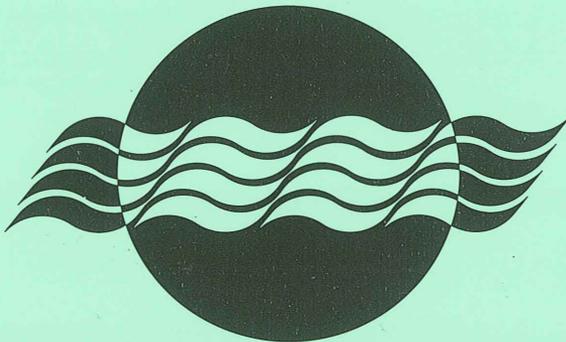


**INTERNATIONAL
OIL POLLUTION
COMPENSATION FUND**

**ANNUAL REPORT
1985**



Report on the Activities of the International Oil Pollution Compensation Fund in the Calendar Year 1985

1 INTRODUCTION

The International Oil Pollution Compensation Fund (IOPC Fund) was set up in October 1978 for the purpose of providing compensation for oil pollution damage resulting from the spill of persistent oil from tankers. This Annual Report for the calendar year 1985 covers the activities of the IOPC Fund during its seventh year of operation.

Since its establishment, the membership of this inter-governmental organisation has increased from 14 to 34 States. A list of the present Member States, as well as details of the IOPC Fund's organs (the Assembly, the Executive Committee and the Fund Secretariat) are set out in Annex I.

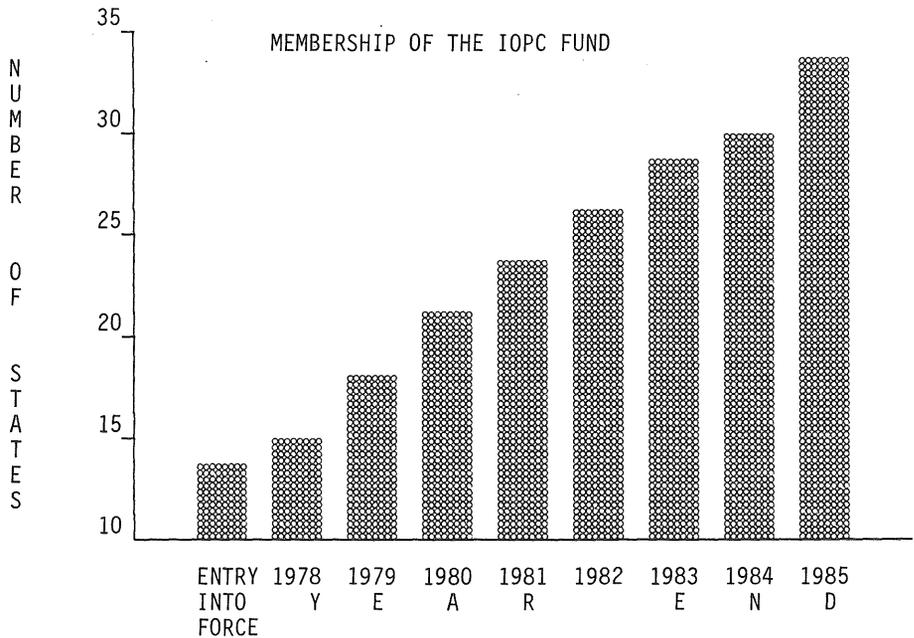
Through its first six years the post of Director of the IOPC Fund was held by Dr R H Ganten, who left the Organisation at the end of 1984. The new Director, Mr Måns Jacobsson, who was appointed by the Assembly at its 7th session in October 1984, took up office on 1 January 1985.

There have been five new incidents in 1985 involving the IOPC Fund, but only one of these has, so far, led to large claims against the IOPC Fund. This has enabled the Secretariat to concentrate on finalising the settlement of claims arising out of incidents which occurred in previous years. In addition, the Secretariat has spent considerable time on the legal action in the TANIO case which the IOPC Fund, together with the French Government and other claimants, has taken against the owner of the TANIO and other third parties.

2 MEMBERSHIP

Four States joined the IOPC Fund in 1985. The Fund Convention entered into force for the Sultanate of Oman on 8 August 1985, for the

Portuguese Republic on 10 December 1985 and for the Polish People's Republic on 15 December 1985. In addition, the People's Republic of Benin acceded to the Fund Convention on 1 November 1985, and the Convention will enter into force in respect of Benin on 30 January 1986 bringing the number of Member States to 34. The development of the IOPC Fund's membership is illustrated in the following graph.



As in previous years, the IOPC Fund Secretariat has made considerable efforts to increase the number of Member States. In view of the complexity of the compensation system under the Civil Liability Convention and the Fund Convention, the Secretariat has tried to convey as much information as possible about the Conventions to Governments and representatives of industry. For this purpose, the Director went to Côte d'Ivoire, Malaysia, Morocco and Singapore for discussions on the Fund Convention with Government officials in these States. In addition, the Director visited Denmark, the Federal Republic of Germany and Japan for further discussions on the Fund Convention and the operations of the IOPC Fund.

The Director participated in the 1985 Oil Spill Conference in Los Angeles (United States of America) where he gave a lecture on the

TANIO incident as an illustration of the work of the IOPC Fund. The Director took part in a Regional Workshop on contingency planning in Abidjan (Côte d'Ivoire) where he gave a lecture on the Civil Liability Convention and the Fund Convention to participants from 18 countries in Central and West Africa. In addition, he gave a lecture on liability and compensation for oil pollution damage at a Seminar for Heads of Maritime Administrations in developing countries, organised by the World Maritime University in Malmö (Sweden). The Legal Officer participated in a Workshop on Control and Response to Oil Pollution and Regional Contingency Planning in Dubai. The Legal Officer also provided information on the IOPC Fund and its means of assisting Member States to a Meeting of Experts on Regional Arrangements for Co-operation in Combating Major Incidents of Marine Pollution, organised in London by the International Maritime Organization (IMO) and the United Nations Environment Programme (UNEP).

According to the information available to the IOPC Fund's Secretariat, there are reasons to expect that several States will soon join the IOPC Fund. Legislation implementing the Fund Convention is in an advanced stage in Belgium, Canada, Côte d'Ivoire, Greece, Morocco and Senegal.

In their endeavours to disseminate information on the IOPC Fund, the Director and the Legal Officer have kept in very close contact with IMO. IMO advisers regularly visit States to discuss ratification of IMO Conventions, implementation of Conventions and technical co-operation in the maritime field. The IOPC Fund provides these IMO advisers with information on the activities of the IOPC Fund and on the system of compensation established by the Civil Liability Convention and the Fund Convention. Assistance has also been given by providing documents and papers for seminars organised by IMO.

As mentioned in the 1984 Annual Report, a Diplomatic Conference held in London under the auspices of IMO in 1984 adopted two Protocols to amend the Civil Liability Convention and the Fund Convention, respectively. The Protocol to the Fund Convention was signed by the following 12 States, in chronological order as per the date of signature: United Kingdom, United States of America, Sweden, Poland, Portugal, Federal Republic of Germany, Morocco, France, Denmark, Netherlands, Norway and Finland. The Protocol to the Civil Liability Convention was signed by the same 12 States and also by the People's Republic of China. Several States have begun preparing legislation enabling them to ratify the Protocols. It should be mentioned that in the United States of America, the President has transmitted the Protocols to the Senate for advice and consent to ratify, and a Bill containing legislation implementing the Conventions as amended by the Protocols is being considered by the House of Representatives. So far, however, no State has become a Party to either of the Protocols.

3 ASSEMBLY AND EXECUTIVE COMMITTEE

The Assembly held its 8th session from 2 to 4 October 1985. Mr J Bredholt (Denmark) was re-elected Chairman of the Assembly.

The Executive Committee held its 14th session from 30 September to 2 October 1985 under the Chairmanship of Mr W Sturms (Netherlands), and its 15th session on 4 October 1985 under its newly elected Chairman, Professor H Tanikawa (Japan).

The major decisions taken at these sessions were as follows.

3.1 8th Session of the Assembly

- (a) The Assembly took note of the opinion given in the External Auditor's Report on the Financial Statements of the IOPC Fund and approved the accounts for the financial period 1 January to 31 December 1984.
- (b) The following States were elected members of the Executive Committee to hold office until the end of the next regular session of the Assembly: Algeria, Bahamas, France, Indonesia, Japan, Kuwait, Liberia, Oman, Spain, Sweden and United Kingdom.
- (c) The Assembly adopted the budget appropriations for 1986 with an administrative expenditure totalling £347 850.
- (d) The Assembly decided to raise £1 500 000 for the 1985 annual contributions to the general fund. In addition, it decided in respect of the ONDINA and FUKUTOKU MARU N°8 incidents that, as no more claims would be made against the IOPC Fund and no more expenses would have to be met as regards these incidents, an amount of £700 000 remaining in the ONDINA/FUKUTOKU MARU N°8 major claims fund should be credited to contributors on 15 January 1986, any amount remaining thereafter to be transferred to the general fund.
- (e) The Assembly decided, in accordance with Article 5.4 of the Fund Convention, to replace the instruments listed in Article 5.3(a)(i) and (ii) of the Convention and to amend the references in these sub-paragraphs as follows:
 - (i) MARPOL 73 as modified by the 1978 Protocol and as amended in 1984 (replacing MARPOL 73/78 from 1 August 1986);
 - (ii) SOLAS 74 as modified by the 1978 Protocol and as amended in 1981 (replacing SOLAS 74/78 from 1 May 1986).

- (f) A proposal was submitted to the Assembly that the maximum amount of compensation payable in respect of any one incident, at present 675 million (gold) francs (45 million Special Drawing Rights), should be increased. The Assembly decided not to take any decision at its 8th session in respect of the proposal, but instructed the Director to submit to the next session of the Assembly a document containing factual information relating to the question of an increase of the maximum amount.
- (g) Observer status was granted to Mexico and to Friends of the Earth International (FOEI), the Advisory Committee on Pollution of the Sea (ACOPS) and the International Association of Independent Tanker Owners (INTERTANKO).

3.2 14th Session of the Executive Committee

The Executive Committee was informed of the latest developments of the settlement of claims arising out of pollution incidents.

As regards the TARPENBEK incident, the Director was instructed to continue the negotiations with the claimants in order to arrive at an out of court settlement and authorized him to make a final settlement of all claims against the IOPC Fund arising out of this incident. The Committee was informed of the development of the legal action taken by the IOPC Fund and the French Government in the TANIO case against the owner of the TANIO and other third parties. The Committee agreed that this action should be maintained. In relation to the PATMOS incident, the Committee discussed the question as to whether and to what extent salvage operations fell within the definition of "preventive measures" in the Civil Liability Convention.

The Executive Committee authorized the Director to deal with the incidents occurring in Japan in accordance with a procedure developed in order to expedite the settlement of claims. This procedure is based on certain guarantees being given by the Japan Ship Owners' Mutual Protection and Indemnity Association (JPIA). JPIA would thus, inter alia, guarantee the payment into the court of the shipowner's limitation fund, if requested by the IOPC Fund to do so. It should be mentioned that, in November 1985, JPIA issued a formal undertaking to this effect.

3.3 15th Session of the Executive Committee

The 15th session of the Executive Committee elected Professor H Tanikawa (Japan) as its new Chairman.

4 ACCOUNTS OF THE IOPC FUND

As already mentioned, the Assembly approved, at its 8th session in October 1985, the accounts of the IOPC Fund for the financial period 1 January to 31 December 1984.

The Income and Expenditure Accounts for the period 1 January - 31 December 1984 are shown in Annexes II - IV to this Report.

Regarding the general fund (Annex II), income from contributions and other miscellaneous sources amounted to £1 269 143. The administrative expenditure was £287 909, about 11% less than the budgetary appropriations. Expenditure on minor claims was £1 518 087. The resulting excess of expenditure over income, amounting to £536 853, was met from the accumulated surplus in previous years.

The balance sheet of the IOPC Fund as at 31 December 1984 is shown in Annex V to this Report. The IOPC Fund's contingent liabilities as at that date with respect to pollution incidents were estimated at £6 580 538.

The accounts of the IOPC Fund for the financial period 1 January to 31 December 1985 will be submitted to the External Auditor for an audit opinion in June 1986 and presented to the Assembly for approval at its 9th session in October 1986. These accounts will then be reproduced in the Report on the Activities of the IOPC Fund in 1986.

5 CONTRIBUTIONS

Unlike previous years, no annual contributions were due in 1985, as the Assembly had decided at its 7th session not to levy any 1984 annual contributions. Also, there were no initial contributions payable in 1985.

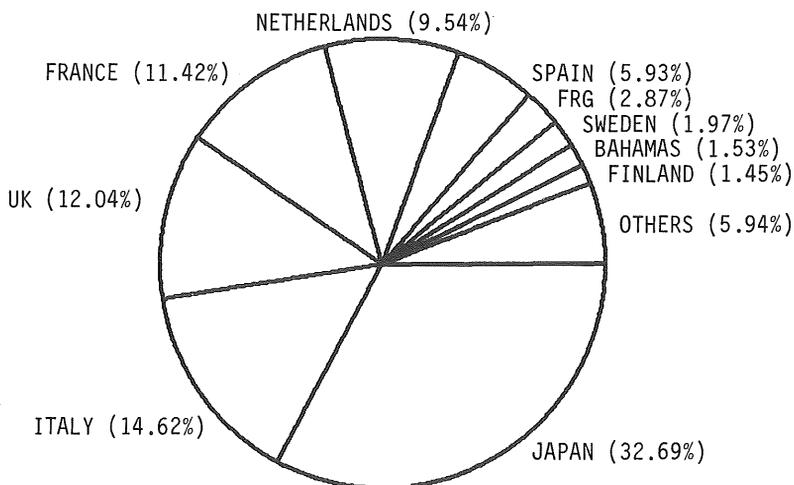
As already mentioned, the Assembly decided at its 8th session to levy 1985 annual contributions in the amount of £1.5 million for the general fund. No contributions were levied for any major claims fund. The amount payable by each contributor per tonne of contributing oil received was £0.0018306, based on the quantities of oil received in 1984. No substantial part of these contributions had been received by 31 December 1985, since the payments were not due until 15 January 1986.

In addition, as previously stated, a distribution will be made of an amount of £700 000 remaining on the ONDINA/FUKUTOKU MARU N°8 major claims fund levied in 1983, corresponding to £0.0008508 per

tonne of contributing oil received in 1981. This will result in very considerable reductions in actual payment due from most contributors in respect of the 1985 assessment.

The share of the 1985 annual contributions to be paid by contributors in each Member State is illustrated in the following chart.

1985 GENERAL FUND CONTRIBUTIONS



The quantities of contributing oil received in 1984 in Member States are given in Annex VI to this report.

The situation as regards the payment of contributions for previous years must be considered very satisfactory, as only very small amounts are in arrears. On 31 December 1985, only £61 524 was outstanding, representing less than 0.2% of the contributions assessed for all previous years. At its 8th session, the Assembly again expressed its satisfaction with the positive response of contributors regarding the payment of contributions.

It should be noted that the level of contributions to the IOPC Fund varies from year to year. This is due to the fact that the payments made by the IOPC Fund in respect of claims for compensation for oil pollution damage vary from year to year. The variations during the period 1979 - 1985 are illustrated in the following table. The amounts indicated are the total contributions that were levied for

the relevant year, ie both contributions to the general fund and contributions to any major claims funds.

<u>Year</u>	<u>General Fund</u>	<u>Major Claims Funds</u>	<u>Total Levy</u>
	£	£	£
1979	750 000	0	750 000
1980	800 000	9 200 000	10 000 000
1981	500 000	0	500 000
1982	600 000	260 000	860 000
1983	1 000 000	23 106 000	24 106 000
1984	0	0	0
1985	1 500 000	0	1 500 000

6 INVESTMENT OF FUNDS

In accordance with the IOPC Fund's investment policy as laid down in its Internal and Financial Regulations, the Director invests funds which are not required for the short-term operation of the IOPC Fund.

During 1985, investments were made with several leading banks. The investments were made at interest rates varying from 8 7/8% to 14 3/4%, with an average of 12%.

As at 31 December 1985, the IOPC Fund's portfolio of investments totalled £4 920 000, comprising the IOPC Fund's assets (including the major claims funds) of £4 833 265 and the Provident Fund's assets of £86 735.

Interest due in 1985 on the investments amounted to £449 900, of which £8 800 belonged to the Provident Fund.

7 SETTLEMENT OF CLAIMS

7.1 General Information

During 1985 five incidents occurred which gave rise or may give rise to claims for compensation and indemnification against the IOPC Fund, the KOSHUN MARU N°1, the PATMOS, the JAN, the SOTKA and the FOLGOET incidents. The KOSHUN MARU N°1 incident, which took place in Japan, led to only small claims. The PATMOS incident, which occurred in March 1985 off the coast of Calabria in the Straits of Messina in Italy, could have led to massive pollution damage, as the ship was carrying 83 000 tonnes of crude oil. Fortunately, only a

relatively small quantity of oil escaped, but extensive measures were taken to prevent pollution. So far claims for compensation totalling £30 million have been filed. It is not yet possible to assess whether the IOPC Fund will have to pay a large amount of compensation in respect of this incident. The JAN incident, which took place off the east coast of Jutland in Denmark, led to extensive clean-up operations, in spite of the fact that only a small quantity of oil escaped as a result of the incident. The IOPC Fund may become liable to pay compensation in respect of the SOTKA incident, which occurred in the Baltic Sea between Sweden and Finland. The FOLGOET incident occurred on 31 December 1985 in the mouth of the river Loire in France. The extent of the damage is not yet known.

As regards incidents which occurred in previous years, the TSUNEHISA MARU N°8 incident was finally settled during 1985. All third party claims relating to the KOEI MARU N°3 and KOHO MARU N°3 incidents have been paid. All claims relating to the EIKO MARU N°1 incident have been paid, and the IOPC Fund is considering recourse action against the owner of another vessel. There are three other incidents in respect of which final settlements have not yet been reached: the TARPENBEK, TANIO and JOSE MARTI incidents.

In respect of the TARPENBEK incident, negotiations are taking place on the possibility of reaching an out of court settlement in respect of all claims against the IOPC Fund. Concerning the TANIO incident, agreements have been reached on the quantum of all third party claims and a major part payment of compensation was made in 1984 and 1985. The IOPC Fund has taken legal action against the shipowner and other parties to recover the money paid as compensation. There has been only slow progress in these proceedings. As for the JOSE MARTI incident, the IOPC Fund is awaiting the outcome of legal proceedings in Sweden.

The following details relate to incidents which the IOPC Fund dealt with in 1985. The conversion of foreign currencies into Pound Sterling is as at 31 December 1985, except for those claims in respect of which payment has already been made; in respect of the latter, the conversion is made at the rate of exchange on the date of payment. A summary of all incidents with which the IOPC Fund has so far been dealing is at Annex VII.

7.2 TARPENBEK

(United Kingdom, 21 June 1979)

The tanker TARPENBEK registered in the Federal Republic of Germany, loaded with about 1 600 tonnes of lubricating oil, collided with the British Royal Fleet auxiliary ship SIR GERAINTE off the English coast. As a result of the collision, the TARPENBEK capsized.

The TARPENBEK was towed to a sheltered bay. In a technically difficult operation, the cargo oil was pumped out of the capsized ship and the ship was later parbuckled. The ship was towed to the port of Rotterdam (the Netherlands) where she was sold.

The owner of the TARPENBEK undertook the pumping, parbuckling and towage operations. The United Kingdom Government and local Councils carried out various measures to prevent a possible spill of oil which could have caused damage to beaches or the marine environment.

The United Kingdom Government, the local authorities and the owner of the TARPENBEK have instituted legal proceedings, seeking compensation from the IOPC Fund. The claim by the United Kingdom Government amounts to £982 620, those of the councils to £11 692 and that of the shipowner to £594 358, totalling £1 588 670.

The delay in the settlement of this case is due to a dispute as to whether there was any spill of persistent oil as a result of the incident. There are also different opinions on the interpretation of the United Kingdom legislation and the Civil Liability and Fund Conventions as regards the question whether the liability of the IOPC Fund is dependent on whether, and if so when, such spill occurred.

The Director has rejected any liability on the part of the IOPC Fund. He has maintained that the IOPC Fund is liable to pay compensation only if there was a spill of persistent oil as a result of the incident. Based on investigations by the IOPC Fund's surveyors, the Director is of the opinion that there is not sufficient evidence that any persistent oil was spilled.

The amount of compensation to be paid by the IOPC Fund, if any, depends largely on the apportionment of liability between the SIR GERAINT and the TARPENBEK as regards the cause of the collision. The investigation that was carried out shows that the SIR GERAINT was more to blame for the collision. A distribution of liability with 75% for the SIR GERAINT and 25% for the TARPENBEK has been agreed between the hull insurers.

In an attempt to avoid lengthy legal proceedings, the Director has initiated discussions with the claimants on the possibility of reaching a compromise, while maintaining the IOPC Fund's position that there is no liability for the IOPC Fund to pay compensation since no proof has been given that any persistent oil escaped as a result of the incident. Discussions have also been held regarding the quantum of the claims. Agreement has been reached on the quantum of the major part of the claim presented by the United Kingdom Government.

The Executive Committee, at its 14th session, instructed the Director to continue the negotiations with the claimants in order to arrive at an out of court settlement and authorized him to make a final settlement of all claims against the IOPC Fund arising out of the TARPENBEK incident. These negotiations are in progress.

7.3 TANIO

(France, 7 March 1980)

The Malagasy tanker TANIO (18 048 GRT), carrying 26 000 tonnes of fuel oil, broke amidship in heavy weather conditions off Brittany, France. About 13 500 tonnes of cargo oil spilled from the wreck. More than 200 kilometres of the Brittany coast were polluted by the spilt oil; the Channel Islands were also affected. The stern section, with about 7 500 tonnes of cargo aboard, remained afloat and was towed to the port of Le Havre. The bow section, with about 5 000 tonnes of cargo oil on board, sank to a depth of 90 metres. The oil contained in the sunken bow section had to be pumped out in order to prevent further pollution from the wreck.

Claims for compensation were submitted by the French Government, local authorities, private persons and the owner's insurer. The total claims amounted to approximately FFr527 million (£48.6 million).

After long and difficult negotiations, the Director reached agreement on the quantum of each of the claims. The total accepted by the IOPC Fund amounted to approximately FFr348 million (£32 million). Since that amount exceeds the compensation available under the Fund Convention (FFr244 746 000), each claimant will recover only about 70% of the agreed quantum. A first part payment amounting to approximately FFr216 million (£18.2 million) was made in February 1984 to the French Government (FFr208 million), local authorities (FFr5.5 million) and private claimants (FFr2.8 million).

A claim against the IOPC Fund was submitted by the United Kingdom P & I Club, amounting to FFr7 624 417 (£703 000). The question had arisen as to whether this claim was time-barred. The Executive Committee authorized the Director, at its 11th session, to agree on a final settlement with the UK Club, after having considered all legal aspects of the question of time-bar.

In view of the importance of the issue, the Director sought further legal advice from an independent French consultant of the highest reputation, who carried out an examination of all elements of the case and an in-depth study of the question of prescription. On the basis of the result of this examination, the Director came to the conclusion that the UK Club's claim should be paid, as it was most

likely that a French court would consider that this claim was not time-barred. He decided, therefore, to accept the UK Club's claim. An amount of FFr4 679 742 (£390 978), together with accrued interest, was paid to the UK Club in August 1985, as a first part payment.

In September 1984, the liquidator of the owner's limitation fund distributed approximately FFr19 million of the limitation fund. An amount was reserved for the final distribution of the limitation fund, since not all claims had been settled by the time of the first payment. This reserve (including interest) amounted to FFr3 078 890 as at 31 December 1985. Further payments by the IOPC Fund will have to await the final distribution of the limitation fund.

The IOPC Fund has taken legal action in the Civil Court of Brest against the shipowner and other parties to recover the amounts paid as compensation. The French Government and other parties have also taken action against the same defendants with a view to getting compensation over and above the maximum amount payable by the IOPC Fund. The IOPC Fund and the French Government have had an extensive examination carried out, the object of which was to establish more accurately how the crack which broke the ship developed.

Progress in the case has been held up by a number of factors, such as the heavy workload of the Court, the complexity of the case, and the time-consuming procedure of obtaining documentary evidence from the defendants. The technical examination carried out at the request of the IOPC Fund and the French Government and the need to reconvene the Expertise Judiciaire appointed by the Court have also contributed to the delay. It is expected that the report of the Expertise Judiciaire will be available in early 1986. There is reason to believe that the case will then enter a more active phase and proceed faster thenceforth.

7.4 JOSE MARTI

(Sweden, 7 January 1981)

The USSR tanker JOSE MARTI (27 706 GRT), carrying 40 000 tonnes of heavy fuel oil, grounded in a narrow channel near Dalarö, on the east coast of Sweden. About 1 000 tonnes of cargo oil were lost and polluted the Stockholm Archipelago. Clean-up operations were undertaken by the Swedish authorities, resulting in a claim by the Swedish Government amounting to SKr19.3 million (£1.8 million). In addition, two private persons claimed SKr850 000 (£80 000).

A court action has been taken in the Stockholm City Court against the owner of the JOSE MARTI by the Swedish Government and the two private claimants. The shipowner has constituted a limitation fund under the Civil Liability Convention, amounting to SKr23 844 593

(£2.2 million), with the City Court. The IOPC Fund has been notified of the action against the shipowner in accordance with Article 7.6 of the Fund Convention.

In the court action, the owner of the JOSE MARTI has maintained that he has no liability for the pollution damage because the incident was wholly caused by the negligence of the Swedish Government in the maintenance of navigational aids (cf Article III.2(c) of the Civil Liability Convention). Secondly, the owner has argued that, if the court were not to accept that the damage was wholly caused by such negligence, he should nevertheless be wholly exonerated from liability to the Swedish Government on the ground of contributory negligence due to lack of maintenance of navigational aids, or that the compensation should be substantially reduced (cf Article III.3 of the Civil Liability Convention).

The Stockholm City Court rendered its judgement in May 1985. The Court held that the incident was caused by negligence attributable to the shipowner. It was recognised by the Court that there was a certain negligence on the part of the Swedish authorities in the maintenance of navigational aids and that this negligence had contributed to the incident. This negligence was, however, considered as relatively minor. For this reason, the Court did not reduce the compensation to the Swedish Government on the ground of contributory negligence, but awarded the Swedish Government full compensation for the pollution damage arising out of the incident. It should be added that the shipowner was awarded compensation from the Swedish Government for the damage caused to the JOSE MARTI as a result of the incident, but as the negligence on the part of the shipowner was the major factor that contributed to the incident, the compensation was fixed at 25% of the total amount of damage sustained.

Appeals against this judgement have been lodged by the shipowner and the Swedish Government. The Court of Appeal in Stockholm is expected to deliver its judgement in 1986.

7.5 EIKO MARU N° 1

(Japan, 13 August 1983)

The Japanese tanker EIKO MARU N°1 (999 GRT), loaded with 2 459 tonnes of heavy fuel oil, collided with a Panamanian cargo ship, the CAVALRY (4 827 GRT), in dense fog off Karakuwazaki, Miyagi, Japan. About 357 tonnes of cargo oil spilled from the fractured starboard tank. Because of the stormy weather due to an approaching typhoon, the spilt oil moved towards the coast and polluted areas with extensive fishery activities.

The Director agreed to settle claims for clean-up costs and fishery damage in the amount of ¥64 181 029 (£221 700). In March 1984 the IOPC Fund paid compensation amounting to ¥24 735 109 (£76 722), representing the amount of agreed claims minus the shipowner's liability under the Civil Liability Convention of ¥39 445 920.

The limitation proceedings were brought to an end after the completion of the official investigation into the cause of the incident. The investigation led to the conclusion that the incident was caused by improper navigation on the part of both vessels. Indemnification of the owner of the EIKO MARU N^o1, in the amount of ¥9 861 480 (£32 018), was paid in May 1985.

The IOPC Fund has started negotiations with the owner of the CAVALRY with a view to recovering part of the amount paid by the IOPC Fund.

7.6 KOEI MARU N^o 3

(Japan, 22 December 1983)

The Japanese tanker KOEI MARU N^o3 (82 GRT), laden with 100 tonnes of heavy oil, collided with the car ferry ALBIREO (9 548 GRT) in the port of Nagoya, Japan. As a result of the collision, the tanker capsized and spilled about 49 tonnes of cargo oil into the sea. During the clean-up operations a considerable quantity of oil absorbents and dispersants was used, and some of these materials drifted out of the port into cultured seaweed farms.

The Director agreed to settle the claims for clean-up costs and fishery damage in the amount of ¥30 073 908 (£103 900). The sum of ¥26 982 248 (£89 447), representing the total amount of agreed claims minus the shipowner's liability under the Civil Liability Convention of ¥3 091 660, was paid by the IOPC Fund in October 1984 and February 1985.

The limitation proceedings which had been suspended have been recommenced upon the completion of the official investigation into the cause of the collision. This investigation held that the KOEI MARU N^o3 was mainly to blame for the incident. Indemnification of ¥772 915 (£2 700) will be paid to the owner upon completion of the limitation proceedings.

The IOPC Fund has started negotiations with the owner of the ALBIREO to explore the possibility of recovering part of the amount paid by the IOPC Fund.

7.7 TSUNEHISA MARU N° 8

(Japan, 26 August 1984)

The stern section of the Japanese tanker TSUNEHISA MARU N°8 (38 GRT), laden with 46 tonnes of heavy oil, sank whilst the ship was moored overnight alongside the bank of the river in the Port of Osaka, Japan. The incident was caused by river water entering the engine room of the ship through a hose.

As a result of the incident, about 30 tonnes of cargo oil was spilled. Due to the tides, the oil spread rapidly to piers and wharfs inside the port. Damage was caused by oil staining a vessel under construction at a nearby dock.

The Director agreed to settle the claims for clean-up costs and damage to the vessel under construction in the amount of ¥17 575 000 (£60 700). There was no damage to fishery.

Compensation in the amount of ¥16 610 200 (£54 317), representing the total sum of the agreed claims minus the owner's liability under the Civil Liability Convention of ¥964 800, was paid in April 1985. Indemnification of the shipowner, amounting to ¥241 200 (£718), was paid in July 1985.

7.8 KOHO MARU N° 3

(Japan, 5 November 1984)

The Japanese tanker KOHO MARU N°3 (199 GRT), laden with 500 tons of heavy oil, ran aground on the east coast of Hayamajima Island, Inland Sea, Japan, on 5 November 1984. About 20 tonnes of oil leaked into the sea from the fractured cargo tanks.

The area where the incident occurred is an archipelago with many small islands. Intensive fishing activities, including aquaculture, are carried out in the area. The oil spread swiftly over a wide area of water, and the coast of Hayamajima Island was heavily polluted. Extensive clean-up operations were carried out in the sea and on the island.

The Director agreed to settle the claims for clean-up costs and fishery damage in the total amount of ¥99 497 738 (£343 700). In June and August 1985 the IOPC Fund paid compensation amounting to ¥94 111 818 (£294 827), representing the total amount of agreed claims minus the owner's liability under the Civil Liability Convention of ¥5 385 920.

Claims for compensation for damage to fishing grounds were submitted by two Fishery Collective Associations. These claims related

to the after-effects of oil pollution on fisheries. The claims were not accepted by the Director, as the claimants did not produce sufficient data to enable the IOPC Fund to assess the validity of claims of this kind. The Associations did not pursue these claims.

The official investigation into the cause of the grounding has not yet been completed. Indemnification, which will amount to ¥1 346 480 (£4 650), has not yet been paid.

It appears that the incident was caused by the negligence of the master who was at the same time president of the company which owned the KOHO MARU N°3. The Executive Committee agreed that this negligence, attributable to the master in that capacity, should not deprive the owner of his right to limit his liability.

7.9 KOSHUN MARU N° 1

(Japan, 5 March 1985)

The Japanese tanker KOSHUN MARU N°1 (68 GRT), carrying 100 tonnes of heavy oil, collided with the coal carrier RYOZAN MARU (2 569 GRT) off Haneda, Tokyo Bay, Japan. The KOSHUN MARU N°1 sank with the exception of her bow section. Approximately 80 tonnes of oil leaked from the sunken tanker and spread across the Bay.

Claims for clean-up costs were agreed in the amount of ¥28 020 909 (£96 800). It is possible that a further claim will be submitted by the Association of Game Fishing Boat Owners.

In September 1985, the IOPC Fund paid ¥26 124 589 (£81 512), representing the total agreed amount of the clean-up costs, minus the owner's liability of ¥1 896 320.

An official investigation into the cause of the incident is being carried out. Indemnification of the shipowner, amounting to ¥474 080 (£1 600), has not yet been paid.

7.10 PATMOS

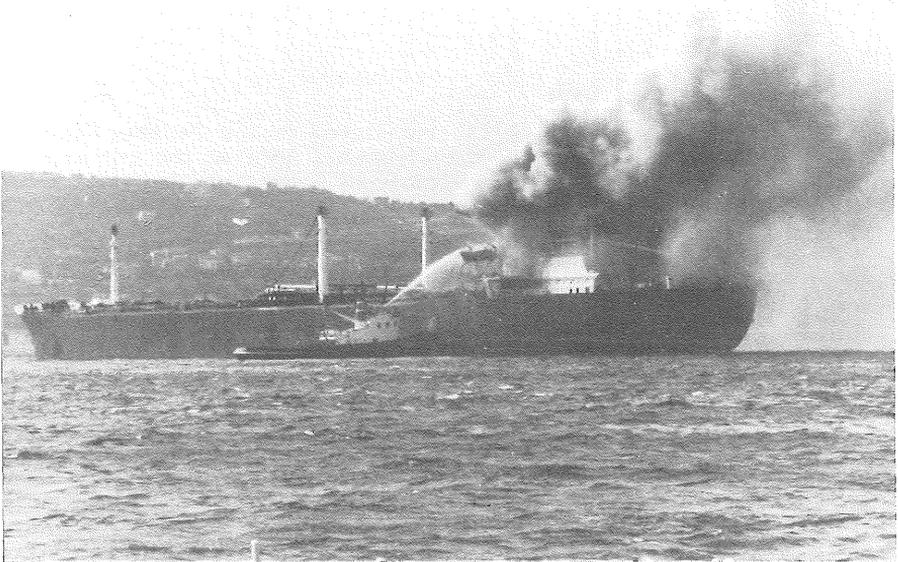
(Italy, 21 March 1985)

The Greek tanker PATMOS (51 627 GRT), carrying 83 689 tonnes of crude oil, collided with the Spanish tanker CASTILLO DE MONTEARAGON (92 289 GRT), which was in ballast, off the coast of Calabria in the Straits of Messina, Italy. Fire broke out on the main deck of the PATMOS and spread to the accommodation and wheelhouse. Two crew members died, and the crew had to abandon ship. The ship was damaged in the hull. Due to strong winds and currents, the PATMOS drifted onto a beach by a village on the Sicilian coast. The

ship was refloated and tugs were used to control it in the Straits of Messina. Tugs were also used to combat the fire which was extinguished within two days of the collision. The PATMOS was then towed to the Port of Messina where the oil was discharged.

Approximately 1 100 tonnes of oil escaped from the PATMOS. Most of the spilt oil drifted on the surface of the sea and dispersed naturally. Only a few tonnes of oil came ashore on the Sicilian coast. The Italian authorities undertook extensive measures, with the assistance of private contractors employed by the owner of the PATMOS, in order to contain the spilt oil and to prevent it polluting the Sicilian and Calabrian coasts. Dispersants were also used in large quantities. The owner of the PATMOS, as well as the charterer, Esso International Shipping (Bahamas) Co Ltd, participated in the operations.

The owner of the PATMOS and the owner's insurer, the United Kingdom P & I Club, have established a limitation fund with the Court of Messina. The Court has fixed the limitation amount at Lira 13 263 703 650 (£5.5 million). The IOPC Fund has been notified of the limitation proceedings in accordance with Article 7.6 of the Fund



The PATMOS in the Straits of Messina shortly after the collision

Convention. So far, 39 claimants have lodged claims against the limitation fund. The total of these claims amounts to Lira 73 574 241 270 (£30 million). Court hearings on the claims will be held early in 1986.

The IOPC Fund and the UK Club are at present examining the claims. They intend to enter into negotiations with the claimants as soon as the examination is completed, with a view to arriving at a settlement out of court.

The claims against the limitation fund relate, to a large extent, to measures which would normally be considered as salvage operations. The question has arisen, therefore, as to whether and to what extent costs for salvage operations fall within the definition of "pollution damage" laid down in the Civil Liability Convention, ie whether such costs could be considered as costs of preventive measures as defined in that Convention. In its pleading before the Court of Messina, the IOPC Fund has taken the position that operations can be considered as "preventive measures" only if the primary purpose was to prevent or minimise pollution damage.

The liability of the CASTILLO DE MONTEARAGON for the collision is being investigated. The limitation amount applicable to that ship is approximately £3.2 million.

7.11 JAN

(Denmark, 2 August 1985)

The tanker JAN (1 400 GRT), registered in the Federal Republic of Germany, collided with a fixed navigational light at the entrance to the port of Aalborg on the eastern coast of Jutland in Denmark. The JAN was carrying 3 000 tonnes of heavy fuel oil. The collision caused a 20 metre gash through two forward tanks with a combined capacity of 500 tonnes. It is estimated that approximately 300 tonnes of oil escaped into the sea.

The spilt oil was carried in a north-westerly direction by strong winds. During the days that followed the incident more than 100 tonnes of oil came ashore on the south coast of the island of Laesø, which is situated between Jutland and Sweden, and polluted approximately ten kilometres of the coastline. The polluted area consists partly of sandy beaches, and partly of salt marshes of great importance to large populations of migrating birds. A small quantity of oil also polluted the coast of Jutland and the island of Hirsholmene.

Operations to clean up the polluted areas were carried out by the Danish National Agency of Environmental Protection, the National Civil Defence Force and local authorities of the island of Laesø. The

clean-up operations on the sandy beaches were completed within a few weeks, whilst the work on the salt marshes of Laesø lasted until October 1985.

A major problem has been the disposal of the material (oil, sand and other debris) that was collected during the clean-up operations. There are only very limited possibilities for taking care of such material on the island of Laesø. Several options were discussed. The Director urged the Danish authorities to consider the most economic methods which would also be acceptable from an environmental point of view. The authorities decided that part of the debris should be disposed of on a dump at Laesø and the major part sent for destruction elsewhere.

No claims have yet been submitted to the IOPC Fund. The costs of the clean-up operations are estimated at DKr15 million (£1.2 million). The disposal of the collected material will involve considerable costs.

The limitation amount of the shipowner's liability under the Civil Liability Convention is 157 936 Special Drawing Rights (£120 000). A limitation fund has been established at the Maritime and Commercial Court of Copenhagen. The IOPC Fund has been notified of the limitation proceedings under Article 7.6 of the Fund Convention.

7.12 SOTKA

(Sweden, 12 September 1985)

The Finnish tanker SOTKA (16 000 GRT) struck a concrete fairway marking beacon under construction in the Åland Sea (the Baltic) on the border between the Swedish and Finnish territorial waters, one nautical mile on the Swedish side. The ship was carrying 15 300 tonnes of heavy fuel oil. The incident caused a gash of 20 metres on the port side of the ship, and 300 tonnes of heavy fuel oil escaped into the sea. After 2 000 tonnes of the cargo had been transferred to another tanker, the ship proceeded to a Finnish port.

Small quantities of oil reached the beaches of the Åland islands in Finland. The cleaning of the polluted beaches was completed in a few days, and 40 tonnes of oil were collected. The balance of approximately 250 tonnes is believed to have sunk below the sea surface, since the specific gravity of the oil is greater than that of sea water at ambient temperatures. The possibility that the sunken oil will move with currents and resurface at the Swedish or Finnish coastline cannot be ruled out.

The limit of the shipowner's liability is FM7 360 328 (£950 000).

So far, the claims relating to fishery damage (SKr300 000) and clean-up costs (FM600 000) total only £105 000, ie well below the limitation amount. However, if the oil still in the sea reaches the shore, considerable costs for clean-up operations may arise. It cannot be excluded, therefore, that the IOPC Fund will become involved.

7.13 FOLGOET

(France, 31 December 1985)

The French vessel FOLGOET (14 545 GRT) was loading heavy fuel oil at Donges in the mouth of the river Loire in France. During loading, 300 tonnes of heavy fuel oil escaped from a cargo tank through a drain hole where the plug was missing. The oil spread rapidly and caused light pollution to 60 kilometres of the coastline. Damage was caused to fishing grounds for shell-fish and eels.

The costs of the clean-up operations are not yet known. Fishermen will claim compensation for loss of income as a result of the incident, but their claims have not yet been submitted. It is possible that the IOPC Fund will have to pay compensation and indemnification as a result of this incident.

The limit of the shipowner's liability under the Civil Liability Convention is approximately FFr14.7 million (£1.4 million). The indemnification of the shipowner will be approximately FFr3.7 million (£350 000).

Annex I Structure of the IOPC Fund

IOPC FUND MEMBER STATES

Algeria	Indonesia	Poland
Bahamas	Italy	Portugal
Benin (from 30.1.86)	Japan	Spain
Cameroon	Kuwait	Sri Lanka
Denmark	Liberia	Sweden
Fiji	Maldives	Syrian Arab Republic
Finland	Monaco	Tunisia
France	Netherlands	Tuvalu
Gabon	Norway	United Arab Emirates
Germany, Federal Republic of	Oman	United Kingdom
Ghana	Papua New Guinea	Yugoslavia
Iceland		

ASSEMBLY

Composed of all Member States

8th Session

Chairman:	Mr J Bredholt (Denmark)
Vice-Chairmen:	Professor H Tanikawa (Japan) Mr C Douay (France)

EXECUTIVE COMMITTEE

14th Session

Chairman:	Mr W Sturms (Netherlands)
Vice-Chairman:	Mr R Tchibota-Souamy (Gabon)

Finland	Italy
France	Kuwait
Gabon	Netherlands
Germany, Federal Republic of	Sri Lanka
Indonesia	United Kingdom

15th Session

Chairman:	Prof H Tanikawa (Japan)
Vice-Chairman:	Mr G Arku (Liberia)

Algeria	Liberia
Bahamas	Oman
France	Spain
Indonesia	Sweden
Japan	United Kingdom
Kuwait	

IOPC FUND SECRETARIAT

Mr M Jacobsson	Director
Mr M Dobashi	Legal Officer
Mr S O Nte	Finance/Personnel Officer

AUDITORS

Comptroller and Auditor General
United Kingdom

Annex II General Fund

INCOME AND EXPENDITURE ACCOUNT FOR THE FINANCIAL PERIOD 1 JANUARY - 31 DECEMBER 1984

INCOME	£	£
<u>Contributions</u>		
Initial Contributions		-
Annual Contributions 1983		1 003 849
		<hr/>
		1 003 849
Less adjustment to Prior Year's Assessments		833
		<hr/>
		1 003 016
 <u>Miscellaneous</u>		
Miscellaneous Income	36 920	
Interest on Overdue Contributions	9 727	
Interest on Investments	219 480	266 127
		<hr/>
		1 269 143
 EXPENDITURE		
<u>Secretariat Expenses</u>		
Unliquidated obligations	70 346	
Liquidated obligations	217 074	
	<hr/>	
	287 420	
Bad Debts written off	489	
 <u>Claims</u>		
General Claims	1 518 087	1 805 996
		<hr/>
Excess of Expenditure over Income		536 853
		<hr/>

Annex III

Major Claims Fund — Ondina/Fukutoku Maru N^o 8

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31 DECEMBER 1984

	£	£
INCOME		
<u>Contributions</u>		
Annual Contributions 1983		3 109 816
<u>Miscellaneous</u>		
Interest on Overdue Contributions	3 495	
Interest on Investments	95 652	99 147
		3 208 963
 EXPENDITURE		
Bad Debts written off	215	
Claims	2 498 091	2 498 306
Excess of Income over Expenditure		710 657

Annex IV
Major Claims Fund — Tanio

INCOME AND EXPENDITURE ACCOUNT
FOR THE PERIOD ENDED 31 DECEMBER 1984

	£	£
INCOME		
<u>Contributions</u>		
Annual Contributions 1983		20 087 296
<u>Miscellaneous</u>		
Interest on Overdue Contributions	18 168	
Interest on Investments	302 006	320 174
		20 407 470
EXPENDITURE		
<u>Claims</u>		17 879 289*
Excess of Income over Expenditure		2 528 181

* Includes payment (£391 639) into joint deposit (escrow) account in respect of a claim, the amount of which has been agreed, but which is being disputed on the grounds that it may be time-barred.

Annex V
Balance Sheet of the IOPC Fund as at 31 December 1984

<u>Liabilities</u>	£	£	<u>Assets</u>	£	£
Accumulated surplus 1978/1983	2 454 828		Cash at banks and in hand (note 2)		5 461 035
Less deficit 1984	536 853	1 917 975	Accounts receivable		
Due to Staff Provident Fund		63 297	Contributions: Gen Fund 1981	882	
Accounts Payable		86 200	Gen Fund 1982	1 740	
Unliquidated Obligations			Gen Fund 1983	11 971	
1983	17 979		Ondina/Fukutoku Maru	26 143	
1984	70 346	88 325	Tanio	237 604	278 340
Due to Major Claims Funds			VAT recoverable		9 091
Ondina/Fukutoku Maru			Miscellaneous		1 837
Deficit 1983	69 712		Interest on overdue contributions		
add Surplus 1984	710 657	640 945	Gen Fund	754	
Tanio		2 528 181	Ondina/Fukutoku Maru	1 021	
Reserve for disputed Claims (note 1)			Tanio	5 350	7 125
Capital	391 639				
Interest	40 866	432 505			
		5 757 428			5 757 428

Note 1 An amount of FFfr4 687 703, relating to a disputed claim, has been paid into a joint deposit (escrow) account. This amount, plus the interest accruing, will be distributed when agreement has been reached or a judgement obtained. The capital sum has been shown in sterling at the rate at which the French Francs were purchased when the deposit was made.

Note 2 The capital sum and interest mentioned in note 1 are also recorded as Cash at Banks. Access to

the escrow account is restricted to joint signatures of the claimant and the IOPC Fund.

Note 3 There are contingent liabilities in respect of incidents which are estimated to amount to £6 580 538.

Note 4 In addition to the assets shown in this statement, investment in equipment, furniture, office machines, supplies and library books as at 31 December 1984 amounted at cost price to £30 009 net of VAT.

Annex VI

Contributing Oil Received in the Territories of Contracting States in the Calendar Year 1984

As reported at 31 December 1985

<u>Contracting State</u>	<u>Contributing Oil (tonnes)</u>	<u>% of Total</u>
Japan	267 671 258	32.65
Italy	119 756 989	14.61
United Kingdom	98 584 527	12.03
France	93 547 289	11.41
Netherlands	78 149 609	9.53
Spain	48 521 508	5.92
Germany, Federal Republic of	23 518 299	2.87
Sweden	16 159 969	1.98
Bahamas	12 553 506	1.53
Finland	11 890 779	1.45
Yugoslavia	10 670 181	1.30
Indonesia	9 547 844	1.16
Norway	8 949 160	1.09
Denmark	7 344 626	0.90
Syrian Arab Republic	6 271 244	0.77
Tunisia	2 533 716	0.31
Sri Lanka	1 733 257	0.21
Ghana	860 087	0.10
Poland	833 848	0.10
Gabon	684 494	0.08
Fiji	-	-
Iceland	-	-
Maldives	-	-
Monaco	-	-
Tuvalu	-	-
Algeria	(no report)	-
Cameroon	(no report)	-
Kuwait	(no report)	-
Liberia	(no report)	-
Oman	(no report)	-
Papua New Guinea	(no report)	-
Portugal	(no report)	-
United Arab Emirates	(no report)	-
	<u>819 782 190</u>	<u>100.00</u>

Annex VII
Summary of Incidents
(31 December 1985)

Annex VII
Summary of Incidents

(31 December 1985)

Vessel (Flag State)	Gross Tonnage (CLC Liability)	Date & Place of Incident	Cause of Incident & Quantity of Oil Spilled (tonnes)	Claims Compensation & Indemnification			Remarks
Antonio Gramsci (USSR)	27 694 GRT Rbls 2 431 584	27.2.1979 off Ventspiils, USSR	Grounding (5 500)	Clean-up costs	SKr89 057 717	paid	
				Interest	6 649 440	paid	
				Total	SKr95 707 157		
Miya Maru No 8 (Japan)	997 GRT ¥37 710 340	22.3.1979 Bisan Seto, Japan	Collision (540)	Clean-up costs	¥108 589 104	paid	¥5 438 909 recovered by way of recourse
				Fishery damage	31 521 478	paid	
				Indemnification	9 427 585	paid	
Total	¥149 538 167						
Tarpenbek (FRG)	999 GRT £64 356	21.6.1979 off Selsey Bill, UK	Collision (not known)	UK Government	£982 620	claimed	Recourse possible
				Nature Conservancy Council	1 512	claimed	
				Local Authorities	10 180	claimed	
				Owner's clean-up costs	594 358	claimed	
				Total	£1 588 670		
Indemnification	£16 089						
Mebaruzaki Maru No 5 (Japan)	19 GRT ¥845 480	8.12.1979 Mebaru Port, Japan	Sinking (10)	Clean-up costs	¥7 477 481	paid	
				Fishery damage	2 710 854	paid	
				Indemnification	211 370	paid	
Total	¥10 399 705						
Showa Maru (Japan)	199 GRT ¥8 123 140	9.1.1980 Naruto Strait, Japan	Collision (100)	Clean-up costs	¥10 408 369	paid	¥9 893 196 recovered by way of recourse
				Fishery damage	92 696 505	paid	
				Indemnification	2 030 785	paid	
Total	¥105 135 659						
Unsei Maru (Japan)	99 GRT ¥3 143 180	9.1.1980 off Akune Port, Japan	Collision (no information but less than 140 tonnes)	Owner's clean-up costs	¥6 903 461	estimated	Because of recourse against same insurer no compen- sation was paid by IOPC Fund
Tanio (Madagascar)	18 048 GRT FFr11 833 718	7.3.1980 off Brittany, France	Breaking (13 500)	French Government	FFr326 921 937	agreed	Part payment made of FFr221 201 452; recourse action being taken against shipowner and third parties
				French Local Authorities	8 910 153	agreed	
				Private claimants	4 637 997	agreed	
				Port Autonome du Havre	116 594	agreed	
				UK P&I Club	7 624 417	agreed	
				Total	FFr348 211 098		
Private claimant	FFr500 000	not pursued					

Furenäs (Sweden)	999 GRT SKr612 443	3.6.1980 Öresund, Sweden	Collision (200)	Clean-up costs: - Swedish Authorities SKr2 911 637 paid - Swedish private claimants 276 050 paid Sub-total SKr3 187 687 Clean up costs: - Danish Authorities DKr408 633 paid - Danish private claimants 9 956 paid Sub-total DKr418 589 Indemnification SKr153 111 paid	SKr449 961 recovered by way of recourse
Hosei Maru (Japan)	983 GRT ¥35 765 920	21.8.1980 off Miyagi, Japan	Collision (270)	Clean-up costs ¥163 051 598 paid Fishery damage 50 271 267 paid Indemnification 8 941 480 paid Total ¥222 264 345	¥18 221 905 recovered by way of recourse
Jose Marti (USSR)	27 706 GRT SKr23 844 593	7.1.1981 off Dalarö, Sweden	Grounding (1 000)	Clean-up costs by Swedish Authorities SKr19 296 000 claimed Private claimants 850 000 claimed Total SKr20 146 000	Liability of IOPC Fund dependent on outcome of Swedish court proceedings
Suma Maru Nº 11 (Japan)	199 GRT ¥7 396 340	21.11.1981 off Karatsu, Japan	Grounding (10)	Owner's clean-up costs ¥6 426 857 paid Indemnification 1 849 085 paid Total ¥8 275 942	No third party claims made
Globe Asimi (Gibraltar)	12 404 GRT Rbls1 350 324	22.11.1981 Klaipeda, USSR	Grounding (esti- mated at more than 16 000 tonnes)	Indemnification \$467 953 paid	No damage in Member State
Ondina (Netherlands)	31 030 GRT DM10 080 383 (including interest)	3.3.1982 Hamburg, FRG	Discharge of cargo oil (estimated 200-300 tonnes)	Clean-up costs: Owner DM11 303 011 paid Authorities 42 163 paid Total DM11 345 174	
Shiota Maru Nº 2 (Japan)	161 GRT ¥6 304 300	31.3.1982 Takashima Island, Japan	Grounding (20)	Clean-up costs ¥46 524 524 paid Fishery damage 24 571 190 paid Indemnification 1 576 075 paid Total ¥72 671 789	
Fukutoku Maru Nº 8 (Japan)	499 GRT ¥20 844 440	3.4.1982 Tachibana Bay, Japan	Collision (85)	Clean-up costs ¥200 476 274 paid Fishery damage 163 255 481 paid Indemnification 5 211 110 paid Total ¥368 942 865	
Kifuku Maru Nº 35 (Japan)	107 GRT ¥4 271 560	1.12.1982 Ishinomaki, Japan	Sinking (33)	Indemnification ¥598 181 paid	Total damage less than owner's liability

Vessel (Flag State)	Gross Tonnage (CLC Liability)	Date & Place of Incident	Cause of Incident & Quantity of Oil Spilled (tonnes)	Claims Compensation & Indemnification	Remarks
Shinkai Maru N° 3 (Japan)	48 GRT ¥1 880 940	21.6.1983 Ichikawa, Japan	Discharge of cargo oil (3.5)	Clean-up costs Indemnification Total ¥1 005 160 paid 470 235 paid ¥1 475 395	
Eiko Maru N° 1 (Japan)	999 GRT ¥39 445 920	13.8.1983 Karakuwazaki, Japan	Collision (357)	Clean-up costs Fishery damage Indemnification Total ¥23 193 525 paid 1 541 584 paid 9 861 480 paid ¥34 596 589	Possibility of recourse being examined
Koei Maru N° 3 (Japan)	82 GRT ¥3 091 660	22.12.1983 Nagoya, Japan	Collision (49)	Clean-up costs Fishery damage Total Indemnification ¥18 010 269 paid 8 971 979 paid ¥26 982 248 ¥772 915 not yet paid	Possibility of recourse being examined
Tsunehisa Maru N° 8 (Japan)	38 GRT ¥964 800	26.8.1984 Osaka, Japan	Sinking (30)	Clean-up costs Indemnification Total ¥16 610 200 paid 241 200 paid ¥ 16 851 400	
Koho Maru N° 3 (Japan)	199 GRT ¥5 385 920	5.11.1984 Hiroshima Japan	Grounding (20)	Clean-up costs Fishery damage Total Indemnification ¥68 609 674 paid 25 502 144 paid ¥94 111 818 ¥1 346 480 not yet paid	
Koshun Maru N° 1 (Japan)	68 GRT ¥1 896 320	5.3.1985 Tokyo Bay, Japan	Collision (80)	Clean-up costs Indemnification ¥26 124 589 paid ¥474 080 not yet paid	Further claims may be submitted
Patmos (Greece)	51 627 GRT L13 263 703 650	21.3.1985 Straits of Messina, Italy	Collision (1 100)	Preventive measures and clean-up costs L73 574 241 270 claimed	Further claims may be submitted
Jan (FRG)	1 400 GRT SDR 157 936	2.8.1985 Aalborg, Denmark	Grounding (300)	Clean-up costs DKr20 000 000 estimate	Claims not yet submitted
Sotka (Finland)	16 000 GRT FM7 360 328	12.9.1985 Baltic Sea, Sweden	Grounding (300)	Clean-up costs Fishery damage FM600 000 estimate SKr300 000 estimate	Claims not yet submitted
Folgoet (France)	14 545 GRT FFr14 700 000 (estimate)	31.12.1985 Loire Estuary, France	Discharge of oil (300)	Clean-up costs Fishery damage	Claims not yet submitted

Notes: 1 Amounts are given in national currencies; the relevant conversion rates as at 31 December 1985 are as follows:

	DKr	12.90
	FM	7.7885
	FFr	10.84
	DM	3.5350
£1 =	Lira	2 414.75
	¥	289.50
	SKr	10.9575
	US\$	1.4455
	Rbls	1.0958

- 2 Claims: Except where claims are indicated as "paid", the amounts shown are as claimed against the IOPC Fund. The inclusion of an amount for a claim is not to be understood as indicating that either the claim or the amount is accepted by the IOPC Fund. Where claims are indicated as "paid", the figure given shows the actual amount paid by the IOPC Fund (ie excluding the shipowner's liability).

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