

## **BC.Ex-1/1: Omnibus decision adopted by the Conference of the Parties to the Basel Convention**

*The Conference of the Parties,*

*Mindful* of the legal autonomy of each of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants,

*Recognizing* the broad scope of the three conventions,

*Welcoming* the ongoing commitment of all Parties to ensuring the implementation of the full breadth of the three conventions,

*Recalling* decision IX/10 of the Conference of the Parties to the Basel Convention, decision RC-4/11 of the Conference of the Parties to the Rotterdam Convention and decision SC-4/34 of the Conference of the Parties of the Stockholm Convention, hereinafter referred to as the “synergies decisions”,

*Reaffirming* that actions taken to enhance coordination and cooperation should be aimed at strengthening implementation of the three conventions at the national, regional and global levels, promoting coherent policy guidance and enhancing efficiency in the provision of support to Parties, with a view to reducing their administrative burden and maximizing the effective and efficient use of resources at all levels,

*Mindful* of the various principles recognized within the three conventions, including pertinent provisions of the Rio Declaration on Environment and Development such as principle 7,

*Bearing in mind* the potential further to enhance coordination and cooperation with other existing and newly developed instruments and frameworks in the chemicals and wastes management cluster such as the Strategic Approach to International Chemicals Management and the proposed legally binding instrument on mercury,

*In consideration of* the fact that, simultaneously with the adoption of the present decision, the conferences of the Parties to the Rotterdam and Stockholm conventions are adopting decisions that are in substance identical to the present decision,

### **I**

#### **Joint activities**

1. *Notes* with appreciation the information provided in the note by the secretariats of the Basel, Rotterdam and Stockholm conventions<sup>1</sup> on the joint activities being carried out or planned by the secretariats, which constitute an important first step in the implementation of joint activities;

2. *Encourages* Parties and other stakeholders to undertake cooperative and coordinated activities to implement the synergies decisions, including by strengthening national processes or mechanisms, as appropriate, that involve the focal points and designated national authorities for the three conventions;

3. *Urges* Parties and other stakeholders, within their capabilities, to provide resources to support implementation of joint activities in the field and to support the joint

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1 UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2.

activities of the three secretariats in accordance with the synergies decisions and programmes of work of the three conventions for 2010–2011;

4. *Encourages* Parties and other stakeholders to promote the full and coordinated use of the regional centres of the Basel and Stockholm conventions to strengthen the regional delivery of assistance for the implementation of the three conventions and to consider the further aim of selecting regional focal centres in accordance with paragraph 16 of section I of the synergies decisions, bearing in mind the existing work of other relevant multilateral environmental agreements and the Strategic Approach to International Chemicals Management;

5. *Invites* Parties, regional centres of the Basel and Stockholm conventions and other stakeholders to exchange experiences, in particular on examples of good coordination practices, through voluntary reports on national and regional activities planned or carried out to implement the synergies decisions, which should be submitted in due time to the secretariats of the three conventions to be synthesized for consideration by the conferences of the Parties at their ordinary meetings in 2011;

6. *Invites* the United Nations Environment Programme, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization, the World Bank, the Global Environment Facility and other relevant international organizations to report on their efforts to promote programmatic cooperation and coordination in relation to their support for the three conventions at the national level, and on activities carried out or planned to implement the synergies decisions, to the conferences of the Parties to the three conventions through the secretariats of the three conventions in time for consideration by the conferences of the Parties to the three conventions at their ordinary meetings in 2011 and in this context welcomes the synergistic approach that has been taken in the process for the fifth replenishment of the Global Environment Facility;

7. *Invites* the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations to report to the conferences of the Parties at their ordinary meetings in 2011 on progress made in the development of programmatic cooperation in the field to support implementation of the three conventions in areas of common concern and the inclusion of such cooperation in their biennial work programmes;

8. *Requests* the secretariats of the three conventions to continue their efforts to implement joint activities and report on progress thereof at the ordinary meetings of the conferences of the Parties in 2011;

9. *Also requests* the secretariats, taking into account the provisions of the present decision on review arrangements, to develop for consideration by the conferences of the Parties at their ordinary meetings in 2011 a proposal for cross-cutting and joint activities for possible inclusion in the programmes of work of the three conventions for 2012–2013, subject to the availability of financial resources, taking into account, when appropriate, implementation in collaboration with the relevant programmes of the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the Strategic Approach to International Chemicals Management, the Commission on Sustainable Development, the World Health Organization, the World Trade Organization, the World Customs Organization, the Green Customs Initiative and other relevant stakeholders in the chemicals and wastes field;

10. *Endorses* on a preliminary basis the joint workplan for a clearing-house mechanism as described in the note by the secretariats on a draft joint workplan;<sup>2</sup>

11. *Requests* the secretariats to prepare a report on other clearing-house mechanisms and similar mechanisms in the area of chemicals and wastes, especially the Strategic

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2 UNEP/FAO/CHW/RC/POPS/EXCOPS.1/INF/2.

Approach clearing-house mechanism, with a description of their basic characteristics and the extent to which they contain elements that could be considered for inclusion in a clearing-house mechanism for the Basel, Rotterdam and Stockholm conventions, to avoid duplication of work, for presentation at the ordinary meetings of the conferences of the Parties in 2011;

12. *Also requests* the secretariats to prepare a revised workplan, taking into account the above-mentioned report, for adoption at the ordinary meetings of the conferences of the Parties in 2011;

13. *Invites* Parties and other stakeholders to contribute to the development of the clearing-house mechanism through voluntary means;

## II

### Joint managerial functions

1. *Welcomes* the progress made by the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations, in establishing an informal joint management group involving the executive secretaries of the secretariats of the Basel, Rotterdam and Stockholm conventions;

2. *Takes note* of the study on the feasibility and cost implications of establishing joint coordination or a joint head of the secretariats of the Basel, Rotterdam and Stockholm conventions, with a view to enhancing cooperation and coordination among the three Conventions;<sup>3</sup>

3. *Decides*, after considering the views expressed by the Parties regarding the establishment of either joint coordination or a joint head function of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the United Nations Environment Programme part of the Rotterdam Convention Secretariat, to establish a joint head function, which will be subject to review to determine if the function should continue;

4. *Requests* the Executive Director of the United Nations Environment Programme, after consulting the bureaux of the Basel, Rotterdam and Stockholm conventions, to proceed immediately with the recruitment of a joint head of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the United Nations Environment Programme part of the Rotterdam Convention Secretariat to serve for a period of two years, noting that the continuation of the joint head will be subject to review according to paragraph 8 of the present section of the present decision;

5. *Invites* Parties and others in a position to do so to provide on a voluntary basis additional resources to support the post of joint head until a decision is taken on the future of the post or by the end of 2013, whichever is earlier;

6. *Requests* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations, to develop a proposal for the modification of the organization of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the United Nations Environment Programme part of the Rotterdam Convention Secretariat, including the possible continuation of the joint head function, that is cost-neutral in respect of the adopted operating budgets of the three conventions;

7. *Invites* Parties to consider the proposal referred to in the preceding paragraph on the modification of the organization of the secretariats for possible adoption by the

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3 UNEP/FAO/CHW/RC/POPS/EXCOPS.1/3.

conferences of the Parties as soon as possible, but no later than 2013, taking into account the effectiveness of the joint head in:

- (a) Ensuring full respect for the legal autonomy of the three conventions;
  - (b) Contributing to the overarching goal of the three conventions to protect human health and the environment for the promotion of sustainable development;
  - (c) Providing equal commitment to the implementation of all three conventions, including in advocacy for the mobilization of substantially increased funding from all sources for national implementation;
  - (d) Demonstrating increased efficiency and effectiveness in the cooperation and coordination of the three secretariats;
  - (e) Reducing administrative burdens and maximizing the effective and efficient use of resources;
8. *Decides* to review the joint head function in the context of the review arrangements referred to in section VI of the present decision;

### III

#### Joint services

1. *Welcomes* the progress made by the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations and through the executive secretaries of the three conventions, in the establishment and implementation of joint services on an interim basis;
2. *Takes note* of the information provided in the note by the secretariats on joint services, including lessons learned;<sup>4</sup>
3. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations, in providing the secretariat functions of the Basel, Rotterdam and Stockholm conventions, to establish, through the executive secretaries of the three conventions, taking into account the experiences gained during the interim period, the following joint services:
  - (a) Joint financial and administrative support service;
  - (b) Joint legal service;
  - (c) Joint information technology service;
  - (d) Joint information service;
  - (e) Joint resource mobilization service;
4. *Approves* the proposals on a common arrangement for staffing and financing joint services of the three conventions as they relate to existing posts, including financing shared posts for 2010–2011, as set out in table 1 of annex II to the note by the secretariats on the cost and organizational implications of establishing joint services;<sup>5</sup>
5. *Requests* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations and the joint head of the Basel Convention Secretariat,

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4 UNEP/FAO/CHW/RC/POPS/EXCOPS.1/4.

5 UNEP/FAO/CHW/RC/POPS/EXCOPS.1/INF/3.

the Stockholm Convention Secretariat and the United Nations Environment Programme part of the Rotterdam Convention Secretariat, to develop a proposal for the modification of the organization of the three secretariats for the biennium 2012–2013, for consideration by the conferences of the Parties at their ordinary meetings in 2011, that is cost-neutral in respect of the adopted operating budgets of the three conventions for 2010–2011, is consistent with the proposal to be made on whether to continue the function of joint head of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the United Nations Environment Programme part of the Rotterdam Convention Secretariat referred to in paragraph 6 of section II of the present decision, saves costs on support services and moves resources towards assistance for the implementation of the three Conventions;

6. *Invites* Parties and others in a position to do so to provide voluntary funding of \$80,000 to cover the integration of the information technology platforms throughout the secretariats of the Basel, Rotterdam and Stockholm conventions;

7. *Requests* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations and through the executive secretaries of the three conventions, to continue efforts to implement joint services and to report on progress in doing so at the ordinary meetings of the conferences of the Parties in 2011;

## IV

### **Synchronization of budget cycles**

1. *Takes note* that the synchronization of the budget cycles of the Basel and Rotterdam conventions with the budget cycles of the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations and the Stockholm Convention has been achieved;

2. *Requests* the Executive Secretaries of the Basel, Rotterdam and Stockholm conventions to continue to synchronize the budget cycles of the three conventions;

## V

### **Joint audits**

1. *Welcomes* the commitment by the United Nations Environment Programme to share with the conferences of the Parties the audit reports covering the trust funds of the three conventions, facilitating the ability of the conferences to follow up on those reports;

2. *Also welcomes* the request by the Executive Director of the United Nations Environment Programme to the United Nations Office of Internal Oversight Services to audit in 2010 the strategic management of the multilateral environmental agreements for which the United Nations Environment Programme provides secretariat functions, including administrative arrangements, governance, accountability and oversight;

3. *Requests* the Executive Director to present a report on the audit conducted by the Office of Internal Oversight Services of each of the Basel, Rotterdam and Stockholm conventions to the Conference of the Parties to that convention for consideration at its ordinary meeting in 2011;

## VI

### **Review arrangements**

1. *Decides* to review at the ordinary meetings of the conferences of the Parties in 2013, in accordance with the timetable contained in the annex to the present decision, how far the arrangements adopted pursuant to the synergies decisions, in particular on joint activities, joint managerial functions and joint services, have contributed to achieving the following objectives:

- (a) Strengthening of the implementation of the three Conventions at the national, regional and global levels;
- (b) Promoting coherent policy guidance;
- (c) Reducing administrative burden;
- (d) Maximizing the effective and efficient use of resources at all levels;
- (e) Taking into account global concerns and the specific needs of developing countries and countries with economies in transition;
- (f) Protecting human health and the environment for the promotion of sustainable development;

2. *Requests* the secretariats to prepare, for consideration by the conferences of the Parties at their ordinary meetings in 2011, detailed terms of reference for a report by the secretariats that will facilitate the review by the conferences of the Parties referred to in the preceding paragraph;

3. *Also requests* the secretariats to compile the report referred to in the preceding paragraph jointly and to include in the report recommendations on the review, reflecting information collected from Parties through a questionnaire, prepared by the secretariats based on the terms of reference adopted by the conferences of the Parties and their own views;

4. *Invites* the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations, to prepare detailed terms of reference, including performance indicators, along with a timetable, for the review called for by the present decision, for consideration by the conferences of the Parties at their ordinary meetings in 2011;

5. *Also invites* the Executive Director of United Nations Environment Programme and the Director-General of the Food and Agriculture Organization of the United Nations to prepare a report on the review called for by the present decision, including recommendations, through a joint endeavour of their respective evaluation units, based on input from Parties and taking into account input from the secretariats of the Basel, Rotterdam and Stockholm conventions and other stakeholders.

## **Annex to decision BC.Ex-1/1**

<b>Activity</b>	<b>Timing</b>
Development of draft terms of reference for the two reports	Finalized 90 days prior to the first meeting of a conference of the Parties to be held in 2011
Adoption of the terms of reference for the two reports	By each conference of the Parties in 2011
Publication of the two reports on the websites of the Basel, Rotterdam and Stockholm conventions	90 days before the first meeting of a conference of the Parties to be held in 2013
Adoption of decisions by the three conferences of the Parties	By each conference of the Parties in 2013