

## **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**

### **First meeting of the ISU Task Force, 10 February 2010, Geneva.**

#### **Summary**

The first meeting of the ISU Task Force was held on Wednesday 10 February at the Hotel Intercontinental in Geneva. Invitations for the meeting, including draft Working Methods and draft Terms of Reference, had been sent to all States Parties to the Convention on 4 February by the Chair of the Task Force.

The Task Force adopted its Working Methods as well as Terms of Reference for the independent evaluation, both as attached to this summary.

Regarding the scope of the independent evaluation, several members of the Task Force underlined the importance of focusing on future options and possibilities. At the same time, several members emphasised that in order to have sufficient knowledge to suggest options for the future, one needs to do a proper evaluation of past activities of the ISU. The Chair clarified that both these aspects were covered in the existing Terms of Reference, and that this discussion would be mentioned in the summary of the meeting. It was also suggested that the evaluation should result in options for each of the three main areas of the evaluation.

The Chair of the Task Force introduced the proposed independent consultant Tim Caughley. The Chair also presented, in general terms, a draft cost estimate received from the consultant. The total cost estimate, based on 105 working days, aquirement of some research assistance (e.g. an accountant), and including three travels to a total of six countries, was at roughly 83.000 USD, including approximately 12.000 USD for the travels. The Chair noted that this was a very reasonable price compared to the size of the task. Approval of the choice of consultant was expressed by the ISU Task Force.

Several participants indicated their concern that travelling to affected states would prove too expensive to justify the extra cost. It was also emphasised that opportunities such as the intersessional work programme should be used to consult with capital-based experts. Other participants argued the importance of consulting with institutions and individuals who are provided direct support from the ISU in-country, but who would not be able travel to Geneva, in addition to the value of getting a better understanding of how implementation support is provided in affected states.

The meeting agreed that at the second meeting of the Task Force, the consultant should attend the meeting and present not only updates on his work and progress so far, but also a workplan, including suggested travels as well as reflections on who would be consulted during these country visits, for discussion in the Task Force.

In the meeting it was understood that while there would be value in having the consultant attend meetings of the Task Force, it would also be appropriate to have some meetings with only members of the Task Force present.

The meeting agreed that the Chair should proceed to contract Tim Caughley, based on the Terms of Reference, the draft cost estimate, and the common understandings developed during the meeting and reflected in the summary.

The Terms of Reference state that the contract with the consultant shall be administered by the ISU in consultation with the Chair, and that the funding shall be done through the ISU Voluntary Trust Fund. It was emphasised that, in particular in view of the financial constraints of the VTF, funds for the consultant should not be drawn from funds contributed to the operation of the ISU. The Chair emphasised the importance of a broad base of contributors to cover the cost of the consultancy, and that this would ensure ownership of and legitimacy to the evaluation process. The Chair therefore encouraged all to contribute, and again emphasised the modest size of the draft cost estimate. The Chair would distribute the modalities for contributing funds to the consultancy.

As the Working Methods state that the Chair of the Task Force shall draft summaries, the Chair suggested that she circulate drafts to all members of the Task Force. The Task Force members would then have three working days to comment on this draft (silent procedure). The Task Force summaries will be posted on the Convention's website together with other relevant Task Force documents.

The Chair of the Task Force suggested to meet again in only one month, and proposed Wednesday 10 March, provided there are no meeting collisions.

## **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**

### **Working Methods of the Task Force**

1. At the Second Review Conference, the States Parties mandated a Task Force for the year 2010. The Task Force will develop Terms of Reference on the basis of which an independent evaluation of the present situation of the ISU will take place. The Task Force will present the evaluation and its recommendations on the future of the ISU to the Tenth Meeting of the States Parties.
2. The evaluation and recommendations should address issues related to securing the ISU's future support to the State 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
3. The Task Force will be composed of the present (Norway), outgoing (Switzerland) and incoming Presidencies (Albania) of the Convention, the Co-Chairs and Co-Rapporteurs of the Standing Committees, the Contact Group Coordinators, the Sponsorship Programme Coordinator as well as other interested States Parties. The Task Force will be chaired by the present President.
4. The Task Force will hire an independent consultant to conduct the evaluation. The contract with the independent consultant shall be administered by the ISU in consultation with the Chair of the Task Force, and be based on the Terms of Reference agreed by the Task Force. The evaluation will be financed through contributions to the ISU Voluntary Trust Fund.
5. The independent consultant will, as appropriate, be invited to attend meetings of the Task Force as an observer, to provide updates on the progress of the evaluation and answer questions from the members of the Task Force.
6. In order to ensure a broad and comprehensive analysis the Task Force should take into account the views of States Parties.
7. In the evaluation process, views of relevant stakeholders will be taken into account, including as appropriate through their participation in meetings of the Task Force.
8. The evaluation by the independent consultant will, together with the views of States Parties and of other stakeholders gathered in the process, constitute the basis for the final report and recommendations of the Task Force
9. The Task Force will conduct its work in a transparent manner by keeping all States Parties informed of its work. The Chair of the Task Force will distribute summaries of the discussions and decisions of the Task Force to all States Parties.

10. The Task Force will present a preliminary status report to the Meeting of the Standing Committee on the General Status and Operation of the Convention in June 2010 and present its final report and recommendations to all States Parties in time for adoption at the Tenth Meeting of the States Parties.
11. The Task Force will meet at least two times, and more if needed, before the Meeting of the Standing Committees in June 2010. The Task Force will meet at least two times more, and more if needed, before the Tenth Meeting of the States Parties.
12. The Chair of the Task Force shall make available to all members of the Task Force both preliminary and final reports of the independent consultant as soon as these are available.

# **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.