



United Nations
Environment Programme

Food and Agriculture Organization
of the United Nations

Distr.: General
27 June 2004

Original: English

**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 (c) of the provisional agenda*

**Matters recommended by the Intergovernmental Negotiating
Committee for action by the Conference of the Parties
at its first meeting: Technical assistance strategy**

**Matters recommended by the Intergovernmental Negotiating
Committee for action by the Conference of the Parties at its first
meeting: proposal for the regional delivery of technical assistance
to Parties**

Note by the secretariat

Introduction

1. In annex I to the present note, the secretariat is circulating a proposal on the regional delivery of technical assistance to the Parties to the Rotterdam Convention, which has been prepared at the request of the Intergovernmental Negotiating Committee, contained in paragraph 2 of its decision INC-10//7.

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

I. Basis for the proposal

2. At its tenth session, the Intergovernmental Negotiating Committee reviewed matters relating to technical assistance in anticipation of the entry into force of the Convention. The Committee considered a document prepared by the secretariat summarizing the results of workshops on the Rotterdam Convention (UNEP/FAO/PIC/ INC.10/21). It also considered a document on technical assistance needs and opportunities for synergies as the basis for a possible strategic approach to technical assistance (UNEP/FAO/PIC/INC.10/23).

3. As a result of its deliberations, the Committee adopted decision INC-10/7, on a strategic approach to technical assistance. This decision includes a number of provisions relevant to technical assistance, including requests directed to the secretariat and others. Paragraph 2 of the decision provides as follows:

“Requests the secretariat, using the regional facilities of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, to strengthen cooperation with regional and other organizations, where appropriate, on technical assistance and capacity-building, and to develop a proposal for the Conference of the Parties at its first meeting on the regional delivery of technical assistance to Parties”.

II. Steps taken to develop the proposal

4. In developing this proposal, the secretariat considered the technical assistance needs of countries identified in the documentation available to the Intergovernmental Negotiating Committee at its tenth session. It also took into consideration the results of the survey set out on paragraph 5 of decision INC-10/7, which were presented to the Committee at its eleventh session in document UNEP/FAO/PIC/INC.11/INF/1.

5. The secretariat has also undertaken an initial review of existing resource and training materials that may be used in the regional delivery of technical assistance, with a view to ensuring that maximum advantage is taken of already prepared materials and to identifying areas where further materials are needed. Some steps have been taken to compile these materials into a resource kit. The resource kit will be a key component in the initial steps on the regional delivery of technical assistance. The materials are listed in annex I below.

6. Pursuant to paragraphs 1 and 2 of decision INC-10/7, the secretariat has taken a number of steps to cooperate with other organizations and entities in developing the attached proposal. It has also taken into consideration the provisions of article 19, paragraph 2 (c), of the Convention, which provides that a function of the secretariat shall be to ensure the necessary coordination with the secretariats of other international bodies.

7. In line with these provisions, and after having developed the working elements of a possible proposal for the regional delivery of technical assistance, the secretariat convened two consultation meetings to review these elements and consider opportunities for collaboration in its delivery. The first was a consultation meeting with representatives of the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Environment Programme (UNEP) regional offices, from 26 to 28 April 2004. This meeting was attended by regional officers of FAO and UNEP and the directors of the Basel Convention regional centres.

8. The second was a consultation meeting with representatives of intergovernmental organizations, non-governmental organizations, industry bodies and bilateral aid agencies involved in chemical-management and safety issues, held on 7 and 8 June 2004. This meeting was attended by representatives of the secretariats of the Stockholm and Basel conventions, UNEP, the United Nations Institute for Training and Research (UNITAR), the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Industrial Development Organization (UNIDO), the Pesticides Action Network (PAN), the International Council of Chemical Associations (ICCA), CropLife International, the World Bank, the Swiss Ministry of Foreign Affairs and the German technical cooperation agency, German Agency for Technical Cooperation (GTZ).

9. These consultations provided valuable input to the secretariat in developing the attached Proposal. They also helped to identify opportunities for collaboration with organizations in the regional delivery system.

III. Proposal

10. Building on the above foundations, the attached proposal comprises the following elements:

- (a) Introduction;
- (b) Background;
- (c) Needs, priorities and target audience;
- (d) Framework and modalities for regional delivery;
- (e) Actions to operationalize the system and begin delivery;
- (f) Mobilizing resources and funding;
- (g) Indicators of progress and success over time;
- (h) Means of updating the regional delivery system;
- (i) Tools and methods to be used in the regional delivery system.

11. The proposal has been developed on the basis of both a short-term and a long-term scenario for action. The short-term scenario (between the first and second meetings of the conference of the Parties) would include an initial set of actions based on needs and priorities identified to date. This period would also be used to allow testing and further assessment of partners and modalities, as a basis for feedback and any adjustments to the overall strategy by the time of the Parties' second meeting.

12. Attached in annex I to the present note is the proposal on the regional delivery of technical assistance, for the consideration of the Conference of the Parties.

13. Attached in annex II is a draft decision on the adoption of the proposal on the regional delivery of technical assistance, also for the consideration of the Conference of the Parties.

Annex I

Proposal on the regional delivery of technical assistance to Parties

Introduction

1. The present document contains a proposed strategy for the regional delivery of technical assistance to Parties to the Rotterdam Convention. Within this strategy, specific modalities and actions are identified to ensure that assistance is delivered in an appropriate and effective manner, in support of the relevant provisions of the Convention.
2. The strategy is designed to respond to the technical assistance needs and priorities of Parties. It has been developed building on the experience gained during the interim prior informed consent (PIC) procedure and in recognition of the existing technical assistance programmes of possible partner organizations. In addition, it distinguishes elements of the Convention that are unique and where the secretariat would be expected to play a lead role from broader cross-cutting issues where assistance might be more efficiently approached in cooperation with other organizations.
3. It is hoped that the focus on regional delivery will promote coordination and cooperation in technical assistance work, especially among neighbouring countries but also among international organizations. Regional delivery is not intended to preclude other types of delivery, but rather to enhance the effectiveness of the overall system in response to actual needs and priorities.
4. The elements of the proposed strategy are presented in six parts. In addition, the proposal includes a description of the background to the strategy and the need for it to be updated. The respective chapters of the strategy are as follows:

I. Background: This chapter reviews the basis for the development of the proposal;

II. Needs, priorities and target audience: This chapter reviews technical assistance needs and priorities identified to date and the target audience of technical assistance initiatives. It also proposes a mechanism for the further assessment and identification of needs and priorities over time;

III. Framework and modalities for regional delivery: This chapter proposes potential partners in regional delivery and possible roles they might play in regional delivery. It also sets out specific steps to promote coordination and cooperation in order to take best advantage of existing initiatives, resources and materials;

V. Operationalizing regional delivery: This chapter sets out specific steps to begin delivery of technical assistance, to test the feasibility of the regional delivery approach and, as appropriate, support efforts to achieve additional ratifications. An outline of projected activities over the medium and longer-term also is included;

VI. Resources to implement this proposal: This chapter identifies anticipated resource needs and the available sources that might be tapped to meet those needs. It also outlines steps to access existing resources, to leverage other additional resources, and to mobilize further resources that might be needed to implement the proposal;

VII. Indicators of success over time: This chapter identifies a number of parameters that would assist in measuring the success of technical assistance and facilitate in adapting activities to meet the changing needs and priorities of Parties;

VIII. Updating the regional delivery system: This chapter recognizes the need to update the regional delivery system over time, and proposes a process for this purpose.

I. Background

5. At its ninth session, the Intergovernmental Negotiating Committee requested the secretariat to prepare a report on technical assistance needs and opportunities for synergies as the basis for a possible strategic approach to technical assistance, for review by the Committee at its tenth session.

6. At its tenth session, the Intergovernmental Negotiating Committee considered the report prepared by the secretariat on technical assistance needs and opportunities for synergies as the basis for a possible strategic approach to technical assistance (UNEP/FAO/PIC/INC.10/23). As a result of its deliberations, the Committee adopted its decision INC-10/7 on a strategic approach to technical assistance.¹ The present proposal has been developed in response to paragraphs 1 and 2 of that decision.

II. Needs, priorities and target audience

A. Currently identified needs and priorities

7. The Convention itself contains several provisions relevant to technical assistance. Article 16 highlights technical assistance for the development of the infrastructure and capacity necessary to manage chemicals to enable implementation of this Convention, and to develop the infrastructure and capacity to manage chemicals throughout their life-cycle. Article 19, paragraph 2, specifies the role of the secretariat, and article 10, paragraph 3, calls for assistance to Parties in completing their import responses.

8. Decision INC-10/7, in particular its paragraphs 3 and 4, also includes specific requests to the secretariat for technical assistance.

9. In addition, the reports of the regional training workshops identified a number of specific needs of countries for technical assistance. These are available on the Rotterdam Convention web site www.pic.int. The principal problems or challenges identified in the course of the workshops were reviewed at the tenth session of the Intergovernmental Negotiating Committee, as described in its report, UNEP/FAO/PIC/INC.10/21. They may be broadly characterized as follows:

- (a) Inadequate legal or regulatory infrastructure on chemicals to implement the provisions of the PIC procedure;
- (b) Inadequate legal or regulatory infrastructure for the control of industrial chemicals;
- (c) Inadequate human and financial resources to implement the PIC procedure;
- (d) Need for improved political support in ministries responsible for the implementation of the PIC procedure;
- (e) Need for improved coordination and communication within and between relevant ministries and designated national authorities in implementing the PIC procedure;
- (f) Need to improve or establish cooperation and communication between relevant ministries, designated national authorities and stakeholders in implementing the PIC procedure;
- (g) Need for improved coordination at both the national and regional levels in implementing the Rotterdam Convention and other relevant conventions;
- (h) Lack of capacity to undertake hazard and risk assessments on the effects of chemicals, including pesticides on human health and the environment;
- (i) Poor reporting or collection of information on pesticide poisonings and a need for establishment of poison control centres;

¹

See annex III to the present note.

(j) Improved access to international literature, databases, risk/hazard evaluations and social and economic assessments of chemicals.

10. Current capacity-building and technical assistance needs of countries also have been identified through the questionnaire sent to all countries, regional economic integration organizations and participating observers, in accordance with paragraph 5 of decision 10/7.

11. The issues emerging from the survey confirmed the needs identified in the course of the training workshops. The results of this survey were presented to the Intergovernmental Negotiating Committee at its eleventh session, in document UNEP/FAO/PIC/INC.11/INF/1.

12. In general, the information gathered to date suggests that, while most countries have programmes in place to regulate pesticides, these may be poorly enforced. Programmes for the regulation of industrial chemicals are much less developed.

B. Target recipients

13. It is important to specify to whom technical assistance should be addressed in order to meet the identified needs and to ensure that it is targeted in the appropriate way. In the light of the expressed needs of countries, the key target audiences would appear to be designated national authorities, officials responsible for chemicals management and regulation and customs officials. In order to help ensure follow-up at the national level in implementation and ratification of the Convention, high-level officials within relevant ministries may also need to be involved.

C. Further identification and prioritization of needs over time

14. The delivery of technical assistance will need to be tailored to fit the needs of individual countries. Technical assistance will also need to evolve over time in order to meet the changing needs and priorities of countries. Accordingly, the following mechanisms are proposed for the further assessment and identification of needs and priorities:

(a) Parties are invited to inform the secretariat of their specific capacity-building and technical assistance needs;

(b) Regional partners engaged in the regional delivery system established in this document are invited to assist Parties in the further assessment of technical assistance needs and priorities, and to coordinate their efforts in this regard;

(c) The secretariat will provide a summary of requests for technical assistance to the Conference of the Parties at its second meeting, for its review. On this basis, the Conference of the Parties may then decide to develop a new or revised list of needs and priorities for technical assistance over the longer-term horizon for the action established in the present document.

III. Framework and modalities for regional delivery

A. Framework for regional delivery

15. The basic structure of regional delivery is built upon cooperation between the secretariat and regional organizations capable of delivering technical assistance to meet the needs identified above. These regional organizations could coordinate work with other actors in this system, including international organizations, Parties, and donors. The secretariat, under the guidance of the Conference of the Parties, could facilitate cooperation within this system.

16. The discussion which follows describes the possible role of the various organizations in the system, and the means to achieve coordination among them in the context of regional delivery.

B. Regional organizations

17. The main types of regional organizations are described below. The precise role that they might play will vary according to the type of organization, its particular mandate and its capacity. Each type has its own potential to contribute to regional delivery. There are also differences between the various organizations within categories.

1. Regional offices of FAO and UNEP

18. These offices could be the primary gateway for the regional delivery of technical assistance between the first and second meetings of the Conference of the Parties. FAO has the following regional offices : Africa, in Accra; Asia and the Pacific, in Bangkok; Latin America and the Caribbean, in Santiago de Chile; and the Near East, in Cairo, and the following subregional offices: North Africa, in Tunis; Southern and Eastern Africa, in Harare; Pacific Islands, in Samoa; and Caribbean, in Barbados. UNEP has the following regional offices: Africa, in Nairobi; Asia and the Pacific, in Bangkok; Latin America and the Caribbean, in Mexico City; and West Asia, in Bahrain.

19. A consultation with representatives of the FAO and UNEP regional offices in April 2004 reviewed their potential role in regional delivery. In the light of these discussions and in accordance with their mandates and capacities, the FAO and UNEP regional offices are well positioned to act as resource centres, to identify needs and possibilities for cooperation and funding, and to coordinate with other chemicals management programmes.

20. More specifically, and in accordance with their mandates and capacities, these offices could play the following role in the regional delivery system:

- (a) Provide information on the Convention to countries in the region and serve as resource centres in the regions;
- (b) Assist in providing training in the implementation of the Convention;
- (c) Assist in the identification of existing regional activities on chemicals management in which elements of the Rotterdam Convention might be introduced;
- (d) Seek to include the Rotterdam Convention on the agenda of meetings of regional and subregional bodies. In this regard, the FAO and UNEP regional offices could:
 - (i) Keep the Secretariat informed of dates and results of such meetings;
 - (ii) Participate in relevant meetings organized by partner organizations;
- (e) Help identify problems relevant to ratification and implementation of the Convention in the region or subregion;
- (f) Assist in the identification of national and regional needs and priorities relevant to the Rotterdam Convention;
- (g) Facilitate dialogue between the focal points of respective conventions at the national and regional levels;
- (h) Establish links to the development or updating of national profiles on chemicals management and national implementation plans under the Stockholm Convention;
- (i) Assist in identifying additional partners in the regional delivery of technical assistance among subregional bodies;
- (j) Help to identify means of raising political awareness and visibility of the Rotterdam Convention, such as by initiating a national or regional dialogue on the issue, to encourage ratification and implementation, e.g., at ministerial-level meetings or regional ministerial meetings.

2. Other regional and subregional organizations

21. There is a broad range of regional and subregional organizations that might be potential partners in the regional delivery of technical assistance. In some cases, the mandate of these organizations includes work in such areas as protection of health and environment, environmental legislation and harmonization, chemicals management and customs procedures. Specific activities may include research, training and capacity development. In some cases, they have authority to take decisions at the regional level.

22. Representative organizations include the Association of South-East Asian Nations (ASEAN), South-East Asia; the South Pacific Regional Environment Programme (SPREP), South Pacific; the Comisión Centroamericana de Ambiente y Desarrollo (Central American Commission on Environment and Development – CCAD) and the Organismo Internacional Regional de Sanidad Agropecuaria (International Regional Agricultural and Livestock Health Organization – OIRSA), Central America; the Asia-Pacific Economic Cooperation (APEC), Near East and West Asia; the Permanent Inter-State Committee for Drought Control in the Sahel (CILSS); the Economic Community of West African States, Western Africa; the Southern Africa Development Community (SADC), Southern Africa; and the Caribbean Community (CARICOM), Caribbean. Some specific examples of such organizations with chemicals activities include:

(a) OIRSA, in Central America, which ensures standardization, research and capacity on phytosanitary and veterinarian issues;

(b) CILSS, which is the registering authority for pesticides in nine countries in West Africa. CILSS has an important programme on pesticides management, which includes a common registration or approval system for pesticides; and

(c) ASEAN, which has established a range of committees and working groups to oversee activities on chemicals management. These include regional harmonization of pesticide regulatory requirements and a working group on the implementation of multilateral environmental agreements.

23. In addition, a number of international organizations and multilateral environmental agreements have established regional entities that offer another set of potential partners for collaboration. The Basel Convention, for example, has established regional centres and regional coordinating centres. The World Health Organization (WHO) also has regional offices, which may present further opportunities for collaboration. The Stockholm Convention will also establish regional centres in accordance with a decision of its Conference of the Parties.

24. These organizations will be contacted to identify specific opportunities to collaborate in support of the regional delivery system. Based on preliminary consultations, it is anticipated that some of these entities may be most effectively involved on a project-by-project basis.

C. Joining the system together: procedures and modalities for delivery

25. The regional delivery system envisages close cooperation between the Convention, the regional organizations and a variety of other actors in the process of regional delivery. The procedures described below will guide the coordination and delivery of technical assistance under the regional delivery system. Specific initial steps to operationalize the system and begin delivery are listed in chapter IV.

1. Conference of the Parties

26. The Conference of the Parties provides the overall guidance and direction for the regional delivery system. It adopts the system, identifies basic needs and priorities, and reviews its operation over time.

2. Secretariat

27. The secretariat will facilitate coordination among the entities in the system and support the development of training and reference materials. It may also initiate or participate in the delivery of technical assistance based on identified needs, as appropriate and subject to available resources. More specifically, and subject to available resources, the secretariat could:

- (a) Provide information on the Convention to regional organizations, in particular the resource kit and related materials (see chapter VIII below);
- (b) Provide training to the FAO and UNEP regional offices in the operation of the Convention, including through:
 - (i) Introduction of the resource kit;
 - (ii) Information on how the Rotterdam Convention might be integrated into national profiles on chemicals management, national implementation plans of the Stockholm Convention, and other initiatives;
- (c) Support activities of the UNEP and FAO regional offices and other regional entities, such as the regional centres of the Basel Convention and regional centres to be established under the Stockholm Convention, as needed and appropriate;
- (d) Facilitate access by developing countries and countries with economies in transition to international literature, databases, risk and hazard evaluations and social and economic assessments of PIC chemicals and their alternatives (as provided for in decision INC-10/7, paragraph 3);
- (e) Facilitate the provision of assistance to developing countries and countries with economies in transition in their efforts to combat illegal traffic related to the Rotterdam Convention and to participate in relevant international initiatives (as provided for in decision INC-10/7, paragraph 4);
- (f) Receive requests from Parties for technical assistance and forward these to the relevant entities in the regional delivery system, including possible donors (as provided for in decision INC-10/7, paragraph 6);
- (g) Maintain an overall work plan and file on technical assistance activities being carried out in the regional delivery system, and otherwise seek to promote the effective coordination of initiatives and activities.

3. Parties

28. Parties are invited to identify their capacity-building and technical assistance needs, as described in paragraph 14.

29. Parties that have not yet done so are encouraged to develop or update their national profile for chemicals management in order to identify their national priorities in that area and to integrate issues relating to the implementation of the Rotterdam Convention into those national profiles (as provided for in decision INC-10/7, paragraph 8);

30. Parties that are developing countries and countries with economies in transition are encouraged to integrate issues of relevance to the Rotterdam Convention into their national poverty reduction strategies, national strategies for sustainable development or other national development strategies (as provided for in decision INC-10/7, paragraph 9).

31. In accordance with article 16 of the Rotterdam Convention, Parties with more advanced programmes for regulating chemicals should provide technical assistance, including training, to other Parties in developing their infrastructure and capacity to manage chemicals throughout their life-cycle.

32. Consistent with article 16, the regional delivery system envisages that Parties will have a major role in the provision of technical assistance. Some Parties already provide significant resources and expertise for capacity-building in areas relevant to the Rotterdam Convention, as indicated in, among other sources, the results of the survey on technical assistance and as noted in paragraphs 9 and 10 above.

33. Building on these efforts, Parties that are developed countries and other donors are invited to ensure the better integration of chemicals management in their development cooperation policies and programmes and to take account of the needs and interests of developing countries and countries with economies in transition in their chemicals and pesticides strategies, as provided for in decision INC-10/7, paragraph 13. Parties are invited to inform the secretariat and the FAO and UNEP regional offices of existing technical assistance activities relevant to the Convention and of their interest or willingness to participate in or support activities being provided through regional delivery. The secretariat will facilitate opportunities for collaboration, as described in paragraph 27 above.

4. International organizations

34. Paragraph 1 of decision INC-10/7 requested the secretariat to strengthen cooperation with other chemicals related multilateral environmental agreements, bilateral and multilateral development agencies and programmes, as well as with non-governmental organizations and industry on technical assistance and capacity-building work.

35. There are a broad range of intergovernmental organizations, bilateral and multilateral agencies and programmes actively involved in providing technical assistance in chemicals management to countries in many regions of the world. There is a need to explore opportunities for strengthened cooperation with these organizations and programmes, including the integration of information on the Rotterdam Convention into relevant activities. While this could include general training on the Convention, the initial focus should be on cross-cutting issues. Cross-cutting issues are those elements of the Convention relevant to general chemicals management or decision-making, obligations that are common to other multilateral environmental agreements or chemicals management programmes.

36. As a first step in identifying opportunities for cooperation with relevant organizations, a consultation was convened with representatives of the secretariats of the Stockholm and Basel conventions, UNEP, the United Nations Institute for Training and Research (UNITAR), WHO, the International Labour Organization (ILO), the United Nations Industrial Development Organization (UNIDO), PAN, ICCA, CropLife International, the World Bank, the Swiss Ministry of Foreign Affairs and GTZ in June 2004. The objective of the consultation was to explore the options for strengthening cooperation on technical assistance and capacity-building work.

37. Particular attention was paid to identifying opportunities to link with existing activities in the short term, with a view to field-testing information materials and tools developed in support of the Rotterdam Convention. The following opportunities and recommended actions are highlighted:

(a) The guide under development by the Rotterdam Convention secretariat on the appropriate legal or administrative infrastructure for the implementation of the Convention should be compatible with similar guidance in preparation by the secretariats of the Basel and Stockholm conventions;

(b) National profiles on chemicals management have been developed or are under development in a broad range of countries. Such profiles are a good starting point in assessing the needs of countries in the implementation of the Rotterdam Convention. Supplementary guidance should be developed that would assist countries to use their national profile as a basis from which to define gaps in their chemicals management infrastructure for the implementation of the Rotterdam Convention;

(c) Guidance should be developed for national customs authorities on matters relevant to the Rotterdam Convention to supplement that developed by other multilateral environmental agreements or programmes and with a view to developing fully integrated guidance on relevant chemicals conventions in the future;

(d) Under the Stockholm Convention substantial progress has been made in developing national implementation plans. In view of the close relationship with the Rotterdam Convention, it would be useful to examine the extent to which Rotterdam Convention has been incorporated in those plans and to consider what guidance might be needed to help ensure that relevant aspects of the Rotterdam Convention are considered by countries in developing or implementing their national implementation plans;

(e) Opportunities should be explored for the integration of the severely hazardous pesticide formulation reporting requirements of the Rotterdam Convention with the WHO pesticide data management system and community-based approach to pesticide poisonings piloted in selected countries.

38. Participating organizations expressed interest in making information on the Rotterdam Convention available through their meetings and through established networks, including the UNIDO cleaner production centres, the Regional Network on Pesticides for Asia and the Pacific (RENAP), ILO, the Africa Stockpiles Programme, implementation of the FAO Code of Conduct on the Distribution and Use of Pesticides, CropLife International and PAN.

39. It was proposed that bilateral and multilateral aid agencies, and other entities such as the Basel Convention regional centres, should consider mainstreaming issues relevant to the Rotterdam Convention into their work programmes. It was also proposed that multilateral and bilateral agencies, when reviewing requests for technical assistance, should give priority to countries taking an integrated approach to the implementation of related chemical conventions, such as the Basel, Rotterdam and Stockholm conventions and those of the International Labour Organization (ILO).

40. It was recognized that a lack of political will or priority assigned to chemicals issues in many countries was a significant obstacle to ratification and implementation of the Rotterdam Convention. It was proposed that awareness might be raised at senior levels in national Governments working through existing activities such as the New Partnership for Africa's Development (NEPAD) and the strategic approach to international chemicals management (SAICM) process, as well as through regional or subregional organizations such as ASEAN.

41. In accordance with the provisions of article 19, paragraph 2 (c), of the Rotterdam Convention, the secretariat will ensure the necessary coordination with other secretariats to promote the effective delivery of technical assistance. These other international organizations are also invited to cooperate with the Rotterdam Convention system of regional delivery. The following procedures are established:

(a) The secretariat will inform other relevant organizations of technical assistance activities under the Rotterdam Convention, and invite those organizations to participate in the activities or provide relevant materials, as appropriate;

(b) Other relevant organizations are invited to inform the secretariat of technical assistance activities in which they are involved which may relate to the Rotterdam Convention, and to integrate expertise/materials relating to the Convention into those activities, as appropriate.

5. Donors

42. Sources of funding will need to be identified and made available to support regional delivery of technical assistance. Steps to mobilize funding are identified in chapter V below.

6. Non-governmental organizations, industry and other bodies

43. Many other organizations, including non-governmental organizations, industry bodies, academic institutions and other entities, have resources and expertise that may be of significant value in the context of technical assistance. In support of the regional delivery system, the industry sector is invited to contribute further towards a more sustainable use of chemicals, including pesticides, in developing countries and countries with economies in transition, by providing technical assistance (decision INC-10/7, paragraph 15). In addition, non-governmental organizations are encouraged to continue their technical assistance, capacity-building and awareness-raising activities (decision INC-10/7, paragraph 16). These organizations are invited to inform the secretariat of their interest and involvement in technical assistance activities, as they consider appropriate.

V. Operationalizing the system

A. Short-term actions

44. The following initial steps could be taken to operationalize the system of regional delivery following the first meeting of the Conference of the Parties:

(a) In coordination with the secretariat, FAO and UNEP regional offices could incorporate Rotterdam Convention activities into their work programmes;

(b) The secretariat could confirm initial contacts with other regional entities, international organizations and multilateral environmental agreements and invite them to participate in the regional delivery system. Where appropriate, the secretariat would develop arrangements with these entities for cooperation on specific projects;

(c) The secretariat could report to the Conference of the Parties at its second meeting on the experience gained in implementing these actions.

B. Initial technical assistance actions: short-term

45. The secretariat would be expected to play a lead role in identifying and developing technical assistance relevant to the operational elements that are unique to the Rotterdam Convention. For those aspects of the Convention that are relevant to a broader programme of chemicals management – the cross-cutting issues – consideration will be given to developing materials relevant to the Convention that might be integrated with the existing technical assistance activities of other organizations.

46. As the system of regional delivery is established, the following initial topics for technical assistance actions are identified for priority attention. This list is designed to ensure optimum progress on needs identified to date. The actions are divided into three categories, as indicated below.

1. Elements unique to the Rotterdam Convention

47. Articles 6, 7, 10 and 14 of the Convention set out those aspects in which the Secretariat should play a lead role, which include:

(a) Preparation and submission of notifications of final regulatory action to ban or severely restrict a chemical;

(b) Preparation and submission of proposals for severely hazardous pesticide formulations (based on adverse human health effects or adverse environmental effects);

(c) Procedure for making decisions on future imports of chemicals in Annex III of the Convention and for reporting those decisions to the secretariat;

(d) Export notification, indicating to exporters how to develop and implement a programme of export notification and export notification and, to importers, how to use the information provided through export notifications;

(e) Exchange of information with Parties on transit movements of chemicals through their territory; and

48. In the short term the focus of secretariat activities will be on developing training materials and information relevant to the aspects of the Convention that would be used in training designated national authorities in the operation of the Convention. Those materials would also be made available to regional offices and other partners in order that they might be integrated with their existing technical assistance programmes. The materials would be revised or amended or additional materials developed as experience is gained in their application.

2. Cross-cutting elements

49. Those elements of the Rotterdam Convention relevant to general chemicals management or decision-making and which as such are considered to cut across obligations under other multilateral environmental agreements or programmes on chemicals management include:

(a) National legislation with regard to chemicals management in general and on the implementation of the international conventions in particular;

(b) Development of plans for the implementation of chemicals-related multilateral environmental agreements (e.g., the Stockholm Convention);

(c) Customs procedures to combat illegal traffic in chemicals;

(d) Collection of information on pesticide poisoning incidents (human health and the environment);

(e) Regulatory decision-making on chemicals; and

(f) Notification, at the national level, of all actors associated with implementation of the Convention.

50. The technical assistance needs identified by countries (see paragraph 9 of the present proposal) are for the most part consistent with these cross-cutting aspects of the Rotterdam Convention and represent a logical starting point for cooperation with partner organizations. In the short term, efforts could focus on the specific opportunities for cooperation identified during the consultation with partner organizations (see paragraph 37 of the present proposal).

3. National efforts to ratify the Convention

51. Upon request, and subject to available resources, technical assistance may also be provided to support national efforts to ratify the Convention by countries seeking to do so. To assist in the initiation of these actions, interested Parties should contact the secretariat to request action within their region. It is anticipated that these actions will be further defined at the level of actual delivery.

52. The actions listed in paragraphs 42–47 will be reviewed by the Conference of the Parties at its second meeting, based on input from Parties and other actors in the system.

C. Medium and longer term

53. Over the medium term the focus of regional delivery will be on providing assistance to Parties to implement the Convention, always in coordination with other existing initiatives and organizations. Over the longer term, it might also be possible to move towards more integrated programmes on the management of chemicals and wastes.

VI. Resources to implement the present proposal

A. Resource needs

54. The regional delivery of technical assistance sketched out in the present document depends on the availability of resources and funding. Resources and funding will need to be made available for, among other things, the preparation of training materials and information in support of technical assistance activities, to be effected by the secretariat and in cooperation with partner organizations; actions on the part of the secretariat to develop and coordinate the regional delivery system among partner organizations; and the delivery and provision of technical assistance, by the secretariat and in cooperation with regional organizations and others, in support of implementation at the national level.

B. Available resources

55. As available, resources from the Rotterdam Convention trust fund or funds on technical assistance may be applied to provide technical assistance, in accordance with the present document and the financial rules adopted by the Conference of the Parties at its first meeting².

56. The activities described in the technical assistance strategy can be divided into core activities, such as coordination of the regional delivery system, preparation of information and training material, training, identification of needs, assistance to Parties, identification of partners and reporting, and, in addition to these core activities, supplementary activities such as the development of further technical documents, expanding access to information, supporting activities of regional offices, identification of further partners and support for cross-cutting activities.

57. Funding for the core activities should be provided through the regular budget process for the Conference of the Parties. The costs for the core activities in 2005 are estimated to total \$255,000. These costs are incorporated in the regular budget presented in annex IV to document UNEP/FAO/COP.1/30.

58. Costs for the conduct of supplementary activities are not incorporated in the budget outlined in document UNEP/FAO/COP.1/30. Funds for such supplementary activities will have to be provided in addition to the regular budget funds for 2005. The total estimated costs for supplementary activities in 2005 under the technical assistance strategy total \$330,000. Annex IV gives a tabular breakdown of costs for core and supplementary activities.

C. Leveraging resources

59. The secretariat, regional entities, Parties and others should also seek opportunities to combine technical assistance initiatives under the Rotterdam Convention with existing initiatives, as relevant and where funding is already available. The aim of these endeavours should be to promote coordination and leverage the use of existing resources. Opportunities for cooperation of this type are described in chapter IV.

D. Mobilizing additional resources

60. A number of other steps may also be taken to mobilize additional resources that may be used to support the delivery and provision of technical assistance under the present proposal. These could include:

- (a) Requests circulated by the secretariat to potential donors for technical assistance;

² Provisions relating to the trust fund or funds, and how trust funds apply to technical assistance activities, are under consideration by the Conference of the Parties at its first meeting in adopting its financial rules.

(b) As appropriate, provision of assistance by regional entities or other bodies in the completion of specific requests for funding from potential donors for the provision of technical assistance in line with the present proposal; and

(c) Provision of information by donors to developing countries and the secretariat of their activities and of possible means by which funding and resources might be made available.

VII. Progress indicators

61. The following indicators of progress in the delivery of technical assistance and in meeting the needs of countries with respect to implementation of the Convention are established:

- (a) Number of Parties that have identified designated national authorities under article 4;
- (b) Number and clarity of notifications under article 5 and the extent to which notifications are verified as meeting the criteria of Annex I;
- (c) Use of the severely hazardous pesticide formulation proposal process under article 6, including:
 - (i) Reporting of incidents related to a severely hazardous pesticide formulation under Annex IV;
 - (ii) Extent to which proposals contain information required in Annex IV;
- (d) Rate and clarity of import responses under article 10 and the extent to which they contain the information set out in article 10;
- (e) Effective use of export notifications and acknowledgements under article 12;
- (f) Adoption of national laws and measures with specific provisions to implement the Rotterdam Convention and enforcement of those provisions; and
- (g) Numbers of ratifications of the Convention.

62. In assessing progress, reference should also be made to information developed on matters of compliance, pursuant to the mechanisms to be established under article 17 of the Convention.

63. In the future, it may also be appropriate to develop long-term indicators relating to protection of health and the environment from harms linked to chemicals listed in Annex III of the Convention.

VIII. Means of updating the regional delivery system

64. The regional delivery system should be reviewed periodically to assess its operation and progress in meeting its objectives. For this purpose, the secretariat is requested to develop a report, for consideration by the Conference of the Parties at its second meeting, on the status of operations and progress. In addition, Parties and others are invited to provide submissions in advance of that meeting on these items, for further consideration at the Conference's second meeting.

IX. Tools and methods to be used in the regional delivery system

65. A range of training materials, references and resources, particularly relevant to the specific elements of the Rotterdam Convention, have been developed during the implementation of the interim PIC procedure. They could be further developed and used in the delivery of technical assistance. These include a resource kit; guidance to designated national authorities in the operation of the Rotterdam Convention; and a draft legal guide to implementation of the Rotterdam Convention. Copies of these documents will be available at the meeting.

66. Similarly, a broad range of materials has been developed by intergovernmental organizations and the secretariats of multilateral environmental agreements in the context of other related capacity-building initiatives on chemicals management. These documents should be used as appropriate in training for those cross-cutting elements of the Convention. An initial list of such materials has been prepared. Further work is needed on how best to adapt these documents or to see how elements relevant to the Rotterdam Convention might be incorporated, as appropriate.

67. As experience is gained, other training and reference tools and resources methods may need to be developed, in line with particular needs and activities.

Annex II

Draft decision on the proposal on regional delivery of technical assistance to the Parties of the Rotterdam Convention

The Conference of the Parties,

Noting that in paragraph 2 of its decision INC-10/7, the Intergovernmental Negotiating Committee requested the secretariat, [using the regional facilities of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, to strengthen cooperation with regional and other organizations, where appropriate, on technical assistance and capacity-building, and] to develop a proposal for the Conference of the Parties at its first meeting on the regional delivery of technical assistance to Parties,

Noting the provisions of the Convention on technical assistance, including its article 16,

Noting the importance of technical assistance in [enabling] Parties to implement the Convention,

Desiring to achieve the effective and coordinated delivery of technical assistance,

Considering that the mechanism of regional delivery is essential for the effective provision of technical assistance,

Desiring to promote coordination and cooperation among international organizations, Parties and others in the provision of technical assistance, taking into consideration also paragraph 2 of article 19 of the Convention,

Noting that hazardous chemicals and pesticides covered by the Convention can contribute to poverty through their adverse effects on human health and environmental resources,

Desiring to support attainment of the objectives of the Convention,

Decides:

(a) To adopt the proposal on the regional delivery of technical assistance to the Parties of the Rotterdam Convention³ at Annex 1; and

(b) To review at its second meeting the operation of the regional delivery system and the progress in its implementation, in accordance with paragraph 58 and other relevant provisions of the proposal.

³

As set out in annex I to document UNEP/FAO/RC/COP/1/28.

Annex III

Decision INC-10/7 on strategic approach to technical assistance, adopted by the Intergovernmental Negotiating Committee at its tenth session

The Intergovernmental Negotiating Committee,

Having regard to article 16 of the Convention on technical assistance,

Recalling the targets for chemicals agreed at the World Summit on Sustainable Development,

Noting the report by the secretariat on the lessons learnt from past technical assistance to developing countries and countries with economies in transition,

Considering that, with the imminent entry into force of the Convention, a new strategic approach to technical assistance is required,

Welcoming the priorities for action of the International Forum on Chemical Safety and the recommendations that it adopted at its fourth session in Bangkok in November 2003,

Also welcoming the outcome of the first session of the Preparatory Committee for the Development of a Strategic Approach to International Chemicals Management, held in Bangkok from 9 to 13 November 2003, particularly those relating to capacity-building, resources and development,

Noting that hazardous chemicals and pesticides covered by the Convention can contribute to poverty through their adverse effects on human health and environmental resources,

1. *Requests* the secretariat to strengthen cooperation with other chemicals-related multilateral environmental agreements, bilateral and multilateral development agencies and programmes, as well as with non-governmental organizations and industry on technical assistance and capacity-building work;
2. *Requests* the secretariat, using the regional facilities of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, to strengthen cooperation with regional and other organizations, where appropriate, on technical assistance and capacity-building, and to develop a proposal for the Conference of the Parties at its first meeting on the regional delivery of technical assistance to Parties;
3. *Requests* the secretariat to facilitate access to international literature, databases, risk and hazard evaluations and social and economic assessments of PIC chemicals and their alternatives, and invites countries participating in the PIC procedure to provide the secretariat with such information, or suitable references or links to such information if under copyright;
4. *Requests* the secretariat to facilitate assistance to developing countries and countries with economies in transition in their efforts to combat illegal traffic related to the Rotterdam Convention, and to participate in relevant international initiatives in this regard;
5. *Requests* the secretariat to conduct a study on the capacity-building and technical assistance needs of countries in relation to the Rotterdam Convention, on the basis of a questionnaire sent to all countries, regional economic integration organizations and participating observers, and further requests the secretariat to provide the results of that study to the Intergovernmental Negotiating Committee at its eleventh session;
6. *Invites* countries to inform the secretariat of their specific problems in implementing the interim PIC procedure and of their related technical assistance needs, and requests the secretariat to circulate these to potential donors;

7. *Invites* countries to identify their capacity-building and technical assistance needs, and also invites donors to inform developing countries of their activities, through the INFOCAP network set up under the Intergovernmental Forum on Chemical Safety;

8. *Encourages* those countries that have not yet done so to develop and/or update their national profile for chemicals management in order to identify their national priorities for chemicals management and to help them develop their capacity to undertake hazard and risk assessments; and encourages those countries that already have national profiles to implement, within their capacities, the identified priority activities;

9. *Encourages* developing countries and countries with economies in transition to integrate issues of relevance to the Rotterdam Convention into their national poverty reduction strategies, national strategies for sustainable development or other national development strategies;

10. *Invites* the Development Assistance Committee of the Organization for Economic Cooperation and Development to take into account the national development strategies, in particular as they relate to technical assistance requirements under the Convention;

11. *Calls on* developing countries and countries with economies in transition to make use of existing sources of funding to finance their capacity-building needs under the Rotterdam Convention, including bilateral and multilateral cooperation programmes and, where synergies exist with activities relating to persistent organic pollutants, the support provided by the Global Environment Facility for action to control persistent organic pollutants;

12. *Invites* countries, donors and other stakeholders to promote chemicals management regional cooperation programmes within existing regional cooperation frameworks;

13. *Invites* developed countries and other donors to ensure the better integration of chemicals management in their development cooperation policies and programmes and to take account of the needs and interests of developing countries and countries with economies in transition in their chemicals and pesticides strategies;

14. *Welcomes* the proposed establishment in the draft financial rules of a [supplementary trust fund] [special trust fund] for the purpose of [facilitating] technical assistance and other related matters in support of developing country Parties and Parties with economies in transition, and invites the Conference of the Parties, at its first meeting, to adopt these provisions;

15. *Invites* industry to contribute further towards a more sustainable use of chemicals, including pesticides, in developing countries and countries with economies in transition, by providing technical assistance;

16. *Encourages* non-governmental organizations to continue their technical assistance, capacity-building and awareness-raising activities.

Annex IV

Tabular summary of costs for core and supplementary activities

Activity	Paragraph reference	Cost (USD)
Core activities		
Development of training and resource materials	Paragraph 27	90 000
Provide training to regional officers	Paragraph 27	100 000
Assist national efforts to ratify the Convention	Paragraph 49	65 000
Total for core activities		255 000
Supplementary activities		
Support for national activities to implement the Rotterdam Convention	Paragraph 37	170 000
Utilize regional centres (FAO, UNEP regional offices, other regional organizations) to promote activities related to the Convention and to provide locally based assistance to countries	Paragraphs 20 and 24	60 000
Coordinate with national, regional and international organizations to provide effective technical assistance activities	Paragraph 39	25 000
Facilitate assistance to combat illegal traffic	Paragraph 27 (e)	75 000
Total for supplementary activities		330 000