Agenda item 2-ii.: Institutional Arrangements and Final Provisions

Statement Switzerland

With regard to institutional arrangements, Switzerland would like to remind that previous MEAs have provisions that provide a good basis for establishing the Governing Body, Subsidiary Bodies and the Secretariat. We can use and build on these examples.

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. Our discussions during the INC process should provide insight on which subsidiary bodies should be established within the instrument and which subsidiary bodies may be established at a later stage. Already established MEAs contain a provision enabling its COPs 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.

Regarding the Secretariat, the future instrument should be independent as is the prevailing practice of existing MEAs. While it is important to clarify the functions of the Treaty Secretariat during the INC process, it is the governing body of the future treaty that should decide on the location of its secretariat at the first COP. This is established practice and respects the MEAs autonomy in decision making.

On final provisions, Switzerland considers it important to have provisions, which allow for an amendment of the instrument to enable further development and gradual strengthening of the treaty.