

Presentation of the Presidency on an ISU

Presentation by Ambassador Najla Riachi Assaker

Thank you Madam Chair/Cathy,

As indicated earlier, I would like to share with you the progress of our work to date as a basis for our further discussions this week.

You will be familiar with the working paper on the ISU which, on the basis of your views, describes in more detail a future Implementation Support Unit. I will not elaborate much further on this but leave the working paper open for further refinement as we go ahead. I must say though, that this paper provides an accurate representation of the possible requirements identified within the Coordination Committee and based on feedback from states in two open-ended meetings held earlier for your consideration as States. Colleagues have expressed a very positive outlook with regards to the options we have elaborated together.

At previous open-ended consultations we have presented and discussed various options for financial models that can support the establishment of a future ISU. We have the option of an ISU underpinned by voluntary contributions. An option many will be familiar with from the Mine Ban Convention.

Although successful in many ways, this option has its drawbacks however, as it leaves the question of sustainability unanswered. It is maintained on the basis of the goodwill from a fewer number of states in a position to provide for the budget of the ISU. Another aspect that should be kept in mind is that the ultimate decision of how to use these resources then effectively lay with a much smaller number of states than that reflected by the sheer number of States Parties to the Convention.

A second option is to follow the tradition of a fully assessed financial model that would share the cost for an Implementation Support Unit in accordance with the UN adjusted scale of assessment which takes into account the financial ability of states to contribute.

An assessed model could of course also find alternative manners in which to base the assessment from states, with ceilings, with floors and even with a number of alternative coefficients that elaborates on the size of contributions from states. A clear advantage is the shared ownership, predictability of resources and thereby the sustainability of the unit. Also, the cost will decrease for each State Party with the welcoming of each new State Party.

During our last open-ended consultation, two thirds of those present expressed support for an assessed model and also the flexibility of looking into what we, for the lack of a better term, have chosen to refer to as a hybrid model.

Such a model would combine the assessed model with that of voluntary contributions to ensure the buy-in of all States Parties, to ensure the shared decision making power and the sustainability of core functions of an ISU but also allow for voluntary contributions, from those in a position to do so, that can also help bring down the cost that ultimately remains to be assessed.

To help our further discussions, I have elaborated on this particular model to illustrate what such a hybrid model would look like and how it could work which I will come back to in a moment. I would like to underline that this is to inform better our further work in light of the views we have received thus far but does not exclude additional elements that can help in further refining a viable financial model that can bring about the establishment of an implementation support unit for our convention.

You will also have seen early work on the formulation of draft decisions that we can bring with us along the way to the 3MSP. This paper has been developed to reflect views expressed during the open-ended consultations that we can bring with us along the way to the 3MSP and is consequently expected to evolve as we go along.

Since last a few additions have been made as placeholders amidst the continued debate and it is structured as follows:

- It now mentions a reference to a host agreement with the GICHD and a reference to a financing model that we hope we can adopt in Oslo.
- Paragraphs have also been added in order to address comments made that relate to the conditions and positions of the director and staff members of the ISU, but also to clearly indicate that the recruitment will be conducted in a transparent manner according to international standards, in consultations with the Coordination Committee. These elements are thus guiding us in our further talks with the Centre.
- With this, the aforementioned paper on financing models is meant to furnish further details on the potential features of a financing model.

I feel however that this week, we must focus our attention on the substance that in the end will inform refined versions of the draft decisions that I can present to you based on the proposal that I feel appropriately reflect the views of States Parties and presents the best outcome of what and how we can establish a future implementation support unit.

In this regard I would also like to update you on the ongoing discussion with the GICHD. I have met with the director, Ambassador Stephan Husy to lay out the views of what States Parties regard as the essential framework for an ISU. You will recall these from the working paper of the ISU.

You will also recall that in addition to the values expressed that must underpin an ISU, more detailed queries have been raised with regards to recruitment, the process for recruitment, the manner in which the independence of the ISU can be maintained within the framework of the institutional regulations of the GICHD, etc.

In this regard we are now closely studying how these aspects work, what they look like and how they can be laid out in our further negotiations with the Center preserving the views of States Parties and ensuring the best conditions for the provision of services from the Center. This is work in progress and I will share more details along the way.

Now, if I may turn back to the financial model as this ultimately is the fundament for a future ISU and therefore perhaps also the more fundamental question that we must resolve.

I will ask my colleague to present to you an illustration of what a so called, Hybrid model could look like and how it could work to help inform our further discussions. Ahmad, if I may...

Illustration by Mr. Ahmad Arafa (accompanied by Power Point Presentation)

Thanks you Mme President,

Excellencies, colleagues and friends,

If I may start with a few points of a clarifying nature:

First: when we talk about the financing of the Implementation Support Unit, it should be clear that this is different from the costs of Meetings of States Parties, annual meetings which are convened as stipulated in the Convention itself, by the Secretary-General of the UN as a means to, and I quote from Article 11 that, “ The States Parties shall meet regularly in order to consider and, where necessary, take decisions in respect of any matter with regard to the application or implementation of this Convention....

[including: (a) The operation and status of this Convention; (b) Matters arising from the reports submitted under the provisions of this Convention; (c) International cooperation and assistance in accordance with Article 6 of this Convention; (d) The development of technologies to clear cluster munition remnants; (e) Submissions of States Parties under Articles 8 and 10 of this Convention; and (f) Submissions of States Parties as provided for in Articles 3 and 4 of this Convention.]

.... and that “the first Meeting of States Parties shall be convened by the Secretary-General of the United Nations within one year of entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.”, end quote.

Therefore the costs of these meetings are shared by all states present at a meeting, be it States Parties, Signatories or observer States, and the distribution of the costs of these meetings are

based on the United Nations Scale of Assessment, that is prorated or adjusted to the number of participants in order to cover the total bill. Furthermore in this case, it is the United Nations Office for Disarmament Affairs that presents to the attention of States Parties the estimated costs of an MSP, and then notifies the United Nations financial services, which bills states for their respective participation.

Quite differently, an Implementation Support Unit however, would be based on a cost associated with a joint decision taken by States Parties at such a meeting and is not subject to the assessment made by the ODA to cover the costs of annual meetings of States Parties. In other words, it demands a financial platform to be realized. This is the first point that I wanted to share with you, the distinction between the costs of the ISU and the costs of MSPs that are shared by all states regardless of their statuses under the CCM.

The second point that is pertinent to the costs of the ISU that should be clarified at this stage, is that the costs of the ISU are shared by the States Parties only, although other States would benefit from this future ISU in different ways, such as through the organization of the intersessional meetings, the sponsorship programme, and of course the other functions and responsibilities that will lie on the shoulders of the ISU and are detailed in the President's working paper on the establishment of the ISU, namely the "tasks and responsibilities" section. In a nutshell, States parties would pay for the ISU, although this is something that all states and partners will eventually benefit from, since this Unit is called the CCM Implementation Support Unit, and not the States Parties Implementation Support Unit.

The third point that I would like to make, is that the decisions and the directive adopted in Beirut are the guiding principles of our work in this regard. For the sake of reminding everyone of the content of the relevant decision, here are some of the principles that we agreed on:

Paragraph 29 of the final document of the 2MSP states the following:

"...to mandate the President to negotiate, in consultation with the States Parties, an Agreement with the Geneva International Centre for Humanitarian Demining (GICHD) on the hosting of an Implementation Support Unit (ISU) as well as a funding model, and present these proposals to the States Parties for their approval ..."

For those of you who were in Beirut, the spirit of this paragraph is based on the understanding that both the hosting agreement and the establishment of an ISU should be linked to securing the necessary funds for the ISU, in order to ensure its independence, inclusiveness, transparency, accountability to the States Parties, efficiency and its effectiveness, as stated by sub para (b) of the same decision. Whilst the establishment of an ISU important, even more crucial is to get the financial model for an ISU right from the start, prior to the formal set up of an ISU, and that any chosen option should enable a maximum number of states to make contributions towards a jointly owned ISU, to ensure full ownership amongst States Parties. This was firmly confirmed at our open-ended consultation held earlier this year.

The last point that is relevant in this regard, and based on lessons learnt from other similar fora, are the issues of the sustainability of the ISU, the predictability of funds available and ready to assist in implementing the CCM, not least the sense of ownership, where States big or small, high-income or low-income, would hold an equal sense of ownership and shared decision making of the future ISU. One of driving elements behind the success of the Oslo process was the fact that it gave equal opportunities to all these states to voice their positions, regardless of their statures.

Having laid down the necessary background to further explore the financing aspect of the ISU, now I move to address the three models that the ambassador mentioned a while ago, namely the voluntary, assessed and hybrid models.

And as stated, a voluntary model does not require any illustration, but the key question remains where funds would come from, and then how to ensure a sustainable, operational, efficient, independent and effective ISU, an ISU that is capable of providing long term solutions to issues pertaining to the implementation of the CCM as decided by all States Parties.

The two other models are the assessed and the Hybrid, and these require a bit more of explanation than the voluntary one.

To start with the Assessed model, this could be done according to the UN scale of assessment, and on the screen you may see now, a fictive figure of 1 million, be it Swiss Francs, US dollars, or Euros, that will be apportioned between all states according to an adjusted/prorated scale of assessment. An assessed model would, assuming you are familiar with the manner in which the UN assesses member states for, would be based on dividing the cost of the set-up and operating of the ISU amongst State parties. This model would take into account the ability of states to contribute with reference to their financial capacity All core and non-core costs would need to be included in accordance with States Parties decisions on the activities of the future ISU. In other words, and under this model, all activities of the ISU will be shared by all States Parties.

Finally, a hybrid model is one which combines the two components of voluntary and assessed contributions:

The assessed platform would cover core costs, and the principle here is that all activities decided by SPs, including expenses related to salaries and infrastructure that are deemed necessary for the core activities of the ISU in order to provide a set of minimum implementation support activities for the benefit of all States parties. In other terms, all activities which are fundamental for the ISU to perform its duties according to the key principles I stated earlier, sustainability, predictability, partnership and ownership. These core costs would include, salaries for the ISU staff, costs of the intersessional meetings (excluding the contribution from GICHD), and infrastructure.

The voluntary funding will cover non-core costs, these which relate to all other activities approved by the States Parties on the condition that voluntary funding is available. These activities shall not draw resources from the core funding. Examples of voluntary contributions include funding for the Sponsorship Programme, relevant projects and initiatives as presented by States Parties or the ISU at Meetings of States Parties.

While the principle is that assessed contribution will cover core costs of the ISU, we were happy to learn, through the course of our consultations, that voluntary contributions are foreseen and would be possible as contributions towards the core costs of the ISU. In the language of figures and numbers, this would imply that these contributions would assist in bringing down the amount of financial means that would need to be assessed to fulfill core costs. And in fact, that opened a way for us to think of additional voluntary funding to “top up” other core activities, such as extra capacity in support of the Presidency. In this regard we welcome the Swiss commitment to cover all costs relevant to the necessary infrastructure of the future ISU in addition to other services which will be channeled through the GICHD, and this is a long-term commitment, [and maybe Switzerland would like to have a say in this regard.]

This reality and these facts, have driven us to present a working paper that would capture all these elements that are conducive to such a model, and to allow for this interaction between the two spheres of activities and their relevant costs. To your kind attention, we present what we think a good combination under the hybrid model that in our opinion captures these elements, we will see in the next slide.

The 500 000 thousand would be assessed fromSPs according to the UN adjusted scale of assessment, but there are also other ways to deal with this assessed part. We may agree on a “ceiling” in order to ensure that no one state ends up being responsible for a contribution of more than a certain percentage. Even a floor may also be established where States parties whose contribution is less than a certain percentage would be waived, i.e. will not be required to make an assessed contribution. at (tentatively) CHF 500.

Within this model as well, and taking into consideration the many ways through which it could be illustrated, we have assessed the 500000 based on the UN scale of assessment, and then, this figure has been projected in several ways as you may see on the screen now.

One way is to set a ceiling, which implies that no State pays more than 15% of the assessed portion.

Within the second example, we have waived those States that would according to the scale pay less than 500 CHF, and the total contribution of the those 47 States is then distributed among the rest of SPs, according to a prorated scale.

Within the third example under this model, we have set a ceiling of no more than 15% and a floor of 500 CHF, and the amount was then redistributed among the other States parties.

We have not indicated exact figures and numbers, but we have these ready in the back pocket, and for those who wish more information in this regard, the Lebanese team and the executive coordination team stand ready to engage with you during this week.

Now allow me to move to the very last part of this presentation, and this is simply how we at present suggest that such decisions related to the finances of the future ISU could be captured in a draft decision that we can carry along to the 3MSP, as the President stated.

[Draft decision is then shown on the screen]

I would introduce the paragraphs one by one

And then hand over to Mme President.

Concluding remarks by Ambassador Assaker

I have now shared with you the basis that I hope can inform our further discussions this week. I look forward to further consultations during the week and that we can return to gauge the status of work towards the end of the week in wrapping up on Thursday. Before I hand back to the Chairs, I would like to emphasize my aspiration for this week, and to encourage all delegation to engage in further consultations in the margins of the meeting throughout the week with the aim to capture where we stand that can inform the way forward and help to further shape a proposal and the draft decisions we can suggest for consideration by States Parties at the 3MSP in Oslo.

At the end of this week, we have 4 ½ - 5 months until we meet again in Oslo and it is our hope that we, as far as possible, will have prepared the ground for the Third Meeting of States Parties that in turn will lay the ground for a continued successful implementation and universalization of the Convention.

I intend to take note of all your views and input. I intend to collate all the impressions from this week, review our working papers and draft proposals accordingly and return to States Parties again to seek your views anew. As such, I foresee, over the next 5 months, leading us to the Meeting of SPs, further open-ended consultations which I will announce in due course.