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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN  
INTERNATIONAL LEGALLY BINDING INSTRUMENT FOR  
THE APPLICATION OF THE PRIOR INFORMED CONSENT  
PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND  
PESTICIDES IN INTERNATIONAL TRADE

Seventh session

Geneva, 30 October – 3 November 2000

Item 6 (c) of the provisional agenda\*

ISSUES ARISING OUT OF THE CONFERENCE OF PLENIPOTENTIARIES

Location of the permanent secretariat

Note by the secretariat

A. Introduction

1. Article 19, paragraph 3 of the Rotterdam Convention provides as follows: “The secretariat functions for this Convention shall be performed jointly by the Executive Director of [the United Nations Environment Programme (UNEP)] and the Director-General of [the Food and Agriculture Organization of the United Nations (FAO)], subject to such arrangements as shall be agreed between them and approved by the Conference of the Parties.”
2. In its resolution concerning the secretariat, the Conference of Plenipotentiaries which adopted the Convention called upon the Director-General of FAO and the Executive Director of UNEP to provide a comparative analysis of offers regarding the physical location of the secretariat for consideration 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. After considering this issue at its sixth session, the Intergovernmental Negotiating Committee agreed that the secretariat would prepare a list of elements of information required for further consideration of the issue of the location of the secretariat by the Committee at its next session.

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\* UNEP/FAO/PIC/INC.7/1.

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4. The present note was prepared by the secretariat in response to this request. It briefly reviews the actual arrangements relating to the interim secretariat, provides, in the annex, 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 the conventions on biodiversity, climate change and desertification.

#### B. Present situation

5. In its resolution on interim arrangements, the Conference of Plenipotentiaries requested the Executive Director of UNEP and the Director-General of FAO to provide secretariat services for the operation of the interim PIC procedure. It also invited them to convene such further sessions of the Intergovernmental Negotiating Committee during the interim period as were necessary to oversee the operation of the interim PIC procedure 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 took place.

6. Institutionally, the interim secretariat is therefore part of both UNEP and FAO. The part of the secretariat provided by UNEP is attached to UNEP Chemicals. The part of the secretariat provided by FAO is attached to the Plant Protection Service, in particular its Pesticides Management Group and its Integrated Pest Management Group.

7. The FAO part of the interim secretariat is located at FAO headquarters. The staff of the secretariat are FAO staff members. They are therefore covered by the FAO/Italy headquarters agreement and benefit from the privileges and immunities spelt out in the agreement. Office space is provided free of charge in the FAO premises, which are provided by the Government of Italy. The FAO headquarters also contains extensive conference facilities which are available free of charge. FAO provides financial inputs from its Regular Programme for the operation of the interim secretariat.

8. The UNEP part of the interim secretariat is located on United Nations premises in Geneva. Its current office space is provided free of charge by the Swiss Government. Administrative support has been provided by UNEP Chemicals, as well as a number of other important support functions, like computer services. Conference facilities are available free of charge in Geneva, both at the United Nations European headquarters (the Palais des Nations) and in the International Conference Centre, made available by the Swiss Government. UNEP provides support from its Environment Fund for the operation of the interim secretariat.

#### C. Possible action by the Committee

9. The Committee may wish to invite interested countries to provide detailed information on the conditions and advantages attached to their offers, with special focus on the items tentatively listed in the annex.

10. The secretariat could then be requested to compile the offers received and submit them to the Committee for consideration at its eighth session.

Annex

Categories of information that might be requested from countries interested in hosting the permanent secretariat

Legal framework

1. Privileges and immunities which would be conferred on the permanent secretariat and its staff members.
2. Rules, including any restrictions, applicable to the employment of dependants of staff members.
3. Nature of the headquarters agreement.

Features of the office site and related financial issues

4. Main features of the building to house the permanent secretariat, including office space, facilities for conferences and availability of general services (security, maintenance, etc).
5. 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.
6. Responsibility for:
  - (a) Major maintenance and repairs to the office facilities;
  - (b) Normal maintenance and repair;
  - (c) Utilities, including communication facilities.
7. Extent to which the office facilities would be furnished and equipped by the host Government.
8. Duration of the arrangements regarding office space.

Local facilities and conditions

9. 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, rent, 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;
- (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;
- (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.

Other relevant information

- 10. 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.
- 11. Any other information which the potential host country may deem relevant.

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