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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
First meeting
Geneva, 20–24 September 2004
Item 6 (b) (ii) b of the provisional agenda ***

**Matters stipulated by the Convention for action
by the Conference of the Parties at its first meeting:
consideration of chemicals for inclusion in Annex III:
chemicals included under paragraph 8 of the resolution
on interim arrangements: DNOC and its salts**

Inclusion of the chemical DNOC and its salts in Annex III of the Rotterdam Convention

Note by the secretariat

Introduction

1. Article 8 of the Rotterdam Convention states:

“For any chemical, other than a chemical listed in Annex III, that has been included in the voluntary Prior Informed Consent procedure before the date of the first meeting of the Conference of the Parties, the Conference of the Parties shall decide at that meeting to list the chemical in Annex III, provided that it is satisfied that all the requirements for listing in that Annex have been fulfilled.”

2. In paragraph 8 of its resolution on interim arrangements,¹ the Conference of Plenipotentiaries decided that the Intergovernmental Negotiating Committee would “decide, between the date on which the

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

Convention is opened for signature and the date of its entry into force, on the inclusion of any additional chemicals under the interim PIC procedure in accordance with the provision of Articles 5, 6, 7 and 22 of the Convention.” The Rotterdam Convention was opened for signature on 11 September 1998, and entered into force on 24 February 2004.

3. Paragraph 5, subparagraph (a), of article 22 of the Convention states that “amendments to Annex III shall be proposed and adopted according to the procedure laid down in Articles 5 to 9 and paragraph 2 of Article 21”. Paragraph 2 of article 21 states:

“Amendments to this Convention shall be adopted at a meeting of the Conference of the Parties. The text of any proposed amendment shall be communicated to the Parties by the Secretariat at least six months before the meeting at which it is proposed for adoption. The Secretariat shall also communicate the proposed amendment to the signatories of this Convention and, for information, to the Depositary.”

4. At its tenth session, held from 17 to 21 November 2004, the Intergovernmental Negotiating Committee considered the recommendation made by the Interim Chemical Review Committee to include DNOC and its salts (such as ammonium salt, potassium salt and sodium salt) in the interim PIC procedure, including the Review Committee’s determination that all of the requirements of Annex II of the Rotterdam Convention had been met. By decision INC-10/3, the Intergovernmental Negotiating Committee decided to make DNOC and its salts (such as ammonium salt, potassium salt and sodium salt) subject to the interim prior informed consent procedure and approved the decision guidance document on DNOC and its salts. The decision guidance document was circulated on 1 February 2004

5. In accordance with the time frame specified in paragraph 2 of article 21 of the Rotterdam Convention, the secretariat circulated the present note, including the text of the proposed amendment annexed hereto, on 15 March 2004.

Suggested action by the Conference of the Parties

6. The Conference of the Parties may wish, by adopting the annexed draft decision, to amend Annex III of the Rotterdam Convention in accordance with the provisions of article 8 to include DNOC and its salts.

¹ Final Act of the Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, Rotterdam, Netherlands, 10-11 September 1998 (UNEP/FAO/PIC/CONF/5), annex I, resolution 1.

Annex

Draft decision of the first meeting of the Conference of the Parties on the inclusion of DNOC and its salts in Annex III of the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Intergovernmental Negotiating Committee,

Having considered decision INC-10/3 of the Intergovernmental Negotiating Committee, by which the Committee made DNOC and its salts subject to the interim prior informed consent procedure,

Being satisfied that all the requirements for listing in Annex III of the Rotterdam Convention have been met,

1. *Decides* to amend Annex III of the Rotterdam Convention to include the following chemical:

Chemical	Relevant CAS number(s)	Category
DNOC and its salts (such as ammonium salt, potassium salt and sodium salt)	534-52-1; 2980-64-5; 5787- 96-2; 2312-76-7	Pesticide

2. *Decides* that this amendment shall enter into force for all Parties on [1 February 2005].
