



**United Nations
Environment Programme**

**Food and Agriculture Organization
of the United Nations**

Distr.: General
11 August 2010

Original: English

**Rotterdam Convention on the Prior
Informed Consent Procedure for Certain
Hazardous Chemicals and Pesticides in
International Trade**

Conference of the Parties

Fifth meeting

Geneva, 20–24 June 2011

Item 5 (b) of the provisional agenda*

**Matters related to the implementation of the
Convention: Chemical Review Committee**

Nomination of Governments to designate experts to the Chemical Review Committee

Note by the Secretariat

1. In accordance with paragraph 6 of Article 18 of the Rotterdam Convention and its decision RC-1/6, the Conference of the Parties established a subsidiary body, the Chemical Review Committee, with membership from each of the five United Nations regions. By that decision, for the purposes of the initial appointments of the experts to the Committee and to promote an orderly rotation of membership, one half of the experts from each region were nominated for an initial term of two years and the remaining experts from each region were nominated for an initial term of four years.

2. At its fifth meeting, the Conference of the Parties will determine the Governments to be invited to nominate experts to replace those whose four-year term will expire in October 2011. The annex to the present note contains detailed information on the establishment and composition of the Committee and the nomination process.

Possible action by the Conference of the Parties

3. The Conference of the Parties may wish:

(a) To invite the regional groups to present to the Conference of the Parties their proposals for parties to be invited to nominate experts to the Chemical Review Committee to replace those whose terms will expire in October 2011;

(b) To request the Secretariat, following the conclusion of the fifth meeting of the Conference of the Parties, to invite the parties selected to nominate experts to the Chemical Review Committee.

* UNEP/FAO/RC/COP.5/1/Rev.1.

Annex

Establishment and composition of the Chemical Review Committee and the nomination process

1. By its decision RC-1/6, the Conference of the Parties established the Chemical Review Committee, comprising 31 government-designated experts. For the purpose of the initial appointments of the experts to the Committee and to promote an orderly rotation of membership, one half of the experts from each region were nominated for an initial term of two years and the remaining experts from each region were nominated for an initial term of four years. Both the two-year and four-year terms commenced on the date of the second meeting of the Conference; the two-year terms expired in September 2007 and the four-year terms in September 2009.
2. By its decision RC-3/2, the Conference of the Parties selected Governments to designate experts to the Committee whose terms were to commence in October 2007 and expire in October 2011. The text of decision RC-3/2, which lists the parties from which the new experts were appointed, is set out in section B of the appendix to the present note.
3. By its decision RC-4/3, the Conference of the Parties selected Governments to designate experts to the Committee whose terms were to commence on 1 October 2009 and expire in October 2013. The text of decision RC-4/3, which lists the parties from which the new experts would be appointed, is set out in section A of the appendix to the present note.
4. The sixth meeting of the Conference of the Parties is scheduled for 2013. It is therefore necessary for the regional groups to identify at the current meeting the Governments to be invited to nominate experts to replace those whose terms will expire at the end of September 2011. The nominated experts will commence their membership of the Committee in October 2011. They will participate on an interim basis in the Committee's eighth and ninth meetings, to be held in 2012 and 2013, respectively, pending the confirmation of their appointment by the Conference of the Parties at its sixth meeting.
5. The appendix also contains the text of decision RC-1/6, which sets out the conditions relating to the appointment of experts, the expertise that they must possess and a list of the regional groups for the purpose of Committee membership. Annex I to this decision, which lists the parties in each region from which the experts on the Committee are appointed, was updated on 30 June 2010 to reflect countries that have become parties to the Convention since its adoption and since the third meeting of the Conference of the Parties. The text of decision RC-1/6 is set out in section C of the appendix to the present note.
6. According to decision RC-1/6, Committee members may serve for no more than two consecutive terms. As all the experts originally nominated for four years are currently in their first term, regional groups may confirm the current experts to serve an additional term or may choose new parties to be invited to nominate experts.
7. In August 2011, the Secretariat will contact the parties identified to designate experts to the Committee and invite them to designate experts in line with the provisions of decision RC-1/6. The experts so designated will commence their membership of the Committee in October 2011 on an interim basis pending confirmation by the Conference of the Parties at its sixth meeting, in 2013.

Appendix

A. Decision RC-4/3: Nomination of Governments to designate experts for the Chemical Review Committee

The Conference of the Parties,

Recalling its decision RC-1/6 on the establishment of the Chemical Review Committee,

1. *Decides* that each of the following Parties shall designate an expert to serve on the Chemical Review Committee for a period of four years commencing on 1 October 2009 pending the formal confirmation of the experts by the Conference of the Parties at its next ordinary meeting:

African States:	Côte d'Ivoire, Kenya, Mauritania, Sudan
Asian and Pacific States:	Iran (Islamic Republic of), Pakistan, Qatar, Yemen
Central and Eastern European States:	Armenia, Poland
Latin American and Caribbean States:	Ecuador, Jamaica, Peru
Western European and other States:	Canada, Netherlands, New Zealand, Spain

2. *Requests* each Party named in paragraph 1 to provide through the Secretariat the name and relevant qualifications of its designated expert to the Parties by May 2009.

B. Decision RC-3/2: Nomination of Governments to designate experts for the Chemical Review Committee

The Conference of the Parties,

Recalling its decision RC-1/6 on the establishment of the Chemical Review Committee,

1. *Decides* that each of the following Parties shall designate an expert to serve on the Chemical Review Committee for a period of four years commencing on 1 October 2007, pending the formal confirmation of the experts by the Conference of the Parties at its fourth meeting:

African States:	Benin, Gabon, Nigeria, South Africa
Asian and Pacific States:	China, India, Japan, Sri Lanka
Central and Eastern European States:	Czech Republic
Latin American and Caribbean States:	Chile, Mexico
Western European and other States:	Austria, France, Norway

2. *Requests* each Party named in paragraph 1 to provide through the Secretariat the name and relevant qualifications of its designated experts to the Parties by June 2007.

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

The Conference of the Parties,

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

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

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

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

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

Establishment of the Chemical Review Committee

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

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

Membership

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

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

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

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

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

Organization and operation

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

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

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

10. *Decides* that the operational arrangements relating to language used for the interim Chemical Review Committee, having worked well, shall continue for the Chemical Review Committee, and that any draft decision guidance documents to be considered by the Chemical Review

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

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

Committee or forwarded to the Conference of the Parties shall be available in all six languages of the Conference of the Parties;

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

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

Terms of reference

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

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

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

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

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

Annex I to decision RC-1/6 (revised on 30 June 2010)

Distribution of countries

Regional groups for the purpose of Chemical Review Committee membership

African States			
Algeria	Djibouti	Malawi	South Africa
Angola	Egypt	Mali	Sudan
Benin	Equatorial Guinea	Mauritania	Swaziland
Botswana	Eritrea	Mauritius	Togo
Burkina Faso	Ethiopia	Morocco	Tunisia
Burundi	Gabon	Mozambique	Uganda
Cameroon	Gambia	Namibia	United Republic of Tanzania
Cape Verde	Ghana	Niger	Zambia
Central African Republic	Guinea	Nigeria	Zimbabwe
Chad	Guinea-Bissau	Rwanda	
Comoros	Kenya	Sao Tome and Principe	
Congo	Lesotho	Senegal	
Côte d'Ivoire	Liberia	Seychelles	
Democratic Republic of the Congo	Libyan Arab Jamahiriya	Sierra Leone	
	Madagascar	Somalia	
Asian and Pacific States			
Afghanistan	Iraq	Mongolia	Sri Lanka
Bahrain	Japan	Myanmar	Syrian Arab Republic
Bangladesh	Jordan	Nauru	Tajikistan
Bhutan	Kazakhstan	Nepal	Thailand
Brunei Darussalam	Kuwait	Oman	Tonga
Cambodia	Kyrgyzstan	Pakistan	Turkmenistan
China	Lao People's Democratic Republic	Papua New Guinea	United Arab Emirates
Cook Islands	Lebanon	Philippines	Uzbekistan
Cyprus	Malaysia	Qatar	Vanuatu
Democratic People's Republic of Korea	Maldives	Republic of Korea	Viet Nam
Fiji	Marshall Islands	Samoa	Yemen
India	Micronesia (Federated States of)	Saudi Arabia	
Indonesia		Singapore	
Iran (Islamic Republic of)		Solomon Islands	
Central and Eastern European States			
Albania	Croatia	Lithuania	Slovakia
Armenia	Czech Republic	Poland	Slovenia
Azerbaijan	Estonia	Republic of Moldova	The former Yugoslav Republic of Macedonia
Belarus	Georgia	Romania	Ukraine
Bosnia and Herzegovina	Hungary	Russian Federation	
Bulgaria	Latvia	Serbia	
Latin American and Caribbean States			
Antigua and Barbuda	Costa Rica	Haiti	Saint Lucia
Argentina	Cuba	Honduras	Saint Vincent and the Grenadines
Bahamas	Dominica	Jamaica	Suriname
Barbados	Dominican Republic	Mexico	Trinidad and Tobago
Belize	Ecuador	Nicaragua	Uruguay
Bolivia (Plurinational State of)	El Salvador	Panama	Venezuela (Bolivarian Republic of)
Brazil	Grenada	Paraguay	
Chile	Guatemala	Peru	
Colombia	Guyana	Saint Kitts and Nevis	

Western European and other States			
Andorra Australia Austria Belgium Canada Denmark Finland France Germany	Greece Iceland Ireland Israel Italy Liechtenstein Luxembourg Malta	Monaco Netherlands New Zealand Norway Portugal San Marino Spain Sweden	Switzerland Turkey United Kingdom of Great Britain and Northern Ireland United States of America
Not members of any regional group			
Kiribati	Palau	Tuvalu	Timor-Leste

Parties to the Rotterdam Convention as at 30 June 2010.

Annex II to decision RC-1/6

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

African States

2 years:	Gabon ¹ Ghana Nigeria South Africa	4 years:	Libyan Arab Jamahiriya Rwanda Senegal United Republic of Tanzania
----------	--	----------	--

Asian and Pacific States

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

Eastern European States

2 years:	Hungary	4 years:	Slovenia Ukraine
----------	---------	----------	---------------------

Latin American and Caribbean States

2 years:	Brazil Ecuador	4 years:	Argentina Jamaica Uruguay
----------	-------------------	----------	---------------------------------

Western European and other States

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

1 By decision RC-1/6 Gabon was selected to designate an expert to serve on the Committee for a period of two years beginning on the date of the second meeting of the Conference of the Parties. As Gabon had not by that date designated an expert to serve on the Committee, however, the Conference of the Parties, following consultations within the group of African countries, adopted decision RC-2/1, by which it selected the Democratic Republic of the Congo to designate an expert in lieu of Gabon. The Democratic Republic of the Congo accordingly designated an expert, who was confirmed as a member of the Committee by the Conference of the Parties in decision RC-3/1.