



**Basel Convention on the Control of
Transboundary Movements of
Hazardous Wastes and their
Disposal**

Distr.: General
23 December 2009

Original: English



**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**



**Stockholm Convention on
Persistent Organic Pollutants**

**Conferences of the Parties to
the Basel, Rotterdam and Stockholm conventions
Simultaneous extraordinary meetings**

Bali, 22–24 February 2010

Item 4 (b) of the provisional agenda*

**Matters for consideration or action by the
conferences of the Parties: decisions on joint managerial functions**

Joint managerial functions

Note by the secretariats

I. Introduction

1. By paragraph 2 of section IV, on administrative issues, of their respective decisions on enhancing cooperation and coordination among the three conventions (known as the “synergies decisions”),¹ the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions invited the Executive Director of the United Nations Environment Programme (UNEP), in consultation with the Director-General of the Food and Agriculture Organization of the United Nations (FAO), to establish joint management involving the Executive Secretaries of the Basel, Rotterdam and Stockholm conventions for joint services and joint activities through, for example, a system of rotating management or the assignment of individual joint services to a particular convention.

2. By paragraph 3 of the same section, the conferences of the Parties invited the Executive Director of UNEP, in consultation with the Director-General of FAO, to explore and assess the feasibility and cost implications of establishing joint coordination or a joint head of the secretariats of the three conventions for consideration at the extraordinary meetings of the conferences of the Parties to the three conventions.

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

¹ 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; decision SC-4/34 of the Conference of the Parties of the Stockholm Convention.

II. Progress report

3. In response to the invitation set forth in paragraph 2 of section IV of the synergies decisions, the Executive Director of UNEP, in consultation with the Director-General of FAO, established an informal joint management group comprising the Executive Secretaries of the three conventions. The group meets periodically to discuss continuing joint activities and opportunities for enhanced cooperation and coordination in the development and implementation of the programmes of work of the three conventions.

4. In addition, the Executive Director established on an interim basis joint services for the Basel, Rotterdam and Stockholm conventions on 15 June 2009. These services comprise five separate units that provide financial and administrative support services; resource mobilization services; legal services; information technology services; and information and public awareness services. An interim head of the joint services, appointed from among existing secretariat staff members, reports to the joint management group. The joint services were established on an interim basis in line with the provisions of the synergies decisions, which provide that the conferences of the Parties will review the implementation of joint services at their simultaneous extraordinary meetings.

5. In response to the invitation set out in paragraph 3 of section IV, the Executive Director of UNEP, in consultation with the Director-General of FAO, hired a consultant to undertake a study on establishing joint coordination or a joint head of the secretariats of the three conventions. In line with the decisions, the purpose of the study is to explore and assess the feasibility and cost implications of establishing joint coordination or a joint head of the secretariats of the Basel, Rotterdam and Stockholm Conventions. The report of the study is set out in the annex to the present note.

III. Possible action by the conferences of the Parties

6. The conferences of the Parties may wish:

(a) To welcome the progress made by the Executive Director of UNEP, in consultation with the Director-General of FAO, in establishing an informal joint management group and interim joint services and in appointing an interim head of joint services for the Basel, Rotterdam and Stockholm conventions;

(b) To take 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 and consider the options related to joint managerial functions as contained therein;

(c) To decide on the options for joint managerial functions as examined in the study:

(i) Joint coordination of the Basel, Stockholm and Rotterdam convention secretariats through the establishment of a joint coordinating group;

(ii) Joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats;

(d) To agree on a schedule for implementing the option selected and ensure that resources necessary for implementing that option are made available as required.

Annex

Study on the feasibility and cost implications of establishing joint coordination or a joint head of the Basel, Rotterdam and Stockholm conventions

Introduction

1. Decision IX/10 of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, decision RC-4/11 of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and decision SC-4/34 of the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants are substantially identical decisions, known as the “synergies decisions”, by which the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions called for various measures to achieve greater cooperation and coordination among the three conventions, with the aim of “strengthening implementation of the three conventions at the national, regional and global levels, promoting coherent policy guidance, 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”.
2. In those synergies decisions, the three conferences agreed, among other things, “to convene simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions”. In addition they invited the Executive Director of the United Nations Environment Programme (UNEP), in consultation with the Director-General of the Food and Agriculture Organization of the United Nations (FAO), “to explore and assess the feasibility and cost implications of establishing joint coordination or a joint head of the secretariats of the Basel, Rotterdam and Stockholm conventions for consideration at the extraordinary meetings of the conferences of the Parties”.
3. In response to the synergies decisions the Executive Director of UNEP, in consultation with the Director-General of FAO, engaged the author of the present report to conduct a study of the feasibility and cost implications of either establishing a mechanism for the joint coordination of the Basel, Rotterdam and Stockholm conventions or appointing a joint head of the three convention secretariats.
4. The study was carried out in accordance with the terms of reference for the consultant which, among other things, called for providing options for an organizational structure for the three secretariats that would facilitate the establishment and operation of joint coordination arrangements among the Basel, Rotterdam and Stockholm convention secretariats or a joint head of the three secretariats; an assessment of the feasibility and cost implications for each of the options; and recommendations on appropriate levels of staffing and on the organizational structure of the three secretariats to accommodate the joint management function among them.
5. The study looks at two options. The first option is the establishment of a joint coordinating group comprising the Executive Secretary of the Basel Convention secretariat, the Executive Secretary of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat and the Executive Secretary of the FAO part of the Rotterdam Convention secretariat. The second option is the appointment of a single individual as the joint head of the Basel Convention secretariat, the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat.
6. The conclusions and recommendations of the author are based on the examination of documents provided by UNEP and telephone interviews with the Executive Secretaries of the three convention secretariats, the Director of the Division of Environmental Law and Conventions of UNEP and the UNEP representative on the Synergies Oversight Team. The documents consulted include relevant documents presented to the conferences of the Parties of the three conventions for the meetings at which they adopted the synergies decisions, all of which are available on the websites of the conventions. In addition, the consultant reviewed the synergies decisions themselves, the documents considered and reports issued by the Ad Hoc Joint Working Group on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions (see <http://ahjwg.chem.unep.ch/>) and the reports of the Advisory Committee on the Simultaneous Extraordinary Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions, which were established to provide advice to the Executive Director of UNEP and the Director-General of FAO on preparations for the simultaneous extraordinary meetings (UNEP/FAO/AdComm.1/1 and UNEP/FAO/AdComm.2/1). The telephone

interviews covered matters such as the current management structure and staff levels of the three convention secretariats; the challenges faced in implementing the synergies decisions; and the pros and cons, institutional and procedural requirements for giving effect to, and cost implications of, the two options contemplated by the synergies decisions.

I. Background

A. Secretariat and convention-management aspects of the synergies decisions and their implementation

7. As noted above, the synergies decisions call for a number of measures to be implemented, by Parties, by UNEP and other stakeholders, and by the secretariats to the three conventions, to enhance cooperation and coordination among the conventions with the aim of strengthening their implementation. A number of the measures called for are of particular relevance to the present study, however, because their implementation relates to the operation of the convention secretariats and forms a backdrop against which it is useful to consider the question of joint coordination or a joint head of the convention secretariats.

8. Thus, in paragraph 2 of section IV of the synergies decisions the conferences of the Parties invited “the Executive Director of the United Nations Environment Programme, in consultation with the Director-General of the Food and Agriculture Organization, to establish joint management involving the Executive Secretaries of the Basel, Rotterdam and Stockholm conventions for joint services and joint activities through, for example, a system of rotating management or the assignment of individual joint services to a particular convention”.

9. In addition, in paragraphs 4, 7, 8 and 10 of section IV the Parties requested the Executive Director of UNEP, in consultation with the Director-General of FAO, to prepare a proposal for joint audits of the accounts of the three conventions and to establish, on an interim basis subject to review by the conferences of the Parties at the simultaneous extraordinary meetings, joint resource mobilization, legal, information technology and information services, as well as a joint financial and administrative support service.

10. In response to those invitations from the Parties the Executive Director and the Director-General, together with the Executive Secretaries of the three convention secretariats, have established an interim Joint Services Section, a Synergies Oversight Team and a Joint Coordinating Group.

11. The Joint Services Section was established in June 2009 and comprises five separate units that provide joint financial and administrative services, including support services; joint resource mobilization services; joint legal services; joint information technology services; and joint information services. An interim head of the Joint Services Section was appointed from among existing staff members. The Joint Services Section has been established on an interim basis in line with the provisions of the synergies decisions, which provide that the conferences of the Parties are expected to take a final decision regarding joint services at their simultaneous extraordinary meetings.

12. The Synergies Oversight Team comprises the Executive Secretaries of the three conventions, a representative of the Executive Director of UNEP and a representative of the Director-General of FAO. The Team’s mandate is to work with the Executive Director and the Director-General in preparing for the simultaneous extraordinary meetings of the conferences of the Parties and in enhancing cooperation and coordination over the long term. The Team meets on a regular basis and reports to the Executive Director and the Director-General.

13. The Joint Coordinating Group comprises the Executive Secretaries of the three convention secretariats, who meet periodically to discuss opportunities for enhanced cooperation and coordination in the development and implementation of the programmes of work of the three conventions, including joint activities.

14. Reports from the secretariats thus far indicate that good progress has been made with regard to both joint services and joint activities. In September 2009 the secretariats of the three conventions held a two-day joint retreat at which they discussed that progress and how to build on it. Following the retreat the Executive Secretaries further refined their plans for the provision of joint services, joint activities and other aspects of coordinated implementation of the conventions. The secretariats will report on those plans, and progress to date, during the simultaneous extraordinary meetings of the conferences of the Parties. In the meantime information on joint services, joint activities and the operation of the interim Joint Services Section, the Synergies Oversight Team and the Joint

Coordinating Group, including progress to date and plans for the future, is provided in documents UNEP/FAO/CHW/RC/POPS/EXCOPS.1/4, UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2 and UNEP/FAO/CHW/RC/POPS/EXCOPS.1/INF/3.

B. Scope for the coordinated implementation of the conventions

15. The Parties to the Basel, Rotterdam and Stockholm Conventions have concluded, as stated in the preamble to the synergies decisions, that the three conventions have a common overarching goal, which is “the protection of human health and the environment for the promotion of sustainable development”. They have also stated there that the “objective of enhanced coordination and cooperation among the three conventions is to contribute to the achievement of that goal”.

16. The extent to which enhanced cooperation and coordination indeed contribute to achievement of the conventions’ overarching goal depends, of necessity, on the extent to which the activities required to implement the conventions, including activities of the secretariats, are sufficiently similar or related that they can profitably be carried out in a coordinated manner. It is also important to recognize that particular activities pertaining to one convention might conceivably suffer if pursued jointly with activities pertaining to the other conventions. Indeed, this last point could be considered fundamental: throughout the negotiations leading to the adoption of the synergies decisions, Parties said repeatedly that those elements and goals unique to each of the three conventions should neither be forced through a one-size-fits-all joint mechanism nor neglected, sacrificed to the goal, however laudable, of achieving synergies among the three conventions.

17. The question of what activities are to be pursued jointly, then, is a profoundly important one. The range of activities under the three conventions is broad and an examination of them reveals that while many are similar others are not. Appendix I to the present report sets out a summary of the key common and similar functions of the three secretariats. The summary is based on a list of functions set out in the appendix to document UNEP/POPS/COP.2/INF/12, which sets forth an earlier study on improving cooperation and coordination among the secretariats of the Basel, Rotterdam and Stockholm conventions.

18. It may be observed that the Parties, by calling for the establishment of interim joint services in certain areas, have themselves at least tentatively identified some activities that are good candidates for joint action. Beyond that, however, it is an open question. It may also be observed that, as circumstances are in general not static, those activities that will benefit from coordinated implementation will change over time. It seems, therefore, that it is neither practical nor desirable to enumerate definitively at the outset those activities that would be the subject of coordinated action and those that would not.

19. It follows that an important function of whatever joint management structure the Parties may opt for will be to determine, on a continuing basis in response to changing circumstances over time, the extent to which particular activities should be carried out in a coordinated manner. The Parties may wish to bear this in mind in evaluating the options discussed in the present report.

II. Feasibility and cost implications of joint management options

A. Current structure of the secretariats

20. The synergies decisions call on the Executive Director of UNEP, in consultation with the Director-General of FAO, to assess two options for consideration during the Parties’ simultaneous extraordinary meetings: either a system, unspecified, for “joint coordination”, or a joint head of the three convention secretariats. Before considering the two options, however, it may be useful briefly to review the existing structure of the secretariats of the three conventions.

21. The current management structure of the secretariats of the three conventions may be summarized as follows:

(a) Article 16 of the Basel Convention named UNEP as the convention secretariat until the first meeting of the Conference of the Parties, at which the Conference was to designate a secretariat from among interested international organizations. At that meeting the Conference of the Parties, in decision I/7, designated UNEP to carry out the functions of secretariat and requested the Executive Director of UNEP to establish the secretariat in Geneva. Article 20 of the Stockholm Convention provides that the secretariat functions for the convention “shall be performed by the Executive Director” of UNEP, “unless the Conference of the Parties decides, by a three-fourths majority, to entrust the secretariat functions to one or more other international organizations.” Article 19 of the Rotterdam Convention states: “The secretariat functions for this Convention shall be performed jointly by the

Executive Director of UNEP and the Director-General of FAO, subject to such arrangements as shall be agreed between them and approved by the Conference of the Parties.” Pursuant to article 19 the Executive Director and the Director-General entered into a memorandum of understanding setting forth the terms under which they would carry out the secretariat functions, which was approved by the Conference of the Parties in 2005 in decision RC-2/5;

(b) At its first meeting the Conference of the Parties to the Rotterdam Convention, in its budget decision (decision RC-1/17), invited the Conference of the Parties to the Stockholm Convention to co-finance the post of joint head of the secretariats of the two conventions at the D-1 level. The Conference of the Parties to the Stockholm Convention accepted the invitation in the budget decision that it adopted at its first meeting (decision SC-1/4);

(c) In accordance with the above decisions of the Parties the Executive Director of UNEP appointed an Executive Secretary for the Basel Convention secretariat and a joint Executive Secretary for the Stockholm Convention and the UNEP part of the Rotterdam Convention and delegated to them the authority to manage the secretariats. The Director-General of FAO did likewise in respect of his sphere of responsibility for the management of the secretariat of the Rotterdam Convention.

B. Joint coordination

22. The synergies decisions requested the Executive Director and the Director-General “to establish joint management involving the Executive Secretaries of the Basel, Rotterdam and Stockholm Conventions for joint services and joint activities” as a matter apparently separate and apart from the assessment of possible joint coordination or a joint head. In addition, the notion of coordination presupposes the continued existence of the current structures of each of the three conventions; rather than call for their replacement it calls for them to be made, through the intervention of a supervisory structure, to work together more effectively and efficiently. The author therefore bases his analysis in the present report on the assumption that “joint coordination” would involve the continuation of the informal joint management arrangements that have been established by the Executive Director of UNEP and the Director-General of FAO on an interim basis since the adoption of the synergies decision at the fourth meeting of the Conference of the Parties to the Stockholm Convention in May 2009 in the form of the Joint Coordinating Group, suitably modified to reflect the fact it would no longer be provisional and would need to be effective over time.

23. Given this starting point it is evident that the function of joint coordination would not extend to the entire management of all three conventions but rather only those areas that overlap. It is proposed, therefore, that the principal functions of the Joint Coordinating Group would be the following:

- (a) To identify opportunities for programmatic collaboration among the three conventions;
- (b) To oversee the development and implementation of such opportunities without undermining the integrity and legal autonomy of the conventions;
- (c) To direct and oversee the functions of the Joint Services Section, should the Parties decide that services should continue to be provided on a joint basis.

24. The modifications to the structures that have already been devised necessary to achieve joint coordination are described in the following paragraphs.

25. The first suggested modification is to formalize the joint management group that is now operating informally as the Joint Coordinating Group and to put in place mandatory procedures to guide its operation and make its decisions binding. Without such a step there is a risk that the Joint Coordinating Group, as a mere consultative process of the Executive Secretaries, would be inadequate to advance the objectives of the synergies decision.

26. Formalizing the existing coordination mechanism and making it effective would not be without challenges. A mandatory coordination arrangement would require several new features, including an agreed set of binding rules and procedures setting out the mandate, responsibilities and functions of the Joint Coordinating Group. To ensure that the Joint Coordinating Group functions as an effective instrument to achieve the objectives of the synergies decisions its terms of reference should include the following:

- (a) Coordinating the development and implementation of the programmes of work of the three conventions, taking into account the terms of the synergies decisions, and resolving any disputes that might arise;

- (b) Ensuring that the budgets for the implementation of the programmes of work of the three conventions provide the required financial basis for the coordinated implementation of the conventions;
- (c) Providing written confirmation to meetings of the Conference of the Parties that the budgets and the programmes of work that are presented by the secretariats to the respective conferences of Parties have been prepared, giving full effect to the principles articulated in the synergies decisions;
- (d) Providing directions to, managing and overseeing the operation of the Joint Services Section.
27. The rules and procedures could be prepared jointly by the Executive Secretaries, under the authority of the Executive Director of UNEP and the Director-General of FAO, for consideration by the conferences of the Parties at their next ordinary meetings.
28. One of the principal challenges that would face the Executive Secretaries in functioning effectively as members of the Joint Coordinating Group could be to subordinate their natural interests in advancing the goals of their respective conventions, which could come at the expense of the wider objective of strategic and holistic implementation of all three conventions. This could be particularly difficult when resources needed to implement the conventions are limited.
29. In the light of the above, the Parties might consider it prudent to introduce within the rules and procedures of the Joint Coordinating Group a requirement that the Executive Secretaries refer matters on which they are unable to agree to the Executive Director of UNEP (or the Director-General of FAO for matters relating to the FAO part of the Rotterdam Convention) for guidance and, if necessary, a binding decision.
30. The above aspect of joint coordination should be assessed against the goal of enhancing cooperation and coordination, i.e., to enhance the effectiveness of the conventions and to remedy the shortcomings of the fragmented approach that has to date characterized chemicals and waste management.
31. In examining the possible advantages and disadvantages of a Joint Coordinating Group compared to a joint head, the following may be considered:
- (a) Whether the Joint Coordinating Group, taking into account that it would include the Executive Secretary of each of the three conventions, is the best means of ensuring that the interests and priorities of all three conventions are balanced and whether it best effects the objective of strengthening the implementation of the conventions at the national level;
- (b) Whether the presence of the three Executive Secretaries in the group would constitute a system of checks and balances with regard to the use of financial resources across the three secretariats, taking into consideration the interests of the countries that benefit from the application of such resources;
- (c) Whether the Joint Coordinating Group might constitute an additional organizational layer, as reflected in the organigram set out in chapter III of the present report, that would make coordination and cooperation among the three secretariats increasingly time-consuming;
- (d) Whether the additional coordination responsibilities of the Executive Secretaries might impinge on the time that they would otherwise use to promote the implementation of the conventions and to advance synergies at the national level;
- (e) Whether issues submitted to the Executive Director of UNEP and the Director-General of FAO owing to disagreements on coordination and cooperation matters among the Executive Secretaries might unnecessarily delay the implementation of the conventions.
32. Given that under this option the Executive Secretaries will continue with their existing duties and will undertake the additional burden of functioning as members of the Joint Coordinating Group, and for the further reasons set out in the recommendations section below, it is contemplated that their posts would be upgraded to the D-2 level in the event that the Parties choose this option.

C. Joint head

33. In contrast to joint coordination, the appointment of a joint head of the three convention secretariats would result in a substantial change in existing arrangements. Under this option it is proposed that the Executive Director of UNEP would appoint an Executive Secretary who would have full responsibility for the management of the Basel and Stockholm convention secretariats and shared

responsibility, with the existing Co-Executive Secretary appointed by the Director-General of FAO, for the management of the secretariat of the Rotterdam Convention in accordance with the existing memorandum of understanding between UNEP and FAO. The joint head would also provide directions to and oversee the work of the Joint Services Section in so far as it deals with matters relating to the Basel, Stockholm and the UNEP part of the Rotterdam secretariats. As appropriate, the FAO Co-Executive Secretary of the Rotterdam convention secretariat would provide directions and oversee the work of the Joint Services Section in regard to matters relating to the FAO part of that convention. Most importantly, the joint head would have complete freedom to approach the management of the three conventions, free from narrow convention-specific interests, in a way that would balance the collective and individual goals and interests of the three conventions.

34. In examining the possible advantages and disadvantages of a joint head compared to a Joint Coordinating Group, the following may be considered:

- (a) Whether a joint head might decrease the level of bureaucracy in coordination and decision-making across the three secretariats and therefore make the best use of available time for strengthening the implementation of the conventions at the national level;
- (b) Whether a joint head might be the most effective and efficient way to enhance cooperation and coordination across the three secretariats through a smooth coordination and decision-making process based on recommendations from functional managers (see below for a description of the functional managers);
- (c) Whether a joint head might be likely to give equal attention and priority to each of the conventions;
- (d) Whether a joint head might be able to use voluntary contributions to one convention more effectively for joint activities across the conventions compared to the Joint Coordinating Group, with its inherent checks and balances.

35. The post of joint head should be classified at a level that is commensurate with the scientific, leadership, managerial, political and diplomatic experience, knowledge and skills required of the position and its level of responsibility. Having regard to these considerations as well as the level of comparable posts within the United Nations system and the secretariats of other multilateral environmental agreements, there seems to be compelling support to fix the post of joint head of the secretariats of the Basel, Stockholm and Rotterdam (UNEP part) convention secretariats at the D-2 level.

36. In the interests of ensuring that the joint head would dedicate the majority of his or her time to providing strategic leadership to the conventions, liaising with Parties and undertaking strategic resource mobilization to strengthen the implementation of the conventions at the national level, and given that the joint head would be responsible for the Basel and Stockholm conventions and the UNEP part of the Rotterdam Convention, it would appear that it would be necessary to appoint two functional managers (who could perhaps be designated as Deputy Executive Secretaries or Coordinators), one for the Basel Convention secretariat and one for the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat. The functional managers, who would be provided for from existing resources, would assist the joint head in discharging his or her responsibilities relating to the implementation of the programmes of work of the conventions. The functional managers would be responsible to the joint head for overseeing and coordinating the development and implementation of the programmes of work in accordance with the decisions of the conferences of the Parties and their subsidiary bodies and for coordinating their work to achieve synergies among the conventions.

37. As with the joint management coordination arrangement discussed above, under this option the head of the Joint Services Section would report to and be accountable to the joint head for matters relating to the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats and to the FAO Co-Executive Secretary for matters relating to the FAO part of the Rotterdam Convention secretariat, as appropriate.

38. The following post levels are contemplated in the event that the Parties choose the joint head option:²

- (a) D-2: Executive Secretary (joint head) of the Basel and Stockholm convention secretariats and UNEP Co-Executive Secretary of the Rotterdam Convention Secretariat (new post);
- (b) D-1: Functional manager of the Basel Convention secretariat (existing post);
- (c) D-1: Functional manager of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat (existing post).

39. The conferences of the Parties could consider at their extraordinary meetings and/or their next ordinary meetings how to share the costs for the joint head post.

40. Under this proposal and as indicated above it is anticipated that the D-1 posts currently held by the Executive Secretary of the Basel Convention secretariat and the Executive Secretary of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat would be occupied by the functional manager of the Basel Convention secretariat and the functional manager of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat. If that were done there would be no additional costs involved in respect of those posts.

D. Cost implications of the two options

41. There are three areas that need to be examined in determining the cost implications of a new management regime for the Basel, Rotterdam and Stockholm convention secretariats, based on the two options:

- (a) Professional and support staff in the three secretariats required to perform the substantive work for the implementation of the programmes of work of the three conventions;
- (b) Professional and support staff in the Joint Services Section;
- (c) Senior management staff required under each option.

1. Professional and support staff in the three secretariats required for the implementation of the programmes of work of the three conventions

42. Since the overall aim of the synergies decisions is to strengthen the implementation of the conventions at the national level, there is no reason to expect that there will be any reduction in the number of professional and support staff in the three secretariats required for the implementation of the programmes of work of the three conventions. On the other hand, the Parties may well decide in the future that it is necessary to increase the number of staff members that work directly with Parties and work to implement the programmes of work of the three conventions, including by freeing up resources from other parts of the secretariats through more efficient and effective operations. It therefore seems safe to assume that no posts directly supporting the implementation of the conventions at the national level will be rendered redundant.

43. In this connection it should be noted that a new managerial arrangement aimed at enhancing cooperation and coordination among the three secretariats, whether joint coordination or a joint head, would increase the workload of the secretariats because the quest for synergies requires time-consuming consultations and negotiations on budgetary, logistical and many other matters. Under the joint coordination option such consultations would take place in the Joint Coordinating Group, and therefore at the level of the three Executive Secretaries, while under the joint head option they would take place at the functional manager level.

44. Under both joint management options, it is possible to envisage the necessity to appoint task managers in each secretariat for key substantive areas of work such as policy development, capacity-building and technical assistance, possibly at the P-5 level and within available resources. Answerable to the functional managers under the joint head option and to their respective Executive Secretaries under the joint coordination option, these task managers would support cross-secretariat coordination in the development and implementation of programmes of work and related budgets, focusing on the synergies and interlinkages among the three conventions and other multilateral

² Whether FAO might feel the need to adjust its arrangements in respect of the FAO Co-Executive Secretary in response to any decision by the Parties to the Rotterdam Convention on a joint coordination arrangement or a joint head is beyond the scope of the present report.

environmental agreements. Under both options, it would be possible to give effect to this organizational arrangement with the available staff in the three secretariats.

45. If task managers are appointed it would be necessary to review their duties and to revise them to correspond with any new responsibilities arising as a result of any new joint management structure. Depending on the structure chosen, it may be necessary to review the levels of existing professional posts, as appropriate.

2. Professional and support staff in the Joint Services Section

46. It is likely that the current staff functions and complements of the three secretariats falling within the Joint Service Section will be reviewed, following which staff may be redeployed within the Section with the aim of realigning them with expected service requirements. It is also anticipated, in line with the synergies decisions, that the services to be provided in the five service areas of the Joint Services Section will be provided in a more effective and efficient manner both in support of the three convention secretariats and in support of the implementation of the conventions at the national level. Neither the documentation on joint services nor reports of discussions thereon at the two Advisory Committee meetings nor the telephone interviews that the consultant conducted with the Executive Secretaries provide any reason to expect a reduction, in the short run, in staff requirements once the Joint Services Section is fully operational.

47. It is expected, however, that Parties will provide the human resources necessary to carry out the resource mobilization functions, for which no provision has as yet been made. This function is currently carried out by UNEP on an interim basis within the framework of its programme of work.

48. Under these circumstances it would be unreasonable to expect that there will be anything more than marginal cost savings, in the short run, from the establishment of the Joint Services Section. It is expected, however, that the more efficient and effective provision of services through the Joint Services Section will result in better and more timely support for strengthening implementation of the conventions at the national level. To make an accurate assessment of the financial requirements of the Joint Services Section, however, it will be necessary to await the final outcome of the reorganization of the support services of the three secretariats. In this context it would be necessary to review the duties of existing professional posts and, if necessary, to revise them to correspond with any new responsibilities arising as a result of any new joint management structure.

3. Senior management staff required under each option

(a) Head of Joint Services Section

49. The discussions with the Executive Secretaries highlighted the practical difficulties that they presently face in completely amalgamating the financial and administrative functions of the three secretariats under the head of the Joint Services Section, having regard especially to their financial accountability to the conferences of the Parties and the Executive Director of UNEP. This matter will need to be carefully examined by the Executive Director of UNEP as well as the conferences of the Parties, as it involves the financial management of the three conventions. The following issues may need to be considered in this regard.

50. Every effort should be made to continue to integrate the service functions of the three secretariats fully within the Joint Services Section with the aim of completing it as soon as possible. Allowing some service functions to remain within the respective secretariats outside the purview of the Joint Services Section is likely in the long run to jeopardize the institutional structure being created for joint management of the three secretariats to give effect to the synergies decisions.

51. Towards this end, each secretariat needs to develop its programme of work and budget to be presented for approval to the relevant Conference of the Parties. The process for the development of the programmes of work will depend on the joint management structure put in place. The programmes of work and related budgets, however, should be developed henceforth having regard to the fact that some activities will be pursued in a coordinated manner with the other conventions while others will not. This will require a high degree of consultation, cooperation and collaboration in the planning of the programmes of work and budgets. The head of the Joint Services Section will be called upon to play a crucial role in this process independent of the decision made by the Parties on a joint management structure.

52. Once the programmes of work and budgets are approved by the respective conferences of the Parties, the financial management of the related funds will, in accordance with the synergies decision, come within the purview of the head of the Joint Services Section, who will work under the supervision

of the respective Executive Secretaries or the joint head and the FAO Co-Executive Secretary of the Rotterdam Convention secretariat, as the case may be, in regard to the budgets and the related funds of each secretariat.

53. It is evident from the above-mentioned requirements that a very high level of responsibility and accountability attaches to the post of the head of the Joint Services Section. In addition, he or she will be entrusted with the management of several distinct areas of work, (finance, administration, support services, legal services, information technology, outreach and resource mobilization) for each of the three convention secretariats. It therefore stands to reason that, whatever may be the decision of the Parties in regard to any new joint management structure in response to the synergies decisions, the post of head of the Joint Services Section will need to be established at the D-1 level. The cost of this post is an additional cost associated with the management reforms.

54. The other additional costs for human resources associated with managerial reforms would depend on the staffing arrangements and the levels of the posts agreed to under each of the two options discussed above. The financial implications of each option are examined below.

(b) Option 1: Joint Coordinating Group

55. Under this option the Executive Secretaries of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats would continue to play their existing roles while taking on substantial additional coordination duties as members of the Joint Coordinating Group. Given these considerations it is contemplated that the Executive Secretary posts for the Basel Convention and for the Stockholm Convention and the UNEP part of the Rotterdam Convention, currently classified at the D-1 level, would be upgraded to the D-2 level.³

56. The cost of this option in respect of the Executive Secretaries would be the difference between two D-1 posts and two D-2 posts at the Geneva duty station.

(c) Option 2: Joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats

57. This arrangement envisages the creation of a new post of joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats and the retention of the two existing D-1 posts currently occupied by the Executive Secretary of the Basel Convention and the joint Executive Secretary of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat.

58. The existing D-1 posts would be occupied by the functional manager of the Basel Convention secretariat and the functional manager of the Stockholm Convention secretariat and the UNEP part of the Rotterdam Convention secretariat as described above.

59. Taking all this into account this option would entail an additional cost of the new D-2 post of the joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats.

III. Conclusions and recommendations relating to joint management options

A. Head of the Joint Services Section

60. Independent of the decision adopted by the Parties on joint management, and having regard to similar posts within the United Nations system, it is recommended that the post of head of the Joint Services Section be established at the D-1 level.

61. This recommendation is based on the fact that the head of the Joint Services Section will be responsible for ensuring the due discharge of the following functions of three secretariats: joint resource mobilization service, joint financial and administrative support service, joint legal service, joint information technology service and joint information service. This involves a high level of expertise, experience, management and team management skills and the ability to deliver effectively across three secretariats and some seven or eight functional areas.

³ It might also be mentioned in this regard that it appears that the current FAO Co-Executive Secretary of the Rotterdam Convention secretariat is employed by FAO at the D-2 level, although the post vis-à-vis the convention is classified at the D-1 level.

62. The incumbent will be a member of the senior management team, whatever the Parties decide with regard to the coordination of the management of the three secretariats.

B. Joint coordination of the Basel, Stockholm and Rotterdam convention secretariats

63. If this option is adopted it is recommended that the Executive Secretary posts for the Basel Convention secretariat and for the Stockholm Convention/UNEP part of the Rotterdam Convention secretariat be upgraded from the D-1 level to the D-2 level.

64. This recommendation is based on the fact that the Executive Secretaries, under this arrangement, would perform dual roles, that is, as Executive Secretaries of the convention secretariats and as members of the Joint Coordinating Group. It is self-evident that their work as members of the Joint Coordinating Group would involve a significant additional workload for the Executive Secretaries, inasmuch as in addition to their existing duties they would be responsible for identifying opportunities for programmatic collaboration among the three conventions, overseeing the development and implementation of such opportunities and overseeing the Joint Services Section.

65. The level of the Executive Secretaries of the chemicals and wastes conventions vis-à-vis the levels of the executive secretaries of other global multilateral environmental agreements may also have implications for the perception of key stakeholders in the international community, including donors, international financial institutions, Governments and other global and regional partners in regard to the global relevance and relative importance of the Basel, Rotterdam and Stockholm conventions. These considerations may suggest the need for parity in the levels of the Executive Secretaries of the three conventions with those of other global multilateral environmental agreements.

C. Joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats

66. If this option is adopted it is recommended that, in keeping with posts with similar responsibilities within the United Nations system, the post of joint head be established at the D-2 level.

67. This recommendation is based on the fact that the post amalgamates the role and functions of two D-1 officers, namely, the Executive Secretary of the Basel Convention Secretariat (a post that was at one time classified at the D-2 level) and the Executive Secretary of the Stockholm Convention Secretariat and the UNEP part of the Rotterdam Convention Secretariat. The post requires the highest degree of professionalism and diplomacy, leadership skills, political sensitivity and judgment, broad knowledge of environmental and sustainable development issues, a profound knowledge of the chemicals and wastes conventions and extensive managerial and administrative experience.

D. Additional considerations

68. The financial implications of the two management options and the creation of a Joint Services Section are enumerated in appendix II to the present report. In accordance with section B of part V of the synergies decisions it is expected that the conferences of the Parties will take decisions at their simultaneous extraordinary meetings with regard to the future management structure of the three convention secretariats to give effect to the synergies decisions, provide a timeframe within which to accomplish the reorganizational arrangements and address the financial implications of the decisions.

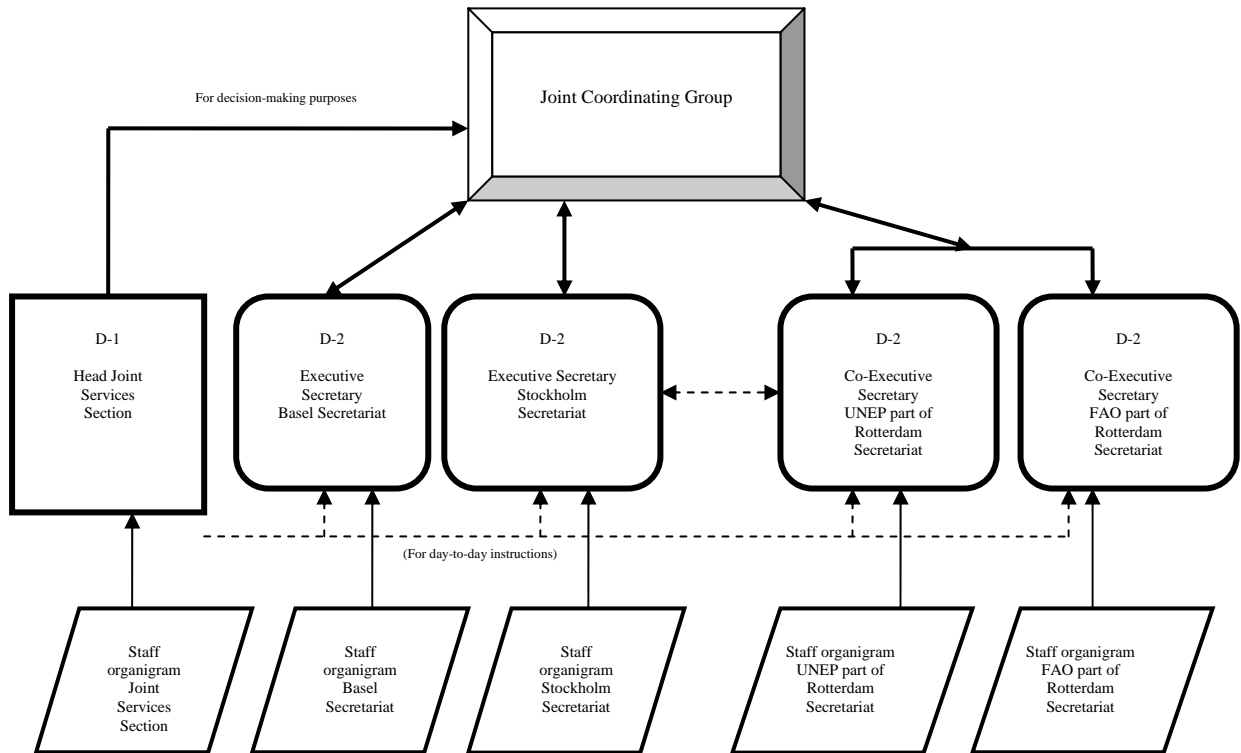
69. In assessing the potential financial implications of the two options, it is important to recognize that although initially the appointment of a joint head would entail the cost of creating a D-2 post the economies of scale that would result from combining the operations, even partially, of three convention secretariats, combined with the efficiency dividend resulting from the management reforms, could be expected to minimize the cost differential between the two options, especially over the long term.

70. It may become necessary to review and where necessary revise the duties of the professional posts in the secretariats to align them with the new functions and responsibilities that will be necessary to implement the synergies decisions within the framework of a new joint management structure.

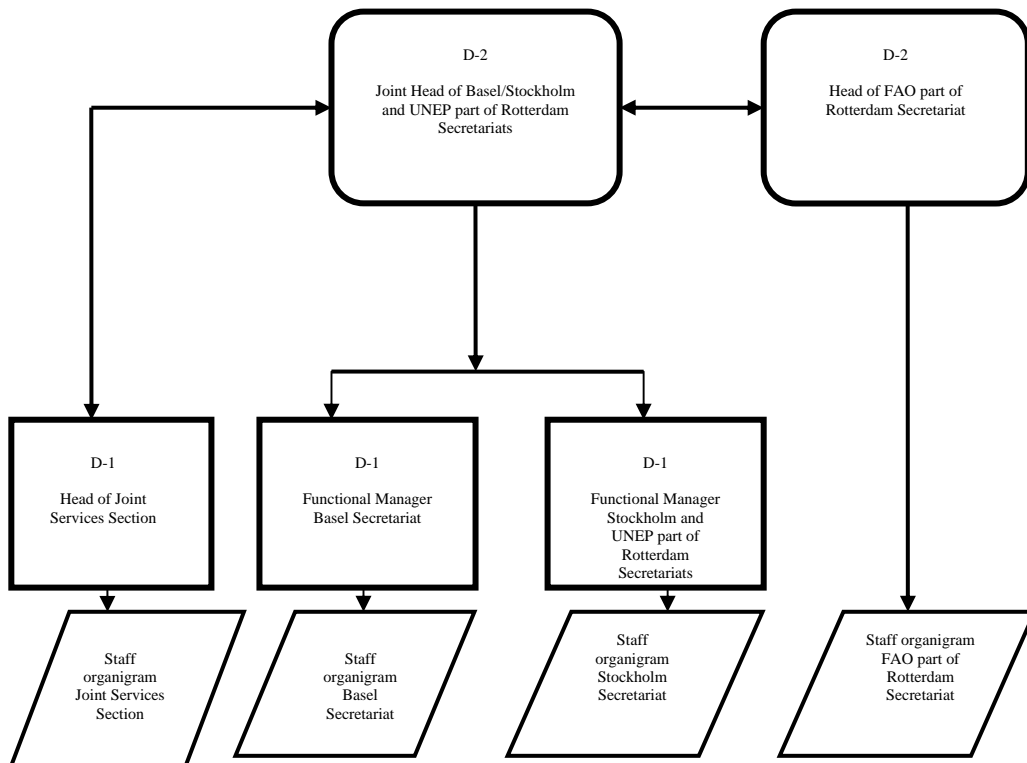
E. Organigrams under the two options

71. The following organigrams suggest organizational structures for the senior management of the three secretariats under the two options.

Option 1: Joint coordination



Option 2: Joint head



Appendix I

Summary of substantive functions of the secretariats of the Basel, Rotterdam and Stockholm conventions

For a fuller description of the substantive functions of the three secretariats and their host organizations please see document UNEP/POPS/COP.2/INF/12.

A. Functions common to all three convention secretariats

1. Finance and procurement

- Management of finances, budget, administration
- Financing the operations of the secretariats: the operations of the three secretariats are financed, in accordance with the budgets approved by their conferences of the Parties, through the management of the general and specific trust funds that are set up and administered by UNEP
- Financing implementation and other activities: special trust funds set up and administered by UNEP (together with the United Nations Office at Nairobi) support the implementation of specific activities for which funding is not provided through the general trust funds, particularly in the areas of capacity-building, technical assistance and information dissemination

2. Administration, including human resources and buildings maintenance

- Contracts; memorandums of understanding; consultancies; office space; utilities and equipment; personnel and travel; including entering into any necessary administrative and contractual arrangements
- Administrative matters relating to preparations for and follow-up to meetings
- Development and operation of regional centres for technology transfer and capacity-building

3. Information and communication technology

- There are two broad categories of information technology (IT) support that a convention secretariat requires to carry out its functions: basic IT services and IT services to support projects. Each area includes a wide range of functions such as management, policymaking and coordination of services, including licenses, server and workstation monitoring and maintenance, monitoring and maintenance of printers and other peripherals, network monitoring, maintenance and administration, website design and maintenance, database development, administration and support, clearing-house development and support, application design and development and IT support for meetings of the Parties and other meetings. These services are linked to the activities of the respective conventions and frequent interaction with the professional staff is a prerequisite for delivering support

4. Conference support and logistics

- Support for the work of the conferences of the Parties and their subsidiary bodies during meetings
- Documentation, translation, printing and circulation
- Meeting logistics

5. Legal and institutional

- Legal advice on corporate and administrative issues
- Legal issues addressed by the conventions for which the secretariats provide advice and support to convention bodies and Governments
- Legal advice and support to Parties in the implementation of the conventions

6. Outreach and communication

- Management and exchange of information with, and between, contracting Parties
- Information management support, including the collection, management and distribution of information related to the subject matter of the conventions

7. Resource mobilization

- Preparation of project portfolios and follow-up reporting
- Contacts with international financial institutions and donor agencies to secure resources

B. Functions carried out by the secretariats that have both common and convention-specific dimensions

- Promotion of policies based on the integrated life-cycle approach to chemicals management, a coherent approach to chemicals management at all levels, the Strategic Approach to International Chemicals Management and partnerships with other organizations, programmes and forums relevant to the adoption of an integrated approach to chemicals and waste management, including the Inter-Organization Programme for the Sound Management of Chemicals
- Provision of technical support to help countries to realize the objectives of the conventions
- Cooperation and coordination with other relevant international bodies
- Performance of specific tasks relating to convention implementation
- Performance of functions entrusted by the conferences of the Parties
- Provision or facilitation of technical assistance and capacity-building, including:
 - General technical guidance tools developed jointly by the secretariats and Parties to the conventions
 - Specific technical assistance destined for developing country Parties and Parties with economies in transition, with the roles of the secretariats varying from convention to convention, from the actual implementation of projects to the provision of assistance and advice
- Cooperation and coordination: The secretariats of the three conventions have established and will continue to develop further partnerships and collaborative arrangements in respect of policy, finance, trade, scientific matters, technical assistance, capacity-building and other areas at the global, regional and national levels, within and outside the United Nations system, as mandated by the conventions and the decisions of the conferences of the Parties and subsidiary bodies

Appendix II

Cost implications

(Approximate costs, including salaries and all allowances payable under the United Nations financial rules and regulations, as provided by the United Nations Office at Nairobi)

A. Head of Joint Services Section

It is recommended that the post of head of the Joint Services Section be established at the D-1 level, to carry out the common support functions to the three secretariats, under the direction of the Executive Secretaries or the joint head, as the case may be. The cost of this post is therefore an additional cost associated with the management reforms, which according to current United Nations salary scales amounts to \$243,997 per year at the Geneva duty station.

B. Option 1: Joint coordination

The additional cost implications of this arrangement would be the additional staff costs incident to upgrading two D-1 posts to the D-2 level. According to current United Nations salary scales at the Geneva duty station the cost implications would be calculated as follows:

- (a) The salary and allowances for D-2, step 1, equal \$267,300 per year;
- (b) The salary and allowances for D-1, step 1, equal \$243,997 per year;
- (c) The difference between a D-2 post and a D-1 post is therefore \$23,303 per year;
- (d) The additional cost implication of upgrading two posts from D-1 to D-2 is therefore \$46,606 per year.

C. Option 2: Joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariats

It is recommended that the new post of joint head of the Basel, Stockholm and UNEP part of the Rotterdam convention secretariat be fixed at the D-2 level.

According to current United Nations salary scales this would amount to salary and allowances of \$267,300 per year at the Geneva duty station.
