

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

Third meeting of the ISU Task Force, 2 June 2010, Geneva.

Summary

The third meeting of the ISU Task Force was held on Wednesday 2 June at the Kempinski Hotel in Geneva. Invitations for the meeting, including a draft agenda, had been sent to all States Parties to the Convention on 11 May by the Chair of the Task Force.

The Chair welcomed everyone and reminded the meeting that this was the first meeting of the Task Force after the submission of the preliminary report of the independent consultant, Mr Tim Caughley, on 15 April. The preliminary report was immediately posted on the website designated for documents relevant to the evaluation of the ISU, together with the summaries of the two previous meetings. The Chair also noted that information regarding the preliminary report and the consultation process was distributed to all members of the Task Force via email.

The meeting then proceeded with a presentation of the preliminary report and update on consultations done so far by Mr. Caughley.

(SEE ATTACHED NOTES FOR THIS PRESENTATION BY MR. CAUGHLEY)

The Chair proceeded to open the floor to members of the Task Force under agenda item three to present their views on issues related to securing the ISU's future support to the States Parties, including, but not limited to, the issues identified in our Working Methods.

The discussion was structured according to the issues mentioned in the mandate of the Task Force, that is, first, the tasks and responsibilities of the ISU, second, the financing of the ISU, and third, the institutional framework for the ISU. However, as noted by several participants, the three issues were interlinked and several interventions therefore related to more than one issue.

A range of different views and opinions were presented by the members of the Task Force, and questions asked to and answered by the independent consultant. The following general points and suggestions for the report were made during the discussions:

- Satisfaction with the preliminary report, which served as a good basis for States Parties' discussions and for shaping their own views, including through the identification of specific considerations under each subject
- A further breakdown of consultations conducted could be included in the final report
- Focus more on the interface between the ISU and other parts of the Convention's implementation machinery – however, the consultant pointed out that the agreed mandate did not include such a focus, even though relevant, and could in any case not be covered within the given timeframe and budget for the evaluation

The tasks and responsibilities of the ISU

The following points and suggestions were made on the tasks and responsibilities of the ISU:

- General satisfaction with the quality of services provided by the ISU and appreciation for how they have been serving and working for the States Parties
- The demand for ISU's services has grown and changed since its establishment
- Even though the ISU had been performing its tasks in a flexible manner, this might not be so easy in the future, given the financial difficulties which are likely to persist.
- The possibility of a review/amendment of the ISU's mandate
- States Parties should have more ownership of both the budget and the tasks and responsibilities of the ISU, rather than only through the Coordinating Committee. This could enable States Parties to better prioritise the demands they put on the ISU. Additional transparency could be useful, and it is interesting to see how ad hoc tasking influences the ISU in general.

The financing of the ISU

The following points and suggestions were made on the financing of the ISU:

- A need for further clarity on the financial situation given the dramatic change from a steady surplus to a deficit in 2008, and the dramatic situation in 2009 that was only avoided by one single extraordinary contribution
- The need to understand why some countries contribute and others don't and the dynamics in the existing modalities
- A lack of clarity regarding how to support the ISU and possible confusion between funding for GICHD and for ISU
- Substantial in-kind contributions provided by Switzerland through the GICHD in the current model
- Challenges related to managing and assessing the volume of in-kind contributions
- The need to prioritise the tasks of the ISU within existing funding
- The need for sustainable funding, for certainty and predictability
- Advantages and disadvantages of voluntary compared to assessed contributions were discussed
- Voluntary funding provides flexibility and responsiveness, and can adapt both to increases and decreases in demand
- Funding through assessed contributions could ensure both sustainability and ownership of the ISU. Reference was made to the fact that States Parties have already accepted to cover the costs of the Meetings of the States Parties through assessed contributions.

- States Parties have different financial systems and requirements; for some, assessed contributions will provide difficulties, for others it is the only way they are allowed to contribute
- A mixed model/hybrid of voluntary and assessed contributions could be foreseen, with a division of the budget to identify what should be funded by all and what should be funded through voluntary or budget funding
- Whether or not assessed contributions would have an effect on universalisation
- The need for creative thinking
- The possibility of identifying resources from other sources such as the private sector
- The possibility of developing a resource mobilisation capacity within the ISU and the importance of resource mobilisation in general
- The possibility of a second voluntary trust fund, to make prioritisation easier
- The need not to complicate modalities even further
- The possibility of identifying a “standard” voluntary funding

The institutional framework for the ISU

The following points and suggestions were made on the institutional framework for the ISU:

- The importance of the ISU having a distinct identity consistent with its status as the implementing agency of a major, highly subscribed treaty.
- Arguments were made in favour of both the existing institutional framework, for the full separation between the ISU and the GICHD, and for finding other solutions. An evolutionary approach to this was suggested as an option.
- The existing mandate and agreement could be reviewed and updated without radical changes, including by having the Director of the ISU report directly to States Parties and a clarification of the roles and identities of the ISU and its Director
- Current model with the ISU being hosted by the GICHD outdated and no longer necessary, ISU should be an independent body governed by, and accountable to, only the States Parties
- Satisfaction with the current institutional framework and the continuing possibility and usefulness of synergies within the GICHD
- Possible substantial financial implications of a formal separation between the GICHD and the ISU
- Advantages of the ISU being able to seek the most relevant expertise needed if a full formal separation between the ISU and the GICHD

The independent consultant encouraged the members of the Task Force to continue to engage with him and provide him with even more detailed feedback regarding such issues as, for example, how exactly to finance ISU's operations; why and how the original mandate could be updated; existing synergies; views on governance issues; reflections on the effect of the ISU's efficiency on the performance by Co-Chairs and others; and prioritisation of services of the ISU. Detailed feedback would better equip him to formulate options.

The Chair noted that the final report of the independent consultant was due on 1 September. Given the calendar of other related meetings, she suggested to schedule the fourth meeting of the Task Force on 7 or 8 September and underlined the need to set aside more time for discussions. The agenda would include a presentation of the final report and its options by the independent consultant, followed by a session with questions and answers. At this meeting it could also be useful to invite other relevant stakeholders to hear their views directly. Finally, the Task Force should hold a session with only its members present, to discuss the options presented in the final report of the independent consultant.

The Chair outlined her intention to consult widely with States Parties during the rest of September and October, in order to prepare draft recommendations for discussion at a fifth meeting of the Task Force, which she suggested to hold during the first week of November. She emphasised that the meeting schedule for related conventions and activities this autumn is very tight, and that the most likely days to have such a fifth meeting would seem to be Wednesday 3 or Thursday 4 November. There were no comments on the process.

The Chair also encouraged everyone to engage further with the consultant and emphasised that she and her team were always available for any comments or questions.

Notes for meeting with the Task Force on 2 June 2010-06-02

The Independent Consultant reported to the meeting:

He is continuing to consult States Parties and other stakeholders

The Intersessionals will offer an especially good opportunity for consultations

He will continue to welcome inputs in writing, but he understands that it may be easier for interested parties to provide oral inputs. And face-to-face involvement has the advantage of allowing more interaction.

The email address – tcaughley@bluewin.ch – is still the best way of seeking to arrange a meeting.

The main matters on which feedback is sought are the three core issues of the terms of reference – the tasks and responsibilities, financing and institutional framework of the ISU – as well as the Preliminary report -

<http://www.apminebanconvention.org/fileadmin/pdf/mbc/ISU-Evaluation-Preliminary-Report-April2010.pdf>

The relationship of the Preliminary Report to the Final Report is as follows:

The Preliminary Report attempts to set out the relevant background to the establishment and operation of the ISU under the three core elements of the terms of reference.

It does not attempt to draw any conclusions.

Instead it attempts to set out many of the **considerations** that will ultimately have to be weighed and on which the consultant is continuing to consult.

The Final Report will set out options for the Task Force to consider. It will be up to the Task Force whether it incorporates some, all or none of those options when it makes recommendations to the States Parties as a whole.

The Final Report will probably incorporate the preliminary report in some way – either as an annex or as an introduction.

If, however, aspects of the Preliminary Report need to be modified either as a result of critical feedback or of the continuing consultations, the consultant will amend it appropriately.

It is vital, therefore, that feedback be given.

Finally, the consultant expressed gratitude to all those who had provided inputs to date.