



International Oil Pollution
Compensation Funds

Agenda Item 1	IOPC/MAY23/1/2/1	
Date	10 May 2023	
Original	English	
1992 Fund Assembly	92AES27	●
1992 Fund Executive Committee	92EC80	●
Supplementary Fund Assembly	SAES11	●

CREDENTIALS FOR THE MEETINGS OF THE GOVERNING BODIES

Note by the Secretariat

Summary:

This document examines one of the main difficulties that the Secretariat regularly encounters regarding the examination of credentials, which relates to the submission of credentials. It also contains a proposed measure to mitigate this difficulty by bringing forward the deadline for submission. This would involve the amendment of Rule 9 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 8 of the Rules of Procedure of the 1992 Fund Executive Committee.

It should be noted the proposed measure regarding the new deadline for submission of credentials would also be required in the event that the governing bodies were to decide to conduct hybrid meetings in the future (document IOPC/MAY23/1/3).

Action to be taken:

1992 Fund Assembly and Supplementary Fund Assembly

- (a) To consider the difficulty encountered in relation to the submission of credentials and decide whether to bring forward the deadline for submission; and, if so,
- (b) to amend the relevant Rules of Procedure of the governing bodies; and
- (c) instruct the Director accordingly.

1992 Fund Executive Committee

Information to be noted.

1 Background Information

- 1.1 In accordance with Rule 9 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 8 of the Rules of Procedure of the 1992 Fund Executive Committee, each Member State is required to transmit to the Director the credentials of its representative and other members of its delegation in order to participate in meetings of the IOPC Funds. The submission of credentials is a long-standing practice in the IOPC Funds, which is crucial for the proper functioning of the Funds' governing bodies. This becomes even more vital when a ballot takes place, as delegations whose credentials are not in order at the time of the ballot are not eligible to vote.

- 1.2 In accordance with Rule 9 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 8 of the Rules of Procedure of the 1992 Fund Executive Committee, credentials should be submitted not later than the opening day of the Assembly.
- 1.3 Both the IOPC Funds' Secretariat and the Credentials Committee make their best efforts to rectify irregularities in credentials received and in pursuing missing credentials in order to facilitate the participation of Member States at meetings.
- 1.4 However, the submission of credentials so close to the meeting makes it very difficult for the Secretariat to assist Member States, it increases the risk of mistakes and reduces the time available for States to rectify any identified issues and present their credentials in order. This can prove highly problematic in the event of a vote as only those States whose credentials are in order are permitted to vote.

2 Proposed solution

- 2.1 The Secretariat invites Member States to consider whether to change the current deadline to present credentials to no later than five working days prior to the meeting. Should the governing bodies agree to this proposal, amendments would be required to Rule 9 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 8 of the Rules of Procedure of the 1992 Fund Executive Committee.
- 2.2 The measure proposed by the Secretariat is in line with best practices for the submission of credentials. Furthermore, it would reduce the risk of mistakes while increasing the time available for Member States to rectify any identified issues prior to the meeting and to resubmit their credentials, if necessary, in order to ensure their participation at the meetings, and importantly in any vote. In addition, it would facilitate the work of the Secretariat and the Credentials Committee.
- 2.3 Furthermore, if the governing bodies were to decide to conduct hybrid meetings in the future, the timely submission of credentials in advance would become even more important. As was the practice when the IOPC Funds' meetings were held remotely between November 2020 and March 2022, the Secretariat would request Member States to submit credentials earlier in order to send delegates an active link and joining instructions to the virtual meeting in advance (see document IOPC/MAY23/1/3).
- 2.4 It is therefore proposed that the deadline for the submission of credentials should be no later than five working days before the meeting and that, ideally, they should be submitted online at the time of registration for the event. This would require amendment to Rule 9 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 8 of the Rules of Procedure of the 1992 Fund Executive Committee, as set out below:

Each Member shall transmit to the Director the credentials of its representative, together with the names of any alternates or other members of its delegation not later than ~~the opening day~~ five working days prior to the opening of the Assembly {Executive Committee} session.

3 Action to be taken

1992 Fund Assembly and Supplementary Fund Assembly

- 3.1 The 1992 Fund Assembly and Supplementary Fund Assembly are invited:
 - (a) To consider the difficulty encountered in relation to the submission of credentials and decide whether to bring forward the deadline for submission; and, if so,
 - (b) to amend the relevant Rules of Procedure of the governing bodies; and

(c) instruct the Director accordingly.

3.2 The 1992 Fund Executive Committee is invited to take note of the information and the decision of the 1992 Fund Assembly.
