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**United Nations
Environment
Programme**

**Conference of the Parties of the Stockholm
Convention on Persistent Organic Pollutants
Third meeting**

Dakar, 30 April–4 May 2007

Item 5 (l) of the provisional agenda*

**Matters for consideration or action by the
Conference of the Parties: synergies**

**Comments on the supplementary report on cooperation and
coordination among the Basel, Rotterdam and Stockholm
Conventions****

Note by the Secretariat

The annex to the present note contains comments received by the secretariats of the Basel, Rotterdam and Stockholm Conventions on the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions (UNEP/POPS/COP.3/INF/13) prepared by the President of the Conference of the Parties of the Stockholm Convention, Mr. Nicholas Kiddle (New Zealand), pursuant to decision SC-2/15. Submissions were received from Canada, Egypt, European Union, Mexico, Norway, Slovakia, Switzerland and United States of America.

* UNEP/POPS/COP.3/1.

** Report on the work of the Conference of the Parties of the Stockholm Convention at its first meeting (UNEP/POPS/COP.1/31), annex I, decision SC-1/18 and at its second meeting (UNEP/POPS/COP.2/30) annex I, decision SC-2/15.

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Annex

Comments received on the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions

Canadian views on the Supplementary Report prepared by the President of the Stockholm Convention pursuant to decision SC-2/15 of the second meeting of the Conference of the Parties to the Stockholm Convention

Canada would like take the opportunity to thank the President of the Stockholm Convention for preparing the supplementary report as requested by the second meeting of the Conference of the Parties to the Stockholm Convention in its decision SC-2/15. Canada welcomes the agreement reached at the third meeting of the Conference of the Parties of the Rotterdam Convention and the eighth meeting of the Conference of the Parties of the Basel Convention to participate in the process specified in decision SC-2/15.

Canada would also like to thank the Government of Finland for its generous offer to host the first meeting of the ad hoc joint working group on synergies.

Key Priorities

Canada would note that important work has already been undertaken with respect to cooperation and coordination within the Secretariats of the chemical and waste cluster of treaties. This work should be acknowledged.

Canada believes that synergies can be identified and achieved at various levels: at the program level, that is by promoting more coordinated implementation of each Convention's work program; at the national level, by facilitating implementation through capacity-building projects and technical assistance that addresses multiple objectives; and at the international level, by promoting joint initiatives between Secretariats and governing bodies. Any potential for administrative efficiencies should be viewed within this broader context. Exploration of administrative-level efficiencies should be a result of identifying common objectives, common programs of action and common goals among the Conventions and related organizations.

Discussions at the working group should also concentrate on developing a forward-looking agenda. Canada would be interested in focussing discussions on strengthening programmatic and national-level cooperation and coordination to enable progress towards integrated and life-cycle approaches, and enhancing coherence at the policy level. Such an approach should also assist in raising the profile of chemical issues both domestically and internationally, and in turn, may assist in improving access to financing.

At the program-level for instance, Canada would support discussions on promoting a more coordinated approach in the implementation of each Convention's program of work. Leadership and concerted action at the international level should also help in promoting coherence and coordination at the national level and vice-versa. The working group could identify, as appropriate, opportunities for improved coordinated implementation of the Conventions and other related processes such as the usefulness of common policy frameworks for the life-cycle management of chemicals, joint scientific activities and capacity building.

Canada can support a number of observations made in the report. For example, we would agree that the Conference of the Parties should concentrate on providing broad, strategic guidance on cooperation and coordination within the chemicals and waste cluster of treaties, and related processes and initiatives. Reporting back, possibly by the Executive Secretary to the COP, on progress, and any challenges faced, would allow Parties to continue to ensure that there is coherence and coordination across the range of chemicals and waste related activities and initiatives. Such an approach would also allow Parties to focus their attention on the future activities of the conventions and related processes and areas for further action as a more productive way to identify constraints and opportunities rather than an over-emphasis on past/existing structures and activities. In this regard, Parties should be willing to discuss and provide guidance on coordination mechanisms that would facilitate the ongoing identification of common objectives and priorities as well as the establishment of short, medium and long-term goals, as appropriate. Such a process should engage all interested officials, and relevant regional and international organisations and institutions.

Canada looks forward to a focussed discussion at the first meeting of the ad hoc joint working group on synergies that would be able to more clearly define its desired outcomes, and work collaboratively towards developing joint recommendations for the respective Conference of the Parties of the three Conventions. In order to support the work of the working group, and to follow-up on existing work, documents (UNEP/CHW.8/INF/30) “Recommendations on improving cooperation and synergies prepared by the Secretariat of the Basel Convention”, and the UNEP document (UNEP/GC.20/INF/20) produced for the 20th UNEP Governing Council could also serve, amongst others, as useful input to the discussions. Canada would also encourage the full participation of all members of the working group.

Mission Permanente d'Egypte
auprès des Nations Unies
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بعثة جمهورية
الجمهورية العربية
المتحدة
جنيف

DEL. 2007. 011

The Permanent Mission of the Arab Republic of Egypt to the United Nations Office & Other International Organizations in Geneva presents its compliments to the Secretariat of the Basel Convention, and with reference to the Supplementary Report on Cooperation and Coordination Between the Basel, Rotterdam and Stockholm Conventions prepared by the President of the Stockholm Convention (UNEP/CHW.8/INF/31), has the honor to attach herewith the comments of Egypt on the aforementioned Supplementary Report.

The Permanent Mission of the Arab Republic of Egypt avails itself of this opportunity to renew to the Secretariat of the Basel Convention the assurances of its highest consideration.

Geneva, 30 January, 2007



- Secretariat of the Basel Convention.
- Secretariat of the Stockholm Convention.
- Secretariat of the Rotterdam Convention.
- Secretariat of the United Nations Environment Program (UNEP).

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UNEP Stockholm Convention	
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Comments on the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm conventions:

1. *Paragraph (9) underlining the value identified in a conference of executive secretaries and the head of UNEP chemicals to manage coordination and to decide on programmatic synergies where appropriate.*
Egypt believes in the importance of this meeting that would probably come up with assessments and a sort of proposal concerning synergies between the three conventions. Nevertheless, the importance of the meeting depends on its date. Egypt strongly recommends that this conference should be held in a date prior to that of the first meeting of the ad hoc joint working group comprising 15 representative from the each of the conventions COP. This would give the opportunity for the outcome of the conference of executive secretaries and head of UNEP chemicals to be put for consideration of the members of the ad hoc joint group.
2. *Paragraph (10) states that some decisions are required at a level of detail that does not fit with general oversight functions of a COP.*
We do not agree with the previous sentence. Egypt believes that the Conference of Parties is the governing body of the convention that is entitled to take all decisions relevant to the implementation of the convention. (Article 15 paragraph 5 of the convention)
3. *Paragraph (11) based on the previous paragraph, the report suggests that the COPs should concentrate on issuing broad directions on cooperation and coordination and should leave to executive management the task of achieving those goals and reporting back on progress.*
We agree with the complexity of the issues tackled in the context of the cooperation and coordination. However, we think that an issue as important as the cooperation and coordination between the three conventions should be considered by the members themselves and cannot be left to the executive management. To this end, the COPs of the three conventions have already approved the creation of the ad hoc joint working group to tackle this specific issue.
4. *Paragraphs (12 & 13) reviews the possibilities of an additional general oversight over the three conventions which can be done through the engagement of another body such as the UNEP governing council, the establishment of a new oversees position, or a common head for the treaty secretariats.*
Egypt believes in the importance of the additional general oversight, but we are strongly convinced that it is too early to decide which of the options is more convenient, and that this is to be handled by the proposed ad hoc joint working group, which should make sure that this process is done in a gradual manner.
5. **To sum up**, there is a number of issues that needs to be taken into consideration in dealing with the cooperation and coordination between the three conventions:
 - Respecting the legal autonomy of each of the three conventions.

- The synergies should not constitute an extra financial burden on the budgets of the three conventions, and the importance of reducing administrative expenses to give more attention to the implementation of the Basel convention, especially the capacity building programs and the transfer of technology to developing countries.
- The different goals of each of the three convention and the fear that the Basel convention would be absorbed in the other conventions, especially that the Basel convention was originally created for defending the interests of the developing countries that were considered dumping ground to the wastes of the developed countries, as opposed to the two other conventions that deals more with the interests of rich countries.
- Providing Basel conventions regional centers with more financial resources to enable them- if agreed upon- to serve the three conventions.
- Synergies should lead to better coordination in the fields of common interests to the three conventions.



As of 29th January 2007

**EU Submission
on the
Supplementary Report on Cooperation and Coordination among the Basel,
Rotterdam and Stockholm Conventions**

The EU thanks the President of the COP of the Stockholm Convention for ensuring the preparation of the supplementary report. It gives a very good overview of specific areas in which improved cooperation and coordination among the three Conventions could be to their mutual advantage and, with the documents produced by the secretariats for the meetings of the Conventions, builds a very good basis for further discussions in the ad hoc JWG.

The EU intends to contribute substantially to the debate on enhanced cooperation and coordination among the three Conventions and is pleased that Finland is hosting the first meeting of the ad hoc JWG. This process is important in its own right and for the deliberations on international environmental governance at UN level. The ad hoc JWG will need to keep in mind this broader context.

The whole process should be guided by the principle of the autonomy of the COPs of the Conventions. It should build on the valuable work done so far under the Conventions and by the international organizations involved. The process should also respect the wish on all sides to improve efficiency and effectiveness and to face the political challenges ahead of us. It is crucial that the secretariats of all three Conventions and UNEP are fully involved. The EU is of the view that the task ahead will lead to a win-win situation for all parties and entities involved.

The EU considers that a joint process that draws on the strength of all three Conventions and provides a single agreed set of recommendations will be helped by keeping the sessions of the JWG closed to observers. Of course, the work of the Group should be transparent and to this end the papers and reports should be publicly available and open for comment, for example through regional consultations.

The EU would like to make the following suggestions on the **structuring of the work of the ad hoc JWG**:

The Group should work in the following order on four distinct themes, the content of which can be distilled from the supplementary report:

1. programmatic issues;
2. administrative issues;
3. management structures;
4. decision making and oversight.

The specific areas a-y in the supplementary report and any other suggestions as to areas to be included by the Group should be clustered under these themes.

Under each theme it would be useful to look at the three categories in the supplementary report:

1. Specific areas that are already undertaken between the Secretariats (para. 4);
2. Possible specific areas which could be sought in the near future (para. 6); and
3. Possible specific areas in the longer term (para. 7).

Clarification is needed on the meaning of the terms “near future” and “longer term”.

For each specific area, the discussion should clarify, inter alia:

1. content and function,
2. relationship between and compatibility of specific areas,
3. contribution to cooperation and coordination (positive and negative impacts),
4. implementation aspects such as financial and practical implications and the time-frame for achieving results.

The EU hopes that the results of this discussion would allow the group to identify priorities among the specific areas for its further work.

Turning now to the **content of the supplementary report**, as a first reaction the EU would like to raise the following issues for further consideration at the first meeting of the ad hoc JWG:

The **specific areas (a-y) relevant to cooperation and coordination** are a good starting point for further discussion in the ad hoc JWG. The EU feels that some specific areas could be added.

The EU thinks that the **advantages and disadvantages** of cooperation and coordination in each of the specific areas are not fully clarified in the supplementary report, and that the proposed structuring of discussion will allow the Group to complete this work.

The EU regards **decision making and oversight** as the most challenging set of issues facing the Group. The EU agrees that the COPs should define broad political directions and objectives and give general guidance on cooperation and coordination together with monitoring and review of the progress reached. Within the agreed policy, budget and staffing framework, the COPs should leave the managerial and day-to-day organisation to the executive entities and avoid micromanagement. However, mechanisms need to be found for jointly agreeing the framework for any joint areas of work.

The EU considers that the question of oversight of cooperative activities beyond the three Conventions, which is raised in the supplementary report, needs further analysis.

Finally, the EU in principle supports the **conclusions** of the supplementary report (paras. 14-17).

In addition to this preliminary analysis the EU intends to submit a more substantive paper before the first meeting which we hope could be distributed as an information paper.

MISIÓN PERMANENTE DE MÉXICO

OGE00435

La Misión Permanente de México ante la Oficina de las Naciones Unidas y otras Organizaciones Internacionales con sede en Ginebra saluda muy atentamente a la Secretaría del Convenio de Róterdam sobre el procedimiento de consentimiento fundamentado previo aplicable a ciertos plaguicidas y productos químicos peligrosos objeto de comercio internacional, y tiene el honor de referirse a la comunicación fechada 27 de diciembre de 2006, relativa al seguimiento de las decisiones adoptadas por la Tercera Conferencia de las Partes en el Convenio celebrada en Ginebra, del 9 al 13 de octubre de 2006.

La Misión Permanente se permite remitir los comentarios de la Secretaría de Medio Ambiente y Recursos Naturales (SEMARNAT), respecto a la decisión 3/8 relativa a la cooperación y coordinación entre los Convenios de Róterdam, Basilea y Estocolmo, así como al informe complementario al Grupo de Trabajo Conjunto Especial:

- México manifestó su interés en participar en el Grupo de Trabajo Conjunto Especial sobre Sinergias por lo cual presentó a un candidato. La selección de los candidatos de la región de América Latina y el Caribe que participarán en el Grupo está siendo actualmente negociada en GRULAC-Ginebra.
- El informe complementario al Grupo de Trabajo Conjunto Especial, señala una serie de áreas específicas que deberán ser consideradas en la cooperación de los tres Convenios que nos ocupan. Debido a que actualmente dicho grupo se encuentra en fase de integración, se recomienda que una vez finalizado dicho proceso, sea éste quién se encargue de examinar las cuestiones planteadas a mayor profundidad sobre la mejora de las sinergias, la cooperación y la coordinación a nivel administrativo, programático y presupuestal, como fue expresado por la delegación mexicana en la Tercera Conferencia de las Partes del Convenio de Róterdam.

La Misión Permanente de México ante la Oficina de las Naciones Unidas y otras Organizaciones Internacionales con sede en Ginebra aprovecha la oportunidad para reiterar a la Secretaría del Convenio de Róterdam sobre el procedimiento de consentimiento fundamentado previo aplicable a ciertos plaguicidas y productos químicos peligrosos objeto de comercio internacional las seguridades de su más atenta y distinguida consideración.

Ginebra, a 31 de enero de 2007



DELEGACION
PERMANENTE DE MEXICO
ANTE LOS ORGANISMOS
INTERNACIONALES CON
SEDE EN GINEBRA

A la Secretaría del Convenio de Róterdam
sobre el procedimiento de consentimiento fundamentado
previo aplicable a ciertos plaguicidas y productos químicos
peligrosos objeto de comercio internacional,
Ginebra

GINEBRA, SUIZA UNEP Rotterdam Convention	
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MILJØVERNDEPARTEMENTET

Royal Ministry of the Environment

Norwegian views on the Supplementary Report on Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions

Norway wants to thank the President of the Conference of the Parties of the Stockholm Convention for his report, and we are grateful for the opportunity to give our view on it.

In general, we believe the report, supplementing earlier studies, is a good basis for deliberating further steps to improve synergies between the conventions in the chemicals and hazardous waste cluster.

Norway sincerely believes increased co-operation and co-ordination is necessary in order to achieve better protection of human health and the environment at a global level.

Enhancing co-operation and co-ordination is a tool to achieve more, not a route to do less. The many specific areas relevant to co-operation and collaboration in the supplementary report highlight the scope for increased activity as a result of being more effective. Increased resources may be generated through cost-savings, and the work should focus on the possibilities for increased activities and increased resources that this may provide. The work must be based on the general understanding that it is not a way of minimising the financial commitments to the three conventions.

There is on-going work on both UN reform and International Environmental Governance highlighting the desirability of less fragmentations and increased co-operations and co-ordination. The process in the chemicals and waste cluster to promote synergies may give useful input into that process, and we agree that this work may point the way to similar opportunities in other areas.

We agree that there is a good case for letting the COPs set broad goals and directions, and not go into the details. At the same time they need to give a clear mandate to the convention secretariats to utilise the possibilities of co-operation both at the administrative level and at programmatic level. Where beneficial, they should also be stimulated to operate jointly.

Norway thinks it is necessary to get a clearer picture of the driving forces and motivations that would result in the three conventions working together for the common good of all three conventions.

In this context, we believe that a common effort to engage with the rest of the international community will benefit the work of all three conventions and make it easier to attract sufficient resources for all conventions. A common head for the secretariat might be conducive towards providing the secretariats with such a common front and at the same time provide incentives towards promoting further synergies. Therefore, this might still be an option to consider in the further work.

Norway broadly agrees with the conclusions of the report, and believes that our additional considerations above are consistent with these conclusions.

Norway looks forward to further participation in the ad hoc Joint Working Group. We believe that the work should be transparent and other interested parties be allowed to comment and give input to process in other ways, although the meetings themselves are not open to observers.

**MINISTRY OF THE ENVIRONMENT OF THE SLOVAK
REPUBLIC**

Environmental Risk Management Department

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Mr. Maged Younes

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<i>Your letter/from</i>	<i>Our number</i>	<i>Prepared by/link</i>	<i>Bratislava</i>
Letter/3.10.2006	41285/2006	Ing.Fratričová/+421-2-59562385	5.1.2007

Issue

Supplementary report pursuant to decision SC-2/15 on synergies – statement

On the base of your letter from the 3 October 2006 regarding the comments to the Supplementary report pursuant to decision SC-2/15 on synergies among the Basel, Rotterdam and Stockholm Conventions, in connection with the next work based on the COP-2 of the Stockholm Convention on Persistent Organic Pollutants (POPs) we would like to advice you, that Slovakia:

- thanks for sending out this report for comments,
- agrees with this report,
- supports the consideration of planning future actions to enhance effectiveness through closer collaboration based on the option of regular meetings of the secretariats to facilitate agreed objectives with the target to achieve a proper balance of interests,
- is involved in the preparation of the position of the European position to this agenda,
- tries to ensure the active participation of the national experts into the work of the planned ad hoc joint working group which could help to find appropriate solution in this area.

With best regards

RNDr. Darina Kobzová, CSc.
Head of the department



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of the Environment,
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Reference: G041-1139
Your reference:
Our reference: 8.07.27.3.0 / LGE
Contact person: pfr
Berne, January 31, 2007

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Swiss comments on the supplementary report pursuant to decision SC-2/15

Dear Mr. Younes,

Dear Mayeel

I am referring to your letter of 3 October 2006 inviting us to submit our views on the supplementary report on cooperation and coordination among the Basel, Rotterdam and Stockholm conventions which has been prepared by the president of the second Conference of the Parties of the Stockholm Convention, Mr. Nik Kiddle. First of all, Switzerland would like to thank Mr. Nik Kiddle for his most appreciated supplementary report which gives a very good overview of different concrete options to enhance cooperation and coordination among the Basel, Rotterdam and Stockholm conventions. This report will be an important base of the work of the Ad Hoc Joint Working Group (AHJWG) of the three conventions.

1. General remarks:

Switzerland welcomes the decisions of the Conferences of the Parties (COPs) of the Basel, Rotterdam and Stockholm conventions to establish a closed AHJWG with a limited composition of 15 representatives of the Parties of each of the convention. This allows for an effective, representative and authoritative process with the clear mandate to prepare joint recommendations on enhanced cooperation and coordination among the three conventions at the administrative and programmatic levels. This is a useful approach to develop concrete proposals how to enhance cooperation, coordination, synergies, coherence, efficiency and effectiveness within the Geneva chemicals and waste cluster.

Switzerland considers the supplementary report by the President of COP 2 POPs together with SC 2/15 as the starting points for the work of the AHJWG. However, it is important, that the supplementary

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report will not set limits to the work of the AHJWG. Therefore, we expect that the work of the AHJWG may have to be supported by additional analyses of specific concrete options.

The function and role of the secretariats of the three conventions has not been very clear during the past process. The decision SC 2-/15 delegates the substantive work and political reflection to the AHJWG. The Secretariats will therefore only have a supportive role, such as providing the working group with information upon request. Moreover, UNEP Chemicals might be best suited to facilitate the organization of the meetings of the AHJWG.

It is important, that the AHJWG will clarify at its first meeting several questions concerning the process, including chairmanship, concrete working modalities, timetable for its work and possible intersessional work. Additionally it should also address substance, reach agreement on the main objectives, complement the list of areas of enhanced cooperation and develop first concrete proposals.

2. Specific remarks:

Switzerland acknowledges the coordination and cooperation that already takes place between the three conventions as outlined in paragraphs 4(a) - (f) and 5(g) - (i) in the supplementary report. The AHJWG should focus its work on the areas and activities that are not yet subject to fully collaborative approaches outlined in paragraphs 6(j) - (p) and 7 (q) - (y). The AHJWG will have to complement this list of possibilities of enhanced cooperation as suggested by the supplementary report in its paragraph 14. Additional activities and measures for strengthening coordination and cooperation may include:

- establishment of a joint financial service allowing for preparing harmonized and coordinated budget proposals;
- organizing joint internal and external financial audits;
- nomination of a joint head for the three secretariats;
- establishment of joint regional centers;
- coordination of reporting requirements;
- coordination of SAICM implementation;
- coordination of input into relevant UN-processes.

Switzerland has taken note of the idea to establish a conference of executive secretaries and the head of UNEP Chemicals to manage coordination and to decide on programmatic synergies where appropriate (paragraph 9 of the supplementary report). It is well known that such consultation and coordination already takes place. However, we are concerned that such a formalization of the already existing close cooperation between the executive secretariats of the conventions and the head of UNEP Chemicals would not only increase bureaucracy but also that it would be seen as an alternative to more effective approaches such as a joint head for the three conventions.

Switzerland fully agrees that the (COPs) are not well suited to adopt detailed decisions to forge secretariat synergies but concentrate on issuing broad directions on cooperation and coordination (paragraphs 10-11 and 15 of the supplementary report). Switzerland therefore takes the view that nominating a common head for the three conventions would be the most efficient approach to ensure that the COPs would not have to engage in micromanagement. However, this proposal to appoint a common head for the three convention secretariats should not be seen as a measure providing for additional general political oversight and guidance (paragraph 13 of the supplementary report), but as an organizational step to enhance and facilitate effective and efficient cooperation and coordination in the day-to-day work of the secretariats.

The process to enhance cooperation and coordination has to be seen in the broader context of strengthening international environmental governance. Switzerland therefore welcomes the introduction to the supplementary report. Moreover, it also agrees that additional oversight and broad policy advice and guidance will be necessary to ensure coherence and efficiency (paragraph 13). Switzerland takes the position that the UNEP Governing Council / Global Ministerial Environment Forum has to be the forum responsible for such oversight and guidance. However, this issue will not

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have to be dealt with by the AHJWG nor the COPs of the three conventions but within the broader discussion on strengthening international environmental governance.

Switzerland is looking forward to participating in the upcoming first meeting of the AHJWG on synergies.

Kind regards,

The Head of the International Affairs Division



Thomas Kolly
Ambassador

Copy to:

- EDA: PA V (Steiner Georg), PA III (De Bernardi Jörg), DEZA (Wyss Hanspeter)
- seco (Denss Claudia)
- BAG (Hoffmann Markus)
- BAFU: KOY, Ka, pfr, MB, HIB, HOR, LGE
- Swiss Mission to the UN in Geneva



United States Department of State

*Oceans and International
Environmental and Scientific Affairs*

Washington, D.C. 20520

January 31, 2007

Secretariat of the Stockholm Convention
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1219 Chatelaine, Geneva
Switzerland

To Whom it May Concern:

This letter responds to the Secretariat's invitation to submit views on the supplementary synergies report prepared by the President of the Conference of the Parties to the Stockholm Convention. The United States would like to offer its gratitude to the President for his hard work on this paper, and his useful summary of the many options that have been presented to the Parties.

At the outset, we would note that terms like "synergies" and "efficiencies" are used in two different contexts. In one context, they reflect concern about the burden on States caused by the frequency of international meetings, the length of such meetings, reporting requirements, etc. In another context, they reflect a desire to move toward greater substantive and institutional consolidation of various treaties in the environmental field. In the sections below, we first address what we consider to be "excellent opportunities for efficiencies and coordination" and we then present questions and concerns.

We would like to be clear that the approaches supported by the United States below relate to the first context, not the second regarding a move toward greater substantive and institutional consolidation. The various existing treaties in the environmental field have different parties, goals, objectives, and stages of implementation. The U.S. believes that international efforts and energies should focus on implementation of these treaties, as well as on strengthening the operations of the United Nations Environment Programme in its current form, including UNEP's ability to support the Bali Plan of Action, instead of substantive or institutional consolidation.

Starting Points. We believe that four starting points should undergird any consideration of synergies among the three Conventions.

- First, the Parties should focus on actions that increase efficiencies among the operations of the three Conventions.
- Second, any coordination of activities between the three Conventions should be consistent with each Conventions' independent legal status.
- Third, the direction of substantive policy coordination for the three Conventions should come from the Parties to those Conventions, not from the Secretariats or an international organization.
- And fourth, the development of synergies should begin at home through domestic implementation and the crafting of unified policy positions. If countries are not doing so, we should urge them to do so and the Secretariats should be encouraged to provide technical support, where necessary, to make domestic coordination possible.

Excellent Opportunities for Efficiencies and Coordination. Parties to these Conventions have already availed themselves in many instances of opportunities for greater efficiency and coordination, and in this regard, we think the report correctly identifies a number of useful possibilities that the Parties should consider in attempting to identify further opportunities for cooperation and coordination.

- Items (a) through (i) are all excellent examples of effective, existing coordination between the secretariats of the three Conventions. All of these activities enhance the efficiency and effective operations of the Conventions. The secretariats should be lauded for these proactive approaches to cooperation and encouraged to look for further efficiencies in these areas.
- Items (j) through (l) would complement the work done under items (a) through (i), and are very positive suggestions for expanding cooperation and coordination among the secretariats in the near-term.
- In addition, we believe that item (r) ("supporting national focal points in the coordination of their work") is very important. Long-term policy coordination must first start at home, and technical support from the Secretariat for domestic policy coordination should be a high priority in addressing synergies.
- Moreover, items (s), (v), (x), and (y) are promising ideas that should be the basis for further exploration.

Questions and Concerns. We do, however, have some reservations and questions about some of the remaining suggested items.

- Item (n) (“back-to-back meetings”).
 - Coordinating meetings is worth further exploration, but we are concerned that too many meetings in a row would require very difficult preparation for both secretariats and delegates. Moreover, back-to-back meetings would take secretariats and meeting participants away from their important work implementing the Conventions domestically for a very long time.
 - In addition, the three Conventions meet at different rates of frequency, so arranging back-to-back meetings could present logistical difficulties.
 - If these concerns could be addressed – perhaps through less frequent or shorter individual meetings – then the option might have considerable merit.
- Item (o) (“regular secretariat coordination meetings”).
 - We understood regular secretariat coordination to be taking place already. We see no need to require the secretariats to meet more than they deem necessary to attain effective technical coordination.
 - We would, however, be interested in hearing from the secretariats about whether they feel they are not able to coordinate sufficiently, and what the Parties could do to support their coordination activities.
- Item (p) (“the establishment of cross cutting, inter-secretariat thematic teams”).
 - Inter-secretariat thematic teams could present legal and pragmatic concerns. While coordination among staff on an ad hoc basis could be fruitful, establishing permanent inter-secretariat thematic teams could blur the legal distinctions between the three conventions, and divert valuable staff time from helping countries to implement each of the three specific Conventions. Moreover, policy themes should be coordinated at the country level; it is highly inefficient for secretariat staff to be attempting to indirectly achieve synergies rather than focusing on the direct synergies to be achieved by coordinated domestic policy implementation.
- Item (t) (“deepening programmatic coordination in the field”).
 - Further field coordination could be very useful to ensure that duplication among programs is not taking place.
 - Many kinds of programmatic coordination, however, would need to be approved by the Parties to the Conventions so that they continue to direct policy initiatives among the Conventions.

- Item (u) (“developing common model legislation for national use”).
 - The most helpful form of technical assistance in this area would be country-by-country technical assistance, so that governments are able to tailor their domestic legislation to meet the specific needs of their countries. Such technical assistance would be a much more potent use of resources than model legislation construction.
 - Any proposed model legislation would need to be carefully constructed. There are many valid approaches to regulating chemicals domestically, and Parties to the Conventions should already have Convention-compliant legislation in place. If any legislative models are constructed, they should contain multiple options that showcase the strengths of different domestic systems.
- Item (w) (“sharing resources for compliance and liability and redress”).
 - This item presents substantial legal and policy difficulties.
 - First, neither the Rotterdam Convention nor the Stockholm Convention contains a liability and redress provision. It would therefore be inappropriate for the three Conventions to devote resources towards coordination on this issue.
 - Second, the compliance regimes and requirements of the three Conventions are very different – and intentionally so. While periodic communication between the members of compliance committees could be helpful on occasion (e.g., to compare methods and share useful approaches), the committees are performing a legal/policy task that is individual to the requirements of their specific Convention. Over-coordination could be perceived as, and in fact amount to, an effort to change the terms of the treaties and their agreed-upon mechanisms.

“Formal Oversight”. Finally, we would like to offer some detailed comments on item (m) (“formal oversight”).

- The President has chosen to highlight the “potential value identified in a conference of executive secretariats and the head of UNEP Chemicals to manage coordination and decide on programmatic synergies where appropriate” and suggested “leav[ing] to executive management the task of achieving those goals.”
- We would respectfully disagree that this is a desirable option.
 - First, such a proposal would blur the legal distinctions between the three Conventions. Each Convention has its own specific requirements and

goals, and it would be inappropriate and contrary to the terms of the Conventions to allow the head of UNEP Chemicals and the secretariats of other Conventions to dictate priorities and changes to be made in another Convention's programs and operations.

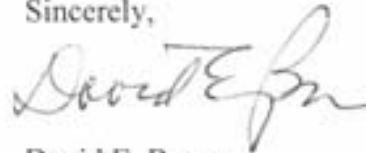
- Second, programmatic decisions are policy decisions which should be made by the Parties to the Conventions, not a secretariat or international organization.
- The President has also noted the possibility of adding an additional position as "additional general oversight" to "add enhanced political weight, authority and visibility to the treaties."
- We respectfully disagree that such a proposal would be desirable.
 - First, adding a position atop the three executive secretariats would be the opposite of "efficient" – it would add an additional expense to the operations of the Conventions, diverting resources from implementation of the Conventions.
 - If, however, the intent of this proposal is to substitute this overseer position for any of the current executive secretariats, we would question its workability; a single Convention is more than enough work for a single executive secretariat.
 - Second, it is unclear what function an "additional overseer" would have, other than to create an additional layer of bureaucracy.
 - Rather than possessing the laser-like focus of the current secretariats, an additional overseer would inevitably lead to confusion of mandates, finances, and agendas, as well as insufficient focus on achieving the objectives of each individual Convention.
 - Third, establishing an overseer position would in fact have the opposite effect on visibility than intended.
 - It would send a signal to the international community that none of the three Conventions is important enough on its own to merit its own executive secretariat. This is exactly the opposite of the impression we would wish to convey.
 - Fourth, we question whether an "additional overseer" is a feasible position. Not only would this overseer need to manage three Conventions – an extraordinary task without precedent – but the overseer would also

need to answer to three separate Conferences of Parties, which may not be possible.

- Finally, the President notes the possibility of further discussions on a “general oversight function or body” that is broader than the three Conventions.
- Although it is not entirely clear what is referred to by this suggestion, we would note that the UNEP Governing Council is already seized with examining the question of broad-based coordination and cooperation. That body is the appropriate vehicle for discussion of such issues.

Once again, we thank the Secretariat and the President for the opportunity to comment on the supplementary synergies report. We look forward to discussing these issues with the President and the Parties in the future.

Sincerely,



David E. Brown
Director, Office of Environmental Policy
