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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 9 (a) of the provisional agenda*

**Matters recommended by the Intergovernmental
Negotiating Committee for action by the Conference
of the Parties at its first meeting: amendments to Annex III.**

Inconsistencies within Annex III of the Rotterdam Convention and inconsistencies between Annex III and decision guidance documents

Note by the secretariat

Introduction

1. At the ninth session of the Intergovernmental Negotiating Committee, concerns were raised over inconsistencies within Annex III of the Convention and between Annex III and decision guidance documents. The secretariat was requested to prepare a paper on this issue, to be considered by the Interim Chemical Review Committee at its fourth session.

2. At its tenth session, the Intergovernmental Negotiating Committee considered a report from the fourth session of the Interim Chemical Review Committee, which proposed changes to the entries in Annex III of the Convention for 2,4,5-T, pentachlorophenol, dinoseb and dinoseb salts and methyl parathion. Based on this report, the Intergovernmental Negotiating Committee decided, in decision INC-10/6, to recommend to the Conference of the Parties that it consider amending the entries for these four chemicals in Annex III of the Convention.

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

3. Paragraph 2 of article 21 states that “amendments to the Convention shall be adopted at a meeting of the Conference of the Parties. The text of any proposed amendments 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 to this Convention and, for information, to the Depositary.”

4. 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 amendments annexed hereto, on 15 March 2004.

Suggested action by the Conference of the Parties

5. The Conference of the Parties may wish, by adopting the attached draft decision, to amend the entries for 2,4,5-T, pentachlorophenol, dinoseb and dinoseb salts and methyl parathion in Annex III of the Rotterdam Convention.

Annex

Draft decision of the first meeting of the Conference of the Parties on changes to Annex III of the Rotterdam Convention to address inconsistencies within Annex III and between Annex III and the decision guidance documents

The Conference of the Parties,

Noting with appreciation the work of the Intergovernmental Negotiating Committee in considering inconsistencies within Annex III of the Rotterdam Convention and between Annex III and the decision guidance documents,

Having considered the recommendations contained in decision INC-10/6 of the Intergovernmental Negotiating Committee on these inconsistencies,

1. *Decides*, in accordance with paragraph 5 of article 22, to make the following amendments to Annex III of the Rotterdam Convention:
 - (a) Replace “2,4,5-T”, with “2,4,5-T and its salts and esters”;
 - (b) Replace “Pentachlorophenol” with “Pentachlorophenol and its salts and esters”;
 - (c) Replace “Dinoseb and dinoseb salts” with “Dinoseb and its salts and esters”;
 - (d) Replace “Methyl-parathion (emulsifiable concentrates (EC) with 19.5%, 40%, 50% and 60% active ingredient and dusts containing 1.5%, 2% and 3% active ingredient)” with “Methyl parathion (emulsifiable concentrates (EC) at or above 19.5% active ingredient and dusts at or above 1.5% active ingredient)”;
 2. *Decides* that this amendment shall enter into force for all Parties on [1 February 2005];
 3. *Requests* the secretariat to make the equivalent amendments to the description of the chemical identities in the decision guidance documents for 2,4,5-T, pentachlorophenol, dinoseb and dinoseb salts and methyl parathion.
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