

Application for funding to my Research Trip to Australian National University.

Endalew Lijalem Enyew

The K. G. Jebsen Center for the Law of the Sea

Faculty of Law, UiT-The Arctic University of Norway

1. Introduction

I, Endalew Lijalem (a PhD student at the K.G. Jebsen Center for the Law of the Sea), am planning to travel and reside abroad (Australia) in connection with my PhD research. I will be staying at the National Center of Indigenous Studies (NCIS) of Australian National University, Canberra. The duration of my research stay is planned to be for 6 months (from 15 March – 30 September, 2017); and I received the official invitation letter from the NCIS. However, I do not have the necessary funding to cover my expenses during my visit period. I, therefore, hereby respectfully submit my short application to the faculty's funding scheme for research stay abroad (announced on 9 January, 2017). I also want to mention two things in the outset for the consideration of the research committee while entertaining my application. First, I will be traveling with my wife; and second, that I have not received any financial support from the Norwegian Research Council, nor have I any other source of funding.

2. The Specific Purpose of My Trip

The very purpose of the trip is to pursue research activities in connection with my PhD research. My research deals with “the marine living resource rights of indigenous peoples under international law”. The research aims to explore whether and to what extent the law of the sea regime limits or facilitates the rights of indigenous peoples relating to marine living resources, and how it may interact with the human rights of indigenous peoples with respect to the marine living resources?. One component of the research explores the concept of traditional fishing rights (TFRs) under the law of the sea regime and its application to indigenous peoples. The research involves not only assessment of human rights instruments, the LOSC and other law of the sea related multilateral treaties but also includes assessment of state practice on the issue. State practice, with respect to this particular topic, manifests itself in two broad dimensions: first, how a State entertains (handles) the traditional fishing rights of its own indigenous peoples

within the limits of its own maritime jurisdiction? ; and second, the treaty practices of a State with its neighboring States so as to safeguard the traditional fishing rights of its indigenous peoples within the maritime jurisdiction of the latter States. The focus of my research during my visit will be on the second aspect of state practice.

According to my preliminary investigation, Australia has concluded different bilateral treaties with its neighboring archipelagic States so as to maintain, among others, the traditional/customary fishing rights of its aboriginal peoples within the latter's maritime jurisdiction. These for example include: Australia/Indonesia Memorandum of Understanding (MoU) of 1974, and the Australia/Papua New Guinea bilateral treaty of 1978 (this bi-lateral treaty focuses on the Torres Strait Islanders' customary right to fish). It is on this and related treaty practices of Australia with its neighboring States that I want to do research during my stay at the NCIS.

I found the NCIS a better place to obtain the necessary resources to undertake the aforementioned research. The Center deals with various topics across indigenous issues, including on the study of Aboriginal and Torres Strait Islanders (where my planned research stay also focuses). Moreover, the Center's close working relationship with other institutions relevant to my research, such as the college of law and Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), will also provide me additional opportunity to have dialogue with persons of relevant expertise in those institutions.

3. Documents Enclosed

The following documents are enclosed with this application:

- Invitation letter from the hosting institution (National Center of Indigenous Studies, Australia National University).
- Recommendation letter from my supervisors.
- An estimated budget outline.

Best regards!

Endalew Lijalem Enyew

23 January 2017, Tromsø.

Estimated Budget for Endalew Lijalem's Research visit to Australian National University.

Currency Used: Norwegian Kroner (NOK)

Exchange Rate of Australian Dollars (AUD) to NOK: 1 AUD= 6.4 NOK

Type	Estimated cost	Duration of Stay
Flight (Tromsø-Canberra)	12000 NOK x 2 = 24000 NOK	6 months (25 weeks).
Flight (Canberra-Tromsø)	12000 NOK x 2= 24000 NOK	
Accommodation	2880 NOK/week x 25= 72,000 NOK	
Public transport (taxi/bus)	1500 NOK	
Total cost	121, 500 NOK	

Note:

- The price of the flight ticket is double because I am traveling with my wife. The price of the tickets is based on the cheapest price list available for the season. A whole list of available cheap flights are found here: <https://www.skyscanner.net/> .

- Costs of accommodation and public transport are based on an average estimate by Dr. Gareth Knapman (Research officer at NCIS). According to him, accommodation in Canberra costs from 300 – 600 AUD per week (I took the average price, 450 AUD per week).

Murray Fraser Hall
Telephone: (403) 220-7252
Fax: (403) 282-8325
Email: ndbankes@ucalgary.ca

January 19, 2017

To whom it may concern

Dear Committee Members

Re: Endalew Lijalem Enyew, application for funding for research visit

This is my letter of support for Endalew's request for funding for his research visit to Australia. I write it in my capacity as Endalew's main supervisor (80%) but I also confirm that Susann Skovang as Endalew's other supervisor has reviewed and agrees with the contents of this letter.

As you will see from Endalew's application, Endalew's PhD project examines the rights of indigenous peoples in relation to marine living resources. His thesis is principally concerned with international law but as part of that Endalew's research also needs to engage in analysis of state practice. The opportunity to visit and study in Australia will be of immense benefit to this part of Endalew's work insofar as Australia is at the forefront of recognizing indigenous harvesting and management rights in marine areas. There are several notable decisions from Australian courts dealing with these issues but perhaps more importantly Australia's treaty practice also recognizes indigenous harvesting rights. Indeed the most significant example of treaty practice in this area is the treaty between Australia and Papua New Guinea. This treaty was signed in 1978 and there is thus now nearly three decades of practice under this treaty. A research visit to Australia will provide Endalew with the opportunity to study how this treaty operates in practice and how it might have evolved over time. Endalew has been invited to locate himself at the National Center of Indigenous Studies at the Australian National University in Canberra (ANU). This is an internationally recognized centre of expertise and ANU is one of Australia's leading research universities focused exclusively on graduate level studies.

In conclusion, both Susann and I endorse Endalew's application for support. Endalew is a very diligent individual and he will make good use of his time. The visit will also give him the opportunity to extend the development of his own international research network and work with other scholars engaged in the study of indigenous legal issues.

Yours sincerely,



Nigel Bankes

Professor of Law, University of Calgary, Adjunct Professor II, UiT

03 November 2016

*Prof Michael Dodson
NCIS Director*

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CRICOS Provider No. 00120C

Mr Endalew Lijalem Enyew
Stakkevollan
Utsikten 11, Tromsø, 9018
Norway

Dear Mr Endalew Lijalem Enyew,

It is with great pleasure that I invite you to accept visiting status as a Campus Visitor at The Australian National University (the University) for the period 15/03/2017 to 30/09/2017. Please note that this offer does not constitute an offer of employment with the University.

Your hosting area will be the Division/College: National Centre for Indigenous Studies, unless otherwise determined. Dr Gareth Knapman will oversee your activities on behalf of the University.

As a status holder you will receive login access and an ANU email address. Please talk to your host College or Division about relevant IT policy.

Visa Requirements

To visit Australia you will need to apply for and have an appropriate visa granted by the [Australian Department of Immigration and Border Protection](#).

Training and Research Visa (Occupational Trainee stream) (Subclass 402)

The University is an approved Occupational Trainee sponsor. You must lodge your application with the Department of Immigration and Border Protection's Hobart Occupational Trainee Processing Centre. In your visa application form you will need to provide the following information:

- The University's Sponsorship Application ID: 940581092
- Sponsorship approval date: 25 June 2015
- Australian Business Number: 52 234 063 906.
- Sponsorship letter (see attached letter)

You will be required to pay a visa application charge when you lodge your visa application. The University will also provide sponsorship for your family members who may be accompanying you on your visit. You may include the following people in your visa application at the time of lodgement: your partner (married or de facto), your or your partner's dependent children, and any other dependent relatives.

Insurance

During your period of status with the University, you will be covered under our volunteer insurance policies, which include cover for: personal accident; public liability; professional indemnity; and employment practices. You may wish to establish whether you are covered by your home institution for workers compensation and/or investigate supplementary private insurance.

International visitors are **not** covered for travel or health insurance and are encouraged to seek private insurance arrangements prior to their visit at the University. Some countries do have reciprocal health care agreements with Australia, which provide some limited coverage, generally for emergency situations. To establish if you are eligible for these arrangements and the level of cover provided, please visit the [Medicare Australia's](#) website.

School Fees

Holders of the subclass 402 (Training and Research) visa may be eligible to apply for a fee waiver for their dependents to study at an ACT public school. The appropriate documents must be provided to the International Education Unit by fax on +61 2 6205 9239 or by emailing ieu@act.gov.au. Further information can be obtained online at The ACT Department of Education and Training [website](#) or from the Fee Exemption Officer, Education and Training Directorate, telephone +61 2 6207 7293. Tuition fees are not payable by New Zealand residents or citizens.

Policies and Conditions

For the duration of your association with the University, you will be subject to the University's policies, which may be viewed on the University's [website](#). I particularly draw your attention to the [Code of Conduct](#), [Conflict of Interest](#), [Intellectual Property](#) and [Academic Titles Conferral](#) policies. As part of your Visitor and Honorary Appointment (VaHa) arrangements, the University may require you to enter into an agreement regarding intellectual property you create which is related to your appointment with the University.

Any public statements made by you during your visit must acknowledge your status with the University and not imply any representation of your views as being those of the University. You will not have authority to speak on behalf of or represent the University unless agreed beforehand with the College Head in your host area.

Should you have any questions or queries about these policies during your visit I encourage you to discuss them with your University contact.

The University reserves the right to withdraw this status at any time prior to its expiry date.

For information on parking on campus, please refer to the [Parking Office's website](#). This is necessarily a formal letter but please be assured that it is with great pleasure that the University offers this status.

Yours sincerely,

Prof Michael Dodson
NCIS Director
National Centre for Indigenous

To be given to the contact officer on arrival:

1. Certified copy of passport
2. Certified copy of valid visa

03 November 2016

*Prof Michael Dodson
NCIS Director*

National Centre for Indigenous

Department of Immigration and Border Protection
Specialist Temporary Entry Centre – South Australia

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Sponsorship Approval ID: 940581092
Sponsorship Approval Date: 25 June 2015

*Canberra ACT 0200 Australia
www.anu.edu.au*

CRICOS Provider No. 00120C

To whom it may concern

Sponsor statement in support of subclass 402 visa – Mr Endalew Lijalem Enyew

The Australian National University wishes to sponsor Mr Endalew Lijalem Enyew for the subclass 402 Training and Research visa (Occupational Trainee stream) to visit the Australian National University during the period 15/03/2017 to 30/09/2017.

Endalew Lijalem Enyew is visiting the Australian National University to undertake workplace-based training as outlined in the structured training plan.

As an authorised representative of the Australian National University, I confirm the following:

1. Sponsorship obligations

The Australian National University will meet the sponsorship obligations for all applicants included in this application and any family members applying separately.

2. Applicant skills, work experience and English proficiency

The Australian National University as sponsor of this visa application has assessed the applicant's English proficiency, skills and work experience and determined that the applicant has the required level of English proficiency, skills and work experience to fulfil the requirements of the project / program they will be undertaking at the Australian National University.

Yours sincerely,

Prof Michael Dodson
NCIS Director
National Centre for Indigenous

