

MEMORANDUM

To: Rosalie Balkin, CMI Secretary General

From: José M. Alcantara, Member of the SC.

Re: *IMO Workshop re the HNS Convention and Prot 2010 – Implementation.*

Held at the IMO headquarters Main Room, day 3rd April 2023

CMI delegation , attending on behalf of the SC on Implementation of International Maritime Conventions.

Meeting commenced at 09.30 and closed at 15.45.

- *The Chairman introduced the meeting calling for a general concern over the slow path of ratifications of the HNS92 and its Protocol 2010.*
- *The Delegate from Cabada made specific reference to a key issue such as the definition of “contributing party”.He remarked that practical solutions for payments to be levied and collected had to be sought, otherwise the beaurocratic process and likely interferences would make it altogether more costly to the HNS FUND to detriment of the general purposes. This issue, according to him, does not particularly encourage further States to ratify HNS.*

- *Session I: [Introduction of the HNS Convention.](#)*

- *The background and preparatory works were briefed , following by the 1973 initial draft of the amending PROT in order to cover hazardous substances other than persistent oils and concluding that 6 ratifications/adhesions are needed.*

- *Session II: [Domestic Implementation.](#)*
- *Speakers were heard from:*
- *BELGIUM- report of 2 casualties.*
- *CANADA*
- *DENMARK – interest for upkeeping the Danish Special Registry as a “quality registration” offer.*
- *FRANCE- reporting no particular difficulties on the practical application of the HNS rules.*
- *THE NETHERLANDS – announcement that the PROT shall be ratified in the course of year 2024.*
- *NORWAY – also much in support of the PROT.*

- SWEDEN – hinted that the ripe moment to the Industry was waited for and that as it comes the ratification process shall be taken up.
- TURKEY – the State is minded to ratify HNS and PROT soon.

Also from the Industry spoke:

CEFIC – to openly enquire why was it that European Member States do not ratify in spite of the EU Resolution calling for adoption of the HNS instruments. SWEDEN – replied that under the EU Resolution there is no legal time deadline for ratifications.

-break 30 ms

Session III: *The experts views:*

The experts from CEDRE and CEFIC set their addresses along technical factors that make HNS risks more dangerous than oil's. A lot of Preparedness and response fitness are required. At some length such technical factors were told to the audience.

Next the ITOF expert analysed the case of the "Hanjin Pennsylvania" most skilfully and entertainingly, stating through the fire on board, the cast of containers overboard and the explosions in hold 2 and 4 of the ship. He concluded that the drama was of heavy impact but the cost did not go above the limits.

Then, the following casualties were touched upon on the screen very masterly:

"The X-Press Pearl" (25/05/21)

"The MV Zim Kingston" (21/10/21)

"The MSC Napoli" – leading example.

Comments from the floor were then invited generally and from the cargo Industry in particular. **The overall interventions all remarked that the response to a HNS accident is much more complex and fuller of intricacies and risks than an oil leakage casualty can be.**

End of day I.
