

11TH SPECIAL SESSION OF THE UNEP GOVERNING COUNCIL/GLOBAL MINISTERIAL ENVIRONMENT FORUM AND THE SIMULTANEOUS EXTRAORDINARY COPS TO THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS: 22–26 FEBRUARY 2010

The simultaneous extraordinary meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions (ExCOPs) open today at the Bali International Convention Centre and will continue until 24 February 2010. They will be followed by the 11th Special Session of the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum (GCSS-11/GMEF), which will be held from 24–26 February 2010. The ExCOPs are expected to take decisions on *inter alia*; joint activities, managerial functions and services; synchronization of the budget cycles of the three conventions; joint audits of the accounts; and a review mechanism and follow-up work on enhancing coordination and cooperation among the three conventions. Following the ExCOPs, GCSS-11/GMEF will consider emerging policy issues under the overall theme of environment in the multilateral system. Specific themes to be considered are: international environmental governance (IEG) and sustainable development; the green economy; and biodiversity and ecosystems.

A BRIEF HISTORY OF THE CHEMICALS CONVENTIONS EXCOPS

AD HOC JOINT WORKING GROUP: The *Ad hoc* Joint Working Group on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions (AHJWG) was established pursuant to decision SC-2/15 of the Conference of the Parties (COP) of the Stockholm Convention on Persistent Organic Pollutants, COP decision RC-3/8 of the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and COP decision VIII/8 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. The mandate of the group was to prepare joint recommendations on enhanced cooperation and coordination for submission to the COPs of all the three conventions. The AHJWG convened three meetings from 26–28 March 2007 in Helsinki, Finland, 10–13 December 2007 in Vienna, Austria, and 25–28 March 2008 in Rome, Italy.

BASEL CONVENTION COP-9: This meeting was held from 23–27 June 2008 in Bali, Indonesia. COP-9 adopted more than 30 decisions prepared by the Open-Ended Working Group

(OEWG) including on the Strategic Plan, linking the evaluation of the effectiveness of the Convention with the new strategic framework beyond 2010 and, in this context, approving a suitable budget. Delegates adopted the recommendation of the AHJWG.

ROTTERDAM CONVENTION COP-4: This meeting convened from 27–31 October 2008 in Rome, Italy. The COP adopted 13 decisions including on the addition of tributyltin compounds to Annex III of the Convention (chemicals subject to the PIC procedure), and a programme of work and budget for the triennium 2009–11. The meeting adopted the recommendations of the AHJWG.

STOCKHOLM CONVENTION COP-4: This meeting convened from 4–8 May 2009 in Geneva, Switzerland, and adopted the recommendations of the AHJWG. Delegates also addressed: a non-compliance mechanism; effectiveness evaluation; financial resources; and recommendations from the POPs Review Committee to schedule nine additional chemicals under the Convention.

A BRIEF HISTORY OF THE UNEP GC/GMEF

As a result of the Stockholm Conference on the Human Environment, the UN General Assembly (UNGA), in its resolution 2997 (XXVII) of 1972, officially established UNEP as the central UN node for global environmental cooperation and treaty making. The resolution also established the UNEP Governing Council (GC) to provide a forum for the international community to address major and emerging environmental policy issues. The GC's responsibilities include the promotion of international environmental cooperation and the recommendation of policies to achieve this, and the provision of policy guidance for the direction and coordination of environmental programmes in the UN system. The GC reports to the UNGA, which also elects the GC's 58 members for four-year terms, taking into account the principle of equitable regional representation. The GMEF is constituted by the GC, as envisaged in UNGA resolution 53/242 of 1999. The purpose of the GMEF is to institute, at a high political level, a process for reviewing important and emerging policy issues in the field of the environment.

GCSS-6/GMEF: GCSS-6/GMEF took place from 29–31 May 2000, in Malmö, Sweden. Ministers adopted the Malmö Ministerial Declaration, which agreed that the 2002 World Summit on Sustainable Development (WSSD) should review the requirements for a greatly strengthened institutional structure for IEG.

GC-21/GMEF: GC-21/GMEF took place from 5–9 February 2001 in Nairobi, Kenya. Delegates established the Open-ended Intergovernmental Group of Ministers or Their Representatives (IGM) to undertake a comprehensive policy-oriented assessment of existing institutional weaknesses, as well as future needs

and options for strengthening IEG. They also adopted decision 21/7, which requests the UNEP Executive Director to examine the need for a Strategic Approach to International Chemicals Management (SAICM).

GCSS-7/GMEF: GCSS-7/GMEF was held from 13–15 February 2002 in Cartagena, Colombia. In decision SS.VII/1, the GC/GMEF adopted the IGM report, which contained recommendations aimed at strengthening IEG, including through: improved coherence in international environmental policy-making; strengthening the role and financial situation of UNEP; improved coordination among and effectiveness of multilateral environmental agreements (MEAs); and capacity building, technology transfer and country-level coordination. Delegates also adopted decisions related to, *inter alia*, SAICM.

WSSD: WSSD was held from 26 August to 4 September 2002 in Johannesburg, South Africa. The Johannesburg Plan of Implementation (JPOI) sets out a framework for action to implement the commitments originally agreed at the 1992 Rio Earth Summit. The JPOI, among other things, emphasized that the international community should fully implement the outcomes of decision SS.VII/1 on IEG.

GC-22/GMEF: GC-22/GMEF took place from 3–7 February 2003 in Nairobi, Kenya. Delegates adopted more than 40 decisions on issues including IEG, SAICM and a Mercury Programme.

GCSS-8/GMEF: GCSS-8/GMEF took place from 29–31 March 2004 in Jeju, Republic of Korea. At the conclusion of the ministerial consultations, delegates adopted the “Jeju Initiative,” containing the Chair’s summary of the discussions and decisions including the implementation of decision SS.VII/1 on IEG.

GC-23/GMEF: The GC-23/GMEF took place from 21–25 February 2005 in Nairobi, Kenya. Ministers considered the implementation of internationally agreed development goals, and adopted decisions, including on IEG and chemicals management.

2005 WORLD SUMMIT: The 2005 World Summit was held at UN Headquarters in New York from 14–16 September. Delegates recognized the need for more efficient environmental activities in the UN system, through, *inter alia*: enhanced coordination, improved policy advice and guidance, and strengthened scientific knowledge. They further agreed to explore the possibility of a more coherent institutional framework, including a more integrated structure, building on existing institutions and internationally agreed instruments, as well as treaty bodies and UN specialized agencies.

GCSS-9/GMEF: GCSS-9/GMEF was held from 7–9 February 2006 in Dubai. Ministerial consultations addressed, *inter alia*: policy issues relating to energy and environment, and chemicals management. The plenary discussion on IEG, the outcome of the 2005 World Summit, and GC universal membership did not produce an agreed outcome, and delegates decided that the report of the meeting should reflect the divergence of views expressed. The International Conference on Chemicals Management convened immediately prior to this meeting, and adopted SAICM.

GC-24/GMEF: GC-24/GMEF convened from 5–9 February 2007 in Nairobi, Kenya. Delegates adopted 15 decisions on issues relating to, *inter alia*: chemicals, including a provision to establish the OEWG to Review and Assess Measures to Address the Global Issue of Mercury; the world environmental situation; and IEG.

INFORMAL CONSULTATIVE PROCESS: The UN GA at its 60th session established the Informal Consultative Process on the Institutional Framework for UN Environmental Activities. The process set out to strengthen the system of IEG by focusing on questions related to: UNEP; improvement of cooperation within the UN and among MEAs; as well as funding mechanisms and partnerships.

On 14 June 2007, following year-long consultations, Co-Chairs Amb. Claude Heller (Mexico) and Amb. Peter Maurer (Switzerland) presented an Options Paper, which identified

seven building blocks to strengthen IEG. In addition, the Paper addressed the broader transformation of the IEG system, including the possibility of transforming UNEP into a UN Environment Organization.

In September and October 2007, states were given the opportunity to respond to the Options Paper. The discussions reflected a divergence of views with no consensus on the way forward.

Based on two years of feedback, in early 2008, the Co-Chairs drafted a proposal for a GA resolution aimed at translating the Options Paper and subsequent input received into legislative language. The draft resolution was presented to member states on 2 May 2008. On the basis of comments received, the Co-Chairs prepared a revised draft resolution. By November 2008, the Co-Chairs concluded that no consensus was possible given the divergent views on fundamental issues.

GCSS-10/GMEF: GCSS-10/GMEF was held from 20–22 February 2008, in Monaco. Ministerial consultations addressed the emerging policy issues of mobilizing finance to meet the climate challenge, and IEG and UN reform. The GC/GMEF adopted five decisions including on: the UNEP Medium-term Strategy 2010-2013; chemicals management, including mercury and waste management; the Global Environmental Outlook; and the International Decade for Combating Climate Change.

GC-25/GMEF: GC-24/GMEF convened from 16–20 February 2009 in Nairobi, Kenya. The GC/GMEF adopted 17 decisions on issues relating to, *inter alia*: chemicals management, including mercury; the world environment situation; environmental law; the intergovernmental science-policy platform on biodiversity; and the environmental situation in Gaza. Decision 25/4 on IEG established a regionally representative, consultative group of ministers or high-level representatives. The decision requested the group to present a set of options for improving IEG to GCSS-11/GMEF with a view to providing input to the UNGA.

INTERSESSIONAL HIGHLIGHTS

CONSULTATIVE GROUP: The consultative group on IEG convened from 27–28 June 2009 in Belgrade and from 28–29 October 2009 in Rome. The meetings were co-chaired by Ministers Stefania Prestigiacomo (Italy) and John Njoroge Michuki (Kenya). The group’s discussions were reflected in a Co-Chairs’ summary entitled “Belgrade Process: Moving forward with developing a set of options on international environmental governance.”

ICCM-2: The second session of the International Conference on Chemicals Management (ICCM-2) was held from 11–15 May 2009 in Geneva, Switzerland. Delegates adopted nine resolutions and reached agreement on, *inter alia*: rules of procedure; a process for considering emerging issues; the establishment of an *ad hoc* OEWG; and financial resources.

AD HOC IPBES: The Second *Ad hoc* Intergovernmental and Multi-stakeholder Meeting on an Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) met from 5–9 October 2009 in Nairobi, Kenya. Participants adopted a Chair’s Summary, which highlights areas of agreement and reflects differing views expressed during the meeting. Delegates agreed, *inter alia*, that: the UNEP Executive Director report to GCSS-11 on the meeting’s outcome, and that the UNEP GC request to convene a third and final meeting to negotiate and decide whether to establish an IPBES.

MERCURY OEWG: The *Ad hoc* Open-ended Working Group to Prepare for the Intergovernmental Negotiating Committee (INC) on Mercury met from 19–23 October 2009 in Bangkok, Thailand. Delegates agreed to recommend rules of procedure to the INC and intersessional work for the Secretariat to prepare documentation for the INC, which will be held in Stockholm, Sweden from 7–11 June 2010.