



**United Nations
Environment Programme**

**Food and Agriculture Organization
of the United Nations**

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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, 26–30 September 2005
Item 7 of the provisional agenda

Communication with Governments

Official communication with Governments and observers

Note by the secretariat

1. The present paper addresses the issue of communication with Governments and observers. The purpose of the paper is to initiate the process of consultation with Governments on their preferred official channels of communication and to develop a list of observers in line with the rules of procedure for the Conference of the Parties.
2. The paper is divided into two chapters: chapter I deals with official communication with Governments (Parties and non-Parties); chapter II deals with official communication with observers. The paper provides relevant background information and a summary of current activities regarding communication with Parties and observers, and proposals for possible action by the Conference of the Parties.

Background

3. During the negotiation of the Rotterdam Convention and the period when the interim prior informed consent (PIC) procedure was in effect, the secretariat used the United Nations Environment Programme (UNEP) and Food and Agriculture Organization of the United Nations (FAO) official contact points as well as their lists of observers for communication purposes. Communications sent to UNEP and FAO official contact points, however, often require further transmission to the substantively relevant national entity. With regard to observers, the secretariat communicated information to a broad range of observers, only some of which had a direct interest in the work of the Convention.
4. The entry into force of the Convention provides an opportunity to improve the efficiency and timeliness of communication with Parties and non-Party Governments, as well as with observers. It is

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also important to bring current practice in line with the text of the Convention and the rules of procedure.

I. Official communication with Governments

5. Article 4 of the Convention requires each party, on entry into force of the Convention for the Party, to designate one or more national authorities authorized to act on its behalf in the performance of the administrative functions required by the Convention. The secretariat maintains a list of designated national authorities for all Parties and communicates effectively with them on administrative matters required by the Convention.

6. There is no provision in the Convention or under the rules of procedure concerning official communication between the secretariat and Governments (Parties and non-Parties) on issues such as invitations to meetings of the Conference of the Parties or the nomination of Government-designated experts to the Chemical Review Committee.

7. As noted previously, such official communication currently takes place through UNEP and FAO official contact points. The timely transmission of information from the secretariat to Governments has been hampered on occasion due to the lack of availability of up-to-date contact details and the fact that communications sent to these contact points may require further onward transmission to the substantively relevant national entity. The issue of timeliness is of particular relevance when follow-up actions are required.

8. In order to streamline communications between the secretariat and Parties and non-Parties on non-administrative matters, it is proposed that the secretariat consult with them on their preferred official channels of communication. In cases where no response is received, the current system of communication through UNEP and FAO official contact points will be assumed to be the preferred official channel of communication.

Possible action by the Conference of the Parties

9. The Conference of the Parties may wish to call upon Parties and non-Party Governments to transmit to the secretariat details of their preferred official channel of communication on non-administrative matters to ensure the efficient transmission of information, including any modifications or additions as they occur.

II. Official communication with observers

10. The rules of procedure have specific provisions regarding the participation of observers in the meetings of the Conference of the Parties. Rules 6 and 7 of the rules of procedure (annex I) define observers in the following categories.

A. United Nations, specialized agencies, the International Atomic Energy Agency and non-Parties (rule 6)

11. This group may be represented at meetings as observers and may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting, unless at least one third of the Parties present at the meeting object.

B. Any body or agency, whether national or international, governmental or non-governmental (rule 7)

12. This second group of observers should be qualified in matters covered by the Convention and should inform the secretariat of its wish to be represented at any meeting as an observer, and may be so admitted unless at least one third of the Parties present at the meeting object. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting in matters of direct concern to them unless at least one third of the Parties present at the meeting object.

13. Rule 8 of the rules of procedure states that the secretariat shall notify those entitled to participate in a meeting as observers and those which have informed the secretariat of their wish to so participate, pursuant to rules 6 and 7, of the dates and venue of the next meeting.

14. The entry into force of the Convention also provides an opportunity for the establishment of a new list of observers, in particular, for the purposes of rules 6 and 7, in order for the secretariat to properly fulfil its obligations under rule 8.
15. Annex II contains a list of United Nations specialized agencies, the International Atomic Energy Agency and relevant contact points, which is currently used by the secretariat in communicating with them.
16. Annex III contains a list of other bodies or agencies, whether national or international, governmental or non-governmental, which has been screened and revised by the secretariat for relevance and comprises those observers which have either been invited or participated in meetings of the Convention and therefore meet the criteria described under rule 7 of the rules of procedure.

Possible action by the Conference of the Parties

17. The Conference of the Parties may wish to request the secretariat to adopt and maintain the lists of accredited observers which shall be invited to the meetings of the Convention, contained in annexes II and III to the present paper, which may be updated and revised from time to time as appropriate.
18. The Conference of the Parties may wish to invite relevant observers to provide up-to-date contact information relevant to the attached lists, if they have not done so, and to submit that information to the secretariat, including any future modifications or additions as they occur.
19. The Conference of the Parties may wish to invite other interested and relevant observers to contact the secretariat to express their interest in being invited to meetings of the Convention.

Annex I

Excerpt from the rules of procedure

III. Observers

Participation of the United Nations, specialized agencies and non-Parties

Rule 6

1. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to this Convention, may be represented at meetings as observers.
2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting, unless at least one third of the Parties present at the meeting object.

Participation of other bodies or agencies

Rule 7

1. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the Secretariat of its wish to be represented at a meeting as an observer may be so admitted unless at least one third of the Parties present at the meeting object.
2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent, unless at least one third of the Parties present at the meeting object.

Notification by the Secretariat

Rule 8

The Secretariat shall notify those entitled to be observers and those which have informed the Secretariat of their wish to be represented, pursuant to rules 6 and 7, of the dates and venue of the next meeting.

Annex II

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