

Significance and Overview of the 2010 HNS Convention

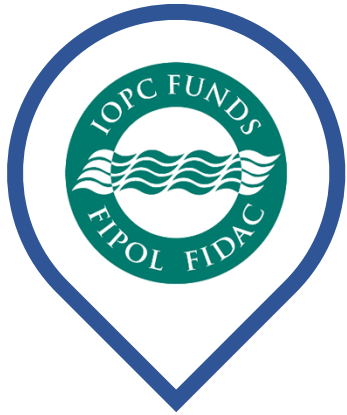
Gaute Sivertsen, Director IOPC Funds

International Oil Pollution Compensation Funds



JMC Tokyo, Japan
October 8, 2025

The IOPC Funds – Who we are



International
intergovernmental
organisation



Based in London,
at the IMO



Small Secretariat
28 staff members
12 nationalities



An aerial photograph of a large port area at dusk. The sky is dark blue with some clouds. The water is dark, and numerous ships of various sizes are visible. In the background, there are several large cranes and industrial structures along the shoreline. The overall scene is dimly lit, with the primary light source being the ambient light from the sunset or sunrise.

Providing compensation for oil pollution damage resulting
from spills of persistent oil from tankers

A form of “insurance company” for States,
managed by States

The IOPC Funds – What we do



SDR 89
million
=
USD 123.8
million

SDR 203
million
=
USD 279.9
million

SDR 750
million
=
USD 1034
million

Total Oil (1992 Fund)

Contributing Oil Received in 2023

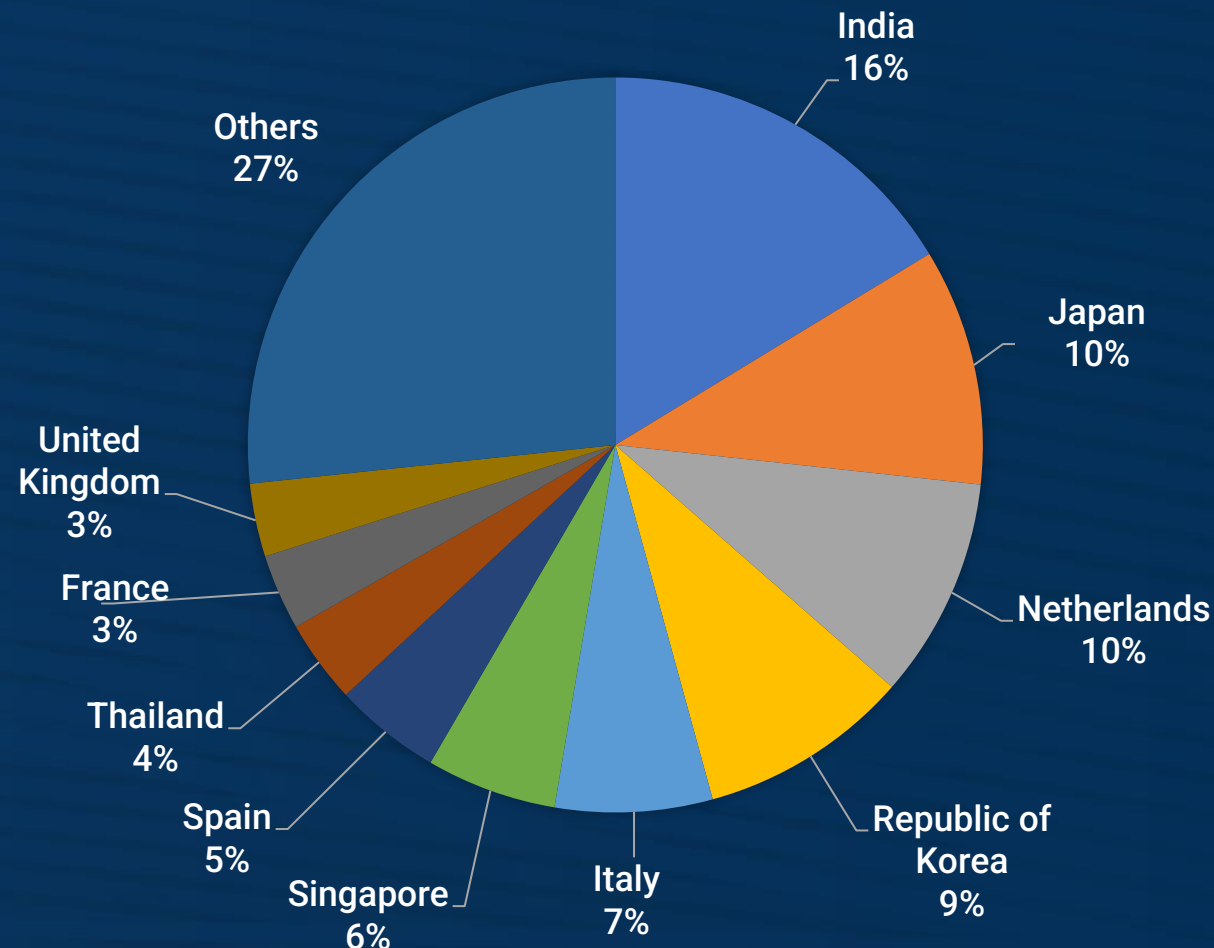
Total reported:

1 477 890 040 tonnes

10 States represent **73%** of contributions

42 States reported nil tonnages

21 States yet to complete reporting



Based on tonnages reported by 31 December 2024, subject to change as additional oil reports received

Total Oil (Supplementary Fund)

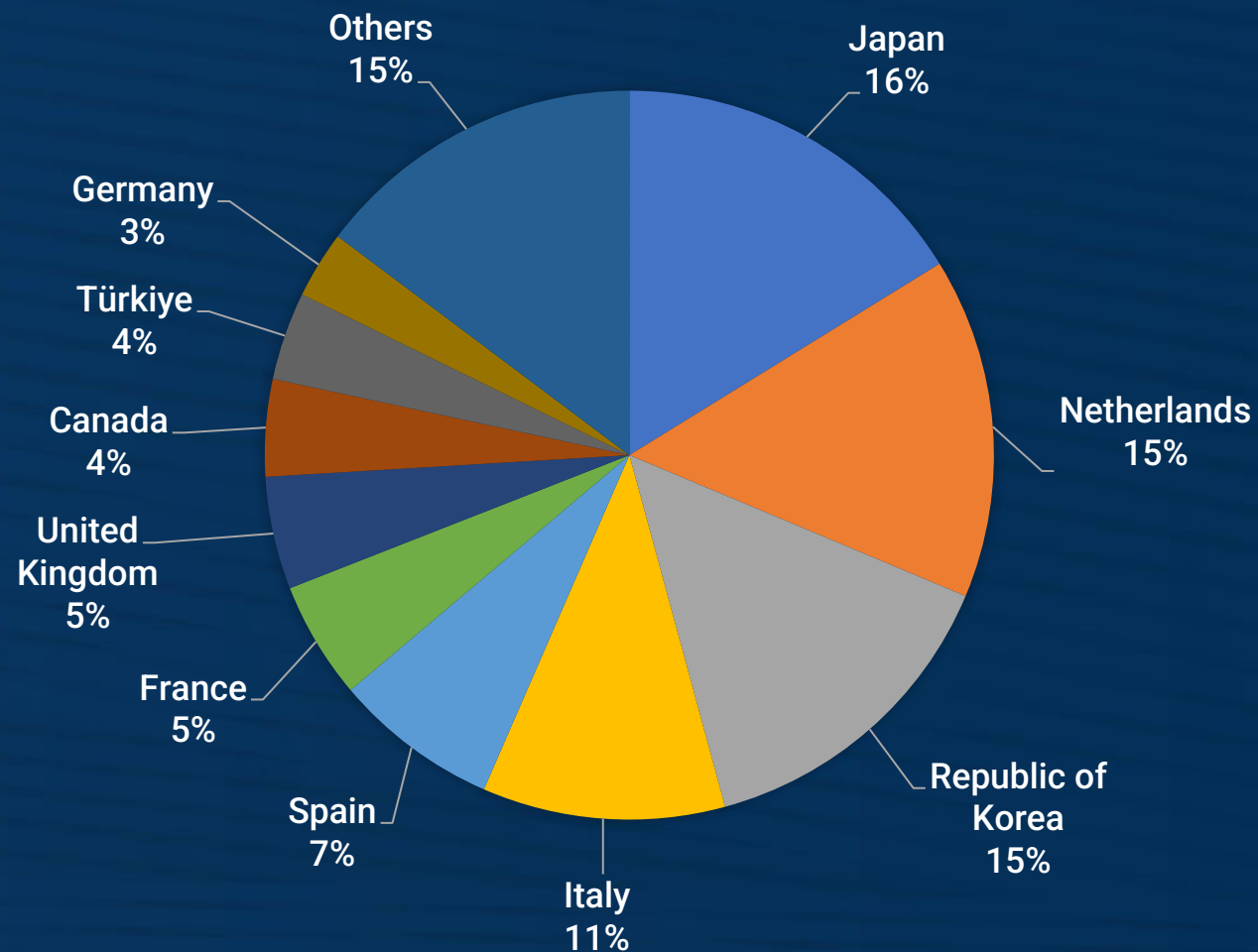
Contributing Oil Received in 2023

Total reported:

950 180 342 tonnes

10 States represent **85%** of contributions

10 States reported less than 1 million tonnes



Based on tonnages reported by 31 December 2024, subject to change as additional oil reports received

Japan and the IOPC Funds

Major contributor since establishment of first IOPC Fund

Actively promoting awareness & best practice through outreach events

Active role in meetings, policy and outreach

Executive Committee Member,
Assembly first Vice-Chair
Audit Body Member

Japan and the HNS Convention

Active engagement

Concrete input into system design

Pragmatic & balanced approach

Leader in international discussions of the Convention



- ✓ 1992 CLC
- ✓ 1992 Fund
- ✓ Supplementary Fund
- ✗ HNS Fund

The 2010 HNS Convention

“Providing compensation for loss or damage to persons, property and the environment arising from the carriage of Hazardous and Noxious Substances (HNS) by sea”

HNS incidents are real

Key Statistics (2010-2019):

Number of HNS incidents handled by the IG: 219

Total cost of claims: SDR 151.35 million



MV Sanchi incident, 2018

Significant HNS Incidents in 2025



March 2025 - North Sea
MV Stena Immaculate &
MV Solong



May 2025 - Kochi, India
MSC Elsa 3



June 2025 - Kerala, India
Wan Hai 503

Recent trends in shipping HNS



Increased vessel size



Green transition



Erroneous cargo declarations

What are HNS?

Substances Carried in bulk

	I Oils	Regulation I Appendix I MARPOL 73/78
	II Liquids	Regulation 1.10 Annex II MARPOL 73/78
	III Liquids	Chapter 17 of IBC Code
	V Gases	Gases - Chapter 19 of IGC Code
	VI Liquids	Flammable/combustible liquids having a flash point not exceeding 60°C
	VII Solids	Both in IMSBC Code and IMDG Code in effect in 1996

Packaged goods

	IV	IMDG Code
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Compensable Damages

Reasonable measures to
reinstate the environment



Property Damage/
Economic Loss



Clean up activities and
preventive measures

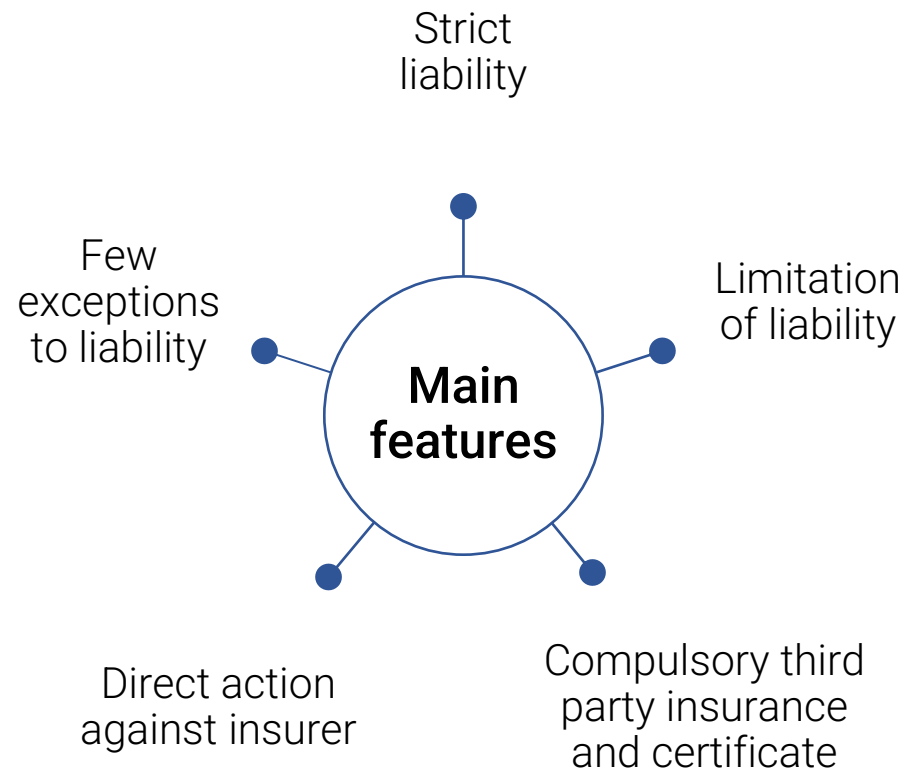


Loss of life or
personal injury



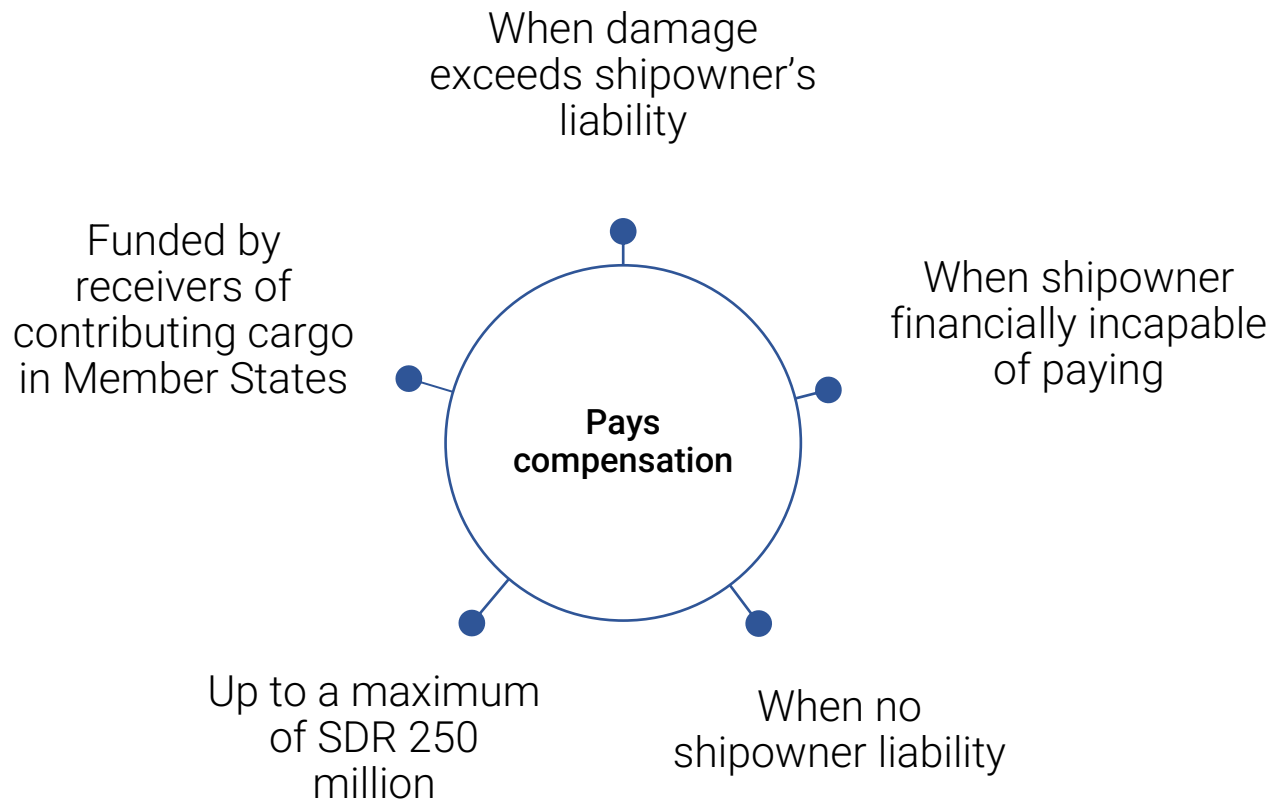
Liability of shipowner

First Tier



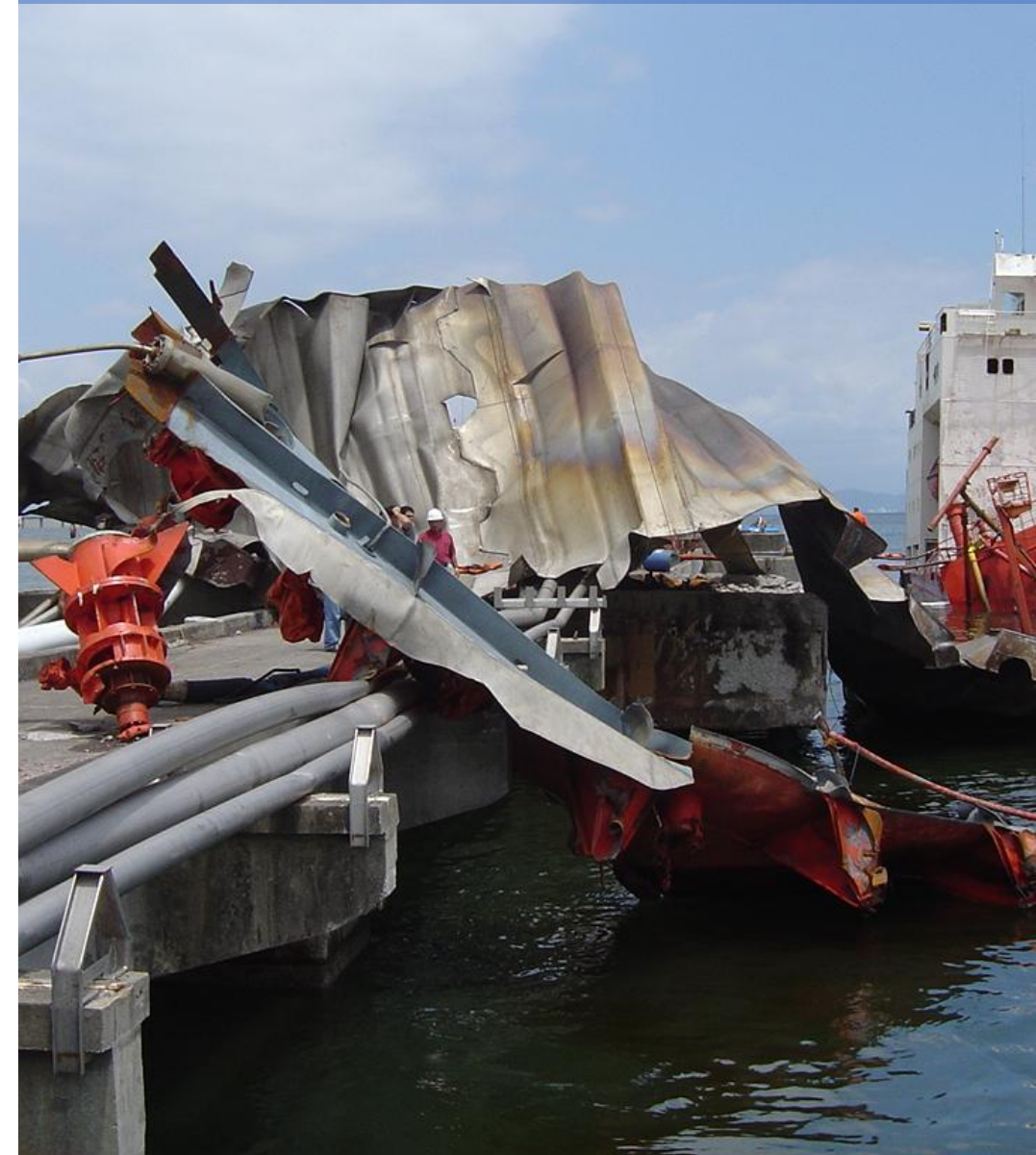
HNS Fund

Second Tier

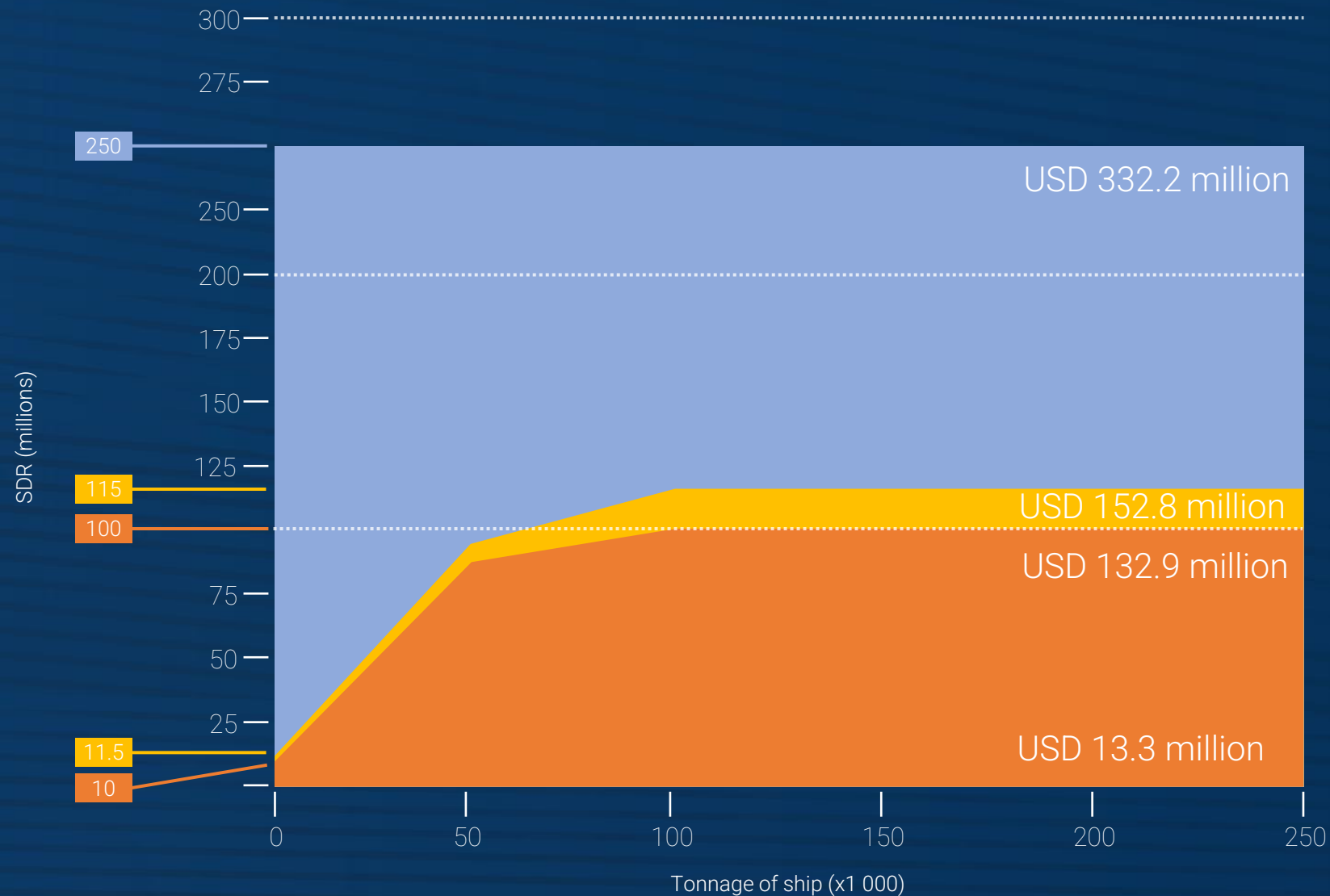


Very limited exceptions

Damage resulted from act of war or caused by a State ship
Claimant unable to prove damage resulted from ship



Limits of liability



How much can
be paid in
compensation?

- Shipowner
- Shipowner's liability for packaged HNS
- HNS Fund

Why ratify the HNS Convention ?



Incidents do happen



Compensation to victims of HNS incidents



Volume of HNS transported by sea is increasing and will continue as alternate fuels come online



Severe potential consequences



Facilitate issue of insurance certificate



Benefits of the HNS Convention

A proven system backed by more than 45 years of experience

States

- Insurance for incidents when they happen
- Confidence that response costs will be covered
- Prompt compensation for victims

Shipowners

- Liability is capped and insurable
- Uniform international regime for a global industry

Receivers

- Cargo owner is shielded from liability
- 1st tier will cover most incidents
- Low cost of contributions
- Cost of contributions is shared amongst contributors in member States
- Contributions post incident and spread over many years



Status of the 2010 HNS Convention

8 Contracting States



Norway (21/4/17)



Canada (23/4/18)



Türkiye (23/4/18)



Denmark (28/6/18)



South Africa (16/7/19)



Estonia (10/1/22)



France (23/10/23)



Slovakia (20/11/23)

3 Signatories



Germany



Greece



Netherlands

Belgium
Germany
Netherlands
Sweden
expected to
ratify soon

Expected to
enter into
force in
2027

Requirements

Minimum of 12 States ratify

Including 4 States each with fleet greater
than 2 million gross tonnage

Total general account's contributing
cargo volume at least 40 million tonnes



Protocol enters into force
18 months later

Assisting with entry into force of HNS Convention

Encouraging entry
into force

Assisting States
with implementation
requirements

Establishing the HNS
Fund

Preparing
for first HNS Fund
Assembly





Questions?



@IOPCFunds



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