

SECRETARIAT

CEASE OF OPERATIONS – APPLICATION OF REIMBURSEMENT CONDITIONS

Secretariat Issue Paper # 06

1. ISSUE PAPER THEME: Other / Cross-cutting

2. SUMMARY / BACKGROUND / PREVIOUS HISTORY

The 2020 COE Working Group introduced a time limit of 90 days on reimbursement for units following issuance of a cease of operation or termination of a mission, with the exception of circumstances outside of control of a T/PCC. This time maximum was intended to indicate a financial limit and remove reimbursement eligibility for equipment left behind by contingents (be it abandoned or transitioned to another use outside UN purview). In the ensuing years, several contingents interpreted the 90-day reimbursement cap as the schedule or timeline for withdrawal, leading to protracted and inefficient repatriations. Related to this challenge is the scenario where a Member State initially elects to repatriate its unit/s by own means under LOA, but subsequently changes to UN facilitated transport, contributing to an extended departure. To address these areas, the Secretariat proposes additional language to clarify that the 90-day limit on reimbursement is separate to the unit withdrawal schedule, a time period which is expected to be shorter, and will be determined by the mission and in consultation with T/PCC in accordance with operational and logistic priorities and/or resources. It further proposes to reinforce that the application of the time limit is irrespective of repatriation under own means or by UN transport.

A second item this paper aims to address is the application of cease of operation reimbursement conditions on units which self-nominate to terminate operations. This includes units whose respective Government has decided to withdraw the unit from the mission (i.e. under full repatriation). To address this scenario, the Secretariat proposes to establish the point at which the cease of operations reimbursement conditions will be applied.

3. DETAILED PROPOSAL

The Secretariat proposes clarifying the intent of this policy and introduce the guidance on cases of self determined cease of operations via the addition of new language in Chapter 2, para 26. Reimbursement during withdrawal, Chapter 4, para 14. Cessation of operations and in the Model Memorandum of Understanding.

Note: The following underlined text was omitted from the 2023 COE Manual due to an editing error, and has been reincorporated here via technical edit: Chapter 2, Para 26: Reimbursement for major equipment will be reduced to 50 per cent of the rates agreed in the memorandum of understanding and will cease once equipment departs the mission area or 90 days after the date of cessation of operations or the termination of the mission (whichever happens earlier), except in those instances deemed to be outside the control of the troop/police contributor, as determined by the United Nations¹

4. FINANCIAL IMPLICATIONS

There is no additional financial implication.

¹ Underlined text was omitted from the 2023 COE Manual in an editing error, however, is re-inserted here as a technical edit.

5. PROPOSED 2026 COE MANUAL TEXT

To effect these proposals, the following changes to the COE Manual main body and model Memorandum of Understanding (MOU) template are recommended:

Proposed additional text, in bold, for para 26 in Chapter 2, Section X. Reimbursement during withdrawal, p. 11/281. The underlined text below is re-instated text, as mentioned in Section 3 of this IP.

26. Reimbursement for self-sustainment will be in effect at full rates until the date of cessation of operations by a troop/police contributor or termination of the mission. Thereafter, the following categories will be reimbursed at 100 per cent and calculated upon the remaining actual deployed personnel strengths until all contingent personnel have departed the mission area:¹⁸

- General/catering
- Communications/telephone
- General/laundry
- General/accommodation
- Medical/high-risk (epidemiological)
- Miscellaneous general stores/bedding
- Miscellaneous general stores/furniture

After the cessation of operations, reimbursement for other categories will be reduced to 50 per cent of the rates agreed in the memorandum of understanding calculated upon the remaining actual deployed troop strengths until all contingent personnel have departed the mission area. Reimbursement for major equipment will be reduced to 50 per cent of the rates agreed in the memorandum of understanding and will cease once equipment departs the mission area or 90 days after the date of cessation of operations or the termination of the mission (whichever happens earlier), except in those instances deemed to be outside the control of the troop/police contributor, as determined by the United Nations. **The 90-day limit applies only to reimbursement aspects of withdrawal and does not set the timeline for the operational or logistical execution of the repatriation. If a troop/police contributor initially nominates to repatriate under its own means (i.e. LOA) but later requests UN transportation (or vice versa), the time from the cease of operations date will still count towards the 90-day reimbursement limit.** When the United Nations negotiates a contract for the repatriation of equipment and the carrier transporting such equipment exceeds a 14-day grace period after the expected arrival date in the home country, the troop/police contributor will be reimbursed by the United Nations at the dry lease rate from the expected arrival date until the actual arrival date.¹⁹ Reimbursement during withdrawal is covered in greater detail in chapter 4.

Proposed new para 27, in bold, in Chapter 2, Section X. Reimbursement during withdrawal, p. 11/281 (numbering to be adjusted accordingly).

- 27. In specific cases a unit may cease operations as a result of a directive by its national Government in preparation for unit repatriation. In this case, the cease of operations reimbursement conditions will apply from the date the unit ceased operations.**

Proposed additional text, in bold, for para 14, Chapter 4, Section IV. Deployment and repatriation of equipment, p. 143/281:

14. Cessation of operations: Reimbursement for major equipment will be in effect at full rates until the date of cessation of operations by a troop/police contributor or termination of the mission.¹⁰ Thereafter, reimbursement will be reduced to 50 per cent of the rates agreed in the memorandum of understanding and will cease once equipment departs the mission area or 90 days after the date of cessation of operations or the termination of the mission (whichever happens earlier), except in those instances deemed to be outside the control of the

troop/police contributor, as determined by the United Nations. **The 90-day limit applies only to reimbursement aspects of withdrawal and does not set the timeline for the operational or logistical execution of the repatriation. If a troop/police contributor initially nominates to repatriate under its own means (i.e. LOA) but later requests UN transportation (or vice versa), the time from the cease of operations date will still count towards the 90-day reimbursement limit.**

Proposed new para 15, in bold, in Chapter 4, Section IV. Deployment and repatriation of equipment, p. 143/281 (numbering to be adjusted accordingly).

15. In specific cases a unit may cease operation as a result of a directive by its national Government in preparation for unit repatriation. In this case, the cease of operations reimbursement conditions will apply from the date the unit ceased operations.

Proposed new para 6.8, in bold, in the generic model Memorandum of Understanding template for military contingents in Chapter 9, Article 6, Reimbursement and support from the United Nations, p. 208/281.

6.8. In specific cases a unit may cease operations as a result of a directive by its national Government in preparation for unit repatriation. In this case, the cease of operations reimbursement conditions will apply from the date the unit ceased operations.

Proposed new para 6.8, in bold, in the generic model Memorandum of Understanding template for formed police units in Chapter 9, Article 6, Reimbursement and support from the United Nations, p. 248/281.

6.8. In specific cases a unit may cease operations as a result of a directive by its national Government in preparation for unit repatriation. In this case, the cease of operations reimbursement conditions will apply from the date the unit ceased operations.