



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1971

ASSEMBLY
4th extraordinary session
Agenda item 9

71FUND/A/ES.4/8
20 February 1998

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ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE

Note by the Director

<i>Summary:</i>	Seven Executive Committee members will cease to be 1971 Fund Member States on 15 May 1998, requiring the election of new Members to the Committee.
<i>Action to be taken:</i>	Election of seven States to the Executive Committee with effect from 16 May 1998.

Composition of the present Executive Committee

1 The present members of the Executive Committee were elected at the 20th session of the Assembly to hold office until the end of the Assembly's 21st session, in accordance with Article 23.1 of the 1971 Fund Convention. The following States were elected (document FUND/A.20/30, paragraph 18.1):

Elected under Article 22.2(b)
of the 1971 Fund Convention

France
India
Italy
Japan
Netherlands
Republic of Korea
United Kingdom

Elected under Article 22.2(a)
of the 1971 Fund Convention

Algeria
Belgium
Colombia
Denmark
Greece
Malaysia
Morocco
Poland

2 In view of the fact that an extraordinary session of the Assembly would be held in the spring of 1998 to consider certain issues resulting from the compulsory denunciation of the 1969 Civil Liability Convention and 1971 Fund Convention by 1992 Fund Member States, the Assembly decided at its 20th session that the question of the membership of the Executive Committee should be reviewed on the occasion of that extraordinary session (document 71FUND/A.20/30, paragraph 18.2).

Denunciation of the 1971 Fund Convention

3 By 15 May 1997, 24 States had deposited instruments of denunciation of the 1969 Civil Liability Convention and of the 1971 Fund Convention. Accordingly, these 24 States will cease to be Parties to the Convention on 15 May 1998, reducing the number of 1971 Fund Member States from 76 to 52 from 16 May 1998. Amongst the 24 Member States are the following seven States which are members of the Executive Committee: Denmark, France, Greece, Japan, Netherlands, Republic of Korea and United Kingdom.

Relevant provisions of the 1971 Fund Convention

4 The 1971 Fund Convention provides that 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).

5 When electing the members of the Executive Committee, the Assembly shall, in accordance with Article 22.2 of the 1971 Fund Convention:

- (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 a table set out in Article 22.2(b).

6 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).

Eligibility for election

7 On 16 May 1998, the 1971 Fund will have 52 Member States. The Executive Committee shall therefore comprise 15 Member States, seven Members elected in accordance with Article 22.2(b) and eight Members in accordance with Article 22.2(a). As regards the election of the Members under Article 22.2(b), the eleven Members with the largest quantities of contributing oil reported are eligible.

8 Information on the 1996 figures for contributing oil receipts is given in Annex I. With respect to those States which had not submitted their reports on the 1996 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.

9 On the basis of the reports on contributing oil receipts submitted by 20 February 1998, the Member States will be eligible as follows on 16 May 1998:

Elegible under Article 22.2(b)	Eligible under Article 22.2(a)		
Belgium	Albania	Gambia	Qatar
Canada	Algeria	Ghana	Russian Federation
China (Hong Kong Special Administrative Region)	Antigua and Barbuda	Guyana	Saint Kitts and Nevis
India	Barbados	Iceland	Seychelles
Indonesia	Benin	Kenya	Sierra Leone
Italy	Brunei Darussalam	Kuwait	Slovenia
Malaysia	Cameroon	Maldives	Sri Lanka
Morocco	Colombia	Malta	Syrian Arab Republic
Poland	Côte d'Ivoire	Mauritania	Tonga
Portugal	Croatia	Mauritius	Tuvalu
Venezuela	Djibouti	Mozambique	United Arab Emirates
	Estonia	New Zealand	Vanuatu
	Fiji	Nigeria	Yugoslavia
	Gabon	Papua New Guinea	

10 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 1996 is given in Annex II.

11 Of the 41 States eligible under Article 22.2(a), only Algeria and Colombia are members of the Executive Committee. It will therefore be necessary to elect six more States within this group as members of the Executive Committee from 16 May 1998.

12 Of the 11 States now eligible under Article 22.2(b), Belgium, India, Italy, Malaysia, Morocco and Poland are members of the Executive Committee. It will therefore be necessary to elect one more State within this group as a member of the Executive Committee from 16 May 1998.

13 According to Rule 41 of the Rules of Procedure of the Assembly, ballots shall first be held for the election of members under Article 22.(b). Thereafter, ballots shall be held for the election of members under Article 22.2(a).

Action to be taken by the Assembly

14 The Assembly is invited to elect as members of the Executive Committee seven States which will continue to be Members of the 1971 Fund after 15 May 1998, to hold office from 16 May 1998 until the 21st session of the Assembly.

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ANNEX I

**CONTRIBUTING OIL RECEIVED IN THE CALENDAR YEAR 1996
IN THE TERRITORIES OF STATES WHICH WILL BE
MEMBERS OF THE 1971 FUND ON 16 MAY 1998**

Status as at 20 February 1998

Member State	Contributing Oil (tonnes)	% of Total
States which have submitted 1996 oil reports		
Italy	144 922 341	44.45%
India	43 720 614	13.41%
Canada	39 581 235	12.14%
Venezuela	16 842 544	5.17%
Malaysia	16 434 656	5.04%
Portugal	12 945 513	3.97%
Indonesia	9 271 145	2.84%
Belgium	7 018 628	2.15%
Morocco	5 335 586	1.64%
China (Hong Kong Special Administrative Region)	5 329 528	1.63%
New Zealand	4 408 937	1.35%
Côte d'Ivoire	3 340 637	1.02%
Sri Lanka	1 977 298	0.61%
Kenya	1 569 103	0.48%
Malta	824 209	0.25%
Nigeria	754 106	0.23%
Ghana	660 677	0.20%
Algeria	490 000	0.15%
Russian Federation	290 100	0.09%
Barbados	170 372	0.05%
Brunei Darussalam	0	0.00%
Djibouti	0	0.00%
Estonia	0	0.00%
Gambia	0	0.00%
Iceland	0	0.00%
Kuwait	0	0.00%
Maldives	0	0.00%
Mauritius	0	0.00%
Papua New Guinea	0	0.00%
Slovenia	0	0.00%
Tonga	0	0.00%
Vanuatu	0	0.00%
<i>Sub-total</i>	315 887 229	96.88%

Member State		Contributing Oil (tonnes)	% of Total
States which have not yet submitted 1996 oil reports: latest report submitted (year of report indicated)			
Poland	1995	5 038 165	1.55%
Croatia	1994	2 842 395	0.87%
Cameroon	1995	1 440 494	0.44%
Syrian Arab Republic	1989	421 078	0.13%
Gabon	1987	420 099	0.13%
Benin	1990	0	0.00%
Fiji	1995	0	0.00%
Qatar	1995	0	0.00%
Saint Kitts and Nevis	1994	0	0.00%
Seychelles	1994	0	0.00%
Tuvalu	1992	0	0.00%
United Arab Emirates	1995	0	0.00%
Yugoslavia	1995	0	0.00%
<i>Sub-total</i>		10 162 231	3.12%
States for which no reports received since joining 1971 Fund (date of entry into force of 1971 Fund Convention indicated)			
Albania	05.07.94		
Antigua and Barbuda	21.09.97		
Colombia	11.06.97		
Guyana	10.03.98		
Mauritania	15.02.96		
Mozambique	23.03.97		
Sierra Leone	11.11.93		
Total		326 049 460	100.00%

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ANNEX II

**SIZE OF OIL TANKER FLEETS OF STATES WHICH WILL BE
MEMBERS OF THE 1971 FUND ON 16 MAY 1998**

(compiled from Lloyd's Register of Shipping - World Fleet Statistics, December 1996)

Member State	Gross Tonnage
Malta	7 370 317
India	2 621 987
Russian Federation	1 917 216
Italy	1 780 826
Kuwait	1 342 512
Indonesia	848 731
Malaysia	589 018
United Arab Emirates	410 495
China (Hong Kong Special Administrative Region)	396 083
Venezuela	274 761
Nigeria	251 767
Portugal	217 150
Qatar	182 825
Canada	110 372
New Zealand	60 582
Mauritius	52 757
Vanuatu	39 892
Algeria	34 323
Barbados	22 233
Morocco	12 476
Croatia	7 909
Papua New Guinea	7 250
Poland	6 298
Maldives	6 143
Colombia	5 887
Estonia	5 594
Sri Lanka	5 486
Kenya	4 708
Antigua and Barbuda	3 715
Fiji	3 164
Belgium	2 357
Iceland	1 763
Sierra Leone	1 405
Ghana	965
Côte d'Ivoire	789
Gabon	652
Mozambique	366

Member State	Gross Tonnage
Brunei Darussalam	239
Guyana	125
Gambia	0
Tonga	0
Tuvalu	0

States not appearing on statistics: Albania, Benin, Cameroon, Djibouti, Mauritania, Saint Kitts and Nevis, Seychelles, Slovenia, Syrian Arab Republic, Yugoslavia.
