

**FINANCIAL REPORT AS AT 31 DECEMBER 2010 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<sup>1</sup>**

**February 2011**

**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 set up.<sup>2</sup> 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.<sup>3</sup>

As at 31 December 2010 the Governments of 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 935,655. Table 1 shows contributions to the Fund together with accrued interest of USD 48,390. As at 31 December 2010 the Fund's total receipts were USD 984,045. In 2010 a contribution of USD 96,798 was received from the Government of Norway.

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

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<sup>1</sup> 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.

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

<sup>3</sup> [http://www.un.org/Depts/los/convention\\_agreements/fishstocktrustfund](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.

ABA/Bank Code: 021001088  
Citing project MTF/GLO/124/MUL

### **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 2010, 35 applications for travel were processed and funded. However, five applications were not funded because the one-month advance notice rule was not respected and one application was not processed because the request fell outside the Fund's terms of reference. A further six applications could not be processed because of inadequate resources available in the Fund. The total number of travel requests in 2010 (47 requests) increased over the level in 2009 (32 requests). In addition, the Panel of Experts was convened once in 2010.

Table 2 provides details of expenditure from the Assistance Fund as at 31 December 2010. 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 2010 total expenditure from the Fund was USD 316,398, which excludes 2010 unliquidated commitments of USD 5,385. Of the total expenditure of USD 316,398 in 2010:

- 41 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, International Commission for the Conservation of Atlantic Tuna, South-East Atlantic Fisheries Organization and the Western and Central Pacific Fisheries Commission (WCPFC)) (paragraph 14 (a) of the Terms of Reference);
- 10 percent supported participation in meetings of global organizations (UN Resumed Conference of the States Parties to the 1995 UN Fish Stocks Agreement and the Kobe II Bycatch Workshop) (paragraph 14 (b) of the Terms of Reference);
- 46 percent supported capacity-development activities through three regional workshops addressing (i) the management of tuna data, (ii) tuna stock assessment, ecosystem and bycatch, and (iii) port State measures (paragraph 14 (f) of the Terms of Reference);
- 3 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**

During 2010 the Panel of Experts was convened once. This was done to consider a request from the Pacific Islands Forum Fisheries Agency (FFA) to convene a workshop to (i) raise awareness of the 13 Pacific Island Parties to the 1995 UN Fish Stocks Agreement concerning the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal,

Unreported and Unregulated Fishing and (ii) identify the appropriate framework for implementation of such measures including the elements of the proposed Port States Conservation and Management Measure of the WCPFC. The workshop was held in Honiara, Solomon Islands in September 2010. The funding for the workshop was requested by the Governments of Cook Islands, Kiribati, Nauru, Niue and Papua New Guinea. The request for funding was endorsed unanimously by the Panel.

#### **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 2010. The number of Parties securing funding increased in 2010 reflecting a small increase to 17 Parties (from 14 Parties in 2009). In addition, the funding in 2010 for travel increased by USD 5,676 over funding in the previous year.

#### **6. Assistance Fund Allocations under FAO Letters of Agreement**

In 2010 FAO entered into a Letter of Agreement<sup>4</sup> with FFA. Table 4 provides details of the Letters of Agreement concluded by FAO and implemented in 2009 and 2010. The award of financial assistance under a Letter of Agreement results from an application for assistance that is considered and agreed by the Panel of Experts.

#### **7. Assistance Fund Balance**

As at 31 December 2010 the balance in the Assistance Fund was USD 58,057 (see Tables 1 and 2). However, taking account of funds committed for administrative expenses in 2011 (USD 4,500) and provision for a project in Mozambique (USD 65,000) that was approved by the Panel of Experts in 2009 but which has yet to be implemented, the Fund has currently a negative balance of approximately USD 11,400.

#### **8. Conclusion**

Over the duration of the Fund's operation from 2006 to 2010, 57 percent of expenditure was devoted to supporting Parties to the Agreement participate in RFMO and global meetings, 10 percent went to support Parties participate in negotiations for new RFMOs, 30 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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<sup>4</sup> A Letter of Agreement is an instrument setting forth the terms of agreement between FAO and a recipient organization for the production of specified outputs, which will contribute to the achievements of specific objectives through the supply of services and/or other work product(s). A recipient organization is a governmental, regional, intergovernmental, parastatal or other non-profit institution and will, whenever possible, be located in the country where the services are to be rendered or the materials used.

Table 1: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Income Account (USD) as at 31 December 2010

No.	Donor	2004	2005	2006	2007	2008	2009	2010	Total	Remarks
1	USA	200,000	0	0	15,000	0	0	0	215,000	Received in June 2004 and September 2007, respectively
2	Iceland	0	50,000	0	0	0	0	0	50,000	Received in April 2005
3	Norway	0	98,179	0	0	0	0	96,798	194,977	Received in May 2005 and August 2010, respectively
4	Canada	0	0	64,230	389,948	0	0	0	454,178	Received in March 2006 and May 2007, respectively.
5	Lebanon	0	0	0	0	0	2,000	0	2,000	Received in July 2009
6	New Zealand	0	0	0	0	0	19,500	0	19,500	Received in July 2009
<b>Total contributions</b>		<b>200,000</b>	<b>148,179</b>	<b>64,230</b>	<b>404,948</b>	<b>0</b>	<b>21,500</b>	<b>96,798</b>	<b>935,655</b>	
	Interest	0	6,249	14,725	21,567	4,102	1,485	262	48,390	
<b>Total funds</b>		<b>200,000</b>	<b>154,428</b>	<b>78,955</b>	<b>426,515</b>	<b>4,102</b>	<b>22,985</b>	<b>97,060</b>	<b>984,045</b>	

Table 2: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Expenditure Account (USD) as at 31 December 2010<sup>5</sup>

TOR paragraph <sup>6</sup>	Expenditure category	2006 (%)	2007 (%)	2008 (%)	2009 (%)	2010 (%)	Total expenditure (%)	Total expenditure plus un-liquidated commitments <sup>7</sup>
14a	Expenses for participation in meetings and activities of relevant RFMO/As	20,421 (31)	30,657 (52)	51,596 (35)	78,370 (24)	130,179 (41)	311,223 (34)	311,223 (34)
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 (22)	30,740 (10)	214,521 (23)	214,521 (23)
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 (13)	0 (0)	89,524 (10)	89,524 (10)
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 (14)	0 (0)	56,546 (6)	56,546 (6)
14e	Facilitating exchange of information and experience on the implementation of the Agreement	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	74,141 (22)	145,839 (46)	219,980 (24)	225,060 (24)
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)	14,554 (4)	9,640 (3)	28,809 (3)	29,114 (3)
<b>Total (%)<sup>8</sup></b>		<b>67,017 (100)</b>	<b>58,972 (100)</b>	<b>145,695 (100)</b>	<b>332,521 (100)</b>	<b>316,398 (100)</b>	<b>920,603 (100)</b>	<b>925,988 (100)</b>

<sup>5</sup> Some figures may be subject to revision. There were no expenditures from the Fund in 2004 and 2005.

<sup>6</sup> 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.

<sup>7</sup> Includes un liquidated commitments of USD 5,385 for one 2010 SPC Workshop (SPC LOA 246283)

<sup>8</sup> Some percentages may not add to 100.0 due to rounding.

**Table 3: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Travel Expenditure (USD)  
at 31 December 2010: Allocation by State Party**

Year	Country	Paragraph 14 <sup>9</sup>					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
<b>2006 Total</b>		<b>20,421</b>	<b>45,729</b>				<b>66,150</b>
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	
<b>2007 Total</b>		<b>30,657</b>	<b>3,862</b>	<b>23,347</b>			<b>57,866</b>
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	
<b>2008 Total</b>		<b>51,596</b>	<b>59,702</b>	<b>22,980</b>	<b>8,775</b>		<b>143,053</b>
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

<sup>9</sup> The classification of expenditures under paragraph 14 of the Terms of Reference is explained in Table 2.

Year	Country	Paragraph 14 <sup>9</sup>					Total
		a	b	c	d	f	
	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
<b>2009 Total</b>		<b>78,370</b>	<b>74,488</b>	<b>11,123</b>			<b>163,981</b>
2010	Cook Islands	11,832					11,832
	Fiji		4,542				4,542
	India		3,160				3,160
	Kiribati	3,300				4,979	8,279
	Mozambique		4,999				4,999
	Namibia	5,459					5,459
	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	5,821					5,821
	Tonga	18,935					18,935
	Tuvalu	13,694					13,694
	Uruguay	6,734					6,734
<b>2010 Total</b>		<b>130,179</b>	<b>30,740</b>	<b>0</b>	<b>0</b>	<b>8,738</b>	<b>169,657</b>
<b>Total travel 2006-2010</b>		<b>311,223</b>	<b>214,521</b>	<b>57,450</b>	<b>8,775</b>	<b>8,738</b>	<b>600,707</b> 65%
<b>LOA 2008-2010 (Table 4)</b>							<b>296,472</b> 32%
<b>Administrative expenses 2006-2010 (Table 2)</b>							<b>29,114</b> 3%
<b>Total expenditure (Table 2)</b>							<b>925,988</b> 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	Expenditure	Commitments	TOTAL
		2009	2010 <sup>10</sup>	2011	
FFA - 228536 - Preparation of regional plan of action for the conservation and management of Sharks in the Pacific Islands	14 (d)	47,771			47,771
FFA - 240142 - Workshop on Proposed SPRFMO: awareness on roles and responsibilities - capacity and participation of FFA members.	14 (c)	32,074			32,074
SPC - 229962 - Training Workshop: Third Tuna Data Management Workshop	14 (f)	24,205			24,205
SPC - 232710 - Training Workshop: Tuna Stock and Ecological Risk Assessment	14 (f)	49,936			49,936
SPC - 246282 - Tuna Stock Data Workshops (April 2010): data-reporting obligations to WCPFC - regional stock assessments.	14 (f)		40,678	5,385	46,063
SPC - 246338 - Tuna Stock Assessment, Ecosystem and By-catch Workshops (June 2010): interpretation and use information.	14 (f)		42,359		42,359
FFA - 254292 (September 2010): Workshop on Port State Measures	14 (f)		54,064		54,064
<b>Total</b>		<b>153,986</b>	<b>137,101</b>	<b>5,385</b>	<b>296,472</b>

<sup>10</sup>Financial commitments for the two SPC Letters of Agreement (LOAs 246338 and 246282) were made in 2009 but expenditure on the two activities was incurred in 2010.





FOOD AND AGRICULTURE ORGANIZATION  
OF THE UNITED NATIONS

ROUTING SLIP

From Doulman, David Senior Fishery Liaison Officer	<i>[Signature]</i>	Div. FIPI	Room F409	Ext. 56752	Date 17/3/11
To		Div.	Room	Initials and Date	
1) Mr J-F. Pulvenis de Séligny Director		FIPX	F401	<i>[Signature]</i> 7/3/11	
2) Mr Árni Mathiesen FI ADG		FID	F302	<i>[Signature]</i> 22/3/11	
3) Back to Doulman		FIPI	F409		

Action       Approval       Signature       Comment       Information

**FINANCIAL REPORT AS AT 31 DECEMBER 2010 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**

I attach for your signature, if you agree, the above report. FAO compiles this report on an annual basis for UNDOALOS. I have had the report reviewed in CSFE by Mr Domenico Gargano, in keeping with past practice.





Our Ref.: UN3/15

Your Ref.:

Rome, 22 MAR 2011

Dear Mr Tarassenko,

**Financial report as at 31 December 2010 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.**

I have pleasure in attaching the above report on the status of the Assistance Fund as at 31 December 2010.

Please do not hesitate to revert to me if you have any queries.

With very best wishes.

Yours sincerely,

Árni M. Mathiesen  
Assistant Director-General  
Fisheries and Aquaculture Department

Mr Serguei Tarassenko  
Director  
Division for Ocean Affairs and the  
Law of the Sea  
Office of Legal Affairs  
United Nations  
New York NY 10017  
United States of America

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