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Environment Programme**

**Food and Agriculture Organization  
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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**

**Second meeting**

Rome, 27–30 September 2005

Item 2 (a) of the provisional agenda\*

**Organizational matters: adoption of the agenda**

## **Annotated provisional agenda**

### **Item 1. Opening of the meeting**

1. The second meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, to be held from 27 to 30 September 2005 at the headquarters of the Food and Agriculture Organization of the United Nations (FAO) in Rome, will be opened at 3 p.m. on Tuesday, 27 September 2005.
2. Opening and welcoming statements will be made by:
  - (a) A representative of the Italian Government;
  - (b) A representative of FAO;
  - (c) A representative of the United Nations Environment Programme (UNEP).

### **Item 2. Organizational matters**

#### **(a) Adoption of the agenda**

3. Subject to the rules of procedure, the Conference may wish to adopt its agenda on the basis of the provisional agenda contained in document UNEP/FAO/RC/COP.2/1.

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\* UNEP/FAO/RC/COP.2/1.

**(b) Organization of work**

4. The Conference may wish to establish such standing and ad hoc subsidiary bodies as it may deem necessary and to specify their mandates.
5. The Conference may wish to decide that it should meet from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as necessary. It is not proposed that this meeting will feature a ministerial segment.

**Item 3. Rules of procedure for the Conference of the Parties**

6. At its first meeting, held in Geneva from 20 to 24 September 2004, in decision RC-1/1, the Conference adopted the rules of procedure for the Conference of the Parties as contained in the annex to that decision, with the exception of rule 45, paragraph 1.
7. The Conference may wish to continue its consideration of rule 45, paragraph 1, as set out in a note by the secretariat (UNEP/FAO/RC/COP.2/3).

**Item 4. Report on the credentials of representatives at the second meeting of the Conference of the Parties**

8. Rule 19 of the rules of procedure for the Conference of the Parties provides that the credentials of representatives and the names of alternate representatives and advisers must be submitted to the secretariat, if possible no later than 24 hours after the opening of the meeting. Any change in the composition of the delegation must also be submitted to the secretariat. The credentials must be issued either by the head of State or Government or by the minister for foreign affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. If credentials are submitted in copy or by fax, the delegation should submit the original upon registration. Please note that submission of credentials prior to the meeting would greatly facilitate the advance clearing process by the secretariat.
9. Representatives may participate in the meeting pending a decision of the Conference on their credentials.
10. The Bureau, with the assistance of the secretariat, will examine the credentials of the representatives at the meeting and report thereon to the Conference, which will consider the report of the Bureau.

**Item 5. Implementation of the Convention****(a) Status of implementation**

11. The Conference has before it a note by the secretariat containing information on the status of implementation of the Rotterdam Convention by Parties and participating States (UNEP/FAO/RC/COP.2/6).
12. The Conference may wish to take note of the progress made in implementation and consider whether further efforts are required to encourage implementation by Parties.

**(b) Confirmation of experts designated for the Chemical Review Committee**

13. At its first meeting, in decision RC-1/6, the Conference of the Parties established the Chemical Review Committee and agreed on a list of Parties that would each formally designate one expert, whose name and qualifications would be provided to the secretariat by 1 December 2004. The Conference agreed that those experts would serve as members of the Chemical Review Committee on an interim basis, pending formal confirmation of their appointment by the Conference of the Parties at its second meeting.
14. The list of experts designated in accordance with decision RC-1/6 is provided in document UNEP/FAO/RC/COP.2/7, and information on the qualifications of those experts is provided in document UNEP/FAO/RC/COP.2/INF/5. The Conference may wish to consider confirming the appointment of those experts as members of the Chemical Review Committee.

15. According to the rules of procedure, the Chair of the Chemical Review Committee must be elected by the Conference of the Parties. At its first meeting, the Conference of the Parties did not elect a Chair of the Chemical Review Committee. The Committee itself, however, agreed on a Chair to act at its first meeting and also endorsed Ms Bettina Hitzfeld as Chair for subsequent meetings. The Conference may wish to elect Ms. Hitzfeld formally as the Chair of the Chemical Review Committee.

**(c) Report of the Chemical Review Committee on the work of its first meeting**

16. The Conference has before it a note by the secretariat containing the report of the Chemical Review Committee on the work of its first meeting (UNEP/FAO/RC/COP.2/8). Specific issues arising from the work of the Chemical Review Committee at its first meeting are highlighted in document UNEP/FAO/RC/COP.2/9.

17. The Conference may wish to take note of the report of the first meeting of the Chemical Review Committee and consider the issues which the Committee has placed before it for its consideration.

**Item 6. Issues arising out of the first meeting of the Conference of the Parties**

**(a) Non-compliance: report of the open-ended ad-hoc working group**

18. At its first meeting, in decision RC-1/10, the Conference of the Parties agreed that the work on non-compliance which had been undertaken by the Intergovernmental Negotiating Committee should be continued immediately prior to its second meeting by an open-ended ad hoc working group.

19. The secretariat has made arrangements for the open-ended ad hoc working group to meet on Monday, 26 September 2005, and on the morning of Tuesday, 27 September 2005, at FAO headquarters in Rome. The agenda for the meeting is contained in document UNEP/FAO/RC/OEWG.1/1.

20. The Conference may wish to consider the report of the meeting of the open-ended ad hoc working group, and, should the work of the group not yet be completed, consider encouraging the group to continue its deliberations in parallel with the meeting of the Conference of the Parties.

**(b) Study of possible options for lasting and sustainable financial mechanisms**

21. At its first meeting, in decision RC-1/5, the Conference of the Parties requested the secretariat to conduct a study into the possible options for lasting and sustainable financial mechanisms which would enable developing countries to implement adequately the provisions of the Convention.

22. The results of this study are presented in document UNEP/FAO/RC/COP.2/10. The Conference may wish to consider those results.

**(c) Regional delivery of technical assistance**

23. At its first meeting, the Conference of the Parties decided on a number of technical assistance activities and in decision RC-1/14 requested the secretariat to operationalize the regional delivery of technical assistance to the Parties of the Convention.

24. A report on the activities undertaken to date to promote the regional delivery of technical assistance is contained in document UNEP/FAO/RC/COP.2/12. The Conference may wish to take note of the progress made in the implementation of decision RC-1/14, acknowledge the financial support of FAO for the work of the secretariat on the regional delivery of technical assistance, review and approve the proposed work plan and associated budget for 2006, provide advice to the secretariat on establishing priorities for this work programme, in particular in view of possible budgetary limitations, and encourage Parties to contribute to the voluntary trust fund to allow implementation of the planned activities.

**(d) Encouragement of the World Customs Organization to assign specific Harmonized System codes to the chemicals listed in Annex III**

25. At its first meeting, in decision RC-1/8, the Conference of the Parties welcomed cooperation to date between the WCO and the secretariat of the Rotterdam Convention, encouraged WCO to assign specific Harmonized Systems customs codes to chemicals included in Annex III, as appropriate, and requested the secretariat to continue to work with the WCO secretariat.

26. A report on continued cooperation between the secretariat and the WCO secretariat is contained in document UNEP/FAO/RC/COP.2/16. The Conference may wish to endorse further work with WCO, including future cooperation with regard to training activities for customs officials.

**(e) Cooperation with the World Trade Organization**

27. At its first meeting, in decision RC-1/15, the Conference of the Parties requested the secretariat to seek observer status in the Committee on Trade and Environment in Special Session of the World Trade Organization and to inform Parties when that request had been submitted and when it had been granted.

28. Details of continued cooperation between the secretariat and the World Trade Organization are contained in document UNEP/FAO/RC/COP.2/15. The Conference may wish to take note of the progress made in obtaining observer status and to support continued cooperative efforts between the secretariat and the World Trade Organization.

**(f) Secretariat arrangements**

29. At its first meeting, in decision RC-1/9, the Conference of the Parties invited the Executive Director of UNEP and the Director-General of FAO to make arrangements for the performance of the secretariat functions, possibly based on the same elements as in the earlier arrangements, and to present those arrangements to the Conference of the Parties for consideration and approval, if possible, at its second meeting. Also at its first meeting, in decision RC-1/17, the Conference of the Parties agreed to invite the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants at its first meeting to consider, if feasible and appropriate, co-financing in 2006 the position of a joint head of the secretariats of both the Stockholm and Rotterdam conventions at the level of D-1.

30. Details on the arrangements for the performance of the secretariat functions are contained in document UNEP/FAO/RC/COP.2/14. The Conference of the Parties may wish to consider and, as appropriate, approve those arrangements. A letter from the secretariat to the secretariat of the Stockholm Convention on possible arrangements for a joint head of the secretariats of the Rotterdam and Stockholm conventions, and a reply, are contained, among other things, in document UNEP/FAO/RC/COP.2/INF/4.

## **Item 7. Communication with Governments**

31. The Rotterdam Convention, in article 4, requires each Party to designate one or more national authorities to act on its behalf in the performance of the administrative functions required by the Convention. Non-administrative official communications from the secretariat to Governments are currently sent through official UNEP and FAO contact points. The timely transmission of information from the secretariat to Governments has on occasion been hampered by a lack of up-to-date contact details and other factors relating to official contact points.

32. Details on communication with Governments are included in document UNEP/FAO/RC/COP.2/17. The Conference of the Parties may wish to consider endorsing official communication through channels nominated by Parties and requesting Parties to transmit to the secretariat the contact details of their preferred official contact points for non-administrative communications.

33. Document UNEP/FAO/RC/COP.2/17 also contains information on communication with bodies which are entitled to participate in the meeting as observers, including information on maintaining a list of accredited non-governmental organizations who shall be invited to attend the meetings of the Convention.

## **Item 8. Report on activities of the secretariat**

34. The secretariat has prepared a report on the activities of the secretariat during the reporting period from 1 May 2004 to 30 April 2005 (UNEP/FAO/RC/COP.2/4). The secretariat has also prepared a financial report for the period from 1 May 2004 to 30 April 2005 (UNEP/FAO/RC/COP.2/18).

35. The Conference may wish to take note of the activities of the secretariat and the financial report.

## **Item 9. Programme of work and reconsideration of the indicative 2006 budget**

36. The secretariat has prepared a draft programme of work for 2006 and has updated the indicative 2006 budget approved by the Conference of the Parties at its first meeting to reflect changes in costs since the budget was drafted, noting that the Conference of the Party decided, in decision RC-1/17, to reconsider this indicative budget at its second meeting. This information is contained in document UNEP/FAO/RC/COP.2/5.

37. The Conference of the Parties may wish to consider the draft programme of work and core budget for 2006, review the updates made to the indicative budget presented to the Conference of the Parties at its first meeting and approve the budget and staffing table for 2006. The Conference of the Parties may also wish to consider the impacts on the budget of technical assistance activities or other tasks which it requests the secretariat to undertake and to review the budget for the voluntary trust fund related to additional activities.

38. This item has been placed on the agenda after the substantive items which might lead to the proposal of activities that would affect the budget. The Conference may wish to consider taking up the issue of the budget at an earlier stage in the agenda to allow for the establishment of a budget group.

## **Item 10. Venue and date of the third meeting of the Conference of the Parties**

39. Rule 3 of the rules of procedure for the Conference of the Parties provides that the meetings of the Conference of the Parties shall take place at the seat(s) of the secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the Parties.

40. Rule 4, paragraph 2, of the rules of procedure for the Conference of the Parties provides that, at each ordinary meeting, the Conference of the Parties shall decide on the date and duration of the next ordinary meeting. The Conference of the Parties should endeavour not to hold such meetings at times that would make the attendance of a significant number of delegations difficult.

41. The Conference may wish to consider holding its third meeting in Geneva from 9 to 13 October 2006.

## **Item 11. Election of officers for the third meeting of the Conference of the Parties**

42. According to rule 22 of the rules of procedure, the officers elected at the first ordinary meeting of the Conference of the Parties to serve as the Bureau of the Conference of the Parties are to remain in office until the closure of the second ordinary meeting of the Conference of the Parties. At each ordinary meeting of the Conference following the first meeting, the election of officers from among the Parties to serve as the Bureau for the following meeting is to take place before the end of the meeting. The officers elected are to commence their terms of office at the closure of the meeting and serve until the closure of the following ordinary meeting, including for any intervening extraordinary meeting.

43. The Conference may therefore wish to encourage the United Nations regional groups to meet during the course of the second meeting of the Conference to elect officers to serve on the Bureau from the end of the second meeting until the end of the third meeting of the Conference and to inform the Conference of the results of such elections.

## **Item 12. Other matters**

44. At its first meeting, the Conference of the Parties considered whether trade was a limiting prerequisite in article 6 or Annex IV of the Convention. A request was made to place on the agenda for the second meeting of the Conference of the Parties the question of whether international trade was applicable to the Convention as a whole, and the secretariat was requested to prepare such documentation as would enable the Conference to consider the issue fully.

45. The information prepared by the secretariat pursuant to this request is contained in document UNEP/FAO/RC/COP.2/13. The Conference may wish to discuss the issues raised therein.

46. The Conference of the Parties may also wish to consider other matters that are raised during the meeting.

**Item 13. Adoption of the report**

47. At its final session, the Conference will be invited to consider and adopt the draft report on its work as prepared by the Rapporteur.

**Item 14. Closure of the meeting**

48. It is expected that the meeting will be closed by the President by 6 p.m. on Friday, 30 September 2005.

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