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# Civil Liability For Marine Oil Pollution Damage A Comparative And Economic Study Of The International Us And Chinese Compensation Regime Energy And Series Supranational And Comparative Aspects

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Comprehensive Oil Pollution Liability and  
Compensation. Message from the President of the  
United States Transmitting a Draft of Proposed

Legislation to Provide a Comprehensive System of Liability and Compensation for Oil Spill Damage and Removal Costs, to Implement the International Convention on Civil Liability for Oil Pollution Damage and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, and for Other Purposes. July 9, 1975. -- Message and Accompanying Papers Jointly Referred to the Committees on Public Works and Transportation, Merchant Marine and Fisheries, and International Relations and Ordered to be Printed

Oil Pollution Liability  
Oil Spills  
Recoverability of Pure Economic Loss Arising from Ship-source Oil Pollution  
Liability for Damage to the Marine Environment  
Oil Pollution Liability  
Comprehensive Oil Pollution Liability and Compensation. Message from the President of the United States Transmitting a Draft of Proposed Legislation to Provide a Comprehensive System of Liability and Compensation for Oil Spill Damage and Removal Costs, to Implement the International Convention on Civil Liability for Oil Pollution Damage and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, and for Other Purposes. July 9, 1975. -- Message and Accompanying Papers Jointly Referred to the Committees on Public

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Manual on Oil Pollution

The role of environmental civil liability in regulation of marine oil pollution in Norway

Shipping and the Environment

Oil Pollution

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Two Conventions and Amendments Relating to Pollution of the Sea by Oil

Civil Liability for Bunker Oil Pollution Damage

Compulsory Insurance and Compensation for Bunker Oil Pollution Damage

Civil Liability for Oil Pollution Damage from

Tankers and Other Ocean-going Vessels

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Pollution of the Sea - Prevention and Compensation

Prevention and Compensation of Marine Pollution Damage

The Role of Environmental Civil Liability in

Regulation of Marine Oil Pollution in Norway

Insurance for civil liability and compensation for marine oil pollution

Oil Pollution at Sea

Message from the President of the United States

International Maritime Conventions (Volume 3)

IMCO Civil Liabilities Conventions, (oil Pollution),

Hearings Before the Subcommittee on Air and  
Water Pollution ... 91-2, July 21-22, 1970  
International Legal Conference on Marine  
Pollution Damage  
Brussels, 1969. International Legal Conference on  
Marine Pollution Damage, 1969. Final Act of the  
Conference with Attachments Including the Texts  
of the Adopted Conventions I.e. International  
Convention Relating to Intervention on the High  
Seas in Cases of Oil Pollution Casualties and  
International Convention on Civil Liability for Oil  
Pollution Damage . Conférence Juridique  
Internationale de 1969 Sur Les Dommages Dus À  
la Pollution Des Eaux de la Mer. Acte Final, Etc  
Insurance for Civil Liability and Compensation for  
Marine Oil Pollution  
The Federal Requirements for Vessels to Obtain  
Evidence of Financial Responsibility for Oil Spill  
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Civil Liability for Marine Oil Pollution Damage  
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Pollution of the Sea by Oil  
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Marine Oil Pollution Damage  
Civil Liability for Offshore Marine Oil Pollution in  
Canada  
Civil Liability for Marine Oil Pollution Damage  
Manual on Oil Pollution

## Marine Resource Damage Assessment

*Civil Liability  
For Marine  
Oil Pollution  
Damage A  
Comparative  
And Economic  
Study Of The  
International  
Us And  
Chinese  
Compensation  
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### **DOYLE MATA**

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Message from the  
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and Removal Costs,  
to Implement the  
International**

**Convention on Civil  
Liability for Oil  
Pollution Damage  
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Convention on the  
Establishment of an  
International Fund  
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Public Works and  
Transportation,  
Merchant Marine  
and Fisheries, and  
International  
Relations and  
Ordered to be  
Printed** Civil Liability  
for Marine Oil Pollution  
Damage  
For the first time, this  
unique text brings  
together all private

international maritime law conventions alongside expert commentary and analysis. Truly global in approach, the book covers each of the nineteen conventions currently in force, all scrutinised by this internationally-acclaimed author. It also examines important maritime conventions not yet fully ratified, including the topical Rotterdam Rules. This comprehensive resource provides a thorough treatment of both wet and dry shipping treaties, combining breadth of coverage with depth of analysis. In this third volume, the author covers the key conventions dealing with pollution and safety at sea. In particular, the author

covers the following instruments:  
 International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 and Protocol of 1973 International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC Convention) with its Protocol of 2000 (OPRC-HNS Protocol) International Convention for the prevention of pollution from ships (MARPOL) and protocol of 1978 International Convention for the Safety of life at sea, 1974 (SOLAS) Convention on the prevention of marine pollution by dumping of wastes and other matters, 1972 as amended by the protocol of 1996

<p>International Convention for the control and management of ship's ballast water and sediments, 2004</p> <p>International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 Nairobi</p> <p>International Convention on removal of wrecks 18 may 2007</p> <p>Port state control: the Paris Memorandum of Understanding and the European Directive 2009/16 EC European Traffic Monitoring and Information System</p> <p>International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC 1992)</p> <p>International Convention on the Establishment of an International Fund for Compensation for Oil</p>	<p>Pollution Damage, 1992, as amended by its Protocol of 2000 and its Supplementary Protocol of 2003 (the Fund Convention)</p> <p>International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 International Convention on Liability and Compensation for Damage in Connection with Carriage of Hazardous and Noxious Substances by Sea, 1996 This book is an indispensable reference for maritime lawyers, academics and students of maritime law worldwide.</p> <p><i>Oil Pollution Liability</i> CRC Press</p> <p>"Oil tankers are not the only vessels that have caused oil pollution at sea. Numerous spills in the past have been of heavy fuel oil from</p>
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non-tankers. However, the international liability and compensation regime covered only oil pollution damage caused by oil tankers. There was thus a need to bring the law on marine oil pollution responsive to oil pollution damage caused by non-tankers. In March 2001, the International Convention on Civil Liability for Bunker Oil Pollution Damage was adopted following a diplomatic conference at the International Maritime Organization. Though this convention has not yet come into force, its various aspects should already be considered as they will surely affect the maritime industry as a whole and the non-tanker sector, in particular. This book

provides a timely and comprehensive study on the concept of compulsory insurance, its main purpose of ensuring compensation and its interrelations with other features such as the rule of strict liability and the limitation of liability under the convention"-  
-Publisher's description.  
Kluwer Law International B.V.  
This book focuses on liability and compensation for negligently caused pure economic loss as a general question in tort law and specifically as a question in maritime tort law, especially in cases of oil pollution damage. A substantial part of this study is dedicated to the examination of the legal status of pure



economic loss caused by ship-source oil pollution incidents, the outer margins of recoverable losses as well as compensation practice, from both an international and a national perspective. The compensation practices of the IOPC Funds have been analysed carefully for this purpose.

*Oil Spills* Kluwer Law International B.V.

" Although methane hydrates are not recent discoveries, it is only now that their extraction and production are becoming commercially feasible as a major new energy source. They are present offshore in almost every coastal state, and their economic potential for endowing those states with abundant natural

gas - in addition to their utility as freshwater resources and as carbon sinks for captured greenhouse gases - is vast. This book presents the first treatment of the legal issues facing the future of offshore methane hydrates, taking into account both proprietary interests and environmental hazards. Starting from law and economics theory as applied to environmental accidents, the book's analytical framework addresses how best to provide for the opportunities and challenges presented by offshore methane hydrates. Issues and topics include the following: - introduction to the science and technology of offshore methane hydrates; - methane as

a green energy source; - research programmes and agendas under way in Japan, South Korea, the United States, Canada, China, and India; - carbon capture and sequestration; - risks - methane emissions, large-scale combustion events, subsea landslides, tsunamis, earthquakes, deep ocean eruptions; - strategies of risk governance - during exploration, development, production and abandonment of the extraction process; - acts that enable seeping and venting of methane; - regulatory compliance as a defense from liability; - grounds for deference to rules of civil liability; - potential impact on anthropogenic climate change; and - private

regulation and market-based incentives The analysis compares and contrasts recommended legal policies with existing legal frameworks in relevant international conventions, the European Union, and the United States. Rules of civil liability are reviewed to determine when strict liability or negligence might be efficiently employed in risk governance along with the implementation of public regulations. As a road map to amending and revising existing laws and conventions, this book will be of inestimable practical value to policymakers in supporting the optimal risk governance of the development of methane hydrates. For potential

entrepreneurs and operators, this book greatly reduces the legal uncertainty underlying their decision-making and investment decisions. Furthermore, this book enables a broad cross-section of legal practitioners and scholars to engage in this fascinating late arrival to the natural resources law and policy arena. "

**Recoverability of Pure Economic Loss Arising from Ship-source Oil Pollution**

Kluwer Law International B.V. The article, which follows up on my recently published work, uses the unprecedented disaster in the Gulf of Mexico as an opportunity to critically evaluate the law pertaining to civil

liability for oil pollution before and after the enactment of the Oil Pollution Act. This topic is analyzed as a derivative of a more general concern, namely the internal harmony of civil liability regimes. The article unveils a general incongruity in American land-based and maritime tort law that surfaced through the Exxon Valdez litigation, and examines whether subsequent statutory reform has eliminated the problem in the limited context of marine oil pollution, using the Deepwater Horizon incident as a test case. Part I systematically discusses pre-OPA law. Part II explains why pre-OPA maritime law gave rise to incongruity on the justificatory

level, delineates the contours of the problem, and proposes a conceptual framework for resolution. Part III examines whether the enactment of the OPA has created a more defensible liability regime. Following the Deepwater Horizon oil spill, there have been calls for raising the OPA liability caps, or an even more comprehensive legislative reform. While some of the initiatives seem to have waned, this catastrophic incident, like the earlier Exxon Valdez case, will surely leave its mark. The article, which highlights relevant policy concerns, will undoubtedly serve policymakers in reassessing the limits of civil liability for

marine oil pollution. *Liability for Damage to the Marine Environment* Walter de Gruyter  
 Accidental pollution of sea by oil is inevitable. It is the price mankind has to pay for the benefits of an industrial society. Now the big question arises as to who is to be held liable for accidents that lead to catastrophic effects on the marine environment? Civil liability for oil pollution has been the subject of international conventions for decades. Principles governing the law on oil pollution are strict liability, channeling of liability, and caps on liability limit. The issue arises as to the propriety of capping the liability limits in case of an oil spill where the implications

of one incident are catastrophic, costs involved in the cleanup are massive and the damage caused to the natural resources and private parties is enormous. India with its vast coastline is susceptible to oil pollution by accidents and in the wake of recent incidents it has become imperative to analyze the Indian scheme of laws governing oil spills. This work is a small attempt to analyze whether Indian laws governing oil spills are appropriate enough to meet the challenges of claims arising by such an incident.

#### Oil Pollution Liability

Informa Pub

The first edition of this book was quickly acclaimed as the new leading text worldwide on the law and practice

of pollution from ships. The second edition deals with a variety of developments since then in this fast-moving subject: the Erika and the Prestige; changes in international law on maritime safety and compensation; latest decisions on claims for compensation; analysis of the SCOPIC regime; new material on ports of refuge, transboundary movements, and pollution from offshore craft; latest cases and regulatory changes in the US; and enlarged chapters on enforcement of laws and criminal sanctions. Like its predecessor, the second edition is superbly indexed and written clearly with the needs in mind of a wide international readership.

Comprehensive Oil Pollution Liability and Compensation. Message from the President of the United States Transmitting a Draft of Proposed Legislation to Provide a Comprehensive System of Liability and Compensation for Oil Spill Damage and Removal Costs, to Implement the International Convention on Civil Liability for Oil Pollution Damage and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, and for Other Purposes. July 9, 1975. -- Message and Accompanying Papers Jointly Referred to the Committees on Public Works and Transportation, Merchant Marine and

Fisheries, and International Relations and Ordered to be Printed LAP Lambert Academic Publishing  
 The approach throughout is both legal multi-disciplinary and comparative. The relevant international conventions are examined (particularly the 'Bunker Convention' of 2008), with particular attention to their implementation in China and Europe, as well as the independent US regime. In addition, detailed empirical data from well-known case studies provide important insights into the working of international and national prevention and compensation mechanisms.  
*Manual on Oil Pollution*  
 Wiley

The International Max Planck Research School for Maritime Affairs hosted a global conference addressing marine pollution. At this meeting, academics and practitioners came together to discuss their findings and debate recent developments from an interdisciplinary perspective. This volume reflects those discussions, examining a broad range of topics concerning the ecological, economic, political, and legal aspects of the pollution of the sea.

The role of environmental civil liability in regulation of marine oil pollution in Norway Kluwer Law International B.V.

This remarkable book - the first in-depth examination of the civil

liability regime for marine oil pollution damage from a law and economics perspective - examines the efficiency and effectiveness of the regime, with particular attention to whether it is in fact designed in the public interest or merely a distribution of risks and costs among interested parties. The question is asked: does the liability system give the potential polluter incentives to take precautionary measures to avoid pollution or to reduce the possibility of pollution? The international regime on civil liability for marine oil pollution rests on the International Convention on Civil Liability for Oil Pollution Damage (CLC) and the International

Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (Fund Convention). However, the world's biggest oil consumer and importer - the United States - has ratified neither, preferring its own Oil Pollution Act of 1990 (OPA), and China - currently the world's second oil-consuming country - has not ratified the Fund Convention. Thus it is reasonable to compare the three regimes - international, US, and China - as such a comparative study may reveal some advantages or disadvantages among the three systems. Among the issues raised and tackled head-on by the author are the following:

whether the contents of international conventions can be considered as the result of the influence of the various interest groups involve; overview of the regulations of marine pollution; technical standards, rules for operation, professional criteria; to what extent a state may take action against trans-boundary polluting activities; what liability a state may incur for non-action or non-effective action; significance for liability of the charter-party, generally considered the evidence of the hire of a ship, and the bill of lading, considered the evidence of the contract of carriage of goods by sea; the crucial role of the so-called 'International Group' of 13 Protection



and Indemnity (P and I) Clubs, non-profit organizations specializing in liability insurance; the main international players - the International Maritime Organization (IMO), the Comité Maritime International (CMI), and industry organizations such as INTERTANKO and the Oil Companies International Marine Forum (OCIMF); the particular regime on offshore facility pollution liability in the United States; port state control; criminal liability; and EU and other regional initiatives. In addition, a detailed study of the Erika case reveals some of the rationale for many of the persistent features of marine pollution liability regimes. The well-thought-out legal

and economic analysis provided in this book, along with its clearly stated policy recommendations and constructive perspectives for future development of the liability system, will be immeasurably valuable to lawyers and policymakers active in this highly visible area of international law. Shipping and the Environment LIT Verlag Münster  
Marine oil pollution is one of the most damaging environmental liabilities of our time, and is taken very seriously by governments. Although international conventions take the lead in the legal regime underpinning prevention and compensation of marine oil pollution

damage, national legal systems differ considerably in how they interpret and apply their monitoring and enforcement responsibilities. This is the first book to present a comparative analysis of the law with respect to marine oil pollution, with expert contributions emphasising particular solutions in Europe, the US, and China. The authors draw on the full range of legal sources, from theory and legislation to procedure and actual case studies. Written by both academics and practitioners?senior academics with a wide experience in the field, and practitioners who have extensively dealt with marine pollution issues?the work is not confined to a mere legal analysis, but

offers a more inclusive law and economics perspective, solidly built on a substantial analysis (in English) of the law in the European, US, Chinese, and international contexts. Individual contributors focus on countries with which they have particular expertise or experience. This book will be of interest to corporate counsel, international lawyers, academics, and policy makers, as well as to students of (international) environmental and maritime law. In addition, the book is especially valuable to non-Chinese lawyers for its clear insight into the complex Chinese environmental legal system.

*Oil Pollution* Springer  
Science & Business

Media

A comprehensive reference work for shipping and environmental lawyers and specialists The carriage of crude oil by sea is commonly associated with the disastrous effects of spills. Major spills include those from the Torrey Canyon, the Amoco Cadiz, the Exxon Valdez, the Haven, the Aegean Sea, the Braer and the Sea Empress. As these and other spills have indicated, the resultant pollution damage can take various forms and the resolution of ensuing disputes can be difficult and protracted. This is a detailed and thorough analysis of the law relating to liability and compensation for oil pollution damage caused by ships and

covers legal issues which fall within the ambit of admiralty law and practice, international and domestic environmental law and the law relating to marine insurance. In particular, *Oil Pollution at Sea*: identifies the parties to litigation; details the range of remedies available and their quantification, examines relevant decisions of the IOPC Fund; analyses the limitation of liability and compensation; discusses rights and liabilities of salvors and insurers, and highlights jurisdictional issues which may arise. *The Deepwater Horizon Oil Spill and the Limits of Civil Liability* Peter Lang Despite widely-accepted international systems of liability for

pollution damage to the marine environment, uniformity is far from being achieved. This book is based on the papers delivered at the CMI seminar on liability for pollution damage. The purpose of the seminar was to take stock of the legal position worldwide as a prelude to discussions on unification of laws relating to the admissibility and assessment of claims. Among the main issues addressed are - oil pollution prevention and response, the effectiveness of present compensation methods, the importance of recent protocols to the compensation conventions, the ramifications of OPA 90, the underwriting of oil pollution risks and

the need for an international convention on hazardous and noxious substances. These issues are covered by a broad range of international experts. *Two Conventions and Amendments Relating to Pollution of the Sea by Oil* Springer Science & Business Media  
The main focus of this important book is on civil liability regimes to compensate for ecological/environmental damage, the impact of EC decision-making on the international regime for oil pollution damage, the use of environmental funds in this respect, the economic valuation of damage to the environment from a theoretical perspective and the application of the Contingent Valuation Method in

Belgium for ecological damage at sea. Civil Liability for Bunker Oil Pollution Damage Kluwer Law International B.V. This book deals with the liability conventions brought into existence by the International Maritime Organization and concentrates on the newly adopted instrument dealing with bunker oil pollution as an area of great concern for every stakeholder involved in shipping business. The work covers a wide spectrum ranging from the Convention itself to its scope of application, liable and aggrieved parties, jurisdiction, requirements of liability and admissibility of claims, defences and exoneration from liability. It addresses

many areas of interest and of importance to international and national legal advisors, lawyers, law students and anyone interested in the relevant field such as shipowners, charterers, shipbrokers, ship personnel and associated contractors and sub-contractors. Compulsory Insurance and Compensation for Bunker Oil Pollution Damage CRC Press This remarkable book – the first in-depth examination of the civil liability regime for marine oil pollution damage from a law and economics perspective – examines the efficiency and effectiveness of the regime, with particular attention to whether it is in fact designed in the public interest or merely a distribution of

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Pollution Act of 1990 (OPA), and China – currently the world's second oil-consuming country – has not ratified the Fund Convention. Thus it is reasonable to compare the three regimes – international, US, and China – as such a comparative study may reveal some advantages or disadvantages among the three systems. Among the issues raised and tackled head-on by the author are the following: whether the contents of international conventions can be considered as the result of the influence of the various interest groups involve; overview of the regulations of marine pollution; technical standards, rules for operation, professional

criteria; to what extent a state may take action against trans-boundary polluting activities; what liability a state may incur for non-action or non-effective action; significance for liability of the charter-party, generally considered the evidence of the hire of a ship, and the bill of lading, considered the evidence of the contract of carriage of goods by sea; the crucial role of the so-called 'International Group' of 13 Protection and Indemnity (P & I) Clubs, non-profit organizations specializing in liability insurance; the main international players - the International Maritime Organization (IMO), the Comité Maritime International (CMI), and industry organizations such as

INTERTANKO and the Oil Companies International Marine Forum (OCIMF); the particular regime on offshore facility pollution liability in the United States; port state control; criminal liability; and EU and other regional initiatives. In addition, a detailed study of the Erika case reveals some of the rationale for many of the persistent features of marine pollution liability regimes. The well-thought-out legal and economic analysis provided in this book, along with its clearly stated policy recommendations and constructive perspectives for future development of the liability system, will be immeasurably valuable to lawyers and policymakers active in

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