

constitutes a family for purposes of compensation. Governing Council Decision 1, paragraph 13 stated that "no more than \$10,000 will be paid for death with respect to any one family". The Panel concluded that the family unit is composed of the "deceased (whose death is to be compensated), his or her parents, all of his or her children, and his or her spouse". Generally, the Panel found it was not possible to consider different units inside the family for the purpose of the application of the \$10,000 ceiling, except when a man had more than one wife. With respect to other legally cognizable family relationships (i.e. adopted children, wards etc.), the Panel applied to each claimant his or her own national law in interpreting these terms. The Panel held that the age or marital status of the family member was not relevant for purposes of compensation.

Governing Council Decision 3 defined "serious personal injury" as dismemberment, permanent or temporary significant disfigurement, etc. and excluded matters not requiring a course of medical treatment. It also included physical or mental injury arising from sexual assault, torture, aggravated physical assault, hostage taking or lengthy hiding. The Panel found that, miscarriages, abortions or stillbirths were, for purposes of compensation, serious personal injuries suffered by women.

As the first attribution question, the Panel decided all vehicle accidents involving an Iraqi military vehicle were a consequence of the invasion. An accident occurring in the first day or days immediately following the invasion were found to be related to "breakdown of civil order". As well, "as a general rule", the Panel determined that the further the place of the accident from the claimant's point of departure from Iraq or Kuwait, the less likely the link with Iraq's invasion.

On the question of the lack of medical care, the Panel found that a serious personal injury or death as a consequence of the lack of equipment, medicine or medical care "regarded as indispensable under usual circumstances" was determined to be directly related to the invasion and occupation of Kuwait. Included, for example, were a number of diabetic persons who were deprived of necessary drugs or treatments and developed other serious illnesses, and, in some cases, died.

The Panel also allowed compensation where there was a link between the physical condition that caused the death or serious personal injury