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INCREASE OF THE MAXIMUM LIABILITY
OF THE IOPC FUND

Note by the French Delegation

1 At the 4th session of the Assembly of the IOPC Fund (in September 1981), the French delegation proposed that the IOPC Fund's upper limit of compensation should be raised to its maximum, following the decision, taken in 1979 on a proposal by the French delegation, to increase by 50% the maximum limit laid down originally in the 1971 Fund Convention. The Assembly decided at that session not to raise the upper limit a second time.

2 Since the question of increasing the upper limit of compensation is on the Agenda of the present session, the French delegation wishes to remind the Assembly that it has always considered the IOPC Fund's upper limit of compensation to be inadequate. The TANIO incident in March 1980 is sufficient proof of this.

3 The French claims accepted by the IOPC Fund in the TANIO incident amounted to FFr360 million.

4 If account is to be taken of inflation, reference to OECD statistics will show that the consumer price index in France was 108.4 in March 1981 (on the basis of an index of 100 for the year as a whole). By February 1986 it had risen to 160.0, an increase of 47.6% over the 1981 figure. Reckoned in round terms, the inflation resulting from this rise is 50%.

5 It can therefore be estimated that the figure of FFr360 million accepted by the IOPC Fund for the French claims would represent an amount of FFr540 million (excluding interest) in 1986.

6 Converted into SDRs at the 23 April 1986 rate of 1 SDR = \$1.173 or FFr0.143, this would give a figure of 65 million SDR.

7 This figure exceeds the amount of the upper limit of compensation of the IOPC Fund, which is at present 45 million SDR and may be raised to 60 million SDR. This example alone illustrates the inadequacy of the amount of the upper limit of compensation.

8 The economic implications of raising the upper limit of compensation would be minimal. The attached note by Mr Henri Smets, Professor at the University of Paris I, is submitted in support of this point of view.

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ANNEXECONOMIC IMPLICATIONS OF RAISING THE PRESENT LIMIT OF COMPENSATION
OF THE IOPC FUND

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1 Introduction

At the IMO Diplomatic Conference in 1984, States agreed that the Fund Convention should be amended in order "to provide for ... enhanced compensation" (preamble to the Protocol of 1984 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971). After lengthy discussion it was decided to raise the upper limit of compensation to 135 million SDR, an increase of 90 million SDR from the present limit of 45 million SDR. Far greater increases in the upper limit of compensation were proposed; this led the Conference to adopt an upper limit of 200 million SDR, to apply in certain circumstances, and representing an increase of 155 million SDR from the present limit of 45 million SDR.

The general view was that the upper limit of 135 million SDR might enter into force at the beginning of the 1990s. In the meantime, it would be possible to increase compensation for claimants by raising the IOPC Fund's upper limit by 15 million SDR, giving an upper limit of 60 million SDR. This 33% increase would be less than the depreciation of the upper limit of compensation which was adopted in April 1979; on average the depreciation can be estimated at over 48% for the principal Member States of the IOPC Fund (table 1).

If an upper limit of compensation of 60 million SDR were adopted in 1986, it would be an intermediate stage between the present limit of 45 million SDR and the upper limit of 135 million SDR which might enter into force in about 1992. The 1986 value of an upper limit of 135 million SDR in 1992, assuming a 5% rate of inflation between 1986 and 1992, works out at 100 million 1986 SDR, ie 40 million SDR more than the proposed upper limit of 60 million SDR.

* The opinions expressed in this document are solely the responsibility of the author.

The purpose of the present paper is to provide some economic answers to questions which might arise out of the proposal to raise the present upper limit of compensation of the IOPC Fund. Since the number of very costly oil pollution incidents is extremely small, the economic implications of the proposed increase cannot be assessed with rigorous accuracy.

After evaluating the additional cost to the IOPC Fund, the paper will discuss the implications it would have for Member States of the IOPC Fund and its repercussions on cargo interests. The conclusions will be that the economic implications of the proposed increase are slight and that the developing countries' additional expenditure would not exceed the extra benefits they might gain from the proposed increase in the upper limit of compensation.

2 Increase in Contributions from IOPC Fund Member States

A 33% increase in the upper limit of compensation would not produce a 33% increase in average contributions to the IOPC Fund because very few costly oil pollution incidents occur.

In order to assess the effect of raising the upper limit of compensation, the assumption has been made that future pollution incidents will display the same pattern as in 1974-1980 with regard to size, cost, ships and the countries concerned. On the basis of this fairly justifiable assumption, calculations show <1> that an increase in the IOPC Fund's upper limit of compensation would raise the costs of cargo interests using ships of over 10 000 GRT by 15% from the costs they already bear, after allowance is made for the indemnification of the shipowners. Taking into account the total costs of oil spills borne by cargo interests (for ships of under 10 000 GRT), the extra costs would be 13.4%.

In absolute terms the incremental cost would be \$7.4 million per year (table 2). Since the calculation is based on the premise that the IOPC Fund is worldwide in scope, whereas in fact it only covers half the total amount of compensation <2>, the incremental costs would drop to \$3.7 million per year on the basis of conditions in 1974-1980. As far as the years 1987-1993 are concerned, oil pollution incidents seem likely to occur at about the same frequency as early in the 1980s, ie three times less often than in the reference period <1>. If that proved so, the mean incremental cost to IOPC Fund Member States would be £1.2 million per year, representing 0.14 cents per tonne of contributing oil.

Another method of calculating the incremental costs is by reference to the fact that, in the period 1970-1985, two oil pollution incidents exceeding \$45 million took place in IOPC Fund Member States <3>. That calculation would give a mean incremental cost of \$2 million per year. If the average of these two estimates is taken, the mean incremental cost of raising the upper limit of compensation works out at \$1.6 million per year (0.2 cents per tonne of contributing oil).

In actual fact, the incremental cost would be nil for most of the period 1987-1993, during which there would doubtless be only one year in which IOPC Fund Member States had as a whole to contribute an extra \$15 million in assistance to a Member State affected by a catastrophic pollution incident. In this case, the impact of increasing the limit would be 2 cents per tonne, confined to one year, a fluctuation which is insignificant by comparison with oil price changes, which can easily exceed \$35 per tonne in a year. The effect of this maximum fluctuation on the consumer would be less than 0.2 per thousand if the oil price was \$100 per tonne (\$14 per barrel). At the level of States, the biggest contributor to the IOPC Fund would provide no more than \$5 million and the smallest as little as \$4 500, while nine Member States of the IOPC Fund would pay no increased contribution at all.

In conclusion, raising the IOPC Fund's upper limit of compensation would have no noticeable economic effect on the contributions of its Member States and would not raise the cost of oil significantly. The incremental cost would probably be 0.2 cents per tonne per year and the maximum incremental cost 2 cents per tonne confined to one year in ten.

3 Possible Disparity between the Contributions made to the IOPC Fund and the Benefits likely to Derive from Raising the Upper Limit of Compensation

An argument sometimes used to oppose a rise in the upper limit of compensation is that it would benefit certain States only (most of them in western Europe) and that the other Member States of the IOPC Fund would pay higher contributions without receiving any corresponding benefits; in particular, raising the limit would be of no interest to Member States which are not exposed to the risk of a costly oil pollution incident or which, broadly speaking, are exposed to a risk smaller than their contribution to the IOPC Fund.

It is very difficult, on the basis of the oil pollution incidents which have occurred in the past 15 years or so, to determine which countries would belong in that category, since until now there have been only four oil spills exceeding \$45

million (1983). The most that can be said is that two of these four most costly incidents occurred in France and two outside western Europe (Cuba and the USSR). This shows that the most costly oil spillages are not confined to the most developed countries. In the past few years, countries such as France which seem highly exposed have adopted stringent and expensive measures to reduce the risk to them of further oil spills, and these have undoubtedly had some effect. Future catastrophic pollution incidents are therefore more likely to occur in hitherto unscathed countries which have not taken such rigorous measures.

In the absence of statistics on oil pollution incidents over a long period, the risk to a country of a very costly incident can be assessed on the basis that oil spills in each country are governed by Pareto's law, which is confirmed at the world level <4>. According to this law, the number of oil pollution incidents whose cost lies between X and 10X equals one tenth of the number of oil pollution incidents whose cost lies between 0.1X and X. In order to assess the risk to a country of an oil pollution incident which exceeds \$45 million, it is sufficient to take the frequency of oil pollution incidents whose cost lies between \$4.5 million and \$45 million.

Another method of assessing the risk to a country of a very costly oil pollution incident is to take the frequency of oil pollution incidents whose volume exceeds a certain tonnage and to assume that this figure is proportional to the risk to a country of a very costly oil pollution incident.

The following paragraphs will examine the distribution of oil pollution incidents among IOPC Fund Member States in the light of their respective contributions.

The principal contributor to the IOPC Fund (33%) is Japan, which has paid far more to the IOPC Fund than it has received in compensation. Doubtless this is partly due to a fortunate conjunction of circumstances, since Japan was the victim of three (25%) of the twelve oil pollution incidents which occurred in IOPC Fund Member States in 1974-1980 (table 3). These incidents were relatively inexpensive, since their cost accounted for only 12% of the total.

Furthermore, since very substantial compensation for pollution damage has been paid to Japanese fishermen <5>, the possibility exists that Japan will be the victim of an oil pollution incident costing more than \$45 million. If such an incident were to happen elsewhere, the maximum "loss" to Japan would be \$5 million, ie 0.23 cents per tonne of contributing oil for eight years.

The second big contributor to the IOPC Fund (15%) is Italy, which until 1984 had never benefited from the IOPC Fund or been the victim of a very costly oil pollution incident <6>. The PATMOS incident in 1985 demonstrated the serious risk of a costly oil spill in Italy; there is nothing to prevent it from being the victim of an even more costly one in the future.

The nine north-east Atlantic and Baltic States (United Kingdom, France, Spain, Netherlands, Germany, Sweden, Finland, Norway and Denmark) have suffered the effects of three major oil pollution incidents. They contribute 46.7% of the IOPC Fund's budget and have been the victims of three quarters of the oil spills which have exceeded \$4.5 million. On a historical basis they have an interest in raising the upper limit of compensation. However, catastrophic pollution incidents will not necessarily take place in those States again.

The developing countries which are Members of the IOPC Fund account for 4.3% of its contributions. It is hardly surprising that none of the 12 oil pollution incidents exceeding \$4.5 million has occurred in any of them. In order to assess the risk of oil spills in these countries we must examine the statistics for accidental spillages. Between 1965 and 1979, the developing countries contributing to the IOPC Fund (ten countries, accounting for 4.3% of contributions) were the victims of 18 oil tanker pollution incidents exceeding 500 tonnes (four of which exceeded 10 000 tonnes); the Member States of the IOPC Fund as a whole, however, suffered 115 oil spills (18 of which exceeded 10 000 tonnes). These figures show that the relative risk (over 15%) of an oil pollution incident occurring in the developing countries in question is three times greater than their relative contribution to the IOPC Fund. On the assumption that the average cost of an oil spill is three times less in these countries than in the other Member States of the IOPC Fund, the risk they run of being the victims of an oil pollution incident which exceeds \$45 million appears to be proportional to their contribution to the IOPC Fund.

Another way of assessing the risk of a costly oil pollution incident in a developing Member State would be to do so on the assumption that all developing countries were Members of the IOPC Fund.

Detailed Analysis of the Case of Developing Countries

Some people take the view that developing countries are unlikely to suffer very costly oil pollution incidents because wages and compensation for damage are far lower in those countries than what is paid in industrialised countries.

On the other hand, the cost of combating pollution in developing countries is likely to be higher because the necessary equipment is not always available locally; also, damage is likely to be greater because emergency measures cannot be taken as swiftly and effectively as in industrialised countries. Furthermore, the frequency of oil pollution incidents which affect developing countries may be proportionately higher than their contribution to the IOPC Fund for the following reasons:

- (a) absence of a contribution for the specific risk borne by States situated on oil routes;
- (b) absence of a contribution for the specific risk borne by oil-exporting States;
- (c) unfavourable meteorological conditions, poorer aids to navigation, high traffic density, etc <7>;
- (d) the large number of unsafe tankers (less efficient inspection of ships in the ports of certain developing countries).

Since the degree of interest the developing countries have in raising the upper limit of compensation depends on the interaction of these various factors, statistics must be examined in order to determine the extent to which developing countries are the victims of serious or costly oil pollution incidents.

In the past 15 years there have been seven accidental spillages throughout the world exceeding 100 000 tonnes; two of these (28%) took place off developing countries (Tobago and Oman) (table 4). Between 1965 and 1980, developing countries were the victims of 22% of accidental spillages throughout the world affecting coastlines and the quantity which these spillages represented was 26% of the total (table 5). Table 6 lists the developing countries which have been the main victims of multiple oil pollution incidents. Substantial damage took place in developing countries even from fairly small quantities of oil (table 7). The PRINCESS ANNE-MARIE, for instance, caused damage estimated initially at \$70 million, and China suffered two costly oil spills. Payments made by the IOPC Fund and CRISTAL to claimants in developing countries (two cases out of six) represent 25% of total payments for the most costly incidents (table 8).

As regards oil pollution incidents exceeding \$0.57 million (1983) in the period 1974-1980 as a whole, non-OECD countries were the victims of 25% of costly oil spills and would have received approximately 21% of the compensation which the IOPC Fund would have paid had it been worldwide in scope (table 9).

Taken as a whole, these statistics show that non-OECD countries <7>, and particularly developing countries, are exposed to a significant risk of costly oil pollution incidents (between 21% and 33%). Since their possible contribution to a worldwide system of compensation such as the IOPC Fund should be around 21% <8>, there would seem to be no disparity between their payments and their likely benefits if they decided to join the IOPC Fund. The figures given in table 9 show that their relative share of compensation would rise even if the upper limit of compensation was raised. This would apply in particular to the developing countries, which suffered 85% of the oil spills exceeding \$0.57 million which occurred in non-OECD countries (the other non-OECD countries affected were the USSR and South Africa). This rise in the relative share of developing countries is attributable to the fact that they could be the victims of oil pollution incidents exceeding 45 million SDR. Such an occurrence took place in Cuba, where lobster fisheries were seriously polluted, and might do so in the future on the densely populated coasts of south-east Asia or along tourist coastlines in the Mediterranean, Africa and the Caribbean <9>.

In conclusion, all the data supports the view that the developing countries' contribution to the IOPC Fund is proportionate to the risk of oil pollution incidents occurring in those countries. The argument that contributions would not be matched by risks seems lacking in statistical foundation and cannot therefore be accepted. Moreover, the advantage of obtaining an extra \$15 million in compensation is especially appreciable for countries still at a low level of economic development.

4 Additional Costs for Cargo Interests

Raising the upper limit of compensation would increase the costs of cargo interests and so strengthen the tendency for oil pollution costs to be borne by cargo interests rather than by shipowners. In this respect the proposal to raise the upper limit of compensation is at variance with the decisions taken by the IMO Diplomatic Conference in 1984.

In point of fact, however, the proposal to raise the upper limit of compensation can be split into two proposals, namely that cargo interests should bear the cost of damage lying between 45 million SDR and 60 million SDR in the case of ships of under 105 000 GRT and that they should also do so in the case of ships of over 105 000 GRT. The first proposal is perfectly in keeping with the decisions taken in IMO in 1984; the second would make cargo interests temporarily bear the burden of the costs to be borne by shipowners when the Protocols come into force. Since tankers of over 105 000 GRT happen not to have caused substantial damage so far <10>, the additional cost to cargo interests is

mainly represented by the first proposal. The conclusion is that, in practical terms, the proposed increase in the upper limit of compensation accords with the decisions taken at the IMO Diplomatic Conference in 1984, even though for the time being only cargo interests would bear the financial consequences.

The objection that the increase would oblige cargo interests, but not shipowners, to contribute more to compensation for oil pollution incidents seems inadmissible at a time when States are pursuing procedures to ratify the two Protocols, and oil freight rates remain very depressed for shipowners.

5 Conclusions

From an economic standpoint, the proposal to raise the upper limit of compensation would not noticeably raise national contributions to the IOPC Fund. The contention that such a move would benefit certain States only is not borne out by the available statistics. Developing countries in particular should gain from it. In the period preceding the entry into force of the Protocols, a very costly oil pollution incident might occur in one of the Member States of the IOPC Fund. A payment of \$15 million, made out of solidarity among those States, would be in keeping with their professed aim that victims of oil pollution incidents should receive adequate compensation.

NOTES

- <1> "Les coûts d'un nouveau régime d'indemnisation des victimes de marées noires", University of Paris I, March 1986 (to appear in Env. Pol. Law, June 1986).
- <2> In the period 1974-1980, according to the studies mentioned in the work referred to in note <1>, there were 45 oil pollution incidents in IOPC Fund Member States, out of a total of 113 such incidents exceeding \$0.57 million (1983). The cost of these \$45 million-limit oil spills is reported to have been \$195 million out of a total \$345 million paid by cargo interests (after allowing for the indemnification of the shipowner). It will therefore be seen that IOPC Fund Members suffered approximately one third of the world's oil pollution incidents and that the IOPC Fund's share would represent about half the compensation costs borne by cargo interests throughout the world if the IOPC Fund was worldwide in scope.
- <3> These two incidents involved the AMOCO CADIZ and the TANIO. The ANTONIO GRAMSCI incident cost the Member States of the IOPC Fund less than 45 million SDR. The IOPC Fund paid Sweden SKr89 million (1979), ie SKr162.3 million (1985), equivalent to 19.4 million SDR (1985), while CRISTAL paid Finland FM14.5 million, ie FM25.3 million (1985), equivalent to 4.2 million SDR (1985).
- <4> The distribution of the costs of oil pollution incidents exceeding \$0.57 million (1983) in the period 1974-1980 shows that the number of such incidents exceeding X dollars varies with 1/X and that the total cost of oil pollution incidents whose cost lies between X and AX is proportionate to A irrespective of X. See the work referred to in note <1> above and H Smets, "Indemnisation des dommages exceptionnels à l'environnement", L'Avenir du droit international de l'environnement, Hague Academy of International Law, M Nijhoff, 1985. See also IMO document LEG 51/3/4 and Le coût des marées noires, OECD, 1982.
- <5> Three oil pollution incidents exceeding \$4.5 million (1983) have taken place in Japan: the MITSU MARU N°3 in 1975, the RYUYO MARU in 1978 and the WORLD ENDEAVOUR in 1978 (total cost \$28.4 million (1983)). In the case of the RYUYO MARU, 105 tonnes of oil at Yokkaichi gave rise to compensation of ¥1 031 million, ie \$6.6 million (1985). In 1974 an 8 500 tonne oil spill from a tank at Mizushima caused fishery damage for which \$56.7 million compensation, ie \$130 million (1985), was paid. In addition, clean-up costs amounted to \$43.3 million.

- <6> Between 1965 and 1979, Italy was the victim of five oil pollution incidents exceeding 5 000 tonnes (FINA NORVEGE, 1966, 6 000 tonnes; MARLENE, 1970, 14 000 tonnes; BELLO, 1972, 6 000 tonnes; AGIP VENEZIA, 1977, 5 000 tonnes; AL RAVDATAIN, 1979, 12 000 tonnes); these were among a total of 33 such incidents exceeding 5 000 tonnes which occurred in Member States of the IOPC Fund. In December 1980 an oil spill of 2 500 tonnes on the Sicilian coast cost more than Lit 1 000 million. In June 1981 the CHARITY spilt 2 000 tonnes on the coast of the island of Pantelleria. The historical figures for oil pollution incidents in Italy (1965-1979) give it a proportion of 18.2% and a relative volume of .5.4% among the IOPC Fund's Member States. For a long time, Italy has been free from very costly or high volume oil spillages.
- <7> According to an OCIMF study, "Higher Risk Sea Areas" (1979), seven of the 15 dangerous sea areas (areas with high and moderate risks) involve developing countries.
- <8> The figure of 20.6% taken as the contribution of non-OECD States to a worldwide IOPC Fund is slightly higher than the figure of 19.6% used by TBS in its report entitled "Economic Analysis of 1984 CLC and Fund Protocols" (May 1985).
- <9> This argument holds good for incidents of around \$50 million but cannot be extended to those exceeding \$100 million (the AMOCO CADIZ kind) which at present seem likely to be confined to major industrialised countries.
- <10> Incidents involving tankers of over 105 000 GRT and costing more than \$5 million (1983) between 1974 and 1980 were the VENOIL/VENPET (137 000 GRT) and the RYUYO MARU (106 000 GRT). They represent only 7% of the number of incidents exceeding \$5 million and only 3% of the total cost of such incidents, and their maximum cost was under \$10 million.

Table 1

Depreciation of IOPC Fund's Upper Limit
Between April 1979 and December 1985

State	Price Index (a)	Monetary Variation (b)	Depreciation (c)
United States	155	86	179
Japan	125	79	158
France	187	149	125
Italy	248	171	145
United Kingdom	178	123	145

Notes

- (a) Consumer price index in December 1985 by comparison with April 1979.
- (b) Monetary variation = equivalent of 1 SDR in national currency at the end of December 1985 by comparison with 1 SDR in national currency at the end of April 1979.
- (c) Depreciation: ratio of price index to monetary variation. An index of 200 means that the compensation available in April 1979 was twice as high as in December 1985.
- (d) The mean monetary depreciation weighted by contributions for the four major States contributing to the IOPC Fund is 148.

Table 2
Costly Oil Pollution Incidents (exceeding 45 million SDR)

Date and Place	Ship	CLC Limit (millions of SDRs)	Presumed Cost of Damage (millions of 1984 SDRs)	Theoretical IOPC Fund Compensation (max 45 million SDR) (millions of SDRs)	Theoretical IOPC Fund Compensation (max 60 million SDR) (millions of SDRs)
Mar 1978 France	Amoco Cadiz (98 730 GRT)	13.2	over 120	31.8 (a)	46.8
Feb 1979 Baltic	Antonio Gramsci (24 936 GRT)	3.3	over 60	41.7 (a)	56.7 (b)
Jan 1980 Cuba	Princess Anne-Marie (31 236 GRT)	4.2	52 (c)	40.8 (a)	47.5
Mar 1980 France	Tanio (14 443 GRT)	1.9	over 80	43.1 (a)	58.1
TOTAL		22.6	over 312	157.4	209.1
				Supplementary compensation = 51.7 million SDR	

- Notes
- (a) The compensation is based on the assumption that the Fund Convention has been ratified by all the States concerned and that the events took place in 1984.
 - (b) Assuming that the USSR would have received one third of the compensation payable in the case of the ANTONIO GRAMSCI, 32% of the compensation paid would have gone to non-OECD countries.
 - (c) OCIMF evaluation: \$51.7 million (1983)
 Calculated on the basis that \$1 (1983) = 1 SDR (1984)

Table 3

Geographical Distribution of Oil Pollution Incidents

(Period 1974-1980, incidents exceeding \$4.5 million (1983)
 whose compensation was limited to \$45 million (1983))

Claimant State	N° of Incidents	Cost (millions of \$)	N° of Incidents (%)	Cost (%)
IOPC Fund Members				
Japan	3	28.5	10.3	6.1
France (c)	3	110.3	10.3	23.7
United Kingdom	3	33.5	10.3	7.2
Spain	2	26.1	6.9	5.6
Sweden/Finland (d)	1	36.7	3.4	7.9
Sub-total	12	235.1	41.4	50.5
Other OECD Countries				
United States	6	50.9	20.7	10.9
Canada	2	10.2	6.9	2.2
Greece	2	24.0	6.9	5.2
Ireland & Turkey	2	53.4	6.9	11.5
Sub-total	12	138.5	41.4	29.8
Non-OECD Countries				
Cuba	1	45.0	3.4	9.7
China, Singapore & South Africa	3	31.4	10.3	6.7
USSR (d)	1	15.0	3.4	3.2
Sub-total	5	91.4	17.2	19.7
TOTAL	29	465.0	100.0	100.0

Notes

- (a) Cost evaluated in millions of 1983 dollars on the basis of OCIMF data.
- (b) Compensation limited to 45 million 1983 dollars.
- (c) AMOCO CADIZ incident placed in France.
- (d) ANTONIO GRAMSCI incident placed in the USSR (\$15 million) and Scandinavia (\$30 million).

Table 4
Accidental Oil Spillages Since 1967
 (over 100 000 tonnes)

Date	Place	Ship	Quantity (tonnes)
1979	Tobago	Atlantic Empress	276 000
1983	South Africa	Castillo de Belver	255 525
1978	France	Amoco Cadiz	228 000
1967	United Kingdom	Torrey Canyon	121 200
1972	Gulf of Oman	Sea Star	120 300
1980	Greece	Irenes Serenade	102 000
1976	Spain	Urquiola	101 000

Table 5
Accidental Spillages Affecting Coastlines, 1965-1980

	N° of Spillages	Quantity Discharged (tonnes)
OECD Europe	42	944 500
OECD North America	49	229 000
OECD Pacific	5	14 500
OECD	96 (77.4%)	1 188 000 (74.2%)
Africa	8	173 700
Asia	8	44 300
Central America	6	42 800
South America	5	151 500
Miscellaneous	1	1 000
TOTAL	124	1 601 300

Source: IFP (spillages of over 500 tonnes affecting coastlines)

Table 6

Principal Spillages in Non-OECD Countries

Victim State	Over 500 tonnes		Over 10 000 tonnes	
	N° of Spillages	Volume (tonnes)	N° of Spillages	Volume (tonnes)
South Africa	21	249 100	9	224 900
Singapore/Malaysia	16	57 100	2	25 000
Indonesia*	9	35 000	1	20 000
India	8	80 700	6	73 400
Argentina	7	46 800	2	32 000
Oman	6	43 000	3	36 000
Dominican Republic	5	61 000	1	57 000
Brazil	5	44 000	3	38 000
Chile	5	160 500	4	159 500
Venezuela	4	40 600	3	40 000
Bahamas*	4	9 000	0	0
Algeria*	3	47 700	2	45 100
Tunisia*	1	5 000	0	0
Gabon*	1	500	0	0
Total IOPC Fund Contributors*	18	97 200	3	65 700
Total Non-Contributors (c)	77	782 800	33	685 800

Notes

- (a) Source: IFP, tankers, 1965-1979
- (b) Five spillages exceeding 500 tonnes or three spillages exceeding 10 000 tonnes or IOPC Fund contributor (marked with an asterisk*).
- (c) Oman is a Member of the IOPC Fund but does not contribute to its budget. The total shown represents the five States mentioned.

Table 7
Oil Spillages Affecting Non-OECD Countries
(over \$5 million (1983))

Date	Place	Ship	Quantity (tonnes)	Cost (millions of 1983 \$)
1975	Singapore	Showa Maru	3 800	10.9 (a)
1977	China	Borag	4 000	15.6
1977	South Africa	Venoil/Venpet	26 000	5.1
1979	USSR	Antonio Gramsci	6 000	15.0 (b)
1980	Cuba	Princess Anne-Marie	6 000	51.7 (c)
1983	China	Feoso Ambassador	4 000	6.5

Notes

- (a) Excluding indirect consequences
- (b) Presumed amount of damage in the USSR, whose claim was for £34 million.
- (c) Cuba claimed \$70 million. Following a negotiated settlement, \$30 million was paid.

Table 8

Payments Exceeding \$3 million made by
the IOPC Fund and CRISTAL since 1979

Date	Place	Ship	Quantity (tonnes)	Payment	
1979	Sweden	Antonio Gramsci)	5 500	SKr89 million	(F)
	Finland	Antonio Gramsci)		\$5.04 million	(C)
1979	United States	Chevron Hawai	2 000	\$4.23 million	(C)
1980	Cuba	Princess Anne-Marie	6 000	\$26.03 million	(C)
1980	France	Tanio	13 500	FFr348.2 million	(F)
1981	Germany	Ondina	250	DM11.3 million	(F)
1983	China	Feoso Ambassador	4 000	\$4.47 million	(C)

Notes

- (a) F: payment made by the IOPC Fund
C: payment made by CRISTAL

- (b) The following payments may also have to be made:

Betelgeuse (Ireland, 1979): \$10 million (?)
Irenes Serenade (Greece, 1980): \$3 million (?)
Arco Anchorage (United States, 1985): \$5 million (?)
Patmos (Italy, 1985): \$3 million (?)

Table 9

Distribution of Contributions to the IOPC Fund
and Compensation Paid by the IOPC Fund

Claimant States	N° of Incidents	Maximum Compensation 45 million SDR (millions of SDRs)	Maximum Compensation 60 million SDR (millions of SDRs)	IOPC Fund Contribution Worldwide (%)	N° of Incidents (%)	Maximum Compensation 45 million SDR (millions of SDRs) (%)	Maximum Compensation 60 million SDR (millions of SDRs) (%)
OECD Europe	31	195.7	235.7	35.1	27.4	56.8	59.5
Japan	22	19.5	19.5	18.4	19.4	5.6	4.9
United States	27	49.5	49.5	23.5	23.8	14.4	12.4
OECD	85	272.1	312.1	79.4	75.2	79.0	78.8
Non-OECD	28	72.5	84.2	20.6	24.8	21.0	21.2
TOTAL	113	344.6	396.3	100.0	100.0	100.0	100.0

- Notes
- (a) Figures based on the 113 oil pollution incidents exceeding 0.57 million 1984 SDRs which took place in 1974-1980 and on the assumption that they occurred under 1984 compensation conditions and that the IOPC Fund is worldwide in scope.
 - (b) Cost evaluated on the basis of the figures used by OCIMF, subject to the fact that the ANTONIO GRAMSCI incident would have cost more than 60 million SDR, one third of which would have been paid to the USSR and two thirds to Sweden and Finland.
 - (c) Excluding the indemnification to be paid to shipowners (\$42 million).