



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

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Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade Eleventh meeting

Geneva, 1–12 May 2023

Item 9 of the provisional agenda*

Implementation of the memorandum of understanding between the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention

Implementation of the memorandum of understanding between the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

Note by the Secretariat

I. Introduction

1. In decision RC-9/14, on the memorandum of understanding between the Food and Agriculture Organization of the United Nations (FAO), the United Nations Environment Programme (UNEP) and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Conference of the Parties to the Rotterdam Convention adopted the memorandum of understanding set out in the annex to that decision and requested the President of the Conference of the Parties, on behalf of the Conference of the Parties, the Director-General of FAO and the Executive Director of UNEP to sign the memorandum of understanding during or after the closure of the ninth meeting of the Conference of the Parties.
2. The memorandum of understanding between FAO, UNEP and the Conference of the Parties was signed by the President of the Conference of the Parties and the Acting Executive Director of UNEP on 10 May 2019 and by the Director-General of FAO on 29 May 2019. The memorandum of understanding covers, among other areas, the following: staffing, delegation of authority, administrative and programme support costs, financial matters and budgets, performance evaluation and management review, and the programmatic relationship. With respect to UNEP, the memorandum of understanding also includes a section on the implementation of the memorandum of understanding.
3. Pursuant to paragraph 47 of the memorandum of understanding, the Executive Director and the Director-General will submit, 90 days in advance of each ordinary meeting of the Conference of the Parties, a report on the implementation of the memorandum of understanding. Pursuant to

* UNEP/FAO/RC/COP.11/1.

paragraph 48 of the memorandum of understanding, the report will provide the Parties to the Convention with detailed information on administration services provided to the Convention by UNEP and include a financial statement on the allocation of programme support costs between the Secretariat and central administrative services, with the understanding that the level of detail will be consistent with the needs of the Parties to the Convention and with the procedures applicable to UNEP.

4. Pursuant to paragraph 53 of the memorandum of understanding, the Conference of the Parties will be informed by the Executive Secretary regarding programmatic support provided to the Convention by UNEP, regarding the outcomes of meetings of secretariats of multilateral environmental agreements, and regarding joint meetings of all senior staff employed through UNEP called by the Executive Director of UNEP.

5. Pursuant to its paragraph 58, the memorandum of understanding may, at the request of the Parties to it, be reviewed at any time, including with a view to amending or terminating it. Without prejudice to the rules of procedure for meetings of the Conference of the Parties, such a request, to be made by the Bureau on behalf of the Conference of the Parties or by the Executive Director or the Director-General, will be made at least four months in advance and will then be addressed at the next meeting of the Conference of the Parties. Any modifications to, including termination of, the memorandum of understanding will be mutually agreed in writing between the Parties to it.

6. In paragraph 35 of decision RC-10/19, on the programme of work and budget for the Rotterdam Convention for the biennium 2022–2023, the Conference of the Parties requested the Executive Director of UNEP to comply with the memorandum of understanding between FAO, UNEP and the Conference of the Parties to the Rotterdam Convention, in particular with regard to core services costs to be supported by UNEP pursuant to the annex to the memorandum of understanding.

II. Implementation

7. The report of the Executive Director of UNEP to the Conference of the Parties on the implementation of the memorandum of understanding is set out in the annex to document UNEP/CHW.16/INF/49–UNEP/FAO/RC/COP.11/INF/33–UNEP/POPS/COP.11/INF/53. The report of the Director-General to the Conference of the Parties on the implementation of the memorandum of understanding is set out in the annex to document UNEP/FAO/RC/COP.11/INF/34.

8. The Executive Director of UNEP has initiated a review of the memorandum of understanding for the purpose of clarifying the central administrative services provided in support of the Convention against the 33 per cent share of the programme support costs income attributable to all of the trust funds of the Convention. As communicated by the Secretariat to all Parties in a letter dated 22 December 2022, the Executive Director has, as an outcome of this review, proposed amendments to the memorandum of understanding, as well as to the memorandum of understanding between UNEP and the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, and the memorandum of understanding between UNEP and the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants. The proposed amendments to the memorandum of understanding between UNEP and the Conference of the Parties to the Rotterdam Convention are set out in English only, with changes tracked and without formal editing, in the annex to the present note for consideration by the Conference of the Parties. The letter from the Executive Director and three annexes reflecting the proposed revisions to each of the three memorandums of understanding, with changes tracked, are set out in document UNEP/CHW.16/INF/53–UNEP/FAO/RC/COP.11/INF/39–UNEP/POPS/COP.11/INF/57.

9. The attention of the Conference of the Parties is also drawn to the documents under item 8 of the provisional agenda, on the programme of work and budget, namely the note by the Secretariat entitled “Programmes of work and proposed budgets for the biennium 2024–2025: combined proposal, including joint activities” (UNEP/CHW.16/27–UNEP/FAO/RC/COP.11/22–UNEP/POPS/COP.11/28) and the information documents referred to therein, which set out information and proposed actions relating to administrative and financial matters.

10. Information provided by the Executive Secretary regarding programmatic support to the Convention by UNEP, and regarding the outcomes of meetings of secretariats of multilateral environmental agreements and of joint meetings of all senior staff employed through UNEP, called by the Executive Director of UNEP, is set out in the annex to document UNEP/CHW.16/INF/37–UNEP/FAO/RC/COP.11/INF/20–UNEP/POPS/COP.11/INF/41, for consideration by the Conference of the Parties under item 6 (b) of the provisional agenda, on cooperation and coordination with other organizations.

III. Proposed action

11. The Conference of the Parties may wish to adopt a decision along the following lines:

The Conference of the Parties,

Noting decision RC-11/[--], on the programme of work and budget for the Rotterdam Convention for the biennium 2024–2025,

1. *Takes note* of the report of the Executive Director of the United Nations Environment Programme to the Conference of the Parties on the implementation of the memorandum of understanding between the Director-General of the Food and Agriculture Organization of the United Nations, the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade¹ and of the proposal by the Executive Director to amend said memorandum of understanding;²

2. *Adopts* the amendments to the memorandum of understanding between the Director-General of the Food and Agriculture Organization of the United Nations, the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention, as set out in the annex to the present decision;

3. *Requests* the President of the Conference of the Parties, on behalf of the Conference of the Parties, the Director-General of the Food and Agriculture Organization of the United Nations and the Executive Director of the United Nations Environment Programme to sign the memorandum of understanding as amended during or following the closing of the eleventh meeting of the Conference of the Parties.

Annex to decision RC-11/[--]

Amendments to the memorandum of understanding between the Director-General of the Food and Agriculture Organization of the United Nations, the Executive Director of the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

[to be inserted]

¹ UNEP/CHW.16/INF/49–UNEP/FAO/RC/COP.11/INF/33–UNEP/POPS/COP.11/INF/53.

² See UNEP/FAO/RC/COP.11/23, annex.

Annex

Proposal by the Executive Director of the United Nations Environment Programme to amend the annex 1 to the memorandum of understanding between the Conference of the Parties to the Rotterdam Convention, the Executive Director of the United Nations Environment Programme and the Director General of the Food and Agriculture Organization of the United Nations

Annex 1 to the Memorandum of Understanding

[English only]

UNEP's ~~core~~ central administrative services in support of the Basel, Rotterdam, and Stockholm ~~conventions~~ Conventions

~~The table below provides~~ Subsequent to the list of core decision of the Parties to BRS at the July 2022 COPs, UNEP CSD has reviewed and clarified the central administrative and support services provided by ~~United Nations Environment Programme (UNEP) UNON and UNEP/CSD~~ in support of the Basel, Rotterdam and Stockholm (BRS) ~~conventions. Core administrative and support services are those services provided~~ Conventions. The cost of these services is covered by UNEP ~~against the 33% share of the programme support costs~~ Programme Support Cost income ~~attributable to all of the trust funds of~~. The table below provides an updated list of the BRS conventions services, also included in the letter from the Executive Director of UNEP suggesting the amendments to the MOUs and their respective annex. The list of ~~core~~ central administrative services is not exhaustive and may include additional ~~core~~ services, as mutually agreed from time to time between UNEP and the Secretariat of the BRS ~~conventions~~ Conventions. The table below is without prejudice to the delegation of authority from the Executive Director of UNEP to the Executive Secretary of ~~the BRS conventions~~ Basel, Rotterdam, and Stockholm Conventions.

Service Category	Description
Policy, guidelines, and procedures	<p>All policies concerning administrative arrangements are governed by the United Nations General Assembly resolutions and those of United Nations Environment Programme's governing body. United Nations Financial Regulations and Rules (UNFRR) supplemented by Multilateral Environmental Agreements' and entities' financial procedures, or rules ensure effective and efficient use of resources in accordance with the purposes for which funds are provided, within authorized limits and available income. The United Nations Financial Regulations and Rules <u>The UNFRR</u> also regulate the organization's procurement activities.</p> <p>United Nations Staff Regulations and Rules <u>UNFRR</u> set the framework within which United Nations Environment Programme's <u>UNEP's</u> personnel, including different categories of staff members, consultants and independent contractors, are recruited and administered.</p> <p>United Nations Secretariat policies supplement and provide details on the implementation of the resolutions and regulations. They are embodied in United Nations administrative issuances i.e. Secretary-General's Bulletins, Administrative Instructions and Information Circulars which may be further interpreted and translated into guidelines and procedures for day to day operations.</p>
Human Resources	Recruitment, staff administration, training, and performance management and medical and counselling services.
<i>Talent Acquisition and Management</i>	Developing staffing plans and implementing related recruitment activities namely classification, vacancy announcement, <u>oversight of</u> assessments, evaluation, review and selection to ensure that all actions are in line with UN Regulations and Rules.

Service Category	Description
<i>Staff Administration</i>	<p>For staff administered by UNON: On-boarding of staff, administering contracts, processing entitlements and benefits, review and update of dependency status, leave records, lateral move, separation from service etc.</p> <p>Administering end-of-service and post-retirement benefits including pension fund deductions and After Service Health Insurance scheme.</p>
<i>Staff development and training</i>	<p>Mandatory <u>Administering of mandatory</u> training of personnel on issues such as security, ethics and integrity, competency based interviewing skills, management development programme etc.</p> <p>Identify capacity building needs and provide opportunities for continuous learning with a view to build a multi-skilled workforce promoting career development for staff. These include in-house developed training modules on Results Based Management and Gender Mainstreaming, among others. Including the arrangement of training opportunities for UNEP Geneva colleagues.</p>
<i>Performance Management</i>	<p>Implementing and monitoring compliance with performance management policies, process and tools (INSPIRA) to reward/recognize/retain staff and address underperformance.</p> <p>Supporting rebuttal process guidance and conducting training on writing workplans and performance assessments.</p> <p>Managing the Financial Disclosure programme.</p>
<i>Medical and Counselling Services</i>	<p>Providing occupational health services with emphasis on preventive health care and emergency response. Also includes professional counselling service to address issues such as stress, burnout, depression etc.</p> <p>UN Cares, the UN system wide program on HIV, is designed to reduce the impact of HIV in the UN workplace.</p>
Budget and Finance	<p><u>Preparation Review</u>, management, oversight and reporting of budgets and financial resources of the governing bodies and donors.</p>
<i>Budgeting / Fund Management</i>	<p>Preparation, presentation and justification of Review budgets prepared by the BRS <u>Secretariat and present recommendations</u> to the <u>BRS Secretariats</u>.</p> <p>Identify governing bodies. Processing budgetary authorizations <u>the programme support revenue mobilized by BRS in the Overhead Trust Account, calculate BRS share and submit annual budget for approval by UNEP Executive Director (ED). Record allocations upon ED approval.</u></p> <p>Evaluating the financial transactions. Advising staff, management <u>viability of operations funded by the Overhead Trust Account and governing bodies on the use of financial resources, work closely with BRS to ensure budgets are in line with allocations issued. Issue periodic reports, forecast spending to predict likely outcomes.</u></p> <p>Creating, maintaining <u>Create, review, and closing</u> Trust Funds.</p>
<i>General Accounting / Financial Statements</i>	<p>Authority to sign <u>Preparation and issuance of the consolidated financial statements rests with</u> of the <u>Executive Director. Extracts from the consolidated statements are signed by UNON-BRS trust funds.</u></p> <p><u>Preparation and issuance of donor financial reports.</u></p> <p>Maintenance of accounts and preparation of Financial Statements including the Programme Support account. Processing accounting entries/adjustments including donor refunds; year-end accruals; statutory reporting and support to the annual external audit.</p>
<i>Payments / Expenditure</i>	<p>Processing <u>the disbursement of</u> payments to Implementing Partners, consultants, vendors and meeting participants. Monitoring advances and <u>compliance to</u> recording of expenditures from <u>Implementing Partner</u> financial reports received from Implementing Partners <u>submitted to BRS.</u></p>
<i>Payroll</i>	<p>Processing payment of salaries, entitlements and related advances and maintenance of payroll accounts. <u>Maintenance of Umoja Organizational Management (OM) records to facilitate proper accounting for payroll expenses.</u></p>

Service Category	Description
<i>Contributions /Cash Management</i>	<p>Authority to accept contributions from the Parties rests with the United Nations Environment Programme Executive Director.</p> <p>Issuing<u>Issuance of</u> invoices to Parties, recording and monitoring contribution receivables, processing contributions upon receipt of payments; reconciling applied deposit accounts. <u>Issuance of receipts/acknowledgement letters of contributions on a need basis.</u></p> <p><u>Reconciliation of the member states receivables, contributions and unpaid balances.</u> <u>Answering queries raised by BRS member states on the contributions to the trust funds.</u></p>
<i>Treasury/Banking/ Investment</i>	<p>Receipt and disbursement of funds, House Bank management, bank reconciliations. Maintenance of banking details for staff, vendors, implementing partners and consultants. Investment of United Nations Environment ProgrammeUNEP funds in the right products is managed by UNHQ Treasury.</p>
<i>Oversight</i>	<p>Coordinate internal audit, investigation, inspection and external audit. <u>Support in providing responses to audit queries and coordinating the implementation of the audit recommendations.</u> <u>Statutory reporting and support to the annual external audit.</u></p>
Legal	Legal advice, opinions and representation in the Internal Justice System.
<i>Advisory and Representation</i>	<p>Provision of corporate legal advice and institutional support.</p> <p>Representing the organisation before the Management Evaluation Unit with regards to requests filed by staff members.</p> <p>Representing the organisation at the United Nations Dispute Tribunal (UNDT) and provision of support to the Office of Legal Affairs with regards to appeals filed at the United Nations Appeals Tribunal.</p> <p>Negotiating settlements of claims; provision of legal support and advice in mediation, conciliation<u>reconciliation</u> and arbitration.</p> <p>Legal and institutional support in disciplinary procedures; provision of legal advice in cases of alleged misconduct and relevant investigations.</p> <p>Reviewing and clearing Host Country Agreements and legal instruments in accordance with the Delegation of Authority Policy and Framework for the Management and Administration of Multilateral Environmental Agreements.</p> <p>Provision of legal advice on human resources issues e.g., interpretation of the Staff Regulations and Rules, advise on outside activities, separation from employment, settlements. Coordinating audits, inspections and evaluations undertaken by the Office of Internal Oversight Services.</p> <p>Providing advice on engaging with implementing partners, provision of templates for this purpose.</p>
Support Services	Services to support operations including office space, premises, host country arrangements and protocols.
<i>Contracts and Procurement</i>	<p>Supervising procurement related functions and providing advice on procurement proposals of significant financial or operational impact; reviewing</p> <p><u>Deliberating on</u> the proposed strategy/approach to best serve office's interests-- <u>in line with standing procedures and UNFRR.</u></p> <p>Providing oversight over the service providers.</p> <p>Representation at the High Level Committee on Management Procurement Network on development of policies and procedures of interest to the office.</p> <p>Liaising with the contracts committee for the preparation and presentation of cases for approval<u>recommendation</u> and addressing to-follow-up queries. Provision of general contract</p>

Service Category	Description
	<p>administration services including amendment, extension or closure, in consultation with the procurement office and BRS.</p> <p><u>Supply Chain training delivered by UNEP resources.</u></p>
<i>Inventory / Asset Management</i>	<p>Provision of services to manage inventory of equipment items and assets including bar coding, maintain records and track movement of items; conduct,</p> <p><u>Coordinate</u> physical inventories; process verification exercised in compliance with UNFRR.</p> <p><u>Process</u> the disposal of obsolete and unserviceable items.</p>
<i>Travel, Shipping and Visa</i>	<p>Providing advice on developments in Secretariat travel policies and procedures. Processing travel for staff members, consultants and meeting participants for official purposes and staff entitlement related travel; management of travel agent contract and airline negotiations. Shipping services, handled through external vendors under contracts include all aspects of incoming and outgoing official shipments of organizational goods and property as well as staff members' personal effects during recruitment, transfer and separation.</p>
<i>Host Country Relations</i>	<p>In addition to administering the hosting agreement with the country of duty station, the services include re-entry passes of staff and dependents, consultants and interns; duty free import of goods and fuel; tax exemptions; registration of vehicles, issuance/renewal of driving licenses and transfer of ownership; processing special visa request in emergency situations and for VIPs.</p>
<i>Facilities Management</i>	<p>Provision <u>Advising on the provision</u> of comfortable and efficient working environment for the BRS staff well as for the visitors by maintaining office premises including gardening and parking areas; utilities' supply and maintenance of security systems.</p>
<i>Mail Pouch</i>	<p>Providing mail, diplomatic pouch and international courier services; dispatching outbound mail; sorting and delivering all incoming mail; advising on different mail services i.e postal, international express courier and diplomatic pouch, including but not limited to cost, transit days, document preparation, etc.</p>
<i>Archives/Document Management</i>	<p>Advising on and overseeing the implementation of policies for the management of archives in accordance with established archival standards and practices.</p> <p><u>Maintaining and managing archives.</u></p>
<i>Security and Safety</i>	<p>Protection of UN personnel and property by providing a safe and secure work environment and regular security advisories; issuance of IDs for staff and visitors to the UN offices.</p>
<i>Enterprise Resource Programme (ERP) – Umoja</i> ***	<p>Advising on all aspects of workflow analysis, business process reengineering and organizational transformation.</p> <p>Managing core transformational activities connected to the Umoja implementation and system life cycle.</p> <p>Providing training and guidance on Umoja functionality, access and modality for the execution of administrative processes.</p>
<i>Enterprise Risk Management (ERM) and Internal Controls</i>	<p>Implementation of the United Nations Secretariat ERM policy and framework, its monitoring and development.</p> <p>Advise on developments and activities related to the life cycle of ERM. <u>Liaison</u></p> <p><u>Liaise</u> directly with the UN Secretariat's Department of Management for all issues relating to ERM and IC implementation and update of the ERM treatment plan.</p>
Information and Communications Technology	<p>Computing, telecommunications, office automation, infrastructure support including electronic mail as well as consulting, advisory and help desk services.</p>
<i>ICT Infrastructure Corporate intranet and services email</i>	<p>Provision of secure infrastructure services such as internet connectivity and WiFi access; local area network and systems directory services; office computer, standard software</p>

Service Category	Description
	<p>productivity tools and security software; email, file storage and sharing, print, IP telephony; computer and video conference services. Provision of cloud and on-premise hosting services for websites, software applications, and databases.</p> <p>Access to corporate internet/intranet and mail systems. Provide access to UNEP corporate intranet and email systems.</p>
<i>Software development and maintenance</i>	<p>ProvidingOn as needed basis, providing advice from tactical, operational and strategic aspects with consideration to the specific needs of the office.</p> <p>Making recommendations on cost effective options e.g., outsourcing or in-house IT services.</p> <p>Provision of customised / off the shelf software applications to support the specific needs of office.</p>
<i>Help desk services</i>	<p>Provision of local and global services to staff in resolving various IT related issues for the UN enterprise and UNEP corporate applications /systems.</p>

~~*** Umoja project and maintenance costs are apportioned based on expenditure incurred and met by respective divisions and MEAs as common costs. These include service fees and costs associated with Umoja (such as license fees), requests raised through iNeed and any administrative costs associated with services provided by UNON and UNOG especially those that were delivered through OSC (travel, payment of invoices, HR/consultant services)~~