

# Options for Providing Assistance to Member Governments with Limited Means to Participate in the Work of the IWC

*Prepared by the Secretariat*

This discussion document initiates the work of the Working Group for the provision of Assistance to Governments of Limited Means (hereafter WG-AGLM). The Working Group is established following the request in Commission Resolution 2011-1 for the Secretary to report 100 days before the 64<sup>th</sup> Annual Meeting on potential options for providing assistance to member governments. Members of the Working Group are invited to comment on the options outlined herein and in particular on the questions identified in points (a) to (d) in Section 3.2.2 on page 4 and 5.

## 1 BACKGROUND

### 1.1 Article III.5 to the Convention

Article III.5 of the ICRW(1946) requires that *'the expenses of each member of the Commission and of his experts and advisers shall be determined and paid by his own government'*. The minutes of the 1946 Washington Conference do not provide any background on the rationale behind the Article or its interpretation. Nonetheless this article is not unique to the ICRW (1946), and similar clauses can be found in the Conventions of some other Intergovernmental Organisations (see Section 2 below).

### 1.2 Previous discussions

#### 1.2.1 The 2009 Annual Meeting

The Commission discussed the provision of financial assistance for developing country members at its Annual Meeting in 2009<sup>1</sup>. The discussion had arisen because of the high level of intersessional working that had occurred as part of the 'Future of the IWC' process and the financial burden this had created for developing country members of the Small Working Group. Recognising these difficulties, several Contracting Governments had made voluntary contributions to help defray the costs being incurred by developing countries, and a procedure for the distribution of these funds had been developed by the Secretariat. This procedure is provided in Annex A.

Discussions at the 2009 Annual Meeting also recognised that an alternative method of providing financial assistance could come in the form of changes to the financial contributions scheme so as to reduce the contributions due from developing countries, and/or the provision of financial assistance for developing country attendance at Annual Meetings. With regard to providing financial assistance, the 2009 Annual Meeting also noted that: (1) the legal and procedural requirements associated with Article III.5 of the Convention should be considered, and (2) additional sources of finance would need to be found.

#### 1.2.2 The 2011 Annual Meeting

At the 2011 Annual Meeting the Secretariat presented document IWC/63/F&A3Rev in response to a request to *'review the Commission's rules and procedures, including its financial rules and procedures, in comparison with other Intergovernmental Organisations and submit a report to the Finance and Administration Committee at IWC/63'*.

Section 5 of IWC/63/F&A3Rev focussed on the range of methods used by other Intergovernmental Organisations (IGOs) to provide support for developing countries. It showed that several fishery and environmental IGOs were investigating, making preparation or had already developed methods to provide funding in support of developing country participation. However the organisations reviewed used different approaches to provide funding. These differences were summarised as including:

- (1) a voluntary approach such as that operated by IATTC, ICCAT, CITES and UNFCCC whereby developing country participation is supported by voluntary contributions

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<sup>1</sup> See Annual Report of the International Whaling Commission 2009 page 43-44

- (2) the use of central budget funding to support developing countries (e.g. the initial allocation to the IOTC's, IATTC's and ICCAT's Voluntary Funds, or the Ramsar Convention's and WCPFC'S use of core funds to support developing country's attendance at Standing Committee meetings)
- (3) no funding for regular meetings but travel and *per diem* for certain special events (e.g. seminars, workshops and training sessions) through a central or voluntary fund e.g. Asia-Pacific Economic Co-operation (APEC);

At IWC/63, several Contracting Governments welcomed the continuation of discussions on financial support for developing country participation. A number of issues were raised during discussions including consideration of Article III.5, past precedents and cross referencing against the norms and practices of other organisations<sup>2</sup>.

### 1.3 Establishment of a Working Group.

IWC Resolution 2011-1 requested the Secretary to '*report 100 days before the 64th Annual Meeting of the Commission on potential options for providing assistance to member governments with limited means<sup>3</sup> to participate actively in the Commission's work, while retaining consistency with the Convention*'.

Several Contracting Governments expressed interest in joining a working group (WG-AGLM) to assist the Secretariat in developing the options requested through Resolution 2011-1. Calls to join the group were circulated on 4 November and 19 December 2011<sup>4</sup> and the current membership comprises Japan, Republic of Palau and the USA in addition to the Secretariat.

The terms of reference for the WG-AGLM were provided with the call for membership, and they show that the Secretary will commence the group's work by producing an initial review of options for providing financial assistance. These options are to be developed based upon: (1) The relevant F&A Committee and BSC Subcommittee discussions at IWC/61 in 2009; (2) The process developed to provide assistance to developing countries during the SWG meetings associated with the 'Future of the IWC' work; (3) The Secretary's review of the Commission's rules and procedures as presented to IWC/63 in 2011, focussing particularly on the actions being taken by other intergovernmental organisations; and (4) comments raised at IWC/63.

## 2 EXPERIENCE WITHIN OTHER INTERNATIONAL ORGANISATIONS

As noted earlier, Section 5 of IWC/63/F&A3Rev focussed on the range of methods used by other Intergovernmental Organisations (IGOs) to provide support for developing countries.

### 2.1 IGOs with similar wording to Article III.5 of the ICRW

Research undertaken during this review reveals that the Conventions of six other fishery related IGOs contain clauses similar in wording to Article III.5 of the ICRW. These organisations are summarised in Table 1 and a full account of the clauses and any measures being taken by the organisations to support developing country participation is given at Annex B.

Of these organisations identified in Table 1, it is noteworthy that CCAMLR is considering establishing a means for providing support for developing states as part of its 2008 performance review. The IATTC has recently adopted Resolution C-11-11<sup>5</sup> which established a voluntary fund to provide, amongst other things, for '*supporting the participation of representatives of developing countries in the annual meetings of the*

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<sup>2</sup> IWC/63/F&A 4 submitted by the UK noted that 'discussion within the [IWC] is warranted to determine whether [Article III.5] impedes participation by developing country Contracting Governments'. It went on to suggest that 'consideration ought to be given to the potential development of a process for helping to fund the participation of developing countries, in line with the practice deployed in CITES and other multilateral environmental conventions'.

<sup>3</sup> Following some comments at IWC/63, the WG-AGLM will consider options for developing countries and also transitional economies.

<sup>4</sup> Circular Communication IWC.CCG. 970 and IWC.CCG.977

<sup>5</sup> The text of Resolution C-11-11 is reproduced at Annex 3

*Commission or its subsidiary bodies, as well as of scientific experts in the meetings of the Scientific Advisory Committee*'.

Additionally IOTC Resolution 10/05 created a special Fund to support the participation of developing states in meetings of the Commission or its subsidiary bodies. For both the IOTC and IATTC funds the intention is for the fund to be maintained by voluntary contributions from Members; however accumulated savings from previous years (i.e. core funds) were used as seed funding.

Table 1

Summary of the status of relevant discussions within those IGOs who have articles similar to Article III.5 of the ICRW.

Organisation	Existing provision for providing assistance	If 'no' is action underway?
CCAMLR	None	Yes - consideration is being given to the establishment of possible mechanisms
CCBST	None	No
IATTC	Resolution passed in 2011 establishing voluntary sustainable development fund which includes funds to attend meetings (despite Article XV.5)	
IOTC	The Convention makes provision for invited experts ( <i>in their individual capacity</i> ) to be supported by the core budget.  Resolution 10/05 establishing a special Fund to support the participation of developing states in meetings. Initial contribution from core funds but not thereafter.	
NEAFC	None	No – there are no Contracting Parties who are developing states.
NAFO	None	No

## 2.2 IGOs that do not contain wording similar to that in Article III.5 of the ICRW

At its 2011 Annual Meeting, ICCAT adopted Resolution 11-26<sup>6</sup> which established a voluntary meeting participation fund to assist those ICCAT Contracting Parties which are developing States to attend and/or contribute to the work of the Commission and other subsidiary bodies. This is a similar approach to that used by CITES which has operated a Sponsored Delegates Project since 1985. The CITES Sponsored Delegates Project relies on voluntary contributions and is administered by the Secretariat to support the participation of developing member countries.

An example of the use of central budget funds to support the participation of Developing Country representatives in Commission and subsidiary body meetings is provided by the Western and Central Pacific Fisheries Commission (WCPFC)<sup>7</sup>. In addition, the WCPFC also operates a voluntary 'Special Requirements Fund' to facilitate the participation of developing states in the work of the Commission. Guidelines for the administration of the fund and criteria for eligibility for assistance are provided by the Commission's financial regulations<sup>8</sup>.

<sup>6</sup> The text of Resolution 11-26 is reproduced at Annex 4

<sup>7</sup> Clause 3.5 of the WCPFC's financial regulations states that: 'The draft budget shall include an item specifying the costs required to finance the travel and subsistence for one representative from each developing State Party to the Convention and, where appropriate, territories and possessions, to each meeting of the Commission and to meetings of relevant subsidiary bodies of the Commission'.

<sup>8</sup> Article 30 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

### 3 SOME OPTIONS AVAILABLE TO THE IWC FOR PROVIDING ASSISTANCE TO DEVELOPING COUNTRIES

Two basic options exist for providing financial assistance to developing countries to participate in the work of the IWC (initially in the context of meeting participation). These are:

- (1) Modification to the IWC's central budget, either by
  - Changing the contributions scheme to reduce the annual financial contributions due from developing countries, and/or
  - Allocation of central budget funds to support attendance at Commission meetings.
- (2) Establishment of a voluntary fund in order to permit:
  - attendance at 'special' (i.e. non-routine) events established under through the Commission's work (e.g. intersessional workshops), and/or
  - attendance at 'routine' Commission meetings

In addition, the Commission may also wish to consider increased use of the current research fund and / or the small cetaceans fund to promote the attendance of scientists from developing countries to the Scientific Committee.

The strengths and weaknesses of these approaches with respect to participation at Commission meetings are discussed in sections 3.1 and 3.2 below, particularly in the context of Article III.5.

#### 3.1 The central budget approach

##### 3.1.1 *Further modification of the contributions scheme so as to lower payments for group 1 and 2 nations and proportionally increase contributions to group 3 and 4 nations.*

The present IWC Contributions scheme, known as the 'Interim Measure', was adopted after considerable discussion at IWC/54 in 2002. For developing countries, it resulted in an overall reduction in the annual costs of participating in the work of the IWC.

One approach to further assist developing countries is to modify the scheme to further reduce the costs to developing and transition countries<sup>9</sup>. Clearly this does not infringe upon Article III.5. However in terms of the objective of increasing participation at meetings, it should be noted:

- (a) there is no guarantee that it will result in a country deciding to send a delegate to a meeting or meetings with any money saved from reduction in financial contributions;
- (b) all group 3 and 4 nations would have to accept (rather than volunteer to provide) the increased contributions.

##### 3.1.2 *Use of core budget funds to support attendance at IWC meetings*

The use of core funds to support developing country participation is used by a small number of IGOs. For example, the WCPFC's financial regulations state that the budget should make allowance to finance the attendance of one representative from each developing state party to the Convention. However, in an IWC context this approach is the most likely to be considered in breach of Article III.5. Nonetheless the establishment of the IOTC, IATTC and ICCAT voluntary funds with initial core money is interesting.

The current practice for inviting and funding participants to the IWC's Scientific Committee relies on core funds from the Commission's research budget.

#### 3.2 The voluntary fund approach

##### 3.2.1 *For attendance at 'special' (i.e. non-routine) events e.g. intersessional workshops*

This approach was adopted to support developing country participation in the SWG associated with the Future of the IWC process. Thus it can be seen to have set a Commission precedent with respect to compliance with Article III.5 at least in terms of 'special' meetings of sub-groups. A voluntary fund was established (held

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<sup>9</sup> This approach was suggested at IWC/61 in 2009

separately from Commission funds) and a procedure for disbursing the funds was developed by the Secretariat working in conjunction with the Advisory Committee, and the Secretariat were responsible for making payments as necessary (see Annex A). In practice, travel and subsistence rates were set by the Secretariat and paid to the Governments concerned. It was still the final responsibility of those Governments to determine rates and pay their experts (i.e. in accord with Article III.5).

As noted in IWC/63/F&A3Rev, this is similar to an approach to that adopted by the Asia-Pacific Economic Cooperation (APEC) which does not provide funding for regular meetings but instead funds travel and expenses for certain special events such as workshops, training sessions or seminars through a central voluntary fund.

### 3.2.2 *For attendance at regular meetings of the Commission and its sub-groups*

A wide range of organisations including CITES, the UNFCCC, the IATTC, the IOTC and the ICCAT make use of a voluntary contributions fund to support the attendance of developing countries at routine Commission meetings as well as meetings of subsidiary bodies.

In an IWC context, this can be viewed as an extension of the approach adopted during the Future of the IWC process in that provision of funding is extended from covering special events to covering routine meetings. Questions for the Commission to consider here include:

- whether with this extension of the general approach adopted during the Future process is still compliant with Article III.5
- what meetings are covered (e.g. just Commission plenaries, all sub-groups or some sub-set)
- which countries are potentially eligible (e.g. all group 1, both group 1 and 2, does eligibility to vote influence eligibility, etc.)
- if (a)-(c) are addressed, what practical mechanisms will need to be put in place to implement an approach such as that given in Annex A, particularly if there are insufficient voluntary funds to pay for all eligible countries (see section 3.3 below)?

## 3.3 **Broad estimates of costs that may be involved**

### 3.3.1 *Identification of Governments with Limited Means*

One method to identify Contracting Governments to be considered for funding support is through the classification scheme used under the 'interim measure' for calculating annual financial contributions. This scheme classifies Contracting Governments into four groups dependent upon a combination of the country's Gross National Income and Gross National Income per capita. Annex E provides a list of the countries falling into each group for the 2011/12 financial year. For 2011/12, there are 29 countries in Group One (lowest capacity to pay), 30 in Group Two, 23 in Group Three and seven in the highest capacity to pay Group Four (89 Contracting Governments in total over four groups).

### 3.3.2 *Estimating costs*

Table 2 provides a broad estimate of the travel and subsistence costs that may be incurred in providing funding for Group One and Group Two countries to attend Commission meetings. The actual cost will vary with venue, but in order to calculate an initial estimate a return airfare of GBP 1000 has been assumed, along with a daily hotel rate of GBP 100 and a per diem allowance of GBP 50 to cover meals and all incidental expenses.

Table 2

Estimated costs of funding delegates from Group One and Group Two Contracting Governments

	Commission meeting and Private Commissioner's meeting only (five days meetings plus two travel days).	Commission, PCM and sub-group meetings (11 days plus 2 travel days)
<b>One delegate per country</b>		
Group One (29 countries)	Flights: £29,000 Accommodation: £14,500 Per diem: £10,150	Flights: £29,000 Accommodation: £31,900 Per diem: £18,850

	Total £53,650	Total £79,750
Group One and Two (59 countries)	Flights: £59,000	Flights: £59,000
	Accommodation: £29,000	Accommodation £64,900
	Per diem: £20,650	Per diem: £38,350
	Total: £108,650	Total: £162,250

Table 2 provides an indication that total annual costs may range between GBP 53,000 and GBP 162,000 depending on the number of countries supported and the duration of attendance. These are relatively large sums when compared to the level of voluntary contributions generally received by the IWC and it is possible that the total funds available will not be adequate to support all Group One (or Two) countries. Therefore, should a voluntary fund approach be favoured, an essential step will be to develop criteria for allocating funding to recipients. In this regard, some IGOs which operate voluntary funds allocate support to those countries which apply the earliest.

#### 4 DEVELOPMENT OF AN OPTION OR OPTIONS TO PROPOSE TO THE COMMISSION

The above review suggests that a voluntary fund approach is most likely to be seen as consistent with Article III.5 of the ICRW. However, before a detailed draft proposal (or proposals) is drawn up (which could take the Annex A approach as its basis), the Secretariat would require guidance from the members of the WG-AGLM on the questions outlined in points (a) to (d) under Item 3.2.2.

An opportunity may exist for the initial seed funding for any voluntary fund to be drawn from the unspent money (GBP 48,175<sup>10</sup>) that was provided to the IWC during the 'Future of the IWC' process. Any decision to re-allocate these funds towards developing country attendance at Commission meetings would require the agreement of the Contracting Governments who originally donated the funds.

A voluntary fund of this nature could be established either by: (1) A change to the Commission's Financial Regulations or (2) By the adoption of a Commission Resolution requesting the Secretariat to establish the fund.

<sup>10</sup> See balance on the IWC Operations Fund as at 31 August 2011 as described in the IWC's Audited Financial Statements of 31 August 2011.

## Annex A

### The Procedure used by the Secretariat from 2009 onwards to distribute voluntary funds provided to the IWC in support of the ‘Future of the IWC’ process

#### REQUEST FOR FUNDING IN RELATION TO ATTENDANCE AT THE MEETING OF THE SUPPORT GROUP 5-16 October 2009, Santiago, Chile

##### Introduction

At IWC/61 in Madeira, the Commission agreed that the interim procedure developed following the first meeting of the Small Working Group (SWG) in Florida in September 2009 to help defray the costs of participation of SWG developing country members at further SWG meetings using voluntary contributions should remain while discussions on the future of the IWC continues<sup>11</sup>. This procedure was developed by the Secretariat in consultation with the Chair and Vice-Chair of the Commission and the Chair of the Finance and Administration Committee.

The procedure described below, to be used in relation to the forthcoming meeting of the Support Group follows the procedure used to make funds available for the December 2008 meeting of the SWG.

Developing-country Support Group members wishing to receive funds to assist their participation in the October meeting are kindly requested to complete the forms attached and return them to the Secretariat as soon as possible.

##### Procedure for making funds available

###### 1. Support Group members eligible to receive funds

Those Support Group members eligible to receive funds are shown in Table 1 below. They are grouped according to the capacity-to-pay groups used in calculation of financial contributions under the Interim Measure.

Group 1	Group 2
Antigua and Barbuda	Brazil
St. Kitts and Nevis	Cameroon
	Mexico

##### Expenses that can be covered

The expenses incurred in relation to attendance at the October meeting in Santiago are indicated in Table 2 below:

	Return economy airfare to Santiago	Hotel in Santiago (14 nights maximum)	Per diem (14 days maximum)	Incidental expenses		
				Local travel	Airport taxes	Passport /visa costs etc.
Group 1 countries	Yes	Yes	Yes	Yes	Yes	Yes
Group 2 countries	Yes	Yes	No	Yes	Yes	Yes

Funding is limited to one person per delegation.

With respect to air travel, the level of funding that will be provided is with respect to economy airfares. While participants are encouraged to seek the lowest fares, it is recognised that in some cases this may require particularly arduous journeys, possibly with many changes and long stop-overs. In such cases discretion to select a reasonable route with economy is allowed.

<sup>11</sup> ...and that this matter be further addressed as part of the discussions on the future of IWC.

With respect to hotel accommodation and per diem (where applicable), this will normally be for a maximum of 14 days/nights. This assumes that the Support Group will meet for the full period from Monday 5 to Friday 16 October.

The rate for hotel accommodation will be 120 USD per night for bed and breakfast and the per diem will be 70 USD.

**Participants receiving funds are responsible for making their own travel and accommodation arrangements.**

2. What to do if you wish to receive funds

Developing country Support Group members are kindly requested to complete Forms A and B below as applicable.

If you need to receive the funds before you are able make your travel and hotel arrangements, please return the forms to the Secretariat as soon as possible.

3. How funds will be provided

The Secretariat will arrange for funds to be transferred electronically to an appropriate bank account. The amounts transferred will be based on the information provided on Form A.

Any differences between estimated and actual costs will be adjusted after the meeting. Please retain receipts, ticket stubs etc.

**PLEASE NOTE THE FOLLOWING:**

- a. **funds provided to Support Group members who are then unable to attend the meeting must be returned to IWC;**
- b. **if the Support Group finishes its meeting before Friday 16 October, funds provided to cover hotel and subsistence costs for the remaining period should be returned to IWC after any cancellation fees incurred have been deducted.**



## Annex B

### Selected Regional Fisheries Management Organisations identifying those with a clause similar to Article III.5 of the ICRW(1946), and / or measures being taken to support developing country attendance.

<p>Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)</p>	<p>Article 19 of the Convention:</p> <p>5. Each Member of the Commission shall meet its own expenses arising from the attendance at meetings of the Commission and of the Scientific Committee.</p> <p><i>Comment from CCAMLR Executive Secretary:</i>  <i>The 2008 CCAMLR Performance Review recommended that CCAMLR may wish to give consideration to new means for providing support for Developing States. These might include, but need not be limited to:</i></p> <p>(a) <i>establishing a dedicated fund to support Developing States, and referencing the establishment and accessibility to such a fund in its literature and website, including the Cooperation Enhancement Program;</i></p> <p>(b) <i>identifying current best practice and existing arrangements elsewhere, particularly within RFMOs, in relation to Developing States;</i></p> <p>(c) <i>exploring and making available information on other funding sources to assist Developing States who wish to engage with CCAMLR.</i></p>
<p>Commission for the Conservation of Southern Bluefin Tuna (CCSBT)</p>	<p>Article 11.5 of the Convention for the Conservation of Southern Bluefin Tuna:</p> <p>5. Each Party shall meet its own expenses arising from attendance at meetings of the Commission and of the Scientific Committee.</p> <p>Convention available from: <a href="http://www.ccsbt.org/site/basic_documents.php">http://www.ccsbt.org/site/basic_documents.php</a></p>
<p>Inter-American Tropical Tuna Commission (IATTC)</p>	<p>Article XV.5 (Contributions) of the IATTC Convention for the Strengthening of the Inter-American Tropical Tuna Commission (the Antigua Convention):</p> <p>5. Each member of the Commission shall meet its own expenses arising from attendance at meetings of the Commission and of its subsidiary bodies.</p> <p>Article XXIII (Co-operation and assistance):</p> <p>1. The Commission shall seek to adopt measures relating to technical assistance, technology transfer, training and other forms of cooperation, to assist developing countries that are members of the Commission to fulfill their obligations under this Convention, as well as to enhance their ability to develop fisheries under their respective national jurisdictions and to participate in high seas fisheries on a sustainable basis.</p> <p>2. The members of the Commission shall facilitate and promote such cooperation, especially financial and technical, and the transfer of technology, as may be necessary for the effective implementation of paragraph 1 of this Article.</p> <p>Convention and Rules of Procedure available from: <a href="http://www.iattc.org/IATTCDocumentsENG.htm">http://www.iattc.org/IATTCDocumentsENG.htm</a></p>

	<p>Resolution C-11-11 on the creation of the special sustainable development fund for fisheries for highly migratory species to strengthen the institutional capacity of developing countries:</p> <p>6. The purpose of the utilization of the Fund shall be the development of technical and scientific capacity, that will allow the developing countries to duly follow and comply with their obligations established under the Antigua Convention, particularly:</p> <p>c. The participation of representatives of developing countries in the annual meetings of the Commission or its subsidiary bodies, as well as of scientific experts in the meetings of the Scientific Advisory Committee.</p> <p>Full text of Resolution C-11-11 reproduced in this document at Annex C.</p>
Indian Ocean Tuna Commission (IOTC)	<p>Agreement for the Establishment of the Indian Ocean Tuna Commission, Article VIII.4:</p> <p>4. Expenses incurred by delegates, their alternates, experts and advisers when attending, as government representatives, sessions of the Commission, its sub-commissions and its committees, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations. The expenses of experts invited by the Commission to attend, in their individual capacity, meetings of the Commission or its sub-commissions or committees shall be borne by the budget of the Commission.</p> <p>Note: the IOTC has adopted Resolution 10/05 on the establishment of a meeting participation fund for developing IOTC members and non-contracting parties.</p>
International Commission for the Conservation of Atlantic Tunas (ICCAT)	<p>No equivalent clause on each member of the Commission meeting its own expenses exists in the ICCAT basic texts.</p> <p><u><i>Comment from ICCAT Executive Secretary:</i></u></p> <p><i>ICCAT has several funds for data improvement and capacity building through which scientists from developing countries may be funded to attend meetings of the scientific committee. A protocol for financing delegates from developing countries to attend Commission meetings will be discussed at the forthcoming 22<sup>nd</sup> Regular meeting of the Commission which will be held in November 2011.</i></p> <p>Note: The 2011 meeting adopted Resolution 11-26, reproduced in this document at Annex D.</p>
North-East Atlantic Fisheries Commission (NEAFC)	<p>Article 17.1 of the Convention on Future Multilateral Co-operation in North-East Atlantic Fisheries:</p> <p>1. Each Contracting Party shall pay the expenses of its own delegation to all meetings held under this Convention.</p>

Northwest Atlantic Fisheries Organisation (NAFO)	<p>Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries. Article XVI (Expenses):</p> <p>1. Each Contracting Party shall pay the expenses of its own delegation to all meetings held pursuant to this Convention.</p>
Western and Central Pacific Fisheries Commission (WCPFC)	<p>Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, Part VIII.3</p> <p>3. The Commission shall establish a fund to facilitate the effective participation of developing States Parties, particularly small island developing States, and, where appropriate, territories and possessions, in the work of the Commission, including its meetings and those of its subsidiary bodies. The financial regulations of the Commission shall include guidelines for the administration of the fund and criteria for eligibility for assistance</p>

**Annex C:  
IATTC Resolution C-11-11**

**RESOLUTION ON THE CREATION OF THE SPECIAL  
SUSTAINABLE DEVELOPMENT FUND FOR FISHERIES FOR  
HIGHLY MIGRATORY SPECIES TO STRENGTHEN THE  
INSTITUTIONAL CAPACITY OF DEVELOPING COUNTRIES**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Taking into account* the provisions of Article XXIII of the Antigua Convention that the Commission shall seek to adopt measures relating to technical assistance, technology transfer, training and other forms of cooperation, to assist developing countries that are members of the Commission to fulfill their obligations under the Convention, as well as to enhance their ability to develop fisheries under their respective national jurisdictions and to participate in high seas fisheries on a sustainable basis;

*Recalling* that the Antigua Convention in its Article XXIII likewise establishes that the members of the Commission shall facilitate and promote such cooperation, especially financial and technical, and the transfer of technology, as may be necessary for the effective implementation of the previous paragraph;

*Considering* that the Antigua Convention in its Article VII, paragraph (b) indicates that one of the functions of the Commission is that it shall adopt standards for collection, verification, and timely exchange and reporting of data concerning the fisheries for fish stocks covered by the Convention;

*Likewise taking into account* that the Antigua Convention in its Article VII, paragraph (f) indicates that conservation and management measures and recommendations shall be adopted, as necessary, for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by the Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

*Likewise taking into account* that the Antigua Convention in its Article VII, paragraph (i) indicates that the Commission shall establish a comprehensive program for data collection and monitoring which shall include such elements as the Commission determines necessary, and that each member of the Commission may also maintain its own program consistent with guidelines adopted by the Commission; and

*Recalling* that the Commission has agreed various resolutions that commit its Members to submit information on catches of tunas and bycatches, among others;

Agrees that:

1. The “*Special fund for strengthening the institutional capacity of developing countries for the sustain-able development of fisheries for highly migratory species*” (the Fund) is created, which shall be administered by the IATTC.
2. The resources of the Fund shall proceed from contributions obtained from the Members or from national and international bodies or entities interested in strengthening the capacities of developing countries. Such contributions may be declared by the donor for a specific use, consistent with the nature of the Fund, or may be subject to the ordinary use of investments in building capacity for developing countries.

3. The Director shall budget for 2013 an item of fifty thousand (50,000) US dollars set aside to constitute the initial capital of the Fund.
4. The Director shall present to the Commission for its approval every year the strategic investment plan chargeable to the Fund, which shall be constructed on the basis of the requirements of the developing countries and the analyses carried out by the Commission staff.
5. The administration of the Fund shall be the responsibility of the Director and shall be subject to the auditing rules of the Commission and the financial regulations for the administration of the Fund to be developed by the Commission.
6. The purpose of the utilization of the Fund shall be the development of technical and scientific capacity, that will allow the developing countries to duly follow and comply with their obligations established under the Antigua Convention, particularly:
  - a. The creation of a standardized system for collecting, processing and analyzing data, as regards the stocks of tunas and tuna-like species and other species of fish caught by vessels that fish for tunas and tuna-like species in the Antigua Convention area.
  - b. Education and training, mainly in relation to the implementation and development of databases, analysis of fisheries statistics and data, and stock assessments, among others.
  - c. The participation of representatives of developing countries in the annual meetings of the Commission or its subsidiary bodies, as well as of scientific experts in the meetings of the Scientific Advisory Committee.
  - d. Facilitate the support of the IATTC scientific staff necessary for fulfilling the aims of this resolution in support of developing countries.
  - e. The creation of a standardized program for collecting, processing, and analyzing data, in order to match the processes with the Commission's systems.
  - f. Others that the Commission may decide, strictly for the creation of capacity development.
7. Members are encouraged to make contributions to the Fund.
8. The Director be asked, within his program of work, to explore and identify other options to strengthen the capacity of Members. This shall include opportunities for partnership with other organizations that work in this field, and providing guidance to these organizations on the needs and priorities of the countries.

**Annex D**

**RECOMMENDATION BY ICCAT ON THE ESTABLISHMENT OF  
A MEETING PARTICIPATION FUND FOR DEVELOPING  
ICCAT CONTRACTING PARTIES  
ICCAT Resolution 11-26**

*RECOGNISING* that the ICCAT Commission has noted with concern the lack of participants from developing States at its meetings and those of its subsidiary bodies;

*RECALLING* that these concerns have been echoed by the ICCAT Performance Review Panel in 2008;

*NOTING* that Article 25 paragraph 3 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) identifies, *inter alia*, forms of cooperation with developing states and the need for assistance relating to collection, reporting, verification, exchange and analysis of fisheries data and related information; and stock assessment and scientific research;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF ATLANTIC TUNA (ICCAT) RECOMMENDS THAT:

- 1 A special Meeting Participation Fund (MPF) be established for the purposes of supporting representatives from those ICCAT Contracting Parties which are developing States to attend and/or contribute to the work of the Commission and other subsidiary bodies.
- 2 The MPF shall be financed from an initial allocation of €60,000 from ICCAT's accumulated Working Capital Fund, and subsequently by voluntary contributions from Contracting Parties and such other sources as the Commission may identify. The Commission will identify, at its 2012 Meeting, a procedure for supplying funds to the MPF in the future.
- 3 The Fund will be administered by the ICCAT Secretariat, in accordance with the same financial controls as regular budget appropriations.
- 4 The ICCAT Executive Secretary shall establish a process for notifying Contracting Parties annually of the level of available funds in the MPF, and provide a timeline and describe the format for the submission of applications for assistance, and the details of the assistance to be made available.
- 5 The ICCAT Executive Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund;
- 6 For participation in ICCAT scientific meetings, including Species Group and other inter-sessional meetings, those eligible scientists may submit an application for assistance from the existing funds from voluntary contribution. Applicants will be selected in accordance with the protocol established by the Standing Committee on Research and Statistics (Addendum 2 to Appendix 7 to the 2011 SCRS Report).
- 7 For participation in non-scientific meetings, funds will be allocated in order of application. Only one participant per Contracting Party will be funded for any one meeting. All applications shall be subject to the approval of the Chair of the Commission, the Chair of STACFAD and the Executive Secretary and, in the case of subsidiary bodies, the Chair of the meeting for which funding is being sought.
- 8 The funds in the MPF shall be disbursed in a manner that ensures a balanced distribution between non-scientific and scientific meetings.
- 9 All potential eligible applicants are encouraged to explore the alternative avenues of funding available to developing State Contracting Parties prior to applying to the ICCAT Fund.

## Annex E

### Classification of IWC Contracting Governments into Capacity to Pay Groups following the interim measure for contributions.

Classification of Contracting Governments under the IWC's 'Interim Measure' for 2011/12

Group 1	Group 2	Group 3	Group 4
GNI Less than US\$ 13,460 millions <b>and</b> GNI/capita less than US\$ 13,460	GNI greater than US\$ 13,460 millions <b>and</b> GNI/capita less than US\$ 13,460	GNI less than US\$ 1,346,000,000,000 <b>and</b> GNI/capita greater than US\$ 13,460	GNI greater than US\$ 1,346,000,000,000 <b>and</b> GNI/capita greater than US\$ 13,460
Antigua and Barbuda Belize Benin Cambodia Congo, Rep Dominica Eritrea Gabon Gambia, The Grenada Guinea Guinea-Bissau Kiribati Lao PDR Mali Marshall Islands Mauritania Mongolia Nauru Nicaragua Palau Senegal Solomon Islands St Kitts and Nevis St Vincent & The G. St. Lucia Suriname Togo Tuvalu	Argentina Brazil Bulgaria Cameroon Chile China, P.R of Colombia Costa Rica Cote d'Ivoire Dominican Republic Ecuador Ghana Guatemala Hungary India Kenya Lithuania Mexico Monaco Morocco Oman Panama Peru Poland Romania Russian Federation San Marino South Africa Tanzania Uruguay	Australia Austria Belgium Croatia Cyprus Czech Republic Denmark Estonia Finland Greece Iceland Ireland Israel Korea, Rep of Luxembourg Netherlands New Zealand Norway Portugal Slovak Republic Slovenia Sweden Switzerland	France Germany Italy Japan Spain United Kingdom USA
29	30	23	7