

## Update on the ISU's efforts to support the application of Article 5 extensions process



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## Decisions of the 7MSP

The States Parties agreed...

- (i) to reaffirm their obligation to ensure the destruction of anti-personnel mines in mined areas in accordance with (their obligations and the Nairobi Action Plan).
- (ii) to establish a process for the preparation, submission and consideration of requests for extension to Article 5 deadlines;
- (iii) that requesting States Parties are encouraged, as necessary, to seek assistance from the Implementation Support Unit in the preparation of their requests;
- (iv) that States Parties in a position to do so should assist States Parties to fulfil their Article 5 obligations in accordance with (their obligations and the Nairobi Action Plan).
- (v) to work further on a voluntary template to facilitate preparation and assessment of extension requests, with a view to its finalisation by the conclusion of the 2007 intersessional meetings.
- (vi) to strongly encourage States Parties seeking Article 5 extensions to append their national demining plans to their extension requests;
- (vii) to encourage States Parties seeking Article 5 extensions to submit their request to the President no fewer than nine months before the Meeting of the States Parties or Review Conference at which the decision on the request would need to be taken;
- (viii) that the President, upon receipt of an extension request, should inform the States Parties of its lodgement and make it openly available, in keeping with the Convention's practice of transparency;
- (ix) that the President and the Co-Chairs and Co-Rapporteurs of the Standing Committees, jointly prepare an analysis of the request indicating, inter alia: clarifications of facts sought and received from the requesting State; demining plans for the extension period; resource and assistance needs and gaps;
- (x) that, in preparing the analysis, the President and the Co-Chairs and Co-Rapporteurs of the Standing Committees and the requesting States Party should cooperate fully to clarify issues and identify needs;
- (xi) that in preparing the analysis, the President, Co-Chairs and Co-Rapporteurs, in close consultation with the requesting state, should, where appropriate, draw on expert mine clearance, legal and diplomatic advice, using the ISU to provide support;
- (xii) that the President, acting on behalf of the Co-Chairs and Co-Rapporteurs, should submit the analysis to the States Parties well before the MSP or Review Conference preceding the requesting State's deadline.
- (xiii) to encourage all States Parties in a position to do so to provide additional, ear-marked funds to the ISU Trust Fund to cover costs related to supporting the Article 5 extensions process.



## 7MSP Decisions: Implications for ISU

The States Parties agreed...

(iii) that requesting States Parties are encouraged, as necessary, to seek assistance from the Implementation Support Unit in the preparation of their requests

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(ix) that the President and the Co-Chairs and Co-Rapporteurs of the Standing Committees, jointly prepare an analysis of the request (...);

(xi) that in preparing the analysis, the President, Co-Chairs and Co-Rapporteurs, in close consultation with the requesting state, should, where appropriate, draw on expert mine clearance, legal and diplomatic advice, using the ISU to provide support;

(xiii) to encourage all States Parties in a position to do so to provide additional, ear-marked funds to the ISU Trust Fund to cover costs related to supporting the Article 5 extensions process.

The States Parties underscored the already increasing workload of the ISU in providing to individual States Parties (and to Co-Chairs) professional support and advice on the preparation of requests for extensions.

The States Parties called upon the ISU to support all relevant States Parties in their process in the analysis of requests for extensions.



## Budgetary actions & implications

Support to individual States Parties in the preparation of requests for extensions

Support to all relevant States Parties in the analysis of requests for extensions:

2007 ISU Budget, paragraph 7a:

2007 ISU Budget, paragraph 7c:

“To take into account the increased workload associated with providing to individual States Parties and to Co-Chairs professional support and advice on matters concerning the implementation of Article 5 a temporary professional support officer position will be established beginning 1 March 2007.”

“To take into account costs associated with support to the Article 5 extensions process – that is, to acquire for and at the request of the President, Co-Chairs and Co-Rapporteurs “expert mine clearance, legal and diplomatic advice” and to provide States Parties with a means to earmark funds for this purpose, a distinct line item appears for this matter.”

- The ISU Budget’s line items for personnel and operations in 2007 are approximately 35% greater in 2007 than they were in 2006.
- These increases account for approximately 95% of the increase in the ISU’s Budget for 2007 relative to the 2006 budget. (The ISU Budget for 2007 is CHF 646,000 in contrast to the 2006 budget being CHF 472,000.)

- The ISU Budget contains a new line item entitled “Article 5 extensions process support” totaling CHF 25,000.
- This increases accounts for approximately 5% of the increase in the ISU’s Budget for 2007 relative to the 2006 budget. (The ISU Budget for 2007 is CHF 646,000 in contrast to the 2006 budget being CHF 472,000.)
- It is assumed that it is unlikely that in 2007 there would be demand for “expert mine clearance, legal and diplomatic advice.”



## Operational actions

### Support to individual States Parties in the preparation of requests for extensions

- The position of “mine action implementation specialist” was posted in March. Process to select a candidate in its final stages.

Meanwhile...

- The ISU aims to have had significant contact by mid-June with all States Parties which likely will need to have a request considered at the 9MSP at the end of 2008.
- Visits have been made to the capitals of three such States Parties, a visit to a fourth is scheduled for May and visits to two additional States Parties are being considered for July.
- In addition, letters have been written to the Permanent Representatives of other States Parties to make the availability of ISU services known.

### Support to all relevant States Parties in the analysis of requests for extensions:

- In her appeal to the States Parties to fund the ISU Budget for 2007, the President repeated the encouragement made at the 7MSP for “all States Parties in a position to do so to provide additional, ear-marked funds to the ISU Trust Fund to cover costs related to supporting the Article 5 extensions process.”
- Again, it is assumed that it is unlikely that in 2007 there would be a demand for “expert mine clearance, legal and diplomatic advice.”
- However, if by early 2008 no funds have been received which have been earmarked for this purpose, there would be no resources available to acquire for the President / Co-Chairs such expertise.



## Eight preliminary observations

1. The template has been a useful tool in providing States Parties with direction on information which may to include in a high quality request and as an instrument to assemble information.
2. Once information has been assembled, it is possible to see how various forms in the template could be adapted to meet a particular State Party's individual circumstances.
3. While the template could be a State Party's request, it may be advisable for the request to take the form of a narrative with relevant tables from the template included as attachments or annexes.
4. States Parties use terminology in different ways. Ambiguity could be minimized by defining terms and by using the language of the Convention (e.g., the Convention defines a “mined areas”).
5. It is necessary to clarify the benchmark to be used for measuring progress. Without knowing in quantifiable terms the magnitude of the original challenge, it's difficult to know how much has been done and how much remains to be done.
6. Requests could be lengthy. Length could be contained by including only matters that concern Article 5 implementation, not incorporating other aspects of a State Party's implementation plan.
7. Requests can explain any discrepancies in information previously provided in Article 7 reports (i.e., clarifying exactly what the benchmark for progress is).
8. Preparing a request can take time. It may be advisable that in 2008 & 2009, when many requests could be considered, meetings would take place late each year to provide more time to prepare.



## Questions?



'ending the suffering caused  
by anti-personnel mines'  
**ap mine ban convention**