

**ASEAN REGIONAL FORUM
STATEMENT BY THE MINISTERS OF FOREIGN AFFAIRS
ON COOPERATION IN PREVENTION, PREPAREDNESS, RESPONSE AND
RESTORATION FROM OFFSHORE OIL SPILL INCIDENTS**

We acknowledge that the demands of modern commerce require marine exploration, production and transport of large amounts of oil at sea, and

Conscious that oil pollution can arise from ships, off-shore units, sea ports and oil handling facilities;

Recognize the reality that when oil escapes due to an accidental or operational incident, the impact can be devastating to people, marine ecosystems and marine environment;

Recognize further that large incidents can also negatively impact the local and regional socio-economy and culture, including by causing marine pollution, habitat loss and degradation, loss of tourism, trade, and investment.

With this in mind, prompt and effective action is essential in order to minimize the damage resulting from an offshore oil spill incident, and should be taken initially at the national level;

Reaffirm that national authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment;

We stress that regional-level response is often necessary.

As such, ARF participants underscore the following for incident management:

- *Recognizing* the importance of:
 - Trained personnel
 - Availability of relevant technology, equipment and facilities
 - Measures and arrangements to prepare for and respond to oil pollution incidents
 - Joint research and development programs
 - Bilateral and multilateral cooperation, agreements, and arrangements in preparedness and response
 - Coordinated responses
 - Joint exercise programs as resources permit
 - Exchange of information on oil spill incidents
- *Promoting* and endeavor to exchange preparedness and response capabilities
- *Promoting*, as appropriate, the holding of international symposia on relevant subjects, including technological advances in oil-pollution combating techniques and equipment

- *Acknowledging* that some countries and regions may choose to establish bilateral and regional arrangements on liability and compensation in connection with transboundary pollution from offshore oil exploration and exploitation activities
- *Preparing* legal or administrative measures to facilitate:
 - arrival and utilization in and departure from an affected country's territory of ships, aircraft and other modes of transport engaged in responding to an offshore oil pollution incident or transporting personnel, cargo, material and equipment required to deal with such an incident; and
 - expeditious movement into, through, and out of an affected country's territory of personnel, cargo, material and equipment
- *Encouraging* operators to provide written oil spill response plans
- *Protecting* human life, restoring the health, productivity of oceans and marine ecosystems, maintaining biodiversity, and enhancing conservation as well as sustainable use for present and future generations
- *Responding* effectively in a coordinated manner, in the shortest possible time
- *Drawing* on response resources from the local, national, and regional level on a tiered basis
- *Minimizing* immediate and long-term damage, and striving to restore the environment at a reasonable cost
- *Working closely* under joint operational procedures with affected countries
- Subject to capabilities and the availability of relevant financial and other resources, *cooperating* and provide advisory services, technical support and equipment for the purpose of responding to a pollution incident, when the severity of such incident so justifies, upon the request of any participating State affected or likely to be affected

*Consistent with the **Hanoi Plan of Action to Implement the ARF Vision Statement** and the **ARF Work Plan on Maritime Security**, ARF participants reiterate the need to further intensify regional cooperation on the following on a voluntary basis:*

- Identification of implementation gaps in existing plans and protocols – such as the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), ASEAN Oil Spill Response Action Plan (OSRAP), Global Initiative for Southeast Asia (GI-SEA), International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC Convention), and 1996 Dumping Protocol – in order to enhance awareness, capabilities (equipment, training, interoperability, information sharing, domain awareness), and institutional capacity;
- Increase the region's potential to prevent, prepare, respond and restore from offshore oil pollution incidents by creating opportunities for ARF participants to: 1) share best practices and provide training to help alleviate capability and capacity shortcomings; 2) understand regulatory frameworks through engagement with international organizations; and 3) facilitate government-

industry collaboration and cooperation through engagement opportunities; 4) and establish a expert network on oil spill response to foster technical information exchange; and

- Develop an ARF work plan focused on practical cooperation and eventual development of a cooperative plan for mutual assistance from ARF participants and organizations in the event of a major oil spill incident which exceeds the response capability of a State.

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