

## **IOPC FUNDS' LEGAL COUNSEL LECTURES AT IMLI**

Mr. Kensuke Kobayashi, Legal Counsel of the International Oil Pollution Compensation Funds (IOPC Funds), visited the Institute on 1 March, 2016 and delivered a lecture to the class of 2015-2016 on the topic: “*The International Regime on Liability and Compensation for Oil Pollution Damage*”.



*Mr. Kensuke Kobayashi, Legal Counsel of IOPC Funds, meeting with the IMLI Class of 2015-2016*

Mr. Kobayashi commenced his lecture by discussing the history of the IOPC Funds which began with the oil spill from the *Torrey Canyon* leading the international community to establish, under the auspices of the IMO, a regime for compensation for victims of oil pollution. The current international compensation regime is based on two Conventions: the International Convention on Civil Liability for Oil Pollution Damage, 1992 (1992 Civil Liability Convention) and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (1992 Fund Convention), together with the Protocol of 2003 to the 1992 Fund Convention (Supplementary Fund Protocol).

He also provided an overview of the operation of the IOPC Funds, as two intergovernmental organisations, namely the 1992 Fund and Supplementary Fund, which provide compensation for oil pollution damage resulting from spills of persistent oil from tanker. The IOPC Funds, he further explained, are financed by contributions paid by entities that receive certain types of oil by sea transport. These contributions are based on the amount of oil received in the relevant calendar year, and cover expected claims, together with the costs of administering the Funds.

Mr. Kobayashi concluded his lecture by giving an insight into the current areas of focus of the IOPC Funds, including issues from global settlement of *Hebei Spirit* Case, a major oil spill incident in South Korea caused by a Chinese flagged oil tanker struck by a crane barge whilst at anchor off Taean, South Korea, where the total claims submitted was 2,776 billion Korean Won, exceeding the Convention Limit.

Mr. Kobayashi has an extensive legal and international policy and affairs background, having worked for the Japanese government since 1996 including the Ministry of Transport and Embassy of Japan in Thailand.

He earned his LL.B. from Hitotsubashi University, Japan and LL.M. from University College London, UK. He has also completed an Executive Management Program in University of Tokyo.

Before joining the IOPC Funds, Mr. Kobayashi was the Director for the International Planning and Coordination Office of the Japanese Maritime Bureau. He has in the past represented the Japanese Government in various international forums including the IMO and the IOPC Funds' governing bodies.

The students were very appreciative of his practical and enlightening lecture.

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