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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 8 of the provisional agenda\***

**Report on activities of the secretariat**

## **Activities of the secretariat**

### **Note by the secretariat**

#### **Introduction**

1. Except as otherwise noted or where apparent from the context, the present note describes activities undertaken by the secretariat during the period from 1 May 2004 to 30 April 2005.
2. On 18 October 2004, following the departure of Mr. Jim Willis, Ms. Monique Barbut, Director of the Division of Technology, Industry and Economics of the United Nations Environment Programme (UNEP), was appointed Officer-in-Charge of the secretariat office in Geneva.
3. The functions of the secretariat are defined in Article 19, paragraph 2, of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. For ease of reference, the activities of the secretariat are described in the present note in terms of those functions.

## **I. Meetings of the Conference of the Parties and its subsidiary bodies**

### **A. First meeting of the Conference of the Parties**

4. The secretariat made arrangements for the first meeting of the Conference of the Parties in Geneva, which took place from 20 to 24 September 2004. The meeting was attended by more than 500 participants, representing over 135 Governments and a number of intergovernmental organizations,

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

non-governmental organizations and United Nations agencies. The report of the meeting is contained in document UNEP/FAO/RC/COP.1/33.

5. Thanks to the generosity of the Government of Switzerland, which provided funding, the secretariat was able to make travel arrangements enabling the attendance at the meeting of one representative from each developing country or country with economy in transition.

6. Detailed reports on a number of the issues arising out of the first meeting of the Conference of the Parties are available in documents UNEP/FAO/RC/COP.2/10–16.

7. As requested by the Conference at its first meeting, and following informal consultations with the secretariat for the Committee on Contributions, which is a subsidiary body of the General Assembly, the President of the Conference has conveyed the concerns of the budget group and those expressed during the debate in plenary regarding the application of the United Nations scale of assessment in a letter sent to the President of the General Assembly.

8. A copy of the letter is available in UNEP/FAO/RC/COP.2/INF/4.

## **B. First meeting of the Chemical Review Committee**

9. The first meeting of the Chemical Review Committee was held in Geneva from 11 to 18 February 2005. It was chaired by Mr. André Mayne (Australia) and attended by 26 of its 31 experts. A number of observers from Governments, intergovernmental organizations and non-governmental organizations also attended.

10. Prior to the meeting, the secretariat facilitated the nomination of experts by communicating with official contact points and requesting nominations. The secretariat also provided assistance to the individual experts and arranged travel for supported experts from countries that were not members of the Organization for Economic Cooperation and Development.

11. At the meeting, experts considered 60 nominations for 14 chemicals that were candidates for inclusion in Annex III of the Rotterdam Convention. They reviewed the notifications and supplementary data that had been submitted by the notifying Parties and compiled for consideration. In addition, they considered a number of working documents regarding working procedures and policy guidance that had been developed by the interim Chemical Review Committee.

12. The report of the meeting may be found in document UNEP/FAO/RC/CRC.1/28.

## **II. Facilitating assistance to Parties in the implementation of the Convention**

13. A detailed report on secretariat activities to implement decision RC-1/14 on the regional delivery of technical assistance is available in document UNEP/FAO/RC/COP.2/12.

14. The secretariat has maintained the Rotterdam Convention website ([www.pic.int](http://www.pic.int)), using it as a forum for distributing information on, among other things, forthcoming workshops, guidance material, decision guidance documents and meeting documents for the Conference of the Parties and the Chemical Review Committee. In addition, when countries submit information on national risk evaluations or available alternatives to the chemicals listed in Annex III, the information is posted on the website. Following a request made by the Conference of the Parties at its first meeting, the secretariat has also maintained a list of contributions made to the General Trust Fund.

15. A resource kit has been developed as a logical and consistent way in which to organize information on the Convention. It incorporates the training materials and information developed in the regional training workshops, and was prepared with a range of end-users in mind, including the general public, designated national authorities and stakeholders involved in the implementation of the Convention. It includes elements to assist in awareness-raising activities and detailed technical information and training materials aimed at facilitating implementation of the Convention. The kit is separated into five sections: A. General information; B. Guidance information; C. Documents for the implementation of the Rotterdam Convention; D. Training materials; E. Cross-cutting information. The documents in the resource kit are all available in English, French and Spanish and many of them are also available in Arabic, Chinese, and Russian.

16. The resource kit has been widely distributed, with copies being sent to all designated national authorities from Parties and participating States, regional offices of UNEP and the Food and Agriculture Organization of the United Nations (FAO), the Basel Convention regional centres, the secretariats of

relevant multilateral environmental agreements, the member organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) and potential regional partners.

17. Individual elements of the resource kit will be updated and improved and the kit itself will be expanded as experience is gained. Further information on the resource kit may be found in document UNEP/FAO/RC//COP.2/12

18. In addition, a subset of the documents contained in the resource kit were sent to all FAO country representatives to raise their awareness of the Rotterdam Convention and to seek their assistance in liaising with senior government officials in support of the ratification and implementation of the Convention.

19. Pursuant to article 10, paragraph 4 (b) (iv), of the Rotterdam Convention, providing assistance to Parties in evaluating chemicals is an integral part of the work of the secretariat. During the reporting period, the secretariat received one request for assistance under the provisions of article 10. The requested information was made available to the designated national authority.

### **III. Coordination with secretariats of other international bodies**

20. As part of its core operations, the secretariat coordinates closely with the secretariats of other relevant international bodies. As part of its coordination efforts, the secretariat has worked closely with the secretariat of the Stockholm Convention on Persistent Organic Pollutants to incorporate additional information on and references to the Rotterdam Convention into the guidance provided to Governments in relation to their national implementation plans and national action plans.

21. At its first meeting, held in Punta del Este, Uruguay, from 2 to 6 May 2005, the Conference of the Parties to the Stockholm Convention adopted the interim guidance on the development of national implementation plans under the Stockholm Convention as amended to include reference to the Rotterdam Convention.

22. The secretariat has included elements relating to the Stockholm Convention and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in the information that it provided to participants at the workshops held to facilitate implementation of the Rotterdam Convention. On request, the secretariat has provided specific information on the status of implementation of the Rotterdam Convention and has made copies of materials used in relevant presentations on the Convention available to the secretariats of the Stockholm and Basel conventions, to assist them in their technical assistance activities.

23. The secretariat has continued to cooperate with the World Customs Organization and the Committee on Trade and Environment of the World Trade Organization. Details of this cooperation are provided in documents UNEP/RC/FAO/COP.2/16 and UNEP/RC/FAO/COP.2/15.

### **IV. Other secretariat functions as specified by the Convention and determined by the Conference of the Parties**

24. The secretariat functions as specified by the Convention also include:

- (a) Maintaining a register of designated national authorities (article 4);
- (b) Processing notifications of regulatory actions to ban or severely restrict a chemical and forwarding them to the Chemical Review Committee (article 5);
- (c) Processing proposals for listing severely hazardous pesticide formulations and forward them to the Chemical Review Committee (article 6);
- (d) Drafting and disseminating decision guidance documents (article 7);
- (e) Processing information regarding the removal of chemicals and forwarding it to the Chemical Review Committee (article 9);
- (f) Processing decisions regarding the future import of chemicals listed in Annex III and informing all Parties of the responses received (article 10);
- (g) Working with World Customs Organization in assigning Harmonized System customs codes to the chemicals in Annex III (article 13);
- (h) Facilitating information exchange among Parties (article 14);

- (i) Communicating to all Parties proposed amendments to the Convention (articles 21 and 22).

#### **A. Designated national authorities**

25. Under article 4, paragraph 3, of the Convention, each Party was obliged, no later than the day of entry into force of the Convention for it, to notify the name and address of its designated national authority or authorities to the secretariat. The secretariat is obliged to inform the Parties of the notifications that it receives under paragraph 3. Accordingly, the secretariat sends a letter to the official contact points of all new Parties to the Convention, reminding them of this obligation. That letter also includes information on the status of implementation of the Convention within the Party, including the import responses submitted and a complete list of notifications submitted by the Party both prior to and following the opening of the Convention for signature.

26. A further letter is sent to welcome all designated national authorities, reminding them of their obligations under the Convention and the status of implementation in their country. This information is accompanied by a copy of the guidance document for designated national authorities, and a complete set of decision guidance documents for the chemicals included in Annex III. The list of designated national authorities is circulated with the PIC Circular every six months, with a request that the information be checked and changes reported to the secretariat.

27. It has been brought to the attention of the secretariat that a number of designated national authorities have experienced difficulties in contacting other such authorities because the addresses that they used were not correct. The secretariat has therefore written to all designated national authorities requesting them to confirm that their contact details were correct and to provide an e-mail address or fax number if they had not already done so. A list of designated national authorities will be made available to the Conference in document UNEP/FAO/RC/COP.2/INF/2. Participants are invited to review the contact information in this list and to inform the secretariat should any of the details be incorrect.

#### **B. Processing notifications of final regulatory actions to ban and severely restrict a chemical and proposals for inclusion of severely hazardous pesticide formulations and forwarding them to the Chemical Review Committee (article 5)**

28. Under paragraph 3 of article 5 of the Convention, the secretariat is obliged to verify whether the notifications of final regulatory action that it receives contain the information required under annex I to the Convention and to circulate to all Parties a summary of the information received. Under paragraph 4 of the same article, the secretariat must, every six months, circulate a synopsis of the notifications of final regulatory action received, including information regarding those notifications that do not contain all the information required under Annex I to the Convention. This synopsis is provided in the PIC Circular in English, French and Spanish. As part of the verification process, the secretariat has liaised with the designated national authorities that have submitted incomplete notifications and has helped them complete these notifications.

29. During the reporting period, the secretariat received a total of 290 notifications of final regulatory action from 16 Parties. Those notifications have either been verified and synopses circulated to Parties in appendix I of PIC Circulars XX (December 2004) and XXI (June 2005), have been found to fall short of the requirements of Annex I or are still under verification.

30. The secretariat forwarded 60 notifications of final regulatory action for 14 chemicals, with available supplementary data, to the Chemical Review Committee for its consideration.

#### **C. Processing proposals for the listing of severely hazardous pesticide formulations and forwarding them to the Chemical Review Committee (article 6)**

31. During the reporting period, no proposals for the listing of severely hazardous pesticide formulations were received by the secretariat. The secretariat continues to make information on this process available to developing countries that may wish to use it as a way of indicating the difficulties they face in the safe management of hazardous pesticide formulations.

#### **D. Drafting and disseminating decision guidance documents (article 7)**

32. On 1 February 2005, following the decision to list 14 new chemicals in Annex III and the approval of the related decision guidance documents by the Conference of the Parties, the decision

guidance documents were circulated to all designated national authorities from Parties and participating Governments. The secretariat updated the introduction to the decision guidance documents to reflect the inclusion of the chemicals in Annex III of the Convention by the Conference of the Parties. The decision guidance documents were also made available on the Rotterdam Convention website ([www.pic.int](http://www.pic.int)).

33. Following the decision of the Chemical Review Committee at its first meeting to prepare a decision guidance document for chrysotile asbestos, the secretariat has facilitated the work of the drafting group by circulating the draft internal proposal for review, initially by drafting group members. The document will be circulated more widely in the course of 2005.

34. In cooperation with the World Health Organization, the secretariat has forwarded the request for data on alternatives to chrysotile asbestos to all designated national authorities, experts serving on the Chemical Review Committee and interested observers attending the Chemical Review Committee, to assist in the collection of data for review by an expert body that will meet in September 2005.

**E. Processing information regarding the removal of chemicals and forwarding it to the Chemical Review Committee (article 9)**

35. During the reporting period, no information was provided to the secretariat regarding the removal of chemicals from Annex III.

**F. Processing decisions regarding the future import of chemicals listed in Annex III and informing all Parties of the responses received (article 10)**

36. Under paragraph 2 of article 10 of the Convention, each Party must transmit to the secretariat, as soon as possible, and in any event no later than nine months after the date of dispatch of a decision guidance document, a response regarding the future import of the chemical concerned.

37. Under paragraph 3 of article 10, the secretariat must, at the expiration of the time period given in paragraph 2 of the article, forthwith address to a Party that has not provided such a response a written request to do so, through its designated national authority. For the decision guidance documents distributed on 1 February 2005, the secretariat will, at the end of nine months, send an individual written reminder to all designated national authorities that have not yet submitted an import response for these chemicals. Subsequent reminders of the failure to transmit a response will take the form of a listing in the PIC Circular.

38. Under paragraph 10 of article 10, every six months the secretariat must inform Parties of the responses that it has received. Such information must include a description of the legislative or administrative measures on which the decisions have been based, where available. The secretariat must also inform the Parties of any cases of failure to transmit a response.

39. During the reporting period, the secretariat received 282 responses regarding future imports of chemicals listed in Annex III, from 29 Parties. Those responses, together with all the previously submitted responses and information on all cases of failure to provide a response, were circulated to Parties in appendix IV of PIC Circulars XX (December 2004) and XXI (June 2005), in English, French and Spanish.

**G. Working with the World Customs Organization in assigning Harmonized System customs codes to the chemicals listed in Annex III (article 13)**

40. Cooperation with the World Customs Organization is under way and is reported in detail in document UNEP/FAO/RC/COP.2/16.

**H. Facilitating information exchange among Parties (article 14)**

41. During the reporting period, the secretariat received and responded to a total of 230 queries and requests for information related to the implementation of the Convention.

42. In addition, the secretariat circulated information relating to the domestic regulatory action of one Party (which did not result in the ban or severe restriction of a chemical) to all Parties together with PIC Circular XX (December 2004), as requested.

**I. Communicating proposed amendments to the Convention (articles 21 and 22)**

43. The secretariat was in contact with the Treaty Section of the United Nations Office of Legal Affairs regarding communication of the amendments made to the Convention by the Conference of the Parties at its first meeting. These amendments were communicated to Parties by the depositary on 11 January 2005. During the reporting period, no further amendments were proposed to the Convention

**V. Arrangements for the performance of secretariat functions**

44. A detailed report on the administrative arrangements agreed between UNEP and FAO is included in document UNEP/FAO/RC/COP.2/14

45. In its decision RC-1/12, the Conference, among other things, invited the Executive Director of UNEP and the Director General of FAO to consult the authorities of the host Governments regarding the practical arrangements for hosting the secretariat in Geneva and Rome and requested the secretariat to report on the implementation of this decision to the Conference of the Parties at its second meeting.

46. The practical arrangements for hosting the secretariat have continued as during the interim period, with the host Governments providing the facilities and funding as agreed.

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