



International Oil Pollution
Compensation Funds

Agenda Item 1	IOPC/NOV24/1/2/2	
Date	7 November 2024	
Original	English	
1992 Fund Administrative Council	92A29	●
1992 Fund Executive Committee	92EC83	●
Supplementary Fund Assembly	SA21	●

EXAMINATION OF CREDENTIALS

REPORT OF THE CREDENTIALS COMMITTEE

Note by the Credentials Committee

Summary:	The Credentials Committee has examined the credentials of delegations of 1992 Fund Member States, including States members of the 1992 Fund Executive Committee and Member States of the Supplementary Fund, and submits the following report.
Action to be taken:	<u>1992 Fund Assembly, 1992 Fund Executive Committee and Supplementary Fund Assembly</u> Information to be noted.

1 Introduction

- 1.1 In accordance with Rule 10 of the Rules of Procedure of the 1992 Fund Assembly and of the Supplementary Fund Assembly and Rule 9 of the Rules of Procedure of the 1992 Fund Executive Committee, the 1992 Fund Assembly appointed a Credentials Committee consisting of the following five members and their representatives:

Canada (Ms Caitlin O'Boyle)
Ecuador (Captain Julio Mindiola)
Namibia (Mr Pinehas Auene)
Portugal (Mr Carlos Sequeira)
Türkiye (Mr Mehmet Hanifi Güler)

- 1.2 The Credentials Committee met in person on 5 November 2024 under the chairship of Mr Carlos Sequeira.
- 1.3 The Credentials Committee presents this report in accordance with Rule 10 of the Rules of Procedure of the 1992 Fund Assembly.

2 Examination of credentials

- 2.1 The Credentials Committee based its deliberations on Rules 9 and 11 of the Rules of Procedure of the 1992 Fund Assembly and on the guidelines given in IOPC Funds' circular [IOPC/2023/Circ.6](#).
- 2.2 The credentials of delegations of 60 Member States of the 1992 Fund, including States members of the 1992 Fund Executive Committee and of the Supplementary Fund, were examined and found to be in order:

1992 Fund Executive Committee Members

Algeria	Denmark	Republic of Korea
Bahamas	India	Spain
Canada	Italy	Thailand
Colombia	New Zealand	United Kingdom
Cyprus	Poland	

Other 1992 Fund Member States

Antigua and Barbuda	Germany	Netherlands
Argentina	Ghana	Norway
Australia	Greece	Philippines
Belgium	Ireland	Portugal
Brunei Darussalam	Japan	Russian Federation
Bulgaria	Latvia	San Marino
Cameroon	Liberia	Senegal
Cook Islands	Luxembourg	Singapore
Côte d'Ivoire	Madagascar	Sri Lanka
Croatia	Malaysia	Sweden
Dominican Republic	Malta	Trinidad and Tobago
Ecuador	Marshall Islands	Türkiye
Estonia	Mauritius	United Arab Emirates
Finland	Monaco	Uruguay
France	Namibia	Venezuela (Bolivarian Republic of)
Georgia		

- 2.3 At the time of preparing this report, the Credentials Committee noted that 10 Member States had submitted credentials after the deadline on 29 October 2024. These credentials were not accepted for examination.
- 2.4 The following 1992 Fund Member States did not present credentials for the 29th session of the 1992 Fund Assembly, the 83rd session of the 1992 Fund Executive Committee or the 21st session of the Supplementary Fund Assembly:

Albania	Guyana	Saint Vincent and the Grenadines
Bahrain	Hungary	Samoa
Barbados	Iceland	Serbia
Belize	Iran (Islamic Republic of)	Seychelles
Benin	Israel	Sierra Leone
Cabo Verde	Kiribati	Slovakia
Cambodia	Lithuania	Slovenia
Comoros	Maldives	South Africa
Congo	Mauritania	Switzerland
Costa Rica	Montenegro	Syrian Arab Republic
Djibouti	Mozambique	Tonga
Dominica	Nauru	Tunisia
Fiji	Nicaragua	Tuvalu
Gabon	Niue	United Republic of Tanzania
Gambia	Palau	Vanuatu
Grenada	Papua New Guinea	
Guinea	Qatar	
Guinea-Bissau	Saint Lucia	

3 Credentials of the Bolivarian Republic of Venezuela

3.1 Considerations at previous sessions of the governing bodies

3.1.1 At the meetings of the governing bodies held in October 2019, November 2020, March 2021, November 2021, March 2022 and October 2022, the Credentials Committee examined two credentials for two separate delegations claiming to represent Venezuela: one signed by H.E. Mrs Rocío Maneiro and the other signed by President Juan Guaidó^{<1>}.

3.1.2 In all six meetings, the Credentials Committee recommended to the 1992 Fund Assembly that the individuals listed in the credentials issued by Ambassador Maneiro should be accepted as the official representatives of Venezuela. The 1992 Fund Assembly accepted these recommendations, and the Assembly's decisions were noted by the 1992 Fund Executive Committee and Supplementary Fund Assembly ((see documents [IOPC/OCT19/11/1](#), [IOPC/NOV20/11/2](#), [IOPC/MAR21/9/2](#), [IOPC/NOV21/11/2](#), [IOPC/MAR22/9/2](#) and [IOPC/OCT22/11/1](#)).

3.1.3 At the April 2024 sessions of the governing bodies, the Director received two credentials for two separate delegations claiming to represent the Bolivarian Republic of Venezuela: one signed by the Minister of Foreign Affairs of the Bolivarian Republic of Venezuela, Mr Yvan Gil, and the other one signed by Ms Dinorah Figuera as President of the National Assembly of the Bolivarian Republic of Venezuela. The Director requested Professor Antonios Tzanakopoulos to provide an updated legal opinion on this matter. In considering this matter and the legal advice provided by Professor Tzanakopoulos on 25 April 2024, the Credentials Committee recommended once again that the *status quo* should continue (see document [IOPC/APR24/9/1](#), paragraph 1.2.14).

3.2 November 2024 sessions of the governing bodies

3.2.1 Prior to the November 2024 sessions of the governing bodies, the Director received two letters of credentials for two separate delegations claiming to represent the Bolivarian Republic of Venezuela:

<1> H.E. Mrs Rocío Maneiro signed as the Ambassador, Permanent Representative to the International Maritime Organization (IMO) and other international organisations headquartered in London, appointed by President Nicolas Maduro; and President Juan Guaidó signed as the President of the National Assembly, and President (E) of Venezuela.

one signed by the Ambassador Félix Plasencia González^{<2>}, Permanent Representative of Venezuela to the International Maritime Organization (IMO) and to other international organisations headquartered in London, authorised by the Minister of Foreign Affairs of the Bolivarian Republic of Venezuela, Yvan Gil Pinto, and the other one signed by Ms Dinorah Figuera as President of the National Assembly of the Bolivarian Republic of Venezuela. The Director requested Professor Antonios Tzanakopoulos to provide an updated legal opinion on this matter (attached at the Annex to document [IOPC/NOV24/1/2/1](#)).

- 3.2.2 As in the previous meetings, the Credentials Committee was unanimous in its view that it is not the function of the IOPC Funds to decide which is the legitimate Government of Venezuela, since this is considered to be a political question to be decided in another forum, namely the political organs of the United Nations (UN) (i.e., the UN General Assembly and the UN Security Council). The Credentials Committee concluded that the role of the Credentials Committee and the 1992 Fund Assembly is simply to decide which of the two delegations should be accredited as the official representative of Venezuela at each meeting of the IOPC Funds' governing bodies.
- 3.2.3 In considering this matter and the legal advice provided by Professor Tzanakopoulos on 29 October 2024, the Credentials Committee recommends once again that the *status quo* should continue. The Credentials Committee thus recommends that the letter of credentials of the current delegation of Venezuela issued by the Ambassador Félix Plasencia González should be accepted and that the named individuals therein be deemed the official representatives for the November 2024 sessions of the governing bodies. However, the Credentials Committee also notes that this position applies to this meeting only and could be susceptible to change in the coming months depending on future developments.
- 3.3 Further considerations since the presentation of the Interim Report
- 3.3.1 The Chair of the Credentials Committee presented the Interim Report of the Credentials Committee at 9:30 am on Wednesday, 6 November 2024 (document [IOPC/NOV24/1/2/1](#)). The 1992 Fund Assembly took note of the Interim Report of the Credentials Committee and decided to accredit the representative of the delegation of Venezuela designated in the credentials issued by the Ambassador Félix Plasencia González, as the official representative of Venezuela at these sessions of the governing bodies of the IOPC Funds.
- 3.3.2 The Supplementary Fund Assembly noted the decision of the 1992 Fund Assembly as set out in paragraph 3.2.3 above.
- 3.4 Since presenting the Interim Report on Wednesday, 6 November, the Credentials Committee would like to thank Member States that submitted credentials before the deadline on 29 October 2024 and would like to remind Member States that in accordance with the Rules of Procedure of the governing bodies credentials must be submitted five working days prior to the opening of the sessions.
- 3.5 The Credentials Committee would also like to encourage Member States to follow the guidelines provided in [IOPC/2023/Circ.6](#) regarding their form and content.

<2> Ambassador Félix Plasencia González is accredited to the United Kingdom as Chargé d'Affaires ad hoc in the United Kingdom and Permanent Representative to IMO, as reflected in the London Diplomatic List which is available through the UK Government website:
www.gov.uk/government/publications/foreign-embassies-in-the-uk

4 Action to be taken

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

The governing bodies are invited to take note of the information contained in this document.
