

**Thirty Second Meeting of States Parties to the
United Nations Convention on the Law of the Sea**

13 - 17 June 2022

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

**Statement by Vladimir Jares
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Agenda item 15 (Other Matters)

Madam President,
Distinguished Delegates,

The Division for Ocean Affairs and the Law of the Sea wishes to provide a brief update about the trust funds established by the General Assembly and administered by the Division for Ocean Affairs and the Law of the Sea since the adjournment of the thirty-first Meeting of States Parties, highlighting with gratitude the generous contributions made by to these Trust Funds, as applicable.

I note in particular that the balances reflected in this statement (i) factor in the 15 per cent programme support costs of each Fund and (ii) are reported in US dollars.

I will first address the two trust funds which relate to the Commission on the Limits of the Continental Shelf. starting with the status and projected funding requirements of the *Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission.*

Contributions have been received from China, Costa Rica, France, Iceland, Ireland, Japan, Malta, New Zealand, Philippines, Portugal, the Republic of Korea, Spain, the United Kingdom, the United States, and the European Union.

Assistance from the Trust Fund was provided in relation to six members of the Commission for the fifty-third and fifty-fourth sessions, upon the request of the nominating States concerned, to facilitate their participation in these sessions. Thus, as at 31 May 2022, the balance of the Fund available for disbursement, was estimated to be **\$1,090,371**.

The projected funding for travel and daily subsistence allowance that would be required to cover the costs of future participation of six members of the Commission in in-person sessions is approximately \$132,000 per session, plus program support cost. An additional cost of approximately \$180,000 plus program support cost, would be incurred per year to provide reimbursement of the Headquarters medical insurance to six members of the Commission. These estimates assume that the Secretariat would receive the same number of requests for assistance as received in recent past sessions.

Pursuant to paragraphs 110 and 111 of General Assembly resolution 76/72 of 20 December 2021, 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 2022, the Secretary-General is authorized to reimburse, from this Trust Fund, the full costs of the premium paid by the members of the Commission from developing States that join the Headquarters medical insurance scheme, and in case the full costs of the Headquarters medical insurance scheme have not been reimbursed, to reimburse the costs of medical travel insurance.

I must emphasize, however, as in-person sessions of the Commission resume, without additional contributions that this voluntary Trust Fund will continue to be chronically underfunded, so it is critical that contributions are made to allow for the granting of full and proper assistance in future sessions.

I will now turn to the *Voluntary Trust Fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, in compliance with article 76 of the United Nations Convention on the Law of the Sea*. Since the last Meeting of States Parties, no contributions were received for this Trust Fund. As at 31 May 2022, this Trust Fund had an approximate balance of **\$410,000**.

We wish to recall that through General Assembly resolution 70/235 of 23 December 2015, the Trust Fund's terms of reference were amended to allow for the provision of assistance to developing States to meet the travel and daily subsistence allowance costs associated with meeting with the Commission when their submissions are being examined and upon the Commission's invitation. A total of three States have received assistance from the Trust Fund to participate in meetings held during the fifty-fourth session of the Commission, the first session of the Commission since the beginning of the pandemic which included meetings with delegations.

Madam President,
Distinguished Delegates,

Allow now me to provide information on the status and projected funding requirements of the other Voluntary Trust Funds established by the General Assembly and administered by the Division for Ocean Affairs and the Law of the Sea. These include those trust funds which provide financial assistance for the participation of representatives from developing countries in meetings held at United Nations Headquarters and contribute, *inter alia*, to the promotion, dissemination, and wider appreciation of international law.

Regarding the *Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea*, contributions have been received from Ireland, Monaco and the United Kingdom. As at 31 May 2022, the Fund balance available for future disbursement is estimated to be **\$154,000**.

We wish to note that, due to the impact of the COVID19 pandemic, the 2020 fellowship was further postponed to 2023. Given the restrictions on international travel, the 2020 fellow, Ms. Linda Bana of Ghana, chose to conduct her fellowship in 2023. I wish to recall, however, that for a number of years this fellowship Trust Fund has been chronically underfunded and without additional contributions it may continue to be so.

Concerning the *Voluntary Trust Fund for the Regular Process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects*, contributions have been received from Ireland, New Zealand and the Republic of Korea. As at 31 May 2022 the Fund balance available for disbursement was estimated to be **\$223,000**.

As to the *Voluntary Trust Fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, to attend meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea*, a contribution has been received from New Zealand. As at 31 May 2022 the Fund balance available for disbursement was estimated to be **\$52,000**.

The Trust Fund was used to defray the cost of participation of three panelists from developing countries as well as the travel costs of one other representative of a developing country at the twenty-second meeting of the Informal Consultative Process held last week. After factoring in these expenditures, the balance of the Trust Fund will once again be low.

I now turn to the *Voluntary Trust Fund for the purpose of assisting developing countries, in particular the least developed countries, land-locked developing countries and small island developing States, in attending the meetings of the preparatory committee and an intergovernmental conference on the development of an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction*. Contributions have been received from Finland, France, Ireland, New Zealand and the European Union. Thus, as at 31 May 2022, the Fund balance available for disbursement was estimated to be **\$219,000**.

I am pleased to announce that, in respect of the fourth session of the Intergovernmental Conference, the Trust Fund facilitated the participation of 14 Delegates from developing countries, eight of whom were from least developed countries, landlocked developing countries or small island developing States.

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

I will turn now to the *Voluntary Trust Fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea*. Since the last Meeting of States Parties, no applications for assistance have been received. Contributions have been received

from Malta and the Philippines. As at 31 May 2022, the Fund balance available for disbursement is estimated to be **\$182,000**.

Let me close this update with some general observations concerning the proper use of the resources of these Trust Funds. The Division also takes this opportunity to remind States that requests for assistance that are subsequently cancelled after issuance of tickets, or “no-shows” for flights, have a significant negative financial impact on these Trust Funds. States are thus strongly urged to mitigate such situations so as to ensure the proper and effective functioning of these Trust Funds. While the Division does its best to assist delegations in the application process including by showing flexibility with deadlines where possible, the logistics of travel provide limits to the latest date we can receive completed applications in order for timely assistance to be provided to delegates.

Madam President,
Distinguished Delegates,

Allow me to take this opportunity to echo the words of appreciation contained in General Assembly resolution 76/72 addressed all States that have contributed to the voluntary trust funds in the last several years.

Despite these generous contributions, however, the chronic underfunding of many of these trust funds persists. Among other things, shortages of funds result in a limited level of participation of representatives and experts from developing States in United Nations meetings and processes related to oceans. They also impact important capacity-building activities, such as the *Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea* fellowship. Although many meetings have been postponed and rescheduled last year as well as this year, in-person meetings are resuming, and it will thus be critical that these funds are able to operate and fulfil their role.

Having provided an overview of the status of the trust funds administered by the Division, I would like to use this opportunity to recall the contribution process at the United Nations. All contributions made to a United Nations Trust Fund through inter-bank transfers are initially deposited against the United Nations general trust fund account. Upon

receipt of a contribution and based on the instructions provided in the bank transfer, the Division will be notified that there is a possible contribution to a trust fund administered by it. The Division will then be requested to provide correspondence from the donor confirming the sum and the intent of the contribution. It is only when such confirmation is provided that funds are transferred to the specific trust fund account and are reflected in its balance.

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

Madam President,
Distinguished delegates

In conclusion, the Secretariat wishes to draw the attention of the Meeting to the appeal, contained in General Assembly resolution 76/72, addressed to States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the Trust Funds. Allow me to note in this regard, Madam President, that even small contributions, if made regularly by a large number of States, could contribute effectively to achieving the purposes of the Trust Funds.

I thank you for your attention.