



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUNDS

FONDS INTERNATIONAUX  
D'INDEMNISATION POUR  
LES DOMMAGES DUS À LA  
POLLUTION PAR LES  
HYDROCARBURES

FONDOS INTERNACIONALES  
DE INDEMNIZACIÓN DE  
DAÑOS DEBIDOS A LA  
CONTAMINACIÓN POR  
HIDROCARBUROS

The 1992 Fund operates within the framework of an international regime providing compensation for oil pollution damage caused by oil spills from tankers. The regime is created by two international treaties elaborated under the auspices of the International Maritime Organization (IMO), namely 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). These treaties replace two previous treaties of 1969 and 1971 respectively. The Civil Liability Convention governs the liability of the shipowner, whereas the Fund Convention provides supplementary compensation when the amount paid by the shipowner or his insurer is insufficient to compensate all victims in full. The total amount of compensation available under the 1992 Conventions is 203 million Special Drawing Rights (US\$312 million.). Compensation is available to States, local authorities, private businesses and individuals such as fishermen. Since the original Fund was set up in 1978, compensation totalling US\$925 million has been paid in respect of some 137 incidents. The 1992 Fund is financed through a levy on oil received in Member States after sea transport and currently has 103 Member States with a further State for which the Fund Convention will be in force by the end of April 2010. A list of Member States is attached hereto.

A Protocol to the 1992 Fund Convention which was adopted in May 2003 under the auspices of IMO entered into force on 3 March 2005. The Protocol, which had been prepared by the 1992 Fund, creates a Supplementary Compensation Fund that improves the international regime. The Supplementary Fund does not replace the 1992 Fund but makes available additional compensation to victims in the States which accede to the Protocol. It has available an amount of some US\$840 million, in addition to the amount of some US\$312 million which is available in the 1992 Fund. As a result, the total amount available for compensation for each incident in the States which are Members of the Supplementary Fund is approximately US\$1 152 million.

The Protocol has been ratified by Australia, Barbados, Belgium, Canada, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Slovenia, Spain, Sweden and the United Kingdom. The Protocol will enter into force for Morocco on 4 February 2010.

In respect of your request for information relating to the first part of the Secretary-General's report in respect of Capacity-building in ocean affairs and the law of the sea, including marine science", would you kindly note the following IOPC Funds' activities:

- In November 2009, a member of the IOPC Funds' Secretariat presented at the Regional Workshop and Conference of the Global Initiative for West and Central Africa (GI WACAF), which was held in Yaoundé, Cameroon. GI WACAF is a partnership between IMO and the International Petroleum Industry Environment Conservation Association (IPIECA) to enhance the capacity of countries to prepare for and respond to marine oil spills. The Workshop and Conference were organised by the Cameroon Pipeline Steering and Monitoring Committee, in collaboration with IMO/IPIECA, and was attended by 120 participants. The event covered a variety of topics, including the review of progress achieved and the exchange of experiences, developing national and regional action plans, delivering training on OPRC 90, 1992 Civil Liability Convention and Fund Conventions and a review of the Emergency Protocol to the Abidjan Convention.
- A regional workshop on claims for compensation under the Civil Liability and Fund Conventions (and an OPRC HNS seminar) was conducted by the IOPC Funds' Secretariat in Pointe Noire (Republic of Congo) from 10 to 14 December 2007 within the Global Initiative West and Central African (GIWACAF) programme. The workshop and seminar were organised by IMO, IPIECA (International Petroleum Industry Environmental Conservation Association) in cooperation with the IOPC Fund. The seminar and workshop were attended by some eighty participants from government departments or agencies of Angola, Benin, Cape Verde, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mauritania, Namibia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa and Togo. Representatives of other intergovernmental organisations such as the United Nations Industrial Development Organization (UNIDO) were also present as well as representatives from the oil industry in the Republic of Congo.
- The IOPC Funds have also been involved in the organization of numerous national and regional workshops at the request of both Member States and non-Member States and over recent years have participated in workshops in Argentina, Chile, Arab Republic of Egypt, Equatorial Guinea, Gabon, Ghana, Guatemala, Islamic Republic of Iran, Israel, Kazakhstan, Madagascar, Nigeria and Tunisia where staff members have given lectures on liability and compensation for oil pollution damage and on the operation of the IOPC Funds.
- The Funds' Secretariat also participated in Interspill 2009 which was held in Marseille, France. A workshop was conducted which was aimed at enhancing the understanding of the international regime for compensation for oil pollution damage from tankers. It consisted of lectures explaining the international legal framework as well as the roles of claimants, P&I Clubs and the IOPC Funds and was followed by the solving by the participants of real life, practical compensation issues, based on past experience and present policies of the Funds. The Funds were also represented with a stand which was visited by many participants of the Conference and Exhibition and where members of the Secretariat provided information and answered questions about the operations of the Funds and its activities worldwide. Documentation about the Funds in all three official languages was made available to interested participants and useful contacts were established or renewed.
- IOPC Funds' staff also lecture on a regular basis to students from several European universities on the international oil pollution compensation regime and to fellows of the International Tribunal for the Law of the Sea capacity building and training programme on dispute settlement.
- Further information on the participation of the IOPC Funds' staff in capacity-building activities can be found on the News and Events page of the IOPC Funds' website: <http://www.iopcfunds.org/seminars.htm>



**States Parties to both the  
1992 Civil Liability Convention and the  
1992 Fund Convention**

as at 20 January 2010  
(and therefore Members of the 1992 Fund)

<i>103 States for which 1992 Fund Convention is in force</i>		
Albania	Georgia	Norway
Algeria	Germany	Oman
Angola	Ghana	Panama
Antigua and Barbuda	Greece	Papua New Guinea
Argentina	Grenada	Philippines
Australia	Guinea	Poland
Bahamas	Hungary	Portugal
Bahrain	Iceland	Qatar
Barbados	India	Republic of Korea
Belgium	Ireland	Russian Federation
Belize	Islamic Republic of Iran	Saint Kitts and Nevis
Brunei Darussalam	Israel	Saint Lucia
Bulgaria	Italy	Saint Vincent and the Grenadines
Cambodia	Jamaica	Samoa
Cameroon	Japan	Seychelles
Canada	Kenya	Sierra Leone
Cape Verde	Kiribati	Singapore
China (Hong Kong Special Administrative Region)	Latvia	Slovenia
Colombia	Liberia	South Africa
Comoros	Lithuania	Spain
Congo	Luxembourg	Sri Lanka
Cook Islands	Madagascar	Sweden
Croatia	Malaysia	Switzerland
Cyprus	Maldives	Tonga
Denmark	Malta	Trinidad and Tobago
Djibouti	Marshall Islands	Tunisia
Dominica	Mauritius	Turkey
Dominican Republic	Mexico	Tuvalu
Ecuador	Monaco	United Arab Emirates
Estonia	Morocco	United Kingdom
Fiji	Mozambique	United Republic of Tanzania
Finland	Namibia	Uruguay
France	Netherlands	Vanuatu
Gabon	New Zealand	Venezuela
	Nigeria	
<i>1 State which has deposited an instruments of accession, but for which the 1992 Fund Convention does not enter into force until date indicated</i>		
Syrian Arab Republic		24 April 2010