

**Thirty First Meeting of States Parties to the
United Nations Convention on the Law of the Sea**
21–25 June 2021

**Voluntary trust funds administered by the Division for Ocean Affairs and
the Law of the Sea, Office of Legal Affairs**

**Statement by Vladimir Jares
Director of DOALOS/OLA**

Agenda item 14 (Other Matters)

President,
Distinguished Delegates,

Allow me to provide information on the current status and projected funding requirements of trust funds established by the General Assembly and administered by the Division for Ocean Affairs and the Law of the Sea, in particular those which relate to the Commission on the Limits of the Continental Shelf and cases before the International Tribunal for the Law of the Sea. I will also provide information concerning trust funds which provide financial assistance for the participation of representatives from developing countries in meetings held at United Nations Headquarters and contribute, inter alia, to the promotion, dissemination and wider appreciation of international law.

Regarding the *Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission*, I wish to inform the Meeting that, since the adjournment of the thirtieth Meeting of States Parties on 10 December 2020, contributions have been received from Canada, Costa Rica, France, Japan, Philippines, Portugal and Spain. These generous contributions have been acknowledged with thanks and are highly appreciated.

Due to the postponement of the sessions of the Commission, no funds from the Trust Fund have been required to defray the cost of participation of members of the Commission from developing countries. Thus, as at 31 May 2021, the balance

of the Fund available for disbursement, which factors in the programme support costs, was estimated to be **US \$566,000**.

The projected funding for travel and daily subsistence allowance that would be required to cover the costs of future participation of seven members of the Commission in in-person sessions is approximately \$148,000 per session, plus programme support costs. An additional cost of approximately \$34,000, plus programme support costs, would be incurred per session to provide reimbursement of the Headquarters medical insurance to seven members of the Commission. These estimates assume that the secretariat would receive the same number of requests for assistance as in the most recent in-person sessions.

The current status of the Trust Fund allows for providing financial assistance to support the participation of members of the Commission on the Limits of the Continental Shelf from developing States in the work of the Commission for the next few sessions. It also allows for reimbursement of the premium for the Headquarters medical insurance scheme, or of the costs of medical travel insurance or short-term medical insurance, in accordance with the authorizations contained in paragraphs 106 and 107 of General Assembly resolution 75/239.

As in-person sessions of the Commission resume, it is expected that, without additional contributions, this voluntary Trust Funds may again revert will to its previous chronically underfunded situation. Therefore, it is imperative that contributions by those who are in a position to make them continue to come in so as allow for the granting of assistance.

Concerning the *Voluntary Trust Fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, in compliance with article 76 of the United Nations Convention on the Law of the Sea*, no contributions applications for assistance have been received. As at 31 May 2021, the balance of the Fund available for disbursement was estimated to be **US \$427,000**.

I will turn now to the *Voluntary trust fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea*. Since the last Meeting of States Parties, contributions have been made by Finland and the Philippines. No applications for assistance have been received. As at 31 May 2021, the Fund balance available for disbursement was estimated to be **US \$166,000**.

With regard to the *Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea*, no contributions have been made since the last Meeting of States Parties. As at 31 May 2021, the Fund balance available for future disbursement was estimated to be **US \$110,000**.

We wish to note that, due to the impact of COVID19 pandemic, the 2020 fellowship was postponed to 2021, and that the 2020 fellow, Ms. Linda Bana of Ghana, had ultimately to conduct her fellowship virtually, given the continuing restrictions on international travel. I wish to recall, however, that for a number of years this fellowship Trust Fund has been chronically underfunded and without additional contributions it may continue to be so.

Concerning the *Voluntary Trust Fund for the Regular Process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects*, no contributions have been made since the last Meeting of States Parties. As at 31 May 2021 the Fund balance available for disbursement was estimated to be **US \$187,000**.

As to the *Voluntary Trust Fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, to attend meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea*, no contributions have been made since the last Meeting of States Parties. As at 31 May 2021 the Fund balance available for disbursement was estimated to be **US \$46,000**.

Given the virtual nature of the twenty-first *Open-ended Informal Consultative Process on Oceans and the Law of the Sea* meeting held last week, no funds from

the Trust Fund were required to defray the cost of participation of panellists or meeting participants from developing countries.

I now turn to the *Voluntary Trust Fund for the purpose of assisting developing countries, in particular the least developed countries, land-locked developing countries and small island developing States, in attending the meetings of the preparatory committee and an intergovernmental conference on the development of an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction*. Since the last Meeting of States Parties, a contribution was made by Estonia and the Division has been informed of a forthcoming contribution from France. As at 31 May 2021 the Fund balance available for disbursement was estimated to be **US \$136,000**.

Given the strong demand for assistance under this Fund, it is anticipated that, without additional contributions, the Division would not be in a position to satisfy all requests for assistance in respect of the future forth session of the Intergovernmental Conference.

Mr. President,

Allow me to take this opportunity to echo the words of appreciation contained in General Assembly resolution 75/239 addressed all States that have contributed to the voluntary trust funds in the last several years. However, despite these generous contributions, the chronic underfunding of many of these trust funds continues to persist. Among other things, shortages of funds result in a limited level of participation of representatives and experts from developing States in United Nations meetings and processes related to oceans. They also impact important capacity-building activities, such as the HSA fellowship. Although many meetings have been postponed and rescheduled last year as well as this year, when in-person meetings resume, it will critical that these funds are able to operate and fulfil their role.

Having provided an overview of the status of the trust funds administered by the Division, I would like to use this opportunity to recall the contributions process at the United Nations. All contributions made to a United Nations trust fund through inter-bank transfers are initially deposited against the United Nations general trust fund account. Upon receipt of a contribution and based on the instructions provided in the bank transfer, the Division will be notified that there is a possible contribution to a trust fund administered by it. The Division will then be requested to provide correspondence from the donor confirming the sum and the intent of the contribution. It is only when such confirmation is provided that funds are transferred to the specific trust fund account and are reflected in its balance.

It is thus very important to ensure that the intended beneficiary trust fund is clearly annotated in the transfer order and that related correspondence is received by the Division on a timely basis. Otherwise, it may take time for the funds to be properly allocated to the correct trust fund. Delays in allocation of the funds hampers the Division's ability to accurately and effectively administer trust funds, including with respect to reporting on fund balances and acknowledging contributions in a timely manner.

Mr. President,
Distinguished delegates

In conclusion, the Secretariat wishes to draw attention of the Meeting to the appeal, contained in General Assembly resolution 75/239, addressed to States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the Trust Funds. Allow me to note in this regard, Mr. President, that even small contributions, if made regularly by a large number of States, could contribute effectively to achieving the purposes of the Trust Funds.

Thank you