**International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001**

**Enter into force:** The International Maritime Organization’s (IMO) International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (the “Bunkers Convention”) enters into force on November 21, 2008. As of September 30, 2008, States party to the Bunker Convention include: Bahamas, Bulgaria, Cook Islands, Croatia, Cyprus, Denmark, Estonia, Germany, Greece, Hungary, Jamaica, Latvia, Lithuania, Liberia, Luxembourg, Marshall Islands, Norway, Poland, Samoa, Sierra Leone, Singapore, Slovenia, Spain, Tonga, the United Kingdom and Vanuatu.

**Background:** The Convention was adopted to ensure that adequate, prompt, and effective compensation is available to persons who suffer damage caused by spills of oil, when carried as fuel in ships' bunkers. The Convention applies to damage caused on the territory, including the territorial sea, and in exclusive economic zones of States Parties. The bunkers convention provides a free-standing instrument covering pollution damage only.

The convention is modeled on the International Convention on Civil Liability for Oil Pollution Damage, 1969. As with that convention, a key requirement in the bunkers convention is the need for the registered owner of a vessel to maintain compulsory insurance coverage.

Another key provision is the requirement for direct action - this would allow a claim for compensation for pollution damage to be brought directly against an insurer. The Convention requires ships over 1,000 gross tons to maintain insurance or other financial security, such as the guarantee of a bank or similar financial institution, to cover the liability of the registered owner for pollution damage.

Further information on the bunkers convention can be found on the IMO’s web cite at [www.imo.org](http://www.imo.org) by following the Conventions> Liability and Compensation Conventions.

**U.S. is not signatory:** The US is neither a signatory nor party to the Convention, and has no present intention of ratifying this instrument. As such, the U.S. cannot issue certificates relating to the bunker convention, nor will the US enforce the convention on foreign ships visiting the US.

**Compliance:** Some states party to the Bunkers Convention have agreed to issue State Convention certificates to ships registered in non-State parties irrespective of whether they are calling at a port in their territory or arriving at or leaving an offshore facility in their territorial waters. U.S. ships that operate in the territorial seas of party states may apply for a bunker convention certificate from those participating states. Alternatively, U.S. ships operators may also coordinate with their International Group of P&I Clubs to obtain a certificate.