

## **B-5:PROTOCOL ON PREPAREDNESS, RESPONSE AND CO-OPERATION TO POLLUTION INCIDENTS BY HAZARDOUS AND NOXIOUS SUBSTANCES, 2000**

**Name of the Convention:** Protocol on Preparedness, Response and co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000

**Acronym or short name:** OPRC-HNS Protocol

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

**Summary description (in plain language):** The Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol), follows the principles of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC). The Protocol was formally adopted by States already Party to the OPRC Convention in March 2000. Like OPRC, the HNS Protocol aims to provide a global framework for international co-operation in combating major incidents or threats of marine pollution ([art.1](#)). Parties to the HNS Protocol will be required to establish measures for dealing with pollution incidents, either nationally or in co-operation with other countries. ([art.4](#)) Ships will be required to carry a shipboard pollution emergency plan to deal specifically with incidents involving HNS ([art.3](#)). According to the Protocol, HNS are defined by reference to lists of substances included in various IMO Conventions and Codes. HNS are defined as any substances other than oil which, if introduced into the marine environment is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

The HNS Protocol ensures that ships carrying hazardous and noxious liquid substances are covered by preparedness and response regime similar to those already in existence for oil incidents. In 1996, IMO adopted the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances (HNS) by sea, which will provide for a compensation and liability regime for incidents involving these substances when it enters into force.

Note: The Definition of HNS materials as defined by the OPRC-HNS Protocol 2000 differs widely from the definition of HNS materials under the HNS Convention.

**Date of first approval:** 15 March 2000

**Date of entry into force:** 14 June, 2007

**Dates of revision:** no

**Reasons of revisions:** no

**Applicability (situation of ratification):** This protocol shall enter into force 12 months after the date on which not less than 15 states have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession (art.14).

**Ratification Situation:** (as at 30 September 2008) 23 States, 30.88% of world tonnage

**Stakes for ports:** Port Authorities constitute a competent authority for the emergency plans and reporting (art.3), Ports “authorities or operators in charge of sea ports and hazardous and noxious handling facilities” (this means those ports or facilities where such substances are loaded into or unloaded from ships: art.2) are deemed appropriate to have pollution incident emergency plans or similar arrangements for HNS.(art.3)

Port authorities in co-operation with contracting party shall establish: a) a minimum level of pre-positioned equipment for responding to pollution incidents; b) a programme of exercises for pollution incident response organizations and training of relevant personnel; c) detailed plans and communication capabilities for responding to a pollution incident; d) a mechanism or arrangement to co-ordinate the response to a pollution incident with the capabilities to mobilize necessary resources (art.4). Ports constitute the main authority able to respond to a pollution incident.

**Links with other conventions:** [ORPC](#), [HNS Convention,CLC](#), [FUND 71](#), [FUND 92](#)

**Key-words:** Hazardous and Noxious Substances, Pollution incident, preparedness, response, co-operation, sea ports and hazardous and noxious handling facilities, emergency plans, technical co-operation

**Internet hyperlink with other website:**

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

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

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

(full text) <http://www.fog.it/legislaz/londra-2000.htm>