A second useful booklet offered as proof of claim to sovereignty is titled: *Dokdo, Korean Territory since the 16th Century.*

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November 21st 2008 (IMO BUNKERS.1/Circ.9) marked the entry into force of the International Convention on Civil Liability for Bunker Oil Pollution Damage (Bunkers Convention or BC). To date, 59 states are parties to the regime comprising approximately 88.95 percent of the world’s tonnage. Thus, its mechanisms and provisions ought to be examined and understood. Dr. Gunasekera has chosen to scrutinize the liability features of the Convention “while especially concentrating on its practical aspects towards attributing liability on the responsible party and ways of obtaining compensation” (p. 27). The book is divided into seven chapters and completed with a substantive introduction and bibliography. The methodology followed by the author – taking salient elements of the regime’s operation and discussing those in lieu of making a progressive article-by-article analysis of the Convention – proves interesting and useful.

His study relies heavily on the *travaux préparatoires* and on comparisons with other maritime compensation and liability regimes such as the International Convention on Civil Liability for Oil Pollution Damage (CLC) and the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS) due to the reliance of the BC drafters on such instruments. Thus, their influence or differences can prove of value when trying to understand the functioning of the Bunkers regime.

The author introduces the reader to the *problématique*: Bunker oil spills have a high probability of happening as they can occur in many instances e.g., “during bunkering operations … in marine accidents and willful and operational discharge” (p. 20), thus multiplying the risk. Furthermore, many non-tanker vessels can carry more bunkers than some tankers as cargo. Without a liability regime that encompasses adequate compensation, there was the likelihood that victims and environmental damage will not be properly redressed. Thereafter, he summarizes the reactive action of IMO from the 1950s OILPOL up to the efforts leading to the BC and restates the cardinal importance of relying on the CLC and HNS, when interpreting the text of the Convention.

In Chapter 1 the author dedicates the first pages to the genesis of the Convention, by examining closely the perceived need for such an international instrument and the efforts of the Australian delegation to the IMO in the process that led to the adoption of the BC. Dr. Gunasekera subsequently discusses the doctrines embedded in the Convention – the polluter pays principle and the doctrine of strict liability – and commences his analysis of the Convention’s text by dealing with two vital terminology elements, “Bunker oil” and “ship.” When addressing the meaning and scope of “bunker oil,” he establishes the differences between the BC and the CLC, strongly emphasizing the excluding effect of Article 4.1 and practical consequences that stem from the broader range of substances covered by the BC (defined not by the nature of the substance, but by the usage given or envisaged) vis-à-vis the much more restricted “persistent hydrocarbon mineral oil” of the CLC. He closes the chapter with the classic discussion surrounding the definition of “ship,” including particularities about the way “ship” is used in the Convention, e.g., the need of those to be actually bunker-operated vis-à-vis diesel-propelled vessels and the status of mobile offshore units (p. 55).

In Chapter 2, Dr. Gunasekera explores the scope of application of the Convention by examining its provisions with regards to its *ratione materiae* and geographical application. In dealing with the geographical scope, the author produces quite unsatisfactory explanations of the application of the regime to the three incumbent spaces i.e., “territory”, “territorial sea” and “exclusive economic zone,” displaying a lack of thorough knowledge on the law of the sea. Thereafter, Dr. Gunasekera focuses on the material scope by expounding the term “pollution damage,” highlighting some of its conventional requirements such as externality, resulting contamination and finally, whether the escape or discharge mentioned corresponds only to accidental events or also, for example, willful discharges.

The author’s analysis moves to “preventive measures” and poses some interesting questions regarding the limited reach of the BC definition such as if anyone would have a *locus standi* to claim compensation for alleged preventive measures or what are “reasonable measures.” These questions, however, will in most cases be answered (in a fragmented way) by municipal courts, rendering any academic speculations mere fictional outcomes. This chapter is concluded