

**INTERSPILL 2000**

**Brighton, 28 November 2000**

**Keynote Address**

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Admiral Stacey, Mr. Mayor, Ladies and Gentlemen,

Let me begin by thanking the British Oil Spill Control Association, the organizers of INTERSPILL 2000, for providing me with the opportunity to speak today at what is the first in a series of major international oil spill conferences and exhibitions to be held in Europe.

I am pleased to do so because safety of ships, pollution prevention and spill preparedness and response are topics of great importance which are always at the top of our agenda in IMO, and particularly so at the moment.

Holding an event such as this in Europe is perhaps overdue, as a look at the record over recent decades will testify. Names such as **Torrey Canyon**, **Amoco Cadiz**, **Haven**, **Braer**, **Aegean Sea**, **Sea Empress** and, most recently, **Erika** and **Ievoli Sun**, bear witness to the fact that Europe has suffered more than its fair share of pollution accidents. The **Torrey Canyon**, **Amoco Cadiz** and, again, **Erika**, have all been catalysts for action that has affected or will affect the whole international maritime community. Global conventions were adopted, regional agreements on co-operation in cases of emergency were concluded, which were later used as models for international co-operation, and a great deal of experience in oil spill combating techniques and equipment was gained.

Despite what we might read in the general media, the tanker industry is, by and large, a safe one. Year on year, there are more ship movements and fewer accidents. In its 1999 report on marine casualty statistics, The International Underwriting Union published a table showing total loss figures as a percentage of the total number of ships. I am pleased to note that the ten-year trend for all ship losses is clearly downwards and the figures for tankers are consistently better than those for other vessels. In 1988, 0.31 per cent of the ships in the tanker fleet were lost; in 1998, that figure was down to 0.13 per cent, which compares favourably with the numbers for dry bulk and other ship types. This does not mean that we are in any way satisfied that pressure to get rid of substandard tankers and substandard operators can be lessened, but I believe that it does show that the succession of measures introduced in IMO have had a positive impact.

Although the casualty statistics indicate a significant decrease in accidental oil spills despite the rising amount of oil transported by sea, nevertheless accidents and spills do continue to occur. As the **Erika** and the chemical tanker **Ievoli Sun** have recently

demonstrated, public opinion considers accidents of this nature to be totally unacceptable and demands prompt and decisive action from politicians, governments and the industry.

Therefore, this Conference is timely and is most appropriate. It will provide an opportunity for an exchange views on some of the emerging issues related to spill response and to share the experiences learned from recent incidents.

There is no escaping the fact that tanker accidents provoke strong criticism of the shipping industry and of the standards and regulations that govern it. Actions to prevent maritime accidents and to protect the marine environment are therefore constantly being sought. IMO has the central role to play in this because of its unique position as the United Nations specialized agency whose responsibilities and duties are the promotion of maritime safety and the protection of the marine environment.

Fortunately, the Organization has demonstrated through its past actions that, whether as preventative measures or in reaction to an accident, it is competent and is prepared to respond quickly to demands for regulatory action and that changes can be implemented in the shortest possible time. We are, of course, disturbed when we learn that in response to an accident, independent national or regional standards are being proposed. Our concern is that being a global activity, shipping must be governed by IMO's internationally developed and accepted rules which apply to all ships, for without this, chaos would ensue.

At the meeting of its Marine Environment Protection Committee last month, IMO successfully achieved the first formal step towards a global timetable for the accelerated phasing-out of single-hull oil tankers and, at the same time, put in place a timetable for examining additional measures aimed at eliminating substandard tankers and minimizing the risk of pollution from oil tankers. It is expected that the next MEPC, in April 2001, will adopt a revised regulation 13G of the MARPOL Convention which will see single-hull tankers removed from the world fleet in an orderly fashion.

With the adoption in 1990 of the OPRC Convention, pollution preparedness and response became a regular item on the agenda of Environment Committee. IMO provides the forum where matters pertaining to the implementation of the OPRC and responses to spills of oil and hazardous and noxious substances (HNS) are dealt with. Experience is shared among a network of partnerships - between Member States, between Regional Agreements, between Governments and industry. IMO also plays an important role in helping countries to understand and implement the OPRC Convention through its technical co-operation programme, which includes the provision of experts, the holding of seminars and the preparation of manuals, guidelines and model courses.

It is important to recall that, among the salient features of the OPRC Convention there is an explicit recognition of the importance of involving the oil and shipping industries in the preparedness and response process. And, although the Convention complements and encourages regional co-operation, there is also an acknowledgement of the value of international co-operation and mutual assistance at a global level, which must surely be the way forward.

The OPRC Convention encourages the holding of practical exercises as well as regular international symposia on technological advances in techniques and equipment for combating oil pollution and I am therefore particularly pleased that IMO is able to add its support to this INTERSPILL 2000 Conference.

Prevention, as we all know, is better than cure. And at IMO, therefore, we are concerned first with preventing accidents to ships, and then with preventing pollution, if and when, such accidents unfortunately do occur. Nevertheless, despite the best of intentions we have to acknowledge that the risk of pollution incidents is always with us and that is why the matter of ensuring that victims of marine pollution are promptly and properly compensated is also a major concern for IMO.

At its 82<sup>nd</sup> session in October this year IMO's Legal Committee adopted amendments to the limits of compensation established under the 1992 Civil Liability and Fund conventions. The amendments, which were adopted in accordance with the more rapid tacit acceptance procedure, as provided for in both treaties, raised the limits of compensation payable to victims of pollution by oil from oil tankers by approximately 50 per cent, to an aggregate value of approximately US\$ 260 million. The amendments are expected to enter into force on the 1st November 2003.

I note that one of the sessions at this Conference will be dedicated to salvage. As you know, the Salvage Convention, which was adopted in 1989 and entered into force in 1996, includes a special compensation system for salvors aimed at ensuring that all pollution threats receive their prompt attention. The Convention offers the prospect of a salvor receiving a financial payment in the event of success in preventing or reducing pollution even if he failed to save the ship. The introduction of the Special Compensation P&I Clause provides salvors and users with a system that should promote greater efficiency in response to all marine casualties threatening pollution.

There are other issues, too, that also occupy the minds of salvors, such as responder immunity. I note that Lord Donaldson, who will be chairing the session dedicated to salvage, has addressed those issues in a recent report. It takes into account the importance of salvage and contains recommendations, in particular, concerning prosecution policy which, it says, should not conflict with the public interest. Looking beyond responder immunity, the need for a clear understanding concerning the relationship in salvage operations between operational command, generally in the hands of the salvage master and operational control, usually the job of a government representative, are subjects you will no doubt discuss in session one.

How to deal with spills of high-density oil and bunker oil, an issue which the MEPC was already considering, became a matter of major concern in the wake of the **Erika** sinking. An OPRC working group has identified a number of issues related to spills of these oils which should be addressed. These include the development of practical, submerged oil detection and tracking methods; the behaviour and eventual fate of this kind of oil; the appropriate at-sea responses, including containment and recovery; and the storage, transport and final disposal of waste generated after clean-up. All of these are subjects of great importance which I am sure will be addressed during the course of this Conference.

There can be no doubt that the promotion of research and the development of technology should be encouraged in areas where gaps are identified. One of the main aims of this Conference - the exchange of information regarding new technology developments and experiences - is extremely important. MEPC recognised this and therefore has approved, in principle, the holding of the third R&D forum to address issues related to responses to spills of high-density oils. IMO accepted the proposal made by the Government of France to host this event in March 2002, and welcomed the technical

and financial support offered by the Government of Germany, the European Commission and ITOPF. I would like to take advantage of this opportunity to invite other Governments and organizations to add their support to the sponsoring or organization of this event.

We all know that the discharge of oil into the sea as a result of an accident always generates a great deal of publicity and public concern, partly because the consequences are so visible and distressing to those who are affected. But a spill of the hazardous and noxious substances that are carried by ships today could be even more damaging to the environment than oil.

Fortunately, due to the strong preventative measures in place, marine spills involving HNS do not occur frequently. However, the recent accident involving the chemical tanker **Ievoli Sun** has, quite rightly, attracted the attention of the media and the public. It is of course recognized that the nature of an appropriate response to pollution incidents involving hazardous and noxious substances is very different from that required to handle an oil spill situation. HNS pollution incidents may contain the potential to have a significant impact on human life and the environment, and also may present a high risk to responders. The response requirements to deal with a spill of HNS depends on the material involved and it is, therefore, crucial that experts on the substances spilled must understand their properties and what the response action should be.

In March of this year a Diplomatic Conference adopted a protocol to the OPRC-HNS Convention which closed the legislative gap dealing with preparedness and response requirements to handle HNS pollution. The OPRC-HNS Protocol established the mechanism that will provide the framework for international co-operation in such incidents. The development of a programme at the global level will require, among other things, a strong political commitment by Governments to allocate budgetary resources, as well as contributions and support from industry. I hope that discussion on this topic during the conference would lead to the identification of actions or initiatives which need to be taken at the national, regional and global level to improve the degree of preparedness for these matters.

In major pollution incidents where national resources might not be sufficient to handle the situation, international assistance and co-operation might be needed and requested. It is one objective of the OPRC Convention to include in regional agreements a plan for international co-operation when it may be required. For international co-operation to be effective, it is necessary that pre-planning must be organized and undertaken well beforehand defining various responsibilities and response mechanisms. The **Erika** and **Ievoli Sun** accidents are examples of international assistance being requested and joint operations executed successfully. In organizing assistance of this kind many details must be attended to and I trust that your Conference will enunciate these and will build on what has been learned from these recent experiences.

In conclusion I would like to re-state what many of you already know which is that the success of limiting the damage resulting from an oil or chemical spill depends in large measure on the pre-planning which has been done. This covers the people, equipment and includes all agencies involved. Not only must the plan be on paper but it must be actually exercised on a regular basis so that everyone involved will possess the necessary skills and will know their role.

This is one area where IMO's pro-active approach is most important and I would encourage you to create the proper framework to ensure that action is taken now on all fronts to minimize the risk of an environmental disaster.

Finally, it is most important that senior managers at the highest level in both government and industry should not relax their support for all preventative and response activities - it would be tragic if the successes in reducing pollution in the marine environment were to lead to complacency and a reduction in the provision of resources, which would in the end only increase the risks which are ever present.

I wish you every success in your deliberations at this Conference and look forward with keen interest to learning of the outcomes.

Ladies and Gentlemen, thank you.

27 November 2000  
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