



## **Interim Guinea Current Commission**

### **FIRST MEETING ON THE REVISION OF THE EMERGENCY PROTOCOL TO THE ABIDJAN CONVENTION**

**ACCRA GHANA 23-24 AUGUST 2007**

**ORGANIZED BY THE IGCC IN COLLABORATION WITH UNIDO, IMO AND IPIECA**



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## **A INTRODUCTION**

01 The IGCC/UNIDO/IMO/IPIECA First Meeting on the revision of the emergency Protocol to the Abidjan Convention was held at the Interim Guinea Current Commission, 1, Akosombo Street, Accra, Ghana from 23 to 24 April 2007.

0.2 The main objective of the Meeting was to review the draft emergency Protocol to the Abidjan Convention.

0.3 All the Guinea Current Large Marine Ecosystem National Project Directors and national maritime Authorities had been invited to nominate participants to the Meeting, taking into consideration the objectives of the Meeting. With a view to facilitating the future participation of all countries covered by the Abidjan Convention, the invitation was also extended to the relevant ministries in the other countries of West and Central Africa, including South Africa. Relevant international organizations had also been invited to take part in the Meeting.

0.4 The Meeting was organized back-to-back with the Second Meeting of the Technical Advisory Group on the development of Sub regional Contingency Plan and sub regional agreement for cooperation in cases of major pollution incidents, which was attended by the same participants.

## **PARTICIPANTS**

0.5 The Meeting was attended by participants nominated by the following countries:

Benin	Ghana
Cameroon	Guinea Bissau
Cape Verde	Liberia
Congo (Dem. Rep)	Mauritania
Congo (Rep.)	Namibia

Côte d'Ivoire	Nigeria
Equatorial Guinea	Sao Tome & Principe
Gabon	Senegal
Gambia	Togo

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

- International Maritime Organization (IMO)
- United Nations Industrial Development Organisation (UNIDO)
- United Nations Environment Programme (UNEP)

0.7 The Meeting was also attended by representatives of the following Non Gouvernemental Organization:

- International Petroleum Industry Environmental Conservation Association (IPIECA)

0.8 The complete list of participants is given in **Annex I** to this report.

## **1 OPENING OF THE MEETING**

1.1 The meeting on the revision of the Emergency Protocol to the Abidjan Convention together with the Technical Advisory Group Meeting also held at the Secretariat of the Interim Guinea Current Commission from 23 to 24 April 2007 were both opened by Hon. Professor Christopher Ameyaw-Akumfi, Minister, Ministry of Harbours and Railways. In his speech, the Hon. Minister noted that the meetings were being held at a time when maritime safety and the protection of the marine environment were receiving renewed attention and active support from all countries. He applauded the collaboration between the IGCC, IMO and IPIECA to address concerns relating to the development of regional cooperation in cases of major marine pollution incidents within the Guinea Current Large Marine Ecosystem (GCLME) region in West and

Central Africa. He wished all participants fruitful deliberations and a happy stay in Ghana. The full text of his address is attached as **Annex II**.

1.2 The Chairman for the opening ceremony was Capt. A. O. Turkson, Principal, Regional Maritime Academy, Accra, Ghana. In his address, he asked the participants to bring to bear their expertise and knowledge, to fine-tune and consolidate the Sub-regional Contingency Plan, the Sub-regional Agreement for Co-operation in cases of Major Marine Pollution Incidents and the Revised Emergency Protocol to the Abidjan Convention. He urged them to pay particular attention to carrying out regular drills and simulation exercises to facilitate the implementation of the Sub-regional Contingency Plan.

1.3 The Project Manager, UNIDO, Dr. Chika Ukwe, speaking on behalf of the UNIDO Director General, Dr. Kandeh Yumkella welcomed all participants. He assured delegates of the continued support and assistance of UNIDO in the finalization and implementation of the Sub-Regional Plan as well as the conduct of regular exercises to test and operationalise the Plan. He lauded the level of enthusiasm and support from the countries of the GCLME and the wider Abidjan Convention area to the development and implementation of the Plan, Agreement and the revised Protocol. On behalf of UNIDO, he thanked the IMO, IPIECA and the Private Sector for their support in the organization of the meeting.

1.4 Mr. Malamine Thiam, Technical Officer, Marine Environment Division of IMO, speaking on behalf of Mr. Efthimios Mitropoulos, Secretary-General of IMO, welcomed the participants to the meeting. In his address, he recalled the major points discussed during the first meeting of the Technical Advisory Group and indicated his confidence that, with the resolve of all concerned, agreement will be reached on the important questions raised regarding the draft plan and agreement during the first meeting. He further recalled that the participants will also undertake a very important and timely exercise in the latter part of the week and which relates to the revision of the Emergency Protocol to the Abidjan Convention. In this respect he gave an account of the sequence of events, which led to the decision by the Parties to initiate such a revision. The full text of his address is attached as **Annex III**.

1.5 The Executive Secretary, IGCC / Regional Director, GCLME, Prof. Chidi Ibe, thanked the Honourable Minister for Harbours and Railways for the honour of his presence. He welcomed all delegates to the two important Meetings and thanked them for their continued interest and support for regional activities being implemented from the vantage platform of the IGCC and commended the IMO, IPIECA and UNIDO for their contributions towards key successes so far recorded by the project in the area of maritime safety and protection of the marine environment. He wished the delegates successful deliberations.

## **2 ORGANIZATION OF THE MEETING**

2.1 The participants unanimously confirmed Capt. A. O. Turkson, Principal, Regional Maritime Academy, Accra, Ghana, as Chairman.

## **3 ADOPTION OF THE AGENDA**

3.1 The meeting adopted the Agenda presented in **Annex IV** of this Report.

## **4 CONSIDERATION OF THE DRAFT EMERGENCY PROTOCOL TO THE ABIDJAN CONVENTION**

4.1 The IMO representative first gave an account of the circumstances which led to the decision by the Contracting Parties to revise the Emergency Protocol to the Abidjan Convention. The meeting was informed that during their 5th meeting held in Accra, Ghana, the Contracting Parties to the Convention considered that the Protocol had been adopted in 1981 and that, since then, many events had taken place in particular in the development of new Conventions, they requested that the revision of the Protocol should be done and gave some directions on possible content of the revision. It was further agreed that the Protocol should be extended to include aspects of prevention of marine pollution. The Interim Guinea Current Commission proposed to

hold a first meeting of technical and legal experts back to back with the second meeting on the adoption of a contingency Plan for the Guinea Current Large Marine Ecosystem (GCLME) sub-region.

4.2 The IMO consultant introduced the document prepared for the meeting. He stated that, in writing the proposed draft text, experience with the revision of a similar Protocol for the Mediterranean Sea (Barcelona Convention) was used. He drew the attention of the meeting that the number of changes proposed would justify to replace the existing Protocol and not to amend it. It is with that in mind that the draft was prepared. The meeting was then invited to discuss the draft document article by article.

4.3 The document as proposed was thoroughly discussed and a version encapsulating the results of the discussions is attached at **Annex V**. The main points raised during the discussions are summed up and attached as **Annex VI**.

4.4 On Articles 18 to 24, the Interim Co-ordinator of the Abidjan Convention RCU drew the attention of the meeting that such articles would be necessary for a “new “ Protocol but not for the amendment to an existing Protocol following the rules of article 18 of the Convention. It was then reminded that, because the changes were too numerous, it was proposed to consider the attached text as a new Protocol, following the precedent of the Protocol to the Barcelona Convention; such was the reason to introduce those articles and to consider that the Protocol should be adopted by a diplomatic Conference and not by the meeting of Contracting Parties. The Interim Co-ordinator informed the Meeting that she understood the question and would need further thought in consultation with UNEP to see what follow-up action is required as far as the document resulting from the deliberation is concerned.

4.5 The meeting had then a first exchange of views on the procedure which would lead to the adoption of the Protocol as appended to this report.

4.6 The Executive Secretary of the Interim Commission of the Guinea Current Commission drew the attention of the meeting to the fact that the envisaged solution had been to amend the

existing Protocol and not to replace it. He further highlighted that the procedure to adopt a “new Protocol would be very long and would cost a lot of money not available to-day for such a purpose while amendments to the existing Protocol would be much more easily adopted with no additional costs as it would be the meeting of Contracting Parties which would adopt the amendments.

4.7 The meeting then discussed the advantages and drawbacks of the two solutions – new Protocol versus amendments to the existing one. It adopted the idea of amendments to the existing Protocol.

4.8 The IMO representative took note of the decision and offered to look into the way to transform the text as discussed during the meeting into amendments to the existing Protocol.

4.9 As the new proposal would use the substance of the draft Protocol as appended to this report,(Annex V), it was agreed that comments on the substance of **articles 1 to 15** of the attached text at Annex V should be sent **before 25 October 2007** to both:

- Professor Chidi Ibe, Executive Secretary of the Interim Guinea Current Commission (copy to Dr Abe). e-mail        fax ; and
- Mr Malamine Thiam, Head Technical Co-operation Coordination & Major Projects, IMO [e-mail: [mthiam@imo.org](mailto:mthiam@imo.org) fax + 44 20 7587 3261/10
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## **5 ANY OTHER BUSINESS**

5.1 The IMO Representative gave a brief overview on the activities still to be implemented under the IMO/UNIDO MoU within the framework of the GCLME Project.

## **6 ADOPTION OF THE REPORT**

6.1 The Meeting adopted the report together with the annexes, as the “Report of the IG-CC/UNIDO/IMO/IPIECA First Meeting on the revision of the Emergency Protocol to the Abidjan Convention”.



## **7 CLOSURE OF THE MEETING**

7.1 The closing ceremony of both meetings was chaired by Capt. A. O. Turkson, Principal of the Regional Maritime Academy. In his address, Capt. Turkson thanked the participants for their dedication and support in achieving the objectives of both meetings. He encouraged them to work diligently, to ensure that the adopted Sub-regional Contingency Plan is implemented at the national level.

7.2 The Project Manager, UNIDO, Dr. Chika Ukwe, reiterated the continued support of UNIDO in implementing the agreements reached during the meeting. He thanked the IMO and IPIECA for providing technical and financial support for the meeting.

7.3 Mr. Malamine Thiam, IMO, thanked all for the fruitful discussions during the meeting and looked forward to further collaboration and cooperation between the IGCC, UNIDO, IMO, IPIECA and the countries in the region. He thanked all who contributed to the successful organization of the meetings.

7.4 Prof. Chidi Ibe commended the delegates for the sacrifices they made to be present at the meetings and for their commitment and willingness to contribute to the common good of the region. He thanked the Consultants and Experts for their contributions towards the crystallization of some of the key concepts embedded in the GCLME Project. Prof. Ibe also thanked the chairman for guiding the two meetings to a productive end. Finally, he thanked the press for their veritable reportage through which the laudable objectives and targets of the project are appreciated in the sub region and beyond.

7.5 The chairman then declared the meetings duly closed.

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**ANNEX 2 KEYNOTE ADDRESS DELIVERED BY PROF. CHRISTOPHER AMEYAW-  
AKUMFI, HON. MINISTER FOR HARBOURS AND RAILWAYS**

MR. CHAIRMAN  
EXECUTIVE SECRETARY, IGCC  
REPRESENTATIVES OF INTERNATIONAL MARITIME ORGANISATION  
REPRESENTATIVE OF UNDP  
REPRESENTATIVES OF INTERNATIONAL PETROLEUM INDUSTRY  
ENVIRONMENTAL CONSERVATION ASSOCIATION (IPIECA)  
PROJECT MANAGER, GCLME, UNIDO/VIENNA  
DISTINGUISHED MEETING PARTICIPANTS  
DISTINGUISHED MEMBERS OF THE PRESS  
DISTINGUISHED LADIES AND GENTLEMEN

I am delighted to be with you this morning to open the second meeting of the joint International Maritime Organization (IMO)/International petroleum Industry Environmental Conservation Association (IPIECA)/Interim Guinea Current Commission (IGCC) and the First meeting on the Revised Emergency Protocol to the Abidjan Convention.

Mr. Chairman, the development of regional cooperation in cases of major marine pollution incidents within the Guinea Current Large Marine Ecosystem (GCLME) region in West and Central Africa forms a major intervention in combating the depletion of living resources and protection of the coastal resources from ship and land-based sources of pollution under the GCLME Project. The importance of this intervention has resulted in the collaboration between the IGCC, IMO and IPIECA to address these concerns.

Mr. Chairman, I am reliably informed that these meetings are a follow up to two previous ones held in April 2007. I understand these meetings were highly successful. I congratulate the organizers and participants of these meetings.

I am also reliably informed that at the end of the last meetings, participants developed gap analysis and action plans for the development of in-country sensitivity maps, developed a regional guideline on oil spill sensitivity mapping and developed a draft sub-regional contingency plan and developed a draft agreement for cooperation in cases of major pollution incidents.

Mr. Chairman, Distinguished Ladies and Gentlemen, this week, the two Regional Meetings will aim at updating the existing Emergency Protocol to the Abidjan Convention and putting in place a viable and effective system of cooperation in the field of preparedness and response amongst participating Nations to intervene jointly in cases of major spills either in territorial waters of a single Nation or in case of transboundary spill affecting more than one Nation. The collaboration between IMO/IPIECA and IGCC is very laudable. It affords all partners to share resources in joint efforts to address incidents of pollution and also provide a synergy that will lead to rapid response.

It is significant to note that these meetings are being held at a time when maritime safety and the protection of the marine environment were receiving renewed attention and active support from all countries.

Mr. Chairman, Ladies and Gentlemen, at the end of these five days participants are expected to come out with:

1. A revised draft sub-regional contingency plan;
2. A revised draft agreement for cooperation in cases of major pollution incidents;
3. A revised Emergency Protocol to the Abidjan Convention.

Mr. Chairman, distinguished Participants, these are no mean tasks to be completed in such a short time of five days. But I am confident that with the caliber of participants and consultants that are present you will live up to expectation.

On this note, it is my humble duty to declare the 2<sup>nd</sup> Regional Meeting of the IMO/IPIECA/IGCC Technical Advisory Group on development of sub-regional contingency plan and sub-regional agreement for cooperation in cases of major marine pollution incidents as well as the first meeting on the Revised Emergency Protocol to the Abidjan Convention duly open.

I wish you fruitful deliberations and a happy stay in Ghana.

**ANNEX 3 ADDRESS BY DR. CHIKA UKWE, PROJECT MANAGER, UNIDO**

Mr. Chairman and Rector Regional Maritime Academy  
His Excellency, Prof. Christopher Ameyaw-Akumfi,  
The Executive Secretary, IGGC/Regional Director, GCLME, Prof. Chidi Ibe,  
The IMO Representative, Mr. Malamine Thiam,  
Regional Coordinate IPIECA, Mr. Philippe de Sous  
Representatives of the 22 countries of the Abidjan Convention,  
Ladies and Gentlemen,

I am very pleased to be here, at the Kenneth Sherman Conference Centre of the IGCC, to extend the best wishes of the UNIDO Director General, H.E. Dr. Kadeh Yumkella to the distinguished participants of this very important meeting, to deliberate on (i) the Development of a Sub-regional Contingency and Emergency Preparedness and Response Plan as well as the Sub-regional Agreement for Cooperation in cases of major Marine Pollution incidents, and (ii) the revised Emergency Protocol to the Abidjan Convention.

UNIDO recognizes the importance of this meeting in the light of the growing oil and gas production in the GCLME region and the attendant increased maritime traffic for transporting the oil and gas resources. Even though the GCLME has been fortunate in a way not to have witnessed major marine pollution incidents in the recent past, we however, recognized that with the increased maritime traffic, there are possibilities for major marine pollution incidents and hence the need to take precautions in developing and implementing a cooperative plan agreement for tackling such incidents should they occur in order to safeguard the GCLME.

We wish to assure you of the continued support and assistance of UNIDO in the finalization and implementation of the sub-regional plan and agreement as well as the conduct of regular exercises to test and operationalise the contingency plan.

We applaud the level of enthusiasm and support from the countries of the GCLME and the wider Abidjan Convention area too the development and implementation of the Plan, Agreement and the revised Protocol. We wish to thank our Partners, IMO, IPIECA and the Private Sector for the continued support in the organization of this meeting that will adopt the key documents on the Contingency Plan and Revised Emergency Protocol.

I wish to further recommit UNIDO to providing all the necessary support and assistance to the countries and the IGCC for implementing the agreed plan and protocol.

I thank you for your attention and wish you a successful deliberation.

**ANNEX 4 DISCOURS DE BENVENUE DE L'OMI PAR MARLAMINE THIAM RESPONSABLE DE LA COORDINATION DE LA COOPERATION TECHNIQUE ET DES GRANDS PROJETS, DIVISION DU MILIEU MARIN DE L'OMI**

Excellence Monsieur/Madame Le Ministre

Cher Frère Et Distingue Secrétaire Exécutif De La Commission Intérimaire Du Courant De Guinée, Professeur Chidi Ibe

Cher Ami Dr. Chika Ukwe Responsable Du Projet Grand Ecosystème Marin du courant de Guinée,

Distingues délégués représentant les états parties a la convention d'Abidjan,

Chers partenaires de l'industrie pétrolière et collègues du système des nations unies,

Mesdames et messieurs

C'est pour moi un privilège et un honneur tout particulier de prendre la parole a l'ouverture de cette importante réunion qui est la deuxième du genre sur le développement d'un plan sous régional d'intervention d'urgence en cas de pollution majeure entre les états de la sous région.

Je voudrais saisir cette occasion pour vous adresser, au nom de M. Efthimios Mitropoulos, Secrétaire Général de l'Organisation Maritime Internationale, nos vœux les plus ardents de succès dans nos travaux ainsi que nos remerciements les plus sincères a tous ceux qui ont aide a la réalisation de cette importante réunion et particulièrement le gouvernement du Ghana, le secrétariat de la CI-CG pour ses efforts dans l'organisation de la réunion, sans oublier les pays de la sous région sans l'engagement desquels cette noble initiative n'aurait pas pu voir le jour. Mention particulière a nos partenaires de l'industrie pétrolière pour leur soutien financier et technique.

Monsieur le ministre, mesdames et messieurs,

La première réunion qui s'est tenue dans cette salle en avril de cette année nous à permis d'initier le processus de développement d'un cadre de coopération en cas de pollution majeure entre les pays de la sous région. La présente réunion a pour but d'avancer au maximum dans cette initiative et je suis confiant que nous arriverons, au cours des trois premiers jours de cette semaine, à nous entendre sur les questions importantes que les deux principaux documents, a savoir le projet de plan et le projet de memorandum, ont soulevées lors de la première réunion. Ces assises nous permettront donc de finaliser tous les documents relatifs au plan sous-régional en vue de leur soumission a l'approbation et a la signature des autorités compétentes de vos pays, y inclus les documents a soumettre a la première réunion des autorités compétentes désignées par le plan.

Je demeure convaincu que la période entre les deux réunions a permis des consultations fructueuses entre structures nationales concernées, comme recommande par la réunion d'avril.

Ceci nous permettra, très certainement, de boucler nos travaux dans les délais en vue de poser un jalon important dans la mise en place d'un système de coopération sous-régionale en matière de lutte contre une pollution majeure en mer, qu'elle provienne d'un navire ou d'une plateforme.

Cette semaine nous permettra aussi de nous lancer dans un exercice qui arrive a point nommé et relatif a la révision du protocole d'urgence a la convention d'Abidjan. Vous vous souviendrez que lors d'une réunion organisée a Accra en mars 2000, les pays de la région avaient convenue de la nécessité d'amender le protocole en vue de tenir compte des développements internationaux survenus depuis son adoption en 1981. La réunion a donc demandé aux parties contractantes a la convention d'Abidjan d'en entamer le processus en convoquant d'abord une réunion d'experts techniques et juridiques pour préparer un avant-projet d'amendements a soumettre a une conférence diplomatique. Cette réunion de deux jours entre donc en droite ligne avec les recommandations de la réunion d'Accra de mars 2000 et devrait permettre la prise en compte dans cette opération de révision du protocole, la dimension « prévention » dans les actions de préservation du milieu marin.

Vous conviendrez avec moi que nous avons un programme très chargé devant nous. Aussi voudrais-je nous souhaiter ici plein succès dans nos travaux et vous remercier de votre aimable attention.

## ANNEX 5 WORKSHOP PROGRAMME

Time	Monday	Tuesday	Wednesday	Thursday	Friday
08:30- 10:00	- Opening Ceremony and introduction to the meeting  Administrative Arrangements	Review of the draft memorandum of understanding as adopted by the first meeting	Adoption of the draft format to request assistance	Adoption of the “POLREP” system	Brief description of other documents complementary to the plan
10:00- 10:30	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break
10:30- 12:00	Review of the draft Sub - Regional Contingency Plan for Preparedness and Response to major marine pollution incidents as adopted by the first meeting	Review of the draft memorandum of understanding as adopted by the first meeting (Cont)	Adoption of the draft format to request assistance (Cont)	Adoption of the “POLREP” system (Cont.)	Summary report
12:00- 13:30	Lunch	Lunch	Lunch	Lunch	Lunch
13:30- 15:30	Review of the draft Sub - Regional Contingency Plan for Preparedness and Response to major marine pollution incidents as adopted by the first meeting (Cont.)	Review of the terms of reference of the Centre as adopted by the first meeting	Adoption of the reporting procedures of spill surveillance	Review of the draft resolution to be proposed for adoption by the ministerial meeting	Summary report
15:30- 16:00	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break	Coffee/Tea break
16:00- 17:30	Review of the draft Sub - Regional Contingency Plan for Preparedness and Response to major marine pollution incidents as adopted by the first meeting (Cont.)	Review of the terms of reference of the Centre as adopted by the first meeting (Cont)	Adoption of the reporting procedures of spill surveillance	Review of the draft resolution to be proposed for adoption by the ministerial meeting (Cont)	Closing Ceremony

## ANNEX VII SUMMARY OF DISCUSSIONS ON THE DRAFT PROTOCOL

1 There was a thorough discussion on the title and in particular on the positioning of the words “in cases of emergency”. The IMO consultant reminded the group that any change of the title should keep the idea that the Protocol dealt with (a) prevention of pollution by ships (b) combating pollution in cases of emergency whatever the source. The meeting decided to keep the title unchanged for now. The Preamble was accepted unchanged.

2 In Article 1 (Definitions) it was agreed to remove the square brackets for the Regional Centre and to specify that it was “established” by the Contracting Parties. As a consequence the square brackets in all articles where the Centre is mentioned would be deleted. All other definitions were agreed as proposed.

3 In Article 2 some changes were decided for the French text and it was agreed to add “as amended” in square brackets to take into account the fact that the area of the Convention was being extended to South Africa.

4 In Article 4, it was agreed to add a provision concerning the wastes in paragraph one and to add that the information to the Regional Centre should be transmitted “at least” every two years.

5 In Article 6 the use of the word “reduce” was discussed at length. It was finally agreed to keep in the text in line with the recognised phrasing in other instruments: “prevent, reduce and control”.

6 In Article 8 it was agreed to have two paragraphs and that the second one should read: “The Parties shall also ensure that ...”.

7 In Articles 9, 10 and 11 the words “and to the Secretariat of the Convention” were added after “International Maritime Organization”.

8 In article 12 a fourth paragraph was added to state that the Regional Centre should be informed of the assistance requested in all cases.

9 As regards Article 14 it was underlined that the reception facilities mentioned were those which were required under the International Conventions (Annexes I, II, IV and V of the MARPOL Convention, Ballast water Convention ...)

10 One delegation stressed the fact that those countries which were not Parties to the International Conventions would face problems and it was agreed that a resolution of the diplomatic conference which will adopt the Protocol might be useful on the model of the one prepared with the sub-regional contingency Plan.

11 The Meeting then accepted the draft text of the “new” Protocol, subject to its transformation into a text in the form of amendments to the existing Protocol. The draft text as approved by the Meeting is attached at **Appendix** to this report.

