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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
Fifth meeting**

Geneva, 20–24 June 2011

Item 5 (f) of the provisional agenda*

**Matters related to the implementation of the Convention:
technical assistance**

Technical assistance: workplan for the biennium 2012–2013

Note by the Secretariat

1. By its decision RC-4/9, on national and regional delivery of technical assistance, the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade requested the Secretariat to prepare for consideration by the Conference of the Parties at its fifth meeting a detailed costed programme of activities for the regional and national delivery of technical assistance for the biennium 2012–2013, based on the level of resources likely to be available from all sources.
2. In response to the above request, the Secretariat prepared a draft programme of activities for the delivery of technical assistance, which is set out in the annex to the present note.

Possible action by the Conference of the Parties

3. The Conference of the Parties may wish:
 - (a) To consider and approve the proposed programme of activities for the delivery of technical assistance for the biennium 2012–2013;
 - (b) To encourage parties to contribute to the voluntary trust fund, thereby enabling the implementation of the planned activities.

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

Annex

Technical assistance: workplan for the biennium 2012–2013

Introduction

1. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade establishes an international mechanism for regulating trade in the pesticides and industrial chemicals that are listed in its Annex III. The Convention conditions the movement of those chemicals on the prior informed consent of the parties over whose territories they are to be shipped. It also permits parties to refuse or limit the movement of Annex III chemicals over their territories, through a document known as an “import response”. A “decision guidance document” is prepared for each chemical to guide the parties in deciding whether to allow its movement over their territories.

2. While there are additional requirements for a party successfully to implement the Convention at the national level (among others, coordination and communication between ministries and with stakeholders, information exchange with other parties and the Secretariat), the party must be able to conduct risk evaluations and implement risk management measures, as required, in a timely manner. Accordingly, the emphasis of any technical assistance programme should be on identifying and meeting the needs of parties to improve their risk evaluation and risk management processes. In addition, emphasis should be laid on assisting parties to tackle issues related to pesticide formulations that are posing problems under conditions of use in their territories.

3. At various national and subregional planning meetings, parties identified a broad range of needs or activities necessary for them to benefit fully from the Convention. In many cases these needs reflect a lack of capacity to establish a sound framework for chemicals management. Some of the specific issues identified include:

- (a) Lack of infrastructure to regulate or manage industrial chemicals;
- (b) Need for assistance in managing information;
- (c) Need for assistance in evaluating risks and taking regulatory decisions;
- (d) Need to establish and strengthen the enforcement of integrated legal frameworks for chemicals management;
- (e) Need for assistance in preparing and submitting notifications of final regulatory action;
- (f) Need for assistance in developing an approach to and setting up pilot projects and a programme on monitoring and reporting severely hazardous pesticide formulations.

4. Most of these needs cannot be met effectively by simple workshops or meetings, but will require more sustained forms of financial and technical assistance.

5. The proposed programme of work for 2012–2013 focuses on core activities relevant to the accomplishment of basic obligations under the Convention where the Secretariat is expected to play a lead role. It includes the principal elements of the programme of work for the previous triennium, in addition to activities requested by parties at national and subregional planning meetings. These elements have been revised based on experience and in response to the needs and priorities identified by parties during the period 2009–2011. The goal is to have activities that reflect the full range of parties’ needs, including activities that are tailored to the specific needs of individual parties or small groups of parties, with a focus on those actions that are deemed necessary for parties to implement the Convention fully.

Objectives and methodology for the delivery of technical assistance

6. The present chapter contains a proposed programme of work for the delivery of technical assistance in 2012–2013. It sets out specific activities to be implemented in response to the needs of parties and some of the partners involved in the delivery of those activities. It also emphasizes the importance of measures of success or indicators of progress as a tool for evaluating the effectiveness of the activities.

A. Objectives

7. The objectives are as follows:

(a) *To strengthen parties' ability to submit import responses*: facilitate national dialogue between relevant stakeholders on the implementation of the Convention as a basis for identifying the key elements in a national action plan or strategy for such implementation, especially regarding the submission of import responses for all chemicals listed in Annex III to the Convention;

(b) *To strengthen parties' capacity to gather relevant information and to make proposals for severely hazardous pesticide formulations*: establish appropriate links between designated national authorities and community health monitoring activities; develop a process for the preparation and submission of proposals for severely hazardous pesticide formulations under Article 6 of the Convention; and assist parties in the relevant methods and processes for gathering information that describes cases of acute pesticide poisoning resulting from exposure to a pesticide used in agriculture under the normal conditions of use in the party;

(c) *To strengthen parties' ability to undertake final regulatory actions*: provide support to parties in the adequate use of existing risk and hazard evaluations and subsequently prepare and submit complete notifications of final regulatory action that pass the scrutiny of the Chemical Review Committee;

(d) *To strengthen parties' capacity to manage industrial chemicals*: establish capacity among developing-country parties and parties with economies in transition to implement comprehensive life-cycle assessment approaches. Potential risks associated with chemicals would be identified to permit the design and implementation of appropriate risk management measures in the international trade and management of industrial chemicals;

(e) *Facilitate the exchange of information related to the implementation of the Convention between countries through trade-partner workshops*: promote shared responsibility in the implementation and enforcement of the trade-related provisions of the Convention by facilitating a dialogue between exporting parties and selected trade partners (importers).

B. Methodology

1. Working and collaborating with partners

8. The Secretariat will continue to seek opportunities to promote cooperation with international, regional and subregional organizations involved in chemicals management activities and encourage such organizations to integrate Convention issues into their work. These organizations will be informed about continuing activities and invited to participate in regional and subregional activities. In addition, efforts are under way to implement joint activities pursuant to the synergies decisions.¹ These activities will be implemented in cooperation and coordination with the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants.

9. Working in partnership is sometimes challenging, and operating parameters and agreements are often necessary. Partnerships are suitable to avoid duplication of work and to reduce the costs of activities while promoting consistent action and better understanding of synergistic support in recipient countries. Cooperation with regional partners in 2012 and 2013 is foreseen as follows:

(a) Regional and subregional Plant Production and Protection Officers of the Food and Agriculture Organization of the United Nations (FAO) meet regularly. It is proposed that these regular meetings be extended by a day for discussions on implementation issues under the Convention;

(b) The Secretariat will expand its collaboration with regional partners with work programmes pertinent to chemicals and pesticide management to promote the incorporation of the Convention's objectives into their work programmes. Possible partners include organizations such as the Asia and Pacific Plant Protection Commission, the Sahelian Pesticides Committee, the Southern African Development Community, the Central African Pesticides Committee and the Coordinating Group of Pesticide Control Boards of the Caribbean, in addition to non-governmental organizations with relevant work programmes. The Secretariat or a regional expert will participate in five meetings

¹ Decision IX/10 of the Conference of the Parties to the Basel Convention, decision RC-4/11 of the Conference of the Parties to the Rotterdam Convention and decision SC-4/34 of the Conference of the Parties to the Stockholm Convention, by which the conferences of the parties to the three conventions called for greater cooperation and coordination among the conventions.

during 2012–2013. A limited number of designated national authorities from some parties would be sponsored to promote the inclusion of the Convention in the work programme of these commissions;

10. Industrial chemicals management covers a wide range of hazardous chemicals that do not fall within the purview of the Convention. To contribute to the effective management of industrial chemicals, therefore, the Convention should support and enhance the efforts of other lead organizations and institutions that have already taken steps to develop materials and establish projects and are currently providing technical assistance to strengthen the capacity of developing countries and countries with economies in transition to establish frameworks for the sound management of industrial chemicals. Organizations that could be supported and enhanced in their efforts include: the Chemicals Branch of the United Nations Environment Programme (UNEP) Division of Technology, Industry and Economics, KEMI (Swedish Chemicals Agency), the German Agency for Technical Cooperation, the United Nations Institute for Training and Research, the United Nations Industrial Development Organization, the World Health Organization, the Inter-Organization Programme for the Sound Management of Chemicals, the United Nations Development Programme, the Organization for Economic Cooperation and Development, the chemicals programme of the Center for International Environmental Law, the Organization for the Prohibition of Chemical Weapons, the International Pesticides Elimination Network, the Basel and Stockholm conventions, and the Strategic Approach to International Chemicals Management.

11. As a component of its field programme, FAO has a pesticide management programme that delivers technical assistance to many countries. Its support for the strengthening of countries' regulatory frameworks, including through the revision of the legal and administrative basis for such frameworks and pre-registration and post-registration activities, affords an excellent opportunity for the Secretariat to include aspects of the Convention in the FAO technical assistance programme. It is envisaged that the Secretariat will participate in the FAO field programme and provide assistance to four countries focusing on elements directly relevant to the Convention.

2. Sustainability

12. In a synergistic approach, the Secretariat, together with the secretariats of the Basel and Stockholm conventions and member organizations of the Inter-Organization Programme for the Sound Management of Chemicals, will devise programmes and develop and distribute training materials for developing countries and countries with economies in transition to increase their capacity to manage chemicals sustainably.

13. Designing information materials in such a way that they can be used by recipient countries even after projects have been completed helps to ensure sustainability. It is important to secure sustainability by ensuring that countries take ownership of the needs assessment process and determine the role of each stakeholder. The mainstreaming of chemicals management in the development agenda may ensure the provision of funds from central Governments. The encouraging of countries to develop elements of action plans for the implementation of the Convention and the facilitating of a forum in which to discuss experiences are expected to increase sustainability by fostering national and personal alliances and identification with the Convention, in particular in relation to the issue of turnover of staff in designated national authorities.

3. Support for new parties

14. As the number of parties has increased, so too has the diversity of their needs. In many cases, the needs identified are not specifically related to the Convention but reflect a lack of capacity for fundamental chemicals management. In others, in particular for some of the newest parties and those that have changed their designated national authorities, there remains a need for more basic assistance to enable them to implement their initial obligations under the Convention. The Secretariat will strive to assist parties to take the necessary steps to ratify, accept or accede to the Convention and the benefits of the Convention for newcomers will also be highlighted.

4. Target for technical assistance activities

15. The proposed programme of work for 2012–2013 will focus on country-specific activities. The Secretariat will invite least developed countries and small island developing States that are parties to the Convention to request technical assistance in specific aspects of implementing the Convention. The Secretariat will respond to individual, country-specific requests, making use of its experience in providing technical assistance in previous periods, and liaise with regional experts, seeking their support in this activity. Technical assistance will also target the strengthening of regional participation and delivery, and cost-effective implementation of the Convention, through the increased use of existing UNEP and FAO regional capacity and networks, which are ideally positioned and equipped to support the delivery of technical assistance.

C. Description of technical assistance activities

1. Development of a resource kit to promote ratification and implementation

16. The resource kit is a comprehensive source of information on the Convention intended to assist countries in the ratification and implementation process. It has been designed to be flexible and simple to use and to meet the needs of a broad range of end-users. The following activities will be carried out:

- (a) The toolkit will be regularly updated and reorganized to reflect experience in its use;
- (b) New documents will be developed and existing materials reproduced;
- (c) As many documents as possible will be translated to make them available in the six official languages of the United Nations;
- (d) An electronic version of the resource kit will be prepared to facilitate access to the information and reduce the costs of reproduction;
- (e) Section E of the resource kit, on cross-cutting issues, will continue to be refined and expanded to reflect new information as it becomes available.

2. Awareness-raising and training

17. It is proposed that training and awareness-raising meetings be organized for new parties that have recently ratified the Convention and for parties that are experiencing difficulties in meeting their basic obligations under the Convention. The meetings will provide practical training on the Convention's key operational elements and will highlight opportunities for an integrated approach to the implementation of the Basel and Stockholm conventions. At these meetings, small break-out groups will:

- (a) Review case studies and discuss the preparation and submission of notifications of final regulatory action;
- (b) Review decision guidance documents and study how to prepare and submit import responses;
- (c) Review and complete the environmental incident reporting form for severely hazardous pesticide formulations;
- (d) Undertake an exercise on export notification.

18. Participants will also be introduced to the Convention website and all the information available and how to use it to strengthen national decision-making processes on chemicals. The meetings will afford opportunities for countries to share experiences and improve cooperation between them. Key stakeholders from non-parties to the Rotterdam Convention but parties to Basel and Stockholm conventions will be invited to participate in these workshops to promote ratification.

19. It is proposed that two subregional meetings be convened each year involving up to 24 participants from a maximum of six countries. These meetings should be attended by, in particular, developing-country parties that have changed their designated national authorities, have submitted few import responses and are experiencing difficulties in submitting notifications of final regulatory actions. There are approximately 20 of these countries.

3. Development of elements of national action plans and other strategies for the implementation of the Convention

20. National and subregional consultations to identify the priorities and activities in national action plans or strategies for the implementation of the Convention will continue as the first step in defining country needs. Currently, there are more than 34 developing-country parties that have not yet developed elements of national action plans. These parties will be offered the opportunity to participate in such meetings in 2012–2013. National focal points for the Basel and Stockholm conventions and the Strategic Approach will continue to be invited to participate in these meetings, since their participation is seen as a key step in promoting an integrated approach to the implementation of these conventions and related chemicals management activities at the national level.

21. It is proposed that four national and four subregional meetings (four countries per meeting) be convened each year.

22. In cooperation with the UNEP and FAO regional offices, national follow-up seminars will be convened for those parties that participated in the subregional planning meetings. The national seminars provide an opportunity to seek broader support and further review of the national plans developed during the subregional meetings. Up to 24 national follow-up seminars are proposed.

4. Enhancing information exchange between trade partners

23. These activities consist of workshops focused on the trade aspects of the Convention. Each workshop will be convened for an exporting party and up to six selected trade partners that are parties to the Convention. These workshops serve to promote shared responsibility in the implementation and enforcement of the trade-related provisions of the Convention by facilitating a dialogue between exporting parties and selected trade partners. These meetings will focus on developing-country parties that produce and export chemicals. Four trade partner meetings would be convened in 2012–2013. The precise locations and countries to be involved will need to be determined by inviting countries to express interest in participating in such a meeting.

5. Support for submissions of proposals for severely hazardous pesticide formulations

24. Severely hazardous pesticide formulations continue to pose serious problems under the conditions of use in many countries. The overall objective of the activities in 2012–2013 is to establish appropriate links between designated national authorities and community health monitoring activities and to develop a process for the preparation and submission of proposals for severely hazardous pesticide formulations under Article 6 of the Convention. The work will build on the results of the 2007 collaboration with the Pesticide Action Network and the World Health Organization and other pilot projects carried out between 2008 and 2010. After the development of a methodology and a tool kit these will be applied in an additional six pilot countries. A similar programme of community health monitoring involving input from the relevant designated national authorities will be initiated in other countries in the region. The programme will increase developing countries' capacity to determine the extent of pesticide poisoning. The experiences acquired and feedback received will be taken into account when expanding the activity to provide for six pilot programmes in countries in African, Asia, the Near East and Latin America in 2012–2013.

25. It is also proposed to follow up with selected countries in which pilot projects were carried out between 2007 and 2011.

26. With a view to ensuring the sustainability and expansion of the programme, cooperation with other partners such as the World Health Organization, FAO, donors, regional organizations and non-governmental organizations with field programmes on monitoring and reporting pesticide incidents will be strengthened. An international expert consultation will bring together experts and representatives of intergovernmental and non-governmental organizations to explore ways of formally cooperating and further developing a field programme.

6. Strengthening capacity for industrial chemicals management

27. During the triennium 2009–2011, the Secretariat developed a strategic approach to providing technical assistance on the sound management of industrial chemicals to developing countries and countries with economies in transition. The strategy deals with the lack or weakness of infrastructure for the regulation or management of this group of chemicals. It will involve countries examining their national status in respect of industrial chemicals management through coordinated discussions and deliberations involving all relevant stakeholders. Elements of a toolkit developed by an international consultant expert in industrial chemicals management will be used to guide the process and the consultant will also assist the pilot countries. This analysis will involve countries building on information received to establish their status within a tiered structure to ensure that fundamental structures are examined and in place and capacity is increased in a logical step-by-step manner.

28. The proposed approach emphasizes the strengthening of parties' capacity to perform the two basic functions that are required to meet their obligations under the Convention (i.e., risk evaluation and risk management). It would be implemented as part of a comprehensive programme tackling all aspects of managing the life cycle of industrial chemicals and would be sufficiently broad to provide synergistic benefits for parties in their activities to implement other international chemical-related agreements and programmes (e.g., the Basel and Stockholm conventions, regional agreements and the Strategic Approach).

29. This programme would complement the agricultural chemicals management programmes in effect for most parties and aim to achieve programmatic synergies with other relevant international organizations, including the Inter-Organization Programme for the Sound Management of Chemicals, that undertake activities to support countries in managing chemicals.

30. Technical assistance activities will include four pilot projects on industrial chemicals in four regions and the introduction of a global forum on industrial chemicals management to be held in connection with the meetings of the conference of the parties to the Convention. This global forum would include the participation of all parties and representatives of relevant international organizations, non-governmental organizations and industry and other interest groups. The forum would raise awareness of current initiatives being undertaken by various international organizations and improve collaboration between international partners and parties with a view to enhancing support for the submission of import responses and to take final regulatory action.

7. Facilitating the preparation of notifications of final regulatory action

31. Subject to the guidance of the Conference of the Parties at its fifth meeting, the Secretariat will develop an activity to support developing countries in preparing notifications of final regulatory action. Specific activities will be arranged for parties that enjoy sufficient capacity to take regulatory action but require guidance and support to establish processes for submitting notifications that they have done so. The use of existing risk and hazard evaluations will be emphasized as tools to support the preparation and submission of complete notifications of final regulatory action that are likely to pass the scrutiny of the Chemical Review Committee.

32. There are, however, many parties that are developing countries and, especially, least developed countries that lack the capacity to undertake detailed risk assessments. Activities will be tailored to guiding these countries through the steps necessary to take a final regulatory action within the capacity available, even though such actions may not pass the scrutiny of the Chemical Review Committee. Concurrently, plans will be made for these countries to increase their capacity eventually to the point where their final regulatory actions meet the criteria of Annex II to the Convention.

8. Building parties' capacity to gain access to and use the Rotterdam Convention components of the joint clearing-house mechanism

33. The implementation of capacity-building to gain access to and use the Rotterdam Convention components of the joint clearing-house mechanism will, in the main, be performed by the secretariats of the Basel, Rotterdam and Stockholm conventions as part of joint capacity-building activities. These activities will include the conduct of training workshops and technical capacity-building activities for parties to all three conventions. During these meetings, feedback will be sought to inform the future development of the joint clearing-house mechanism.

34. In addition, and where relevant, specific training in the Rotterdam Convention components and other relevant components of the joint clearing-house mechanism will be incorporated into the training activities described above.

D. Monitoring and evaluation

35. A range of straightforward and quantitative short-term, medium-term and long-term indicators will be used to measure the impact of the technical assistance activities undertaken to support the implementation of the Convention. These include the number of notifications of final regulatory action and import responses submitted to the Secretariat and requests for assistance in the implementation of the Convention. Should any new chemicals be included in Annex III to the Convention by the Conference of the Parties at its fifth meeting, such a step would provide a further opportunity to use the number of import responses to evaluate the success of technical assistance provided to developing countries and countries with economies in transition to satisfy their obligations under the Convention to measure the effectiveness of technical assistance activities.

E. Budget

36. The cost of the activities discussed in the present note is presented in documents UNEP/FAO/RC/COP.5/24 and Add.1.