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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

Fourth meeting

Rome 27–31 October 2008

Item 2 (a) of the provisional agenda*

Organizational matters: adoption of the agenda

Annotated provisional agenda

Item 1. Opening of the meeting

1. The fourth meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, to be held from 27 to 31 October 2008 at the headquarters of the Food and Agriculture Organization of the United Nations (FAO), Rome, will be opened at 10 a.m. on Monday, 27 October 2008.
2. Opening and welcoming statements will be made by:
 - (a) The President of the fourth meeting of the Conference of the Parties;
 - (b) A representative of the United Nations Environment Programme (UNEP);
 - (c) A representative of FAO.

Item 2. Organizational matters

(a) Adoption of the agenda

3. Subject to the rules of procedure, the Conference of the Parties may wish to adopt its agenda on the basis of the provisional agenda contained in document UNEP/FAO/RC/COP.4/1.

* UNEP/FAO/RC/COP.4/1.

(b) Organization of work

4. The Conference of the Parties has before it a scenario note for the meeting prepared by the Secretariat in consultation with the President of the Conference (UNEP/POPS/COP.4/2).
5. The Conference of the Parties may wish to establish such standing and ad hoc subsidiary bodies as it may deem necessary and to specify their mandates.
6. The Conference of the Parties may wish to decide that it should meet from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as necessary.
7. The meeting of the Conference of the Parties will feature a high-level segment on Thursday and Friday. The proposed theme for the high-level segment is "Sound chemicals management: relieving the burden on public health".

Item 3. Rules of procedure for the Conference of the Parties

8. At its first meeting, held in Geneva from 20 to 24 September 2004, in its decision RC-1/1, the Conference of the Parties adopted its rules of procedure as set forth in the annex to that decision, with the exception of the second sentence of paragraph 1 of rule 45, pertaining to voting rules. At its second and third meetings, the Conference agreed that it would not take a formal decision on the matter and that the brackets surrounding that portion of text would remain in place and that, until it decided otherwise, it would continue to decide substantive matters by consensus.
9. The Conference of the Parties may wish to continue its consideration of rule 45, paragraph 1, as set out in a note by the Secretariat (UNEP/FAO/RC/COP.4/3).

Item 4. Report on the credentials of representatives at the fourth meeting of the Conference of the Parties

10. Rule 19 of the rules of procedure for the Conference of the Parties provides that the credentials of representatives and the names of alternate representatives and advisers must be submitted to the Secretariat, if possible no later than 24 hours after the opening of the meeting. Any change in the composition of the delegation must also be submitted to the Secretariat. The credentials must be issued either by the head of State or Government or by the minister for foreign affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. If credentials are submitted in copy or by fax, the delegation should submit the original upon registration. Please note that submission of credentials prior to the meeting would greatly facilitate the advance clearing process by the Secretariat.
11. Representatives may participate in the meeting pending a decision of the Conference of the Parties on their credentials.
12. The Bureau, with the assistance of the Secretariat, will examine the credentials of the representatives at the meeting and report thereon to the Conference of the Parties, which will consider the report of the Bureau.

Item 5. Implementation of the Convention**(a) Status of implementation**

13. The Conference of the Parties has before it a note by the Secretariat containing information on the status of implementation of the Rotterdam Convention by Parties between 1 May 2006 and 30 April 2008, based on the requirements set out in the Convention (UNEP/FAO/RC/COP.4/4).
14. The Conference of the Parties may wish to take note of the progress made in implementation and consider further efforts to encourage implementation by Parties.
15. The Rotterdam Convention was implemented on a voluntary basis, as the interim PIC procedure, between the adoption of the text of the Convention in 1998 and its entry into force in February 2004. As of June 2008, there are, therefore, data spanning almost 10 years regarding the implementation of the key obligations of the Convention, including notifications of final regulatory action, severely hazardous pesticide formulations and import responses. The Secretariat has prepared a report which reviews this information, summarizes progress made and identifies possible trends. The

Conference of the Parties may wish to consider this report, set out in document UNEP/FAO/RC/COP.4/11, and provide guidance to the Secretariat and Parties on possible action.

16. In the light of decision RC-3/3 on the inclusion of chrysotile asbestos in Annex III to the Convention and in the interest of promoting information exchange on chemicals recommended for listing in Annex III by the Chemical Review Committee, but for which the Conference of the Parties has yet to take a decision, the Bureau requested the Secretariat to prepare a paper setting out the current opportunities for information exchange on such chemicals under the Convention and to identify possible opportunities for improving access to that information. The paper is available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/12. The Conference of the Parties may wish to take note of the current opportunities and mechanisms for information exchange on chemicals recommended by the Chemical Review Committee for listing in Annex III of the Convention, to encourage Parties to take full advantage of the information exchange provisions of article 14 of the Convention, and to take note of the creation of and use actively a new section on the Rotterdam Convention website to facilitate information exchange on national regulatory actions for chemicals recommended for listing in Annex III, but for which the Conference of the Parties has yet to reach consensus.

17. Similarly, in the interest of ensuring the continued effectiveness of the Convention, the Bureau requested the Secretariat to prepare a thought-starter paper that would describe possible approaches within the framework of the Convention, setting out the possible advantages and disadvantages of each, as a contribution to the discussion at the fourth meeting of the Conference of the Parties on chemicals recommended for listing in Annex III by the Chemical Review Committee but on which the Conference of the Parties is unable to reach consensus. The paper is available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/13. The Conference of the Parties may wish to consider the thought-starter paper as a basis for a discussion on possible approaches to addressing the issue of lack of consensus on chemicals recommended by the Chemical Review Committee for listing in Annex III, and to consider at which point in the decision-making process any alternative measures might be invoked for individual chemicals, presuming that the overall objective would be to continue to strive for consensus on the inclusion of chemicals in Annex III.

18. The Secretariat has also prepared a report on the status of ratification of the Convention, which includes a list of Parties to the Convention, together with the current register of designated national authorities and official contact points. The reports are available to the Conference of the Parties in documents UNEP/FAO/RC/COP.4/INF/2, UNEP/FAO/RC/COP.4/INF/3 and UNEP/FAO/RC/COP.4/INF/8, respectively.

19. Chemicals scheduled for review at the fifth meeting of the Chemical Review Committee are listed in document UNEP/FAO/RC/COP.4/INF/4.

(b) Confirmation of the appointments of Government-designated experts to the Chemical Review Committee

20. By decision RC-1/6, the Conference of the Parties established the Chemical Review Committee. By decision RC-2/1, the Conference of the Parties confirmed the appointment of 30 government-designated experts to the Chemical Review Committee. Since the third meeting of the Conference of the Parties, Canada and Jamaica have changed their designated experts of the Committee.

21. By decision RC-3/2, the Conference of the Parties agreed on a list of 14 Parties that would each formally designate one expert, whose name and qualifications would be provided to the Secretariat by June 2007. The Conference agreed that those experts would 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 fourth meeting. Since the fourth meeting of the Chemical Review Committee, held in March 2008, India has changed its designated expert of the Committee.

22. The list of experts designated in accordance with decision RC-3/2, together with the new members from Canada, India and Jamaica, is provided in document UNEP/FAO/RC/COP.4/5. The Conference may wish to consider confirming formally the appointment of these experts as members of the Chemical Review Committee and reaffirming the provisions of decision RC-1/6 with regard to the duration and terms of service of the experts. The contact details and information on the qualifications of those experts are available in document UNEP/FAO/RC/COP.4/INF/6.

23. According to the rules of procedure, the Chair of the Chemical Review Committee must be elected by the Conference of the Parties. At its third meeting, the Committee agreed that Ms. Hyacinth Chin Sue (Jamaica) would act as Chair at the fourth meeting of the Committee. As Ms. Chin Sue was no longer able to serve on the Committee beyond its fourth meeting, the Committee nominated

Ms. Karmen Kranjc (Slovenia) to be Chair of its fifth meeting. The Conference may wish to elect Ms. Chin Sue and Ms. Kranjc as Chairs of the fourth and fifth meetings of the Chemical Review Committee, respectively.

(c) Nomination of Governments to designate experts for the Chemical Review Committee

24. The Conference of the Parties has before it a note by the Secretariat that provides detailed information on the establishment and composition of the Chemical Review Committee and the process for the nomination of new members as agreed in decision RC-1/6, adopted by the Conference of the Parties at its first meeting (UNEP/FAO/RC/COP.4/6).

25. The Conference of the Parties will have an opportunity to decide on the member countries eligible to nominate experts to the Chemical Review Committee, replacing those appointed for a four-year term under decision RC-1/6. The term of the outgoing Committee members will be completed in September 2009. The regional groups may wish to meet and present to the Conference of the Parties their proposal for Governments to be invited to nominate an expert to the Chemical Review Committee. The new members will serve for a four-year term, commencing at the sixth meeting of the Chemical Review Committee, in March 2010, pending confirmation of their appointment by the Conference of the Parties at its fifth meeting, to be held in 2010.

(d) Report of the Chemical Review Committee on the work of its third and fourth meetings

26. The Conference of the Parties has before it a note by the Secretariat containing the reports of the Chemical Review Committee on the work of its third and fourth meetings (UNEP/FAO/RC/COP.4/7). At its third meeting, the Chemical Review Committee recommended that endosulfan and tributyltin compounds be listed in Annex III of the Convention. This recommendation and the associated decision guidance documents completed by the Committee at its fourth meeting will be considered under agenda item 5 (e). The Conference of the Parties may also wish to note the recommendations of the Chemical Review Committee at its fourth meeting regarding the listing of the pesticides alachlor and aldicarb in Annex III of the Convention.

27. The Conference of the Parties may wish to take note of the reports of the Chemical Review Committee on the work of its third and fourth meetings.

(e) Consideration of chemicals for inclusion in Annex III of the Convention:

(i) Chrysotile asbestos

28. At its second meeting, the Chemical Review Committee completed the decision guidance document on chrysotile asbestos. The draft decision guidance document on chrysotile asbestos, together with the recommendations of the Chemical Review Committee and the consolidated table of comments received during the preparation of the document, are available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/8.

29. The Conference of the Parties may wish to decide on the inclusion of chrysotile asbestos in Annex III of the Convention and on the adoption of the decision guidance document.

(ii) Tributyltin compounds

30. At its fourth meeting, the Chemical Review Committee completed the decision guidance document on tributyltin compounds. The draft decision guidance document on tributyltin compounds, together with the recommendations of the Chemical Review Committee and the consolidated table of comments received during the preparation of the document, are available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/10.

31. The Conference of the Parties may wish to decide on the inclusion of tributyltin compounds in Annex III of the Convention and on the adoption of the decision guidance document.

(iii) Endosulfan

32. At its fourth meeting, the Chemical Review Committee completed the decision guidance document on endosulfan. The draft decision guidance document on endosulfan, together with the recommendations of the Chemical Review Committee and the consolidated table of comments received during the preparation of the document, are available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/9.

33. The Conference of the Parties may wish to decide on the inclusion of endosulfan in Annex III of the Convention and on the adoption of the decision guidance document.

Item 6. Issues arising out of previous meetings of the Conference of the Parties

(a) Non-compliance

34. At its third meeting, in decision RC-3/4 on a draft text of the procedures and mechanisms on compliance with the Rotterdam Convention, the Conference of the Parties decided to consider further at its fourth meeting the procedures and institutional mechanisms on non-compliance required under article 17 of the Convention.

35. The Conference of the Parties may wish to continue discussions on a non-compliance mechanism on the basis of the text of the annex to decision RC-3/4, which is available to it in document UNEP/FAO/RC/COP.4/14, and to take a decision on procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention and on the treatment of Parties found to be in non-compliance.

(b) Report on the implementation of decision RC-3/5 on a financial mechanism

36. At its third meeting, in decision RC-3/5 on a financial mechanism, the Conference of the Parties highlighted the need to build on existing strategies and to work with relevant partners when endeavouring to leverage lasting and sustainable financial support for sound chemicals management, including for the implementation of the Rotterdam Convention. The actions called for in that decision were addressed to Parties, implementing agencies, relevant multilateral environmental agreements and the Secretariat. Copies of the correspondence concerning the follow-up to decision RC-3/5 are available in document UNEP/FAO/RC/COP.4/INF/5.

37. A report on the progress made towards the implementation of decision RC-3/5 is available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/15. The Conference of the Parties may wish to review the progress made in the implementation of that decision.

(c) National and regional delivery of technical assistance

38. By decision RC-3/6 on regional and national delivery of technical assistance, the Conference of the Parties requested the Secretariat to report to it at its fourth meeting on the regional delivery of technical assistance and to prepare a detailed, costed programme for the regional and national delivery of technical assistance for the biennium 2009–2010. The report and the costed programme of work are available to the Conference of the Parties in documents UNEP/FAO/RC/COP.4/16 and UNEP/FAO/RC/COP.4/17, respectively. A compilation of the countries that participated in technical assistance activities in 2007–2008 is also made available to the Conference in document UNEP/FAO/RC/COP.4/INF/7.

39. The Conference of the Parties may wish to review progress made in the implementation of decision RC-3/6 and approve, with any amendments, the detailed programme of work proposed for the biennium 2009–2010. The Conference of the Parties may also wish to encourage Parties to contribute to the voluntary trust fund thereby allowing for implementation of the planned activities.

(d) Cooperation with the World Trade Organization

40. By decision RC-1/15, the Conference of the Parties requested the Secretariat to seek observer status in the Committee on Trade and Environment in Special Session of the World Trade Organization. The relevant report by the Chair of the Committee on Trade and Environment in Special Session to the Trade Negotiations Committee, together with a statement delivered by a representative of the Secretariat at the informal consultation of the Committee on Trade and Environment in Special Session with multilateral environmental agreements, held in Geneva on 3 and 4 May 2007, on the issue of information sessions and other forms of information exchange between the agreements and the World Trade Organization may be found in document UNEP/FAO/RC/COP.4/INF/11.

41. Details of continued cooperation between the Secretariat and the World Trade Organization are contained in document UNEP/FAO/RC/COP.4/18. The Conference may wish to take note of the progress made in obtaining observer status and to support continued cooperation between the Secretariat and the World Trade Organization.

(e) Further study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention

42. By decision RC-1/17 on financing and budget for 2005–2006, the Conference of the Parties requested the Secretariat to undertake a study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention for consideration by the Conference of the Parties at its third meeting. The results of that study were available to the Conference of the Parties in document UNEP/FAO/RC/COP.3/18.

43. By decision RC-3/7, the Conference of the Parties requested that a further study be submitted for its consideration at its fourth meeting.

44. The results of that further study are available to the Conference of the Parties in document UNEP/FAO/RC/COP.4/19. The Conference of the Parties may wish to take note of the study and the possible actions proposed therein as the basis for a possible decision on ways to reduce the exposure of the budget of the Rotterdam Convention to currency fluctuations.

(f) Cooperation and coordination between the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention and the Stockholm Convention on Persistent Organic Pollutants

45. By decision RC-3/8 on cooperation and coordination between the Rotterdam, Stockholm and Basel Conventions, the Conference of the Parties agreed to participate in the process specified in decision SC-2/15 of the Conference of the Parties to the Stockholm Convention, including the establishment of an ad hoc joint working group with the understanding that the working group would make recommendations to the Conference of the Parties at its fourth meeting.

46. The Ad hoc Joint Working Group on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions was established and met three times pursuant to the above-mentioned decisions. The recommendation of the Working Group, together with a summary report prepared by the co-chairs describing the process by which the final recommendation of the Working Group was developed, is available in document UNEP/FAO/RC/COP.4/20.

47. The recommendation of the Working Group was considered by the Conference of the Parties to the Basel Convention at its ninth meeting. The outcome of that consideration is available to the Conference in document UNEP/FAO/RC/COP.4/20/Add.1.

48. Information on the costs and organizational implications of establishing joint services between the Basel, Rotterdam and Stockholm Conventions as reflected in the recommendation of the Working Group and a proposal for financing coordinated extraordinary meetings of the Conferences of the Parties to the three Conventions is available to the Conference in documents UNEP/FAO/RC/COP.4/INF/9 and UNEP/FAO/RC/COP.4/INF/10, respectively.

49. The Conference of the Parties may wish to consider the progress made towards the implementation of decision RC-3/8 and the recommendation of the Working Group and the actions proposed therein as the basis for a decision on enhancing cooperation and coordination between the secretariats of the Basel, Stockholm and Rotterdam Conventions.

Item 7. Report on activities of the Secretariat

50. The Secretariat has prepared a report on its activities for the period 1 May 2006–30 April 2008 and a financial report for the period 1 January 2006–31 May 2008. Those reports are available to the Conference in documents UNEP/FAO/RC/COP.4/21 and UNEP/FAO/RC/COP.4/22, respectively, and are complemented by document UNEP/FAO/RC/COP.4/INF/13.

51. The Conference may wish to take note of the activities of the Secretariat and the financial report.

Item 8. Programme of work and consideration of the proposed budget for the 2009–2010 biennium

52. The Secretariat has prepared a draft programme of work and budget for the biennium 2009–2010, which is contained in documents UNEP/FAO/RC/COP.4/23 and Add.1. Updated information that includes the period between the preparation and distribution of the paper on the programme of work and budget for 2009–2010 is available in document UNEP/FAO/RC/COP.4/INF/12.

53. The Conference of the Parties may wish to consider the draft programme of work and core budget for the biennium 2009–2010. The Conference of the Parties may also wish to consider the impacts on the budget of technical assistance activities or other tasks which it requests the Secretariat to undertake. The Conference of the Parties may also wish to review the budget for the voluntary trust fund as it relates to additional activities.

Item 9. Venue and date of the fifth meeting of the Conference of the Parties

54. Rule 3 of the rules of procedure for the Conference of the Parties provides that the meetings of the Conference of the Parties shall take place at the seat or seats of the Secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the Secretariat in consultation with the Parties.

55. Rule 4, paragraph 1, of the rules of procedure states that the second and third meetings of the Conference of the Parties shall be held yearly and that, thereafter, ordinary meetings shall be held every two years.

56. Rule 4, paragraph 2, of the rules of procedure provides that, at each ordinary meeting, the Conference of the Parties shall decide on the date and duration of the next ordinary meeting. The Conference of the Parties should endeavour not to hold such meetings at times that would make the attendance of a significant number of delegations difficult.

57. The Conference of the Parties may wish to consider holding its fifth meeting in Geneva in October 2010.

Item 10. Election of officers for the fifth meeting of the Conference of the Parties

58. Under rule 22 of the rules of procedure, the officers elected at the first ordinary meeting of the Conference of the Parties to serve as the Bureau of the Conference of the Parties are to remain in office until the closure of the second ordinary meeting of the Conference of the Parties. At each ordinary meeting of the Conference following the first meeting, the election of officers from among the Parties to serve as Bureau members for the following meeting is to take place before the end of the meeting. The officers elected are to commence their terms of office at the closure of the meeting and serve until the closure of the following ordinary meeting, including for any intervening extraordinary meeting.

59. The Conference of the Parties may therefore wish to encourage the United Nations regional groups to meet during the course of the fourth meeting of the Conference of the Parties to elect officers to serve on the Bureau from the end of the fourth meeting until the end of the fifth meeting of the Conference of the Parties and to inform the Conference of the Parties of the results of such elections.

Item 11. High-level segment

60. The high-level segment, scheduled for Thursday and Friday, 30 and 31 October, will provide an opportunity for brief statements related to the theme “Sound chemicals management: relieving the burden on public health”. A series of related side events and Panel discussions are also planned. A President’s summary highlighting the key elements of the discussions will be included in the report of the meeting. Further details on the high-level segment are available in document UNEP/FAO/RC/COP.4/INF/15.

Item 12. Other matters

61. The Conference of the Parties may also wish to consider other matters raised during the meeting.

Item 13. Adoption of the report

62. At its final session, the Conference will be invited to consider and adopt the draft report on its work as prepared by the Rapporteur.

Item 14. Closure of the meeting

63. It is expected that the meeting will be closed by the President by 6 p.m. on Friday, 31 October 2008.