



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

THIRD INTERSESSIONAL
WORKING GROUP
Agenda item 2

92FUND/WGR.3/22/18
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REVIEW OF THE INTERNATIONAL COMPENSATION REGIME

VARIOUS ISSUES OF A TREATY LAW NATURE

Note by the Director

Summary:	At previous meetings of the Working Group the Director has submitted documents dealing with various issues of a treaty law nature. Most of these issues were not considered by the Working Group due to lack of time. The Director would like to inform the Working Group that, if it were to be decided that the 1992 Conventions should be revised, he intends to submit a document on these issues to a future meeting of the Working Group.
Action to be taken:	Information to be noted.

- 1 It will be recalled that the Director submitted to the Working Group's second, third and fourth meetings documents dealing with a number of issues as follows:

Document 92FUND/WGR.3/8	Uniform application of the Conventions: Channelling of liability Time bar Enforcement of judgements against the 1992 Fund Jurisdiction
Document 92FUND/WGR/3/8/1	Various issues of a treaty law nature: Establishment of the Executive Committee Failure to achieve a quorum in the Assembly Termination of the 1992 Fund Convention and of an amended version thereof
Document 92FUND/WGR.3/14/3	Uniform application of the Conventions: Channelling of liability Time bar Enforcement of judgements against the 1992 Fund Jurisdiction Distribution of the amounts available for compensation

- 2 Except for a general discussion on uniformity of application of the Conventions which led to the adoption by the Administrative Council in May 2003 of the 1992 Fund Resolution N°8 on the Interpretation and Application of the 1992 Civil Liability Convention and the 1992 Fund Convention, these issues have not been considered in any detail by the Working Group. The issue of quorum of the Assembly is dealt with in a document presented to the Working Group's 8th meeting (document 92FUND/WGR.3/22/7).
- 3 The Director did not submit any documents on the issues set out above to the Working Group at its 5th or 7th meetings since, in his view, the Working Group needed to use the time available to discuss issues of fundamental importance for a possible revision of the 1992 Conventions. However, if the Working Group were to decide to propose that such revision should take place and were this proposal to be endorsed by the 1992 Fund Assembly, the Director intends to submit a document on these issues for consideration by the Working Group at a later session.
- 4 **Action to be taken**

The Working Group is invited to take note of the information contained in this document.
