



Regional Oil Spill Contingency Plan
under the
Memorandum of Understanding
on
ASEAN Cooperation Mechanism
for
Joint Oil Spill Preparedness and Response

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Executive Summary

This Regional Oil Spill Contingency Plan has been developed under the Memorandum of Understanding on ASEAN Cooperation Mechanism for Joint Oil Spill Preparedness and Response which entered into force on 28 November 2014. It provides a mechanism whereby ASEAN member States can request and provide mutual support in response to oil spills, to the extent that their resources allow.

The regional cooperation that this Plan facilitates aligns to the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 and is designed to integrate with other bi-lateral or multi-lateral agreements concerning oil pollution incidents within the ASEAN region.

The coordination, control and command framework that is used when the Regional Plan is activated neither alters nor replaces the National response system of the affected State. The terminology used in this Plan is only for the purposes of regional cooperation. In practice, the affected State will continue to implement its National Contingency Plan and use its established incident management system. The Regional Plan framework exists to ensure that there is common understanding and effective integration between affected and assisting States.

This Plan contains the alert and communications procedures to allow States' operational authorities to undertake timely and effective co-operative actions. It applies to oil spills which cause or could cause damage to the environment in countries neighbouring the source of the incident i.e. transboundary spills. It will also apply when only one country is affected but the magnitude of the spill is such that the incident requires assistance from another country.

A regional Pollution Reporting (POLREP) system is incorporated into the Plan's procedures. The POLREP system enables sharing of key information and also facilitates requests for assistance between States. The regional coordination framework and terminology is established to allow an assisting State to provide its support within the National response system of the receiving State. A set of financial procedures are included and the need for expedited movement of supporting equipment and personnel without delay is highlighted.

The establishment of a joint training and exercising programme would enable operational authorities to be familiar with the purpose, use and activation of the Plan's procedures.

1. INTRODUCTION

1.1. Background

The Memorandum of Understanding on ASEAN Cooperation Mechanism for Joint Oil Spill Preparedness and Response (hereafter “the MoU”) was signed and thereby entered into force on 28 November 2014. The Parties to the MoU are Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People’s Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam (Figure 1).

Figure 1 Parties to the MoU



Article 1 of the MoU states its objective as:

“The Parties aim to promote a regional collaborative mechanism for building capacities and capabilities in preparedness for response to oil spill incidents, as well as for promoting mutual assistance in preparing for, controlling and combating oil spill incidents in the ASEAN region.”

Article 2 of the MoU identifies the areas of cooperation that will achieve the objective. Article 2.1(c) states that each Party shall cooperate to:

“Develop a Regional Oil Spill Contingency Plan, to coordinate and integrate response to oil spill incidents: (1) affecting or likely to affect the marine and coastal environment of one or more Parties; or (2) exceeding the response capacity of any one Party.”

This document address the requirement to develop regional plan of cooperation, named the Regional Oil Spill Contingency Plan (“hereafter the Regional Plan”), and represents the key operational framework for achieving of the objective of the MoU.

1.2. Definitions, Acronyms and Abbreviations

For the purpose of this Regional Plan:

Oil means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.

Oil pollution incident means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of one or more States, and which requires emergency action or other immediate response.

The MoU means Memorandum of Understanding on ASEAN Cooperation Mechanism for Joint Oil Spill Preparedness and Response.

The Regional Plan means the Regional Oil Spill Contingency Plan under the MoU.

Parties means the signatory States of the MoU, being the ASEAN member countries.

Territory means the geographic area covered by the procedures in Parties’ National Contingency Plans.

Lead State means the Party in whose territory a pollution incident has occurred and which has activated the Regional Plan and/or asked for assistance within the framework of the Regional Plan, or the Party to whom the lead role has been transferred. The Lead State exercises the Operational Coordination of the Joint Response Operations and designates the Supreme On-Scene Commander (SOSC).

Lead Authority means the Operational Authority of the Lead State.

Governmental Authority means the designated Competent National Authority having the **governmental** responsibility for dealing with oil pollution incidents.

Operational Authority means the designated Government Department having the **operational** responsibility for dealing with oil pollution incidents.

Operational Coordination means overall co-ordination of Joint Response Operations, including both national resources and strike teams, equipment and other resources (aircraft, vessels) rendered as assistance by other Parties. It is exerted by the Operational Authority of the Lead State, through the Supreme On-Scene Commander (SOSC).

Operational Control means direct control over personnel, means and units taking part in the Joint Response Operations, including giving orders and supplying information necessary for execution of response operations. It is exerted by National On-Scene Commanders (NOSC) of the Parties taking part in the operations, or by officers designated by them.

Tactical Command means directing and supervising the execution of specific tasks by teams and/or units on the scene of operations. It is exerted by the leaders of such teams and/or commanders of units.

Supreme On-Scene Commander (SOSC) means a designated officer of the Lead State, having the overall operational coordination of all Joint Response Operations undertaken within the framework of the Regional Plan.

National On-Scene Commander (NOSC) means an officer, designated by the Operational Authority, having operational control of all national pollution response resources which might, if so requested, participate in Joint Response Operations. (Note: NOSC is preferably, but not necessarily, the same officer who performs the duty of On-Scene Commander under the National Contingency

Plan.) Following the activation of the Regional Plan, NOSC of the Lead State assumes the role of SOSC, while NOSCs of the assisting countries, operating under the operational coordination of SOSC, nevertheless retain the operational control over their respective strike teams and self-contained response units (vessels, aircraft).

National operational contact point means the entity responsible for receiving and transmitting reports on pollution incidents on a 24 hour basis

National focal point means the entity designated to facilitate the implementation of the MoU under Article 3.1

Liaison Officer means an officer from an assisting Party participating in the Joint Response Operations, who is integrated in the staff of the SOSC with a view to providing necessary information on national resources rendered as assistance to the Lead State and to facilitate communications with his/her respective NOSC.

Public Relations Officer means an officer in charge of informing the public and the media on the course of events and advising the SOSC on public reaction.

Emergency Response Centre means an office, manned 24 hours a day and equipped with appropriate communications equipment, which has been set up, for the purpose of the Regional Plan, by each Party and which will serve as the Operations Room of the NOSC or SOSC respectively, whenever the Regional Plan is activated.

Joint Emergency Response Centre (JERC) means the Emergency Response Centre of the Lead State during joint response operations.

Strike team means a group of personnel sent as assistance from one Party to another in order to take part as an independent unit in joint response operations. It may include personnel on board vessels, aircraft or other self-contained units or personnel assisting in shore clean-up operations. During joint response operations, strike teams work under the tactical command of their leaders, the operational control of their respective NOSCs, and under the overall operational coordination of SOSC.

Operations at sea means any measures, including intervention on the source of pollution, aerial surveillance, containment of the pollutant, recovery of the pollutant, application of treatment agents from vessels and aircraft, or any other action taken in the open sea (off shore) in order to respond to a pollution incident, restrict the spreading and facilitate the removal of the oil and mitigate the consequences of the incident.

Operations on shore (shore clean-up operations) means any action taken on shore, or in the sea immediately adjacent to the shore, in order to recover, remove or destroy the oil and reduce its impact or effects.

Pollution Report (POLREP) means the incident report by which one Party warns the other Parties of a spill and through which it notifies the other Parties of the activation of the Regional Plan and requests assistance.

Situation Report (SITREP) means the report by which the Lead State keeps the other Parties informed about the situation.

Tiered Preparedness and Response means a framework of tiered capability established to achieve an effective response commensurate with spill risk. Tiers 1, 2 and 3 categorise a response to a particular spill incident based on the availability of sufficient resources to respond effectively within local capacity, within national capacity and beyond national capacity respectively.

The following are the main **Abbreviations** used in this document:

| | |
|-------|--|
| ASEAN | Association of Southeast Asian Nations |
| ERC | Emergency Response Centre |
| IMO | International Maritime Organization |

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|-----------|--|
| IOPC FUND | International Oil Pollution Compensation Fund |
| JERC | Joint Emergency Response Centre |
| MTWG | ASEAN Maritime Transport Working Group |
| NCP | National Contingency Plan |
| NOSC | National On-Scene Commander |
| OPRC | International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 |
| OPRC-HNS | Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 |
| POLREP | Pollution Report |
| PRO | Public Relations Officer |
| SITREP | Situation Report |
| SOSC | Supreme On-Scene Commander |

1.3. Purpose and Objectives

The purpose of this Regional Plan is to establish, in order to implement MoU Article 2.1(c), a mechanism for mutual assistance, under which the competent national Authorities of Parties will co-operate in order to co-ordinate and integrate their response to oil pollution incidents affecting or likely to affect the territorial sea, coasts and related interests of one or more of these countries, or to incidents exceeding the available response capacity of each of these countries individually. The plan has been developed in accordance with the requirements of Article 6 of OPRC '90 referring to the establishment of regional systems for preparedness and response, and draws upon the operational procedures, reporting systems and planning arrangements developed by a number of established regional plans for cooperation in response to a marine spill incident. The general objective of the Regional Plan is to organise a prompt and effective response to oil spills affecting, or likely to affect, the territory of one or more of the countries concerned and to facilitate co-operation in the field of preparedness and response for oil spill incidents.

For this purpose the following specific objectives are defined:

- a) to define the extent of co-operation for the implementation of the Regional Plan between the responsible authorities at the operational level;
- b) to divide the responsibilities and to anticipate the transfer of responsibility from one Party to another;
- c) to establish the principles of coordination and liaison, and to define the corresponding structures;
- d) to provide arrangements concerning the operation of ships and aircraft of one of the Parties within the territory of the other Parties;
- e) to specify the type of assistance which might be provided and the conditions under which it will be provided;
- f) to determine in advance the financial conditions and administrative modalities related to co-operative actions in case of emergency.

In order to achieve these objectives, the following actions are intended to be taken through the implementation of the Regional Plan:

- developing appropriate preparedness measures and effective systems for detecting and reporting pollution incidents affecting or likely to affect the territory of the Parties;

- promoting and implementing regional co-operation in oil pollution contingency planning, prevention, control and clean-up operations;
- establishing the necessary measures to restrict spreading and to minimize the hazard posed by oil spills;
- developing and implementing a programme of training courses and practical exercises for different levels of personnel involved in oil pollution prevention and combating; and
- developing procedures to increase regional co-operation.

Nevertheless, the Parties agree that response operations in case of an oil pollution incident which occurs within the territory of one of the Parties will be conducted in accordance with provisions of the National Contingency Plan of the Party concerned.

1.4. Scope and Geographical Coverage

This Regional Plan applies to oil spill incidents in the ASEAN region. It will apply to oil spills which cause or could cause damage to the environment in countries neighbouring the source of the incident. It will also apply when only one country is affected but the magnitude of the spill is such that the incident requires assistance from another country.

This Regional Plan coordinates the activities between responsible authorities of each country, prescribes a response structure and establishes a method of operation for personnel responding to an incident.

The Regional Plan is primarily intended to provide a procedure to enhance the capability of the Parties to respond to oil spills which may be beyond their individual capabilities. Bearing in mind that OPRC 1990 Article 6 requires each Party, within its capabilities either individually or through bi-lateral or multilateral co-operation and, as appropriate, in co-operation with the oil and shipping industries, port authorities and other relevant entities to establish a minimum level of pre-positioned oil spill combatting equipment commensurate with the risk involved, and programmes for its use. The Regional Plan aligns with the principles of tiered preparedness and response

Risk of oil spills

Major oil spill incidents which are likely to require this Regional Plan to be brought into operation arise from accidents to ships, sea ports and oil handling facilities and offshore units undertaking drilling or production activities.

The shipping accidents which are most likely to cause big spills are collisions and groundings. These risks are likely to be the greatest where traffic is dense and there are navigational dangers, particularly approaching major ports. Information on the main shipping routes in the region and the amount of tanker and non-tanker traffic using them, areas of offshore oil operations, major ports and the areas of greatest navigational danger will be maintained by each national administration but may be shared from time to time through the ASEAN MTWG.

Environmental sensitivity to oil spills

In order to decide on the most effective response to an oil spill, and the priorities for the response effort, it is essential for those dealing with the spill to have reliable and up-to-date information on the sensitivity of the coastline to oil. This detailed information will be mapped and maintained at the national level and be provided to the Parties if required during joint response operations. Where sub-regional agreements are developed, it may be advantageous to develop a harmonized approach to

environmental sensitivity mapping (e.g. the Environmental Sensitivity Index (ESI) Atlas of the Gulf of Thailand). An IPIECA-IMO-IOGP publication¹ provides advice and good practice guidance on producing sensitivity maps.

¹ IPIECA-IMO-IOGP Sensitivity mapping for oil spill response 2012, available at:
http://www.ipieca.org/system/files/publications/Sensitivity_mapping_for_oil_spill_response_2012_R01.pdf

2. POLICY AND RESPONSIBILITIES

2.1. Basis for the Regional Plan

The essence of the oil spill response planning framework for the ASEAN region is that each Party shall have its own National Contingency Plan (NCP) and resources to respond to marine oil spills in the waters under its jurisdiction. The purpose of this Regional Plan is to provide the framework and describe the procedures for giving effect to joint response operations. Such operations may occur when a Party whose coasts and related interests are threatened by an oil spill and its own resources are inadequate or inappropriate to deal with it effectively. In such cases, the Party at risk may call for assistance from the other Parties and will normally be responsible for organising the joint response operation.

2.2. Exchange of information

Bearing in mind that Article 6 of OPRC 1990 obliges each Party to establish a national system for responding promptly to oil pollution incidents including the designation of competent authorities with specific functions, and to inform the other Parties of these arrangements. Thus, in order to implement this Regional Plan, and bearing in mind MoU Article 3, each Party shall inform the other Parties:

- a) The national focal point designated to facilitate the implementation of the MoU under Article 3.1
- b) the competent Governmental Authority with overall responsibility for preparedness and response to oil pollution incidents including responsibility for the implementation of this Regional Plan and, where appropriate, the names of the responsible officers within these Authorities (Annex 1). Unless otherwise determined, the Governmental Authority will be the Authority entitled to act on behalf of the State to request assistance or to decide to render assistance when requested;
- c) the National Operational Authorities, responsible at the operational level for the implementation of this Regional Plan and in particular for exercising Operational Coordination in case of Joint Response Operations and, where appropriate, the names of the responsible officers within these Authorities (Annex 1);
- d) the national operational Contact Points responsible for receiving and transmitting reports on oil pollution incidents on a 24 hour basis (Annex 1);
- e) the designated national Emergency Response Centres (Annex 1);
- f) the designated National On-Scene Commanders (Annex 1);
- g) the designated competent Customs Authorities and Immigration Authorities (Annex 1);
- h) at least those parts of their respective National Contingency Plan which might be relevant in cases of conducting joint response operations and, in particular, a description of the administrative organization and the responsibilities of each of the constituent authorities in preparing for and combating oil pollution incidents (Annex 2);
- i) inventories of oil spill response equipment and products, as well as other means (for example, vessels and aircraft) available in each country and which may be available for use in joint response operations (Annex 3);
- j) directories of experts, trained personnel and strike teams designated by each Party to take part in joint response operations (Annex 3).

The information listed above is attached to this Regional Plan in **Annexes 1, 2 and 3**.

Parties shall inform each other of any changes in the information listed above as soon as these occur, through the national focal point, using routine communication channels and supplying relevant

changes to the applicable annexes. [An alternative mechanism for communication or custodian of the regional plan may be proposed by the ASEAN MTWG in due course]

Each Operational Authority is responsible for the accuracy of information pertaining to its Party.

Each Operational Authority shall acknowledge receipt of any changes and/or modifications regarding the above information and is responsible for updating its respective copy/copies of the Regional Plan accordingly.

The original copy of this Regional Plan shall be in English language and English shall be used in all official communications related to the Regional Plan (see section 3.8). Parties may create unofficial working versions of the Regional Plan in their national languages for internal purposes.

2.3. Meetings of the ASEAN MTWG and implementation of the Regional Plan

Pursuant to Article 3 of MoU, the Parties shall designate national focal points to *facilitate* the implementation of the MoU and therefore of the Regional Plan. Article 3 further identifies that the ASEAN Maritime Transport Working Group, in coordination with each focal point, is *responsible* for the implementation of the MoU. The MTWG is the forum for discussion of questions related to the implementation of the Regional Plan, sharing information on the response to actual incidents, and organizing training courses and/or exercises and other relevant matters. It is anticipated that Operational Authorities shall be represented through the MTWG.

2.4. Joint training and exercises

The Parties shall conduct periodically joint training courses and/or joint exercises. The main objectives of these training courses and exercises shall be:

- to improve the level of co-operation and coordination among operational personnel and, in particular, the strike teams of the different Parties;
- to test the coordination structure of the Regional Plan;
- to achieve a satisfactory level of communication among personnel and, in particular, the strike teams designated to take part in joint response operations;
- to acquire knowledge in handling equipment, products and other means which might be used in joint response operations;
- to enable the personnel from different Parties to gain experience in working together.

The Parties may host such training courses and exercises alternately. The ASEAN MTWG shall approve an annual programme for training courses or exercises. The expenses of the participants and means deployed in joint exercises shall be considered by MTWG. Scheduling the training and exercise programmes, their duration and other relevant details shall be decided at the ASEAN MTWG meetings. The MTWG shall consider the development of exercise guidelines and a forward-looking schedule of different types of exercises. Recommendations for exercise programs can be found in Annex 5

Training courses and exercises carried out in accordance with this Regional Plan shall be based on the IMO OPRC Model Training Courses, other relevant training courses and guidelines.

2.5. Revision and amendment of the Regional Plan

a) Policy and relations between the Parties

- (i) If the need arises for changes in the provisions of the Regional Plan concerning the policy and relations between the Parties, the **Governmental Authority** of the Party proposing such changes shall request the ASEAN MTWG to place the matter on the agenda of the next meeting.

- (ii) Any Party proposing a revision of or amendment to the Regional Plan shall circulate to the other Parties the draft proposal at least two months before the MTWG meeting.
- (iii) All changes concerning the policy and relations between the Parties, as captured in the main body of the Regional Plan, shall be proposed by agreement of the competent National Governmental and Operational Authorities of the Parties and shall be confirmed by the unanimous decision of all Parties at a meeting of the ASEAN Transport Ministers through the ASEAN Senior Transport Officials Meeting.
- (iv) The changes to the Regional Plan shall come into effect immediately following unanimous approval or at such other date as the ASEAN Senior Transport Officials Meeting decides.
- (v) If a unanimous decision concerning the revision and amendment of the Regional Plan cannot be reached, the Parties agree to observe and retain the original provisions of the Regional Plan.

b) Operational provisions

The accuracy of the information concerning the operational provisions of the Regional Plan pertaining to each Party is the sole responsibility of the respective Party.

Changing, modifying and updating of such information should be done, as necessary, by the Operational Authority of the Party concerned, who has to ensure that other Parties and the ASEAN MTWG are duly informed of such changes as soon as these are made.

c) Annexes

Information contained in the Annexes to the Regional Plan shall be updated as necessary by the Operational Authorities of the Parties.

The Parties shall inform each other and the ASEAN MTWG of any changes in the Annexes as soon as these are made.

It shall be the responsibility of the Operational Authorities to distribute copies of this Regional Plan to appropriate officials and organizations within their country. It will be the responsibility of those holding a copy of the Regional Plan and receiving amendments, to keep their copy up to date.

3. RESPONSE ELEMENTS AND REGIONAL PLANNING

The coordination, control and command framework that is used when the Regional Plan is activated neither alters nor replaces the National response system of the affected State. The terminology used in this Plan is only for the purposes of regional cooperation. In practice, the affected State will continue to implement its National Contingency Plan and use its established incident management system. The Regional Plan framework exists to ensure that there is common understanding and effective integration between affected and assisting States

3.1. Mechanism for Activating the Regional Plan

The Regional Plan shall be activated by the **Operational Authority** of one of the Parties in the following cases:

- occurrence, within the territory of the Party who activates the Regional Plan, of an oil spill which threatens to affect or has already affected the territory of another Party;
- occurrence, within the territory of the Party who activates the Regional Plan, of an oil spill whose severity surpasses the response capabilities of the Party concerned alone.

In the cases of emergency listed above, the Regional Plan shall be activated after consultations with the other Parties concerned. However, when the situation does not permit such consultations, the Regional Plan may be activated by the affected Party without prior consultations.

When, in the opinion of the Operational Authority of one of the Parties, its interests are threatened by a pollution incident which has occurred within the territory of another Party, and when the other Party/ies have not taken appropriate action to respond to it, that Party may, after consulting the other Party/ies concerned, activate the Regional Plan.

The Operational Authority of the Party who has activated the Regional Plan shall immediately inform the Operational Authorities of the other Parties that the Regional Plan has been activated. Notification, which shall be formulated in accordance with the provisions of section 5.2, shall be transmitted to the Operational Authorities of the other Parties through the designated national Contact Points listed in Annex 1.

3.2. Role of the Lead State

The lead role in the implementation of the Regional Plan shall be assumed by the Operational Authority of the Party whose territory or related interests have been affected, or are likely to be affected, by a pollution incident and who has activated the Regional Plan.

The Lead State shall be responsible for:

- initiating the response to the spill;
- activating the Regional Plan;
- surveillance of the pollution;
- assessment of the situation;
- spill movement forecasting;
- reporting regularly on the situation to the other Parties, particularly those whose interests may be threatened by the pollution incident;
- exercising Operational Coordination over Joint Response Operations.

The lead role shall be transferred from one Party to another, when the major part of the pollutant has moved from the territory of the Party initially affected and who has activated the Regional Plan, to

the territory of another Party, and/or when the main response activities have moved to such other Party.

When the pollution incident which has occurred in the territory of one of the Parties directly (imminently) threatens the interests of another Party, the Parties may also agree, in direct contact between their Operational Authorities, that the threatened Party will assume the lead role.

3.3. National On-Scene Commander (NOSC) / Supreme On-Scene Commander (SOSC)

For the purpose of the Regional Plan, the Operational Authority of each Party shall nominate an officer who will exercise operational control over all response activities of that Party, including control over personnel (strike teams), equipment and self-contained units (vessels, aircraft). These officers shall be called National On-Scene Commanders (NOSC).

After the activation of the Regional Plan and commencement of the Joint Response Operations, the NOSC of the Lead State shall assume the role of the Supreme On-Scene Commander (SOSC). The SOSC shall have the overall responsibility for all decisions and actions taken in order to combat the pollution and to mitigate its consequences and for co-ordination of Joint Response Operations. The SOSC, working in liaison with his/her Lead Authority, exerts Operational Coordination over Joint Response Operations.

The NOSCs of the assisting Parties shall operate under the overall Operational Coordination of the SOSC, but shall nevertheless retain operational control over personnel, equipment and self-contained units of their respective Parties.

In order to relieve the SOSC of a part of his/her duties concerning operational control of national resources, the Lead Authority may, at the time of the activation of the Regional Plan, designate another officer who will have direct operational control of the national resources taking part in the Joint Response Operations and who will act as the NOSC of the Lead State.

In exercising his/her functions, the SOSC may be assisted by a Support Team (see section 3.5).

Relevant information concerning NOSCs is given in **Annex 1**. It is the responsibility of the Operational Authority of each Party to keep this information up-to-date at all times.

3.4. Emergency Response Centres/Joint Emergency Response Centre

For the purpose of this Regional Plan, each Party shall maintain capacity to set up an Emergency Response Centre (ERC) manned 24 hours a day, which will be equipped with an appropriate communications system and have the necessary facilities to be used as the operations room of the Operational Coordination during Joint Response Operations. Where appropriate, the ERC may be the National emergency response centre.

If deemed necessary, each Party may decide to establish more than one ERC.

In cases of activation of the Regional Plan, the ERC of the Lead State shall serve as the Joint Emergency Response Centre (JERC). The JERC shall serve as the base of the Supreme On-Scene Commander (SOSC) and the main communications centre for all communications related to the implementation of the Regional Plan.

Alternative sites for the JERC, closer to the scene of the incident, may be specified if appropriate at the discretion of the Lead State.

When the lead role is transferred from one Party to another, the ERC of the Party assuming the lead role shall automatically become the JERC.

Relevant information concerning ERC(s) of each Party is given in **Annex 1**.

3.5. Support Teams

With a view to assisting NOSC and/or SOSC, each Party may set up its national Support Team composed of the representatives of various relevant public authorities, national services and industry including, in particular, the oil and shipping industries.

In cases of activation of the Regional Plan, Support Teams shall operate from their respective national Emergency Response Centres.

The role of the Support Teams is advisory, and their functions include:

- a) providing assistance to the NOSC/SOSC in cases of activation of the Regional Plan;
- b) providing advice to the NOSC/SOSC concerning, in particular, methods and techniques for combating oil pollution, safety of navigation and salvage, knowledge of the marine environment (especially the potential biological impact) and fisheries, (radio) communications, public information and compensation for oil pollution damage;
- c) providing support in co-ordinating the activities of national public authorities, services and industry which might take part in Joint Response Operations, concerning in particular the provision of personnel, equipment and other resources, logistic support, immigration and customs formalities;
- d) monitoring incoming reports and assessing the situation;
- e) co-ordinating all reporting on the status of the pollution incident to their respective national Authorities.

After the termination of response operations, the Support Team shall, together with their respective NOSC:

- review post-incident reports from the NOSC/SOSC on the handling of the pollution incident for the purpose of analysing and introducing recommendations and improvements needed in the Regional Plan and in their respective National Contingency Plans;
- forward to their respective national Authorities relevant reports and recommendations, including NOSC/SOSC post-incident reports, Support Team debriefing reports and recommendations concerning amendments to the Regional Plan or its Annexes.

3.6. Coordination Structure

The Coordination Structure for Joint Response Operations is shown in Figure 2.

The Coordination Structure consists of 3 components:

- a) **Operational Coordination** which consists of taking decisions concerning response strategy, defining the tasks of various groups of teams and units and having overall command and co-ordination over all resources taking part in the Joint Response Operations, under the framework of the National Oil Spill Contingency Plan. Following the activation of the Regional Plan, operational coordination over Joint Response Operations is exercised by the Operational Authority of the Lead State (Lead Authority) through its NOSC who, once the Regional Plan has been activated, assumes the role of SOSC.
- b) **Operational Control** which consists of giving orders to specific groups of teams and units, in accordance with the strategy and the tasks defined by the Operational Coordination. Operational Control over national resources is exercised by the NOSCs of the respective Parties. Operational Control over the resources of the Lead State is exercised by an officer designated to act as NOSC in lieu of the officer who has assumed the role of SOSC.

- c) **Tactical Command** which consists of directing and supervising the actions of each team or unit. Tactical Command is exercised by the Leader of each team or the Commander of each unit taking part in the response operations.

Liaison between the Lead Authority and the assisting Parties shall be maintained, according to the circumstances and to the type and importance of the assistance rendered, in one of the following ways:

- a) by direct electronic, telephone and/or radio contacts between the Lead Authority (SOSC) and Operational Authorities (NOSCs) of the assisting Parties;
- b) by a Liaison Officer, sent to the Lead State by the Operational Authority of the Assisting Party with a view to being integrated in the staff of the SOSC. His/her duties shall be to provide necessary information on resources rendered as assistance and to facilitate communication with his/her respective NOSC, ERC and/or Strike Teams and self-contained units taking part in the operations;
- c) by the NOSC of the assisting Party who personally attends at the spill site and participates in the Joint Response Operations.

3.7. Use of aligned Incident Management Systems

The implementation of operational control and tactical command will involve a variety of organizations from different jurisdictions working cooperatively. Each Parties' NCPs will determine their specific national response organization and related procedures – this forming the basis of the coordination, control and command structure.

The IMO has published guidance on the implementation of incident management systems² to assist their members' development of national planning. Furthermore, the oil industry associations have published good practice guidance on incident management³, which aligns to IMO's publication.

Where feasible within national planning, the use of these published guidelines within the regional cooperation framework of this Regional Plan is encouraged. This will facilitate aligned and efficient incident management systems, between both the Parties' authorities and relevant private sector organizations, to the maximum extent.

3.8. Communication arrangements

The communication network established by the Parties in accordance with section 5.1 shall be used for all exchanges of information pertinent to the implementation of the Regional Plan.

- a) **Electronic communication** shall be used for all communication between the Operational Authorities, SOSC, NOSCs and their respective Support Teams, particularly in cases of emergency.
Telephone and radio communications could also be used; however, all decisions, information relevant to the situation at the site of operations and, in particular, **requests for assistance and replies to such requests shall be confirmed by email.**
- b) **Operational communication** between JERC, SOSC, NOSCs, team and unit leaders and other participants in response operations shall be made by using pre-selected VHF channels (see **Annex 4**), mobile telephones and other appropriate means.

² IMO Guidance Document on the Implementation of an Incident Management System (IMS), 2012. ISBN: 978-92-801-1553-6.

³ IPIECA-IOGP Incident management system for the oil and gas industry: Good practice guidelines for incident management and emergency response personnel, 2014 (links)

Lines of communication to be used in cases of Joint Response Operations are shown in Figure 3.

- c) The English language shall be used in all communication related to the implementation of the Regional Plan. Alternative language may be used at the level of operational control and tactical command.

3.9. Response planning

The response to a pollution incident within the territory of each Party shall be conducted in accordance with the provisions of the NCP of the Lead State under the overall Operational Coordination of the Lead Authority exercised through the SOSOC.

In order to facilitate the smooth proceeding of Joint Response Operations, the Parties shall inform each other on the relevant parts of their NCPs and, in particular, those parts describing the national response organisation.

Copies of these parts of NCPs are attached to the Regional Plan in **Annex 2**.

Deciding upon the response strategy to be applied in each particular pollution incident and the planning of specific operations shall be the responsibility of the SOSOC. In taking such decisions, the SOSOC shall follow the relevant NCP and may also be guided by the outline given in section 3.10.

3.10. Response strategy

The outline of the strategy which shall be applied by the Operational Authorities of the Parties in responding to oil pollution incidents within the framework of the Regional Plan shall follow the relevant NCP but also be guided as follows:

- assessment of the severity of the incident, taking into consideration, at least, the following criteria:
 - position at which the incident occurred;
 - type of and amount of oil which has been released and/or is likely to be released;
 - the movement of the oil slick ;
 - the degree of risk to human life and/or potential health and fire/explosion hazard;
 - the toxicity of the released pollutant;
 - the potential to damage fisheries and natural resources, especially internationally protected sites such as those under the Ramsar Convention;
 - the potential to damage valuable property and/or to have serious economic consequences;
- activation of the National Contingency Plan and notification of other Parties;
- evaluation of available and required response resources;
- selection of appropriate response methods, bearing in mind the principles of Net Environment Benefit Analysis;
- activation of the Regional Plan and request for assistance;
- implementation of selected response methods, making use of national resources and resources from assisting Parties;
- re-assessment of the situation and making necessary modifications (if necessary) of response actions;
- termination of response operations;

- de-activation of the Regional Plan;
- the return to the country of origin of personnel, equipment and other means rendered as assistance by the other Parties.

Figure 2 Coordination Structure

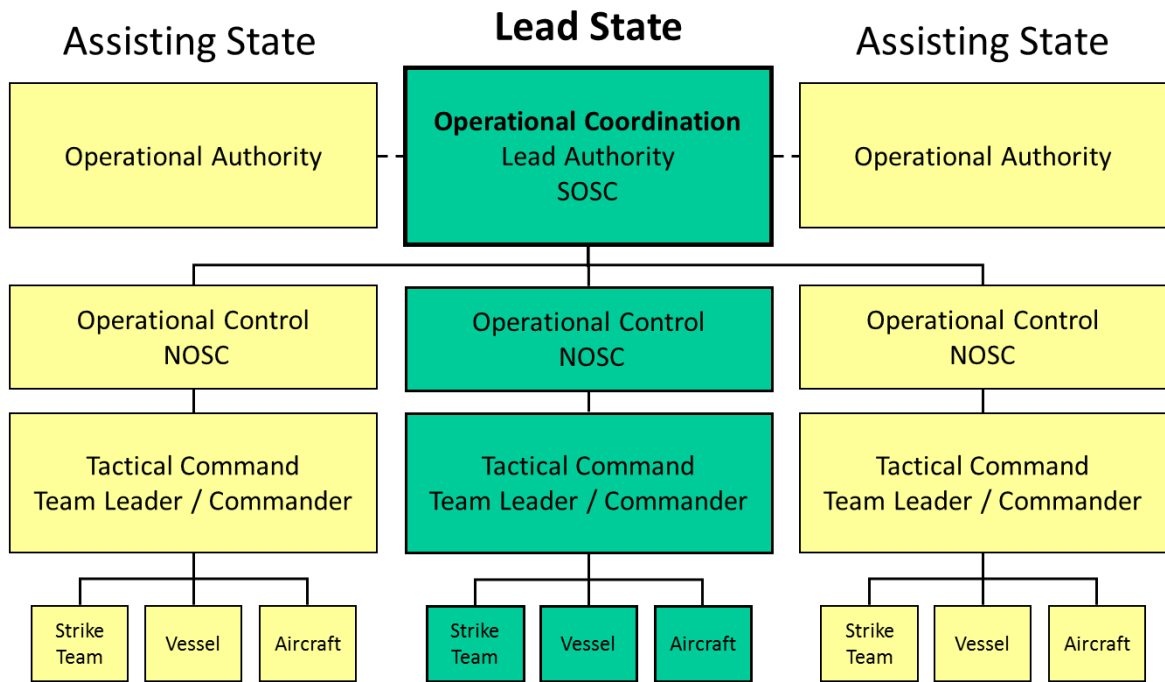
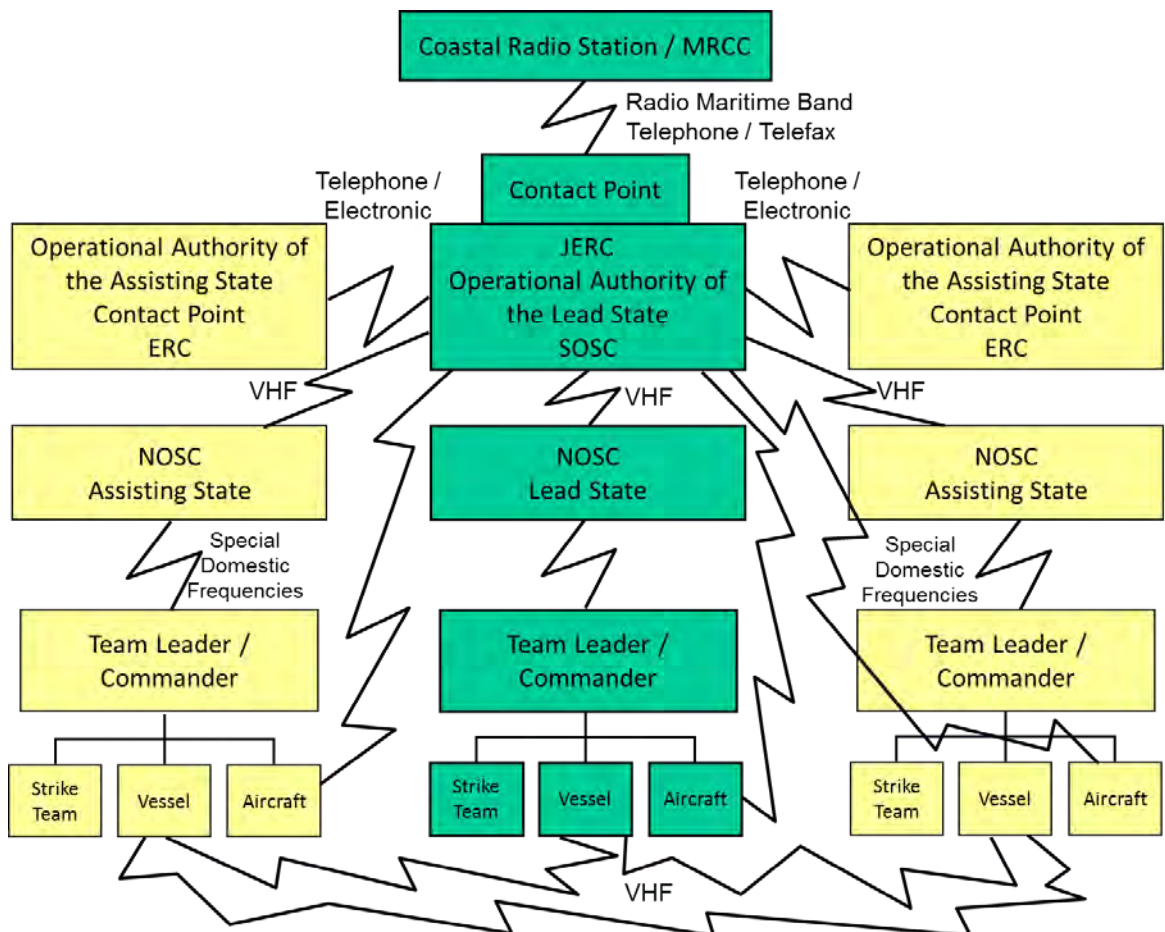


Figure 3 Lines of communication



4. RESPONSE OPERATIONS

4.1. Response Phases

For the purpose of the Regional Plan, pollution response operations have been divided into six distinct phases:

Pre-activation of the Regional Plan

- Phase I Evaluation
- Phase II Notification and consultation

Activation of the Regional Plan

- Phase III Activation of the Regional Plan
- Phase IV Request for assistance
- Phase V Joint response operations at sea
- Phase VI Joint response operations on shore

It is understood that, according to circumstances, entire phases or parts thereof may take place concurrently with one or more other phases.

4.2. Pre-activation of the Regional Plan

Phase I: Evaluation

Notification and verification of **the initial** information concerning pollution incidents shall be done, at the national level, in accordance with the provisions of the NCP.

Before activating the Regional Plan, the Operational Authority of the Party concerned shall activate its NCP and alert other relevant Authorities in its own country, including the NOSC.

Phase II: Notification and consultation

Regardless of the need for the activation of the Regional Plan, the Operational Authority of the Party becoming aware of a spill incident in its territory should after receiving and verifying the incident report, immediately inform the Operational Authorities of the other Parties through their National Contact Points.

If the Operational Authority of the Party concerned considers that it might be necessary to activate the Regional Plan, it shall immediately consult the Operational Authorities of the other Parties, clearly indicating the extent of the planned response measures and of the assistance which might be required.

The Operational Authority may consider requests from other Parties who wish to attend and observe the response operations for training purposes.

Activation of the Regional Plan

Phase III: Activation of the Regional Plan

The decision to activate the Regional Plan shall be taken by the Operational Authority of the Party affected by the incident or likely to be affected first, in accordance with the principles outlined in section 3.10.

After taking the decision to activate the Regional Plan, the Operational Authority of the Party concerned shall assume the role of Lead Authority and shall:

- a) notify the Operational Authorities of the other Parties, through their designated national Contact Points and in accordance with the procedure described in section 5.2, that the Regional Plan has been activated;
- b) activate its own ERC which shall assume the role of JERC;
- c) activate its own Support Team;
- d) appoint the SOSC who shall, in liaison with the Lead Authority and his/her Support Team, formulate the strategy for dealing with the incident and evaluate the need for assistance from other Parties. The SOSC shall initiate phases IV, V and VI of the response respectively.

Phase IV: Request for assistance

The request for assistance, on the basis of the SOSC's requirements and advice, shall be sent following the activation of the Regional Plan by the competent national authority of the Lead State to the designated authority of the other Parties in accordance with the procedure outlined in **Annex 6** and taking into consideration the previous consultations (if any) with the Operational Authorities of the other Parties.

Phase V: Joint Response Operations at Sea

The main objectives of the **Joint Response Operations at sea** are to stop the spillage of the pollutant from the source, to restrict its spreading and movement and to remove as much pollutant as possible from the sea surface before it reaches the shores of one of the Parties.

Joint Response Operations at sea shall be conducted in accordance with the procedures described in the NCP of the Lead State. Operational Coordination over the Joint Response Operations shall be exercised by the Lead Authority through the SOSC. The use shall primarily be made of the national resources of the Party concerned, which shall be supplemented as necessary by the personnel and means of the other Parties rendered as assistance upon the request of the Lead Authority. The personnel and means of the assisting Parties shall work under direct Operational Control and Tactical Command of their respective NOSCs and unit commanders or team leaders.

During the Joint Response Operations, the ERC of the Lead State, which has assumed the role of JERC, shall serve as the main communication centre and headquarters of the SOSC.

Phase VI: Joint Response Operations on Shore

The main objectives of **Joint Response Operations on shore** are to protect environmentally sensitive coastal areas and other vulnerable resources, including islands, from the impact of the pollutant and to remove the pollutant which has reached the shore in order to prevent recontamination of other coastal areas.

This phase also includes treatment and final disposal of collected pollutant and/or contaminated beach material.

The principles of coordination outlined under Phase V shall also apply for the entire duration of Phase VI.

In order to increase the effectiveness of Joint Response Operations on shore, JERC may be transferred, at the discretion of the Lead Authority, to adequate alternative premises closer to the site of operations (see section 3.4). In such cases, the Lead Authority shall duly inform the Operational Authorities of the assisting Parties of the move.

4.3. Spill Surveillance

For the surveillance of spill movement and behaviour, priority shall be given to aerial surveillance, although any other suitable means (e.g. ships) might also be used if the aircraft are not immediately available.

The surveillance of the spill and its movement, and the transmission of relevant reports to the other Parties, prior to the activation of the Regional Plan, is the responsibility of the Party in whose territory the pollution incident has occurred. Following the activation of the Regional Plan this responsibility rests with SOSC, who shall take all necessary measures to ensure regular surveillance of the spill and its movement and behaviour, in order to properly assess the situation and decide on adequate response measures. For this purpose, the SOSC may request assistance from other Parties.

Parties agree to undertake measures to obtain urgent permission, when deemed necessary, for flights over their territory by aircraft of the other Parties for the purpose of surveillance of spills within the framework of the Regional Plan and following the specific request put forward by the Party in whose territory the pollution incident has occurred. In its request, the Lead Authority shall define precisely the aim of the mission and flight plan.

Information concerning aircraft suitable for spill surveillance (including their technical characteristics and specialised equipment), to which each Party has access, is given in **Annex 3**.

Airports within the territory of the Lead State, which might be used by surveillance aircraft of assisting Parties operating upon request in the air space of the Lead State, are listed together with relevant navigational and technical information, in **Annex 3**. Arrangements may be put in place for surveillance by unmanned aerial vehicles, and/or satellites

Guidelines for spill assessment and aerial surveillance are given in **Annex 7**.

4.4. Requests for Assistance within the Framework of the Regional Plan

Following the activation of the Regional Plan, the Party who has activated the Regional Plan may request assistance from the other Parties in any of the cases described in section 3.1.

Assistance might be requested in the form of:

- a) specific technical expertise
- b) trained response personnel and, in particular, strike teams;
- c) specialised pollution combating equipment;
- d) pollution treatment products;
- e) other means, including, in particular, self-contained units such as vessels and aircraft;

and/or any combination thereof.

The request for assistance shall be formulated in a clear and precise manner, using the standard form defined in the POLFAC section of the POLREP in **Annex 6**. It shall contain a detailed description of the kind of assistance required and the purpose for which personnel, equipment, products and/or other means will be used.

The Party receiving a request for assistance shall immediately acknowledge receipt.

It is the duty of the Party or Parties receiving a request for assistance to offer it to the requesting Party with the shortest possible delay, taking into consideration that it should not deplete its own national resources beyond a reasonable level of preparedness.

With a view to being able to respond promptly to requests for assistance, Parties should have part of their national response equipment, products and other means ready for transportation, at short notice, to the other Parties, except for *force majeure* situations, other emergencies and repair/maintenance situations.

Any response personnel and/or means, rendered as assistance within the framework of the Regional Plan, will act under the overall Operational Coordination of the SOSC and the Lead Authority. However, their respective NOSCs shall retain operational control over them.

Following a decision to render assistance, liaison between the Lead State and the assisting Parties shall be maintained, according to the circumstances and to the type and importance of such assistance, in one of the ways described in section 3.6.

4.5. Joint Response Operations

For the purpose of the Regional Plan, Joint Response Operations are all pollution response operations in which personnel, equipment, products and/or other means of at least two Parties are involved.

Joint Response Operations can be carried out at sea and on shore, and include specific operations described in section 4.1.

The Lead State shall be in full charge of Joint Response Operations. The coordination structure of the Joint Response Operations is described in section 3.6 and Figure 2.

Personnel, equipment and other means rendered as assistance by the other Parties within the framework of the Regional Plan, shall execute their tasks and duties following the decisions of the SOSC, under the direct operational control of their NOSCs and the tactical command of their respective team leaders and unit commanders (see section 3.6). If strike teams or self-contained units are put at the disposal of the Lead State, the assisting Party will issue instructions to their respective team leaders and unit commanders who will then exercise tactical command over the details of the operations.

During Joint Response Operations the SOSC shall, in addition to assuming overall Operational Coordination, be specifically responsible for co-ordinating the actions taken by national means (strike teams, vessels, aircraft) of the Lead State with those taken by the means of the assisting Parties.

The liaison between the assisting Party and the Lead State during Joint Response Operations shall be maintained, according to circumstances, either through direct contacts, through the Liaison Officer of the assisting Party integrated in the staff of the SOSC, or through NOSCs if these are personally taking part in the operations (see section 3.6).

The Lead Authority shall appoint an officer responsible for receiving the personnel, equipment, products and/or other means from the assisting Parties and for facilitating their participation in Joint Response Operations from the moment of their arrival in the country to the moment of their departure. This officer shall work closely with the Liaison Officer of the assisting Party.

4.6. Use of Dispersants

Each Party shall define its policy regarding the use of dispersants in combating oil pollution and describe it in its NCP. For this purpose the Parties shall take account of the IMO's dispersant publications and other suitable international guidelines such as those produced by the industry associations⁴.

Each Party shall inform the other Parties (see section 3.9) on its policy regarding the use of dispersants. The information shall include the list of dispersant products approved for use in the waters within the jurisdiction of the Party and an indication of the zones where the use of dispersants is authorized, restricted or prohibited.

In case of Joint Response Operations, the Parties shall observe the principle of **prior authorization** for the use of dispersants. This authorization can be given only by the SOSC or by a person designated by him/her.

⁴ IPIECA-IOPG Dispersant: surface application good practice guidelines 2015, available at: http://oilspillresponseproject.org/sites/default/files/uploads/Dispersants_surface_application.pdf

In the territory of each particular Party, dispersants shall always be used in accordance with the provisions of the NCP of the Party concerned.

If a Party has prohibited the use of dispersants in its waters, other Parties participating in Joint Response Operations shall observe this decision.

4.7. Request for Additional Assistance from Other Parties

In the case of a pollution incident of such magnitude and nature that, in the opinion of the Lead Authority, the joint capabilities and resources of the Parties are not adequate to deal with it, the Lead State may request additional assistance from other States or other resources of equipment and strike teams outside the ASEAN region, including private organizations. States shall bear in mind the provisions of the both OPRC Convention and the IMO Resolution A.983(24) "Guidelines for Facilitation of Response to a Pollution Incident" (see **Annex 8**) and also the IMO guidelines for international offers of assistance during a marine pollution incident, when requesting and offering mutual assistance.

In such circumstances, and after consultations with the Lead Authority, other Parties may also request, in accordance with their needs, such additional assistance.

If more than one Party requests assistance from other States or other resources of equipment and strike teams, co-ordination of these actions between the Parties shall be made at the level of their Operational Authorities.

4.8. Termination of Joint Response Operations and Deactivation of the Regional Plan

The SOSOC shall terminate the Joint Response Operations when:

- a) Pollution response measures have been finalised and the pollutant no longer threatens the interests of any of the Parties; or when
- b) pollution response measures have been completed to a point where response capabilities and resources of the Lead State are sufficient for successfully finalising the response activities.

When considering the termination of Joint Response Operations, the SOSOC shall take into account, in particular, the financial consequences of the continuation and whether continued action would be reasonable.

After taking the decision to terminate Joint Response Operations, the SOSOC shall immediately inform the NOSOCs of the other Parties and their respective Operational Authorities of this decision and of the deactivation of the Regional Plan.

Following the deactivation of the Regional Plan, all personnel, equipment, unused products and other means which were involved in the Joint Response Operations shall return or be returned to their respective countries of origin.

The Party who requested assistance shall take the necessary measures for the prompt repatriation of the personnel of the assisting Parties, although the co-ordination and preparation of the necessary arrangements for their repatriation remains the responsibility of their respective Operational Authorities.

Unless otherwise agreed, the Party who requested assistance shall be responsible for returning to the country of origin all equipment, rendered as assistance and all unused treatment products. All equipment and other means shall be returned clean and in the best possible working order.

The Operational Authorities of the Parties concerned may decide, in direct contacts between them that unused treatment products remain in the country that requested the assistance.

Self-contained units (vessels, aircraft) shall return to their country of origin using their own power. The Party who requested assistance is responsible for facilitating formalities related to leaving its territory/territorial waters/airspace, for all units rendered as assistance.

The Party who requested assistance shall prepare a report on the effectiveness of the personnel, equipment, products and other means received as assistance. These reports shall be circulated to the other Parties.

5. COMMUNICATION AND REPORTING

5.1. Communication Systems

Each Party shall establish and maintain an efficient communication system, operational 24 hours a day, which shall serve for:

- a) receiving reports on pollution incidents and transmitting these reports to the Operational Authorities and to other interested parties within the country;
- b) activation of the Regional Plan, requesting assistance and the exchange of operational messages during Joint Response Operations.

The system shall comprise national ERCs together with the National Contact Points for receiving reports on pollution incidents, if these are different from the ERCs.

Elements of this communications system which each Party shall establish, including telephone, e-mail addresses and websites, and the allocated radio frequencies and channels pertinent to each Party, are given in **Annex 4**.

5.2. Pollution Reporting System (POLREP)

For the exchange of information concerning pollution incidents, the Parties shall use the pollution reporting system (POLREP) which has been agreed for use within the framework of this Regional Plan. The POLREP is divided into three parts:

Part I (POLWARN) is an initial notice (a first information or a warning) of a pollution incident.

Part II (POLINF) is a detailed supplementary report to Part I.

Part III (POLFAC) is used for requesting assistance from other Parties and for defining operational matters related to this assistance.

A detailed description of all three Parts of the POLREP is given in **Annex 6**.

In situations where the type and extent of the required assistance have not yet been determined, the Party who takes the decision to activate the Regional Plan shall utilize line 53 of the POLINF part of the POLREP message to inform the other Parties that the Regional Plan has been activated.

5.3. Situation Reports (SITREPs)

During the entire period between the activation of the Regional Plan and its deactivation, the Lead State shall keep the other Parties regularly informed on:

- a) the development of the situation regarding the pollution incident;
- b) the actions taken to combat pollution;
- c) the progress of the Joint Response Operations;
- d) any decisions regarding future response activities;
- e) all other relevant information including, in particular, information concerning environmental impact, effects on marine and coastal resources, and the economic consequences of the pollution incident.

Such information shall be transmitted by the SOSC to the Operational Authorities of the Parties either in the form of POLINF (see Annex 6) or as a text in the form of a situation report (SITREP).

The Lead Authority shall endeavour to transmit a POLINF or SITREP at least once a day.

Before dissemination, each report shall be verified by the SOSC.

If pollution combating operations continue at the national level after the deactivation of the Regional Plan, the Party affected by the incident shall continue to inform the other Parties of the situation until the final termination of all pollution response operations.

It is the responsibility of the Operational Authority of each Party to ensure that the situation reports are transmitted to all interested parties within its respective country.

5.4. Post Incident Reports

Following the termination of pollution response operations, taken at both national level and within the framework of the Regional Plan, the NOSC and/or the SOSC respectively shall prepare a final report including:

- a) a description of the pollution incident and development of the situation;
- b) a description of the response measures taken;
- c) a description of the assistance rendered by the other Parties;
- d) an assessment of the complete response operation;
- e) an assessment of the assistance rendered by the other Parties;
- f) a description and analysis of the problems encountered in responding to the pollution incident;
- g) recommendations regarding the possible improvement of existing arrangements and, in particular, of the provisions of the Regional Plan.

The final report may also include:

- a) an account of the costs incurred during the response by each Party;
- b) an estimate of environmental and economic damage.

Copies of the post-incident reports shall be sent to all Parties through the ASEAN MTWG.

The reports shall be analysed at the national level by the members of each Support Team and their respective NOSCs, who shall prepare recommendations concerning amendments and improvements to the Regional Plan, and if necessary, of their NCPs (see sections 2.5 and 3.5).

The conduct of Joint Response Operations and other questions of common interest shall be reviewed during the meetings of the Parties.

States may choose to share lessons learned from responding to spill incidents that did not require activation of the Regional Plan.

6. ADMINISTRATION, LOGISTICS AND FUNDING

6.1. Logistics

The Lead Authority is responsible for providing all the logistic support necessary for conducting Joint Response Operations.

The Lead Authority shall, in particular:

- a) make the necessary arrangements for accommodation and transportation, within the assisted country, of all assisting personnel;
- b) when equipment and other means are received from the assisting Parties, take the necessary measures to provide:
 - safe storage or parking places, as appropriate, including cranes, fork-lifts and other handling equipment, as necessary;
 - fuel, lubricants, basic repair and maintenance facilities.

As regards the stay in the territory of the Lead State of vessels and aircraft rendered as assistance by other Parties, the Lead Authority shall take the necessary measures to ensure assistance to the crews at airports and in ports, as appropriate, and to provide security services for ships, aircraft and related equipment, while these are in ports or at airports of the Lead State.

6.2. Financial Procedures

The Parties shall observe the following principles concerning the reimbursement of costs related to mutual assistance:

- a) The Party who has requested assistance shall reimburse to the assisting Party all expenses incurred in rendering such assistance, according to the invoice submitted by the assisting Party unless otherwise decided on a case by case basis. A decision on reimbursement procedures should be agreed during a consultation prior to activation of the regional plan
- b) Alternatively, the Parties may agree that the claims for reimbursement of such expenses shall be submitted directly to the party liable for the pollution incident, its insurers or an international system for compensation for pollution damages, by each Party separately. Regardless of the party to whom such claims are submitted, they shall be prepared in accordance with the guidelines provided by the IOPC Fund in its "Claims Manual". The current version of the IOPC Fund "Claims Manual" and related documentation is posted the IOPC Fund website: www.iopcfund.org.
- c) At the time of incident, the assisting Party shall provide information on the wages of personnel, the rental rates for equipment and other means and the cost of treatment products, which might be rendered as assistance.
The Parties may endeavour to harmonise their rates for specialized spill response equipment and agree rates in advance for specialized and non-specialized services. The assisting Party shall, immediately following receipt of a request for assistance, submit to the requesting Party an offer of the personnel, equipment and other means which can be provided and an estimate of the costs of such assistance.
- d) If the Party who requested assistance decides to withdraw the request for whatever reason, it shall nevertheless pay to the assisting Party all the expenses incurred up to the moment when the request was withdrawn including costs to return personnel and equipment to their location/base of origin, as appropriate.
- e) In the event of the transfer of responsibility of Lead State from one Party to another, the costs incurred by requests for assistance by the Lead State shall remain that State's

responsibility up to the time of transfer of Operational Coordination. Any continuation of assistance provided at the confirmed request of the Party taking over responsibility as Lead State shall also take over responsibility for the reimbursement of the costs of assistance from the time of transfer of Operational Coordination.

- f) The Parties shall resolve all questions related to financial matters after the termination of Joint Response Operations.

The provisions of this paragraph shall not prejudice the resolution of any dispute involving third parties that may arise regarding liability and compensation for damages resulting from any pollution incident.

In the case of Joint Response Operations, the Lead State (the Party who has requested assistance) shall directly cover the following expenses related to the stay in its territory of personnel, equipment and means (including vessels and aircraft) of the assisting Party:

- a) board and lodging and/or daily subsistence allowance as appropriate, of all response personnel other than the crews of ships and vessels;
- b) any port dues for vessels and ships rendered as assistance;
- c) any airport dues for aircraft rendered as assistance;
- d) necessary fuel for all equipment and means including, in particular, vessels and aircraft, engaged in Joint Response Operations;
- e) medical services provided to injured and ill personnel of the assisting Party;
- f) costs related to repatriation of any personnel who died, were injured or taken ill during Joint Response Operations;
- g) maintenance costs for any piece of equipment, vessel and aircraft engaged in Joint Response Operations;
- h) repair costs for any piece of equipment, vessel or aircraft damaged in its territory during and due to the Joint Response Operations, if such repair needs to be made prior to returning to the country of origin of such equipment and means;
- i) costs of communications related to the Joint Response Operations that have been incurred by the personnel of the assisting Party in the territory of the Lead State.

The assisting Party shall directly cover the following expenses related to the sending to the country that requested the assistance of its personnel, equipment, products or other means including, in particular, vessels and aircraft:

- a) the mobilization of personnel, equipment, products or other means;
- b) the costs of transport of personnel, equipment and products to and from the country where Joint Response Operations are taking place ;
- c) fuel for self-contained units (vessels, aircraft) which travel to the scene of Joint Response Operations using their own power;
- d) costs of communications related to Joint Response Operations that are originating from the territory of the assisting Party;
- e) insurance of the personnel of the strike teams;
- f) medical services rendered, following their return to their country of origin, to response personnel who were injured or taken ill during Joint Response Operations;
- g) maintenance and repair costs for equipment and means engaged in Joint Response Operations which were incurred after the return of such equipment and means to the country of origin.

Following the termination of the Joint Response Operations and the return of all personnel, equipment and other means which were engaged in the Joint Response Operations, each assisting

Party shall prepare a detailed invoice including the costs of assistance rendered to the Lead State and other expenses related to this assistance. The following items shall be included in the invoice:

- a) wages of personnel engaged in the Joint Response Operations, calculated on the basis of the prices given to the Lead State when assistance was requested, and the daily work logs approved by the SOSC or another responsible officer of the Lead State;
- b) costs of rental of equipment and means calculated on the basis of the prices given to the Lead State when assistance was requested, and the daily work logs approved by the SOSC or another responsible officer of the Lead State;
- c) cost of treatment products used during Joint Response Operations calculated on the basis of the prices given to the Lead State when assistance was requested, and the daily work logs approved by the SOSC or another responsible officer of the Lead State;
- d) all expenses incurred by the assisting Party as listed above;
- e) costs for replacement of equipment damaged beyond repair during Joint Response Operations.

Upon receipt of such an invoice, the Party who had activated the Regional Plan and requested assistance shall reimburse the expenses incurred by the assisting Parties in relation to the pollution response measures undertaken by these Parties following the activation of the Regional Plan. The Party who activated the Regional Plan shall subsequently include such invoices in its own claim for reimbursement of pollution response related costs, submitted to the party liable for the pollution incident, its insurers or an international system for compensation for pollution damages, as appropriate.

6.3. Transboundary Movement of Response Personnel, Equipment, Products and Self-Contained Units

In order to facilitate the movement of response personnel, equipment and other means to the place where the assistance is required, the requesting Party will:

- make arrangements for the rapid entry of equipment, products and personnel prior to their arrival and ensure that customs formalities are facilitated to the maximum extent. Equipment and products should be admitted on a temporary basis in accordance with the national law on customs duties of the requesting Party. Such equipment and products should be admitted free of excise and duties wherever possible.
- ensure that, should ships and aircraft be provided, ships are granted all necessary authorisations and aircraft cleared to fly in the national air space. A flight plan or a flight notification will be filed and accepted as an authorization for aircraft to take off, land ashore or at sea outside regular customs airfields.

6.3.1. Immigration and customs formalities

Each Party shall endeavour to make, at the national level, special arrangements applicable in emergency situations, concerning provisions for rapid granting of entry visas and work permits for personnel, as well as permits necessary for the transit or temporary importation of the requested equipment and material.

Details of such arrangements shall be included in the National Contingency Plan of each Party, and are reproduced in **Annex 2** to the Regional Plan. This refers, in particular, to information which the assisting Party has to provide to the appropriate national Authorities of the requesting Party in order to facilitate the implementation of these special arrangements.

When offering assistance in response to a request the assisting Party should be prepared to:

- a. list all personnel with names, date of birth, nationality and passport numbers;
- b. list all equipment to be shipped (relevant customs information should be with the equipment on arrival);
- c. give the mode of transport with details (name of vessel, flight number, where from and estimated time of departure, where to and estimated time of arrival);
- d. request any special unloading, transport or storage facilities required; and
- e. request any special supplies or facilities which might be needed to put the equipment into operation

6.3.2. Overflight procedures

Within the framework of the Regional Plan and upon a specific request of the Lead State, aircraft of the other Parties might be allowed to enter and operate in the airspace of the Lead State for one or more of the following purposes:

- surveillance flights;
- transportation of response personnel, equipment and products;
- spraying of dispersants or other treatment products;
- other flights related to pollution response operations.

Each Party shall make, in advance, necessary arrangements concerning rapid granting of permits and clearances for civil aircraft (fixed wing or helicopters) of other Parties, who might be requested to take part in response operations within its airspace. Similar arrangements shall be made for the use of airport facilities by civilian fixed wing aircraft and helicopters engaged in Joint Response Operations.

Overflight for the above-mentioned purposes, of the national territory or territorial waters of one of the Parties, by military and State owned aircraft of the other Parties, shall be decided on a case by case basis by the Parties concerned.

6.3.3. Navigation procedures

Within the framework of the Regional Plan and upon the request of the Lead State, vessels of the other Parties might enter and operate in the territory of the Lead State for one or more of the following purposes:

-
- pollution response operations, including containment and recovery of spilled products, spraying of dispersants or other treatment products, storage and transportation of recovered pollutant;
- transportation of response personnel, equipment and products;
- any other voyage related to pollution response operations.

Each Party shall make, in advance, the necessary arrangements concerning the rapid granting of permits and clearances for the navigation of civil vessels (ships, boats, specialised anti-pollution vessels) of the other Parties who might be requested to take part in response operations within its territory. Similar arrangements shall be made for the use of port facilities by civilian vessels engaged in Joint Response Operations.

Navigation for the above-mentioned purposes, in the territory of one of the Parties, by naval and State owned vessels of the other Parties, shall be decided on a case by case basis by the Parties concerned.

In all cases the provisions of the International Convention on Facilitation of International Maritime Traffic, as amended, shall be observed by the Parties concerned.

6.4. Health and Safety, Medical Insurance and Medical Assistance

Each Party shall ensure that proper health and safety procedures, including the wearing of suitable protective clothing and safety equipment, are followed by its personnel at all times.

Each Party shall take the necessary measures to insure against death, illness and injury, its personnel who might participate in Joint Response Operations, joint exercises and joint training courses.

The Lead State shall endeavour to offer the best possible initial medical care and services to any person from another Party who was injured or taken ill during his/her participation in Joint Response Operations.

The Lead State shall facilitate the repatriation of assisting personnel who are injured or taken ill during Joint Response Operations.

The costs of hospitalization and medical assistance rendered within the territory of the Lead State to injured or ill personnel of the assisting Party shall be borne by the Lead State. The Lead State might decide to claim the reimbursement of all such costs from the party responsible for the pollution incident, its insurer or an international system for compensation of pollution damages, as appropriate.

The Parties shall waive the right to make claims against each other for the reimbursement of costs of medical care rendered to persons injured and taken ill during Joint Response Operations.

6.5. Responsibility for Injury and Damage

If assisting strike teams cause any damages to third parties at the time when they are going to or leaving the site of operations, or when they are engaged in oil spill combating and clean-up, the responsibility for such damages shall rest with the Authority of the assisting Party.

Each Party shall be responsible for damages caused to third parties by its national strike teams during joint exercises.

6.6. Documentation of Response Operations and Related Costs

Full documentation of response activities is vital to facilitate the subsequent pursuance of claims for compensation and capturing lessons learned.

The SOSOC shall take all necessary measures to ensure that detailed records of all actions taken in order to respond to a pollution incident, within the framework of the Regional Plan, are accurately kept. For this purpose, the SOSOC will include a record keeping officer/financial controller in his/her Support Team.

As a minimum, the following records shall be regularly kept:

- a) Description of the situation (including photographs and video records where available), decisions taken and the response measures implemented;
- b) Daily work log giving details of:
 - operations in progress (place, time, purpose);
 - equipment and other means in use (place, time, purpose);
 - personnel employed (place, number, time);
 - response products and other material (e.g. fuel) consumed (type, quantity, purpose).

c) Records of all expenditures made in relation to the pollution response operations.

Following the termination of the response operations, such records shall be made available to the national Authority responsible for the submission of claims for compensation.

In cases where the Parties have agreed that the assisting Party will submit a separate claim for compensation, the Authorities of the Lead State shall make available to the Authorities of the assisting Parties copies of relevant records. The guidelines provided by the IOPC Fund in its "Claims Manual", are an example of good practice in relation to the type of supporting document required to pursue claims for compensation. The current version of the IOPC Fund "Claims Manual" and related documentation is posted the IOPC Fund website: www.iopcfund.org.

7. PUBLIC INFORMATION

7.1. Public Relations Officer (PRO)

Public relations should follow the procedures set out in the National Contingency Plan. After the activation of the Regional Plan, the Lead Authority shall designate a Public Relations Officer (PRO) who shall be seconded to the SOSC's Support Team.

The PRO shall be responsible for:

- a) maintaining contacts with the press and other media including radio and TV and website updates;
- b) preparing press releases on behalf of the SOSC and the Lead Authority;
- c) following the information released by the press and the media and clarifying any possible misunderstandings.

7.2. Press Releases

Press releases should be prepared on behalf of the SOSC and Lead Authority and distributed to the press at least once a day during the entire period between the activation and the deactivation of the Regional Plan.

Press releases shall be prepared on the basis of accurate facts provided by the SOSC and/or his/her support Team. They shall contain information concerning:

- the pollution incident and the development of the situation;
- technical data on vessels involved, type and characteristics of the pollutants, etc.;
- the measures taken to combat pollution;
- the progress of the response measures;
- injuries of personnel and damage to vessels, equipment, etc.

The following guidelines shall be observed when preparing press releases:

- prepare titles/headlines;
- give priority to the most recent and important information;
- use simple sentences and give only one idea per sentence;
- avoid quoting estimates, conjectures and suppositions;
- avoid giving opinions on environmental or other unquantifiable damages;
- draft final wordings very carefully.

Maps showing the area of incident, the evolution of the spill and the sites of the response operations should accompany press releases whenever possible.

All press releases shall be vetted and approved by the SOSC before distribution to the press.

7.3. Press Conferences

After the activation of the Regional Plan, the Lead Authority may decide, in consultation with the SOSC, to organise one or more press conferences for briefing the media.

The following persons may take part in such press conferences:

- SOSC
- specially designated expert members of the Support Team

- PRO
- representative(s) of the Lead Authority
- representative(s) of the other Parties (e.g. Liaison Officers or NOSCs)
- representative(s) of ship and cargo owners and/or their insurers.

Written information on the main facts concerning the pollution incident and the Joint Response Operations, maps and photographs may be prepared in advance by the PRO and approved by the SOSC for use during the press conference.

The guidelines concerning the preparation of press releases (section 7.2) are also applicable to participants in press conferences.



ANNEXES
to the
Regional Plan of Cooperation
under the
Memorandum of Understanding
on
ASEAN Cooperation Mechanism
for
Joint Oil Spill Preparedness and Response

| | | |
|-----------------|--|--|
| Annex 1. | <i>Directory of competent national authorities, contact points, emergency response centres, national on-scene commanders and other relevant addresses</i> | <i>1</i> |
| Annex 2. | <i>Extracts of the relevant sections of National Contingency Plans.....</i> | <i>2</i> |
| Annex 3. | <i>Directory of response personnel and inventory of response equipment and products</i> | <i>3</i> |
| Annex 4. | <i>Communications systems</i> | <i>4</i> |
| 4.1. | <i>Routine exchange of information</i> | <i>4</i> |
| 4.2. | <i>Exchange of information when there is an incident that requires or may require the activation of the Regional Plan</i> | <i>4</i> |
| 4.3. | <i>Operational communications during Joint Response Operations</i> | <i>4</i> |
| Annex 5. | <i>Recommended exercise and training program</i> | <i>Error! Bookmark not defined.</i> |
| Annex 6. | <i>Pollution reporting system (POLREP)</i> | <i>7</i> |
| Annex 7. | <i>Spill assessment and aerial surveillance</i> | <i>12</i> |
| 7.1. | <i>Introduction.....</i> | <i>12</i> |
| 7.2. | <i>The Bonn Agreement Oil Appearance Code (BAOAC).....</i> | <i>13</i> |
| 7.3. | <i>Description of the Appearances.....</i> | <i>13</i> |
| Annex 8. | <i>IMO resolution A.983(24)</i> | <i>18</i> |

ANNEX 1. DIRECTORY OF COMPETENT NATIONAL AUTHORITIES, CONTACT POINTS, EMERGENCY RESPONSE CENTRES, NATIONAL ON-SCENE COMMANDERS AND OTHER RELEVANT ADDRESSES

To be provided by national authorities.

(The workshop participants recommended not naming individuals, stating that in many situations information relating to the position or title and agency / organisation would be more appropriate)

Details to include:

Name / title / position

Address

Telephone (office hours)

Telephone (out of office hours)

Fax

Email

Website

ANNEX 2. EXTRACTS OF THE RELEVANT SECTIONS OF NATIONAL CONTINGENCY PLANS

To be provided by national authorities.

(Summary information, where available or appropriate, of the following (typically 3-4 pages))

- National response organization (with explanatory diagram[s] if appropriate)
- Roles and responsibilities of key agencies
- Incident management system's procedures (e.g. the planning 'P' as used in ICS-like systems)
- Response policy, including listed approved dispersant products and zones / criteria where they may be authorized for use, if allowed.
- How response tiers are defined, particularly tier 3 (major) oil spills that may exceed national capability.
- Customs and immigration arrangements

ANNEX 3. DIRECTORY OF RESPONSE PERSONNEL AND INVENTORY OF RESPONSE EQUIPMENT AND PRODUCTS

Refer to Appendix 5 'Common lexicon for significant equipment and personnel types' of the IMO guidelines on international offers of assistance in response to a marine pollution incident.

- Include equipment/resource available to assist on a regional basis
- Include location of equipment/resource and as much detail and description as possible
- Include government and industry owned equipment/resources where possible

ANNEX 4. COMMUNICATIONS SYSTEMS

Section 3.8 of the Regional Plan deals with communications arrangements by reference to this Annex. The Annex sets out the way in which communications will be made among the ASEAN Members for:

- 1) Routine exchange of information when there is no emergency.
- 2) Exchange of information between the ASEAN Members when there is an incident which requires or may require the activation of the Plan.
- 3) Operational communications during Joint Response Operations (JROs) including those related to:
 - Operational Coordination
 - Operational Control
 - Tactical Command

4.1. Routine exchange of information

For communications among the Operational Authorities of the ASEAN Members and for the exchange of information relevant to the maintenance of the regional system for preparedness and response, the Members should use telephone and internet-based network.

The use of fax or e-mail should be given preference, although telephone may be used as necessary.

4.2. Exchange of information when there is an incident that requires or may require the activation of the Regional Plan

For alerting other Members, informing them of the activation of the Regional Plan, requesting assistance and for maintaining subsequent contacts the ASEAN Members should use ordinary telephone and internet-based network using the numbers listed in Annex 1. All alerts and POLREP messages should be sent in written form using telefax or e-mail.

Such messages should be immediately acknowledged by the recipients.

4.3. Operational communications during Joint Response Operations

4.3.1. Operational Coordination

Normally, Operational Coordination will be exercised by the Supreme On-Scene Coordinator (SOSC) from the Joint Emergency Response Centre (JERC). For transmission of the Operational Coordination, the SOSC should use:

- a) **Telephone and internet-based network** for shore-shore communications with JERC and National On-Scene Coordinators (NOSCs) of other ASEAN Members.
- b) **VHF Radio** for shore-sea communications with units taking part in the response operations. VHF Channels to be used are listed (to be completed at a later stage).
- c) **Coast Radio Stations on MF frequencies** should be used when vessels are outside VHF range. MF frequencies to be used are listed (to be completed at a later stage).
- d) Some vessels involved may be fitted with **satellite communications systems**. The Captain or Master of such vessels should advise the JERC if they advise that these systems should be used during joint operations. The national operations centres – which may become

Emergency Response Centres – that are fitted with satellite communications equipment are listed (to be completed at a later stage). Vessels with satcoms can also be contacted through the telephone and internet-based network.

- e) **Mobile telephone systems**, where these exist with suitable coverage, may be useful for shore-shore or shore-sea communications.

Communication Plan:

At an early stage of the incident the SOSC should issue a Communication Plan listing the methods and frequencies to be used for communications with the JERC.

4.3.2. Operational Control

Communications for conducting response operations between the relevant National On-Scene Coordinator (NOSC) and the response units and strike teams under his or her command should be as follows:

- a) **Telephone and internet-based network** for shore-shore communications with ERCs and NOSCs of other ASEAN Members.
- b) **VHF Radio** for shore-sea or sea-sea communications with and between units taking part in the response operations. Portable VHF sets may be useful here if they are available. VHF Channels to be used are listed (to be completed at a later stage).
- c) **Coast Radio Stations on MF frequencies** should be used when vessels are outside VHF range. MF frequencies to be used are listed (to be completed at a later stage).
- d) **Mobile telephone systems**, where these exist with suitable coverage, may be useful for shore-shore or shore-sea communications.
- e) **Portable Satellite Communications Systems** may be used by some responders, including commercial response organisations.

Communication Plans:

At an early stage of the incident NOSCs should issue Communication Plans listing the methods and frequencies to be used for communications with the response units under their control.

4.3.3. Tactical Command

Communications at the scene of response operations, concerning the direction and supervision of response activities by the teams and units involved, as well as exchange of information between those response teams and units should be maintained using:

- a) **VHF Radio** for shore-shore, shore-sea or sea-sea communications with and between units taking part in the response operations. Portable VHF sets may be useful here if they are available. For communications with aircraft see below. VHF Channels to be used are listed (to be completed at a later stage).
- b) **Mobile telephone systems**, where these exist with suitable coverage, may be useful for shore-shore or shore-sea communications.

4.3.4. Communications with Aircraft

Preferably aircraft taking part in oil spill monitoring or dispersant spraying operations should be fitted with Marine Band VHF equipment, or portable equipment should be carried.

The equipment should be capable of working on the channels listed under (to be completed at a later stage). Otherwise vessels and shore stations will not be able to communicate with aircraft unless they have the appropriate HF equipment, or can pass messages through airports or other centres so equipped.

Mobile phones should not generally be used on board aircraft.

ANNEX 5. RECOMMENDATIONS FOR EXERCISE PROGRAMME

Common types of exercise to test spill preparedness and response capability:

- Synthetic Exercise (EX ALPHA)
- Alarm Exercise (EX BRAVO)
- Equipment Exercise (EX CHARLIE)
- Operational Exercise (EX DELTA)
- State-of-the-art Exercise (EX ECHO)

ALPHA: This exercise type is a "paper exercise", the aim of which is to create a base for discussion on matters relating to organization, communication, logistics, etc. in combatting actions involving two or more Countries.

BRAVO: The aim of this exercise type is to test the agreed procedures and lines of communication for reporting, requesting and providing assistance, and to get a picture of the current response readiness of the Contracting Parties when called to assist. The exercise further aims at familiarizing the personnel with the use and national handling of the adopted POLREP reporting form. It is not the intention with this exercise that combatting equipment and its handling personnel should be activated.

CHARLIE: The purpose of this exercise is to test the co-operation between the combatting units of the Contracting Parties with respect to both communication and equipment. Involvement of personnel - except those needed for running the equipment - should be very restricted.

DELTA: The aim of this exercise type is partly to test the alarm procedure, the response capability, and the response time of the Contracting Parties, partly to test and train the staff functions and the co-operation between combatting units (including the combatting equipment) of the Contracting Parties.

ECHO: The aim of this exercise is to demonstrate the state-of-the-art of a specific topic, e.g., a type of equipment, a response method, means of communication or scientific tests. Traditional operational combatting activities will not form a part of this type of exercise.

ANNEX 6. POLLUTION REPORTING SYSTEM (POLREP)

‘POLREP’ Pollution Reporting is an internationally used system divided into three parts:

| | | | |
|----------|----------------------|---------------------------------------|---|
| Part I | POLWARN (lines 1-5) | POLL ution WARN ing | First information or warning of the pollution or threat |
| Part II | POLINF (lines 40-60) | POLL ution INF ormation | Detailed supplementary report as well as situation reports |
| Part III | POLFAC (lines 80-99) | POLL ution FAC ilities | Deals with requests for counter-pollution facilities or resources as well as matters of operational character |

The framework of the present Regional Plan’s reporting has been based on Part III-POLFAC of POLREP, aimed at “requesting assistance from other Contracting Parties and for defining operational matters related to assistance”.

Lines 80 to 87 of the original POLFAC message should be completed in accordance with general instructions given in this annex, while specific questions reflecting the requirements of the incident may be entered in the ‘spare’ lines 88 to 98 of the standard POLFAC message.

A request for assistance can be transmitted either separately or together with the other parts (POLWARN, POLINF) of a POLREP message.

When answering a request for assistance, the Parties do not have to adhere to the POLREP format, although it would be desirable that the figures using POLFAC message are also used in response message, for easier reference.

| | | |
|------------------|-----------------------|---|
| INTRO. | Address from... to... | |
| | Date Time Group | |
| | Identification | |
| | Serial number | |
| Part I (POLWARN) | 1 | Date and time |
| | 2 | Position |
| | 3 | Incident |
| | 4 | Outflow |
| | 5 | Acknowledge |
| Part II (POLINF) | 40 | Date and time |
| | 41 | Position |
| | 42 | Characteristics of pollution |
| | 43 | Source and cause of pollution |
| | 44 | Wind direction and speed |
| | 45 | Current or tide |
| | 46 | Sea state and visibility |
| | 47 | Drift of pollution |
| | 48 | Forecast |
| | 49 | Identity of observer and ships on scene |
| | 50 | Action taken |
| | 51 | Photographs or samples |
| | 52 | Names of other States informed |
| | 53-59 | Spare |
| 60 | Acknowledge | |
| Part II (POLFAC) | 80 | Date and time |
| | 81 | Request for assistance |
| | 82 | Cost |
| | 83 | Pre-arrangements for the delivery |
| | 84 | Assistance to where and how |
| | 85 | Other States requested |
| | 86 | Change of coordination |
| | 87 | Exchange of information |
| | 88-89 | Spare |
| 99 | Acknowledge | |

Explanatory table for the POLREP system

| INTRODUCTORY SECTION | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|--|-------------------|-----|---------------------|-----|-----------------------|-----|----------------------------------|-----|----------|-----|----------------------------------|-----|-----------------------------|-----|-----------------------|-----|---------------------|-----|--------------------------------|-----|
| Contents | Remarks | | | | | | | | | | | | | | | | | | | | |
| DTG (Date Time Group) | Day and time of drafting of the communication. Always six figures. Can be followed by month indication. The DTG can be used as reference. | | | | | | | | | | | | | | | | | | | | |
| IDENTIFICATION | Indicates which part(s) of the POLREP are included. | | | | | | | | | | | | | | | | | | | | |
| SERIAL NUMBER | <p>Each single report should be easily identifiable and the receiving agency should be in a position to check whether all reports of the incident in question have been received. This done by using a national identifier followed by a stroke system, where the number before the stroke indicates the incident to which the report refers and the number following the stroke indicates the actual number of reports which have been originated on the incident in question.</p> <p>POLREP ASEAN BRUNEI 1/1 indicates the first report from Brunei of the incident in question.</p> <p>POLREP ASEAN BRUNEI 1/2 indicates the second report from the same incident.</p> <p>If the pollution splits into two clearly defined patches the wording "POLREP ASEAN 1 now splitting in to POLREP ASEAN 2 and POLREP ASEAN 3" should be indicated in the last report on the incident identified by line 1 preceding the stroke.</p> <p>The first reports on the two patches originating from the incident first reported will then be numbered:</p> <p>POLREP ASEAN BRUNEI 2/1 and POLREP ASEAN BRUNEI 3/1.</p> <p>National identifiers – short forms may be used as follows:</p> <table border="0"> <tr> <td>Brunei Darussalam</td> <td>BRN</td> </tr> <tr> <td>Kingdom of Cambodia</td> <td>KHM</td> </tr> <tr> <td>Republic of Indonesia</td> <td>IDN</td> </tr> <tr> <td>Lao People’s Democratic Republic</td> <td>LAO</td> </tr> <tr> <td>Malaysia</td> <td>MYS</td> </tr> <tr> <td>Republic of the Union of Myanmar</td> <td>MMR</td> </tr> <tr> <td>Republic of the Philippines</td> <td>PHL</td> </tr> <tr> <td>Republic of Singapore</td> <td>SGP</td> </tr> <tr> <td>Kingdom of Thailand</td> <td>THA</td> </tr> <tr> <td>Socialist Republic of Viet Nam</td> <td>VNM</td> </tr> </table> | Brunei Darussalam | BRN | Kingdom of Cambodia | KHM | Republic of Indonesia | IDN | Lao People’s Democratic Republic | LAO | Malaysia | MYS | Republic of the Union of Myanmar | MMR | Republic of the Philippines | PHL | Republic of Singapore | SGP | Kingdom of Thailand | THA | Socialist Republic of Viet Nam | VNM |
| Brunei Darussalam | BRN | | | | | | | | | | | | | | | | | | | | |
| Kingdom of Cambodia | KHM | | | | | | | | | | | | | | | | | | | | |
| Republic of Indonesia | IDN | | | | | | | | | | | | | | | | | | | | |
| Lao People’s Democratic Republic | LAO | | | | | | | | | | | | | | | | | | | | |
| Malaysia | MYS | | | | | | | | | | | | | | | | | | | | |
| Republic of the Union of Myanmar | MMR | | | | | | | | | | | | | | | | | | | | |
| Republic of the Philippines | PHL | | | | | | | | | | | | | | | | | | | | |
| Republic of Singapore | SGP | | | | | | | | | | | | | | | | | | | | |
| Kingdom of Thailand | THA | | | | | | | | | | | | | | | | | | | | |
| Socialist Republic of Viet Nam | VNM | | | | | | | | | | | | | | | | | | | | |

| PART 1 (POLWARN) | |
|-------------------------|---|
| Contents | Remarks |
| 1 DATE AND TIME | The date of the month as well as the time of the day when the incident took place or, if the cause of the pollution is not known, the time of the observation should be stated with six figures. Time should be stated as GMT for example 091900z (i.e. the 9th of the relevant month at 1900 GMT). |
| 2 POSITION | Indicates the main position of the incident in latitude and longitude in |

| PART 1 (POLWARN) | |
|-------------------------|--|
| Contents | Remarks |
| | degrees and minutes and may, in addition, give the bearing of and the distance from a location known by the receiver. |
| 3 INCIDENT | The nature of the incident should be stated here, such as BLOW OUT, TANKER GROUNDING, TANKER COLLISION, OIL SLICK, etc. |
| 4 OUTFLOW | The nature of the pollution, such as CRUDE OIL, CHLORINE, DINITROL, PHENOL, etc., as well as the total quantity in tonnes of the outflow and/or the flow rate, as well as the risk of further outflow. If there is no pollution but a pollution threat, the words NOT YET followed by the substance, for example NOT YET FUEL OIL, should be stated. |
| 5 ACKNOWLEDGE | When this figure is used the communication should be acknowledged as soon as possible by the competent national authority. |

| PART II (POLINF) | |
|--|--|
| Contents | Remarks |
| 40 DATE AND TIME | No. 40 relates to the situation described in figures 41 to 60 if it varies from line 1. |
| 41 POSITION AND/OR EXTENT OF POLLUTION ON/ABOVE/IN THE SEA | Indicates the main position of the pollution in latitude and longitude in degrees and minutes and may in addition give the distance and bearing of some prominent landmark known to the receiver if other than indicated in line 2. Estimated amount of pollution (e.g. size of polluted areas, number of tonnes of oil spilled if other than indicated in line 4, or number of containers, drums, etc. lost). Indicates length and width of slick given in nautical miles if not indicated in line 2. |
| 42 CHARACTERISTICS OF POLLUTION | Gives type of pollution, e.g. type of oil with viscosity and pour point, packaged or bulk chemicals, sewage. For chemicals give proper name or United Nations number if known. For all, give also appearance, e.g. liquid, floating solid, liquid oil, semi-liquid sludge, tarry lumps, weathered oil, discolouration of sea, visible vapour. Any markings on drums, containers, etc. should be given. |
| 43 SOURCE AND CAUSE OF POLLUTION | E.g. from vessel or other undertaken. If from vessel, say whether as a result of a deliberate discharge or casualty. If the latter give brief description. Where possible, give name, type, size, call sign, nationality and port of registration of polluting vessel. If vessel is proceeding on its way, give course, speed and destination. |
| 44 WIND DIRECTION AND SPEED | Indicates wind direction and speed in degrees and m/sec. The direction always indicates from where the wind is blowing. |
| 45 CURRENT DIRECTION AND SPEED AND/OR TIDE | Indicates current direction and speed in degrees and knots and tenths of knots. The direction always indicates the direction in which the current is flowing. |
| 46 SEA STATE AND VISIBILITY | Sea state indicated as wave height in metres. Visibility in nautical miles. |
| 47 DRIFT OF POLLUTION | Indicates drift course and speed of pollution in degrees and knots and tenths of knots. In case of air pollution (gas cloud) drift speed is indicated in m/s. |

| PART II (POLINF) | |
|---|--|
| Contents | Remarks |
| 48 FORECAST OF LIKELY EFFECT OF POLLUTION AND ZONE AFFECTED | E.g. arrival on beach with estimated timing. Results of mathematical models. |
| 49 IDENTIFY OF OBSERVER/REPORTER IDENTITY OF SHIPS ON SCENE | Indicates who has reported the incident. If a ship, name, home port, flag and call sign must be given. Ships on scene can also be indicated under this item by name, home port, flat and call sign, especially if the polluter cannot be identified and the spill is considered to be of recent origin. |
| 50 ACTION PLAN | Any action taken to combat the pollution. |
| 51 PHOTOGRAPHS OR SAMPLES | Indicates if photographs or samples from the pollution have been taken. Communication addresses of the sampling authority should be given. |
| 52 NAMES OF OTHER STATES AND ORGANIZATIONS INFORMED | |
| 53-59 | SPARE FOR ANY OTHER RELEVANT INFORMATION (e.g. results of sample or photographic analysis, results of inspections of surveyors, statements of ship`s personnel, etc. |
| 60 ACKNOWLEDGE | When this line is used the communication should be acknowledged as soon as possible by the competent national authority. |

| PART III (POLFAC) | |
|--|--|
| Contents | Remarks |
| 80 DATE AND TIME | No. 80 is related to the situation described below, if it varies from lines 1 and/or 40. |
| 81 REQUEST FOR ASSISTANCE | Type and amount of assistance required inform of: <ul style="list-style-type: none"> • specified equipment • specified equipment with trained personnel • complete strike teams • personnel with special expertise with indication of country requested. |
| 82 COST | Requirements for cost information to requesting country of delivered assistance. |
| 83 PRE-ARRANGEMENTS FOR THE DELIVERY OF ASSISTANCE | Information concerning customs clearance, access to territorial waters, etc. in the requesting country. |
| 84 TO WHERE ASSISTANCE SHOULD BE RENDERED AND HOW | Information concerning the delivery of the assistance, e.g. rendezvous at sea with information on frequencies to be used, call sign and name of supreme on-scene commander of the requesting country, or land-based authorities with telephone number, telex number and contact persons. |
| 85 NAMES OF OTHER STATES AND | Only to be filled in if not covered by line 81, e.g. if further assistance is later needed by other States. |

| PART III (POLFAC) | |
|----------------------------|--|
| Contents | Remarks |
| ORGANIZATIONS | |
| 86 CHANGE OF COORDINATION | When substantial part of an oil pollution or serious threat of oil pollution moves or has moved into the zone of another Contracting Party, the country which has exercised the supreme command of the operation may request the other country to take over the supreme command. |
| 87 EXCHANGE OF INFORMATION | When a mutual agreement has been reached between two parties on a change of supreme command, the country transferring the supreme command should give a report on all relevant information pertaining to the country taking over the command. |
| 88-98 | SPARE FOR ANY OTHER RELEVANT REQUIREMENTS OR INSTRUCTIONS |
| 99 ACKNOWLEDGE | When this figure is used the telex should be acknowledged as soon as possible by the competent national authority. |

ANNEX 7. SPILL ASSESSMENT AND AERIAL SURVEILLANCE

The following text is adapted from the Bonn Agreement Aerials Operations Handbook. Further information concerning the use of remote sensing and the organization of aerial surveillance for oil spills is available in the following documentation:

Bonn Agreement Aerials Operations Handbook:

http://www.bonnagreement.org/site/assets/files/1081/ba-aoh_revision_2_april_2012-1.pdf

Bonn Agreement Oil Appearance Code Photo Atlas:

http://www.bonnagreement.org/site/assets/files/1081/photo_atlas_version_20112306-1.pdf

I TOPF Technical Information Paper on Aerial observation of marine oil spills:

<http://www.itopf.com/knowledge-resources/documents-guides/document/tip-1-aerial-observation-of-marine-oil-spills/>

IPIECA-I OGP Good Practice Guidance on Aerial observation of oil spill at sea:

<http://oilspillresponseproject.org/sites/default/files/uploads/Aerial%20Observation%20GPG.pdf>

7.1. Introduction

Visual observation of pollution and polluter provides essential information about appearance, size and coverage of the spill that are used to identify the substance and to calculate the initial estimate of the volume.

The visual form of an oil slick may also suggest the probable cause of pollution:

- A long and small thin slick of oil sheen suggests a possible illegal discharge of oil from a ship. The cause is obvious if the ship is still discharging, as the slick will be connected to the ship, but the slick may persist for some time after the discharge has stopped; it will subsequently be broken up and dispersed by wind and waves.
- A triangular slick with one side aligned with the wind and another aligned with the prevailing current suggests a subsurface-release, such as that from a sub-sea pipeline or oil slowly escaping from a sunken wreck.
- Slicks seen some distance 'down current' of oil installations, particularly in calm weather, may be caused by re-surfacing of dispersed oil from permitted discharged of produced water.

The observation can be influenced by several factors, cloud, sunlight, weather, sea and angle of view, height, speed and local features as well as the type of oil or substances. The observer should be aware of these factors and try to make the adjustments for as many as possible.

It is recommended that the slick should be viewed from all sides by flying a racetrack pattern around the oil. The best position to view the oil is considered to be with the sun behind the observer and the observer looking at the object / subject from an angle of an angle of 40° to 45° to the perpendicular. It is suggested that the ideal height to view the oil will vary from aircraft to aircraft, but for an aircraft with a speed of around 150 knots a height of 700 to 1,000 feet (200 to 300 metres) is suggested.

For evaluation of the data collected, including the imagery, it is strongly recommended to take still photographs or record a video with a down-ward looking camera and not only oblique as the angle of view will be effected by incoming light.

The oil appearances will generally follow a pattern. The thinner oils, sheen, rainbow and metallic, will normally be at the edges of the thicker oils, discontinuous true colour and true colour, all the codes will be defined in the following paragraph. It would be unusual to observe thick oil without the associated thinner oils; however, this can occur if the oil has aged and/or weathered or if the oil is very heavy and viscous. Heavy oil will tend to be mainly true colour and have very sharp defined edges, due

to the high viscosity of Heavy Fuel Oil, and its tendency/potential to form stable without emulsions, although there might be some sheen at the edges.

Extra caution should be used when emulsion is present. Aircrew should use all the available information or intelligence to estimate the volume.

7.2. The Bonn Agreement Oil Appearance Code (BAOAC)

Since the colour of the oil itself as well as the optic effects is influenced by meteorological conditions, altitude, angle of observation and colour of the sea water, an appearance cannot be characterised purely in terms of apparent colour and therefore an “appearance” code, using terms independent of specific colour names, has been developed.

The Bonn Agreement Oil Appearance Code is used widely internationally including in the North Sea, the Mediterranean Sea, the USA and others areas. The code was been developed as follows:

- In accordance with scientific literature and previously published scientific papers,
- Its theoretical basis is supported by small scale laboratory experiments,
- It is supported by mesoscale outdoor experiments,
- It is supported by controlled sea trials.

Due to slow changes in the continuum of light, overlaps in the different categories were found. However, for operational reason, the code has been designed without these overlaps.

Using thickness intervals provides an estimation of volumes that can be used both for legal procedures and for response.

The Parties may consider using the lower figure is used in official statements whereas the upper figure is used to indicate the required response measures.

Five levels of oil appearances are distinguished in code detailed in the following table:

| Code | Description - appearance | Layer thickness interval (µm) | Litres per km ² |
|------|-------------------------------|-------------------------------|----------------------------|
| 1 | Sheen | 0.04 to 0.30 | 40 – 300 |
| 2 | Rainbow | 0.3 to 5.0 | 300 – 5,000 |
| 3 | Metallic | 5.0 to 50 | 5000 – 50,000 |
| 4 | Discontinuous True Oil Colour | 50 to 200 | 50 000 – 200,000 |
| 5 | Continuous True Oil Colour | More than 200 | More than 200,000 |

The appearances described cannot be related to one thickness; they are optic effects (codes 1-2-3) or true colours (codes 4-5) that appear over a range of layer thickness.

There is no sharp delineation between the different codes; one effect becomes more diffuse as the other strengthens.

7.3. Description of the Appearances

Code 1 – Sheen (0.04 µm – 0.3 µm)

The very thin films of oil reflect the incoming white light slightly more effectively than the surrounding water (Figure A7.1) and will therefore be observed as a silvery or grey sheen. The oil film is too thin for any actual colour to be observed. All oils will appear the same if they are present in these extremely thin layers.

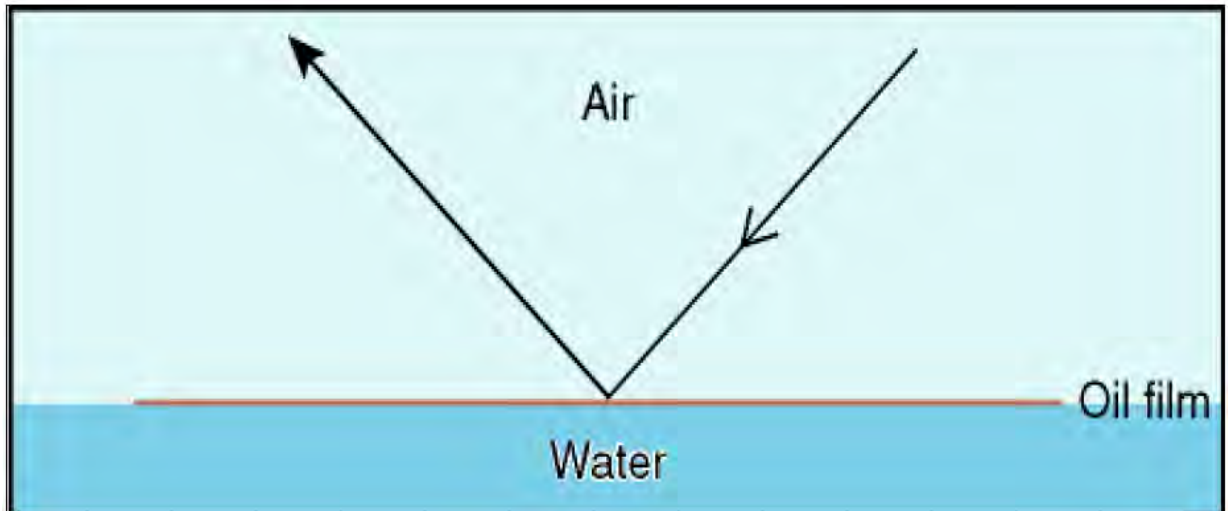


Figure A7.1 Light Reflecting From Very Thin Oil Films

Oil films below approximately 0.04- μm thickness are invisible. In poor viewing conditions even thicker films may not be observed. Above a certain height or angle of view the observed film may disappear.

Code 2 – Rainbow (0.3 μm – 5.0 μm)

Rainbow oil appearance represents a range of colours: yellow, pink, purple, green, blue, red, copper and orange; this is caused by constructive and destructive interference between different wavelengths (colours) that make up white light. When white light illuminates a thin film of oil, it is reflected from both the surfaces of the oil and of the water (Figure A7.2).

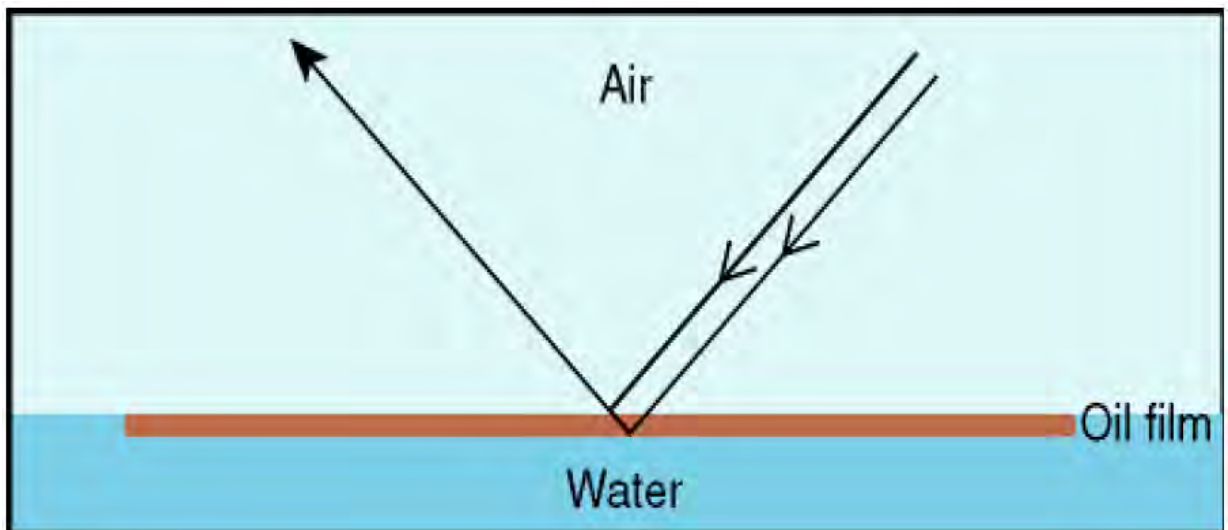


Figure A7.2 The Rainbow Region

Constructive interference occurs when the light that is reflected from the lower (oil / water) surface combines with the light that is reflected from the upper (oil / air) surface. If the light waves reinforce each other the colours will be present and brighter (Figure A7.3).

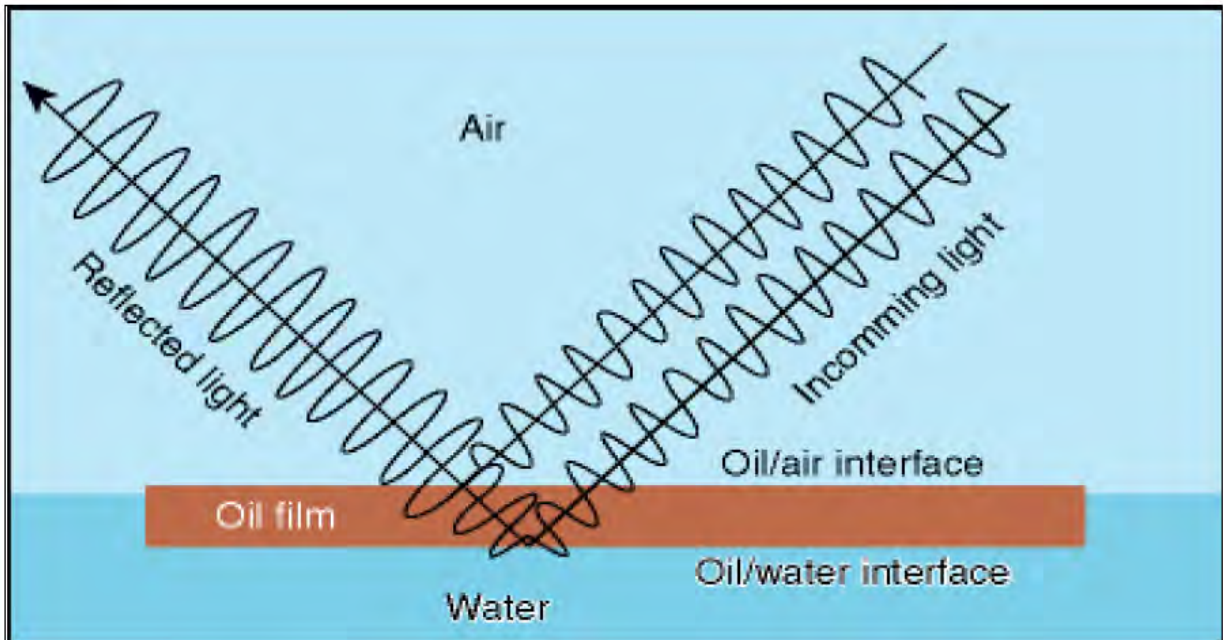


Figure A7.3 Constructive Interference

During destructive interference the light waves cancel each other out and the colour is reduced in the reflected light and appears darker (Figure A7.4).

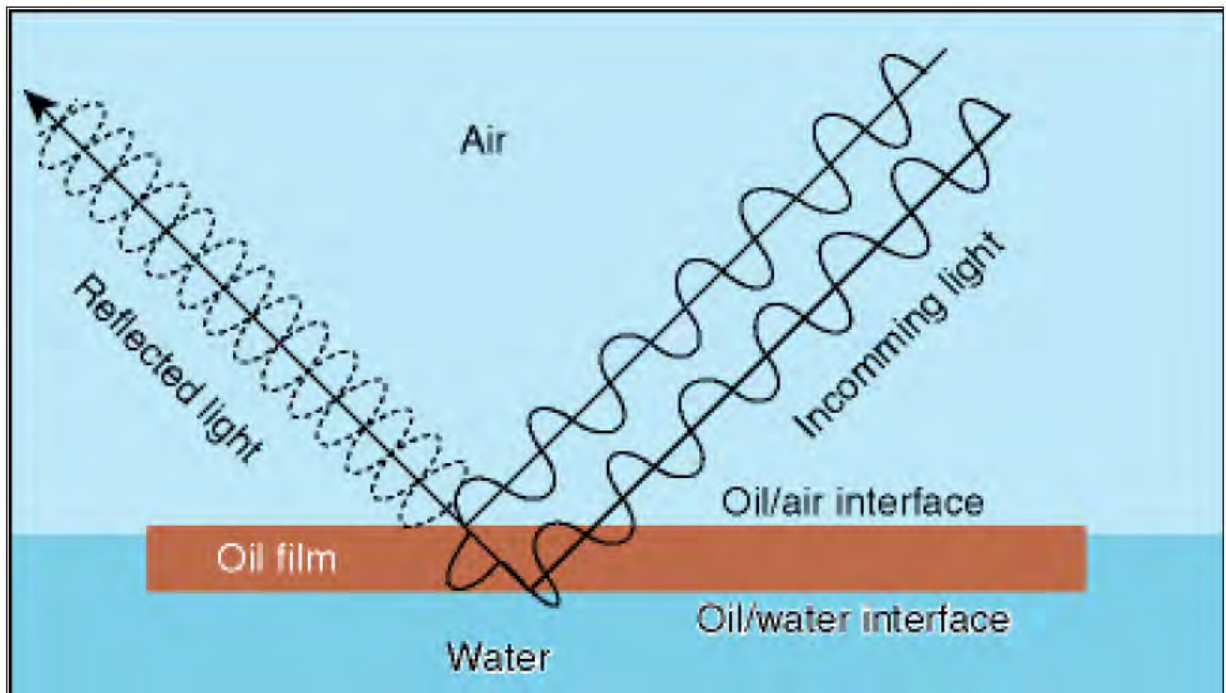


Figure A7.4 Destructive Interference

Oil films with thicknesses near the wavelength of different coloured light, $0.2\ \mu\text{m}$ – $1.5\ \mu\text{m}$ (blue, 400nm or $0.4\ \mu\text{m}$, through to red, 700nm or $0.7\ \mu\text{m}$) exhibit the most distinct rainbow effect. This effect will occur up to a layer thickness of $5.0\ \mu\text{m}$. All oils in films of this thickness range will show a similar tendency to produce the “rainbow” effect.

A level layer of oil in the rainbow region will show different colours through the slick because of the change in angle of view. Therefore if rainbow is present, a range of colours will be visible.

Code 3 – Metallic (5.0µm – 50 µm)

The appearance of the oil in this region cannot be described as a general colour. The true colour of the oil will not be present because the oil does not have sufficient optical density to block out all the light. Some of the light will pass through the oil and be reflected off the water surface. The oil will therefore act as a filter to the light (Figure A7.5).

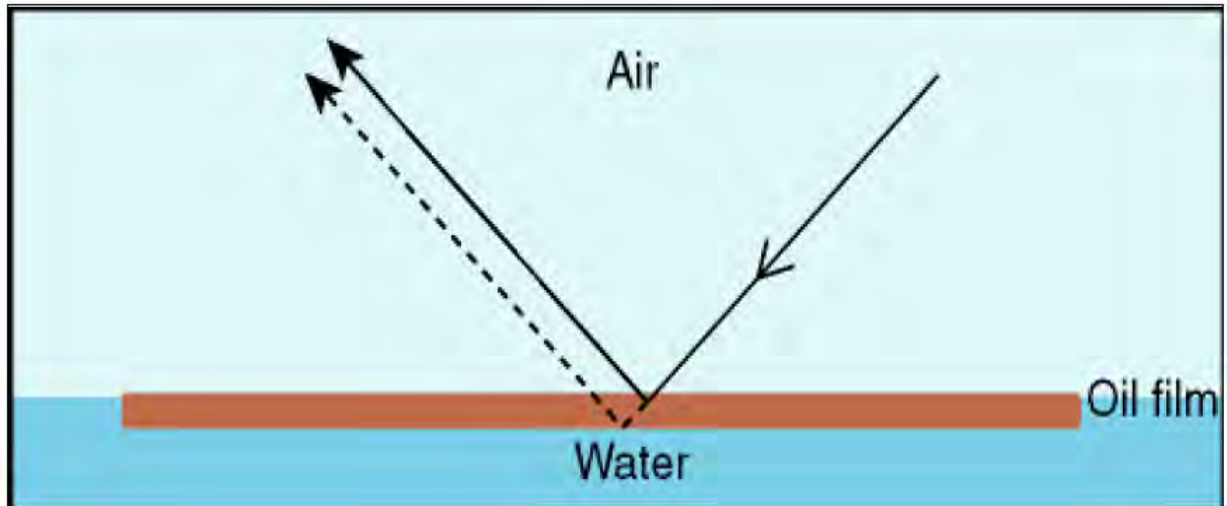
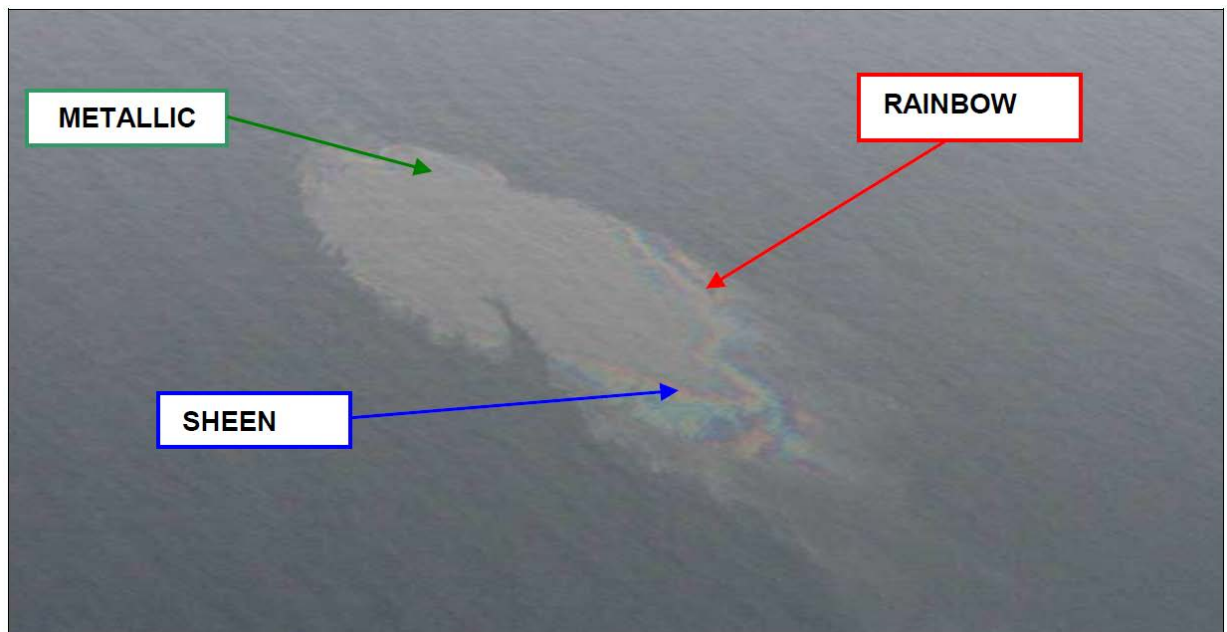


Figure A7.5 The Metallic Region

The extent of filtering will depend on the optical density of the oil and the thickness of the oil film.

The oil appearance in this region will depend on oil colour as well as optical density and oil film thickness. Where a range of colours can be observed within a rainbow area, metallic will appear as a quite homogeneous colour that can be blue, brown, purple or another colour. The „metallic“ appearance is the common factor and has been identified as a mirror effect, dependent on light and sky conditions. For example blue can be observed in blue-sky.



Code 4 – Discontinuous True Colours (50 µm – 200 µm)

For oil films thicker than 50 µm the light is being reflected from the oil surface rather than the sea surface (Figure A7.6).

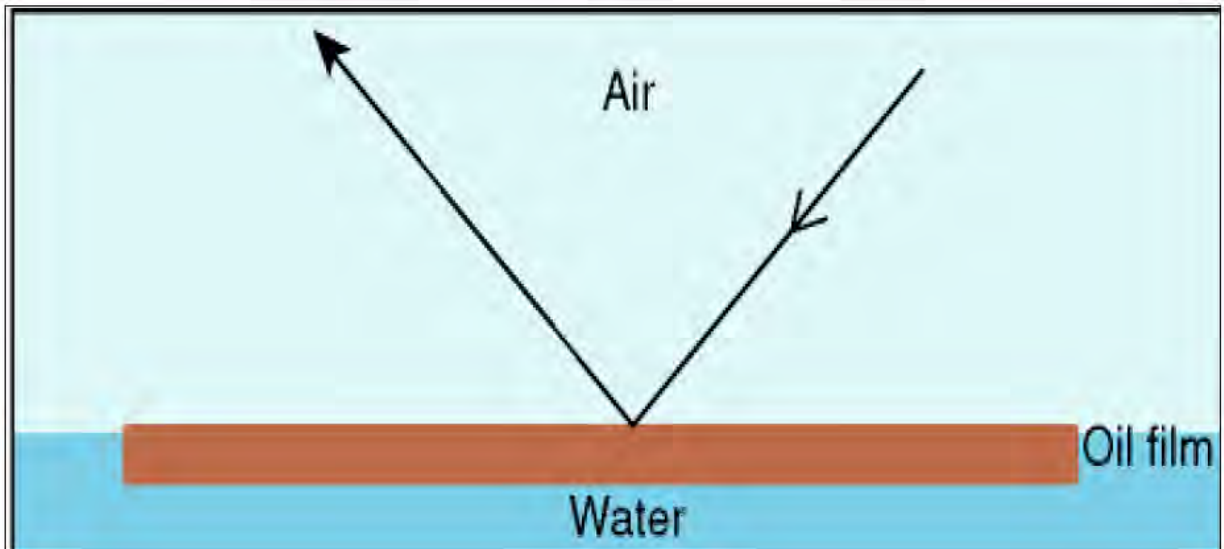


Figure A7.6 Thick Oil Films

The true colour of the oil will gradually dominate the colour that is observed. Brown oils will appear brown, black oils will appear black. In this appearance category the broken nature of the colour, due to thinner areas within the slick, is described as discontinuous. This is caused by the spreading behaviour under the effects of wind and current.

“Discontinuous” should not be mistaken for “coverage”. Discontinuous implies colour variations and not non-polluted areas.

“Discontinuous true colour” appeared to be a difficult appearance to describe and through imagery it may continue to get a clearer picture of what is meant. For now the best result of the elaborations is: **“true oil colour against a background of metallic”**.

When oil is moved by waves, the oil layer obviously is thicker in the wave-trough than on the wave-top. This variation of the “oil appearance” may be understood by indicating “discontinuous”.

Code 5 – True Colours (>200 µm)

The true colour of the specific oil is the dominant effect in this category. A more homogenous colour can be observed with no discontinuity as described in Code 4. This category is strongly oil type dependent and colours may be more diffuse in overcast conditions.



ANNEX 8. IMO RESOLUTION A.983(24)

Adopted on 1 December 2005

GUIDELINES FOR FACILITATION OF RESPONSE TO A POLLUTION INCIDENT¹

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to guidelines concerning the prevention and control of marine pollution from ships,

RECALLING ALSO resolution A.625(15) concerning the arrangements for the entry and clearance of marine pollution response resources during emergency situations,

RECALLING FURTHER resolution A.869(20) concerning the facilitation of response to an oil pollution incident,

BEING AWARE that:

- (a) the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC Convention), 1990, in particular Article 7; and
- (b) the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol), 2000, in particular Article 5,

stipulate, *inter alia*, that each Party to the OPRC Convention and each Party to the OPRC-HNS Protocol shall take the necessary legal or administrative measures to facilitate: the arrival and utilization in and departure from its territory of ships, aircraft and other modes of transport engaged in responding to a pollution incident or transporting personnel, cargoes, materials and equipment required to deal with such an incident; and the expeditious movement into, through, and out of its territory of such personnel, cargoes, materials and equipment,

BEING AWARE ALSO that the Annex to the OPRC Convention and the Annex to the OPRC-HNS Protocol make provision for the reimbursement of costs of assistance,

RECOGNIZING that experience in responding to a major pollution incident requiring resources outside a country has clearly demonstrated the critical importance of administrative procedures to facilitate rapid provision of assistance and deployment of human resources and equipment,

HAVING CONSIDERED the decisions and recommendations made by the Marine Environment Protection Committee at its fifty-second session:

1. ADOPTS the Guidelines for Facilitation of Response to a Pollution Incident set out in the annex to the present resolution;
2. URGES Parties to the OPRC Convention and Parties to the OPRC-HNS Protocol to implement the Guidelines;
3. URGES ALSO all Member Governments to implement the Guidelines;
4. REQUESTS the Marine Environment Protection Committee to keep the Guidelines under review taking into account experience gained in their use;
5. REVOKES resolution A.869(20).

¹ For the purposes of this resolution, “pollution incident” is an incident where the pollution is caused by either oil or hazardous and noxious substances.

GUIDELINES FOR FACILITATION OF RESPONSE TO A POLLUTION INCIDENT

1 If a State needs assistance in the event of either an oil pollution incident or a pollution incident by hazardous and noxious substances (“pollution incident”), it may ask for assistance from other States, indicating the scope and type of assistance required. A State to which a request for assistance is directed should promptly decide and inform the requesting State whether it is in a position to render the assistance required and indicate the scope and terms of the assistance that might be rendered.

2 The States concerned should co-operate to facilitate the prompt provision of assistance agreed to under paragraph 1 of these Guidelines, including, where appropriate, action to minimize the human health, safety and environmental consequences of a pollution incident, and to provide general assistance. Where States do not have bilateral or multilateral agreements which cover their arrangements for providing mutual assistance, the assistance should be rendered in accordance with the following provisions, unless the States agree otherwise.

3 The requesting State is responsible for overall supervision, control and co-ordination of the response to the pollution incident and of the assistance supplied. Personnel sent by the assisting State are normally in charge of the immediate operational supervision of its personnel and equipment. The personnel involved in the assisting operation should act in accordance with the relevant laws of the requesting State, which should endeavour to inform the assisting State of the relevant laws. The appropriate authorities of the requesting State shall co-operate with the authority designated by the assisting State.

4 The requesting State should, to the extent of its capabilities, provide local facilities and services for the proper and effective administration of the assistance, including decontamination activities, and should ensure the protection and return of personnel, equipment and materials brought into its territory by, or on behalf of, the assisting State for such a purpose.

5 The requesting State should use its best efforts to afford the assisting State and persons acting on its behalf the privileges, immunities or facilities necessary for the expeditious performance of their assistance function. The requesting State should not be required to apply this provision to its own nationals or permanent residents or to afford them the privileges and immunities referred to above.

6 A State should, at the request of the requesting or assisting State, endeavour to facilitate the transit through its territory of duly notified personnel, equipment and property involved in the assistance, to and from the requesting State.

7 The requesting State should facilitate the entry into, stay in and departure from its national territory of duly notified personnel and of equipment and property involved in the assistance.

8 With regard to actions resulting directly from the assistance provided, the requesting State should reimburse the assisting State for any loss of or damage to equipment or other property belonging to the assisting State. The requesting State should also reimburse the assisting State for expenses involved in such assistance, arising from the death of or injury to persons or the loss of or damage to property, incurred by personnel acting on behalf of the assisting State. This would not prevent the requesting State from seeking reimbursement as part of its claim under the appropriate compensation convention.

9 The States concerned should co-operate closely in order to facilitate the settlement of legal proceedings and claims which could result from assistance operations.

10 The affected or requesting State may at any time, after appropriate consultations and by notification, request the termination of assistance received or provided under the Guidelines. Once such a request has been made, the States concerned should consult one another with a view to making arrangements for the proper termination of the assistance.

11 As the assistance should not be delayed for administrative or other reasons, the necessary legislation should be adopted during the preparedness phase, i.e. before the incident which would require assistance. This is particularly relevant to paragraphs 4 to 8 above.

12 Similar facilitation should be implemented by States concerned when personnel or equipment are provided on behalf of a shipowner, a cargo owner or other relevant entities.

13 In some pollution incidents, a shipowner, cargo owner or other private entity may be best placed to call upon dedicated equipment, materials and trained operators to assist with the clean-up response. In order to benefit from the availability of such resources and to ensure their rapid deployment, the State requesting or being offered assistance should facilitate the entry, clearance and subsequent return of the persons, materials and equipment provided. Public authorities should, in so far as it is possible, waive customs and excise duties and other taxes on any equipment and materials provided on a temporary basis for the purpose of assisting in the response to a pollution incident.