Part I

Preamble
The preamble should give context on how to interpret the operative provisions.

The preamble in Section A of Appendix I of the options paper INC.2/4 as a good basis for further discussions.

The preamble should make reference to relevant MEAs such as the BRS Conventions, and in particular the Basel Convention.

Definitions
Agreed definitions from veracious international conventions should be used for the instrument where needed. They bring clarity for the operation and implementation of the instrument.

Definitions cannot be considered in isolation and should therefore be determined by the content of the substantive provisions of the instrument.

Principles
No separate article for principles. Most MEAs do not have a specific article on principles.

Scope
The scope of the instrument can be derived from UNEA Resolution 5/14 and the operative provisions of the treaty.

Part V

Governing body
A Conference of the Parties shall be established to be the governing body. We believe that previous MEAs have provisions that provide a good basis to be used for this instrument.
Subsidiary bodies

The establishment of subsidiary bodies should be driven by identified needs as mentioned in the proposed approach c) of paragraph 63 in the synthesis report.

Turn to already established MEAs as they contain provisions enabling the COP to establish subsidiary bodies, for example technical or scientific bodies. This is an important provision, as it allows the COP to decide whether a particular subsidiary body is needed at a particular time and for a certain duration. These examples should be considered by the INC.

Secretariat

We propose the following text:

A Secretariat is hereby established.

The functions of the Secretariat shall be:

To make arrangements for meetings of the Conference of the Parties and its subsidiary bodies and to provide them with services as required;

To facilitate assistance to Parties on request in the implementation of this Convention;

To coordinate, as appropriate, with the secretariats of relevant international bodies, particularly other chemicals and waste conventions;

To assist Parties in the exchange of information related to the implementation of this Convention;

To prepare and make available to the Parties periodic reports based on information received pursuant to Articles [...] and [...] and other available information;

To enter, under the overall guidance of the Conference of the Parties, into such administrative and contractual arrangements as may be required for the effective discharge of its functions, and

To perform the other secretariat functions specified in this Convention and such other functions as may be determined by the Conference of the Parties.

The secretariat functions for this Convention shall be performed by [...], unless the Conference of the Parties decides, by a three-fourths majority of the Parties present and voting, to entrust the secretariat functions to one or more other international organizations.

The Conference of the Parties, in consultation with appropriate international bodies, may provide for enhanced cooperation and coordination between the Secretariat and the secretariats of other chemicals and wastes conventions. The Conference of the Parties, in consultation with appropriate international bodies, may provide further guidance on this matter.

The Conference of the Parties shall, at its first meeting, decide on the hosting of the Secretariat based on host country offers from UN members states.