



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

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OFFICE OF THE PERMANENT SECRETARY

The Executive Director
Secretariat of the Basel Convention
International Environment House
11-13 Chemin des Anemones
12-19 Chataleine – GENEVA
Switzerland

24 January 2014

Dear Sir/Madam

RE: Comments on Options for Institutional Arrangements of the Basel Convention Open-Ended Working Group (OEWG)

Our first observation is the fact that the consequences for each option have not been spelt-out to allow commentators the opportunity to evaluate them. Nevertheless, our comments on the three options for Institutional Arrangements of the Basel Convention OEWG, contained in document UNEP/CHW.11/20/Add.1, are as follows:

Option A: *Open-ended membership, involving all parties and observers in the consideration of a work programme to be approved by the Conference of the Parties in six official languages of the UN*

Namibia considers this option to be the most reasonable when addressing issues of international concern. The option employs the use of all six official languages and opens doors for the participation of all parties, and observers in their diverse nature. In so doing, this option provides the OEWG with a comprehensive platform for the voices of the public and private sectors, including civil societies, to be heard.

All official correspondence must be addressed to the Permanent Secretary

The total number of days under this option must be **6** instead of 4. Experience from all our previous OEWG meetings has shown that even 5 days is still much shorter for the meeting to be concluded in a smooth manner. In this arrangement, future OEWG meetings must therefore start on Sundays and end on Fridays between 17h00 and 19h00 to allow participants time to go and prepare for their departure the next day.

Option B: *3 Days of legal and technical preliminary meetings in English only, followed by 2 Days of Plenary in all six official languages*

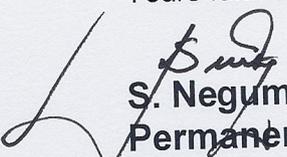
This option is not representative because most of the parties that are not comfortable with English will not be properly represented in the first 3 days. Again, it will be very difficult to resolve some critical issues in the last 2 days of Plenary mainly because some non-English speakers will take the discussions back to the three days in which they did not participate. Indeed, this option is not acceptable as it undermines the need and purpose of the six official languages in all sessions or sub-sessions of the OEWG. Moreover, Rule 52 of the Rules of Procedure provides that "*the official languages of the meetings shall be Arabic, Chinese, English, French, Russian and Spanish*". In this regard, any attempt to conduct meetings of the OEWG of the Basel Convention in English only will constitute a violation of Rule 52 of the Rules of Procedure. For these reasons, Namibia **is not in support** of Option B.

Option C: *Establishment of a technical subsidiary body and dissolve the OEWG*

Option C is not only unacceptable to Namibia but to all countries. The option abolishes the OEWG to the extent that a group of few committee members will chart issues on behalf of state parties that are not represented in the committee and then submit the proposed decisions to the Conference of the Parties for approval. This option will merely create tension when the committee's proposals are brought before the Conference of the Parties. From this perspective, *we suggest that Option C must not be considered at all.*

Thank you in advance for your consideration.

Yours faithfully,


S. Negumbo
Permanent Secretary

