



**United Nations
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Programme**



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

Fifth session

Johannesburg, 4-9 December 2000

Item 5 of the provisional agenda*

OTHER MATTERS

Proposals for preliminary draft resolutions for possible adoption by the
Conference of the Plenipotentiaries

Note by the secretariat

1. At its fourth session, held in Bonn from 20 to 25 March 2000, the Intergovernmental Negotiating Committee requested the secretariat to develop preliminary draft resolutions for possible adoption by the Conference of the Plenipotentiaries for discussion by the Committee at its fifth session (UNEP/POPS/INC.4/5, para. 106).
2. In drafting the resolutions requested in paragraph 1 above, the secretariat was asked to consider, inter alia, the following identified elements: elaboration of options for interim arrangements in general; interim arrangements to enable the persistent organic pollutants (POPs) review committee to start its work, on a provisional basis, as soon as possible; establishment of an interim secretariat function; continuation of the Intergovernmental Negotiating Committee until the entry into force of the future POPs convention; financing for interim arrangements; and a decision asking the interim secretariat to develop a draft memorandum of understanding with the Global Environment Facility (GEF) secretariat for consideration at the first meeting of the Conference of the Parties to the proposed convention.

* UNEP/POPS/INC.5/1.

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3. In addition, the representative of Switzerland brought to the attention of the Committee a proposal, jointly prepared by Germany and Switzerland, on the location of the secretariat for the proposed convention. The Committee agreed to annex the text of the joint proposal to the report of the meeting and to take it up again at its fifth session for possible endorsement as a resolution to be put forward to the Conference of the Plenipotentiaries at its meeting in Stockholm in May 2001 (UNEP/POPS/INC.4/5, annex VII).

4. In response to the request by the Committee, and, taking into account the proposal by Germany and Switzerland, the secretariat has prepared the following preliminary draft resolutions for consideration by the Committee at its fifth session:

- (a) Resolution on interim arrangements;
- (b) Resolution concerning the secretariat;
- (c) Resolution bearing a request to the interim secretariat to develop a draft memorandum of understanding with the GEF secretariat;
- (d) Resolution bearing a tribute to the Government of the Kingdom of Sweden.

The above draft resolutions are included in the annex to the present document. They are presented without prejudice to any other approach that the Committee may wish to consider.

5. In preparing the preliminary draft resolutions the relevant provisions of the multilateral environmental agreements listed below have been taken into account:

- (a) United Nations Framework Convention on Climate Change;
- (b) United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa;
- (c) Convention on Biological Diversity;
- (d) Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
- (e) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

Annex

PRELIMINARY DRAFT RESOLUTIONS

1. Resolution on interim arrangementsThe Conference,

Having adopted the text of the Stockholm Convention on Implementing International Action on Certain Persistent Organic Pollutants (hereinafter referred to as the "Convention");

Considering that interim arrangements are required in order to expeditiously implement international action to protect human health and the environment from certain persistent organic pollutants pending the entry into force of the Convention and to prepare for its effective operation once it enters into force;

Recalling decisions 18/32 of 25 May 1995, 19/13 C of 7 February 1997 and 20/24 of 4 February 1999 of the Governing Council of the United Nations Environment Programme on persistent organic pollutants,

I

1. Calls upon States and regional economic integration organizations entitled to do so to consider signing, ratifying, accepting, approving or acceding to the Convention with a view to bringing it into force as soon as possible;

II

2. Invites the Executive Director of the United Nations Environment Programme to convene such further sessions of the Intergovernmental Negotiating Committee (hereinafter referred to as the "Committee"), during the period between the date on which the Convention is opened for signature and the date of the opening of the first meeting of the Conference of the Parties, as are necessary to oversee the implementation, during the interim period, of international action to protect human health and the environment from persistent organic pollutants within the scope of the Convention and to prepare for and service 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;

4. Invites the Committee to establish an interim subsidiary body to discharge, during the interim period, the functions entrusted to the subsidiary body to be established under article [O], paragraph [5 (bis)], of the Convention;

5. Decides that the Committee shall decide, between the date on which the Convention is opened for signature and the date of its entry into force, on the interim listing of any additional chemicals under the Convention in accordance with the provisions of articles [F], [O] and [R], and annexes D, E and F to the Convention;

6. Calls on States and regional economic integration organizations to submit proposals for the listing of chemicals in accordance with the provisions of article [F] of the Convention;

7. Appeals to States and regional economic integration organizations to participate in and apply in full the provisions of the Convention during the interim period on a voluntary basis;

8. 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;

9. Appeals to States and regional economic integration organizations to make voluntary contributions to the trust fund established by the United Nations Environment Programme in order to support the interim activities and the operation of 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, and to ensure the full and effective participation of developing countries and countries with economies in transition in the further work of the Committee;

10. Calls on States and regional economic integration organizations with more advanced programmes for regulating chemicals to provide financial and technical assistance, including training, to other States and regional economic integration organizations in developing their infrastructure and capacity to reduce, with the aim of eliminating, where feasible, the uses and releases of persistent organic pollutants, as specified in the Convention, throughout their life cycle, particularly in view of the urgent need for such other States and regional economic integration organizations to participate in the effective operation of the Convention once it enters into force.

2. Resolution concerning the secretariat

The Conference,

1. Welcomes with appreciation the generous offers to host the secretariat of the Stockholm Convention received from Germany and from Switzerland and invites the said countries to provide full and detailed information on their proposals;

2. Notes that paragraph 3 of article P of the Convention provides for the Executive Director of the United Nations Environment Programme to perform the secretariat functions specified in the Convention;

3. Calls upon the Executive Director of the United Nations Environment Programme to consider the offers 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 and decision by the Conference of the Parties at its first meeting. The preparation of such analyses to be carried out in consultation with the Intergovernmental Negotiating Committee.

3. Request to the interim secretariat to develop a draft memorandum of understanding with the Global Environment Facility secretariat for consideration at the first meeting of the Conference of the Parties

The Conference,

Requests the interim secretariat to develop a draft memorandum of understanding with the Global Environment Facility secretariat for consideration at the first meeting of the Conference of the Parties.

4. Tribute to the Government of the Kingdom of Sweden

The Conference,

Having met in Stockholm on 21, 22 and 23 May 2001 at the gracious invitation of the Government of the Kingdom of Sweden,

Convinced that the efforts made by the Government of the Kingdom of Sweden and by the authorities of the city of Stockholm in providing facilities, premises and other resources contributed significantly to the smooth conduct of the proceedings,

Deeply appreciative of the courtesy and hospitality extended by the Government of the Kingdom of Sweden and the city of Stockholm to the members of the delegations, observers and the secretariat of the United Nations Environment Programme attending the Conference,

Expresses its sincere gratitude to the Government of the Kingdom of Sweden, to the authorities of the city of Stockholm and, through them, to the people of Sweden, for the cordial welcome which they accorded to the Conference and to those associated with its work and for their contribution to the success of the Conference.
