



Ninth round of Informal Consultations of States Parties to 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

(New York, 16–17 March 2010)

Report

SUMMARY

The present document contains the report of the ninth round of Informal Consultations of States Parties to 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 (the Agreement), which was held in New York, from 16 to 17 March 2010.

As provided in paragraph 34 of General Assembly resolution 64/72 of 4 December 2009, the ninth round of Informal Consultations served primarily as a preparatory meeting for the resumed Review Conference on the Agreement, to be held in New York, from 24 to 28 May 2010.

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I. Introduction

1. Pursuant to paragraph 34 of General Assembly resolution 64/72 of 4 December 2009, the ninth round of Informal Consultations of States Parties to 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 (the “Agreement”), was held at United Nations Headquarters, in New York, from 16 to 17 March 2010.
2. The Secretary-General convened the ninth round of Informal Consultations to serve primarily as a preparatory meeting for the resumed Review Conference on the Agreement, to be held at United Nations Headquarters in New York, from 24 to 28 May 2010.

II. Organization of work

A. Opening of the ninth round of Informal Consultations

2. The Director of the Division for Ocean Affairs and the Law of the Sea, Mr. Tarassenko, opened the ninth round of Informal Consultations of States Parties to the Agreement.

B. Election of the Chairperson

3. The meeting elected Ambassador David Balton, Deputy Assistant Secretary for Oceans and Fisheries in the Bureau of Oceans, Environment and Science, United States Department of State as Chairperson.

C. Attendance

4. Representatives of the following Parties attended the ninth round of Informal Consultations: Australia, Austria, Brazil, Canada, Czech Republic, Estonia, European Union, Fiji, France, Germany, Greece, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Japan, Lithuania, Marshall Islands, Micronesia (Federated States of), Monaco, New Zealand, Nigeria, Norway, Palau, Panama, Republic of Korea, Russian Federation, Samoa, Seychelles, Spain, Sri Lanka and United States of America.

5. Observers from the following States, United Nations specialized agencies, programmes and bodies, as well as intergovernmental and non-governmental organizations attended the ninth round of Informal Consultations:

(a) States non-parties: Argentina, Benin, Cape Verde, Chile, China, Colombia, Cuba, Dominican Republic, Ecuador, Egypt, Ghana, Jordan, Malaysia, Nicaragua, Pakistan, Peru, Philippines, Thailand, Togo, Turkey and Venezuela;

(b) Specialized agencies, related organizations and offices of the United Nations: Food and Agriculture Organization of the United Nations (FAO), World Bank and United Nations Department of Economic and Social Affairs (DESA);

(c) Subregional and regional fisheries management organizations and arrangements (RFMO/As): Inter-American Tropical Tuna Commission (IATTC), North East Atlantic Fisheries Commission (NEAFC), Northwest Atlantic Fisheries Organization (NAFO) and Permanent Commission for the South Pacific (CPPS);

(d) Other intergovernmental entities: Asian African Legal Consultative Organization (AALCO), Bay of Bengal Programme (BOBP), Global Environment Facility (GEF), and the International Union for Conservation of Nature and Natural Resources (IUCN); and

(e) Non-governmental organizations: International Collective in Support of Fishworkers (ICSF), Natural Resources Defense Council (NRDC) and World Wide Fund for Nature (WWF).

D. Opening statement of the Chairperson

6. In his opening statement, the Chairperson noted that the ninth round of Informal Consultations was similar in purpose to the meeting that prefaced the Review Conference in 2006 and would focus on preparations for the resumption of the Review Conference. The tasks included conducting a preliminary review of the report of the Secretary-General to the resumed Review Conference (A/CONF.210/2010/1), preparing the draft organization of work and draft provisional agenda to be recommended to the resumed Review Conference, considering the need to fill any vacancies in the composition of the Bureau, and exchanging preliminary views on the possible outputs of the resumed Review Conference.

7. The Chairperson recalled that the Review Conference did not formally end in 2006, but was merely suspended. As a consequence, there was no need to prepare for the election of a new President and new Bureau, as these individuals would resume and continue their functions at the resumed Review Conference, if they were available. An election would be held if any officer was unavailable to perform his or her functions. In addition, it was not necessary to adopt new rules of procedure, as the Provisional Rules of Procedure (A/CONF.210/2006/6), which were developed at the fifth round of Informal Consultations, would continue to be applied on a provisional basis at the resumed Review Conference.

8. In addition, the Chairperson highlighted international developments and initiatives relating to the implementation of the Agreement in the past year, including the adoption by the FAO of a legally-binding instrument on port State measures to prevent, deter and eliminate illegal, unreported or unregulated (IUU) fishing (“Port State Measures Agreement”); the work of FAO to develop a global record of fishing vessels and to develop criteria to assess the performance of flag States; the second meeting of the five RFMOs dealing with highly migratory fish stocks in San Sebastian, Spain, and the follow up work already underway; the successful adoption of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific

Ocean (“SPRFMO Convention”); the continued negotiations for a regional arrangement in the North Pacific Ocean; and the imminent entry into force of the Convention for the Strengthening of the IATTC (the “Antigua Convention”) in 2010. He also welcomed the two new States Parties to the Agreement since the eighth round of Informal Consultations in 2009 (Indonesia and Nigeria), which brought the total number of Parties to 77.

E. Adoption of the meeting documents

9. The Informal Consultations considered the provisional agenda of the meeting and adopted it with a minor revision (see Annex). It also agreed that the proposed revisions to the Terms of Reference of the Assistance Fund under VII of the Agreement (ICSP9/UNFSA.INF.2/Rev) would be discussed under agenda item 7.

III. Consideration of the overview of the status and trends of the fish stocks addressed in the updated comprehensive report prepared by the Secretary-General in cooperation with the Food and Agriculture Organization of the United Nations, taking into account the scope of application of the Agreement

10. Delegations expressed appreciation for the report of the Secretary-General, prepared in cooperation with FAO, and submitted to the resumed Review Conference in accordance with paragraph 32 of General Assembly resolution 63/112 to assist it in discharging its mandate under article 36, paragraph 2, of the Agreement. It was noted that the report was based on voluntary responses by States and RFMO/As, which tended to focus on actions taken to implement the recommendations of the Review Conference, rather than areas where further action was needed.

11. Some delegations expressed their commitment to the Agreement and emphasized the need for it to be more effectively implemented. Other delegations stated that the outcome of the resumed Review Conference would have a critical bearing on the food security and economic future of many Pacific countries. Delegations also recalled the importance of sustainable fisheries in the context of the Millennium Development Goals, the Johannesburg Plan of Implementation and the Mauritius Strategy of Implementation.

12. In regards to the first thematic cluster of recommendations from the Review Conference in 2006 (conservation and management of stocks), delegations noted successful initiatives to implement the Agreement and widespread commitment to conservation and management goals, which were evident from the variety of measures enacted by States and RFMOs since the Review Conference in 2006, as described in the report of the Secretary-General.

13. Delegations highlighted, in particular, the adoption of the SPRFMO Convention in November 2009, which incorporated modern concepts and best international practices, including many elements reflecting provisions of the Agreement. States and entities that participated in the negotiations were urged to sign and ratify the Convention in order to secure its early entry into force, and to enforce the interim measures. Progress was also

made in the negotiations to conclude a regional arrangement in the North Pacific. The government leaders of Parties to the Nauru Agreement adopted the Koror Declaration to promote sustainable fishery levels in the region and a fair benefit from the resource. A number of shark sanctuaries had been established, and management plans for shark fisheries were being prepared by the four member countries of the Bay of Bengal Programme (BOBP).

14. Despite positive developments to improve the conservation and management of stocks, many delegations noted information from the report of the Secretary-General, which indicated that the majority of stocks covered by the Agreement remained either fully exploited or overexploited. Based on available information, there had not been any major changes in the overall status of stocks and fisheries since the last assessment by the FAO in 2005: 25 per cent of tuna and tuna-like species were overexploited and 5 per cent were depleted, more than 60 per cent of oceanic sharks were considered potentially overexploited or depleted; and 55 per cent or straddling fish stocks were overexploited and 8 per cent were depleted. It was noted that the overview of the status of stocks was one measure of the progress in meeting the objective of the Agreement to ensure the long-term conservation and sustainable use of such stocks.

15. Many delegations, therefore, emphasized the need for further efforts, including with respect to excess fishing capacity, impacts of fishing on non-target species, by-catch and discards, unregulated fisheries affecting sharks, lost or discarded fishing gear, sustainable fishing effort, and deep-sea fishing. Several delegations highlighted, in particular, the need for data accuracy, reporting and sharing, as emphasized in the report of the Secretary-General and in the performance reviews of RFMOs. In this regard, it was noted that the most recent complete year of catch information was 2007, and that improvements in the accuracy and availability of data were closely linked to efforts to ensure the sustainability of stocks and the effectiveness of measures. Evaluation of the effectiveness of conservation and management measures was difficult in view of the insufficiency of scientific and other relevant information.

16. In this context, one observer indicated that increased cooperation between States was required to improve monitoring of fisheries in the high seas and that the quality of future evaluations of the Agreement depended on substantial improvement in the availability of data. Other observers noted the need for conservation and management measures to be based on the best available science, the importance of full implementation of General Assembly resolutions 61/105 and 64/72 on the impacts of bottom fishing on vulnerable marine ecosystems, and the need for marine protected areas on the high seas.

17. With respect to the second thematic cluster of recommendations from the Review Conference (mechanisms for international cooperation and non-members), delegations emphasized the ongoing importance of modernizing and strengthening RFMOs to ensure improved international fisheries governance, including through performance reviews of RFMOs. It was noted that five RFMOs had completed performance reviews since the Review Conference in 2006, and another six RFMOs had plans to complete performance reviews in 2010. The importance of implementing the recommendations from the

performance reviews was emphasized, and observers proposed that performance reviews should be institutionalized so that reviews were conducted on a regular basis and the results monitored at the international level.

18. Some delegations welcomed increased cooperation between RFMOs since the Review Conference in 2006, and it was noted that the Kobe process had significantly enhanced cooperation between the tuna RFMOs and contributed positively to the performance review process of these organizations. Delegations also emphasized the need to improve flag State responsibility, including through the assessment of flag State performance and implementation of the “genuine link”, and for the development and application of transparent allocation for participatory rights for those with a real interest in the fishery.

19. More generally, it was suggested that there was a need to improve the governance of RFMOs as other bodies became increasingly concerned over threats to the world’s fisheries. In this regard, it was noted that attempts to address issues relating to conservation and management of fisheries in other forums, including the Conference of the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), highlighted the need for improved effectiveness of RFMOs.

20. In addressing the third thematic cluster of recommendations from the Review Conference in 2006 (monitoring, control and surveillance, and compliance and enforcement), delegations identified areas where progress had been made, including measures adopted by RFMO/As on trans-shipment, onboard observers, and vessel monitoring systems (VMS), and the use of list of vessels engaging in IUU fishing. Delegations also highlighted the development of the Port State Measures Agreement and the use of market-based measures by States and RFMOs to ensure that illegally caught fish did not enter markets. It was noted that concerns had been expressed over a recent regulation of the European Community and whether it may not be in accordance with international law, in particular the rules of the World Trade Organization. Member countries of BOBP had prepared national plans of action on monitoring control and surveillance, following the adoption of the Chittagong Declaration in 2008, and a regional plan of action was being developed.

21. Some delegations considered that a renewed focus was required in several key areas, including improving flag State performance and control, coordination among RFMOs to combat IUU fishing, developing regional guidelines for systems of sanctioning non-compliance, and strengthening port State measures. It was noted that lack of compliance had been identified in several RFMOs as the single largest impediment to successful conservation and management of fish stocks. Several delegations reaffirmed their view that IUU fishing activities may constitute transnational organized crime and that recent cooperative efforts, including joint patrols and shiprider agreements, should be strengthened.

22. With regard to the fourth thematic cluster of recommendations (developing States and non-parties), several delegations emphasized that providing assistance to developing

States Parties in the implementation of the Agreement was critical to its success. It was noted that 20 States had become parties to the Agreement since the Review Conference in 2006 and that the level of participation in the Agreement was now more satisfactory. Reference was also made to a recent analysis on non-participation in the Agreement.¹

23. Some delegations emphasized the need to improve implementation of Part VII of the Agreement, including through the Assistance Fund, and for further assistance and capacity-building efforts, particularly with respect to facilitating the participation of developing States Parties in RFMO/As and in deriving benefits from sustainably managed high seas fisheries.

24. A number of delegations also expressed views concerning the work of the resumed Review Conference, more generally. In this regard, delegations identified possible topics for discussion, including implementation of article 7 of the Agreement on compatibility, application of standards in high seas fisheries and the duties and interests of coastal States under UNCLOS, and the vulnerabilities of fish stocks in the context of climate change. It was also proposed that the resumed Review Conference should consider the possibility of creating a binding instrument in respect of flag State responsibilities, similar to the Port State Measures Agreement adopted under the auspices of FAO. The view was also expressed, however, that such a proposal may not have broad support, in light of the work already being conducted by FAO.

25. The question was raised as to whether the resumed Review Conference could request the Secretary-General to conduct an evaluation of the effectiveness of the Agreement. Another delegation, however, indicated that it would not be appropriate for the Secretariat to evaluate compliance with any recommendations made by States at the resumed Review Conference.

IV. Recommendations for consideration by the resumed Review Conference

A. Organization of work

26. According to the draft organization of work, the first two days of the resumed Review Conference would be devoted to a review of the implementation of the recommendations adopted at the Review Conference in 2006 under each of the four thematic clusters. Delegations would be encouraged to intervene on the basis of the first two framework questions and address the areas in which implementation of the recommendations was proceeding generally well, and areas in which implementation of the recommendations was at an early stage or where there had been little progress in implementation. Participating States would be encouraged to consider all of the recommendations from the Review Conference in 2006, but they could also focus on issues of particular importance to their delegation.

¹ Molenaar, Erik “Non-participation in the Fish Stocks Agreement: Status and Reasons”, School of Law, Netherlands Institute for the Law of the Sea.

27. On the third day, delegations would address the third framework question and consider proposed means to further strengthen the substance and methods of implementation of the Agreement. On the fourth day, it was proposed that the President would present a summary of the discussions under framework question three, and delegations would subsequently discuss the summary and the final outcome of the Conference. The draft organization of work did not require the convening of a drafting committee, but such a possibility was also not precluded.

28. Delegations expressed satisfaction with the draft organization of work. Divergent views were expressed on whether the resumed Review Conference should review all of the recommendations from the Review Conference in 2006, or focus on specific issues, but the majority of delegations supported a broader approach, which would allow focused discussions to emerge naturally. A number of specific topics of focus were suggested, including performance reviews of RFMOs, excess fishing capacity, compliance and enforcement, decision-making processes of RFMOs, allocation of fishing opportunities, flag State performance, including the possibility of a new legal instrument, bottom fishing and the protection of vulnerable marine ecosystems, and capacity-building. It was clarified that the list of topics in the draft organization of work was indicative only, and that delegations could decide on which topics to focus, including new issues for discussion. To assist delegations, the Secretariat was requested to annotate the draft organization with references to the report of the Secretary-General to the resumed Review Conference.

29. A range of views was also expressed on the convening of a drafting committee, and delegations emphasized the need to avoid duplicating the work of the plenary meeting in the work of the drafting committee. It was suggested that the need for a drafting committee would be determined by proposals on the outputs of the resumed Review Conference. The view was also expressed that a rapporteur, working in conjunction with the President and Bureau, could perform at least some of the work that the drafting committee had performed at the Review Conference in 2006. It was concluded that a decision in this regard would need to be made in the early stages of the resumed Review Conference.

30. A number of delegations also emphasized that it would be important for all States to participate on an equal footing at the resumed Review Conference, as reflected in the document A/CONF.210/2006/12. In this regard, the Chairperson clarified that the Provisional Rules of Procedure would continue to be applied on a provisional basis at the resumed Review Conference. He recalled that decisions at the Review Conference in 2006 were adopted by consensus of all participants and indicated his expectation that the same spirit of cooperation would prevail at the resumed Review Conference. In the unlikely event that the resumed Review Conference could not arrive at a decision by consensus, it would adopt the Provisional Rules of Procedure and proceed to a vote in accordance with their provisions.

31. The draft organization of work of the resumed Review Conference, as recommended by the Informal Consultations, would be issued as document A/CONF.210/2010/L.2.

B. Draft provisional agenda

32. The draft provisional agenda was accepted without discussion. The document would be issued as document A/CONF.210/2010/L.1.

C. Composition of the Bureau and any need to fill vacancies for the resumed Review Conference

33. It was recalled that the Bureau was currently comprised of five representatives from State Parties and two representatives from States non-parties, in addition to the President, Ambassador David Balton. It was noted that an election would need to be held to fill any vacancies in the Bureau if one or more of the members were unavailable to perform their functions at the resumed Review Conference. It was also recalled that the slate of the Bureau had been developed through informal consultations prior to the Review Conference in 2006, and that the nominees had been elected by acclamation on the first day of the Conference.

34. It was proposed that a similar process should be followed in order to fill any vacancies for the resumed Review Conference. Regional groups were thus encouraged to hold consultations to fill any vacancies in the slate of States Parties, and States non-parties were encouraged to consult as a group on the filling of any vacancy in the slate of States non-parties. It was noted that it would be desirable to finalize these consultations before the first day of the resumed Review Conference.

D. Consideration of the outputs of the resumed Review Conference

35. There was general agreement that the outputs of the resumed Review Conference would include a record of deliberations that would present a factual account of the discussions during the resumed Review Conference, following the format in the Report of the Review Conference in 2006 (A/CONF.210/2006/15). The record would be prepared by the President and Vice-Presidents, with the assistance of the Secretariat.

36. It was also generally agreed that the outputs would include agreed results, the first element of which would entail a review of the implementation of the recommendations adopted at the Review Conference in 2006. The second element would entail the proposed means of further strengthening, if necessary, the substance and methods of implementation of the provisions of the Agreement. It was anticipated that the second element would be a negotiated outcome and adopted at the end of the resumed Review Conference, although the view was expressed that the first element should also be agreed by consensus. It was noted that the second element could encompass new elements that were not part of the recommendations from the Review Conference in 2006.

37. A view was expressed that the drafting committee should focus on preparing draft recommendations to be presented to the plenary. Some delegations also emphasized that the drafting committee should not duplicate the discussions in the plenary meeting. It was proposed that the Secretariat could prepare a list of proposals made in the plenary of means for further strengthening the implementation of the Agreement.

38. More generally, delegations emphasized the importance of producing outputs that would strengthen the implementation of the Agreement. It was noted that the outcome of the Review Conference in 2006 had been used by States and RFMOs to take action to strengthen the implementation of the Agreement, and that the resumed Review Conference should aim to produce an updated set of recommendations.

E. Possible future actions

39. Delegations exchanged preliminary views on the future of the Review Conference and future rounds of the Informal Consultations of States Parties. There was a general consensus on the need to keep the Agreement under review in light of the ongoing nature of the rights and obligations of States Parties. There was a range of views, however, on the mechanism for doing so, including through the continued resumption of the Review Conference, future rounds of the Informal Consultations of States Parties, or both.

40. Delegations were generally flexible and open to the possibility of continuing to meet in the context of the Review Conference, although issues were raised over the timing and possible duplication of meetings. In this regard, some delegations indicated that consideration of the future of the Review Conference was linked to any decision on future rounds of the Informal Consultations, and that it would be necessary to discuss the respective roles of these meetings. It was also noted that too many meetings could become a financial burden, particularly for developing States, if representatives attended from capital, and that low participation from developing States could weaken rather than strengthen the implementation of the Agreement.

41. Some delegations indicated a preference to undertake any review of the implementation of the Agreement through the mechanism of the Review Conference, as it was a formal meeting and generated greater interest and participation levels. It was suggested that a review in a formal meeting, approximately every four years, would secure the appropriate level of participation from capital and fisheries ministries.

42. A number of delegations expressed concerns over continuing to invoke the mechanism of suspending the Review Conference, as article 36 of the Agreement referred to the convening of one Review Conference only. These delegations indicated that the Informal Consultations could undertake the review of the implementation of the Agreement, and any recommendations could later be considered by the General Assembly.

43. It was indicated that the suspension of the Review Conference was not contrary to the purpose and spirit of the Agreement, as it had been done for the purpose of securing effective implementation of the Agreement. In this regard, it was suggested that the

effectiveness of the resumed Review Conference in improving the implementation of the Agreement should be the most important factor in determining if it should be suspended once again. It was noted that an effective review depended on the engagement of States and entities, rather than the mechanism for the review, and that all options for conducting the review should be explored. For example, it was suggested that the Informal Consultations could address selected issues in more depth and prepare background documents, which could then be considered by the resumed Review Conference.

44. The question was raised as to whether it would be possible for the General Assembly to convene another Review Conference if it was closed this year. It was noted that such a procedure would be unusual, and possibly inappropriate, as the General Assembly included States that were not parties to the Agreement and who thus did not have responsibility for participating in decision-making pursuant to the Agreement. Another delegation cautioned against closing the Review Conference without having an alternative mechanism for review. The view was expressed that it would not be legally possible for the General Assembly to establish and convene another Review Conference. In this respect, it was noted that the mandate of the Secretary-General to convene the Review Conference came from the Agreement and not the General Assembly.

45. One observer indicated that annual reviews of the implementation of the Agreement were necessary and could be conducted during the informal consultations on the draft General Assembly resolution on sustainable fisheries, suggesting that consideration should be given to allowing the informal consultations on the draft General Assembly resolution to be conducted in an open meeting, and that an interim process could be established as a follow-up to the resumed Review Conference, perhaps using the Kobe process as a model. Another observer stated that any review of implementation should be carried out at formal meetings for a number of reasons, including in order to maintain the perception of the importance of the process.

V. Other matters

46. Under this agenda item, delegations considered proposed revisions to the Terms of Reference of the Assistance Fund under Part VII of the Agreement (ICSP9/UNFSA/INF.2/Rev), which were introduced by the representative of FAO. It was noted that the Terms of Reference were generally operating well to guide the operation of the Fund, but a number of procedural and substantive revisions were proposed to improve the operation of the Fund. The proposed revisions sought to: (1) address procedural matters relating to the submission of applications by subregional or regional organizations, (2) clarify the activities for which financial assistance could not be provided, and (3) set financial limits on the amount of assistance that may be provided in a calendar year.

47. With respect to the first proposed revision, the representative of FAO stated that the proposed revision would only apply to applications for a regionally planned activity, in which case it would be necessary for three developing States Parties to support the application. Regarding the second proposed revision, the representative indicated that a

three month limit was proposed in relation to training activities as such activities were generally of a shorter duration. With respect to the third proposed revision, it was clarified that assistance provided in respect of a regional activity proposed by a RFMO/A (e.g. a workshop) would not be considered in calculating the financial limit for those developing State Parties supporting the application, but rather as part of the limit for the RFMO/A.

48. Some delegations stressed the importance of the Assistance Fund in providing assistance and capacity-building to small-island developing States, including by facilitating the participation of such States in regional and global fisheries meetings and funding a range of capacity-building activities in the South Pacific. Some delegations also encouraged further voluntary contributions to the Fund.

49. A number of amendments were proposed by delegations in respect of the first and third proposed revisions to the Terms of Reference. Some delegations expressed general support for the proposed revisions, although several delegations indicated that they did not have sufficient time to consider the proposals. The view was also expressed that the Assistance Fund should be available to fund scholarships, and that the problem of lack of funds should also be addressed. A concern was also raised over whether the Informal Consultations could make revisions to the Terms of Reference, and it was recalled that other revisions to the Terms of Reference had been adopted by the seventh round of Informal Consultations in 2008. In the end, delegations agreed to defer consideration of the proposed revisions of the Terms of Reference.

50. A statement was made by an observer, the International Collective in Support of Fishworkers, urging delegations to address issues concerning small-scale and artisanal fishers at the resumed Review Conference.

VI. Closing of the ninth round of Informal Consultations of States Parties to the Agreement

51. Delegations were reminded of a request sent by the Secretariat seeking contributions to the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, which were needed in the range of \$40,000 to \$45,000 per year.

52. The Chairman highlighted the important preparatory work carried out for the resumed Review Conference, and expressed his hope for a productive and successful resumed Review Conference. He closed the meeting with an announcement that he would not seek re-election as Chairperson at any future rounds of the Informal Consultations. Delegations thanked the Chairperson for his efforts to ensure the efficient conduct of all nine rounds of Informal Consultations.

ANNEX



Ninth round of Informal Consultations of States Parties to 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 (the Agreement)

Agenda

**16-17 March 2010
United Nations, New York**

1. Opening of the ninth round of Informal Consultations by the Representative of the Secretary-General.
2. Election of the Chairperson.
3. Adoption of the agenda.
4. Organization of work.
5. Consideration of the overview of the status and trends of the fish stocks addressed in the updated comprehensive report prepared by the Secretary-General in cooperation with the Food and Agriculture Organization of the United Nations, taking into account the scope of application of the Agreement.
6. Recommendations for consideration by the resumed Review Conference:
 - (a) Organization of work;
 - (b) Draft provisional agenda;
 - (c) Composition of the bureau and any need to fill vacancies for the resumed Review Conference;
 - (d) Consideration of the outputs of the resumed Review Conference:
 - (i) Record of deliberations;
 - (ii) Agreed results:
 - (1) Review of the implementation of the recommendations adopted at the Review Conference in 2006;
 - (2) Proposed means of further strengthening, if necessary, the substance and methods of implementation of the provisions of the Agreement.

(e) Possible future actions, inter alia:

(i) Future meetings of the Review Conference;

(ii) Consideration of the next round of Informal Consultations of the States Parties to the Agreement.

7. Other matters.