

**FINANCIAL REPORT AS AT 31 DECEMBER 2008 ON THE STATUS OF THE ASSISTANCE
FUND UNDER PART VII OF THE AGREEMENT FOR THE IMPLEMENTATION OF THE
PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 10
DECEMBER 1982 RELATING TO THE CONSERVATION AND MANAGEMENT OF
STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS¹**

February 2009

1. Introduction

In November 2003, the United Nations General Assembly, in its Resolution A/RES/58/14, established an Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 UN Fish Stocks Agreement), to assist developing States Parties in the implementation of the Agreement. It also decided that the Fund would be administered by the Food and Agriculture Organization of the United Nations (FAO). On 19 April 2005, the Fund was set up.² It is managed in accordance with the Fund's Terms of Reference and FAO's Financial Regulations as well as other applicable Rules.

2. Contributions to the Assistance Fund

The United Nations and FAO have continued to make calls for contributions to the Assistance Fund at international fora including Sessions of the United Nations General Assembly and the FAO Committee on Fisheries (COFI) as well as on the Assistance Fund's website.³

As at 31 December 2008 the Governments of Canada, Iceland, Norway and the United States of America, all States Parties to the 1995 UN Fish Stocks Agreement, had made financial contributions to the Assistance Fund totalling USD 814,648. Table 1 shows contributions to the Fund together with accrued interest. As at 31 December 2008 the Fund's total receipts were USD 864,000. No donor contributions were received in 2008.

States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons, wishing to make contributions to the Assistance Fund are encouraged to do so and they should direct their payments to the following FAO bank account:

Bank: HSBC New York
Address: 452 Fifth Ave.
New York, NY, USA, 10018
Account Number: 000156426
Swift/BIC: MRMDUS33
ABA/Bank Code: 021001088
Citing project MFT/GLO/124/MUL

¹ This report is provided in accordance with paragraph 21 of the Terms of reference for Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

² Account MTF/GLO/124/MUL "1995 UN Fish Stocks Agreement – Part VII- Trust Fund".

³ http://www.un.org/Depts/los/convention_agreements/fishstocktrustfund. Contributions to the Fund should be made to the trust fund account established by FAO in accordance with paragraph 7 of the Terms of Reference of the Fund.

3. Requests for Assistance from the Fund

Information about the existence and purpose of the Assistance Fund has been disseminated widely by the United Nations and FAO, including through electronic means, international meetings and contacts with relevant regional fisheries bodies. In 2008, 28 travel requests were funded. However, three were cancelled either because the traveller was unable to travel for personal reasons or a visa could not be obtained. The number of travel requests in 2008 increased significantly over the level in 2007 (17 requests). In addition, the Panel of Experts was convened three times to consider three requests.

Table 2 provides details of expenditure from the Assistance Fund as at 31 December 2008. Expenditure is categorized according to the purposes for which assistance is permitted and administrative expenses, as reflected, respectively, in paragraphs 14 and 20 of the Fund's Terms of Reference.

In 2008 total expenditure from the Fund was USD 165,777. This amount was 190 percent higher than in 2007 (USD 57,202). Of the total expenditure in 2008:

- 55 percent supported participation in technical and annual sessions of regional and subregional fisheries management organizations and arrangements (Commission for the Conservation of Antarctic Marine Living Resources, International Commission for the Conservation of Atlantic Tuna and the Western and Central Pacific Fisheries Commission) (paragraphs 14 (a) of the Terms of Reference);
- 13 percent supported participation in meetings of global organizations (FAO and UN) (paragraphs 14 (b) of the Terms of Reference);
- 11 percent supported participation in negotiations to establish new regional and subregional fisheries management organizations and arrangements (South Pacific Regional Fisheries Management Organization) (paragraph 14(c) of the Terms of Reference);
- 12 percent supported the initial work for the development of a regional shark plan for the Pacific islands (paragraph 14(d) of the Terms of Reference);
- 8 percent supported capacity building activities (Second Global Fisheries Enforcement Training Workshop, Norway, August 2008) (paragraph 14(f) of the Terms of Reference), and
- 2 percent was devoted to administration.

4. Panel of Experts

During 2008 the Panel of Experts was convened three times. This was done to consider requests from the:

- Governments of Kiribati, Palau and Papua New Guinea to develop a regional shark plan for the Pacific Islands region in accordance with paragraph 14(d) of the Terms of Reference.⁴ The request was endorsed unanimously by the Panel at the level of USD 52,210. The sum of USD 20,000 was paid as an initial installment in 2008.⁵

⁴ The request was submitted on behalf of the countries by the Pacific Islands Forum Fisheries Agency (FFA) with the support of the Secretariat of the Pacific Community (SPC), the Secretariat of the Pacific Regional Environment Programme (SPREP) and the Western and Central Pacific Fisheries Commission (WCPFC).

⁵ One Panel Member did not respond to the request to assess the request.

- Governments of Marshall Islands, Palau and Papua New Guinea to conduct two one-week regional workshops in June and July 2009 at SPC Headquarters in Noumea, New Caledonia, in accordance with paragraph 14(f) of the Terms of Reference. The workshops will address (i) an introduction to tuna biology and assessment, and (ii) advanced tuna stock assessment and ecological risk assessment.⁶ The request was endorsed unanimously by the Panel at the level of USD 69,927.
- Governments of Marshall Islands, Palau and Papua New Guinea to conduct one-week regional tuna data workshop in April 2009 at SPC Headquarters in Noumea, New Caledonia in accordance with paragraph 14(f) of the Terms of Reference. The request was endorsed unanimously by the Panel at the level of USD 45,307.

The total cost of these three projects is USD 167,444 of which USD 147,444 will be paid in 2009. These projects will contribute to the implementation of conservation and management measures relating to sharks adopted by the WCPFC and human resource development for the enhanced conservation and management of tuna resources in the Pacific Islands region.

FAO has entered into, or is in the process of entering into, Letters of Agreement for the three projects with the respective lead organizations (FFA and SPC) that will implement them. Both of these organizations will make significant contributions in-kind in implementing the projects. The disbursement of funds to support implementation commenced in January 2009. They will be completed by September 2009 and be reported on in the 2009 financial report to the Parties of the 1995 UN Fish Stocks Agreement.

5. Assistance Fund Balance

As at 31 December 2008 the balance in the Assistance Fund was USD 572,234 (see Tables 1 and 2). However, the outstanding funds approved for the implementation of the three FFA and SPC projects in 2009 (USD 147,444) will reduce the Fund's balance to USD 424,790.

6. Conclusion

The Assistance Fund was established, and is being managed, in accordance with its Terms of Reference and FAO's Financial Regulations and other applicable Rules. The revision of the Terms of Reference at the seventh round of Informal Consultations of the States Parties to the Agreement in 2008 has assisted in streamlining the management of the Fund.

The United Nations and FAO encourage States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Fund. The United Nations and FAO seek to ensure that the Assistance Fund maintains a healthy funding level so that support for the implementation of the 1995 UN Fish Stocks Agreement can be sustained.

⁶ Both training applications noted that 12 Pacific Island countries, all of whom are Parties to the 1995 UN Fish Stocks Agreement and 11 of whom are small-island developing States, would benefit from the three regional workshops. The requests were submitted on behalf of the countries by the SPC with support from WCPFC.

Table 1: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Income Account as at 31 December 2008

No.	Donor	2004 received USD	2005 received USD	2006 received USD	2007 received USD	2008 received USD	Total received USD	Remarks
1	USA	200,000	0	0	15,000	0	215,000	Received in June 2004 and September 2007, respectively
2	Iceland	0	49,995	0	0	0	49,995	Received in April 2005
3	Norway	0	95,475	0	0	0	95,475	Received in May 2005
4	Canada	0	0	64,230	389,948	0	454,178	Received in March 2006 and May 2007, respectively
Total contributions		200,000	145,470	64,230	404,948	0	814,648	
	Interest	0	8,958	14,725	21,567	4,102	49,352	
Total funds		200,000	154,428	78,955	426,515	4,102	864,000	

Table 2: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Expenditure Account as at 31 December 2008⁷

TOR para. ⁸	Expenditure category	2004 expend. USD (%)	2005 expend. USD (%)	2006 expend. USD (%)	2007 expend. USD (%)	2008 expend. USD (%)	Total expend. USD (%)
14a	Expenses for participation in meetings and activities of relevant RFMO/As	0	0	28,001 (41)	31,950 (56)	91,741 (55)	151,692 (52)
14b	Expenses for participation in high seas meetings of global organizations	0	0	39,919 (58)	4,062 (7)	20,771 (13)	64,752 (22)
14c	Meetings to establishment of new RFMO/As, renegotiate agreements and strengthen existing organizations	0	0	0	20,084 (35)	17,978 (11)	38,062 (13)
14d	Building capacity in relation to flag State responsibility, MCS, etc	0	0	0	0	20,000 (12)	20,000 (7)
14e	Exchange of information and experience	0		0	0	0	0
14f	Human resource development, technical training, etc	0	0	0	0	12,645 (8)	12,645 (4)
14g	Dispute settlement	0	0	0	0	0	0
20	Administrative expenses	0	0	867 (1)	1,106 (2)	2,642 (2)	4,615 (2)
Total (%)		0	0	68,787 (100)	57,202 (100)	165,777 (100)⁹	291,766¹⁰ (100)

⁷ Some figures may be subject to revision.⁸ References are made to the relevant paragraphs of the Terms of Reference for the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.⁹ Does not add to 100 percent due to rounding.¹⁰ Does not include USD 147,444 already committed for expenditure on projects in 2009.

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