



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

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Chemical Review Committee

Sixth meeting

Geneva, 15–19 March 2010

Item 2 (a) of the provisional agenda*

Organizational matters: adoption of the agenda

Annotated provisional agenda

Item 1. Opening of the meeting

1. The sixth meeting of the Chemical Review Committee, to be held from 15 to 19 March 2010 at the Varembe Conference Centre, Geneva, will be opened at 10 a.m. on Monday, 15 March 2010.
2. The Chair of the Committee and Mr. Donald Cooper, Co-Executive Secretary of the Rotterdam Convention, will each deliver an opening statement.

Item 2. Organizational matters

(a) Adoption of the agenda

3. The Committee may wish to adopt its agenda on the basis of the provisional agenda contained in document UNEP/FAO/RC/CRC.6/1.

(b) Organization of work

4. Upon commencement of the meeting, the Committee will need to agree on suitable working hours. The Committee may wish to agree to meet each day from 9 a.m. to 12.30 p.m. and from 2 p.m. to 5 p.m., subject to adjustments as appropriate.
5. One member of the Bureau, Mr. Gamini Manuweera (Sri Lanka), who was representing the Asian and Pacific region, resigned following the Committee's fifth meeting. Consequently, the Asian and Pacific group will need to identify a new Bureau representative.
6. The Committee may wish to review the outcome of the fourth meeting of the Conference of the Parties, its operational procedures and the working procedures and policy guidance on Monday. It may then wish to continue its review of the draft decision guidance documents for endosulfan before going on to consider the five candidate chemicals. Drafting groups will be established as necessary to prepare rationales for individual chemicals and workplans for any intersessional work that may be required with a view to concluding the meeting and adopting the report on Friday afternoon.
7. A scenario note for the meeting is provided in document UNEP/FAO/RC/CRC.6/2.

* UNEP/FAO/RC/CRC.6/1.

Item 3. Review of the outcome of the fourth meeting of the Conference of the Parties to the Rotterdam Convention relevant to the Committee's work

8. The Committee will have before it a note by the Secretariat that reviews the outcome of the fourth meeting of the Conference of the Parties relevant to the Committee's work (UNEP/FAO/RC/CRC.6/4).

Item 4. Operational issues

9. In view of the large number of experts participating in the current meeting for the first time, the present agenda item will provide an opportunity for a series of brief presentations and subsequent discussion to ensure a common understanding of the Committee's work by all members.

(a) Review of the Committee's role and mandate

10. A presentation on the Committee's role and mandate, together with an introduction to the operation of the prior informed consent (PIC) procedure with an emphasis on elements directly related to the Committee's work, will be given.

(b) Report on activities undertaken or planned for the effective participation of members and parties in the Committee's work

11. A brief report on activities undertaken to encourage the effective participation of members and Parties in the Committee's work will be given.

(c) Working procedures and policy guidance developed to facilitate the Committee's work

12. A presentation will be given on the key elements of the Committee's intersessional work to introduce the working procedures and policy guidance developed to facilitate the Committee's work. The three documents listed below under sections (i)–(iii) have been modified to reflect the experience gained since the Committee's fifth meeting and will be subject to more detailed review and discussion.

13. The full text of the working procedures and policy guidance will be available to the Committee in an information document (UNEP/FAO/RC/CRC.6/INF/3).

(i) Guidance to intersessional task groups on reviewing notifications of final regulatory actions and supporting documentation for chemicals scheduled for consideration by the Committee

14. The Committee will have before it a note by the Secretariat regarding the further development of the guidance to intersessional task groups (UNEP/FAO/RC/CRC.6/13). The Committee may wish to consider the guidance document, revised to reflect the experience gained at the Committee's fifth meeting, and continue to develop the paper in the light of future experience.

(ii) Working paper on the application of criteria b (i), b (ii) and b (iii) of Annex II

15. The Committee will have before it a note by the Secretariat regarding the further development of the working paper on the application of criteria b (i), b (ii) and b (iii) of Annex II (UNEP/FAO/RC/CRC.6/14). The Committee may wish to consider the working paper, revised to reflect the experience gained at the Committee's fifth meeting, and continue to develop the paper in the light of future experience.

(iii) Legal opinion clarifying the meaning of the term "intentional misuse"

16. The Committee will have before it a note by the Secretariat containing a legal opinion provided by the United Nations Environment Programme legal office on the term "intentional misuse" as requested at the fourth meeting of the Conference of the Parties (UNEP/FAO/RC/CRC.6/10).

17. The original legal opinion on intentional misuse provided by the UNEP legal office is contained in the working paper on the application of criterion (d) of Annex II and may be found in the compilation of working procedures and policy guidance (UNEP/FAO/RC/CRC.6/INF/3).

Item 5. Listing of chemicals in Annex III to the Rotterdam Convention

(a) Report of the Bureau on the preliminary review of notifications and proposed priorities for chemicals scheduled for review by the Chemical Review Committee

18. The Committee will have before it a note by the Secretariat that sets out the results of the preliminary review of notifications of final regulatory action and supporting documentation undertaken by the Secretariat in consultation with the Bureau and the proposed priorities for intersessional work on the chemicals scheduled for review by the Committee (UNEP/FAO/RC/CRC.6/3). The Committee may wish to consider the notifications and supporting documentation before it in the context of the priorities suggested in the note.

(b) Review of notifications of final regulatory actions to ban or severely restrict a chemical

(i) Amitraz

19. The Committee will have before it a note by the Secretariat containing one verified notification of final regulatory action from each of two prior informed consent (PIC) regions relating to amitraz (UNEP/FAO/RC/CRC.6/5). One notification comes from Europe and was submitted by the European Community; the other comes from Asia and was submitted by the Islamic Republic of Iran.

20. The supporting documentation submitted by the European Community and the Islamic Republic of Iran are provided in documents UNEP/FAO/RC/CRC.6/5/Add.1 and Add.2, respectively.

(ii) Azinphos-methyl

21. The Committee will have before it a note by the Secretariat containing one verified notification of final regulatory action from each of two PIC regions relating to azinphos-methyl (UNEP/FAO/RC/CRC.6/6). One notification comes from North America and was submitted by Canada and has been considered previously; the other comes from Europe and was submitted by Norway.

22. At its fifth meeting, the Committee considered the notification for azinphos-methyl from Canada and agreed that it met the requirements of the Convention. The rationale in that regard is available in document UNEP/FAO/RC/CRC.6/6/Add.1.

23. The supporting documentation provided by Norway is available in document UNEP/FAO/RC/CRC.6/6/Add.2. The supporting documentation provided by Canada at the Committee's fifth meeting is available in document UNEP/FAO/RC/CRC.5/4/Add.1.

(iii) Endosulfan

24. The Committee will have before it a note by the Secretariat containing four verified notifications of final regulatory action from three PIC regions relating to endosulfan (UNEP/FAO/RC/CRC.6/7).

25. One notification comes from Africa and was submitted by Guinea-Bissau. Another notification comes from the Southwest Pacific and was submitted by New Zealand. The other two notifications come from Asia and were submitted by the Islamic Republic of Iran and Malaysia. The notification from Guinea-Bissau refers to the same final regulatory action as the notifications from the seven African countries (Burkina Faso, Cape Verde, Gambia, Mali, Mauritania, Niger and Senegal) that were reviewed by the Committee at its fifth meeting (UNEP/FAO/RC/CRC.5/5). The Committee may wish to confirm that the notification contains the same information as those previously reviewed.

26. The supporting documentation provided by New Zealand, the Islamic Republic of Iran and Malaysia are provided in documents UNEP/FAO/RC/CRC.6/7/Add.1, Add.2 and Add.3, respectively.

27. In the light of the revised legal opinion on intentional misuse requested at the fourth meeting of the Conference of the Parties (available in document UNEP/FAO/RC/CRC.6/10), the Committee may wish to revisit the notification submitted by Thailand that it originally considered at its second meeting, when it agreed that the notification met the requirements of the Convention. The notification is provided in document UNEP/FAO/RC/CRC.6/15 and the rationale for the Committee's conclusion in document UNEP/FAO/RC/CRC.6/15/Add.2. The supporting documentation submitted by Thailand is available in document UNEP/FAO/RC/CRC.6/15/Add.1.

28. At its third meeting, the Committee finalized a draft decision guidance document for endosulfan based on the notifications from Thailand and the European Community and forwarded it, together with a recommendation for the inclusion of endosulfan in Annex III to the Rotterdam Convention, to the

Conference of the Parties for consideration at its fourth meeting. The text of that recommendation, a rationale, tabular summary of comments received on the draft decision guidance document and how they were addressed and the draft decision guidance document itself can be found in document UNEP/FAO/RC/COP.4/9.

(iv) Methyl bromide

29. The Committee will have before it a note by the Secretariat containing two verified notifications from two PIC regions relating to methyl bromide (UNEP/FAO/RC/CRC.6/8). One notification comes from Europe and was submitted by the Netherlands and has been considered previously; the other comes from Africa and was submitted by Malawi.

30. At its first meeting, the Committee considered the notification for methyl bromide from the Netherlands and agreed that it met the requirements of the Convention. The rationale for the Committee's conclusion in that regard is available in document UNEP/FAO/RC/CRC.6/8/Add.1.

31. The supporting documentation submitted by Malawi is provided in document UNEP/FAO/RC/CRC.6/8/Add.2.

(v) Paraquat

32. The Committee will have before it a note by the Secretariat containing a verified notification from Europe relating to paraquat that was submitted by Sweden. At its fifth meeting, the Committee reviewed the Swedish notification and concluded that it did not meet the criteria of Annex II to the Convention on the basis of the information available at that time. The Committee invited Sweden to submit an English translation of its supporting information so that the notification could be revisited by the Committee at its sixth meeting. The English translation of the supporting information submitted by Sweden is available in document UNEP/FAO/RC/CRC.6/9/Add.2.

33. The Swedish notification made available to the Committee at its fifth meeting has been reproduced in document UNEP/FAO/RC/CRC.6/9.

34. The original supporting documentation provided at the Committee's fifth meeting by Sweden in support of its final regulatory action on paraquat has been reproduced, without changes, in document UNEP/FAO/RC/CRC.6/9/Add.1.

(c) Consideration of the draft decision guidance document for endosulfan

35. The Committee will have before it a note by the Secretariat containing a draft decision guidance document on endosulfan, based on the notifications from the European Community and seven African countries (Burkina Faso, Cape Verde, Gambia, Mali, Mauritania, Niger and Senegal), prepared by the drafting group established at the Committee's fifth meeting (UNEP/FAO/RC/CRC.6/11). In line with decision RC.2/2, a tabular summary of comments received under step 4 of the procedure for developing decision guidance documents and how they were addressed is available in document UNEP/FAO/RC/CRC.6/INF/5.

36. The Committee will also have before it a note by the Secretariat outlining the outstanding issues identified at the Committee's fifth meeting concerning the African notifications on endosulfan, together with relevant information received from Australia and Burkina Faso. The Committee may wish to review the information contained in document UNEP/FAO/RC/CRC.6/12 and determine whether the outstanding questions have been answered.

37. The Secretariat has received a letter from CropLife International containing comments on the draft decision guidance document on endosulfan and on the Committee's review of the underlying notifications (UNEP/FAO/RC/CRC.6/INF/7). Those comments related to the draft decision guidance document are included in the above-mentioned tabular summary (UNEP/FAO/RC/CRC.6/INF/5). The comments related to the Committee's review of the notifications and an indication as to the extent to which they were considered at the Committee's fifth meeting may be found in document UNEP/FAO/RC/CRC.6/INF/7.

38. As a result of its deliberations under this agenda item and item (b) (iii) the Committee will need to determine whether the draft decision guidance document on endosulfan can be finalized at the current meeting and, if so, may decide to forward its recommendation to list the chemical in Annex III to the Convention and the draft decision guidance document to the Conference of the Parties at its fifth meeting for a decision.

39. The draft decision guidance document and recommendation would, in accordance with the process adopted by decision RC-2/2, be accompanied by a summary of the Committee's deliberations, including a rationale based on the criteria listed in Annex II to the Convention and a tabular summary of comments received under step 4 of the process for developing decision guidance documents and how they were addressed.

Item 6. Other matters

40. The Secretariat has received a letter from the Indian Chemical Council regarding the procedure for banned or severely restricted chemicals. A copy of the letter and the Secretariat's response are available to the Committee in document UNEP/FAO/RC/CRC.6/INF/6.

Item 7. Adoption of the report

41. The Committee will be invited to consider and adopt the draft report of its sixth meeting, as prepared by the Rapporteur.

Item 8. Closure of the meeting

42. Mr. Peter Kenmore, Co-Executive Secretary of the Rotterdam Convention, will deliver a closing statement. It is expected that the meeting will be closed by the Chair no later than 5 p.m. on Friday, 19 March 2010.
