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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 6 (c) of the provisional agenda\*

**Issues arising out of previous meetings of the**

**Conference of the Parties: national and regional delivery of technical assistance**

**Regional and national delivery of technical assistance**

**Note by the secretariat**

1. In its decision RC-2/4, on regional and national delivery of technical assistance, the Conference of the Parties requested the secretariat to report to the Conference at its third meeting on the experience gained in the regional delivery of technical assistance.
2. Annexed to the present note is a detailed report on technical assistance activities undertaken in support of the ratification and implementation of the Rotterdam Convention.
3. The Conference of the Parties may wish:
  - (a) To note the progress made by the secretariat in the implementation of decision RC-2/4;
  - (b) To acknowledge the valuable support of the countries who have made contributions to the voluntary trust fund, thus allowing technical assistance activities to be undertaken;
  - (c) To invite countries, including developed countries, other donors and international organizations to report on the actions that they have undertaken which are relevant to the implementation of paragraphs (a) and (b) of decision RC-1/14 and Article 16 of the Convention on technical assistance.

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

## Annex

### **Report on the regional and national delivery of technical assistance under the Rotterdam Convention**

#### **Background**

1. At its first meeting, the Conference of the Parties agreed in decision RC-1/14 on a general approach to technical assistance, including the use of existing regional structures, where possible, to assist in the delivery of such assistance. At its second meeting, the Conference adopted decision RC-2/4 on the regional and national delivery of technical assistance. A copy of the full text of decision RC-2/4 is set out in appendix I to the present report. The decision requested the secretariat to report to the Conference of the Parties at its third session on the experience gained in the regional delivery of technical assistance.

2. In the preparation of the present report, it was recalled that, at its tenth session, the Intergovernmental Negotiating Committee reviewed matters relating to technical assistance in anticipation of the entry into force of the Convention. At that time the Committee considered a document in which the secretariat compiled and analysed the results and conclusions of workshops on the Rotterdam Convention convened between December 1998 and February 2003 (UNEP/FAO/PIC/INC.10/21). That document served in part as the basis for the development of the proposal on the regional delivery of technical assistance considered at the first meeting of the Conference of the Parties (UNEP/FAO/RC/COP.1/28, annex).

3. At its third session, the Conference of the Parties will consider a programme of work for technical assistance activities in support of the Rotterdam Convention for 2007–2008. In preparing for the discussion on this matter, the secretariat considered that it would be useful to review the results and conclusions of the meetings and workshops convened between March 2003 and May 2006 in support of the ratification and implementation of the Convention and to consider the experience gained. The secretariat has accordingly prepared a summary (UNEP/FAO/RC/COP.3/INF/11) of all of the regional, subregional and national meetings undertaken in support of the ratification and implementation of the Rotterdam Convention since December 1998, including the nature of the meeting, venue, countries participating and numbers of participants.

#### **Introduction**

4. Annex I to decision RC-2/4 contains a work plan for 2006 on the regional and national delivery of technical assistance. The work plan consists of two parts, part A, on elements unique to the Convention, and part B, on cross cutting elements. The present report is focused on the activities undertaken by the secretariat in response to the request by the Conference of the Parties in its decision RC-2/4 and contains three chapters. Chapter I reviews progress made in the implementation of Part A of the work plan, i.e., elements unique to the Rotterdam Convention. It includes meetings associated with the regional delivery of technical assistance convened up to May 2006, including meetings convened between March 2003 and March 2004 which have not been reported on previously. Chapter II reports on progress in the implementation of Part B of the work plan, i.e., cross cutting elements. Chapter III briefly summarizes the result of the activities to date and draws some conclusions as a basis for a programme of technical assistance activities for 2007–2008.

### **I. Progress made in the regional and national delivery of technical assistance, including activities in part A of the work plan in annex I to decision RC-2/4**

5. The present chapter considers all of the workshops convened between March 2003 and May 2006, including both training workshops and national and subregional consultations on the implementation of the Convention planned until the end of 2006, which were set out in Part A of annex I to decision RC-2/4. For each of the workshops, there is a brief description of the purpose and structure of the meetings, followed by a summary of the key outputs and efforts to measure the impact of the activity on participating countries. Progress in working with regional partners, including the regional offices of the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Environment Programme (UNEP), is also reported on.

## **A. Training workshops (May 2002–December 2004)**

6. In response to requests for training, a workshop curriculum was developed that provided practical training on the key operational elements of the Rotterdam Convention. The curriculum included case studies and discussion in small groups on the preparation and submission of notifications of final regulatory actions; review of decision guidance documents and preparation and submission of import responses; review and completion of the incident report form for severely hazardous pesticide formulations; and an exercise on export notifications.

7. In an effort to ensure that the workshops met the needs of designated national authorities, workshop participants were requested to prepare a list of issues and challenges arising out of their national experience in implementing the interim prior informed consent procedure or in working towards ratification of the Rotterdam Convention. A consolidated list of questions and challenges was prepared in plenary session at the beginning of each workshop. This list was reviewed on the last day of the workshop to determine which of the questions and challenges had been addressed and those that might require further work.

8. The curriculum also provided opportunities for countries to share their experiences in the implementation of the interim prior informed consent procedure and in working towards ratification of the Rotterdam Convention. Countries were encouraged to identify opportunities for improved cooperation in the implementation of the interim prior informed consent procedure at the national and subregional levels. The modified workshop format also provided direct feedback to the secretariat on the documents and processes developed to facilitate the implementation of the interim prior informed consent procedure.

9. Between May 2002 and February 2003, five regional training workshops were held: one in Latin America and the Caribbean (English speaking countries); two in Africa (one for English speaking countries and one for French speaking countries); one in the Near East and one in Central and Eastern Europe.

10. Since March 2003, three further regional training workshops were held: one for the Southwest Pacific in September 2003; one for Latin America and the Caribbean (Spanish-speaking countries) in October 2003; and one for Asia in March 2004.

### **1. Key Outcomes**

11. Reports of all of the workshops were circulated to workshop participants and posted on the Rotterdam Convention website.

12. Overall, a total of 267 participants from 114 countries were trained through these eight workshops. The participants agreed that as a result of the workshops they gained practical experience in the implementation of the key elements of the Convention, having worked on the forms and guidance for the preparation and submission of notifications of final regulatory action, import responses, severely hazardous pesticide formulations and export notifications. They also came to understand how those forms were processed by the secretariat and their role in the operation of the prior informed consent procedure. The participants confirmed that the forms and instructions were reasonably clear. Some specific points where additional guidance or clarification was needed were noted.

13. The workshops provided an opportunity for participants to identify national and regional priorities in implementing the interim prior informed consent procedure and in working towards ratification. Participants also considered how existing cooperative mechanisms and activities might be used in addressing those priorities.

14. The workshop participants concluded that as a result of the training received they had gained a clear understanding of the Rotterdam Convention overall, the operation of the interim prior informed consent procedure and the steps needed to proceed to ratification.

### **2. Measuring the impact**

15. Further tangible measures of the impact of the workshops include whether there was an increase in the number of import responses for chemicals subject to the interim prior informed consent procedure and the number of notifications of final regulatory actions or proposals for severely hazardous pesticide formulations submitted to the secretariat.

16. The table below shows the number of countries in each region from among those that participated in the eight training workshops, up to March 2004, that submitted one or more import responses and notifications of final regulatory action.

Region	Number of countries of those participating in workshops submitting one or more further import responses	Number of countries of those participating in workshops submitting one or more notifications of final regulatory action
Latin America and the Caribbean (English and Spanish speaking)	8 of 30	4 of 30
Africa (French-speaking)	6 of 22	2 of 22
Near East	4 of 9	2 of 9
Central and Eastern Europe	5 of 13	4 of 13
Africa (English-speaking)	5 of 14	0 of 14
Southwest Pacific	1 of 10	1 of 10
Asia	7 of 16	3 of 16

17. Six months after the workshops, a letter was sent to each participant (with a copy to the designated national authority from the participant's country in any case where the designated national authority was not the meeting participant) regarding the status of implementation of the Convention. The letter highlighted whether further import responses or notifications of final regulatory action had been submitted to the Secretariat since the workshop.

18. As of May 2006, none of the 114 countries that participated in the eight workshops had submitted a proposal for a severely hazardous pesticide formulation, 36 countries had submitted one or more import responses and 16 countries had submitted one or more notifications of final regulatory action.

19. The limited information available suggests that while workshop participants may have the necessary knowledge for the operation of the interim prior informed consent procedure, there are other factors that preclude their being in a position to ensure its effective implementation. One reason may be that while designated national authorities were invited to participate in the workshops, some Governments sent individuals who were not associated with the designated national authority. The result was that the people directly responsible for the implementation of the interim prior informed consent procedure were not always the ones being trained. Further reasons for the low rate of response would include those points listed in chapter II, section A, entitled "Currently identified needs and priorities", of the proposal for the regional delivery of technical assistance to Parties considered at the first meeting of the Conference of the Parties (UNEP/FAO/RC/COP.1/28, annex, excerpted in appendix II to the present report).

## **B. National and subregional workshops (December 2004–March 2006)**

20. In line with the proposal for the regional delivery of technical assistance considered at the first meeting of the Conference of the Parties and as reflected in decision RC-1/14, technical assistance activities were developed that were tailored to meet the needs of individual countries. As a first step, a curriculum for national meetings and small subregional meetings was developed, with the overall objective of facilitating a national dialogue involving relevant stakeholders on the Rotterdam Convention. These meetings provided an opportunity to identify the elements of a national action plan or strategy on the ratification and implementation of the Convention. The expected outcomes of the meetings included:

- (a) Clear understanding of the Rotterdam Convention, its objectives, how it operates and national responsibilities;

(b) Review of existing mechanisms of inter-ministerial cooperation, including the current status of the implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants and identification of possible synergies and opportunities for collaboration and cooperation in the implementation of the Rotterdam Convention;

(c) Overall strategy and elements for a national action plan for the ratification and implementation of the Convention based on the following:

- (i) Understanding of the steps needed to ratify the Convention, identification of challenges to ratification, options for how to address those challenges and for the lead ministries and agencies for follow-up;
- (ii) Understanding of the key operational elements of the Convention, definition of the role of designated national authorities, other relevant ministries and agencies and industry;
- (iii) Identification of the challenges to the implementation and operation of the Convention, options for how to address those challenges and for the lead ministries and agencies for follow-up.

21. In cooperation with the Regional Plant Protection Officers at the FAO Regional Office in Bangkok, Thailand, and Cairo, Egypt, four national meetings were convened up to May 2006: one in China in December 2004; one in Sri Lanka in April 2005; one in Iran in June 2005; and one in Viet Nam in May 2006, which featured participation by representatives from both Laos and Cambodia. A national meeting is tentatively scheduled for India in November–December 2006.

22. As it was not feasible to hold individual meetings in all countries, a number of small subregional meetings involving two to five countries were also convened. Participating countries were invited to send up to five participants in order to ensure participation by a range of relevant ministries. In addition to allowing for the development of national plans or strategies on the implementation of the Convention, these meetings provided an opportunity to share experiences and set the stage for further cooperation among participating countries. In cooperation with the FAO regional offices in Cairo, Egypt, Bridgetown, Barbados, and Santiago, Chile, subregional meetings to develop national plans for the implementation of the Rotterdam Convention were held in the Near East in Egypt in May 2005 (for Egypt\*, Saudi Arabia, Jordan and the United Arab Emirates); in the Caribbean in Trinidad and Tobago in September 2005 (for Barbados\*, Jamaica, Suriname and Trinidad and Tobago\*); in Latin America in Brazil in October 2005 (for Argentina, Brazil, Chile, Paraguay, Uruguay) and in Uruguay, in cooperation with the Basel Convention regional centre, in November 2005 (for Colombia\* and Peru). (The countries marked with an asterisk are not Parties to the Convention.)

23. Further such meetings are planned in the Near East in Oman in May 2006 (for Bahrain\*, Kuwait\*, Qatar, and Oman) and in Syria in November and December 2006 (for Iraq\*, Lebanon, Sudan, Syria, Turkey\* and Yemen). (The countries marked with an asterisk are not Parties to the Convention.)

24. Reports of the workshops were distributed to the meeting participants, official contact points, the FAO representative in each country and the regional offices of FAO and UNEP. They were also posted on the Convention website as they became available.

## 1. Key outcomes

25. Overall, a total of five national meetings will have been completed by the end of 2006, and 24 countries will have participated in the six subregional meetings. A further six countries will have developed plans through a pilot project undertaken in cooperation with the United Nations Institute for Training and Research (UNITAR) (see chapter II, section C, below). As a result, a total of 35 countries (of which 27 are Parties) will have reviewed the current status of their implementation of the Rotterdam Convention and developed national action plans or strategies for the ratification and implementation of the Convention. These plans include an understanding of what needs to be done, by whom and when. They also provide a basis for identifying priorities for follow-up action.

## 2. Measuring the impact

26. Measures of the success of this programme would be expected to include an increase in the number of ratifications and the ability of Parties to meet their obligations under the Convention, in particular with regard to the submission of notifications of final regulatory action, proposals for severely hazardous pesticide formulations and import responses.

27. As of May 2006, following the above-described national meetings, two countries that were not Parties at the time of the workshops had subsequently ratified the Convention (China in March 2005 and Sri Lanka in January 2006). None of the four non-Party countries that participated in the subregional meetings convened (Barbados, Columbia, Egypt, Trinidad and Tobago) had ratified the Convention by May 2006.

28. Experience has shown that the impact of such meetings on ratification, levels of import responses and notifications of final regulatory action may take up to a year to be evident. The national plans or strategies should also help to identify priority areas for assistance and result in requests for technical assistance.

29. A further measure of success would be the extent to which such plans are implemented by participating countries. For those 24 countries that participated in the subregional meetings, it was recognized that the limited number of participants per country could preclude acceptance or implementation of the national plans or strategies. As a means of ensuring wider acceptance of the plans, Parties were offered the opportunity to convene national seminars of one to two days in order to review the plans and progress in their implementation. Limited funds were available to help defray the costs of the seminars. The secretariat, working with the regional offices of FAO, prepared an outline of a possible agenda. The seminars were to be organized by the designated national authorities with the assistance of the FAO regional offices. As of May 2006, six of the 24 countries that participated in the subregional meetings had informed the secretariat of their interest in convening national seminars (Argentina, Brazil, Jamaica, Paraguay, Saudi Arabia and Trinidad and Tobago).

### C. Regional awareness and support for ratification

30. The interim PIC procedure ceased operation in February 2006. In the light of this, and the guidance resulting from the meeting of regional offices of UNEP and FAO in November 2005. (see chapter [ 1 ], section [ D ]), a workshop curriculum was developed that targeted non-Parties and Parties with low levels of implementation of the Convention.

31. The objective of the workshops is to promote ratification and raise awareness of the Convention and its potential benefits to Parties. They provide an opportunity for participants to review the status of implementation of the Convention in their countries and, if appropriate, to consider what steps need to be taken in order to ratify the Convention. The technical sessions highlight the operational elements of the Convention and the benefits of ratification. They also promote discussion on the implementation of the Convention in individual countries, in particular the actions requested from Parties upon ratification.

32. The first of these workshops was held for countries in Latin America in Nicaragua in March 2006 (for the Dominican Republic\*, Guatemala\*, Honduras\* and Nicaragua\*). Further workshops are planned in this region in Cuba in June 2006 (for Costa Rica\* and Cuba\*), for countries in Africa in South Africa in June 2006 (for ten countries<sup>1</sup>) in cooperation with the Basel Convention regional centre, in Morocco in September 2006 (for Algeria\*, Morocco\* and Tunisia\*) and in Kenya in November (for eight countries<sup>2</sup>). (The countries marked with an asterisk are not Parties to the Convention.)

33. Reports of the workshops will be distributed to the meeting participants, official contact points, the FAO representative in each country and the regional offices of FAO and UNEP. They will also be posted on the Convention website as they become available.

#### 1. Key Outcomes

34. A total of 27 countries (of which only seven are Parties) will have participated in these meetings by the end of 2006. As a result, they will have obtained a clear understanding of the role of designated national authorities in the operation of the Convention and of the consequences for non-Parties of the end of the interim Prior Informed Consent procedure. In addition, they will identify relevant next steps for ratification and for the implementation of the key operational elements of the Convention which should serve as a basis for identifying priorities for follow-up action. Of the four countries in Latin America that participated in the workshops up to May 2006, only the Dominican Republic has subsequently ratified the Convention.

1 Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Zambia, Zimbabwe (non Parties) and Namibia and South Africa (Parties).

2 Eritrea, Ethiopia, Kenya, United Republic of Tanzania, Mauritius (Parties) and Uganda, Seychelles and Somalia (non-Parties).

## 2. Measuring impact

35. Measures of the success of the programme include an increase in the number of ratifications and the ability of Parties to meet their obligations under the Convention, in particular with regard to the submission of notifications of final regulatory action, proposals for severely hazardous pesticide formulations and import responses.

36. Following the end of the interim PIC procedure in February 2006, non-Parties may no longer submit import responses or notifications of final regulatory actions. Accordingly, the only direct measure of success for them would be ratification of the Convention.

37. Experience has shown that the impact of meetings such as these workshops on levels of import responses and notifications of final regulatory action by Parties may take up to a year to be evident. A further measure of the impact of these meetings on Parties, however, could be an increase in the number of requests for technical assistance.

## D. Coordination with FAO and UNEP regional offices and Basel Convention regional centres

38. A key component for the continued success of a programme for the regional delivery of technical assistance on the Rotterdam Convention is cooperation with the regional offices of FAO and UNEP as well as relevant regional and subregional institutions. In the light of the success of the consultation with the regional offices in October 2004, a further meeting was convened in November 2005. The participants in that consultation reviewed the technical assistance activities undertaken in 2005 with a view to understanding what worked well and identifying any lessons learned, taking into account regional differences with respect to technical assistance needs and approaches as a basis for identifying regional best practices and further regional partners. The work programme on technical assistance for 2006, as adopted by the Conference of the Parties at its second meeting, was considered in order to identify opportunities for cooperation and to facilitate planning between the regional offices and the Secretariat. As a result of this consultation, the regional offices developed outlines for regional strategies for the implementation of the Rotterdam Convention, including tentative schedules of activities for 2006 in the different regions. The consultation also provided an opportunity for brainstorming on new focal areas for technical assistance and initial thinking on indicators to measure the effectiveness or success of technical assistance activities.

39. FAO Regional Plant Protection Officers have played a key role in facilitating and coordinating national and subregional meetings and in follow-up with countries that have participated in the national and subregional meetings. They have taken the lead in working with designated national authorities in convening the national seminars following the subregional meetings on developing national plans and have also agreed to follow-up on the status of implementation of the individual national plans as part of their visits to countries in 2006.

40. A report of the November consultation, including the tentative schedule of activities for 2006, was sent to all regional and subregional offices of FAO and UNEP and posted on the Rotterdam Convention website.

41. The secretariat has continued to seek opportunities to work with the regional centres established under the Basel Convention. The subregional meetings in Latin America and Africa were convened in the Basel Convention regional centres in Uruguay and South Africa, respectively.

## E. Other regional entities

42. In view of the large number of regional and subregional organizations in existence, the identification of possible regional partners represents an ongoing activity. In 2005, the secretariat contacted a broad range of organizations, provided them with a copy of the resource kit and encouraged them to identify opportunities to include the Convention in relevant aspects of their work.

43. The secretariat, in association with the secretariat of the Asia Pacific Plant Protection Commission, convened an information session at the biennial meeting of the Commission in September 2005, involving regional experts from China and Sri Lanka. One result was that the implementation of the Rotterdam Convention was included on the agenda and inter-sessional work plan of the Commission's pesticides subcommittee. A report of the meeting was posted on the Rotterdam Convention website.

44. An example of a subregional organization that is well placed to work with the secretariat on the regional delivery of technical assistance is the Sahelian Pesticides Committee (CSP) established under the Permanent Inter-State Committee on Drought Control in the Sahel (CILSS). CSP has nine member countries (Burkina Faso, Cape Verde, Chad, Gambia, Guinea Bissau, Mali, Mauritania, Niger and Senegal) that have a common registration system for pesticides. As of January 2005, four of these countries were not Parties to the Rotterdam Convention. In February 2005, a meeting was convened in Dakar, Senegal, between CSP and designated national authorities. The objective of the meeting was to consider opportunities to integrate the work on the Convention and that of CSP. A report of the meeting containing recommendations in that regard was posted on the Rotterdam Convention website and forwarded to CSP for consideration at its meeting in July 2005. The CSP Secretariat also undertook to encourage ratification of the Convention by those countries that were not yet Parties. As of May 2006, only one country (Guinea Bissau) had yet to ratify the Convention.

45. At its July 2005 meeting, CSP adopted the recommendations contained in the report of its meeting with the designated national authorities and agreed to convene a one- or two-day meeting of designated national authorities in conjunction with the regularly scheduled CSP meeting in 2006. The purpose of the latter meeting would be to review progress in integrating the work of the Rotterdam Convention with that of CSP and to consider questions on the role of CSP in assisting member countries to meet their obligations under the Rotterdam Convention.

46. The subregional meetings on the implementation of the Convention have brought together relevant regional and subregional organizations and initiatives where possible. For example, in Latin America and the Caribbean, these included the International Regional Association for Agricultural Health (El Organismo Internacional Regional para la Sanidad Agropecuaria), the Caribbean Community and Common Market and Pesticide Action Network Latin America (Red de Accion en Plaguacidas y sus Alternativas para America Latina), as well as representatives of the Latin American National Agrochemical Industry Association (Asociación Latino Americana de la Industria Nacional Agroquimicos) and the Nicaraguan Association of Agrochemical Formulators and Distributors (Asociación Nicaraguense de Formuladores y Distribuidores de Agroquimicos). In the Near East, representatives from the League of Arab States have also participated. It is planned to continue to invite such organizations in order to facilitate integration with related activities at the national, regional and subregional levels.

## **II. Progress in the implementation of the activities in part B of the work plan in annex I to decision RC-2/4**

47. The present chapter reports on progress made in the implementation of the technical assistance activities set out in part B of the annex to decision RC-2/4. The chapter is organized to follow the order in which specific actions are listed in the annex.

48. A key contribution to working with partners in the implementation of the Convention has been the development and distribution of a resource kit. Copies of the complete resource kit, or in some cases various elements of the kit, have been circulated widely to national Governments and regional and subregional organizations. The resource kit has been updated to reflect feedback from national and subregional workshops and experience gained in its use.

49. The guidance document entitled "Guidance to Designated National Authorities on Implementation of the Rotterdam Convention", which was first published in 2004, has been updated, and a new information brochure and posters have been prepared. In addition, work has begun on a series of fact sheets on various themes targeted at different groups of stakeholders. They will be made available initially in English, French and Spanish.

50. In order to promote a further sharing of experiences among Parties, case studies on the experiences of two countries (Ethiopia and Ghana) in updating and reviewing their legal and administrative infrastructure in implementing the Convention have been prepared. One case study on the experience of a developed country (Switzerland) and another on those of a developing country (Jamaica) in integrating customs officials in the implementation of the Convention are also being developed.

51. The training materials in section D of the resource kit are focused on the key operational elements of the Convention (notifications of final regulatory action, proposals for severely hazardous pesticide formulations, import responses for chemicals in Annex III and obligations related to exports of chemicals). The power point presentations, information notes and case developed to assist designated national authorities or others in explaining the key elements of the Convention to interested stakeholders have been updated to reflect feedback from countries.

52. In response to the challenges that arise from frequent changes in designated national authorities in some countries, a prototype of an interactive compact disk to facilitate continuous and self-directed training at the national level is also under development (in English). It is proposed that it be field-tested to determine its effectiveness before it is translated into other languages.

53. In order to facilitate the preparation and submission of notifications of final regulatory action and import responses, the relevant forms and associated instructions have been revised to reflect the experience of the Secretariat in reviewing completed forms and feedback from Parties. The revised forms are simpler and have been made available in both electronic format and hard copy to facilitate their completion and submission to the secretariat.

54. Section E of the resource kit, on cross-cutting issues, has also been revised in order to provide more complete coverage of the relevant information that is currently available relevant to chemicals management, including sources of information on individual chemicals, methodologies for the evaluation of chemicals, information on alternative chemicals as well as industrial processes and non-chemical alternatives.

#### **A. Guide on the development of national laws to implement the Rotterdam Convention**

55. In cooperation with the FAO Development Law Service, two case studies are planned in Ghana and Ethiopia on their experience in developing and amending national legislative and regulatory frameworks in order to implement the Rotterdam Convention. The case studies will include a consideration of the chemicals management infrastructure within each country prior to ratification of the Convention and the actions taken at the national level to revise or strengthen the legal and regulatory framework after becoming a Party to the Convention. They will also include a consideration of lessons learned in order to assist other countries in implementing the Convention, in particular by highlighting potential difficulties and proposing solutions to common problems. The case studies will be included in the resource kit as a complement to the legal guide.

#### **B. Development of plans for the implementation of chemicals-related multilateral environmental agreements – development of supplementary guidance**

56. A pilot programme to assist countries in developing national plans for the implementation of the Rotterdam Convention was undertaken based on a UNITAR action plan development and skills building initiative. At the second meeting of the Conference of the Parties, 18 countries were identified as candidates for the pilot programme and were invited to write to the Secretariat with a formal expression of interest by 1 December 2005. A total of 11 countries contacted the secretariat, and six were selected to participate, four with funding from the Swiss Government (Benin, Ecuador, Ethiopia and Mongolia) and two with funding from UNITAR (Côte d'Ivoire and Guinea).

57. The programme will feature workshops at which participating countries will work on the development of national plans for the implementation of the Rotterdam Convention, building on the skills development work of UNITAR. The workshops were intended to provide an opportunity for participants to gain practical experience on the supplementary guidance developed to assist countries in using their national profiles or national implementation plans under the Stockholm Convention as a basis for defining gaps in their infrastructure for the implementation of the Rotterdam Convention.

58. The national plans will provide participating countries with an understanding of the current status of the implementation of the Convention, the issues that need to be addressed in order to make progress in the implementation of the Convention, which agency or ministry is or should be responsible and, where possible, relevant timelines for addressing these issues.

59. Workshops were convened in Mongolia and Ethiopia in May 2006 and in Ecuador in July 2006. Workshops in Benin and Guinea are planned for August and September 2006 and in Côte d'Ivoire in the last quarter of 2006. Reports of the workshops will be distributed to the workshop participants, official contact points, the FAO representative in each country and the regional offices of FAO and UNEP. They will also be posted on the Convention website as they become available.

60. An overall report on the pilot programme is to be prepared. It will assess the feasibility of building on UNITAR action plan development skills and action planning undertaken in the context of Stockholm Convention national implementation plans.

### **C. Cooperation with customs officials**

61. The secretariat participated in meetings of the World Customs Organization (WCO) related to the assignment of customs codes under the Harmonized Commodity Description and Coding System for the chemicals in Annex III of the Convention. The first of the Harmonized System customs codes for chemicals in Annex III will enter into force in January 2007. Further consideration is needed of how to best integrate work on the Rotterdam Convention with the training programme of WCO.

62. As a means of increasing awareness of the Rotterdam Convention, general information on the Convention was made available to WCO for distribution through its network of 11 regional training centres. In order to facilitate the work of customs officers, the secretariat, working with the secretariats of the Basel and Stockholm Conventions, has prepared a consolidated list of the chemicals subject to the three Conventions. In addition, the secretariat received WCO endorsement of the list of Harmonized System codes applying to the individual chemicals or groups of chemicals listed in Annex III to the Convention, which was originally prepared by the Government of Switzerland.

63. The secretariat participated in the coordination meetings of the "green customs" initiative of UNEP and provided substantive support in the form of information and presentations to green customs initiative regional workshops (in Bhutan, Georgia, Syria, Tanzania, Trinidad and Tobago and Uzbekistan) on compliance with and enforcement of multilateral environmental agreements. The secretariat also contributed to the development of the green customs guide by providing inputs on the Rotterdam Convention's provisions relevant to customs officers. Work with the green customs initiative will continue within available staff resources.

64. The guidance document for designated national authorities has been updated to reflect the importance of information flow between designated national authorities and customs officials. At the same time, additional information materials in the resource kit relevant to customs have been developed, including fact sheets targeted at customs officials as well as case studies reflecting the experiences of two countries (Jamaica and Switzerland) in integrating the work of designated national authorities and customs officers in the implementation of the convention, as well as lessons learned and resources required. Customs officials continued to be invited to participate in the national and subregional meetings on developing national plans for the implementation for the Convention.

### **D. Integration with activities under the Stockholm Convention**

65. The interim guidance for developing national implementation plans for the Stockholm Convention, amended to reflect the requirements of the Rotterdam Convention, was adopted by the Conference of the Parties to the Stockholm Convention at its first meeting, in May 2005 (UNEP/POPS/COP.1/INF.13).

66. The secretariat, in cooperation with the secretariat of the Stockholm Convention, undertook a review of a number of completed national implementation plans for the Stockholm Convention in order to consider the extent to which countries were integrating the needs of the Rotterdam Convention when developing their national implementation plans under the Stockholm Convention.

67. The results of this review will be published on the Convention website.

### **E. Collecting information on severely hazardous pesticide formulations**

68. The lack of a process for collecting reliable information on pesticide poisoning incidents and a lack of adequate mechanisms for communicating such information to designated national authorities have been identified as major challenges by countries. Also, it has become increasingly obvious that, even where such information is available, countries are reluctant to announce globally that such poisoning incidents may be occurring at the national level.

69. In January 2005, the Pesticide Action Network initiated a three-year programme to strengthen community health monitoring capabilities relevant to pesticide poisonings in five African countries. The project is developing new materials as well as adapting existing materials for pilot use in African communities in five countries (Benin, Cameroon, Ethiopia, Senegal and Tanzania). Pilot studies are scheduled in two communities in each country in areas where pesticides are widely used (e.g. cotton and vegetable production). The programme includes national meetings that will bring together trainers and representatives from the pilot communities to share results, evaluate the initiative and strategize on best means to build awareness and disseminate information on pesticide poisonings.

70. The Secretariat is collaborating with this project with a view to establishing appropriate links between designated national authorities and community health monitoring activities in the pilot countries and a process for the preparation and submission of proposals for severely hazardous pesticide formulations under article 6 of the Convention. The collaboration will include providing funding to ensure participation by designated national authorities in two subregional meetings (two to three countries each, one in French one in English) in late 2006. The meetings would bring together designated national authorities and those involved in the community monitoring initiatives and will provide an opportunity to address some of the specific concerns identified regarding the implementation of article 6 of the Convention. One result will be to assist designated national authorities in identifying pesticide formulations causing problems under the conditions of use in their countries. This in turn may lead to the submission of proposals for the inclusion of one or more severely hazardous pesticide formulations for inclusion in Annex III of the Convention. The meetings will also provide an opportunity to obtain further feedback on the incident reporting forms and guidance developed under the Convention, with an eye to amending the forms and developing further guidance as necessary.

71. The workshops are tentatively scheduled for November and December 2006. Reports of the meetings will be posted on the Convention website when available.

### **III. Summary of outcomes and conclusions**

72. The present chapter briefly reviews some of the lessons learned through the national and regional delivery of technical assistance in support of the Rotterdam Convention, in particular in defining and understanding the changing needs of Parties to the Convention as the basis for a programme of technical assistance to address these needs.

73. Feedback from the training workshops suggests that they met the need of the participants to understand the key operational elements of the Convention. It was recognized, however, that in many countries there may be frequent changes in personnel, and it is not clear to what extent the information and skills acquired by those who attend workshops are passed on. The national and subregional meetings on developing national plans have reaffirmed a number of the challenges faced by countries in implementing the Rotterdam Convention. What is also clear is that in many countries there is little or no inter-ministerial communication on chemicals management issues in general and on integrating work under the Rotterdam Convention with work under the Basel or Stockholm Conventions in particular. In many instances, the meetings convened in support of the Rotterdam Convention were the first time that the national focal points on the Basel and Stockholm Conventions had been in contact with the designated national authorities for the Rotterdam Convention. A further indication of a lack of good inter-ministerial cooperation was that in many instances it was difficult to get countries to nominate five representatives to the subregional meetings or to ensure that they came from a range of different ministries. Overall, the list of challenges identified in document UNEP/FAP/RC/COP.1/28 is for the most part still valid (see appendix II to the present report).

74. These needs will be addressed in a number of ways. The challenges presented by changes in personnel may in part be met by the resource kit. The secretariat will continue to develop, the resource kit, including the interactive training materials on the key operational elements of the Convention, as a means of providing information on the Convention to a broad range of users and to encourage integration of specific activities with other relevant organizations and multilateral environmental agreements, in particular the Basel and Stockholm Conventions. In addition, the preparation of national plans for the implementation of the Convention should serve as a framework for structuring the work of the Convention and as a point of reference within each country for defining its needs with respect to the implementation of the Convention regardless of changes in its designated national authority. As the process for the preparation of these plans necessitates the involvement of a broad range of Government representatives, they should also assist in promoting inter and intra-ministerial cooperation on the implementation of the Convention.

75. The entry into force of the Convention in February 2004 and the end of the interim PIC procedure in February 2006 has resulted in a shift in the focus of the technical assistance activities to Parties. It would appear that there is also a growing difference among Parties in their abilities to implement the Convention. This suggests that in order to be effective, technical assistance activities should continue to be increasingly country-specific, recognizing that subregional approaches involving small numbers of countries may be useful for issues of common interest. The availability of funds to respond to technical assistance needs is largely demand driven. By the end of 2006, some 27 Parties will have developed national plans or strategies for the implementation of the Rotterdam Convention and should have identified priorities for action, at least some of which will involve a request for technical assistance from the Secretariat. It is interesting to note, however, that as of May 2006 no Parties had followed up the workshops with specific requests or proposals to the secretariat for assistance. Parties that participated in the subregional and national meetings should be encouraged to reference their national plans or strategies when requesting technical assistance regarding the implementation of the Convention.

76. In the past two years, the regional offices of FAO and UNEP and the FAO representatives in individual countries have played an increasing role in the regional delivery of technical assistance. The regional offices in particular are working directly with countries in organizing national and subregional meetings and are integrating work on the Convention with their regular programmes of work. In addition, an increasing range of regional and subregional groups participate in the national and subregional meetings, and further efforts are needed to determine the extent to which the work on the Convention might be integrated with their work programmes.

77. Chemicals is one of the thematic areas identified under the Bali Strategic Plan for Technology Support and Capacity-building, which was adopted by the UNEP Governing Council/Global Ministerial Environment Forum at its twenty-third session. A key objective under the Bali Strategic Plan is assistance for facilitating compliance with and enforcement of obligations under multilateral environmental agreements and implementation of environmental commitments. The technical assistance activities in support of the Rotterdam Convention contribute directly to achieving this objective. For example, the submission of import responses for Annex III chemicals produces direct benefits to countries by assisting in preventing unwanted imports of hazardous chemicals. The secretariat provides regular reports on progress in working with the Bali Strategic Plan through the UNEP Division of Technology, Industry and Economics, which is headquartered in Paris.

78. At sessions in 2005 and 2006, the Meeting of Ministers of Health and the Environment of the Americas identified good chemicals management as a priority. Good chemicals management has also been recognized as a contributor to a number of the Millennium Development Goals, in particular the eradication of extreme poverty and hunger and ensuring environmental sustainability. It may be that the activities initiated under the Strategic Approach to International Chemicals Management will also provide opportunities for addressing some of the broader issues associated with improving the chemical management infrastructure while at the same time providing an opportunity to address the specific issues relevant to the implementation of the Convention identified through the national and subregional consultations.

79. In the light of this experience, the secretariat has proposed a work plan for technical assistance for 2007-2008, which is set out in document UNEP/FAO/RC/COP.3/15.

## Appendix I

### RC-2/4: Regional and national delivery of technical assistance

*The Conference of the Parties,*

*Recalling* the work of the secretariat in producing a comprehensive proposal for the regional delivery of technical assistance for the first meeting of the Conference of the Parties,<sup>3</sup>

*Also recalling* the provisions of the Rotterdam Convention on technical assistance, especially its article 16,

*Noting* that the hazardous chemicals and pesticides covered by the Convention contribute to poverty through their adverse effects on human health and environmental resources,

*Stressing* the importance of working closely with the Bali Strategic Plan for Technology Support and Capacity-Building as well as other international processes so as to promote a coherent framework for technical assistance,

*Stressing* the importance of technical assistance in enabling Parties, especially developing countries, and in particular the least developed among them, and countries with economies in transition, to implement the Convention,

*Emphasizing* the need to promote coordination and cooperation among international organizations, conventions, Parties, designated national authorities, customs services and other relevant organizations in the provision of technical assistance,

*Recalling* the role of the secretariat of the Convention as laid down in its article 19,

*Emphasizing also* the need to achieve effective and coordinated delivery of technical assistance,

*Noting* with appreciation the work of the secretariat in the implementation of decision RC-1/14 on the regional delivery of technical assistance,<sup>4</sup>

1. *Requests* Parties that are in a position to do so to contribute to the voluntary trust fund in support of technical assistance activities;
2. *Adopts* the work plan for the regional and national delivery of technical assistance for 2006 annexed to the present decision;
3. *Requests* the secretariat to report to the Conference of the Parties at its third session on the experience gained in the regional delivery of technical assistance;
4. *Requests* the secretariat to prepare a detailed costed programme of activities for the regional and national delivery of technical assistance for the biennium 2007–2008 for consideration by the Conference of the Parties at its third session.

<sup>3</sup> UNEP/FAO/RC/COP.1/28.

<sup>4</sup> UNEP/FAO/RC/COP.2/14.

## Annex I to decision RC-2/4

### Work plan for 2006 on the regional and national delivery of technical assistance<sup>5</sup>

#### A. Elements unique to the Rotterdam Convention

##### 1. National and subregional consultations on the implementation of the Rotterdam Convention

1. A proposal has been made to continue the national and subregional consultations on assisting countries to prepare national strategies or action plans for the ratification and implementation of the Convention. The methodology and approach will be modified as necessary to reflect experience gained. Measures of the success of this programme will include an increase in the number of ratifications and the ability of countries to meet their obligations under the Convention, in particular with regard to the submission of notifications of final regulatory actions, proposals for severely hazardous pesticide formulations and import responses.

2. The initial phase of work in Latin America is expected to be completed with two subregional meetings for Central American countries funded from the 2005 budget, which will be held in the first quarter of 2006 in cooperation with the Regional Plant Protection Officer at the regional office of the Food and Agriculture Organization of the United Nations (FAO) in Santiago, Chile. The first meeting, involving Costa Rica and Cuba, will be focused on developing national plans for the implementation of the Convention and the second, involving the Dominican Republic, Guatemala, Honduras and Nicaragua, will be focused on training in the implementation of the Convention.

3. Two subregional meetings are proposed for countries in Eastern and Southern Africa, where possible cooperation is contemplated with regional initiatives such as the Africa Stockpiles Programme and partners such as the secretariat of the Economic Community of West African States, the Basel Convention regional centre in Johannesburg, South Africa, and the Regional Plant Protection Officer at the FAO Regional Office for Africa in Accra, Ghana. Participating countries have yet to be identified.

4. In cooperation with the secretariat of the Sahelian Pesticides Committee (CSP), a proposal has been made to follow up on the work initiated in 2005. This would take the form of a one- or two-day meeting of designated national authorities in conjunction with a regularly scheduled CSP meeting. The purpose of this meeting between designated national authorities and CSP would be to review progress in integrating the work of the Rotterdam Convention with that of CSP, address questions on the role of CSP in assisting member countries to meet their obligations under the Rotterdam Convention, and encourage ratification of the Convention by CSP members that are not yet Parties to it.

5. Further national or subregional consultations with two or three selected countries in Asia are foreseen in cooperation with the Regional Plant Protection Officer at the FAO Regional Office for Asia and the Pacific in Bangkok, Thailand. Pakistan has been identified as one of those countries.

6. Provisions have also been made in the budget (on the order of \$90,000) for national and subregional consultations in other regions in 2006. Information on specific activities should be available at the time of the second meeting of the Conference of the Parties.

7. Consideration will also be given, on a case-by-case basis, to determining the most appropriate follow-up for countries participating in the national and subregional consultations convened in 2005. This will include working with regional experts and the Regional Plant Protection Officers of FAO in an effort to ensure that the most relevant assistance is provided. The countries for which such specific assistance is envisaged include El Salvador and Panama, in part based on a recommendation made at the first meeting of the Chemical Review Committee.

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<sup>5</sup> A summary of the costs of the individual elements of the present work plan is set out in the attached appendix.

## **B. Cross-cutting elements**

8. The resource kit will be revised to reflect experience gained in its use, especially regarding the development of new documents and the updating and reprinting of existing materials.

9. In particular, the guidance document for designated national authorities and the guide on how to become a Party to the Rotterdam Convention both need to be updated to reflect experience gained and feedback from countries.

10. Section D of the resource kit, on training materials, contains detailed technical information on the four key operational elements of the Convention (notifications of final regulatory action, proposals for severely hazardous pesticide formulations, import responses for chemicals in Annex III and obligations related to exports of chemicals). A proposal has been made to develop an interactive compact disk to facilitate continuous and self-directed training at the national level in order to try and meet the challenges that arise from frequent changes in designated national authorities in some countries. A prototype of the interactive training compact disk will be developed in English, and field testing will be initiated to determine its effectiveness.

11. Section E of the resource kit, on cross-cutting issues, requires further work in order to develop more complete coverage of the relevant information that is available and to determine how it might be best reflected in the resource kit.

### **1. Guide on the development of national laws to implement the Rotterdam Convention**

12. As a complement to the guide on the development of national laws to implement the Rotterdam Convention, a proposal has been made to develop a set of case studies based on the experience of a limited number of countries in revising their national laws or administrative arrangements to meet the requirements of the Rotterdam Convention. The countries have yet to be identified and the full scope of case studies needs further consideration.

### **2. Development of plans for the implementation of chemicals-related multilateral environmental agreements – development of supplementary guidance**

13. The supplementary guidance developed in association with UNITAR to assist countries in using their national profiles or national implementation plans under the Stockholm Convention as a basis on which to define gaps in their infrastructure for the implementation of the Rotterdam Convention will be field tested in 2006 through national and subregional meetings on the implementation of the Convention.

14. A new proposal involves a series of national meetings in countries that have participated in the UNITAR project, “Action plan training/Skills building for 25 least developed countries to assist with national implementation plan development under the Stockholm Convention”. The goal of this initiative is to determine the extent to which the UNITAR training might be applied to the preparation of national plans for the ratification and implementation of the Rotterdam Convention. Steps will be taken to assess the feasibility of this approach through a series of follow-up meetings in five pilot countries. The project would be undertaken in cooperation with UNITAR, which would take the lead in developing the relevant training materials and in organizing the five meetings.

### **3. Cooperation with customs officials**

15. Opportunities for cooperative or collaborative activities with customs officials will continue to be explored with the World Customs Organization, the secretariats of other multilateral environmental agreements and relevant organizations.

16. At the same time, relevant information materials in the resource kit, including the guidance document for designated national authorities, will be updated to reflect the importance of information flow between designated national authorities and customs officials. The presentations made during the national and regional meetings will also be updated.

### **4. Integration with activities under the Stockholm Convention**

17. In order to strengthen the links between national implementation plans and associated action plans under the Stockholm Convention and the obligations of countries under the Rotterdam Convention, further work is needed to determine the effectiveness of relevant guidance documents. The secretariat, in cooperation with the secretariat of the Stockholm Convention, will undertake a review of a number of completed national implementation plans for the Stockholm Convention and will consider whether there is a need to revise the relevant guidance documents.

18. Pilot country projects to develop plans with UNITAR and national and subregional meetings may also provide opportunities to field test these guidance materials.

**5. Collecting information on severely hazardous pesticide formulations**

19. The secretariat will continue its efforts to integrate the severely hazardous pesticide formulation incident report forms with the work of the WHO pesticide data management system, possibly through cooperation with WHO regional offices.

20. Since January 2005, the European Union has been funding a three-year project with the Pesticide Action Network (PAN) to strengthen community health monitoring capabilities relevant to pesticide poisonings in six African countries. The lack of a process for collecting reliable information on pesticide poisoning incidents and a lack of adequate mechanisms for communicating this information to designated national authorities have been identified as major challenges by countries. A proposal has been made to collaborate on this project with a view to establishing appropriate links between designated national authorities and community health monitoring activities in the six pilot countries and a process for the preparation and submission of proposals for severely hazardous pesticide formulations under article 6 of the Convention.

## Appendix II

### Excerpt from document UNEP/FAO/RC/COP.1/28, annex I, Proposal for the regional delivery of technical assistance

#### I. Needs, priorities and target audience

##### A. Currently identified needs and priorities

9. [T]he reports of the regional training workshops identified a number of specific needs of countries for technical assistance. These are available on the Rotterdam Convention web site [www.pic.int](http://www.pic.int). The principal problems or challenges identified in the course of the workshops were reviewed at the tenth session of the Intergovernmental Negotiating Committee, as described in its report, UNEP/FAO/PIC/INC.10/21. They may be broadly characterized as follows:

- (a) Inadequate legal or regulatory infrastructure on chemicals to implement the provisions of the PIC procedure;
- (b) Inadequate legal or regulatory infrastructure for the control of industrial chemicals;
- (c) Inadequate human and financial resources to implement the PIC procedure;
- (d) Need for improved political support in ministries responsible for the implementation of the PIC procedure;
- (e) Need for improved coordination and communication within and between relevant ministries and designated national authorities in implementing the PIC procedure;
- (f) Need to improve or establish cooperation and communication between relevant ministries, designated national authorities and stakeholders in implementing the PIC procedure;
- (g) Need for improved coordination at both the national and regional levels in implementing the Rotterdam Convention and other relevant conventions;
- (h) Lack of capacity to undertake hazard and risk assessments on the effects of chemicals, including pesticides on human health and the environment;
- (i) Poor reporting or collection of information on pesticide poisonings and a need for establishment of poison control centres;
- (j) Improved access to international literature, databases, risk/hazard evaluations and social and economic assessments of chemicals.

10. Current capacity-building and technical assistance needs of countries also have been identified through the questionnaire sent to all countries, regional economic integration organizations and participating observers, in accordance with paragraph 5 of decision 10/7.

11. The issues emerging from the survey confirmed the needs identified in the course of the training workshops. The results of this survey were presented to the Intergovernmental Negotiating Committee at its eleventh session, in document UNEP/FAO/PIC/INC.11/INF/1.

12. In general, the information gathered to date suggests that, while most countries have programmes in place to regulate pesticides, these may be poorly enforced. Programmes for the regulation of industrial chemicals are much less developed.