

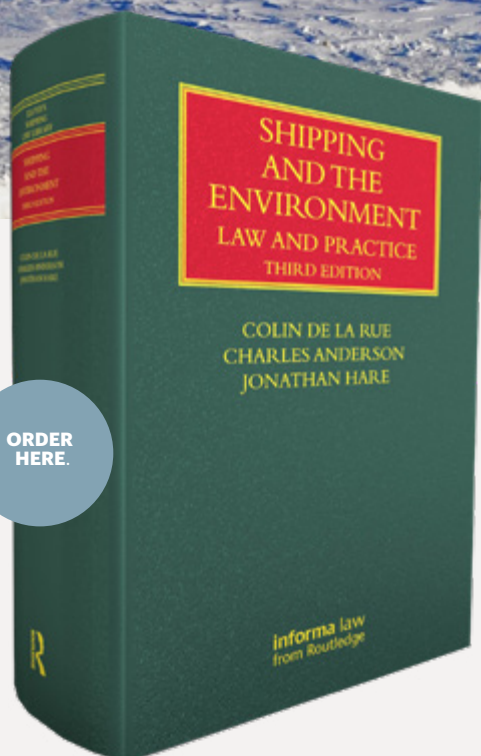
SHIPPING AND THE ENVIRONMENT, 3rd Edition

Colin de la Rue, Charles B Anderson and Jonathan Hare

LLOYD'S SHIPPING LAW LIBRARY

Published: 2023
ISBN: 978-0-367-19828-2 (hardback)
978-0-429-24351-6 (eBook)
Pages: 1504

Foreword by Kitack Lim, Secretary-General,
INTERNATIONAL MARITIME ORGANIZATION



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First published in 1998, *Shipping and the Environment* was quickly acclaimed as the leading text worldwide on the law and practice of pollution from ships. This third edition continues its expansion into other marine environmental areas, with a wealth of new material on aspects of increasing concern to society, governments and industry alike.

Written with the long experience of top practitioners, *Shipping and the Environment* is well established as the standard work for experts while also popular as an introduction to the subject – welcomed by students and teachers, lawyers and non-lawyers for its highly readable account of how the law applies in practice.

“Long recognised as the essential reference book for the international maritime community, this third edition of Shipping and the Environment now provides not only updated text on the marine environmental issues featured in earlier editions, but it also addresses the new key areas that are currently shaping law and practice in this fast-developing field.”

Gaute Sivertsen, Director, INTERNATIONAL OIL POLLUTION
COMPENSATION FUNDS

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“As environmental issues feature ever higher on the global shipping agenda, this new third edition of the most important reference book covering liability and compensation issues in the shipping sector, co-authored by some of the most experienced people in the industry, is a must read.”

Nick Shaw, CEO, INTERNATIONAL GROUP OF P&I CLUBS

“The ‘Green Bible’ is a well-thumbed, go-to reference book at ITOPF, and the updating on latest developments will be unanimously welcomed by all who work in the international maritime sector of pollution. It is excellently organised, informative and comprehensive, written by extremely knowledgeable and respected authors.”

Richard Johnson, Technical Director, ITOPF

“The timing of this, the third edition of Shipping and the Environment, could not be better. This leading work presents an invaluable up-to-date reference to practitioners, academics and law makers as they grapple with the increasing and pressing challenges presented by the environmental aspects of shipping.”

Ann Fenech, President, COMITÉ MARITIME INTERNATIONAL

“This is a “must-have book” for anyone involved in and responding to a maritime incident - from ship operators, coastal-state and flag-state authorities, surveyors, legal representatives and the salvors themselves. It is written so that even those without a legal background can easily understand the dynamics and issues at play from the legal and insurance perspective.”

Nicholas Sloane, President, INTERNATIONAL SALVAGE UNION

“Comprehensive in its content, this third and updated edition helps the reader navigate and comprehend the complex world of maritime regulations, law, insurance, salvage and claims. This is an indispensable reference volume for novices, experienced practitioners and academics alike.”

Stephan Hennig, UK Secretary of State's Representative for Maritime Salvage and Intervention (SOSREP)

WHAT'S NEW — HIGHLIGHTS

- New introductory chapter - a 'book within a book' - with background to the full range of environmental aspects of shipping; framework of international law and introduction to the main international bodies
- Compelling narrative of landmark incidents and political developments, advances in technology and industry practice, that have shaped the modern legal landscape
- Expanded chapters on compensation for pollution from tankers: outcomes of *Erika*, *Prestige* and *Hebei Spirit*; developments concerning definition of 'ship'; *Bow Jubail* case and pollution from unladen tankers; Interim Payments Standard Terms
- Recent US case law including key decisions from *Deepwater Horizon* litigation
- Ground-breaking new chapter on the offshore sector, including outline of industry practice, framework of international law, effect of maritime conventions, implications of *Deepwater Horizon*, contractual allocation of risks and insurance
- Pollution from ships' bunkers and problems of limitation of liability
- Cases on hazardous substances and developments affecting the HNS Convention 2010
- Updated chapters on admissibility of claims: decisions of courts and the IOPC Funds
- Environmental aspects of salvage - latest revisions of LOF and SCOPIC
- Developments affecting charterers and cargo owners: *Erika*, *Ocean Victory* and *Athos I*
- Pollution resulting from collisions and important cases in the People's Republic of China
- Pilots and maritime authorities - *Cosco Busan*
- Revised chapter on liability insurance: expanded study of modern risks (sanctions, terrorism, cyber); detailed treatment of financial security regimes and practice relating to Blue Cards
- In-depth study of limitation of liability for marine environmental claims
- Updated chapters on SOLAS, MARPOL and other regulatory regimes; developments on air pollution, carbon emissions and polar operations
- Important wreck removal cases (*Rena*, *Costa Concordia*, *Golden Ray*) and study of Nairobi Convention in practice
- Dumping at sea and disposal of spoilt cargoes
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THE AUTHORS



Colin de la Rue first saw pollution from ships as a schoolboy in 1967, when oil from the *Torrey Canyon* came ashore near his home in Guernsey in the world's first major tanker spill. Ten years later he joined the international law firm Ince & Co, which had represented the ship's insurers, and soon he was part of a team acting in the major tanker accidents of the 1970s. In his 36 years at the firm he worked with colleagues and overseas lawyers in most major oil spills worldwide, including the *Exxon Valdez* and several other US incidents, dealing with the implications of pollution in various branches of maritime commerce.

In areas of legal policy and reform he has advised leading industry bodies on various proposals for change. On these and other issues he has given papers at conferences, seminars and universities in many countries around the world.

After leaving practice as a solicitor he devoted time to industry training while continuing to give consultancy advice, and by 2022 he had been involved in over 75 serious incidents in 40 countries. In this new edition he draws on experience of most major events in this field of modern times.



Charles B. Anderson retired in 2021 as Senior Vice President and Head of Office of Skuld North America, New York-based representatives of the Skuld P&I Club. Previously he was a partner in Holland & Knight, where he specialized in admiralty and environmental law. He has represented shipowners, charterers, P&I Clubs and other marine insurers in numerous well-known maritime casualty and pollution cases, and for many years taught maritime law at Columbia University Law School. He is a former chairman of the US Maritime Law Association's Committee on the CMI and a member of its Marine Ecology Committee.

In 1998 he was elected a titular member of the CMI in recognition of his work in the area of international shipping and environmental law. In 2010 he testified before the US Congress on behalf of the International Group of P&I Clubs on liability and financial responsibility following the *Deepwater Horizon* oil spill.

He remains active in the maritime industry as a member of the Society of Maritime Arbitrators in New York and a consultant on marine casualties and pollution.



Jonathan Hare first entered the maritime field in 1989 on joining the Legal Department of Assuranceforeningen Skuld, a P&I Club in the International Group. He spent the next thirty years based at the Club's head office in Oslo in a variety of largely claims-related roles before being appointed General Counsel in 2012. He has served as a Special Advisor to Skuld since entering into semi-retirement in 2020.

He gained experience of major tanker spills as a result of handling claims resulting from the *Braer* and *Sea Empress* incidents in the 1990s, and contributed to the work of the International Group of P&I Clubs. His experience of major casualties and participation in the International Group led to regular contact with intergovernmental organisations and industry bodies.

He was a member of the INTER-TANKO Documentary Committee for many years and part of the Norwegian delegation to the BIMCO Documentary Committee. He also served as a member of the Board and Advisory Committee of ITOPF.

"This book has long been considered the "bible" with respect to maritime environmental laws, and the new edition is very timely and welcome."

John Kimball, Blank Rome LLP, New York

"Shipping and the Environment retains its place as the preeminent authority on the laws and legal precedents governing oil pollution from vessels, under both U.S. law and international law."

Herbert Ray, Schwabe, Williamson & Wyatt, Anchorage

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