



**United Nations
Environment Programme**

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

Distr. General
12 April 2011

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 7 of the provisional agenda*
Programme of work of the Secretariat and adoption of the budget**

Activities of the Secretariat

Note by the Secretariat

1. The annex to the present note sets out a report prepared by the Secretariat on its activities during the period from 1 May 2008 to 31 October 2010, which were undertaken in accordance with its mandate under the Convention and as directed by the Conference of the Parties.

Possible action by the Conference of the Parties

2. The Conference of the Parties may wish:
- (a) To review and take note of the work undertaken by the Secretariat;
 - (b) To take the work undertaken by the Secretariat into account when considering the draft budget for the biennium 2012–2013.

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

Annex

Report on Secretariat activities from 1 May 2008 to 31 October 2010

Introduction

1. During the reporting period, the co-executive secretaries of the Rotterdam Convention, Mr. Donald Cooper, United Nations Environment Programme (UNEP), and Mr. Peter Kenmore, Food and Agriculture Organization of the United Nations (FAO), were responsible for coordinating the Secretariat's activities.
2. The Secretariat's functions are defined in paragraph 2 of Article 19 of the Convention. For ease of reference, the Secretariat's principal activities are described in the present note in terms of those functions.

I. Meetings of the Conference of the Parties and its subsidiary bodies

A. Fourth meeting of the Conference of the Parties

3. The Secretariat arranged and managed the conduct of the fourth meeting of the Conference of the Parties, which took place in Rome from 27 to 31 October 2008. The meeting was attended by more than 500 participants, representing 113 parties to the Convention, 14 non-parties, six intergovernmental organizations, 26 non-governmental organizations and five United Nations agencies. Fifty-one ministers and vice-ministers attended the high-level segment on 30 and 31 October 2008.
4. Relevant documents (23 meeting documents and various information documents) were dispatched to all Governments 60 days before the meeting, in line with the rules of procedure, and were also made available on the Convention website. Except for information documents issued in English only all documents were issued in all six official United Nations languages. The report of the meeting (UNEP/FAO/RC/COP.4/24) was distributed to all parties and observers and made available on the Convention website.
5. The meeting was preceded by a meeting of an open-ended legal and technical working group established under the Strategic Approach to International Chemicals Management, which was convened from 21 to 24 October 2008 at the same venue. That meeting was attended by 188 participants.
6. The Secretariat made travel arrangements for the meetings for one representative from each developing-country party or party with economy in transition. A total of 20 participants funded by the Secretariat attended both meetings. The secretariats of the Rotterdam Convention and the Strategic Approach shared the costs of their participation and in doing so made savings in travel costs.
7. At the time of the fourth meeting of the Conference of the Parties, there were 124 parties to the Convention. A total of 113 participated in the meeting, with 92 submitting valid credentials, and 21 either not submitting credentials or submitting credentials that did not conform to the requirements of rule 19 of the rules of procedure. Although a number of parties failed to attend the meeting and a number failed to submit valid credentials, the parties present and submitting valid credentials exceeded a two-thirds majority of the parties to the Convention, and therefore constituted a quorum sufficient for the adoption of decisions in accordance with rule 35 of the rules of procedure. The Secretariat analysed the reasons for the shortfall in attendance and the submission of valid credentials with a view to increasing parties' attendance and increasing the number of valid credentials submitted. Of the 11 parties that did not attend the meeting, three responded to the invitation letter but for various reasons did not attend. The Secretariat contacted the eight parties that did not respond to the invitation letter to understand their reasons for not attending and the feedback received was considered to be valuable.
8. Detailed reports on a number of issues arising out of the fourth meeting of the Conference of the Parties are available in documents UNEP/FAO/RC/COP.5/17–23 and will be considered under item 6 of the provisional agenda, on enhancing cooperation and coordination among 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. This includes the implementation of decision RC-4/11, on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions.

9. The Bureau, working with the Secretariat, reviewed progress and priorities with regard to the implementation of the decisions adopted by the Conference of the Parties at its fourth meeting at the midpoint of the biennium. The Secretariat arranged for a Bureau meeting in Rome on 7 September 2010, at which progress reports on Secretariat activities were considered. The Bureau expressed its appreciation for the Secretariat's progress in the delivery of the approved programme of work.

B. Extraordinary meetings of the conferences of the parties

10. In collaboration with the Rotterdam Convention Bureau, the secretariat actively contributed to the preparations for the first simultaneous extraordinary meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions, which took place in Bali, Indonesia, from 22 to 24 February 2010. The report (UNEP/FAO/CHW/RC/POPS/EXCOPS.1/8) and other documents pertaining to the above meetings, including the omnibus decision adopted by each conference of the parties, are available from <http://excops.unep.ch/>.

C. Fifth meeting of the Chemical Review Committee

11. The fifth meeting of the Chemical Review Committee was held in Rome from 23 to 27 March 2009 and was chaired by Ms. Karmen Krajnc (Slovenia). It was attended by 29 of the 31 Committee members. Observers from 28 Governments and 66 representatives of various intergovernmental organizations and non-governmental organizations also attended. The Secretariat arranged travel for Committee members from countries that were not members of the Organization for Economic Cooperation and Development.

12. Meeting documents were available more than six weeks before the meeting on the Convention website. Late documents were provided to the Committee in hard and soft copy at the beginning of the meeting.

13. A total of eight chemicals were considered. The Committee concluded that one notification for each of five chemicals met all the criteria of Annex II to the Convention and adopted rationales for its conclusions. New notifications for endosulfan were considered and a rationale was adopted. An intersessional drafting group was established to prepare a draft decision guidance document for endosulfan.

14. Draft decision guidance documents for alachlor and aldicarb were considered and approved by the Committee. Recommendations for the inclusion of alachlor and aldicarb in Annex III to the Convention were adopted.

15. The report of the meeting (UNEP/FAO/RC/CRC.5/16) was distributed to all Committee members and observers and made available on the Convention website. It is reproduced in document UNEP/FAO/RC/COP.5/9/Add.1.

D. Sixth meeting of the Chemical Review Committee

16. The Committee's sixth meeting was held in Geneva from 15 to 19 March 2010 and was chaired by Ms. Marit E. Randall (Norway). All Committee members attended the meeting, save for the member from the Islamic Republic of Iran. Observers from 28 Governments and seven intergovernmental organizations and non-governmental organizations also attended. The Secretariat arranged travel for Committee members from countries that were not members of the Organization for Economic Cooperation and Development.

17. Given that three Committee members confirmed by the Conference of Parties at its fourth meeting had resigned during the intersessional period, the Governments of India, Mexico and Sri Lanka were requested to nominate new members, subject to the confirmation of their appointments by the Conference of the Parties at its fifth meeting. In follow-up to decision RC-4/3, the Secretariat worked with Governments in the nomination of 17 new experts.

18. The Secretariat arranged travel for supported members from countries that were not members of the Organization for Economic Cooperation and Development.

19. Meeting documents were available more than six weeks before the meeting on the Convention website. Late documents were provided to the Committee in paper and electronic format at the beginning of the meeting.

20. The Committee considered new notifications of final regulatory action and relevant supporting documentation for five chemicals. It concluded that two notifications for azinphos-methyl met the criteria set out in Annex II to the Convention and adopted rationales for its conclusions. An intersessional drafting group was established to prepare a decision guidance document for azinphos-methyl. The Committee adopted a recommendation that endosulfan should be listed in

Annex III to the Convention. It also approved a draft decision guidance document on endosulfan that had been prepared intersessionally.

21. The report of the meeting (UNEP/FAO/RC/CRC.6/16) was distributed to all Committee members and observers and made available on the Convention website. It is reproduced in document UNEP/FAO/RC/COP.5/9/Add.2.

E. Seventh meeting of the Chemical Review Committee

22. The Committee's seventh meeting took place from 28 March to 1 April 2011 in Rome. The report of the meeting will be made available to the Conference of the Parties.

F. Activities undertaken for the effective participation of members in the Committee's work

23. The Secretariat convened an orientation workshop for Committee members from 8 to 10 December 2009 in Budapest. It afforded an opportunity for new members to familiarize themselves with the Committee's work, in particular the working procedures and policy guidance that had been developed.

II. Facilitating assistance to parties in the implementation of the Convention

24. The Secretariat continued its work to facilitate assistance to parties in the implementation of the Convention. The Secretariat's principal activities in this regard are set out below.

A. Technical assistance

25. A detailed report on the Secretariat's activities to implement decision RC-4/9 is available in documents UNEP/FAO/RC/COP.5/18 and UNEP/FAO/RC/COP.5/INF/6. The documents include detailed information on the number and types of workshops (national and subregional) and other technical assistance activities that the Secretariat undertook. A proposed workplan for the biennium 2012–2013 is set out in document UNEP/FAO/RC/COP.5/19.

26. The Secretariat continued to work with the FAO and UNEP regional offices to promote a regional approach to the implementation of the Convention and to increase the visibility of the Convention as a tool to assist in general chemicals management.

27. When appropriate, regional experts were involved in facilitating the delivery of technical assistance activities.

B. Facilitating information exchange

28. The Secretariat updated and amended the Convention website (www.pic.int), using it to distribute information on, among other things, the main events related to the activities of the Convention, guidance materials and decision guidance documents, contributions made to the General Trust Fund (including contributions made for the years 2009 and 2010), and documents for the meetings of the Conference of the Parties and the Chemical Review Committee.

29. The website includes the PIC Circulars and access to the PIC database, which is one of the main tools for exchanging information under the Convention. The database contains notifications of final regulatory action, proposals for severely hazardous pesticide formulations, import responses for chemicals listed in Annex III, and information on official contact points and designated national authorities. Information submitted by parties on national risk evaluations or available alternatives to the chemicals listed in Annex III is also recorded.

30. The website was further developed to host progress reports providing information on current activities and on new parties, a mini-website pertaining to Customs issues and new sections on industrial chemicals and technical assistance.

31. The Secretariat revised the technical assistance section of the website to adapt it to the programme of work for the delivery of technical assistance as adopted in decision RC-4/9. The website provides information on the latest technical assistance activities, a schedule of forthcoming workshops, and reports and proceedings from workshops that are posted as they become available.

32. Lastly, to ensure compatibility and integration with the Basel and the Stockholm convention websites, the secretariat began the migration of the Convention website to a common hardware and software platform. The first phase of the project consists of migrating the English section of the

website to the common platform, and will be followed by another phase to transfer content in French and Spanish.

33. A programme was established and implemented to cover a number of activities aimed at establishing the Rotterdam Convention components of a joint clearing-house mechanism serving the Basel, Rotterdam and Stockholm conventions. The activities of the programme focus on the design, development, implementation and deployment of those components, and on the promotion of the joint clearing-house mechanism.

34. The Rotterdam Convention components aim to support parties in the implementation of the Convention and to provide a versatile cross-cutting mechanism to assist stakeholders in managing hazardous chemicals and wastes throughout their life cycle and to provide them with valuable information and experiences regarding the implementation of the Convention.

35. At the time of the preparation of the present note, an import response module and a module on notifications of final regulatory action were being implemented. They provide a user-friendly and dynamic “one-stop shop” online environment for gaining access to and submitting all information related to import responses regarding chemicals listed in Annex III and notifications of final regulatory action for banned or severely restricted chemicals.

36. Additional online facilities, such as chemical and enhanced country profiles, are also being developed to provide access to relevant information across the Basel, Rotterdam and Stockholm conventions, thereby consolidating information on the life-cycle management of the hazardous chemicals and wastes covered by the three conventions. Other modules, tools and facilities are being developed and all will be fully integrated into the joint online platform.

37. In terms of capacity-building activities on the clearing-house mechanism, two pilot training sessions on the prototype components developed between 2009 and 2010 were held for designated national authorities and other stakeholders as individual agenda items of subregional training and awareness-raising workshops. These took place in Armenia (November 2009) and Viet Nam (June 2010) and were attended by eight and seven countries, respectively, from those regions. In close collaboration with the Basel and Stockholm conventions, more capacity-building activities on the clearing-house mechanism are planned for 2011.

C. Resource kit

38. In 2009, the Secretariat continued to update the resource kit to reflect experience acquired in its use. The Secretariat revised and reprinted the publications already developed and expanded the resource kit with new information materials to respond to the requests of parties and stakeholders. A number of new publications were developed, while existing publications were revised and reprinted. Good progress was made in translating documents into the six official languages of the United Nations.

39. The electronic learning (e-learning) programme on the key operational elements of the Convention was launched in 2008 and widely distributed to all major stakeholders in 2009. The programme is available in English on CD-ROM and online from the Convention website. It is currently being translated and will be made available in French and Spanish in 2011. The programme facilitates continuous and self-directed training at the national level to assist in the understanding of the Convention and its requirements and to meet the challenges that arise from frequent changes in the designated national authorities in some countries.

40. A brochure entitled “PIC Chemicals”, containing information on the chemicals listed in Annex III to the Convention, was published in 2010. It provides information on the chemical formulas, Harmonized System codes, trade names and uses of the chemicals, in addition to the reasons for regulatory action.

41. A brochure entitled “Chemicals Snapshot” was produced, providing information on what chemicals are, their fate and behaviour when released into the environment, the identification of risks caused by chemicals to health and the environment and how best to deal with them. It is available in the six official languages of the United Nations.

42. A fact sheet on pesticides was produced and distributed on the occasion of the simultaneous extraordinary meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions. It describes the role of pesticides in the food chain and the role of agriculture in food security, in addition to providing key facts and information on issues regarding the use of pesticides by the most vulnerable groups in the world.

43. A toolkit for Customs authorities was developed and is available in English. It aims to provide information about the Convention and the role of Customs officials in implementing the Convention. A Customs-specific section of the website was also developed.
44. Guidance is available to designated national authorities to assist in completing notifications of final regulatory action, with the objective of improving understanding of the information requested and facilitating the preparation and submission of complete notifications. This guidance is considered a work in progress and the Secretariat encourages designated national authorities to provide comments and suggestions to improve it.
45. All publications are available on the Convention website or from the Secretariat upon request.

III. Coordination with the secretariats of other international bodies

46. As part of its core operations, the Secretariat works closely with the secretariats of other relevant international bodies. Some of its principal activities in this regard during the reporting period are set out below.

A. Intersessional work on synergies between the Basel, Rotterdam and Stockholm conventions

47. The Secretariat collaborated with the secretariats of the Basel and Stockholm conventions and with other relevant partners in follow-up to decision RC-4/11 on enhancing cooperation and coordination among the three conventions and to the omnibus decision adopted in Bali. Additional information on the secretariats' work in this regard can be found in documents UNEP/FAO/RC/COP.5/20 and UNEP/FAO/RC/COP.5/25 and its addenda. In addition, the Secretariat organized a series of regional awareness-raising workshops on the synergies process in cooperation with the secretariats of the Basel and Stockholm conventions.

B. Cooperation with the World Customs Organization

48. During the reporting period the Secretariat continued its collaboration with the World Customs Organization (WCO), especially in the delivery of joint capacity-building activities and the development of information materials for Customs officials. The Secretariat is also cooperating with WCO and the secretariats of the Basel and Stockholm conventions in developing an e-learning tool for Customs officials. It is also working with WCO regarding the assignment of Harmonized System codes to chemicals listed in Annex III to the Convention. Further information on collaboration with WCO can be found below and in document UNEP/FAO/RC/COP.5/22.

C. Participation in the Green Customs Initiative

49. The Secretariat, in cooperation with the secretariats of the Basel and Stockholm conventions, was actively involved in the preparation of materials and the delivery of a number of training workshops for Customs officials in conjunction with WCO and the Green Customs Initiative, of which the Secretariat is a partner. In addition, the Initiative provided training for the staff of the regional centres of the Basel and Stockholm conventions and the FAO regional offices, at a meeting in September 2010 in Barcelona, Spain.

50. As indicated above, the three secretariats are also working with the UNEP Division of Technology, Industry and Economics, through the Green Customs Initiative, towards the development of a WCO e-learning tool for the Basel, Rotterdam and Stockholm conventions. Additional information regarding technical assistance activities jointly delivered with the Green Customs Initiative can be found in document UNEP/FAO/RC/COP.5/22. As a partner of the Green Customs Initiative, the Secretariat participated in a partners' meeting held on 8 and 9 February 2010 in Geneva.

D. Coordination with the Strategic Approach to International Chemicals Management

51. During the reporting period the secretariats of the Strategic Approach and the Convention coordinated closely in organizing the fourth meeting of the Conference of the Parties to the Convention, from 27 to 31 October 2008, back-to-back with a meeting of an open-ended legal and technical working group under the Strategic Approach. This meant that full use could be made of synergies arising from joint local arrangements, and from the carry-over of outcomes of discussions, agreements and achievements of the first meeting into the second meeting.

52. The national focal points for the Strategic Approach are routinely invited to participate in national and subregional meetings on the implementation of the Convention and in synergies

workshops. Further specific cooperation has included working together to promote the ratification of the Convention as part of the Strategic Approach.

53. The Strategic Approach secretariat also participated actively in regional awareness-raising workshops on cooperation and coordination between the Basel, Rotterdam and Stockholm conventions that took place in Pretoria (2009), Montevideo (2009) and Beijing (2010).

E. Coordination with the United Nations Institute for Training and Research

54. The Secretariat collaborated with UNITAR during the reporting period and actively participated in capacity-building activities to support its existing programme and the joint development of related training tools and materials. Under this initiative, the Secretariat took the lead to develop a guidance tool on the Globally Harmonized System of Classification and Labelling of Chemicals and linkages with the three conventions. In relation to the development of training on resource mobilization, the Secretariat has been working with UNITAR and the secretariats of the Strategic Approach and the Basel and Stockholm conventions in the development of draft guidance materials on financial resource mobilization for the sound management of chemicals. In addition, joint training sessions to test these materials are being organized in the framework of the synergies workshops.

F. Coordination with the Inter-Organization Programme for the Sound Management of Chemicals

55. The Secretariat, in implementing its workplan for 2009–2011, conducted a series of collaborative activities to strengthen parties' capacity to manage industrial chemicals to bring it up to par with their capacity to manage agricultural chemicals. Cooperation on sound industrial chemicals management is continuing with the member organizations of the Inter-Organization Programme for the Sound Management of Chemicals, in particular the World Health Organization, the UNEP Division of Technology, Industry and Economics, UNITAR and the International Labour Organization. Additional information on cooperation relevant to industrial chemicals can be found in document UNEP/FAO/RC/COP.5/18.

G. Contribution to the Bali Strategic Plan

56. Chemicals are one of the thematic areas identified in 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 the provision of assistance to facilitate compliance with and enforcement of obligations under multilateral environmental agreements and the implementation of environmental commitments. Technical assistance activities in support of the Convention contribute directly to attaining this objective. For example, the submission of import responses for chemicals listed in Annex III directly benefits countries by helping to prevent unwanted imports of hazardous chemicals.

H. Cooperation with the World Trade Organization

57. The Secretariat continued to cooperate during the reporting period with the Committee on Trade and Environment of the World Trade Organization. Details of this cooperation can be found in document UNEP/FAO/RC/COP.5/21.

IV. Secretariat functions as specified in the Convention and determined by the Conference of the Parties

58. The Secretariat's activities related to its functions are described in the order in which they are mentioned in the Convention.

A. Maintaining a register of designated national authorities (Article 4)

59. Under Article 4 of the Convention, each party is obliged to designate a national authority authorized to act on its behalf in the performance of administrative functions required by the Convention and to notify the Secretariat of the name and address of such authority. The Secretariat informs each new party to the Convention of this obligation. Eighteen new parties and 51 new designated national authorities were welcomed during the reporting period. There were also 71 changes of designated national authorities.

60. When a new party designates a national authority or when there are changes in the designated national authority, a letter is sent to the authority providing information on the authority's obligations under the Convention and the status of implementation in the party. Letters may also include

information on the import responses submitted and a list of notifications submitted by the party both prior to and following the adoption of the Convention. The letter is accompanied by a complete set of decision guidance documents for the chemicals listed in Annex III and a copy of the resource kit in hard copy and on CD-ROM.

61. A complete list of designated national authorities is circulated with the PIC Circular every six months, with a request that the information on the list be checked and any necessary changes reported to the Secretariat. If the Secretariat becomes aware that the contact information for the designated national authority of a party is no longer current, efforts are made to ensure that it is updated. The Secretariat uses sources of information such as registration forms for workshops or meetings, import response forms and notifications of final regulatory action to confirm contact details and to verify the accuracy of such information with designated national authorities prior to updating its database.

62. In October 2010 the Secretariat wrote to the official contact points to verify the contact details held in the PIC database, including the addresses of the designated national authorities. This communication was copied to the relevant permanent missions in Geneva and to permanent representatives to FAO in Rome.

B. Processing notifications of final regulatory action to ban or severely restrict chemicals and forwarding them to the Chemical Review Committee (Article 5)

63. The Secretariat examines notifications of final regulatory action submitted under Article 5 of the Convention to determine whether they include the information required under Annex I. The Secretariat also prepares a synopsis of each notification that meets the information requirements of Annex I. Such synopses are provided to all designated national authorities every six months through the PIC Circular, in English, French and Spanish. As part of this verification process, the Secretariat liaises with the designated national authorities that have submitted notifications that do not meet the information requirements of Annex I to provide assistance in completing notifications.

64. The Secretariat received 169 notifications from 38 parties during the reporting period.¹ The synopses were circulated to parties in Appendix I of PIC Circulars XXVIII (December 2008), XXIX (June 2009), XXX (December 2009), XXXI (June 2010) and XXXII (December 2010). A cumulative list of all notifications received by the Secretariat is published every six months in Appendix V of the PIC Circular.

65. The Secretariat forwarded 46 notifications of final regulatory action and associated supporting documentation for 15 chemicals to the Chemical Review Committee at its fifth, sixth and seventh meetings for its consideration.

66. The Secretariat takes a proactive approach to working with countries and in doing so encourages them to submit notifications for chemicals that have been the subject of final regulatory action, with particular emphasis on those for which the Secretariat has already received one or more complete notifications.

C. Processing proposals for the listing of severely hazardous pesticide formulations and forwarding them to the Chemical Review Committee (Article 6)

67. The Secretariat continued to make information on the process of reporting severely hazardous pesticide formulations available to developing countries.

68. As part of the Secretariat's technical assistance activities, particular attention is drawn to the provisions of Article 6 and their potential benefits for developing countries. During the reporting period pilot programmes on monitoring and reporting pesticide poisoning were implemented in Benin, Burkina Faso, Côte d'Ivoire, Ethiopia, Ghana, Mali, Togo and the United Republic of Tanzania, and

1 The European Union submitted five notifications. Each notification represents the 27 member States, of which 26 are Parties to the Convention. As indicated by the Depositary of the Convention in a notification dated 31 March 2010 (reference: C.N.182.2010.TREATIES-2), which was in turn based on a communication from the Council of the European Union dated 8 March 2010, following the entry into force of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, with effect from 1 December 2009 the European Union replaced the European Community (Article 1, third paragraph, of the Treaty of Lisbon) and took over all rights and obligations of the European Community. The former European Community has accordingly been replaced by the European Union in respect of all conventions or agreements for which the Secretary-General of the United Nations is the depositary and to which the European Community is a signatory or a contracting party.

inception workshops for the development of pilot projects were convened in Jordan, Lebanon and the Syrian Arab Republic.

69. A proposal for the listing of a severely hazardous pesticide formulation containing paraquat was received by the Secretariat during the reporting period and reviewed by the Chemical Review Committee at its seventh meeting, in March 2011.

D. Drafting and disseminating decision guidance documents (Article 7)

70. Following the decisions of the Chemical Review Committee at its fourth, fifth and sixth meetings to recommend the listing of alachlor, aldicarb and endosulfan in Annex III of the Convention and to prepare decision guidance documents intersessionally, the Secretariat facilitated the drafting groups' work. Following the completion of the documents by the co-chairs of the drafting groups, the Secretariat circulated the first drafts for review and comment. The Secretariat then compiled the comments received and worked with the co-chairs to incorporate them into the documents, which were circulated to all Committee members and observers. All comments received were addressed either by amending the documents or by including them in the table of comments along with information on how they were addressed. The Committee approved the decision guidance documents and agree to forward them to the Conference of the Parties at its fifth meeting for its consideration. The Committee's recommendations and the draft decision guidance documents can be found in documents UNEP/FAO/RC/COP.5/13–15, which, in accordance with paragraph 2 of Article 21 of the Convention, were made available to parties on 1 December 2010, six months before the fifth meeting of the Conference of the Parties.

71. The Secretariat is currently working with the drafting group for azinphos-methyl established by the Chemical Review Committee at its sixth meeting. Pending the outcome of the review of the draft decision guidance document by the Chemical Review Committee at its seventh meeting, a possible recommendation and final decision guidance document for this chemical will be considered by the Conference of the Parties at its sixth meeting.

E. Processing information regarding the removal of chemicals from Annex III and forwarding it to the Chemical Review Committee (Article 9)

72. No information was provided to the Secretariat regarding the removal of chemicals from Annex III to the Convention during the reporting period.

F. Processing decisions regarding the future import of chemicals listed in Annex III and informing all parties of the responses received (Article 10)

73. Under paragraph 2 of Article 10 of the Convention, each party must transmit to the Secretariat, as soon as possible and in any event no later than nine months after the date of dispatch of a decision guidance document for a given chemical, a response regarding the extent to which it will permit the future import of the chemical.

74. Under paragraph 3 of Article 10, the Secretariat must, at the expiration of the time period given in paragraph 2 of the Article, forthwith address to any party that has not provided such a response a written request to do so. Reminders of the failure to transmit a response take the form of a listing in the PIC Circular.

75. Under paragraph 10 of Article 10, every six months the Secretariat must inform all parties of the responses that it has received. Such information must include a description of the legislative or administrative measures on which the decisions about whether to permit the import of chemicals have been based, where available. The Secretariat must also inform the parties of any cases of failure to transmit a response.

76. The Secretariat received 950 responses regarding the future import of the chemicals listed in Annex III from 86 parties during the reporting period. Those responses, together with all the previously submitted responses and information on all cases of failure to provide a response, were circulated to parties in Appendix IV of PIC Circulars XXVIII (December 2008), XXIX (June 2009), XXX (December 2009), XXXI (June 2010) and XXXII (December 2010), in English, French and Spanish.

77. On 19 October 2009, the Secretariat wrote to the designated national authorities of 74 parties that had submitted 20 or fewer import responses for any of the chemicals listed in Annex III and parties that had previously submitted interim import responses and had not updated them for two years or more, reminding them of their obligations under article 10, encouraging them to review the current status of their interim import responses and inviting them to contact the Secretariat should they require

assistance. The Secretariat noted a significant increase in the number of import responses submitted as a result of its activities, including this letter. As at 31 October 2010, 12 parties had failed to submit import responses for any of the chemicals included in Annex III. The Secretariat is actively working with those parties to help them to fulfil their obligations under the Convention.

78. Pursuant to paragraph 4 (b) (iv) of Article 10 of the Convention, providing assistance to parties in evaluating chemicals forms an integral part of the Secretariat's work. The Secretariat received no specific requests for assistance under the provisions of Article 10 during the reporting period. The obligation of parties to provide import responses and the benefits that can be gained by providing them was, however, highlighted at national and subregional workshops. The Secretariat will continue to work with parties to assist them in fulfilling their obligations in relation to the chemicals listed in Annex III.

G. Working with the World Customs Organization in assigning Harmonized System Customs codes to the chemicals listed in Annex III (Article 13)

79. The specific Harmonized System codes for most of the chemicals listed in Annex III to the Convention entered into force in January 2007. A list of the codes was sent to all parties through their designated national authorities and is available on the Convention website. The Secretariat prepared a fact sheet containing a list of the codes for chemicals listed in Annex III to facilitate their use. The Secretariat continues to work with WCO with the result that new codes have already been proposed for those chemicals that were listed in Annex III by the Conference of the Parties at its fourth meeting. The new codes are not listed in the fourth edition of the Harmonized Commodity Description and Coding System, published in 2007, but will be included in the fifth edition and will enter into force formally on 1 January 2012. The Secretariat will follow up with WCO regarding specific codes for any new chemicals included in Annex III to the Convention by the Conference of the Parties at future meetings.

H. Facilitating information exchange among parties (Article 14)

80. During the reporting period, the Secretariat received and responded to numerous requests for information related to the implementation of the Convention. The Secretariat estimates that it receives some three to five requests regarding implementation each day.

81. The Secretariat also circulated information relating to the domestic regulatory actions on endosulfan and chrysotile asbestos by two parties through PIC Circulars XXVIII (December 2008)–XXXII (December 2010). A review of opportunities to exchange information on chemicals recommended by the Chemical Review Committee for inclusion in Annex III to the Convention but for which the Conference of the Parties has yet to take a decision is included in document UNEP/FAO/RC/COP.5/6 for further discussion under agenda item 5.

I. Communicating proposed amendments to the Convention (articles 21 and 22)

82. During the reporting period, the Secretariat provided information to the parties on the proposal to amend Annex III to the Convention to include alachlor, aldicarb and endosulfan, following the recommendation made by the Chemical Review Committee and its adoption of the decision guidance documents on alachlor and aldicarb at its fifth meeting and on endosulfan at its sixth meeting.

83. The proposed amendments were communicated to parties on 1 December 2010 and are set out in documents UNEP/FAO/RC/COP.5/13–15.

84. At its fourth meeting, the Conference of the Parties decided to list tributyltin compounds in Annex III to the Convention. This decision entered into force for all parties on 1 February 2009. In line with paragraph 2 of Article 10, the Secretariat distributed the decision guidance document on tributyltin compounds to all parties on 1 February 2009, together with the request that responses concerning future imports of the chemical be transmitted to the Secretariat no later than nine months after the date of dispatch of the decision guidance document.

V. Follow-up to specific decisions of the Conference of the Parties

A. Decision RC-3/5 on possible options for lasting and sustainable financial mechanisms for the Convention

85. Actions taken by the Secretariat in response to decision RC-4/8 on progress towards the implementation of decision RC-3/5, on possible options for lasting and sustainable financial mechanisms for the Convention, are described in documents UNEP/FAO/RC/COP.5/17 and UNEP/FAO/RC/COP.5/INF/7.

B. Decision RC-4/5 on tributyltin compounds

86. By its decision RC-4/5, the Conference of the Parties, having considered the recommendation of the Chemical Review Committee to make tributyltin compounds subject to the prior informed consent procedure and accordingly to list them in Annex III to the Convention, decided to amend Annex III to the Convention to list the following chemicals in the three columns after the entry for “toxaphene”:

<i>Chemical</i>	<i>Relevant CAS number(s)</i>	<i>Category</i>
All tributyltin compounds including:		Pesticide
Tributyltin oxide	CAS 56-35-9	
Tributyltin fluoride	CAS 1983-10-4	
Tributyltin methacrylate	CAS 2155-70-6	
Tributyltin benzoate	CAS 4342-36-3	
Tributyltin chloride	CAS 1461-22-9	
Tributyltin linoleate	CAS 24124-25-2	
Tributyltin naphthenate	CAS 85409-17-2	

87. The revised decision guidance document was circulated by the Secretariat to parties on 1 February 2009, as the starting date for the application of the PIC procedure, together with a copy of the decision of the Conference of the Parties and import response forms. WCO was informed of the need to assign new Harmonized System codes to tributyltin compounds.

88. The need to amend Annex III to the Convention text was communicated to the Depository in January 2009 and the revision of the Convention text is also reflected in the PIC circular and on the Convention website.

89. On 2 November 2009, the Secretariat also wrote to the designated national authorities of parties that had not submitted import responses for tributyltin compounds. During the reporting period, 61 parties submitted import responses for tributyltin compounds. The Secretariat encourages parties who have not yet submitted import responses for tributyltin compounds to do so, or, for those parties having difficulties taking an import decision, to request assistance from the Secretariat.

C. Decision RC-4/6 on endosulfan and the legal opinion on the issues arising from the application of criterion (d) of Annex II

90. Actions taken by the Secretariat in follow-up to decision RC-4/6 on endosulfan and the legal opinion on the issues arising from the application of criterion (d) of Annex II are described in document UNEP/FAO/RC/CRC.3/INF/7. A supplementary legal opinion has been reproduced in the annex to document UNEP/FAO/RC/COP.5/INF/5.

D. Decision RC-4/14 on chrysotile asbestos and RC-4/6 on endosulfan

91. Through the PIC Circular cover note that is circulated to all designated national authorities, under the item on information exchange, parties were informed that the Conference of the Parties in decisions RC-3/3 and RC-4/4 on chrysotile asbestos, and in decision RC-4/6 on endosulfan, encouraged parties to make use of all information available on those chemicals and to assist others, in particular developing countries and countries with economies in transition, to make informed decisions regarding their import and management and to inform other parties of their decisions in accordance with the information exchange provisions in Article 14 of the Convention.

92. Appendix VI of the PIC Circular contains references to the information that has been provided by parties on national decisions concerning the management of chrysotile asbestos and endosulfan and a list of decisions on the future import of chrysotile asbestos and endosulfan that have been submitted by parties. Appendix VI of PIC Circular XXXII of December 2010 contains information from the European Community, Guinea-Bissau, Mauritania, Peru, Switzerland and Viet Nam.