



International Oil Pollution
Compensation Funds

Agenda Item 1	IOPC/NOV20/1/2	
Date	29 October 2020	
Original	English	
1992 Fund Assembly	92A25	●
1992 Fund Executive Committee	92EC74	●
Supplementary Fund Assembly	SA17	●

EXAMINATION OF CREDENTIALS

ESTABLISHMENT OF CREDENTIALS COMMITTEE

Note by the Chair of the 1992 Fund Assembly

Summary:

In accordance with the 1992 Fund Assembly's Rules of Procedure, the Assembly shall appoint a Credentials Committee consisting of five members who shall be appointed on the proposal of the Chair. The Credentials Committee shall examine the credentials of delegations of 1992 Fund Member States. Under the respective Rules of Procedure of the 1992 Fund Executive Committee and the Supplementary Fund Assembly, the Credentials Committee established by the 1992 Fund Assembly shall also examine the credentials of delegations of Member States of the 1992 Fund Executive Committee and of delegations of Member States of the Supplementary Fund.

Since the December 2020 sessions of the governing bodies will take place remotely, in order to expediate the discussion by the Assembly on the establishment of the Credentials Committee and to facilitate the work of the Committee under these exceptional circumstances, on this occasion, the Chair would like to propose in advance of the meeting, the list of members of the Credentials Committee to be appointed by the 1992 Fund Assembly.

This will allow the identified proposed candidates to familiarise themselves with the relevant Rules and make themselves available to begin their work immediately after they have been appointed by the Assembly. This approach does not require any temporary suspension or amendment to the relevant Rules of Procedure.

The States identified by the Chair and proposed for appointment as members of the Credentials Committee are listed in paragraph 2.5.

Action to be taken: 1992 Fund Assembly

The 1992 Fund Assembly is invited to:

- (a) note the list of Member States identified by the Chair of the 1992 Fund Assembly and proposed for appointment as members of the Credentials Committee in paragraph 2.5; and
- (b) appoint the Credentials Committee

1992 Fund Executive Committee and Supplementary Fund Assembly

Information to be noted.

1 Introduction

1.1 At its ninth extraordinary session, held in March 2005, the 1992 Fund Assembly decided to establish, at each session, a Credentials Committee, composed of five members elected by the Assembly on the proposal of the Chair, to examine the credentials of delegations of Member States (document 92FUND/A/ES.9/28, paragraph 24.4).

1.2 The relevant Rules of Procedure of the 1992 Fund Assembly read as follows:

Rule 10

A Credentials Committee shall be appointed at the beginning of each session of the Assembly. It shall consist of five members who shall be appointed by the Assembly on the proposal of the Chair. The Credentials Committee shall examine the credentials of delegations of Member States and report without delay.

Rule 11

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Assembly has given its decision.

1.3 At its March 2005 session, the 1992 Fund Assembly also decided that, when the 1992 Fund Executive Committee held sessions in conjunction with sessions of the Assembly, the Credentials Committee established by the 1992 Fund Assembly should also examine the credentials issued for Executive Committee sessions (document 92FUND/A/ES.9/28, paragraphs 24.5–24.7).

1.4 Rule 9 of the 1992 Fund Executive Committee's Rules of Procedure reads as follows:

When the Executive Committee holds sessions in conjunction with sessions of the Assembly, the Credentials Committee established by the Assembly shall examine also the credentials of delegations of States Members of the Executive Committee and report to the Executive Committee without delay. Should a session of the Executive Committee be held not in conjunction with a session of the Assembly, the Executive Committee shall at the beginning of the session appoint a Credentials Committee. It shall consist of three members who shall be appointed by the Executive Committee on the proposal of the Chair. The Credentials Committee shall examine the credentials of delegations of States Members of the Executive Committee and report without delay.

1.5 At their October 2008 sessions, the 1992 Fund Assembly and the Supplementary Fund Assembly decided that the Credentials Committee established by the 1992 Fund Assembly should also examine the credentials of delegations of Member States of the Supplementary Fund (documents 92FUND/A.13/25, paragraph 7.9 and SUPPFUND/A.4/21, paragraph 7.11).

1.6 Rule 10 of the Supplementary Fund Assembly's Rules of Procedure was amended in October 2008 to read as follows:

When the Assembly holds sessions in conjunction with sessions of the 1992 Fund's governing bodies, the Credentials Committee established by the 1992 Fund shall examine also the credentials of delegations of States Members of the Supplementary Fund and report to the Supplementary Fund Assembly without delay. Should a session of the Supplementary Fund Assembly be held not in conjunction with a session of the 1992 Fund's governing bodies, the Assembly shall at the beginning of the session appoint a Credentials Committee. It shall consist of three members who shall be appointed by the Assembly on the proposal of the Chair. The

Credentials Committee shall examine the credentials of delegations of States Members of the Assembly and report without delay.

2 Proposal by the Chair of the 1992 Fund Assembly to facilitate the work of the Credentials Committee during remote sessions

2.1 Since the closure of the International Maritime Organization (IMO) building as a result of the COVID-19 pandemic prevents physical sessions of the governing bodies from convening, the December 2020 regular sessions of the governing bodies will take place remotely.

2.2 In order to expediate the discussion by the Assembly on the establishment of the Credentials Committee and to facilitate the work of the Committee under these exceptional circumstances, on this occasion, the Chair would like to propose in advance of the meeting, the list of members of the Credentials Committee to be appointed by the 1992 Fund Assembly. This will allow the identified proposed candidates to familiarise themselves with the relevant Rules and make appropriate arrangements to make themselves available to begin their work immediately after they have been appointed by the Assembly.

2.3 Given that the meeting will only be held on three consecutive days for three-hour sessions, the Credentials Committee will have far less time than usual to carry out their work. Since an election is expected to take place during the session for the appointment of members of the joint Audit Body, the workload of the Committee may, however, be increased. Considering the reduced hours available to conduct the sessions, preparing the proposed Committee members in advance will allow the Committee to proceed with the verification of credentials submitted and present its interim report when the governing bodies resume their sessions on Thursday 3 December 2020, prior to the election of the joint Audit Body, scheduled that day.

2.4 The governing bodies are invited to note that this approach does not require any Rules of Procedure to be suspended as the Credentials Committee is still appointed by the 1992 Fund Assembly in accordance with Rule 10/9.

2.5 The Member States identified by the Chair of the 1992 Fund Assembly and proposed for appointment as members of the Credentials Committee are:

- Germany
- Japan
- Malaysia
- Mexico
- Russian Federation

2.6 These States have been approached and have given their consent to be part of the Credentials Committee.

3 Action to be taken

3.1 1992 Fund Assembly

The 1992 Fund Assembly is invited to:

- (a) note the information contained in this document;
- (b) note the list of Member States identified by the Chair of the 1992 Fund Assembly and proposed for appointment as members of the Credentials Committee in paragraph 2.5; and
- (c) appoint the Credentials Committee.

3.2 1992 Fund Executive Committee and Supplementary Fund Assembly

The 1992 Fund Executive Committee and the Supplementary Fund Assembly are invited to take note of the information contained in this document.
