



International Oil Pollution
Compensation Funds

Agenda Item 11	IOPC/NOV21/11/1	
Date	29 November 2021	
Original	English	
1992 Fund Assembly Council	92A26	●
1992 Fund Executive Committee	92EC77	●
Supplementary Fund Assembly	SA18	●

RECORD OF DECISIONS OF THE NOVEMBER 2021 SESSIONS OF THE IOPC FUNDS GOVERNING BODIES

FEEDBACK FROM DELEGATIONS

Note by the Secretariat

Summary:

The consolidated draft Record of Decisions contained in document IOPC/NOV21/11/WP.2 was published on Wednesday, 17 November 2021, upon which a five working day period opened for delegations to provide feedback on that document. The feedback period closed at 5.00 pm (UTC, London time), Wednesday, 24 November 2021.

Due to the time constraints of the remote meeting, delegations were also invited to submit statements in respect of the appointment of the new Director. Two statements were submitted by Greece and New Zealand, which are set out in the Annex.

Action to be taken: 1992 Fund Assembly, 1992 Fund Executive Committee and Supplementary Fund Assembly

Information to be noted.

1 Introduction

- 1.1 At their November 2021 virtual meeting, the governing bodies decided that, upon conclusion of the virtual meeting on 5 November 2021, the sessions should remain open for an additional five working day period from the publication of the consolidated draft Record of Decisions, for delegations to comment on that document by correspondence (document IOPC/NOV21/11/WP.2).
- 1.2 The consolidated draft Record of Decisions was published on Wednesday, 17 November 2021, and the correspondence period closed at 5.00 pm (UTC, London time), Wednesday, 24 November 2021.
- 1.3 The governing bodies also endorsed the proposal that the Secretariat, in consultation with the Chairs, would publish a document containing comments received during the correspondence period, with an accompanying explanation on how they have been addressed for the final Record of Decisions.

Invitation for delegations to send their statements to the Secretariat

- 1.4 Furthermore, due to the time constraints of the remote meeting, some 15 delegations could not take the floor to wish their congratulations to the new Director and bid farewell to the outgoing Director. Those delegations were, therefore, on this occasion, invited to send their statements to the Secretariat for inclusion in the final Record of Decisions.

- 1.5 Two statements were submitted by the delegations of Greece and New Zealand, which are set out in the Annex.

2 Director's considerations

- 2.1 The Director has consulted with the Chairs of the 1992 Fund Assembly and the Supplementary Fund Assembly, who have agreed to accept the inclusion of the statements sent by the delegations of Greece and New Zealand.
- 2.2 Taking into account the proposed amendments to the draft Record of Decisions, the final Record of Decisions will be issued in due course as IOPC/NOV21/11/2.

3 Action to be taken

1992 Fund Assembly, 1992 Fund Executive Committee and Supplementary Fund Assembly

The 1992 Fund Assembly, 1992 Fund Executive Committee and Supplementary Fund Assembly are invited to take note of the information.

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ANNEX

FEEDBACK FROM DELEGATIONS ON IOPC/NOV21/11/WP.2

1 Statement sent by the delegation of Greece

- 1.1 The delegation of Greece sent the following statement and will be included as a new paragraph in section 10.3 Address by the outgoing Director:

‘Greece would like to congratulate the new Director of the IOPC Funds, Mr Sivertsen, for his election, and we are confident that his experience and substantial professional expertise will lead the organisation in the most proficient and effective way.

Additionally, this delegation would like to congratulate and express its appreciation to Mr Thomas Liebert and Mrs Liliana Monsalve for their contribution to the IOPC Funds and because due to their extensive career and substantial technical expertise, they have made this electoral process an undeniably high level. We are confident that they will continue to work for the IOPC Funds organisation in the most efficient and productive manner.

Finally, it is a great honour and pleasure for Greece to congratulate and express our sincere appreciation to the outgoing Director, Mr Jose Maura, for his hard work and dedication to the organisation. He has undoubtedly left a great heritage to the organisation. Especially, we would like to thank him for all the support Greece has had by him personally and by all the staff of the IOPC Funds Secretariat under his leadership for the incidents in our country. We wholeheartedly wish him all the best in his future endeavours.’

2 Statement sent by the delegation of New Zealand

- 2.1 The delegation of New Zealand sent the following statement and will be included as a new paragraph in section 10.3 Address by the outgoing Director:

‘The New Zealand delegation would also like to express its sincere thanks to the outgoing Director for his contribution and dedication to the work of the Funds. Mr Jose Maura has performed his duty admirably, and we commend him for this, and wish him all possible success in his future endeavours, wherever they may take him. We also take this opportunity to welcome Mr Sivertsen to the post of Director and wish *him* well in this new and important role that he is assuming at a time of significant change. We salute Mrs Monsalve and Mr Liebert for the courage to run, because it does take courage.

It is undeniable that the Secretariat possesses a wealth of experience and expertise with incidents involving oil pollution, well in excess of 100, now spanning almost half a century. New Zealand has invested heavily in well-trained response personnel and state-of-the-art resources, but despite everything, nothing quite prepares you for when the unexpected occurs. Mr Maura, Mrs Monsalve, and Mr Liebert, the International Group and some of those present will recall our own major incident, here in New Zealand, involving the containership *Rena*. We are grateful for the assistance that they provided to us at the time. We marked the 10-year anniversary of this devastating incident just last month. This non-tanker was carrying around 1 700 metric tons of heavy fuel oil when it grounded off our coast and eventually broke up, spilling a quantity greater than many of the recent oil spills from tankers. We are not alone, of course, and we do not need to look far for examples. Unfortunately, Sri Lanka had to deal with the *X-Press Pearl* earlier this year, and as our Canadian colleagues reported yesterday, they too are dealing with the *Zim Kingston*, another non-tanker incident that had the potential to result in oil pollution damage.

The Chair posed an interesting and, in our view, vital question to Mr Maura yesterday, one that we ourselves often think about. The future of the Funds. It is true that over the past decade or so, there have been some spills from tankers, but they are largely small and thankfully in decline. Over the same decade, we have continued to witness devastating oil spills, not from cargo but from bunkers, and other sources.

We trust that the Director-Elect will bear these things in mind as he brings his own experience to the new role and as the organisation necessarily adapts to the new reality of declining tanker spills and the impacts that other oil spills continue to have. Oil from cargo, or oil from 3 000 tons of bunkers, the consequence of a spill is devastating, and we are confident that a formal support mechanism, which will put the Secretariat's invaluable expertise to best use, is something worth exploring by the new Director. We certainly would like to have their help in such cases.'
