FINANCIAL REPORT AS AT 31 DECEMBER 2012 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 STOCKS[1]

May 2013

1. Introduction

In November 2003, the United Nations General Assembly, in 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 established.[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 call 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 2012 the Governments of Australia, Canada, Iceland, Lebanon, New Zealand, 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 1,467,455. Table 1 shows contributions to the Fund together with accrued interest of USD 49,036. As at 31 December 2012 the Fund's total receipts were USD 1,516,491. In 2012 no financial contributions were received.

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 No: 000156426
Swift/BIC: MRMDUS33
ABA/Bank Code: 021001088
Citing project MTF/GLO/124/MUL

[1] This report is provided in accordance with paragraph 22 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] www.un.org/Depts/los/convention_agreements/fishstocktrustfund/fishstocktrustfund.htm. 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 2012, 34 applications for travel were received. Of this total, 30 were processed and funded (the travel of five applicants was cancelled subsequently due to the cancellation of the meeting or because of their inability to travel). Two applications were not funded because the one-month advance notice rule was not respected. Another two applications were not approved, one of which was submitted by a State which is not Party to the Fish Stocks Agreement. The total number of travel requests in 2012 (34 requests) was 26 percent higher than in 2011 (27 requests).

Table 2 provides details of expenditure from the Assistance Fund as at 31 December 2012. Expenditure is categorized according to the purposes for which assistance is permitted and administrative expenses, as reflected, respectively, in paragraphs 14 and 21 of the Fund's Terms of Reference.

In 2012 total expenditure from the Fund was USD 193,031 of which:

- 75 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, Indian Ocean Tuna Commission (IOTC), International Commission for the Conservation of Atlantic Tuna, Pacific Islands Forum Fisheries Agency (FFA), South-East Atlantic Fisheries Organization and the Western and Central Pacific Fisheries Commission (WCPFC)) (paragraph 14 (a) of the Terms of Reference);

- 21 percent supported participation in meetings of global organizations (FAO Committee on Fisheries) (paragraph 14 (b) of the Terms of Reference);

- 3 percent supported participation in meetings in connection with building capacity in relation to flag State responsibility, MCS, data collection and scientific research at a national and/or regional level (paragraph 14 (d) of the Terms of Reference);

- 1 percent was devoted to administration, including mandatory FAO insurance expenses, staff overtime for processing requests and the preparation of FAO Letters of Agreement and a 6 percent project servicing cost for certain projects.

4. Panel of Experts

The Panel of Experts was not convened in 2012.

5. Assistance Fund Travel Allocations by State Party

Table 3 provides an allocation of travel expenditure by State Party and by category of expenditure under paragraph 14 of the terms of reference for the period 2006 to 2012. The number of Parties securing funding increased considerably in 2012 to 16 Parties (9 Parties in 2011). As a result, the funding in 2012 for travel was more than double the funding in 2011, amounting to USD 190,664.

6. Assistance Fund Balance

As at 31 December 2012 the balance in the Assistance Fund was USD 341,472 (see Tables 1 and 2).

7. Conclusion

Over the duration of the Fund's operation from 2006 to 2012, 65 percent of expenditure was devoted to supporting Parties to the Agreement participate in RFMO and global meetings, 8 percent went to support Parties' participation in negotiations for new RFMOs, 24 percent was directed to capacity development and 3 percent was for administrative and associated costs (Table 2).

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 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.

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Table 1: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Income Account (USD) as at 31 December 2012

No.	Donor	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total	Remarks
1	USA	200,000	0	0	15,000	0	0	0	0	0	215,000	Received in June 2004 and September 2007, respectively
2	Iceland	0	50,000	0	0	0	0	0	0	0	50,000	Received in April 2005
3	Norway	0	98,179	0	0	0	0	96,798	0	0	194,977	Received in May 2005 and August 2010, respectively
4	Canada	0	0	64,230	389,948	0	0	0	0	0	454,178	Received in March 2006 and May 2007, respectively
5	Lebanon	0	0	0	0	0	2,000	0	0	0	2,000	Received in July 2009
6	New Zealand	0	0	0	0	0	19,500	0	0	0	19,500	Received in July 2009
7	Australia	0	0	0	0	0	0	0	531,800	0	531,800	Received in July 2011
Total contributions		**200,000**	**148,179**	**64,230**	**404,948**	**0**	**21,500**	**96,798**	**531,800**	**0**	**1,467,455**	
	Interest	0	6,249	14,725	21,567	4,102	1,485	262	189	457	49,036	
Total funds		**200,000**	**154,428**	**78,955**	**426,515**	**4,102**	**22,985**	**97,060**	**531,989**	**457**	**1,516,491**	

Table 2: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Expenditure Account (USD) as at 31 December 2012[4]

TOR paragraph[5]	Expenditure category	2006 (%)	2007 (%)	2008 (%)	2009 (%)	2010 (%)	2011 (%)	2012 (%)	Total expenditure (%)
14a	Expenses for participation in meetings and activities of relevant RFMO/As	20,421 (31)	30,657 (52)	51,596 (35)	78,370 (18)	131,297 (63)	51,939 (85)	145,408 (75)	**509,688 (43)**
14b	Expenses for participation in high seas meetings of global organizations such as UNDP, FAO, and other specialized agencies, GEF, CSD and other appropriate international and regional organizations and bodies	45,729 (68)	3,862 (7)	59,702 (41)	74,488 (17)	30,740 (15)	5,120 (8)	40,090 (21)	**259,731 (22)**
14c	Ongoing and future negotiations to establishment of new RFMO/As, renegotiation of founding agreements for such organizations and strengthening existing RFMO/As	0 (0)	23,347 (40)	22,980 (16)	43,197 (10)	0 (0)	0	0	**89,524 (8)**
14d	Building capacity in relation to flag State responsibility, MCS, data collection and scientific research at a national and/or regional level	0 (0)	0 (0)	8,775 (6)	47,771 (11)	0 (0)	0	5,166 (3)	**61,712 (5)**
14e	Facilitating exchange of information and experience on the implementation of the Agreement	0	0	0	0	0	0	0	**0**
14f	Supporting human resource development, technical training and technical assistance to support proper conservation and management	0	0	0	182,340 (41)	37,354 (18)	0	0	**219,694 (19)**
14g	Dispute settlement	0	0	0	0	0	0		**0**
21	Administrative expenses (staff time, insurance and project servicing costs for certain projects)	867 (1)	1,106 (2)	2,642 (2)	14,621 (3)	8,741 (4)	4,326 (7)	2,367 (1)	**34,670 (3)**
Total (%)[6]		**67,017 (100)**	**58,972 (100)**	**145,695 (100)**	**440,787 (100)**	**208,132 (100)**	**61,385 (100)**	**193,031 (100)**	**1,175,019 (100)**

[4] There were no expenditures from the Fund in 2004 and 2005.

[5] References are made to the relevant paragraphs (14 and 21) 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.

[6] Some percentages may not add to 100 due to rounding.

Table 3: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Travel Expenditure (USD) at 31 December 2012: Allocation by State Party

Year	Country	Paragraph 14[7]					Total
		a	b	c	d	f	
2006	Fiji		3,967				3,967
	Guinea		6,394				6,394
	Maldives		3,063				3,063
	Marshall Islands		4,855				4,855
	Mauritius		6,073				6,073
	Namibia	5,580	3,520				9,100
	Niue	8,203					8,203
	Saint Lucia		2,553				2,553
	Samoa		6,300				6,300
	Senegal		3,195				3,195
	South Africa	2,868					2,868
	Uruguay	3,769	5,810				9,579
Total		**20,421**	**45,729**				**66,150**
2007	Belize	1,754					1,754
	Cook Islands			4,665			4,665
	Guinea	3,849					3,849
	Marshall Islands	2,963					2,963
	Federated States of Micronesia			12,058			12,058
	Niue	6,945		6,623			13,568
	Samoa		-200				-200
	Senegal	5,609	4,062				9,671
	South Africa	4,606					4,606
	Uruguay	4,932					4,932
Total		**30,657**	**3,862**	**23,347**			**57,866**
2008	Cook Islands	3,027	3,027	8,735			14,790
	Kiribati	5,966					5,966
	Maldives		4,300				4,300
	Marshall Islands	7,732	10,166				17,898
	Federated States of Micronesia	4,429		9,269			13,698
	Nauru	4,182	4,182				8,363
	Niue			4,976			4,976
	Palau	2,311					2,311
	Samoa	2,675	7,051				9,726
	Senegal	12,354	4,856				17,211
	Seychelles		7,504		4,756		12,260
	Tonga	2,906	11,130				14,036
	Uruguay	6,013	7,486		4,019		17,518
Total		**51,596**	**59,702**	**22,980**	**8,775**		**143,053**

[7] The classification of expenditures under paragraph 14 of the Terms of Reference is explained in Table 2.

2009	Cook Islands		5,288				5,288
	Guinea		4,544				4,544
	Kiribati		14,885	5,726			20,612
	Marshall Islands	6,449					6,449
	Federated States of Micronesia	44					44
	Mozambique		4,218				4,218
	Namibia		3,242				3,242
	Niue	3,804					3,804
	Samoa	3,968	5,375				9,343
	Senegal	13,334	19,603				32,937
	Seychelles	3,583	11,879				15,462
	Tonga	12,523	5,454	5,397			23,374
	Tuvalu	16,451					16,451
	Uruguay	18,213					18,213
Total		**78,370**	**74,488**	**11,123**			**163,981**
2010	Cook Islands	11,832					11,832
	Fiji		4,542			1,394	5936
	India		3,160				3,160
	Kiribati	4419				3300	7,719
	Mozambique		4,999				4,999
	Namibia	7,844					7,844
	Nauru					3,759	3,759
	Nigeria	13,189					13,189
	Niue	17,562					17,562
	Palau	3,595					3,595
	Samoa	8,293	9,140				17,432
	Senegal	17,026	4,065				21,091
	Seychelles	4,738	4,835				9,573
	South Africa	3,436					3,436
	Tonga	18,935					18,935
	Tuvalu	13,694					13,694
	Uruguay	6,734					6,734
Total		**131,297**	**30,740**	**0**	**0**	**8,453**	**170,490**
2011	Cook Islands	6,849					6,849
	Federated States of Micronesia	1,497					1,497
	Namibia	4443					4,443
	Samoa	6,498					6,498
	Senegal	8,888					8,888
	South Africa	1,322					1,322
	Tonga	6,469	5,120				11,589
	Tuvalu	8,015					8,015
	Uruguay	7958					7,958
Total		**51,939**	**5,120**	**0**	**0**	**0**	**57,059**

2012	Cook Islands	20,049	8,420				28,469
	Guinea	312					312
	Kiribati		7,679				7,679
	Micronesia	5,707					5,707
	Namibia	13,685					13,685
	Nauru		8,639				8,639
	Niue	8,088					8,088
	Palau	5,055	6,695				11,750
	Samoa	10,954					10,954
	Senegal	11,305					11,305
	Seychelles	7,880					7,880
	South Africa	8,147					8,147
	Sri Lanka	8,749					8,749
	Tonga	25,977	8,657		5,166		39,800
	Tuvalu	10,048					10,048
	Uruguay	9,452					9,452
2012 Total		**145,408**	**40,090**		**5,166**		**190,664**
Total travel 2006-2012							**849,263 72%**
LOA 2008-2012 (Table 4)							**291,086 25%**
Administrative expenses 2006-2012 (Table 2)							**34,670 3%**
Total expenditure (Table 2)							**1,175,019 100%**

Table 4:1995 UN Fish Stocks Agreement Part VII Trust Fund:
Letter of Agreement and Actual Expenditures (USD)

Letter of Agreement	TOR paragraph	Expenditure				TOTAL
		2009[8]	2010	2011	2012	
FFA - 228536 - Preparation of regional plan of action for the conservation and management of Sharks in the Pacific Islands	14 (d)	47,771	0	0	0	**47,771**
FFA - 240142 - Workshop on Proposed SPRFMO: awareness on roles and responsibilities - capacity and participation of FFA members.	14 (c)	32,074	0	0	0	**32,074**
SPC - 229962 - Training Workshop: Third Tuna Data Management Workshop	14 (f)	24,205	0	0	0	**24,205**
SPC - 232710 - Training Workshop: Tuna Stock and Ecological Risk Assessment	14 (f)	49,936	0	0	0	**49,936**
SPC - 246282 - Tuna Stock Data Workshops (April 2010): data-reporting obligations to WCPFC - regional stock assessments.	14 (f)	40,678	0	0	0	**40,678**
SPC - 246338 - Tuna Stock Assessment, Ecosystem and By-catch Workshops (June 2010): interpretation and use information.	14 (f)	67,521	-25,163	0	0	**42,358**
FFA - 254292 (September 2010): Workshop on Port State Measures	14 (f)	0	54,064	0	0	**54,064**
Total		**262,185**	**28,901**	**0**	**0**	**291,086**

[8] Some funds approved for expenditure in 2009 were actually expended in 2010.