

**INTERNATIONAL/REGIONAL COOPERATION TO OIL SPILL
RESPONSE IN THE STRAITS OF MALACCA :
AN OVERVIEW**

**BY
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INTRODUCTION

1. The Straits of Malacca which stretches for 500 nautical miles is situated between Peninsular Malaysia and the Island of Sumatra, Indonesia. The Straits is at its widest in the northern entrance which is almost 220 nautical miles and at its narrowest point of barely 8 nautical miles at the southern end.

2. The Straits of Malacca is recognised world-wide as one of the busiest waterway in the world. It is strategically located for movements of vessels to the east and west of the globe. On average about 200 vessels of various types ply the route daily. These include the very large crude containers of VLCCs, other merchant ships, warships and fishing vessels.

3. With such number of vessels going up and down the straits, it has been very fortunate that the number of accidents is not high. Since 1977 only about 70 marine accidents were reported in the Malacca Straits. However, this is no consolation. One or a few major incidents could result in far reaching adverse consequences.

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4. Of late the Straits of Malacca is facing an increasing threat of serious oil pollution from ships. Oil is being deliberately discharged or spilled as a result of collision. A few of somewhat major incidents have occurred over the last 20 years in the Straits of Malacca. In 1976, the incident of Showa Maru and in 1992 the collision of tanker Nagasaki Spirit resulting in the discharge of approximately 13 000 tons of crude oil into the marine waters just off the coast of Sumatra and the northern resort island of Malaysia. In addition there has been several cases of illegal discharges of oily wastes into the Straits by some irresponsible ships every now and then thus affecting the sensitive coastal system along the Straits.

**STRAITS OF MALACCA-INTERNATIONAL/
REGIONAL COOPERATION TO OIL SPILL RESPONSE**

5. Since as early as 1971 there has been firm initiatives towards regional cooperation on technical matters pertaining to safety of navigation and prevention of pollution in the Straits of Malacca. This cooperation exists in the form of an official forum consisting of members from the respective technical agencies of Indonesia, Singapore and Malaysia. The forum known as the Tripartite Technical Experts Group (TTEG) was instrumental in the successful implementation of the Traffic Separation Scheme (TSS) in the Straits of Malacca and Singapore. The objective of which is to make navigation more safe, As such minimizing the risk of collision between vessels hence avoiding potential harm to the environment.

6. Further to this, a memorandum of understanding between the Government of Indonesia, Malaysia and Singapore on the one part and the Malacca Straits Council for and on behalf of the Japanese non - governmental associations on the other part was signed on February 11,1981 for the establishment and operation of a revolving fund to combat oil pollution from ships in the Straits of Malacca and Singapore. The quantum of the revolving fund is 400,000,000 yen solely contributed by the Japanese non-governmental associations. The administration and operation of the fund is undertaken by an authority appointed by the littoral states of Indonesia, Singapore and Malaysian on a rotational basis for a period of 5 years. The fund that is operational until today is used for a specific purpose in facilitating immediate clean-up operation in the event of an incident of oil spill caused by ship whether accidental or intentional. In the recent incident of the collision of an oil tanker Nagasaki Spirit, Malaysia sought an advance sum of US 580,000 dollars from the fund and another US 660,000 dollars by Indonesia to combat oil pollution caused by the same tanker.

7. A Committee established to manage the revolving fund has also introduced a standard operating procedure (SOP) for combating oil spill in the Straits of Malacca and Singapore. A number of joint oil spill exercises have been conducted to test the SOP. Any experience during those exercises were used in the periodic review of the procedure adopted.

8. During the last meeting of the revolving fund committee, it has deliberated that the committee would request the Malacca Straits Council to consider making further contributions to the fund. This proposal is based on the recent experience that when advances were made the principal sum left is indeed small. If another oil pollution were to occur during the period which warranted the request for advances, the fund would most likely be insufficient.

9. In another development recognizing the increasing and serious threat posed to the marine environment, the Association of Southeast Asian Nations (ASEAN) developed a regional plan known as an Oil Spill Response Action Plan (OSPAR) through the signing of a memorandum of understanding on 20 May, 1993 for Brunei Darussalam, Indonesia, the Philippines, Singapore, the Kingdom of Thailand and 31 January, 1994 for Malaysia.

10. ASEAN-OSPAR forms a basis of yet another cooperation at the operational level on oil pollution preparedness and response. Particular attention is given to the following matters as stated clearly under Article 4 of this memorandum of understanding:-

- (a) conduct mutual visits by personnel responsible for oil pollution preparedness and response;
- (b) undertake joint exercises and training for oil pollution combating;
- (c) promote research and development of oil pollution combating measures, techniques and equipment, and
- (d) facilitate expeditious transboundary mobility of personnel, materials and equipment in case of emergency.

11. To-date each of the six member ASEAN countries has individually achieved a varying degree of oil spill response capability. It is hoped that under the cooperation of ASEAN OSPAR, the response capability will be further strengthened to respond to major oil spills involving a number of countries in the region. In addition, the ASEAN OSPAR offers an international mobilization scheme which can be utilised by the oil industry under the ASEAN Council Petroleum (ASCOPE) Organization.

12. To achieve the long term objective of the ASEAN OSPAR, there has been thoughts among the member countries to establish regional and sub-regional ASEAN Oil Spill Response Centres and to continue upgrading the oil spill equipment within the region. In this regard the involvement and support of the industrialised as well as the benefitted countries would be most welcomed.

13. There exist under the plan a Focal Point Agency, presently being delegated to the Indonesian Environment Impact Management Agency, BAPEDAL who is responsible for the on-going administration of the ASEAN OSPAR. The focal point however does not have an operational role during an oil spill when the ASEAN OSPAR is activated. The country effected by the oil spill will control the operational activities in accordance with their own National Oil Spill Contingency Plan. As and when the assistance is required, the affected country will request through direct contact with the assisting country or countries. The assistance provided may come in the form of specialised equipment and or qualified oil combating personnel.

14. To facilitate further the cooperation among member countries the Plan also details out among others matters the pollution or oil spill reporting system to be used between the countries involved.

15. In recent years, recognizing the need of international participation and contribution towards marine pollution, the government of Japan initiated yet another project through the Ministry of Transport, Japan which was to cooperate with the ASEAN member countries concerted regional approach to oil spill incidents at the ASEAN sea area. The project concerned was to provide equipment stockpile strategically located in all ASEAN member countries. This is an effort essentially to supplement each country own capability to response to major oil spill incidents involving neighbouring countries. The project better known as ASEAN-Oil Spill Preparedness and Response (OSPAR) involves the building up of oil spill equipment capabilities, the total value of which is 1000 million yen. The implementation of this project is completed by the establishment of the final equipment stockpile in Malaysia following the signing of a memorandum of Delivery and acceptance of Oil Spill Combating Equipment and information Network System in Kuala Lumpur on the 11 January, 1995. The financial backing of the project comes from the Sasakawa Foundation and the Japanese Shipowners Association of Japan.

16. On 18 March, 1993 the Petroleum Association of Japan (PAJ) announced its intention to set up oil spill response stockpile base outside Japan in an effort to contribute further towards effective response to possible major oil spill incidents in the Straits of Malacca. In the event of oil spill, PAJ will lease the equipment stockpiled at the base to responders concerned upon request. The stockpile bases are presently located one in Singapore and the other in Malaysia.

CONCLUSION

17. In order to promote the effective use of all these available equipment's it is of utmost importance that each country undertakes to administer and maintain the equipment in accordance to recommended procedures. Joint exercises from time to time between countries would be very relevant to strengthen the procedure of oil spill combating using the available equipment's. Such exercise would enhance technical knowledge and understanding of oil combating personnel and the institutional capability of each country to support national and regional oil spill response plan.

18. International contribution and participation in such exercises would certainly promote greater cooperative arrangements in the prevention of pollution in the Straits of Malacca.
