

Decision 5/COP.1Physical location of the Permanent Secretariat of the ConventionThe Conference of the Parties,

Recalling article 23, paragraph 3 of the Convention,

Noting the agreement that has emerged for the City of Bonn to be the seat of the Permanent Secretariat of the Convention,

1. Decides to accept the offer of the Government of the Federal Republic of Germany to host the Permanent Secretariat;

2. Requests the Executive Secretary of the Interim Secretariat to consult the authorities of the host Government regarding arrangements for the smooth transition from the Interim to the Permanent Secretariat;

3. Encourages the Executive Secretary as a matter of urgency to negotiate a headquarters agreement in an appropriate manner with the Government of the Federal Republic of Germany in accordance with its offer, and upon such terms and conditions as are appropriate and necessary, in consultation with the Secretary-General, and to submit it to the Conference of the Parties for adoption at a subsequent session;

4. Stresses that, with a view to enabling the Permanent Secretariat to effectively discharge its functions under the Convention, such an agreement should, in particular, reflect the following:

(a) The Permanent Secretariat should possess in the host country such legal capacity as is necessary for the effective discharge of its functions under the Convention, in particular to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings;

(b) The Permanent Secretariat should enjoy in the territory of the host country such privileges and immunities as are necessary for the effective discharge of its functions under the Convention;

(c) The representatives of the Parties and Observer States (and regional economic integration organizations) to the Convention as well as the officials of the Permanent Secretariat should similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions under the Convention;

5. Invites the Executive Secretary to promote conditions of service in Bonn consistent with the United Nations Staff Regulations and Rules and that help to maintain a critical mass of the existing secretariat team by encouraging experienced staff members of all categories and linguistic backgrounds to relocate;

6. Expresses its appreciation to the Government of Germany for its commitment to fulfil the terms of its offer to host the Permanent Secretariat and to facilitate the resettlement of its staff in attractive conditions; and expresses the hope that the headquarters agreement can enter into force on time for the relocation of the Permanent Secretariat to take place as soon as possible so that the Permanent Secretariat starts operating on 1 January 1999.