



United Nations
Environment
Programme



Distr.
GENERAL

UNEP/POPS/INC.6/21
20 March 2002

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN
INTERNATIONAL LEGALLY BINDING INSTRUMENT
FOR IMPLEMENTING INTERNATIONAL ACTION ON
CERTAIN PERSISTENT ORGANIC POLLUTANTS

Sixth session

Geneva, 17-21 June 2002

Item 5 of the provisional agenda*

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Location of the permanent secretariat**

Note by the secretariat

A. Introduction

1. Paragraph 3 of Article 20 of the Stockholm Convention on Persistent Organic Pollutants states that “The secretariat functions for this Convention shall be performed by the Executive Director of the United Nations Environment Programme, unless the Conference of the Parties decides, by a three-fourths majority vote, to entrust the secretariat functions to one or more other international organizations.”
2. In its resolution 6 concerning the secretariat, the Conference of Plenipotentiaries on the Stockholm Convention called upon the Executive Director of the United Nations Environment Programme to consider the offers to host the Convention secretariat received from Germany and Switzerland, as well as any other offers, and to provide a comparative analysis of those offers regarding the physical location of the secretariat for consideration by the Conference of the Parties at its first meeting. The preparation of that analysis is to be carried out in consultation with the Intergovernmental Negotiating Committee.
3. To facilitate this comparative analysis, the secretariat has prepared the present note that briefly reviews the arrangements relating to the interim secretariat, provides in an appendix a list of possible elements of information and suggests possible further steps for consideration by the Intergovernmental Negotiating Committee at its seventh session. The list is based on similar lists used by other multilateral

* UNEP/POPS/INC.6/1.

** Stockholm Convention, Article 20, paragraph 3; Conference of Plenipotentiaries on the Stockholm Convention, resolution 6.

environmental agreements including the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO/PIC/INC.7/15, annex I).

4. Unless the Conference of the Parties decides otherwise by a three-fourths majority vote, the staff of the Stockholm Convention's secretariat will be provided by the United Nations Environment Programme which, as a United Nations programme falls under the scope of the Convention on the Privileges and Immunities of the United Nations (1946). For this reason, any host government agreement related to the Stockholm Convention secretariat's staff and premises would, at a minimum, be based on the provisions of the Convention on the Privileges and Immunities of the United Nations.

B. Present situation

5. The Governing Council of the United Nations Environment Programme in paragraph 4 of its decision 21/4 of February 2001 authorized the participation of the secretariat of the United Nations Environment Programme in an interim secretariat and a permanent secretariat to the Convention if so decided by the Conference of Plenipotentiaries of the Convention, provided that such arrangements are satisfactory to the Executive Director and that costs are met through extrabudgetary resources. In addition, paragraph 7 of the decision invites the Executive Director to take actions to facilitate voluntary implementation of the Convention prior to its entry into force if such action is called for by the Conference of Plenipotentiaries.

6. In paragraph 3 of its resolution 1 on interim arrangements, the Conference of Plenipotentiaries requested the Executive Director of the United Nations Environment Programme to convene further sessions of the Committee during the period between the date on which the Convention is opened for signature and the date of the first meeting of the Conference of the Parties and to prepare for servicing the Conference of the Parties until the end of the fiscal year in which the first meeting of the Conference of the Parties takes place. In addition, paragraph 12 of resolution 1 requests the Executive Director of the United Nations Environment Programme to provide during the interim period secretariat services for the operation of the interim activities.

7. Institutionally, the interim secretariat is being provided the United Nations Environment Programme Chemicals Unit, which is located on United Nations premises in Geneva, Switzerland. Its current office space is provided by the Swiss Government at a subsidized rate. Administrative support and a number of other important support functions, such as computer services, have been provided by the United Nations Environment Programme. Conference facilities in Geneva are made available free of charge by the Swiss Government in the Geneva International Conference Centre. Such facilities are also available in the United Nations European headquarters (the Palais des Nations) at a set rate. Funding for the interim secretariat is provided through the POPs Club Trust Fund managed by the United Nations Environment Programme and from the United Nations Environment Programme Environment Fund.

C. Possible action by the Committee

8. The Committee may wish to consider the above information and invite interested countries to provide detailed information on the conditions and advantages attached to their offers with special focus on the categories of information that might be requested from countries interested in hosting the permanent secretariat listed in the attachment and request the secretariat to compile the offers received and submit them to the Committee for consideration at its next session.

AppendixCATEGORIES OF INFORMATION THAT MIGHT BE REQUESTED FROM COUNTRIES
INTERESTED IN HOSTING THE PERMANENT SECRETARIATLegal framework

1. Privileges and immunities that would be conferred on the permanent secretariat and its staff members, as well as Government representatives and other persons engaged in official business of the Convention.
2. Legal framework for ensuring equal treatment of premises and staff of the United Nations and its specialized agencies.
3. Rules, including any restrictions, applicable to the employment of dependants of staff members.
4. Nature of the headquarters agreement (e.g., stand-alone agreement, incorporated into another existing agreement, etc.).

Features of the office site and related financial issues

5. Main features of the building to house the permanent secretariat, including office space and scope for its expansion, facilities for conferences and availability of general services (security, maintenance, etc).
6. Basis for placing the office facilities at the disposal of the permanent secretariat, such as:
 - (a) Ownership by the permanent secretariat (through donation or purchase);
 - (b) Ownership by the host Government without rent;
 - (c) Host Government ownership with rent, and amount of such rent.
7. Responsibility for:
 - (a) Major maintenance and repairs to the office facilities;
 - (b) Normal maintenance and repair;
 - (c) Utilities, including communication facilities.
8. The extent to which the office facilities would be furnished and equipped by the host Government.
9. Duration of the arrangements regarding office space.

Local facilities and conditions

10. Description of the following facilities and conditions:
 - (a) Diplomatic representation in the host city;
 - (b) Presence of international organizations;
 - (c) Availability of international conference facilities and the conditions for their use (free of charge, rental, etc.);

- (d) Access to qualified conference servicing staff, e.g., interpreters, translators, editors and meeting coordinators familiar with United Nations conferences and practices;
- (e) International transport facilities;
- (f) Local transport facilities and their proximity to the office facilities at the disposal of the permanent secretariat;
- (g) Local availability of trained personnel for possible employment in the permanent secretariat, taking account of language and other skills;
- (h) Health facilities and access to them by staff members of the permanent secretariat;
- (i) Availability of suitable housing and the proximity of this housing to the office facilities at the disposal of the permanent secretariat;
- (j) Availability of schools at all levels, including those providing classes in languages other than the local language;
- (k) Facilities for the transfer of funds to and from foreign countries for the permanent secretariat and its staff members;
- (l) The time needed for processing entry requirements and ability to ensure that participants in meetings organized by the permanent secretariat in the territory of the Host Government are granted visa entry permits, where necessary, in expeditious manner.

Other relevant information

11. Any additional contributions to be made by the host Government to meet the operating costs of the permanent secretariat or to defray conference-servicing expenses.
12. Any other information that the potential host country may deem relevant.
