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FOURTH INTERSESSIONAL
WORKING GROUP

92FUND/WGR.4/3

REPORT ON THE FIRST MEETING OF THE FOURTH INTERSESSIONAL WORKING GROUP

NON-TECHNICAL MEASURES TO PROMOTE QUALITY SHIPPING FOR CARRIAGE OF OIL BY SEA

Note by the Director

Summary:

The Working Group's first meeting focused on current and planned procedures and practices of the marine insurance industry and States to promote quality shipping. The Working Group also discussed the sharing of information relating to the quality of shipping and barriers to sharing such information.

The Working Group decided to undertake a study to:

- (a) identify factors that allow/require/prevent marine insurers and other business endeavours from sharing information on clients, including national legislation and practices; and
- (b) identify whether competition law and practices take into consideration the need for taking measures to encourage quality shipping for the transportation of oil.

The Working Group also decided to undertake a study to determine the extent to which the main focus of the Working Group's attention should be ships falling outside the ambit of the classification societies belonging to the International Association of Classification Societies and the P&I insurers belonging to the International Group of P & I Clubs.

The Assembly is invited to:

Action to be taken:

- (1) consider the Working Group's report;
- (2) note the Working Group's planning of its future work; and
- (3) give the Working Group such instructions as the Assembly may deem appropriate.

1 Introduction

- 1.1 The 4th intersessional Working Group was established by the Assembly at its 10th extraordinary session held in February/March 2006 to consider non-technical measures to promote quality shipping for carriage of oil by sea (document 92FUND/A/ES.10/18, paragraphs 5.8-5.13).
- 1.2 In accordance with the decision of the Assembly all governments, inter-governmental and non-governmental organisations having the right to participate in the 1992 Fund Assembly were invited to participate in the Working Group. Representatives from the industry, eg shipowners, oil importers, insurance companies and classification societies were encouraged to participate. The participation of IMO was also sought.
- 1.3 The Group held its first meeting on 23 and 24 May 2006.

2 Participation

- 2.1 The following Member States were represented at the Working Group's first meeting:

Algeria	Germany	Norway
Antigua and Barbuda	Ghana	Panama
Argentina	Greece	Philippines
Australia	India	Poland
Bahamas	Israel	Portugal
Belgium	Italy	Republic of Korea
Cameroon	Japan	Russian Federation
Canada	Latvia	Singapore
China (Hong Kong Special Administrative Region)	Liberia	Spain
Colombia	Lithuania	Sweden
Cyprus	Malaysia	Turkey
Denmark	Malta	United Arab Emirates
Dominican Republic	Marshall Islands	United Kingdom
Finland	Mexico	Uruguay
France	Morocco	Vanuatu
Gabon	Netherlands	Venezuela
	Nigeria	

- 2.2 The following non-Member States were represented as observers at the meeting:

Brazil	Ecuador	Saudi Arabia
Chile	Peru	

- 2.3 The following intergovernmental and international non-governmental organisations participated in the Working Group's meeting as observers:

Intergovernmental organisations:

International Oil Pollution Compensation Fund 1971 (1971 Fund)
International Oil Pollution Compensation Supplementary Fund (Supplementary Fund)
European Community

International non-governmental organisations:

International Association of Classification Societies Ltd (IACS)
International Association of Independent Tanker Owners (INTERTANKO)
International Chamber of Shipping (ICS)
International Group of P & I Clubs
International Tanker Owners Pollution Federation Limited (ITOPF)
International Union of Marine Insurers (IUMI)

Oil Companies International Marine Forum (OCIMF)

3 The Working Group's mandate

3.1 The mandate of the Working Group, as determined by the Assembly at its 10th extraordinary session in February 2006 (document 92FUND/A/ES.10/18, paragraph 5.8) was:

- (a) to develop proposals in respect of non-technical measures and guidelines for Contracting States and the industry to promote quality shipping by ensuring that effective checks and procedures are in place to establish that ships insured and certificated are suitable for the carriage of oil by sea covered under the CLC/Fund regime;
- (b) to make a proposal to the Assembly's October 2006 session on a time-frame for its work;
- (c) to report on the progress of its work at each regular session of the Assembly; to identify related issues other than those referred to below as it may deem helpful to complete its task within the current Conventions and make the appropriate recommendations to the Assembly; and
- (d) to make recommendations to the Assembly upon the completion of its work.

3.2 The Assembly decided that, in conducting its work, the Working Group should focus on the following (document 92FUND/A/ES.10/18, paragraph 5.9):

- (a) consider and make proposals on the development of common criteria to be uniformly applied by Contracting States to ensure that fully effective insurance is in place before States issue CLC Certificates;
- (b) identify factors that prevent the sharing of information between marine insurers and seek to develop a common policy or other measures that would facilitate such sharing of information;
- (c) identify practical measures to achieve better and more transparent co-ordination between insurers, shipowners and cargo interests that would promote quality shipping;
- (d) consider possible measures for the denial or withdrawal of insurance cover in order to improve the safer transport of oil;
- (e) consider the feasibility and impact of differentiated insurance rates and premiums that would encourage quality shipping; and
- (e) examine ways of encouraging and strengthening the participation of classification societies in the promotion of quality shipping.

4 Election of Chairperson

The Working Group elected Ms. Birgit Sjølling Olsen (Denmark) as its Chairperson.

5 Documents considered by the Working Group

The following documents were submitted to the Working Group:

92FUND/WGR.4/2	Tanker Management and Self Assessment Guide (OCIMF)
92FUND/WGR.4/2/1	Sharing of information between marine insurers (Canada, France, Japan, Netherlands, Nigeria, Portugal, United Kingdom and Uruguay)
92FUND/WGR.4/2/2	Economic incentives to quality tanker operators (INTERTANKO, OCIMF, the International Group of P&I Clubs and BIMCO)
92FUND/WGR.4/2/3	Measures taken by the International Group of P&I Clubs in relation to quality shipping and suggestions for specific actions that might be taken by States to address specific areas of focus of the Working Group's mandate (International Group of P&I Clubs)
92FUND/WGR.4/2/4	Note by the Acting Director re Study on the removal of insurance from substandard shipping carried out by the Maritime Transport Committee of the Organisation for Economic Co-operation and Development (OECD)

6 Chairperson's introduction

- 6.1 On taking up office, the Chairperson reminded the Working Group of its mandate and emphasised that it should not stray into areas of competence of the IMO nor duplicate work which had been undertaken by that organisation. She also reminded the Working Group that the Assembly had stated that the Working Group should bear in mind the work done on quality shipping in other fora, such as the study on insurance carried out within the Organisation for Economic Co-operation and Development (OECD).^{<1>}
- 6.2 The Chairperson also emphasised that the Working Group should not consider issues that would require any re-opening of the discussion regarding a revision of the 1992 Conventions.
- 6.3 At the suggestion of the Chairperson, the Working Group decided to structure the discussion as follows:
- procedures and practices of the marine insurance industry and States to promote quality shipping
 - sharing information relating to quality shipping and barriers to the sharing of such information
 - economic incentives to quality shipping
 - timeframe for completion of the Working Group's mandate

^{<1>} OECD Directorate for Science, Technology and Industry, Maritime Transport Committee, Report on the Removal of Insurance from Substandard Shipping, June 2004 (www.oecd.org/dataoecd/58/15/32144381.pdf).

7 Issues considered by the Working Group

7.1 Procedures and practices of the marine insurance industry to promote quality shipping

- 7.1.1 The Working Group noted the measures to address the issue of quality shipping that the International Group of P&I Clubs (International Group) had implemented or were in the process of implementing as set out in section 3 of document 92FUND/WGR.4/2/3.
- 7.1.2 It was noted that prior to the publication of the report by OECD on the Removal of Insurance from Substandard Shipping the clubs of the International Group had already put in place ship quality measures including common club rules for compliance with classification society and flag State requirements, compliance with the International Safety Management (ISM) and International Ship and Port Facility Security (ISPS) Codes, condition survey requirements and safety and loss prevention programmes.
- 7.1.3 It was noted that following the publication in June 2004 of the OECD report the clubs belonging to the International Group had agreed and implemented further ship quality measures including new underwriting guidelines for vessel entry for new members, requiring specific indicators of quality to be checked on each application, such as vessel type, age, flag, current and previous Classification Societies, area and type of trade, officer and crew nationalities, management details, P&I condition survey history, claims and port state control records and details of any previous refusal of insurance cover or withdrawal of cover. It was further noted that the clubs had harmonized their ship survey targeting criteria and that all ships older than 12 years and those that carried heavy fuel oil were subjected to inspections before a club decided whether or not to insure or continue to insure them. It was also noted that all the clubs maintained, on a monthly basis, details of vessels surveyed in a central ship survey database and that underwriters were obliged to consult the database before quoting on vessels.
- 7.1.4 The Working Group noted further measures that were in the course of implementation included a procedure requiring a club to 'designate' a vessel that it considered did not meet the standards expected of vessels entered with International Group clubs and the maintenance by the International Group of a database of such designated vessels. It was noted that whilst the procedure would be a powerful tool in addressing quality shipping issues, it raised potentially sensitive competition law issues bearing in mind the International Group's dominant position in providing cover for 95% of the world's tanker fleet. It was also noted that the International Group clubs were introducing a double retention mechanism whereby a club insuring a 'designated' vessel would bear twice the amount currently borne by individual clubs before the International Group pooling arrangements were triggered.
- 7.1.5 On the question of the feasibility and impact of differentiated insurance rates and premiums on encouraging quality shipping it was noted that the International Group had found that there was no evidence to establish a direct correlation between substandard ships and a bad claims record and that the great majority of maritime casualties involved good quality vessels. The point was made that a quality operator could have a bad claims record (due to fortuity or the nature of trade or trading areas in which the ship operated), whilst a substandard operator might have a good claims record (for similar reasons). It was noted that insurance costs formed a small part of a shipowner's operating costs and that even a substantial increase would, in the International Group's view, be unlikely to have a significant deterrent effect on the substandard operator bearing in mind the mutual nature of the insurance provided by the clubs, which ensured that the financial burden of a substantial claim was shared between the club's members up to the club's individual retention and thereafter by all shipowner members of the International Group through the pooling agreement. It was also noted that the International Group believed that the objective should therefore be to identify and subsequently withdraw or deny insurance to the substandard operator rather than simply increase the costs of his insurance cover. For this reason the International Group urged States to focus on developing and supporting measures aimed at

identifying substandard ships, so that if a ship was not brought up to the required standard, its insurance cover could be withdrawn and it would effectively be prevented from trading.

- 7.1.6 The observer delegation of IUMI stated that the procedures and measures followed by the International Group also applied to hull and cargo insurance, although that side of the industry was more widely fragmented than P&I insurance. That delegation expressed the view that a greater exchange of information on substandard ships was key to tackling the problem, since no one wanted to insure substandard ships.
- 7.1.7 One delegation asked whether exchanging information on denial or withdrawal of insurance cover or the creation of the ship survey central database were compatible with privacy laws. The observer delegation of the International Group stated that provided the insurer requested the information from the shipowner regarding any previous denial of insurance, there was no privacy law issue, at least in most jurisdictions, and that there was a good faith obligation on the part of the shipowner to provide the information. That delegation stated that as regards the ship survey database there was no privacy law issue, since only the ship's name, IMO Number and the date of the survey were recorded and no information on the results of the survey were disclosed. That delegation further stated that it was incumbent on a prospective underwriter of a ship, having seen its name in the database, to request a copy of the survey report from the shipowner.
- 7.1.8 A number of delegations expressed their appreciation for the procedures put in place by the International Group, which they believed would act as a strong incentive for quality shipping.
- 7.1.9 One delegation, whilst welcoming the self-regulatory measures adopted by the International Group, stated that it was important that flag and port States did more to address the issue of substandard shipping. That delegation suggested that IMO could play an important role by providing clarity as to what was and what was not an acceptable standard by means of a suitable definition.
- 7.1.10 In response to a question about the beneficial impact, if any, of the ISPS and ISM Codes on insurance claims the observer delegation of the International Group stated that since the implementation of the ISPS Code there had been a 40% decrease in the number of claims in respect of stowaways and maritime fraud, but that the benefits of the ISM Code were less easy to discern. That delegation further stated that there was a sharp divergence between shipowners who complied with the ISM Code in spirit, as evidenced by a well-run ship, and those who only complied with the Code on paper, which was not uncommon. That delegation stated that onboard inspections of ships whose owners were in compliance on paper had sometimes revealed management and safety deficiencies.
- 7.1.11 The observer delegation of IACS provided information on procedures for the transfer of ships from one IACS member to another. It was noted that 11 Classification Societies were members or associates of IACS and that between them they covered 92% of the world's cargo carrying tonnage and 95% of the world's tanker tonnage. That delegation stated that the transfer procedures called for complete transparency and that any vessel deficiencies identified by a ship's current classification society had to be put right before it could be accepted by a new classification society. It was noted, however, that if a ship were to transfer to one of the 55 or so classification societies outside IACS such controls would be lost, although attempts were being made to put in place similar procedures for transfers between IACS members and non-IACS classification societies.
- 7.1.12 A number of delegations made the point that flag States should follow similar procedures to IACS when shipowners switched their ships from one flag State to another, which were currently under discussion at IMO, although it was recognised that not all flag States maintained the same standards and that flag States could not act unless they were informed of any deficiencies in a particular vessel either.

- 7.1.13 One delegation, whilst noting that 95% of the world's tanker tonnage was covered by the high standards set by IACS, considered that it would be beneficial to extend the membership of IACS to include smaller classification societies that currently did not meet the gross tonnage threshold required for qualification as a member of IACS.
- 7.1.14 In summing up the discussion the Chairperson noted the high level of support for the initiatives of the International Group, but drew attention to the fact that there might also be a need to address the 5% of tanker tonnage that was not insured by one of the clubs of the International Group. She also noted that there was general agreement regarding the importance of the role of flag States and the need to encourage transparency between flag States through the sharing of information.
- 7.2 Procedures and practices of States to promote quality shipping
- 7.2.1 The Working Group noted that the International Group had proposed in document 92FUND/WGR.4/2/3 that States should consider adopting common guidelines for issuing Civil Liability Convention (CLC) certificates on the basis of 'blue cards' issued by the clubs of the International Group and that in the case of other financial providers, common criteria should be put in place for assessing their financial viability with a view to establishing a list of approved providers against whose security CLC certificates could be issued by States.
- 7.2.2 It was noted that some flag States issued CLC certificates in respect of insurers other than International Group clubs and had introduced measures to ensure the financial viability of such insurers, but that such measures did not necessarily guarantee financial security for coastal States affected by pollution incidents.
- 7.2.3 One delegation made the point that although procedures for ensuring adequate insurance cover in respect of CLC certificates were well established, problems could arise with regard to financial providers covering liabilities in respect of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers Convention), the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (HNS Convention) and the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PAL), 1974 (Athens Convention), since far more ships would be involved and the insurance market was likely to be more diffuse. Reference was made to IMO Resolution A.898(21) adopting guidelines on shipowners' responsibilities in respect of maritime claims, which urged owners of all seagoing vessels of at least 300 gross tonnes to ensure that liability for relevant claims up to the limits set by the Limitation Convention was covered by insurance. The suggestion was made that IMO should be asked to look at the guidelines in the context of the above treaties and consider making them mandatory.
- 7.2.4 The observer delegation of INTERTANKO, in introducing document 92FUND/WGR.4/2/2 submitted by INTERTANKO, OCIMF, the International Group of P&I Clubs and BIMCO, proposed three measures that States could take to promote quality shipping, although it was recognised that these fell within the ambit of IMO rather than the mandate of the Working Group. The co-sponsors of the document proposed that if a shipowner wished to transfer a ship from one flag State to another, the two flag States involved should co-operate so as to ensure that any deficiencies with the ship identified by the former flag State should be rectified before the ship was accepted by the new flag State. The co-sponsors also proposed that States should develop unified/harmonised port State control standards and adopt a common and consistent database accessible to insurers, charterers, etc.
- 7.2.5 In her summing up of the discussion the Chairperson stated that in the interests of promoting quality shipping, it would be beneficial if all States had common standards and adopted the same checks and procedures to be followed when insurance certificates were issued. She also encouraged States to share information on practices.

- 7.3 Sharing information relating to the quality of shipping and barriers to sharing such information
- 7.3.1 The Working Group took note of the information contained in document 92FUND/WGR.4/2/1 submitted by Canada, France, Japan, the Netherlands, Nigeria, Portugal, the United Kingdom and Uruguay and the proposal by the co-sponsors that the Working Group should, as a first step, undertake a study aimed at identifying factors that prevented insurers from sharing information, including legal and policy impediments. It was noted that the sponsors had further proposed that, in the light of the findings of the study, the Working Group could then make suggestions as to how Member States could remove the impediments so as to enable insurers to share information in the interest of promoting quality shipping and, if necessary, submit a common policy statement and action plan for approval by the Assembly.
- 7.3.2 The Working Group also took note of the information contained in document 92FUND/WGR.4/2 submitted by the observer delegation of OCIMF, which provided information on OCIMF's Tanker Management and Self-assessment (TMSA) Guide, a tool designed to help shipowners/operators measure and improve their management systems. It was noted that the TMSA Guide defined 12 key elements of management practice, which provided a checklist for shipowners/operators who aimed to achieve safety and environmental excellence, each element defining the objectives and the key performance indicators required to meet those objectives. It was also noted that OCIMF administered a website on which shipowners/operators could complete and regularly review their assessments online, with individual shipowners/operators having complete control over access to its TMSA data, which the shipowner/operator could send to anyone it wished, eg charterers, insurers, flag State, port States etc. The Working Group noted that it was OCIMF's view that TMSA data could be a useful tool for many stakeholders such as insurers, flag and port States, but that access to the information depended on the agreement of the shipowner/operator.
- 7.3.3 One delegation expressed the view that substandard shipowners/operators would probably not participate in the TMSA, but that if the initiative were to gain widespread support from the shipping industry, shipowners/operators who did not become involved could be seen as guilty by omission.
- 7.3.4 Another delegation, noting that TMSA focused on the important issue of the human element, expressed concern that ships that were in full compliance with regulations and standards relating to their 'hardware' might be deemed unsatisfactory on the basis of their owners not participating in TMSA.
- 7.3.5 One delegation stated that it would be helpful to know whether or not the 5% of tanker tonnage that was not insured with one of the International Group clubs or the 5% of tanker tonnage that was not classed with a member of IACS were the ships most involved in pollution incidents. That delegation proposed that the Secretariat should be invited to carry out a study to determine the extent to which ships falling outside these bodies needed to be the focus of the Working Group's attention. Other delegations supported the idea of a study.
- 7.3.6 The Acting Director stated that of the 135 incidents that the IOPC Funds had handled only a handful of the ships involved were not insured by one of the International Group clubs and that these had usually been very small vessels, carrying less than 2 000 tonnes of oil as cargo, some of which had had no insurance cover. He indicated that the Secretariat could possibly conduct a wider study on the basis of ITOPF's oil spill database. He pointed out, however, that ITOPF's main source of information on pollution incidents and their cause was the International Group clubs, although ITOPF relied on other sources as well.
- 7.3.7 The Working Group decided to undertake a study to determine the extent to which ships falling outside the ambit of classification societies belonging to IACS and P & I insurers belonging to the International Group of P & I Clubs should be the main focus of the Working Group's attention.

- 7.3.8 The observer delegation of the International Group stated that although the International Group clubs did not require ships entered with them to be classed by a member of IACS, in fact, very few ships were classed by non-IACS members. That delegation reiterated that in the International Group's experience there was no correlation between substandard ships and claims records and that it was necessary to consider the quality of ships that were not insured by the International Group clubs and that were not subject to their standards as well as ships that were insured by the International Group clubs.
- 7.3.9 The observer delegation of the International Group stated that it supported the objective of sharing of information between insurers and had obtained legal advice on this issue, which had indicated that in some jurisdictions, for example Norway, it was a criminal offence to pass on information about an assured to a third party without the permission of the assured. It was noted that following representation by the Norwegian insurance industry to the Norwegian Government the law was being changed to allow the exchange of information between insurers and between insurers and the authorities on matters relating to ship safety. The observer delegation of the International Group suggested that States should try to ensure that, as far as practicable, their national legislations did not impede or prevent the free sharing of information between insurers and, if appropriate (as in Norway), should put in hand the necessary legislative measures to remove such impediments.
- 7.3.10 The observer delegation of IUMI supported the general tenor of the proposal by the International Group, and made the point that whilst some aspects of marine insurance should remain confidential for competition reasons, when safety issues were involved there should be a free exchange of relevant information.
- 7.3.11 One delegation asked whether the International Group clubs included in their regulations a requirement that shipowners must allow the clubs to exchange information on their ships, and if so, what the clubs did with the information. The observer delegation of the International Group stated that all clubs did require shipowners to give permission to exchange information, but that such an advance agreement did not apply to documents that were not in existence at the time the permission was given and that specific permission was required in order to enable the clubs to exchange information that came to light subsequently. That delegation further stated that if a report from a previous insurer indicated that a ship had a problem the prospective insurer could either carry out its own survey, which could lead to a conditional entry or to a refusal to insure. That delegation also made the point that, whilst a ship survey report was factual, the decision as to whether that ship was insurable required a subjective judgement. As a result there was a possibility that the clubs of the International Group could be accused of abusing their dominant position if they acted on shared information.
- 7.3.12 On the issue of achieving better and more transparent co-ordination between insurers, shipowners and cargo interests, the observer delegation of the International Group stated that this was largely a matter of freedom of exchange of information between the relevant industry players and that the more information that could be freely exchanged between them the easier it would be for these parties to identify and target sub-standard ships. The point was made by that delegation that the International Group clubs inspected between 10 and 20% of all entered ships and that it would be very beneficial to the clubs if they could access data on ship inspection from other sources. That delegation suggested that States should direct efforts towards removing national barriers and impediments to the free exchange of information.
- 7.3.13 A number of delegations supported the proposal for a study to be carried out to identify the factors that prevented insurers from sharing information. One delegation proposed that CMI should be invited to undertake the study since it should be able to obtain information on all national laws through its members.
- 7.3.14 The Chairperson, noting that CMI had not participated in the Working Group, stated that if CMI were to decline the invitation to undertake the study, the Funds' Secretariat would be asked to

carry out the work. She further stated that it was unlikely that it would be feasible to obtain information in respect of all 98 Member States and that it might be necessary to restrict the study to a broad spectrum of States representative of different legal systems. She also stated that it would be necessary for the study to be undertaken in close co-operation with the International Group, and that irrespective of whether the study was undertaken by CMI or the Secretariat, she encouraged all States to carry out their own research and provide any information relevant to the study.

7.3.15 The Working Group decided to invite the CMI to undertake a study with the following aims:

- (a) to identify factors that allow/require/prevent marine insurers and other business endeavours from sharing information on clients, including national legislation and practices; and
- (b) to identify whether competition law and practices take into consideration the need for taking measures to encourage quality shipping for the transportation of oil.

7.3.16 As regards the time frame the Working Group requested that the results of the study be presented at its next meeting, which would probably take place in March 2007.

7.4 Other issues

Economic incentives for quality shipowners

7.4.1 The Working Group noted that in document 92FUND/WGR.4/2/2 submitted by INTERTANKO, OCIMF, the International Group of P&I Clubs and BIMCO the co-sponsors had proposed the introduction of economic incentives to encourage quality shipping such as reduced port tariffs and fewer ship inspections. It was noted that some ports operated 'green award' schemes whereby ships meeting the highest standards were subject to lower port dues.

7.4.2 A number of delegations expressed doubts about rewarding shipowners for complying with minimum standards. The point was made that whilst it was relatively easy either legally or commercially to penalise shipowners that failed to comply with such standards, it would be difficult to define what should be rewarded, since IMO had failed to come up with a globally acceptable definition. The point was also made that virtue was its own reward and that there were practical and commercial benefits for shipowners who invested in quality shipping and substantial savings to be made from avoiding the bad publicity and disruption of business resulting from a pollution incident.

Timeframe for completion of the Working Group's mandate

7.4.3 There was general agreement that the Working Group should seek to complete its mandate in the shortest time possible, but that it was difficult to recommend a firm deadline to the Assembly at its October 2006 session. It was felt, nevertheless, that a tentative deadline should be proposed in order to ensure that the Working Group maintained the necessary momentum to complete its work.

7.4.4 Some delegations considered that a further 4-5 sessions were required, and that since it was necessary to hold Working Group meetings either in conjunction with other Fund meetings or back-to-back with IMO Legal Committee sessions to ensure maximum participation, it would not be possible for the Working Group to meet more than twice per year. The Working Group therefore decided to recommend to the Assembly that a tentative deadline of October 2008, which would allow 4-5 meetings to be held, should be set for the completion of the Working Group's

mandate, but that the Working Group would have the possibility of revisiting the issue if necessary.
