

Draft Resolution on the Creation of a Fund to Strengthen the Capacity of Governments of Limited Means to Participate in the Work of the IWC

Submitted by Cambodia, Ghana and Japan

Recognising the large number of developing countries who are members of the IWC and have financial difficulties that limit their full participation in the work of the IWC;

Recognising that financial assistance to strengthen the scientific and technical capacity of member governments to participate fully in the work of other intergovernmental organizations is provided by other intergovernmental organizations, most notably by CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora), IATTC (Inter-American Tropical Tuna Commission), IOTC (Indian Ocean Tuna Commission) and WCPFC (Western and Central Pacific Fisheries Commission);

Recalling the voluntary financial support provided to Contracting Governments in Capacity to Pay Groups 1 and 2 during the special meetings of the Small Working Group tasked with advancing the 'Future of the IWC' process;

Desiring to ensure the fullest possible participation in the work of the Commission by all Contracting Governments.

NOW THEREFORE THE COMMISSION:

Decides to create a 'Voluntary Assistance Fund' so as to strengthen the capacity of Governments of limited means to participate in the work of the Commission;

Decides that the sources of the Fund shall be voluntary contributions obtained from Contracting Governments or from national or international bodies or entities interested in strengthening the capacity of Governments of limited means to participate fully in the work of the Commission;

Decides that the initial capital of the fund shall be the amount of voluntary contributions provided for support of developing countries during the 'Future of the IWC' process that remain unspent;

Encourages Contracting Governments to make contributions to the fund;

Requests the Secretary with advice from the Bureau to administer the Fund subject to the financial regulations and audit rules of the Commission, giving the priority to developing countries;

Requests the Secretary to provide timely estimates to the Commission of the funding required to ensure the participation of governments of limited means in the work of the Commission, as well as of the balance available in the Voluntary Assistance Fund and to indicate any shortfall;

[**Decides** that disbursements from the fund shall be for the purpose of the development of technical and scientific capacity that will allow the Governments of limited means to strengthen their capacity to participate fully in the work of the Commission;]

[**Decides** that disbursements from the fund shall be for the purpose of allowing the Governments of limited means to participate fully in the work of the Commission;]

[**Decides** also that the 'Voluntary Assistance Fund' shall be available to the Governments of limited means to participate in the Commission's work at IWC 67 in 2018 based on draft guidelines for disbursement of funds and prioritization in Annex 2]

[**Decides** further that the Working Group on Providing Options to support Governments of Limited Means will develop guidelines for the prioritization and use of available funds in a manner consistent with Article III(5) of the International Convention on the Regulation of Whaling and present them to the Commission at IWC 67 in 2018.]

Adopts the amendments to its Financial Regulations and an additional Appendix thereto, as contained in Annexes 1 and 2 to this Resolution.

Annex 1

Amendments (shown in ***bold italics***) to the IWC's Financial Regulations

C. General Financial Arrangements

1. There shall be established a Research Fund, a General Fund, a Voluntary Fund for Small Cetaceans, a Voluntary Fund for Aboriginal Subsistence Whaling, and a Voluntary Conservation Fund, ***and a Voluntary Assistance Fund to Strengthen the Capacity of Governments of Limited Means to Participate in the Work of the Commission.***

(a) The Research Fund shall be credited with voluntary contributions and any such monies as the Commission may allocate for research and scientific investigation and charged with specific expenditure of this nature. The Research Fund shall have a balanced distribution among activities, defined according to conservation priorities and the work of the Commission, including small cetaceans.

(b) The General Fund shall, subject to the establishment of any other funds that the Commission may determine, be credited or charged with all other income and expenditure.

(c) The details of the Voluntary Fund for Small Cetaceans are given in Appendix 1.

The General Fund shall be credited or debited with the balance on the Commission's Income and Expenditure Account at the end of each financial year.

(d) The details of the Voluntary Fund for Aboriginal Subsistence Whaling are given in Appendix 2.

(e) The details of the Voluntary Conservation Fund are given in Appendix 3.

(f) The details of the Administration of funding from the Voluntary Assistance Fund to Strengthen the Capacity of Governments of Limited Means to Participate in the Work of the Commission are given in Appendix 4.

Annex 2

Administration of funding from the Voluntary Assistance Fund to strengthen the capacity of Governments of limited means to participate in the work of the Commission

Introduction

The purpose of the Voluntary Assistance Fund is to strengthen the capacity of Governments of limited means to participate in the work of the Commission.

1. Eligibility

Eligible countries are [developing countries]. In any given year, the categorization of Groups 1-4 will be taken from the most recent Commission Circular allocating contracting members to ability to pay groups.

Contracting governments may apply for funding from the Voluntary Assistance Fund for [one][two] member/s of the delegation per country at each meeting. The participant must be an official member of the contracting member delegation.

2. Application process

The Secretariat shall notify Contracting Governments no less than [180] days in advance of the meeting of the dates and venues of Commission meetings.

Eligible governments should apply for funding no later than [120 days] before the [subgroup or Commission] meeting that they are requesting funding to attend. Only requests for financial support submitted by IWC Commissioners and their alternates will be considered.

Application forms will be made available through the IWC website and applications should be sent to secretariat@iwc.int

Based on the funding available and the prioritisation procedure set out below, the Secretariat will prepare a list of sponsored delegates. The final list of delegates that may be supported will be dependent upon the funds raised and funding is not guaranteed for all eligible countries. Delegates will be notified at least [30 days] before the meeting whether or not they will receive funding from the Voluntary Assistance Fund.

3. Dispersal of funds and prioritisation

In the event of a shortfall in funding to support the participation of all eligible Governments, the prioritisation process below shall be followed:

The following principles to the allocation of funding from the fund:

- i. Eligibility (section 1 above)
- ii. Geographical representation, including adequate representation of all eligible regions
- iii. Once ii. is met, priority will be given to representatives of [developing countries in accordance with the guidelines]

4. Reporting

The Secretariat will provide a progress update to each Commission meeting on work to support countries of limited means to participate in the work of the Commission, including administration of the Voluntary Assistance Fund. The Secretariat will also report on the criteria used to allocate the Voluntary Assistance Fund, including any amendments needed in the event of a shortfall of Funds.