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71FUND/AC.12/10

ORGANISATION OF MEETINGS

Note by the Director

Summary:

The document deals with the organisation of work during meetings of the IOPC Funds' bodies, the steps taken to improve the organisation of work and the process for production and distribution of documents. The Director considers which steps might be taken to improve further the process in the future.

Action to be taken:

Give the Director instructions in respect of the organisation of work during meetings and the production and distribution of documents.

1 Introduction

At their October 2002 sessions the governing bodies considered two documents submitted by the Director on the issues surrounding the organisation of meetings (documents 92FUND/A.7/13, 71FUND/AC.9/11 and 92FUND/A.7/13/1, 71FUND/AC.9/11/1). A number of options presented by the Director in order to improve the content, production and distribution of documents as well as the overall organisation of meetings were considered at these sessions.

2 Present situation

- 2.1 The governing bodies of the IOPC Funds hold a five-day meeting every autumn (usually in October). A number of other meetings, which are normally shorter, are held during the year. A provisional schedule for these other meetings is fixed at the autumn meetings, although additional meetings may be held if matters arise which necessitate consideration by Member States.
- 2.2 It has become increasingly difficult to complete the work of the autumn meetings within one week. This is partly as a result of the increased scale of the operations of the Organisations but also due to the fact that the issues involved have become more complex. The number and the

length of the documents presented to these meetings have also increased significantly in recent years. Meetings at other times of the year do not suffer from the same time pressure since their duration can, at least to some extent, be adjusted according to the expected volume of work.

- 2.3 The governing bodies decided at their sessions in October 2002 that it would not be feasible to increase the length of the autumn sessions (document 92FUND/A.7/29, paragraph 15.2 and 71FUND/AC.9/20, paragraph 13.2). Means of reducing the volume of work whilst ensuring that all necessary issues were still covered within the five-day meetings were discussed.

3 Steps taken to improve the work of meetings

- 3.1 At the October 2002 sessions the 1992 Fund Assembly and the 1971 Fund Administrative Council considered a variety of options presented by the Director in order to improve the content, production and distribution of documents as well as the overall organisation of meetings. In the light of decisions made in respect of these issues at those sessions, certain measures have since been taken by the Secretariat.

- 3.2 It was considered at the October 2002 sessions that holding joint meetings of the governing bodies of the two Funds would result in only a marginal saving of time. However, joint documents have continued to be issued on subjects which are identical or substantially identical for both the 1992 and 1971 Funds in an attempt to reduce the duplication of work. Also, during the meetings in recent years substantive discussions on such subjects are held by only one of the governing bodies, the governing body of the other Organisation endorsing the decision taken by the Organisation which had already considered the matter, unless it is requested that a particular issue should be discussed again. This has resulted in a significant reduction in the time needed for the consideration of these issues.

- 3.3 Since October 2002 the 1971 Fund has settled the outstanding issues relating to a number of incidents. As time progresses the workload of the 1971 Fund Administrative Council will continue to diminish significantly.

- 3.4 Time has also been saved in meetings during 2003 as a result of the decision taken by the governing bodies in October 2002 that documents in respect of which no decision was required should not be introduced at the meetings, unless the Director felt that there was a need to do so.

Scheduling of meetings and working hours

- 3.5 The IOPC Funds' meetings have continued for convenience to be held in the IMO building and have, to the extent possible, been held back-to-back with meetings of the IMO Legal Committee to reduce the amount of travelling for delegations.

- 3.6 Meetings of the IOPC Funds' bodies normally adhere to the same working hours as those of IMO, viz 09.30-12.30 and 14.30-17.30, with two coffee breaks of 30 minutes each, ie a total working time of five hours. As a result of decisions of the governing bodies, meetings have since July 2002 commenced at 9.30 also on the first day when traditionally the IOPC Funds' meetings started at 10.00.

Timetable during meetings

- 3.7 Several of the IOPC Funds' bodies (1992 Fund Assembly, 1992 Fund Executive Committee, 1971 Fund Administrative Council, Intersessional Working Groups) normally meet during the same week, and meetings of these various bodies alternate during the week. In order to ensure that sufficient time is available to deal with topics of particular importance, the items are not usually dealt with in the order in which they appear on the Agendas which can result in a degree of confusion for delegations.

- 3.8 Although it is impossible to predict accurately the time needed to discuss the various topics, and as a consequence the timetable has to be revised continuously during the meeting week, a provisional timetable has been made available to delegations at the opening of the meetings which have taken place in 2003.

Production and distribution of documents

- 3.9 The issue of the distribution of documents has been considered by the governing bodies on numerous occasions, most recently at the October 2002 sessions. In document 92FUND/A.7/13 and 71FUND/AC.9/11 (paragraphs 3.20–3.36) submitted to these sessions the Director made several observations on this issue.
- 3.10 In that document the Director explained that invitations to meetings and agendas were sent to the Embassies or High Commissions in London which then forwarded them to the respective delegates. He stated that this could result in the delegates who actually attend the meetings receiving these documents late. He suggested that copies of invitations and agendas could be sent directly to delegates at the same time as to the Embassies or High Commissions, if so requested. The Secretariat has not received any requests from delegations to this effect. However, invitations and agendas are posted on the website which has made them immediately available to delegates.
- 3.11 The Director further explained in the above-mentioned documents that documents were sent out in batches during the months or weeks before a meeting as and when they were ready. He mentioned that the Secretariat prepared first those documents which dealt with matters where no further developments were likely before the sessions. He accepted that a number of documents were however produced fairly late, in particular those relating to incidents.
- 3.12 However, the Director expressed his belief that steps could be taken which would improve the process in various ways. He explained that a working group, composed of staff from the various departments, had examined the entire issue of document production and distribution. He further explained that the group had made a number of interim recommendations to the Management Team, and some of these recommendations had been adopted whereas others were being considered. Consideration is for example being given to improving the presentation of incident-related documents, in the light of the discussion at the October 2002 session.
- 3.13 As regards the documents which are prepared within the Secretariat, efforts are being made to reduce the length of documents, taking into account the importance of delegations being in possession of sufficient information as a basis for discussions and decisions. Delegations will have found that a number of incident-related documents presented to the sessions held over the past year have been considerably shorter than has previously been the case. The shortening of documents should not only reduce the workload on the Secretariat and the volume of translations, but also facilitate preparation for the meetings by delegations. Subject to any instructions that the governing bodies may wish to give, the Director intends to continue along these lines. The Director also believes that the volume of 1971 Fund documents will continue to decrease in the near future as the winding up process progresses.
- 3.14 At their October 2002 sessions the governing bodies decided that documents prepared by delegations to the governing bodies or Working Groups should in general be submitted to the Secretariat at least three weeks before the meeting started, to allow them to be distributed to delegations no less than two weeks before the meeting. It was also decided that documents prepared by the Secretariat should in general be available no less than two weeks before the start of a meeting, although a degree of flexibility in this regard should be maintained, especially in respect of incident-related documents.
- 3.15 The Secretariat has endeavoured to meet the deadline of two weeks fixed by the governing bodies and has distributed most 1992 Fund Assembly documents and administrative-related 1971 Fund

documents two weeks in advance of the start of the meetings. Some delegations were not able to comply with the three-week deadline for submission of documents in respect of the meeting of the 1992 Fund Intersessional Working Group held in February 2003; in fact some documents were submitted only a few days before the meeting.

- 3.16 Documents will continue to be distributed by post. At the October 2002 sessions the Director invited delegations to consider whether they could reduce the number of copies received by post or not require any hard copies at all and to inform the Secretariat accordingly. Whilst a number of delegates have amended their postal details, few delegations have notified the Secretariat that they wish to rely only on electronic versions of documents.
- 3.17 Delegations are invited to reconsider once again the number of copies of documents they wish to receive by post, and those delegations not already using the document server are strongly recommended to do so.
- 3.18 At present documents relating to meetings held from January 2001 and onwards are available on the website. Consideration is also being given to including certain documents issued for earlier meetings on the website.
- 3.19 During the meetings held over the past year, provisional lists have been made available to delegations of all the documents issued as well as those which the Secretariat expects to issue, setting out their availability in the two or three working languages. This allows delegations to verify which documents have been issued since they last received documents by post or via the document server. Such a list will be issued at the beginning of the October 2003 meeting week. Final lists of documents issued for meetings are sent to delegations after the meetings.

Restricted documents

- 3.20 A document server was established in January 2001. Until January 2002 a password was required for access to all documents. A password is still required for access to a few documents, namely those relating to the draft Budget and the levy of contributions, which are restricted until they have been considered at the relevant meeting. The governing bodies decided in October 2002 that in future the Director should be authorised to decide, after consultation with the respective Chairman, whether a particular document should be restricted. It was agreed that this issue would be kept under review (documents 92FUND/A.7/29 paragraph 15.6 and 71FUND/AC.9/20, paragraph 13.6).
- 3.21 The Director considers that it is not necessary to restrict access to documents relating to the draft Budget and the levy of contributions as in his view these documents do not in general contain information which should not be available to the public

Organisation of the first session of the Supplementary Fund Assembly

- 3.22 The International Conference held in May 2003 under the auspices of the International Maritime Organization (IMO) adopted a Protocol to the 1992 Fund Convention which will create a Supplementary Fund providing additional compensation for pollution damage in States Parties to the Protocol if the amount available under the 1992 Civil Liability Convention and the 1992 Fund Convention is insufficient for victims to receive full compensation (documents 92FUND/A.8/4 and 92FUND/A.8/4/1). The Conference also adopted a Resolution on the Establishment of the International Oil Pollution Compensation Supplementary Fund which requests the 1992 Fund Assembly to authorise and instruct the Director to carry out certain tasks necessary for the setting up of the Supplementary Fund.
- 3.23 The 1992 Fund Assembly is *inter alia* requested to instruct the Director to make the necessary preparations for the first session of the Assembly of the Supplementary Fund, which, in

accordance with Article 22 of the Protocol, is to be convened by the Secretary-General of IMO and shall take place as soon as possible after the entry into force of this Protocol and, in any case, not more than thirty days after such entry into force.

- 3.24 Since it is possible that the Supplementary Fund Protocol will enter into force during 2004, the first session of the Supplementary Fund Assembly may need to take place during that year. The first session will have to consider a number of administrative issues and may therefore need two days. The Director considers, however, that future meetings of the Supplementary Fund Assembly should be relatively short as the Supplementary Fund will to a large extent only need to confirm relevant decisions taken by the 1992 Fund in respect of administrative matters and there will be no need to consider individual compensation claims.

4 Action to be taken by the governing bodies

The governing bodies are invited:

- (a) to take note of the information contained in this document;
 - (b) to decide whether documents relating to the draft Budget and the levy of contributions needed to be restricted; and
 - (c) to give the Director such instructions in respect of the organisation of work during meetings and the production and distribution of documents as they may deem appropriate.
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