



**Enhancing Ocean Capacity**

**Capacity-building Programme of the  
Division for Ocean Affairs and the Law of the Sea**



October 2022



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# Foreword

The full and effective implementation of international law of the sea, as reflected in the United Nations Convention on the Law of the Sea and related instruments, depends on the capacity of States to effectively manage ocean spaces, resources and activities. Such implementation is also essential to meeting the ocean-related Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development, – including Goal 14, to conserve and sustainably use the oceans, seas and marine resources for sustainable development – fulfilling the commitments made under the Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway) and implementing the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014–2024. However, the reports of the Secretary-General on oceans and the law of the sea clearly illustrate that capacity-building in various areas of ocean affairs and the law of the sea remains a significant need for many States, in particular developing countries.

The General Assembly has emphasized that capacity-building is essential to ensure that States, especially developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, as well as coastal African States, are able to fully implement the Convention, benefit from the sustainable development of the oceans and seas and participate fully in global and regional forums on ocean affairs and the law of the sea. Indeed, although capacity-building is not directly referenced in the Convention, it remains at the core of its full and effective implementation and uniform and consistent application.

The framers of the Convention were keenly aware of the need for capacity-building, especially in the absence of any fund or assistance programme embedded within it. Although the Convention does not contain the term “capacity-building”, it does contain over 25 references to the need to help developing States and take their concerns into account. As recognized by the Convention, cooperation among States and international organizations is an effective means by which capacities can be developed in the field of ocean affairs and the law of the sea, including marine science. Indeed, in view of the interconnectivity of the oceans, assistance aimed at strengthening capacities to manage ocean-related activities in a sustainable manner would ultimately benefit all States.

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 (United Nations Fish Stocks Agreement) explicitly recognizes and addresses the need for specific assistance, including financial, scientific and technological assistance, in order that developing States can participate effectively in the conservation, management and sustainable use of straddling fish stocks and highly migratory fish stocks.

It is not surprising, then, that the Division for Ocean Affairs and the Law of the Sea of the Office of Legal

Affairs, which serves as secretariat to the Convention and the United Nations Fish Stocks Agreement, as well as various General Assembly processes on oceans and the law of the sea, has had conferred upon it by the Assembly a strong capacity-building mandate in oceans and the law of the sea. Indeed, the Secretariat continues to receive and respond to an increasing number of requests for capacity-building and technical assistance in ocean affairs and the law of the sea. The Assembly has recognized with appreciation the contribution of the Division to capacity-building activities at the national and regional levels, in particular the work of the Division in promoting wider appreciation of the Convention and in assisting with its implementation, through the provision of information, advice and assistance to States and intergovernmental organizations, as well as the support of the Division for Member States’ implementation of the relevant parts of the 2030 Agenda.

The present publication is aimed at raising awareness of the work being undertaken by the Division in the development and delivery of capacity-building projects and programmes and in the administration of trust funds to support the activities of States related to oceans and the law of the sea, thereby making them more accessible to potential beneficiaries and attractive to potential donors. Through this work, as well as other types of capacity-building activities of the Division, the Office of Legal Affairs is committed to continuing to partner with States and other stakeholders to address the gaps in ocean capacity that hamper the full and effective implementation of the Convention and related instruments, which form the framework for sustainable development.

**Miguel de Serpa Soares**

Under-Secretary-General for Legal Affairs  
and United Nations Legal Counsel

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# Introduction

The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs (previously the Office of the Special Representative of the Secretary-General for the Law of the Sea and then the Office for Ocean Affairs and the Law of the Sea ) has been providing information, advice and assistance to States and intergovernmental organizations in the field of oceans and the law of the sea since the adoption of the United Nations Convention on the Law of the Sea in 1982. The Division provides information, advice and assistance to States through its capacity-building programme and through the financial assistance made available to States through the voluntary trust funds the Division administers. Assistance is developed on the basis of needs, in close cooperation with beneficiaries and donors, as well as relevant intergovernmental organizations and development partners. Priority is given to developing States, in accordance with the terms of reference of each project or fund.

The importance of meeting the needs of States, especially developing States, was well recognized by the Third United Nations Conference on the Law of the Sea. Importantly, in 1981, this recognition was clearly articulated by the Secretary-General in a study on the future functions of the Secretary-General under the draft convention and on the needs of countries, especially developing countries, for information, advice and assistance under the new legal regime (A/CONF.62/L.76), which was requested by the General Assembly in its resolution 35/116. In 1983, the Secretary-General further identified the central importance of meeting such needs as one of the “basic requirements to be met in the institutional arrangements for the law of the sea” in his report to the Assembly on the Third United Nations Conference on the Law of the Sea (A/38/570 and A/38/570/Corr.1). In its resolution 38/59, the Assembly took special note of that report, including the reference therein to the increasing needs of States for information, advice and assistance. In 1984, the Secretary-General noted in his report on the law of the sea that requests for information, advice and assistance had grown perceptibly in the preceding year (A/39/647, para. 107).

Some four decades later, the Secretary-General continues to discharge those responsibilities entrusted to him pursuant to the mandates contained in the resolutions of the General Assembly on oceans and the law of the sea, sustainable fisheries and the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. The Secretary-General, in his bulletin on the organization of the Office of Legal Affairs (ST/SGB/2021/1), also provided for the current specific mandate of the Division in this regard.

The needs of Member States, in particular developing States, for information, advice and assistance have not stopped developing and growing. Consequently, the General Assembly continues to acknowledge those needs, and the important role of the Secretary-General, through the Division’s provision of information, advice and assistance to States through its capacity-building programmes. Most recently, in 2021, in its resolution 76/72, the Assembly repeated its invitation to the Secretary-General, in cooperation with Member States, international financial institutions, donor agencies and intergovernmental organizations, to endeavour to expand the capacity-building activities of the Division in order to meet the increased need for assistance to developing States. It also invited again these agencies, as well as non-governmental organizations and natural and juridical persons, to support the capacity-building activities of the Division, including by making earmarked voluntary contributions to the trust funds.

In addition to recognizing the importance of providing information, advice and assistance to States, the General Assembly has recognized the need for the

provision of financial assistance to developing States. In response to those needs, a number of trust funds and an assistance fund have been established by the Assembly and are administered by the Division. The funds respond to important needs recognized by the Assembly, namely the need to facilitate the work of United Nations bodies and processes in the field of oceans and the law of the Sea, assist developing States in participating in such bodies and processes, and support the implementation of the Convention and related agreements by developing States.

The funds provide a range of assistance and support, including the following: supporting the participation of the members of the Commission on the Limits of the Continental Shelf who are from developing countries in the meetings of the Commission and supporting developing States in the preparation of their submissions to the Commission; assisting developing States in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the meetings of the preparatory committee and the Intergovernmental Conference on the development of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction; and supporting developing countries with regard to certain other bodies and processes. In that regard, the trust funds and assistance fund play a crucial role in supporting the implementation of the Convention by developing States and in ensuring the inclusivity and effectiveness of the above-mentioned bodies and processes.

The 2030 Agenda for Sustainable Development and the Sustainable Development Goals are mainstreamed into the Division’s work, as are other contemporary and emerging topics of relevance to the beneficiaries of the Division’s capacity-building activities. Such topics include ocean governance, the science-policy interface, oceans and climate change, sustainable ocean-based economies (the “blue economy”), gender and the oceans, and marine environmental protection. United Nations organizational goals, including in relation to gender, have also been incorporated throughout the development and implementation of Division’s capacity-building programme.

The capacity-building programme plays a critical role in complementing the work of the Division with regard to the functions of the Secretary-General under the Convention and 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 (United Nations Fish Stocks Agreement). The Division serves as the secretariat for the implementing agreements.

The present publication, prepared pursuant to General Assembly resolution 75/239, paragraph 363, presents some of the main elements of the Division's capacity-building programme, described below.

### **1. Technical cooperation projects**

The Division's technical cooperation projects include a range of capacity-development activities at the multilateral and bilateral levels. Assistance to States, upon their request and in accordance with their needs, includes activities with respect to the application and implementation of the provisions of the Convention and its implementing agreements, as well as the development and implementation of ocean governance frameworks; ocean-related aspects of the 2030 Agenda and the Sustainable Development Goals; and sustainable ocean-based economies (the "blue economy"). Assistance is delivered through needs-based and responsive programmes, which are developed and delivered in partnership with the beneficiaries, donors and relevant partner institutions.

### **2. Fellowships and training**

The Division coordinates several fellowship programmes and provides training courses on a wide range of issues relating to ocean affairs and the law of the sea. The United Nations-Nippon Foundation capacity-building programmes include a series of

fellowships and training activities, as well as a vibrant alumni network. In partnership with and funded by the Nippon Foundation, the programmes are implemented by the Division in cooperation with various academic host institutions around the world. In addition, the Division manages the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, which provides a fellowship opportunity to qualified persons specializing in the law of the sea and ocean affairs. Other training activities of the Division include ad hoc briefings and contributions to training programmes organized by national, intergovernmental and non-governmental organizations in the field of oceans and the law of the sea.

### **3. Trust funds and assistance fund**

The Division administers a number of trust funds and an assistance fund, which facilitate the work of United Nations bodies and processes in the field of oceans and the law of the sea, ensure the participation of developing countries in such bodies and processes and support the implementation of the Convention and related agreements by developing States. The Division also assists States with respect to their voluntary contributions to the funds and their applications for assistance under the funds, and also administers awards given to States and related reporting procedures for each fund.

## **Other capacity-related activities of the Division**

Apart from the activities highlighted in the present publication, the Division is engaged in a range of other activities aimed at facilitating the full and effective implementation and uniform and consistent application of the Convention, including those described below.

### **Advisory services**

Advisory services are provided to States on issues related to the ratification of the Convention and related agreements; their uniform and consistent application and full and effective implementation, including the impact of the entry into force of the Convention in light of the rights and obligations of States arising therefrom; and on the harmonization of national rules and regulations with the provisions of the Convention. Advisory services to intergovernmental organizations pertain to analysis of the relationships of the existing and proposed instruments and programmes of these organizations on matters relating to oceans and the law of the sea within their respective areas of competence with the provisions of the Convention.

### **Studies and guidelines**

The Division carries out studies on, inter alia, State practice with regard to the law of the sea and the legislative history of particular provisions of the Convention. It also produces guidelines in respect of the practical application of many complex provisions of the Convention. Of particular note are the guidelines on maritime baselines, definition of the continental shelf, and marine scientific research. These [publications on the law of the sea](#) assist States and intergovernmental organizations in the uniform and consistent application of the relevant provisions of the Convention.

The Division has also prepared a training manual for delineation of the outer limits of the continental shelf beyond 200 nautical miles and for preparation of submissions to the Commission on the Limits of the Continental Shelf.

### **Reference collection and databases**

The Division maintains an extensive reference collection dealing with oceans and the law of the sea matters and provides library services to end-users.

The Division also maintains extensive databases containing national legislation and delimitation treaties, from almost all coastal countries of the world. Moreover, the Division maintains a geographical information system database on charts and/or lists of geographical coordinates and other related information deposited by States Parties to the Convention with respect to the limits of their maritime zones. The databases are used as tools for providing technical assistance to States in adopting and/or adapting national legislation in harmony with the Convention and delineating national maritime zones.

### Websites

The Division manages a number of websites relating to its activities that serve as important tool for dissemination and technical assistance. Through the websites, various materials, including publications, reports, legal materials and documents relating to oceans and the law of the sea, can be accessed.

The Division's websites include:

- General website of the Division on oceans and law of the sea, with information on all processes and activities the Division is involved in, available at [www.un.org/Depts/los](http://www.un.org/Depts/los).
- Website dedicated to the technical cooperation projects, fellowships and trust funds managed by the Division, available at [www.un.org/oceancapacity](http://www.un.org/oceancapacity).
- Website for the Intergovernmental Conference on 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 (BBNJ), for which the Division acts as the secretariat, available at [www.un.org/bbnj](http://www.un.org/bbnj).
- Website for the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, for which the Division acts as the secretariat, available at [www.un.org/regularprocess](http://www.un.org/regularprocess).



# **Part I**

# **Technical cooperation projects**

The Division's technical cooperation projects include a range of capacity-development activities at the multilateral and bilateral level. Assistance to States, upon their request and in accordance with their needs, may include activities related to the application and implementation of the provisions of the Convention and its implementing agreements, as well as the development and implementation of ocean governance frameworks; ocean-related aspects of the 2030 Agenda and the Sustainable Development Goals, and sustainable ocean-based economies (the "blue economy"). Assistance is delivered through needs-based and responsive programmes of assistance, which are developed and delivered in partnership with the beneficiaries and relevant institutions.

For more information, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## A. Programmes of assistance to meet the strategic capacity needs of developing countries in the field of ocean governance and the law of the sea

### **Division for Ocean Affairs and the Law of the Sea/ Norwegian Agency for Development Cooperation Ocean Governance Programmes**

*Strengthening the strategic capacity of developing States in ocean governance and the law of the sea for sustainable ocean economies*

#### **At a glance**

The DOALOS/Norad Ocean Governance Programmes provide capacity development and technical assistance for developing States over a four-year period to reinforce their capacity to implement the United Nations Convention on the Law of the Sea (the Convention) and related instruments, and to better harness the benefits of the blue economy including by taking measures to achieve the ocean related goals and targets of the 2030 Agenda for Sustainable Development.

#### **About**

The ocean provides countless benefits to States, including economic opportunities through the sustainable use and management of marine resources, ecosystem services such as coastal protection and weather regulation, as well as cultural, recreational and spiritual benefits.

To harness the potential of the ocean, developing States require adequate legal and institutional frameworks that foster sustainable ocean-based economies (the “blue economy”). Strengthening ocean governance thus provides an important foundation for achieving the 2030 Agenda for Sustainable Development.

The DOALOS/Norad Ocean Governance Programmes help beneficiary States to identify and address capacity gaps at the national and regional levels to overcome critical capacity-building barriers. Consequently, they enable the beneficiary States to better address strategically important and time-sensitive law of the sea and ocean governance issues, and ultimately, promote strengthened, sustainable and inclusive ocean economies.

The Programmes were launched in the fall of 2020 and are scheduled to run over a period of four years, concluding in 2024.

#### **Activities**

The project comprises three main activities:

##### **(a) Regional consultations:**

The Division is conducting consultations with regional intergovernmental organizations and others to gain insight in ongoing regional programmes and activities on ocean governance and to identify capacity-building needs and priorities in the region.

This project activity will deliver an inventory of ocean-related capacity-building needs and priorities within regions. It will also aid in the identification of existing programmes on ocean governance to determine how the project can complement or reinforce such initiatives through customized training courses and other capacity-building initiatives.

Since October 2020, consultations have been conducted with more than 20 regional organizations in Africa, the Asia-Pacific region and Latin America and the Caribbean. Topics that have been identified in an initial round of regional consultations as priority areas include maritime boundary delimitation, marine spatial planning, extended continental shelf, ocean governance and the blue economy.

##### **(b) Customized training courses:**

Reinforcing the capacity of government officials and relevant stakeholders is critical for the implementation of ocean governance strategies at the regional and national level. To enhance capacities and mutual understanding in different regions, the Division applies its extensive experience in developing and delivering customized regional or national courses on ocean affairs and the law of the sea, informed by the regional consultations and guided by regional and sub-regional needs and priorities.

The courses are open to government officials, officials from regional organizations and other relevant stakeholders. The nomination of female candidates is strongly encouraged.

Courses are delivered on prioritized topics such as ocean governance, the blue economy, marine spatial planning, maritime boundaries delimitation and extended continental shelf, among other areas.

##### **(c) National Ocean Governance Studies:**

Understanding ocean governance frameworks is fundamental to building sustainable ocean-based economies. By facilitating national ocean governance studies, the Division helps beneficiary

States gain strategic insights in their legal and institutional frameworks relating to ocean affairs and the law of the sea. This allows States to identify key needs and gaps, and enhance their implementation of the Convention and related instruments, the SDGs, strengthen their blue economy strategies and develop effective policies for relevant ocean sectors.

The Ocean Governance Study provides a high-level overview of the beneficiary State's legal and institutional frameworks on ocean affairs and the law of the sea, including in priority sectors identified by the State, as well as a prioritized inventory of capacity-building needs.

The Ocean Governance Studies are conducted by consultants from the region. To build capacity of local researchers, the project also seeks to involve early career ocean academics, such as a PhD student or post-doctoral researcher, in the studies. The Division supports the development of Ocean Governance Studies, building on its experience and expertise in ocean affairs and law of the sea.

Since 2020, National Ocean Governance Studies have been initiated in Ghana, Antigua and Barbuda, Viet Nam, Panama, Togo, Mozambique, Trinidad and Tobago, Cameroon, Mexico and Indonesia.

#### **Donor and partners**

Funding for the project is provided by the Government of Norway as part of its newly established Oceans for Development programme, which is managed by the Norwegian Agency for Development Cooperation (Norad).

The project activities are implemented by the Division, drawing on its long-standing experience in delivering responsive programmes of assistance in ocean affairs and the law of the sea.

#### **Participation**

Participation in the programme is open to States included on the Organisation for Economic Co-operation and Development's Development Assistance Committee's (OECD-DAC) list of Official Development Assistance eligible countries.

To participate in a National Ocean Governance Study, eligible States are invited to send a formal expression of interest to the Division.

Participation in customized training courses will be open to eligible candidates in relevant regions when the courses are announced.

For more information, please visit the capacity-building website of the Division ([www.un.org/ocean-capacity](http://www.un.org/ocean-capacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## **B. Evidence-based and policy-coherent oceans economy and trade strategies project**

*Assisting coastal developing countries and small island developing States to build competitive and sustainably managed ocean-based value chains within ocean affairs and law of the sea frameworks*

#### **At a glance**

The Evidence-based and policy-coherent oceans economy and trade strategies project, implemented by the United Nations Conference on Trade and Development (UNCTAD) in cooperation with the Division, aims at supporting coastal developing countries, and particularly small island developing States (SIDS), in realizing economic benefits from the sustainable use of marine resources and understanding the legal and institutional frameworks underpinning such potential.

It further assists coastal developing countries and key stakeholders in promoting the sustainable trade of products and services in ocean-based economic sectors by analyzing, elaborating and adopting evidence-based and policy-coherent oceans economy and trade strategies (OETS) and enhancing national implementing capacities.

#### **About**

With oceans-based economic sectors predicted to grow dramatically this decade, developments in technology and limits on land-based activities are transforming the oceans into promising new economic frontiers.

The ocean economy offers significant untapped opportunities in support of sustainable development, including the implementation of the SDGs, and particularly SDG 14 - to conserve and sustainably use the oceans, seas and marine resources.

This potential is of particular relevance to coastal developing States and small island developing States, which face numerous additional challenges when endeavouring to develop sustainable ocean economies. It is also increasingly clear that effective ocean governance frameworks must underpin sustainable ocean economies, and thus building ocean affairs and the law of the sea understanding and capacity remains a central priority for States.

#### **Activities**

To strengthen capacities of the target countries in elaborating, adopting and implementing evidence-based and policy coherent oceans economy and trade strategies (OETS) to promote sustainable trade of products and services in ocean-based economic sectors within the Convention framework, UNCTAD and the Division are implementing the OETS project in four phases:



- (a) assessment and formulation, including data analysis of ocean economy sectors and selection of two sectors in each beneficiary State;
- (b) validation and implementation, including OETS preparation, review and validation of findings and recommendations;
- (c) technical assistance and training, to support priority OETS actions for each beneficiary State; and
- (d) dissemination and knowledge sharing through regional workshops and sharing within multilateral events

Additional activities have been added to assess and address the impacts of the COVID-19 pandemic on the selected ocean economy sectors in each beneficiary State.

Some of the principal outcomes of the OETS project in the period from 2018 to 2021 have included:

- The completion and validation of ocean governance studies for Barbados, Belize and Costa Rica;
- The completion and validation of Ocean Economy Trade Strategies in Barbados, Belize and Costa Rica;
- Implementation of national capacity-building projects in relation to the development of a draft national plan for the adaptive management of multi-species fisheries and catch reporting methodology study for Belize and the establishment of a national collective brand identity for seafood from Costa Rica;
- The preparation of an analytical study of the impacts of COVID-19 pandemic on the selected OETS sectors in Barbados, Belize and Costa Rica; and
- The holding of a regional experience-sharing workshop in relation to the processes and outcomes of the OETS project.

#### **Donor and partners**

The project was funded through a grant from the United Nations Development Account (11th tranche).

It is implemented by the United Nations Conference on Trade and Development (UNCTAD) in cooperation with the Division.

#### **Participation**

The project's intended beneficiaries are coastal developing countries, and particularly SIDS. For the first project cycle (2018–2022) there are three beneficiary States: Barbados, Belize and Costa Rica.

Donors seeking to fund additional cycles of the OETS project are invited to contact the Division.

For more information, please visit the capacity-building website of the Division ([www.un.org/ocean-capacity](http://www.un.org/ocean-capacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## **C. PROBLUE ocean governance capacity-building training programme**

*Building regional capacity in ocean governance for sustainable ocean economies*

#### **At a glance**

Through online and in-person workshops, the Ocean Governance Capacity Building Training Programme aims at enhancing participants' understanding of relevant international law of the sea and facilitate the development and implementation of national legal and ocean governance frameworks, with a view to sustaining blue economies, including by mobilizing public and private financial resources for sustainable development..

#### **About**

The Ocean Governance Capacity Building Training Programme brings together a number of partner entities with a view to conducting a multi-component training programme on different aspects of oceans and the law of the sea under the aegis of the World Bank's PROBLUE fund. It is scheduled to run from 2021 to 2023.

Partners in the training programme have complementary missions with respect to capacity development for ocean governance and therefore have agreed to cooperate to design and deliver a training program on international law related to ocean governance and the legal framework for the blue economy, including relevant regional conventions, drawing on each Partner's respective areas of expertise. The World Bank is acting as the overall project coordinator.

The Division is the lead for training on the Convention, including national implementation, ocean governance frameworks, multilateral fisheries agreements, dispute settlement, marine scientific research, maritime security, as well as the blue economy and sustainable development.

#### **Activities**

The training programme aims to deliver its content through three main activities:

- (a) *Online workshops*, designed to provide an introduction to the legal framework for the ocean and seas, in particular the United Nations Convention on the Law of the Sea and related instruments, and ocean governance in a number of core modules, with an opportunity to develop knowledge in more specialized areas in the elective modules. Class preparation materials are provided on a learning platform, as well as prerecorded lectures and other asynchronous activities, followed by interactive live sessions.

- (b) *In-person workshops* for participants who have successfully completed the online workshops
- (c) *Self-paced e-learning course*, to be publicly available and designed primarily for participants who do not attend the online and in-person workshop.

In 2021, the Training Programme was delivered virtually through online workshops, in the Pacific subregion (in English) and in Africa (in English and French).

#### **Donor and partners**

The project is funded through PROBLUE, a multi-donor trust fund, housed at the World Bank, that supports the development of integrated, sustainable and healthy marine and coastal resources.

It is delivered in partnership with the Environment and International Law Unit of the Legal Vice Presidency of the World Bank, the International Seabed Authority, the Food and Agriculture Organization of the United Nations, the University of Melbourne Law School and the Centre de Droit Maritime et Oceanique of the University of Nantes.

#### **Participation**

The project is aimed at government officials, staff members of partner or collaborating organizations, relevant stakeholders working directly on issues concerning ocean governance, oceans policy, fisheries, marine pollution, conservation and biodiversity, maritime transport and shipping, marine scientific research, activities in the Area, or related thematic areas. They must be nationals of, or have a direct working relationship with, a developing State.

Calls for application are circulated through relevant networks with the details relating to workshop regional deliveries and dates, as well as application procedures.

For more information, please visit the capacity-building website of the Division ([www.un.org/ocean-capacity](http://www.un.org/ocean-capacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## **D. Training programme on marine scientific research under the United Nations Convention on the Law of the Sea**

*Enhancing the capacity of small island developing States and others to advance marine science and marine scientific research*

#### **At a glance**

The Marine Scientific Research Training Programme aims to promote and facilitate the development and conduct of marine scientific research in accordance with the United Nations Convention on the Law of the Sea (the Convention). It seeks to achieve this objective by increasing the awareness of developing coastal States and researching States of the relevant provisions of the Convention, and by strengthening the capacity of developing coastal States to implement the provisions on marine scientific research of the Convention and other relevant instruments.

The Training Programme was launched as part of the commitment of the Division and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC-UNESCO) to the Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway).

#### **About**

Marine science and marine scientific research ("MSR") play a critical role in sustainable development, as consistently recognized by the General Assembly in its annual resolutions on oceans and the law of the sea, as well as in the 2030 Agenda for Sustainable Development, in particular target 14.a.

Research, and the tools required to conduct it, are essential for the sustainable development of the oceans and the seas and their resources, including by supporting informed decisions on the conservation and sustainable use of the marine environment and its resources, and by helping to understand, predict and respond to adverse natural events and climate change.

The capacity to implement the relevant MSR provisions of the Convention as well as the provisions of other relevant instruments, is essential for coastal and researching States alike. A limited awareness of, and the capacity to implement, the relevant rights and obligations set out under the Convention hampers the full realization of benefits which can be derived from MSR, and in some cases can create obstacles to MSR itself.

## Activities

The Division, in partnership with IOC-UNESCO, has developed a training programme to deliver customized, (sub)regional courses covering the legal, technical and scientific aspects of MSR in the context of the implementation of the relevant provisions of the Convention, particularly with respect to the practice of consent procedures, to reinforce the participants' knowledge of the rights and obligations of coastal and researching States.

The multidisciplinary approach of the courses provides a unique opportunity for information sharing on MSR national policies, laws and practices, as well as practices under relevant international instruments. Additionally, specialized break-out streams allow for in-depth training for each category of participants according to their roles and functions in the implementation of the MSR provisions under the Convention.

Training teams include recognized experts in their respective fields and other experts to be drawn, as necessary, from relevant United Nations entities, competent international organizations, relevant regional organizations, governments, research institutes and academia. To the extent possible, the training teams include experts from, or familiar with, the particular (sub)region where the course is being held. Course content and materials are adapted according to specific regional needs and in consultation with the relevant partners and experts.

With the generous support of the Korea Maritime Institute (KMI), the training programme was delivered for small island developing States from 7–11 December 2015 in Busan, Republic of Korea, in collaboration with the Pacific Community (SPC), and from 2–5 May 2017 in Castries, St. Lucia, in cooperation with the Organization of Eastern Caribbean States (OECS) and the IOC Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE). A third training programme was delivered from 6–10 May 2019 in Oostende, Belgium, in cooperation with the OceanTeacher Global Academy (OTGA) with priority given to participants from North African countries and Europe.

## Partners

The Training Programme was launched by the Division and IOC-UNESCO as part of their commitment to the Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway), which was formally adopted by the Third International Conference on Small Island Developing States in 2014. The SAMOA Pathway has reaffirmed that international law, as reflected in the United Nations Convention on the Law of the Sea, provides the legal framework for the conservation and sustainable use of oceans and their resources, and called, inter alia, for the promotion and support of national,

subregional and regional efforts to assess, conserve, protect, manage and sustainably use the oceans, seas and their resources by supporting research. It has identified the need to provide technical assistance in the field of MSR.

## Participation

The Training Programme is directed at individuals from developing coastal States and researching States responsible for and/or involved in the implementation of the provisions of the Convention on MSR, in particular those having a role in the consent procedure under the Convention.

Application procedures will be announced well in advance of deliveries.

For more information, please visit the capacity-building website of the Division ([www.un.org/ocean-capacity](http://www.un.org/ocean-capacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## E. Customized capacity-building programmes in ocean affairs and the law of the sea

*Needs-based and demand-driven capacity-building programmes in ocean affairs and the law of the sea*

### At a glance

The Division develops and delivers customized capacity building programmes at the national, subregional or regional levels that are needs-based and demand-driven, on request and subject to the availability of resources. Based on consultation with beneficiaries and donors, the programmes may provide capacity-building activities on oceans and the law of the sea in general and/or offer specialised training on issues such as maritime delimitation, the work of the Commission on the Limits of the Continental Shelf, marine scientific research, legal and institutional aspects of ocean governance, the development of sustainable ocean-based economies (the “blue economy”) and the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 14.

## Activities

Recent and ongoing activities include:

### (a) Kingdom of Saudi Arabia Training Programme

At the request of the General Commission for Survey (GCS) of the Kingdom of Saudi Arabia, the Division assisted in the training of GCS personnel in the field of ocean affairs and the law of the sea in early 2022.

The Division delivered a training programme

to provide an overview of the legal and institutional framework for the sustainable management of the ocean, namely: the 1982 United Nations Convention on the Law of the Sea (the Convention), related legal and institutional frameworks at all levels, and the interaction of these with the 2030 Agenda for Sustainable Development to build sustainable ocean-based economies. The training also focused on specific technical aspects, including maritime boundary delimitation and dispute settlement.

The course was delivered in Riyadh by the Division, with the assistance of subject matter experts, in January–March 2022..

The United Nations Development Programme (UNDP), through the office of its Resident Representative, assists with the administration and implementation of the course.

(b) *Somalia Programmes of Assistance*

In November 2013, the Federal Government of Somalia requested the Secretary-General of the United Nations for technical assistance with regard to the implementation of the Convention. In response, the Division developed a project funded by the United Nations Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, namely:

Project 61: Building the knowledge and capacity of Somali legislators and technical officials regarding the rights and duties of the maritime zones set out in the United Nations Convention on the Law of the Sea (2 September 2014–28 February 2018).

The project built the knowledge and capacity of Somali legislators and technical officials regarding the rights and duties in the maritime zones set out in the Convention, including in relation to the repression of piracy, in order to assist Somalia in developing an overarching legal framework for the effective governance of its maritime domain and the sustainable development of its resources in conformity with the Convention.

Outputs included briefings for Somali parliamentarians, delivered in October 2014 and September 2017; an in-depth training programme for mid- to high-level government officials, delivered in July 2015; the preparation of a substantive gap analysis and ocean governance study; and strategic fellowships for Somali officials.

Following the successful completion of Project 61, and pursuant to a request by the Federal Government of Somalia in June 2018, the Division developed an advanced training programme to reinforce the outcomes of project 61 and to

address critical capacity gaps in ocean affairs with the civil service of Somalia:

Project 89: Providing assistance to Somali legislators and technical officials to facilitate the development of an effective legal framework for the governance of Somalia's maritime zones and the sustainable development of its marine resources in conformity with the 1982 United Nations Convention on the Law of the Sea and related instruments, in furtherance of Somalia's national interests and priorities (June 2019–July 2021).

The project further reinforced the understanding and capacity of Government officials from the various entities which are actively working on ocean issues and relevant technical officials drawn from all the regions of Somalia, with regard to the international legal framework under the Convention and other relevant international legal instruments for the repression of piracy as well as the management and sustainable use of marine resources and activities.

Outputs included an online training course, delivered from 15 May to 30 June 2021; and a technical training programme for maritime law enforcement authorities, delivered virtually from 10 to 25 November 2020.

Both projects were funded by the United Nations Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and received logistical and administrative support from the United Nations Assistance Mission to Somalia (UNSOM).

### **Partners**

Depending on identified needs, the Division partners with relevant experts and intergovernmental organizations to deliver the programmes.

### **Participation**

Eligibility for participation in each programme is determined in consultation with beneficiaries and donors.

For more information, please visit the capacity-building website of the Division ([www.un.org/ocean-capacity](http://www.un.org/ocean-capacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).



## Part II

# Fellowships and training

The Division coordinates several fellowship programmes and provides training courses on a wide range of issues relating to ocean affairs and the law of the sea. The United Nations – Nippon Foundation Capacity-building Programmes include a series of fellowships and training activities, as well as a vibrant alumni network. In partnership with, and funded by the Nippon Foundation, these programmes are implemented by the Division and academic host institutions. In addition, the Division manages the Hamilton Shirley Amerasinghe Memorial Fellowship programme, which provides support to qualified persons specialized in the law of the sea and ocean affairs. Other training activities of the Division include ad hoc briefings and contributions to training programmes sponsored by national, intergovernmental, and non-governmental organizations in the field of oceans and the law of the sea.

For more information, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## A. United Nations-Nippon Foundation capacity-building programmes

### At a glance

Activities being undertaken pursuant to the United Nations – Nippon Foundation Capacity-building Programmes currently include two fellowship programmes, as well as other activities coordinated under the auspices of the Programme's extensive alumni network to ensure long-term and continued capacity development. The Programmes are conducted in partnership with, and are funded by the Nippon Foundation, and are implemented by the Division, in collaboration with the Nippon Foundation and academic host institutions.

### About

The purpose of the various training activities operating under the umbrella of the United Nations – Nippon Foundation (UNNF) Capacity-Building Project “Human Resources Development and Advancement of the Legal Order of the World’s Oceans” is to develop the capacity of States, particularly developing States, to sustainably manage their ocean resources and to effectively implement the law of the sea, as reflected in the United Nations Convention on the Law of the Sea and related instruments. It does so through targeted training programmes building an increasing core of ocean professionals in developing countries, and in particular least developed countries (LDCs), land-locked developing countries (LLDCs) and small island developing States (SIDS), able to support and drive their national institutions in implementing necessary actions. Themes covered during the trainings include:

- (a) Maritime zones, their definition and due publicity requirements, including lines of delimitation and the outer limits of the extended continental shelf, particularly with a view to providing legal certainty;
- (b) Maritime security, including cross-sectoral approaches to law enforcement;
- (c) Sustainable fisheries;
- (d) Sustainable development of non-living resources, as well as renewable energy resources;
- (e) Protection and preservation of the marine environment, including marine biological diversity, and addressing the impacts of pollution, including marine debris, plastics and micro-plastics;
- (f) Marine scientific research, integrated assessments, and science-policy interfaces;

- (g) Human dimension of the law of the sea, including gender considerations across sectors;
- (h) Integrated management tools, including area-based management, disaster risk reduction and multi-hazard management; and
- (i) Peaceful settlement of disputes.

In addition to these themes, capacity is built in support of integrated ocean governance frameworks that support sustainable ocean-based economies and that are climate responsive and resilient, and that would comprehensively address the above and other challenges, at all scales and across sectors.

The consistent and accelerating evolution of ocean affairs engenders additional and evolving capacity needs for ocean professionals. The Programmes therefore also support the development of an extensive alumni network, through which previous participants can continue to develop their skills and engage in global collaboration to ensure long-term and continued capacity development.

### Activities

In partnership with, and funded by, the Nippon Foundation, the following programmes are implemented by the Division in collaboration with the Nippon Foundation and academic host institutions.

## 1. UNNF Fellowship Programme

This Fellowship provides advanced training and research opportunities in the fields of ocean affairs, the law of the sea, and related disciplines, including the science-policy interface, to Government officials and ocean professionals from developing States. It aims to provide the necessary knowledge and skills for developing States to formulate comprehensive ocean policies and implement the Convention, its related instruments, and the Sustainable Development Goals.

The UNNF Programme lasts nine months and is structured as follows:

- (a) Three months of training on ocean affairs and the law of the sea and research upon an agreed topic at the Division for Ocean Affairs and the Law of the Sea;
- (b) Six months of training at a participating academic institution, where Fellows are able to conduct supervised research and prepare theses on their topics.

At this time, 14 awards are made for the UNNF Fellowship Programme each year. 179 awards have been made under the UNNF Fellowship Programme since 2004 to nationals of 74 countries.



## 2. Strategic Needs Fellowship

This Fellowship provides needs-based capacity assistance in the implementation of the Convention and related instruments, as well as the Sustainable Development Goals. It is aimed at addressing strategic and specific needs identified by the participants and their Governments.

This assistance is provided to Government officials from developing States, in particular, small island developing States and least developed countries, who are filling key positions but have limited experience in ocean affairs and the law of the sea.

The Strategic Needs Programme lasts four months, during which Fellows are provided with in-depth highly customized training on ocean affairs and the law of the sea, with a focus on those areas in which States have identified strategic capacity barriers.

At this time, 11 awards are made for the UNNF Strategic Needs fellowship each year.

## 3. Fellowships and training programmes previously conducted under the auspices of the UNNF Capacity-building Programmes

Under the Sustainable Ocean Programme, which ran from 2018 to 2021, additional fellowships and training programmes were implemented by the Division in partnership with the Nippon Foundation.

### *The Critical Needs Fellowship (2018-2021)*

The Critical Needs Fellowship aimed to enable the most vulnerable States, particularly least developed countries, small island developing States, and landlocked developing countries, to better address strategically important and time-sensitive issues facing them in ocean affairs and the law of the sea. This Programme has been subsumed under the Strategic Needs Fellowship (see above).

Fourteen awards were made under the Critical Needs Fellowship Programme to nationals of 14 States.

In addition, between 2015 and 2017, three awards were made under the Strategic Fellowship Programme, which was the precursor to this Programme.

### *Thematic Fellowship (2018–2021)*

Under the theme “The implementation of the 2030 Agenda for Sustainable Development through the Convention and ocean governance frameworks,” the Thematic Fellowship aimed at increasing the capacity of States to formulate and implement ocean policies and regulatory frameworks for sustainable development and in support of the implementation of the 2030 Agenda for Sustainable Development.

Thirty-four awards were made under the Thematic Fellowship Programme to nationals of 30 States.

### *BBNJ Training Programme (2018-2021)*

The United Nations - Nippon Foundation Training Programme to Reinforce Capacity in the Context of the Intergovernmental Conference on 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 (“BBNJ Training Programme”) aimed at reinforcing the capacity of representatives from developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, to effectively engage in the Intergovernmental Conference. To that end, the Programme provided participants the opportunity to:

- (a) Increase awareness of the purpose, history and procedural aspects of the Intergovernmental Conference;
- (b) Increase knowledge of the substantive issues being discussed during the Intergovernmental Conference; and
- (c) Enhance capacity to participate in and negotiate at the Intergovernmental Conference.

The BBNJ Training Programme consisted of modules on: (i) historical development of the process dealing with the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction and other related processes; (ii) the relevant provisions of the Convention and other relevant legal instruments and frameworks; (iii) “the package of issues” under consideration, namely the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology, as well as cross-cutting issues; and (iv) procedural aspects.

182 individuals participated in the BBNJ Training Programme.



## Participation

The UNNF capacity-building programmes are aimed at government officials and other mid-level ocean professionals from developing States. A total of 208 individuals from 91 countries have been trained pursuant to the various UNNF capacity-building programmes since their inception in 2004.

Candidates must:

- Be nominated by their Government, employer or competent organization;
- Be a mid-level professional working directly on ocean issues;
- Possess a first university degree in a related discipline;
- Be between the ages of 25 and 40;
- Be in a position to obtain all relevant visas, including transit visas; and
- Be able to accept the Fellowship for four (Strategic Needs Fellowship) or nine (UNNF Fellowship) consecutive months.

When a call for applications has been made, the application process is simple:

- (a) Complete the application form, including the nomination form;
- (b) Submit your application by the deadline posted on the website.

For more information, please visit the UNNF pages on the capacity-building website of the Division ([www.un.org/oceancapacity/UNNF](http://www.un.org/oceancapacity/UNNF)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## B. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea

### At a glance

The Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea assists candidates from developing countries in acquiring additional knowledge of the United Nations Convention on the Law of the Sea, in order to promote its wider appreciation and application, and to enhance specialized experience in those fields.

### About

The Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea (HSA) was established by General Assembly resolutions 36/79 and 36/108 of 9 and 10 December 1981, respectively, in recognition of the contribution of the late Hamilton Shirley Amerasinghe to the Third United Nations Conference on the Law of the Sea as its President. The Fellowship is an activity carried out within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and implemented by the Division.

The Fellowship is intended, primarily, for government officials as well as research fellows or lecturers who are involved in ocean law or maritime affairs, or related disciplines, either in government or educational institutions and bodies. The purpose of the Fellowship is to assist candidates to acquire additional knowledge of the United Nations Convention on the Law of the Sea, in order to promote its wider appreciation and application, and to enhance specialized experience in those fields.

### Activities

The HSA Fellowship normally comprises a three-month practicum at the Division for Ocean Affairs and the Law of the Sea, followed by a six-month academic placement at a participating institution of higher learning.

The Fellowship covers:

- (a) United Nations-purchased economy-class ticket for the fellow, from their place of residence to New York, then to the place of their academic placement, and back to their place of residence; and
- (b) A monthly stipend to cover all living costs while in New York and at the place of their academic placement.

For the conditions of the Fellowship, including regarding travel, stipend payments, visas, medical clearance, insurance and housing, please see the Fellowship webpage at [www.un.org/oceancapacity/HSA](http://www.un.org/oceancapacity/HSA).

### **Participation**

Candidates must have a degree in Law, Marine Sciences, Political Science, Ocean Management or technical training in Ocean Management, Administration of Ports or in related disciplines; they must have at least five years work-related experience; and they must be between the ages of 25 and 40 years.

Call for applications will be posted on this website as well as distributed to States and other institutions.

Applications may be submitted by governments, institutions or directly by individuals. The applications include:

- (a) The Personal History and Proposed Research Study Programme Form. This Form must be completed legibly by the candidate. Each question must be answered clearly and completely in order to ensure that the application will be processed; and
- (b) The Nomination Form (optional). This Form must be completed and signed by an official of any government or governmental agency or other institution.

Application forms are available at [www.un.org/oceancapacity](http://www.un.org/oceancapacity) or by contacting the Division for Ocean Affairs and the Law of the Sea.

For more information, please visit the HSA Fellowship page on the capacity-building website of the Division ([www.un.org/oceancapacity/HSA](http://www.un.org/oceancapacity/HSA)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).



## Part III

# Trust funds and assistance fund

The Division administers a number of voluntary trust funds and an assistance fund, to facilitate the work of United Nations bodies and processes in the field of oceans and the law of the Sea, to ensure the participation of developing countries in such bodies and processes and to support the implementation of the Convention and related instruments. The Division assists Member States with respect to contributions, applications, awards and reporting.

For more information, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## A. Trust fund to defray the cost of participation of members from developing countries in the meetings of the Commission on the Limits of the Continental Shelf

### At a glance

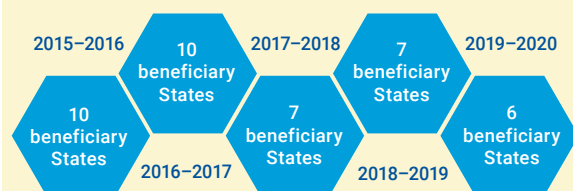
The CLCS trust fund (Members) assists with defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission.

### About

General Assembly resolution 55/7 requested the Secretary-General to establish a voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission and invites States to contribute to the fund.

General Assembly resolution 75/239 authorized on an exceptional basis that the trust fund reimburse the members of the Commission from developing States, for the premium paid for Headquarters medical insurance scheme, subject to the availability of funds following the allocation of the required funds to cover the costs of travel and daily subsistence allowance of the members of the Commission from developing States for the sessions of the Commission during the annual insurance coverage period (1 July–30 June); and in case the full costs of the Headquarters medical insurance scheme have not been reimbursed, as an interim measure and subject to the availability of funds following the allocation of the required funds to cover the costs of travel and daily subsistence allowance of the members of the Commission from developing States for the sessions of the Commission in 2021, that the trust fund reimburse those members for the costs of medical travel insurance and short-term medical insurance on a session-by-session basis and subject to a reasonable limit that the Secretary-General shall determine, based on the information regarding medical travel insurance available.

### CLCS Trust Fund (Members)



### Assistance

Assistance may be provided from the trust fund for the following:

- United Nations-purchased economy-class roundtrip ticket to New York City;
- United Nations daily subsistence allowance (DSA) to assist with living expenses; and
- Reimbursement for the premium paid for the Headquarters medical insurance scheme, or medical travel insurance and short-term medical insurance (subject to conditions set out in General Assembly resolution 75/239 of 31 December 2021).

### Eligibility

Assistance may be provided to members of the Commission from developing States upon the request of their nominating State through their Permanent Mission to the United Nations.

### How to apply

All applications for financial assistance must be made through an official communication from a State's Permanent Mission to the United Nations, requesting assistance for a member of the Commission from that State, specifying:

- Which sessions of the Commission assistance is being sought for (up to all three sessions for given year may be requested in one communication);
- What type of assistance is being sought (air travel,

daily subsistence allowance, and/or reimbursement for travel medical insurance/Headquarters medical insurance scheme); and

- (c) What assistance, if any, is being provided by the State.

Application forms can be obtained by contacting the Division for Ocean Affairs and the Law of the Sea.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## B. Trust fund to facilitate the preparation of submissions to the Commission on the Limits of the Continental Shelf, and compliance with article 76 of the United Nations Convention on the Law of the Sea

### At a glance

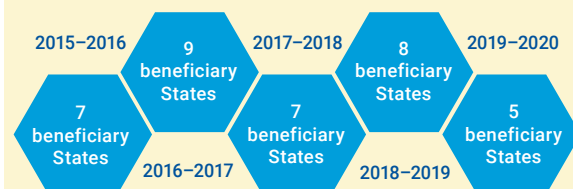
The CLCS trust fund (Submissions) assists developing States, in particular the least developed countries and small island developing States, with the preparation of submissions to the Commission on the Limits of the Continental Shelf.

### About

By resolution 55/7, the General Assembly requested the Secretary-General to establish a voluntary trust fund to provide training for technical and administrative staff, and technical and scientific advice, as well as personnel, to assist developing States, in particular the least developed countries and small island developing States, for the purpose of desktop studies and project planning, and preparing and submitting information under article 76 and annex II to the Convention in accordance with the procedures of the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf.

The initial terms of reference were set out in Annex II to General Assembly resolution 55/7, and later amended by the annex to resolution 58/240, the annex to resolution 70/235, and the annex to resolution 73/124.

### CLCS Trust Fund (Submissions)



### Assistance

Assistance may be provided from the trust fund for the following purposes:

- Training of technical and administrative staff;
- Desktop study or other means to make an initial assessment of the nature of the continental shelf and its limits;
- Working out of plans for the acquisition of necessary additional data and mapping projects;
- Preparation of final submission documents;
- Air travel and daily subsistence allowance for up to three members of a delegation when the Commission or relevant subcommission has invited that delegation to attend its meeting or session, except in cases where a joint submission of three or more States is being considered, for which a maximum of six members total of such a joint delegation may receive assistance; and

- (f) Advisory/consultancy assistance related to the above points.

Note: the United Nations will make arrangements for travel funded under this trust fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the evening of the last day of the proceedings, or the following day if necessary for travel-related reasons.

### Eligibility

An application for financial assistance from the trust fund may be submitted by any developing State, in particular the least developed countries and small island developing States, who are Members of the United Nations and party to the Convention.

### How to apply

All applications for financial assistance must clearly specify whether the application is for a reimbursement or a grant, and include an application form with the following information for each purpose:

- (a) Training of technical and administrative staff;
- (b) Specification of the goal of the training and which positions the trainees are intended to fill afterwards;
- (c) Information on the training institute(s) in question;
- (d) Copy of the training course(s);
- (e) Curriculum vitae of the trainees, including their date of birth; and
- (f) An itemized statement of the estimated costs for which assistance is requested.

Desktop study or other means to make an assessment of the nature of the continental shelf and its limits:

- (a) A short description of the aim of the study;
- (b) An overview map of the area in question;
- (c) An overview, as complete as possible, of the database already available to the State;
- (d) An outline of how the work will be done and what tools are available (software and hardware);
- (e) A specification of what will be done by the State's own staff, and what will be contracted for; and
- (f) An itemized statement of the estimated costs for which assistance is requested.

Working out of plans for the acquisition of necessary additional data and mapping projects:

- (a) A summary of the status of knowledge of the continental margin, preferably based on a previous desktop study;

- (b) A preliminary assessment of the needs for specific additional data and/or information in accordance with the requirements of article 76 and annex II to the Convention, and annex II to the Final Act of the Third United Nations Conference on the Law of the Sea; and
- (c) An itemized statement of the estimated costs for which assistance is requested.

Preparation of final submission documents:

- (a) A specification of what kind of assistance is needed; and
- (b) An itemized statement of the estimated costs for which assistance is requested.

Air travel and daily subsistence allowance when the Commission or relevant subcommission has invited a delegation to attend its meeting or session:

- (a) A copy of the communication from the Commission inviting the State to attend its meeting or session;
- (b) A communication from the requesting Government(s) nominating the delegate(s) which will attend a meeting or session of the Commission or subcommission, and indicating the dates during which each of the delegate(s) will be required to attend such meeting or session; and
- (c) A copy of the passport information page and advice of the telephone number and email address for each delegate nominated to attend a meeting or session.

Advisory/consultancy assistance related to the above points:

- (a) A copy of the contract between the Government and the technical or scientific expert in question; and
- (b) An itemized statement of the costs for which assistance is requested.

Application forms can be obtained by contacting the Division.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## C. Trust fund to assist developing countries in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

### At a glance

The Informal Consultative Process (ICP) trust fund assists developing States, in particular least developed countries, small island developing States and landlocked developing States, in attending meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea.

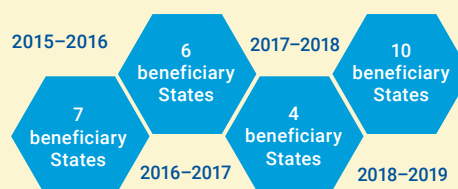
### About

In 1999, the General Assembly decided to establish the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea in order to facilitate the annual review by the Assembly, in an effective and constructive manner, of developments in ocean affairs and the law of the sea by considering the report of the Secretary-General on oceans and the law of the sea and by suggesting particular issues to be considered by it, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced (resolution 54/33).

By operative paragraph 45 of its resolution 55/7 on oceans and the law of the sea (adopted on 30 October 2000), the General Assembly requested the Secretary-General to establish a voluntary trust fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (the "Consultative Process").

In operative paragraph 140 of its resolution 62/215 on oceans and the law of the sea (adopted on 22 December 2007), the General Assembly decided that those representatives from developing countries who are invited by the co-chairpersons of the Consultative Process to make presentations during the meetings of the Consultative Process ("panellists") should receive priority consideration in the disbursement of funds from the voluntary trust fund established by resolution 55/7 in order to cover the costs of their travel, and should also be eligible to receive daily subsistence allowance subject to the availability of funds after the travel costs of all other eligible representatives from eligible countries are covered.

### ICP Trust Fund



### Assistance

Assistance may be provided by the trust fund for the following:

- An economy-class round-trip ticket to New York City purchased by the United Nations;
- United Nations daily subsistence allowance to assist with living expenses for panellists only, subject to the availability of funding.

Note: the United Nations will make arrangements for travel funded under this trust fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the evening of the last day of the proceedings, or the following day if necessary for travel-related reasons.

### Eligibility

Developing States, in particular least developing States, small island developing States and landlocked developing States may nominate one representative as a delegate or propose a panellist for selection by the Co-Chairs of the Informal Consultative Process.

### How to apply

The nominating State must request the Division for financial assistance from the voluntary trust fund through its Permanent Mission, for the delegate who will attend the meeting, clearly indicating the following:

- The name, date of birth and detailed contact



information for the delegate;

- (b) The dates during which the delegate will be required to attend the meeting;
- (c) What assistance with respect to travel, if any, will be provided to the delegate by the Government.

Additionally, a completed application package must be submitted with the following:

- (a) Completed and signed application form;
- (b) Copy of the delegate's official passport biodata page;
- (c) Completed and signed F.249 form, together with a

copy of a bank statement or a voided cheque;

- (d) Valid visa or Electronic System for Travel Authorization (ESTA), as appropriate, for travel to the United States of America.

Application forms can be obtained by contacting the Division.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## D. Trust fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea

### At a glance

The International Tribunal for the Law of the Sea (ITLOS) trust fund assists States in the settlement of disputes through the International Tribunal for the Law of the Sea.

### About

This trust fund was established in 2000 by the Secretary-General in accordance with General Assembly resolution 55/7 and pursuant to the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea (Tribunal) of 18 December 1997 (resolution 52/251, annex).

In its resolution 55/7, the General Assembly noted with satisfaction the continued contribution of the Tribunal to the peaceful settlement of disputes in accordance with Part XV of the Convention, and underlined its important role and authority concerning the interpretation or application of the Convention and the Agreement relating to the implementation of Part XI of the Convention.

The General Assembly further encouraged States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invited States to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration. In paragraph 9 of that resolution, the Assembly requested the Secretary-General to establish a voluntary trust fund to assist States in the settlement of disputes through the Tribunal, and to report annually to the Meeting of States Parties to the Convention on the status of the fund.

According to its terms of reference, the purpose of the fund is to provide financial assistance to States parties to the Convention for expenses incurred in connection with cases submitted, or to be submitted, to the Tribunal, including its Seabed Disputes Chamber and any other Chamber. Under the terms of reference, assistance should be provided only in appropriate cases, principally those proceeding to the merits where jurisdiction is not an issue, but in exceptional circumstances may be provided for any phase of the proceedings.

The terms of reference also provide for a list of offers of professional assistance which may be made by suitably qualified persons or bodies.

### Assistance

Assistance may be granted from the trust fund for the following:

- (a) Preparing the application and the written pleadings;
- (b) Professional fees of counsel and advocates for written and oral pleadings;
- (c) Travel and expenses of legal representation in Hamburg during the various phases of a case;
- (d) Execution of an Order of Judgment of the Tribunal, such as marking a boundary in the territorial sea.

Note: the United Nations will make arrangements for travel funded under this trust fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the evening of the last day of the proceedings, or the following day if necessary for travel-related reasons.

### Eligibility

Assistance may be provided to States parties to the Convention who have, or are about to submit cases to the Tribunal, including its Seabed Disputes Chamber and any other Chamber, and primarily where cases are proceeding to the merits and where jurisdiction is not an issue. Exceptionally, States may be provided with assistance for other phases of proceedings.

### How to apply

The State must request the Division for financial assistance from the voluntary trust fund through its Permanent Mission in New York.

- (a) It must submit a completed application form, providing information on the case and details on the expenditures for which assistance is requested

(including copies of estimates or receipts documenting each of these);

- (b) A commitment to supply a certified final statement of account of the expenditures. This is a prerequisite to the disbursement of assistance from the trust fund. The United Nations cannot disburse funds without receipt from the requesting State of an audited statement of account.

Application forms can be obtained by contacting the Division.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## E. Trust fund to support the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

### At a glance

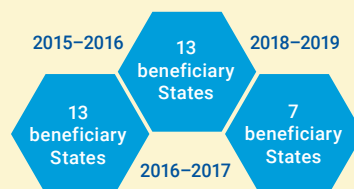
The Regular Process trust fund provides support to experts from developing countries, in particular least developed countries, small island developing States and landlocked developing States, so that they may attend the meetings of the Ad hoc Working Group of the Whole.

### About

At the World Summit on Sustainable Development, held in Johannesburg, South Africa, in 2002, States agreed to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments. In 2008, in paragraph 157 of resolution 63/111, the General Assembly established an Ad Hoc Working Group of the Whole to recommend a course of action to the Assembly at its sixty-fourth session.

The trust fund was established by the General Assembly in 2009 in its resolution 64/71, paragraph 183, in order to support the operations of the regular process by providing assistance to the experts from developing countries, in particular least developed countries, small island developing States and landlocked developing States, so that they may attend the meetings of the Ad hoc Working Group of the Whole.

### Regular Process Trust Fund



### Assistance

Assistance may be provided from the trust fund for the following:

- (a) An economy-class round-trip ticket to New York City purchased by the United Nations;
- (b) United Nations daily subsistence allowance to assist with living expenses (subject to the availability of funding).

Note: the United Nations will make arrangements for travel funded under this trust fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the evening of the last day of the proceedings, or the following

day if necessary for travel-related reasons.

### Eligibility

Assistance may be provided to an expert from a developing country accepted into the pool of experts for the Regular Process.

### How to apply

Completed applications for assistance, and proof of relevant visas, must be received by the respective deadlines.

A completed application consists of:

(a) Completed application form;

- (b) A copy of the biodata page of the passport;
- (c) A copy of relevant visa(s), including transit visas, as may be required.

Application forms can be obtained by contacting the Division.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## F. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea trust fund for the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

### At a glance

The Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea trust fund assists candidates from developing countries in acquiring additional knowledge of the United Nations Convention on the Law of the Sea, in order to promote its wider appreciation and application, and to enhance specialized experience in those fields.

### About

The Fellowship is intended, primarily, for government officials, as well as research fellows or lecturers who are involved in ocean law or maritime affairs, or related disciplines, either in government or educational institutions and bodies. The purpose of the Fellowship is to assist candidates to acquire additional knowledge of the United Nations Convention on the Law of the Sea, in order to promote its wider appreciation and application, and to enhance specialized experience in those fields.

It was created in 1981, in memory of the late Hamilton Shirley Amerasinghe of Sri Lanka, the first President of the Third United Nations Conference on the Law of the Sea (1973–1980), in recognition of his contribution to the development of the law of the sea. Hamilton Shirley Amerasinghe had been Chairman of the Ad hoc Committee to Study the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction from 1967 to 1970 and, subsequently,

of the Standing Committee for the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction, from 1970 to 1973.

The Fellowship was established by the General Assembly in 1981 in its resolution 36/108 on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and in its resolution 36/79 on the Third United Nations Conference on the Law of the Sea.

The Fellowship is an activity carried out within the framework of the United Nations Programme of Assistance in the Teaching, Study and Wider Dissemination of International Law (TLA trust fund).

### Hamilton Shirley Amerasinghe Memorial Fellowship



### Assistance

The Fellowship normally comprises a three-month practicum at the Division for Ocean Affairs and the Law of the Sea, followed by a six-month academic placement at a participating institution of higher learning. Assistance may be provided from the trust fund for the following:

- (a) An economy-class ticket purchased by the United Nations for the fellow for travel from their place of residence to New York, then to the place of their academic placement and back to their place of residence;

- (b) A monthly stipend to cover all living costs while in New York and at the place of their academic placement.

For more information on eligibility and applications, please see section II.B on the Hamilton Shirley Amerasinghe Fellowship.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## G. Trust fund to assist developing countries, 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

### At a glance

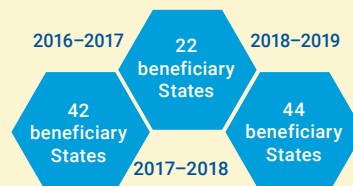
The BBNJ trust fund assists delegates from developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, in attending the meetings of the BBNJ Preparatory Committee and the BBNJ Intergovernmental Conference.

### About

Pursuant to General Assembly resolution 69/292 of 19 June 2015, a special voluntary trust fund was established for the purpose of assisting developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, in attending the meetings of the Preparatory Committee and the Intergovernmental Conference by providing for economy round-trip airfares for delegates.

Pursuant to General Assembly resolution 72/249 of 24 December 2017, the trust fund includes daily subsistence allowance in addition to defraying the costs of economy-class travel, limiting requests for assistance from this trust fund to one delegate per State for each session.

### BBNJ Trust Fund



### Assistance

Assistance may be provided from the trust fund to one representative per delegation for the following:

- (a) An economy-class round-trip ticket to New York City purchased by the United Nations;
- (b) United Nations daily subsistence allowance to assist with living expenses.

Note: the United Nations will make arrangements for travel funded under this trust fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the

evening of the last day of the proceedings, or the following day if necessary for travel-related reasons.

### Eligibility

The purpose of the trust fund is to provide financial assistance to representatives of developing countries, in particular least developed countries, small island developing States and landlocked developing States to participate in the Intergovernmental Conference. Assistance is limited to one representative per delegation designated by their Government and selected as recipient.

### How to apply

The application package, to be sent by Governments through their permanent missions to the United Nations, must contain the following:

- (a) Communication from the Government requesting financial assistance from the voluntary trust fund for the delegate who will attend the meeting, clearly indicating the following: the name, date

of birth and detailed contact information for the delegate; the dates during which the delegate will be required to attend the meeting; and what assistance with respect to travel, if any, will be provided to the delegate by the Government;

- (b) Completed and signed application form;
- (c) Copy of the passport biodata page and any required visas for the delegate;
- (d) Completed and signed F.249 banking form for the delegate and verification of bank account information (e.g., voided check).
- (e) Application forms can be obtained by contacting the Division.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).

## H. 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

### At a glance

The Fish Stocks Part VII assistance fund is administered by the Food and Agriculture Organization of the United Nations and assists developing States in implementing the 1995 United Nations Fish Stocks Agreement.

### About

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 (Agreement) addresses the requirements of developing States.

Within Part VII, article 25 of the Agreement requires States parties to cooperate, either directly or through subregional, regional or global organizations, to enhance the ability of developing States, in particular the least-developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to

develop their own fisheries for such stocks, to enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries subject to articles 5 and 11 of the Agreement, and to facilitate their participation in subregional and regional fisheries management organizations and arrangements.

Article 25 of the Agreement further provides that cooperation with developing States for the purposes of that article shall include the provision of financial assistance, assistance relating to human resources development, technical assistance, transfer of technology, including through joint venture arrangements, and advisory and consultative services. Such assistance, pursuant to article 25 (3), shall inter alia be directed specifically towards improved conservation and management of straddling fish stocks and highly migratory fish stocks through collection, reporting, verification, exchange and analysis of fisheries data and related information, as well as stock assessment and scientific research and monitoring, control, surveillance,

compliance and enforcement, including training and capacity-building at the local level, development and funding of national and regional observer programmes and access to technology and equipment.

Under article 26 of the Agreement, States are required to cooperate to establish special funds to assist developing States in the implementation of the Agreement, including assisting developing States to meet the costs involved in any proceedings for the settlement of disputes to which they may be parties.

Created by the General Assembly in its resolution 58/14, in which the Assembly established an Assistance Fund under Part VII of the Agreement to assist developing States in implementing the Agreement, its terms of reference were most recently amended in 2019 by the fourteenth round of Informal Consultations of States Parties to the United Nations Fish Stocks Agreement.

The revised terms of reference now allow for donors to make contributions through donor agreements for specific activities which meet any of the purposes of the fund. These activities may be undertaken through capacity-building projects or programmes to be implemented by the Division or by the Food and Agriculture Organization of the United Nations.

#### Fish Stocks Part VII Assistance Fund



#### Assistance

Assistance may be provided from the trust fund for the following:

- (a) An economy-class round-trip ticket to attend relevant regional and international meetings, purchased by the United Nations;
- (b) United Nations daily subsistence allowance to assist with living expenses;
- (c) Establishing new regional and subregional fisheries organizations;
- (d) Building capacity for activities in key areas such

as effective exercise of flag State responsibilities, monitoring, control and surveillance, data collection and scientific research;

- (e) Facilitating exchange of information and experience on the implementation of the Agreement;
- (f) Proceedings for the settlement of disputes between States parties concerning the interpretation or application of the Agreement.

Note: the United Nations will make arrangements for travel funded under this assistance fund, and in all cases assistance will be provided for travel in economy class which follows the most cost-effective route, arriving the day before the proceedings and departing the evening of the last day of the proceedings, or the following day if necessary for travel-related reasons.

#### Eligibility

Assistance may be provided to a developing State Party to the Convention and to the 1995 Fish Stocks Agreement or a regional or subregional organization applying on behalf of such a developing State.

#### How to apply

A complete application must be received at least one month prior to the beginning of the meeting or programme for which assistance is requested: no exceptions will be made. A completed application consists of:

- (a) An official communication, such as a letter or note verbale, from a government entity requesting assistance;
- (b) A completed application form;
- (c) For travel-related assistance: a copy of the biodata page of the passport and a copy of relevant visa(s), including transit visas, as may be required.

Application forms can be obtained by contacting the Division for Ocean Affairs and the Law of the Sea.

For more information, including on how to make contributions to the assistance fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).



## I. Trust fund for the UN-Oceans Focal Point and database (of mandates of UN-Oceans members)

### At a glance

The UN-Oceans trust fund for the UN-Oceans Focal Point and database provides support for the development and maintenance of an online searchable database for an inventory of the mandates of UN-Oceans members and priorities approved by the respective governing bodies of the participating organizations of UN-Oceans, and for travel associated with the performance of the functions of the Focal Point.

### About

As set out in General Assembly resolution 68/70, UN-Oceans is an inter-agency mechanism that seeks to enhance the coordination, coherence and effectiveness of competent organizations of the United Nations system and the International Seabed Authority, in conformity with the United Nations Convention on the Law of the Sea, the respective competences of each of its participating organizations and the mandates and priorities approved by their respective governing bodies.

UN-Oceans was established to: strengthen and promote coordination and coherence of United Nations system activities related to ocean and coastal areas; regularly share ongoing and planned activities of participating organizations within the framework of relevant United Nations and other mandates with a view to identifying possible areas for collaboration and synergy; facilitate, as appropriate, inputs by its participating organizations to the annual reports of the Secretary-General on oceans and the law of the sea and on sustainable fisheries to be submitted to the Secretariat; and facilitate inter-agency information exchange, including sharing of experiences, best practices, tools and methodologies and lessons learned in ocean-related matters. The Legal Counsel/Division for Ocean Affairs and the Law of the Sea is the Focal Point of UN-Oceans.

The General Assembly, in resolutions 69/245 and 72/73, urged Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons, to make financial earmarked contributions to the trust fund established by the Secretary-General for the Office of Legal Affairs to support the promotion of international law, and authorized the Secretary-General to disburse funds from such contributions to that trust fund for the purposes of the development and maintenance of an online searchable database for an inventory of the mandates of UN-Oceans members and priorities approved by the respective governing bodies of the participating organizations of UN-Oceans, with a view to identifying possible areas of collaboration and synergy, as well as for travel associated with the performance of the functions of the Focal Point.

### Assistance

Assistance may be provided from the trust fund for the following:

- (a) The development and maintenance of an online searchable database for an inventory of the mandates of UN-Oceans members and priorities approved by the respective governing bodies of the participating organizations of UN-Oceans;
- (b) Travel associated with the performance of the functions of the Focal Point.

For more information, including on how to make contributions to the trust fund, please visit the capacity-building website of the Division ([www.un.org/oceancapacity](http://www.un.org/oceancapacity)) or contact the Division via [doalos@un.org](mailto:doalos@un.org).





## Annex

# **Terms of reference for trust funds and assistance fund**

## I. 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 countries in the meetings of the Commission

### A. Mandate of the Trust Fund

1. By operative paragraph 20 of its resolution 55/7 on Oceans and the Law of the Sea, the General Assembly requested the Secretary-General to establish a voluntary fund for: the participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission.

### B. Voluntary contributions

2. The Fund is open to all voluntary contributions from States and other interested entities.

### C. Use of the Fund

3. The purpose of the fund is to assist the members of the Commission on the Limits of the Continental Shelf from developing States in participating in the meetings of the Commission. Assistance would cover both travel expenses and daily subsistence allowance. Applications will be considered in the

order in which they are received.

### D. Financial Regulations and Rules

4. The Financial Regulations and Rules of the United Nations shall apply to the administration of the Fund. The Fund shall be subject to the auditing procedures provided therein.

### E. Implementing Office

5. The Legal Counsel shall be the Programme Manager of the Fund.

### F. Revision

6. The Secretary-General may revise the above, if circumstances so require.

## II. 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, and compliance with article 76 of the United Nations Convention on the Law of the Sea

Terms of reference, guidelines and rules as set out in Annex II to General Assembly resolution 55/7, and amended by the annex to General Assembly resolution 58/240, the annex General Assembly resolution 70/235, and the annex to General Assembly resolution 73/124

### A. Reasons for establishing the trust fund

1. Promoting and developing the marine scientific and technological capacity of developing States, in

particular the least developed countries and small island States, with a view to accelerating their social and economic development, is essential for the effective implementation of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Convention").

2. Coastal States intending to establish the outer limits of their continental shelf beyond 200 nautical miles from the baseline from which the breadth of their territorial sea is measured are required by article 76 of the Convention to submit the relevant data

and information to the Commission on the Limits of the Continental Shelf ("the Commission"). In accordance with article 4 of annex II to the Convention, the particulars of such limits should be submitted to the Commission within 10 years of the entry into force of the Convention for that State. The earliest deadline for submission for States was 13 May 2009.

3. Developing States, in particular the least developed countries and small island developing States, may face difficulties in complying with the time limit for submissions to the Commission. The Trust Fund is intended to assist these States in complying with the requirements relating to a submission to the Commission.

4. Under article 3, paragraph 1 (b), of annex II to the Convention, the Commission may provide scientific and technical advice, if requested by the coastal States concerned, during the preparation of the data to be submitted in accordance with article 76.

5. The Commission has adopted an outline for a five-day training course in order to facilitate the preparation of submissions in accordance with its Scientific and Technical Guidelines. The course is to be developed and delivered by interested Governments, international organizations and institutions which possess the necessary expertise and facilities. The Commission has likewise prepared a basic flow chart illustrating the preparation of submissions by coastal States.

6. The delineation of the continental shelf of a coastal State in accordance with article 76 and annex II to the Convention and annex II to the Final Act of the Third United Nations Conference on the Law of the Sea ("the Final Act") requires a programme for hydrographic and geoscientific surveying and mapping of the continental margin. The complexity and scale, and hence the costs involved, of such a programme will vary greatly from State to State according to the different geographical and geophysical circumstances. A first approach will always involve an assessment of the particular case at hand, followed by planning of appropriate projects for further data acquisition. Such projects require the contracting of high-level scientific/technical expertise and modern technology. By nature, the costs in such data acquisition projects are substantial. In addition to contributing to the Voluntary Fund herein established, the international community should make every effort to facilitate the full implementation of article 76 both financially and in any other possible way or capacity.

7. The initial assessment and the project planning itself will require qualifications in hydrography and geosciences in addition to a full understanding of the relevant provisions of the Convention. The final preparation of a submission, including additional

information with respect to submissions and revised or new submissions, to the Commission also requires high-level expertise in geosciences and hydrography.

8. The United Nations has extensive experience in providing assistance to countries for their industrial and economic development. This experience could be extended and utilized to assist States in implementing their rights and obligations under article 76 of the Convention.

## B. Objects and purpose of the Trust Fund

9. The object of the Fund is to enable developing States, in particular, the least developed coastal countries and small island developing States, to make an initial assessment of their particular case, make appropriate plans for further investigations and data acquisition, to prepare the final submission documents, as well as subsequent amended and/or revised submission documents, to maintain the capacity of developing States while waiting for their submission to be assigned to a subcommission for examination, and to meet with the Commission when it is considering their submission upon the Commission's invitation.

10. The data acquisition campaigns themselves are not the object of the Fund.

11. An initial assessment of the nature of the continental shelf of a coastal State is often made in the form of a desktop study, which is a review and compilation of all existing data and information. Decisions for further action and/or planning for further data acquisition and mapping projects will be based on such a study.

12. The purpose of the Fund is to provide, in accordance with the terms and conditions specified in the Financial Regulations and Rules of the United Nations:

- (a) Training to the appropriate technical and administrative staff of the coastal State in question, in order to enable them to perform initial desktop studies and project planning, or at least to take full part in these activities;
- (b) Funds for such studies and planning activities, including funds for advisory/consultancy assistance if needed.

13. The preparation of the final submission documents, as well as subsequent amended and/or revised submission documents, will have to meet the requirements of article 76 and annex II to the Convention (and for some States, annex II to the Final Act) and the Scientific and Technical Guidelines of the Commission. The training should take this into account and aim at enabling the State's personnel also to prepare most of these documents themselves. The preparation of the submission may induce costs that

may be met by funds from the Fund (e.g. software and hardware equipment, technical assistance, etc.).

### C. Contributions to the Fund

14. The Secretary-General invites States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions as well as natural and juridical persons to make voluntary financial or other contributions to the Fund.

### D. Application for financial assistance

15. An application for financial assistance from the Fund may be submitted by developing States, in particular the least developed countries and small island developing States, who are parties to the Convention.

16. The purpose of the financial assistance applied for should be specified. Financial assistance may be sought for the following purposes:

- (a) Training of technical and administrative staff;
- (b) Desktop study or other means to make an initial assessment of the nature of the continental shelf and its limits;
- (c) Working out of plans for the acquisition of necessary additional data and mapping projects;
- (d) Preparation of final, amended and/or revised submission documents;
- (e) Advisory/consultancy assistance related to the above points; and
- (f) Air travel and daily subsistence allowance for up to three members of a delegation when the Commission or relevant subcommission has invited that delegation to attend its meeting or session, except in cases where a joint submission of three or more States is being considered, for which a maximum of six members total of such a joint delegation may receive assistance.

17. Detailed information under each of these purposes should be provided as follows:

- (a) Training of technical and administrative staff  
The application shall be accompanied by:
  - (i) A specification of the goal of the training and which positions the trainees are intended to fill afterwards;
  - (ii) Information on the training institute(s) in question;
  - (iii) A copy of the training course(s);
  - (iv) The curriculum vitae of the trainees, including

their date of birth; and

- (v) An itemized statement of the estimated costs for which assistance is requested.
- (b) Desktop study or other means to make an assessment of the nature of the continental shelf and its limits  
The application shall be accompanied by:
    - (i) A short description of the aim of the study;
    - (ii) An overview map of the area in question;
    - (iii) An overview, as complete as possible, of the database already available to the State;
    - (iv) An outline of how the work will be done and what tools are available (software and hardware);
    - (v) A specification of what will be done by the State's own staff, and what will be contracted for; and
    - (vi) An itemized statement of the estimated costs for which assistance is requested.

- (c) Working out of plans for the acquisition of necessary additional data and mapping projects

The application shall be accompanied by:

- (i) A summary of the status of knowledge of the continental margin, preferably based on a previous desktop study;
- (ii) A preliminary assessment of the needs for specific additional data and/or information in accordance with the requirements of article 76 and annex II to the Convention, and annex II to the Final Act; and
- (iii) An itemized statement of the estimated costs for which assistance is requested.

- (d) Preparation of final, amended and/or revised submission documents

The application shall be accompanied by:

- (i) A specification of what kind of assistance is needed; and
- (ii) An itemized statement of the estimated costs for which assistance is requested.

- (e) Advisory/consultancy assistance related to the above points

The application shall be accompanied by:

- (i) A copy of the contract between the Government and the technical or scientific expert in question; and
- (ii) An itemized statement of the costs for which assistance is requested.

- (f) Air travel and daily subsistence allowance when the Commission or relevant subcommission has invited a delegation to attend its meeting or session

The application shall be accompanied by:

- (i) A copy of the communication from the Commission inviting the State to attend its meeting or session;
- (ii) A communication from the requesting Government(s) nominating the delegate(s) which will attend a meeting or session of the Commission or subcommission, and indicating the dates during which each of the delegate(s) will be required to attend such meeting or session; and
- (iii) A copy of the passport information page and advice of the telephone number and email address for each delegate nominated to attend a meeting or session.

18. In all these cases the application shall be accompanied by an undertaking that the requesting State shall supply a final statement of account providing details of the expenditures made from the approved amounts, to be certified by an auditor acceptable to the United Nations.

## E. Consideration of applications

19. Each request for financial assistance shall be considered by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs ("the Division"), which acts as the secretariat of the Commission.

20. The Division may engage an independent panel to assist in the examination of applications on the basis of section 4 above and to recommend the amount of financial assistance to be given. The panel shall be composed of the Chairs of the United Nations Regional Groups; each Chair may designate one representative from their Regional Group to attend on their behalf. However, no person from a State with an application before the panel and no sitting Commission member should serve on this independent panel.

21. In considering the application, the Division shall be guided by the following, in order of priority:

- (a) the need to assist States requesting assistance with their initial submission to the Commission;
- (b) the need to assist least developed countries and small island developing States;
- (c) the need to assist developing States to prepare additional data requested by the subcommission analysing their submission;

- (d) the need to assist developing States to participate in meetings with the Commission or one of its subcommissions upon an invitation by the Commission;

- (e) the need to assist developing States to maintain their capacity while waiting for their submission to be assigned to a subcommission for examination; and
- (f) the need to assist developing States to prepare revised and/or amended submissions.

The order in which applications are received, the availability of funds and the overall level of assistance provided so far to a State requesting assistance shall also be taken into consideration. Assistance with revised or amended submissions will be limited to one approved application per developing State; in the case of joint submissions each State involved in the joint submission may seek such assistance.

## F. Granting of assistance

22. The Secretary-General will provide financial assistance from the Fund for requests approved on the basis of the evaluation and recommendation of the Division on the advice of the Panel of Experts. Payments will be processed by the Organization in accordance with standard practices.

## G. Application of article 5 of annex II to the Convention

23. Nationals of the coastal State making the submission who are members of the Commission and any Commission member who has assisted a coastal State by providing scientific and technical advice with respect to the delineation shall not be a member of the subcommission dealing with that submission but has the right to participate as a member in the proceedings of the Commission concerning the said submission. In an effort to promote transparency and to give full effect to article 5 of annex II to the Convention there should be full disclosure by Commission members, Trust Fund recipients and training sponsors to the Division of any pre-submission contacts.

## H. Reporting requirements for full disclosure

24. Interested Governments, international Organizations and institutions who provide any training for which any costs are reimbursed by this Fund are strongly encouraged to provide the complete list of participants to the Division.

25. Commission members who participate in any

activities pursuant to this Fund shall disclose this information to the Division.

26. Upon submission to the Commission of its information on the limits of its continental shelf pursuant to article 76 of the Convention, a coastal State that has received assistance from this Fund shall disclose this information, including the involvement of any Commission members.

### I. Application of the Financial Regulations and Rules of the United Nations

27. The Financial Regulations and Rules of the United Nations shall apply to the administration of the Fund. The Fund shall be subject to the auditing procedures provided therein.

### J. Reporting to the General Assembly

28. An annual report on the activities of the Fund, including details of the contributions to and disbursements from the Fund, will be made to the General Assembly.

### K. Implementing office

29. The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs is the implementing office for the Fund and will provide the services required for the operation of the Fund.

### L. Revision

30. The General Assembly may revise the above if circumstances so require.

## III. Trust fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

### A. Mandate of the Trust Fund

1. By operative paragraph 45 of its resolution 55/7 on oceans and the law of the sea (adopted 30 October 2000), the General Assembly requested the Secretary-General to establish a voluntary trust fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (the "Consultative Process").

2. In operative paragraph 140 of its resolution 62/215 on oceans and the law of the sea (adopted on 22 December 2007), the General Assembly decided that those representatives from developing countries who are invited by the co-chairpersons of the Consultative Process to make presentations during the meetings of the Consultative Process ("panellists") shall receive priority consideration in the disbursement of funds from the voluntary trust fund established by resolution 55/7 in order to cover the costs of their travel, and shall also be eligible to receive daily

subsistence allowance subject to the availability of funds after the travel costs of all other eligible representatives from eligible countries are covered.

### B. Voluntary contributions

3. The Fund is open to voluntary contributions from States and other interested entities.

### C. Use of the Fund

4. The purpose of the Fund is to provide financial assistance to representatives of developing countries, in particular least developed countries, small island developing States and landlocked developing States. The Fund will cover the costs of the economy round-trip air fares from the capitals of the countries of the representatives designated by their Governments and selected as recipients. It will also cover daily subsistence allowance for panellists from developing countries subject to the availability of funds after the travel costs of all other eligible and selected representatives from developing countries are covered.

## D. Applications for financial assistance

5. An application for financial assistance from the Fund may be submitted by any developing country which is a Member of the United Nations and/or party to the United Nations Convention on the Law of the Sea. The Permanent Mission of the requesting State shall send a formal communication to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs ("the Division") requesting financial assistance from the Fund and providing the name, the date of birth and detailed contact information of the designated representative.

## E. Consideration of applications

6. Each request for financial assistance shall be considered by the Division, which is the secretariat that services the Consultative Process.

7. In considering the application, the Division shall be guided by:

- (a) the need to give priority disbursement to panelists from developing countries;
- (b) the need to give priority to requests for assistance to least developed countries, small island developing States and landlocked developing States;
- (c) the need to finance the participation of one participant per State;

(d) the need for equitable geographical representation;

(e) the timeliness of applications; and

(f) the availability of funds.

8. If the number of requests for assistance exceed the availability of funds, the Division may engage an advisory panel of experts composed of one representative from each of the regional groups to assist the Division with the evaluation of the requests for assistance and the selection of the recipients.

## F. Financial regulations and rules

9. The Financial Regulations and Rules of the United Nations shall apply to the administration of the Fund. The Fund shall be subject to the auditing procedures provided therein.

## G. Implementing Office

10. The Legal Counsel shall be the Programme Manager of the Fund. The Division is the implementing office for the Fund.

## H. Revision

11. The Secretary-General may revise the above, if circumstances so require.

# IV. Trust fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea

## A. Reasons for establishing the Trust Fund

1. Part XV of the United Nations Convention on the Law of the Sea ("the Convention") provides for the settlement of disputes. In particular, article 287 specifies that States are free to choose one or more of the following means:

- (a) The International Tribunal for the Law of the Sea;
- (b) The International Court of Justice;
- (c) An arbitral tribunal; and
- (d) A special arbitral tribunal.

2. The Secretary-General already operates a Trust Fund for the International Court of Justice (see A/47/444). The Permanent Court of Arbitration has

established a Financial Assistance Fund. The burden of costs should not be a factor for States, in making the choices under article 287, in deciding whether a dispute should be submitted to the Tribunal or in deciding upon the response to an application made to the Tribunal by others. For these reasons, it was decided to create a Trust Fund for the International Tribunal for the Law of the Sea ("the Tribunal").

## B. Object and purpose of the Trust Fund

3. This Trust Fund ("the Fund") is established by the Secretary-General in accordance with General Assembly resolution 55/7 and pursuant to the Agreement on Cooperation and Relationship between the United Nations and the Tribunal of 18 December 1997 (resolution 52/251, annex).



4. The purpose of the Fund is to provide financial assistance to States parties to the Convention for expenses incurred in connection with cases submitted, or to be submitted, to the Tribunal, including its Seabed Disputes Chamber and any other Chamber.

5. Assistance, which will be provided in accordance with the following terms and conditions, should only be provided in appropriate cases, principally those proceeding to the merits where jurisdiction is not an issue, but in exceptional circumstances may be provided for any phase of the proceedings.

### C. Contributions to the Fund

6. The Secretary-General invites States, inter-governmental organizations, national institutions, non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Fund.

### D. Application for assistance

7. An application for assistance from the Fund may be submitted by any State party to the Convention. The application should describe the nature of the case which is to be, or has been, brought by or against the State concerned and should provide an estimate of the costs for which financial assistance is requested. The application should contain a commitment to supply a final statement of account of the expenditures made from approved amounts, to be certified by an auditor acceptable to the United Nations.

### E. Panel of experts

8. The Secretary-General will establish a panel of experts, normally three persons of the highest professional standing, to make recommendations on each request. The task of each panel is to examine the application and to recommend to the Secretary-General the amount of the financial assistance to be given, the phase or phases of the proceedings in respect of which assistance is to be given and the types of expenses for which the assistance may be used.

### F. Granting of assistance

9. The Secretary-General will provide financial assistance from the Fund on the basis of the recommendations of the panel of experts. Payments will be made against receipts showing expenditures made in respect of approved costs. The latter may include:

(a) Preparing the application and the written pleadings;

(b) Professional fees of counsel and advocates for written and oral pleadings;

(c) Travel and expenses of legal representation in Hamburg during the various phases of a case; and

(d) Execution of an Order of Judgment of the Tribunal, such as marking a boundary in the territorial sea.

### G. Application of the Financial Regulations and Rules of the United Nations

10. The Financial Regulations and Rules of the United Nations will apply to the administration of the Fund, including the procedures for audit.

### H. Reporting

11. An annual report on the activities of the Fund, including details of the contributions to and disbursements from the Fund, will be made to the Meeting of States Parties to the Convention.

### I. Implementing office

12. The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs is the implementing office for this Fund and provides the services for the operation of the Fund.

### J. Offers of professional assistance

13. The implementing office also maintains a list of offers of professional assistance which may be made on a reduced fee basis by suitably qualified persons or bodies. If an applicant for assistance so requests, the implementing office will make the list of offers available to it for its consideration and decision; both financial and other assistance may be extended in respect of the same case or phase thereof.

### K. Revision

14. The General Assembly may revise the above if circumstances so require.

## V. Trust fund for the regular process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects

### A. Establishment

1. By operative paragraph 183 of its resolution 64/71 on oceans and the law of the sea (adopted 4 December 2009), the General Assembly requests the Secretary-General to establish a voluntary trust fund for the purpose of supporting the operations of the first five-year cycle of the regular process, including for the provision of assistance to the experts referred to in paragraph 180 from developing countries, in particular least developed countries, small island developing States and landlocked developing States, attending the meeting of the Ad Hoc Working Group of the Whole in 2010, as well as a special scholarship fund to support training programmes for developing countries, and encourages Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to contribute to the funds.

### B. Purpose

2. The purpose of the Fund is: (a) to support the operations of the first five-year cycle of the regular process; (b) to provide assistance to the experts from developing countries, in particular least developed countries, small island developing States and landlocked developing States, so that they may attend the meeting of the Ad hoc Working Group of the Whole in 2010; and (c) to provide a special scholarship fund to support training programmes for developing countries.

### C. Contributions

3. Contributions to the Fund can be made by Governments, intergovernmental and non-governmental organizations, private institutions and individuals. Contributions may only be accepted by the Assistant Secretary-General, Controller.
4. Contributions in cash to the Fund may be accepted in United States dollars or other fully convertible currencies.
5. Any financial contributions which are accompanied by an indication of the specific activities for which they are earmarked shall be assigned the appropriate electronic code for such activities.
6. Any interest income derived from contributions to the Fund shall be credited to the Fund in accordance

with the applicable United Nations regulations, rules, policies and procedures. In addition, any interest income derived from financial contributions earmarked for specific activities shall be earmarked for the same activities.

7. The Controller has designated the following bank account in which the resources of the Fund shall be kept:

J.P. Morgan Chase  
International Agencies Banking  
1166 Avenue of the Americas  
New York, USA  
10036-2708

United Nations General Trust Fund Account  
Account Number: 485-001969  
ABA Number: 021-000-021

Swift Code: CHASUS33

Earmarked for Trust fund for the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

### D. Authority

8. The Fund shall be administered in conformity with the United Nations Financial Regulations and Rules and with the relevant policies and procedures. Exceptions to such rules, policies and procedures are not permissible, unless specifically authorized by the Secretary-General or on his behalf by the Assistant Secretary-General, Controller, or by the Assistant Secretary-General or OHRM, as appropriate.

### E. Administration and Implementation Arrangements

9. The Division for Ocean Affairs and Law of the Sea, Office of Legal Affairs, is mandated by the General Assembly to provide support for the Regular Process Global Reporting and Assessment of the State of the marine environment, including socio-economic aspects, and shall be the implementing office for the Trust Fund.

10. For the purpose of ensuring proper financial controls, the Under-Secretary-General, the Legal Counsel,

shall be the Programme Manager of the Fund and the Executive Officer of the Office of Legal Affairs shall be Certifying Officer.

11. The Legal Counsel shall be responsible for ensuring that the Fund is utilized for the purpose described in paragraph 2, as read with paragraph 1.

12. The Certifying Officer shall ensure that expenditures are incurred in accordance with the applicable Financial and Staff Regulations, Rules, policies and procedures, for the purpose intended and within the funds earmarked for that activity, and shall draw to the attention of the Controller any proposed commitment or expenditure which, in his or her view, is inconsistent therewith.

## F. Reporting

13. The Controller will provide an annual financial statement showing income and expenditures as at 31 December of each year with respect to the total funds pledged and received for the Trust Fund for the regular process for global reporting and assessment of the state of the marine environment. The Office of Legal Affairs will provide information on funds earmarked for specific activities.

14. All accounts and financial statements shall be

expressed in United States dollars.

## G. Programme support costs

15. In accordance with United Nations Financial Regulations, programme support costs will be charged to the Fund at the rate of thirteen (13) per cent of the total annual expenditures, unless otherwise agreed with the Controller. In addition, the trust fund operating reserve will be applied within the cash resources to meet final expenditures of the activities covered from the fund.

## H. Audit

16. The Fund will be subject solely to the external and internal audit procedures of the United Nations.

## I. Revision

17. The Secretary-General may revise the above, if circumstances so require.

## J. Termination

18. The Secretary-General shall decide the termination of the Fund and the disposal of its assets.

# VI. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea trust fund for the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

## A. Object and purpose of the award

1. The Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea was established by General Assembly resolutions 36/79 and 36/108 of 9 and 10 December 1981, respectively, in recognition of the contribution of the late Hamilton Shirley Amerasinghe to the Third United Nations Conference on the Law of the Sea as its President. The Fellowship is an activity carried out within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. The Fellowship is intended, primarily, for government officials as well as research fellows or lecturers who are involved in ocean law or maritime affairs, or related disciplines, either in government or educational institutions and bodies. The purpose of the Fellowship is to assist

candidates to acquire additional knowledge of the United Nations Convention on the Law of the Sea, in order to promote its wider appreciation and application, and to enhance specialized experience in those fields.

## B. Qualifications

2. Candidates must have a degree in Law, Marine Sciences, Political Science, Ocean Management or technical training in Ocean Management, Administration of Ports or in related disciplines; they must have at least five years work-related experience; and they must be between the ages of 25 and 40 years.

### C. Frequency of award

3. It is anticipated that a minimum of one Fellowship, or more than one if there is adequate income, will be awarded each year, special consideration being given to persons who may not otherwise have the means or facilities for acquiring such special knowledge, training or experience through other means or in their own countries.

### D. Administration of Fellowship

4. The Fellowship will be administered by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, and will be funded from the income received from contributions to the Fellowship Fund which has been established for the purpose. An annual report on the administration of the Fellowship will be made to the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

### E. Establishment of Advisory Panel

5. An Advisory Panel of eight eminent persons in international relations, the law of the sea and its implementation will be nominated annually by the Under-Secretary-General for Legal Affairs, the Legal Counsel, for the purpose of evaluating the candidates and making recommendations for the award of the Fellowship or Fellowships. The Panel shall be composed of:

- (a) representatives of Permanent Missions to the United Nations;
- (b) representatives of educational institutions or organizations of an international character;
- (c) individuals closely associated with the work of the Third United Nations Conference on the Law of the Sea and with the United Nations Convention on the Law of the Sea and its implementation; and
- (d) a nominee of the Legal Counsel.

### F. Application of Candidates

6. The annual award of the Fellowship will be widely publicized and applications will be received within the time period specified. Applications may be submitted by governments, institutions or directly by individuals. The applications shall include information concerning the candidate's personal history, together with a resume of his/her education and vocation, and transcripts from colleges and universities attended. Applications will also include a one-page description prepared by the candidate as to their proposed area of study. Candidates shall be required to provide

information as to their financial means and the facilities available to them for the advancement of their careers or vocations. Prior to the award of the Fellowship, the selected candidate would be required to provide confirmation and documentary proof, as appropriate, of all educational qualifications and other important information.

### G. Method of selection of Fellowship recipients

7. On the basis of the applications received, a short list of eligible candidates will be established by the Division for Ocean Affairs and the Law of the Sea and will be submitted to the Advisory Panel for evaluation. For this purpose, the Advisory Panel will be provided with a summary of each candidate's qualifications; the sponsorship, if any, by any government or governmental agency or other institution; information concerning the means or absence thereof for the advancement of the candidate's career or vocation or for acquiring specialized training or experience in the candidate's country; an explanatory statement from the candidate as to how he expects to benefit from the Fellowship and how it would assist in the development of the candidate's career or vocation.

8. In the selection of the Fellowship recipient(s), consideration will be given, in principle, to assuring that all countries and geographic regions would benefit from the award of the Fellowship. No award will be made in any year or in two successive years to candidates from the same country.

9. The Legal Counsel will award the Fellowship(s) on the basis of the evaluation and recommendations of the Advisory Panel.

### H. Secretariat for the Fellowship

10. The Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, shall be the secretariat for the award of the Fellowship and shall provide all services required in connection with it.

### I. Duration of study

11. The duration of the Fellowship will be for a minimum of three months (which may be extended at the discretion of the Legal Counsel depending on available income from the Fund) followed by a period of at least one month's internship with the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs.

## J. Institution of Study

12. Fellowship recipient(s) will, after consultation with and acceptance by the universities or institutions concerned, be provided facilities to pursue courses, undertake research, receive further training or gain specialized experience in one or more of the universities and educational institutions on the list provided for the programme in any year. Due regard will be given to the preference of a candidate for a particular university or institution, the preferred areas of research and the period during which the Fellowship will be implemented.

## K. Accommodation and functional arrangements

13. In view of the waiving of fees and levies by the universities and institutions listed as participating in the Fellowship, the United Nations will assume responsibility only for all travel connected with the Fellowship and the relevant accommodation allowances. During

the terms of their awards, Fellows will be paid specific allowances which are intended to cover only normal living expenses in accordance with policies and procedures governing the administration of United Nations Fellowships.

14. During the period of internship in the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, the Fellow will continue to be paid the above allowances.

## L. Dissertation by Fellow

15. At the end of the period of research study, the Fellow shall be required to submit a dissertation or study on an aspect of the law of the sea as may be decided between the Fellow, the supervising professor and the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs. Such dissertation or study will be considered for inclusion in the official publications of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs.

# VII. 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

## A. Mandate of the Trust Fund

1. By operative paragraph 5 of its resolution 69/292 (adopted 19 June 2015), the General Assembly requested the Secretary-General to establish a 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 (the "Preparatory Committee") and an intergovernmental conference ("the 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.

## B. Voluntary contributions

2. The Fund is open to voluntary contributions from States and other interested entities.

## C. Use of the Fund

3. The purpose of the Fund is to provide financial assistance to representatives of developing countries, in particular least developed countries, small island developing States and landlocked developing States. The Fund will cover the costs of the economy round-trip air fares of the representatives designated by their Governments and selected as recipients.

## D. Applications for financial assistance

4. The Permanent Mission of the requesting State, or in the absence of a Permanent Mission, the Ministry of Foreign Affairs, shall send a formal communication to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs ("the Division") requesting financial assistance from the Fund and providing the name, the date of birth and detailed contact information of the designated representative. If more than one delegate is designated, the State shall indicate the order of priority in which designates should be considered for funding.

## E. Consideration of applications

5. Each request for financial assistance shall be considered by the Division.
6. In considering the application, the Division shall be guided by:
- (a) the need to give priority to requests for assistance to least developed countries, small island developing States and landlocked developing States;
  - (b) the need to finance the participation of one participant per State;
  - (c) the need for equitable geographical representation;
  - (d) the timeliness of applications; and
  - (e) the availability of funds.
7. If the number of requests for assistance exceeds the availability of funds, the Division may engage an advisory panel of experts composed of one representative from each of the United Nations regional groups to assist the Division with the evaluation of the requests for assistance and the selection of the recipients.

## F. Financial Regulations and Rules

8. The Financial Regulations and Rules of the United Nations shall apply to the administration of the Fund. The Fund shall be subject to the auditing procedures provided therein.

## G. Implementing Office

9. The Legal Counsel shall be the Programme Manager of the Fund. The Division is the implementing office for the Fund.

## H. Revision

10. The Secretary-General may revise the above, if circumstances so require.

## I. Amendment

11. Pursuant to General Assembly resolution 69/292 of 19 June 2015, a special voluntary trust fund was established 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 the intergovernmental conference by providing for economy round-trip airfare for delegates. Pursuant to resolution 72/249 of 24 December 2017, the trust fund will include daily subsistence allowance in addition to defraying the costs of economy-class travel, limiting requests for assistance from this trust fund to one delegate per State for each session.

12. Each request for financial assistance shall be considered by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs. In considering the applications the Division shall be guided by: the need to give priority to requests for assistance from least developed countries, land-locked developing countries and small island developing States; the need to finance the participation of one participant per requesting State; the need for equitable geographical representation; the timeliness of applications; and the availability of funds. If the number of requests for assistance exceeds the availability of funds, the Division may engage an advisory panel of experts composed of one representative from each of the United Nations regional groups to assist the Division with the evaluation of the requests for assistance and the selection of the recipients.



## VIII. 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

As revised at the fourteenth round of Informal Consultations of the States Parties to the Agreement, New York, 2 to 3 May 2019.

### A. Background and scope

1. Article 25 of 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 (hereinafter referred to as “the Agreement”) requires States parties to cooperate either directly or through subregional, regional and global organizations to enhance the ability of developing States, in particular the least-developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to develop their own fisheries for such stocks; to enable their participation in high seas fisheries for such stocks, including facilitating access to such fisheries subject to articles 5 and 11 of the Agreement; and to facilitate the participation in subregional and regional fisheries management organizations and arrangements.

2. Article 25 of the Agreement further provides that cooperation with developing States for the purposes of that article shall include the provision of financial assistance, assistance relating to human resources development, technical assistance, transfer of technology, including through joint venture arrangements, and advisory and consultative services. Such assistance, pursuant to article 25(3), “shall inter alia be directed specifically towards” improved conservation and management of straddling fish stocks and highly migratory fish stocks through collection, reporting, verification, exchange and analysis of fisheries data and related information as well as stock assessment and scientific research and monitoring control, surveillance, compliance and enforcement, including training and capacity-building at the local level, development and funding of national and regional observer programmes and access to technology and equipment.

3. Under Article 26 of the Agreement, States are required to cooperate to establish special funds to assist developing States in the implementation of the Agreement, including assisting developing States to

meet the costs involved in any proceedings for the settlement of disputes to which they may be parties.

4. Contributions to the Assistance Fund will be used to support the purposes of the Fund as enumerated in paragraph 16, including through project(s) and programme(s) implemented by the Food and Agriculture Organization (FAO) or the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the United Nations (UN/OLA/DOALOS), acting on behalf of the United Nations, as provided for in paragraph 13.

### B. Establishment of the Assistance Fund

5. The Assistance Fund established pursuant to General Assembly resolution 58/14 will be administered by FAO.

6. The purpose of the Fund is to provide financial assistance to developing States parties to the Agreement to assist in the implementation of the Agreement in accordance with Part VII of the Agreement.

7. This Fund is one component of assistance to be provided in accordance with Part VII of the Agreement and supplements other sources of assistance.

### C. Implementing office

8. FAO will administer the Fund and act as the implementing office for the Fund in accordance with its Financial Regulations and other applicable Rules, and in collaboration with UN/OLA/DOALOS.

9. In the administration of the Fund, FAO and UN/OLA/DOALOS will take into account experience and best practice in the management of other trust funds established within the framework of the 1982 United Nations Convention on the Law of the Sea.

### D. Collaboration between the United Nations and the Food and Agriculture Organization

10. FAO and UN/OLA/DOALOS will collaborate with each other and will make available to each other all information and assistance as may be required in



relation to the administration and operation of the Fund. In particular, they will, as appropriate, seek to achieve mutual benefits from any arrangements under this Fund with similar activities, including in relation to the promotion and implementation of the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas and the 1995 FAO Code of Conduct for Responsible Fisheries.

11. UN/OLA/DOALOS will receive applications, ensure that the agreed procedural requirements are met, and then forward them expeditiously to FAO for review and decision, in accordance with these Terms of Reference. In the case of applications for assistance under paragraph 13 (projects and programmes) which are to be implemented by UN/OLA/DOALOS, and paragraph 16(g) (proceedings for the settlement of disputes under the Agreement), UN/OLA/DOALOS will review and decide on these applications in accordance with these Terms of Reference.

## E. Contributions to the Assistance Fund

12. FAO and UN/OLA/DOALOS will invite States, inter-governmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Fund. Such contributions will be deposited in the Fund referred to in paragraph 7.

13. In addition to general voluntary contributions to the Fund, contributions may also be made through donor agreements for specific activities which meet any of the purposes of the Fund set forth in paragraph 16. Such donor agreements between a donor, FAO and the UN/OLA/DOALOS, will set out all activities to be undertaken, as mutually agreed upon by them. Such activities will be implemented by FAO or UN/OLA/DOALOS.

## F. Applications for assistance

14. (a) An application for financial assistance from the Fund may be submitted by any developing State Party to the Agreement. Such an application may also be submitted on behalf of the Party by an appropriate subregional or regional organization or arrangement;

(b) An application for financial assistance by a developing State Party to the Agreement will be submitted by way of an official communication from the relevant national authority of the applicant. An application for financial assistance on behalf of a developing State Party by an appropriate sub-regional or regional organization or arrangement will be accompanied by an official

communication from the relevant national authority of the developing State Party confirming that the application is submitted on its behalf;

(c) All applications for financial assistance for travel will be submitted to UN/OLA/DOALOS at least one month in advance of the date of the event or activity for which assistance is requested. Applications for assistance for other types of activities will be submitted at least four months in advance of the planned activity.

15. The application should specify how it relates to the implementation of the Agreement and include a description of the desired outputs of the project/ expenditure and an itemization of anticipated costs.

## G. Purposes of assistance

16. The purpose of the financial assistance applied for should be specified and may be sought for the following purposes:

(a) Facilitating the participation of representatives from developing States parties, in particular the least-developed among them and small island developing States parties to the Agreement, in the meetings and activities of relevant regional and subregional fisheries management organizations and arrangements.

Such assistance may include such costs as travel costs and, if appropriate, daily subsistence allowances for delegations participating in relevant regional and subregional fisheries management organizations or arrangements, including technical experts.

(b) Assisting with travel costs, and if appropriate daily subsistence allowances, associated with the participation of developing States parties, in particular the least-developed among them and small island developing States parties to the Agreement, in relevant meetings concerning high seas fisheries of relevant global organizations, such as the United Nations Development Programme, the Food and Agriculture Organization and other specialized agencies, the Global Environment Facility and other appropriate international and regional organizations and bodies.

Applications for this purpose will include details of how the meeting in question relates to implementation of the Agreement.

(c) Supporting ongoing and future negotiations to establish new regional or subregional fisheries management organizations and arrangements in areas where such bodies are not currently in place, to renegotiate founding agreements for such organizations and arrangements and to

strengthen existing subregional and regional fisheries management organizations and arrangements in accordance with the Agreement.

A condition for such support is that reference to implementing the Agreement is made in founding documents and/or work programmes of the regional or subregional fisheries management organizations or arrangements and in the national fisheries policies and/or management plans of States parties.

- (d) Enhancing the ability of developing States parties, in particular the least-developed among them and small island developing States parties, to develop at the national level a legal basis for the implementation of effective flag State measures, in conformity with the provisions of the Agreement and in accordance with international law.
- (e) Building capacity for activities in key areas such as effective exercise of flag State responsibilities, monitoring, control and surveillance, enforcement, data collection and scientific research relevant to straddling and highly migratory fish stocks on a national and/or regional level.
- (f) Facilitating exchange of information and experience on the implementation of the Agreement.
- (g) Assisting developing States parties to the Agreement, in particular the least-developed among them and small island developing States, with human resources development, technical training, and technical assistance in relation to conservation and management of straddling and highly migratory fish stocks and development of fisheries for such stocks, consistent with the duty to ensure the proper conservation and management of such stocks.
- (h) Assisting in meeting the costs involved in proceedings for the settlement of disputes between States parties to the Agreement concerning the interpretation or application of the Agreement in accordance with Part VIII of the Agreement or proceedings concerning the interpretation or application of a subregional, regional or global fishery agreement relating to straddling fish stocks or highly migratory fish stocks to which they are parties, including any dispute concerning the conservation and management of such stocks and complementary to any assistance provided under the ITLOS Trust Fund established by General Assembly resolution 55/7 or the Trust Fund for the International Court of Justice established by General Assembly resolution 47/444 or the financial assistance fund established by the Permanent Court of Arbitration.

## H. Consideration of applications, granting of assistance and conditions

17. Requests for financial assistance will be considered without delay in the order in which they have been submitted. FAO or UN/OLA/DOALOS, will establish a panel, which may be composed of the Chairs of the Regional Groups of Member States for the month during which the panel is being convened, or their designate, or other independent and impartial experts of the highest professional standing, to assist in the review of the applications and to make recommendations on the amount of financial assistance to be given in each case. In cases where applications for assistance from the Fund are made against specific activities for which funding has been made available through a donor agreement in accordance with paragraph 13, a representative of the donor(s) that have entered into the said donor agreement will also be invited to participate in the panel.

18. In cases of applications for assistance with travel related expenses under paragraph 16, FAO may make decisions on applications without referral to the panel.

19. Review of applications and decisions will be guided by the purposes of the Fund, the provisions of the Agreement, the financial needs of the requesting developing State Party(ies) and availability of funds, with priority given to least developed countries and small island developing States parties to the Agreement. The financial assistance will be provided on an impartial basis. Consideration of applications will also include an assessment of whether any existing alternative sources of assistance are available. All decisions on assistance from the Fund will take into account the size of the Fund and the need for cost effectiveness in its use.

20. In considering applications, FAO and UN/OLA/DOALOS should also work together to inform relevant regional fisheries management organizations and United Nations bodies about applications under the Fund in order that they may comment if they so choose.

21. FAO will disburse financial assistance from the Fund in an expeditious manner in accordance with paragraphs 17–20 of these Terms of Reference.

22. (a) Financial assistance provided from the Fund will be applied by the applicant solely for the purpose specified in the application for financial assistance.

(b) If an applicant wishes to apply such financial assistance for a purpose other than the purpose for which it is provided, the applicant will submit an amended application for financial assistance. The amended application will be submitted and considered in accordance with these Terms of Reference.

- (c) If financial assistance provided from the Fund is not applied by an applicant for the purpose for which it is approved, the applicant will notify FAO and UN/OLA/DOALOS as soon as possible and take immediate steps to refund promptly the financial assistance to FAO. Failure to comply with these requirements may affect the decision concerning any future application for assistance.

## I. Reporting

23. An annual report on the activities of the Fund, including a financial statement of the contributions to, and disbursements from the Fund, will be included in the report of the Secretary-General of the United Nations on "Sustainable fisheries, including through the 1995 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, and related instruments". A report on the activities of the Fund to date, including a financial statement of the contributions to and disbursements from the Fund will also be presented at the Review Conference provided for in Article 36 of the Agreement.

24. Additional reports on project(s) and programme(s) referred to in paragraphs 4 and 13 will be presented to the donor by FAO and the UN/OLA/DOALOS, in accordance with any specific reporting requirements set out in the donor agreement, and in accordance with the donor agreement and the Rules and Regulations of FAO and the United Nations, as may be applicable.

25. Recipients of assistance will be required to provide a report on the purpose and outcome of the

approved expenditure to FAO or UN/OLA/DOALOS, as appropriate, for the above-mentioned report(s). FAO and UN/OLA/DOALOS will share these reports. Failure of the recipients to provide such a report promptly may affect the decision concerning any future application for assistance.

## J. Revision and Review

26. These Terms of Reference may be revised if circumstances so require.

27. The States parties to the Agreement will periodically review the activities of the Fund with a view to assessing and evaluating the effectiveness of the financial assistance provided pursuant to these Terms of Reference.

28. Taking into account paragraph 19 of these Terms of Reference, the States parties to the Agreement may also make recommendations on priorities for the use of the Fund.

## K. Publicity

29. FAO and UN/OLA/DOALOS will maintain on their websites details of the Fund, including details on application procedures, assistance provided, and links to other relevant websites. FAO and UN/OLA/DOALOS should also explore ways to promote contributions to the Fund and knowledge of the fund through regional fisheries management organizations and arrangements, multilateral donor organizations, and international financial institutions.



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