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Draft resolution submitted by Japan on the modalities for financing participation in the meetings of the Legal and Technical Commission and the Finance Committee

The Assembly of the International Seabed Authority,

Bearing in mind that the Legal and Technical Commission and the Finance Committee discharge essential functions that are prerequisites for the decision-making of the International Seabed Authority, drawing upon the personal qualifications and expertise of their members,

Mindful of the need to enhance the participation of all members of the Commission in the Committee, without which the Authority would not be able to gather the necessary knowledge and experience in a balanced fashion,

Having considered the report of the Finance Committee¹ and paragraphs 33 to 35 of the report of the Secretary-General,²

Having also considered the statement by the Japanese delegation submitted at its ninth session,³

1. *Decides* to adopt the following modalities:

(a) The Secretary-General is authorized to continue the Voluntary Trust Fund, the purpose of which is to defray the costs of participation of members of the Legal and Technical Commission and the Finance Committee from developing countries;

(b) The Voluntary Trust Fund will be funded by voluntary contributions from members of the Authority and others;

(c) The terms and conditions for the use of the fund will be as follows:

¹ ISBA/10/A/6-ISBA/10/C/7.

² ISBA/10/A/3.

³ ISBA/9/A/8.

(i) A formal request by the Government which nominated the member must be made to the Secretary-General of the Authority no later than three months in advance of the opening of a meeting, indicating why the costs of participation cannot be met by the Government concerned;

(ii) Where possible, priority should be given to members from least developed countries;

(iii) As a general rule, airfare costs should be for economy class travel and DSA should be provided only in exceptional cases;

(iv) The Secretary-General should inform the Government concerned of the outcome of the request no later than two months in advance of the opening of the meeting in question;

2. *Decides*, in order to supplement the voluntary contributions, to establish, starting in 2005, a contingency fund to be eventually appropriated up to \$50,000 a year within the programme budget of the Authority to meet additional expenses that would not be accommodated within the resources available in the Voluntary Trust Fund, and the Secretary-General is authorized to advance, to the extent necessary, up to that amount from the accumulated surplus of the General Administrative Fund of the Authority, consisting of interest, income and savings accruing to it, on the understanding that the Assembly will appropriate the amount of such advances and set off against accumulated surplus of the programme budget upon submission of a consolidated statement of the commitments made by the Secretary-General;

3. *Decides* to appropriate an amount of \$32,055, representing a difference between the funds collected for the Voluntary Trust Fund and the actual expenses for 2004, to set off this amount against the audited accumulated surplus of the General Administrative Fund of the Authority as at the end of 2003 and to reimburse an advanced amount of \$75,000 temporarily authorized by the Assembly at its ninth session to the Pioneer Investors Fund established under the provisions of paragraph 7 (a) of resolution II of the Final Act of the Third United Nations Conference on the Law of the Sea;

4. *Requests* the Secretary-General to report to the Committee annually on the use and status of the fund;

5. *Requests* the Finance Committee to review the use and status of the fund and the above-stated modalities in the light of the Secretary-General's report;

6. *Requests* the Secretary-General to investigate and indicate to the Finance Committee at the next session of the Authority the interest accruing from the various funds and resources of the Authority.