

**FINANCIAL REPORT AS AT 31 DECEMBER 2011 ON THE STATUS OF THE ASSISTANCE FUND
UNDER PART VII OF THE AGREEMENT FOR THE IMPLEMENTATION OF THE PROVISIONS OF
THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 10 DECEMBER 1982
RELATING TO THE CONSERVATION AND MANAGEMENT OF STRADDLING FISH STOCKS AND
HIGHLY MIGRATORY FISH STOCKS¹**

June 2012

1. Introduction

In November 2003, the United Nations General Assembly, in Resolution A/RES/58/14, established an Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 UN Fish Stocks Agreement), to assist developing States Parties in the implementation of the Agreement. It also decided that the Fund would be administered by the Food and Agriculture Organization of the United Nations (FAO). On 19 April 2005, the Fund was established.² It is managed in accordance with the Fund's Terms of Reference and FAO's Financial Regulations as well as other applicable Rules.

2. Contributions to the Assistance Fund

The United Nations and FAO have continued to call for contributions to the Assistance Fund at international fora including Sessions of the United Nations General Assembly and the FAO Committee on Fisheries (COFI) as well as on the Assistance Fund's Website.³

As at 31 December 2011 the Governments of Australia, Canada, Iceland, Lebanon, New Zealand, Norway and the United States of America, all States Parties to the 1995 UN Fish Stocks Agreement, had made financial contributions to the Assistance Fund totalling USD 1,467,455. Table 1 shows contributions to the Fund together with accrued interest of USD 48,579. As at 31 December 2011 the Fund's total receipts were USD 1,516,034. In 2011 a contribution of USD 531,800 was received from the Government of Australia.

States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons, wishing to make contributions to the Assistance Fund are encouraged to do so and they should direct their payments to the following FAO bank account:

Bank: HSBC New York
Address: 452 Fifth Ave, New York, NY, USA, 10018
Account No: 000156426
Swift/BIC: MRMDUS33
ABA/Bank Code: 021001088
Citing project MTF/GLO/124/MUL

¹ This report is provided in accordance with paragraph 22 of the Terms of reference for Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

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

³ www.un.org/Depts/los/convention_agreements/fishstocktrustfund/fishstocktrustfund.htm. Contributions to the Fund should be made to the trust fund account established by FAO in accordance with paragraph 7 of the Terms of Reference of the Fund.

3. Requests for Assistance from the Fund

Information about the existence and purpose of the Assistance Fund has been disseminated widely by the United Nations and FAO, including through electronic means, international meetings and contacts with relevant regional fisheries bodies. In 2011, 27 applications for travel were received. Of this total 15 requests were processed and funded (five of these requests were cancelled subsequently because a meeting for which they were approved was postponed). One application was not funded because the one-month advance notice rule was not respected. A further 11 applications could not be processed and funded because of inadequate resources available in the Fund (January to June 2011).⁴ The total number of travel requests in 2011 (27 requests) was 42 percent lower than in 2010 (47 requests).

Table 2 provides details of expenditure from the Assistance Fund as at 31 December 2011. Expenditure is categorized according to the purposes for which assistance is permitted and administrative expenses, as reflected, respectively, in paragraphs 14 and 21 of the Fund's Terms of Reference.

In 2011 total expenditure from the Fund was USD 61,385 of which:

- 85 percent supported participation in technical and annual sessions of regional and subregional fisheries management organizations and arrangements (Commission for the Conservation of Antarctic Marine Living Resources, International Commission for the Conservation of Atlantic Tuna, Pacific Islands Forum Fisheries Agency (FFA), South-East Atlantic Fisheries Organization and the Western and Central Pacific Fisheries Commission (WCPFC)) (paragraph 14 (a) of the Terms of Reference);
- 8 percent supported participation in meetings of global organizations (Meeting of the Tuna RFMOs-Kobe III) (paragraph 14 (b) of the Terms of Reference);
- 7 percent was devoted to administration, including mandatory FAO insurance expenses, staff overtime for processing requests, and a 6 percent project servicing cost for certain projects.

4. Panel of Experts

The Panel of Experts was not convened in 2011.

5. Assistance Fund Travel Allocations by State Party

Table 3 provides an allocation of travel expenditure by State Party and by category of expenditure under paragraph 14 of the terms of reference for the period 2006 to 2011. The number of Parties securing funding decreased considerably in 2011 to only 9 Parties (17 Parties in 2010). As a result, the funding in 2011 for travel decreased by 67 percent over the level of funding in 2010 to USD 57,059.

6. Assistance Fund Balance

As at 31 December 2011 the balance in the Assistance Fund was USD 534,046 (see Tables 1 and 2).

⁴ At 31 December 2010 the Fund had a negative balance of approximately USD 11,400 taking into consideration funds committed for administrative expenses in early 2011 (USD 4,500) and provision for a project approved in 2009 totalling USD 65,000. These project funds were not drawn down in 2010 or 2011. The funds set aside for the project were released in July 2011 for use by other parties to the Agreement.

7. Conclusion

Over the duration of the Fund's operation from 2006 to 2011, 59 percent of expenditure was devoted to supporting Parties to the Agreement participate in RFMO and global meetings (14(a) and 14(b)), 9 percent went to support Parties participate in negotiations for new RFMOs (14 (c)), 28 percent was directed to capacity development and 3 percent was for administrative and associated costs (Table 2).

The Assistance Fund was established, and is being managed, in accordance with its Terms of Reference and FAO's Financial Regulations and other applicable Rules. The United Nations and FAO encourage States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Fund. The United Nations and FAO seek to ensure that the Assistance Fund maintains a healthy funding level so that support for the implementation of the 1995 UN Fish Stocks Agreement can be sustained.

Table 1: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Income Account (USD) as at 31 December 2011

No.	Donor	2004	2005	2006	2007	2008	2009	2010	2011	Total	Remarks
1	USA	200,000	0	0	15,000	0	0	0	0	215,000	Received in June 2004 and September 2007, respectively
2	Iceland	0	50,000	0	0	0	0	0	0	50,000	Received in April 2005
3	Norway	0	98,179	0	0	0	0	96,798	0	194,977	Received in May 2005 and August 2010, respectively
4	Canada	0	0	64,230	389,948	0	0	0	0	454,178	Received in March 2006 and May 2007, respectively
5	Lebanon	0	0	0	0	0	2,000	0	0	2,000	Received in July 2009
6	New Zealand	0	0	0	0	0	19,500	0	0	19,500	Received in July 2009
7	Australia	0	0	0	0	0	0	0	531,800	531,800	Received in July 2011
	Total contributions	200,000	148,179	64,230	404,948	0	21,500	96,798	531,800	1,467,455	
	Interest	0	6,249	14,725	21,567	4,102	1,485	262	189	48,579	
	Total funds	200,000	154,428	78,955	426,515	4,102	22,985	97,060	531,989	1,516,034	

Table 2: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Expenditure Account (USD) as at 31 December 2011⁵

TOR paragraph⁶	Expenditure category	2006 (%)	2007 (%)	2008 (%)	2009 (%)	2010 (%)	2011 (%)	Total expenditure (%)
14a	Expenses for participation in meetings and activities of relevant RFMO/As	20,421 (31)	30,657 (52)	51,596 (35)	78,370 (18)	131,297 (63)	51,939 (85)	364,280 (37)
14b	Expenses for participation in high seas meetings of global organizations such as UNDP, FAO, and other specialized agencies, GEF, CSD and other appropriate international and regional organizations and bodies	45,729 (68)	3,862 (7)	59,702 (41)	74,488 (17)	30,740 (15)	5,120 (8)	219,641 (22)
14c	Ongoing and future negotiations to establishment of new RFMO/As, renegotiation of founding agreements for such organizations and strengthening existing RFMO/As	0 (0)	23,347 (40)	22,980 (16)	43,197 (10)	0 (0)	0	89,524 (9)
14d	Building capacity in relation to flag State responsibility, MCS, data collection and scientific research at a national and/or regional level	0 (0)	0 (0)	8,775 (6)	47,771 (11)	0 (0)	0	56,546 (6)
14e	Facilitating exchange of information and experience on the implementation of the Agreement	0	0	0	0	0	0	0
14f	Supporting human resource development, technical training and technical assistance to support proper conservation and management	0	0	0	182,340 (41)	37,354 (18)	0	219,694 (22)
14g	Dispute settlement	0	0	0	0	0	0	0
21	Administrative expenses (staff time, insurance and project servicing costs for certain projects)	867 (1)	1,106 (2)	2,642 (2)	14,621 (3)	8,741 (4)	4,326 (7)	32,303 (3)
Total (%)⁷		67,017 (100)	58,972 (100)	145,695 (100)	440,787 (100)	208,132 (100)	61,385 (100)	981,988 (100)

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

⁶ References are made to the relevant paragraphs (14 and 21) of the terms of reference for the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

⁷ Some percentages may not add to 100 due to rounding.

**Table 3: 1995 UN Fish Stocks Agreement Part VII Trust Fund: Travel Expenditure (USD)
at 31 December 2011: Allocation by State Party**

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

⁸ The classification of expenditures under paragraph 14 of the Terms of Reference is explained in Table 2.

(Table 2)							100%
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**Table 4:1995 UN Fish Stocks Agreement Part VII Trust Fund:
Letter of Agreement and Actual Expenditures (USD)**

Letter of Agreement	TOR paragraph	Expenditure			TOTAL
		2009 ⁹	2010	2011	
FFA - 228536 - Preparation of regional plan of action for the conservation and management of Sharks in the Pacific Islands	14 (d)	47,771	0	0	47,771
FFA - 240142 - Workshop on Proposed SPRFMO: awareness on roles and responsibilities - capacity and participation of FFA members.	14 (c)	32,074	0	0	32,074
SPC - 229962 - Training Workshop: Third Tuna Data Management Workshop	14 (f)	24,205	0	0	24,205
SPC - 232710 - Training Workshop: Tuna Stock and Ecological Risk Assessment	14 (f)	49,936	0	0	49,936
SPC - 246282 - Tuna Stock Data Workshops (April 2010): data-reporting obligations to WCPFC - regional stock assessments.	14 (f)	40,678	0	0	40,678
SPC - 246338 - Tuna Stock Assessment, Ecosystem and By-catch Workshops (June 2010): interpretation and use information.	14 (f)	67,521	-25,163	0	42,358
FFA - 254292 (September 2010): Workshop on Port State Measures	14 (f)	0	54,064	0	54,064
Total		262,185	28,901	0	291,086

⁹ Some funds approved for expenditure in 2009 were actually expended in 2010.