

B-4: INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND CO-OPERATION

Name of the convention: International Convention on Oil Pollution Preparedness, Response and Co-operation

Acronym or short name: OPRC

International organisation in charge of it: International Maritime Organization (IMO)

Summary description (in plain language):The convention aims at preventing marine pollution incidents by oil in accordance with the precautionary principle, in particular, by strict application of SOLAS and MARPOL 73/78 Conventions; at advancing the adoption of adequate response measures in the event that an oil-pollution incident does occur; at providing for mutual assistance and co-operation between states for these aims.

This convention was adopted to develop further measures to prevent pollution from ships and to provide a global framework for international co-operation in combating major incidents or threats of marine pollution.

Parties to the OPRC convention are required to establish measures for dealing with pollution incidents, either nationally or in co-operation with other countries ([art.1](#)). Ships are required to carry a shipboard oil pollution emergency plan ([art.3](#)).

Operators of offshore units under the jurisdiction of Parties are also required to have oil pollution emergency plans or similar arrangements which must be co-ordinated with national systems for responding promptly and effectively to oil pollution incidents ([art.3](#)). Ships are required to report incidents of pollution to coastal authorities and the convention details the actions that are then to be taken ([art.4](#)).

The convention calls for the establishment of stockpiles of oil spill combating equipment, the holding of oil spill combating exercises and the development of detailed plans for dealing with pollution incidents ([art.6](#)).

Parties to the convention are required to provide assistance to others in the event of a pollution emergency and provision is made for the reimbursement of any assistance provided.

The Convention provides for IMO to play an important co-ordinating role.

The Annex of the convention provides general principles concerning reimbursements for the costs incurred by nations to assist in responding to spills. In the absence of an existing bilateral or multilateral agreement, the requesting nation shall reimburse the assisting nation for the costs incurred. However, if an assisting nation acts on its own initiative, it will bear the costs. The costs are to be calculated according to the law and custom of the assisting nation.

Date of first approval: 30 november1990

Date of coming into force: 13 may 1995

Dates of revision: no

Reasons of revisions: no

Applicability (situation of ratification): This convention shall enter into force 12 months after the date on which not less than 15 states have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession (art.16).

Stakes for ports: Port State Authorities constitute the competent authority for the emergency plans and reporting (art.3), “authorities or operators in charge of sea ports and oil handling facilities” (this means those facilities which present a risk of an oil pollution incident and includes, inter alia, sea ports, oil terminals, pipelines, and other oil handling facilities: art.2) have pollution incident emergency plans.

Port State Authorities “persons having charge of sea ports and oil handling facilities” have to report without delay any event involving a discharge or probable discharge of oil or the presence of oil to the competent national authority (art.4).

Port authority in co-operation with the contracting party shall establish: a minimum level of pre-positioned oil spill combating equipment; a programme of exercises for oil pollution response organizations and training of relevant personnel; detailed plans and communication capabilities for responding to an oil pollution incident; a mechanism or arrangement to co-ordinate the response to an oil pollution incident with the capabilities to mobilize necessary resources (art.6).

Ports can be deemed as a competent national authorities responsible for oil pollution preparedness and response according to the convention (art 6(i)).

Links with other conventions: [HNS Protocol](#), [HNS Convention](#), [MARPOL 73/78](#), [SOLAS](#), [CLC](#), [FUND 71](#), [FUND 92](#), [UNCLOS](#) (Part.XII)

Key-words: oil pollution, pollution incident, sea port and oil handling facilities, emergency plan, reporting procedures, systems for preparedness and response, international co-operation

Internet hyperlink with other website:

<http://www.imo.org/>

<http://www.comitemaritime.org/>

<http://www.un.org/>

(full text) <http://www.admiraltylawguide.com/conven/oilpolresponse1990.html>