

Preliminary Report

to the

Task Force

on the

Implementation Support Unit (ISU)

15 April 2010

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Geneva
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Summary

This paper is a progress report on the first two months of the evaluation of the ISU of the Anti-Personnel Mine Ban Convention (APMBC). Considerable numbers of consultations with States Parties and other stakeholders remain to be conducted, and no options have yet been formulated. However, the paper tightens the focus of the evaluation in a factual sense and in several analytical respects including on matters of the evolution of the Convention and the ISU's responsiveness to the **priorities** of States Parties. A number of aspects of the **financing** of the ISU are discussed. Similarly, some dimensions of the **institutional framework** for the Unit are set out for further examination, including the evolution of the relationship of the ISU with the Geneva International Centre for Humanitarian De-mining (GICHD). Key matters for further examination and consultation are grouped at the end of each of the three main chapters of the paper - in paragraphs 47, 64 and 94.

2 As a preliminary report, this paper is subject to revision and clarification in the final report to the Task Force that is due on 1 September once fuller consultations have been carried out, additional facts gathered, further analysis undertaken and feedback is taken into account. Given that numerous consultations have still to take place, it is necessary to reiterate that this is a preliminary report which neither draws conclusions nor articulates options.

Acknowledgement

3 The evaluation necessarily impinges on the day-to-day work of the ISU, and special gratitude is due to the Director of the ISU, Kerry Brinkert, and his staff for their responsiveness to all requests for information and administrative assistance on top of their regular tasks and responsibilities.

Background

4 The terms of reference (ToR) of the independent consultant are to provide the Task Force with clear and concise insights into the work of the ISU since its inception. Specifically, the ToR require the consultant to address issues related to securing the ISU's future support to the States Parties, including, but not limited to, the three following issues:

- (a) The tasks and responsibilities of the ISU,
- (b) The financing of the Unit, and
- (c) The institutional framework for the ISU.

5 These three central elements of the scope of the evaluation are also expressed in the ToR as “including development of the tasks and services that the ISU provides for States Parties, an analysis of the findings, and options for the future work, financing and organisation of the ISU, including the institutional framework of the ISU”.

Methodology

6 The methodology for the evaluation of the ISU is set out clearly in the Terms of Reference. The structure of this preliminary report is to deal sequentially with the three principal matters of scope noted in the preceding paragraphs. This has meant that some significant aspects of the origins of the ISU are discussed not at the outset of this paper but under the third item of scope, the institutional framework for the Unit.

7 Because all relevant background materials relating to the call by the States Parties for an evaluation of the ISU are available electronically, references to them are not repeated in this preliminary report. They can be found at <http://www.apminebanconvention.org/implementation-support-unit/evaluation-of-the-isu/>. The ToR for this evaluation, however, are attached as **annex A**.

A THE TASKS AND RESPONSIBILITIES OF THE ISU

8 This section of the preliminary report:

- (a) looks at the formal mandate of the ISU at its inception,
- (b) notes the impact on the Unit of the dynamic nature of the Convention,
- (c) traces the evolution of priorities of the States Parties and its impact on the ISU, and
- (d) foreshadows considerations about the tasks and responsibilities of the Unit that will need to be weighed during the course of the evaluation.

(a) Formal mandate of the ISU at its inception

9 Almost ten years ago in September 2001, the Third Meeting of the States Parties (MSP3) endorsed the President’s Paper on the Establishment of the Implementation Support Unit (ISU)¹. MSP3 also mandated the Geneva International Centre for Humanitarian Demining (GICHD) to establish the ISU, and encouraged States Parties in a position to do so to make voluntary contributions in support of the ISU for which purpose the GICHD established the Voluntary Trust Fund (VTF). (The relationship between the GICHD and the ISU is covered in greater depth later, under the heading “The institutional framework for the ISU”.)

10 In addition, the States Parties mandated the MSP3 President, in consultation with the Coordinating Committee, to draw up an Agreement between the States Parties and the GICHD on the functioning of the ISU. (The Coordinating Committee had been established by the States Parties in 2000 to comprise essentially the treaty’s President,

¹ Annex II of APLC/MSP.3/2001/L.7

Co-chairs and Co-Rapporteurs of Standing Committees to coordinate the activities of States Parties and to provide direction to the ISU in implementing the Convention between MSPs (i.e., “intersessionally”). Membership of the Committee has subsequently been expanded.) The Agreement on the functioning of the ISU was finalised between the States Parties and the GICHD by the President of MSP3 and the Director of the GICHD on 7 November 2001.

11 Under the Agreement, an annual **Budget** for the ISU was to be established by the Coordinating Committee and the Director of the GICHD. It was stipulated that the Budget for the forthcoming year “shall, if necessary, indicate a set of **priorities** that shall be understood as guidelines in order to **allocate available resources**”. (Emphasis is added to “priorities” and allocation of “available resources” because these are matters that are directly relevant to paragraphs 18 and 19 of the most recent Report on the functioning of the ISU² which are discussed later in this preliminary report.)

12 The **general duties** of the ISU are listed in the Paper of the President of MSP3 that serves as the formal mandate for the Unit. Essentially, they can be broken down in this manner:

Table 1: Duties of the Implementation Support Unit

	Heading	Duties
1	<u>Meetings</u>	<p>(a) <i>Coordinating Committee (CC)</i></p> <ul style="list-style-type: none"> - Providing basic secretarial support, sending out notices of meetings, arranging meeting rooms, note taking, etc. - Administrative and other follow-up to CC meeting decisions and provision of advice, on request, to the President and CC Members on technical and institutional issues (interaction, coordination and synergy with other organizations, retrieval of data on practices, etc). <p>(b) <i>Standing Committees (SC)</i></p> <ul style="list-style-type: none"> - Providing basic secretarial support – sending out notices of meetings, arranging meeting rooms, note taking, etc. - Providing advice, support and assistance, on request, to Co-Chairs and Co-Rapporteurs, (a duty footnoted as particularly relevant in supporting mine-affected/developing countries as well as other small delegations). - Administrative follow-up to SC meeting decisions and provision of advice, on request, to the President and SC Co-Chairs and Co-Rapporteurs, on technical and institutional issues.
2	<u>Presidents</u>	<ul style="list-style-type: none"> - Providing support across all facets of the current and incoming President’s duties, including advice on technical and other issues,

² APLC/CONF/2009/5 of 23 November 2009

		preparation of CC meetings, providing back-up and support for all liaison/interaction with States Parties, the ICBL, ICRC, the UN and other international organizations and agencies as well as media and communication support.
3	<u>Communication and liaison</u>	<ul style="list-style-type: none"> - Providing the support to ensure timely and consistent communication about the implementation process to all actors, including the preparation of media statements, organization of media briefings, preparation of briefing notes etc., and any communication that may be necessary for the current or incoming President to make. - Providing back-up and support for all liaison/interaction with States Parties, the ICBL, ICRC, the UN, and other international organizations and agencies. - Compiling contact lists etc., of actors involved in or interacting with the implementation of the Convention and keeping liaison channels active, including providing support to actors participating in the Intersessional Work, e.g., providing the public relations aspects of welcoming speakers, playing a coordination/information meeting place role as a one-stop location. - Ensuring that the GICHD web site contains the latest information on the implementation process.
4	<u>Sponsorship Programme</u>	<ul style="list-style-type: none"> - Providing assistance in administering the sponsorship programme (footnoted as being a continuation of the GICHD-administered sponsorship programme in existence in 2001).
5	<u>Budgeting and planning</u>	<ul style="list-style-type: none"> - Compiling the additional budget needed by the GICHD for the Implementation Support Unit as well as the planning for the years ahead based on the projection and analysis of Intersessional Work and other aspects related to implementation.
6	<u>Documentation</u>	<ul style="list-style-type: none"> - Collecting, collating, storing and retrieving documentation on the Convention and its implementation (to remedy the absence of a central collection for the <i>travaux préparatoire</i> of the Convention).

13 The President's Paper endorsed by MSP3 also specified three services that the GICHD would provide to augment the duties listed in this table. They were:

- preparing and supporting meetings of the Standing Committees and the Coordinating Committee, including writing summaries and facilitating follow-up activity;

- providing independent professional advice and assistance to the Coordinating Committee; and
- establishing a documentation and resource database facility (on the Ottawa Process, Oslo Diplomatic Conference, Meetings of State Parties, the four Standing Committees dealing with core issues of the Convention, and the Coordinating Committee).

These three services are relevant to the ISU's duties numbered 1 and 7 respectively in table 1. (The benefit in terms of "savings" to the ISU from the provision of the first of these three services by the GICHD is noted in paragraphs 74 and 75.)

(b) The impact on the ISU of the dynamic nature of the Convention

14 The Mine Ban Convention is a "living" treaty. Those Governments that participated in its negotiation prohibited the use, development, production, or transfer of anti-personnel mines by States immediately the Convention entered into force for each Party, but they also charted the course ultimately to a mine-free world through a progressive set of steps, many of them within specified time frames. These include:

- (a) the destruction of stockpiled anti-personnel mines by each State Party no later than 4 years after the Convention became binding on that Party (article 4),
- (b) the destruction (clearance) by each States Party of all anti-personnel mines in mined areas under its jurisdiction no later than 10 years after the Convention became binding on that Party (article 5.1) subject to possible extension of the deadline (article 5.3),
- (c) the identification by each State Party of all areas under its jurisdiction in which anti-personnel mines were known or suspected to be emplaced, and the marking and monitoring of such areas until those mines had been destroyed (article 5.2), and
- (d) the provision of assistance of various kinds to which mine-affected States have a right under the Convention to assist them fulfil their obligations and mitigate the consequences of mines including mine-related injuries and deaths (victim assistance) (article 6).

15 To give expression to their determination to end the suffering and casualties caused by anti-personnel mines (preambular paragraph 1) and to their determination to "face the challenge of removing anti-personnel mines placed throughout the world, and assure their destruction" (preambular paragraph 2), the States Parties necessarily support another dynamic associated with the Convention, i.e., the promotion of its universality.

16 The dynamic nature of the Convention is also apparent from the requirements that States Parties fulfil various ongoing transparency/reporting requirements (article 7), undertake specific national implementation measures and meet regularly for the purposes, amongst other things, of reviewing the implementation of the treaty.

17 It is clear, therefore, that the Convention is not a static one. While the deadlines in articles 4 and 5 were, of course, known to the States Parties when they settled on the mandate for the ISU in 2001, they could not anticipate, for example, the consequences of the relatively high number of Parties that would seek extended time to clear emplaced mines. Another factor relevant to any measurement of the tasks and responsibilities of the ISU and the demands made of it is the 42% increase in membership of the Convention since the ISU's mandate was agreed in 2001 (an additional 46 States from the 110 that were already bound by the Convention at the time MSP3 took place).

(c) Evolution of priorities of the States Parties and its impact on the ISU's tasks and responsibilities

18 The preceding section looked at the impact on ISU of the dynamic nature of the Convention, its implementation and its growth in membership. It is necessary next to look at the impact on the Unit of the evolution of priorities of the States Parties on the ISU.

19 Directions regarding priorities for the ISU are provided by States Parties principally through conclusions and understandings agreed at MSPs and Review Conferences. In this regard, standout expressions of priorities are those of MSP4 at which the States Parties “agreed to focus with even greater clarity on the achievement of the Convention's core humanitarian aims: clearing mined land, assisting victims, destroying stockpiled mines and universalizing the ban on anti-personnel mines”. Of particular significance, of course, are the outcomes of the Nairobi and Cartagena Review Conferences for 2005 to 2009 and 2010 to 2014 respectively. These will be analysed shortly. More immediate direction regarding or affecting priorities is received from time to time from the Coordinating Committee, ensuring ongoing input from States Parties into the work of the ISU, and mitigating the risk of any hiatus that might arise if all decisions were left to be taken only annually at Meetings of States Parties. The annual Progress Reports prepared for adoption at MSPs measure and assess implementation of the States Parties' priorities.

20 In taking a close look at priorities, the starting point for this evaluation is the most recent expression by States Parties, the Review of the Operation and Status of the Convention undertaken at Cartagena, the Action Plan adopted at that Conference, and the 2010 Budget (together with the Work Plan).

(i) Cartagena Review and Action Plan

21 In the summary of “achievements and challenges” in the opening paragraphs of the Review of the Operation and Status of the Convention, it is clear from the manner in which States Parties have measured their achievements to date and outlined their remaining challenges that their key priorities are as follows:

Universalising the Convention – “...attracting further adherents to the Convention has grown more difficult in recent years implying that future efforts to promote acceptance of

the Convention and its norms will require intensive effort at as high a level as possible”.

Destroying stockpiled anti-personnel mines – “...the matter of stockpile destruction also persists as one of the Convention’s most complex remaining challenges. ... Non-compliance with the obligation to destroy stockpiled anti-personnel mines is a grave concern for the States Parties”.

Clearing mined areas – “...At the Nairobi Summit it was agreed that meeting these (article 5) deadlines would be the most significant challenge to be addressed in the coming five years. The fact that large numbers of States Parties requested extensions on their deadlines for completing the destruction of emplaced anti-personnel mines suggests that there has been only minimal success in overcoming this challenge. An increased intensity of efforts will therefore be required in the years ahead to ensure that the Convention achieves its objectives on the ground”.

Assisting the victims – “...Significant progress has been made in pursuing a more strategic approach to victim assistance, particularly by many of these 26 States Parties. Victim assistance is now treated with greater precision in a manner similar to how the States Parties pursue their aims of destroying all stockpiled or emplaced anti-personnel mines. ... However, precisely because of the greater seriousness given to victim assistance, the challenges that remain are clearer and appear more daunting thus signaling that further intensity of effort will be required after the Second Review Conference. This intensity is especially required to achieve tangible results in meeting the needs and guaranteeing the rights of mine victims on an equal basis with others”.

Cooperation and assistance – “... At the Nairobi Summit, the States Parties remarked that while individual States Parties are responsible for implementing the Convention’s obligations in areas (under) their jurisdiction or control, (the Convention’s) cooperation and assistance provisions afford the essential framework within which those responsibilities can be fulfilled and shared goals can be advanced. Since the Nairobi Summit, the need for partnerships to achieve the aims of the Convention has become more important than ever. ... Ensuring that sufficient resources exist and seeing that available resources meet well expressed needs by States Parties demonstrating strong ownership over their implementation efforts may be the most significant challenges facing the States Parties during the period 2010 to 2014”.

Transparency – “... the annual transparency reporting rate has fallen below the level attained during the year of the Nairobi Summit. Renewed attention will need to be given to the ongoing fulfillment of transparency obligations. In addition, following the Second Review Conference, effective informal exchanges of information will be equally crucial”.

Implementation support – “... Since the Nairobi Summit, the States Parties have been well served by a diverse and flexible set of implementation support mechanisms. These include mechanisms contained in the text of the Convention itself (i.e., Meetings of the States Parties), mechanisms that exist pursuant to decisions of the States Parties (i.e., the Intersessional Work Programme, the Coordinating Committee and the Implementation

Support Unit), and mechanisms that have emerged on an informal and voluntary basis (i.e., Contact Groups and the Sponsorship Programme). Successful implementation support can in large part be attributed to the application of principles that the States Parties have considered central since their First Meeting of the States Parties: **continuity, coherence, flexibility, partnership, openness, transparency and a clear sense of purpose** (*emphasis added*). While continuing to apply these principles, the challenge for the States Parties following the Second Review Conference will be to continue to be pragmatic and flexible in adjusting implementation mechanisms in accordance with evolving needs and realities”³.

22 It must be repeated here that these challenges - these priorities - are stated at the very outset of the Review of the Operation and Status of the Convention conducted and agreed by the States Parties in Cartagena. It is also instructive to analyse the Cartagena Action Plan and, at the same time, to compare it with its predecessor, the Action Plan resulting from the first Review Conference, held in Nairobi in 2004. This can be tabulated using the headings of those Plans, as follows:

Table 2: Priority-setting: Review Conferences

Cartagena Action Plan	Act-ions	Nairobi Action Plan	Act-ions
I. Universalizing the Convention	6	Ditto	8
II. Destroying Stockpiled Anti-Personnel Mines	6	Ditto	8
III. Clearing Mined Areas (art 5)	10	Ditto	12
IV. Assisting the Victims	11	Ditto	11
V. International Cooperation and Assistance for achieving the Convention's aims i.e., States Parties recognize that fulfilling their obligations will require sustained substantial political, financial and material commitments, provided both through national commitments and international, regional and bilateral cooperation and assistance, in accordance with the obligations under Article 6.	19	V. Other matters essential for achieving the Convention's aims - Cooperation & Assistance	11
VI. Additional actions essential to achieving the Convention's aims - Compliance	15	(absorbed into V. above) - Transparency & Exchange of information	8

³ APLC/CONF/2009/WP.2 paragraphs 3 to 10

Reporting and transparency		- Preventing and Suppressing Prohibited Activities, and Facilitating Compliance	6
Accountability		- Implementation Support	6
Implementation partnerships and support			
Total Actions	67		70

23 Allowing for some slight streamlining in methodology between 2004 and 2009, priorities of States Parties, as expressed in the two Action Plans to date, have changed only marginally. Too much should not be read into the reduction of intended actions on the major, current issue of clearing mined areas. This can be explained by greater precision in the characterisation of the Actions, stemming from actual experience of managing this aspect of the Convention.

24 What is significant, however – especially in light of the call for this evaluation - is the increased emphasis on “International Cooperation and Assistance for achieving the Convention’s aims”. It is impossible not to conclude from these 19 Actions that the States Parties recognise the very real nature of the challenges outlined in the opening paragraphs of the Review of the Operation and Status of the Convention. Certainly, their overall aspirations as expressed under three headings in the Cartagena Declaration are clear enough: - after a “decade of saving lives”, “People remain at risk” but, with the necessary political will, a “mine free world is possible”.

25 This section on the Cartagena Review Conference relevant to the tasks and responsibilities of the ISU would not be complete without citing certain specific Actions agreed at the Conference:

“Action #63: Support the efforts of the President and the Coordinating Committee to ensure effective and transparent preparations and conduct of meetings of the Convention.

Action #64: Recognize the essential role of the Implementation Support Unit, hosted by the Geneva International Centre for Humanitarian Demining, in implementing the Convention, including by preparing the meetings of the Standing Committees, the Meetings of the States Parties and Review Conferences, supporting the President and the Coordinating Committee, providing advisory services to the States Parties and by administering the Sponsorship Programme.

Action #65: Make use of synergies with other relevant instruments of international humanitarian and human rights law.

States Parties in a position to do so will:

Action #66: Provide necessary financial resources for the effective operation of the Implementation Support Unit.

Action #67: Contribute to the Sponsorship Programme thereby permitting widespread representation at meetings of the Convention, particularly by mine-affected developing States Parties.”

26 As a final comment in this section on the Second Review Conference’s decisions on the priorities of the States Parties and their consequences for the workload of the ISU, it is necessary to draw attention to four key paragraphs of the Review of the Operation and Status of the Convention conducted and agreed by the States Parties in Cartagena. These extracts, quoted verbatim, are directly relevant to the impact on the ISU of the States Parties’ priorities.

“226. Since Nairobi, the ISU has evolved in terms of the support it provides, the ISU has grown in size, and there has been increasing appreciation on the part of the States Parties for the work of the ISU. States Parties have increasingly come to rely on the ISU to support them on a wide range of matters as concerns the implementation of the Convention, for example, seeking advice on matters related to compliance, requesting information or assistance in making good use of the Convention’s informal or formal meetings, asking for information on the status of implementation of various provisions of the Convention, et cetera.

227. As noted, the understandings on victim assistance adopted at the Nairobi Summit provided a basis for the States Parties to act strategically in this area of the Convention. Successive Co-Chairs have responded by requesting the support of the ISU to in turn support those States Parties responsible for significant numbers of landmine survivors in applying these understandings. While this work began in 2005 on a project basis (i.e., a fixed time period during which clear-cut objectives would be achieved), the ISU’s support to States Parties on victim assistance has evolved between 2005 and 2009 to 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 in this area.

228. In 2007 States Parties implementing Article 5 of the Convention began preparing requests for extensions. The ISU responded by developing a strategy to provide advice and support to them in doing so. The magnitude of this work was greater than what many would have expected, given the large number of requests. Moreover, the decisions of the Seventh Meeting of the States Parties to establish a process for the preparation, submission and consideration of Article 5 request both underscored the advisory role of the ISU vis-à-vis requesting States Parties and established a role for the ISU to serve as a secretariat to the States Parties mandated to consider Article 5 extension requests.

229. Successive Presidents of Meetings of the States Parties, as well as some individual States Parties, have placed a heavy emphasis on promoting universalisation. The ISU has responded by serving as an expert resource in support of their efforts, some of which have been extensive and ambitious. In

addition, as the competency of the ISU has increased, in large part due to several years of experience in supporting and advising States Parties, the ISU has acquired niche expertise in various other areas. For instance, the ISU provides leading support to the States Parties on matters concerning the preparation of transparency reports. It has played an important role in leading seminars to assist various actors in understanding the Convention and how it works. It has developed a strategic response to address the needs of small States Parties. As well, it has provided inputs in a number of areas regarding how the lessons learned from the application of the Convention may be applicable elsewhere.”

27 These paragraphs of the Cartagena Review are evidence of a measure of elasticity of the Unit’s mandate in response to evolving needs of States Parties in the implementation of the Convention. The extent to which this elasticity is a natural, conscious development that warrants an updating of the mandate, will require analysis after further views have been canvassed among States Parties, together with an assessment of its consequences. For this preliminary report, the focus has been placed, in the meantime, first on viewing the mandate through the prisms of the direction of effort of staff of the ISU in meeting the priorities of States Parties, and then through the activities set out in the 2010 Work Plan.

(ii) ISU direction of effort

28 Bearing in mind the priorities expressed by States Parties as just noted, it is salutary to assess the ISU’s allocation of its resources to implementing those priorities in the current financial year, that is, the manner in which the time of the staff of the Unit is applied to discharging their tasks and responsibilities. A summary of the ISU’s direction of effort in percentage terms as projected for the current year is set out in **table 3**.

Table 3: Projected allocations, i.e., direction of effort, of ISU Staff in 2010

ISU: direction of effort in percentage terms	General Support	Article 5 Support	Article 5 Extension process	Victim Assistance	Total %
Director	70	15	10	5	100
*Implementation Support Specialist	85	10	5		100
Mine Action Implementation Specialist	5	95			100
Victim Assistance Specialist	5			95	100
Implementation Support Officer	75			25	100
*Administrative Assistant	100				100
* NB: these Staff members are part-time at 0.8 and 0.5 % full-time equivalence respectively					

Looking ahead, it is the ISU Director's assessment that implementation activities will warrant a fairly constant level of direction of effort during the entire period until the Third Review Conference, based on a projection of existing priorities and demands as well as allowing for a slight tailing off of requests for extension under article 5.

(iii) The Work Plan as the basis for the 2010 budget

29 As we have seen, implementation of the Convention is a dynamic matter, and in addition, the wishes of Parties expressed especially as decisions of Meetings of States Parties and Review Conferences are sovereign. The needs and demands of States Parties have evolved commensurate not only with the spirit of cooperation that underpins implementation activities but also in direct consequence of the confidence that the ISU has earned as the Convention has gone from strength to strength. What the States Parties decide upon necessarily becomes the mandate for the ISU to the extent that resources exist or become available for the implementation of the States Parties' priorities, an important rider that will be developed progressively in this evaluation.

30 It is inherently difficult to translate the priorities of States Parties into a precisely weighted set of tasks for the ISU that would be frozen in time as if it were an inflexible mandate, year after year. It is possible, however, to gauge the comparative impact of the priorities of States Parties in terms of the direction of effort of the ISU in implementing them based on the annual Budget of the ISU and its accompanying **Work Plan**.

31 The elaboration of an annual Work Plan is a commendable development. It ensured that when the Coordinating Committee adopted the Budget on 19 November 2009 it did so with a clear idea of the relative costs of carrying out the priorities reflected in the Work Plan for 2010. The detailed elaboration of the budget by activity, and the initiation of a quarterly review of the Plan by the Coordinating Committee, will have the further advantage of enabling easier monitoring of the ISU financial situation. The 2010 Budget is attached as **annex B**.

32 To illuminate the headings in the top line of table 3, the Work Plan for 2010 is set out in **table 4**. Table 4 also expresses in percentage terms the allocation of budget resources to those headings. The Budget in question, to repeat, is the one adopted by the Coordinating Committee on 19 November 2009 on behalf of the States Parties.

Table 4: ISU Work Plan as encapsulated in the 2010 Budget

	Activity	% age of budget (approx.)
1	GENERAL SUPPORT	43.33
A	Provide advice State Parties on matters related to implementation and compliance.	
	Assist States Parties in maximising participation in the Convention's	

B	implementation processes	
C	Provide strategic direction to Co-Chairs	
D	Provide strategic direction to the Coordinator of the Sponsorship Programme	
E	Support States Parties in preparing transparency reports	
f	Lead seminars and provide training on understanding the Convention and its operations	
g	Support the President and individual States Parties in undertaking universalisation efforts	
h	Develop strategic responses to address the needs of small States Parties	
i	Provide advice on applying, in other areas, the lessons learned from implementing the Convention	
j	Supporting the President-Designate and the 10MSP host country in their preparations	
k	Continue to serve as the authoritative source of information on the Convention	
l	Maintain the Convention's Documentation Centre	
2	PUBLICATIONS	3.33
a	Make information on the Convention and implementation processes available in a professional manner	
3	SUPPORT FOR ARTICLE 5 IMPLEMENTATION	23.75
a	Support States Parties in achieving greater clarity in understanding the nature and extent of one's obligations	
b	Support States Parties in preparing Article 5 extension requests	
c	Support States Parties in achieving and declaring completion of Article 5 implementation	
4	SUPPORT FOR THE ARTICLE 5 EXTENSIONS PROCESS	4.17
a	Provide the secretariat support required by the President and the other States Parties mandated to analyse requests	
b	Acquire expert mine clearance, legal and diplomatic advice at the request of the analysing group	
c	Acquire working translations of requests submitted	
d	Make requests and other relevant documentation readily available	
5	SUPPORT FOR VICTIM ASSISTANCE IMPLEMENTATION	25.42
a	Support States Parties with good victim assistance objectives in developing good plans	
b	Support States Parties with underdeveloped objectives in developing more concrete objectives	

c	Support States Parties with good plans in advancing implementation of these plans	
d	Support States Parties that have engaged little to date in achieving a higher level of engagement	
e	Support States Parties in developing monitoring mechanisms	
		100%

(iv) The 2001 mandate 10 years on

33 The Work Plan serves not only to chart the activities of the ISU for the year ahead in an organized, transparent manner. For the purposes of this evaluation, it also serves to provide a gauge against which the original mandate of the Unit can be measured, i.e., table 1 placed alongside table 4. This raises the prior question whether the mandate of 2001 can realistically and usefully be applied 10 years later after almost a decade of experience and a 42% increase in membership of the Convention. In other words, a formulaic approach may be possible, but is it sensible? This is not the same question as to whether it is useful for States Parties to pause and reflect on the ISU's mandate, especially in the financial circumstances discussed later in this report.

34 Nonetheless, an analysis of tables 1 and 4 (which requires, in the case of the latter, an extrapolation of the Work Plan into the resulting duties of ISU staff) demonstrates principally that three of the original six areas of focus for the ISU remain central to its work. These are its support for the Coordinating Committee and Standing Committees, support for the President and Budgeting and Planning. The three other headings continue to be relevant and all are covered in one way or another in the 2010 Work Plan, although Communication and Liaison as a duty has become less prominent as a consequence of the high profile that has been achieved for the Convention through a range of means including Review Conferences at "Summit" level. Documentation, likewise, has become more of a routine matter, while the Sponsorship Programme - an activity of continuing significance - was nonetheless a function of the GICHD before the birth of the ISU.

35 Not surprisingly, there are a numbers of areas of support to States Parties that are set out in the Work Plan that have little or no echoes with the original list of duties. These relate to article 5 implementation and the extension process, and to victim assistance. The cautious circumstances in which a modest ISU was established in 2001 are discussed under institutional matters in the third chapter of this report (especially paragraph 70), but those small beginnings had several rationales. It was thought that "resources should be devoted to mine clearance and victim assistance rather than to set up new structures"⁴, and there was concern that "the authority of States Parties might have been compromised by a separate institution capable of taking substantive decisions relating to the Convention"⁵.

⁴ Stuart Maslen, Commentaries on Arms Control Treaties Volume 1 (Oxford University Press, 2004), pp.262-263

⁵ *ibid*, p.263

36 In fact, the growth in the range of duties of the ISU has been in direct consequence of the need for supporting States Parties in relation to mine clearance and victim assistance. Moreover, that growth has taken place without anxiety over any subversion of the role of States Parties. It is noteworthy in this regard that virtually all of the entries in the draft Work Plan dealing with mine clearance and victim assistance, as submitted to the Coordinating Committee, begin “Support States Parties in...”. It must be emphasised that the Convention is well served by the manner in which, intersessionally, the mechanism of the Coordinating Committee exercises oversight of the work of the ISU.

37 It has already been mentioned that consultations on the desirable degree of elasticity of the Unit’s mandate are continuing, but without prejudging the issue it is important to note the opening words of the mandate establishing the ISU. These are, with emphasis added, “States Parties mandate the GICHD to establish an Implementation Support Unit to take care of issues related to the Convention...**in accordance with the duties approved by States Parties**”. The question that must be asked is whether the words in bold were intended to apply only to the duties approved at that time or at *any* time. Given the nature of the oversight exercised by States Parties over international secretariats in general, it is difficult not to conclude that those words enjoy dual application, i.e., to the original mandate coupled with future directions and decisions by States Parties.

38 It is this question – the manner in which the ISU is actually tasked through “directions and decisions” – that is brought into play at this point. Priorities contained, for example, in outcomes of Review Conferences have been adopted by the States Parties as a whole. Presidents, MSP Chairs and Co-Chairs may also seek inputs beyond the normal servicing of the needs of presiding officers, e.g., to pursue an initiative on a reporting format. At the other end of the spectrum there may be activities undertaken by the ISU at the behest of, and funded directly by, individual States Parties or groups of States Parties. It is apparent, for instance, from sources such as the President’s Summaries of Coordinating Committee meetings that activities conducted by the ISU sometime stem from *ad hoc* initiatives or projects such as the following:

- (a) Universalisation: With funds provided by the European Union, the ISU participated in 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. To help offset the additional workload, 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 was due to terminate in May 2010. With project funds provided by Australia, the ISU was also able to continue executing its small States strategy, including by working to assist States not party in the Pacific in overcoming remaining barriers to ratification of or accession to the Convention.

- (b) Enhanced support to the Presidency: The ISU, at the request of the Presidency, identified activities to support the Presidency over and above what the ISU could normally do in its 2010 work plan. These activities include the organisation of a workshop on cooperation and assistance, the efforts of the President's Special Envoy on the Universalisation of the Convention and enhanced support to the President-Designate of the 10MSP. Their cost of approximately CHF 220,000 was fully funded by Norway. (As an aside, a significant impact on the workload of the ISU in carrying out a responsibility laid down in the original mandate in recent years has been the commendable activism of a succession of Presidents.)
- (c) Victim Assistance: In 2009, with project funds provided by Australia, Norway and Switzerland, the ISU was able to cover the costs of its victim assistance advisory activities. As noted in paragraph 26, it has already been determined by the Coordinating Committee that the ISU's support to States Parties on victim assistance will be treated as a core programmatic area of work for the ISU because advice and support to relevant States Parties will be necessary for as long as such States Parties continue to need and desire advisory services. Therefore, in 2010 core advisory services on victim assistance have been incorporated into the ISU Trust Fund budget for the first time. (It should be noted that, in consequence, the Unit has developed a set of activities which are seen as parallel but additional programmes, measures and tools to assist States Parties in applying the Cartagena Action Plan. In total, these activities would cost approximately CHF 400,000).

39 These examples are cited not to suggest that such activities are in any way incompatible with broader implementation work in pursuit of the priorities of the States Parties at large, but simply to highlight divergent ways in which the ISU is tasked. It is apparent, however, that *ad hoc* tasking of the ISU gives rise to a range of factors that warrant further exploration.

40 For instance, there is a need to ensure that the Unit is not overloaded by requests that, while being fully in line with the priorities of States Parties, nonetheless prove labour-intensive. There is the risk also that requests may be made in the future that do not accord closely with existing priorities. More complicated is the situation where there might arise a divergent viewpoint among States Parties as to whether a particular new activity warrants the level of priority being accorded it.

41 Such a situation is potentially awkward for the ISU, especially in circumstances where budgetary constraints under the Voluntary Trust Fund come into play, inhibiting the Unit's efforts to discharge priorities already mandated by the States Parties (or by the Coordinating Committee on their behalf). If the initiating State Party or Parties provides dedicated funds to pursue the particular project, the Director of the ISU would thus be placed in the position of being, in effect, a project manager responsive to the fiscal and other reporting requirements of the initiating States Party or Parties.

42 Adding the duties of project manager to the existing tasks and responsibilities of the Director of the ISU in this manner may or may not be burdensome in a given case and

may or may not detract from his characteristically assiduous and efficient efforts to perform his pre-ordained functions. But it is difficult not to see such a role – as project manager – as potentially draining if there were an abundance of projects, and, given – as shall shortly be discussed – that he is already responsible on the one hand to the States Parties on all matters of substance and on the other to the Director of the GICHD on all organisational and administrative matters inherent in the services provided by the ISU to States Parties (paragraph 77 below).

43 The implications of this situation should not be overstated both because projects by nature are generally well defined and relatively transitory. The voluntary nature of the Trust Fund inherently leads to uncertainty about the extent to which priorities will be able to be met from within it. The use of specific projects can be seen as a pragmatic way of augmenting it, if for whatever reason the donor prefers not to channel resources through the VTF, or is unable to do so. And, in at least one case a project subsequently became absorbed in the regular budget by decision of the Coordinating Committee (paragraphs 26 and 38), bringing with it, in effect, a boost to the coffers of the VTF. Nonetheless, the extent to which this practice is adequately transparent warrants deeper consideration.

44 Several additional reflections on this bifurcation of funding of the work of the Convention are offered. The first is that the ISU has become a “victim of its own success”, attracting additional work from States Parties because of its perceived expertise, competency, efficiency and effectiveness. For States Parties whose public financing rules preclude, or complicate, the making of contributions to voluntary trust funds or institutions that have not been created by a treaty, the harnessing of the proven skills and perceived “value for money” of the ISU to carry out a mine action project is attractive, the more so if earmarking of funding is an important factor from the donor’s development assistance imperatives.

45 Secondly, the view has been expressed that the original use of projects stemmed from a measure of the caution that governed the creation of the ISU. From the outset, as already noted, the States Parties made it clear that its funding priorities were mine action, not bureaucracy. The founding documents speak of a “small” unit or a “small dedicated support unit ... accountable to the States Parties through the Coordinating Committee ... (to) optimise the use of resources”. In the early years of the Unit, States Parties appear to have held true to this ideal to the point where, in response to the dynamic nature of the Convention, implementation activities that seemed likely to exceed both a strict interpretation of the mandate, and also the Budget, required a measure of direct – or project-based – support from individual donors.

46 This evaluation to date has not attempted to assess the adequacy of the staffing levels of the ISU to meet the expectations of States Parties in discharging current priorities. Consultations conducted to date have not encountered any view that the Unit has grown in an uncontrolled manner or that it is absorbing a disproportionate amount of resources available for mine action. But with many further consultations to be conducted, no conclusions on this aspect of the evaluation can yet be drawn.

(d) Considerations relating to the tasks and responsibilities of the Unit that will need to be weighed during the course of the evaluation

47 It is clear that at this preliminary phase of the exercise, several considerations warranting further examination in the evaluation include:

- (a) the case for updating the ISU's original mandate (see paragraph 33 above),
- (b) the case for simply reviewing the ISU's mandate (paragraph 33),
- (c) the need for further analysis of the impact on the ISU of tasking it in an *ad hoc* manner (paragraph 38 to 45)
- (d) the need for a procedure to improve the transparency surrounding the taking on of projects by the ISU as a means of avoiding any skewing of the States Parties' priorities (paragraph 43)
- (e) the adequacy of the Unit's staffing resources to meet the expectations of the States Parties for the discharging of their priorities (paragraph 46), and
- (f) sustained availability to the ISU of the financial resources necessary for it to continue to respond efficiently and effectively to the expectations of States Parties (*inter alia*, paragraph 29).

The last of these points is clearly connected to the next section of this preliminary paper.

B THE FINANCING OF THE ISU

48 As noted in paragraph 9, when the States Parties agreed to mandate the establishment of the ISU in 2001, they also agreed to cover the costs of the operations of the Unit on a voluntary basis by contributing to the Voluntary Trust Fund established in 2001 by the GICHD as directed by the States Parties. At the end of each year, the Director of the ISU presents the Unit's Budget to the Coordinating Committee (accompanied now by a draft Work Plan). Once endorsed by the Coordinating Committee on behalf of the States Parties, that document becomes the basis for the Convention's President to mobilise resources from the States Parties.

(a) VTF Contributions: a break-down

49 Regularity of contributions to the Trust Fund: In the 9 years of the VTF's existence a total of 37 States Parties have contributed CHF 5,167,602 to the Fund. The details are listed in **annex C**. One State Party, Norway, has contributed in each of those 9 years. A further three States Parties, Australia, Canada and Italy, have contributed in each of 8 years. Four Parties have contributed in each of 6 years - Belgium, Chile, Czech Republic and Germany. A further four, Austria, Hungary, Ireland and Turkey, have each contributed on 5 occasions during these past 9 years. This breakdown reveals that the desirable elements of security and predictability that would stem from application of the notion of multi-year funding is clearly absent. (NB: Switzerland's contributions – in supporting the GICHD – are covered in paragraph 75.)

50 Annual number of contributors: In terms of the number of States Parties contributing per year, few conclusions should be drawn from the pattern to date. It should be noted, however, that last year there were 14 States Parties contributing, the lowest number since 2003 (12). The most that have contributed in a single year is 24 Parties (2006) with the amounts ranging that year from CHF 113,610 down to CHF 600.

51 Pattern and range of contributions: The actual pattern of annual contributions is uneven, and there is quite some diversity among the sums contributed. As at 31 December 2009, the thirteen largest contributors have accounted for over **92%** of total contributions to the VTF since its inception (Norway CHF 1,224,813, Italy CHF 603,158 611,182, Canada CHF 561,619, Australia CHF 410,266, Czech Republic CHF 294,204, Austria CHF 295,093, Ireland CHF 259,688, Belgium CHF 212,228, Germany CHF 208,210, Netherlands CHF 196,032, Spain CHF 160,475, Chile CHF 108,046 and Sweden CHF 104,338).

52 Annual totals: There is inevitably a degree of randomness about a voluntary fund. Yet the annual total contributions since the ISU became active in 2002 have been remarkably even, fluctuating - with two exceptions - between CHF 468,719 in 2002 and CHF 592,160 in 2008. The two exceptions were the bumper year of 2007 (CHF 810,758) prior to the deterioration in the global economic climate and 2009 (CHF 1,110,884) during which one sizeable, extraordinary payment was made to forestall a deficit (see paragraph 61 below).

53 Several passing points need to be made about matters of funding before examining the current situation. First, funding the Convention's activities is a core element of the notion of international cooperation and assistance encapsulated in article 6 and its obligations. Secondly, contributions to the VTF have come exclusively from States Parties. Thirdly, amongst the States Parties that have contributed to date, there have been 9 Developing States, some of them mine-affected, and a number of quite small Western countries. Fourthly, several nations that have not donated to the Fund contribute to mine action directly or indirectly in other ways (e.g., through the European Union), and are significant contributors under the scale of assessment that covers costs of Meetings of States Parties. Finally, a substantial contributor, Switzerland, supports the Convention in a manner that is the subject of attention in paragraphs 74, 75 and 92 of this report.

(b) Current funding situation

54 To date, the Voluntary Trust Fund has been sufficient to meet expenditures incurred by the ISU in carrying out its mandate, given the GICHD's support outlined in paragraphs 73 and 74. As will shortly be discussed, the potential for over-spend in 2009 was the subject of an exceptional contribution, but as **table 5** shows, there has never been a negative year-end balance in the life of the ISU.

Table 5: Actual expenditures by the ISU since inception (as at 31 December 2009)

Finan- cial year (FY)	Budget	Actual, expendi- tures, as audited	Contri- butions to VTF	Year-end balance all = surpluses	Comments
	CHF	CHF	CHF	CHF	
2010	1,200,000				See footnote 1
2009	945,000	981,768	1,097,472	258,176	(Cartagena) see footnote 2
2008	943,500	951,827	604,012	141,570	See footnote 3
2007	646,000	728,020	810,758	488,725	See footnote 4
2006	472,000	467,863*	545,614	334,580	
2005	469,000	434,925*	544,379	326,778	
2004	498,000	576,074	503,623	217,323	(Nairobi) see footnote 5
2003	451,000	419,278*	463,650	289,774	
2002	402,400	350,659*	468,719	245,402	
2001	100,600	0	127,342	127,342	See footnote 6
* expenditure was below budget (years 2002, 2003, 2005 and 2006)					
Footnote 1: Core victim assistance advisory services, previously budgeted separately, are incorporated into the ISU budget for the first time.					
Footnote 2: Deficit avoided due to an extraordinary CHF 266,193.43 contribution provided by one donor.					
Footnote 3: Budget increase due to (a) ISU budget called upon to pay for interpretation at meetings of the Standing Committees, and, (b) 1.0 FTE generalist professional officer position being converted into two 1.8 FTE positions.					
Footnote 4: Budget increase due to new staff position for increased workload related to Article 5 advisory services. Overspending a result of higher than expected demand for these services (i.e., 15 requesting States Parties was more than had been predicted).					
Footnote 5: Overspending was largely attributed to greater than expected demands placed on the ISU during the year of a Review Conference.					
Footnote 6: A 15-month budget for Oct 2001 - Dec 2002 was established. The budgeted numbers represent 3/15th of this. There were no expenditures in 2001 as the ISU did not begin operations until January 2002.					

55 Despite the elements of randomness inherent in funding the VTF, an analysis of the Budget and the ISU's management of it would not give rise to any serious concern but for the contents of footnotes 2 to 5 above. During the course of 2009, the worrying possibility of a deficit was brought to the attention of the States Parties in various ways. For example, the Review of the Operation and Status of the Convention adopted in Cartagena contains this passage:

“231. At the 29 May 2009 meeting of the Standing Committee on the General Status and Operation of the Convention, the Director of the ISU informed the States Parties that voluntary contributions were no longer keeping pace with the costs of services demanded by the States Parties. It was noted that the ISU will not be able to continue providing the level of support, advice and assistance that the States Parties have grown used to if additional and sustainable resources are not provided to fund its work. A challenge for the States Parties remains to ensure the sustainability of funding of the operations of the ISU, through either the existing method or another manner. Without a sustainable means of financing, the ISU will have to drastically reduce its service offerings, which no doubt would adversely affect the implementation process”.

56 The same document drew attention to the understanding among States Parties reached at the time of the establishment of the ISU, in these terms:

“230. When the States Parties agreed to mandate the establishment of the ISU, they agreed to assure that, on a voluntary basis, they would provide the resources necessary for the operations of the unit. Since the Nairobi Summit, (33) States Parties have made contributions to the ISU Trust Fund... In addition to receiving support from the States Parties on a voluntary basis through the ISU Trust Fund, the ISU has also continued to receive support from Switzerland in terms of its contributions to the general operations of the GICHD”.

57 At the Coordinating Committee's meeting of 19 November 2009 just prior to the Cartagena Summit, State Party members were made aware by the Director of the ISU, as recorded in the President's Summary⁶ of the Committee's meeting that day, of the following situation:

“The ISU Director recalled that the 2001 agreement on implementation support between the States Parties and the GICHD indicates that “an annual budget for the ISU will be established by the Coordinating Committee and the Director of the GICHD and that it shall include figures for the forthcoming financial year and, if necessary, a set of priorities that shall be understood as guidelines in order to allocate available resources.” The ISU Director highlighted some elements contained in the work plan and budget, including the following:

⁶ <http://www.apminebanconvention.org/co-ordinating-committee/2008-2009/>

- At present, it is estimated that the ISU Trust Fund will find itself in a deficit situation at the end of 2009 in the range of CHF 150,000 to CHF 300,000. If necessary additional contributions are not received between now and the end of 2009, this deficit will need to be covered in 2010. It should be noted that only one funding agreement for 2010, amounting to €50,000, is in place.
- Compared to the budget 2009 of the ISU Trust Fund, there is an increase from CHF 945,000 to CHF 1.2 million (plus a potential deficit of the Trust Fund in 2009). This is due to core advisory services on victim assistance which have been incorporated into the 2010 ISU budget for the first time (over CHF 300,000). Previously this work was funded on a project basis outside of the ISU Trust Fund by a small number of interested States Parties.
- The 2010 budget does not contain, as it did in 2008 and 2009, the costs of interpretation at the meetings of the Standing Committees. (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.) These costs will be covered by the GICHD general budget, thus increasing the GICHD's support to hosting the Intersessional Work Programme from approximately CHF 80,000 in 2009 to CHF 130,000 in 2010.
- The 2010 budget provides a more detailed breakdown of the main areas of the ISU's work and related objectives thus providing the Coordinating Committee with a clear idea regarding what it is that the ISU intends to achieve in 2010 should sufficient funds be made available and what services the States Parties may need to forgo should funding not materialise.
- The ISU Director reminded the group that, while the States Parties have expressed their appreciation for the services provided by the ISU, the States Parties have not provided funds sufficient to cover the relatively modest costs of the operations of the ISU. The ISU Director encouraged the Coordinating Committee to take full ownership over this budget and work plan, by providing funding or otherwise working to obtain the contributions necessary to fund the ISU in 2010".

58 The Director of the GICHD made similar points in his Report on the Functioning of the ISU, November 2008 to November 2009, submitted to the Second Review Conference on 23 November 2009⁷. Given the significance to this evaluation of the financial state of affairs affecting the work of the ISU, the GICHD Director's 2009 report warrants especial attention.

59 The President's Summary of the Coordinating Committee's meeting of 19 November 2009 also records that "Coordinating Committee participants expressed concern about the possible deficit situation and asked about what possible cuts would

⁷ APLC/CONF/2009/5

have to be made”. The Summary goes on to note that the “Director of the ISU responded by expressing the hope that Coordinating Committee participants would first do what they can to generate the funds needed and that, if they were unsuccessful in doing so, the Coordinating Committee would need to take ownership over what services would no longer be provided”. At the end of that meeting the Coordinating Committee agreed to adopt the budget on the basis that it would be monitored on a quarterly basis throughout 2010 and revised if necessary.

60 Not surprisingly, this issue continues to pre-occupy the Coordinating Committee. At the Committee’s meeting on 11 February 2010, the President indicated that she would make it a priority to monitor the financial situation of the ISU throughout the year. The Summary⁸ of that meeting noted the President’s remark that “as all States Parties benefit from the work of the ISU, she will encourage all States Parties to consider making a contribution to the Unit’s operations. While acknowledging that States Parties may be able to contribute at different levels, she added that broad-based contributions to the ISU are important and underlined that any contribution is welcome”.

61 At the Coordinating Committee’s meeting on 11 March the following matters were recorded in the President’s Summary⁹:

“With respect to finances, the ISU Director reported that the 2009 ISU budget totalled CHF 945,500 and that actual expenditures in 2009 totalled CHF 992’685.89. On 1 January 2010, the ISU Trust Fund balance amounted to CHF 244,882.00. The ISU avoided ending 2009 in a deficit situation largely due to an extraordinary contribution provided by one State Party (Norway) that totalled CHF 266,193.43. This was extraordinary in the sense of its large size and that it was a second 2009 contribution from Norway and was specifically intended to ensure that the ISU Trust Fund would not find itself in a deficit situation in 2009. The Coordinating Committee expressed its appreciation for extraordinary measures taken by Norway to ensure that the ISU would be fully funded in 2009...”.

Subsequent contributions, including second tranches for the year from Canada, Germany, Chile and Denmark, further shored up the VTF late in the year.

62 Quoting at length from the various proceedings of the States Parties has been necessary to underline the significance to this evaluation of the emergence of risks to the ongoing smooth conduct of the work of the ISU within the annual Budget and to the routine fulfilment of the States Parties’ priorities. It is salutary in this regard to repeat the words of the Director of the Unit as recorded in the Summary of the Coordinating Committee’s meeting of 19 November last year: “The Director of the ISU responded by expressing the hope that Coordinating Committee participants would first do what they can to generate the funds needed and that, if they were unsuccessful in doing so, the

⁸ <http://www.apminebanconvention.org/co-ordinating-committee/2009-2010/>

⁹ <http://www.apminebanconvention.org/co-ordinating-committee/2009-2010/>

Coordinating Committee would need to take ownership over what services would no longer be provided”.

63 It is easy to misinterpret the seemingly healthy year-end balances that have been a feature of the ISU’s accounts throughout the Unit’s existence. Although this under-expenditure can undoubtedly be attributed to prudent financial management, it also reflects the practical reality that a reasonable proportion of the budget needs to be harboured for liabilities (especially staff salaries) and other contingencies arising early in each new financial year. Under voluntary funding there is no certainty of the amount or timing of contributions to the VTF, although through the valuable consideration of the GICHD cash flow problems can be managed in liquidity crises. The ISU’s end of year “surpluses” should not be equated with under-expenditure.

(c) Considerations about managing any future financial constraints

64 It will form part of the balance of this exercise, in full consultation with States Parties and other stakeholders, to evaluate not only the options just voiced by the ISU Director about prioritising the Unit’s services, but also a range of other considerations. In sum, these will include the following, in no particular order:

- (a) redoubling Presidential efforts and appeals to States Parties to “generate the funds needed” and mobilise resources. This might entail increasing the numbers of contributors to the Voluntary Trust Fund as well as increases in volume of contributions, invoking the spirit of cooperation which the Convention is seen as characterising (paragraphs 48 and 60),
- (b) highlighting the significance of article 6 of the Convention in respect of “International cooperation and assistance” (paragraph 53),
- (c) encouraging sustained, multi-year contributions from States Parties (paragraphs 49 and 63),
- (d) recognising the risks in the current global economic environment of relying on sustained levels of contributions from a small number of major donors – Norway, for instance had contributed by the end of December 2009 over one quarter of the entire funding deposited in the VTF since its inception (25.75%). The combined contributions of Italy and Canada have constituted a further sizeable chunk of the Fund’s income at a little over 22%. In any event, it will be necessary for the States Parties to recognise that they cannot bank on any further “one-off” contributions deposited specifically to ward off a deficit (paragraph 61),
- (e) recognising that for some Treasuries the notion of contributing to a “voluntary fund” is either circumscribed by government rules or unappealing in terms of fiscal discipline and forward-planning purposes on a multi-year basis. For some States Parties, an assessed contribution is a more predictable item of expenditure for which funds may be easier to secure from their Treasuries (paragraphs 44, 64 and 93),
- (f) weighing alternative means of funding the Convention, e.g., by assessed contributions comparable to the scale of assessments applied to States

- Parties for recouping the costs to the United Nations of facilitating MSPs and Review Conferences. This consideration, with its advantages in terms of stability offset by practical implementation difficulties, will be the subject of further examination and consultation (paragraph 93),
- (g) considering raising funds from alternative sources, a strategy that would have its own costs in the sense that it might require specialist assistance or additional staffing resources,
 - (h) embarking on a process of re-prioritisation, or to use the words employed by the ISU Director, “the Coordinating Committee would need to take ownership over what services would no longer be provided”. It should be noted, however, that prioritising the work of the ISU need not be quite such a blunt tool. For instance, with the help of the Work Plan, and through the new process of quarterly reviews of the Budget, it should be possible to identify several activities, or costs, that are less crucial to the needs of States Parties than others. Such activities would be pursued only as far as the accumulation of contributions to the VTF allowed (paragraph 62), and
 - (i) pursuing considerations identified in paragraph 47 in respect of the tasks and responsibilities of the ISU.

As already mentioned, it will fall to the next phase of this evaluation to develop, based on consultations, a more detailed set of options for consideration by the Task Force.

C THE INSTITUTIONAL FRAMEWORK FOR THE ISU

65 The phrase “institutional framework for the ISU” potentially covers a multitude of relationships with the range of stakeholders. This preliminary report will concentrate on only two of them, the GICHD and UNODA, Geneva Branch. These two entities are most relevant to that part of the ToR which requires the consultant to elaborate “options for the future work, financing and organisation of the ISU, including the institutional framework of the ISU”.

66 This evaluation does not examine institutional aspects such as the Intersessional Work Programme which is currently the subject of review by the Coordinating Committee. Nor does it deal with the role of the Coordinating Committee itself as States Parties have recently expressed themselves as satisfied with that institution¹⁰. The same is true of the institution of Contact Groups and the Sponsorship Programme¹¹. In any event, the terms of reference for the evaluation are confined to the ISU: they do not extend to the operation of the Convention as a whole.

¹⁰ paragraph 225 of the Review of the Operation and Status of the Convention, APLC/CONF/2009/WP.2

¹¹ paragraph 232 of the Review of the Operation and Status of the Convention, APLC/CONF/2009/WP.2

(a) GICHD

67 The GICHD is constituted, supported and oriented as follows:

- It is a non-profit foundation established by Switzerland in April 1998 under Swiss Civil Law. A status agreement with the Swiss Government provides the necessary conditions to fulfil the mandate to establish and host an ISU; in particular, the Swiss Federal Council guarantees the independence and freedom of action of the GICHD, recognizes the legal standing of the GICHD, ensures that the archives are inviolable, and confers on the approximately 50 GICHD staff including ISU staff inviolability for acts and omissions in the fulfilment of APMBC-related tasks.
- Its governing body is the Council of Foundation which supervises the activities of the Centre and decides on the allocation of the resources made available to it (see below). Its members are nominated by States contributing significantly to the Centre's broader activities and/or participating in the Centre's immediate activities, and include two nations (USA and Finland) that are not Party to the APMBC.
- It is financially supported by Switzerland and by approximately 15 other countries and international organisations. As well as hosting the ISU, the GICHD works, with its partners, "to provide capacity development support, undertake applied research, and develop standards, all aimed at increasing the performance and professionalism of mine action". The Centre is committed to the humanitarian principles of humanity, impartiality, neutrality and independence.

68 As noted at the outset of this report, the MSP3 President's Paper endorsed by States Parties on 28 September 2001, set out in the mandate to the GICHD, three services that the Centre would provide to support the Convention. They were:

- (a) preparing and supporting meetings of the Standing Committees and the Coordinating Committee, including writing summaries and facilitating follow-up activity;
- (b) providing independent professional advice and assistance to the Coordinating Committee; and
- (c) establishing a documentation and resource database facility (on the Ottawa Process, Oslo Diplomatic Conference, Meetings of State Parties, Standing Committees and the Coordinating Committee).

69 These services were embodied in the Agreement between the States Parties and the GICHD that was signed on 7 November 2001 by the President of MSP3 and the then Director of the Centre. Other relevant provisions of the mandate and the Agreement are as follows:

- (a) The Director of the GICHD is accountable to the States Parties for the work of the ISU and is required to submit an annual report on its functioning (mandate; Agreement, article 9), together with an annual, audited financial report (Agreement, articles 15 and 16)

- (b) The ISU operates under the Director of the Centre and is “part of the GICHD, receiving administrative, technical and logistical support and operating under the financial and administrative supervision of the Director (of the Centre)” (mandate),
- (c) “Where necessary, priorities will be defined by the Coordinating Committee and the Director (of the Centre), in consultations with the States Parties. Such priorities may be reviewed on a regular basis (Agreement, article 5),
- (d) The GICHD Director is to participate as an observer at meetings of the Coordinating Committee to ensure effective and close communications and coordination (mandate; Agreement, article 6),
- (e) The annual budget is to be established by mutual agreement between the President/Coordinating Committee and the Director of the GICHD (mandate; Agreement, article 12),
- (f) “The budget document shall...if necessary, indicate a set of priorities (Agreement, article 13),
- (g) “The States Parties endeavour to assure the necessary financial resources”. GICHD will assist in the effort of assuring the necessary financial resources for the ISU (mandate; Agreement, article 14) and a Fund will be established for voluntary contributions (Agreement, article 11) and included in the GICHD accounting system (Agreement, article 16),
- (h) “Recruitment of staff would be the responsibility of GICHD in close consultation with the Coordinating Committee” (mandate; Agreement, article 8), and
- (i) “The personnel working in the Implementation Support Unit shall have the same status as other regular GICHD staff” (Agreement, article 7).

70 As an “institutional framework” for the ISU, it is clear from the founding documents that the States Parties in 2001 chose at that time to countenance for the fledgling Unit a strong embrace by the GICHD. The context needs to be understood, and it has several dimensions:

- (a) In the initial years of the Convention, the demands of servicing the implementation structures established by the State Parties proved to be labour and cost intensive for those Parties who were serving on the Coordinating Committee and Standing Committees as Co-Chairs and Co-Rapporteurs,
- (b) These demands were unduly onerous for small Developing nations, restricting the pool of potential participants in these bodies. There was, however, already some support to States Parties from the GICHD through the Centre’s provision of administrative and logistical resources to assist ensuring the effectiveness of meetings under the Intersessional Programme of Work, and its administration of the Sponsorship Programme,
- (c) As noted by the President’s Paper on the establishment of an ISU¹², by providing “a more focused basis of support, by permitting broader and more effective participation of the States Parties, and by relieving Parties of

¹² APLC/MSP3/2001/L.7

administrative and routine functions, a small dedicated support unit should enable a more efficient allocation of resources while contributing to the effective implementation of the Convention”,

- (d) The President’s Paper records the rationale for the choice of the institutional framework in these terms: “The proposal was made that the GICHD could be the appropriate entity through which to provide this enhanced support as this would build on existing efforts and require only a slight increase in staff and resources. The incremental resources could be funded on a voluntary basis by willing States with the support of the GICHD”, and
- (e) The decision to establish the ISU occurred in the early days of the Convention. It had been in force for only two and a half years at the time States Parties set up the Unit. Although the treaty already had over 100 Parties, the cautious and modest terms in which the ISU was established and the relationship forged with the GICHD were, as outlined earlier, suggestive of a concern to focus efforts and financial resources rather more on delivering the benefits of the Convention than on bureaucratic considerations.

71 Irrespective of the circumstances that prompted the institutional framework created between the GICHD and the ISU in 2001, the relationship between the two has evolved just as the tasks and responsibilities of the ISU have developed over time¹³. Noting that the States Parties recorded in Cartagena that they have “benefited greatly” from the “invaluable contribution” to the work of the Convention of the GICHD, along with the ICBL, the ICRC, the UN and regional and other organisations¹⁴, it will be instructive during the course of the evaluation to attempt to measure the linkages and the support provided by the GICHD in current terms, noting where relevant any evolutionary aspects in the relationship with the ISU.

72 The starting point for evaluating this institutional linkage is the GICHD’s own perspective of its current involvement with the Convention. This perspective has been expressed in several ways. On the GICHD’s website, in the context of another treaty, the Centre notes in connection with the Anti-Personnel Mine Ban Convention that:

“Despite its physical and administrative integration into the GICHD, the ISU ... exclusively works within the mandates provided by the States Parties through the Coordinating Committee. Neither the GICHD Director nor the GICHD Council of Foundation has any authority over the substantive activities of the ISU”.¹⁵

¹³ For an account of the evolution of the mechanisms implementing the Convention, see K. Brinkert, chapter 6, “Banning Landmines” edited by Jody Williams, Stephen D. Goose and Mary Wareham, Rowman & Littlefield Publishers, Inc

¹⁴ paragraph 233 of the Review of the Operation and Status of the Convention, APLC/CONF/2009/WP.2

¹⁵ GICHD paper of 31-03-2010: “Food for thoughts” on the establishment and hosting of an Implementation Support Unit (ISU CCM)” <http://www.gichd.org/fileadmin/pdf/CCM/CCM-ISU-Food-for-thoughts-31Mar2010.pdf>

73 In a paper “The GICHD and the ISU APMBC” of 9 March 2010 made available to the consultant during consultations with the Director of the Centre, the relationship of the GICHD to the States Parties is expressed as one of “host organisation” of which the Director of the Centre “is accountable to the States Parties for the work of the ISU”. As “host”, the GICHD provides a number of facilities to the Unit, free of charge. These include:

- (a) Office space
- (b) Supply and maintenance of information technology (IT) and other office equipment and material: computers, phones, and office equipment
- (c) Development and maintenance of the website
- (d) Coordinating the production of ISU publications
- (e) Travel services
- (f) Administration of the Sponsorship Programme (a GICHD activity that pre-dates the setting up of the ISU)
- (g) Logistical conference support for the Intersessional Programme of Work, Standing Committees, Coordinating Committee and Contact Groups through the provision of venues for meetings
- (h) Documentation and archiving facilities
- (i) Human resources management including administration for staff of requirements of the Swiss social security and pension system. (ISU staff, incidentally are also liable for local income tax.)
- (j) Accounting and financial controlling, reporting and auditing, including oversight of the ISU Director’s travel returns
- (k) Cash flow management, and
- (l) General oversight and accountability by the Director GICHD.

74 These administrative and logistical resources can be seen as providing “savings” to the States Parties to the extent that, if the GICHD was not hosting the ISU and no other organisations were prepared to offer the same services, the States Parties would need to decide whether themselves to purchase all of those services or augment the Unit in such a way as to make it self-sufficient. The monetary value of these “savings” can be estimated from several sources:

(i) In his report to the Cartagena Review Conference on the functioning of the ISU from November 2008 to November 2009, the Director of the GICHD advised States Parties that 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, 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 (*edit: quantified in paragraph 20 of the Report*) 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”.

(ii) In his paper of 9 March just mentioned, the GICHD Director provided a further break-down of the costs of the Centre’s infrastructure and administrative services to the States Parties in these terms:

- “Through different services estimated in the range of CHF 380,000 per year: administration and support services regarding conferences, website, publications, travel, HR management, accounting, archives and data base, IT as well as office occupancy.
- A special budget line of CHF 60,000 is provided that covers specific office costs such as office supplies, mailing and telecommunication costs.
- Another CHF 130,000 is budgeted by the GICHD to cover the costs of the Meetings of the Standing Committees. This amount includes in 2010, for the first time, the costs of interpretation (CHF 50,000).
- The costs of administering the APMBC sponsorship programme estimated at CHF 40,000 per year are covered by the GICHD general budget as well. The APMBC Sponsorship Programme fund, which is not included in the GICHD budget, is expected to sponsor approximately 100 delegates in 2010.

- Finally, the GICHD general budget advances money to the ISU Trust Fund in periods of cash flow problems. It would also be the last resort in case of a deficit.”

75 The conclusion based on these sources is that the GICHD’s costs of supporting the ISU in the current manner amounted in 2009 to CHF 560,000, with a further CHF 50,000 budgeted for interpretation in 2010. Including contributions to the Sponsorship Programme, Swiss support for the Convention thus amounts to a sum in excess of CHF 600,000, a sizeable proportion (roughly one-third) of the costs of servicing the States Parties in an ordinary year (i.e., one that does not involve a Review Conference).

76 While it is not a one way street, less tangible or quantifiable benefits to the States Parties are the close proximity the ISU enjoys from its location within GICHD headquarters to the mine action experts employed in the Centre’s Operations Division, whose “independent professional advice and assistance”, as reflected in the second of the three original GICHD services listed in the Agreement, could be drawn upon by the Coordinating Committee (*edit, rather than the Unit itself*). A question that has arisen in this connection, however, is one of identity. In consultations conducted to date, there have been indications that third parties are sometimes confused between the roles of staff of the ISU in servicing the needs of States Parties on the one hand and the advisory capacity of GICHD experts on the other. Instances have occurred in the field during visits to States Parties where the blurring of the distinction between these two functions has led to misunderstandings, albeit of a transitory nature. These situations are capable of easy resolution through the manner in which visits are organized as well as the way in which staff are identified, for instance, through the use now of distinctive business cards. The need for donors to differentiate clearly between contributions being made to help fund the GICHD’s broader activities and those intended specifically for the ISU is another element in the identity equation.

77 In this same vein, uncertainties have been expressed about the comparative roles and responsibilities of the Director of the GICHD and the Director of the ISU. As consultations are continuing, no conclusions are drawn on this aspect in this preliminary report. On paper, the roles and responsibilities of the GICHD Director are clearly defined as set out especially in paragraph 69 above. And as he himself has said: “Neither the GICHD Director nor the GICHD Council of Foundation has any authority over the **substantive** activities of the ISU”¹⁶.

78 The emphasis added to that quotation is to distinguish the substantive activities of the Unit from matters of administration and organisation. It is clear from the original Agreement with the GICHD, including the context in which the provision of three particular services “in support of the Mine Ban Treaty” was specified, that the GICHD would play a significant part in supporting the States Parties in a manner that would

¹⁶ GICHD paper of 31-03-2010: “Food for thoughts” on the establishment and hosting of an Implementation Support Unit (ISU CCM)” <http://www.gichd.org/fileadmin/pdf/CCM/CCM-ISU-Food-for-thoughts-31Mar2010.pdf>

necessitate a commitment of its own resources. Inevitably, therefore, the oversight of the Director of the Centre would be engaged.

79 The three services to which reference has just been made relate directly to the GICHD, not the ISU itself, leaving open the question of the responsibility, if any, of the Unit's Director in ensuring their performance, although the second service is of an "as needed" kind while the third has in effect been discharged. It might be assumed that this was a matter left to the "Terms of Reference" to be agreed by the GICHD with the States Parties as required by the original mandate under the heading, "C. Management of the Unit". Those Terms of Reference were, in fact, the Agreement of 7 November 2001, and they are silent on the role and responsibilities of the ISU Director not only in respect of the three specific services but also in general. In practice, the GICHD Director has in the intervening years upgraded the original title of the manager of the Unit to Director and delegated to the Director the responsibility for supporting the Coordinating Committee and the Standing Committees.

80 These points about the functional relationship between the Director of the GICHD and the Director of the ISU are made to illuminate another aspect of the identity of the ISU vis-à-vis the GICHD. This relates to perceptions about the relative independence of the Director of the ISU in carrying out his duties, and the degree to which the ISU is embedded in the GICHD. "Independence" is a sensitive word because it can invoke a variety of reactions in the context of the range of institutional options for operating a Support Unit. And it raises the question whether a Unit that has been deliberately kept small can be truly independent. Thus, the expression "*relative independence*" is used here. In essence, this situation arises because the ISU Director has dual responsibilities. As already noted, the GICHD Director does not purport to hold any authority over the substantive activities of the Unit. While the 2001 mandate specifies that the ISU "will operate under the Director" of the GICHD" as to its "functioning", the Agreement makes it explicit that in the "performance of its substantive duties on implementation issues" the Unit will "receive direction from and support the work of the Coordinating Committee, ensuring ongoing input from States Parties into the work of the ISU".

81 On the other hand, the responsibility of the Director of the GICHD for the functioning of the ISU, not least as comptroller in relation to the GICHD as conduit for financial flows, is an inevitable consequence of the original decision of the States Parties not to establish a Unit at that time that would enjoy complete self-sufficiency with attendant cost implications. In any event, the significance for the ISU of this division of the Unit Director's duties between the States Parties and the Director of the GICHD for the institutional framework will be weighed in greater depth as the evaluation proceeds.

82 Perceptions of the relative independence of the Director of the ISU can, however, be addressed in practical manner. States Parties might wish to receive annually from the Unit Director a report on his responsibilities to them alongside, and comparable to, the annual report that would continue to be furnished by the Director of the GICHD. Ongoing efforts, already under discussion with the GICHD, could also help differentiate the "branding" – the identity – of the ISU from the GICHD without diminishing the

latter's longstanding role in support of the Convention. Matters of symbolism should not be under-estimated if they allow the Unit to enjoy a profile commensurate with the international standing of the Mine Ban Convention, reflecting well not only on the Unit but also on the fundamental functional support tendered by the GICHD.

83 In any routine evaluation, consideration of the efficiency and effectiveness, including cost-effectiveness, of a body under review is a central part of the process. Additionally in the case of the ISU, the principles governing the implementation of the Convention that States Parties have considered central since their First MSP, and which they reiterated in Cartagena, are those of “continuity, coherence, flexibility, partnership, openness, transparency and a clear sense of purpose”. While views are still being elicited from States Parties, feedback on the Unit to date is uniformly positive on these fronts.

84 Measuring the Unit's effectiveness and efficiency is premature at this stage of the evaluation. In terms of effectiveness, sustained positive feedback to date from States Parties through their Geneva diplomatic staff and personnel from capitals, together with other stakeholders, suggests high levels of satisfaction with the focus and delivery by the ISU of expected outcomes. In terms of efficiency, the next phase of the evaluation should enable some comparisons to be made with other comparable Support Units as to the costs of producing those outcomes, including options for different ways of sourcing inputs.

85 Reflection during the balance of this evaluation, as just mentioned, on comparable Support Units or alternative models for an institutional framework for the ISU including in a stand-alone capacity will be required for the sake of completeness. That much is clear from the Terms of Reference, and should not be interpreted as in any way a comment on the *status quo*.

(b) UNODA

86 The current institutional framework for the ISU has a hybrid nature. While the GICHD provides support to the States Parties for meetings other than MSPs and Review Conferences, the UN through the Office for Disarmament Affairs, Geneva, arranges the servicing of MSPs and Review Conferences, recovering costs (under APMBC, article 14) on the basis of the UN scale of assessment calibrated to the membership of the Convention (and in the occasional case, the attendance of observer States). In effect, the cost recovery relates to interpretation, documentation, translation and conference servicing expenses arising from the deployment of specialist UN staff for those purposes under the supervision of UNODA.

87 While the budget for such services is approved by the States Parties and covers a measure of administrative support employed by UNODA to assist with the organisation of conference services, some services provided to the Convention by UNODA are absorbed by the UN regular budget. These services include time dedicated by UNODA to the Convention (through professional and general support staff) to oversee not only the organisation of MSPs and Review Conferences and serve as Conference Officers but also

– to date - the reporting of States Parties in fulfilment of article 7 and the dissemination of those reports. It should be noted, however, that the Convention provides that costs incurred by the UN under article 7 (and also under article 8 (compliance) together with the costs of any fact-finding mission (article 8.8)) are to be borne by States Parties in accordance with the UN scale of assessments adjusted appropriately.

88 Irrespective of the savings to States Parties of inputs by UNODA that are not the subject of cost recovery, it is obvious that the services provided in respect especially of formal meetings of States Parties relieve the ISU from the need either to buy in such assistance when needed or to create its own capacity to provide such services. The costs of what are generally five-day meetings of States Parties and Review Conferences ranges between CHF 400,000 and 500,000.

89 The estimates for the Cartagena Review Conference were US\$ 519,500 but this figure does not include the costs of the two Preparatory Meetings of US\$136,200 and 287,600 – a total of US\$943,300 (CHF 1,016,500). Applying the modified UN scale of assessments to the costs of the Review Conference and its Preparatory Meetings means that the liabilities of States Parties ranges from approximately CHF 240, 000 (Japan) to CHF 70 (small Developing nations). Contributions are also assessed under the same scale for those Signatory and Observer States that participate in MSPs, thereby helping defray some of the total costs.

90 The costs of the 2010 Meeting of States Parties (MSP10) which will take place in Geneva are estimated to be US\$472,000 (CHF 509,000). It can be concluded that in current circumstances a five day meeting of States Parties will result in assessed contributions ranging from approximately CHF 115, 000 (Japan) to CHF 30 (the smallest contributors). The task of recouping the assessed sums falls to UNODA, not the ISU.

91 It is apparent that the annual costs of the Convention's implementation machinery have three main components:

- (a) The first component is voluntary contributions made by States Parties. Over the past 5 years, leaving aside the one-off payment by Norway referred to earlier (paragraph 61), these contributions have averaged CHF 660,000 per annum.
- (b) The second component relating to the hosting of the ISU, based on the monetary value of the Swiss Government's funding of the GICHD's services to the APMBC, amounts to a further CHF 600,000 approximately (including funding of the Sponsorship Programme).
- (c) Finally, as just noted, the formal Meetings of States Parties (not including preparatory meetings for Review Conferences) add up to an additional CHF 500,000.

In total, therefore, it costs roughly **CHF 1,760,000** to fund activities carried out under the Convention annually, (and more when the Sponsorship Programme is included and during years in which Review Conferences are held). (It needs to be noted that this total includes calculations of the value of in-kind contributions which are inherently less

susceptible to cost-benefit analysis than if the Unit needed to actually “buy-in” that support or elements of it.)

92 It is apparent from this breakdown of the costs of implementing and operating the Convention that only a quarter of the expenditure is recovered from States Parties (funding MSPs) through assessed contributions. Thus, under the current institutional framework, the Swiss Government through the GICHD’s in kind support, together with Parties’ support for the VTF, contribute a sizeable balance of the funds allocated annually to the activities of implementing the Convention. This, of course, assumes that if the ISU was not benefiting from the sum of money allocated for in kind support, in the absence of any alternative it would need to raise an equivalent amount from the States Parties.

93 In the evaluation to date, it is already clear that there is a sharp divergence of views on the notion of funding activities of the Convention through assessed contributions of all Parties. Amongst some States Parties there is no appetite, especially in the current global economic climate, to apply the UN scale of assessments to costs beyond those that arise for the conduct of MSPs. Moreover, a number of practical matters of implementation of the assessment scale would need to be considered, including how it would be administered and whether it would be merged with the scale applied to MSPs. On the other hand, as noted earlier (paragraphs 44 and 64), it is easier for some Treasuries if funding is secured for international bodies via a system of assessed rather than voluntary contributions. Further consultations can be expected also to allow conclusions to be drawn on the advantages and disadvantages – the risks and benefits - of retaining the status quo under which, in terms of both the contribution to the hosting of the ISU by the GICHD and the bulk of funding of Voluntary Trust Fund, the sustained implementation of the Mine Ban Convention is in the hands of a small, if dedicated, number of nations.

(c) Considerations about the institutional framework for the ISU

94 To conclude this section on the institutional framework, these considerations in relation to the GICHD arise:

- (a) Whether the dual roles of the ISU Director are sufficiently clear in terms of respective lines of authority on matters of substance and administration (paragraphs 79 to 81),
- (b) In relation to the identity of the ISU vis-à-vis the GICHD what is the scope for additional differentiation beyond initiatives already taken or proceeding on such things as letterheads, websites and business cards (paragraph 82)?
- (c) More specifically, does the institutional framework, ten years on, continue to serve the principles of the States Parties and reflect the standing of the Convention, operating in an efficient and effective manner (paragraph 83), and, if not, what are the adjustments that can be made within the range of needs and resources of States Parties?
- (d) To what extent, if any, is there a case for updating the 2001 Agreement and mandate (see also paragraph 47)? Depending on resources, such a revision

might range from matters of structure to simply serving to clarify matters of detail, e.g., that the Director of the ISU is accountable on all matters of substance to States Parties and should thus report on matters of substance to States Parties directly (paragraph 82), or through the Coordinating Committee, while the Director of the GICHD would continue to report on the Centre's current administrative support, including comptrollership. (On the other hand, it would not be necessary to amend the Agreement to effect such a change), and

- (e) Are there realistic alternatives to the existing institutional relationship with the GICHD that would serve States Parties as well as current arrangements and the existing depth of support (paragraphs 85 and 93)?

Additional considerations emerging during the course of ongoing consultations will be covered in the final report to the Task Force which is due on 1 September.

Annexes

Annex A	Terms of reference for the evaluation
Annex B	2010 Budget adopted by the Coordinating Committee on 19 November 2009
Annex C	ISU Voluntary Trust Fund Contributions as of 31 December 2009

Tim Caughley
15 April 2010

Independent Evaluation of the Implementation Support Unit (ISU) of the Convention on the Prohibition of the use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (the Convention)

Terms of Reference for the Independent Consultant

Background

1. In 2001, the Third Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (MBC) endorsed the President's Paper on the Establishment of an Implementation Support Unit (ISU). States Parties warmly welcomed the establishment, within the Geneva International Centre for Humanitarian Demining (GICHD), of an Implementation Support Unit to further enhance the operation and implementation of the Convention. Since then, the ISU's tasks have been developed and amended according to the demands of the States Parties. The States Parties have expressed their appreciation for the manner in which the ISU is making a positive contribution to implement the Convention.

2. At the same time, the work to implement and ensure compliance of the Convention has in many ways evolved and matured, and the demands on the ISU have increased in quantity and changed in quality. As a result, the competence and capacity of the ISU has developed to respond to increasing demands by States Parties. Activities such as support for victim assistance efforts, which started as a separate project, have evolved into ongoing continuous implementation support that constitutes part of the ISU's everyday responsibilities; activities formerly financed through special project funds increasingly rely on the Voluntary Trust Fund (VTF). Moreover, there is an increasing demand from States Parties for additional support on other implementation issues, including issues under Article 5.

3. Between 2001 and 2007, the voluntary contributions for the ISU covered the expenses and the ISU VTF closed with a positive remaining balance. From 2008, however, as a result of increasing requests from States Parties the financial situation of the ISU presents challenges because voluntary contributions through the ISU Trust Fund do not cover the ISU's budget. At the same time, contributions received were lower than expected.

Mandate

4. The Second Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction endorsed the President's Paper on the Establishment of an open ended Task Force with a mandate to develop terms of reference for an evaluation of the ISU, as contained in document number APLC/CONF/2009/8/Rev.1 and as Part V of the Final Report. The Task Force will be responsible for an independent evaluation of the ISU for the year 2010 and for presenting its recommendations on the future of the ISU to the Tenth Meeting of the States Parties.

5. At its first meeting on 10 February 2010, the Task Force decided to hire an independent consultant to conduct the evaluation, and to this end adopted these Terms of Reference.

6. These Terms of Reference serve as the basis for the contract with the consultant.

Purpose

7. The purpose of the evaluation by the consultant will be to provide the Task Force with clear and concise insights into the work of the ISU since its inception, including development of the tasks and services that the ISU provides for States Parties, an analysis of the findings, and options for the future work, financing and organisation of the ISU, including the institutional framework of the ISU.

Scope

8. In conformity with the Working Methods of the Task Force, the evaluation should address issues related to securing the ISU's future support to the States Parties, including, but not limited to, the following issues:

- (a) The tasks and responsibilities of the ISU
- (b) The financing of the ISU
- (c) The institutional framework for the ISU

Methodology

9. In order to ensure a broad and comprehensive analysis the consultant will actively consult and obtain views from States Parties in a representative manner, reflecting interests of both affected and other States Parties (including as needed visits to affected States Parties), paying particular attention to the main users and beneficiaries of the ISU, including e.g. previous, current and incoming Presidents, Co-Chairs and Co-Rapporteurs of the Standing Committees. All States Parties will be invited to provide their input directly to the consultant in writing if they so wish.

10. The consultant will consult fully with the Director and the staff of the ISU, and with the Director of the Geneva International Centre for Humanitarian Demining.

11. The consultant will actively consult and obtain views from relevant actors such as civil society organisations and international organisations, including the International Campaign to Ban Landmines, the International Committee of the Red Cross, and members of the United Nations Mine Action Team, in full transparency with the Task Force.

12. The consultant will review relevant documents from the establishment of the ISU in 2001 until 2010, including decisions made by the States Parties on the mandate and tasks of the ISU, the agreement between the States Parties and the Geneva International Centre for Humanitarian Demining, and relevant parts of the documents of Meetings of the Standing Committees, of the Meetings of the States Parties and Review Conferences as well as the approved budgets and audited accounts of the ISU.

13. The consultant will attend the meetings of the Task Force as appropriate.

14. The Chair of the Task Force will prepare summaries of the Task Force meetings to be distributed to all States Parties.

Evaluation Reports

15. The consultant will prepare updates on the progress of the evaluation before every meeting of the Task Force, and present these to the Task Force.

16. The consultant will prepare a **preliminary report** to the Task Force by **15 April 2010**.

17. The consultant will prepare a final evaluation by **1 September 2010**.

**Anti-Personnel Mine Ban Convention Implementation Support Unit
2010 Work Plan and Budget**

Adopted by the Coordinating Committee, 19 November 2009

Background

1. At the September 2001 Third Meeting of the States Parties (3MSP) the States Parties endorsed the 3MSP 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 Coordination Committee, to finalise an agreement between the States Parties and the GICHD on the functioning of the ISU. The Council of Foundation of the GICHD accepted this mandate on 28 September 2001.
2. In accordance with the above-mentioned actions taken by the States Parties at the 3MSP, an agreement on implementation support for the Convention was finalised between the States Parties and the GICHD by the President of the 3MSP and the Director of the GICHD on 7 November 2001. This agreement indicated that an annual budget for the ISU will be established by the Coordinating Committee and the Director of the GICHD and that it shall include figures for the forthcoming financial year and, if necessary, a set of priorities that shall be understood as guidelines in order to allocate available resources.
3. The general duties – hence the general priorities – of the ISU are listed 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 is received from the Coordinating Committee, thus ensuring ongoing input from States Parties into the work of the ISU. Moreover, clear direction regarding priorities for the ISU in 2010 will be provided by all States Parties through conclusions and understandings agreed to at the Second Review Conference, including the adoption of the Cartagena Action Plan 2010-2014.
4. On 29 May 2009, the Director of the ISU informed the States Parties that resources greatly in excess of those provided in 2008 are required in 2009 if the ISU will be able to carry its operations without incurring a deficit. At the 1 September 2009 meeting 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. 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 totaling 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.
5. Compared to the budget 2009 of the ISU Trust Fund, there is an increase from CHF 945,000 to CHF 1.2 million (plus a potential deficit of the Trust Fund in 2009). This is due to core advisory services on victim assistance which have been incorporated into the 2010 ISU budget for the first time (over CHF 300,000). On the other hand, the budget does not contain any more costs of interpretation at the meetings of the Standing Committees. (The ISU's 2008 and 2009 budgets included the costs of interpretation at the meetings of the Standing Committees. 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.) At the 1 September 2009 meeting of the Coordinating Committee, the ISU Director indicated that, given funding shortfalls in 2009, these costs would not be included in a 2010 budget. The costs of approximately CHF 50,000 will be covered by the GICHD general budget.

Priorities

6. On the basis of the direction received from the Coordinating Committee, in 2010 the ISU will continue to provide the support consistent with that provided in 2009. This will include advising State Parties on matters related to implementation and compliance, furnishing information or assistance in maximising participation in the Convention's implementation processes, providing strategic direction to Co-Chairs and the Coordinator of the Sponsorship Programme, supporting States Parties in preparing transparency reports, leading seminars and providing training on understanding the Convention and its operations, supporting the President and individual States Parties in undertaking universalisation efforts, developing strategic responses to address the needs of small States Parties, supporting the preparations of the Tenth Meeting of the States Parties, serving as the authoritative source of information on the Convention, maintaining the Convention's Documentation Centre and advising on applying in other areas the lessons learned from implementing the Convention.
7. A specific area of support that the ISU will continue to provide concerns Article 5 extension requests. In 2006, the States Parties agreed to encourage States Parties requesting extensions in accordance with Article 5 of the Convention "as necessary, to seek assistance from the Implementation Support Unit in the preparation of their requests." In doing so, 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 matters concerning the implementation of Article 5. This additional workload was taken into account in ISU budgets since 2007 and again is reflected in the 2010 budget.
8. In addition in 2006, the States Parties agreed on a process to assist them in considering requests for extensions including: (a) that in preparing "an analysis" of extension requests "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;" and, (b) that all States Parties in a position to do so are encouraged "to provide additional, earmarked funds to the ISU Trust Fund to cover costs related to support the Article 5 extensions process." This aspect also was taken into account in ISU budgets since 2007 and again is reflected in the 2010 budget.
9. Another area of support that the ISU will continue to provide concerns victim assistance. At the 2004 First Review Conference, the States Parties adopted understandings on victim assistance that provided a basis for the States Parties to act strategically in this area. Successive Co-Chairs have responded by requesting the support of the ISU to assist those States Parties responsible for significant numbers of landmine survivors in applying the 2004 understandings. This work began in 2005 on a project basis (i.e., a fixed time period during which clear-cut objectives would be achieved), funded outside of the ISU Trust Fund by a small number of interested States Parties.
10. Since 2005, 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, core advisory services on victim assistance have been incorporated into the 2010 ISU budget for the first time.

Work plan, staffing, and balance of possible deficit 2009

11. General support and publications: As in the past, the ISU expects to receive hundreds of requests from State Parties on matters related to implementation and compliance. Immediately in advance of the meetings of the Standing Committees and the Tenth Meeting of the States Parties (10MSP), the ISU expects dozens of requests to furnish information or assistance in maximising participation in the Convention's implementation processes. In terms of providing strategic direction to Co-Chairs, the ISU typically takes part in dozens of small group planning meetings which culminate in approximately six meetings of the Coordinating Committee each year. A proposed strategic plan for the Coordinator of the Sponsorship Programme will be developed twice – once in the lead up to the meetings of the Standing Committees and once in the lead up to the 10MSP. The ISU typically responds to approximately 50 requests a year from States Parties requiring assistance or advice preparing transparency reports. In any particular year, personnel from the ISU may be called upon 10 to 25 times to lead seminars and provide training on understanding the Convention and its operations.
12. The ISU will continue to provide secretariat support to the Universalisation Contact Group, which usually meets twice a year, and provide information to the Contact Group Coordinator. If requested, ISU personnel will support the President and individual States Parties in undertaking universalisation efforts. In recent years, this may involve preparing background information for four to ten individual initiatives and accompanying the President and other States Parties on the same number of visits. In 2005, the ISU developed a "Small States Strategy to address the needs of small States Parties. The ISU will revise this strategy in 2010. The ISU will fulfil its traditional role of supporting the preparations of the Tenth Meeting of the States Parties, particularly by providing substantive advice to the President. In addition, the ISU will continue to maintain the Convention's Documentation Centre, receiving and making available up to 1,000 new documents in 2010 related to the implementation process.
13. The ISU will continue to produce publications containing the programmes and information on the Interessional Work Programme and on the Tenth Meeting of the States Parties. In addition, the ISU will update its background brochures on the Convention and on victim assistance in the context of the Convention, taking into account the decisions of the Second Review Conference, and make these publications available in languages in addition to English.
14. Article 5 Implementation Support: The ISU will carry out approximately 10 advisory visits in response to requests by States Parties wishing to meet one of the following objectives: (a) to achieve greater clarity in understanding the nature and extent of one's obligations, (b) to advance preparations of a request for an extension, and, (c) to achieve and declare completion. Priorities for the ISU will be those States Parties with Article 5 deadlines that occur in 2011 and 2012 and those States Parties that lack clarity regarding the nature and extent of their implementation challenges.

Upcoming Article 5 Deadlines

Deadlines in 2011	Deadlines in 2012
<ul style="list-style-type: none"> • Chad • Colombia • Congo, Rep. of • Denmark • Guinea Bissau • Mauritania • Zimbabwe 	<ul style="list-style-type: none"> • Angola • Chile • Ethiopia • DRC • Eritrea • Jordan • Nigeria

15. Article 5 Extensions Process: 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 otherwise support the States Parties mandated to analyse Article 5 extension requests – will largely take the form of acquiring working translations of extension requests. To date, any other expertise acquired by the States Parties mandated to analyse Article 5 extension requests has come without costs.
16. Victim Assistance Implementation Support: The ISU will carry out approximately 10 advisory visits in response to requests by States Parties wishing to meet one of the following objectives: (a) for those with good victim assistance objectives, to develop good plans; (b) for those with underdeveloped objectives, to develop more concrete objectives; (c) for those with good plans, to advance implementation of these plans, (d) for those that have engaged little to date in applying the understandings agreed to by the States Parties, to achieve a higher level of engagement, and, (e) for all, to develop monitoring mechanisms. Priorities for the ISU will be those States Parties that are responsible for significant numbers of landmine survivors, particularly those where a meaningful difference will be made as a result of ISU support.

States Parties reporting a responsibility for significant numbers of survivors

• Afghanistan	• DRC	• Peru
• Albania	• El Salvador	• Senegal
• Angola	• Eritrea	• Serbia
• Bosnia and Herzegovina	• Ethiopia	• Sudan
• Burundi	• Guinea Bissau	• Tajikistan
• Cambodia	• Iraq	• Thailand
• Chad	• Jordan	• Uganda
• Colombia	• Mozambique	• Yemen
• Croatia	• Nicaragua	

17. Staffing: The staffing of the ISU in 2010 will continue to include a director, a mine action implementation specialist, an implementation support specialist, an implementation support officer and an administrative assistant. In addition, as noted above, costs for core victim assistance advisory efforts, previously separated from the ISU budget, will now be included. These costs will include those related to the position of victim assistance specialist. Total ISU staffing in 2010 will amount to equivalent of 5.3 full time positions.

ISU Staffing 2010

Staff Position	Full-time equivalent
Director	1.0
Mine Action Implementation Specialist	1.0
Implementation Support Specialist	0.8
Victim Assistance Specialist	1.0
Implementation Support Officer	1.0
Administrative Assistant	0.5
Total	5.3

18. Deficit 2009: As of the time of the drafting of this budget, it is estimated that the ISU Trust Fund will find itself in a deficit situation at the end of 2009 in the range of CHF 150,000 to CHF 300,000, while in the past there was always a positive carry over from one year to the following one. A deficit of the 2009 account will need to be covered in 2010. Moreover, only one funding agreement for 2010, amounting to € 50,000, is in place so far.

Contributions in addition to those received through the ISU Trust Fund

19. Costs for basic infrastructure and services in support of the ISU (office space, information technology, telecommunications, postage, publications coordination, travel support, human resources management, accounting, audit and other administrative support, etc.) are not included in this budget. These costs are covered by the GICHD general budget, on the basis of funds provided by Switzerland, and are valued at approximately CHF 440,000 in 2010.
20. 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 is projected to be CHF 40,000 in 2010.
21. As noted, the budget for the ISU Trust Fund in 2010 does not include costs associated with providing interpretation at the meetings of the Standing Committees. In the 2010 budget for the GICHD, these costs are budgeted, thus increasing the GICHD's support to hosting the Intersessional Work Programme from approximately CHF 80,000 in 2009 to CHF 130,000 in 2010.
22. Through funds provided by the European Union, the ISU will continue implementation of the European Union Joint Action on the universalisation and implementation of the Convention. This will involve continuing to respond to requests from States Parties for short term technical advisory visits and support to a State Party to host a regional workshop. Funds provided by the European Union will continue to cover the costs of one full time staff position (i.e., the EU Joint Action Coordinator). The Joint Action terminates in May 2010.
23. The opportunity will be made available for interested States Parties to provide contributions for enhanced victim assistance services. This would include activities such as staging parallel programmes for victim assistance experts, using consultancies to carry out additional advisory efforts, promoting exchanges between victim assistance experts and ensuring that input from landmine survivors flows to States Parties.

Contingencies

24. The budget assumes that States Parties will fulfil their commitment to provide the necessary resources to ensure the operations of the ISU. It is expected that the Coordinating Committee will monitor the ISU financial situation at least quarterly in 2010, receiving proposals from the ISU Director on taking contingency actions should insufficient funds be provided in 2010.

Bank account information

25. In accordance with the 3MSP President's Paper on the Establishment of an Implementation Support Unit, a fund for voluntary contributions to finance the activities of the ISU has been established, with States Parties to endeavour to assure the necessary financial resources. The relevant details of this fund are as follows:

UBS Geneva, P.O. Box 2600, CH-1211 Geneva 2, Switzerland
 Account no.: FP 100 627.6
 IBAN: CH45 0024 0240 FP10 0627 6
 Swift code: UBSWCHZH80A
 Account owner: Centre international de déminage humanitaire – Genève

2010 ISU Budget: Expenditures

GENERAL SUPPORT

Objectives	Costs	
<ul style="list-style-type: none"> Provide advice State Parties on matters related to implementation and compliance. Assist States Parties in maximising participation in the Convention's implementation processes Provide strategic direction to Co-Chairs Provide strategic direction to the Coordinator of the Sponsorship Programme Support States Parties in preparing transparency reports Lead seminars and provide training on understanding the Convention and its operations Support the President and individual States Parties in undertaking universalisation efforts Develop strategic responses to address the needs of small States Parties Provide advice on applying, in other areas, the lessons learned from implementing the Convention Supporting the President-Designate and the 10MSP host country in their preparations Continue to serve as the authoritative source of information on the Convention Maintain the Convention's Documentation Centre 	Salaries	CHF394'155
	Employer's payroll contributions	CHF82'773
	Travel	CHF21'000
	Other costs	CHF21'531
	Subtotal	CHF519'459

PUBLICATIONS

Objective	Costs	
<ul style="list-style-type: none"> Make information on the Convention and implementation processes available in a professional manner 	Subtotal (Layout / Printing)	CHF40'000

SUPPORT FOR ARTICLE 5 IMPLEMENTATION

Objectives	Costs	
<ul style="list-style-type: none"> Support States Parties in achieving greater clarity in understanding the nature and extent of one's obligations Support States Parties in preparing Article 5 extension requests Support States Parties in achieving and declaring completion of Article 5 implementation. 	Salaries	CHF172'871
	Employer's payroll contributions	CHF36'303
	Travel	CHF60'000
	Other costs	CHF15'000
	Subtotal	CHF284'174

SUPPORT FOR THE ARTICLE 5 EXTENSIONS PROCESS

Objectives	Costs	
<ul style="list-style-type: none"> Provide the secretariat support required by the President and the other States Parties mandated to analyse requests Acquire expert mine clearance, legal and diplomatic advice at the request of the analysing group Acquire working translations of requests submitted Make requests and other relevant documentation readily available 	Salaries	CHF25'240
	Employer's payroll contributions	CHF5'300
	Translations	CHF17'500
	Other costs	CHF2'500
	Subtotal	CHF50'540

SUPPORT FOR VICTIM ASSISTANCE IMPLEMENTATION

Objectives	Costs	
<ul style="list-style-type: none"> Support States Parties with good victim assistance objectives in developing good plans Support States Parties with underdeveloped objectives in developing more concrete objectives Support States Parties with good plans in advancing implementation of these plans Support States Parties that have engaged little to date in achieving a higher level of engagement Support States Parties in developing monitoring mechanisms. 	Salaries	CHF178'370
	Employer's payroll contributions	CHF37'458
	Travel	CHF75'000
	Other costs	CHF15'000
	Subtotal	CHF305'827

2009 DEFICIT

Objective	Costs	
<ul style="list-style-type: none"> Cover the costs of any deficit incurred in 2009 	Subtotal	?
	TOTAL	CHF 1,200,000

ISU Trust Fund Contributions (As of 31 December 2009)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total Contributions
Albania						CHF1'000	CHF1'000	CHF1'000		CHF3'000 Albania
Australia	CHF25'668		CHF45'045	CHF29'011	CHF38'572	CHF76'044	CHF80'104	CHF63'000	CHF86'500	CHF443'944 Australia
Austria		CHF8'030		CHF70'380	CHF70'840		CHF89'970	CHF55'873		CHF295'093 Austria
Belgium		CHF12'012	CHF14'470		CHF23'094	CHF38'492	CHF48'535		CHF75'625	CHF212'228 Belgium
Bosnia & Herz.					CHF2'560					CHF2'560 Bosnia & Herz.
Burundi						CHF600				CHF600 Burundi
Canada		CHF92'589	CHF46'553	CHF47'789	CHF57'137	CHF53'660	CHF105'594	CHF18'936	CHF139'362	CHF561'619 Canada
Chile				CHF11'500	CHF24'300	CHF18'150	CHF17'530	CHF15'285	CHF21'281	CHF108'046 Chile
Croatia			CHF1'357	CHF2'580						CHF3'937 Croatia
Czech Republic			CHF39'375	CHF37'295	CHF38'010	CHF56'691	CHF58'593	CHF67'040		CHF297'004 Czech Republic
Cyprus						CHF2'700		CHF2'700	CHF4'560	CHF9'960 Cyprus
Denmark									CHF80'031	CHF80'031 Denmark
Estonia						CHF2'340	CHF4'056			CHF6'396 Estonia
Germany			CHF38'250	CHF37'500		CHF23'357	CHF24'229	CHF24'299	CHF60'576	CHF208'210 Germany
Hungary				CHF12'400	CHF12'700	CHF12'500	CHF10'927	CHF10'737		CHF59'264 Hungary
Iceland			CHF6'550	CHF10'000	CHF1'300					CHF17'850 Iceland
Ireland		CHF73'990			CHF53'900		CHF24'445	CHF55'081	CHF52'273	CHF259'688 Ireland
Italy		CHF78'408	CHF120'218	CHF60'000	CHF61'600	CHF71'550	CHF80'240	CHF64'796	CHF74'370	CHF611'182 Italy
Lithuania					CHF5'345		CHF10'000			CHF15'345 Lithuania
Luxembourg					CHF23'100					CHF23'100 Luxembourg
Malaysia				CHF1'833		CHF5'162		CHF1'774		CHF8'769 Malaysia
Malta						CHF750	CHF1'800			CHF2'550 Malta
Mexico		CHF8'880		CHF7'500	CHF12'300	CHF6'250				CHF34'930 Mexico
Netherlands		CHF94'032		CHF63'000	CHF7'000	CHF32'000				CHF196'032 Netherlands
New Zealand			CHF19'064							CHF19'064 New Zealand
Nigeria					CHF2'460	CHF3'630				CHF6'090 Nigeria
Norway	CHF96'698	CHF100'778	CHF91'750	CHF101'667	CHF108'962	CHF113'610	CHF161'526	CHF157'558	CHF397'039	CHF1'329'588 Norway
Philippines						CHF1'300				CHF1'300 Philippines
Qatar								CHF11'921		CHF11'921 Qatar
Senegal						CHF4'827				CHF4'827 Senegal
South Africa	CHF4'976					CHF5'305				CHF10'281 South Africa
Slovenia						CHF6'496	CHF6'740	CHF7'907	CHF7'563	CHF28'706 Slovenia
Spain						CHF7'950	CHF48'660	CHF44'133	CHF59'732	CHF160'475 Spain
Sweden			CHF34'068				CHF35'058		CHF35'212	CHF104'338 Sweden
Thailand			CHF6'950							CHF6'950 Thailand
Turkey					CHF1'200	CHF1'250	CHF1'753	CHF1'974	CHF3'348	CHF9'525 Turkey
United Kingdom				CHF11'168						CHF11'168 United Kingdom
	CHF127'342	CHF468'719	CHF463'650	CHF503'623	CHF544'379	CHF545'614	CHF810'758	CHF604'012	CHF1'097'472	CHF5'165'569