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Draft decision of the Assembly of the International Seabed Authority relating to the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund

The Assembly of the International Seabed Authority, acting on the recommendation of the Finance Committee,

Adopts the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund contained in the annex to the present decision,

Encourages all members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons to make contributions to the Endowment Fund.

Annex

Terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund

I. Reasons for establishing the Fund

1. Article 143, paragraph 2, of the United Nations Convention on the Law of the Sea provides that the International Seabed Authority shall promote and encourage the conduct of marine scientific research in the Area.

2. Article 143, paragraph 3, of the Convention provides that States parties shall promote international cooperation in marine scientific research in the Area by, inter alia, ensuring that programmes are developed through the Authority or other international organizations as appropriate for the benefit of developing States and technologically less developed States with a view to (a) strengthening their research capabilities; (b) training their personnel in the techniques and applications of research; and (c) fostering the employment of their qualified personnel in research in the Area.

II. Object and purposes of the Fund

3. The International Seabed Authority Endowment Fund (“the Fund”) is established as a special account by the Secretary-General pursuant to the resolution of the Assembly of the International Seabed Authority of 16 August 2006 (ISBA/12/A/11) and in accordance with the Financial Regulations of the Authority. Only the income from the Fund shall be used for the purposes of the Fund.

4. The purposes of the Fund are to promote and encourage the conduct of marine scientific research in the Area for the benefit of mankind as a whole by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes and by providing them with opportunities to participate in international, technical and scientific cooperation, including through training, technical assistance and scientific cooperation programmes.

III. Contributions to the Fund

5. Contributions to the Fund may be made by the Authority, members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons.

6. The initial capital of the Fund shall consist of sums transferred in accordance with paragraph 3 of resolution ISBA/12/A/11 of 16 August 2006.

IV. Applications for assistance

7. An application for assistance from the Fund shall normally be submitted by a developing country that is a member of the Authority, but the Secretary-General may accept an application from any other country provided that the Secretary-

General is satisfied that the application will benefit scientists from developing countries.

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

- (a) Participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes or scientific cooperation;
- (b) Training programmes;
- (c) Technical assistance.

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

(a) *Participation in marine scientific research programmes or scientific cooperation*

The application shall be accompanied by:

- (i) A specification of the nature and objectives of the marine scientific research programme;
- (ii) An outline of the method and means to be used;
- (iii) The name of any sponsoring or participating institution(s) and the person(s) in charge of the project;
- (iv) A statement on the extent to which it is considered that individuals from developing countries will be able to participate in and benefit from the project;
- (v) The curricula vitae of all developing country personnel who are proposed to benefit from assistance from the Fund;
- (vi) Information on the duration and location of the marine scientific research programme or scientific cooperation;
- (vii) An itemized statement of the estimated costs for which assistance is requested;
- (viii) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

(b) *Training programmes*

The application shall be accompanied by:

- (i) A specification of the goal of the training and the positions the trainees are intended to fill afterwards;
- (ii) Information on the training institute(s) or entity in question;
- (iii) A copy of the training course(s);
- (iv) A schedule for the training programme;
- (v) The curricula vitae of the trainees;
- (vi) An itemized statement of the estimated costs for which assistance is requested;

(vii) A statement from the candidate as to how he or she expects to benefit from the training programme and how it would assist in the development of his or her career or vocation;

(viii) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

(c) *Technical assistance*

The application shall be accompanied by:

(i) A specification of the nature and objectives of the technical assistance and the benefits to be derived therefrom;

(ii) An outline of the technical assistance programme;

(iii) The name of any sponsoring or participating institution(s) and the person(s) in charge of the project;

(iv) The curricula vitae of all consultants who are proposed to provide the technical assistance;

(v) An itemized statement of the estimated costs for which assistance is requested;

(vi) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

V. General

10. The secretariat of the Authority will act as the secretariat of the Fund.

11. The secretariat shall endeavour to make arrangements with universities, scientific institutions, contractors and other entities for opportunities for scientists from developing countries to participate in marine scientific research activities in the Area. Such arrangements shall include arrangements for the reduction or waiver of fees for training. The secretariat shall publish a list of such institutions from time to time for the information of members.

VI. Advisory Panel

12. An Advisory Panel of six to nine eminent persons in the law of the sea and its implementation shall be appointed by the Secretary-General of the Authority for periods of three years for the purpose of evaluating applications and making recommendations for the award of assistance from the Fund. The members of the Panel shall be appointed with due regard to equitable geographic representation. The Panel shall be composed of: (a) permanent representatives to the Authority; (b) representatives of educational institutions or organizations of an international character; (c) individuals closely associated with the work of the Authority. The Secretary-General shall on an annual basis provide a list of the members of the Advisory Panel as an annex to the annual report of the Secretary-General.

13. On the basis of the applications received, a shortlist of eligible candidates and proposals will be established by the secretariat of the Authority and will be submitted to the Advisory Panel for evaluation. The Advisory Panel will be provided

with a summary of each application and, where relevant, the qualifications of each candidate for assistance; the sponsorship, if any, by any Government or governmental agency or other institution or entity; where relevant, information concerning the means or absence thereof for the advancement of the candidate's career or vocation or for acquiring specialized training or experience; a summary of the nature and objectives of the marine scientific research programme, scientific cooperation or technical assistance; and a statement of the expected benefits to the individual or developing country concerned.

VII. Granting of assistance

14. The Secretary-General will provide financial assistance from the Fund on the basis of the recommendations of the Advisory Panel. Assistance shall be provided subject to the availability of funds.

VIII. Special provisions for training programmes

15. An award from the Fund for the purposes of training or a fellowship may cover course fees, unless such fees are waived by the partner institution or entity, as well as travel, maintenance and accommodation allowances, and medical insurance. Payments for maintenance are intended to cover only normal living expenses and shall be made in accordance with the policies and practices governing the administration of United Nations fellowships and training.

16. Awards will not, in principle, be granted for the pursuit of academic studies leading to degrees or diplomas. Training programmes may incorporate, when appropriate, instruction that is both general and specialized, and theoretical and practical.

17. A candidate who is awarded a traineeship or fellowship shall submit a brief report on the usefulness of the training programme at the end of the programme. The supervisor should also provide a report to the Authority on the participant's performance. The developing country which proposed the trainee shall also provide a brief report on the extent to which the training benefited the trainee and the developing country concerned.

18. The secretariat could also develop a register of qualified candidates from developing countries who may be proposed for training by scientific institutions or entities engaged directly or indirectly in marine scientific research. For this purpose, the secretariat will periodically circulate notices to governments and scientific institutions in developing countries inviting them to nominate suitable candidates who may benefit from opportunities for training.

IX. Dissemination and reporting of the outcomes of the provision of financial assistance for marine scientific research programmes, scientific cooperation and technical assistance

19. Where financial assistance is provided for the purposes of participation in marine scientific research programmes, scientific cooperation or technical assistance, the recipient of such assistance shall report to the secretariat on the use

of the funds provided, the outcomes of the assistance provided and, subject to the need to maintain confidentiality on any aspect of the research programme, scientific cooperation or technical assistance concerned that may be requested by the institution or entity concerned, on the results obtained.

20. The secretariat shall disseminate information on the outcomes of marine scientific research programmes, scientific cooperation and technical assistance for the benefit of the members of the Authority, subject to the need to maintain confidentiality on any aspect of the results that may be requested by the institution or entity concerned.

X. Reporting

21. The Secretary-General shall provide an annual report on the activities of the Fund, including details of the contributions to and the disbursements from the Fund, and the extent to which the activities of the Fund are consistent with its objective. The report shall be submitted to the Finance Committee and the Assembly.
