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Foreword

It was a great honour to have been elected Chair of the 1992 Fund Assembly in March 2021 and, in this new capacity, I am delighted to introduce the IOPC Funds Annual Report. 2021 was an unusual year for the organisation in many respects. The lifting and reinforcement of national and international restrictions at various points during the year due to the ongoing pandemic required both the Secretariat and the Member States to adapt quickly to the changing circumstances. All this during a pivotal year for the organisation as the 1992 Fund Assembly was required to elect a new Director to succeed Mr José Maura, whose second term of office expired on 31 December.

I wish to thank Mr Maura and the Assembly for ten years of outstanding service. Mr Maura’s leadership and commitment to the organisation have proved invaluable, and I am confident that the 1992 Fund Assembly will continue to enjoy the same high standard for any successor to follow. I am also grateful to Mr Gaute Sivertsen for his outstanding contribution to the organisation and to the new role of the Chair of the Assembly. His appointment was announced in June 2021, following the unanimous recommendation of the Member States.

I am confident that the organisation is ready for the demands, financial or otherwise, of the year ahead. With the support of its Member States, reliability of its contributors and under the leadership of its new Director, I am confident that the organisation is ready for the demands, financial or otherwise, of the year ahead.

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A record 88 States participated in the November 2021 meeting
It is with a touch of sadness but with great pride that I present the Annual Report of the IOPC Funds for the last time, as I look back on the work and activities of the Funds in 2021 and my final year as Director of this unique and successful organisation.

During 2021, the COVID-19 pandemic continued to present significant challenges across the globe. For the IOPC Funds, it led to three further remote meetings of its governing bodies and extended periods of remote working for the Secretariat. However, the output of the organisation was largely unaffected, with payments of compensation continuing to be made and new practices being adopted to ensure engagement with Member and non-Member States was maintained and the promotion of the international liability and compensation regime was upheld.

The 1992 Fund welcomed a new Member State, Nauru, in March and a further two States, San Marino and Costa Rica, acceded to the 1992 Fund Convention in April and May respectively.

A new incident in Israel was reported to the 1992 Fund in early February 2021 and treated as a priority, with an expert sent to the location of the spill and close cooperation with the Israeli authorities from the outset. In July the 1992 Fund Executive Committee decided that the 1992 Civil Liability and Fund Conventions would apply and authorised me to make compensation payments for admissible claims arising out of the incident. There were also developments in a number of other open cases involving the IOPC Funds, including some incidents with longstanding issues which have moved closer to resolution.

The receipt of oil reports and the payment of contributions continued to prove to be a highly successful and reliable system in 2021, with only an extremely small percentage of States failing to submit their reports and an even smaller number of oil receivers failing to pay their due contributions. Nevertheless, the Secretariat began to explore ways aimed at achieving 100% submission and payment in the future.

Staff were able to safely return to the office for a brief trial of the ‘new normal’ in the latter part of 2021, during which, following the introduction of flexible work guidelines and a revised working from home (WFH) policy, the Secretariat was able to demonstrate both continued efficiency and dedication to their work whilst enjoying an improved work-life balance.

Whilst it was disappointing not to have been able to hold my last meeting, the November sessions of the governing bodies, in London and to see delegations in person, I was extremely pleased with the delivery of the event and in particular the smooth running of the election for my successor. I am delighted to be handing over to the former Chair of the 1992 Fund Assembly and long-standing delegate and friend, Gaute Sivertsen, who I know will steer the organisation skilfully and safely into the future.

I consider it a true privilege to have served the IOPC Funds as Director for ten years and to have also worked for the IOPC Funds in various capacities for another 15 years prior to that. I take this opportunity to thank my colleagues at the Secretariat, the Chairs of the governing bodies, the Audit Body and Investment Advisory Body members over the years, the Member States, IMO, the P&I Clubs and all others who have contributed to the success of the organisation and provided support during my tenure as Director. I say a fond farewell to the IOPC Funds but will be very pleased to watch from the side-lines as it continues the important work of compensating victims of oil spills in the years to come.
Looking ahead

Whilst I am used to saying a few words in the IOPC Funds Annual Report, reflecting on the previous year’s work from the perspective of Chair of the 1992 Fund Assembly, this is the first time that I have the opportunity to write in my capacity as newly appointed Director of the organisation.

In my role as representative of the Norwegian delegation, the work of the IOPC Funds formed part of my responsibilities for many years. I have always had great respect for the work of the organisation and have valued very highly the role it plays in the international maritime community. Chairing the 1992 Fund Executive Committee and later the Assembly, were both positions which I felt extremely proud and privileged to hold. Having now been elected to lead the organisation as Director, I feel particularly honoured and am very grateful for the trust the Member States have bestowed upon me.

I would like to thank the outgoing Director, José Maura, for the fantastic job he carried out over the past 10 years. I can begin my term of office safe in the knowledge that I am inheriting a very competent organisation and a very skilled and professional Secretariat. Having sat alongside José at IOPC Funds meetings, I have benefited from his cooperation and experience during my time as Chair. I know the importance of such strong cooperation between the Chairing team and the Director and look forward to creating that same dynamic with the current Chairs of the governing bodies.

Looking ahead into 2022, I hope to have the opportunity to hold in person meetings again, but whatever the circumstances allow for, I am determined to engage at the earliest opportunity and regularly thereafter with the Member States, industry and other stakeholders, on how best to proceed on the issues facing the organisation.

During the election, I promised to serve the Member States and victims of oil pollution, to defend the Funds’ interests and to adapt to changing needs. That is a promise I intend to keep and will indeed start delivering on in the year ahead.

Gaute Sivertsen
Director

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The International Oil Pollution Compensation Funds (IOPC Funds) provide financial compensation for oil pollution damage that occurs in its Member States, resulting from spills of persistent oil from tankers.

An international regime of compensation for tanker spills was established by IMO through the adoption of the 1969 Civil Liability Convention and 1971 Fund Convention. The latter Convention established the first IOPC Fund.

Financed by contributions paid by entities within Member States that receive persistent oil after sea transport, the IOPC Funds have been compensating victims of oil pollution damage since 1978.

Following a number of large incidents during the 1980s, it became clear that the amount available under the original Conventions was insufficient and IMO developed two Protocols which increased the limits and widened the scope of the original Conventions, creating the 1992 Civil Liability Convention and the 1992 Fund Convention.

In 2003, a third instrument, the Supplementary Fund Protocol, was adopted, providing 1992 Fund Member States with additional compensation above that available under the 1992 Fund Convention, should they opt to also become Parties to that Protocol.

The IOPC Funds comprise two organisations, the 1992 Fund and Supplementary Fund. It has a Secretariat based in London, United Kingdom and employs international experts as required.

Since their establishment, the 1992 Fund and the preceding 1971 Fund have been involved in over 150 incidents of varying sizes; all over the world and have paid some £747 million in compensation. No incidents have occurred so far which have involved or are likely to involve the Supplementary Fund.

This report focuses on the work of the IOPC Funds during 2021. For further general information about the organisation and its history, please visit www.iopcfunds.org.

Funds’ overview

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Legal Framework

The international liability and compensation regime is currently based on:

1. the International Convention on Civil Liability for Oil Pollution Damage, 1992 (1992 Civil Liability Convention or 1992 CLC);
2. the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (1992 Fund Convention); and

1992 Civil Liability Convention

The 1992 CLC provides a first tier of compensation which is paid by the owner of a ship which causes pollution damage.

Under the 1992 CLC, the shipowner has strict liability for pollution damage caused by the oil, i.e. the shipowner’s liability is independent of fault on the part of the ship or its crew. However, the shipowner can normally limit its liability to an amount that is determined by the tonnage of the ship.

For ships carrying more than 2,000 tonnes of oil as cargo in bulk, the shipowner is obliged to maintain insurance to cover its liability under the 1992 CLC, and claimants have a right of direct action against the insurer.

1992 Fund Convention

The International Oil Pollution Compensation Fund, 1992 (1992 Fund) was set up under the 1992 Fund Convention and is financed by the oil industry and managed by governments. The 1992 Fund provides a second tier of compensation when the amount available under the 1992 CLC is insufficient (i.e. the damage exceeds the limit of the shipowner’s liability) and also when the shipowner is exempt from liability or is financially incapable of meeting its obligations under the 1992 CLC.

The maximum compensation payable by the 1992 Fund is SDR 203 million, irrespective of the size of the spill. This maximum amount includes the sums actually paid by the shipowner under the 1992 CLC.

Supplementary Fund Protocol

The Supplementary Fund provides a third tier of compensation on top of the amount available under the 1992 Fund Convention in States which are also Parties to the Supplementary Fund Protocol. The total amount available for compensation for each incident is SDR 750 million, including the amounts payable under the 1992 Conventions.

The full texts of the 1992 Conventions and the Supplementary Fund Protocol may be obtained from the publications page of the Funds’ website: www.iopcfunds.org.

* The unit of account in the Conventions is the Special Drawing Right (SDR) as defined by the International Monetary Fund.

>219 entities were liable to contribute to the 1992 Fund in 2021
>125 were also liable to contribute to the Supplementary Fund

The 1992 Fund Convention (1992 CLC)
The Small Tanker Oil Pollution Indemnification Agreement (STOPIA) and the Tanker Oil Pollution Indemnification Agreement (TOPIA) are two voluntary agreements set up by the shipowners and the P&I Clubs which are members of the International Group, to indemnify, up to certain amounts, the 1992 Fund and Supplementary Fund, respectively, for the compensation paid. Although not parties to these agreements, the 1992 Fund and Supplementary Fund have legally enforceable rights to indemnification from the shipowner in accordance with the agreements.

Indemnification was paid to the 1992 Fund under STOPIA in respect of the Solar 1 incident (Philippines, 2006). STOPIA is also applicable to the Trident Star incident (Malaysia, 2014). The insurer has, therefore, been reimbursing the 1992 Fund for compensation payments made in respect of that incident. Since there have been no incidents involving the Supplementary Fund, TOPIA has not been applied.

The full texts of the 1992 Conventions and the Supplementary Fund Protocol may be obtained from the publications page of the Funds’ website: www.iopcfunds.org.

1969 Civil Liability Convention

The original international regime was based on the 1969 Civil Liability Convention (1969 CLC) and the 1971 Fund Convention. While the 1971 Fund Convention is no longer in force, the 1969 CLC remains active, but it offers lower limits of compensation than the 1992 CLC. It is recommended that any State still Party to the Convention should increase its protection by acceding to the 1992 CLC and denounced the 1969 CLC as soon as possible.

States that remain Party to the 1969 CLC only
- Brazil
- Equatorial Guinea
- Kazakhstan
- Libya
- Sao Tomé and Principe

New Member State

The Republic of Nauru became a 1992 Fund Member State in March 2021. Instruments of accession to the 1992 Civil Liability and Fund Conventions were deposited on 23 March 2020 and in the event of a major tanker incident polluting the Pacific island’s coastline, the 1992 Fund will now be able to provide compensation to those affected under the international liability and compensation regime. On the same day, Nauru, the third smallest country in the world, also acceded to a number of other IMO Conventions covering liability and compensation for damage caused by ships and the prevention of marine pollution.

The Director is delighted to welcome Nauru, one of the last United Nations Pacific Small Island Developing States to join the organisation. He looks forward to Nauru’s participation in meetings and contribution to the work of the IOPC Funds in the future.
Secretariat

The 1992 Fund and the Supplementary Fund share a joint Secretariat, consisting of 24 staff members as at February 2022. The Director is the chief administrative officer and is responsible for the overall management of the Funds, including maintaining a sound system of internal control that supports the achievement of the Funds’ policies, aims and objectives and safeguards its assets. The system of internal control is based on procedures designed to ensure conformity with the Funds’ Financial Regulations, Internal Regulations and decisions of the respective governing bodies.

The Secretariat is divided into four departments, namely: the Claims Department; the Finance and Administration Department; the External Relations and Conference Department; and, since March 2021, the Information Technology Department, the functions of which had previously belonged to the Finance and Administration Department. The Director’s Office sits outside the departmental structure. The Director is assisted by a Management Team, comprising the Deputy Director and the Heads of each Department.

In addition to the permanent staff of the Secretariat, the Funds use external consultants to provide advice on legal and technical matters, as well as on other matters relating to the management of the Funds, where necessary. Also, in connection with a number of major incidents, the Funds and the shipowner’s third-party liability insurer have jointly established local claims offices to provide more efficient handling of claims and to assist claimants.

The Secretariat is based within the same building as the International Maritime Organization in London, United Kingdom. The relationship between the Host State and the IOPC Funds is governed by a Headquarters Agreement between the Government of the United Kingdom and the IOPC Funds. The Agreement sets out the privileges and immunities of the IOPC Funds, of delegates to meetings and of staff members.

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Administration

Joint Secretariat expenses

The joint administrative expenses (excluding the external audit fees which are paid directly by each of the Funds) for the Secretariat are set out below.

Commentary on the joint Secretariat expenditure is provided in Annex I of the 1992 Fund’s Financial Statements, which can be found in the 2020 Financial Review publications available on the Publications page of the Funds’ website. Further details relating to the financial administration of the organisations and key figures for 2021 are provided under the Financial Review section of this Annual Report (pages 54-58).

Joint Secretariat expenditure 2021 unaudited £ 2020 audited £ 2019 audited £
Expenditure 3 961 283 3 934 204 4 235 316
Budget 4 708 287 4 875 731 4 692 577
Expenditure as % of budget 84% 81% 90%
External audit fees 53 600 43 200 38 000

External Auditor

An External Auditor is appointed by the 1992 Fund Assembly and Supplementary Fund Assembly every four years. The current IOPC Funds’ External Auditor is BDO International (BDO), who were first appointed by the governing bodies in October 2015 and reappointed in October 2019 for a further four-year term, i.e. the financial years 2020–2023 inclusive. BDO report on the audit of the Financial Statements of the 1992 Fund and Supplementary Fund at each regular session of the 1992 Fund and Supplementary Fund Assemblies (see Financial Review section, pages 54–58).

Audit Body

The joint Audit Body, established by the IOPC Funds’ governing bodies, normally meets in person three times a year to review the adequacy and effectiveness of the organisations. During 2021, the Audit Body discharged its duties by holding remote meetings. The Audit Body looks at the key issues of management and financial systems, financial reporting, internal controls, operational procedures and risk management, and it reviews the organisations’ Financial Statements. It also considers all relevant reports by the External Auditor. In addition to their core tasks, in 2021 the Audit Body members continued the work commenced by their predecessors to explore how the Funds could address the issues arising from and the risks relating to incidents involving insurers who are not members of the International Group of P&I Associations.

Risk management

The Secretariat has a full risk management system in place, which is regularly reviewed and updated. In consultation with the Audit Body and the External Auditor, the risks are categorised either as operational risks or institutional risks. Operational risks have five further subcategories, namely: finance/contributions, governance/management, compensation, safety/security and communication/publications (including the website). These identified risks and any corresponding mitigation measures which are put in place are continuously monitored to ensure a robust risk management system is maintained.

The current Audit Body consists of the following six members, who were elected by the governing bodies in December 2020 for a period of three years:

- Mr Alfred H.E. Popp, CM, Q.C. (Canada)
- Mrs Birgit Sølling Olsen (Denmark) (Chair)
- Mr Arnold Rondeau (France)
- Mr Vatsalya Saxena (India) (Vice-Chair)
- Dr Hideo Osuga (Japan)
- Captain Thomas F. Heinan (Marshall Islands)

The tenure of Mr Michael Knight as external expert was also extended exceptionally for one year until 31 December 2021. Mr Knight had served on the Audit Body for ten years and at the November 2021 sessions of the governing bodies, the Director, Chair of the Audit Body and the Member States took the opportunity to thank Mr Knight and express their appreciation for his contribution to the work of the organisations.

The new external expert of the joint Audit Body, Mrs Alison Baker, was appointed in November 2021.

Investment Advisory Body

The joint Investment Advisory Body (IAB), established by the IOPC Funds’ governing bodies, advises the Director on procedures for investment and cash management controls. The IAB also reviews the IOPC Funds’ investments and foreign exchange requirements, to ensure that reasonable investment returns are achieved without compromising the safety of the IOPC Funds’ assets.

The IAB normally meets four times a year with the Secretariat and in 2020 held remote meetings. It also meets with the Audit Body and External Auditor to share information and reports to the governing bodies at their regular sessions.

The term of the IAB expired following the governing bodies’ regular sessions in December 2020. At these sessions two members of the IAB were reappointed for a further three-year term until 2023, however, one long-serving member, Mr Brian Turner, will be stepping down in 2022, when a suitable replacement will be sought.

The three current members of the joint Investment Advisory Body are (left to right): Ms Beate Grosskurth, Mr Brian Turner and Mr Alan Moore.

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**Compensation and Claims Management**

The principal role of the IOPC Funds is to pay compensation to those who have suffered oil pollution damage in a Member State who cannot obtain full compensation for the pollution damage from the shipowner under the 1992 Civil Liability Convention (1992 CLC).

### WHO CAN CLAIM?

Claimants may be individuals, partnerships, companies, private or public organisations or public bodies, including those of a local nature.

### WHEN SHOULD CLAIMS BE SUBMITTED?

Claims should be submitted as soon as possible after the event of the incident, the process for claim submission and the necessary documentation will normally be made available to claimants via the IOPC Funds' website (www.iopcfunds.org).

### HOW CAN CLAIMS BE SUBMITTED?

Claims are submitted to the IOPC Funds’ secretariat or local claims offices. For further information please visit the website: www.iopcfunds.org.

### HOW ARE CLAIMS ASSESSED?

Claims are assessed according to criteria established by the Funds and contained in the relevant claim guidelines. To be accepted, a claim must also comply with any conditions set out in the relevant legislation. The Funds’ Secretariat is also available to provide advice on how to present claims for compensation.

### WHAT TYPE OF CLAIMS ARE ADMISSIBLE?

A claim is admissible if the pollution damage to property or economic losses are caused by oil spilled from a vessel and if the damage occurred in a Member State who is a 1992 Fund Member State. A claim can also be admissible if the damage occurred in a non-Member State if the shipowner or their insurer are Members of the Supplementary Fund.

### HOW ARE CLAIMS SETTLED?

The IOPC Funds aim to pay claims as promptly as possible and normally make provision for payments of compensation in the form of advance payment to the claimants. However, for incidents involving larger claims or where a specific claim gives rise to a question of principle which has not previously been decided by the governing bodies, the Director needs approval from the relevant governing body of the Fund to vary this practice. In those cases, claimants are entitled to receive up to 80% of the assessed claim.

### IS MY CLAIM ADMISSIBLE FOR COMPENSATION?

Before submitting a claim, make sure you answer yes to the following questions:

- Have you already actually suffered the pollution damage or its effects?
- Does the pollution or its effects reduce the value of your property or your economic activity, or cause physical injuries or death?
- Have you previously received compensation for similar damage occurring in the same incident?

**HELPFUL RESOURCES**

The Claims Manual and various other guidelines for claimants are available at www.iopcfunds.org.
The IOPC Funds are two intergovernmental organisations (the 1992 Fund and the Supplementary Fund) which provide compensation for oil pollution damage resulting from spills of persistent oil from tankers.

Compensation and Claims Management

The process in brief
Since their establishment in October 1978, the IOPC Funds have been involved in over 150 incidents. Details of all incidents, and in many cases a full case study, including latest developments, can be found under the Incidents section of the IOPC Funds’ website. A summary of key developments in a number of cases during 2021 and the position taken by the governing bodies in respect of claims is set out here.

**MT HARcourt (Nigeria, November 2020)**

The oil storage tanker MT Harcourt, moored alongside the Elcrest Terminal in the Gbetiokun oil field, Delta State, Nigeria, suffered an explosion in a ballast water tank on 2 November 2020. Approximately 31 barrels of crude oil were reported to have spilled. There were no casualties. Booms were placed around the vessel and across the entrance of the side channel in which the MT Harcourt was moored. Cargo from the adjacent tank was moved to other tanks to avoid loss into the ballast tank, which was at that point open to the river. The insurer, the West of England P&I Club, mobilised surveyors to attend on board for the duration of the cargo discharge operations to other vessels. The surveyors also monitored the boom placement and were satisfied that the clean-up operations organised by the Terminal were ultimately wholly successful.

A representative of 12 riverine communities alleged to have been affected filed a claim against the shipowner and Master, in the Federal High Court, Warri, Nigeria. The P&I Club instructed experts to take water samples of the allegedly affected areas for comparison with the ship’s oil cargo. No trace of the oil cargo was found in the water samples. The P&I Club notified the 1992 Fund of the incident and has filed a defence. The P&I Club has also indicated that it does not expect to make interim payments. Furthermore, the owner of the MT Harcourt is a party to STOPA 2006 (as amended 2017) whereby the limitation amount applicable to the tanker is increased, on a voluntary basis to SDR 20 million. It is unlikely that the amount of compensation payable in respect of this incident will exceed that amount and as a result, that the 1992 Fund will be called upon to pay compensation.

**Incident in Israel (Israel, February 2021)**

In February 2021, the Government of Israel contacted the 1992 Fund requesting assistance with a mystery spill, which resulted in tar balls being washed up along the Israeli coastline. The Israeli Ministry of Environmental Protection organised a full response to the spill and investigation was undertaken to identify the source. Analyses of samples collected from the polluted site confirmed that they were of crude oil which had originated from a single source. As there were no offshore platforms or pipelines in the area, experts concluded that the only possible source was a tanker carrying crude oil. Following its investigation, the Government of Israel identified only one tanker that it considered likely to be responsible for the spill. However, there was insufficient proof to establish that it was that specific tanker that had caused the pollution.

The 1992 Fund Convention applies to spills of persistent oil even if the ship from which the oil is released cannot be identified. It is therefore possible that the spill was caused by a tanker not subject to the 1992 Fund. The 1992 Fund was approached by the Israeli Environmental Protection Ministry, and it agreed that a claim for compensation for economic losses would be considered. The Israeli Government completed the spill response and clean-up, but was not able to estimate the cost of the response. However, the 1992 Fund has already received an estimate of the cost of the response to the oil spill of approximately ILS 170 million (£19.0 million). As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims. As at 31 December 2021, one claim had been submitted for the amount of compensation payments for admissible claims.

**New Incidents**

- **Ship**: MT Harcourt
  - **Date of incident**: 02.11.2020
  - **Place of incident**: Benin river, Delta State, Nigeria
  - **Cause of incident**: Explosion from oil leaked into ballast tank
  - **Quantity of oil spilled**: Unknown but estimated to be approximately 31 barrels (4.2 tonnes)
  - **Area affected**: Oil reportedly contained within side channel where vessel moored
  - **Flag State of ship**: Marshall Islands
  - **Gross tonnage**: 26 218 GT
  - **P&I Insurer**: West of England P&I Club

- **Ship**: Unknown
  - **Date of incident**: 17.02.2021 (date of the oil reaching the shoreline)
  - **Place of incident**: Israeli EEZ (presumed)
  - **Cause of incident**: Unknown (presumed to be crude oil washing)
  - **Quantity of oil spilled**: Unknown
  - **Area affected**: Israeli coastline (approximately 170 km) with tar balls
  - **Flag State of ship**: Unknown
  - **Gross tonnage**: Unknown
  - **P&I Insurer**: Unknown

**Table of Incidents**

<table>
<thead>
<tr>
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</tr>
</tbody>
</table>
Pollution damage claims submitted in this case may be over USD 50 million, however, it is not clear whether the 1992 CLC apply. Several claimants before the District Court in Rotterdam against the shipowner, its insurer and other parties. The 1992 Fund has been notified or included as a defendant in some of the proceedings. Legal actions have been brought and Fund Conventions were to apply to this incident. The 1992 Fund has requested a stay of the proceedings until such time as the Supreme Court renders its decision on whether the Bunkers Convention 2001 or the 1992 CLC apply.

In December 2021, the 1992 Fund was admitted as an interested party in the proceedings. Legal actions have been brought by several claimants before the District Court in Rotterdam against the shipowner, its insurer and other parties. The 1992 Fund has been notified or included as a defendant in some of the actions, in case the 1992 Civil Liability and Fund Conventions were to apply to this incident. The 1992 Fund has requested a stay of the proceedings until such time as the Supreme Court renders its decision on whether the Bunkers Convention 2001 or the 1992 CLC apply.

The three-year time-bar period for this incident expired in September 2020. It was reported to the November 2021 session of the 1992 Fund Executive Committee that, in total, the 1992 Fund had received 433 claims amounting to EUR 99.95 million and USD 175,000 and had made compensation payments totalling some EUR 14.93 million in respect of this incident. The 1992 Fund had been served with legal proceedings totalling over EUR 80 million, filed at the Piraeus Court of First Instance by over 60 claimants in the clean-up, tourism, and fisheries sectors. The Greek State also served the 1992 Fund with legal proceedings. Several investigations into the cause of the incident have been carried out, one of them concluded that the incident occurred as a result of an explosion. A separate investigation, for the Public Prosecutor, concluded that the sinking had been caused by the opening of the seawater ballast valves which could only have been done from on board the vessel. It considered that the incident was attributed to the deliberate and negligent action of the shipowner and other parties including representatives of the salvor/one of the clean-up contracting companies.

However, the lawyers have advised that the burden of proof would not rest upon the 1992 Fund and that mere suspicion of such action would not be sufficient to deny payment. If, however, the claimant was eventually condemned by a criminal court to eventually condemn the pollution in order to benefit from the right to claim compensation, would be considered an abuse by the Greek courts under the provisions of Greek legislation.
The Hebei Spirit incident resulted in over 128,000 claims for compensation, the highest ever number received by the IOPC Funds in respect of one incident. Following the excellent cooperation between the Government of the Republic of Korea, the ship's insurer, Assuranceföreningen Skuld (Gjensidig) (Skuld Club) and the IOPC Funds, all admissible claims for this incident have been finalised by either mediation or judgment and a total of KRW 432.9 billion has been awarded.

All legal proceedings related to the incident were finalised in September 2019.

In February 2021, the Samsung Heavy Industries Co., Ltd (SHI) Limitation Court issued a decision on the distribution of the SHI limitation fund and granted the 1992 Fund KRW 3,271,486,069 (£2.2 million). That amount was paid to the 1992 Fund in June 2021.

Due to the global COVID-19 pandemic, the meeting planned between the Secretariat, the Skuld Club and the Government of the Republic of Korea, on the lessons learnt from the incident was postponed until travel restrictions ease and is now due to take place in 2022.
### Calculation of contributions

**Steps:**
1. **Amount received on behalf of another company**: The IOPC Funds uses the amount received on behalf of another company towards the General Fund. This amount is treated as if it had received one tonne of contributing oil.
2. **Total volume of oil transported**: The total volume of oil transported is calculated using the quantities of contributing oil received in the preceding calendar year.
3. **Claims-related expenditure**: Claims-related expenditure is calculated using the quantities of contributing oil received in the preceding calendar year.
4. **Claims**: Claims are calculated using the quantities of contributing oil received in the preceding calendar year.
5. **Amendment of reports**: If a State submits a nil report. The State will have to inform the Secretariat by submitting a request to all Member States for the submission of oil reports for the next calendar year.

**Formulas used to calculate the levy per tonne of oil received**

- **Contributions to the General Funds**: Contributions to the General Funds are calculated using the quantities of contributing oil received in a 1992 Fund Member State, before being discharged in a port or terminal installation.
- **Contributions to the Supplementary Fund**: Contributions to the Supplementary Fund are calculated using the quantities of contributing oil received in a 1992 Fund Member State, before being discharged in a port or terminal installation.

**TERMS OF OIL RECEIVED**

- **Crude oil**: Oil that is transported by sea and not refined. It is the first physical receiver of the oil in a Member State.
- **Heavy fuel oil**: Oil that is transported by sea and refined. It is the first physical receiver of the oil in a Member State.

**QUANTITY OF OIL RECEIVED IN ALL MEMBER STATES (METRIC TONNES)**

<table>
<thead>
<tr>
<th>Contributions</th>
<th>Amount received on behalf of another company</th>
<th>Total volume of oil transported</th>
<th>Claims-related expenditure</th>
<th>Claims</th>
<th>Amendment of reports</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sterling (£)</strong></td>
<td><strong>Metal (£)</strong></td>
<td><strong>Metal (£)</strong></td>
<td><strong>Metal (£)</strong></td>
<td><strong>Metal (£)</strong></td>
<td><strong>Metal (£)</strong></td>
</tr>
<tr>
<td><strong>2021</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AMOUNT PER TONNE OF OIL RECEIVED (Metal (£))**

- **Contributions to the General Funds**: Contributions to the General Funds are calculated using the quantities of contributing oil received in the preceding calendar year.
- **Contributions to the Supplementary Fund**: Contributions to the Supplementary Fund are calculated using the quantities of contributing oil received in the preceding calendar year.

**AMOUNT TO BE PAID BY EACH CONTRIBUTOR IN METAL (£)**

- **Contributions to the General Funds**: Contributions to the General Funds are calculated using the quantities of contributing oil received in the preceding calendar year.
- **Contributions to the Supplementary Fund**: Contributions to the Supplementary Fund are calculated using the quantities of contributing oil received in the preceding calendar year.

**For further information please visit the website: www.iopcfunds.org**
The IOPC Funds are funded by the oil industry and managed by governments.

Oil Reporting and Contributions

The process in brief
1992 Fund

At the November 2021 sessions of the governing bodies, the 1992 Fund Assembly decided to levy contributions to the General Fund of €12.2 million, payable by 1 March 2022. It also decided to levy contributions to the incident in Israel Major Claims Fund of £8 million, with £4 million to be payable by 1 March 2022 and £4 million to be deferred. The 1992 Fund Assembly also decided not to levy contributions to the Prestige, Hokuriku Spirit, Alfa I, Nova R3, or Agia Zoni II Major Claims Funds.

The 10 largest oil receivers in the 1992 Fund are shown in the pie chart below.

### Contributing oil received in the calendar year 2020 in the territories of States which were Members of the 1992 Fund on 31 December 2021

<table>
<thead>
<tr>
<th>MEMBER STATE</th>
<th>CONTRIBUTING OIL RECEIVED IN 2020 (TONNES)</th>
<th>% OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>203 779 950</td>
<td>15.30%</td>
</tr>
<tr>
<td>Japan</td>
<td>152 509 343</td>
<td>11.45%</td>
</tr>
<tr>
<td>Republic of Korea</td>
<td>137 006 834</td>
<td>10.29%</td>
</tr>
<tr>
<td>Netherlands **</td>
<td>98 276 422</td>
<td>7.38%</td>
</tr>
<tr>
<td>Italy</td>
<td>92 558 220</td>
<td>6.95%</td>
</tr>
<tr>
<td>Singapore</td>
<td>78 901 008</td>
<td>5.92%</td>
</tr>
<tr>
<td>Spain</td>
<td>60 261 920</td>
<td>4.52%</td>
</tr>
<tr>
<td>Thailand</td>
<td>46 278 921</td>
<td>3.47%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>43 403 585</td>
<td>3.26%</td>
</tr>
<tr>
<td>Canada</td>
<td>43 342 819</td>
<td>3.25%</td>
</tr>
<tr>
<td>France</td>
<td>36 360 115</td>
<td>2.73%</td>
</tr>
<tr>
<td>Turkey</td>
<td>31 160 472</td>
<td>2.34%</td>
</tr>
<tr>
<td>Greece</td>
<td>27 240 087</td>
<td>2.05%</td>
</tr>
<tr>
<td>Germany</td>
<td>23 976 357</td>
<td>1.80%</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>23 851 152</td>
<td>1.79%</td>
</tr>
<tr>
<td>Sweden</td>
<td>22 060 398</td>
<td>1.66%</td>
</tr>
<tr>
<td>Malaysia</td>
<td>20 272 046</td>
<td>1.52%</td>
</tr>
<tr>
<td>Australia</td>
<td>16 200 403</td>
<td>1.22%</td>
</tr>
<tr>
<td>South Africa</td>
<td>13 834 522</td>
<td>1.04%</td>
</tr>
<tr>
<td>Israel</td>
<td>13 203 576</td>
<td>0.99%</td>
</tr>
<tr>
<td>Finland</td>
<td>11 696 377</td>
<td>0.88%</td>
</tr>
<tr>
<td>Portugal</td>
<td>11 215 139</td>
<td>0.84%</td>
</tr>
<tr>
<td>Poland</td>
<td>10 508 565</td>
<td>0.79%</td>
</tr>
<tr>
<td>Iran (Islamic Republic of)</td>
<td>9 915 187</td>
<td>0.74%</td>
</tr>
<tr>
<td>Norway</td>
<td>8 722 824</td>
<td>0.66%</td>
</tr>
<tr>
<td>Brunei Darussalam</td>
<td>8 113 430</td>
<td>0.61%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>7 851 275</td>
<td>0.59%</td>
</tr>
<tr>
<td>Croatia</td>
<td>6 610 370</td>
<td>0.50%</td>
</tr>
<tr>
<td>Denmark</td>
<td>6 570 140</td>
<td>0.49%</td>
</tr>
<tr>
<td>Bahamas</td>
<td>5 732 634</td>
<td>0.43%</td>
</tr>
<tr>
<td>China **</td>
<td>5 536 106</td>
<td>0.42%</td>
</tr>
<tr>
<td>Philippines</td>
<td>5 507 121</td>
<td>0.41%</td>
</tr>
<tr>
<td>Argentina</td>
<td>5 364 372</td>
<td>0.40%</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>4 858 291</td>
<td>0.36%</td>
</tr>
</tbody>
</table>

### Contributing oil received in the calendar year 2020 in the territories of States which were Members of the 1992 Fund on 31 December 2021

<table>
<thead>
<tr>
<th>MEMBER STATE</th>
<th>CONTRIBUTING OIL RECEIVED IN 2020 (TONNES)</th>
<th>% OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Zealand</td>
<td>3 987 735</td>
<td>0.30%</td>
</tr>
<tr>
<td>Saint Lucia</td>
<td>3 213 886</td>
<td>0.24%</td>
</tr>
<tr>
<td>Belgium</td>
<td>2 887 103</td>
<td>0.22%</td>
</tr>
<tr>
<td>Ireland</td>
<td>2 820 039</td>
<td>0.21%</td>
</tr>
<tr>
<td>Côte d’Ivoire</td>
<td>2 723 774</td>
<td>0.20%</td>
</tr>
<tr>
<td>Estonia</td>
<td>2 369 659</td>
<td>0.18%</td>
</tr>
<tr>
<td>Angola</td>
<td>2 160 119</td>
<td>0.16%</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>2 019 619</td>
<td>0.15%</td>
</tr>
<tr>
<td>Uruguay</td>
<td>1 951 770</td>
<td>0.15%</td>
</tr>
<tr>
<td>Ecuador</td>
<td>1 744 402</td>
<td>0.13%</td>
</tr>
<tr>
<td>Malta</td>
<td>1 608 011</td>
<td>0.12%</td>
</tr>
<tr>
<td>Jamaica</td>
<td>1 556 617</td>
<td>0.12%</td>
</tr>
<tr>
<td>Mexico</td>
<td>1 532 777</td>
<td>0.12%</td>
</tr>
<tr>
<td>Tunisia</td>
<td>1 282 630</td>
<td>0.10%</td>
</tr>
<tr>
<td>Papua New Guinea</td>
<td>1 244 786</td>
<td>0.09%</td>
</tr>
<tr>
<td>Qatar</td>
<td>949 944</td>
<td>0.07%</td>
</tr>
<tr>
<td>Colombia</td>
<td>876 615</td>
<td>0.07%</td>
</tr>
<tr>
<td>Ghana</td>
<td>749 782</td>
<td>0.06%</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>661 162</td>
<td>0.05%</td>
</tr>
<tr>
<td>Morocco</td>
<td>658 960</td>
<td>0.05%</td>
</tr>
<tr>
<td>Mauritius</td>
<td>646 061</td>
<td>0.05%</td>
</tr>
<tr>
<td>Cyprus</td>
<td>585 826</td>
<td>0.04%</td>
</tr>
<tr>
<td>Aruba (Kingdom of the Netherlands)**</td>
<td>209 332</td>
<td>0.02%</td>
</tr>
<tr>
<td>Guyana</td>
<td>174 711</td>
<td>0.01%</td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td>163 428</td>
<td>0.01%</td>
</tr>
<tr>
<td>Barbados</td>
<td>159 671</td>
<td>0.01%</td>
</tr>
<tr>
<td>Madagascar</td>
<td>153 954</td>
<td>0.01%</td>
</tr>
<tr>
<td>United Republic of Tanzania</td>
<td>150 224</td>
<td>0.01%</td>
</tr>
</tbody>
</table>

| Total | 1 331 921 968 |

*The Netherlands, Aruba, Curacao and Sint Maarten are autonomous partners within the Kingdom of the Netherlands, a status which obliges them to submit reports of contributing oil to the 1992 Fund directly. The Supplementary Fund has not been extended to Aruba, Curacao or Sint Maarten.

**The 1992 Fund Convention applies to the Hong Kong Special Administrative Region only.

### Contributing oil received in the territories of the following 30 Member States:

- Albania (five years).
- Argentina (11 years).
- Armenia (five years).
- Austria (five years).
- Australia (20 years).
- Azerbaijan (five years).
- Belgium (five years).
- Brazil (20 years).
- Bulgaria (five years).
- Canada (5 years).
- Croatia (five years).
- Cyprus (3 years).
- Czech Republic (five years).
- Denmark (3 years).
- Estonia (five years).
- Finland (3 years).
- France (5 years).
- Germany (3 years).
- Greece (5 years).
- Hungary (5 years).
- Iceland (5 years).
- Ireland (5 years).
- Israel (5 years).
- Italy (5 years).
- Japan (7 years).
- Latvia (5 years).
- Luxembourg (5 years).
- Malaysia (5 years).
- Malta (5 years).
- Mexico (5 years).
- Netherlands ** (7 years).
- Norway (5 years).
- Oman (3 years).
- Pakistan (5 years).
- Philippines (5 years).
- Portugal (5 years).
- Romania (5 years).
- Russia (5 years).
- Saudi Arabia (5 years).
- Singapore (5 years).
- South Africa (5 years).
- Spain (5 years).
- Sweden (5 years).
- Switzerland (5 years).
- Turkey (5 years).
- Ukraine (5 years).
- United Kingdom (5 years).
- United States (5 years).
- Vietnam (5 years).
- Zambia (5 years).
- Zimbabwe (5 years).

The vast majority of Member States submit their reports to the IOPC Funds. However, as at 31 December 2021, there were five Member States with outstanding reports for five or more years: - Dominican Republic (22 years); - Saint Lucia (11 years); - Syrian Arab Republic (12 years); - Atlantic (eight years) and - Mauritania (five years). The Dominican Republic made a submission in February 2022 which was being processed at the time of publication. Syrian Arab Republic have not submitted any reports to the 1992 Fund since becoming a Member State. The Secretariat continues to offer assistance to the relevant reporting authorities in these States to obtain the outstanding reports and assist them in fulfilling their obligations under the 1992 Fund Convention.

No contributing oil was received during 2020 in the territories of the following 39 Member States:

- Algeria, Benin, Cabo Verde, Cambodia, Congo (the), Cook Islands, Gabon, Gambia, Georgia, Grenada, Hungary, Iceland, Kenya, Kiribati, Latvia, Luxembourg, Maldives, Marshall Islands, Monaco, Montenegro, Mozambique, Namibia, Nepal, Nauru, Oman, Palau, Russian Federation, Saint Vincent and the Grenadines, Samoa, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Switzerland, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu and Western Sahara.

As at 31 December 2021, oil reports for the calendar year 2020 had not been received for the territories of 20 Member States:

- Albania, Bahrain, Belize, Cameroon, Comoros, Curaçao (Kingdom of the Netherlands), Djibouti, Dominica, Dominican Republic, Fiji, Guinea, Liberia, Mauritania, Nauru, Panama, Saint Kitts and Nevis, Saint, Maarten (Kingdom of the Netherlands), Syrian Arab Republic, Venezuela (Bolivarian Republic of).
The Supplementary Fund is financed in the same way as the 1992 Fund, however, a minimum annual tonnage of one million tonnes applies to Member States. When contributions are levied to the Supplementary Fund, Member States that received no contributing oil are required to pay contributions as if they had received one million tonnes of oil. If the Member State has contributors that received less than one million tonnes of contributing oil in total, the State is required to pay contributions to make up the difference between the amount of oil the contributors received, and one million tonnes. In 2020, eight States received less than the one million tonne and would have been invoiced if contributions had been levied.

At the November 2021 sessions of the governing bodies, the Supplementary Fund Assembly decided not to levy 2021 contributions, since there had been no incidents involving the Supplementary Fund.

No contributing oil was received during 2020 in the territories of the following six Member States, however, they are deemed to have received 1 000 000 tonnes for the purposes of contributions to the Supplementary Fund:
- The Congo
- Hungary
- Latvia
- Montenegro
- Slovakia
- Slovenia

Two Member States received less than 1 000 000 tonnes of contributing oil during 2020 but are deemed to have received 1 000 000 tonnes for the purposes of contributions to the Supplementary Fund: Contributors received 159 671 tonnes in Barbados and 658 960 tonnes in Morocco in 2020.

### Contributing Oil Received in the Calendar Year 2020 in the Territories of States which were Members of the Supplementary Fund on 31 December 2021

<table>
<thead>
<tr>
<th>MEMBER STATE</th>
<th>CONTRIBUTING OIL RECEIVED IN 2020 (TONNES)</th>
<th>% OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>152 509 343</td>
<td>17.58%</td>
</tr>
<tr>
<td>Republic of Korea</td>
<td>137 006 834</td>
<td>15.79%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>98 276 422</td>
<td>11.33%</td>
</tr>
<tr>
<td>Italy</td>
<td>92 558 220</td>
<td>10.67%</td>
</tr>
<tr>
<td>Spain</td>
<td>60 261 920</td>
<td>6.94%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>43 403 585</td>
<td>5.00%</td>
</tr>
<tr>
<td>Canada</td>
<td>43 342 819</td>
<td>4.99%</td>
</tr>
<tr>
<td>France</td>
<td>36 360 115</td>
<td>4.19%</td>
</tr>
<tr>
<td>Turkey</td>
<td>31 160 472</td>
<td>3.59%</td>
</tr>
<tr>
<td>Greece</td>
<td>27 240 087</td>
<td>3.14%</td>
</tr>
<tr>
<td>Germany</td>
<td>23 976 357</td>
<td>2.76%</td>
</tr>
<tr>
<td>Sweden</td>
<td>22 060 398</td>
<td>2.54%</td>
</tr>
<tr>
<td>Australia</td>
<td>16 200 403</td>
<td>1.87%</td>
</tr>
<tr>
<td>Finland</td>
<td>11 696 377</td>
<td>1.35%</td>
</tr>
<tr>
<td>Portugal</td>
<td>11 215 139</td>
<td>1.29%</td>
</tr>
<tr>
<td>Poland</td>
<td>10 508 565</td>
<td>1.21%</td>
</tr>
<tr>
<td>Norway</td>
<td>8 722 824</td>
<td>1.00%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>7 851 275</td>
<td>0.90%</td>
</tr>
<tr>
<td>Croatia</td>
<td>6 610 370</td>
<td>0.76%</td>
</tr>
<tr>
<td>Denmark</td>
<td>6 570 140</td>
<td>0.76%</td>
</tr>
<tr>
<td>New Zealand</td>
<td>3 987 735</td>
<td>0.46%</td>
</tr>
<tr>
<td>Belgium</td>
<td>2 887 103</td>
<td>0.33%</td>
</tr>
<tr>
<td>Ireland</td>
<td>2 820 039</td>
<td>0.32%</td>
</tr>
<tr>
<td>Estonia</td>
<td>2 369 659</td>
<td>0.27%</td>
</tr>
<tr>
<td>Morocco</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Barbados</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Congo</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Hungary</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Latvia</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Montenegro</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1 000 000</td>
<td>0.12%</td>
</tr>
<tr>
<td>Total</td>
<td>867 596 201</td>
<td></td>
</tr>
</tbody>
</table>
External Relations

The Secretariat of the IOPC Funds undertakes a range of activities aimed at strengthening the IOPC Funds’ relationships with Member States and other international, intergovernmental or non-governmental organisations.

What we do

Outreach Activities

Each year, the Secretariat organises or participates in events such as national and regional workshops or gives presentations to enhance understanding of the international liability and compensation regime to assist with the implementation of the Conventions at a national level and to assist potential claimants. Meetings are often held between the Secretariat and government authorities within Member States and can result in the resolution of longstanding issues such as the payment of outstanding contributions and submission of oil reports.

Main Activities in 2021

18 January 2021
Participation in a training programme organised by the Quebec Ministry of Environment in collaboration with ITOPF and Transport Canada

3 February 2021
Delivery of webinar as part of the EUROWA-2 Project organised by Sea Alarm and in collaboration with ITOPF and OSRL.

8 March 2021
Participation in IMGENDER mentorship scheme for female students of the International Maritime Law Institute (IMLI).

10 March 2021
Participation in the Regional Meeting of National Experts on the Post-2021 Mediterranean Strategy for the Prevention of and Response to Marine Pollution from Ships organised by REMPEC.

20 April 2021
Participation in regional workshop organised by PEMSEA.

21 April 2021
Participation in the fourth meeting of MENELAS organised by REMPEC.

10 May 2021
Participation in the first, fully virtual International Oil Spill Conference (IOSC) 2021.

28 June 2021
Delivery of presentation for the Gambia in an online national workshop as part of the SI WACAP Project.

1 June 2021
Participation in the 14th Meeting of the Focal Points of REMPEC.

6 July 2021
Delivery of national workshop to Mexican Navy in cooperation with the International Group and ITOPF.

16 August 2021
Delivery of two-day national workshop organised by the Ministry of Environment for Estonia.

6 September 2021
Delivery of three-day national workshop at the invitation of Maritime New Zealand.

13 September 2021
Participation in three-day regional workshop organised by PERSGA.

16 September 2021
Delivery of national workshop at the invitation of the Ministry of Blue Economy, Marine Resources, Fisheries & Shipping of Mauritius.

29 September 2021 and 13th October
Participation in webinar series organised by the SI WACAP Project.

14 October 2021
Participation in an online course organised by ITDM and CENNAVE for participants across Latin America.

Induction Course

A half-day induction course aimed at providing delegates to IOPC Funds meetings of the governing bodies with an insight into the functioning of the IOPC Funds and a better understanding of what exactly happens in the event of an oil spill.

IOPC Funds Short Course

The annual IOPC Funds Short Course was adapted in 2021 to facilitate an online course. Running three hours per day over two weeks in June, the course was attended by participants from 21 Member States of the 1992 Fund, representing maritime administrations, national coast guards, and others. Nine Member States participated in the course for the first time. Presentations were delivered by several members of the Secretariat, by each of the supporters of the course, as well as the North of England P&I Club. A virtual tour of the Lloyd’s of London building was also included.

Outreach activities delivered since 2017

Online Short Course

An annual week-long course covering all aspects of the IOPC Funds and the international liability and compensation regime in general and includes practical exercises allowing participants to study a theoretical incident and the subsequent claims submission process. Open to self-funded participants from 1992 Fund Member States, nominated directly by their government, the course is supported by IMO, the International Group, ITOPF and ICS and often includes visits to a number of the supporting organisations’ offices and a guided tour of Lloyd’s of London.

Ongoing Cooperation

Close cooperation with IMO Secretariat, particularly on progress of States towards ratification and implementation of relevant Conventions and delivery of various outreach activities to widen awareness of the international liability and compensation regime.

Working with maritime universities and departments to share knowledge and explain the framework behind and the purpose of the IOPC Funds.

Assisting other organisations with the delivery of training and assistance to States.

Working closely with P&I Clubs to ensure good cooperation in the event of an incident.

37 International Oil Pollution Compensation Funds • Annual Report 2021
New delegate of the IOPC Funds?
Here are some top tips:

**WHAT WE DO IN BRIEF**
- Brochure, Annual Report, explanatory note
- IOPC Funds’ website
- Introductory video

**THE IOPC FUNDS IN DEPTH**
- Text of Conventions, Guidelines for Member States
- Document Services section

**STAY INFORMED**
- Follow us on Twitter
- Follow us on LinkedIn
- Sign up to news and notifications

**FIND OUT MORE**
- Contact the Secretariat to arrange a meeting: externalrelations@iopcfunds.org
- Sign up to the IOPC Funds Induction Course

**Short introductory video**
This short video is intended to provide a general introduction for those not familiar with the organisation and its work and brings all the basic information from reporting of contributing oil to the claims admissibility criteria together in one place. It is available in English, French and Spanish and can be found under the About Us section of the website.

**Publications**

- **Overview Brochure**
- **Annual Report**
- **Test of Conventions**
- **1992 Fund Financial Statement**
- **Supplementary Fund Financial Statement**
- **Measures to facilitate the claims handling process**
- **Management of future closures and restrictions following an oil spill**
- **Consideration of the definition of ‘ship’**

The following publications are available to download from the website or in hard copy upon request.

**Claims Manual Guidelines for presenting claims information pack**
- **Claims Manual**
- **Guidelines for presenting claims for environmental loss**
- **Guidelines for presenting claims for clean-up and restoration**
- **Guidelines for presenting claims for environmental damage**
- **Example Claim Form**
The International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (2010 HNS Convention) aims to ensure adequate, prompt and effective compensation for personal injury, damage to property, costs of clean-up and reinstatement measures and economic losses resulting from the maritime transport of hazardous and noxious substances (HNS).

Legal Framework

The HNS Fund is divided into four accounts:

- General
- Oil
- LPG
- LNG

Each separate account will meet claims attributable to the respective cargo and will be funded by the receivers of those cargoes in Member States, which means that there will be no cross-subsidisation between accounts.

A Fund (the HNS Fund) generated from levies on cargo receivers in all Member States provides the second tier of compensation which is compulsory insurance for all ships to cover their liability and claimants have a right of direct action against the insurer.

The shipowner’s liability varies for bulk HNS and packaged HNS.

The shipowner is strictly liable to pay the first tier of compensation.

Entry into Force Conditions

The 2010 HNS Convention will enter into force 18 months after the date on which:

- 12 STATES HAVE RATIFIED
- There are 4 Contracting STATES each with no less than 2 MILLION units of gross tonnage each
- The general accounts contributing cargo volume is at least 40 MILLION tonnes
- Estonia deposited an instrument of accession to the 2010 HNS Protocol on 10 January 2022

Status of Convention

A number of States who are making progress towards implementation of the HNS Convention, have provided updates to the IOPC Funds regarding the steps they are taking, including Belgium, France, Germany, the Netherlands and Republic of Korea.

Details of progress was reported to the 1992 Fund Assembly at its November 2021 session and the Secretariat reiterated its availability to assist States with any implementation issues at that session.

What are HNS?

Hazardous and noxious substances covered by the HNS Convention are defined by references to various IMO Conventions and Codes. These include:

- Other liquid substances defined as noxious or dangerous
- Dangerous, hazardous and harmful materials and substances in packaged form or in containers
- Solid bulk materials defined as possessing chemical hazards harmful to marine life
- LIQUIFIED GASES
- OILS
- LIQUID OR SOLID SUBSTANCES TO WHICH REFERENCE IS MADE IN THE INTERNATIONAL MARITIME ORGANIZATION CONVENTIONS

Contracting States as at 1 February 2022:

- Canada
- Kingdom of Denmark
- Estonia
- Kingdom of Norway
- Republic of Turkey
- South Africa

Since four of those States have reported more than 2 million units of gross tonnage (Canada, Denmark, Norway and Turkey), one of the conditions for entry into force of the 2010 HNS Convention is already fulfilled.

Estonia deposited an instrument of accession to the 2010 HNS Protocol on 10 January 2022.
Role of the IOPC Funds and work undertaken in 2021

The 1992 Fund Secretariat was assigned to carry out the administrative tasks necessary to set up the HNS Fund on the occasion of the international conference, held in April 2010, which adopted a Protocol to the HNS Convention (2010 HNS Protocol). In close cooperation with the IMO Secretariat, the 1992 Fund Secretariat has since continued to prepare for the entry into force of the Convention.

Preparations for entry into force

As it continues to advance its work on preparing for the entry into force of the Convention, the IOPC Funds Secretariat has formed an informal working group, together with the IMO Secretariat and a number of organisations with relevant expertise, to discuss the handling of claims related to HNS incidents and, in particular, the preparation of a draft Claims Manual. The group, which consists of the IOPC Funds, IMO, Cedre, ICS, the International Group of P&I Associations and ITOPF, met on and made available at the end of May every year, which corresponds to the submission deadline under the 2010 HNS Protocol.

Work ahead

The Secretariat will continue to work together with IMO and other key stakeholders to facilitate the entry into force of the HNS Convention and progress for the establishment of the HNS Fund and will regularly report on its progress to the 1992 Fund Assembly and the IMO Legal Committee. It looks forward to providing support and assistance to initiatives from industry and States as it prepares for and promotes entry into force of the Convention. This includes highlighting the importance of the Convention at INTERSPILL in June 2022 and offering to contribute and support a workshop which Canada is seeking to organise during September 2022.

Assistance and engagement with States and industry

Given the relative complexity of the contributing cargo reporting obligations, IMO, with support from the IOPC Funds Secretariat, offers assistance to both new Contracting States and to those States considering acceding to the Convention, in verifying contributing cargo data and the accuracy of reports before they are submitted.

Whilst it was not possible to organise or participate in many events in person during 2021 as a consequence of the COVID-19 pandemic, the demand for online seminars and workshops increased. In that context, the Secretariat spent some time discussing the 2010 HNS Convention and its benefits at a regional workshop organised by the Regional organization for the conservation of the environment in the Red Sea and Gulf of Aden (PERSGA) in September 2021. It also delivered an online seminar for the Instituto Iberoamericano de Derecho Marítimo (IIDM) in Argentina and Centro de Navegación (CENNAVE) in Uruguay which was attended by participants from across Latin America, during which it took the opportunity to continue to widen awareness in the region of the HNS Convention. The Convention also forms an important element of the programme for the IOPC Funds annual Short Course, which was held in June 2021.

In November 2021, the IOPC Funds Secretariat, together with the International Group, was contact by the European Chemical Industry Council (Cefic) to clarify a number of queries the organisation had in respect of contribution matters. Cefic has expressed an interest in providing assistance and support to States in an effort to ensure reporting practices are implemented in a uniform manner across European States.

Support from Industry

The Secretariat has since continued to prepare for the entry into force of the Convention. This includes informing States of new initiatives in the industry sector through the IOPC Funds annual Short Course, which was held in June 2021, and engaging with a number of industry organisations.

Want to check whether a substance should be reported or whether it is covered by the Convention?

Use the HNS Finder. It enables users to determine whether a substance is contributing cargo that must be reported and whether it qualifies for compensation under the Convention. It is updated annually by the 1992 Fund Secretariat. An archive facility was introduced in 2021 to provide users with access to previous years’ lists of substances. It will be also be updated annually from now on and made available at the end of May every year, which corresponds to the submission deadline under the 2010 HNS Protocol.

Want to receive a response from the Secretariat?

Have a question or comment about the HNS Convention?

Use the HNS blog. A moderated blog section was incorporated into the site in 2018, allowing States and other interested stakeholders to share information, raise issues and ask questions. Any such questions receive a response from the Secretariat, and are posted online. All interested parties are urged to use this tool so that other interested stakeholders can also benefit and widen their knowledge of the subject.

Website

The Secretariat maintains the website www.hnsconvention.org in English, French and Spanish.
BEFORE THE MEETING

Structure and participation

1992 FUND ASSEMBLY (Administrative Council of the 1992 Fund)

Composition:
182 1992 Fund Member States
Chair:
Gala Ivanova (Bulgaria) (MAR21, JUL21)
Vice-Chair:
Andrew Shaw (United Kingdom) (JUL21)

1992 FUND EXECUTIVE COMMITTEE

Composition:
6 Executive Member States, 7 from among Member States of 1992 Fund and 1 from among other Member States, chosen from among the highest ranking member states in any geographical distribution.
Chair:
Eiichi Hayata (Japan)
Vice-Chair:
Kusum Malhotra (India) (MAR21, JUL21)

SUPPLEMENTARY FUND ASSEMBLY (Administrative Council of the Supplementary Fund)

Composition:
All Supplementary Fund Member States
Chair:
Sangong Kim (Republic of Korea)
Vice-Chair:
Andrew Angell (United Kingdom)

Frequency of meetings:

– Regular meetings: annually, the first October/November.
– Additional extraordinary sessions: upon the request of a State."
The governments of the IOPC Funds Member States manage the organisations. Representatives of each State are invited to participate in the meetings of the governing bodies and it is vital that the views of all Member States are taken into account. A number of non-Member States and interested intergovernmental and non-governmental organisations also have observer status with one or more of the Funds, enabling them to participate in discussions at the meetings.

Participation at meetings

What to expect as a delegate
The IOPC Funds held three meetings in 2021, in March, July and November, all of which were held remotely due to the ongoing COVID-19 pandemic and resulting restrictions on travel. This required the temporary suspension of, or amendment to, a number of the governing bodies’ Rules of Procedure and meeting practices which were proposed by the Director in advance of each meeting via documents. These temporary changes were considered and agreed upon by Member States at the opening of the sessions.

Remote meetings necessitated a limited timetable and reduced working hours, however, all essential items were discussed, and all necessary decisions were taken to ensure the continued functioning of the organisation. Following each virtual meeting, the sessions remained open for a short correspondence period.

Attendance at the October 2019 sessions
- >210 attendees
- 63 1992 Fund Member States
- 25 Supplementary Fund Member States
- 15 Observer Organisations
- 4 Observer States

Attendance at the November 2021 sessions
- >350 attendees
- 86 1992 Fund Member States
- 26 Supplementary Fund Member States
- 12 Observer Organisations
- 2 Observer States


At its March 2021 session, the 1992 Fund Assembly noted developments and took decisions in respect of a number of items.

1992 Fund Assembly (24th Extraordinary Session and 26th Session)
1992 Fund Administrative Council (20th Session) (Acting on Behalf of the Assembly)
Supplementary Fund Assembly (8th and 9th Extraordinary Sessions and 18th Session)
1992 Fund Executive Committee (75th, 76th and 77th Sessions)

All documents, including the full records of decisions for the 2021 sessions of the governing bodies, are available under the Document Services section of the Funds website. A summary of the main issues discussed and decisions taken is set out below.
Sessions of the governing bodies in 2021

The 1992 Fund Assembly held its regular session in November 2021 and, despite being held over KUDO, as a consequence of the lifting of restrictions in the United Kingdom, delegations were permitted to attend the meeting in person for the first time since 2019, and a number of representatives did join the Director and Chairs to follow discussions from the main conference hall of the IMO building.

This change of circumstances also enabled the election of the next Director to take place in person, in a private meeting by secret ballot, in accordance with established practice. Following three separate ballots, the 1992 Fund Assembly elected Mr Gauth Ove Sivertsen of Norway as the next Director of the IOPC Funds. A long-standing delegate at IOPC Funds meetings and former Chair of the 1992 Fund Assembly for 10 years, Mr Sivertsen is well known to the organisation and officially took up his duties as Director on 1 January 2022 for a term of five years.

Speeches delivered by all parties following the election are included in the Record of Decisions to the meeting.

As well as that significant decision for the organisation, the Assembly took several other decisions during the session and noted a wide range of information provided by the Secretariat in relation to compensation matters, treaty matters, financial policies and procedures, and secretariat and administrative matters.

In particular, the Assembly took a number of key decisions relating to the administration of the organisation, approving the Financial Statements for 2020 and adopting an administrative budget for the 1992 Fund of £4 855 778 for 2022. All decisions relating to the levying of contributions are set out on pages 32-33.

In accordance with 1992 Fund Resolution N°5, the 1992 Fund Assembly elected 15 States as members of the 1992 Fund Executive Committee to hold office until the end of the next regular session of the 1992 Fund Assembly. It also appointed Mr Samuel Seo (Korea) as Chair and Mrs Luisa Burgess (Ecuador) as Vice-Chair of the Executive Committee.

The joint Audit Body presented its annual report to the governing bodies, setting out the work it had undertaken since the December 2020 meeting of the IOPC Funds, describing in detail its areas of focus in line with its agreed work programme and making a number of recommendations. The governing bodies took the opportunity to thank Mr Michael Knight, the external expert of the Audit Body, who was at the end of his term, after 10 years as a member of the Audit Body. Following the proposal of the Chair, the 1992 Fund Assembly decided to appoint Mrs Alison Baker as the new external expert to the joint Audit Body for a term of three years from 1 January 2022 to 31 December 2024.

The governing bodies also appointed new members of the Appeals Board and noted information reported in respect of the submission of oil reports and payment of contributions (see pages 32-33); the report of the joint Investment Advisory Body; the application of the European Union General Data Protection Regulation; the outreach activities and information services delivered since 2020 and those planned for 2022 (see pages 36-37); and developments in respect of the preparations for the entry into force of the 2010 HNS Convention (see pages 40-42).

1992 Fund Executive Committee

The Executive Committee held three sessions during 2021 and was informed of all key developments during the course of the year in respect of the 13 open incidents. For full details, see pages 22-27.

The Committee was informed of two new incidents at its March 2021 session: the MT Harcourt, which had suffered an explosion in a ballast water tank whilst moored alongside Elcrest Terminal in the Gberukon oil field, Delta State, Nigeria, in November 2020, and an incident in Israel, which had developed after tar balls from an unknown source were washed up along the Israeli coastline in February 2021. For the MT Harcourt, the Executive Committee decided, in July 2021, that the 1992 Civil Liability and Fund Conventions would apply to this incident and authorised the Director to make compensation payments for admissible claims. The 1992 Fund is continuing to investigate the possible origin of the spill.

In respect of the Bow Jubail incident, the Executive Committee noted that the Court of Appeal in The Hague had delivered its judgment on 27 October 2020, confirming the decision of the Rotterdam District holding that the shipowner had not sufficiently substantiated that the tanker of the Bow Jubail did not contain residues of persistent oil carried in bulk at the time of the incident, as provided for in Article 1(7) of the 1992 CLC and therefore, the Bunker Convention 2001, and the Convention on Limitation of Liability for Maritime Claims 1976, as modified by the 1996 Protocol (LLMC 76/96), would not apply.

The shipowner had appealed (filed for cassation) against the judgment to the Supreme Court of the Netherlands on several grounds, mainly on the undue burden of proof imposed on the shipowner. After a discussion at the November 2021 session, in which many delegations intervened, the 1992 Fund Executive Committee agreed that the 1992 Fund should apply to join the shipowner in the appeal proceedings in the Supreme Court in order to request clarification from the Court on the question of the legal test to decide whether there were residues on board the Bow Jubail, which had originated from a single source. As there were no offshore platforms or pipelines in the area, experts concluded that the only possible source was a tanker carrying crude oil.

The 1992 Fund Convention also applies to spills of persistent oil even if the ship from which the oil is released cannot be identified, provided it is shown that the oil originated from a ship as defined in the 1992 Civil Liability Convention (CLC).

With this in mind, the Executive Committee decided, in July 2021, that the 1992 Civil Liability and Fund Conventions would apply to this incident and authorised the Director to make compensation payments for admissible claims. The 1992 Fund is continuing to investigate the possible origin of the spill.

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With this in mind, the Executive Committee decided, in July 2021, that the 1992 Civil Liability and Fund Conventions would apply to this incident and authorised the Director to make compensation payments for admissible claims. The 1992 Fund is continuing to investigate the possible origin of the spill.
At that same session, the delegation of the Republic of Korea delivered a presentation on the Hebei Spirit incident to the 1992 Fund Executive Committee in which it expressed its appreciation to the Skuld Club, the 1992 Fund, as well as for the technical support of the experts involved and for the work of the national courts, which resolved most of the cases through reconciliation. The Director took the opportunity to point out that in his experience, the key to the effective management of an incident was strong cooperation between the IOPC Funds, the insurer and the government affected by the spill. He stated that the Hebei Spirit case had shown that when the main parties work together, even an incident of such magnitude can be successfully resolved.

The Secretariat also provided information in respect of the Prestige (Spain, November 2002), Solar I (Philippines, August 2006), Redflower (Nigeria, March 2009), Hawlap Pacific (Republic of Korea, April 2010), Alfa I (Greece, March 2012), Nesa 83 (Oman, June 2013), Trident Star (Malaysia, August 2016), Nathan E. Stewart (Canada, October 2016) and Agia Zoni II (Greece, September 2017) incidents.

**Farewell to the outgoing Director Mr José Maura**

Since the second term of the Director of the IOPC Funds, Mr José Maura, expired on 31 December 2021, the November 2021 sessions were his last as Director. Mr Maura, who served as Director for 10 years and had worked in other positions within the Secretariat for 15 years before, delivered a farewell speech at the meeting.

The Chairs of the governing bodies, many Member States and observer delegations took the floor to express their gratitude and appreciation to the outgoing Director for his invaluable contribution to the work of the international oil pollution compensation regime for over 25 years. The speeches and interventions made are included in the Record of Decisions to the meeting. Given that not all delegates were attending the meeting in person, the Chair of the 1992 Fund Assembly proposed organizing a farewell gathering for the Director at the next available opportunity.

On site in Republic of Korea following the Hebei Spirit incident in 2008.

**Samuel Soo (Singapore)** Chair since November 2021

With IMO Secretary-General, Kitack Lim, after signing the agreement of relocating the Funds to the IMO building in 2016.

CURRENT 1992 FUND EXECUTIVE COMMITTEE MEMBERS (FROM NOVEMBER 2021 UNTIL OCTOBER 2022)

<table>
<thead>
<tr>
<th>Country</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ecuador</td>
<td>Malaysia</td>
</tr>
<tr>
<td>France</td>
<td>Marshall Islands</td>
</tr>
<tr>
<td>Germany</td>
<td>Morocco</td>
</tr>
<tr>
<td>India</td>
<td>Netherlands</td>
</tr>
<tr>
<td>Italy</td>
<td>Philippines</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Singapore</td>
</tr>
<tr>
<td>Japan</td>
<td>Spain</td>
</tr>
<tr>
<td>Liberia</td>
<td></td>
</tr>
</tbody>
</table>
The 1992 Fund and the Supplementary Fund each have General Funds which cover administrative expenses, including the costs of running the joint Secretariat and, in respect of the 1992 Fund, for compensation payments and claims-related expenditure up to a maximum amount of SDR 4 million (approximately £4.2 million) per incident. Separate Major Claims Funds are established for incidents for which the total amounts payable exceed those amounts. A Claims Fund is established for any incident for which the Supplementary Fund has to pay compensation. Since there have been no incidents involving the Supplementary Fund, no Claims Funds have been established.

Financial Statements prepared under the International Public Sector Accounting Standards (IPSAS) provide a comprehensive view of the financial position and the financial performance of the organisation at the entity level. The Funds’ activities have been classified into segments on the basis of the General Funds and Major Claims Funds and disclosure about each stream of activity is provided in the notes to the Financial Statements.

The financial year runs from January to December, with income and expenditure information for 2021 published in this annual report. The annual accounts are subject to external audit; are reviewed by the Audit Body and presented to the governing bodies for approval at their October/November sessions. Once approved, they are reproduced in the form of an online publication entitled ‘Financial Review’ and published on the Funds’ website at www.iopcfunds.org under the Publications page.

1992 Fund

REVENUE 2021

<table>
<thead>
<tr>
<th>CONTRIBUTIONS DUE IN 2021:</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>At its session in December 2020, the 1992 Fund Assembly decided not to levy contributions due for payment on 1 March 2021</td>
<td>–</td>
</tr>
</tbody>
</table>

OTHER REVENUE:

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recovery from SHI Limitation Fund in respect of Hebei Spirit Major Claims Fund</td>
<td>2 220 000</td>
</tr>
<tr>
<td>Interest on investments</td>
<td>68 500</td>
</tr>
<tr>
<td>Management fee payable by Supplementary Fund</td>
<td>36 000</td>
</tr>
</tbody>
</table>

TOTAL REVENUE | 2 324 500 |

ADMINISTRATIVE COSTS 2021

<table>
<thead>
<tr>
<th>JOINT SECRETARIAT:</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget (excluding External Auditor’s fees for respective IOPC Funds)</td>
<td>4 708 287</td>
</tr>
<tr>
<td>Expenditure (excluding External Auditor’s fees for respective IOPC Funds)</td>
<td>3 964 283</td>
</tr>
<tr>
<td>External Auditor’s fees in respect of 1992 Fund</td>
<td>53 600</td>
</tr>
</tbody>
</table>

CLAIMS EXPENDITURES 2021

<table>
<thead>
<tr>
<th>INCIDENT</th>
<th>COMPENSATION</th>
<th>CLAIMS-RELATED EXPENDITURE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prestige</td>
<td>–</td>
<td>53 263</td>
<td>53 263</td>
</tr>
<tr>
<td>Hebei Spirit*</td>
<td>–</td>
<td>312 179</td>
<td>312 179</td>
</tr>
<tr>
<td>Nesa R3</td>
<td>–</td>
<td>12 299</td>
<td>12 299</td>
</tr>
<tr>
<td>Alfa 1</td>
<td>–</td>
<td>115 767</td>
<td>115 767</td>
</tr>
<tr>
<td>Agia Zoni II</td>
<td>235 898</td>
<td>328 559</td>
<td>564 457</td>
</tr>
<tr>
<td>Other incidents</td>
<td>–</td>
<td>278 362</td>
<td>278 362</td>
</tr>
</tbody>
</table>

TOTAL CLAIMS EXPENDITURE | 235 898 | 1 100 429 | 1 336 327 |

* Including interim reimbursements from the P&I Club for joint costs of £4 074 for Hebei Spirit MCF
Summary of Major Claims Funds

The first SDR 4 million (pound sterling equivalent) for all incidents is paid from the General Fund and covers compensation and claims-related expenditure. Separate Major Claims Funds are established for incidents for which the total amounts payable exceed these amounts. These cumulative incident costs include both General Fund and Major Claims Fund expenditure. All compensation is paid in the currency of the incident - see page 22 - 27 for more details of each incident.

### CUMULATIVE INCIDENT EXPENDITURE TO 31/12/2021 (UNAUDITED)

<table>
<thead>
<tr>
<th>Incident</th>
<th>Prestige</th>
<th>Hebei Spirit</th>
<th>Alfa I</th>
<th>Agia Zoni II</th>
<th>Nesa R3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation paid to 31/12/20</td>
<td>£106,621,900</td>
<td>£119,575,604</td>
<td>£10,856,126</td>
<td>£12,907,387</td>
<td>£6,703,800</td>
</tr>
<tr>
<td>Compensation paid 2021</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total compensation</td>
<td>£106,621,900</td>
<td>£119,575,604</td>
<td>£10,856,126</td>
<td>£13,143,285</td>
<td>£6,703,800</td>
</tr>
<tr>
<td>Claims-related expenditure paid to 31/12/20</td>
<td>£24,565,483</td>
<td>£37,244,416</td>
<td>£657,400</td>
<td>£3,779,101</td>
<td>£412,740</td>
</tr>
<tr>
<td>Claims-related expenditure paid 2021</td>
<td>£52,263</td>
<td>£312,179</td>
<td>£115,767</td>
<td>£328,559</td>
<td>£12,299</td>
</tr>
<tr>
<td>Total claims-related expenditure paid</td>
<td>£24,618,746</td>
<td>£37,556,595</td>
<td>£773,167</td>
<td>£4,107,660</td>
<td>£425,039</td>
</tr>
<tr>
<td>TOTAL expenditure (cash basis, including SDR 4 million paid for each incident from General Fund)</td>
<td>£131,240,646</td>
<td>£157,132,199</td>
<td>£11,629,293</td>
<td>£17,250,945</td>
<td>£7,128,839</td>
</tr>
</tbody>
</table>

### MAJOR CLAIMS FUND BALANCES

<table>
<thead>
<tr>
<th>Incident</th>
<th>Prestige</th>
<th>Hebei Spirit</th>
<th>Alfa I</th>
<th>Agia Zoni II</th>
<th>Nesa R3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund balance 31/12/20 (accrual basis - see Financial Statements for more details)</td>
<td>£534,111</td>
<td>£5,747,560</td>
<td>£380,614</td>
<td>£28,893,709</td>
<td>£373,740</td>
</tr>
<tr>
<td>Provision for compensation at 31/12/2020, added back</td>
<td>£720,797</td>
<td>-</td>
<td>-</td>
<td>£804,316</td>
<td>-</td>
</tr>
<tr>
<td>Fund balance 31/12/2020 (adjusted cash basis)</td>
<td>£1,254,908</td>
<td>£5,747,560</td>
<td>£380,614</td>
<td>£29,498,025</td>
<td>£373,740</td>
</tr>
</tbody>
</table>

### CONTRIBUTIONS LEVIED TO MAJOR CLAIMS FUNDS

<table>
<thead>
<tr>
<th>Incident</th>
<th>Prestige</th>
<th>Hebei Spirit</th>
<th>Alfa I</th>
<th>Agia Zoni II</th>
<th>Nesa R3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions levied, due by March 2021 or before</td>
<td>£119,000,000</td>
<td>£131,000,000</td>
<td>£8,075,000</td>
<td>£41,000,000</td>
<td>£3,600,000</td>
</tr>
<tr>
<td>2021 levy, due 1 March 2022</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>£4,000,000</td>
</tr>
<tr>
<td>Total contributions levied or approved</td>
<td>£119,000,000</td>
<td>£131,000,000</td>
<td>£8,075,000</td>
<td>£41,000,000</td>
<td>£3,600,000</td>
</tr>
</tbody>
</table>

Major Claims Funds are accounted for on an accruals basis and as such they recognise interest earned on investments, provision for compensation, exchange gains and losses, and other assets and liabilities. Full balance sheets for each Major Claims Fund are published in the Financial Statements.
Acknowledgements

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