



## ***Global Initiative for Southeast Asia: The Journey Towards Regional Cooperation in Oil Spill Preparedness and Response in ASEAN***

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### **Abstract**

The Global Initiative for Southeast Asia or GISEA is a partnership between the International Maritime Organization (IMO) and IPIECA, the global oil and gas industry association for environmental and social issues, which promotes government and industry cooperation in oil spill preparedness and response. It was launched in March 2013 with the aim of assisting in the development of the national, sub-regional and regional capabilities in oil spill preparedness and response in the ASEAN (Association of Southeast Asian Nations) region.

In line with its objectives, the GISEA coordinates and implements capacity-building activities that target the six key elements of preparedness, namely: legislation, contingency planning, equipment, training, exercises, and forces for implementation. This is especially challenging in a region where the ten member countries of ASEAN are geographically, culturally and economically fragmented.

The six original members of ASEAN identified the need for a regional framework as identified as far back as the early 1990s. Thus, the ASEAN OSRAP (Oil Spill Response Action Plan) was born with assistance from the Japanese. The original MOU (Memorandum of Understanding) never quite fulfilled its intended objectives. It remained static in the years that followed and the equipment in various states of disrepair. The MOU was revived and revitalized by the IMO in 2009 and was signed by the ten ASEAN Ministers on the 28<sup>th</sup> of November 2014 in Mandalay Myanmar.

This paper discusses the development of the ASEAN OSRAP, the current state of preparedness in the Southeast Asian region and details the activities of the GISEA and other organizations to bring about a renewed, sustainable and effective national, sub-regional and regional framework.

## **A Brief History of GI And GISEA**

The oil industry launched the Global Initiative (GI) Programme in 1996. Its members work together to enhance global preparedness and capacity to respond to oil spills. It is jointly led by the IMO and IPIECA, with strong participation from its partners as well as the leveraged contributions of the industry members themselves. The broad stakeholder base enables the promotion of good practice and a collaborative approach to oil spill preparedness and response to a wide audience.

In March 2007, the IPIECA OSWG (Oil Spill Working Group) commissioned a study to identify preparedness gaps in the region. This study led to the development of an action plan for the implementation of a GI-type programme in Southeast Asia. The implementation was stalled due to a number of issues and was only revived in April 2010 when the OSWG agreed to establish a Level 1 programme in the region. Then on February 2011, at the OSWG meeting in Bangkok, the members agreed to take a more proactive approach to the Southeast Asian region and establish a Level 2 Programme. A GI Level 2 programme is the implementation of GI activities in conjunction with the IMO and other partners using a planned, budgeted process with focus on regional and national activities.

At a meeting of the OSWG in January 2012, it was agreed that there should be a two-phased process for implementing a GI Level 2 programme in Southeast Asia. In the first phase, focus will be upon those areas that have high levels of oil and gas activities. It is intended that a GI Programme specific to the needs of each of these 'Phase 1' countries will be established with support from the wider IPIECA membership.

GISEA (Global Initiative for Southeast Asia) was launched on March 2013 in Jakarta. GISEA covers the ten (10) member countries of ASEAN (Association of South East Asian Nations), namely: Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. The region defined corresponds to the East Asian Seas based on the UNEP (United Nations Environment Programme) Regional Seas Programme.

At the ASEAN Regional Meeting hosted by Malaysia's Marine Department in Kuala Lumpur last December 2014, GISEA was formally presented by the IMO as the vehicle to assist in the implementation of the OSRAP MOU.

### **Development of the ASEAN OSRAP MOU**

The establishment of a Regional Cooperative Mechanism for Oil Spill Preparedness and Response in the Southeast Asian region is close to realization. In the 28<sup>th</sup> Association of Southeast Asian Nations Maritime Transport Working Group (ASEAN MTWG) meeting in Siem Reap, Cambodia, the final text of the MOU was finally agreed. It was signed during the 20<sup>th</sup> ASEAN Transport Ministers (ATM) Meeting on the 28<sup>th</sup> of November 2014 in Mandalay, Myanmar.

The MOU is based on the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC 1990), particularly articles 5, 6, 7, and 10. Table 1 below presents a timeline of the key events in the development of the OSRAP MOU.

**Table 1. Development of the ASEAN OSRAP MOU**

REF	DATE/LOCATON	MILESTONE
1	1991	<ul style="list-style-type: none"> <li>Japan Association of Maritime Safety (JAMS) and the Nippon Foundation initiated the ASEAN OSRAP</li> </ul>
2	1994	<ul style="list-style-type: none"> <li>The six ASEAN member countries, namely Brunei Darussalam, Indonesia, Malaysia, Philippines, Thailand and Singapore signed an MOU establishing the ASEAN OSRAP.</li> <li>1 billion yen was donated to the ASEAN countries for the purchase of oil spill equipment to reinforce national stockpiles in 11 key locations.</li> </ul>
3	1-3 March 2011 Kota Kinabalu, Sabah, Malaysia	<ul style="list-style-type: none"> <li>21<sup>st</sup> ASEAN MTWG</li> <li>Inclusion of OSRAP &amp; HNS Response in the 2010-2011 IMO ITCP Programme</li> </ul>
4	3-4 October 2011 Penang, Malaysia	<ul style="list-style-type: none"> <li>Regional workshop on the ASEAN OSRAP in Penang, Malaysia</li> </ul>
5	5-7 October 2011 Penang, Malaysia	<ul style="list-style-type: none"> <li>22<sup>nd</sup> ASEAN MTWG</li> <li>Change in internal procedures of ASEAN Secretariat</li> <li>IMO-ASEAN MOU not executed because approval of each ASEAN member is required</li> <li>Bilateral arrangements with ASEAN members for delivery of ITCP activities suggested</li> </ul>
6	19-21 March 2012 Yangon, Myanmar	<ul style="list-style-type: none"> <li>23<sup>rd</sup> ASEAN MTWG</li> <li>Guidance from Senior Transport Officials Meeting on who should implement ASEAN OSRAP</li> <li>Technical and operational aspect of ASEAN OSRAP must be implemented by ASEAN MTWG</li> <li>ASEAN OSRAP follow through activities will be coordinated with the host of the ASEAN MTWG meeting</li> <li></li> </ul>
7	26-28 March 2012 Bangkok, Thailand	<ul style="list-style-type: none"> <li>Regional workshop on the Preparedness and Response to incidents involving HNS</li> </ul>
8	15-16 October 2012 Yangon, Myanmar	<ul style="list-style-type: none"> <li>Regional workshop on the ASEAN Oil Spill Response Action Plan</li> <li>MOU on the ASEAN Cooperation Mechanism for Joint Oil Spill Preparedness &amp; Response</li> </ul>
9	17-19 October 2012, Yangon, Myanmar	<ul style="list-style-type: none"> <li>24<sup>th</sup> ASEAN MTWG</li> <li>The MOU once adopted will serve as the platform for cooperation in oil spill preparedness and response for the region</li> <li>Information on the IMO IPIECA GISEA was introduced to the ASEAN MTWG</li> <li>IMO and IPIECA may take on recommendations from the workshop, identify areas of convergence &amp; conduct awareness seminars</li> </ul>
10	12-14 March 2013 Mandalay, Myanmar	<ul style="list-style-type: none"> <li>25<sup>th</sup> ASEAN MTWG</li> <li>Revisions to the MOU were discussed</li> <li>Deadline for revisions and comments was set for 15 May 2013</li> </ul>
11	20-21 March 2013 Jakarta, Indonesia	<ul style="list-style-type: none"> <li>Launch of GISEA</li> <li>GISEA Workshop and Launch Event</li> </ul>
12	20-22 August 2013 Yangon, Myanmar	<ul style="list-style-type: none"> <li>26<sup>th</sup> ASEAN MTWG</li> <li>Final text of MOU was adopted</li> <li>ASEAN MTWG members requested to obtain domestic clearance to sign the MOU during the Transport Ministers' meeting in December 2013</li> </ul>
13	19 December 2013 Champasak Province, Lao PDR	<ul style="list-style-type: none"> <li>19<sup>th</sup> ASEAN Transport Ministers (ATM) Meeting</li> <li>Transport Ministers did not sign the MOU in December 2013 because ASEAN MTWG was directed to discuss additional corrections submitted during the 26<sup>th</sup> ASEAN MTWG meeting which were not</li> </ul>

		considered.
14	19-21 March 2014 Phnom Penh, Cambodia	<ul style="list-style-type: none"> <li>• 27<sup>th</sup> ASEAN MTWG</li> <li>• Further comments to MOU were considered</li> <li>• ASEAN MTWG advised that implementation of MOU will be done by GISEA</li> <li>• No further activities on the ASEAN OSRAP will be conducted by IMO until MOU is signed</li> </ul>
15	20-22 August 2014 Siem Reap, Cambodia	<ul style="list-style-type: none"> <li>• 28<sup>th</sup> ASEAN MTWG</li> <li>• Final text of MOU agreed through online consultations</li> <li>• Further revisions from Indonesia were submitted during the meeting</li> <li>• ASEAN MTWG requested to submit comments to the revisions from Indonesia by mid-September</li> </ul>
16	28 November 2014 Mandalay, Myanmar	<ul style="list-style-type: none"> <li>• 20<sup>th</sup> ATM</li> <li>• Final text submitted to Transport Ministers signed on</li> </ul>
17	11-13 February 2015 Sihanoukville, Cambodia	<ul style="list-style-type: none"> <li>• 29<sup>th</sup> ASEAN MTWG</li> <li>• GISEA attends the MTWG meeting for the first time and presented on the Strategic Framework for 2015-2017</li> <li>• GISEA is recognized by the ASEAN MWTG as the vehicle to assist in the implementation of the OSRAP MOU</li> </ul>

The MOU includes details on the areas of cooperation:

- Implement IMO conventions to prepare for, reduce and control oil spills
- Undertake measures to prepare for and respond to oil spills incidents in the ASEAN region
- Develop a Regional Oil Spill Contingency Plan to coordinate and integrate response to oil spill incidents that may affect one or more ASEAN member or exceeds the capacity of an ASEAN member
- Develop strategies and programs to strengthen capacity and capability of ASEAN members including regular joint training courses or joint exercises to improve the level of preparedness, cooperation and coordination among operational personnel and response teams
- Share information to enhance level of research and studies on the scientific and technical aspects of oil spill preparedness and response
- Jointly conduct and/or share the results of research and studies on the scientific and technical aspect of oil spill preparedness and response
- Promote partnerships with relevant stakeholders, including ASEAN dialogue partners, governmental and non-governmental organizations and shipping and petroleum industries

An integral commitment of the ASEAN member countries in the MOU is the development of a Regional Oil Spill Contingency Plan (ROSCP). There are also a number of sub-regional and bilateral agreements in place between the ASEAN member countries. Some of these have been in place for a number of years but rarely updated and their status remain unclear. Now that the ASEAN OSRAP MOU is in force, these agreements need to be revisited so it integrates with the ROSCP.

### **Capacity Building Through GISEA**

The preparedness levels within ASEAN vary from country to country and the implementation of the ASEAN OSRAP MOU will need to take this into consideration. The

GISEA activities mainly focus on the six elements of preparedness: legislation, contingency planning, equipment, training, exercises, and forces for implementation.

Table 2. Status of IMO Conventions in ASEAN Member Countries

ASEAN COUNTRIES	OPRC 90	CLC 92	FUND 92	MARPOL 73/78
Brunei	✗	✓	✓	Annex I/II
Cambodia	✗	✓	✓	Annex I/II, III, IV, V
Indonesia	✗	✓	✗	Annex I/II, III, IV, V, VI
Laos	✗	✗	✗	✗
Malaysia	✓	✓	✓	Annex I/II, III, IV, V, VI
Myanmar	✗	✗	✗	Annex I/II
Philippines	✓	✓	✓	Annex I/II, III, IV, V
Singapore	✓	✓	✓	Annex I/II, III, IV, V, VI
Thailand	✓	✗	✗	Annex I/II
Vietnam	✗	✓	✗	Annex I/II

In 2014, GISEA implemented four activities that were tied to the long-term strategy of the Programme. Table 3 shows the details of these events.

ACTIVITY	OBJECTIVE/S	DETAILS
Indonesia National Workshop on the National Preparedness and Response System	<ul style="list-style-type: none"> <li>Provide information to the National Team Members and the local oil and gas industry on the National Oil Spill Preparedness and Response System in order to meet major oil spill challenges.</li> <li>Assist the DGST in the revision and update of the National Oil Spill Contingency Plan.</li> </ul>	<ul style="list-style-type: none"> <li>September 16-18</li> <li>Grand Mercure, Jakarta</li> <li>More than 50 participants from government and industry</li> <li>Hosted by the DGST (Directorate General of Sea Transportation)</li> <li>Focus on national preparedness (National Plan)</li> </ul>
Philippines National Workshop on the National Oil Spill Contingency Plan	<ul style="list-style-type: none"> <li>Assist the PCG in the revision and update of the National Oil Spill Contingency Plan (NOSCP)</li> <li>Increase the participants' understanding of the elements of an effective and sustainable national oil spill preparedness and response system</li> </ul>	<ul style="list-style-type: none"> <li>September 30 – October 01</li> <li>Hyatt Regency, Manila</li> <li>64 participants from the PCG (Philippine Coast Guard) and the local oil and gas industry</li> <li>Hosted by the PCG</li> <li>Focus on national preparedness (National Plan)</li> </ul>
Gulf of Thailand Subregional Workshop on Incident Management Systems and Managing Major Transboundary Incidents	<ul style="list-style-type: none"> <li>Enhance understanding of relevant personnel of the national contact points of Cambodia, Thailand and Vietnam on the basics of incident management systems and of managing transboundary oil spill incidents in the Gulf of Thailand.</li> <li>Strengthening oil spill preparedness and response in the Gulf of Thailand and to ensure a harmonized response management system between national governments and industry</li> </ul>	<ul style="list-style-type: none"> <li>December 3-4</li> <li>Dic Star Hotel, Vung Tau</li> <li>56 participants attended the workshop, the National Delegations included 4 from Cambodia, 6 from Thailand and 24 from Vietnam; 11 from partner organisations, oil companies and lecturers; and supported by 11 from the organizing committee of NASOS (National Southern Oil Spill Response Center)</li> <li>Hosted by NASOS</li> <li>Focus on IMS (Incident</li> </ul>

		Management Systems) and Subregional Cooperation
GISEA Regional Meeting on the ASEAN Oil Spill Response Action Plan (OSRAP)	<ul style="list-style-type: none"> <li>Review and determine the key areas for development in oil spill preparedness and response in the ASEAN (Association of Southeast Asian Nations) region and among the ASEAN Member Countries;</li> <li>Support the objectives of the ASEAN OSRAP</li> </ul>	<ul style="list-style-type: none"> <li>December 17-19</li> <li>Grand Millennium Hotel, Kuala Lumpur</li> <li>A total of 58 participants attended the workshop, the National Delegations included 2 from each ASEAN member country (except Singapore); 12 from partner organisations, oil companies and lecturers; and 28 from the organizers and their agencies</li> <li>Focus on gaps and needs assessment of ASEAN member countries and the region to feed into the GISEA work programme for 2015-2017</li> </ul>

These activities are crucial to the goals and objectives of the GISEA Programme. They aim to build the national, sub-regional and regional capacities targeting specific needs such as national contingency planning, sub-regional cooperation and incident management systems (IMS).

### **GISEA Strategic Framework for 2015-2017**

In the ASEAN Regional Meeting, the representatives from the member countries identified the gaps and needs for their particular countries and also for the region in terms of oil spill preparedness and response. These were distilled and translated into a broad three-year Strategic Framework for the implementation of the ASEAN OSRAP MOU.

The Strategic Framework will be the basis for the type of activities that GISEA will engage in. These activities may be in the form of:

- Workshops
- Seminars
- Training and Exercises
- Technical Forums
- Technical Assistance

The Framework covers the regional, sub-regional and national areas. The graphic in the next page lays out the Strategic Framework's objective in each of these areas.



Figure 1. GISEA Strategic Framework for 2015-2017

GISEA was also requested to initiate activities based on the following special topics identified by the countries during the ASEAN Regional Meeting:

- OPRC Model Courses (Level 1, 2 and 3)
- Effective Exercising
- Practical Application of Claims and Compensation Conventions
- Dispersants Policy & Approval
- Sensitivity Mapping

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