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## NON-SUBMISSION OF OIL REPORTS

### Note by the Director

<b>Summary:</b>	A total of 33 States have outstanding oil reports for the year 2000: 30 States in respect of the 1971 Fund and 13 States in respect of the 1992 Fund. A number of States have reports outstanding for many years.
<b>Action to be taken:</b>	Consider what measures, if any, can be taken to ensure that Member States submit their outstanding oil reports.

### 1 Introduction

- 1.1 The governing bodies of the 1971 Fund and 1992 Fund decided at their sessions in October 1998 that, if a State did not submit its oil reports, the Director should make contacts with that State and emphasise the concerns expressed by the governing bodies in this regard. The Director was also instructed to inform the competent persons of the States concerned that the governing bodies would review individually each State which had not submitted its report and that it would then be for the governing bodies to decide on the course of action to be taken for each State (documents 92FUND/A.3/27, paragraph 12.15 and 71FUND/EXC.59/17/A.21/24, paragraph 14.3). At their sessions in October 1999 and October 2000, the governing bodies renewed these instructions (documents 92FUND/A.4/32, paragraph 13.3, 92FUND/A.5/28, paragraph 15.3, 71FUND/EXC.62/14/A.22/23, paragraph 13.3 and 71FUND/AC.2/A.23/22, paragraph 13.3).

- 1.2 This document sets out the situation with regard to the non-submission of oil reports in respect of the 1971 Fund and of the 1992 Fund and gives information on the steps taken by the Director in order to obtain the outstanding reports.

**2 Situation in respect of outstanding oil reports**

- 2.1 In letters dated 15 January 2001 Member States were invited to submit to the Secretariat their reports on contributing oil received in 2000. Competent authorities were notified that the relevant governing body would review individually each State which had not submitted its report and would then decide on the course of action to be taken for each State.
- 2.2 Reminder letters were sent in August 2001 to the competent authorities of States with outstanding reports. The authorities' attention was again drawn to the governing body's decisions to review individually each State which had not submitted its reports. Following these letters, reports in respect of a number of States have been submitted to the Secretariat.
- 2.3 The IOPC Funds' meetings were used to make personal contacts with delegates from States with outstanding oil reports, to remind them of the gravity with which the governing bodies viewed the situation and to offer them any information or assistance which they may require.
- 2.4 At present oil reports are outstanding for the year 2000 in respect of 32 Member States or former Member States of the 1971 Fund and in respect of 13 of the present 61 Member States of the 1992 Fund, as set out in the Annex.
- 2.5 In the case of eight States which have outstanding reports for one year only and which in the past have submitted reports, it is thought that the non-submission is an administrative oversight. The Director does not envisage any major problems in obtaining the respective outstanding reports. Furthermore, it is expected that 'nil' quantities will be reported in respect of five of these States.
- 2.6 Reports for two or three years are outstanding in respect of eleven States. Three of these States (Belize, Dominican Republic and Grenada) have not submitted any reports since becoming a Member of the 1992 Fund and they were not previously 1971 Fund Members. Although the quantities of contributing oil received in these States cannot be estimated on the basis of previous years' submissions, it is believed that no contributors in these countries receive more than 150 000 tonnes per annum. The other eight States have outstanding reports in respect of the 1971 Fund and five of them also have outstanding reports in respect of the 1992 Fund. It is expected that 'nil' quantities will be reported in respect of four of these States. As for Algeria, Côte d'Ivoire, Kenya and Morocco, a quantity of some 276 000, 3 000 000, 1 600 000 and 6 000 000 tonnes respectively was received when reports were last submitted.
- 2.7 A further 15 States have not submitted oil reports for four or more years. Two of these States have outstanding reports in respect of both the 1971 Fund and the 1992 Fund. The remaining 13 States have outstanding reports in respect only of the 1971 Fund, however two of these States (Sierra Leone and Papua New Guinea) will become Members of the 1992 Fund during 2002.
- 2.8 The Director is particularly anxious to receive reports from Gabon (which has 13 years of outstanding reports), the Syrian Arab Republic (11 years) and Nigeria (five years). When these three States last submitted oil reports, quantities of approximately 400 000, 400 000 and 700 000 tonnes, respectively, were reported. If the quantities remain the same for the 'missing' years, a substantial amount is due to be invoiced to the contributors in those three States. With regard to Guyana (which has four years of outstanding reports), Mozambique (five years), Mauritania (six years), Albania (eight years) and Sierra Leone (nine years), the Director is particularly concerned that no reports have been submitted by these States since they became Members of the 1971 Fund. Although it is expected that reports of 'nil' quantities will be submitted in respect of six States (Kuwait, Maldives, Papua New Guinea, Tonga, Yugoslavia and

St Kitts and Nevis), it is of considerable concern that reports are outstanding for several years for these States.

- 2.9 The Director considers it to be a matter of serious concern that oil reports are outstanding in respect of three-quarters of the remaining Member States of the 1971 Fund and that a number of 1992 Fund Member States have reports outstanding in respect of more than one year. Since the 1971 Fund Convention will cease to be in force on 24 May 2002, problems will arise in connection with the winding up of that Fund unless the outstanding reports are submitted. The situation in respect of the 1992 Fund is likely to deteriorate, as States which have outstanding reports in respect of the 1971 Fund become Members of the 1992 Fund.
- 2.10 The Director will pursue his efforts to obtain the outstanding reports. In the light of discussions at previous sessions of the Funds' governing bodies, it would appear that persistency is the only option available to the Secretariat.

**3 Action to be taken by the Assemblies**

The Assemblies are invited:

- (a) to take note of the information contained in this document; and
- (b) to consider what measures, if any, can be taken to ensure that Member States submit their outstanding oil reports.

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# ANNEX

State	Number of outstanding reports	Quantity given in most recent report (tonnes)	Years for which reports outstanding	
			1971 Fund	1992 Fund
Gabon	13	400 000	1988-2000	
Syrian Arab Republic	11	400 000	1990-2000	
Sierra Leone *	9	<i>No reports received</i>	1992-2000	
Albania	8	<i>No reports received</i>	1993-2000	
St Kitts and Nevis	7	0	1993, 1995-2000	
Mauritania	6	<i>No reports received</i>	1995-2000	
Mozambique	5	<i>No reports received</i>	1996-2000	
Nigeria	5	700 000	1986, 1997-2000	
Yugoslavia	5	0	1996-2000	
Bahrain	4	0	1997-1998	1997-2000
Guyana	4	<i>No reports received</i>	1997-2000	
Kuwait	4	0	1997-2000	
Maldives	4	0	1997-2000	
Papua New Guinea *	4	0	1997-2000	
Tonga	4	0	1997-2000	1999-2000
Belize	3	<i>No reports received</i>		1998-2000
Côte d'Ivoire	3	3 000 000	1998-2000	
Gambia	3	0	1998-2000	
Grenada	3	<i>No reports received</i>		1998-2000
Seychelles	3	0	1998-2000	1999-2000
Algeria	2	276 000	1997	2000
Antigua and Barbuda	2	0	1999-2000	2000
Benin	2	0	1999-2000	
Dominican Republic	2	<i>No reports received</i>		1999-2000
Kenya	2	1 600 000	1999-2000	2000
Morocco	2	6 000 000	1999-2000	2000
Brunei Darussalam	1	0	2000	
Cameroon	1	7 600 000	2000	
India	1	57 335 000	2000	2000
Indonesia	1	12 000 000	1998	
Oman	1	0		2000
Qatar	1	0	2000	
Slovenia	1	0	2000	2000
Tuvalu	1	0	2000	

\* Will become a Member of the 1992 Fund during 2002