



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

Distr.: General
7 April 2010

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**

**Report of the simultaneous extraordinary meetings of the
conferences of the Parties to 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 (the “synergies decisions”) are substantially identical decisions by which the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions called for greater cooperation and coordination among the three conventions. In the synergies decisions, the conferences of the Parties to the three conventions agreed, among other things, to convene simultaneous extraordinary meetings of the three conferences, at which the Parties would discuss the matters listed in paragraph 3 of part V of the synergies decisions, relating to cooperation and coordination among the conventions.

I. Opening of the meetings

2. The simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions called for in the synergies decisions were held from 22 to 24 February 2010 at the Bali International Convention Centre in Nusa Dua, Bali, Indonesia.

3. The official opening of the meetings was preceded by a welcoming ceremony featuring a display of traditional Balinese dance, welcoming remarks and the signing of a commemorative first-day cover by the presidents of the conferences of the Parties and the Executive Director of the United Nations Environment Programme (UNEP). The welcoming remarks were delivered by Mr. I. Made

Mangku Pastika, Governor of Bali; Mr. Gusti M. Hatta, State Minister for the Environment of Indonesia and President of the Conference of the Parties to the Basel Convention; Mr. Peter Kenmore, Co-Executive Secretary of the Rotterdam Convention and Principal Officer of the Plant Production and Protection Division of the Food and Agriculture Organization of the United Nations (FAO); and Mr. Achim Steiner, Executive Director of UNEP.

4. In his remarks, Mr. Mangku Pastika welcomed the meeting participants to Bali. He stressed that the Balinese authorities had committed themselves to combating growing environmental challenges, such as climate change, with a view to protecting the island's economic, social, cultural and religious life. He outlined a number of efforts to make Bali a green province, including through the use of renewable energy sources, organic agricultural practices, domestic waste management and tree planting.

5. Mr. Hatta, in his remarks, outlined the efforts of the Government of Indonesia to preserve the environment, citing a number of meetings that had been held in Bali that had led to historic decisions of global import. As the largest archipelago in the world, with rich and unique biodiversity, Indonesia was extremely vulnerable to the illegal trafficking of hazardous substances and wastes and therefore had a particular interest in environmental matters. He stressed his Government's commitment to preserving the environment for future generations and welcomed the spirit of cooperation that had prevailed in the past, expressing the hope that the principle of common but differentiated responsibilities would be carried forward in future negotiations. His Government stood ready to make available the resources necessary to ensure the success of the simultaneous extraordinary meetings.

6. The Co-Executive Secretary of the Rotterdam Convention, speaking on behalf of the Director-General of FAO, stressed the commitment of FAO to the synergies process and, in particular, synergies in the implementation of the conventions at the national level. FAO, he noted, had provided part of the Secretariat for the Rotterdam Convention for more than 15 years in conjunction with UNEP and such cooperation had been singled out as a sterling example of the way in which conventions could work together to attain their goals. He gave details on the commitment of FAO to protecting the environment and its efforts to ease the burden of farmers and rural communities coping with pesticides, highlighting FAO projects in the field such as the Africa Stockpiles Programme. The synergies process would enable FAO to involve itself further in the work of the other conventions and to move towards better engagement in the entire life cycle of chemicals and wastes, particularly pesticides. He stressed that the work that would be carried out during the current meetings would enable significant steps to be taken to protect the billions of people currently at risk from harmful chemicals.

7. In his remarks the Executive Director of UNEP welcomed the simultaneous extraordinary meetings as historic events arising from a decision by the Parties themselves to push their ambition to new heights. The synergies process held the potential for a paradigm shift, through which the numerous and disparate instruments in existence would be managed holistically to achieve synergies of purpose and effort. The current meetings represented initial steps along a lengthy path that would lead to the establishment of the structures necessary to enable the secretariats to undertake their work more effectively, on a larger scale and with better delivery and use of resources. In addition, the synergies process would not affect negatively the autonomy and integrity of the various conferences of the Parties; instead it would make their work and intent easier to implement.

8. Offering his views on the choices facing the Parties, he said that since the synergies process revolved around combining efforts at the country level, where the various conventions could be brought to bear on institutions and national capacities, there was a need to seek the synergistic deployment of limited resources. It might therefore be better, he suggested, to establish joint management through a joint head of the conventions as the best means to knit the various threads together. He committed himself and UNEP to implementing the Parties' decision, whatever it was, and to achieving their goals in respect of cost-neutrality. He suggested, however, that the Parties should allow the secretariats flexibility in how they deployed the resources allocated to them, and he called for increased financial support to enable the implementation of operations on the ground, saying that the dovetailing of mandates and resources was crucial to prevent the erosion of international environmental governance instruments. The synergies process was not about saving money, he suggested, but about achieving a better result; indeed, as the experience of UNEP had shown, success in the effort to achieve synergies could be expected to inspire greater financial support from the Parties.

9. Following the Executive Director's remarks the simultaneous extraordinary meetings were officially opened, at 10.30 a.m., by Mr. Hatta, Ms. Zukie Noluzudo Gwayi (South Africa), President of the Conference of the Parties to the Rotterdam Convention, and Mr. Gholamhossein Dehghani (Islamic Republic of Iran), President of the Conference of the Parties of the Stockholm Convention, who spoke

in turn, each addressing the Parties to his or her convention. The official opening was followed by ceremonial drumming to commemorate the occasion.

II. Organizational matters

10. During the plenary sessions of the simultaneous meetings all proposals on both procedural and substantive matters were presented separately by each of the presidents to the Parties to his or her convention. All decisions on such matters were taken separately by the conference of the Parties to each convention.

A. Officers

11. In accordance with rule 21 of the rules of procedure of the Conference of the Parties to the Basel Convention, rule 22 of the rules of procedure of the Conference of the Parties to the Rotterdam Convention and rule 22 of the rules of procedure of the Conference of the Parties of the Stockholm Convention, the following officers elected at the ninth meeting of the Conference of the Parties to the Basel Convention, the fourth meeting of the Conference of the Parties to the Rotterdam Convention and the fourth meeting of the Conference of the Parties of the Stockholm Convention served during the simultaneous extraordinary meetings:

For the Basel Convention

Mr. Barry Reville (Australia), Vice-President
 Mr. Osvaldo Álvarez-Pérez (Chile), Vice-President
 Mr. Andrzej Jagusiewicz (Poland), Vice-President

For the Rotterdam Convention

Ms. Kerstin Stendahl (Finland), Vice-President, serving also as Rapporteur
 Ms. Rocio Eden Wynter (Mexico), Vice-President
 Mr. Hamood bin Darwish al-Hasani (Oman), Vice-President
 Ms. Magdalena Balicka (Poland), Vice-President

For the Stockholm Convention

Mr. Jeffrey Headley (Barbados), Vice-President
 Mr. Karel Blaha (Czech Republic), Vice-President, serving also as Rapporteur
 Mr. François Lengrand (France), Vice-President
 Mr. Hubert Binga (Gabon), Vice-President
 Mr. Rajiv Gauba (India), Vice-President
 Ms. Liudmila Mardhuaeva (Republic of Moldova), Vice-President
 Mr. Franz Perrez (Switzerland), Vice-President

12. Several officers elected at the ninth meeting of the Conference of the Parties to the Basel Convention, the fourth meeting of the Conference of the Parties to the Rotterdam Convention and the fourth meeting of the Conference of the Parties of the Stockholm Convention were unable to complete their terms. In accordance with the rules of procedure, new officers were appointed by the Parties of which the departing officers were nationals. Pursuant to rule 24 of the rules of procedure of the Conference of the Parties to the Basel Convention, Mr. Hatta was appointed to replace Mr. Rachmat Witoelar as President and Mr. Issaria Mangalili (United Republic of Tanzania) was appointed to replace Ms. Angelina Madete as Rapporteur. Pursuant to rule 25 of the rules of procedure of the Conference of the Parties to the Rotterdam Convention, Ms. Gwayi was appointed to replace Ms. Judy Beaumont as President. Pursuant to rule 25 of the rules of procedure of the Conference of the Parties of the Stockholm Convention, Mr. Dehghani was appointed to replace Mr. Alireza Moaiyeri as President; Mr. Luís Vayas Valdivieso (Ecuador) was appointed to replace Mr. Carlos Villon as Vice-President; and Ms. Alice Akinyi Kaudia (Kenya) was appointed to replace Ms. Caroline Njoki Wamai as

Vice-President. The officers so appointed served during the simultaneous extraordinary meetings together with the officers listed in the preceding paragraph.

B. Adoption of the agenda

13. The conferences of the Parties adopted the following agenda, based on the provisional agenda contained in document UNEP/FAO/CHW/RC/POPS/EXCOPS.1/1:

1. Opening of the meetings.
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work.
3. Report on credentials of the representatives attending the simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions.
4. Matters for consideration or action by the conferences of the Parties:
 - (a) Decisions on joint activities;
 - (b) Decisions on joint managerial functions;
 - (c) Final decisions on joint services established on an interim basis;
 - (d) Decisions on the synchronization of the budget cycles of the three conventions;
 - (e) Decisions on joint audits of the accounts of the secretariats of the three conventions;
 - (f) Decisions on a review mechanism and follow-up of the work on enhancing coordination and cooperation processes between the three conventions;
 - (g) Reports or information received from the Executive Director of the United Nations Environment Programme and the secretariats of the three conventions on any other activity or proposed joint institution resulting from the decisions on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions.¹
5. Adoption of the report.
6. Closure of the meetings.

C. Organization of work

14. The Parties agreed to organize their work during the simultaneous meetings in accordance with a proposal set out in a scenario note prepared by the secretariats (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/INF/1). In accordance with that proposal the Parties agreed to establish an open-ended joint working group to consider the matters arising under agenda item 4 and to prepare draft decisions relating to those matters for consideration and possible adoption by the conferences of the Parties. The Parties agreed that the open-ended joint working group would be chaired by Mr. Désiré Ouedraogo (Burkina Faso), Mr. Álvarez-Pérez and Ms. Stendahl.

D. Attendance

1. Parties to the Basel Convention

15. The following Parties to the Basel Convention were represented at the simultaneous extraordinary meetings: Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt,

¹ The decisions referred to here are the synergies decisions described in paragraph 1 above.

El Salvador, Estonia, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

2. Parties to the Rotterdam Convention

16. The following Parties to the Rotterdam Convention were represented at the simultaneous extraordinary meetings: Argentina, Armenia, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Guinea, Guinea-Bissau, Hungary, India, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam.

3. Parties to the Stockholm Convention

17. The following Parties to the Stockholm Convention were represented at the simultaneous extraordinary meetings: Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Botswana, Brazil, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Sao Tome and Principe, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

4. Observers

18. Iraq and the United States of America were represented at the simultaneous extraordinary meetings as observers.

19. The following United Nations specialized agencies, other United Nations bodies and intergovernmental organizations were represented as observers to one or more of the extraordinary meetings: Basel Convention Regional Centre for Asia and the Pacific, Basel Convention Regional Centre for Central and Eastern Europe, Basel Convention Regional Centre for English-speaking Countries in Africa, Basel Convention Regional Centre for South-East Asia, Basel Convention Regional Centre for the Arab States, Comisión Centroamericana de Ambiente y Desarrollo (Central American Commission on Environment and Development), (Comité Inter-état des Pesticides d'Afrique Centrale (Central African Interstate Committee on Pesticides), Companhia de Tecnologia de Saneamento

Ambiental do Brasil (Environmental Health Technology Company of Brazil, a Stockholm Convention regional centre), Economic Community of West African States, Global Environment Facility, International Labour Organization, Kuwait Institute for Scientific Research (a Stockholm Convention regional centre), League of Arab States, Montreal Protocol on Substances that Deplete the Ozone Layer, Multilateral Fund for the Implementation of the Montreal Protocol, National Centre for Cleaner Technologies Production (a nominated Stockholm Convention regional centre), Organization for the Prohibition of Chemical Weapons, Regional Activity Centre for Cleaner Production (a Stockholm Convention regional centre), Regional Environment Centre, South Asia Cooperative Environment Programme, South Pacific Regional Environment Programme (host to the Pacific Regional Centre for the Joint Implementation of the Basel and Waigani Conventions), Vienna Convention for the Protection of the Ozone Layer, World Bank, United Nations Department of Economic and Social Affairs, United Nations Development Programme, United Nations Industrial Development Organization.

20. A number of non-governmental organizations were represented as observers. The names of those organizations are included in the list of participants (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/INF/8).

III. Report on credentials of the representatives attending the simultaneous extraordinary meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions

21. The item was introduced with the announcement that, in accordance with rule 19 of the rules of procedure of the Conference of the Parties to the Basel Convention, rule 20 of the rules of procedure of the Conference of the Parties to the Rotterdam Convention and rule 20 of the rules of procedure of the Conference of the Parties of the Stockholm Convention, the bureaux of the Basel, Rotterdam and Stockholm conventions would examine the credentials of those Parties to their respective conventions that were registered for the simultaneous extraordinary meetings.

22. The Basel Convention Bureau reported that it had examined the credentials of the representatives of the 128 Parties to the Basel Convention that had registered for the simultaneous extraordinary meetings. Of those, 120 had submitted credentials in proper form.

23. The Rotterdam Convention Bureau reported that it had examined the credentials of the representatives of the 100 Parties to the Rotterdam Convention that had registered for the simultaneous extraordinary meetings. Of those, 97 had submitted credentials in proper form.

24. The Stockholm Convention Bureau reported that it had examined the credentials of the representatives of the 123 Parties to the Stockholm Convention that had registered for the simultaneous extraordinary meetings. Of those, 115 had submitted credentials in proper form.

IV. Matters for consideration or action by the conferences of the Parties

25. As indicated in section C of chapter II above, during the opening plenary session of the simultaneous extraordinary meetings the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions established an open-ended joint working group, mandating it to consider agenda item 4 and to prepare draft decisions on the item for consideration by the conferences of the Parties.

26. As described in the report of the co-chairs of the open-ended joint working group, which was approved by the conferences of the Parties at their final plenary session and is set out in annex IV to the present report, the working group met four times, on Monday and Tuesday, 22 and 23 February 2010. In the course of its work the open-ended joint working group approved the text of a draft omnibus decision for consideration and possible adoption by the conferences of the Parties.

27. At their final plenary session, on the morning of Wednesday, 24 February, the conferences of the Parties adopted the draft omnibus decision approved by the open-ended joint working group in the form of three separate decisions, one for each conference of the Parties. In a gesture symbolizing the cooperation called for by the conferences of the Parties to the three conventions while at the same time emphasizing their legal autonomy and independence, the presidents of the three conferences of the Parties simultaneously brought their gavels down and declared in unison the adoption of the omnibus decisions.

28. Reflecting the fact that the three omnibus decisions were adopted simultaneously by distinct and autonomous conferences of Parties, the preambular sections of the omnibus decisions differ slightly from one another.
29. The omnibus decisions as adopted by the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions are set out in annexes I, II and III, respectively, to the present report.
30. Following the adoption of the omnibus decisions one representative made a statement, asking that it should be reflected in the present report. He recalled that during the final session of the open-ended joint working group a representative of a country from his region, speaking on behalf of other Parties of the region, had introduced certain issues, such as the applicability of the principles set forth in the Rio Declaration on Environment and Development and the need for adequate financing, proposing that they should be discussed with the aim of agreeing on a number of preambular recitals for inclusion in the draft omnibus decision (as indicated in section H of the report of the open-ended joint working group). He lamented the fact that there had been no time to take up those issues in the open-ended joint working group and that in general the discussion of technical matters had fully occupied the Parties during the simultaneous extraordinary meetings, leaving no time for the discussion of policy issues. While he recognized that the time allotted for the meetings had been short and the agenda heavy, he expressed concern that a failure to allocate time to policy discussions at future meetings could lead to a loss of direction.

V. Adoption of the report

31. The conferences of the Parties adopted the present report on the basis of the draft report contained in document UNEP/FAO/CHW/RC/POPS/EXCOPS.1/L.1, as amended during adoption, on the understanding that the finalization of the report would be entrusted to the rapporteurs of the conferences of the Parties, in cooperation with the Secretariats, under the authority of the Presidents of the conferences of the Parties.
32. At the time of the adoption of the present report, several representatives expressed concern that not all of the documents before them on the final day of the meeting were available in all six official languages of the United Nations. While they agreed, in a spirit of cooperation, to proceed with the adoption of the report in English only, they indicated that their approval of the report was provisional until such time as they could review it in the other official languages.

VI. Closure of the meetings

33. Following a closing statement delivered by the President of the Basel Convention on behalf of the three presidents of the conferences of the Parties, the simultaneous extraordinary meetings were declared closed by the presidents of the three conventions at 9.35 a.m. on Wednesday, 24 February 2010.

Annex I

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 waste 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 conventions¹ 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 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

¹ UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2.

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 experience, 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 work plan for a clearing-house mechanism as described in the note by the secretariats on a draft joint workplan;²

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 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 meetings of the conferences of the Parties in 2011;

12. *Also requests* the secretariats to prepare a revised work plan, 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;³
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 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 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;

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

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;⁴
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;⁵
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, 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;

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

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

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

Activity	Timing
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

Annex II

RC.Ex-1/1: Omnibus decision adopted by the Conference of the Parties to the Rotterdam 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 waste 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 Basel 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 conventions¹ 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 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

¹ UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2.

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 experience, 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 work plan for a clearing-house mechanism as described in the note by the secretariats on a draft joint workplan;²

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 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 meetings of the conferences of the Parties in 2011;

12. *Also requests* the secretariats to prepare a revised work plan, 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;³
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 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 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;

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

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;⁴
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;⁵
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, 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;

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

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

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 RC.Ex-1/1

Activity	Timing
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

Annex III

SC.Ex-1/1: Omnibus decision adopted by the Conference of the Parties of the Stockholm 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 waste 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 Basel and Rotterdam 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 conventions¹ 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 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

¹ UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2.

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 experience, 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 work plan for a clearing-house mechanism as described in the note by the secretariats on a draft joint workplan;²

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 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 meetings of the conferences of the Parties in 2011;

12. *Also requests* the secretariats to prepare a revised work plan, 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;³
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 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 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;

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

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;⁴
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;⁵
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, 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;

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

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

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 SC.Ex-1/1

Activity	Timing
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

Annex IV

Report of the co-chairs of the open-ended joint working group

1. At the 1st plenary session of their simultaneous extraordinary meetings, held on 22 February 2010, the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions decided to establish an open-ended joint working group to consider item 4 of the agenda for the simultaneous extraordinary meetings and to prepare draft decisions on matters arising under the item for consideration and possible adoption by the conferences of the Parties during the final plenary session of the simultaneous extraordinary meetings. The conferences of the Parties also decided that the open-ended joint working group would be co-chaired by Mr. Désiré Ouedraogo (Burkina Faso), Mr. Osvaldo Álvarez-Pérez (Chile) and Ms. Kerstin Stendahl (Finland).
2. The present report has been prepared by the co-chairs to summarize the discussions of the joint open-ended working group. It is organized according to the sub-items of agenda item 4.
3. The open-ended joint working group had before it the documentation prepared by the secretariats relating to each sub-item under item 4, which is listed in the annotations to the provisional agenda (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/1/Add.1). In addition, the working group had before it a conference room paper, submitted on behalf of a group of Parties, containing a draft omnibus decision covering all sub-items of agenda item 4 (the “proposed draft omnibus decision”) and a number of other conference room papers as indicated below.
4. As explained in further detail below, as a result of its deliberations the open-ended joint working group approved the elements of an omnibus draft decision for consideration and possible adoption by the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions.

A. Joint activities

5. During the discussion of the sub-item a number of representatives welcomed the positive information on the progress made in implementing joint activities contained in the documentation prepared by the secretariats. There was a general consensus that joint activities as a means of enhancing implementation at the national level were at the core of the synergies process.
6. A number of representatives expressed support for the relevant section of the proposed draft omnibus decision, saying that it would serve as a good basis for discussions in a contact group. Others suggested that it would be useful to combine elements of the proposed draft omnibus decision with elements described in document UNEP/FAO/CHW/RC/POPS/EXCOPS.1/2.
7. A number of representatives voiced support for the clearing-house mechanism, although some expressed concern about its financial implications. One sought clarification of how the clearing-house mechanism under discussion related to work on a similar mechanism under the Strategic Approach to International Chemicals Management. In response, the representative of the secretariats explained that the mechanism under discussion would service the three conventions and that that mechanism had not yet been linked to work under the Strategic Approach.
8. Several representatives said that success in the implementation of joint activities depended on the availability of adequate resources. One said too that care should be taken to ensure that organizational and administrative expenses did not take precedence over such activities, which should be the conventions’ main focus.
9. Several representatives welcomed the joint activities undertaken to date, pointing to the benefits that they could yield. One representative said that there was a need for further information on national implementation plans under the Stockholm Convention and the implementation of the Basel Convention at the national level and for the resources required for implementation. Another representative called for duplication of work to be avoided. Another, speaking on behalf of a group of Parties, called for the conventions’ regional centres to be used as much as possible and for good practices to be shared between them and international bodies. She suggested that the secretariats should develop a proposal on joint activities to be included in the conventions’ programmes of work for 2012–2013.
10. One representative questioned how synergies between the three conventions with regard to non-compliance should be addressed. The co-chair and the Senior Legal Officer of UNEP, serving as Legal Adviser to the conferences of the Parties, clarified that the compliance mechanisms under two of

the three conventions had not yet been established. Further, the synergies decisions treated compliance separately and stated explicitly that possible synergies among compliance mechanisms should be examined only once such mechanisms were established under all three conventions. The issue was therefore not ripe for discussion at the current meetings.

11. One representative said that there was a need to consider joint activities in a broad context, including activities under other conventions. He said too that while many joint activities had been undertaken at the international and regional levels they were only a first step. It seemed premature, therefore, to discuss coordination at the national level. He also suggested that synergies at the national level were a matter for national Governments and that the draft decision to be prepared by the working group should feature a statement of established principles, including the principle of common but differentiated responsibilities.

12. Other issues raised by individual representatives included the involvement of civil society in the synergies process; the possibility of a detailed review of progress at the ordinary meetings of the conferences of the Parties in 2011; and joint efforts to achieve national and regional implementation of synergies through awareness campaigns to support the life-cycle approach and the sound management of chemicals and wastes.

13. The open-ended joint working group agreed to establish a contact group, to be chaired by Ms. Kateřina Šebková (Czech Republic) and Ms. Gillian Guthrie (Jamaica), to discuss the matter further and to prepare draft decision text for consideration by the joint open-ended working group. In her charge to the contact group the co-chair suggested that its members might wish to review the synergies decisions, which offered guidance on a number of the issues raised. In respect of coordination at the national level, for example, the Parties had already decided that action was called for; the task at the current meetings was therefore to implement those recommendations in the synergies decisions that the Parties felt were ripe for action.

14. Subsequently, the open-ended joint working group approved the draft decision text, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

B. Joint managerial functions

15. One representative introduced a conference room paper containing a draft decision on the sub-item prepared by a group of Parties.

16. In the ensuing discussion there was agreement that it was important to achieve synergies to enable the conventions to fulfil their mandates in a more efficient and effective manner. It was also agreed that synergies should provide benefits at all levels, including the regional level. Several representatives emphasized the importance of flexibility and openness in finding a way forward.

17. With regard to the options under consideration, a number of representatives expressed support for the appointment of a joint head of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the UNEP part of the Rotterdam Convention Secretariat. Among the advantages cited were improved coordination of mandates, elimination of overlapping functions and possible opportunities to rationalize administrative functions. Several representatives said that having a joint head would increase the visibility of conventions while others were of the opinion that it would provide opportunities to establish a sustainable basis for financing the conventions. Several representatives also expressed support for merging functions common to the three secretariats, while a number of others supported the option of having a joint head without merging functions.

18. Several representatives expressed concern about the option of a joint head. One said that it was necessary to consider whether one head would be able to reconcile the sometimes divergent demands and priorities of three conventions, especially when resources were limited. A joint head with one deputy for each convention could also result in an extra administrative layer and a more protracted decision-making process. Another was of the opinion that the joint head might face issues of accountability.

19. One representative expressed support for the proposal to establish joint management functions without the appointment of a permanent joint head. Several representatives said that the experience gleaned from having a joint services group on an interim basis would be useful and suggested waiting to see the results of that before considering further steps regarding joint management. Several representatives recounted the experiences of their countries with national-level coordinating mechanisms that they had established for the three conventions.

20. One representative said that the study contained in the annex to the document on joint managerial functions (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/3) did not present details of the various options stemming from the models presented, and that there was scope for exploring variations on the models. He also raised the question of whether the goal was to agree on a model for the short term or on a model suited to future changes in the chemicals and wastes sectors.
21. Many representatives mentioned the importance of a cost-neutral approach to achieving synergies, and several said that they were encouraged by the commitment of the Executive Director of UNEP, as expressed during the opening session of the simultaneous extraordinary meetings, to consider options for cost-neutral implementation. One representative, however, said that while the cost-benefit relationship should be maximized a willingness to invest in change was also important.
22. Several representatives emphasized that any decisions taken should not jeopardize the integrity or autonomy of the individual conventions, as the conventions had different mandates.
23. One representative said that it was important to consider what coordination mechanisms would be required with respect to conventions covering other areas such as water and ecosystems management. It was also said that any agreed approach should include a coordination mechanism to ensure long-term sustainability.
24. Responding to several representatives' concerns regarding the legal ramifications of the various proposals for achieving synergies, the Senior Legal Officer of UNEP, serving as Legal Adviser to the conferences of the Parties, said that, inasmuch as the Conference of the Parties for each convention would decide how the secretariat should perform under that convention, the appointment of a joint head of the conventions would in no way impinge on their legal autonomy or status. Furthermore, a clear precedent already existed in the form of the Joint Executive Secretary for the Stockholm Convention Secretariat and the UNEP part of the Rotterdam Convention Secretariat.
25. The open-ended joint working group agreed to establish a contact group, to be chaired by Mr. Barry Reville (Australia) and Mr. Mohammad K. Koba (Indonesia), to discuss the matter further and to prepare draft decision text for consideration by the open-ended joint working group.
26. Subsequently, the open-ended joint working group approved the draft decision text, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

C. Joint services established on an interim basis

27. During discussion of the item the representatives who took the floor expressed satisfaction at what they described as the efficient progress made in establishing joint services for the three conventions on an interim basis. One said that the establishment of joint services was important to enhancing cooperation and coordination and to providing improved and effective delivery of secretariat support to Parties.
28. Representatives who took the floor voiced their support for the omnibus draft decision. One noted with satisfaction that it did not provide for the immediate establishment of any new posts, and others praised its provision for the preparation of coordinated proposals for the further reform of joint services and joint management of the three conventions.
29. Responding to a question about how cost neutrality in real terms differed from cost neutrality in nominal terms, the proponent of the omnibus draft decision said that cost neutrality in real terms took into account increases in inflation rates and exchange rates for staff salaries, whereas cost neutrality in nominal terms did not.
30. The open-ended joint working group requested the secretariats to present the section of the proposed draft omnibus decision on joint services in a separate conference room paper for further consideration by the open-ended joint working group.
31. Subsequently, the joint working group approved the draft decision text on joint services, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

D. Synchronization of the budget cycles of the three conventions

32. All the representatives who took the floor welcomed the information provided regarding the synchronization of the budget cycles of the Basel, Rotterdam and Stockholm conventions. There was general agreement that such synchronization should continue.

33. The joint working group requested the secretariats to prepare draft decision text for its consideration based on the relevant section of the proposed draft omnibus decision.

34. Subsequently, the joint working group approved the draft decision text, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

E. Joint audits of the accounts of the secretariats of the three conventions

35. One representative, speaking on behalf of a group of Parties, welcomed the request by the Executive Director of UNEP to the Office of Internal Oversight Services to audit the strategic management of the multilateral environmental agreements for which UNEP provided secretariat functions and requested the Executive Director to share the results of the audits of the Basel, Rotterdam and Stockholm conventions with the conferences of the Parties.

36. One representative said that since the three conventions were not being merged and had independent budgets it might be problematic to implement a joint audit. He suggested, however, that the programmes of work of the three conventions could be considered as a whole and audited as one for greater efficiency. In response, the representatives of the secretariats explained that each of the three conventions had separate trust funds and that each would be separately audited as part of the overall audit of UNEP.

37. The open-ended joint working group requested the secretariats to prepare draft decision text for its consideration based on the relevant section of the proposed draft omnibus decision.

38. Subsequently, the open-ended joint working group approved the draft decision, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

F. Review mechanism and follow-up of the work on enhancing coordination and cooperation processes between the three conventions

39. There was general agreement that it was important to review progress in implementing the synergies decisions, with some saying that any process for doing so should be flexible and open, including the participation of non-Party and civil society observers. Several said that the terms of reference for any review should be discussed in detail and that all Parties should be involved. Opinions varied, however, as to the time frame for a review, both in terms of when to conduct it and when to meet again to consider its outcome. Some representatives endorsed the timeline set out in the note by the secretariat (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/7). One representative, however, said that before looking to the nature of the review the Parties would do well to prepare its scope, parameters and indicators, while another said that UNEP should prepare the indicators in question. One representative suggested that the terms of reference for any review should be made available to the conferences of the Parties for consideration at their ordinary meetings in 2011.

40. One representative, speaking on behalf of a group of Parties, introduced a conference room paper containing draft decision text on the issue. A number of representatives expressed support for the conference room paper, saying that it would serve as a good basis for discussion in a contact group. Other representatives said that the proposed draft omnibus decision should also be taken into account, but one expressed concern at its proposal to include the Strategic Approach to International Chemicals Management in any review mechanism, given that, unlike the conventions, it was not legally binding.

41. One representative suggested that the Parties to the three conventions should hold simultaneous extraordinary meetings immediately following the tenth meeting of the Conference of the Parties to the Basel Convention, in 2011, and again in 2013. Another representative suggested that it was premature to take a decision on the matter.

42. The joint open-ended working group agreed to establish a contact group, to be chaired by Ms. Pauline Davies (Uruguay) and Mr. Jan Karel Kwistout (Netherlands), to discuss the matter further, including the issue of future decision-making, and to prepare draft decision text for consideration by the open-ended joint working group.

43. Subsequently, the open-ended joint working group approved draft decision text prepared by the contact group, as circulated in a conference room paper, for consideration and possible adoption during the final plenary session of the simultaneous extraordinary meetings.

44. In introducing the draft decision text, the co-chair of the contact group reported that the members of the group had agreed that he should report on their discussions on the subject of joint decision-making, requesting that his remarks should be reflected in the present report as information that would be useful for any future discussions on the subject. He said that while the contact group had discussed joint decision-making extensively it had not been able to reach consensus about whether the Parties to the three conventions should hold additional simultaneous extraordinary meetings. The group had, however, reached a common understanding that, as it could prove difficult to take coordinated decisions in a sequence of three ordinary meetings of the conferences of the Parties over a calendar year, holding simultaneous extraordinary meetings at the end of such a sequence would be a useful means of taking coordinated decisions relevant to the three conventions. The group had also noted that it fell within the remit of the conferences of the Parties at their ordinary meetings to decide whether to hold simultaneous extraordinary meetings. It had noted the opinion expressed during the discussions that the only way to organize simultaneous extraordinary meetings to be held in 2011 would be to take decisions at the current meetings, but could not reach agreement on that issue. It had also been suggested that it should be left to the conferences of the Parties to decide whether the issue of synergies should be placed on their respective agendas.

G. Reports or information received from the Executive Director of the United Nations Environment Programme and the secretariats of the three conventions on any other activity or proposed joint institution resulting from the decisions on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions

45. The representative of the secretariat noted that neither UNEP nor the secretariats had received reports or information on any activity or proposed joint institution resulting from the synergies process. The Executive Director of UNEP, in consultation with the Director-General of FAO, had, however, established a committee comprising five members of each of the conferences of the Parties to the three conventions to provide advice on the simultaneous extraordinary meetings. That advisory committee had held two meetings, on 24 July 2009 in Geneva and 24 October 2009 in Bangkok. He welcomed the committee's useful advice on all issues associated with the current meetings and expressed thanks for its important contribution.

H. Preambular draft decision text: statement by Indonesia on behalf of a number of Parties from the Asian and Pacific region

46. In addition to the elements of a draft omnibus decision on specific topics that it approved for consideration by the conferences of the Parties, as outlined in the preceding sections, the open-ended joint working group approved a number of paragraphs to serve as the preamble of the draft omnibus decision. Those paragraphs included a number of preambular paragraphs from the synergies decisions, relating to guiding principles that the working group felt should be reiterated, and several paragraphs agreed upon by certain of the contact groups formed by the open-ended joint working group.

47. At the time the working group approved the preambular paragraphs, late in the evening of the working group's final session, the representative of Indonesia, speaking on behalf of a majority of the Parties from the Asian and Pacific region, read a statement in which he proposed that several matters should be discussed by the working group with the aim of agreeing on additional preambular paragraphs to be added to the draft omnibus decision. Specifically, he said that the draft omnibus decision should recall the principles articulated in the Rio Declaration on Environment and Development and underpinning the Basel, Rotterdam and Stockholm conventions, including the principle of common but differentiated responsibilities; should indicate that the actions and obligations of developing countries resulting from the decision were subject to support from developed countries in respect of finance, technology transfer and capacity-building; should reiterate that the process of enhancing cooperation

and coordination among the Basel, Rotterdam and Stockholm conventions should be pursued in a gradual fashion; should state that it would not prejudice any future negotiations on matters such as non-compliance mechanisms for the conventions; and should state that the activities and restructuring of the secretariats of the three conventions should not add to the financial burdens of Parties, especially developing country Parties.

48. In response, the co-chair pointed out that several of the matters raised were in fact addressed by the preambular paragraphs that had already been agreed upon. She also suggested that given the late hour it might not be possible for the working group to reach agreement on additional preambular paragraphs to be included in the draft omnibus decision. She proposed, therefore, that the present report should reflect the intervention by the representative of Indonesia and that no further additions should be made to the draft omnibus decision as approved by the open-ended working group. The representative of Indonesia agreed.

I. Closure of the deliberations of the open-ended joint working group

49. The open-ended joint working group concluded its deliberations at 10.30 p.m. on Tuesday, 23 February 2010.

ADVANCED