summary of the different presentations:

#### 11.2. General introduction

The presentation covered the requirements of these instruments which aim at providing a framework for the development of national and regional capacity to prepare for and respond to oil/HNS pollution incidents. The status of ratification and requirements to facilitate international co-operation and mutual assistance were also discussed.

#### 11.3. Transportation of chemicals at sea and the risk

The presentation showed the different forms under which HNS are transported around the world. An overview of the different ships, containers and their related risks was also provided. This presentation showed that chemicals are mainly transported in bulk or in packaged form in a wide variety of ships and in many different types of containers. The presentation also demonstrated that the risks associated with these will vary widely and that the transportation mode will have a significant influence on the selection of efficient response strategies in case of an incident.

#### 11.4. Chemical emergency response

An overview of the different steps involved in responding to HNS incidents with a particular emphasis on the assessment of the situation was given. The identification of substances, assessment of their hazards and behavior were discussed. The presentation

covered the International Maritime Dangerous Goods (IMDG) Code classification system to identify substances and their primary hazard. Important physico-chemical characteristics that enable responders to evaluate hazards and to determine behavior of the substances and the various types of protective equipment, both for respiratory protection and protective clothing and their associated limits were discussed. Basic information on emergency site management was also provided in order to ensure safety of responders and of the public during HNS incidents. This presentation stressed that the assessment phase of an HNS response is the most critical in ensuring safety of personnel and in identifying efficient response strategies.

#### 11.5. Response strategies and Contingency Planning for HNS

Various response strategies that can be used to deal with an HNS incident were presented. The presentation showed that proper response strategies can only be identified after a detailed assessment of hazards and behavior has been carried out. Furthermore, response strategies are highly dependant on the behavior of the product(s) involved in the incident. The importance of safety considerations was also discussed. Issues related to contingency planning, principally the differences between oil spill and HNS preparedness, were addressed. The presentation showed the overall importance of contingency plans in order to be successful during response to an HNS incident.

#### 11.6. Information resources for the response to chemical incidents

Various documents, reference books and software to help responders find information on HNS and their related characteristics were presented. Reference material such as IMO GESAMP shipping documents, MSDS, CHRIS, NIOSH, ALOHA, NOAA's Reactivity Worksheet and Environment Canada's Emergency Response Guidebook were also presented. These sources of information were used by the participants during a Table Top exercise.

#### 11.7. Following the presentation, a few concerns were raised:

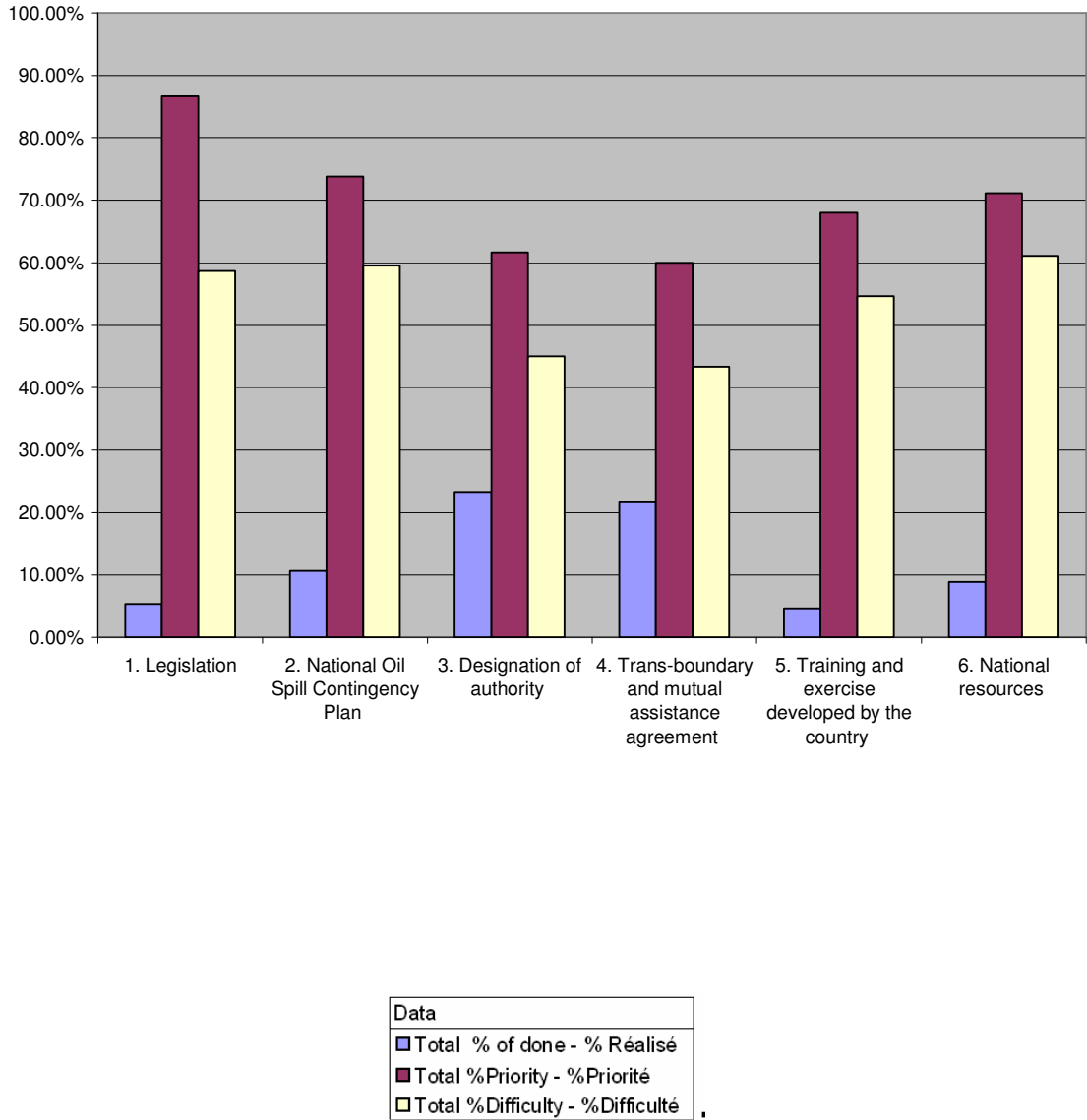
- The mobilization time necessary to respond effectively to an incident particularly to conduct a proper evaluation of the situation.
- The lack of knowledge on specialized resources available within West and Central Africa to deal effectively with HNS incidents.
- The need for training and exercises with a view to improving expertise within the countries of the region.

#### 11.8. Workgroup: Status of implementation of the OPRC Convention and OPRC-HNS Protocol and priorities for the next biennium

11.9. Following these presentations, participants to the workshop worked in small national working groups to define a national Action Plan towards the ratification and implementation of the OPRC Convention and OPRC-HNS 2000 Protocol. Work was carried out on the basis of questionnaires related to the main components of the GI WACAF project.

11.10. Participants from each country worked as a group using questionnaires to identify the status of implementation of the OPRC-HNS Protocol in their country, the activities needed to effectively implement the Protocol and the similarities with the preparation of an oil spill contingency plan.

### 11.11. Results of the questionnaire on OPRC HNS to identify priority issues



11.12. The participants were asked to define a priority ranking as well as a difficulty ranking for each element of the project components in relation to HNS. The chart above presents a summary of the results obtained after analysis of the questionnaires from the various countries

### ***Recommendations***

11.13. At national level:

- National authorities should develop collaboration with chemical industries, fire services, Civil Protection or other organizations to identify expertise and equipment available with regards to HNS to support them in the elaboration of an HNS contingency plan.
- Ports and other HNS reception facilities should conduct risk analysis to help in the preparation of a national emergency plan for HNS incidents.

11.14. At regional level:

- Effective ratification and implementation of the OPRC-HNS Protocol should be encouraged and support made available to help countries in the adaptation of national legislations.
- Technical cooperation is necessary particularly to increase the level of expertise and national capacities with regards to HNS incidents.

## **12. SESSION 6: WORKSHOP ON CLAIMS AND COMPENSATION**

12.1. The claims and compensation workshop organized on 13 and 14 December 2007 did remind of the importance of ratifying and effectively implementing the International Conventions for compensation for damages caused by oil pollution; namely the 1992 Civil Liability Convention and the 1992 Fund Convention. The session provided an update on the CLC 92, IOPC Fund 92 Convention and the Supplementary Fund of 2005 especially with regard to the levels of compensation available to member States and the links between these two Conventions. Delegates have also been explained the types of damages covered by these Conventions and the concept of technical reasonability.

12.2. Compensation for pollution damage caused by spills from oil tankers is governed by an international regime elaborated under the auspices of the International Maritime Organization. The framework for the regime was originally the 1969 International Convention on Civil Liability for Oil Pollution Damage (1969 Civil Liability Convention) and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (1971 Fund Convention). This “old” regime was amended in 1992 by two Protocols, and the amended Conventions are known as the 1992 Civil Liability Convention and the 1992 Fund Convention. The 1992 Conventions entered into force on 30 May 1996.

12.3. The 1992 Civil Liability Convention governs the liability of ship-owners for oil pollution damage. The Convention lays down the principle of strict liability for ship-owners and creates a system of compulsory liability insurance.

12.4. The 1992 Fund Convention, which is supplementary to the 1992 Civil Liability Convention, establishes a regime for compensating victims when the compensation under the applicable Civil Liability Convention is inadequate.

12.5. The 1992 Fund is a worldwide intergovernmental organization established for the purpose of administering the regime of compensation created by the 1992 Fund Convention. By becoming Party to the 1992 Fund Convention, a State becomes a Member of the 1992 Fund. The Organization has its headquarters in London.

12.6. As at 1 September 2007, 119 States had ratified the 1992 Civil Liability Convention, and 101 States had ratified the 1992 Fund Convention.

12.7. Ms. Ana Cuesta and Mr. Jose Maura from the IOPC Fund made a number of presentations on the international compensation regime followed by a discussion with all the participants. An exercise of an oil spill case was also conducted.

12.8. Recommendations of Sessions 6

- Ratification and effective implementation of CLC and FUND 92 Conventions should be encouraged and support should be available for their translation into national legislation.
- All Parties to the Convention should submit their receipts of contributing oil to the IOPC Fund.

### **13. CLOSING CEREMONY**

13.1. During the closing ceremony, motions and resolutions adopted by the delegates were presented, in particular the following:

- Motion of gratitude from the delegates to his Excellency Denis Sassou Nguesso
- Motion of gratitude to the Government and people of Congo
- Motion of gratitude to the Secretary General of IMO
- Motion of gratitude the Executive Secretary General of IPIECA

13.2. The text of the above motions is attached as **Annex 7** to this report.

13.3. His Excellency the Minister of Maritime Transport and Merchant Marine gave a closing speech where he expressed his appreciation to the participants for their hard work during the week and where he reiterated the importance of collaboration between the National Authorities and the oil industry in order to improve preparedness of the countries of West and Central Africa to combat marine pollution incidents. The Minister also mentioned the important contribution of the GI WACAF Project toward that goal.

### **14. RECOMMENDATIONS**

14.1. Countries are encouraged to ratify the relevant international Conventions such as OPRC 90, OPRC-HNS Protocol 2000, CLC 92 and FUND 92; translate into the national legislation the provisions of such Conventions and guarantee their effective implementation.

14.2. IMO and IPIECA to maintain and further develop their support to the countries through the organizing of workshops and specialized training courses in the field of preparedness and response to marine pollution incidents.

14.3. IMO and IPIECA to continue their involvement in the development of co-operative agreements with organizations and programs in West and Central Africa such as ECOWAS, NEPAD, GCLME, CEMAC and the Secretariat of the Abidjan Convention, amongst others, for the effective implementation of the relevant Conventions and action plans.

14.4. Within the framework of the GI WACAF Project, establish a network of focal points in the Administrations and oil industry with a view to strengthening the co-operation and exchange between organizations and to developing and implementing specific action plans for response to marine pollution incidents.

14.5. The development of national policies on technical aspects of response to accidental marine pollution is encouraged, in particular on the use of dispersants, waste management, and on the development of projects for the preparation of environmental sensitivity maps.

14.6. The establishment of a regional centre specialized in response to accidental marine pollution by oil is encouraged with a view to support the efforts of the countries in the region.



## **15. GENERAL CONCLUSION**

15.1. The events benefited from the participation of representatives from National Authorities and from representatives from the oil industry (in particular ENI, Total and Shell) of the GI WACAF project. This was one of the keys to the success of these events as it provided a platform for interesting exchange of views between representatives of governments and private industry.

15.2. The events reminded participants of the need to ratify and effectively implement relevant International Conventions for oil spill preparedness and response, such as OPRC 90, CLC 92 and IOPC Fund 92 and raised awareness of participants on the OPRC-HNS Protocol. These Conventions are essential tools for countries to improve their preparedness and response capabilities in case of marine spills from ships.

15.3. The workshop also demonstrated the interest of national authorities and of the industry for the development and implementation of national contingency plans to improve preparedness and response to oil spills.

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## **Annex 2. Opening speech by Andrew Nicoll, IPIECA representative**

Excellency Mr. Minister of State in charge of the petroleum industry, Excellency Mr. Minister of State for Maritime Transport and Merchant Marine, honourable delegates, Ladies and Gentlemen: I would like to begin by thanking you for the warm welcome and hospitality I have received since my arrival in Pointe, Noire, Republic of Congo.

I also bring sincere apologies on behalf of Mr Dirk Martens, Chair of the IPIECA GI-WACAF oil-industry steering group. Unfortunately Mr Martens has been taken ill and cannot be with us today. He does however send us his best wishes for a successful meeting.

Unfortunately Mr. Martens was unable to share with me the opening address he had written for this morning and so please forgive me if I appear a little unprepared.

The International Petroleum Industry Environmental Conservation Association (IPIECA) is, as you may be aware, the industry body which represents the environmental concerns of the international oil industry. IPIECA has working groups which deal with a wide range of issues including climate change, social responsibility, bio-diversity and oil spills and it is through the Oil Spill Working Group of IPIECA that the Global Initiative partnership with IMO has been established as the umbrella under which the GI-WACAF project properly sits. A number of oil industry representatives are here this week in the spirit of “working together” which typifies this project.

The GI-WACAF is underpinned by the “elements of preparedness” which are enshrined in the OPRC Convention.

A unique feature of the project is the metrics: the tangible, verifiable and visual evidence of progress which has been made, measured against the criteria that you set at the beginning of the project two years ago.

As I’m sure you are aware this meeting is an important mid-term milestone, as we reflect on our works so far and celebrate our many achievements. We must also, however, consider carefully the challenges which lie ahead. It is only by taking stock that we can consider what works well but also what doesn’t. Then we can then focus on our future activities and sustain the growing momentum that we have built up.

Sustainability is the key. This project has a finite lifespan but we must consider now how best to sustain our level of achievements not only through the next biennium but, more importantly, beyond it. You will have an opportunity to develop and refine such an action plan this week to take the project forward.

We are reminded very recently of why these efforts are so important. Only last month the oil spill in the Sea of Azov between Russia and Ukraine has reminded us of the importance of cross boundary co-operation because, as in this case, oil knows no boundaries. We also watch in horror the unfolding event in South Korea which underlines the importance of a prompt and effective response.

My colleagues Mr. Malamine Thiam of the International Maritime Organization and Mr. Philippe de Susanne of IPIECA have developed a comprehensive programme designed to maximise the opportunities of our time together. Today we will reflect on the achievements, activities and regional status of the project so far through the reports of governments and industry representatives.

On Tuesday we will focus on the technical aspects of preparedness and response and then look forwards to next steps along the road as we develop and refine an action plan for our respective nations, the region and for the GI WACAF project as a whole.

Wednesday is devoted to the OPRC 90 and the OPRC protocol for Hazardous and Noxious Substances (HNS). We will look at the practicalities of ratifying the conventions and consider the need for domestic underpinning legislation.

On Thursday and Friday the focus is very much on claims and compensation. Another key tool in building spill preparedness is the ratification of the conventions designed to alleviate the financial consequences of oil spills from tankers. The workshop in this session will guide you through the regimes and give you an opportunity to examine, test and appreciate the provisions that ratifying countries can benefit from.

We are fortunate indeed to have such an enviable panel of experts in our midst, with considerable individual, and an enormous collective wealth of international experience in aspects of preparedness and response. I encourage you to make good use of them during our time together as this is a wonderful and rare opportunity to do so.

Finally, I wish us all well for a productive, informative and, I am sure enjoyable week together. Merci et bon chance!

### **Annex 3. Opening speech by the IMO representative Mr Malamine Thiam**

Opening address of Mr. Malamine Thiam representing the IMO General Secretary to the Regional Meeting IMO/IPIECA on the development of an action plan for the Global Initiative for West and Central Africa Project (GI WACAF), and the regional workshop on the OPRC-HNS Protocol and on the IOPC funds mechanisms, Pointe Noire, Republic of Congo, 10 - 14 December 2007

Excellency M. the State Minister and the Minister of Petroleum,

Excellency M. the Minister of Maritime Transports and Merchant Marine,

Dear colleague of the United Nations,

Honourable delegates,

Ladies and Gentlemen,

It is for me a great privilege and a particular honour to have the opportunity to deliver this opening address for the Regional Meeting IMO/IPIECA on the development of an action plan for the Global Initiative for West and Central Africa Project (GI WACAF), and the regional workshop on the OPRC-HNS Protocol and on the IOPC funds mechanisms. These two events, of importance for the sub-region, are organised jointly by the IMO, the International Petroleum Industry Environmental Conservation Association (IPIECA) and the government of the Republic of Congo.

I would like to take this opportunity to address, on the behalf of M. Efthimios Mitropoulos, General secretary of the International Maritime Organisation, my best wishes of success in our work and our sincere thanks to the person involved in the organisation of this important event and specially to the government of the Republic of Congo, to local authorities, the Oil Company and ENI Congo who is hosting these events.

Excellency M. the State Minister

Excellency M. the Minister

Ladies and Gentlemen,

As you are aware, one of the major goals of the International Maritime Organization is to institute an efficient technical, legal and scientific cooperation system between governments in the area of Marine Safety and in protection from ship originated pollution in the marine environment, in the minimisation of pollution impacts or the indenisations area. In this respect, a comprehensive set of agreements, regulations, guidelines and directives, has been adopted under the auspices of the IMO.

As example, the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78), is the corner stone of the IMO regulatory structure for the Marine Environment Protection.

The International Convention of 1990 on Oil Pollution Preparedness, Response and Cooperation (OPRC 90 Convention) is providing the global framework for oil spill response international cooperation.

The convention of 1992 on the Civil Liability (CLC 92), is governing the liability of ship owners for oil pollution damage by laying down the principle of strict liability for ship owners and creating a system of compulsory liability insurance. It is guarantying equitable compensation to victims of oil pollution from oil tankers.

The International Convention of 1992 on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUNDS 92) is providing compensation for victims who



do not obtain full compensation under the Civil Liability Convention 1992. In application of the Funds 92 Convention, victims of damages due to oil pollution can receive compensation overtaking ship owner liability. The IOPC Funds can also provide support to contracting parties threatened or affected by an oil spill event and willing to respond. This assistance can be provided as a support in personal, in material or as credit facility.

Expecting the precisions brought by the presentations of the week; let me precise here that the two last mentioned conventions respectively replace the ones of 69 and 71 and this, among other things, to rise the liability limitation originally established and to allow higher compensation to oil spill victims.

Without going in to many details, I would like to emphasis that MARPOL 73/78 is providing legal framework to protect seas and ocean from pollution originating from ship during their exploitation.

At this stage it is appropriate to underline the considerable efforts done by West and Central African Countries to encourage the development of efficient marine environment policies. Efforts, which are preliminary to an harmonious economic development in the sub-region.

The development by the countries of three projects funded by the Global Environment Facility (GEF) covering the Large Marine Ecosystems of Canary, Guinea and Bengula current is a good example of efforts done to identify sustainable solutions to the various environmental issues faced in our regions.

The issue, that bring us together today is important; and especially for countries like ours with important economic activities likes fisheries and tourisms and growing oil exploration and exploitation. Indeed, it is recognized that no coastal country is safe from oil spills. The ships circulation and oil tankers particularly, into ports and across coastal water, is accompanied by a risk of oil spill because of boarding, grounding, oil transshipment accidents and other maritime accidents.

To face an oil spill, it is thus necessary to envisage in advance and with the greatest care, measures for a maximum impacts reduction. These measures are generally contingency plan; they define a predetermined series of communications and practical action, likely to be implemented quickly to face critical situations which potentially conduct to oil spillage.

It is appropriate to note here the importance of regional and sub regional co-operation systems for oil spill response as well as the relevance of Convention OPRC 1990. The Erika accident aboard French coast is good example of the way this convention is supposed to work. Indeed, the assistance of several European states has been required to minimize potential damage and impacts on marine environment. It was demonstrated that without the regional co-operation agreements in place, the intervention would have been much more difficult and results reached much less convincing. This is highlighting the need for the regional and international co-operation. This co-operation could however be effective only if at national level oil spill response mechanisms have reach a certain level of development.

The objective of our meeting is to agree on the follow-up of our activities within the framework of the project GI WACAF which was set up late 2005 / early 2006 by IMO and IPIECA under the request of authorities of the region to create the optimum conditions for a sub-regional co-operation in the field of oil spill response. I am please to note here that the first two years of life of the project made possible substantial progress in this direction. These meetings will also enable us to tackle other essential questions as oil spill civil liability and compensation and the Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol).

Excellency M. Minister of State,

Excellency M. Minister,

Ladies and Gentlemen,

Before to conclude with the following words, I would like reiterate to all participants my cordial wishes of success in our work to this important event;

I thank you for your pleasant attention.

#### **Annex 4. Opening speech by Mr. Louis Marie Nombo Mavoungou Minister of Maritime Transport and Maritime Affairs**

Excellence Monsieur le Ministre d'Etat, Ministre des Hydrocarbures,

Messieurs les Préfets des Départements du Kouilou et de Pointe-Noire,

Monsieur le Président du Conseil Municipal, Député-maire de la Ville de Pointe-Noire,

Monsieur le Président du Conseil Départemental du Kouilou,

Monsieur le Représentant de l'association Internationale de l'Industrie Pétrolière pour la sauvegarde de l'Environnement (IPIECA),

Monsieur le Représentant du Fonds International d'indemnisation pour les dommages dus à la pollution par les hydrocarbures (FIPOL),

Messieurs les Consuls Généraux et Honoraires,

Messieurs les Directeurs Généraux des Administrations et Entreprises des secteurs maritimes et pétroliers,

Distingués invités civils et militaires en vos grades et qualités,

Mesdames, Messieurs

Depuis deux décennies, il est observé que les ambitions maritimes des pays en développement se déduisent des utilisations économiques des espaces maritimes et du milieu marin qui sont heureusement une opportunité consacrée par la Convention de Nations Unies sur le droit de la mer du 10 décembre 1982. Cette convention cardinale, avec ses retombées en matière de fixation des frontières maritimes, génère des espaces de souveraineté nationale en matière de sécurité maritime et de développement économique. Aujourd'hui, ces utilisations économiques de la mer font constater que la préoccupation environnementale est en passe de devenir une priorité unique et indivisible du genre humain dans son ensemble. Et comme chaque époque y compris la nôtre, remplit son rôle pour toute la durée du développement humain, il a été constaté que l'homme récolte ce qu'il a semé et ce surtout dans le domaine de l'environnement. Pourtant la mer apporte à chaque homme des raisons d'espérer.

Les grands enseignements de l'expérience mondiale s'imposent en qualité de repères vis-à-vis de l'action de tout Gouvernement et c'est dans cet esprit que le ministère des transports maritimes et de la marine marchande chargé de faire constater que la politique maritime est par essence inséparable d'une approche intégrée, vient donc de procéder à l'organisation récente d'un forum sur le dialogue en vue d'un partenariat public privé en faveur de la maritimisation de la ville de Pointe-Noire et du Congo. A l'occasion, les participants ont eu l'heureuse opportunité d'évoquer la notion d'économie maritime.

Cette notion globale n'est pas simple à comprendre, mais une fois maîtrisée, elle permet de passer allègrement au-dessus du chevauchement des cloisons et prétentions générées par les interventions des spécialistes dans les différentes disciplines et activités maritimes. L'activité économique exercée en mer, et donc l'économie maritime, devient un plan de l'économie nationale intégrant l'aménagement du territoire, le développement durable et la protection de l'environnement. Si la question de l'environnement en mer nous remémore les préoccupations retenues par l'OMI, IPIECA et le FIPOL pour ce dernier Atelier régional de l'année 2007 qui porte sur le développement des outils de bonne gouvernance des risques écologiques et du traitement optimal des conséquences des dommages enregistrés, force est de reconnaître que, présentement, le but visé a pour originalité essentielle la réunion des compétences gouvernementales et industrielles

autour des clés de réussite de la croissance et de la protection des économies maritimes de l'Ouest et du Centre de l'Afrique, notre riche continent.

En ce qui concerne notre pays, la République du Congo, avons-nous encore le droit de remettre en doute la capacité stratégique de l'Etat congolais de défendre avec le maximum d'efficacité ses propres intérêts maritimes. Si le Congo actuellement Président en exercice du Mou d'Abuja, est reconnu être l'un des pays de la locomotive africaine pour faire appliquer véritablement le contrôle des navires par l'Etat du Port dans le cadre du Mémoire d'Entente d'Abuja (Mou d'Abuja),

il n'y a qu'un pas à faire pour comprendre que le Congo ne peut pas être insensible à la question de la pollution par les hydrocarbures, et partant de la formation des fonctionnaires congolais aux questions de politique maritime, de l'aide des enceintes internationales maritimes et de la recherche des soutiens financiers pour la prise en charge des activités maritimes faisant obligatoirement appel aux nouvelles technologies.

C'est pourquoi, au nom du Gouvernement et celui de son Chef, je me dois de traduire ici et maintenant la satisfaction congolaise d'avoir été utile à cette rencontre stratégique des représentants des gouvernements de nos pays africains frères et des représentants des industries pétrolières impliquées dans la lutte contre les événements de déversements accidentels d'hydrocarbures en mer dans la région Afrique de l'Ouest et du Centre.

Mesdames, Messieurs,

Il nous serait impardonnable de ne pas saisir l'opportunité des interventions des personnalités hautement qualifiées qui viennent de nous être servies. C'est pourquoi, je me permets de retenir que le projet GI WACAF « Initiative mondiale pour l'Afrique de l'Ouest et du Centre » lancé en 2006 à Libreville au Gabon est un projet OMI/IPIECA devant couvrir une période de quatre (04) ans avec des séquences de deux (02) biennium dont le premier touche à sa fin.

Ce projet environnemental concerne vingt un (21) Etats de la sous région, envisage de réunir les conditions optimales de protection des écosystèmes maritimes et laisse constater par tout observateur qu'il s'agit d'un domaine majeur des politiques de développement des Etats côtiers d'Afrique occidentale et centrale.

Pour sa part, le Gouvernement congolais et ses services s'investissent de manière active dans la préparation des opérations mettant en œuvre entre autres, les intérêts en matière pétrolière, de pêche et d'environnement.

L'éclairage nécessaire sur la place et l'effectivité des rôles du Gouvernement et des principales sociétés de l'industrie pétrolière en vue d'une mise en œuvre permanente de la politique de participation effective et efficace des activités, seul leitmotiv incontournable pour garantir la préservation et la protection de l'environnement marin dans le respect des textes nationaux et internationaux en vigueur, notamment le Plan National d'Intervention d'Urgence (PNIU) et les incontournables conventions internationales.

Mesdames, Messieurs,

C'est ici l'occasion de rendre un vibrant hommage au Secrétaire Général de l'OMI, l'Amiral EFTHIMIOS E. MITROPOULOS pour l'immense œuvre que l'OMI ne cesse de déployer en faveur du développement de l'industrie maritime internationale et de la protection du milieu marin.

Nos remerciements vont également à l'endroit de l'Association Internationale de l'Industrie Pétrolière pour la sauvegarde de l'Environnement (IPIECA), pour son implication dans la protection du milieu marin.

Puisse Monsieur l'Administrateur du Fonds International d'indemnisation pour les dommages dus à la pollution par les Hydrocarbures (FIPOL) trouver ici l'expression de notre profonde gratitude pour avoir accepté que les mécanismes et les procédures du FIPOL soient présentés et débattus au cours de cet Atelier régional.

Mesdames, Messieurs,

La présente réunion régionale OMI/PIECA et son corollaire l'atelier régional FIPOL accueillis par le Gouvernement de la République du Congo, apportent une fois de plus le témoignage du respect des engagements du Président de la République, Chef de l'Etat, Son Excellence Denis SASSOU N'GUESSO en matière de prise en compte permanente des préoccupations et des défis maritimes du continent africain ainsi que d'illustration de sa volonté personnelle de maritimisation de l'économie congolaise.

Il va de soi que la durabilité souhaitée du projet GI WACAF dans son objectif de renforcement de la capacité de nos Etats respectifs. Cette durabilité ne manquera pas d'être influencée par les résultats des présentes assises.

Au nom du Gouvernement de la République je souhaite que l'état des lieux du premier biennium 2006-2007 du projet GI WACAF aboutisse à des recommandations qui vont renforcer, à travers les priorités bien agencées du second biennium (2008-2009), la capacité de nos pays à être efficacement prêt pour la lutte contre la pollution par les hydrocarbures en mer.

Puisse cette capacité attendue du projet GI WACAF ouvrir la voie à la protection effective des droits de souveraineté maritime au profit de nos économies et de nos écosystèmes marins.

Ainsi nos populations auront la preuve au quotidien des résultats bénéfiques de l'application en leur faveur, des réglementations nationales et internationales portant sur le transport maritime des hydrocarbures sur l'utilisation des plates-formes d'exploitation d'hydrocarbures en mer dans le cadre des pouvoirs régaliens de nos Etats exercés dans le domaine très sensible et très vital de la protection de l'environnement marin.

Puisse cette présente rencontre apporte l'illustration de ce que le Président Denis SASSOU N'GUESSO vient de décrire à ses pairs lors du 5ème Forum Mondial sur le Développement Durable les 6 et 7 décembre 2007 à Paris en France au sujet des pollutions quand il a dit je cite : « le Congo est un pays producteur de pétrole. L'extraction pétrolière se fait sur la base des règles environnementales exigeantes. Mon gouvernement ne cessera de se montrer vigilant sur le respect strict de ses règles » fin de citation.

Avec les instructions et nos vœux de bonne et efficace gouvernance maritime et pétrolière,

Je vous remercie pour votre aimable attention.-

## Annex 5. Workshop Programme

### Day 1: Monday 10 December:

09.30	<b>Registration of participants</b>
10.00	<b>Opening ceremony</b> <ul style="list-style-type: none"> <li>• Director General of Merchant Marine, Mr. Jean Felix Mouthoud Tchikaya - DIGEMAR</li> <li>• IPIECA representative, Mr. Andy Nicoll - OSRLEARL</li> <li>• IMO representative, Mr. Malamine Thiam - IMO</li> <li>• Honourable Minister of Transport and Merchant Marine, Mr. Louis Marie Nombo Mavoungou</li> <li>• Honourable State Minister of Petroleum, Mr. Jean Baptiste Tati-Loutard</li> </ul>
11.00	<b>Coffee break</b>
11.30	<b>Session 1: Presentation of the GI WACAF activities</b> <ul style="list-style-type: none"> <li>• Introduction to the Programme of activities, Malamine Thiam, IMO</li> <li>• Presentation of the GI WACAF activities and results in 2006–2007 Philippe de Susanne – IPIECA</li> <li>• Presentation of the country profiles, website, Introduction to the posters Jean Yves Huet – IPIECA</li> </ul>
13.00	<b>Lunch break</b>
14.00	<b>Session 2: Case study and success story of the GI WACAF</b> <b>Case study and success stories</b> <ul style="list-style-type: none"> <li>• Presentation of National Oil Spill Detection and Response Agency (NOSDRA), Mr. Idris Musa – NOSDRA</li> <li>• Support to the GI WACAF Project, Ben Hassan Ouattara – Shell</li> <li>• The National Oil Spill Contingency Plan “POLLUMAR” Côte d'Ivoire, Alexandre Bohoussou - CIAPOL</li> <li>• Republic of Namibia National Oil Spill Contingency Plan, Japhet litenge – Ministry of Transport</li> <li>• Work achieved by the Democratic Republic of Congo Jean Paul Nyembo – Ministry of Environment and Jean-Pierre Elduayen – PERENCO</li> </ul>
16.00	<b>Coffee break</b>
16.30	<b>International Cooperation agreement, and sub regional contingency plan</b> <ul style="list-style-type: none"> <li>• Achievements under the Five Broad Modules of the GCLME Project, Jacques ABE - Environment Expert GCLME</li> <li>• Abidjan Convention, Martin Dibi</li> </ul>
17:30	<b>End of the day - debriefing by the host organisation</b>

**Day 2: Tuesday 11 December**

09:00	<p><b>Session 3: Technical Session to strengthen oil spill response capability in the region</b></p> <p><b>Oil Spill Sensitivity Mapping, Lindsay Page Jones, IPIECA Consultant</b></p> <ul style="list-style-type: none"><li>• Regional Status</li><li>• Technical guideline: how to develop a national oil spill sensitivity mapping project</li></ul>
10:30	<p><b>Coffee break</b></p>
11:00	<p><b>AOPC Action Plan, Jules Mynngou for the Congolese Association of Oil Operators (AOPC)</b></p> <p><b>The Use of dispersant products and national policy on the use of dispersant, Jean Yves Huet, IPIECA Consultant</b></p> <ul style="list-style-type: none"><li>• Regional Status</li><li>• Technical guideline: how to develop a national policy on the use of dispersant</li></ul>
12:30	<p><b>Lunch break</b></p>
14:00	<p><b>Session 4: Action and Priority for the GI WACAF project:</b></p> <p><b>National working group for the prioritization of matrix elements</b></p> <ul style="list-style-type: none"><li>• Presentation of the preparedness Matrix and status of the elements of preparedness</li><li>• National work-session on each matrix element</li><li>• National work-session on objectives for 2008-2009</li></ul>
15:00	<p><b>Coffee break</b></p>
15:30	<p><b>Regional working groups: How best to enhance oil spill response capabilities in the region:</b></p> <ul style="list-style-type: none"><li>• Legislation, Coordinator Malamine Thiam</li><li>• Contingency planning, Coordinator Jean Yves Huet</li><li>• National authorities, Coordinator Ben Hassan Ouattara</li><li>• Regional agreement, Coordinator Jaques Abe</li><li>• Training and exercises, Coordinator Stephane Grenon</li><li>• Equipments and other resources, Coordinator Andy Nicoll</li></ul>
17:00	<p><b>Working group report</b></p>
17:30	<p><b>End of the day - debriefing by the host organisation</b></p>

**Day 3: Wednesday 12 December**

09:00	<p><b>Session 5: Introduction to the OPRC 90 Convention and OPRC-HNS Protocol 2000</b></p> <p><b>General introduction</b></p> <ul style="list-style-type: none"><li>• General introduction on status of ratification, Malamine Thiam - IMO</li></ul> <p><b>Transportation of chemicals at sea and the risk</b></p> <ul style="list-style-type: none"><li>• Introduction to chemical transportation Stephane Grenon - IMO consultant</li><li>• Video “Response to Marine Chemicals Spills – The Risk”</li></ul>
10:30	<p><b>Coffee break</b></p>
11:00	<p><b>Chemical Emergency Response</b></p> <ul style="list-style-type: none"><li>• Chemical Emergency Response, Stephane Grenon – IMO consultant</li></ul>
12:30	<p><b>Lunch break</b></p>
14:00	<p><b>Response Strategies and Contingency Planning for HNS</b> Video “Response to Marine Chemical Spills-Assessment and Analysis</p>
14:45	<p><b>Information Resources for the response to chemical incidents</b> , Stephane Grenon – IMO consultant</p>
15:30	<p><b>Coffee break</b></p>
16:00	<p><b>Workgroup: Status of implementation of OPRC Convention and OPRC-HNS Protocol and priorities for the next biennium</b>, Stephane Grenon – IMO consultant</p>
17:20	<p><b>Summary of presentation of day 2 by the host organisation</b></p>
17:30	<p><b>End of the day - debriefing by the host organisation</b></p>



**Day 4: Thursday 13 December**

09:00	<b>Session 6: Claims and Compensation workshop Jose Maura (IOPC Funds)</b> <b>Introduction to the legal structure and definition</b> <ul style="list-style-type: none"><li>• International Convention on Civil Liability for Oil Pollution Damage (CLC-92)</li><li>• International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND 92) and the Supplementary Fund</li></ul>
10:30	<b>Coffee break</b>
11:00	<b>Claims procedure Jose Maura (IOPC Funds)</b> <ul style="list-style-type: none"><li>• Claims for cleanup costs and prevention measures</li><li>• Claims for property damages</li><li>• Claims for fishing and mariculture losses</li></ul>
12:30	<b>Lunch break</b>
14:00	<b>DVD presentation – Erika Oil Spill</b> <ul style="list-style-type: none"><li>• Claims for Economic Losses to the Tourism Industry</li><li>• Claims for Environmental Damages</li></ul>
16:00	<b>Coffee break</b>
16:30	<b>Cost Recovery Exercise for Oil Spills: Introduction: Anna Cuesta (IOPC Funds)</b> Exercise Part I – Simulated Response to an Oil Spill Claims
17:20	<b>Debriefing by the host organisation</b>
17:30	<b>End of day 4</b>
19h00	<b>Welcome Cocktail</b>

**Day 5: Friday 14 December**

09:00	<b>Session 6: Finalisation of the Claim and Compensation workshop</b> Exercise Part II – Preparation of Compensation Claims <b>Jose Maura (IOPC Funds)</b>
10:30	<b>Coffee break</b>
11:00	<b>Exercise Debriefing</b>
12:30	<b>Lunch break</b>
14:00	<b>Session 7: Synthesis of the work and adoption of the report</b> <ul style="list-style-type: none"><li>• Synthesis of the work</li><li>• Synthesis and report – Adoption of the report</li></ul>
16:00	<b>Closing ceremony</b> <ul style="list-style-type: none"><li>• Motion of gratitude from the delegates to his Excellency Denis Sassou Nguesso</li><li>• Motion of gratitude to the governor and people of Congo</li><li>• Motion of gratitude to the Secretary General of IMO</li><li>• Motion of gratitude the Executive Secretary of IPIECA</li><li>• Closing speech •Honourable Minister of Transport and Merchant Marine, Mr. Louis Marie Nombo Mavoungou</li></ul>

**Annex 6. Results of the National working groups of the Session 4: Action plan and priorities for the GI WACAF project**

Elements of preparedness	General Actions	Details Actions	Angola	Benin	Cameroon	Cape Verde	Congo	Congo,	Equatorial	Gabon	Ghana	Guinea	Guinea-	Ivory Coast	Liberia	Mauritania	Namibia	Nigeria	Sao Tome	Senegal	Sierra	The Gambia	Togo	Status Dec 07	Priority						
<b>1. Legislation</b>	Ratification	Ratification of the OPRC 90 Convention	1	1	1	1	1	0	1	0	1	1	1	1	1	1	1	1	0	1	1			1	0	1	13	6			
		Ratification of the CLC 92 and FUND 92	1	1	1	1	1	1	0	1	0	1	1	1	1	1	0	1	1	0	1	0	1			1	0		11	9	
	Implementation	Implementation of the OPRC 90 Convention	1	1	1	1	1	1	0	1	0	1	1	1	1	1	1	1	1	0	1	1			1	0	0	14	6		
		Implementation of the CLC 92 and FUND 92	1	1	1	1	1	1	0	1	0	1	0	1	0	1	1	0	1	1	0	1	1	1			1	0	0	10	9
		Integration of the provisions of the conventions in the national legislation	0	1	1	1	1	1	0	1	0	1	1	1	1	1	0	1	0	1	0	1	1	1			1	0	1	9	8
<b>2. National Oil Spill Contingency Plan</b>	Development & Approval	Development of the National Oil Spill Contingency Plan	1	0	1	0	1	0	0	1	1	1	0	0	1	1	0	1	1	0	1	1			0	1	0	11	4		
		Approval of the NOSCP	0	0	0	1	0	1	0	1	0	1	1	1	1	0	1	1	1	0	1	1	1			0	0	1	7	8	
		Setup of a national working group/ coordinator for the development of the National Oil Spill Contingency Plan	1	0	1	1	1	1	0	0	1	1	1	0	0	1	0	1	0	1	0	1	1			0	1	0	10	4	
	Policy	Development of a dispersant use policy: (List of Approved Dispersants; Pre-approved Locations; Conditions of Use)	1	0	1	1	0	1	0	1	0	1	1	1	1	0	1	1	0	1	0	0	1			1	0	1	7	10	
		Approval of the dispersant use policy	0	0	1	1	0	1	0	1	0	1	1	1	1	0	1	0	1	0	1	0	1			0	0	1	5	9	
		Waste management	0	0	1	0	1	0	1	0	1	1	1	1	1	0	1	0	1	0	1	0	1			1	0	1	4	11	
		Procedures for dispersant approval	0	0	0	0	0	1	0	0	0		0	0	0	0	0	0	0	0	0	0							1	0	
	Risk assessment and sensitivity mapping	Risk Assessment	0	0	1	1	0	1	0	1	0	1	0	1	1	0	0	1	0	1	0	1	0	1			0	0	1	4	12
		Coastal oil spill sensitivity maps	0	0	1	1	0	1	0	0	1	0	1	1	1	0	0	1	0	1	0	1	0	1			0	0	1	3	10
		Spill risk and scenarios	0	0	1	1	0	1	0	0	1	0	1	1	1	0	0	1	0	1	0	1	0	1			1	0	1	4	10

Elements of preparedness	General Actions	Details Actions	Angola	Benin	Cameroon	Cape Verde	Congo	Congo,	Equatorial	Gabon	Ghana	Guinea	Guinea-	Ivory Coast	Liberia	Mauritania	Namibia	Nigeria	Sao Tome	Senegal	Sierra	The Gambia	Togo	Status Dec 07	Priority		
		Trajectory Modelling	0	0	1	1	0	1	0	0	1	1	0	0	1	0	1	0	0	1	0	1	0	0	3	10	
	Local contingency plans	Development of Local Oil Spill Contingency Plan	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
		Integration of local contingency plan (port, terminals)	0	1	0	0	0	0	0	0	1	1	1	0	0	1	0	1	0	1	1	0	0	1	4	8	
		Integration of oil industry contingency plan	0	1	0	0	0	0	0	0	1	1	1	0	0	1	0	1	0	1	1	0	1	1	4	9	
3. -	Designation	Competent National Authority with responsibility for oil pollution preparedness and response officially designated	1	1	1	1	1	0	0	1	1	1	0	0	1	1	1	1	1	0	0	1	0	0	1	12	4
		Authority which is entitled to act on behalf of the State to request or provide assistance	1	1	1	1	1	0	0	1	1	1	0	0	1	1	1	1	1	0	0	1	0	0	1	12	4
		National operational contact point(s) responsible for the reception and transmission of oil pollution reports	1	1	1	1	1	0	0	1	1	1	0	0	1	1	1	1	1	0	1	0	0	1	14	2	
		National organisation(s) in charge of oil pollution preparedness and response	1	1	1	1	1	0	0	1	1	1	0	0	1	1	1	1	1	0	0	1	0	1	13	3	
4. -	Agreement	Bilateral agreements	0	0	1	1	0	1	0	1	1	1	0	0	1	0	1	0	1	0	1	0	1	0	4	11	
		Regional agreement	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1	1	18	8	
		Sub-regional agreements	0	1	1	0	1	0	1	1	1	1	1	1	1	0	1	1	1	1	0	1	1	1	15	9	
		Government industry mutual assistance and equipment exchanges	1	0	1	1	1	1	0	0	1	1	0	0	1	1	0	1	0	1	0	1	1	0	0	7	8
5. Training & Exercise	Training	Introductory level	0	1	0	1	1	1	1	1	1	0	0	1	1	0	1	0	1	0	1	1	1	1	9	8	
		OPRC level 1	0	0	1	0	1	1	1	1	1	1	0	0	1	0	1	0	1	0	1	0	1	1	5	12	

Elements of preparedness	General Actions	Details Actions	Angola	Benin	Cameroon	Cape Verde	Congo	Congo,	Equatorial	Gabon	Ghana	Guinea	Guinea-	Ivory Coast	Liberia	Mauritania	Namibia	Nigeria	Sao Tome	Senegal	Sierra	The Gambia	Togo	Status Dec 07	Priority				
		OPRC level 2	0	0	1	0	1	1	1	1	1	1	1	0	0	1	0	1	0	1	1		1	1	8	12			
		OPRC level 3	0	0	1	0	1	0	1	1	1	1	1	1	1	0	1	0	1	0	1	1		1	0	1	8	14	
		Train the trainers	0	0	1	0	1	0	1	1	0	1	0	1	0	1	0	1	0	1	0	1		1	0	1	2	15	
		Other seminars and workshop s developed by the country	0	0	1	1	0	1	0	0	0	1	1	1	0	0	1	1	1	1	0	1	0	1	0	0	1	6	9
	Exercise	Crisis management exercises (Table top)	1	0	1	1	0	1	0	0	1	1	1	1	1	0	0	1	0	1	0	1		0	0	1	7	11	
		Mobilisation exercises	0	0	1	0	0	1	0	0	1	0	1	0	1	1	1	1	1	0	1	0	1		0	0	1	3	11
		Government deployment exercises	1	0	1	0	1	0	1	0	1	0	1	1	1	0	0	1	1	1	0	0	1		0	1	6	10	
		Joint Industry government exercises	0	0	1	0	1	0	1	0	1	0	1	1	0	0	1	1	3	1	1	0	0	1		0	1	5	13
<b>6. National resources</b>	Equipment	Storage facilities and maintenance of equipment	1	0	1	1	0	0	0	0	0	1	1	1	0	0	1	1	0	1	1		0	0	1	6	8		
	Equipment	Oil spill response equipment acquisition	1	0	1	1	0	0	0	1	0	1	1	1	0	0	1	1	1	0	1	1		0	0	1	6	9	
	Equipment	Equipment Inventories	1	1	1	0	0	0	0	0	1	1	1	1	0	0	1	1	0	1	1		0	0	1	7	7		
	Equipment	Communication equipment acquisition	1	0	1	0	1	0	0	1	0	1	1	1	0	0	1	0	1	0	1	1		0	0	1	4	11	
<b>6. National resources</b>	Centre	Training centre ( documentation – resource centre for oil spill response and preparedness)	0	1	1	0	1	0	0	1	1	1	1	0	0	1	0	1	0	1	1		0	1	0	1	5	13	
	Centre	Response Centre (Communications, Meeting Rooms)	1	1	1	0	1	0	0	1	0	1	1	1	0	0	1	0	1	0	1		0	0	1	6	10		