

29 March 2019

## IOTC CIRCULAR 2019–15

Dear Madam / Sir

### INFORMATION ON THE ADMINISTRATION OF THE IOTC MEETING PARTICIPATION FUND

At the March 2019 meeting of the Technical Committee on Allocation Criteria (TCAC) some members sought clarification on the administration of the IOTC meeting participation fund (MPF). The TCAC requested the Executive Secretary to provide a summary of the Secretariat's application of the MPF by the end of March 2019, to be distributed to all members via an IOTC Circular. In particular, the circular was to include the relevant text of the IOTC Rules of Procedure, IOTC financial regulations (Regulation 5, para. 3), the Secretariat's interpretation of Regulation 5, para. 3, the Secretariat's application of the MPF, and the state of member contributions.

#### Relevant text of the IOTC rules of procedure

Appendix VIII of the IOTC rules of procedure pertains to the administration of the MPF. Appendix VIII is provided in Annex 1 (below).

#### IOTC financial regulations (Regulation 5, para 3)

*Contributions shall be due and payable in full within 30 days of the receipt of the communication of the Secretary referred to in Regulation V.2 above, or as of the first days of the calendar year to which they relate, whichever is later. As of 1 January of the following calendar year, the unpaid balance of such contributions shall be considered to be one year in arrears*

#### The Secretariat's interpretation of Regulation 5, para 3 of the IOTC financial regulations

Re. sentence 1 of Regulation 5, para 3. *Contributions shall be due and payable in full within 30 days of the receipt of the communication of the Secretary referred to in Regulation V.2 above, or as of the first days of the calendar year to which they relate, whichever is later.*

Interpretation: by example, for the budget year 2019, contributions are expected to be paid before the end of 2018 (because invoices for payments are sent out around July-August each year); or at the latest, in first days of 2019.

Re. Sentence 2 of Regulation 5, para 3. *As of 1 January of the following calendar year, the unpaid balance of such contributions shall be considered to be one year in arrears.*

Interpretation: Because the contributions for each budget are expected to be paid in the calendar year before the budget year starts, the 'following calendar year' is interpreted as being the budget year. For example, contributions required for the 2019 budget year are expected before the end of 2018; the calendar year following 2018 is 2019; therefore contributions requested in 2018, and not made by the first days of 2019 are considered to be one year in arrears.

It is essential to receive contributions as soon as possible after invoices are sent out because the FAO requires funds to be available from the IOTC budget at the start of each calendar year to cover all salaries and existing contracts (for consultants and other service providers) for that year. Substantial funds must be available otherwise FAO will not renew staff contracts, enter any new contracts or commit to any procurement actions. Therefore, out of financial necessity the 'following calendar year' is interpreted as the year after the contributions are due.

#### Distribution

**IOTC Contracting Parties:** Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), Guinea, India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom (OT), Yemen. **Cooperating Non-Contracting Parties:** Liberia, Senegal. **Intergovernmental Organisations, Non-Governmental Organisations.** Chairperson IOTC. Copy to: FAO Headquarters, FAO Representatives to CPCs.

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## **The Secretariat's application of the meeting participation fund**

The application of the MPF by the Secretariat is in accordance with the Appendix VIII of the IOTC rules of procedure. The FAO Office of the Inspector General audited the administration of the MPF in February 2019.

Regarding section 2 of Appendix VIII, dot 2, 4 and 7:

*Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.*

In accordance with the above interpretation of Article V.3 of the IOTC financial Regulations, if by the first days of January 2019, the 2019 budget contribution has not been paid by a member, that contribution is considered to be in arrears. It follows that for the meeting participation fund being administered in 2019 the calculation of "equivalent or more than two years in arrears" involves the sum of contributions for 2018 and 2019 (see Annex 2 below).

Note: in accordance with FAO financial rules, any contributions received by FAO will be used firstly to settle any outstanding arrears before being applied to all outstanding contributions. This may sometimes cause confusion when members intend to pay only the current or most recent years contributions', but they have previous contributions in arrears. In such cases the historical arrears are cleared first, and the most recent year/s may remain unpaid if insufficient funds are received to cover the balance.

## **The state of member contributions**

Thirteen IOTC members have made contribution payments in 2019, and the total sum of arrears, including contributions due for 2019, currently stands at USD 4,482,558 (see Annex 2 below).

Seven members are currently not eligible for the MPF as they are equivalent to or more than two years in arrears.

Yours sincerely



Christopher O'Brien  
Executive Secretary

## **Attachments:**

- Appendix VIII of the IOTC rules of procedure (Annex 1)
- Table of contributions (Annex 2)

## Annex 1. IOTC rules of procedure: Appendix VIII Rules of Procedure for the administration of the IOTC Meeting Participation Fund

### 1) Definitions

**Developing Contracting Party**, is any Contracting Party (Member) that was under the categories of “Low” or “Middle” income, according to the criteria used in the most recent calculation of the contributions (see Annex of the IOTC Financial Regulations).

The **Selection Panel**, in the case of Working Parties, is composed by the Chair of the scientific body concerned, the Chair of the Scientific Committee, or their delegates, and the Secretariat.

**Non-scientific meetings** are regular and special Sessions of the Commission, including Sessions of the Compliance Committee and the Standing Committee on Administration and Finance, and other non-scientific subsidiary bodies of the Commission.

### 2) Eligibility criteria

#### *Meeting Participation Fund for IOTC Working Parties and technical workshops*

- Any nominated scientist from a developing Contracting Party (Member), submitting a complete application before the set deadline, including a working paper or document relevant to the subject of the meeting, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to scientists from least developed countries.
- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

#### *Meeting Participation Fund for IOTC Scientific Committee Sessions*

- Any delegate from a developing Contracting Party (Member) of IOTC, submitting a complete application before the set deadline, including the National Report and an official Letter of Credentials, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to delegates from least developed countries.
- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

#### *Meeting Participation Fund for Sessions of the Commission (including Compliance Committee and Standing Committee on Administration and Finance) and other non-scientific meetings*

- Any delegate from a developing Contracting Party (Member) of IOTC submitting an application before the set deadline, including the relevant reports (if applicable) and an official Letter of Credentials, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to delegates from least developed Contracting Parties (Members).
- If Contracting Parties (Members) have access to other sources of funding, such as the Assistance Fund from Part VII of the UNFSA<sup>1</sup>, they are encouraged to make use of these funds.
- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

<sup>1</sup> UNFSA refers to the Agreement for the implementation of the provisions of the Convention of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.

*Meeting Participation Fund for IOTC Chairpersons and Vice-Chairpersons*

- Any nominated Chairperson and/or Vice-Chairperson from a developing Contracting Party (Member), submitting a complete application before the set deadline, including a working paper or document relevant to the subject of the meeting, is eligible to benefit from the IOTC Meeting Participation Fund to attend the meeting in which they act as Chairperson or Vice-Chairperson. The Guidelines for the preparation of papers as part of the MPF application process set out in Annex A will apply to Chairs and Vice-Chairs funded by the MPF.
- Any nominated Chairperson or Vice-Chairperson from a developing Contracting Party (Member), is eligible to benefit from the IOTC Meeting Participation Fund to attend the Scientific Committee meeting to present the report of the Working Party in which they are Chairperson or Vice-Chairperson.

**3) Application for support to attend Working Parties and technical workshops**

As the main goal of the MPF is to increase the participation of scientists of developing Contracting Parties (Members) to scientific meetings of IOTC, and in line with [Rule XVI, paragraph 1](#), applications to the MPF should only be considered if the applicant intends to produce and present a working paper, relevant to the work of the working party that he or she wishes to attend. Guidelines for the preparation of such a document are provided in [Annex A](#).

*Timeline for the selection of Meeting Participation Fund recipients for workings parties and workshop*

	<b>Action Item</b>	<b>Responsibility</b>	<b>Due date</b>
1	Circular to CPCs and message distributed through the IOTC relevant mailing lists calling for applications to the MPF. The call for applications will include terms and conditions and timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support signed by the director of fisheries or any other relevant authority; - Contact details of the nominee and a copy of his/her passport - Abstract of the scientific paper or document to be presented at the meeting.	MPF applicants	No later than 45 days prior to the meeting.
3	The Secretariat to: (i) Review applications to determine those who meet eligibility criteria; (ii) Offer non-eligible applicants an additional three-day period to complete the application	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.
4	The Secretariat to distribute the list of complete applications to the Selection Panel	Secretariat	3 days after step 3 (no later than 40 days before the meeting)
5	The Selection Panel to review the list of complete applications within five days to assess the relevance of the document to the subject of the meeting.	Selection Panel	5 days after step 4 (no later than 35 days before the meeting)
6	The Secretariat to issue an invitation to successful applicants, and commence travel arrangements.	Secretariat	1 day after step 5 (no later than 34 days before the meeting)
7	Documents by applicants to be submitted and published in the relevant IOTC meeting webpage.	Secretariat	No later than 15 days before the meeting.

**4) Application for support to attend Scientific Committee**

The template for the preparation of the National Report (an eligibility requirement for applicants for the Scientific Committee) can be downloaded from the IOTC website or be obtained through the Secretariat.

*Timeline for the selection of Meeting Participation Fund recipients for the Scientific Committee.*

	<b>Action Item</b>	<b>Responsibility</b>	<b>Due date</b>
1	Circular to CPC's and message distributed through the relevant IOTC mailing lists calling for applications to the MPF. The call for applications will include terms and conditions and the timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the SC meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support signed by the director of fisheries or any other relevant authority. - Letter of credentials (see Rule X.3 of the IOTC rules of procedure) - Contact details of the nominee and a copy of his/her passport - CPC National Report.	MPF applicants	No later than 45 days prior to the meeting.
3	The Secretariat to: (i) Review applications to determine those who meet eligibility criteria;	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.

	(ii) Offer non-eligible applicants an additional three-day period to complete the application		
4	The Secretariat to issue an invitation to successful applicants, and commence the travel arrangements.	Secretariat	3 days after step 3 (no later than 40 days before the meeting)

**5) Application for support to attend non-scientific meetings**

In line with Rule XV, paragraph 1, it is mandatory for funded participants “to present reports relevant to the meeting in question”. In the case of the Compliance Committee, SCAF and Commission meetings, the relevant report is the Report of Implementation (as described in Article X, para. 2 of the IOTC Agreement) and, therefore, applications to the MPF should only be considered if the CPC of the applicant has submitted its Report of Implementation.

When the Compliance Committee and the SCAF meetings are held in conjunction with the regular Sessions of the Commission, only one participant from each CPC will be supported from the MPF.

*Timeline for the selection of Meeting Participation Fund recipients for non-scientific meeting, in particular Commission meeting.*

	Action Item	Responsibility	Due date
1	Circular to CPCs for applications to the MPF. The call for applications will include terms and conditions and timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the Commission meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support. - Letter of credentials (see Rule X.3 of the IOTC rules of procedure) - Contact details of the nominee and a copy of his/her passport - CPC Report of Implementation.	MPF applicants	No later than 60 days prior to the Commission meeting.
3	The Secretariat to:  (i) Review applications to determine those who meet eligibility criteria; (ii) Offer non-eligible applicants an additional three-day period to complete the application	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.
4	The Secretariat to issue an invitation to successful applicants, and commence travel arrangements.	Secretariat	3 days after step 2 (no later than 45 days before the meeting)

## Annex 2. Status of member contributions (data as of 29 March 2019)

MPF ELIGIBILITY - relating to the 2 year arrears rule****										
Member	Outstanding contributions as of 1 January 2019 (all years prior to 2019)	2019 Contribution due Jan 2019	Contributions received in 2019	Total contributions in arrears (all years)	2018 Contribution due Jan 2018	2019 Contribution due Jan 2019	Total due for 2 years 2018+2019	Total contributions in arrears (all years)	Is the amount of arrears ≥ contributions due from the two preceding calendar years	Currently eligible for MPF*** ?
AUSTRALIA	0	191,528	191,528	0	177,389	191,528	368,917	0	N	NA
BANGLADESH	0	69,127	0	69,127	0	69,127	69,127	69,127	N	Y**
BELIZE*	47,092	0	0	47,092	0	0	0	47,092	Y	NA
CHINA	0	116,673	116,673	0	106,081	116,673	222,754	0	N	Y
COMOROS	70,602	38,558	46,440	62,719	33,252	38,558	71,810	62,719	N	Y
ERITREA	250,564	14,380	0	264,944	13,600	14,380	27,980	264,944	Y	N
EUROPEAN UNION	0	846,813	846,813	0	780,098	846,813	1,626,911	0	N	NA
FRANCE	0	156,579	0	156,579	146,426	156,579	303,005	156,579	N	NA
GUINEA*	155,866	0	0	155,866	0	0	0	155,866	Y	NA
INDIA	0	177,755	177,755	0	168,791	177,755	346,546	0	N	Y
INDONESIA	0	295,996	295,996	0	281,633	295,996	577,629	0	N	Y
IRAN	1,244,032	225,155	0	1,469,187	201,476	225,155	426,631	1,469,187	Y	N
JAPAN	0	227,173	0	227,173	208,497	227,173	435,670	227,173	N	NA
KENYA	12,102	68,195	0	80,297	63,568	68,195	131,763	80,297	N	Y
KOREA, Rep. of	0	245,109	245,109	0	214,493	245,109	459,602	0	N	NA
MADAGASCAR	33,308	37,771	23,191	47,888	34,950	37,771	72,721	47,888	N	Y
MALAYSIA	0	81,223	81,223	0	76,410	81,223	157,633	0	N	Y
MALDIVES	0	150,135	0	150,135	137,794	150,135	287,929	150,135	N	Y
MAURITIUS	0	74,549	0	74,549	67,033	74,549	141,582	74,549	N	Y
MOZAMBIQUE	31,488	34,744	0	66,232	31,488	34,744	66,232	66,232	Y	N
OMAN	0	200,773	200,773	0	183,386	200,773	384,159	0	N	NA
PAKISTAN	73,109	106,854	0	179,963	98,342	106,854	205,196	179,963	N	Y
PHILIPPINES	0	68,119	0	68,119	63,636	68,119	131,755	68,119	N	Y
SEYCHELLES	0	238,352	0	238,352	209,654	238,352	448,006	238,352	N	NA
SIERRA LEONE	38,391	0	0	38,391	0	0	0	38,391	Y	N
SOMALIA	26,026	14,234	0	40,260	13,468	14,234	27,702	40,260	Y	N
SOUTH AFRICA	0	50,073	50,073	0	63,279	50,073	113,352	0	N	Y
SRI LANKA	0	127,433	0	127,433	141,800	127,433	269,233	127,433	N	Y
SUDAN	409,887	49,843	162,600	297,130	46,728	49,843	96,571	297,130	Y	N
TANZANIA	0	36,775	0	36,775	35,114	36,775	71,889	36,775	N	Y
THAILAND	0	75,848	75,848	0	70,093	75,848	145,941	0	N	Y
UNITED KINGDOM	0	156,589	156,589	0	146,436	156,589	303,025	0	N	NA
VANUATU*	26,251	0	0	26,251	0	0	0	26,251	Y	NA
YEMEN	464,109	93,988	0	558,097	90,744	93,988	184,732	558,097	Y	N
<b>Total</b>	<b>2,882,828</b>	<b>4,270,341</b>	<b>2,670,611</b>	<b>4,482,558</b>						
* No longer a member, but has contributions outstanding			*** Taking into account all criteria (e.g. income status)			**** Members of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.				
** Bangladesh has been a member since 2018 (<2 years).										