

BONN AGREEMENT COUNTER POLLUTION MANUAL

CHAPTER 19 – ZONES OF JOINT RESPONSIBILITY

Three areas in the North Sea Area have been made the joint responsibility of two or more Contracting Parties. This chapter (when available) will explain how these joint responsibilities will be handled.

The three joint plans are:

- **MANCHEPLAN** – Anglo-French Joint Maritime Contingency Plan. This plan is in place and a summary of the plan is below.
- **DenGerNeth plan** – A joint plan between Denmark, Germany and the Netherlands. The plan will not come into force until an exchange of notes verbales has been completed.
- **Quadripartite Zone Plan** – A joint plan between Belgium, France, Netherlands and the UK. Arrangements are in place for the preparation of this plan.

MANCHEPLAN – Anglo-French Joint Maritime Contingency Plan

1 Background

1.1 A large number of shipping accidents which might occur in the English Channel are liable to affect both British and French interests at the same time. In such circumstances, the authorities of these two States may be called upon to step in simultaneously to deal with these incidents. In order to avoid confusion, and to increase the effectiveness of the measures taken, the French and British authorities have agreed the way forward in such circumstances, in advance, by production of a joint agreement named the Anglo–French Joint Maritime Contingency Plan (MANCHEPLAN).

1.2 MANCHEPLAN determines in advance of any incident :

- the authority and State which will be charged with coordinating the joint action; and
- the principles and procedures of co-operation in maritime search and rescue (SAR) operations and action to deal with pollution and salvage of any kind.

1.3 In the event of joint operations, the participating forces will continue to act in accordance with their standing instructions and national procedures. The success of the joint action depends largely on:

- a good knowledge and understanding by each State of the instructions and procedures of the other, and MANCHEPLAN sets out these procedures; and
- the effective use made of international procedures applicable to the situation.

1.4 MANCHEPLAN only applies in peacetime. In times of tension or war, co-operation may be effected within the ambit of the Atlantic Alliance.

2 Purpose

2.1 The main purpose of the MANCHEPLAN document is to provide guidance on joint operations for major SAR and pollution control incidents. However MANCHEPLAN is not restricted to such operations and may be activated whenever the French or UK authorities consider co-ordination would benefit by using the Plan.

3 Contents

- 3.1 MANCHEPLAN details the procedures and principles of co-ordination. Initiating action in joint operations rests with the State in whose jurisdiction the incident occurs.
- 3.2 MANCHEPLAN sets out the demarcation lines for each State including those for the Channel Islands as a sub region. The area covered is given in detail with the north eastern extremity between France and Belgium territorial waters and between the French and Belgian continental shelves. The western boundary coincides with the Bonn Agreement limits.
- 3.3 Outside the limits of the Bonn Agreement, UK and French SAR resources are available for use under MANCHEPLAN, and the provision of a joint plan may be applied whenever circumstances suggest that it is expedient to do so.
- 3.4 The MANCHEPLAN sets out the circumstances under which each nation can enter the others territorial waters for the purpose of SAR or pollution control operations.
- 3.5 The MANCHEPLAN allows for exchange of information relating to national laws and regulations, national organisations, clearance resources and facilities, communications and the use of common formats for messages and command procedures.
- 3.6 Further details of SAR and pollution control assets available from each State are contained within the Plan.
- 3.7 The use of a MANCHEGRID can be provided at the discretion of the On Scene Commander to report the position and extent of oil slicks during large scale pollution clearance operations.
- 3.8 SAR operations required for MOD forces in distress are transferred to the Navy or Air Force. In these circumstances the MANCHEPLAN includes details of the co-ordination centres for each State.
- 3.9 Details of when, and how, high level or government intervention may be considered are provided in MANCHEPLAN for guidance purposes.
- 3.10 All major incidents attract media interest and a section of the Plan is devoted to guidance on relationships with the news media.
- 3.11 In addition, the MANCHEPLAN allows for one joint exercise per year to be undertaken.

4. Amendments

- 4.1 All amendments to the Plan are agreed by both States before implementation.

DenGerNeth Plan Executive summary**Joint Danish-German-Dutch Response Plan to maritime incidents involving Oil and other Harmful Substances and Co-operation in Aerial Surveillance, in short: DENGERNETH Plan (North Sea Area).**

1. Being aware of the continuous threat of pollution to their coasts bilateral Agreements have been concluded between the Netherlands and Germany (NETHGER, 1991) on the one hand and between Denmark and Germany (DENGER, 1993) on the other hand to establish close co-operation in response to pollution of the sea by such substances.

2. The competent Parties i.e. the Defence Command Denmark, the Ministry of Transport, Public Works and Water Management of the Netherlands and the Federal Ministry of Transport, Building and Urban Affairs of Germany, (referred to as the Parties), agree to extend their existing co-operation to include information exchange on the threat of marine pollution and aerial surveillance for the prevention and detection of pollution.

3. Bearing in mind the respective provisions of:

- The Agreement for co-operation in dealing with pollution of the North Sea by oil and other harmful substances, 1983 (Bonn-Agreement); and
- All endeavours of the three countries to control and minimize pollution and its effects;

the Parties to this DENGERNETH Plan recognise the obligation to exchange information on casualties, the threat of pollution and to respond to pollution within the DENGERNETH Region, also in those cases where their own territory is not threatened by the pollution in question.

4. The Plan includes all joint operations involving co-operation, of whatever nature, between Denmark, Germany and The Netherlands pursuant to the objective of this Plan and it applies as necessary and appropriate to any marine pollution or threat of pollution within the DENGERNETH Response Region, which is or could become of sufficient severity to initiate joint action. Even when an incident provides for no imminent threat (as defined under point 2 below) of pollution this Plan will initiate an information exchange. The exchange of information must not necessarily mean an activation of the DENGERNETH Plan.

5. Authorities recognize national response areas, but also around their national border (EEZ boundaries) a specific zone of common interest, the "Quick Response Zone". The meaning of that zone is that immediate actions must take place in maritime accidents and each Party has the right to start response actions immediately regardless in whose NRZ the pollution has occurred.

6. The DENGERNETH Plan also applies to the Wadden Sea and the Eems-Dollard region. Regional sub-plans for Wadden Sea areas may be concluded within the framework of this DENGERNETH Plan. The agreement between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the arrangement of cooperation in the Eems Estuary of 8 April 1960 is not affected by this plan.

7. The DENGERNETH Plan is activated:

- ❖ if one country asks the other Parties for assistance (call for assistance) in response to pollution of the sea by oil or other harmful substances. The other Parties are to acknowledge the activation of the Plan
- ❖ if one Party takes response measures in another Party's NRZ
- ❖ in case of pollution or serious threat of pollution outside the Response Region, if the situation calls for an urgent activation of the Plan in a case where the pollution or the threat of pollution could affect the Response Region. In this case the NRAs of the Parties should in due course decide whether or not joint response actions are required.

8. With regard to operational procedures such as surveillance flights, response measures and reporting parties agreed to maintain the general Bonn Agreement procedures.

9. Any of the three parties can initiate amendments of the Plan however, the German authority has the function of keeping the plan up to date.

