



## COMPENDIUM OF CANADA'S ENGAGEMENT IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS AND INSTRUMENTS

### *International Convention on Oil Pollution Preparedness, Response, and Cooperation (OPRC)*

**SUBJECT CATEGORY:**

Environmental Cooperation

**TYPE OF AGREEMENT / INSTRUMENT:**

Multilateral

**FORM:**

Cooperative Arrangement

**STATUS:**

- Signed by Canada: November 30th, 1990
- Ratified by Canada: March 7th, 1994
- In force in Canada: May 13th, 1995
- In force internationally: May 13th, 1995

**LEAD & PARTNER DEPARTMENTS:**

**Lead:** Transport Canada

**Partners:** Department of Fisheries and Oceans, Canadian Coast Guard, Environment and Climate Change Canada

**FOR FURTHER INFORMATION:****Web Links:**

- [http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Oil-Pollution-Preparedness-Response-and-Co-operation-\(OPRC\).aspx](http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Oil-Pollution-Preparedness-Response-and-Co-operation-(OPRC).aspx)
- <http://www.admiraltylawguide.com/convention/ilpolresponse1990.html>
- <https://www.tc.gc.ca/eng/marinesafety/oep-ers-regime-legislation-2052.htm>
- [http://www.ccg-gcc.gc.ca/eng/CCG/ER\\_International\\_Coop](http://www.ccg-gcc.gc.ca/eng/CCG/ER_International_Coop)

**Contacts:**

[ECCC Inquiry Centre](#)

**COMPENDIUM EDITION:**

October 2018

**PLAIN LANGUAGE SUMMARY**

The International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) (1990), is designed to facilitate international cooperation and mutual assistance in preparing for and responding to a major oil pollution incident and to encourage States to develop and maintain an adequate capability to deal with oil pollution emergencies

In the event of an oil pollution incident, prompt and effective action is essential in order to minimize environmental damage. Effective preparation for combating oil pollution incidents is a priority for Canada, which recognizes the important role which the oil and shipping industries have in this regard.

Mutual assistance and international cooperation are essential for effective oil pollution preparedness. Areas for international cooperation include: the exchange of information between States about different response capabilities; the preparation of oil pollution contingency plans; the exchange of national reports of incidents of significance; and collaborative research and development on different ways of combating oil pollution in the marine environment.

**OBJECTIVE**

The main objectives of the OPRC Convention are to facilitate international co-operation and mutual assistance in preparing for and responding to a marine pollution incident and to encourage states to develop and maintain adequate capability to deal credibly with oil pollution emergencies.

**KEY ELEMENTS**

It requires Governments to establish a national system for responding promptly and effectively to oil pollution incidents. This includes, as a basic minimum, the creation of a national contingency plan. In addition, seaports and oil handling facilities have to maintain Oil Pollution Emergency Plans (OPEPs) if there exists risks of oil pollution. Masters of ships have to report any observed event involving a discharge of oil at sea or the presence of oil in the sea.

**EXPECTED RESULTS**

This Agreement is expected to increase mutual assistance and international co-operation relating to matters including the exchange of information respecting the capabilities of

States to respond to oil pollution incidents. It promotes regional and bilateral agreements to enhance the level of preparedness and response. This Agreement offers a better coverage and protection of our Canadian environment.

## **CANADA'S INVOLVEMENT**

By ratifying the OPRC Convention, Canada has reaffirmed its position of responsibility in ensuring that it has the capability and the resources to respond promptly and effectively to oil pollution incidents in order to minimize damage that may result from such incidents. Ratification also demonstrates Canada's commitment to cooperate with and to render assistance to other parties to the Convention that request for help to deal with pollution incidents and vice versa.

As a party to the OPRC Convention, Canada has an obligation to give effect to the provisions of the Convention in its laws. The Canada Shipping Act 2001, gives effect to the OPRC Convention and gives the legislative framework in order to meet all requirements under the OPRC Convention.

Canada and all Parties are required to co-operate and provide advisory services, technical support and equipment for the purpose of responding to an oil pollution incident upon the request of any Party affected or likely to be affected by such incident. Canada, via its Canadian Coast Guard, has various national and international joint contingency plans in place to fulfill these obligations.

## **RESULTS / PROGRESS**

### **Activities**

Canada continuously performs, among others, the following functions and activities related to this Convention when needed:

- **Information services:** manage, collect and provide information on marine oil spill incidents that might impact Canada or any other international partners.
- **Technical services:** analyse the information provided by the Parties and relevant information provided by other sources and provide advice or information to States;
- **Technical assistance:** facilitate the provision of technical assistance and advice, upon request of States faced with major pollution incidents.

All those activities are tested and procedures are updated on a regular basis through exercising national and joint international contingency plans.

Canada is an active member of the Pollution Prevention and Response (PPR) Sub-Committee reporting to the

Marine Environment Protection Committee (MEPC) at the International Maritime Organization (IMO). This Working Group meets annually and promote the sharing of information and enable countries to develop technical and guidance materials and training instruments to enhance technical expertise.

Canada is working on the development of a HNS Regime, similar to the Canadian Oil Regime, in order to ratify the OPRC-HNS Protocol (Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substance, 2000) which is an extension of the OPRC Convention.

### **Reports**

Canada and other Parties meet annually during PPR working group to discuss activities related to the OPRC Convention and the OPRC-HNS Protocol. Reports are made available by Transport Canada upon request.

The ratification of the OPRC-HNS Protocol is also a goal of Transport Canada in the Departmental Sustainable Development Strategy (DSDS). The DSDS highlighted the OPP initiatives, including the development of a Hazardous and Noxious Substance Regime with the view to accede to the OPRC-HNS Protocol. <https://www.tc.gc.ca/eng/2017-2020-departmental-sustainable-development-strategy.html>

For more information on the Canadian activities related to the OPRC Convention and more specifically activities on Joint Contingency plans with CCG, the operational lead: [http://www.ccg-gcc.gc.ca/eng/CCG/ER\\_International\\_Coop](http://www.ccg-gcc.gc.ca/eng/CCG/ER_International_Coop).

According to the CSA, 2001, every five years, the Minister must review the operation related to the national preparedness and response oil spill regime and have laid before each House of Parliament a report setting out the results of the review. The 2006-2011 latest report can be found at the following link:

<https://www.tc.gc.ca/eng/marinesafety/tp-tp14539-menu-149.htm#Toc384112372>.

### **Results**

Canada and other Parties meet annually during PPR working group to discuss activities related to the OPRC Convention and the OPRC-HNS Protocol. Those meetings are held in London during the months of January of February of each year. Canada is an active member who contribute to the exchange and sharing of information as well as lead or participate to the development of material on preparedness and response to oil and HNS spills.