

 <b>INTERNATIONAL OIL POLLUTION COMPENSATION FUNDS</b>	<b>Agenda item: 8</b>	<b>IOPC/OCT10/8/2</b>	
	Original: ENGLISH	15 September 2010	
	1992 Fund Assembly	<b>92A15</b>	●
	1992 Fund Executive Committee	<b>92EC49</b>	
	Supplementary Fund Assembly	<b>SA6</b>	●
	1971 Fund Administrative Council	<b>71AC25</b>	

## APPLICATION OF THE 1992 FUND CONVENTION TO THE EEZ OR AN AREA DESIGNATED UNDER ARTICLE 3(a)(ii) OF THE 1992 FUND CONVENTION

### Note by the Director

<b>Summary:</b>	Thirty-two States have so far provided information on their EEZ or designated areas.
<b>Action to be taken:</b>	<u>1992 Fund Assembly and Supplementary Fund Assembly</u>  Information to be noted.

- 1 At its 1st session held in 1996, the 1992 Fund Assembly noted that the geographical scope of application of the 1992 Fund Convention included the exclusive economic zone (EEZ) established under the United Nations Convention on the Law of the Sea. It was recognised that in order to determine the geographical scope of application of the 1992 Fund Convention in respect of a given Member State, it was necessary for the 1992 Fund to know whether that State had established an EEZ or designated an area under Article 3(a)(ii) of that Convention (document 92FUND/A.1/34, paragraph 21.1).
- 2 The 1992 Fund Assembly adopted a Resolution at its 1st session (1992 Fund Resolution N°4) to the effect that States which established an EEZ or designated an area under Article 3(a)(ii) of the 1992 Fund Convention before ratifying the 1992 Fund Convention were invited to notify the Secretary-General of the International Maritime Organization accordingly when they deposited their instruments of ratification in respect of that Convention, and that States which established an EEZ or designated an area after ratification were invited to notify the Director accordingly (document 92FUND/A.1/34, paragraph 21.2 and Annex IV).
- 3 At its 1st ordinary session, held in March 2005, the Supplementary Fund Assembly decided that notifications from States on the establishment of an EEZ or designation of an area under Article 3(a)(ii) of the 1992 Fund Convention received by the Secretary-General of IMO or the Director in respect of the 1992 Fund should automatically apply in respect of the Supplementary Fund Protocol when the States became Parties to that Protocol (SUPPFUND/A.1/39, paragraph 9).
- 4 Information on the EEZ or designated areas has so far been submitted by 32 of the 104 States for which the 1992 Fund Convention will be in force at the time of the 15th session of the 1992 Fund Assembly, as listed overleaf:

Algeria	Estonia	Jamaica	Portugal
Australia	Fiji	Latvia	Spain
Bahamas	Finland	Marshall Islands	Sweden
Belgium	France	Mauritius	Tunisia
Brunei Darussalam	Germany	Mexico	United Kingdom
Canada	Grenada	Netherlands	Uruguay
Croatia	Ireland	New Zealand	Vanuatu
Denmark	Italy	Norway	Venezuela

The Director issues, from time to time, circulars containing information submitted by Member States. Since the last circular was issued in June 2009, France has notified the Director of the establishment in 2004 of an Ecological Protection Zone (zone de protection écologique, ZPE) in the Mediterranean Sea, which is a designated area under Article 3(a)(ii) of the 1992 Fund Convention.

## **5 Action to be taken**

### 1992 Fund Assembly and Supplementary Fund Assembly

Information to be noted.

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