



NORTHEASTERN ILLINOIS UNIVERSITY PROFESSOR LECTURES AT IMLI

Professor Richard Kilpatrick (Assistant Professor, Northeastern Illinois University) visited the IMO International Maritime Law Institute (IMLI) on 6 December 2017 and delivered a lecture on ‘The Duty to Render Assistance At Sea: Shipping Contract Implications’ to the IMLI Class of 2017-2018.



Professor Richard Kilpatrick (Assistant Professor, Northeastern Illinois University) with the IMLI Class of 2017-2018

In his lecture, Professor Kilpatrick discussed a number of issues surrounding the obligation of private shipmasters, founded in many international legal instruments such as Article 98 of the United Nations Convention on the Law of the Sea (UNCLOS), to rescue persons in distress at sea. He then made special emphasis on the effects of this obligation on shipping contracts. He explained that humanitarian and brave efforts in rescuing persons in distress, such as migrants, though worthy causes, come with high costs. Many ship owners and charterers do not have the resources to cover for such costs.

Professor Kilpatrick further analysed relevant clauses in contemporary P&I club rules with a view to determining whether these rescue operations can be covered by insurance and if so, to what

extent. He also discussed popularly used charterparty form contracts, in particular the BIMCO NYPE forms, to examine whether relevant rescue risks are properly allocated by contract. In doing so, he addressed relevant court decisions and arbitration awards from both the United States and the United Kingdom. IMLI students have certainly benefited from Professor Kilpatrick's pragmatic take on the pressing issue of rescuing refugees and migrants in distress at sea.

Richard Kilpatrick is the Assistant Professor of Business Law at Northeastern Illinois University in Chicago, Illinois, USA. He teaches courses on the American legal system, particularly in the areas of contract law and international business law. Professor Kilpatrick regularly writes and speaks on commercial maritime law matters and the intersection of public and private international law in the shipping context. He holds a Juris Doctor from Tulane University Law School and is a qualified attorney in the State of Illinois. He is currently serving as a Visiting Fellow at the National University of Singapore, Centre for Maritime Law.

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