

## **Convention on Cluster Munitions (CCM). Description of a possible Implementation Support Unit. Draft working paper.**

### **Submitted by the President**

At the Second Meeting of States Parties to the Convention on Cluster Munitions in Beirut, States Parties agreed to "...//... to mandate the President to negotiate, in consultation with the States parties, an agreement with the Geneva International Centre for Humanitarian Demining on the hosting of an Implementation Support Unit as well as a funding model, and present these proposals to the States parties for their approval. In this regard, the Meeting further decided:

- (a) That an Implementation Support Unit should be established as soon as possible and preferably no later than the Third Meeting of States Parties, hosted by the Geneva International Centre for Humanitarian Demining and led by a Director. The Implementation Support Unit, while hosted by the Geneva International Centre for Humanitarian Demining, shall be independent and shall not be formally linked to any other Implementation Support Unit. The President, in consultation with the Coordinators, and taking into account the views of all States parties, shall decide in a transparent way on the recruitment of the Director. The Implementation Support Unit shall seek to cooperate with relevant bodies and actors with a view to enhancing inclusiveness and practical cooperation as well as operational effectiveness and efficiency. The Director shall present to States parties an annual workplan and budget, and shall report to the States parties on the activities and finances of the Implementation Support Unit;
- (b) That the Implementation Support Unit shall conduct its work on the basis of the principles of independence, inclusiveness, transparency, accountability to the States parties, efficiency and effectiveness;
- (c) To adopt the directive to the Implementation Support Unit, as contained in document CCM/MSP/2011/WP.9, describing its tasks and responsibilities;
- (d) To mandate the President to negotiate, in consultation with the States parties, an agreement between the States parties and the Geneva International Centre for Humanitarian Demining on the hosting of the Implementation Support Unit, reflecting the directive to the Unit, to be presented to the States parties for their approval;
- (e) To mandate the President to develop, in consultation with the States parties and subject to their approval, a financial model to cover the costs of the activities of the Implementation Support Unit;
- (f) To ensure efficient and effective interim support for the implementation of the Convention by strengthening the existing interim solution consisting of the Executive Coordinator based in the UNDP Bureau for Crisis Prevention and Recovery, guided by the directive and supported by the Geneva International Centre for Humanitarian Demining for certain tasks, to secure an effective and efficient transition to the Implementation Support Unit.”<sup>1</sup>,

---

<sup>1</sup> Final Document, 2MSP - CCM/MSP/2011/5

in essence, establishing a small and independent structure – the CCM Implementation Support Unit (ISU) - to provide support to States Parties in their implementation of the Convention.

The ISU will be directly accountable to the States parties, independent of any other institutions and conduct its work based on the principles of: independence, inclusiveness, transparency, accountability, efficiency and effectiveness. Drawn from the decisions taken by States parties at the 2<sup>nd</sup> MSP in Beirut including an ISU directive adopted at the meeting, the following is an updated preliminary description of what States parties agreed and the subsequent more detailed suggestions of the general setup of the ISU gathered from consultations conducted in the period November 2011 – August 2012.

### **Tasks and responsibilities**

States parties defined the ISU's tasks and responsibilities in the ISU Directive, adopted by States parties to the CCM at the 2MSP. According to the Directive, the ISU shall support States parties, inter alia, in the following ways:

- Assist the President in all aspects of the presidency, support the Coordinators in their efforts, prepare, support and follow-up from formal and informal meetings of the Convention,
- Offer advice and support to States parties on the implementation of the Convention;
- Develop and maintain a resource base of relevant technical expertise and practices and, upon request, provide States parties with such resources;
- Facilitate communication among States parties and other relevant actors, cooperate and coordinate amongst these and maintain public relations, including efforts to promote the universalization of the Convention;
- Keep records of formal and informal meetings under the Convention and other relevant knowledge products, expertise and information pertaining to the implementation of the Convention;
- Organise the set-up of a sponsorship programme assisted by the host and provide guidance, input and support to the programme.

The ISU will in practice perform two separate but related functions; it will be the institutional home of the CCM, with records of meetings, decisions and established practices. It will host, maintain and develop the CCM website and be the hub for interactions and communications among and between States parties, relevant UN and other international organisations and NGOs, to support their formal and informal implementation and universalization efforts. The ISU will plan and help execute the formal and informal meetings (esp. Meetings of States Parties/Review Conferences and intersessional meetings), as well as being responsible for documenting progress in implementation and the results of these meetings.

The other function is as the public face of the CCM, where the ISU should establish a reliable and relevant source for information on what the Convention is and does for all interested actors, including the general public, media, and states not-parties. Therefore the ISU should be identified by a distinct profile that emphasizes its role as supporting

entity for the CCM, which represents its independent identity from the hosting institution and other instruments, including separate bank accounts, and logo, email-addresses and similar features.

### **Structure and format**

The ISU envisioned by the States parties at the 2MSP is a lean and effective organization led by a Director, supported by an Implementation Support Specialist and an Implementation Support Assistant that may contract or otherwise arrange for relevant technical expertise in support of tasks as needed, in accordance with its mandate. Subsequent consultations have indicated that the staffing may be reconsidered to comprise of an even leaner structure with the aim of effectively bringing down costs. The ISU will need a basic infrastructure of adequate workspace for up to 4 persons (2-3 staff + occasional consultant, intern or similar) with workstations, printers, Internet access and related equipment and services, including storage space for publications etc. In addition to cover its own working space needs, the ISU should have access to adequate meeting rooms.

Being a small organization, the ISU needs to be staffed with persons who are willing and able to cover a variety of the ISU's tasks in a flexible and efficient manner. The President shall act in a transparent manner and the recruitment process shall be conducted in accordance with normal standards and procedures for international institutions based on qualifications and relevant experience. Documented competence to support and cooperate effectively with a broad range of actors and understanding of the implementation complexities facing States parties to a humanitarian disarmament treaty should be key criteria when selecting ISU staff.

An outline of the responsibilities of the new ISU staff may include the following:

#### **Director (FTE)**

Report to the States Parties for the implementation of the Directive. Manage and direct the ISU and its staff. Maintain a close dialogue with the President and the Coordinators to ensure consistency of efforts and a clear direction. Prepare annual work plans and budgets as well as annual reports on the activities and finances of the ISU to States parties. Assist the President in preparing and convening both formal and informal meetings. Keep records of formal and informal meetings of the Convention. Responsible for all public relations and external communications, liaise with relevant organisations and institutions and external actors on efforts to promote the universalization of the Convention as well as in offering advice and support to States parties on the implementation of the Convention.

#### **Implementation Support Specialist (FTE)**

Report to the Director of the ISU and function as Acting Director in the Director's absence. Assist the Coordinators in preparing and convening meetings on their various thematic responsibilities, and in their outreach and bilateral dialogue with States parties having obligations to fulfil, as well as with relevant organisations and institutions. Support States parties in understanding the nature and extent of their obligations under the Convention. Maintain a resource base of available and relevant technical expertise

within the various thematic areas and on request assist States Parties in coming into contact with such expertise. Contract or otherwise arrange for relevant technical expertise in support of specific activities and projects organised by the President or the Coordinators, including for development of substantive documents.

**Implementation Support Assistant (50% of FTE)**

Assisted by the host, support the Director and the Implementation Support Specialist with practical and administrative matters. Maintain databases on substantive, technical and administrative matters, including documentation from formal and informal meetings under the Convention. Manage the Convention’s webpage. Draft reports, summaries etc. from meetings as necessary.

In addition, the ISU should outsource or otherwise collaborate with external partners non-core cost activities to avoid unnecessary institutional growth and commitments. Core cost should cover all activities decided by States parties, including expenses related to salaries and infrastructure.

1.	<b>Director (FTE)</b>	<ul style="list-style-type: none"> <li>- Report to the States parties for the implementation of the Directive.</li> <li>- Manage and direct the ISU and its staff.</li> <li>- Maintain a close dialogue with the President and the Coordinators to ensure consistency of efforts and a clear direction.</li> <li>- Prepare annual work plans and budgets as well as annual reports on the activities and finances of the ISU to States parties.</li> <li>- Assist the President in preparing and convening both formal and informal meetings.</li> <li>- Keep records of formal and informal meetings of the Convention.</li> <li>- Responsible for all public relations;</li> <li>- External communications,</li> <li>- Liaison with relevant organisations and institutions and external actors.</li> </ul>
2.	<b>Implementation Support Specialist (FTE)</b>	<ul style="list-style-type: none"> <li>- Report to the Director of the ISU and function as Acting Director in the Director’s absence.</li> <li>- Assist the Coordinators in preparing and convening meetings on their various thematic responsibilities,</li> <li>- Assist in Coordinators outreach and bilateral dialogue with States parties having obligations to fulfil as well as relevant organisations and institutions.</li> <li>- Support States parties in understanding the nature and extent of their obligations under the Convention.</li> <li>- Maintain a resource base of available and relevant technical expertise within the various thematic areas and on request assist States parties in coming into contact with such expertise.</li> </ul>

		- Contract relevant technical expertise in support of specific activities and projects organised by the President or the Coordinators, including for development of substantive documents.
3.	<b>Implementation Support Assistant (50% of FTE)</b>	<ul style="list-style-type: none"> <li>- Assist the Director and the Implementation Support Specialist with practical, administrative and substantive matters.</li> <li>- Maintain databases on substantive, technical and administrative matters, including documentation from formal and informal meetings under the Convention.</li> <li>- Manage the Convention’s webpage.</li> <li>- Draft reports, summaries etc. from meetings as necessary.</li> </ul>
4.	<b>Contracted Consultants on needs basis</b>	- Outsourced non-core activities to relevant technical expertise in support of specific activities and projects organised by the President or the Coordinators, including for development of substantive documents

**Institutional & financial arrangement and budget**

States parties decided at the 2MSP to mandate the President to initiate negotiations with the Geneva International Centre for Humanitarian Demining on an agreement concerning the hosting of the ISU and to develop a financial model to sustain the Unit outlining how States parties will mobilize the necessary resources for the effective operation of the ISU and how to distribute the costs. The agreement shall furthermore define the hosting services and the respective tasks and responsibilities of the GICHD in relation to the Implementation Support Unit.

As decided at the 2MSP, the Implementation Support Unit, while hosted by the Geneva International Centre for Humanitarian Demining, shall be independent and shall not be formally linked to any other Implementation Support Unit. The Implementation Support Unit shall however seek to cooperate with relevant bodies and actors with a view to enhancing inclusiveness and practical cooperation as well as operational effectiveness and efficiency. In line with these decisions, an ISU financing model would consist of two components:

- 1. Annual contribution by States parties**
- 2. Appealed contributions**

- The annual contributions would cover **core costs**, while **non-core costs** would be covered by contributions provided in response to appeals for support towards specific activities.
- **What is meant by core costs?** Such costs would cover all activities decided by the States parties, including expenses related to salaries and infrastructure. The annual contributions would cover all activities which are fundamental for the ISU to perform its duties. The ISU core costs include:

- Salaries for the ISU staff
- Costs of the intersessional meetings (except Swiss contribution through the GICHD, sponsorship and administration of sponsorship)

Consultations with States have revealed further thinking with regards to intersessional meetings as well as MSPs: 1) with regards to the length of such meetings with an expressed wish of saving costs by shortening the number of days applied, 2) the location for the execution of intersessional meetings with the aim of incorporating costs into the annual cost estimates of MSPs which would entail the Palais des Nations as the venue for such meetings, 3) an expressed wish to progressively see an increased cooperation with other humanitarian disarmament treaties with regards to the operational elements of the instruments at hand, i.e. clearance, victim assistance and cooperation and assistance. This would not entail any sort of collaboration on matters pertaining to the general operation of the Convention nor that of stockpile destruction and other matters with political or juridical implications or ramifications for States Parties to the CCM.

- Following decision by States parties, a request to the States parties for the **annual contributions** will be done through the Implementation Support Unit on behalf of the President.
- **What is left for the appealed funds to cover?** Non-core costs relate to all other activities *approved by the States parties on the condition that voluntary funding is available*. **Appeals** for such contributions will be circulated on ad hoc basis to cover specific activities in relation to, for example, State party implementation of the operational aspects of the convention in line with Article 6 of the CCM on international cooperation and assistance. These activities shall not draw resources from the core funding. Examples of what such contributions would cover include:
  - Funding for the Sponsorship Programme
  - Services contributed by the Geneva International Center for Humanitarian Demining (although appealed contributions predominantly cover non-core cost, the support provided by the GICHD in fact covers a core cost, i.e. infrastructure. This contribution stems from a Swiss contribution to the GICHD of CHF 386 000 in 2012. By providing services that otherwise would require annual contributions core costs are reduced.
  - Additional funding for core activities to “top up” these activities (for example extra capacity in support of the Presidency)

- Additional activities approved by the States parties pending voluntary funding such as relevant projects and initiatives as presented by States parties or the ISU at the Meeting of States Parties.

**Other elements**

- The annual contributions by States parties are distinct from the assessed contributions towards Meetings of States Parties which are presented as costs estimates at MSPs preceding the event the assessed contribution is meant to cover.
- The Meetings of States Parties, the Review Conferences and Amendment Conferences should not be confused with *activities decided by* the States parties. The costs of MSPs are, in accordance with Article 14, paragraph 1 of the Convention, “*borne by the States Parties and States not party to this Convention participating therein*” based on a cost-sharing procedure set out in the same article, and thus separate from the financing model.
- The annual contributions by States parties would be based according to the General Assembly resolution A/RES/64/248 on the apportionment of Member States contributions to the costs rendered by the UN<sup>2</sup>.

A draft hosting agreement including the suggested provisions for a financial model and ISU budget will be presented to States parties in 2012, and are subject to approval by the States parties.

To assist discussions preceding such approvals, an indicative budget based on the presented financial model and containing real figures obtained from GICHD is presented below. This budget would need adjustment in relation to anticipated activity level and associated staffing numbers and should therefore be regarded as indicative.

---

<sup>2</sup> Dated 5 February 2010 on the apportionment of contributions of Member States to the regular budget of the United Nations for 2010, 2011 and 2012.

**Financing model and estimated costs**

<b>Core costs covered by annual contributions</b>	
<i>Principle: All activities decided by States Parties</i>	
<i>(all figures in CHF)</i>	
<i>Salaries (estimate based on 1st year entrance level, GICHD salary scale applied by the APMBC ISU, including social costs)</i>	<b>450 000,-</b>
<i>Director (FTE)</i>	<i>Salary</i> 164 000,- <i>Social costs</i> 32 000,-
<i>Implementation support specialist (FTE)</i>	<i>Salary</i> 124 000,- <i>Social costs</i> 24 000,-
<i>Implementation support assistant (50% of FTE)</i>	<i>Salary</i> 41 000,- <i>Social costs</i> 8 000,-
<i>General operating expenses incl. travel.</i>	<i>Operational costs</i> 32 000,- <i>Travel</i> 25 000,-
<b>Contribution from GICHD</b>	
<i>Intersessional meeting costs (conference management, venue, coffee breaks and interpretation Eng/Fr/Rus/Sp, excluding sponsorship programme)</i>	120 000,-
<i>General administration,</i>	44 000,-
<i>General logistics,</i>	102 000,-
<i>Communication,</i>	75 000,-
<i>Administration of sponsorship programme</i>	45 000,-
<b>Appealed contributions</b>	
<i>Principle: Activities approved by the States parties pending contributions on appeal. Shall not draw resources from the core funding</i>	
<i>Sponsorship programme</i>	<b>400 000,-</b>
<i>Estimate of 50 sponsored participants at a cost of 4 000,- pr pax for an intersessional meeting</i>	200 000,-
<i>Estimate of 50 sponsored participants at a cost of 4 000,- pr pax for a meeting of States parties</i>	200.000,-
<i>Additional contributions for other ISU activities</i>	<i>approx. 400 000,-</i>
<i>Additional contributions for other costs/activities (projects related to other implementation activities as approved by the States parties)</i>	100.000,- 300.000,-

DRAFT