

**THE LONDON INSTITUTE OF SPACE POLICY AND LAW**  
**for actions to integrate new developments (techniques / technologies / methods)**  
**into current EO services**

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**Oil Spill Case Study – Draft 1**

**The hypothetical scenario**

Company A-OIL, a company registered in Country A, owns the 18-year old *Black Depth* oil production platform in the New Sea operated by its own staff and contractor B-OIL, a company registered in Country B. Oil is delivered to tankers owned and operated by C-OIL, a company registered in Country C, which unloads the oil in Country D for its storage and refinement by a company registered in that State, D-OIL. A crack which developed on 01 January 2010 in the platform's extraction pipeline equipment has resulted in the escape into the sea of around [n] number of barrels per day, a relatively minor amount that generally clusters near to the oil rig; the rate of environmental absorption is normally high. However, the master of C-OIL's tanker, the *Dark Sea*, on 01 May 2010 ordered the cleaning of the vessel's tanks using sea water at the *Black Depth* site just prior to loading. This augmented the seepage from the *Black Depth* pipeline, generating an oil slick at its maximum extent of [...] km in length and [...] in width. The slick finally reached land in Country E, which was obliged to spend [...] on beach clean-up, with lost revenues to the local resort industry of some [...]. As the *Dark Sea* delivers the oil to D-OIL, the manager of the ageing [independent] plant authorizes discharge of a fraction into a run-off area that is not sufficiently sealed; some seeps through to the shoreline, an environment rich in wildlife and exhibiting strong seas and currents.

Further information: Black Depth is situated at a point in the New Sea that falls just within an EEZ declared by Country A, but just outside according to the maps of neighbouring Country D. [Country E disputes the EEZ altogether and is an EU Member State. C is a civil law jurisdiction with an inquisitorial tradition. E is a common law jurisdiction with an adversarial tradition.]

**Questions to discuss**

Examine the circumstances in terms of:

- Surveillance means and operations that will be available and appropriate for evidential purposes (which? how?)
- Sample collection techniques and operations in terms of types of evidence
- Providers of surveillance and sampling capabilities and services
- Authorities responsible for surveillance and verification under legislation
- Tribunals that may be seised
- Initiation of proceedings and locus standi

- Substantive law – hierarchy of sources (international to procedural)
- Evidential law – admissibility and weight of the types evidence concerned
- Data protection and privacy law – restrictions applicable to surveillance and sampling
- Regulatory measures – conservation of evidence
- ADR – if at all applicable in this case study.