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RÉPUBLIQUE FRANÇAISE

# THE PRESTIGE CASE IN FRANCE

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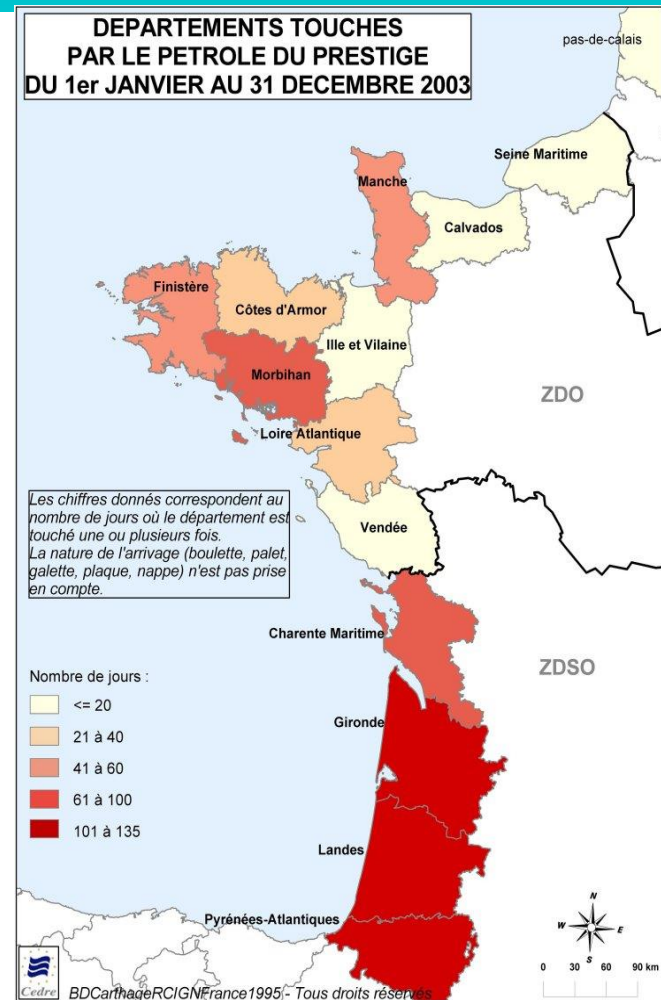
# The Incident



Sinking of the ship off the coast of Spain  
(November 19, 2002)



64 000 tonnes of heavy fuel  
oil spilled  
3 States impacted (Spain,  
France, Portugal)



# Legal Proceedings

- Criminal proceedings in Spain and France
- Civil proceedings in France :
  - against the IOPC Funds, the Shipowner and the P&I club
  - against the classification society
- Arbitration in the UK against the P&I club

# Compensation by the IOPC Fund

Maximum amount of compensation available under the CLC and Fund Conventions : €171,5 million :

- €148,8 million for the 1992 Fund

- €22,7 million for the P&I club

The amount of claims exceeded €1 billion

The level of payments to the victims had to be maintained at 15 % of the assessed claims until 2006 (now only 30%)

# Negotiations with the IOPC Fund

Economic loss of the French State: €67,5 million (« Standing last in the Queue » strategy)

Last assessment of the claim of the French State : €41 million

## Issues at stake:

- . Cost of air and sea resources
- . Necessity of counter pollution measures
- . Cut-off date
- . Supporting documentation
- . Reimbursement of VAT