



**Global Marine Environment Protection (GMEP) Initiative:
G20 Response to the oil spill accident at Deepwater Horizon
platform in the Gulf of Mexico**

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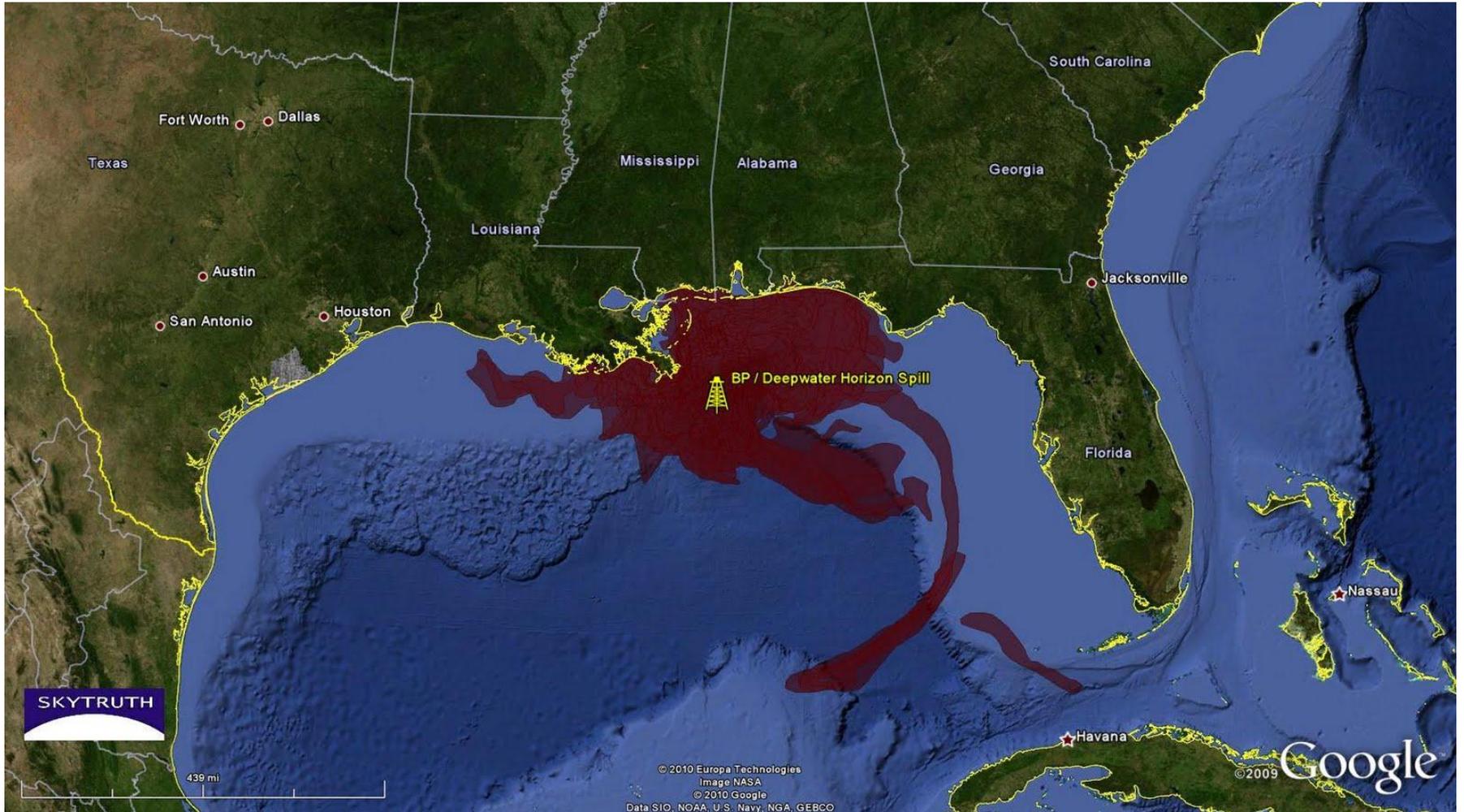
Deepwater Horizon oil spill, 2010

- ▶ ...is considered **the largest accidental marine oil spill** in the history of the petroleum industry, an estimated 8% to 31% larger in volume than the previously largest, the Ixtoc I oil spill.
- ▶ ...BP's Macondo well leaked **2.45m barrels of oil into the Gulf of Mexico.**
- ▶ ... as of 10 December 2013, **2 phases of civil trial** the central question of which is **whether the companies acted with gross negligence or wilful misconduct in causing the disaster.**
- ▶ The final decision will make a difference worth up to **about \$13bn to BP in Clean Water Act¹ penalties, and potentially tens of billions more in punitive damages.**



¹Clean Water Act establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

Deepwater Horizon oil spill, 2010



Deepwater Horizon Court Supervised Settlement Program

- ▶ Under this Program, if one or one's business were harmed by the Deepwater Horizon Oil Spill, **one may be able to get payments and other benefits from two separate legal settlements:**

I. Economic and Property Damages Claims:

The Economic & Property Damages Settlement resolves certain economic loss and property damage claims related to the 2010 Deepwater Horizon oil spill represented by the following categories:

- Seafood Compensation Program
- Individual Economic Loss
- Individual Periodic Vendor or Festival Vendor Economic Loss
- Business Economic Loss
- Start-up Business Economic Loss
- Failed Business Economic Loss
- Coastal Real Property Damage
- Wetlands Real Property Damage
- Real Property Sales Loss
- Subsistence Loss
- VoO Charter Payment
- Vessel Physical Damage

2. Medical Claims:

This Settlement offers benefits to qualifying people who resided in the United States as of April 16, 2012, who were either “Clean-Up Workers” or who were residents in certain defined beachfront areas and wetlands (“Zones”) during certain time periods in 2010.

BP Claims Program

The **BP Claims Program** is separate from the Court Supervised Settlement Program (CSSP) established by the settlement reached between BP and the Plaintiffs' Steering Committee in the federal multi-district litigation concerning the Deepwater Horizon incident. The BP Claims Program is for claimants who fall into the following two categories:

- 1) Individuals and businesses that **are not class members**, as defined in the settlement agreement; and
- 2) Individuals and businesses that are Settlement Class Members but **“opt out” of the class settlement**.

Individuals and businesses submitting can submit the following types of claims to the BP Claims Program:

- ▶ • *Property Damage to Real or Personal Property*
- ▶ • *Lost Profits or Impairment of Earning Capacity - Individuals*
- ▶ • *Lost Profits or Impairment of Earning Capacity - Businesses*
- ▶ • *Removal Costs*
- ▶ • *Subsistence Use*

Compensations paid by BP

- ▶ BP is meeting its commitment to Gulf Coast communities by paying legitimate claims stemming from the Deepwater Horizon accident.
- ▶ Within weeks of the Deepwater Horizon accident, BP began paying compensation for legitimate claims for damages resulting from the accident.
- ▶ **Public Report - data as of October 31, 2013**

Payments	Amount Paid
Total Paid – Individual and Business Claims	\$10,942,903,742
Total Paid – Government	\$1,463,593,511
Total Paid – Other ¹	\$328,255,384
Total Payments	\$12,734,752,637

¹Includes payments for Tourism, Seafood Marketing and Testing, Behavioral Health and 2010 Contributions

History and rationale of GMEP

- 2010: **Oil Spill in the Gulf of Mexico**
- 2010 G20 Toronto Summit: Prompted by several high profile offshore drilling accidents, **G20 Leaders took action to create the Global Marine Environment Protection (GMEP) Initiative** to share best practice to help protect the marine environment from such incidents.
- 2010 G20 Seoul Summit: further backed the initiative by asking that **GMEP be informed by the relevant findings of the *National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling* in the United States and of the *Montara Commission of Inquiry* in Australia.**
- 2011 G20 Cannes Summit: the Initiative had gathered significant pace where **the G20 Leaders welcomed the establishment of a mechanism** to share best practices and information on legal frameworks, experiences in preventing and managing accidents and disasters relating to offshore oil and gas drilling, production and maritime transportation.
- 2012 G20 Los Cabos Summit: the G20 leaders affirmed that **they welcome the launch of the GMEP website**, according to the Cannes mandate.
- 2013 G20 St Petersburg Summit : **Launch of the GMEP website**

GMEP

... is a forum for G20 countries, as well as other interested countries and stakeholders, to share best practices to protect the marine environment, to prevent accidents related to offshore exploration and development, as well as marine transportation, and to deal with their consequences.

Participating countries:

- Argentina
- Australia
- Brazil
- Canada
- China
- European Union
- France
- Germany
- India
- Indonesia
- Italy
- Japan
- Korea
- Mexico
- Netherlands
- Norway
- Russian Federation
- Saudi Arabia
- South Africa
- Spain
- Turkey
- United Arab Emirates
- United Kingdom
- United States

GMEP Mechanism

The concept for the GMEP Mechanism is composed of two parts:

- ▶ *a dedicated website, including national pages and best practices*
 - Each GMEP WG member can share **its own best practices to protect the marine environment, to prevent accidents related exclusively to its offshore exploration and development, as well as marine transportation, and to deal with their consequences on the national web pages.**
- ▶ *face-to-face activities.*

GMEP Website

ABOUT | **PARTICIPATING COUNTRIES** | **BEST PRACTICES AREAS** | **INTERNATIONAL ORGANISATIONS** | **RESOURCES** | **MEETINGS & EVENTS** |

GMEP | **G20 GLOBAL MARINE ENVIRONMENT PROTECTION (GMEP) INITIATIVE**
An Act of Marine Transportation, and its Effect on their Consequences

MISSION OF THE GMEP INITIATIVE
 Offshore oil and gas exploration and development and marine transportation have been undertaken in the waters around the G20 members since the early 1900s. The experience gained from these activities - covering a full range of marine conditions - has led to the development of a wealth of practical experience on health, safety and environment regulation, operational practices and working culture. The G20 members began that by gathering their individual experience into one easily accessible place they will assist each other as well as others in sharing best practices.

BEST PRACTICES AREAS

- Accidents, prevention of, preparedness for and dealing with their consequences**
 Included here are descriptions of frameworks, regulations, guidelines and practices that the different G20 countries have found helpful to preventing...
- Environmental protection**
 Covering best practice approaches to deeper understanding of the impact of offshore oil and gas activities on the marine environment and...
- Oil spill response**
 Material covering the regulatory, operational and environmental context of managing a marine oil spill. Includes material on coping devices...
- Human factors**
 Best practices relating to human behaviour, culture and training and their contribution to protecting the marine environment.
- Marine transportation**
 Material relating to best practices in the marine transportation of oil and gas.

G20 GMEP MANDATES

- Los Cabos 2012
- Cannes Mandate 2011
- Seoul Mandate 2010
- Toronto Mandate 2010

PARTICIPATING COUNTRIES

- ARGENTINA
- AUSTRALIA
- BRAZIL
- CANADA
- CHINA
- FRANCE
- GERMANY
- INDIA
- INDONESIA
- ITALY
- KOREA (REPUBLIC OF)
- JAPAN
- MEXICO
- NETHERLANDS
- NORWAY
- RUSSIA
- SAUDI ARABIA (KINGDOM OF)
- SOUTH AFRICA
- SPAIN
- TURKEY
- UNITED ARAB EMIRATES
- UNITED KINGDOM
- UNITED STATES
- EUROPEAN UNION

2011 | 07 Feb | 25 Mar | 12 May | 22 Aug | 06 Sep | 18 Sep | 16 Oct | 25 Feb | 06 Mar | 21 Mar | 24 Apr | 21 May | + Add an event

In co-operation with:

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DISCLAIMER: This website does not seek to endorse any specific set of best practices or otherwise provide recommendations of any type. No policy recommendations for maritime and its contribution to development of any type are intended and participating countries and international organisations. The responsibility for the content of the material herein has distributed upon the respective G20 members. To be found online. 2012 G20. All Rights Reserved.

... is dedicated to the GMEP country experiences which may help others identify best practices which may be applicable in their own jurisdictions.

GMEP Website provides information on...

- ✓ Texts of or links to **relevant international treaties, national laws and regulations, regulatory guidance, industry and regulatory standards on behavior and safety, and voluntary, consensual standards or practices;**
- ✓ Country or business **best practices to protect the marine environment, to prevent accidents related to offshore exploration and development, as well as marine transportation, and to deal with their consequences;**
- ✓ Regarding a database of accidents and spill responses, GMEP SC members have an opportunity to voluntarily provide **a record of relevant accidents in the offshore area**, listed chronologically and with details on the intensity of the environmental and economic damages caused by the accident. This country-based information is available in an internal database only.
- ✓ Information on all **GMEP Mechanism mandate-related events** worldwide, including upcoming conferences, seminars/workshops, training activities, and publications;

GMEP Best Practices

Accident Prevention

Descriptions of frameworks, regulations, guidelines and practices that the different G20 countries have found helpful in preventing, preparing for and dealing with the consequences of offshore oil and gas accidents.

Environmental Protection

Best practice approaches to deeper understanding of the impact of offshore oil and gas activities on the marine environment and protecting it through preventing accidents related to offshore oil and gas exploration and development, as well as marine transportation, and dealing with their consequences.

Oil Spill Response

Material covering the regulatory, operational and environmental context of managing a marine oil spill. Includes material on capping devices and industry mutual response.

Human Factors

Best practices relating to human behaviors, culture and training and their criticality to protecting the marine environment.

Marine Transportation

Material relating to good practice in the marine transportation of oil and gas.

GMEP Best Practices: Oil Spill Response, a few examples

- ▶ **Russia:** Any company exploring oil fields, producing oil, as well as processing, transporting and storing oil and petroleum products shall be obligated to have an **Oil Spill Prevention and Response (OSPR) Plan** in place specifying measures and actions required to prevent, discover in a timely manner, respond to and mitigate potential emergency situations at facilities damaged by accidental oil spills.
- ▶ **Italy: the National Emergency Response Plan** representing the highest level of the national operational plan and it applies to all possible marine and coastal pollution, whatever its sources and situations that have originated them, every time a national state of emergency is declared.
- ▶ **UK: offshore emergency response legislation - the Merchant Shipping (Oil Pollution Preparedness, Response Co-operation Convention) Regulations 1998** - every offshore installation and oil-handling facility must have an approved oil pollution emergency plan (OPEP) setting out arrangements for responding to incidents that cause or may cause marine pollution by oil, with a view to preventing such pollution or reducing or minimizing its effect.

Thank you