

## **REPORT ON THE FUNCTIONING OF THE IMPLEMENTATION SUPPORT UNIT, NOVEMBER 2008 to NOVEMBER 2009**

Submitted by the Director of the Geneva International Centre for Humanitarian Demining (GICHD)

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### **Background**

1. At the Third Meeting of the States Parties (3MSP) in September 2001, the States Parties endorsed the President's Paper on the Establishment of the Implementation Support Unit (ISU) and mandated the Geneva International Centre for Humanitarian Demining (GICHD) to establish the ISU. The 3MSP also encouraged States Parties in a position to do so to make voluntary contributions in support of the ISU. In addition, the States Parties mandated the President of the 3MSP, in consultation with the Coordinating Committee, to finalise an agreement between the States Parties and the GICHD on the functioning of the ISU. The GICHD's Foundation Council accepted this mandate on 28 September 2001.
2. An agreement on the functioning of the ISU was finalised between the States Parties and the GICHD on 7 November 2001. This agreement indicates that the Director of the GICHD shall submit a written report on the functioning of the ISU to the States Parties and that this report shall cover the period between two Meetings of the States Parties. This report has been prepared to cover the period between the Ninth Meeting of the States Parties (9MSP) and the Second Review Conference.

### **Activities**

3. The ISU continued to carry out the duties in the 3MSP President's Paper that serves as the mandate for the Unit. Also in a manner consistent with this mandate, more specific direction regarding priorities was received from the Coordinating Committee, thus ensuring ongoing input from States Parties into the work of the ISU. Moreover, clear and comprehensive direction regarding priorities for the ISU in 2009 was derived from the Nairobi Action Plan, which was adopted by the States Parties on 3 December 2004 at the First Review Conference, and the Dead Sea Progress Report, which was warmly welcomed by the States Parties on 28 November 2008 at the Ninth Meeting of the States Parties (9MSP).
4. The ISU faced an extremely demanding year in 2009 in supporting the States Parties in preparing for the Second Review Conference. In addition to responding to the needs of individual States Parties, the ISU provided intensive support to the President-Designate and Host Country of the Second Review Conference, including by carrying out three planning missions to Cartagena, Colombia, supporting two preparatory and two informal meetings as well as numerous small group sessions, compiling the information necessary for the President-Designate to prepare a comprehensive five-year review document, and implementing a communications strategy, including by establishing a dedicated web site for the Second Review Conference.
5. The ISU again provided strategic direction to President and Co-Chairs, taking part in dozens of small group planning meetings and supporting seven meetings of the Coordinating Committee. This helped enable the Coordinating Committee to elaborate the general framework for intersessional work in 2009 and assisted in ensuring successful meetings of the Standing Committees the week of 25 to 29 May 2009. In addition, a strategic plan for the Coordinator of the Sponsorship Programme was proposed twice – once in the lead up to the meetings of the Standing Committees and once in the lead up to the Second Review Conference.
6. The ISU continued to provide secretariat support to the Universalisation Contact Group. In addition, the ISU prepared background information to the Contact Group Coordinator, the 9MSP President and other States Parties in the pursuit of their universalisation activities. As well, the

ISU participated in or led missions to four States not parties with the aim of assisting these States Parties in overcoming remaining barriers to ratification or accession.

7. The ISU responded to approximately 50 requests a year from States Parties requiring assistance or advice preparing transparency reports. In addition, the ISU supported the work of the Article 7 Contact Group and its Coordinator. The ISU's efforts in assisting States Parties with transparency reporting was a key factor in ensuring that two of the four States Parties that have been several years late in submitting a transparency reporting achieved compliance with this aspect of the Convention in 2009.
8. The ISU continued to support the efforts of the Coordinator of the Resource Utilisation Contact Group Coordinator, including by producing compilations of data on expected resource needs in coming years. The information gathered will be of great assistance in the work of this Contact Group and States Parties generally in the period following the Second Review Conference.
9. The ISU fulfilled its traditional role of communicating information about the Convention, its status and operations, including by participating in 16 regional or thematic workshops or training and capacity building events. Moreover, the ISU continued to make information about the Convention available by maintaining the Convention's Documentation Centre, receiving and making available up to 1,000 new documents in 2009 related to the implementation process.
10. The ISU received and responded to hundreds of requests from State Parties on matters related to implementation and compliance. Immediately in advance of the May 2009 meetings of the Standing Committees and, in particular, in the weeks leading up to the Second Review Conference, the ISU furnished information or provided assistance to dozens of States Parties and other actors regarding these events. As well, the ISU produced publications containing the programmes and information on the Intersessional Work Programme and on the Second Review Conference and updated its background brochure on the Convention, including by making this publication available in English, French and Spanish.
11. The ISU provided advisory services to a large number of States Parties that are or were in the process of implementing Article 5 of the Convention. This included the ISU visiting or commissioning visits to nine such States Parties. The ISU supported States Parties in achieving greater clarity in understanding the nature and extent of one's obligations, in advancing preparations of a request for an extension of Article 5 obligations, or in declaring completion.
12. The ISU supported the 9MSP President and the other States Parties mandated to analyse Article 5 requests. This included acquiring for, and at the request of these Parties expert mine clearance, legal and diplomatic advice and supporting five meetings of the Article 5 analysing group.
13. The ISU provided advisory services to States Parties seeking to apply the understandings on victim assistance adopted at the 2004 First Review Conference. This included the ISU visiting or commissioning visits to eight States Parties. The ISU supported these States Parties in achieving one of the following objectives: developing or improving victim assistance objectives, developing plans, advancing implementation of these plans, or developing a monitoring mechanism.

### **Financing of the ISU's core operations**

14. As indicated in the President's Paper on the Establishment of the Implementation Support Unit and the agreement between the States Parties and the GICHD, the GICHD created a Voluntary Trust Fund for activities of the ISU in late 2001. The purpose of this fund is to finance the on-going activities of the ISU, with the States Parties endeavouring to assure the necessary financial resources. In accordance with the agreement between the States Parties and the GICHD, the ISU Trust Fund's 2008 financial statement was independently audited by PriceWaterhouseCoopers. The audit indicated that the financial statement of the Voluntary Trust Fund had been properly prepared in accordance with relevant accounting policies and the applicable Swiss legislation. The

audited financial statement, which indicated that the 2008 expenditures of the ISU totalled CHF 951,827.24, was forwarded to the President, the Coordinating Committee and contributors to the ISU Trust Fund.

15. At the end of 2008, the ISU Trust Fund had a balance of CHF 141,570.03.<sup>1</sup> This carryover from 2008 to 2009 was less than one third the carryover from 2007 to 2008. This put the ISU at risk of finding itself in a deficit situation in 2009 unless States Parties promptly provided the financial resources necessary to fund the operations of the ISU. By the end of February 2009, the ISU indeed found itself in a deficit and has remained in such a situation throughout 2009.
16. On 29 May 2009, the Director of the ISU informed the States Parties that resources greatly in excess of those provided in 2008 were required in 2009 if the ISU was to be able to carry its operations without ending the year with a deficit. On 24 August 2009 the Director of the ISU wrote to all States Parties that previously had contributed to the ISU Trust Fund to again inform them of the serious financial situation faced by the ISU. At the 1 September and 25 September 2009 meetings of the Coordinating Committee, the Director of the ISU repeated that additional contributions were required in order to end the year without incurring a deficit. On 4 November 2009, the President of the 9MSP and the President-Designate of the Second Review Conference wrote to all States Parties that had previously contributed to the ISU Trust Fund but had not submitted a contribution in 2009 and, to several States Parties that had never contributed to the ISU Trust Fund, including some States Parties with great means. The President and President-Designate strongly encouraged States Parties to appeal for contributions to be made in support of the 2009 operations of the ISU and for consideration for additional contributions in 2010.
17. As of 18 November 2009, funds totalling CHF 416,121.54 had been received in 2009 from the following seven States Parties: Australia, Canada, Chile, Cyprus, Germany, Norway and Turkey. (See Table 1.) These funds include CHF 1,584.15 that one State Party (Chile) had earmarked for the process agreed to by the States Parties in 2006 to assist them in considering requests for extensions of Article 5 mine clearance obligations.
18. Given underfunding in 2009, the Director of the ISU sought direction from the Coordinating Committee regarding planning for a 2010 budget. On 1 September 2009, Coordinating Committee participants indicated their desire for the ISU maintain services in 2010 at a level provided in 2009. The Director the ISU informed the Coordinating Committee that he would prepare a 2010 budget on this basis, that this would include costs totalling approximately CHF 1.2 million, and that the Coordinating Committee must take responsibility for ensuring that the necessary resources would be found to support such a budget.
19. On 19 November 2009, the Coordinating Committee endorsed the 2010 ISU Work Plan and Budget, taking note of the responsibility of the States Parties to ensure that the necessary funding for this CHF 1.2 million budget would be provided along with funding necessary to cover any deficit from 2009. In addition, the Coordinating Committee agreed to keep the finances of the ISU under review at least quarterly in 2010 and to provide the ISU with direction to take actions to address any ongoing shortage of funding.

#### **Additional support received and funds managed by the ISU**

20. In addition to the core operations of the ISU being supported through contributions provided by States Parties to the ISU Trust Fund, the ISU received the following additional support or administered the following additional funds in 2009:
  - a. Costs for basic infrastructure and services in support of the ISU (office space, information technology, telecommunications, postage, publications coordination, travel support,

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<sup>1</sup> This figure differs from the figure contained in the ISU's audited financial statement because contributions from Malaysia and Hungary were accounted for in 2009 but received in 2008.

human resources management, accounting, audit and other administrative support, etc.) are not included in the costs covered by the ISU Trust Fund. These costs are covered by the GICHD general budget, on the basis of funds provided by Switzerland, and were valued at approximately CHF 440,000 in 2009.

- b. While costs associated with providing strategic direction to the Sponsorship Programme are covered by the ISU budget, costs related to the administration of the Sponsorship Programme are covered by the GICHD budget, again on the basis of funds provided by Switzerland. The value of these costs was CHF 40,000 in 2009.
- c. While costs associated with providing support to the Co-Chairs in their preparations for the meetings of the Standing Committees are covered by the ISU budget, the GICHD budget, on the basis of funds provided by Switzerland, covers the costs of hosting these meetings. In 2010, this will include, for the first time, the costs of providing interpretation at these meetings. In 2008 and 2009, the ISU's budgets included the costs of interpretation. Prior to 2008, interpretation at these meetings had been provided on a voluntary basis by two donors. In 2008, the lead donor indicated that it was no longer in a position to provide funds to cover these costs.
- d. With funds provided by the European Union, the ISU continued implementation of the European Union Joint Action on the universalisation and implementation of the Convention. This involved responding to requests from States Parties for short term technical advisory visits and support to five States Parties to host regional workshops. Funds provided by the European Union covered the costs of one full time staff position (i.e., the EU Joint Action Coordinator). The Joint Action terminates in May 2010.
- e. With project funds provided by Australia, Belgium, Norway and Switzerland, the ISU was able to cover the costs of most of its victim assistance advisory activities. In 2009, it was determined that the ISU's support to States Parties on victim assistance has become a core programmatic area of work for the ISU. That is, advice and support to relevant States Parties is necessary as long as such States Parties continue to need and desire advisory services. Therefore, in 2010 core advisory services on victim assistance will be incorporated into the ISU Trust Fund budget for the first time.
- f. With project funds provided by Norway, the ISU provided enhanced services to the President-Designate of the Second Review Conference. This included being able to cover the costs of a temporary staff position (i.e., the Cartagena Summit Communications Coordinator).
- g. With project funds provided by Australia, the ISU was able to continue executing its small States strategy, including by working to assist States not parties in the Pacific in overcoming remaining barriers to ratification of or accession to the Convention.

**Table 1: Contributions to the ISU Trust Fund**

	Received in 2008	Received in 2009 (as of 17 November)
Albania	CHF1'000.00	
Australia	CHF63'000.00	CHF86'500.00
Austria	CHF55'872.67	
Canada	CHF18'935.75	CHF139'362.38
Chile	CHF15'285.00	CHF21'281.00
Cyprus	CHF2'700.00	CHF4'560.00
Czech Republic	CHF67'039.88	
Germany	CHF24'298.50	CHF30'224.00
Hungary	CHF10'737.43	
Ireland	CHF55'080.66	
Italy	CHF64'796.00	
Malaysia	CHF1'774.03	
Norw ay	CHF157'557.90	CHF130'845.86
Qatar	CHF11'921.00	
Slovenia	CHF7'906.50	
Spain	CHF44'133.00	
Turkey	CHF1'973.82	CHF3'348.30
<b>Total</b>	<b>CHF604'012.14</b>	<b>CHF416'121.54</b>