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

Geneva, 9–13 October 2006

Item 5 (c) of the provisional agenda*

**Implementation of the Rotterdam Convention:
Nomination of Governments to designate experts
for the Chemical Review Committee**

**Nomination of Governments to designate experts for the
Chemical Review Committee**

Note by the secretariat

1. In its decision RC-1/6, the Conference of the Parties established a subsidiary body, the Chemical Review Committee, with membership from each of the five United Nations regions. In the decision, some Parties were invited to nominate experts to serve for four years, while a number of Parties were invited to nominate experts to serve for two years. The terms of the latter experts expire in September 2007.
2. At its third meeting, the Conference of the Parties must decide on the Governments who will be invited to nominate experts to replace those whose two-year terms will expire in September 2007. Annexed to the present note is more detailed information on the establishment and composition of the Chemical Review Committee and the nomination process.
3. The Conference of the Parties may wish:
 - (a) To invite the regional groups to present the Conference with their proposals for Parties to be invited to nominate experts to the Chemical Review Committee;
 - (b) To request the secretariat, following the conclusion of the current meeting, to invite the Parties selected by the Conference to nominate experts to the Committee.

* UNEP/FAO/RC/COP.3/1.

Annex

1. At its first meeting, the Conference of the Parties established, by decision RC-1/6, the Chemical Review Committee, composed of 31 Government-designated experts. For the purpose of the initial appointments of the experts to the Committee and in order to promote an orderly rotation of membership, one half of the experts from each region were nominated for an initial term of two years, and the remaining experts from each region were nominated for an initial term of four years. Both the two-year and four-year terms commenced on the date of the second meeting of the Conference of the Parties; the two-year terms expire in September 2007 and the four-year terms in September 2009.
2. The fourth meeting of the Conference of the Parties is scheduled for late 2008, and it is therefore necessary for the regional groups to identify at the current meeting the Governments to be invited to nominate experts to replace those whose terms expire in September 2007. The nominated experts will commence their membership on the Committee in September 2007. They will participate in the fourth meeting of the Chemical Review Committee, to be held in early 2008, on an interim basis, pending the confirmation of their appointment by the Conference of the Parties at its fourth meeting, in October 2008.
3. As noted above, the terms of those experts serving four-year terms will expire in September 2009. Experts to replace them must therefore be designated at the fourth meeting of the Conference of the Parties. The experts designated at that meeting will commence their terms in September 2009 and participate in the sixth session of the CRC in early 2010 on an interim basis, pending the confirmation of their appointment by the Conference of the Parties at its next meeting.
4. Attached as an appendix to the present annex is the text of decision RC-1/6, which sets out the conditions relating to the appointment of experts, the expertise they must possess, a list of the regional groups and a list of the Parties that designated the experts currently serving on the Committee. Annex I to the decision, which lists the Parties in each region from which the experts on the Committee are drawn, has been updated since the adoption of the decision to reflect countries that have become Parties to the Convention since its adoption. Annex II to the decision, which lists the Parties from each region that were identified by the Conference of the Parties at its first meeting to designate experts for the Committee, has similarly been updated to include the Democratic Republic of the Congo, which, in accordance with a decision taken at the second meeting of the Conference of the Parties, was invited to nominate an expert for the African group as a replacement for Gabon, which had failed to nominate an expert.
5. According to Decision RC-1/6, members of the Chemical Review Committee may serve for no more than two consecutive terms. As all experts are currently in their first term, regional groups may confirm the current experts to serve an additional term or may choose new Parties to be invited to nominate experts.
6. In May 2007, the secretariat will contact the Parties identified to designate experts to the Committee and invite them to designate experts in line with the provisions of decision RC-1/6. The experts designated will commence their membership on the Committee in September 2007 on an interim basis pending confirmation by the Conference of the Parties at its fourth meeting in 2008.

RC-1/6: Establishment of the Chemical Review Committee

The Conference of the Parties,

Recalling that paragraph 6 of article 18 of the Convention provides that the Conference of the Parties shall, at its first meeting, establish a subsidiary body to be called the Chemical Review Committee, for the purposes of performing the functions assigned to that Committee by the Convention,

Recalling further that, in paragraph 6 (b) of article 18, the Convention provides that the Conference of the Parties shall decide on the terms of reference, organization and operation of the Chemical Review Committee,

Noting its decision INC-6/2, by which it established the interim Chemical Review Committee and set forth its basic terms of reference, organization and operation,

Considering that the approach set forth in decision INC-6/2 served as an excellent basis for the operation of the interim Chemical Review Committee,

Desiring to build upon this approach in establishing the Chemical Review Committee in the present decision, taking into consideration experience and lessons learned during the operation of the interim Chemical Review Committee,

Establishment of the Chemical Review Committee

1. *Decides* to establish a subsidiary body, to be called the Chemical Review Committee, composed of 31 members nominated by Governments and appointed by the Conference of the Parties on the basis of equitable geographical distribution, including ensuring a balance between developed and developing Parties¹, drawn from regions identified in annex I to the present decision, as follows:

African States:	8
Asian and Pacific States:	8
Central and Eastern European States:	3
Latin American and Caribbean States:	5
Western European and other States:	7

Membership

2. *Confirms* that the members of the Chemical Review Committee shall be experts in chemicals management;

3. *Decides* that the Governments listed in annex II to the present decision shall each formally designate one expert and, through the Secretariat, provide their names and relevant qualifications to the Parties by 1 December 2004, and that such experts shall serve as members of the Chemical Review Committee on an interim basis, pending formal confirmation of their appointment by the Conference of the Parties at its second meeting;

4. *Decides* that, for the purposes of these initial appointments and in order to promote an orderly rotation of membership, one half of the members of each region shall be nominated for an initial term of two years, and the remaining members of each region shall be nominated for an initial term of four years, commencing from the date of the second meeting of the Conference of the Parties;²

5. *Decides*, subject to the provisions of paragraphs 3 and 4 above, that each member shall serve for a term of four years from the date of appointment, and for no more than two consecutive terms;

6. *Decides* that a new list of Governments to replace the list in annex II to the present decision shall be adopted, consistent with the provisions indicated in paragraph 1, at subsequent meetings of the Conference of the Parties so that vacancies created by outgoing members may be filled.

¹ The reference to "developing countries" is intended also to include countries with economies in transition.

² For those regions for which the number of members is an odd number, the phrase "one half of the members of such region" shall be interpreted to mean the nearest whole number less than one half of the number of members in that region. Accordingly, if a region has five members, one half of that number will be taken to mean two.

Organization and operation

7. *Decides* that each member of the Chemical Review Committee shall sign a declaration of interest as set out in decision RC-1/7 prior to participating in the work of the Chemical Review Committee;

8. *Decides* that any vacancy in the Chemical Review Committee arising during the intersessional period shall be filled on an interim basis in accordance with such procedure as the region concerned may determine, that the name and relevant qualifications of the new member shall be circulated to the Parties through the secretariat, and that the Conference of the Parties shall consider confirmation of such appointment at its next meeting;

9. *Decides* that the Chemical Review Committee shall meet for the first time in February 2005 and normally every year thereafter, subject to the availability of funds and work requirements of the Chemical Review Committee;

10. *Decides* that the operational arrangements relating to language used for the interim Chemical Review Committee, having worked well, shall continue for the Chemical Review Committee, and that any draft decision guidance documents to be considered by the Chemical Review Committee or forwarded to the Conference of the Parties shall be available in all six languages of the Conference of the Parties;

11. *Confirms* that, in accordance with paragraph 6 (c) of article 18 of the Convention, the Chemical Review Committee shall make every effort to make its recommendations by consensus; if all efforts at consensus have been exhausted, and no consensus reached, such recommendation shall as a last resort be adopted by a two-thirds majority vote of the members present and voting;

12. *Confirms* that the meetings of the Chemical Review Committee shall be open to observers in accordance with the rules of procedure of the Conference of the Parties;

Terms of reference

13. *Decides* that the Chemical Review Committee, in accordance with the provisions of the Convention, in particular articles 5, 6, 7 and 9, shall have the following functions and responsibilities:

(a) To make recommendations on the inclusion of banned and severely restricted chemicals: review the information provided in notifications of final regulatory actions and, in accordance with the criteria set out in Annex II to the Convention, recommend to the Conference of the Parties whether the chemical in question should be listed in Annex III;

(b) To make recommendations on the inclusion of severely hazardous pesticide formulations: review the information provided in proposals for the inclusion of a severely hazardous pesticide formulation in Annex III and, in accordance with the criteria set out in part 3 of Annex IV to the Convention, recommend to the Conference of the Parties whether the chemical in question should be listed in Annex III;

(c) To prepare draft decision guidance documents: for each chemical that it has decided to recommend for listing in Annex III, prepare a draft decision guidance document. The decision guidance document should, at a minimum, be based on the information specified in Annex I to the Convention or, as the case may be, Annex IV, and include information on uses of the chemical in a category other than the category for which the final regulatory action applies;

(d) To make recommendations on the procedure for the removal of chemicals from Annex III: review information that was not available at the time of the decision to list the chemical in Annex III which indicates that its listing may no longer be justified in accordance with the relevant criteria in Annex II to the Convention or, as the case may be, Annex IV, and recommend to the Conference of the Parties whether the chemical in question should be removed from Annex III. For each chemical that the Chemical Review Committee recommends for removal from Annex III, it shall prepare a revised draft decision guidance document.

Annex I

Distribution of countries

Regional groups for the purpose of membership in the Chemical Review Committee

African States			
Algeria	Djibouti *	Malawi	South Africa *
Angola	Egypt	Mali *	Sudan *
Benin *	Equatorial Guinea *	Mauritania *	Swaziland
Botswana	Eritrea *	Mauritius *	Togo *
Burkina Faso *	Ethiopia *	Morocco	Tunisia
Burundi *	Gabon *	Mozambique	Uganda
Cameroon *	Gambia *	Namibia *	United Republic of Tanzania *
Cape Verde *	Ghana *	Niger *	Zambia
Central African Republic	Guinea *	Nigeria *	Zimbabwe
Chad *	Guinea-Bissau	Rwanda *	
Comoros	Kenya *	Sao Tome and Principe	
Congo	Lesotho	Senegal *	
Côte d'Ivoire *	Liberia *	Seychelles	
Democratic Republic of the Congo *	Libyan Arab Jamahiriya *	Sierra Leone	
	Madagascar *	Somalia	
Asian and Pacific States			
Afghanistan	Iraq	Mongolia *	Sri Lanka *
Bahrain	Japan *	Myanmar	Syrian Arab Republic *
Bangladesh	Jordan *	Nauru	Tajikistan
Bhutan	Kazakhstan	Nepal	Thailand *
Brunei Darussalam	Kuwait *	Oman *	Tonga
Cambodia	Kyrgyzstan *	Pakistan *	Turkmenistan
China *	Lao People's Democratic Republic	Papua New Guinea	United Arab Emirates *
Cook Islands *	Lebanon	Philippines	Uzbekistan
Cyprus *	Malaysia *	Qatar *	Vanuatu
Democratic People's Republic of	Maldives	Republic of Korea *	Viet Nam
Korea *	Marshall Islands *	Samoa *	Yemen *
Fiji	Micronesia (Federated States of)	Saudi Arabia *	
India *		Singapore *	
Indonesia		Solomon Islands	
Iran (Islamic Republic of) *			
Central and Eastern European States			
Albania	Croatia	Lithuania *	Slovakia
Armenia *	Czech Republic *	Poland *	Slovenia *
Azerbaijan	Estonia	Republic of Moldova *	The former Yugoslav Republic of Macedonia
Belarus	Georgia	Romania *	Ukraine *
Bosnia and Herzegovina	Hungary *	Russian Federation	
Bulgaria *	Latvia *	Republic of Serbia	

Latin American and Caribbean States			
Antigua and Barbuda	Costa Rica	Haiti	Saint Lucia
Argentina *	Cuba	Honduras	Saint Vincent and the Grenadines
Bahamas	Dominica *	Jamaica *	Suriname *
Barbados	Dominican Republic *	Mexico *	Trinidad and Tobago
Belize *	Ecuador *	Nicaragua	Uruguay *
Bolivia *	El Salvador *	Panama *	Venezuela *
Brazil *	Grenada	Paraguay *	
Chile *	Guatemala	Peru *	
Colombia	Guyana	Saint Kitts and Nevis	
Western European and other States			
Andorra	Greece *	Monaco	Switzerland *
Australia *	Iceland	Netherlands *	Turkey
Austria *	Ireland *	New Zealand *	United Kingdom
Belgium *	Israel	Norway *	of Great Britain and Northern Ireland*
Canada *	Italy *	Portugal *	United States of America
Denmark *	Liechtenstein *	San Marino	
Finland *	Luxembourg *	Spain *	
France *	Malta	Sweden *	
Germany *			
Not members of any regional group			
Kiribati	Palau	Tuvalu	Timor-Leste

* Parties to the Rotterdam Convention as of 1 August 2006.

Annex II

List of Governments identified by the Conference of the Parties at its first meeting to nominate a member to the Chemical Review Committee

African States

2 years:	Democratic Republic of Congo	4 years:	Libyan Arab Jamahiriya
	Ghana		Rwanda
	Nigeria		Senegal
	South Africa		United Republic of Tanzania

Asian and Pacific States

2 years:	Kyrgyzstan	4 years:	Jordan
	Malaysia		Oman
	Thailand		Republic of Korea
	Samoa		Syrian Arab Republic

Eastern European States

2 years:	Hungary	4 years:	Slovenia
			Ukraine

Latin American and Caribbean States

2 years:	Brazil	4 years:	Argentina
	Ecuador		Jamaica
			Uruguay

Western European and other States

2 years:	France	4 years:	Australia
	Italy		Canada
	Switzerland		Finland
			Netherlands