



International Oil Pollution  
Compensation Funds

<b>Agenda item 11</b>	IOPC/NOV25/11/WP.1/1/Rev.1	
<b>Date</b>	7 November 2025	
<b>Original</b>	English	
<b>1992 Fund Assembly</b>	92A30	
<b>1992 Fund Executive Committee</b>	92EC85	●
<b>Supplementary Fund Assembly</b>	SA22	●

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## RECORD OF DECISIONS OF THE NOVEMBER 2025 SESSIONS OF THE IOPC FUNDS' GOVERNING BODIES

(continued)

### INCIDENTS INVOLVING THE IOPC FUNDS

#### 3 Incidents involving the IOPC Funds

3.1	<b>Incidents involving the IOPC Funds</b> Document <a href="#">IOPC/NOV25/3/1</a>		<b>92EC</b>	<b>SA</b>
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3.1.1 The 1992 Fund Executive Committee and Supplementary Fund Assembly took note of document [IOPC/NOV25/3/1](#), which contained information on documents for the November 2025 meeting relating to incidents involving the IOPC Funds.

3.1.2 The governing bodies also noted that there are currently no incidents involving the Supplementary Fund.

3.2	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Prestige</i></b> Document <a href="#">IOPC/NOV25/3/2</a>		<b>92EC</b>	
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3.2.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/2](#), relating to the *Prestige* incident.

3.2.2 The Executive Committee noted that, after the publication of the document, the 1992 Fund had lodged an appeal against the judgment of the Court of First Instance in Bordeaux, as authorised by the Executive Committee at its April 2025 session. It was noted that in its appeal, which focused on the part of the judgment that had declared that the action by the 1992 Fund was time-barred, the 1992 Fund had argued as follows:

- The 1992 CLC does not apply to actions in tort brought against third parties such as the American Bureau of Shipping (ABS) and therefore these actions should not be governed by the 1992 CLC; and
- The 1992 Fund's action against ABS would therefore be governed by French law, which provides for a 10-year limitation period. This period started to run on 13 November 2002, the date the *Prestige* sank. Since the 1992 Fund brought its action on 30 October 2012, the 1992 Fund's action is not time-barred.

*Statement by the delegation of France*

## 3.2.3 The delegation of France made the following statement (original French):

This delegation thanks the Director for appealing the decision of the Court of First Instance in Bordeaux, as authorised to do so by the Executive Committee at its April 2025 session. As stated in document [IOPC/NOV25/3/2](#), the French Government also appealed that decision on 31 July last year, considering the fundamental questions raised in terms of law and proceedings as well as financial impact. This delegation commends the good cooperation between the Fund and the French authorities in this case.

**1992 Fund Executive Committee**

## 3.2.4 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.3	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Solar 1</i></b> <b>Document <a href="#">IOPC/NOV25/3/3</a></b>		<b>92EC</b>	
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3.3.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/3](#), relating to the *Solar 1* incident.**1992 Fund Executive Committee**

## 3.3.2 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.4	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Redfferm</i></b> <b>Document <a href="#">IOPC/NOV25/3/4</a></b>		<b>92EC</b>	
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3.4.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/4](#), relating to the *Redfferm* incident.*Intervention by the delegation of Nigeria*

## 3.4.2 The delegation of Nigeria stated that it was grateful for the update and commended the Secretariat for its handling of the incident. Whilst noting the complexity and uncertainty of the status of the vessel under Article I(1) of the 1992 CLC, it recognised the importance of upholding due process and the principles which underpinned the compensation regime.

**1992 Fund Executive Committee**

## 3.4.3 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.5	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Alfa I</i></b> <b>Document <a href="#">IOPC/NOV25/3/5</a></b>		<b>92EC</b>	
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3.5.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/5](#), relating to the *Alfa I* incident.

**1992 Fund Executive Committee**

- 3.5.2 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.6	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Nesa R3</i></b> <b>Document <a href="#">IOPC/NOV25/3/6</a></b>		<b>92EC</b>	
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- 3.6.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/6](#), relating to the *Nesa R3* incident.
- 3.6.2 The 1992 Fund Executive Committee took note of the update from the Secretariat on the ongoing delays in the Court of Appeal's judgment, due to difficulties in serving notice on the defendants, and the transfer of the case to the newly established Court of Investment and Commerce, which has further postponed proceedings.
- 3.6.3 The 1992 Fund Executive Committee noted that the 1992 Fund had considered withdrawing its claim against the shipowner and insurer due to their lack of assets, but local legal advice indicated this would still require serving notice and scheduling a hearing. It was noted that the 1992 Fund had therefore decided to allow the case to proceed to its natural conclusion and await the final judgment.

**1992 Fund Executive Committee**

- 3.6.4 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.7	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Nathan E. Stewart</i></b> <b>Document <a href="#">IOPC/NOV25/3/7</a></b>		<b>92EC</b>	
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- 3.7.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/7](#), relating to the *Nathan E. Stewart* incident.
- 3.7.2 The delegation of Canada reported that the mediation between the claimants from the First Nation community and the shipowner was ongoing, and confirmed that the Canadian government is not a party to the mediation. That delegation also stated that the stay on proceedings, which was originally due to end on 26 September 2025, has been extended until 27 March 2026. It was also stated that the parties to the mediation must provide a joint status update by 20 March 2026, after which they will inform the Court of the settlement status and propose either a further suspension or a procedural timetable if litigation is to continue.

**1992 Fund Executive Committee**

- 3.7.3 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.8	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Agia Zoni II</i></b> <b>Document <a href="#">IOPC/NOV25/3/8</a></b>		<b>92EC</b>	
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- 3.8.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/8](#), relating to the *Agia Zoni II* incident. It was noted that following the publication of the document, the Piraeus Appeal Court had issued judgment 643/2025 on the five appeals of the limitation fund proceedings, which was over 1 000 pages in length.

- 3.8.2 The Executive Committee noted that the Secretariat's comments were to be regarded as provisional and that in the judgment, the claims of the indicted clean-up contractor had been suspended and would be reconsidered in light of the eventual finding of the Criminal Court regarding any criminal liability of the contractor.
- 3.8.3 The Executive Committee further noted that at present, there remained a lot of uncertainty regarding the claims situation, and that this would remain until matters had reached an unappealable decision from the Greek Supreme Court.

*Intervention by the delegation of Greece*

- 3.8.4 The delegation of Greece thanked the Secretariat for the document and stated that as the judgment of the Piraeus Appeal Court had only been issued recently and was over 1 000 pages in length, it required further consideration before it could comment further.

**1992 Fund Executive Committee**

- 3.8.5 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.9	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Bow Jubail</i></b> <b>Document <a href="#">IOPC/NOV25/3/9</a></b>		<b>92EC</b>	
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- 3.9.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/9](#), relating to the *Bow Jubail* incident.

**1992 Fund Executive Committee**

- 3.9.2 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.10	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>MT Harcourt</i></b> <b>Document <a href="#">IOPC/NOV25/3/10</a></b>		<b>92EC</b>	
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- 3.10.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/10](#), relating to the *MT Harcourt* incident.

- 3.10.2 The 1992 Fund Executive Committee noted that the incident is considered closed.

3.11	<b>Incidents involving the IOPC Funds – 1992 Fund: Incident in Israel</b> <b>Document <a href="#">IOPC/NOV25/3/11</a></b>		<b>92EC</b>	
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- 3.11.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/11](#), relating to the incident in Israel.

**1992 Fund Executive Committee**

- 3.11.2 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.12	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Princess Empress</i></b> <b>Document <a href="#">IOPC/NOV25/3/12</a></b>		<b>92EC</b>	
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- 3.12.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/12](#), relating to the *Princess Empress* incident.

*Intervention by the delegation of the Philippines*

- 3.12.2 The delegation of the Philippines thanked the Secretariat for continuing collaboration regarding the *Princess Empress* incident, which disrupted livelihoods in the fisheries and tourism sectors, and damaged the marine environment. That delegation expressed appreciation for the Secretariat's reminders about the timely submission of institutional claims. It also acknowledged support from the IOPC Funds' Secretariat and cooperation with the Shipowners' P&I Club, which had enabled faster assessment and settlement of claims for fishers and tourism businesses. The delegation also recognised the prompt payment of claims despite logistical issues, and expressed hope for the swift resolution of recent claims submitted by the Philippine Coast Guard, the Bureau of Fisheries and Aquatic Resources, and several municipalities.

**1992 Fund Executive Committee**

- 3.12.3 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.13	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Gulfstream</i></b> <b>Document <a href="#">IOPC/NOV25/3/13</a></b>		<b>92EC</b>	
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- 3.13.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/13](#), relating to the *Gulfstream* incident.

*Intervention by the delegation of Panama*

- 3.13.2 The delegation of Panama referred to paragraph 2.4.1 of document [IOPC/NOV25/3/13](#), which stated that the Tanzanian Registry had listed the owner at the time of the incident as an individual residing in (but not a citizen of) Panama. That delegation stated that according to the Panamanian Tax Registry, that individual was listed as a foreigner, and the *Solo Creed* was also not registered on the Panamanian Ship Registry, and that its owner was not a legal entity under Panamanian law.

- 3.13.3 The delegation restated its commitment to the international liability and compensation regime and stated it was willing to cooperate further with the Trinidadian authorities.

**1992 Fund Executive Committee**

- 3.13.4 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.14	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Marine Honour</i></b> <b>Document <a href="#">IOPC/NOV25/3/14</a></b>		<b>92EC</b>	
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- 3.14.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/14](#), relating to the *Marine Honour* incident.

- 3.14.2 It was noted that the 1992 Fund had engaged fisheries experts from the Universiti Malaysia Terengganu to assess claims from 137 Malaysian fishers.
- 3.14.3 The 1992 Fund Executive Committee also noted that the number of claims submitted to the claims submission office had increased to 592, the number of approved claims to 248 and the total claimed amount to approximately SGD 73 million.
- 3.14.4 The 1992 Fund Executive Committee noted that claims had been made in several currencies because some claimants had arranged for their vessels to be cleaned at their next port of call, or replaced contaminated equipment using suppliers in Europe.
- 3.14.5 The 1992 Fund Executive Committee further noted that in document [IOPC/NOV25/3/14](#), the amount given in US dollars for claims paid was higher than the figure given in US dollars for claims approved, because a large claim made in Singapore dollars was paid in US dollars.
- 3.14.6 The 1992 Fund Executive Committee noted that the investigation of the Transport Safety Investigation Bureau of Singapore into the collision did not alter the 1992 Fund's approach to claiming against the limitation fund established by the insurer and shipowner of the *Vox Maxima* under the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the 1996 Protocol (LLMC 76/96).

*Intervention by the delegation of Singapore*

- 3.14.7 The delegation of Singapore noted that payments of compensation were progressing and stated that it looked forward to the process continuing expeditiously.

*Intervention by the delegation of Malaysia*

- 3.14.8 The delegation of Malaysia expressed its gratitude to the Secretariat for its attendance at a meeting with the Malaysia Marine Department and Pengerang Area Fishermen's Association, in Malaysia in August 2025. That delegation noted that the Secretariat's visit was useful for building the confidence of the impacted fishing community in Johor. The delegation expressed its appreciation to the Director and the Secretariat for the commitment to expediting the claims assessment and payment process.

**1992 Fund Executive Committee**

- 3.14.9 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.15	<b>Incidents involving the IOPC Funds – 1992 Fund: <i>Terranova</i></b> <b>Document <a href="#">IOPC/NOV25/3/15</a></b>		<b>92EC</b>	
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- 3.15.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/15](#), relating to the *Terranova* incident.

*Intervention by the delegation of the Philippines*

- 3.15.2 The delegation of the Philippines expressed its appreciation to the Secretariat for preparing the document and providing the update. The delegation also acknowledged the prompt actions undertaken by the shipowner and its insurer in removing the wreck of the *Terranova*, thereby eliminating a navigational hazard. It noted that the swift response from the Philippine Coast Guard and other involved parties successfully prevented a major oil spill in Manila Bay, which serves as an essential maritime route and fishing area for local fishers as well as communities in Bulacan, Cavite and Bataan. Furthermore, the delegation valued the establishment of claims submission offices to facilitate the collection of claims in the affected regions.
- 3.15.3 The delegation of the Philippines also noted that visits and seminars conducted by the Director and the Secretariat in the Philippines had assisted relevant government agencies in preparing institutional claims associated with the response and clean-up operations. It stated that ongoing collaboration between the Secretariat, the P&I Club and the Philippine Government demonstrates a strong commitment to effectively managing claims submissions and the subsequent assessments in due course.

**1992 Fund Executive Committee**

- 3.15.4 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incident and would report any developments at the next session of the Committee.

3.16	<b>Incidents involving the IOPC Funds – 1992 Fund: Incidents in the Russian Federation</b> Document <a href="#">IOPC/NOV25/3/16</a>		<b>92EC</b>	
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- 3.16.1 The 1992 Fund Executive Committee took note of document [IOPC/NOV25/3/16](#), relating to the incidents in the Russian Federation.

*Intervention by the delegation of the Russian Federation*

- 3.16.2 The delegation of the Russian Federation thanked the Secretariat for providing the information in the document. That delegation reported that emergency response efforts at sea and on land were continuing. It also reported that divers and other emergency responders regularly inspected the sunken parts of the two vessels, and many vessels and response craft remained on standby to carry out further response activities as necessary. It noted that as at 17 October 2025, approximately 1 500 kilometres of coastline had been cleaned, including some areas which required repeated cleaning. As at the November 2025 sessions, more than 183 000 tonnes of contaminated sand and soil had been collected.
- 3.16.3 That delegation reported that the question of whether to make a formal application to the 1992 Fund was still under consideration, as the decision involved different authorities within the Russian Federation. As at the November 2025 sessions, the delegation reported that it didn't have any further information as to when or if such an application would be made. The delegation expressed appreciation for the efforts and assistance provided by the Director, the Deputy Director and the staff of the Secretariat and stated that it would continue to keep the governing bodies updated of any further developments.

*Statement by the observer delegation of Ukraine*

## 3.16.4 The observer delegation of Ukraine made the following statement:

The delegation of Ukraine has taken note of document IOPC/NOV25/3/16 concerning the incidents involving the *Volgoneft 212* and *Volgoneft 239* tankers in the Kerch Strait area of the temporarily occupied Autonomous Republic of Crimea.

On 15 December 2024, both vessels broke apart in a severe storm: *Volgoneft 212* sank completely, resulting in the loss of one crew member, while *Volgoneft 239*'s fore section sank and the aft grounded near Port Kavkaz. Together they released several thousand tonnes of high-sulphur heavy fuel oil into the marine environment.

In this regard, I would like to recall that these were Russian-flagged oil product tankers, both more than fifty years old and clearly unfit for service in open-sea conditions, a fact that has been repeatedly highlighted, including during the previous session.

Ukraine stresses that these incidents took place in an area under temporary occupation, where the Russian Federation continues to conduct unlawful activities in disregard of Ukraine's sovereignty and international maritime safety obligations. The use of obsolete, poorly maintained vessels in those waters demonstrates a reckless approach that endangers not only the fragile ecosystems of the Black Sea and the Sea of Azov but also international shipping more broadly. These incidents are therefore not isolated technical events; they are the predictable result of illegal occupation, lack of oversight, and disregard for internationally accepted safety standards.

According to Ukrainian environmental experts, more than ten months after the incidents, the wrecks of the two tankers continue to release heavy fuel oil into the sea, particularly when storms disturb the seabed sediments. Satellite monitoring has detected persistent leakage from the sunken sections of *Volgoneft 212*, with pollution plumes extending over one hundred kilometres from the wreck sites. These recurrent discharges carry high-sulphur heavy fuel oil into marine and coastal ecosystems, altering oxygen balance, threatening migrating fish, birds and other wildlife, and leading to long-term contamination of benthic sediments that can be remobilised by currents, posing an ongoing hazard to the wider Black Sea environment.

It is vital that the mechanisms of this organisation not be instrumentalised by a State whose actions undermine the very principles on which the international liability and compensation regime is founded. The IOPC Funds were created to uphold accountability and provide an effective framework for lawful claims, not to legitimise violations of sovereignty or reward disregard for maritime safety and environmental protection.

We therefore urge all parties concerned to maintain strict neutrality in terminology, to record the facts accurately, and to ensure that the handling of this matter remains consistent with international law and the established practice of the Funds.

From our side, I would like to emphasise that Ukraine remains committed to cooperating with the Secretariat and Member States to preserve the integrity of this regime and to protect our shared marine environment from further harm caused by unlawful and irresponsible activities in the Black Sea region.



*Debate*

- 3.16.5 One delegation noted that since no claims had been submitted to the 1992 Fund, there was no need to reach a decision on how to handle this incident. Nevertheless, the delegation wanted to highlight some concerns which were raised by this incident which should be shared by other delegations.
- 3.16.6 That delegation emphasised that proper contributions are the cornerstone of the compensation system and recalled that nine years had passed since the 1992 Fund Assembly adopted Resolution N°12, which provides measures to address outstanding oil reports and contributions. The Resolution specifically provides that if any contributors in a Member State have contributions in arrears for two years or more, compensation claims submitted by an administration of that Member State will be deferred until the deficiency is rectified. The delegation noted that as reported in Annex III of document [IOPC/NOV25/5/3](#), Resolution N°12 would apply to this incident. As such, no payment would be made in relation to government claims arising from this incident until the outstanding contributions were rectified.
- 3.16.7 That delegation also recalled the adoption of 1992 Fund Assembly Resolution N°14 at the November 2024 sessions of the governing bodies, which sought to raise awareness of the risk of uninsured and unsafe ships. It highlighted paragraph 5 of the Resolution which specifically addresses concerns regarding oil pollution incidents caused by ships that significantly breach the safety and environmental standards contained in the relevant IMO conventions. The Resolution urges relevant Member States to take appropriate measures to prevent such breaches.
- 3.16.8 The delegation further recalled that the ships involved in the incidents in the Russian Federation were built more than 50 years ago and might both be technically outdated and unfit for transporting heavy fuel oil. The delegation suggested that all Member States be mindful of the content of 1992 Fund Assembly Resolution N°14 and act accordingly. This intervention was supported by another delegation.

***1992 Fund Executive Committee***

- 3.16.9 The 1992 Fund Executive Committee noted that the Director would continue to monitor the incidents and would report any developments at the next session of the Committee.

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