



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1971

ASSEMBLY
24th session
Agenda item 20

71FUND/A.24/17
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ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE

Note by the Director

Summary:	The 1971 Fund will have 28 States at the time of the 24th session of the Assembly. In accordance with the 1971 Fund Convention, the Assembly should therefore elect 10 States as members of the Executive Committee.
Action to be taken:	Election of States to the Executive Committee.

1 **Relevant provisions of the 1971 Fund Convention**

- 1.1 Under Article 18.8 of the 1971 Fund Convention, the Assembly shall elect the Member States to be represented on the Executive Committee.
- 1.2 The Executive Committee shall consist of one third of the Member States, but of not less than seven or more than fifteen. If the number of Member States is not divisible by three, the one third referred to is calculated on the next higher number which is divisible by three (Article 22.1).
- 1.3 When electing the members of the Executive Committee, the Assembly shall, in accordance with Article 22.2:
 - (a) secure an equitable geographical distribution of the seats on the Committee on the basis of an adequate representation of Member States particularly exposed to the risks of oil pollution and of Member States having large tanker fleets; and

- (b) elect one half of the members of the Committee, or if the total number of members to be elected is uneven, such a number of the members as is equivalent to one half of the total number less one, among those Member States in the territory of which the largest quantities of contributing oil were received during the preceding calendar year, provided that the number of States eligible under this sub-paragraph is limited as shown in the table set out below:

Total number of members on the Committee	Number of States eligible under sub-paragraph (b)	Number of States to be elected under sub-paragraph (b)
7	5	3
8	6	4
9	6	4
10	8	5
11	8	5
12	9	6
13	9	6
14	11	7
15	11	7

- 1.4 A Member State which was eligible but was not elected under sub-paragraph (b) above shall not be eligible to be elected for any remaining seat on the Executive Committee (Article 22.3).

2 Composition of the Executive Committee

- 2.1 At its 20th session the Assembly elected 15 States as members of the Executive Committee to hold office until the end of the Assembly's 21st session, in accordance with Article 23.1 of the 1971 Fund Convention. As seven of these members ceased to be 1971 Fund Member States on 15 May 1998, the Assembly elected the following Member States at its 4th extraordinary session.

Elected under Article 22.2(b) of the 1971 Fund Convention	Elected under Article 22.2(a) of the 1971 Fund Convention
Belgium ^{<1>} Canada India ^{<1>} Italy ^{<1>} Malaysia ^{<1>} New Zealand Venezuela	Algeria ^{<1>} Colombia ^{<1>} Côte d'Ivoire Fiji Nigeria Poland ^{<1>} Russian Federation United Arab Emirates

<1> Elected at the Assembly's 20th session

- 2.2 At the 21st, 22nd and 23rd sessions of the Assembly no quorum was achieved and so the agenda item relating to the election of members of the Executive Committee was not considered.
- 2.3 By the time of the 24th session of the Assembly, ten of the above-listed States (Algeria, Belgium, Canada, Fiji, India, Italy, New Zealand, Poland, Russian Federation and Venezuela) will no longer be Members of the 1971 Fund.

3 Eligibility for election

- 3.1 At the time of the 24th session of the Assembly, the 1971 Fund will have 28 Members. The Executive Committee shall therefore comprise 10 Member States, five Members elected in accordance with Article 22.2(b) and five Members in accordance with Article 22.2(a). As regards the election of the Members under Article 22.2(b), the eight Members with the largest quantities of contributing oil reported are eligible.

- 3.2 Information on the 2000 figures for contributing oil receipts is given in Annex I. With respect to those States which had not submitted their reports on the 2000 receipts at the time of the drafting of this document, the last year in respect of which a report was submitted is given, as indicated in the table.
- 3.3 On the basis of the reports on contributing oil receipts submitted by 5 August 2001, the Member States will be eligible as follows:

Eligible under Article 22.2 (b)	Eligible under Article 22.2 (a)	
Cameroon	Albania	Mauritania
Colombia	Benin	Mozambique
Côte d'Ivoire	Brunei Darussalam	Papua New Guinea
Ghana	Djibouti	Qatar
Malaysia	Estonia	Saint Kitts and Nevis
Morocco	Gabon	Sierra Leone
Nigeria	Gambia	Syrian Arab Republic
Portugal	Guyana	Tuvalu
	Kuwait	United Arab Emirates
	Maldives	Yugoslavia

- 3.4 With reference to the election of members under Article 22.2(a), information on the oil tanker fleets of Member States as at 31 December 2000 is given in Annex II.
- 3.5 It should be noted that three of the 28 Member States (Morocco, Papua New Guinea and Djibouti) have deposited instruments of denunciation in respect of the 1971 Fund Convention which will take effect before the Convention ceases to be in force on 24 May 2002.
- 3.6 Article 23.2 of the 1971 Fund Convention provides that no Member may serve on the Executive Committee for more than two consecutive terms of office, except to the extent that this may be necessary to comply with the requirements of Article 22.
- 3.7 Of the eight States eligible under Article 22.2(b), Malaysia and Colombia have both been members of the Executive Committee for two consecutive terms and should therefore not be elected.
- 3.8 According to Rule 41 of the Rules of Procedure of the Assembly, ballots shall first be held for the election of the five members under Article 22.(b). Thereafter, ballots shall be held for the election of the remaining five members under Article 22.2(a).

4 Action to be taken by the Assembly

The Assembly is invited to elect new members of the Executive Committee.

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ANNEX I

CONTRIBUTING OIL RECEIVED IN THE CALENDAR YEAR 2000 IN THE TERRITORIES OF STATES WHICH WILL BE MEMBERS OF THE 1971 FUND AT THE TIME OF THE 24th SESSION OF THE ASSEMBLY

Status as at 5 August 2001

Member State		Contributing Oil Tonnes	% of Total
<i>States which have submitted 2000 oil reports</i>			
Malaysia		17 427 546	33.39%
Portugal		14 440 126	27.67%
Ghana		1 131 834	2.17%
Estonia		0	0.00%
United Arab Emirates		0	0.00%
<i>Sub-total</i>		32 999 506	63.23%
<i>States which have not yet submitted 2000 oil reports</i>			
<i>Latest report submitted (year of report indicated)</i>			
Cameroon	1999	7 696 622	14.75%
Morocco	1998	6 037 108	11.57%
Côte d'Ivoire	1997	3 041 283	5.83%
Colombia	1999	816 658	1.56%
Nigeria	1996	754 106	1.45%
Syrian Arab Republic	1989	421 078	0.81%
Gabon	1987	420 099	0.80%
Benin	1998	0	0.00%
Brunei Darussalam	1999	0	0.00%
Djibouti	1999	0	0.00%
Gambia	1997	0	0.00%
Kuwait	1996	0	0.00%
Maldives	1996	0	0.00%
Papua New Guinea	1996	0	0.00%
Qatar	1999	0	0.00%
Saint Kitts and Nevis	1994	0	0.00%
Tuvalu	1999	0	0.00%
Yugoslavia	1995	0	0.00%
<i>Sub-total</i>		19 186 954	36.77%
<i>States for which no reports submitted since joining 1971 Fund (date of entry into force of 1971 Fund Convention indicated)</i>			
Albania	05/07/1994		
Guyana	10/03/1998		
Mauritania	15/02/1996		
Mozambique	23/03/1997		
Sierra Leone	11/11/1993		
Total		52 186 460	100.00%

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ANNEX II

SIZE OF OIL TANKER FLEETS OF STATES WHICH WILL BE MEMBERS OF THE 1971 FUND AT THE TIME OF THE 24th SESSION OF THE ASSEMBLY

(compiled from Lloyd's Register of Shipping - World Fleet Statistics, December 2000)

Member State	Gross Tonnage
Kuwait	1 627 704
Malaysia	867 526
Nigeria	264 780
United Arab Emirates	239 575
Qatar	213 804
Morocco	12 476
Estonia	6 408
Ghana	5 971
Colombia	5 962
Maldives	3 270
Papua New Guinea	1 811
Syrian Arab Republic	1 461
Portugal	965
Côte d'Ivoire	789
Gabon	652
Brunei Darussalam	239
Guyana	125

States not appearing on statistics: Albania, Benin, Cameroon, Djibouti, Gambia, Mauritania, Mozambique, Saint Kitts and Nevis, Sierra Leone, Tuvalu and Yugoslavia.
