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OIL POLLUTION
COMPENSATION
FUND 1992

ASSEMBLY
6th extraordinary session
Agenda item 6

92FUND/A/ES.6/5
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FINANCING OF DIPLOMATIC CONFERENCE TO CONSIDER A DRAFT PROTOCOL TO THE 1992 FUND CONVENTION

Note by the Director

Summary:

The Secretary-General of the International Maritime Organization (IMO) will convene a Diplomatic Conference, to be held in 2003, to consider a draft Protocol to the 1992 Fund Convention which would establish a Supplementary Fund, provided that the Conference will not result in any cost to IMO.

A number of Governments of 1992 Fund Member States have proposed that the Conference should be financed by a loan from the 1992 Fund which would be reimbursed by the Supplementary Fund. It is estimated that the cost of a Conference of five days would be £56 500.

Action to be taken:

Decide on the proposal on the financing of the Diplomatic Conference.

- 1 At its 6th session, held in October 2001, the Assembly approved the text of a draft Protocol to supplement the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (1992 Fund Convention). The Assembly instructed the Director to submit the draft Protocol to the Secretary-General of IMO requesting him to convene a Diplomatic Conference to consider the draft Protocol at the earliest opportunity (document 92FUND/A.6/28, paragraphs 6.25 and 6.26).
- 2 As instructed, in October 2001 the Director submitted the draft Protocol to the Secretary-General of IMO with the Assembly's request.
- 3 The IMO Legal Committee will consider the text of the draft Protocol at its 84th session, to be held from 22 to 26 April 2002.
- 4 At sessions held in November 2001, the Council and the Assembly of IMO approved the holding of a Diplomatic Conference in 2003 to adopt a Protocol to the 1992 Fund Convention, provided that this Conference should not result in any costs to IMO (IMO documents C/ES.21/D, paragraph 18.2 (v) and A22/Res.906, Appendix I).

- 5 On 15 February 2001 the Governments of Australia, Canada, Denmark, Finland, Ireland, New Zealand, Norway and Sweden requested that the Director convene an extraordinary session of the 1992 Fund Assembly to consider the financing of the Diplomatic Conference. These Governments proposed that the Conference should be financed by a loan provided by the 1992 Fund, to be reimbursed by the Supplementary Fund upon the entry into force of the Protocol establishing that Fund. It is suggested that the Assembly's decision could be reported to the IMO Council at its June 2002 session.
- 6 The Director has been informed by IMO that it is the Organization's intention to hold a Diplomatic Conference of five days' duration and that the estimated cost of such a Conference in 2003 is £56 500.

7 **Action to be taken by the Assembly**

The Assembly is invited:

- (a) to take note of the information contained in this document; and
 - (b) to take such decisions as it may deem appropriate on the proposal set out in paragraph 5 above concerning the financing of the Diplomatic Conference.
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