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**Basel Convention on the Control of
Transboundary Movements of
Hazardous Wastes and their Disposal**

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**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**



**Stockholm Convention on
Persistent Organic Pollutants**

**Ad hoc joint working group on enhancing cooperation and
coordination among the Basel, Rotterdam and Stockholm conventions**

Second meeting

Vienna, 10–13 December 2007

Item 3 of the provisional agenda*

**Consideration of the intersessional work undertaken by the
members of the ad hoc joint working group and by the
Secretariats of the Basel, Rotterdam and Stockholm Convention**

Coordinated use of regional offices, centres

Note by the secretariats

Attached is the thought starter on “Coordinated use of regional offices, centres” prepared by Norway and Finland, for consideration by the meeting. It is presented as received and has not been edited by the secretariats.

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Thought starter: Coordinated use of regional centres for delivering capacity building on chemicals and waste management

Leads: Norway and Finland

Participating countries: Tanzania, Slovakia, Slovenia, Czech Republic

1. Introduction

Using regional and sub-regional centres¹ for the promotion of capacity building and technology transfer in developing countries and countries with economies in transition has been a key feature under the Basel Convention. Such centres are currently also being identified under the Stockholm Convention which at its third COP meeting adopted the terms of reference for selecting these centres. The scope for increased co-ordination between regional centres operating in the field of chemicals and hazardous wastes is seen as a useful and doable means of strengthening and facilitating implementation across the three conventions; as identified by the first meeting of the ad hoc joint working group (AHJWG) on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm Conventions in Helsinki 26 to 28 March 2007.

This thought starter sets briefly out the scope, status and possibilities for further cooperation on the regional delivery of technical assistance between the three conventions, in particular with regard to the regional centres under the Basel and Stockholm Conventions, and the promotion of such activities under the Rotterdam Convention. It also looks at opportunities for further cooperation with centres that have mandates that promote the sound management of chemicals and hazardous waste, such as the UNIDO Cleaner production Centres and the UNEP and FAO regional offices.

2. Status and magnitude for regional centres/offices under the three conventions

The Basel Convention and Stockholm Convention have regional centres for the delivery of technical assistance as formal requirements under their conventions. The Rotterdam seeks a similar delivery of technical assistance using existing institutions.

a) Basel Convention: Paragraph 1 of Article 14 of the reads as follows:

"The Parties agree that, according to the specific needs of different regions and sub regions, regional or sub-regional centres for training and technology transfers regarding the management of hazardous wastes and other wastes and the minimization of their generation should be established. The Parties shall decide on the establishment of appropriate funding mechanisms of a voluntary nature."

Fourteen Basel Convention Regional and Coordinating Centres for Capacity Building and Technology Transfer (BCRCs) have been set up. They are located in Argentina, China, Egypt, El Salvador, Indonesia, Islamic Republic of Iran, Nigeria, Russian Federation, Senegal, Slovak Republic, South Pacific Regional Environment Programme (Samoa), South Africa, Trinidad and Tobago, and Uruguay.

The BCRCs have been set up to deliver a wide range of activities; training, dissemination of information, consulting, priority waste streams pilot projects, awareness raising activities and technology transfer on matters relevant to the environmentally sound management of hazardous and other wastes in the countries they serve. Some of these centres are coordinating centres in their region. Functions of the Basel Convention regional centres and roles and functions of the coordinating centres of the Basel Convention in addition to the core functions are set forth by appendices I and II to decision VI/3 on the establishment and functioning of the Basel Convention regional centres for training and technology transfer.

However, not all of these intended activities have come to fruition and many of the centres experience difficulties. This may be due to lack of resources and precarious financing, inefficient administrative arrangements, inadequate governance, insufficient connection to the region, uncertainties as to the formal status of the centres or insufficient staffing to carry out the required services.

¹ In the following, the term *regional centres* will encompass sub regional centres unless otherwise stated.

At its eight Conference of the Parties, a decision was made for strengthening the use of the BCRCs, and also to review the operation of these centres. The review will be conducted with the objective of enhancing and strengthening the combined effectiveness and capacity of the centres and the secretariat. During its 6th meeting in September 2007, the Basel OEWG agreed on a terms of reference for the report on the operation of the Basel Convention Regional centres. This report must include:

- An assessment of the achievements made and obstacles faced by regional and coordinating centres in fulfilling their functions
- Recommendations with a focus on the long-term sustainability of the centres; as regards governance, institutional arrangements, operating budgets, regional involvement and project resource mobilization
- Recommendations on the development of a financial strategy to be approved by the Parties to move the centres towards financial sustainability.

The report will incorporate self-assessments by the centres. The report, including the comments submitted by the Parties, Signatories and regional and coordinating centres, and a draft decision on the issue will be submitted to the ninth meeting of the Conference of the Parties to the Basel Convention for consideration.

b) Stockholm Convention: Paragraph 4 of Article 12 of the Stockholm Convention reads as follows:

“The Parties shall establish, as appropriate, arrangements for the purpose of providing technical assistance and promoting the transfer of technology to developing country Parties and Parties with economies in transition relating to the implementation of this Convention. These arrangements shall include regional and sub regional centres for capacity-building and transfer of technology to assist developing country Parties and Parties with economies in transition to fulfil their obligations under this Convention. Further guidance in this regard shall be provided by the Conference of the Parties.”

Following discussion the terms of reference for Stockholm regional centres were adopted at the second Conference of the Parties (SC-2/9) and terms of reference for their selection at the third Conference of the Parties (SC-3/12). The decision SC-3/12 gives the regions the responsibility of nominating regional centres fulfilling agreed terms of reference (SC-2/9). Once the centres are nominated they can serve as “nominated regional centres” for the particular regions. At its fourth meeting the Conference of Parties to the Stockholm Convention will consider the endorsement of the nominated Stockholm Convention centres as Stockholm Convention regional or subregional centres. The Conference of the Parties may in the long run both select and de-select centres as being Stockholm Convention regional centres.

c) The Rotterdam Convention does not specify the need for regional centres in the convention text. However, a programme for the regional delivery of technical assistance on the Rotterdam Convention has been sought. A vital component of this has been cooperation with the regional offices of FAO and UNEP as well as with other relevant regional and sub regional institutions.

The Rotterdam Secretariat has continued to seek opportunities to work with the regional centres established under the Basel Convention, i.e. sub regional meetings in Latin America and Africa have been convened in the Basel Convention regional centres in Uruguay and South Africa, respectively.

3. What centres/offices are most relevant?

It is useful to look at what centres are the most relevant to chemicals and waste management with the scope of delivering capacity building and transfer of technology, assisting parties in their implementation of the conventions and facilitating a life-cycle approach to substances covered.

In addition to the specific expertise required within the regional institution it is also of interest to look at the bigger picture and the need for a coherent regional landscape. The “One UN” report of the UN Secretary-General’s High-Level Panel emphasises the need to enhance the focus and effectiveness of the UN system. It is of essence to avoid fragmentation and circumvent a situation whereby regional centres/offices of different UN agencies are scattered in different locations, and definitions of regions differ from one UN entity to another.

Being already established institutions under the Basel Conventions, the BCRCs form a core group of regional centres relevant for chemicals and waste management. Cooperation between centres and offices under the three conventions cannot take place without including the BCRCs. The core group must also include nominated Stockholm regional centres.

It may be that BCRCs can serve as Stockholm Convention regional centres, subject to agreements on a regional level involving the BCRCs themselves and indeed the terms of reference specifically mention this option (SC – 3/12, para 5 (b) of the Annex);

" The Basel Convention regional centres, as well as other existing institutions within the chemicals and waste cluster, may be encouraged to serve as regional and subregional centres for capacity-building and the transfer of technology under the Stockholm convention;"

However, bearing in mind the scope of assistance to be provided by the Stockholm regional centres it may happen that some BCRCs would not be able to fulfill the terms of reference set forth in the decision SC-2/9 without broadening their mandates and ensuring adequate capacity-building. The setting up of Stockholm centres may thus also include other centres than the Basel centres and/or the establishment of dedicated Stockholm centres. Either way, the Stockholm Convention regional centres will form a part of the group that will need to be included in the body of regional centres that are most relevant.

The FAO and UNEP regional offices already function/act in the regional delivery of technical assistance, in particular under the Rotterdam Convention. As such, they are part of the body of regional offices that promote the delivery of capacity building in the field of chemicals and waste. Other local and regional offices may also have an important role in the regional or sub-regional delivery of technical assistance, such as the UNDP country offices and the WHO Regional offices. UNEP's regional offices also have a role to play in the implementation of the Bali Strategic Plan for Technology Support and Capacity – building the objectives of which are, inter alia;

- strengthening of governments' capacities to comply with international agreements and implement their obligations at the national level
- To provide systematic, targeted, long and short-term measures for technology support and capacity-building, taking into account international agreements and based on national or regional priorities and needs.

The thematic areas that the plan should address include, among others: chemicals, waste management, pollution and health and environment.

Even if one can argue that the regional offices of UN institutions have a vital catalytic, entry-point role in promoting regional delivery of capacity building it can equally be put forward that they are not ideal solutions for being more permanent institutions for promoting capacity-building in the regions. They generally lack specific technical competence in the area of chemicals and waste. Another reason for these offices not being appropriate locations for regional centres is that these UN institutions also have important normative functions. It might create undesired effects, or suspicion of such effects, with regard to which centres they would promote with resource and/or financial input if the regional offices of the same institutions were themselves candidates for being such centres.

The many UNIDO/UNEP Cleaner Production Centres promote capacity development to promote Cleaner Production at the national level. Cleaner Production describes a preventative approach to environmental management, which also includes waste minimisation and pollution prevention. A total of twenty-four national Cleaner production centres have been established in the following countries: Brazil, China, Costa Rica, Czech Republic, El Salvador, Ethiopia, Guatemala, Hungary, India, Kenya, Korea, Lebanon, Mexico, Morocco, Mozambique, Nicaragua, Slovak Republic, South Africa, Sri Lanka, Tanzania, Tunisia, Uganda, Vietnam, and Zimbabwe. Some NCPCs might be selected to serve as Stockholm Convention regional centres and/or be involved in other ways. In contrast to the UNEP and FAO regional offices, having NCPCs serve as capacity building centres with respect to chemicals and hazardous waste has the important benefit of establishing cooperation and co-ordination with the expertise in cleaner production.

4. Some benefits and costs related to broadening the mandates of a/the centre(s) to cover the needs of all three conventions

It is useful to look at what current BCRCs and Stockholm convention centres have to fulfill. It is a broad range of activities. It has to be taken into account that Parties to the Conventions may require different technical assistance, in addition to that which is similar between the three Conventions.

Before considering benefits and costs related to broadening the mandates of a/the centre(s) to cover the needs of all three conventions it is necessary to consider:

- (i) The ability of such institutions to the technical assistance and technology transfer needs identified by the relevant Conferences of the Parties
- (ii) Compliance with the terms of reference for the centres set forth in the Annex I of decision SC-2/9 and a possibility to satisfy requirements set forth by decision VI/3 of the Conference of the Parties to the Basel Convention;
- (iii) The promotion of efficiency and effective use of resources;
- (iv) The preparedness for cooperation and coordination with other centres and regions

- (v) The demand for the services of a particular institution by the respective region.

Theoretically, if one centre could serve the needs of the three conventions, several benefits might be envisaged, inter alia:

A coherent overview and a promotion of life-cycle based implementation of the three conventions

- The countries being served by the centres will know that all aspects of chemicals and hazardous waste management is handled by centre
- Facilitates policy coherence and cooperation at national level
- Joint centres will be more able to ensure that projects are life cycle oriented and ensure policy coherence

Joint projects and economies of scale

- More effective projects on the ground, in particular on issues of common interest to the three Conventions, e.g. on an issue like enforcement, and enabling activities
- Economies of scale in administration, management, training and other projects in the field

Increased funding:

- Coordinated centres would be more attractive to donor countries
- Better basis for securing funding through GEF, as activities that are directly GEF eligible (i.e. through the POPs or International Waters focal areas) can be expanded with other activities that support general chemicals and hazardous waste management

The additional marginal costs of establishing a coordinated centre would mostly be related to transition costs of establishing it, since it projects in such coordinated centres would in the long run probably have lower costs. The centres would be accountable to all three Conventions, and it would be necessary to develop accounting and accountability practices that would reflect this.

From the vantage point of a specific country or organization, it might also be seen as a disadvantage that having joint centres would allow fewer countries and organizations to be directly involved in hosting such a centre.

Abilities of centres/institutions to broaden their activities must be considered firstly and consequently costs and benefits might be further explored.

5. The possibility of broadening the mandates of a/the centre(s) to cover the needs of all three conventions?

The Basel Convention already has established regional centres. Therefore, in the short run, the scope for having one single centre serve all three Conventions would imply that the existing BCRCs would have had to be used as centres for all three conventions. In order for this to happen, the regional selection of centres for the Stockholm Convention would have to choose the relevant BCRCs to serve as Stockholm Convention regional centres, which the regions of Stockholm Convention may or not do (the COP agreed to leave open the possibility to nominate any existing institution). In addition, the Rotterdam Convention would need to seek a more formalized relationship with the relevant BCRC for their program of regional delivery of technical assistance.

The three Conferences of the Parties would have to agree upon having a single centre serving all three conventions or a common coordinating center- as sovereign bodies they can agree upon this if they choose to. However, practical experience shows that coordination at the national and regional level is very important to achieve this.

A potential way forward could be to decide upon a common coordinating centre in the region, that would have responsibility to all three Conventions, possibly also SAICM, and would perform tasks such as:

- overlooking and coordinating activities in the regions
- ensure that the work is in accordance with priorities
- being entry points for countries needing assistance and guidance on which centre to use for at specific purpose
- having a special role in relation to the GEF and other funding organisations/agencies/IFI's

Such a solution might allow for more subs-regional centres without such a similar role. Such a differentiation in responsibilities already exists for the BCRCs, and this principle could adapted to incorporate the notion of a coordinating centre for all three conventions in a region.

A coordinated use of one or more regional centres need not exclude the possibility of a continued input support from the FAO and UNEP regional offices, nor cooperation with Cleaner production centres or other local or regional offices/institutions.

It is improbable that all regions will choose only BCRCs as Stockholm Convention regional centres, e.g. Cleaner Production centres may be chosen. This means that in the short run, it will not be possible in that region to have only one regional centre serving all three Conventions. However, if the Parties so choose they may in the future make COP decision to do this. This might be triggered by looking at experiences in regions that establish a common centre, and or policy guidance from the COPs. Input from SAICM and/or other international processes may also influence this.

BCRCs, Stockholm regional centres and Cleaner Production centres would need to react to this by broadening their activities and comprising work under all three conventions into their operations. BCRCs and Stockholm Convention regional centres would depend upon by appropriate policy guidance by the three COPs. Both the BCRCs and the NCPCs depend not only upon policy guidance, but also on the level of local support and commitment, largely from the host country/organization. It is therefore necessary to secure the acceptance at the local and regional level for such a solution.

Some activities promoting coordinated use of regional centres have already been taking place. The BCRC in Pretoria is engaged in work, financed by Sweden, aiming to deliver technical assistance in areas covering the whole chemicals and waste cluster, including the Basel, Rotterdam and Stockholm Convention and SAICM. The project will map out the current status in the countries of the region, and develop appropriate technical assistance to be offered, in particular through information and training.

In all probability, it would be easier to sustain financially a centre that is serving all three Conventions, than to sustain financially a similar level of activities through three different channels. A solution that encompasses the needs of the whole chemicals and waste cluster will also be more competitive to attract financial resources in the face of competing areas.

It is therefore possible that the regional centres themselves would be key drivers of a development towards increased cooperation. This, however, would need to be further explored. In all consideration should be taken into account that the structure has to follow the function. Securing sustainable functioning of the centers covering the demand in the region is the key.

6. Further cooperation

Cooperation on the regional delivery of technical assistance under the three conventions in the chemicals and waste cluster is the key priority, and where it is necessary to consider formal solutions to facilitate this, that is decisions by the COPs to promote it.

However, the scope for cooperation goes beyond this – as current practice also reflects, in particular with regard to the cooperation with the UNEP and FAO regional offices. The UNDP regional offices can also play a key role, i.e. in the UNEP/UNDP partnership to integrate chemicals management into national plans and policies in developing countries, and in the implementation of implementation of the Bali Strategic Plan for Technology Support and Capacity-building.

The Strategic Approach to International Chemicals Management provides an overall framework to international cooperation in the field of chemicals and waste management. The great range of stakeholders, including many IGOs, organizations and international Conventions, need to interact in order to work effectively. The regional centres for all three conventions could also act in the regional delivery of the technical assistance under SAICM.

If solutions to promote firm and institutionalized cooperation between the three Conventions are sought, it is at the same time necessary to ensure that continued cooperation and policy coherence is sought with the many different institutions relevant for work in the field of chemicals and waste management.

7. Conclusions

It would strengthen the regional delivery of technical assistance under all three conventions to have a coordinated use of regional centres. A process towards coordinated use of regional centres needs to be supported by the three COPs, by Parties and other stakeholders at the local and regional level and by the centres themselves.

Successful coordinated use of regional centres would also presuppose a clarification of relationship and links with the Cleaner Production Centres and UNEP, UNDP regional/country offices, especially as regards the implementation of the Bali strategic Plan in order to ensure complementarity of efforts and avoid duplication.

- In the short run, any coordinated solution will need to build upon the existing BCRCs and the Stockholm Convention regional centres that are soon to be nominated. It is therefore important to give available input to the review process of the BCRCs and the selection processes under the Stockholm Conventions.

Establishing joint regional centres will only succeed if the benefits of this solution are clearly seen to outweigh the costs. The process could therefore be informed by projects that shed further light on the practical solutions that might be established. Such further analysis could include:

- Analysis of how current regional centres could broaden their mandates to include work under the Basel, Rotterdam and Stockholm Conventions, as well as SAICM, including an investigation into their motivation for this and an overview of possible administrative solutions for being accountable to the three conventions and to SAICM
 - The possibility of having coordinating centres serving all three conventions, while having the possibility of more specialized centres could be explored.
 - Documentation on how current regional centres have promoted chemicals and waste management in an integrated and coordinated way.
 - Pilot projects to use an existing or nominated centre under one of the three Conventions for implementing activities under the other Conventions, e.g. on guidelines/tool-kits.
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