



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1971

ASSEMBLY  
3rd extraordinary session  
Agenda item 4

71FUND/A/ES.3/INF.1  
15 April 1997

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## ANY OTHER BUSINESS

### Note by the Chairman of the Informal Working Group on Emergency Payments

1 During the 52nd session of the Executive Committee of the International Oil Pollution Compensation Fund 1971 (1971 Fund) the United Kingdom delegation chaired an informal discussion on the possibility of making emergency payments to eligible claimants facing financial difficulty.

2 Representatives of the following Member States and observer organisations attended:

Belgium	Canada
Denmark	France
Germany	Greece
Italy	Japan
Netherlands	Poland
Republic of Korea	Spain
Sweden	United Kingdom
CMI	International Group of P & I Clubs
IUCN	OCIMF
1971 Fund Secretariat.	

3 Comments were taken on a 'without prejudice' basis, and are summarised below. A letter from Mr John Wren, Department of Transport of the United Kingdom, dated 7 February 1997, which enclosed a questionnaire about emergency payments was circulated. All those present were asked to provide written comments in response to this letter.

4 Several delegations did not consider that emergency payments could be made by the IOPC Funds within the scope of the present Conventions. It was noted that no ranking of claims was allowed at present, and therefore that emergency payments might be seen to put certain groups of claimants in a more privileged position than other claimants. It was mentioned that this could lead to a position where the Funds would be seen to be prejudiced against certain claimants.

5 The majority of those present were opposed to changing the present Conventions to institutionalise an emergency payments system.

6 It was suggested that the existing system should be examined for improvements that should be made to ensure that payments could be made as soon as possible. Prompt payments could reduce the overall claims on the IOPC Funds.

7 The meeting requested further information about existing measures, set up by various national administrations, to ensure that deserving individual claimants received full compensation quickly.

8 The United Kingdom delegation summarised the discussion as follows:

- Those present were encouraged to write to the United Kingdom delegation in response to the questionnaire on emergency payments.
  - There was little support for the present Conventions being amended to institutionalise an emergency payment regime.
  - Methods for improving the payment of claims should be examined.
  - Further information on the effectiveness of various national regimes was requested.
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