

First Executive Board Meeting

Apia, Samoa
10-11 September 2018

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Information Paper 1: PACPLAN Workshop Report

Purpose:

1. To inform SPREP Members of the outcomes of Australia's workshop on the implementation of the Pacific Islands Regional Marine Spill Contingency Plan (PACPLAN), held in June 2018.

Background:

2. Under PACPLAN, each SPREP island Member State is allocated a SPREP Metropolitan Member State as a primary source of assistance in the event of a maritime pollution incident. Australia, as the primary source of assistance for Nauru; Papua New Guinea; Solomon Islands; Tuvalu; Vanuatu and Kiribati, hosted a workshop on PACPLAN on 6 and 7 June 2018 and invited attendees from these primary assistance countries, with the objectives of:
 - preparing Australia, Nauru, Papua New Guinea, Solomon Islands, Tuvalu, Vanuatu and Kiribati for the upcoming formal review of PACPLAN
 - providing all involved States with the opportunity to discuss any gaps in the current PACPLAN, or identify more work that is required to shape the review to ensure that PACPLAN can be effectively implemented in the future.
3. Following on from a similar workshop held in 2016, the two-day workshop was held at the University of Queensland, Brisbane, Australia. It was attended by representatives from the above seven countries, as well as a speaker from Fiji to advise on a maritime incident in 2017 (*MV Southern Phoenix*), and Mr Anthony Talouli, Pollution Adviser, SPREP. Australia is grateful for the assistance of Mr Talouli in helping organise the workshop as well as presenting and contributing to it running successfully.
4. The workshop engaged the attendees in a discussion of PACPLAN, with the intention that the outcomes of these discussions would inform the upcoming PACPLAN review. Attendees discussed a number of priority issues related to PACPLAN and its operation in their respective countries.

5. It became evident during the discussions that a number of states had made legislative and regulatory developments since the 2016 PACPLAN workshop, and that the State reports produced after that workshop had assisted these countries in focusing on priority issues.
6. It was noted that many of the States identified common issues, such as: the high cost of responding to pollution incidents that may occur over many days or weeks, including both financial and personnel (i.e. hour) costs; the time lag for delivery of required pollution response equipment; and the complexities of ratifying conventions and developing and implementing domestic legislation. It was noted that SPREP has developed model legislation for implementing the international compensation and liability regimes, which was shared with attendees.
7. Australia's representatives noted Australia's proximity to many Pacific islands and, therefore, the increased likelihood that secondary and even tertiary assistance countries will seek assistance from Australia, or possibly New Zealand, in the event of a Tier 3 spill. One potential solution raised was to explore a metropolitan-to-metropolitan agreement in the event that Australia assists a country for which another metropolitan SPREP member is the primary source of assistance under PACPLAN. This would allow for a speedy and efficient response without placing an inequitable burden upon Australia as a source of assistance.
8. A variety of perspectives and ideas on potential changes to PACPLAN were discussed at the workshop. While noting that consensus on these ideas from workshop attendees was neither sought nor obtained, Australia considers these to be important ideas for SPREP and member states to consider in the revision of PACPLAN. Specifically:
 - Making PACPLAN a dynamic and continually improving document.
This could be achieved by incorporating a framework that would guide States in implementing PACPLAN and improving their response arrangements over time, particularly in relation to ratifying the relevant international conventions and developing supporting domestic legislation. This would help resolve the issue of financial assurances and ensure access to vessel insurance for response costs through the maritime liability conventions.
 - Including a step-by-step approach for incident response.
Including these steps in PACPLAN would provide additional clarity and guidance as to how to formally request assistance, and allow for a more immediate, structured and coordinated request for assistance.
 - Bolstering training efforts.
This could include running training exercises with multiple members, including representatives from primary assistance countries in island states' national exercises, and running oil pollution specific training for emergency response representatives.
 - Improving the clarity and certainty of logistical arrangements.
Improving logistical arrangements and ensuring workplace health and safety during a response should also be considered. For example, it may be beneficial to provide greater clarity on the need to work with Customs agencies and transport providers to get people and equipment into countries and to spill sites to assist with a response.

9. The workshop achieved its objective in preparing the attending countries for the upcoming PACPLAN review and providing an opportunity for discussion on the future of PACPLAN. Additionally, the workshop provided an important platform for personal interaction between attendees who may be working together, should PACPLAN be invoked, and generated ideas that are worth further consideration by SPREP and SPREP members in the upcoming review of PACPLAN.

Recommendations:

10. The Executive Board is invited to:

- **note** the paper and the recommended considerations for strengthening PACPLAN at paragraph 8.

15 August, 2018